STATE STRENGTHENING IN AFGHANISTAN

LESSONS LEARNED, 2001–14

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[PEACEW⊕RKS]

About the Report

In March 2015, the United States Institute of Peace (USIP), Chatham House, and Stanford University held a two-day conference on "State-Strengthening in Afghanistan 2001–2014: Learning from the Past to Inform the Future." This report comprises a selection of papers presented at the conference. The papers look back critically at thirteen years of international intervention in Afghanistan, focusing on the impact of state-strengthening exercises on security, democratization, governance, the economy, rule of law, infrastructure, civil society participation, youth development, and women's empowerment. They describe, from the perspective of Afghan and international policy makers and experts, the immense and often unforseen challenges in rebuilding the Afghan state.

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Foreword

In March 2015, the United States Institute of Peace (USIP), Chatham House, and Stanford University held a two-day "Conference on State-Strengthening in Afghanistan 2001–2014: Learning from the Past to Inform the Future." Hosted at the Institute's headquarters in Washington, DC, participants included Afghan and international policymakers, academics, journalists, and representatives of the military, civil society, and nongovernmental organizations. This Peaceworks comprises a selection of papers presented at the conference during various panel discussions. The authors have revised the papers in light of these discussions, as well as subsequent developments in Afghanistan. Preceding the papers is a summary that outlines the main conclusions of the conference.

At least two presumptions underlaid the decision to organize a lessons-learned exercise. The first is that lessons could indeed be learned. While the conference participants were asked to think about both positive and negative lessons, it was perhaps inevitable that most of the discussion focused on what could have been done better. The timing of the conference was surely a factor, being held in the first months of the new "National Unity Government" of President Ashraf Ghani and Chief Executive Officer Abdullah Abdullah. This was a moment of some hope for improved governance, but the memories of the 2014 presidential election crisis were still fresh. Even if the creation of the National Unity Government had successfully prevented the country from descending into a full-blown political crisis, the election was still a reminder of the fragility of Afghanistan's transition and the unmet expectations that were set a decade before.

The second presumption was that these lessons might indeed be applied. Participants were asked to think about the implications of the lessons for Afghanistan's future, as well as possible "state-strengthening" projects. State collapse appears to be a defining phenomenon of our time, and each day our headlines are filled with the increasingly frightening consequences. It is therefore urgent that we learn as much as possible from recent attempts to strengthen state institutions. Afghanistan has become an unwitting laboratory for ongoing efforts to create political institutions that can foster stability, development, and respect for basic human rights; we now need to collate and internalize the lessons learned, effectively apply them, and monitor the outcomes.

Preparations for the conference reminded us of the immense complexity of the Afghanistan situation. Our long discussions over how to break down the topics mirrored the policy debates of the previous decade. Fault will inevitably be found with this breakdown. We had to ignore some important topics, such as counternarcotics. We could have focused more on women, youth, and civil society. Different priorities revealed different analytical biases and "theories of change." These differing perspectives were further amplified during the conference deliberations but did not prevent consensus on a number of key issues, as the summary denotes.

We are especially grateful to the authors of the enclosed papers for developing and revising such informative, evidence-based studies on their respective topics. All the authors are experts in their field and gave their time freely, demonstrating a sincere desire to learn and share knowledge for the sake of a better future for Afghanistan and other fragile states. Particular gratitude goes to Scott Smith, who oversaw the project; and Colin Cookman, who kept the editorial production effort on track and edited each paper.

| Karl Eikenberry | Michael Keating | Andrew Wilder |
| Stanford University | Chatham House | United States Institute of Peace |

Summary

- State-strengthening interventions in Afghanistan have contributed to remarkable changes in the country's physical, political, economic, and social landscapes; however, success has been limited by myriad approaches taken by multiple actors with multiple objectives—some of which have been conflicting or too short-term in nature.

- International counterinsurgency and counterterrorism strategies aimed at dismantling the Taliban and increasing security have proven at times to be at odds with state-building objectives.

- Lack of unity of effort and priority setting among military and civilian actors have severly hampered the nationbuilding process, allowing power brokers to maintain their strongholds; creating more opportunity for corruption; and preventing the establishment of sustainable, national instutitions.

- The contentious second round of the 2014 presidential election that resulted in Ashraf Ghani's inauguration was a clear indicator of the complexity of a political environment set within a civil conflict. The need for a negotiated solution to the electoral crisis undermined Afghanistan's democratic institutions. National and local power dynamics hindered efforts to make the power-sharing government work.

- The Afghan state remains highly centralized in theory and highly fragmented in practice. Instead of strengthening formal structures, parallel structures have been created, often leaving the Afghan people to rely on informal or illegitimate structures of power. The lack of formal decentralization has left subnational goverance hostage to informal actors.

- Rule of law strategies were developed in tandem to rather than as part of political and security strategies and were underfunded given the expectations surrounding establishing a justice system and reducing corruption. Moreover, while international assistance provided Afghans access to courts, they tended not to use them given rampant corruption and lack of perceived legitimacy and fairness. However, the subsequent hybrid approach that employed informal, community-based mechanisms as well as formal mechanisms had the unintended consequence of increasing corruption.

- Macroeconomic and public finance management performance has improved substantially, but income and wealth inequality persist, and the current fiscal crisis and decline in international funding is already having a negative impact on economic growth. Further, the lack of early attention to incentives and preventive measures to avoid corruption has led to fraud and theft in the banking system and customs facilities.

- Significant investments in private sector development projects and economic activity more generally have had mixed results due to the duplication of efforts, misaligned incentives and corruption, short duration of projects, and lack of support for successful implementation (logisitics, human capital, political frameworks). Many argue that Afghanistan's institutions were not ready for the abrupt transition to a market-driven economy.

- Billions of dollars spent on rebuilding Afghanistan's infrastructure (buildings, roads, and energy) have provided security forces and Afghans with crucial transportation routes, facilities, and communication systems. However, the short-term nature of some of the projects has led to the lack of planning and funding for maintaining newly built infrastructure, including the national road system that is vital for political and economic connectivity.

■ While Afghanistan now has a diverse array of TV channels, radio stations, and newspapers—making it one of the most open societies in the region from this point of view—they are at increasing risk from dwindling donor funds and advertising income and threats from powerholders and extremist groups. Also, the country's open licensing regime has permitted the establishment of media channels that are free to promote divisive politics.

■ Despite the Afghan government's recognition that youth will increasingly constitute the backbone of governmental and private instutitions, their advancement has been capped at the bureaucratic level and no long-term vision exists for embracing the potential of this increasingly well-educated segment of the population. The staying power of strongmen has also presented a challenge through their control of the political economy and employment. Declining economic growth is a major challenge for this new generation of increasingly disillusioned Afghans.

■ International interventions have included a major focus on women's empowerment and ensuring their full participation in all aspects of public life. However, the underlying motivations and approaches have varied; and many, short-term, women-focused projects have been unable to challenge the deep structural aspects of women's subordination and the influence of a patronage-based system of rule. This limits and threatens the sustainability of women's advancements, especially given that the current political and donor environments do not support all women's engagement as agents of change.

Introduction

Since 2001, Afghanistan has transformed physically, politically, and socially. Even if the outcome of the 2014 presidential election was contentious, the core notion of democracy has grown, with citizens increasingly expressing their demands for participation and accountability. The pool of human capital has expanded and deepened, especially among youth, many of whom are aspiring and motivated citizens eager to make a positive difference. The status of women, while still unequal, has improved profoundly since the fall of the Taliban regime. There is a pluralistic media and a level of political sophistication that would not have been imaginable thirteen years ago. These advancements have been drowned out by an overarching narrative of failure.

Considerable international aid and assistance has contributed to Afghanistan's transformation. From 2001–14, state-strengthening interventions focused on not only improving security but also on supporting democratization, rule of law, and governance; rebuilding Afghanistan's infrastructure; strengthening macroeconomic management and private sector participation; and increasing civil society involvement, especially by youth, women, and the media. However, these interventions employed varying approaches and had both positive and negative effects. This report analyzes those effects and offers specific lessons learned and broad recommendations for future interventions. During the March 2015 conference on state strengthening, the below overall opportunities and challenges were highlighted.

Opportunities

International interventions should capitalize on following the factors that represent opportunities for further advancement:

- A new government with a reformist outlook that recognizes the importance of building less corrupt and more sustainable institutions, generating revenue streams from new economic activity, engaging the West on security and other matters, and having the president visibly play the role of commander-in-chief of the military.

- Domestic pressure for reform articulated through the media, civil society groups, and private sector professional associations.

- Recognition among Afghanistan's political leaders that some devolution of government functions and decision making to bodies outside of Kabul is needed.

- Reduction in excessive international funding, which can allow support to be calibrated at a sensible but predictable level, putting the brakes on excessive ambition as well as reducing problematic parallel structures.

- Indications of a possible new, more helpful approach by Pakistan toward allowing a stable Afghanistan, encouraged by President Ashraf Ghani's reaching out and reinforced by China's interests in regional stability and in helping to establish a peace process.

Challenges

In addition, international interventions should account for the following factors that serve as challenges to achieving state-strengthening objectives.

- Throughout history, Afghan governments have fallen when external support has been withdrawn. Largely due to the international community's sharp reduction in aid over the last two years, Afghanistan's resources are low, even to the point where it

may struggle to pay salaries. Similar to the 1990s post-Soviet period, collapse of the Afghan state would have severe regional and international consequences.

- The National Unity Government will need to function at a pace more in line with citizen expectations and the unfolding regional political situation. Economic progress, including in the trade sector in the short term and the promising extractives sector in the long term, requires that steps be taken to improve governance. Progress to date in forming a cabinet and articulating programs is widely viewed as inadequate and must be accelerated.

- Reforming state institutions and reducing endemic corruption will be a long-term and challenging process that is more likely to be successful if the international community adopts longer-term horizons and funding commitments rather than a series of one-year projects that often result in merely symbolic actions.

- The Afghan state's failure to deliver on governance and become a more responsive state may fuel insurgency as well as "soft extremist groups" working through educational and other institutions.

- U.S. politics and inter-institutional rivalries can degrade clear thinking about what makes strategic sense for the United States, including reconciliation with the Taliban and levels and types of support to Afghanistan. From the start of international intervention, shortcomings, including the late start on building the Afghan National Security Forces in earnest, have resulted from the lack of agreement on objectives, poor coordination among U.S. institutions and with allies, and the lack of an overarching strategy.

Statebuilding, Counterinsurgency, and Counterterrorism
Complementary or Contradictory Strategies?

THOMAS BARFIELD

Introduction

After more than a decade of international intervention in Afghanistan, 2015 was a year of introspection, focusing on (1) what the foreign forces, now mostly withdrawn, accomplished and whether the Afghan state can now stand on its own; (2) whether the change of national leadership from President Hamid Karzai to the National Unity Government led by President Ashraf Ghani and Chief Executive Officer Abdullah Abdullah is a sign of political stability or the prelude to more political turmoil; and (3) what a Taliban-led insurgency really wants to achieve—an Afghan-made political deal or a nihilistic jihad, similar to that of the Islamic State of Iraq and al-Sham. This introspection revealed ongoing errors in policy and judgment, beginning with the failure to make reconciliation a priority immediately after the fall of the Taliban, continuing with a counterterrorism strategy that was fundamentally at odds with building an Afghan state, and ending with a counterinsurgency plan that relied too heavily on the template of counterterrorism and lacked a strong Afghan government to partner with. Now that most foreign troops have withdrawn, it may paradoxically be the Afghans who have the better chance to bring about stability.

Winning a War...but Losing an Opportunity for Peace

When the United States invaded Afghanistan in 2001, the administration of president George W. Bush had no interest in statebuilding. The invasion was deemed purely a counterterrorism mission, designed only to destroy al-Qaeda following the 9/11 terrorist attacks. Though largely forgotten now, the Bush administration did not initially demand the removal of the Taliban government—only that its leaders hand over Osama bin Laden and his al-Qaeda compatriots. When Mullah Omar refused, the Taliban too became a target and, in less than ten weeks, was driven from power. This appeared to decisively end a civil war that had plagued Afghanistan since 1992. The civil war had begun when the mujahideen overthrew President Mohammad Najibullah's Peoples Democratic Party of Afghanistan (PDPA) but then could not consolidate power and lost most of Afghanistan to the Taliban. The war's end opened the door to reconstruction and reconciliation among the various Afghan factions. The prospects for this reconciliation appeared good. Most of the Taliban fighters had laid down their arms and

returned home. The unreconciled Taliban fighters had fled to Pakistan, along with most of the surviving members of al-Qaeda and other foreign jihadists. The efficacy of precision-guided weapons that routed out the Taliban had so profoundly impressed the victorious regional militia commanders that they were keen to accommodate rather than oppose any new government in Kabul. The Northern Alliance commanders who had taken Kabul when the Taliban fled did not attempt to form a government unilaterally even though they could have easily done so. And far from rejecting Western intervention, Afghanistan's war-weary population welcomed any assistance that promised to end its suffering and gave hope for the future.

Creating a minimally effective Afghan state was necessary to achieve the goal of stability, but the United States did not prioritze this task. The Bush administration, already turning its attention to Iraq, wished to take as little responsibility for Afghanistan as possible. It turned to the United Nations (UN) under the leadership of Special Representative Lakhdar Brahimi to reach an agreement among Afghan factions in Bonn, Germany, and form a new government. The final agreement to name an interim government on December 5, 2001—with Karzai at its head—was deemed a great success at the time but, in retrospect, laid the groundwork for a larger failure by neglecting to include any representatives of the defeated Taliban.

Promising former Taliban fighters security and participation in a new Afghanistan would have gone far to relieve their well-founded fear of being vulnerable to future attacks by their former enemies. It would have also made the Bonn Agreement appear less of a zero-sum victor's peace.

The time to win the peace is at the end of a war, and the absence of Taliban representatives resulted in two missed opportunities: (1) an official surrender from the Taliban (or at least a faction of them) that would have formally recognized the termination of their claim to be the government of Afghanistan and (2) the outlining of a reconciliation and reintegration plan for those who had fought for the Taliban. Promising former Taliban fighters security and participation in a new Afghanistan would have gone far to relieve their well-founded fear of being vulnerable to future attacks by their former enemies. It would have also made the Bonn Agreement appear less of a zero-sum victor's peace. Instead, international focus was diverted to pressuring the non-Pashtun Northern Alliance power brokers to pick a Pashtun as interim leader—as if Pashtun ethnicity could serve as a proxy for reconciliation with the Taliban. While the Taliban were overwhelmingly of Pashtun ethnicity, only a minority of the Pashtuns had been keen Taliban supporters. Nor had the Pashtuns, the largest ethnic group in Afghanistan, historically displayed much unity except in their desire to remain the country's politically dominant group. Indeed, Pashtuns were so divided that no single individual—perhaps with the exception of the old king Zahir Shah—could be said to represent them. Unfortunately, the international players took his name off the table in spite of considerable Afghan support, losing the opportunity to employ the aura of an old dynastic tradition as a bridge to a more inclusive government. Karzai by contrast, although a Pashtun, was an unknown figure without an existing local or national power base. For better or worse, his administration in popular eyes would always be tied directly to the foreign intervention that created it.

What the Bonn Agreement did not address was internal security; Annex 1, covering the International Security Force, was only four sentences and merely requested international help. Yet, in practically every other international peacekeeping effort, a political agreement had always been tied directly to a specific security arrangement designed to keep the peace even in the absence of fighting. For example, the North Atlantic Treaty Organization (NATO) deployed 54,000 troops to Bosnia in 1996 as internationally recognized peacekeepers. One would assume that similar or greater numbers would be required for Afghanistan, a country the size of France with thirty million people. This was not the case. The initial UN-mandated International Security Assistance Force (ISAF) comprised only 5,000 troops, which were

restricted to Kabul. Other Afghan cities and all rural areas were on their own. The United States, determined to maintain only a "light footprint," committed only 7,000 troops to Afghanistan in 2002/03, and they were not serving under the international peacekeeping mandate. Instead, the bulk of these troops were tasked with tracking down the remnants of al-Qaeda and the Taliban in the south and east of Afghanistan as part of Operation Enduring Freedom (OEF). Nor could the Afghan army act as an effective national security force for the new government. At the end of 2003, two years after the Bonn Agreement, the Afghan army's total force numbered only 6,000 men. Most major NATO donor countries had city police forces with more active duty officers than all the security forces in Afghanistan combined. For a country that had been at war for twenty-five years and still swarmed with old militia groups, not to mention old Taliban fighters, this was peacekeeping by wishful thinking.

Counterterrorism Versus Afghan Statebuilding

State rebuilding in any country where domestic institutions have collapsed or become ineffective is never an easy task. In Afghanistan, the process was exacerbated by many other problems, including low levels of literacy, a paucity of people to run the needed governmental organizations, a domestic revenue stream much too small to finance the state, and the Kabul government's lack of authority in most regions. Yet, unlike Iraq, Afghanistan had never lost its sovereignty and so, in theory, had the right to set the agenda for its own reconstruction, including supervision over how any military operations were to be conducted. But acting as a truly sovereign state proved a far more difficult matter. The government appeared powerless (and was perhaps even disinclined) to set the security agenda within the country—a crucial aspect of governance. Thus, while the deployment of foreign forces into Afghanistan had the approval of the new government, neither the UN-mandated ISAF nor the OEF troops were under its control. Decisions about where they were to be deployed, whom (or if) these forces would fight, and the tactics they employed were made by their own separate chains of command in distant foreign capitals, not Kabul. It could be argued that such a situation was only a temporary necessity and that ISAF in particular was there to assist in an internationally supported statebuilding process. This was not true, however, for the OEF troops who were tasked with a counterterrorism mission against al-Qaeda and its supporters.

Policies of counterterrorism present significant problems for weak states like Afghanistan, because they come with a high domestic political cost when conducted by outsiders in a war-torn context. In strong, well-established democratic states, even the worst terrorist acts fall under the jurisdiction of the domestic legal system. It takes an extremely high-level threat to trigger the suspension of the ordinary rule of law that would allow terrorists to be treated as war combatants rather than criminals. In authoritarian states or weak democracies, such suspensions of civil liberties or declarations of martial law to deal with politically inspired violence (terrorist or otherwise) are more common but remain within the purview of the sovereign states that declare them. Thus, the government of Pakistan could mount large-scale military operations in Swat or South Waziristan against the Pakistani Taliban and treat these areas as war zones but still firmly insist that only it had the right to do so.

In weak or failed states like Afghanistan, Somalia, or Yemen, a counterterrorism military force is supplied predominately by external state actors who intervene to attack terrorist groups directly. Their military actions may be unilateral (technically an act of war), although they more often occur under the banner of some international body or with the permission of the state involved. Whether voluntary or not, the intervention of an outside power or international

Foreign forces that act independently of the national government become parallel coercive authorities that undermine the legitimacy of the state.

consortium undermines one of the core definitions of a modern state, which Max Weber defined as a country's successful imposition of a monopoly over the legitimate use of physical force within its territory. Foreign forces that act independently of the national government become parallel coercive authorities that undermine the legitimacy of the state. Because the Karzai administration had no control over U.S. counterterrorism operations that killed or captured Afghans deemed to be terrorists, opponents called the government's practical sovereignty into question. Sensitive to this criticism, Karzai regularly condemned the operations in the hopes of displaying his independence. But because he could neither ban them nor limit their tactics, he only highlighted his lack of authority and the weakness of the Afghan state.

What gets sacrificed in a counterterrorism campaign conducted by external forces? Quite often, it is the country's stability. As later defined by President Barack Obama in 2009, the ultimate goal of the U.S.-led counterterrorism campaign was "to disrupt, dismantle and defeat al-Qaeda in Pakistan and Afghanistan, and to prevent their return to either country in the future."[1] Whether a strong Afghan government was deemed a necessity for achieving the goal was not clearly delineated, but the campaign's practical application in Afghanistan suggests that it was not. Paradoxically perhaps, a weak and ineffective Afghan government could be viewed as an asset for those international forces engaged in hunting down suspected terrorists (and later insurgents). It gave them far more latitude in determining the tactics used and the targets chosen. Nor did they have to justify their actions to the Afghan government or people—only to their own chain of command.

By contrast, a stronger Afghan state might possibly have insisted on its prior approval for any actions taken by foreign troops and limited their scope for domestic political reasons—moves that would have surely been viewed as complicating any counterterrorism mission. After all, the majority of al-Qaeda members and allied terrorist groups who had fled to neighboring Pakistan after 2001 resided there largely untouched because the Pakistani state so strongly objected to international or Afghan troops pursuing them over the border or even firing across it. Such assertions of sovereignty were not always effective (the United States did target bin Laden deep inside Pakistan), but in most cases, the will of the Pakistani government prevailed—much to the chagrin of the Afghan government and foreign troops stationed in Afghanistan that were being attacked by fighters based in Pakistan. Even cross-border drone attacks, though publicly condemned by Pakistan, were tacitly limited to the troubled border tribal areas where the writ of the Pakistani state itself rarely governed. This is not to argue that the United States had a conscious policy of antistatebuilding in Afghanistan—only that the Bush administration's predominant focus on counterterrorism objectives created a hierarchical (and often contradictory) set of policy objectives that ranked statebuilding near the bottom. These priorities became remarkably entrenched and were rarely examined. In particular, too little effort was made to regularly evaluate whether such polices were truly effective at countering terrorism and whether the damage they did to the legitimacy of the government in Kabul was worth the price.

Counterterrorism as a Destabilizing Process

The United States had a remarkable victory in Afghanistan in 2001 that rid the country of al-Qaeda and its Taliban protectors. Its major failing was an inability to recognize that they were really gone. Instead of pivoting to a policy of peace and reconciliation, U.S. Special Operations Forces (SOF) scoured the countryside in search of "bad guys." Lacking enough troops of their own, they were keen to recruit local allies that could both assist them in finding bad guys

and provide armed backup. These local militia commanders were quick to provide lists of al-Qaeda or Taliban targets to hunt down or hit with airstrikes. But with the war over and the worst elements out of the country, such lists too often simply targeted local rivals with whom informants had a property dispute or blood feud—a fact that often became painfully clear only after the damage was done. When cash bounties were being offered, the supply of needed terrorists quickly rose—leading some ordinary Afghan farmers to be shipped off to prisons in Guantanamo or Bagram, while true terrorists were left untouched in Pakistan.[2] Former Taliban fighters were also easy targets in such sweeps, and many took up arms less out of fealty to Mullah Omar than to protect themselves. Bush had said "either you are with us, or you are with the terrorists," but given the bewildering range of factions and shifting alliances that existed in Afghanistan, this simple Manichean division made for poor policy there. Illiterate rural Afghans were rather more likely to agree with England's Viscount Lord Palmerston when he declared in 1848 that "we have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow."[3]

A robust counterterrorism campaign that might have been perceived as necessary in the wake of the Taliban collapse in 2001–02 soon paid diminishing returns in Afghanistan. Fewer and fewer high-value targets were even in-country, and those targets who constituted a direct threat to the United States was probably zero. The most appropriate targets, as the Afghans constantly pointed out, were in Pakistan, a view shared by international military commanders in Afghanistan. But the United States gave its nominal ally in Pakistan a pass, so the terrorists and Taliban there were off limits. The counterterrorism campaign therefore focused on the mountainous areas in eastern Afghanistan to which al-Qaeda fighters had first retreated and on the desert areas in southern Afghanistan that had previously been Taliban strongholds. These were some of the least densely populated and most economically insignificant parts of the country. Historically, the people there had rarely been under any government's direct control, and their lands were pejoratively labelled *yagistan* (land of rebels). When central governments did choose to assert their authority in these areas, it was through indirect means that included a combination of carrots (political favors, subsidies, and local autonomy) and sticks (punitive military campaigns, trade embargoes, and playing one tribe against another). On the other side of the Durand Line, even the powerful British Raj had carved out its own tribal areas that it governed in a similar fashion—a policy still employed by Pakistan to this day. These areas had a long history of resisting outsiders of all sorts, a tradition first documented when Alexander the Great took his troops into the area in the fourth century before the common era. Defense of Islam and antiforeign rhetoric might be a rallying cry today, but the ancestors of these people had fought just as fiercely against Muslim rulers in the past centuries as well as against each other.[4] That some of the fiercest fighting in Afghanistan soon commenced here was no surprise; that it took so long to question in what ways these deployments were designed "to disrupt, dismantle and defeat al-Qaeda in Pakistan and Afghanistan…" was a surprise.

Fighting in remote areas had little political impact on the Kabul government, but other military actions did, particularly night raids by SOF and the reliance on unpopular warlords as allies. Throughout Afghanistan, SOF engaged in night raids and aggressive house searches to capture or kill targeted individuals or small groups. Villages were sometimes bombed as well. These raids were not only carried out without the consultation of the Kabul government, they were carried out independently of both the regular U.S. military and ISAF—each of which had its own chain of command. The first instinct of armed Afghan villagers attacked at night was to fire back in self-defense, an act that turned them from civilians to combatants in the eyes of

foreign forces. Even if no violence was involved, the tactics employed in such raids violated the fundamental code of honor practiced by rural Afghans. Breaking down doors, searching homes without permission, violating the seclusion of women from outsiders, and seizing people by force were all deemed personal affronts to honor that demanded revenge. This was even more true if such raids resulted in deaths. In a land of blood feuds, the death or humiliation of even one community member could quickly turn that entire community hostile. The number of incidents did not need to be large to poison the political atmosphere, particularly when direct complaints to Karzai brought no significant policy changes. When SOF counterterrorism tactics began generating more enemies than they deterred and undermined the legitimacy of the Kabul government, the cost-benefit analysis for using them should have raised red flags.

Perhaps the most damaging aspect of the counterterrorism war plan was its drift in focus from targeting identifiable terrorists to targeting anyone taking up arms against the Kabul government and its appointees or international forces. Such armed conflicts in Afghanistan were usually driven by local grievances and not by any overarching ideology or desire to overthrow the Kabul government. In a country awash in arms, it did not take much to turn these local disputes violent. In the past, similar disputes were resolved through compromise, because neither the government nor any of the local factions believed it had the capacity to win outright. The presence of outside forces changed this calculus. Factions supporting the government would often attempt to use international forces to trump their rivals—interventions that then ignited more fighting.

These disputes were also exacerbated by a history of international forces recruiting local warlords as their allies. Many warlords were among the the most hated people in Afghanistan because of the violence they had wrought during the civil war. The initial happiness that Afghans had of seeing these commanders (and the Taliban) swept off the political stage was soon replaced by anger when they returned, apparently backed by international forces and the new Kabul government. Unfamiliar with their backgrounds and the local culture and languages, foreign troop commanders were often at the mercy of their interlocutors, who used them and their resources as tools to wield personal power. While most also eventually received appointments from the Karzai administration as governors or police commanders, this did not make them any more legitimate in Afghan eyes. International forces that thought of themselves as protecting Afghanistan's people generally knew little about how unsavory a reputation many of their allies had or how they coerced the cooperation of local villagers with threats of ground attacks by foreign troops or air strikes.[5] That these threats had no basis in reality was of little comfort to populations not keen to test whether they were legitimate. All in all, this strategy was a recipe for political disaster in Afghanistan, because one response to disputes with the Kabul government or international forces was to ally with a renewed Taliban or at least turn a blind eye to its presence. Beginning with an unexpectedly high level of combat that occurred when NATO troops took charge of Kandahar and southern Afghanistan in 2006, talk soon turned from the rhetoric of counterterrorism to that of counterinsurgency.

Counterinsurgency and the Afghan State

Statebuilding takes on much more significance for a counterinsurgency campaign than it does for a counterterrorism mission. As the U.S. Army field manual on counterinsurgency stresses, success is "primarily dependent on the host nation and the people who reside in that nation. Ultimately, every society has to provide solutions to its own problems. As such, one of the Army and Marine Corps' primary roles in counterinsurgency is to enable the host nation."[6]

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But even in 2006 when the return of the Taliban began to redefine the struggle in Afghanistan as one of counterinsurgency, few players on the ground saw the Kabul government as capable of fulfilling that role. The government was weak and corrupt—its appointed officials were judged on their loyalty to the palace rather than their competence. Afghan security forces comprised only 36,000 army troops and 50,000 police—both poorly trained and equipped. NATO's assumption of control over ISAF in 2003 in theory put it in a better position to take military action, and ISAF forces grew to 30,000 by 2008. However, contributing states consistently failed to deliver additional promised manpower or equipment and insisted on imposing restrictive caveats about what their troops could do. The Bush administration, with its focus still entirely on the insurgency in Iraq, did not step into this breach. While it helped sponsor a steady increase in the size of Afghan security forces, U.S. troop levels remained consistently at 30,000 or less until Bush left office.

In late 2009, the new Obama administration deemed the situation in Afghanistan dire enough to require a counterinsurgency (COIN) campaign to be led by an additional 70,000 U.S. troops. Conditions on the ground were not conducive for a well-run COIN operation. A just-concluded Afghan presidential election (widely viewed as massively fraudulent) had returned Karzai to office, and he was determined to be even less cooperative than in the past. Plans to double the size of the Afghan army to 200,000 and the police to 150,000 would take a minimum of two or three years, requiring (contrary to COIN doctrine) that foreign rather than Afghan forces take the lead in fighting. Building a robust police and government administration in the provinces would have to take place simultaneously with fighting an insurgency. Most problematic was that the additional American troops at the center of the COIN strategy would be withdrawn before the end of 2012, a timetable tied to the U.S. presidential campaign cycle rather than conditions in Afghanistan.

Not surprisingly, the impact of the U.S./NATO "surge" on Afghan statebuilding was uneven. The security side grew in numbers and professionalism, but there was no counterpart effort on the civilian side. The international troops based in the south and east did relieve the pressure on the Kabul government and pushed the Taliban out of longtime strongholds. However, the counterterrorism legacy of war fighting proved hard to shake. In terms of tactics and troop deployments, fighting and killing bad guys in remote places still took precedence over more prosaic security and stability operations in highly populous areas, even though this contradicted the logic of long-term counterinsurgency strategies. For example, in the east, the U.S. military remained fixated on the mountainous hinterlands where they had long sought to find terrorists rather than the region's population centers straddling the Kabul River Valley. Similarly, the first major deployments of troops to the south (U.S. marines and British paratroopers) were not to Kandahar, the region's densely populated center of gravity, but to the marginal Helmand Valley. And even in those marginal regions, international forces chose to take the fight to the most marginal parts of them (Nuristan and Kunar in the east and Marja and Sangin in the Helmand Valley).

Because foreign troops had to take the lead in fighting rather than acting as training mentors or backstopping Afghan efforts, it was a proxy COIN war in which they were fighting on behalf of a Kabul government with the expectation that they could transfer responsibility to the Afghans when they left. Of course, it was also a proxy insurgency on the Taliban side—Pakistan's only barely covert military aid to them and permission for Afghan insurgents to use their territory as a sanctuary was a policy that put Pakistan's own interests far above its Afghan clients. This was not new to the Afghans. Since 1978, their blood had been spilled

The security side grew in numbers and professionalism, but there was no counterpart effort on the civilian side.

in the furtherance of a string of conflicts whose combatants had been funded by outside powers using them as proxies in non-Afghan struggles: the Cold War, Saudi support of Sunni jihadists, India-Pakistan conflicts over Kashmir, and al-Qaeda's plotting of its terrorist attacks on Afghan soil.

The weakness in implementing a successful COIN strategy in Afghanistan, however, was political rather than military in nature. COIN leaders lacked a credible national government to partner with. Dissatisfaction with the Kabul government in too many rural localities made the goal of asserting its authority more difficult, even among people who had no sympathy for the Taliban. While counterinsurgency is often viewed as a two-person game (governments competing with insurgents for the loyalty of a passive population), in Afghanistan, the local population was a political player in its own right. One consequence of Afghanistan's historically weak governments was that its rural areas had well-developed, nonstate systems of local governance.[7] While these systems could not handle all problems, they were remarkably effective at maintaining social order in the absence of a state or during times of conflict. Thus, populations that might oppose the Taliban were not necessarily keen to support Kabul government officials either. Both would have to vie for their loyalty that could be withdrawn at any point. The highly centralized structure of the Kabul government was at odds with this tradition of local autonomy. To the extent that international actors saw their role as extending Kabul's writ by force, they were building an Afghan state in opposition to its own people. In practice, this problem was quickly recognized by international military leaders who tended to side with the locals in the preservation of their autonomy against demands from Kabul that it be suppressed; this was most apparent in the creation of the Afghan Local Police and Village Stability Operations that organized local defense forces to resist the Taliban. The logic for this was simple: If international troops were to depart, a self-interested, local population that could resist the Taliban was a greater barrier to its spread than more distant Kabul-based national institutions. If that meant weakening the authority of the national state, so be it.

As International Forces Depart…

Afghanistan has now experienced four foreign invasions and withdrawals over the past 175 years: the First and Second Anglo-Afghan Wars (1839–42, 1878–80), the Soviet invasion (1979–89), and U.S./NATO intervention (2001–present). This has provided Afghan governments with an historic template for successfully maintaining state power in times of crisis. The basic lesson any Kabul government knows from this history is that while insurgencies have been effective at getting foreign troops to leave Afghanistan, none have succeeded in toppling a national government that has a strong international backer. This is because foreign boots on the ground in Afghanistan have always proved less decisive (and even counterproductive) than large and continuing flows of aid that governments in Kabul could use to reinforce their power against much more poorly resourced insurgents.

Indeed, the success of insurgents in getting foreign militaries to leave Afghanistan undermined their ability to seize national power because (1) local factions that joined the fight in expelling foreigners lost their cohesion in the absence of a common enemy and (2) these insurgents lacked the capacity to build a conventional military necessary to topple a government with an intact army. In addition, Afghan insurgent leaders could never make the transition from leaders of parochial factions to recognized contenders for national leadership. By contrast, governments in Kabul became more effective. Weak leaders initially installed by foreign governments were replaced by more forceful leaders when they left. Lacking a foreign

army to protect them, such leaders reverted to old styles of patronage, alliance building, and cooptation that undermined their opponents; in a battle of patronage, an internationally financed government could always offer far more than insurgent groups could. Both post-war Amir Dost Mohammad (1843–63) and Amir Abdur Rahman (1880–1901) used British arms and subsidies to rebuild the Afghan state and unite the country. And although the Soviets expected the Mohammad Najibullah regime to collapse within six months of their departure in 1989, his regime survived until the collapse of the Soviet Union itself and the end of outside aid in 1992. Indeed, the only time insurgents were able to take power was when the Kabul government had no strong foreign patron (e.g., during the civil wars that toppled King Amanullah Khan in 1929 and put the Taliban in power in 1996). Whether the new Ghani-Abdullah government can match the skill of their predecessors remains to be seen, but one should not underestimate the powers of self-interest and self-preservation as motivators.

Notes

1. See his remarks at www.whitehouse.gov/the-press-office/remarks-president-a-new-strategy-afghanistan-and-pakistan.

2. For more details, see Anand Gopal, *No Good Men Among the Living* (New York: Metropolitan Books, 2014); and Deedee Derksen, "The Politics of Disarmament and Rearmament in Afghanistan," Peaceworks 110 (Washington, DC: U.S. Institute of Peace, 2015).

3. Of course, a decade earlier, Palmerston had been one of the loudest advocates for the disastrous First Anglo-Afghan War, so his advice should come with a caveat that being clear-sighted in theory is not proof against folly in practice.

4. Descriptions of this long series of wars and resistance to outside powers of all types can be found in Olaf Caroe, *The Pathans 550 B.C.–A.D. 1957* (London: Oxford University Press, 1983); and Steven Tanner, *Afghanistan: A Military History from Alexander the Great to the War against the Taliban* (Philadelphia, PA: Da Capo Press, 2009).

5. See David Manfield, *A State Built on Sand: How Opium Undermined Afghanistan* (London: Hurst, 2016) for the role such threats had in attempts to eradicate poppy production; and Noah Coburn, *Losing Afghanistan: An Obituary for the Intervention* (Palo Alto: Stanford University Press, 2016) for the broader analysis of how poorly international partners understood the dynamics of the country they were in.

6. FM 3-24 MCWP 3-33.5 *Insurgencies and Countering Insurgencies* (Washington, DC: Department of the Army, 2014), 1–6, https://armypubs.us.army.mil/doctrine/index.html.

7. Thomas Barfield, Neamatollah Nojumi, and Alexander Their, "The Clash of Two Goods: State and Non-state Dispute Resolution in Afghanistan," in *Customary Justice and the Rule of Law in War-torn Societies*, ed. Deborah Isser (Washington, DC: U.S. Institute of Peace, 2011), 159–92; and Jennifer Murtazashvili, "Informal Federalism: Self-Governance and Power Sharing in Afghanistan," *Publius: The Journal of Federalism* 2, (2014): 324–43.

Military and Civilian Assistance in Afghanistan

An Incoherent Approach

BARBARA J. STAPLETON

Introduction

The U.S.-led coalition's intervention in Afghanistan in response to the 9/11 terrorist attacks had limited aims: to eliminate al-Qaeda from the region and remove the Taliban from power. Given the focus on enacting a swift response to the attacks, the administration of president George W. Bush was not directly considering the post-Taliban future of Afghanistan; it was envisaged that other countries and the United Nations (UN) would run the nationbuilding show. [1] The possibility of managing the transitional period under a UN administration—as in the run-up to the 1993 elections in Cambodia—was briefly discussed and dismissed early on. This left the international community without an authoritative, international body in charge of directing security and financial resources toward common objectives under what the military would term *unity of effort*.

A rapid and decisive U.S. military campaign to dismantle the Taliban regime and target al-Qaeda was based on the use of U.S. airpower and on the militias of the Northern Alliance (NA). [2] This coalition of predominantly Tajik and Uzbek factions that had opposed Taliban rule acted as proxy ground forces to expedite U.S. objectives. This necessitated covert operations conducted by U.S. Special Forces and the Central Intelligence Agency (CIA) that included large cash payments to the NA commanders. It appears that no thought was given to how the political vacuum, caused by the overthrow of the Taliban, would allow the newly resourced former mujahideen commanders of the NA to restore their power in their former fiefdoms; nor how this predictable outcome would further harden factional and ethnic divisions, making implementation of security sector reform processes—fundamental to building a stable state— even more challenging. [3] According to Barnett Rubin, the United States only supported state strengthening "in so far as it helped achieve the primary goal to disrupt, dismantle and defeat al-Qaeda in Afghanistan and Pakistan and prevent their return." [4] What happened beyond these objectives was of little interest to key members of the Bush administration, [5] which viewed the intervention in Afghanistan as the opening salvo in a global war on terror—the focus of which rapidly moved on to Iraq. Official U.S. statements on the Afghanistan mission under successive administrations have never referenced nationbuilding, [6] and Rubin argues that a counterterrorism strategy, rather than nationbuilding, always represented the core of the U.S. engagement, trumping, when perceived necessary, longer-term, state-strengthening considerations. [7]

The post-9/11 intervention opened a window of opportunity for change that most Afghans supported; their hopes for peace and stability were reflected in the return of 1.8 million refugees from Pakistan and Iran by the end of 2002.[8] The Taliban had failed to address leading Afghan concerns over jobs, health, and education. Even in the former Taliban heartlands of the southwest, the U.S.-led military intervention did not immediately produce a xenophobic reaction, with opposition only becoming apparent from 2003 to 2004. There was also widespread Afghan support for a strong central government given Afghans' experience with the *tanzimats* (resistance parties).[9] However, the intensifying political factionalism following the overthrow of the Taliban contaminated everything (e.g., school teacher appointments, the media, and especially the Afghan security forces)—preventing the development of national institutions that would act in the interests of all Afghans—and added to tensions by creating winners and losers at local levels.

Soaring corruption contributed to the restoration of the rule of impunity, fueled in particular by narcotics trafficking controlled by local powerholders who were often closely linked to government institutions, especially the Ministry of Interior.[10] These powerholders were also often supported by the U.S. and other international forces in pursuance of counterterrorism goals. In addition to dealing with a predatory police force dominated by commander/militia structures, Afghans had to bribe officials for even basic services. For Afghans, learning that corruption went to the top echelons of the government (as the Kabul Bank scandal publicly and unequivocally demonstrated) was no surprise. These realities and others undermined Afghan confidence in a better and more stable future and eroded trust in the role of the international community and the North Atlantic Treaty Organization's (NATO) International Security Assistance Force (ISAF) in particular, a highly visible international face in the country.

President Hamid Karzai's official appointments of closely allied strongmen—such as Sher Mohammed Akhundzada in Helmand Province, Jan Mohammed in Uruzgan, and his step-brother Ahmed Wali Karzai in Kandahar—resulted in public warnings from Human Rights Watch and strong opposition at times from some diplomatic quarters.[11] The controversial appointments of these and other strongmen—many of whom had Afghan blood on their hands from the civil war (1992–96) and had opposed the Taliban—increased the danger of revenge and generated growing armed opposition to Kabul initially in the southwest. U.S. and other international forces tended to work with these powerful allies of Karzai because they wielded great influence and, if opposed, could make the security situation (at a time when limited international forces had been committed) untenable. One U.S. Special Forces soldier active in Uruzgan when Jan Mohammed came to power summed up a situation being replicated in other parts of the country: "We built a strong relationship with him. We trained his troops and rearmed them so they would be ready to fight the Taliban. The United States empowered them."[12] Good governance was effectively jettisoned in key areas of the country as Karzai's political strongmen "became Americans' eyes and ears in the hunt for the Taliban."[13] The situation was not helped by Taliban propaganda labelling international forces as "invaders" and an Afghan president who increasingly fanned the winds of conspiracy.[14]

The Bush administration's wish to avoid nationbuilding altogether,[15] and the negative consequences of its invasion of Iraq,[16] brought a broader constituency of NATO member states to the fore of policymaking in Afghanistan. Some NATO and U.S. representatives and Afghans argued that "the interveners now had an obligation to deliver more than a government of warlords."[17] In framing their growing involvement in Afghanistan, NATO member states frequently referenced a "comprehensive approach" that integrates political,

military, economic, and humanitarian elements (an approach borne from lessons learned in nationbuilding interventions under the administration of president William Clinton in the 1990s).[18] But an overarching, strategic vision that delineated agreed-on contours of a future Afghanistan remained absent.

Germany and other NATO member states that were strongly adverse to direct engagement in the Afghan conflict actively promoted a comprehensive approach that focused more on economic and reconstruction efforts than on boosting force levels. And though NATO's 2008 summit statement expressed support for the comprehensive approach, this did not mean that all senior U.S. government officials actually supported its longer-term, state-strengthening processes, beyond building up Afghan security forces.[19]

In addition to counterterrorism—a constant throughout the U.S. engagement (2001–14) and beyond—U.S. and international objectives have also included, to varying extents, strengthening the state and its security; countering the insurgency; and finally, transferring full responsibility for security, governance, and development to the Afghan government by the end of 2014. However, many of these objectives were implemented simultaneously,[20] with priorities determined as much by the electoral, budgetary, and news cycles of leading NATO member states as by conditions in Afghanistan.[21] The absence of agreed-on priorities and objectives was further exacerbated by (1) the absence of an authoritative lead institution that could align multiple assistance efforts, (2) the limited capacity of the Afghan government (especially evident at the provincial and district levels), and (3) the bilateral management of the majority of military and civilian assistance—mostly off-budget and unaligned with Afghan national development strategies.[22] Donor nations and organizations, both military and civilian, followed their own interests, and an incoherent approach was the inevitable result.

In the early years of the intervention, U.S. policy toward state strengthening amounted to one of "benign neglect."[23] Many observers in academic, political, and military circles see the early shift in U.S. focus to Iraq as a primary contributing factor to the limited outcomes in Afghanistan. The challenges to stabilizing the country, following the fall of the Taliban, were profound. But opportunities to address these challenges were either missed or ignored by international actors plunging into a highly complex environment that they underestimated and did not understand.

In the crucial early years, "international efforts in Afghanistan really amounted to nothing more than stopgap measures—just enough to keep immediate problems at bay with the hope that the situation would improve on its own in the future."[24] Perspectives of the small number of nonprofit, international nongovernmental organizations that had worked in Afghanistan or across the border since the Soviet invasion were marginalized. At the same time, criticism of the new Afghan government or international policy in Afghanistan was discouraged by the main donors—on the grounds that this would be unhelpful and would undermine chances of democratic progress. A Manichean tendency to view the Taliban regime as the main obstacle to respect for human rights was evident.[25] This obscured the complex factors that contributed to the country's deteriorating human security, linked to both the actions of official and nonofficial powerholders and to the armed opposition.

By the end of the ten-day Bonn Conference (convened November 25, 2001), the NA had control of the three "power" ministries (defense, interior, and national directorate for security), having been persuaded by representatives of the alliance's regional backers (Iran, India, and Russia) to drop an earlier push to control all ministries. According to Francesc Vendrell, then personal representative of the UN secretary-general, "The UN, the U.S. and its main allies

Donor nations and organizations, both military and civilian, followed their own interests, and an incoherent approach was the inevitable result.

agreed with the participating Afghan delegations, representing the NA and the various factions within it, the supporters of the ex-King, and two smaller delegations, that they had met not to reach a peace settlement, as the Taliban were considered a defeated force, but to agree [on] a road map for a statebuilding process."[26] This road map was "based on the assumption that an international security force would be deployed (to bridge the security gap in the absence of a professional Afghan army and police force) and that the Northern Alliance would be a player but not a decisive player as it turned out to be."[27]

NATO's Involvement

A key factor in dismissing the option of a UN-led intervention was the need to quickly assemble high-quality international forces. It was felt that "the first world would be unwilling to commit forces under a 'blue helmet' UN command and that generating forces under the blue helmets anyway would have taken too long."[28] Consequently, the UN Security Council mandated that multinational peacekeeping forces be assembled by NATO member states. The regional expansion of these peacekeeping forces (envisaged in Annex 1 of the Bonn Agreement) was vetoed by the United States in 2002, when "NATO member states and others would have been more willing to supply forces."[29] As the door closed on the regional expansion of ISAF, the Provincial Reconstruction Team (PRT) plan was announced in November 2002 by U.S. and British coalition representatives at the U.S. embassy in Kabul.[30]

Unity of command was missing on both the military and civilian sides of the assistance effort, giving rise to turf wars and command and control problems.

Unity of command was missing on both the military and civilian sides of the assistance effort, giving rise to turf wars and command and control problems. Two distinct chains of command began operating in Afghanistan in 2003, when NATO took over command of ISAF: (1) Operation Enduring Freedom (OEF), comprising most conventional U.S. forces deployed in Afghanistan, covert Special Forces operations, and the training and equipping of the Afghan security forces; and (2) ISAF, comprising NATO nations (including the United States) and other troop-contributing nations.

NATO's expansion throughout Afghanistan from 2003 to 2006, complicated by the controversial move into the kinetic areas of the southwest, resulted in a formal transfer of command from the U.S.-led coalition to ISAF, but the majority of conventional U.S. forces and Special Forces remained separate, under OEF.[31] NATO's expansion was premised on the provision of armed peacekeeping to assist the legitimate new Afghan government in building a "postconflict" state and not on military engagement in a renewed Afghan civil war—most NATO states stipulated national caveats to avert the possibility of being drawn into one.

NATO's widening involvement was partly driven by the need to support the United States, which was bogged down in the aftermath of the Iraq invasion, and partly by the need to find new roles in what was then seen as a post-Cold War world. NATO's central assumption was that the Kabul government would extend and legitimate its authority countrywide on the basis of reconstruction and development, achieving and sustaining stability through economic development with the support of its international partners. This model, drawn from the experience of other postconflict fragile states, was the "end state" referred to by military planners that would allow an international exit. However, the grounds for such a conditions-based exit kept receding as time went on, and Afghanistan's problems were increasingly seen as intractable by donors.

The burden-sharing arrangement in Afghanistan with NATO member states was considered more a necessity to enable a full U.S. military campaign in Iraq than a demonstration of U.S. confidence in NATO's capabilities.[32] Nevertheless, the United States began increasing

funding and support for several state-strengthening processes in Afghanistan at the end of 2003, when an "accelerating success strategy" was adopted in the face of deteriorating security.[33] Of particular concern was the limited progress in security sector reform. This was partly due to multiple nations taking the lead in interrelated elements of the reform—justice (Italy); disarmament, demobilization, and reintegration (Japan); counternarcotics (the UK); police reform (Germany); and the building of a new Afghan army (the U.S.)[34]—and partly due to the circumvention of reform objectives, particularly by the Afghan Ministry of Interior and its associated networks. Although these security sector reform processes were intended to be mutually reinforcing, the development of the army and the police topped the international agenda. Reforms to the Ministry of Interior, viewed by the diplomatic community in Kabul as the frontline in the war on corruption and narcotics,[35] made little headway, allowing the ministry to continue to protect powerful vested interests.

By 2006, the police sector, led by Germany, was supported by twenty-five countries and several international organizations, but there was no common vision on the kind of police force Afghanistan needed. The growing insurgency led the United States, the largest contributor both in terms of financial and human resources to the police sector since 2004, to advocate an increase in police numbers by late 2006 (from 62,000, previously agreed to in the Afghanistan Compact negotiated at the start of 2006, to 82,000). Not all international police reform actors fully supported what was viewed as a move from the establishment of a civilian police force toward the development of a paramilitary or counterinsurgency force. The fiscal sustainability of increasing Afghan National Police numbers was also questioned.[36]

Parallel Commands

ISAF's first deployment as a peacekeeping force aimed to support implementation of the 2001 Bonn Agreement. The focus was on security sector reform, particularly building a new army and training the police and peacekeeping operations in the north. The peacekeeping force did not engage in any fighting; "the Americans did that."[37] The second ISAF configuration under the British commander, General David Richards, brought the coalition joint task force that had been commanded by U.S. General Karl Eikenberry into ISAF as Regional Command East.

> Though in theory there was now a single unified ISAF command, in reality there were two ISAFs, the first Bonn-focused ISAF mission whose contributors had not signed up for anything else, and then the Americans plus forces committed by NATO members that would fight, including the British, Australians, and Canadians. This second ISAF iteration grew out of the rebirth of the Taliban and the strengthening insurgency and though focused on the insurgency also had a state-building component, mainly to buy acceptance of the military presence.[38]

Adding to the confusion, although it had different objectives from the first ISAF iteration, the second ISAF iteration was also framed as a peacekeeping mission in a postconflict fragile state. In addition, there was a third force, "ABCA" (America, Britain, Canada, Australia), also referred to as the "Four Eyes" intelligence-sharing agency. These countries operated "black" Special Forces (comprising U.S. Delta and Rangers forces and UK and Australian Special Air Service forces), who were focused on counterterrorism missions such as night raids and kill/capture operations that were highly controversial within Afghanistan. These forces reported to and came under the direct command of U.S. Central Command in Tampa, Florida.

The possibility of establishing unity of command by having a single U.S. command foundered on European insistence on falling under NATO command to avoid making NATO member states complicit in black Special Forces-led operations, "which their publics would not

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stand for."[39] During U.S. General David McKiernan's tenure as commander of ISAF, he was also appointed commander of U.S. Forces-Afghanistan, bringing the U.S.-led security sector reform processes as well as U.S. logistics under a double-hatted control. But counterterrorism operations still remained outside McKiernan's command. In addition, McKiernan had to answer to two masters: the U.S. supreme allied commander for Europe on the NATO operational side, and U.S. Central Command, based in the U.S. military base in Qatar, for control of resources (manpower, money, equipment). This eroded the coherence of McKiernan's command further "in that you had two warring robber barons—both of whom thought they were in charge and were often giving contradictory instructions."[40] It was also difficult "because the real focus for U.S. CENTCOM until 2009 was not Afghanistan but Iraq."[41]

Night raids or kill/capture operations sometimes caused civilian casualties and led to frequent allegations of unwarranted detentions. Night raids were also viewed as an affront to Afghan cultural norms. For these reasons, the Afghan president frequently criticized the international military. However, the U.S. Department of Defense viewed the operations as vital to reducing civilian casualties while targeting the Taliban. Counterterrorism operations are a component of any counterinsurgency effort and were sharply increased under the counterinsurgency (COIN) military campaign that intensified between 2009 and 2011. Tactical changes, including additional constraints on the use of air power, introduced by U.S. General Stanley McChrystal to reduce civilian casualties as a means of winning Afghan "hearts and minds," did produce results.[42] But botched airstrikes still occurred, such as in Kunduz in September 2009, when a misguided strike on two fuel tankers stolen by insurgents resulted in more than ninety civilian deaths;[43] and operations conducted by international forces and the Afghan Special Forces they had trained continued to cause civilian casualties. In one egregious incident in February 2010, three women and two men were killed (all of whom proved to be noncombatants); and an open disagreement ensued between NATO and the United Nations, which challenged NATO's initial account that diverted blame for the women's deaths.[44]

Disjuncture in the chain of command contributed to the damaging fallout from this incident and others. Afghans made multiple allegations of mistaken killings and detentions of noncombatants during counterterrorism operations over time. Unlike ISAF, which usually deployed for six months to a year in one area and was able to develop a level of situational awareness, international Special Forces were rotated for ninety-day periods with no interaction with the local community, thereby generating their own targets. "No-one has visibility on how and why they select certain targets, it can be on the back of an opponent saying that X is a bad guy. All our polling and Afghan friends told the U.S. military that this is not advancing our campaign goals but retarding them by turning Afghans against you and most of the time you don't get the bad guys."[45] Former U.S. secretary of defense Robert Gates finally succeeded in establishing unity of command by summer 2010,[46] but whether Special Operations Forces (SOF) then came under effective central command is questionable.[47] According to a senior U.S. military analyst who had deployed to both Iraq and Afghanistan theatres, "It got to the point where Special Forces were supposed to inform the regional ISAF command before an operation, but with only a few hours warning there was insufficient time to evaluate whether the mission made sense or not or to do any coordination between SOF and conventional units."[48]

Blurred Lines

Following fulfillment of the political objectives of the 2001 Bonn Agreement (presidential elections in October 2004 and parliamentary elections in September 2005), the security

objectives of the U.S. military and NATO increasingly dominated the state-strengthening agenda. Longer-term, state-strengthening considerations came second to building up Afghan police and army numbers—objectives that were addressed with increasing urgency to both counter the growing Afghan insurgency, "defined primarily as a law enforcement issue,"[49] and ultimately enable an exit strategy. In effect, the U.S. military and NATO saw strengthening the Afghan security forces as the same thing as strengthening the state. The arguments made by mainstream development professionals—that a lasting stabilization would depend on developing the economy, governance, and functioning ministries—failed to make a determining impact. "We said this at meetings" said a former U.S. government development professional interviewed, "but I wonder how much we were listened to?"

COIN doctrine—based on the concept of winning hearts and minds using a comprehensive approach by which all available civilian and military resources are incorporated to maximize chances of success—provided an entry point for the U.S. military to engage representatives of the U.S. Department of State and U.S. Agency for International Development (USAID) to establish the rule of law and improve the economy, infrastructure, and governance. Given that the U.S. military led such core state-strengthening processes was indicative of the absence of an overarching political strategy.

Development professionals within USAID and other donor agencies were often between "a rock and a hard place:" The presence and weight of a single and powerful ISAF commander overshadowed a fragmented and leaderless civilian effort.[50] In addition, throughout the engagement, political demands from NATO member states were made on civilians leading development efforts,[51] as well as on the military, for fast and positive results.[52] The demand for good news from capitals meant inconvenient truths tended not to feature in most reporting if they made it into reports at all.[53] Nor, with rare exceptions, was reporting sufficiently nuanced to capture the complexity of a security environment in which the Taliban was then considered by many Afghans to be just one of the problems they faced. Questions were not being asked between 2002 and 2005, when "everything was seen as wonderful and Hamid Karzai was seen as the miracle man."[54] And as things got worse in Iraq, it became more essential to show that all was going well in Afghanistan.

The military's engagement in assistance-type activities took the securitization of aid to higher, controversial levels. Decisions were taken without fully evaluating the costs and benefits of each project. Heavy emphasis was given to "the burn rate"—the process in which money allocated under specially created funding lines for the international military (e.g., the U.S. Commanders Emergency Response Program, or CERP, established in 2003), were spent rapidly, as a condition of their swift replenishment.[55] According to one U.S. military analyst interviewed, twenty brigade commanders had $50 million a year to spend. "If you can't solve the problem with money, spend more money" seems to have been the underlying rationale, and not just for U.S. forces; "No conditionality was applied to the development assistance given under ISAF PRTs which was all off-budget and not effectively tied to the development strategies led by the Afghan government."[56] The Afghan government's limited absorptive capacity at all levels was overwhelmed,[57] while the resulting environment for corruption was, in practice, ignored.

Nationbuilding Lessons Unlearned

The disparate priorities, interests, and perceptions of international civilian and military actors in Afghanistan were reflected in interagency planning within leading NATO national

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governments. In theory, civilian perspectives were meant to carry equal weight in the setting of realistic timelines and objectives for state strengthening.[58] Tensions were rooted in the bureaucratic politics of Washington and other NATO capitals. The U.S. Department of State, Department of Defense, Federal Bureau of Investigation, and CIA all tended to prize departmental autonomy over achieving a common approach.

This was nothing new. U.S. interventions in the 1990s had shown that, in practice, an integrated approach requires establishing mechanisms to ensure unity of effort during both the planning and execution phases of an operation. For example, Presidential Decision Directive (PDD) 56 on "Managing Complex Contingency Operations" under the Clinton administration directed the establishment of an interagency executive committee to coordinate U.S. government activities in a given operation.[59] As Michèle A. Flournoy has pointed out, "with the notable exception of the U.S. military, which has an elaborate system for collecting and disseminating 'after action reviews' of its operations, the U.S. government as a whole does not have organizations devoted to identifying, analyzing, and promulgating lessons learned from nationbuilding or any other type of complex operation."[60] When the Bush administration took office, PDD 56 was shelved and replaced by a national security presidential directive. This directive also recognized that developing integrated strategies to deal with complexs operations was of central importance, but it was never signed and was "largely ignored when the Bush administration developed its post-9/11 strategy for Afghanistan."[61] Successful collaboration when it did occur was based on an absence of jargon and clear planning early-on that took the realities of execution, in a very demanding environment, into account.[62]

A former NATO deputy senior civilian representative summarized the military's attitude: "When the military do a plan, the civilian element is a sub-element of that plan. The military tend to plan in isolation and get frustrated when the civilians do not fit into that plan. To do a plan, you have to have control of resources so they plan for the use of resources under the military's control and set out aspirations for civilians."[63]

After the ISAF's expansion throughout Afghanistan in 2006, different approaches in the bilateral delivery of security and reconstruction assistance by donors, mainly conducted through PRTs, became more pronounced at provincial and district levels. The Afghan government repeatedly labelled PRTs as a parallel administration undermining its national development strategy, but again, government protests were effectively ignored. U.S.-led PRTs mainly located in the southeast remained under the military within a single U.S. command structure. This was not the case with PRTs supported by other NATO member states and troop-contributing nations. While PRTs were established under the protection of ISAF, they were controlled by their respective national authorities. Many were instruments of national development programs and aid budgets and were usually directed by their respective state capitals. Civilian political and development advisers on PRTs often did not even include their respective embassies in reports back to their capitals.

The PRT Executive Steering Committee tried to improve civil-military coherence[64] but could not overcome the reality of each PRT nation having its own plan, separately conceived and implemented, as well as the difficulties inherent in managing the center/periphery relationship in Afghanistan. The implementation of policy notes by PRT commanders (involving countless preparatory meetings) went effectively unmonitored and often ignored by PRTs and forward operating bases remote from Kabul.

The securitization of assistance at provincial and district levels led to a Balkanized assistance effort, with the wealthier south and east of Afghanistan (where the heartlands of the insurgency

are located) getting much more aid and development support than the poorer center and north. U.S.-led PRTs in the east and those run by the United Kingdom, Canada, and Netherlands in the southwest received what seemed like unlimited funds for reconstruction and development. In comparison, parts of the center and north missed out on what was seen by many Afghan provincial governors, provincial council members, and Afghan contractors (who were often inter-related and stood to profit) as a windfall. This caused considerable resentment in poor provinces like Ghor, where the Lithuanians with limited resources ran the PRT. As a senior British diplomat interviewed put it, "It was a postcode lottery."[65]

The U.S. Military-Led Surge

Following his first visit to Afghanistan in January 2007, Gates summarized U.S. efforts as "being significantly hampered not only by muddled and overly ambitious objectives but also by confusion in the military command structure, confusion in economic and civilian assistance efforts, and confusion over how the war was actually going."[66] The 2009 Strategic Review conducted by ISAF and McChrystal warned the new Obama administration that continuation of the status quo in Afghanistan threatened ISAF with "strategic defeat" and recommended an extensive, "population-centric" COIN campaign.[67] Following months of deliberation, Obama authorized a temporary surge of 30,000 additional U.S. forces for this effort and reportedly also ordered an (unpublicized) increase in the tempo of counterterrorism operations.[68] Planned numbers of Afghan National Security Forces (ANSF) were significantly increased. The option of a fully resourced and open-ended counterinsurgency that included the longer-term, nationbuilding aspects lobbied for by U.S. General David Petraeus and the Pentagon was rejected.[69]

U.S. military and civilian assistance represented approximately half of all assistance during the early years of the intervention, rising markedly from 2007. The United States' dominance over international approaches to state-strengthening objectives stemmed from congressionally approved funding levels that dwarfed the commitments of all other donors for Afghanistan. U.S. appropriations for all war-related operations initiated by the United States since the 9/11 attacks cumulatively amounted to $1.6 trillion as of U.S. fiscal year 2014. Of this total, 43 percent (or $686 billion) was appropriated for the U.S. military's OEF campaign in Afghanistan. A further breakdown of the funding received by agencies illustrates the extent to which the U.S. military received the lion's share of funding in all theaters: $1.5 trillion was appropriated to the U.S. Department of Defense, compared to $92.7 billion combined to the U.S. Department of State and USAID.

It has been estimated that between 2007 and 2009, a half to two-thirds of all U.S. assistance to Afghanistan was focused on the security sector, covering the salaries, equipment, and facilities of the ANSF.[70] The sheer scale and direction of congressional funds placed the U.S. Department of Defense and senior U.S. military representatives in the field in powerful positions. According to many people interviewed for this paper, other donors and the Afghan government were basically expected to do as they were told in response to the military's directives. The U.S. largesse left the rest of the international community as "mere bystanders agreeing to follow wherever the U.S. pointed."[71] Though some actors—including Germany, the United Kingdom, and the European Union—were more important than others, they were still "outside the magic circle comprised of the U.S. ambassador and the U.S. military commander in Kabul where the actual decision-making took place."[72]

An Irreversible Transition?

The COIN mantra of "clear/hold/build" rapidly changed to "clear/hold/transfer" in 2010, as NATO and the Afghan government formalized plans for a drawdown of international troops and phased handover of responsibility to the Afghan government for security, governance, and development. The brevity of the timeline for the security transition—starting in March 2011 and officially ending in December 2014—meant that the commanders of the military COIN campaign were under pressure to utilize resources while they still had them. It also meant that establishing minimal levels of security, governance, and development in districts selected for the transition process were not preconditions for transfer.[73]

The brief timeline for the phased withdrawal of the bulk of international combat forces required even faster results in setting conditions for the drawdown. Both civilian and military sectors were rewarded for doing so.[74] The effects of short-term objectives further distorted Afghan politics and economics in what was already a rentier state of unprecedented proportions.[75] The presence of 140,000 international troops by 2011 with access to funding sources such as the CERP—"that had accountability and control that differed from any civilian equivalent"[76]—compounded a highly artificial situation.

By 2012, with the international community viewing the handover to the Afghan government as being of paramount importance, many were frantic, wondering how the transfer would be sustainable when the Afghan government lacked domestic revenue for its civil servants' salaries, let alone its inflated police and army. According to a senior British diplomat on the ground at the time, "It was not just the fault of the military who were not in a position to judge the viability of nonmilitary projects, a lot of civilian activity was also not sustainable.[77] There was so much money, so much pressure, everyone was in on it."[78] In the Canadian government's *Summative Evaluation of Canada's Development Program in Afghanistan* (2015), some short-term quantitative results are acknowledged, but the sustainability of these results was questioned by the independent evaluation team from Ecorys that conducted the report.[79] A former head of the Canadian International Development Agency's[80] program in Kabul disagrees with the report's claim that Canada was guided by a strategic vision throughout the period of evaluation, pointing out that the objectives of Canada's development program in Afghanistan changed four times in nine years.[81] In common with many other donors, "Canada's largest venture in a fragile state was not well-defined; nor was it supported by adequate analysis based on an understanding of the history, society and culture, ethnic politics, the root causes of conflict, and the realities of fragility conditions in the country."[82]

Whether the ANSF can maintain control over areas that were restored to the writ of central government by the 2009–2011 surge remains to be seen, even in light of Obama's announcement to retain U.S. forces in Afghanistan through the end of his term in 2017.[83] Attrition rates within the ANSF described in 2014 by the former U.S. commander general Joseph Anderson as "unsustainable" have continued to rise,[84] though growing unemployment has led to an increase in recruitment into the ANSF. The more limited use of air support has reportedly also damaged ANSF morale.[85] Hanging over everything is the question of how the ANSF will be fiscally maintained even with cuts to numbers. The pledge announced by Secretary of Defense Ashton Carter during President Ashraf Ghani's March 2015 visit to the United States stipulated only that the U.S. Department of Defense "intends to seek funding for Afghan forces to sustain an end strength of 352,000 through 2017."[86]

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Conclusion

A former deputy commander of the ISAF summed up the reasons underlying the military's incoherent approach in Afghanistan: There was (1) no single command of the money, (2) no attention to addressing Afghan community needs as opposed to those of donors, (3) no means of prioritizing, and (4) no means of rewarding good behavior and punishing bad.[87] In the absence of consistent, shared objectives in Afghanistan, the strategies of counterterrorism, counterinsurgency, and long-term state strengthening often worked at cross purposes.[88] A former head of the World Bank mission in Kabul summed up the corrosive damage caused to statebuilding efforts: "The net effect of this was lots of talk about good governance and the rule of law when the main donors themselves were paying huge sums to warlords and other corrupt officials."[89] A clear example was the dependence of the U.S. and other international forces on powerholders' militias (i.e., illegal armed groups) for the provision of periphery security for bases[90] and their logistical resupply.

The widely held assumption that reconstruction and development produces a stability dividend went largely unquestioned.[91] A related assumption was that Afghans—particularly in rural areas where the majority of the population is located—were able to choose between supporting the armed opposition or the Afghan government.[92] Limited international understanding of the root causes of conflict in Afghanistan in the early and comparatively poorly resourced years of the engagement, combined with insufficient local awareness and an overall failure to understand how international actions at provincial and district levels were viewed by locals, did not help.

The intensifying political demand from donor capitals for demonstrable progress in rebuilding Afghanistan contributed to a seemingly unstoppable aid juggernaut. This, combined with a war economy that spurred massive U.S. Department of Defense (and other) contracts,[93] caused a feeding frenzy among international and well-connected Afghan contractors.[94] Corruption became "pervasive, entrenched, systemic and by all accounts…unprecedented in scale and reach" according to a 2009 report for USAID.[95] By 2008, more nuanced approaches acknowledged the gulf between (1) the government that the international community was ostensibly trying to build and (2) how this government was actually experienced by Afghans.[96] But these time-consuming approaches came late in the day. By 2010, the international community's focus was on preparing the ground for international military exit[97] rather than on processes to identify political opportunities for stabilization at subnational levels.

Insecurity and limited Afghan government capacity increased the difficulty in monitoring projects, further facilitating corruption and suboptimal outputs. The implementation of projects via extended chains of international and Afghan subcontractors clearly played a major role in this problem. Repeated Afghan government protests over the qualitative costs and unnecessary squandering of off-budget reconstruction funds were largely ignored.

The few project successes mainly came out of on-budget funding delivered directly to the government via the Afghanistan Reconstruction Trust Fund administered by the World Bank. Helping to achieve the outcomes were the fund's specific incentives and conditions, namely a competent Ministry of Finance (MOF) that was committed to building effective financial systems and that understood any increase in on-budget funding would depend on that effectiveness. Without such a capable partner, a former World Bank senior official interviewed stated, "World Bank efforts would have been a waste of time." Few other Afghan ministries had the MOF's technical ability and commitment to implement reforms.

A contraction in the economy and security forces is a real danger, making reaching a peace settlement and building regional economic connectivity the top priorities for the government.

The test of the security transition is now underway. The success or failure of the National Unity Government and the ability of President Ashraf Ghani to reduce corruption and violence, manage the intensifying conflict, and develop a legitimate economy will determine how the international intervention between 2001 and 2014 is judged and the nature of future donor engagement. A contraction in the economy and security forces is a real danger, making reaching a peace settlement and building regional economic connectivity the top priorities for the government. Internal political challenges have hardened, epitomized by the failure to appoint a Minister of Defense. At the same time, the relationship between Afghanistan and Pakistan has deteriorated significantly,[98] while divisions within the Taliban are deepening.[99] More fronts have opened up beyond that of the ANSF versus the Taliban,[100] increasing the number of actors in the conflict. The lack of jobs, as well as loss of hope in political solutions to the crisis, are underlying drivers of the Afghan exodus.[101] The removal of remaining U.S. forces by the end of 2017 and the impact of the loss of air support they provide on ANSF morale is a key issue for the next U.S. administration to consider, along with the decision to continue to lead (or not) international funding efforts over the payment of salaries for the Afghan security forces.

A marked imbalance between military and civilian sectors characterized the 2001–14 U.S.-led intervention in Afghanistan. In looking forward, the U.S. military both believes in and needs unity of command and will continue to make progress toward that objective via detailed operational reviews and other measures. Much work has been undertaken by the United Nations, World Bank, and others to identify the elements that should be central to coherent and realistic international engagement in conflict and postconflict countries. The New Deal for Engagement in Fragile States—an agreement between conflict-affected states, civil society actors, and international development partners to improve current development policies and practice in fragile states—underscores the importance of commitment to a set of common goals and the centrality to success of trust among and between national and international actors. Yet, the civilian sector remains comparatively fragmented—be it because of the various UN agencies involved, donors' differing national objectives, or the various agendas and, at times, competing interests of government ministries. The sector lacks the military's unifying drive. The institutionalization of integrated approaches to the planning and conduct of statebuilding operations, facilitated by interagency structures, would offset this problem and would enable civilian perspectives to carry more weight in setting realistic timelines, priorities, and allocation of resources for durable state-strengthening processes.

International appetite for intervening in fragile states is at a low point, but nationbuilding interventions will still be seen as being in the strategic interests of the United States for the foreseeable future, again drawing in U.S. allies. Identifying what worked and what undermined stabilization in Afghanistan is highly relevant to U.S. aims to increase burden sharing in an increasingly unstable world in which short-term counterterrorism approaches currently dominate strategic thinking.

Notes

1. A. Surkhe, *When More Is Less—The International Project in Afghanistan* (New York: Columbia University Press, 2011), 24–25; T. Barfield, *Afghanistan—A Cultural and Political History* (Princeton, NJ: Princeton University Press, 2010), 283.

2. Beneficiaries included prominent commanders like Mohammed Fahim. NA militias brought large areas of the country, including Kabul, under their control prior to the establishment of the Transitional Authority, ignoring U.S. calls not to enter the capital.

3. The NA was able to take and maintain control of the key security ministries (defense, interior, and intelligence), as well as appoint governors and chiefs of police in most of Afghanistan's provinces.

4. Dr. Barnett Rubin, former adviser to Richard Holbrooke, the U.S. government's Af/Pak representative, in a keynote presentation: "Understanding the Political Economy of State-building Interventions," at the Chatham House, Stanford University, and USIP-hosted "Conference on State-Strengthening in Afghanistan 2001–2014: Learning from the Past to Inform the Future," Washington, DC, March 16–17, 2015.

5. Splits occurred between the U.S. Department of Defense under Donald Rumsfeld and the U.S. Department of State under Colin Powell; the latter had wanted to consider long-term political consequences and adjust the campaign accordingly. See J. Alexander Thier, "Afghanistan" in *Twenty-First-Century Peace Operations*, ed. William J. Durch (Washington, DC: U.S. Institute of Peace and The Henry L. Stimson Center, 2006), 477.

6. Rubin, keynote presentation: "Understanding the Political Economy of State-building Interventions."

7. Ibid.

8. See www.unhcr.org/49ba2e9116.pdf.

9. The *tanzimats* included the main Afghan political parties based in Pakistan, backed by Pakistan, Saudi Arabia, and the West during the Soviet-backed communist period of the Afghan government. *Tanzimat*-linked militias waged a destructive civil war following the collapse of the Najibullah government that destroyed swathes of Kabul and killed uncounted numbers of civilians. Amnesty International in 1995 cited a figure of 25,000 dead. Many more were injured.

10. See Jonathan Goodhand, *Bandits, Borderlands and Opium Wars: Afghan State Building Viewed From the Margins* (Copenhagen: Danish Institute for International Studies, 2009); and Doris Buddenberg and William A. Byrd (eds), *Afghanistan's Drug Industry: Structure, Functioning, Dynamics and Implications for Counter-Narcotics Policy* (Kabul: United Nations Office on Drugs and Crime/World Bank, 2006).

11. The UK government, for example, leveraged its commitment of British forces to Helmand on President Karzai's agreement to replace Sher Mohammed Akhundzada as provincial governor there.

12. Bette Dam, *A Man And A Motor Cycle—How Hamid Karzai Came To Power* (Urecht, Netherlands: Ipso Facto Publishers, 2014), 192.

13. Ibid.

14. Karzai mistakenly believed that geo-strategic considerations would lock the United States into Afghanistan for the next hundred years, giving him and future Afghan governments leverage in return for the retention of U.S. bases in the country.

15. Michele A. Flournoy, "Lessons Learned and Unlearned," in *Nation-Building Beyond Afghanistan and Iraq*, ed. Francis Fukuyama (Baltimore, MD: John Hopkins University Press, 2006), 86.

16. By mid-2002, key air support and other assets were being removed from Afghanistan in preparation for the invasion of Iraq.

17. *Capturing the Lessons from the Helmand Provincial Reconstruction Team*, Wilton Park Report, December 3–5, 2014, 11.

18. Flournoy, "Lessons Learned and Unlearned," 88. Against the background of a widening security gap, the 2006 NATO summit at Riga outlined the principles and intent of NATO's "Comprehensive Approach," which fed into NATO's 2008 "Comprehensive Strategic, Political, Military Plan for Afghanistan."

19. Robert M. Gates, *Duty: Memoirs of a Secretary at War* (New York: Alfred A. Knopf, 2014), 215–16.

20. The *Summative Evaluation of Canada's Development Program in Afghanistan (2004–2013)*, released on a Canadian government website in March 2015, states that the objectives of the Canadian development program were reformulated several times during this period. Canada was not unique in this.

21. The withdrawal of all U.S. forces from Afghanistan beyond a U.S. embassy detail coincides with the ending of President Barack Obama's U.S. presidency in 2016. Obama promised in his 2013 State of the Union address that the Afghan mission would change from combat to support and that by 2014 the transition process will be complete. The pace of the withdrawal of remaining forces of around 10,000 was adjusted in 2015, but the date for a completed withdrawal by the end of 2016 has not, at time of writing, been altered.

22. Alastair McKechnie estimated that around two-thirds of all development assistance was outside the purview and policy frameworks of the Afghan administration; see Alastair J. McKechnie, *Post-War Programme Implementation and Procurement: Some Lessons from the Experience of Afghanistan* (London: Overseas Development Institute, 2011), 6.

23. Interview with Francesc Vendrell, former Personal Representative of the UN Secretary General on Afghanistan (January 2000–January 2002) and European Union (EU) Special Representative for Afghanistan (July 2002–September 2008), March 5, 2015, London.

24. Barfield, *Afghanistan—A Cultural and Political History*, 313.

25. Author's observation, drawn from direct experiences as policy coordinator (2002–05) of the main nongovernmental umbrella organization, Agency Coordinating Body for Afghan Relief and Development.

26. At the time, including the Taliban at the Bonn Conference was not considered politically possible either by the United States or participating Afghans. The realization that the Taliban's defeat presented a unique opportunity for a negotiated reconciliation dawned much later.

27. Interview with FrancescVendrell, March 5, 2015, London.

28. Ibid.

29. Ibid. The expansion of a NATO/ISAF presence throughout the country did not start until the ISAF mandate was adjusted by the United Nations in August 2003, an outcome led by Germany. In addition to the removal of assets in the lead-up to the invasion of Iraq, the Pentagon did not want separately mandated peacekeeping forces in the same battle space as special forces operations under OEF.

30. For background to the announcement of the PRT plan, see Barbara J. Stapleton, "A Means to What End? Why Provincial Reconstruction Teams are Peripheral to the Bigger Security Challenges in Afghanistan," in *Civil–Military Coordination: Challenges and Opportunities in Afghanistan and Beyond,* ed. John Ferris (Calgary: Centre for Military and Strategic Studies, 2008), volume 3.

31. OEF is the U.S. government's official name for its contribution to the war in Afghanistan and global counterterrorism efforts.

32. Wilton Park Report, *Capturing the Lessons*, 11.

33. Office of the Secretary of Defense, "Accelerating Success in Afghanistan' in 2004: An Assessment," Declassified White House Memorandum, January 18, 2005, http://library.rumsfeld.com/doclib/sp/440/ From%20the%20White%20House%20re%20Accelerating%20Success%20in%20Afghanistan%20in%20 2004%20an%20Assessment%2001-18-2005.pdf.

34. These country leads were agreed on at the first international donors' pledging conference in Tokyo in January 2002.

35. The Shura i Nazar, NA member, controlled the Ministry of Interior by selling police chief appointments that resulted in monthly kickbacks of thousands of dollars for lucrative positions situated on drug trafficking routes. See Joel Hafvenstein, "Afghanistan's Opium Strategy Alternatives—A Moment for Masterful Inactivity?" in *The Rule of Law in Afghanistan: Missing in Inaction*, ed. Whit Mason (New York: Cambridge University Press, 2011), 124–25.

36. Andrew Wilder, "Cops or Robbers? The Struggle to Reform the Afghan National Police," in *State, Security and Economy in Afghanistan Current Challenges, Possible Solutions* (Liechtenstein Institute on Self-Determination, 2008), Liechtenstein Colloquium Report, volume 3, 23.

37. Interview with General Jonathon Riley, Oxford, October 2015; his direct experience of the international military command structure informs this section of the paper.

38. Ibid.

39. Gates, *Duty: Memoirs of a Secretary at War*, 206.

40. Interview with General Riley.

41. Ibid.

42. The joint annual report on civilian casualties (March 2011) from the United Nations Assistance Mission in Afghanistan and the Afghan Independent Human Rights Committee reported a reduction of 26 percent in civilian casualties attributed to Afghan and international military forces in 2010, from 2009.

43. See www.spiegel.de/international/germany/aftermath-of-an-afghanistan-tragedy-germany-to-pay-500-000-for-civilian-bombing-victims-a-710439.html.

44. Special Forces had mistakenly targeted an Afghan party celebrating the birth of a baby boy. See Rod Nordland, "Afghanistan: Different Accounts Offered About Civilian Deaths," *New York Times*, February 12, 2010; and Richard A. Oppel, "U.S. Admits Role in February Killing of Afghan Women," *New York Times*, April 4, 2010.

45. Interview with senior U.S. military analyst, March 18, 2015, Washington, DC.

46. Gates, *Duty: Memoirs of a Secretary at War*, 206.

47. Interview with senior U.S. military analyst, March 18, 2015, Washington, DC.

48. Ibid.

49. Interview with Nick Williams, former deputy NATO senior civilian representative, October, Oxford.

50. Ibid.

51. During 2004 to 2005 when the situation in Iraq verged on the catastrophic, development efforts in Afghanistan led by the U.S. embassy were being virtually micromanaged by senior members of the Bush administration in Washington according to multiple contacts the author had in the U.S. embassy at the time.

52. A perspective corroborated by all interviewees.

53. This was the case in civilian as well as military institutions. In 2003—following the murder of a United Nations High Commissioner for Refugees staff member in Ghazni and a car-bomb explosion outside the United Nations Assistance Mission in Afghanistan (UNAMA) office in Kandahar—Jean Arnault, then deputy head of UNAMA, queried why he had not seen the more acute and presumably unedited security report that he was given by UN agency security personnel based in Kandahar directly when he visited the city in the immediate aftermath of the attack.

54. Interview with Francesc Vendrell, March 5, 2015, London.

55. The United Kingdom rapidly followed suit in Helmand in 2006, initially reversing the security approaches taken in its northern-based PRT that had specifically avoided making large amounts of funding available to military commanders.

56. Interview with General Riley.

57. For example, Afghan ministries were often only able to disburse less than half of their annual budgets.

58. Conference call with former U.S. government development professionals, Chatham House, March 6, 2015, London.

59. The UK government's Stabilisation Unit, comprising the Foreign and Commonwealth Office, Department for International Development, and Ministry of Defence, is a later example of the attempt to improve cross-ministerial unity of effort in complex interventions.

60. Flournoy, "Lessons Learned and Unlearned," 86–89.

61. Ibid.

62. Conference call with former U.S. government development professionals, Chatham House, March 6, 2015, London.

63. Interview with Nick Williams.

64. The PRT Executive Steering Committee (ESC) was viewed as a key means of improving civil-military coordination by ISAF IX (2006). However, in practice, there was no evidence of increased coordination. For example, although ESC policy notes were given a "Fragmentary Order," meaning forces in the field were commanded to implement them, there is no evidence they had any impact; the EU Office was involved in drafting and monitoring the note of the Disbandment of Illegal Armed Groups (DIAG), and the office found no evidence of the note impacting DIAG processes.

65. Interview with former NATO senior civilian representative (SCR) to Afghanistan, Foreign and Commonwealth Office, March 11, 2015, London.

66. Gates, *Duty: Memoirs of a Secretary at War*, 205.

67. The U.S. Department of Defense released an unclassified version of the Strategic Review, September 20, 2009.

68. Bob Woodward, *Obama's Wars* (New York: Simon & Schuster, 2010), 314–15.

69. Ibid.

70. Surkhe, *When More Is Less*, 126.

71. Interview with Nick Williams.

72. Interview with former NATO SCR.

73. NATO and the Afghan government had pre-agreed minimal levels of security, governance, and development that were supposed to apply in selecting areas for a transfer in responsibility.

74. According to Michael Keating, deputy SRSG for UNAMA 2011–13 who monitored PRT preparedness in the lead up to exiting Afghanistan, to enable an exit, metrics were lowered continually for PRTs.

75. See Surkhe, *When More Is Less*, 126–30. According to World Bank and International Monetary Fund reports, foreign aid financing is estimated around 90 percent of all official expenditure in post-Taliban Afghanistan for most of the period under discussion.

76. Interview with former NATO senior civilian representative to Afghanistan, Foreign and Commonwealth Office, March 11, 2015, London.

77. This has been highlighted in successive reports by Special Inspector General for Afghanistan Reconstruction (SIGAR) John Sopko.

78. Interview with former NATO senior civilian representative to Afghanistan, Foreign and Commonwealth Office, March 11, 2015, London.

79. To date, this is the only third-party evaluation released by a NATO member state on civilian and military assistance to Afghanistan funded by its taxpayers. Norway and Denmark are currently conducting similar evaluations.

80. The Canadian International Development Agency has since been amalgamated into the government's Foreign Affairs and Trade Department.

81. Nipa Banerjee, head of Canada's aid program in Afghanistan (2003–06), Ottawa Center for Policy Studies Seminar, "What Have We Learned from the Summative Evaluation of Canda's Development Programme in Afghanistan," April 14, 2015.

82. Nipa Banerjee, "Afghanistan Not a Model to Follow," *Embassy*, March 25, 2015.

83. Matthew Rosenberg and Michael Shear, "In a Reversal, Obama Says U.S. Soldiers Will Stay in Afghanistan to 2017," *New York Times*, October 15, 2015.

84. The report by SIGAR John Sopko (March 3, 2015) states that the number of Afghan National Army (ANA) members has declined by more than 15,500 or 8.5 percent since February 2014 to 169,203—the lowest force strength since August 2011.

85. Gabriel Dominguez, Deutsche Welle, March 5, 2015. Though the United States no longer routinely provides air support to ANSF operations, it still conducts airstrikes under the security agreement between the United States and Afghanistan. See Trofimov, August 27, 2015.

86. Mir Aqa, "Two Important U.S. Pledges to Afghanistan at Camp David," TOLOnews, March 24, 2015.

87. Interview with General Riley.

88. Examples range from military presence/operations preventing access to communities by civilian aid and development actors, to Afghans joining the insurgency out of revenge for the death or detention of relatives, to absence of justice and impunity to the creation and expansion of the Afghan Local Police.

89. Email from former World Bank director for Kabul to the author, March 2015.

90. Barnett Rubin, "What I Saw in Afghanistan," *New Yorker*, July 1, 2015; Rep. John F. Tierney, *Warlord, Inc.—Extortion and Corruption Along the U.S. Supply Chain in Afghanistan*, Report of the Majority Staff, Subcommittee on National Security and Foreign Affairs, U.S. House of Representatives, June 22, 2010.

91. Academic literature on the role of development assistance in providing a stability dividend is limited. A paper coauthored by Alistair McKechnie of the Overseas Development Institute references research using a cross-sectional sample of one hundred districts in Iraq that indicated that the military handing out grants to local leaders was most effective in reducing the number of violent incidents, whereas investment in infrastructure was the least effective (Berman, 2009). The research in northern Afghanistan found that development assistance could exacerbate conflict by providing new resources to fight over; see Paul Fishstein and Andrew Wilder, *Winning Hearts and Minds? Examining the Relationship Between Aid and Security in Afghanistan* (Medford, MA: Feinstein International Centre, Tufts University, 2012).

92. As ISAF expanded, Afghan communities were caught between (1) armed opposition groups monitoring their actions and taking punitive measures if they collaborated and (2) ISAF, which acted as a magnet for attacks by the armed opposition.

93. The World Bank's 2009 report, *Fighting Corruption*, states the U.S. Department of Defense authorized work contracts in Afghanistan for US$11.5 billion between 2007 and 2009. See Surkhe, *When More Is Less*, 133.

94. Surkhe, *When More Is Less*.

95. USAID/Afghanistan, *Assessment of Corruption in Afghanistan* (Kabul: USAID, 2009), 4. Also see Surkhe, *When More Is Less*, 132. Transparency International's annual assessment of corruption in states regularly placed Afghanistan near or at the bottom of its list.

96. See *Capturing the Lessons*, Wilton Park Report. The stabilization advisers deployed by the UK's cross-ministerial Stabilisation Unit to Helmand were prominent in pioneering approaches that produced some stability, political, and governance outcomes at local levels. See Barbara J. Stapleton, "The Civil-Military Approaches Developed by the United Kingdom under its PRTs in Mazar-e-Sharif and Lashkar Gah," in *Reconstructing Afghanistan: Civil-Military Experiences in Comparative Perspective*, eds. William Maley and Susanne Schmeidl (London and New York: Routledge, 2014), 36.

97. See Barbara J. Stapleton, *Beating a Retreat: Prospects for the Transition Process in Afghanistan* (Kabul: Afghanistan Analysts Network, 2012).

98. See Marvin G. Weinbaum, "Dangerous Trajectory—Afghan and Pakistani Relations Are in a Downward Spiral, Moving Towards Levels not Witnessed for More Than 25 Years," *Foreign Policy*, September 11, 2015.

99. The Afghanistan Analysts Network (AAN) views the scale of open factionalism in the wake of Mullah Omar's announced death as "unprecedented in Taleban history but not representing rifts large enough to amount to a serious threat to the overall operational capabilities and organisational structure of the Taleban movement;" see Thomas Ruttig, "The New Taleban Deputy Leaders: Is There an Obvious Successor to Akhtar Mansur?" (Kabul: AAN, 2016).

100. For example, (1) Afghan Taliban versus local Islamic State of Iraq and the Levant (ISIL) groups, which include disgruntled former Afghan Taliban fighters based in Pakistan; (2) ISIL groups comprising indigenous Afghans plus Chechen and Uzbek fighters (based mostly in Nangahar and the south); and (3) the Afghan government arming of Afghan militias in the north against the Taliban and ISIL.

101. "Afghan President Vows Economic Boost to Stop Migrant Exodus," Agence France-Presse, September 20, 2015; Eltaf Najafizada, "Afghanistan Can't Print Passports Fast Enough as Exodus Worsens," Bloomberg, September 22, 2015.

Elections and Democratization in Afghanistan

SCOTT SEWARD SMITH

Evolution of Democratic Peacebuilding

The outbreak of several civil wars at the end of the Cold War, and the international community's attempt to resolve them, raised the long-dormant question of what constitutes political order. How are states formed? How should power be allocated among formerly warring factions and elites? What political institutions are necessary? In what order should they be created—and how? Can they indeed be created? How can they endure? These questions were theorized at the same time as their premises were being tested in postconflict countries like Angola, El Salvador, Mozambique, Nicaragua, and a bit later in the Balkans. Whatever the differences among these efforts, they all had in common the holding of elections and the intended transition toward democracy.

If democracy was the answer to the fundamental question of political order, it was partly because liberal democracy had, by the early 1990s, become a global norm, vindicated by the victory of the West in the Cold War. The case for democracy was also underpinned by several theoretical arguments. First, democracies were believed to promote internal stability by offering a fair and transparent mechanism for contesting and distributing political power. Second, democracies were believed to govern more efficiently and with greater accountability than other systems, and this "performance legitimacy"[1] would contribute to stability. In other words, elections provide democratic legitimacy, and efficient governance provides performance legitimacy. These two factors make it much harder for the state to be contested. On this basis, "democratic peacebuilding" was born, and the holding of elections has been part of every postconflict settlement brokered by the international community.[2]

The practical limits to this theory have now become apparent. The mechanisms of democracy, while robust enough to provide short-term legitimacy, are often unable to prevail over the unstructured and raw political environments that underlay civil conflicts. These environments are almost always characterized by weak institutions, disaggregated centers of unofficial power, low barriers to the use of violence, and lack of trust among political elites. They can be categorized as "limited access orders:" regimes comprising elite pacts in which insiders obtain and share rents from power while collaborating to exclude pretenders to power. But, as William Byrd has noted, "There is an inherent disconnect between democratic elections and the political structure and processes of a fragile limited access order."[3] Elections produce

The mechanisms of democracy, while robust enough to provide short-term legitimacy, are often unable to prevail over the unstructured and raw political environments that underlay civil conflicts.

winners and losers through a contest played, theoretically at least, according to transparent rules, which undermine elite pact making. Elections also, when properly conducted, allow new entrants into the game of power.

As democratic peacebuilding has evolved, it has tried to address this disconnect in two ways. First, in the short term, the international community has tried positive and negative inducements to influence the behavior of political elites who might feel threatened by elections as a means of allocating and legitimizing power. These inducements include promises of aid, threats of being targeted by international justice mechanisms and sanctions, and even the threat and use of force.[4] Second, practitioners of democratic peacebuilding have theorized that over time the repeated holding of elections will ultimately prompt the development of institutions that allow the consolidation of democracy, such as impartial electoral management bodies, an independent and effective judiciary, a free press, political parties, civil society organizations, and eventually a middle class that produces educated citizens.[5] Dankwart Rustow described this as the "habituation phase" of a democratic transition, where the democratic design is "transmitted to the professional politicians and to the citizenry at large."[6]

While this design has worked in its early phases, over the medium term, few postconflict elections have led to an organic establishment of the institutions necessary to achieve a more recognizable liberal democracy. More typically—from Mozambique to Cambodia, Angola to Rwanda—the victors of early elections have used their electorally legitimized authority to sideline old rivals and prevent new ones from gaining power.[7] In other words, the first postconflict election becomes an instrument of the dynamics of the limited access order, rather than serving as a mechanism to break out of the exclusionary politics of that order. One marker of democratic consolidation is when power is transferred from one government to another as the result of an election.[8] This is a surprisingly rare occurrence in postconflict democracies.

Afghanistan's Transition to Democracy

However, in 2014, Afghanistan seemed poised to be an exception. President Hamid Karzai, reaching the end of his constitutional two terms, stated repeatedly that he would cede power once a new government was elected. A first-round election was held on April 4, with high voter turnout and an engaged electorate. It was conducted in a way that earned praise from candidates and international observers alike for Afghanistan's electoral institutions. But, as none of the eight candidates reached the 50 percent threshold, a second round between the top two candidates, Ashraf Ghani and Abdullah Abdullah, was held on June 15. This time, there could only be one winner. When Ghani—who had come in second in the first round—appeared to have won the second round, Abdullah's camp claimed widespread fraud and threatened to withdraw from the process. The international community, which had invested greatly in Afghanistan's democratization, felt compelled to step in and prevent the collapse of the electoral process and a potential civil war. On July 10, the U.S. special representative for Afghanistan and Pakistan, Ambassador James Dobbins, provided his analysis of the crisis—an analysis that would have far-reaching consequences: "[Afghan] democracy is not sufficiently developed to the point where a winner take all system, in which the losers retire and organize for the next election but don't share any power following their loss, is really a workable solution."[9] The U.S. diplomatic strategy to resolve the electoral crisis was thus revealed. Two days later, U.S. Secretary of State John Kerry made an emergency visit to Kabul and brokered an agreement between the two candidates. A full audit of the votes would be held to determine the winner, but the winner would guarantee up front to share power with the loser. The audit took place

in an intense environment as both camps negotiated the details of the power-sharing deal. Although the audit's final results were never revealed, Ghani was declared president. The two candidates eventually formed a National Unity Government, with Abdullah being appointed by decree as chief executive officer—a post that does not exist in the Afghan constitution. This curious outcome—an election without a final vote count; a jerry-rigged, power-sharing government; and discredited electoral institutions—was described by the White House as "the first democratic and peaceful transfer of leadership in Afghanistan's history."[10] Democracy International, a U.S. organization that observed both rounds of the election and the audit, more accurately concluded, "A peaceful transfer of power did occur, but the process that led to it was not democratic."[11] Thus, the question arises: What is the real legacy of the international community's attempt to help Afghans restore their political order on the basis of democratic rules?

Visions and Revisions

Contemporary understanding of Afghanistan's political order has been distorted by the country's peripheral relationship to the western world for most of the twentieth century.[12] Afghanistan has seized international attention only in times of crisis, when the political order has broken down. One must see past the historical grime of the last fifteen years to understand the salient features of Afghanistan's political history, especially those most relevant to its attempted refounding in 2001 on the basis of democracy and the rule of law.[13]

First, take the question of constitutionalism as a basis for political order. The 1789 U.S. constitution was the first modern political charter. In the early nineteenth century, constitutions were adopted by newly independent Latin American countries and a few northern European countries (Norway in 1814 and Belgium in 1831). In the Islamic world, constitutionalism began with the Iranian constitutional revolution between 1906 and 1911[14] and the Ottoman constitution of 1908.[15] These events inspired a similar movement in Afghanistan, where "Young Afghans," modeled on the constitutionalist "Young Turks," sought "a constitutional monarchy and a freely elected national assembly."[16] Among the Young Afghans was the son of King Habibullah Khan, Amanullah, who ascended the throne in 1919. Amanullah promulgated the first Afghan constitution in 1923. This is now considered an authoritarian constitution, "aimed at the organization of the state rather than the limitation of government,"[17]—although it did include several advisory and consultative bodies that, though not elected, were designed to be representative.[18] This history places Afghanistan in the vanguard of Islamic constitutionalism.

The case is similar for democracy. King Zahir Shah's "new democracy" period in the 1960s made Afghanistan one of the first Islamic states to adopt representative democracy as a political system—though it was within the framework of a constitutional monarchy.[19] Afghanistan thereby joined a global trend among monarchies, while avoiding the trend toward authoritarianism of most Islamic countries. As Samuel Huntington pointed out in 1968, "Traditional monarchies are, in today's world, rarely, if ever, traditionalizing monarchies. The monarchical oligarchies are [...] modernizing oligarchies and the ruling monarchs are modernizing monarchs."[20] That these attempts at constitutionalism and democracy were ultimately unsuccessful is less important than the fact that they were tried. Afghan elites considered them to be legitimate, indigenous solutions to the problem of political order.[21] It was therefore natural and uncontroversial for the post-Bonn order to be premised on broad democratic legitimization based on elections. If democracy has failed or stalled in Afghanistan, it is not, arguably, because it was seen by most Afghans as an alien imposition.[22]

The Bonn process was a generally well-designed sequence of events that gradually expanded the legitimacy of the new government by offering greater and greater levels of participation.[23] Up until the first election, the timelines set for these processes were properly measured and realistic. International diplomats shepherding the process considered it essential that the deadlines of the road map be met to provide assurance to a war-traumatized population that this process would not fail as previous ones had a decade earlier. The inauguration of the new government, the holding of the Emergency Loya Jirga, the formation of the Constitutional Drafting Commission, and the holding of the Constitutional Loya Jirga all happened on schedule.

The timelines, however, were only part of the credibility of the process. The international community paid less attention to the substance of the law. If a political order is to be constructed on the basis of the rule of law, the laws should be designed for feasible implementation. As Yash Ghai (one of the international advisers to the Afghan constitutional commission) noted in another context, "Contemporary democratizing constitutions [...] embody normative values but have less of a 'fit' with power structures: They depend for their efficacy substantially on respect for the document."[24] Similarly, the great jurist Hans Kelsen observed that "a legal order is valid only if it, as a whole, is by and large effective."[25] The Afghan constitution was drafted in a way that undermined the elections before they were held. It is even more unfortunate that many of its unhelpful provisions were uncontroversial and technical, rather than necessary political compromises. A law that cannot be fulfilled quickly becomes a farce, and a farce cannot serve as the basis for a democratic order, which should be underpinned by transparency.

On the more general question of constitutionalism and the rule of law in Afghanistan, Noah Coburn and Anna Larson argue that Afghanistan's 2004 constitution "simply does not have the same sacred quality that such documents have in other countries."[26] This can be interpreted in several ways. It may be that Afghans as a polity will never really embrace a formal, text-based, rule-of-law system because they are unable to escape from their local, traditional forms of rule; this is the "Afghanistan is a tribal confederation" argument that during the height of the 2010–12 "surge" was considered the key to unlocking Afghanistan's political mysteries by Afghan specialists.[27] But it may also be that, by 2010, Afghans saw no reason to impute any "sacred qualities" to the document when neither their own government nor the international community felt particularly bound by it. Afghans are neither inescapably tribal nor are they political dupes. As a member of the Constitutional Drafting Commission stated, "Afghan people may be illiterate but they're also politicians. Now, after all these years of conflict, Afghan people can analyze anything."[28]

The international community deserves a preponderant share of the blame for the many missed opportunities to instill a greater respect for the rule of law among Afghan political leaders. This attitude of laissez-faire rule of law raises an underexamined question: What responsibilities does the international community have in supporting rule-of-law-based democratization in other countries? When should it intervene and when should it not? At what point does intervention delegitimize local processes by making them seem inauthentic or imposed? At what point is intervention necessary to safeguard essentially democratic processes from adulteration by political elites frightened of losing power? From early in the process, a balanced approach proved difficult to achieve. Astri Suhrke describes the intervention of U.S. Ambassador Zalmay Khalilzad during the Emergency Loya Jirga to prevent King Shah from becoming the head of the Interim Authority in June 2002:

> Having a non-jirga member and official of a foreign government make a critical decision
> on behalf of the jirga made a mockery of the process. The story rapidly trickled down to

the countryside as evidence of the limited significance of elections. 'What is the point,' villagers later asked when discussing the scheduled next presidential election, when 'they' had even stopped the King being selected by the loya jirga.[29]

Richard Holbrooke played a similarly inappropriate role in the run-up to the 2009 elections,[30] when he was actively encouraging other candidates to run against Karzai—a policy that then U.S. Secretary of Defense Robert Gates subsequently described as a "clumsy and failed putsch."[31]

If, on the one hand, there was an excessive willingness to get involved when it was inappropriate, on the other hand, there was a general aversion to trying to discipline elites when they clearly broke the rules. The democratic rules were nominally embraced by elites at Bonn, and, as demonstrated by the high turnout in the first election, were widely accepted by the population.[32] But in practice, there was a default tendency by elites to fall back on more familiar rules of the Afghan power game. Here, the responsibility of the international community should have been to encourage deference to the rule of law—not because it had been brought from the outside, but because it had been requested by Afghans. However, as time went on, the international community seemed to assume that tribalism, solidarity networks, patronage politics, and latent violence were the only means through which Afghans could conduct politics. Once international weakness on this question was internalized by Afghan political elites, it was fully exploited, and the relapse to tribalism and patronage became a self-fulfilling prophecy.

An early first missed opportunity was not decoupling the first election from the constitutional process. The Bonn timelines called for a constitution to be ratified in December 2003 and elections to be held in June 2004. That left only six months after the constitution was ratified to draft electoral legislation and plan and organize the election. To get around this impossibly tight timeline, the UN's Electoral Assistance Division in 2003 proposed a "one-off" electoral law that would only cover the first presidential and parliamentary elections and that could be decreed long before the constitution was adopted.[33] The elected parliament would then have the responsibility for drafting a law that conformed with the constitution's provisions. This would have added a year to the electoral planning process, allowing sufficient time for some operational processes to take place, such as the training of electoral commissioners and operational staff, the early launch of a civic education campaign, and timely procurement decisions that may well have saved money.[34] Above all, however, it would have allowed time for a negotiation process among the dominant political actors over how to construct the rules of the electoral game, ensuring their buy-in.

Instead, all these processes had to be compacted within six short months. Not surprisingly, this proved logistically impossible. The presidential election had to be postponed to October and the parliamentary election to a full year later. The unfortunate splitting of the two elections (both the president and the lower house of parliament had five-year terms) added another avoidable complexity and expense to future electoral cycles. The broken timelines, combined with operational shortcuts that undermined the quality of the election, contributed to the beginning of a breakdown in confidence in the democratic transition. Political elites were less invested in the "rules of the game," because they had been less involved in their creation. The rules came to be seen as opaque and, justifiably, largely designed by foreigners.[35] It is easy to reject the argument that democracy was imposed on Afghanistan; it is harder to reject the argument that the specific mechanisms and systems of democracy were imposed.

Once the decision to base the first election on the new constitution was taken, it was incumbent on the constitutional drafters (and their international advisors) to ensure that its

An early first missed opportunity was not decoupling the first election from the constitutional process.

provisions were realistic and implementable. On this issue, the document disappoints.[36] Lakhdar Brahimi, the special representative of the secretary-general who oversaw the constitutional drafting process, said "We took the very decent constitution of 1964 and just took out the king."[37] But head transplants are normally not so simple. The king was replaced by an elected president, and therefore, the constitution required an entirely new process for selecting the supreme executive. These provisions were the key innovations of the 2004 constitution and where the international community most needed to prove its competence. In some important ways, it came up short.

Numerous election-related provisions have, for no reason other than carelessness, complicated and actually undermined implementation of the elections.[38] For example, both presidential and parliamentary elections were set in spring, requiring elections to be held under logistical conditions far more difficult than they would have been a few months later.[39] In another oddity, the ending of the terms were separated by one month, and elections were prescribed to be held within thirty to sixty days before the end of each term. This means there is only one day on which the elections could be held simultaneously.[40] Given that each election costs hundreds of millions of dollars, this is not a negligible consideration. Furthermore, district council, provincial council, and presidential and parliamentary terms are staggered at three, four, and five years, respectively. This creates a perpetual and never-ending electoral cycle. If district elections had been held (and the impossibility of holding them so far is another significant constitutional breach), this would have required seventeen elections in the first twenty-one years of the Bonn process. Mandating that the second round of presidential elections, in the event that no candidate receives a majority in the first round, be held two weeks after first round results have been announced may be realistic in France, but it is absurd in Afghanistan.

Each of these issues could have been identified and corrected had technical experts vetted the draft provisions. In the constitutional drafting process, however, the UN's electoral experts were kept at an arms' length from the constitutional drafters. The result is an illogical document that confounds practical implementation. The failure of implementation further debases the political authority of the document.

There has been a great deal of criticism regarding the registration of voters in Afghanistan and the absence of a unified voter registry or voter lists.[41] Ghani has long been a critic of the technical advice received from the United Nations, which recommended a low-tech solution in 2003 when he had pushed for biometric registration.[42] There were two main drivers of this advice: the tight timeframe of the election and the potential problems related to implementing a more sophisticated system, which could complicate the already-difficult electoral preparations.[43] There is, however, a great deal to criticize about what has been the result of millions of dollars spent on multiple voter registration processes. Cumulatively, more than twenty million voter registration cards have been distributed to a total estimated population of twenty-seven million.[44] Each voter registration exercise has created a separate database, and the various databases do not talk to each other. Experts have concluded that it is technically impossible to merge these databases, eliminate duplicates, and create a unified list. There is essentially, therefore, no registry. Similarly, it has been impossible to link voters to polling stations.

After the 2004/05 electoral cycle, technical experts proposed to re-register every Afghan voter and link him or her to a polling station. Unfortunately, the significant overspending that occurred during the 2005 parliamentary elections contributed to increasing the already significant donor fatigue on elections. Funding dried up for the next several years, until early 2008, when planning

had to begin for the 2009 elections, starting another rushed partial voter registration exercise to register those who had come of voting age since the 2005 parliamentary election.

It is remarkable how frequently the international community overestimated what could be done in extremely short periods of time in Afghanistan. The community has paid for its short-sightedness or over-ambitiousness by having to spend far more money in a short timeframe than would have been needed in a longer, adequate timeframe.[45]

The voter registration problems are real; but, at the same time, the parlous state of the registry is not the significant driver of fraud that many believe it to be. The lack of polling station lists requires election organizers to print more ballots for every polling station than will be used, and some of these ballots have been misappropriated and used fraudulently. Improved tracking systems, however, have begun to address this problem. Similarly, even though many Afghans have several voter cards, multiple voting is not the major source of fraud.

Fraud and Political Power

As the voter registration discussion demonstrates, the international community has overestimated the degree to which fraud can be addressed through technical measures. Fraud has become a feature of Afghan elections; it is expected by political actors (who are also responsible for it) and therefore has been factored into their electoral strategies.[46] Fraud has also become iterative. If the worst is to be believed about the reports of fraud in the 2014 election, it can only be concluded that those committing it had learned from 2009 and developed far more sophisticated techniques to evade the improved antifraud controls—which were themselves based on the gross and easily detectible fraud that took place in 2009.[47] Fraud is therefore not a problem that is diminishing with each electoral cycle, as one might hope given advances in Afghan electoral capacity. Instead, it is becoming more sophisticated in each cycle and insinuating itself into regular electoral practice.

The most common explanation for the prevalence of fraud is the pervasive insecurity in Afghanistan. However, while insecurity has prevented the extension of state authority, the manner in which the state has exercised authority has also driven insecurity.[48] The link between insecurity and electoral fraud is complex and sometimes counterintuitive. The uneven or lack of security across Afghanistan has impacted elections in two ways. First, insecurity—defined here as a state's inability to exclusively control violence—means that the state cannot guarantee that the established rules for the electoral contest will be applied consistently and as designed. The state cannot prevent the suborning of polling stations by local strongmen, the intimidation of voters or polling station officials, the illegal confiscation of voting materials, and so forth.

The second effect of insecurity is the general sense of fear the insurgency instills in particular, making people afraid to vote. Calculated acts such as the deliberate singling out and killing of people possessing voter cards make later threats to attack polling centers more believable, depressing turnout in areas where insurgents are known to be active. Given that insurgent-related violence has, for most of the past decade, been more prevalent in the south of the country, the issue of disenfranchisement roughly along community and ethnic lines has arisen. This has forced electoral planners to attempt to navigate a delicate line between enfranchisement and fraud prevention. The difficulty of finding the balance was demonstrated in the elections of 2009 and 2010. In the former, polling stations were opened even in districts where security was known to be highly questionable, and where there had barely been a state presence, to avoid disenfranchising potential voters. As a result, though, the election was almost invalidated due to the massive fraud, including ballot stuffing in insecure areas.[49] In the

parliamentary elections the following year, far stricter controls were placed on where polling stations were opened. The result was a prolonged national political crisis when, in the Ghazni Province, all eleven seats went to Hazara candidates in the north and none to Pashtuns in the south, who claimed they had been disenfranchised.[50] While on the whole the electoral accomplishments in Afghanistan in the face of such chronic insecurity have been immense, it is increasingly apparent that chronic insecurity poses an insurmountable problem for the consolidation of democracy.

Ultimately, political violence in Afghanistan is one effect of the lack of agreement over "whose rules rule."[51] Even for those politicians who pledge to play by the electoral rules, the pervasiveness of fraud demonstrates the superficiality of that pretense. Karzai was once described as accepting the values of democracy but distrusting its rules and institutions.[52] This probably is true of the attitudes of most Afghan political elites. Given institutional weaknesses, they have good reasons to distrust rules and institutions, but they have also contributed to and exploited that institutional weakness. Furthermore, without the rules and institutions of elections, the values of democracy eventually become meaningless. One cannot, for long, enjoy the idea of democracy and dismiss what makes it work.

The relationship between fraud and institutional weakness has been misunderstood by international policymakers, leading to questionable decisions. This became apparent in 2009, when the significant amount of fraud committed in that election was believed to have been one-sided and generally orchestrated by the presidential palace through the Independent Election Commission (IEC). As the audit of the votes showed, the fraud did largely favor Karzai (about 75 percent of the fraudulent votes went to Karzai), but it is less clear that it was orchestrated by the palace. Much of the fraud was likely a result of the overzealousness of local actors who were appointed by Karzai (as almost all local officials were) and who reasonably calculated that the best way of keeping their jobs was to ensure that Karzai was reelected.[53]

Similarly, international observers probably overstated the IEC's ability to carry out a singularly conceived design across the national territory. It is more likely that local branches of the commission were co-opted by local power brokers. A less compelling argument, but one worth noting anyway, is that if the fraud in 2009 was the result of a single plan, it was a spectacularly bad one. The fraud was so blatant and excessive that it delegitimized the reelection of Karzai, haunted his second term, and contributed to the problems in 2014 that nearly split the country apart.

In 2014, international policymakers made similar claims that fraud was conducted from the center. Evidence from the exhaustive audit found that both candidates had committed fraud. That neither candidate was thought to be supported by Karzai (and therefore fraud was not necessarily at the behest of the palace) suggests that fraud is as much a feature of local politics as it is of the misuse of central state power.[54] Indeed, the main forms of fraud identified in past elections, though they vary from region to region, are almost all committed locally at the behest of power brokers.[55] One misfortune of the 2014 elections is that the politicians managed to portray themselves as victims, while the electoral institutions (though clearly not blameless)[56] carried all the blame for the flawed election.

Transformation and Representation

In postconflict societies, the political space is never favorable for the holding of authentically democratic elections. For example, the rule of law is weak; administrative systems are barely present; real power is dispersed among informal actors; the state has no control over violence;

voters are uninformed; and political parties, if they exist, are largely repurposed fighting factions. In Afghanistan, as Giustozzi and Orsini put it, "As long as the system continued to be patrimonially based on the personal relationship between rulers and local power brokers, the electoral process would inevitably represent a window of instability."[57]

Postconflict elections are supposed to have both representative and transformative effects. The representative effect is to secure the legitimacy of the new political leadership, and the transformative effect is to gradually entrench the democratic order by demonstrating that it works. In this area more than any other, and perhaps surprisingly given the many problems that have already been discussed, the theory worked rather well in practice in Afghanistan. The large voter turnout, at least in the first round of the 2014 election, demonstrated that Afghans want this system to work. A surprisingly free and vibrant media environment has shaped itself around each election, and with each election, the process becomes more diverse, sophisticated, and informed (and more partisan as well, though that is perhaps inevitable). The inclusion of women in politics through the electoral quota for parliament has changed the face of Afghan politics, and it is only a matter of time until these changes penetrate politics in more meaningful ways.

What democratization has been unable to do, however, is to alter the structure of power by institutionalizing it. This fact distinguishes elections in established democracies from those in postconflict countries. In the former, elections *confer* power. In the latter, in many cases, elections have the practical result of *deducting* power. While warlords may have traded in their combat fatigues for fancy suits and learned to speak in the democratic vernacular, they have, in the end, shaped Afghanistan's democracy more than democracy has shaped them. They have accepted that elections are a means of measuring power more than legitimizing or refreshing it and have used the full array of their formal and informal powers to try to maximize the measure of their power determined through the election. This is the root of not only the phenomenon of fraud but also the postelection negotiations of 2009 and 2014.

Electoral processes alone are unlikely to change power structures, especially when, as in the case of Afghanistan, they are designed hastily to meet optimistic international timelines and defended weakly when confronted with the extra legal demands of powerholders. If the repeated holding of elections does not eventually change the way power is exercised, then the elections become increasingly futile.

William Byrd proposes that, rather than elections, the building of political parties might be a better way of moving toward an electoral democracy: "Political party coherence requires mechanisms that provide incentives for both party leaders and members to avoid free-riding by the latter and pursuit of personal agendas inconsistent with the party platform by the former."[58] Discussion about political parties during a democratic transition focuses more on voter preferences than on incentives for political leaders, which are equally important. Samuel Huntington observed that "the capacity to create political institutions is the capacity to create public interests."[59]

Another lesson to draw is that there are real limits to technical fixes to these deep-rooted patterns of power. The approach taken so far—diplomats working within and strengthening these patterns of power, while technical experts are left with fashioning incentives to break these patterns—is simply counterproductive. The "technical" in these cases will always be engulfed by the "political."

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Sovereignty and Credibility

Elections only work if they have the widespread participation of eligible citizens and powerholders respect the results. They must be locally intelligible and sovereignly owned. The need for trust requires some degree of local ownership in their administration—an election run entirely by outsiders might not be respected.[60] As Laurence Whitehead observed, "There is a point where the claims of popular sovereignty tend to clash with democratization viewed as an international project."[61]

The nexus between sovereignty and credibility creates a general paradox that is present in almost all postconflict democratization efforts. The same nexus created a particular paradox for Afghanistan. The general paradox is that in most postconflict countries, local, administrative systems and skills simply do not exist to support elections. This means that international organizations and experts have to play a large role in organizing them. In 2004, a Joint Electoral Management Body (JEMB), comprising six Afghans and five international experts, organized the Afghan presidential elections. Initially, the JEMB Secretariat—the operational body in charge of implementing the election—was almost entirely made up of international experts. In early 2004, a new framework was devised so that Afghan civil servants who had just completed working on the Constitutional Loya Jirga were deployed to the JEMB, where they were paired with international counterparts, who now had the job of both training their Afghan colleagues and organizing the election under tight deadlines. The efficiency and coherence of this structure was questionable; at the time, there was sufficient good will and trust toward the international community to allow for a more streamlined election, without the complication of adding Afghans. Nevertheless, in 2014, the Afghan electoral commission was able to at least complete the logistical tasks of the election with greatly reduced international technical support.

A particular problem was that the international community placed such a huge strategic importance on Afghanistan that the stake in the elections was just as high for the community as it was for Afghans—but for different reasons. Whitehead has pointed out a shift over the past decades to a "new emphasis on democracy as security rather than democracy as liberation."[62] This shift has implications for the perceptions of the international community's role in a sovereign electoral process. It demotes the importance of allowing an Afghan view of democracy to evolve, which could include more functional norms even if uncomfortable to those international observers who expected to see "Swedish-style" elections. It did not help, either, that the international views were often contradictory. As Martine van Biljert noted, "International observers often seem to oscillate between an optimistic hope that improved antifraud measures will result in a much cleaner election, and a cynical acceptance that an Afghan elections will by nature be messy, with little hope of or effort towards greater transparency or accountability."[63] This schizophrenia has led in each Afghan election to widely divergent postures before and after the elections. The pre-electoral posture is characterized by an emphasis on rules, reforms, and high expectations. When the process is inevitably confronted with fraud, disorder, and messiness, international decision makers, citing the importance of Afghan stability, make extravagant excuses for the conduct of the election and then find expedient ways to maintain order. This outcome demonstrates how the political in moments of crisis engulfs the technical, but it is the nature of these elections to consistently generate crises.[64]

At a theoretical level, the international community promotes postconflict elections because it believes that popular inclusion in these processes promotes legitimacy and therefore government stability. At a practical level, the international community tends to

balk at the instability that elections generate—what Przeworski calls their "institutionalized uncertainty"[65]—and seeks the most convenient compromises with powerful actors, inevitably at the expense of the electoral process per se.

Graveyard of Democratic Peacebuilding?

Has the storied "graveyard of empires" also become the "graveyard of democratic peacebuilding"? Never have so many resources—political, military, and financial—been deployed in the service of a democratic transformation. Yet, each successive election in Afghanistan has yielded a result that has been less and less democratic in the sense that the count of the votes have had less and less to do with the determination of the result.

The conclusion of the 2014 election, the power-sharing agreement, and the 100 percent audit are a stark demonstration of the de-democratization of Afghan elections. The political deal that finally brought an end to the electoral crisis is a demonstration of the desovereignization of the elections. And the logic behind that intervention—that Afghans are not developed enough for a winner-take-all process—pulls a dark shade over the future of democracy in Afghanistan. Dobbins, in the quote cited earlier, did not say that the election had been so marred by fraud that it could not reliably be seen as the expression of the people's will and therefore both candidates should share power; he said that even if there is a winner, the loser could not trust that the winner would not allow future elections to be held. As William Maley said, commenting on the 2009 election, "It is more than likely that those who are unready for democracy are not ordinary people but entrenched elites, for whom the idea of ejection from office at the hands of the electorate may indeed be unpalatable."[66]

Yet, in 2014, Afghanistan was poised to achieve the great hurdle of democratic consolidation: the handover of power from one party to a rival party through an election. Strikingly, the incumbent, Karzai, defied expectations and did not use his significant constitutional presidential powers to remain in power. He did not formally back any candidate, nor enact a "Putin-Medvedev" scenario, as many had hypothesized.[67] The candidate he was rumored to be backing, Zalmay Rassoul, came in third place, confounding those who were sure that Karzai would use the mechanisms of executive power to ensure his favored candidate would win. One of the most interesting things about the fraud that took place in 2014 was that it was enacted by two candidates who were not part of the regime.[68]

Furthermore, a number of institutions conducive to democracy had begun to emerge since the beginning of the state's reconstruction in 2001. Huge crowds at campaign rallies for the major candidates showed a mobilized citizenry. Civil society was active and increasingly organized. Afghanistan has a remarkably free press by most standards, let alone the standards of its region. The media devoted huge coverage to the election, with different outlets taking different sides. The judiciary under Karzai was noticeably subservient to the executive, but it does not play a significant role in elections. The main electoral bodies—the IEC and the Independent Electoral Complaints Commission—were, on the other hand, both relevant to the conduct of the election and of questionable integrity. But the problem of these institutions was less that they were organized and partial, and more that they were fragmented, weak, and easily captured at local levels by local power brokers. In other words, they resembled pretty much every other institution in Afghanistan.

Whatever the flaws of the IEC, the agreement by both candidates to conduct an audit of every ballot box supervised by the United Nations—observed by international and local groups and implemented with the direct participation of both camps—was intended to control for the

weaknesses of the institution. This was a classic illustration of peacebuilding theory in practice. In other words, all of the instruments were in place in Afghanistan in 2014 for the democratic peacebuilding theory to demonstrate its validity. Despite this generally favorable backdrop, the democratic component of the election began to unravel quickly in a series of decisive steps, mostly driven by elites supported by international actors eager to mollify them.[69]

First, threats by backers of Abdullah to use force if Abdullah was not declared the winner frightened the international community. Any historical judgment on the wisdom of what happened next—in particular the immediate call by the international community for a power-sharing government—will hinge on the credibility of these threats.[70] Those who justify the political compromise that pre-empted the electoral result argue that, whatever the damage to the democratic instrument, it was necessary to avoid a relapse into civil war. Second, while agreeing to support an audit, the United States in particular preempted the result of the audit by proposing a power-sharing deal, whatever the audit revealed. This meant that the present presumption of fraud had the same political effect as any to-be-discovered evidence of fraud. Despite the significant resources spent on the audit; the participation of international observers from Europe, Asia, and the United States; and the technical expertise of the United Nations, the audit's results were essentially ignored.[71] The United States acceded to requests by the Abdullah camp to not release the results. The European Union, sending its own observer team, described the UN-supervised audit as "unsatisfactory"[72] despite the intense scrutiny provided every ballot box by UN officials, candidate agents, and hundreds of national and international observers. The divergence between the European Union, the United States, and the United Nations on the credibility of the audit is perhaps the most significant breakdown of consensus and comity among the three main international actors promoting democracy since the end of the Cold War.

As for learning lessons from these three cycles of elections in Afghanistan, one fears it might be too late. Part of the power-sharing agreement was to hold a loya jirga in 2016 that would change the constitution to create a system that better suits the reality of Afghanistan's dispersed power and its need for elite settlements rather than ballot box victories. The problem is, again, the timeframe. It is difficult to see how the electoral reforms necessary for holding a constitutionally prescribed loya jirga can occur in time. As in 2004, the timelines are incredibly short. And while the international community sees these next round of elections, and hopefully a patched-up constitutional solution, as a prelude to an exit, the past election has left donors and the international apparatus that supports democracy building divided and exhausted and quite happy to drop the electoral agenda.[73] The electoral reform commission, according to the September agreement, is supposed to guide the reforms, but at the time of this writing, it is not functioning and is mired in disputes about its membership.

With so many other pressing crises to resolve—not least the institutionalized crisis of power sharing—it is hard to see how Afghan elites will find the energy to do what is necessary to implement its heavy electoral agenda, nor whether the international community has the energy or sincere belief in democracy to encourage them to do so. Despite the expenditure of great efforts and resources, and despite some remarkably encouraging signs that Afghans have embraced democracy, the democratic system seems increasingly a burden on political actors rather than the foundation of a political system.

Notes

1. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, OK: University of Oklahoma Press, 1991), 50.

2. In his book by the same title, Richard Ponzio proposes *democratic peacebuilding* as a term to describe a "dynamic, long-term process of institutionalizing and expanding democratic legal authority within a weak state or territory to reduce the propensity towards violent conflict." The term is used more generically in this paper to describe the established practice of the international community since the 1990s of incorporating elections and democratization into its postconflict peacebuilding strategies. Ponzio's democratic peacebuilding is presented as a new approach. It could be argued, however, that his definition aptly describes the practice of the international community over the past several decades, though Ponzio is correct to point out—as this paper does as well—that the international community's commitment to "expanding democratic legal authority" in postconflict states has been highly inconsistent. See Richard Ponzio, *Democratic Peacebuilding: Aiding Afghanistan and other Fragile States* (Oxford: Oxford University Press, 2011), 13.

3. William A. Byrd, "Understanding Afghanistan's 2014 Presidential Election: The Limits to Democracy in a Limited Access Order," Special Report 370, (Washington, DC: U.S. Institute of Peace, 2015), 8.

4. There are recent examples of all of these inducements being used. During the 2010 Côte d'Ivoire election, France used force against incumbent President Laurent Gbagbo, who refused to accept the second-round electoral result and now sits in the Hague following a French-led military operation. (In this election, as in the just-completed Afghan election, the candidate who had won the first round, Gbagbo, lost in the second round.) In Iraq, Nouri al-Maliki relinquished the prime ministry under international pressure despite being the leader of the party that won the most votes. The European Union uses the threat to discontinue trade and aid cooperation with developing countries under the Cotonou Accords if they do not hold democratic elections as certified by EU observer missions.

5. Seymour Martin Lipset originally asserted that "the more well-to-do a nation, the greater the chances that it will sustain democracy"; see "Some Social Requisites of Democracy: Economic Development and Political Legitimacy," *American Political Science Review* 53, no. 1 (1959): 69–105. Some thirty-five years later, Adam Przeworski, Michael M. Alvarez, Jose Antonio Cheibub, and Fernando Papaterra Limongi Neto took this hypothesis and tested it empirically. They found that "no democratic system has ever fallen in a country where per capita income exceeds $6,055"; see "What Makes Democracies Endure," *Journal of Democracy* 7, no. 1 (1996): 39–55. Even later, Ethan B. Kapstein and Nathan Converse argue that "low economic growth per se is not a clear sign that democracy is threatened, while high economic growth provides no guarantee against economic reversal"; see "Why Democracies Fail," *Journal of Democracy* 19, no. 4 (2008): 57–68.

6. Dankwart Rustow, "Transitions to Democracy: Toward a Dynamic Model," *Comparative Politics* 2, no. 3 (1970): 337–63. Rustow's model is derived from a historical case set that explicitly excluded countries whose democratic transitions were driven by external actors, but there is no reason why his description of how democracy becomes habituated would not also apply to democratic-peacebuilding contexts.

7. The point is obvious but concisely stated by Carles Boix: "Hence a stable or successful democracy—that is, the uninterrupted use of a free and fair voting mechanism to make political decisions and select public officials—is possible only if both the winner and the loser (or, more generally, the majority and the minority) comply with the outcomes of the periodic elections that they have set up to govern themselves"; see "The Roots of Democracy," *Policy Review* no. 135 (2006).

8. Samuel P. Huntington proposed the "two turnover" test in *The Third Wave: Democratization in the Late Twentieth Century*. By their nature, indicators of democratic consolidation are debatable.

9. See http://asiasociety.org/blog/asia/us-envoy-candidates-support-national-unity-key-next-afghan-government, accessed February 21, 2016.

10. David Jackson, "Obama Team Applauds Afghanistan Power Sharing Deal," *USA Today*, September 21, 2014.

11. Democracy International, *Afghanistan Election Observation Mission 2014—Final Report* (Bethesda, MD: Democracy International, 2015), 47.

12. Before 2001, the term *Afghanistanism* was used to describe the practice of concentrating on problems far from home while ignoring critical issues closer to home. "A term based on the remoteness of that country from the U.S.; the practice of concentrating investigations on far-off places for problems to which some 'answers' can be put forward, rather than looking at problems nearer to home, for which no such black-and-white solutions will do"; see Jonathan Green, *Dictionary of Jargon* (Routledge and Kegan Paul, 1987), 13.

13. While the following discussion deals with Afghanistan's constitutional and democratic antecedents, Vartan Gregorian reminds us that the modernizing impulse among its rulers has been a consistent feature since 1880, when Abdul Rahman Khan began his twenty-one-year reign. While allegedly warning his sons to "make haste slowly," he said this in his political testament: "I hope and pray that if I do not succeed in my lifetime in the great desire for making railways, introducing telegraphs and steamers, working the mines, opening banks, issuing banknotes, inviting travelers and capitalists from all parts of the world, opening universities and other institutions in Afghanistan, my sons and successors will carry out these desires of my heart and make Afghanistan what I desire it to become"; see *The Emergence of Modern Afghanistan* (Palo Alto, CA: Stanford University Press, 2013), 161. (There is a delightful symmetry between this line of thought and

that of another founder, John Adams, who wrote to his wife: "I must study politics and war, that our sons may have liberty to study mathematics and philosophy. Our sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain," http://www.quotationspage.com/quote/33545.html.)

14. Said Amir Arjomand, "Islamic Constitutionalism," *Annual Review of Law and Social Science* 3, (2007): 115–40.

15. The first Ottoman constitution actually dates from 1876—the first modern constitution outside of Europe and the Americas—but it lasted only two years.

16. M. Hassan Kakar, "Constitutional History of Afghanistan," in *Encyclopedia Iranica* vol. vi, fasc. 2, 158–62.

17. Said Amir Arjomand, "Constitutional Developments in Afghanistan: A Comparative and Historical Perspective," *Drake Law Review* 53 (2004–05), 943.

18. For details on Amanullah's constitution, see, for example, Vartan Gregorian, *The Emergence of Modern Afghanistan* (Palo Alto, CA: Stanford University Press, 1969), 251. For an excellent discussion of Afghanistan's early constitutional movement, see also Amin Tarzi, "Islam and Constitutionalism in Afghanistan," *Journal of Persianate Studies* 5, (2012): 205–43.

19. See, for example, Noah Coburn and Anna Larson, *Derailing Democracy in Afghanistan: Elections in an Unstable Political Landscape* (New York: Columbia University Press, 2014), 33–36.

20. Samuel P. Huntington, *Political Order in Changing Societies* (New Haven, CT: Yale University, 1968, 1996), 153. Of the monarchies that Huntington discusses, only Morocco and Afghanistan were Islamic.

21. For a succinct summary of Afghanistan's pre-2001 democratic history, see Anna Larson, *Toward an Afghan Democracy? Exploring Perceptions of Democratisation in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2009), 5–8.

22. The Asia Foundation has monitored Afghan attitudes on a variety of issues since 2006. Afghans' "satisfaction with democracy" has varied between 68 and 77 percent; see *Afghanistan in 2014: A Survey of the Afghan People* (Kabul: The Asia Foundation, 2014), 90.

23. Richard J. Ponzio noted, "Although an imperfect document, an important characteristic of the Bonn Agreement is that it set into motion an inclusive political process that would be driven locally, with mechanisms established to accommodate diverse interest groups and power brokers across the country"; see *Democratic Peacebuilding: Aiding Afghanistan and other Fragile States* (Oxford: Oxford University Press, 2011), 121. Clare Lockhart and Ashraf Ghani also noted, "The Bonn Agreement in Afghanistan set the following two distinctive phases of transition. The first involved the transfer of power to an interim administration for six months. The second called for the election of an emergency grand council to choose a head of state and key positions in the transitional government; it further required the appointment of a constitutional commission to draft a constitution, the election of a constitutional convention to debate and adopt a constitution, direct presidential elections to elect a president, and parliamentary elections. At each state the agreement provided citizens with means by which to assess, participate in, and monitor progress"; see *Fixing Failed States* (Oxford: Oxford University Press, 2008), 182.

24. Yash Ghai, "Constitution-building Processes and Democratization: Lessons Learned," in *Democracy, Conflict and Human Security: Further Readings*, International IDEA, 235.

25. Hans Kelsen, *Principles of International Law* (New York: Rinehart, 1952), 414.

26. Coburn and Larson, *Derailing Democracy in Afghanistan*, 225.

27. As Benjamin D. Hopkins wrote, "The vision of a rural 'tribal society' bound by ancient customs and traditions such as the 'Pashtunwali,' the so-called Pashtun tribal code, remains deeply embedded in policy prescriptions"; see "America's Shocking Ignorance of Afghanistan: Afghanistan Is Much More Complex than Western Stereotypes of its 'Tribal' Culture Would Have Us Believe," www.nationalinterest.org, June 5, 2015.

28. Chris Johnson and Jolyon Leslie, *Afghanistan: The Mirage of Peace* (London: Zed Books, 2004), 221.

29. Astri Suhrke, *When More is Less: The International Project in Afghanistan* (London: Hurst and Company, 2011), 164.

30. Scott S. Smith, "The Bull in Afghanistan's China Shop," Foreign Policy, March 27, 2013.

31. Robert Gates, *Duty: Memoirs of a Secretary at War* (New York: Alfred A. Knopf, 2014), 359. Gates earlier writes, "For Holbrooke and others at the table, it provided the time necessary to identify a viable alternative to Karzai, who they thought had to go. If the Afghan constitution was an impediment to achieving this goal, the hell with it" (341). It was apparently not only Afghans who did not impute a "sacred quality" to their constitution.

32. As the International Crisis Group put it, "The key lesson from the presidential election [of 2004] is that Afghans strongly want a say in their governance"; see "Afghanistan: From Presidential to Parliamentary Elections," Asia Report no. 88, November 23, 2004. The question of what "democracy" means to Afghans is more complex than can be given due consideration here. Anna Larson, for example, notes that some Afghans who associated democracy with western licentiousness rejected it, but the concept of "Islamic

democracy" (i.e., government elected by popular vote) was more widely embraced; see *Toward an Afghan Democracy? Exploring Perceptions of Democratisation in Afghanistan*. Similarly, field research also provides evidence of an embrace of democracy. "One of the points taken from respondents in the study areas is that Afghan voters support the idea of a representative government selected through an electoral process"; see Noah Coburn and Anna Larson, "Losing Legitimacy? Some Afghan Views on the Government, the International Community, and the 2009 Election" (Kabul: Afghanistan Research Evaluation Unit, 2009), 8.

33. This proposal is discussed in greater detail in Scott Seward Smith, *Afghanistan's Troubled Transition: Politics, Peacekeeping, and the 2004 Presidential Election* (Boulder, CO: Lynne Reinner, 2011), 149.

34. There are several other indirect but important potential benefits. First, an earlier planning process might have yielded information. Second, the one-off electoral law, by not being legislated, might have offered a more rational arrangement that, in turn, might have positively influenced the legislature when it came time for Afghanistan to draft its own law.

35. According to Andrew Reynolds, one reason that a proportional representation system—favored by most international experts—was rejected by the Afghan cabinet was because the Afghan official responsible could not explain the system to the cabinet; see "The Curious Case of Afghanistan," *Journal of Democracy* 17, no. 2 (2006): 104–17.

36. For a more comprehensive analysis of the problematic constitutional provisions, see Scott Seward Smith, *Afghanistan's Troubled Transition*, 269–72.

37. Ahmed Rashid, *Descent into Chaos: The United States and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia* (New York: Viking, 2008), 212.

38. An interview with one of the three principal constitutional advisors perhaps explains this sort of carelessness (author translation): "Yes, I arrive with a sort of deliberate arrogance. I announce, for example in the case of Afghanistan that it is not me who will adapt myself to Afghanistan. They want to adapt themselves to democracy? It's for them to learn. In fact, I don't hesitate to add something along the lines of: 'I don't know anything about your problems and they do not interest me.' The best specialists of Afghanistan are Afghans themselves. If they brought me there it was because they wanted me to teach them about Afghanistan. I've hung around a lot of countries in the world, and everywhere I go the first thing people tell me is, 'here, things are very unique.' I answer immediately, there is nothing unique. Until I see otherwise, I am face to face with men and women made of skin and blood who want to live in peace in a legitimate system"; see "Militant de la démocatie: entretien avec Guy Carcassonne," *Critique Internationale* no. 24 (2004). At least on the question of timing the elections, Carcassonne may have been better off listening to one of his compatriots, albeit from a former, wiser era: "[The spirit of a people's law] must have relation to the physical characteristics of a country, to the climate—frigid, torrid, or temperate—to the nature of the land, its situation, its extent, to the people's mode of life [...] they must have relations one to another, to their origin, to the order of things under which they were established. They must be considered from all these points of view." Anne M.Cohler, Basia C. Miller, and Harold S. Stone (eds.), *Montesquieu: The Spirit of the Laws* (Cambridge: Cambridge University Press, 1989).

39. The organizers of the 2014 presidential elections proved for the first time that elections can be organized in April. Until then, it had seemed too risky. The 2004 and 2009 presidential elections and 2005 and 2010 parliamentary elections were all held outside of the constitutional timelines.

40. That day would be thirty days before the end of the presidential term and sixty days before the end of the parliamentary term. In other words, if to save money, it is decided to hold both elections on the same day, then it virtually guarantees there will not be enough time to count and certify the results before the expiration of the president's term. This design flaw was negated in practice because it was impossible to hold parliamentary elections along with the presidential elections in 2004 (in part due to the short period between adopting the constitution and holding the first elections). But this has only added to the staggering of election dates, ensuring that three elections are held in every five-year period.

41. A single voter registry refers to one, up-to-date list of all eligible voters in the country. Voter lists refer to lists of voters eligible to vote at each polling station. Afghanistan has neither a single registry nor a voter list.

42. See Lockhart and Ghani, *Fixing Failed States*, 77–78. They describe being rebuffed when they proposed a biometric system based on iris scanning for the registration of voters prior to 2004. Whatever the feasibility of an iris-based biometric system, Ghani and Lockhart correctly identify the dilemma presented by the tight timeline. "Faced with the urgency of either proceeding with a tight deadline for elections or being blamed for causing the postponement of the political process, Afghanistan had to accept an inadequate solution with the promise that at least the manual system, although costly, would be failsafe."

43. Several years earlier, in East Timor, an attempt had been made to use biometrics at the insistence of a donor, which was supplying the system. The new system failed, and the elections were almost postponed. See, also, this more recent account of uses of biometric cards in Africa and their mixed record, with the conclusion that "African governments and donors should stop looking at technology as the best bet for improving electoral integrity"; see www.washingtonpost.com/blogs/monkey-cage/wp/2015/03/10/what-other-african-elections-tell-us-about-nigerias-bet-on-biometrics/.

44. European Union Election Assessment Team, *European Union Election Assessment Team: Final Report* (Brussels: European Union External Action Service, 2015), 15. The initial voter registration took place in 2003 and 2004. Since then there have been additional partial registrations in 2005, 2008, 2009/10, and 2013/14. See also Inge Fryklund, "Stop Registering Afghan Voters," www.fpif.org, February 5, 2013.

45. Funding registration for the first round was also difficult. With donors focused on the constitution process in the second half of 2003, it was difficult to raise funds for the registration of voters. The fragmented nature of the funding meant that major donors waited for others to act first, so as to not be on the hook, demanding to see progress first. But because of a lack of funding, there was a lack of progress. A desperate push had to be made as late as March 31, 2004, at the Berlin conference, to secure funding for the elections that were then still officially scheduled for June.

46. Martine van Bijlert noted ahead of the 2010 parliamentary elections that fraud was likely because "the 2009 elections will have persuaded many candidates that they need to ensure an excess of votes, in case a proportion is disqualified"; see *Who Controls the Vote: Afghanistan's Evolving Elections* (Kabul: Afghan Analysts Network, 2010), 2.

47. A number of antifraud measures were taken in 2014, in part because of learning from the fraud in 2009. These included plastic tape to cover the tally sheets to avoid tampering with them, unique serial numers on voter logs, results forms and ballots, GPS identification of all polling stations, and tracking of ballot materials. In addition, 95 percent of polling stations were said to have been covered by candidate agents.

48. See, for example, Ben W. Heineman Jr., "Corruption—The Afghan Wild Card," The Atlantic, October 2, 2009.

49. See for example, Scott Worden, "Afghanistan: An Election Gone Awry," *Journal of Democracy* 21, no. 3 (2010): 11–25; and Noah Coburn and Anna Larson, "Voting Together: Why Afghanistan's 2009 Elections Were (and Were Not) a Disaster" (Kabul: Afghanistan Research and Evaluation Unit (AREU), 2009).

50. See, for example, Noah Coburn and Anna Larson, "Undermining Representative Governance: Afghanistan's 2010 Parliamentary Election and its Alienating Impact" (Kabul: AREU, 2011); International Crisis Group, "Afghanistan Election Stalemate," Asia Briefing no. 117 (2011); and Aruni Jayakody, "The State of Electoral Dispute Mechanisms in Afghanistan" (Kabul: AREU, 2014).

51. For an extended discussion of this theme, see Tamim Ansary, *Games Without Rules: The Often Interrupted History of Afghanistan* (New York: PublicAffairs, 2012).

52. Former Afghan Minister of Interior Ali Jilali once described Karzai as saying that he cherishes the values of democracy but "has no faith in its institutions"; see Elizabeth Rubin, "Karzai in His Labyrinth," NYT Magazine, August 9, 2009. This attitude is probably true of most Afghan elites.

53. "While fraud can be a problem in almost any system, there are good reasons in principle to think that strong presidential systems can offer a peculiarly enabling environment. Presidents are typically surrounded by networks of unelected officials whose careers depend upon the continuation of the patronage of the incumbent to whom they have become attached. The fall of the incumbent president will most likely entail the fall of his clients as well, and they stand to fall much further than their patron"; see "Afghan Elections: From the Sublime to the Ridiculous," presented at Indiana University's conference on State-building in the Contemporary Islamic World: U.S. Intervention in Afghanistan and Iraq, November 13–14, 2009. Ethan B. Kapstein and Nathan Converse make a similar point: "When a leader, whether a president or a prime minister, faces only weak constraints, the temptation grows to gather economic and political power into executive hands. As power becomes more concentrated, members of other branches of government, investors, and agents of civil society begin to doubt whether public policies will promote the general welfare"; see "Why Democracies Fail," *Journal of Democracy* 19, no. 4 (2008): 57–68.

54. For a discussion of perceptions of local- and national-level fraud, see also Noah Coburn and Anna Larson, "Justifying the Means: Afghan Perceptions of Electoral Processes," Special Report 326 (Washington, DC: U.S. Institute of Peace, 2013), 5–6.

55. Martine van Bijlert's analysis of the 2009 presidential and provincial council elections reveals the following as major forms of fraud: (1) off-site stuffing ("ghost" polling stations); (2) top-up stuffing; (3) result sheet tampering; (4) proxy voting; (5) multiple voting; and (6) tally center manipulation; see "Who Controls the Vote?: Afghanistan's Evolving Elections" (Kabul: Afghan Analysts Network, 2010).

56. The Chief Electoral Officer of the IEC was allegedly caught on tape planning ballot stuffing and subsequently resigned. The controversial tape was released by the Abdullah campaign. A good account of the affair can be found at www.afghanistan-analysts.org/afghanistan-elections-2014-33-amarkhel-gate-sheep-tape-resignation/.

57. Antonio Giustozzi and Dominique Orsini, "Center-Periphery Relations in Afghanistan: Badakhshan between Patrimonialism and Institution-building," *Central Asian Survey* 28, no. 1 (2009), 14.

58. William Byrd, "Understanding Afghanistan's 2014 Election: The Limits to Democracy in a Limited Access Order," Special Report 370 (Washington, DC: U.S. Institute of Peace, 2015).

59. Samuel P. Huntington, *Political Order in Changing Societies*, 24.

60. Although, it is worth noting that in Cambodia in 1993 and in Timor in 2000, the United Nations assumed effective sovereignty over those two countries and the elections were largely organized by international experts.

61. Edward Newman and Roland Rich, eds., *The UN Role in Promoting Democracy: Between Ideals and Reality* (Tokyo: United Nations University Press, 2004), 147.

62. Laurence Whitehead, "Democratization with the Benefit of Hindsight: The Changing International Components," in *The UN Role in Promoting Democracy*, eds. Edward Newman and Roland Rich (Tokyo: United Nations University Press, 2004), 136.

63. Van Biljert, "Who Controls the Vote?"

64. While the 2014 and 2009 electoral compromises are prime exhibits of this instinct for political expediency at the expense of a respect for the most basic norms, it has its precedent in a little known incident in 2004. In that election, most of the candidates called for a boycott of the election as a result of the problems with the indelible ink that were witnessed early on election day. As a result of the boycott, they themselves did not vote, while millions of their fellow citizens, satisfied that the ink issue had been resolved, braved their fears and went to the polls. Several days later, the candidates approached the then special representative of the secretary-general (SRSG) and asked for a ceremonial occasion to vote on national television. The UN electoral advisors advised that this request not be accepted. They argued that the UN had been telling Afghans for months that election day was their unique chance to participate in choosing their government, and they should overcome security risks to do so. Providing another special voting day to the boycotting politicians would imply that there were rules for ordinary people and other rules for powerful politicians. The political team advised the SRSG that they should be allowed to "save face" and "reconcile" with the process by voting on television. This was an early indication of the international community's predilection to bend democratic norms to satisfy the interests of powerful politicians and to disrespect Afghan voters.

65. Adam Przeworski, *Democracy and the Market* (New York: Cambridge University Press, 1991), 14.

66. William Maley, "Afghan Elections: From the Sublime to the Ridiculous." Paper presented at State-Building in the Contemporary Islamic Workd: U.S. Intervention in Afghanistan and Iraq, November 13–14, 2009, Indiana University.

67. According to this scenario, Karzai would have ensured the election of a pliant seat-holder and then seek reelection subsequently. Nonetheless, the Afghan constitution is fairly explicit that after serving two terms, a president may not serve again.

68. According to press reports, the undisclosed results of the audit showed 800,000 fraudulent votes (570,000 were for Ghani and 220,000 were for Abdullah). See Zubair Babakarkhail and Dean Nelson, "Afghan Poll Results Delayed to 'Hide Scale of Ballot Rigging,'" *The Telegraph*, September 22, 2014.

69. One cannot dismiss the ongoing problems of security in Afghanistan, but by the 2014 election, it was increasingly easy to argue that the lack of institutionalization—largely due to a lack of discipline among political elites—was more a driver of insecurity than insecurity was a driver of the lack of institutionalization.

70. Matthew Rosenberg and Azam Ahmed, "Tentative Results in Afghan Presidential Runoff Spark Protests," *New York Times*, July 7, 2014. This article carried reports of Mohammad Atta's threats to create a "parallel government" as a "next step." See also Margharita Stancati, Nathan Hodge, and Dion Nissenbaum, "Afghan Crisis Risks Splitting Country," *Wall Street Journal*, July 8, 2014.

71. The audit required bringing in all 22,828 ballot boxes from all over the country, involving more than 100 air and ground movements by the ISAF, U.S. Special Forces, and United Nations transport assets. Setting the rules for the audit required seven meetings with president Karzai, 25 meetings with the candidates, and 16 with the IEC. It was observed by 216 international observers and 337 domestic observers. Technical support was provided by 123 UN-recruited international experts, seconded from ongoing electoral projects in 22 other countries. These were supported by 23 resident international electoral staff from the United Nations Development Programme and 25 resident international staff from the United Nations Assistance Mission in Aghanistan redeployed to the audit.

72. See www.eueom.eu/files/pressreleases/english/eueat-afghanistan-press-release-21092014_en.pdf, accessed February 21, 2016.

73. A decision in May 2015 by major donors (United States, European Union, and United Kingdom) to drastically reduce funding for Afghan electoral institutions is further evidence of this claim.

Subnational Governance in Afghanistan
Back to the Future

JENNIFER MURTAZASHVILI

Introduction

The introduction of democracy in Afghanistan fundamentally transformed citizens' expectations of their government, but the corruption associated with the country's elections undermined the state's legitimacy. Similarly, promises to reform subnational governance led Afghans to hope that deep historical tensions between the central government and Afghan society could be alleviated by establishing local levels of government that are capable of providing public goods and are directly accountable to and representative of citizen interests. Despite millions spent supporting subnational governance, success in this area has been limited because citizens continue to experience the same government structures that have existed for decades. The Afghan state remains centralized; technical fixes are crowding out the need for meaningful political reform; and there is even more reliance on parallel structures at the local level—both those structures created by donors and those whose continuing legitimacy rests on traditional authority. As a result, responsive subnational governance is more of an aspiration than a reality despite massive expenditures.

Lessons can be learned from efforts to build subnational governance in Afghanistan. Foremost is that political decentralization, along with establishing effective constraints on the central government, may be more pressing than expanding the capacity of the Afghan state, especially in the face of declining donor support. Technical fixes without meaningful political (especially institutional) reform will continue to dissipate resources.

Center-Local Relations

Afghan and international policymakers expended vast resources since 2001 to facilitate the emergence of peaceful and predictable relations between the central government and its subnational levels because these relations have historically been antagonistic. For centuries, the central government sought to increase its autonomy and capacity to operate free from constraints imposed by lower levels of government and its constituents. The Kabul government works to maintain central authority through attempts to dismantle self-governing mechanisms at the community level and through bureaucratic centralization.

The relationship between the centralized government and customary authority has been particularly antagonistic. Most Afghan leaders took a page from Max Weber's concept of legitimacy, viewing a zero-sum relationship between the state and traditional or self-governing authority.[1] Thus, since the inception of the Afghan state in 1747, most rulers have aspired to centralize political authority vis-à-vis customary authorities. This process was accelerated during the reign of Abdur Rahman (1880–1901), who viewed the persistence of autonomous local actors at the village level as the primary challenge to central government authority. He sought to increase his control over local governors by appointing bureaucrats accountable only to Kabul to subnational positions rather than rely on kin, who frequently worked in tandem and negotiated with local communities often at the expense of the central government. This was part of a broader strategy to systematically undermine the customary governance that defined Afghan society—a strategy that was accomplished mainly through a series of vicious military campaigns.

The drive to neutralize community autonomy is not confined to the distant past. Successive communist governments, who ruled from 1978 to 1992, viewed decentralized authority structures as a threat to modernization and sought to eliminate these elements in rural society by replacing customary and tribal brokers with their own village representatives directly accountable to the political center. The Taliban regime, which ruled from 1996 to 2001, was similarly centralizing, seeking to rule villages through its own appointed religious leaders.

Rulers throughout the twentieth century developed centralized bureaucratic models to implement their vision of government intent on building quick capacity. As the Soviet influence in Afghanistan began to grow in the 1950s, so too did the adoption of centralized governance systems. This was most pronounced in the centralized nature of the policymaking and planning process, as well as the reliance on Soviet models of public administration. Soviet bureaucratic models relied on appointed officials at subnational levels, with the Ministry of Interior overseeing most aspects of local governance. The system of budgeting and public finance was also copied from the Soviets, encompassing central budget planning based on inputs from line ministries, where all local revenues were remitted to the central government and later redistributed. Government policies were executed not by subnational government officials but instead by line ministry officials at the subnational level appointed by and beholden to principals in Kabul. Furthermore, district and provincial government officials had no oversight over line ministry officials but instead were deliberately weak with limited decision-making authority and political autonomy. This model sought to assure subnational compliance.

Although this centralized model was planted during the reign of Zahir Shah (1933–73) as a result of technical assistance, many Afghans attribute the relative tranquility and stability during his reign to the fact that he did not undertake the policies of his predecessors: he did not seek to directly alter underlying social norms, nor did he strive to strengthen the state for its own sake. Although Shah imported many aspects of the Soviet bureaucratic model, he implemented them with a light hand. The state did grow in scope and strength under his reign, providing an increased variety of public goods and services, but the growth was largely gradual and based on the consensus of subjects. The perceived lack of state capacity was one of the main motivations of Mohammad Daoud Khan's 1973 coup that toppled his paternal cousin and brought an end to the monarchy. Daoud and the Communists used the centralized system that was already in place to drive Afghanistan toward their view of modernized development.

Although both the mujahideen and Taliban regimes attempted to change certain organizational features of the government, they were hampered by a general inability to

implement reform in a context of profound conflict. Thus, after 2001, the formal government structures in place were the shells of the Soviet-inspired bureaucracy left standing in 1992.

This brief review of center-local relations provides two historical lessons for post-2001 subnational governance reform: (1) Afghan rulers, regardless of their ideological predisposition—modernizing, leftist, autocratic, or theocratic—have had little tolerance for local autonomy, stressing the assertion of state capacity rather than constraints on rulers; and (2) the organization of the government has been highly centralized in terms of its bureaucratic capacity, and the structures existing at the dawn of the statebuilding effort basically reflected the old Soviet model of governance. In light of this context, one might expect that a reform effort seeking to break from the past would emphasize a more cooperative relationship between the local and the central government and to perhaps attempt to neutralize the old, hierarchical modes of bureaucratic organization. Yet, reform has thus far reinforced centralization and the previous bureaucratic system.

The New Afghan State: Drive for Capacity

The 2004 constitution represented a continuation of historical governing norms, as subnational officials continued to implement the desires of Kabul. Although there were debates among policymakers over whether the country should have a parliamentary or presidential system, there was little debate about the role of the state in society. The constitution was driven by a capacity-building philosophy, where the state served to provide public goods as a means to generate allegiance. To illustrate, according to the constitution, the state was obligated to create a "prosperous society based in social justice" (Article 6); to "design and implement effective programs for developing industries [and] expanding production" (Article 13); and to "develop religious teachings, regulate and improve the conditions of mosques, religious schools, as well as religious centers" (Article 17). It also guaranteed the right to free education (Article 43); equality of educational opportunities for girls and women, improved education for nomads, and the elimination of illiteracy (Article 42); development of religious curricula for schools (Article 45); the right to work (Article 48); and the right to free preventative healthcare and treatment of diseases (Article 52).

The vision of the state was further fleshed out in collaborations between international donors and the Afghan government, such as the Afghanistan National Development Strategy (ANDS). The ANDS took the constitution as a point of departure and created benchmarks for ministries and obligations for donors to fulfill this vision.[2] The ANDS, supported by the constitution, was a grand development plan that laid out a long list of government priorities deduced from constitutional principles. Containing no substantive political reforms, it embodied the "technical" approach to reform characteristic of most post-2001 international assistance to the country.

These documents reflect a state intent on winning the allegiance of Afghan citizens through delivering services and reducing poverty. This intention, while laudable in effort, created a tall order for the government and its subnational units to fulfill. It also left donors scrambling to build the government's capacity to follow through with its promises. The aspirational scope of the state was out of step with the strength of the state to execute this vision. In fact, many developed countries would struggle to carry out the mandate called for in the Afghan constitution. Rather than rethink the government's mandate, Hamid Karzai's administration and the international donor community opened the door to unlimited capacity-building

Reform has thus far reinforced centralization and the previous bureaucratic system.

exercises at every ministry and government office, creating a carte blanche for donor and government efforts.

The vision did not present a new state or allow individuals in communities outside Kabul to experience a new social contract. Empowered with vast resources from and the blessing of the international community, the Afghan government embarked on strengthening state capacity. During the "surge" years, the desire to increase capacity only intensified, resulting in relatively strong ministries in Kabul but weak local implementation.

Subnational Governance After 2001: Centralized Rule Versus Parallel Structures

The new constitution includes a commitment to democratic principles, consideration of gender equality, and rights for religious and ethnic minorities. It also mandates not just national elections but also provincial, district, and village council elections and mayor and municipal council elections. Broad contours of the state, however, remain unchanged. Enduring constitutional centralism meant that subnational units struggled to execute policies, resulting in citizens relying not on the state but on donor organizations, strongmen, and customary sources for governance at the local level. This is particularly true in rural areas where most Afghans still reside. Although the new constitution has brought formal democracy to Afghanistan, it has not altered the way individuals experience the state.

The Afghan state remains highly centralized. Similar to its predecessors, the 2004 constitution did not create local government units but instead continued the policy whereby district and provincial offices served as administrative subunits of the national government. Municipalities were the only local units given some potential autonomy.

Centralism produced provincial and district governors appointed by and beholden to officials in Kabul. Their role was to implement national policies by overseeing the work of ministry officials at the subnational level. They were not elected by or directly accountable to constituents. Furthermore, the constitution did not give subnational elected bodies veto or sanctioning power over subnational governors. Although principles of centralism were hotly contested among international community members and some Afghan policymakers during the Constitutional Loya Jirga in 2003–04, defenders of centralism justified its maintenance for several reasons. First, the system represented continuities with the past and familiar patterns of authority for citizens. Second, it gave the executive branch the ability to execute power quickly and almost unhindered, allowing the state to demonstrate its capacity to citizens who may have been wavering in support. Karzai and some international community members argued that such centralization was needed to ensure that warlords did not see a benefit to hijacking subnational government.[3]

Provincial or district governments had no incentive to horizontally integrate local ministerial activity. Absence of such integration was also a function of the Soviet bureaucratic legacy, which intentionally weakened governors, giving them little oversight over the more than fifty ministries and executive agencies potentially operating in each province or district. District governors frequently complained of having little say over staff hiring in their districts or discretion to make policy decisions.[4]

The creation of the Independent Directorate for Local Governance (IDLG) in 2007 represented an important move, in theory, to facilitate horizontal integration among subnational line ministries, as the Ministry of Interior was previously responsible for appointing and overseeing district and provincial governors. The IDLG was created to alleviate tensions

between the Ministry of Interior and other line ministries who saw governors as representing a single ministry rather than an individual who could serve to coordinate functions among ministries. It also served to give Karzai direct control over subnational appointments, further centralizing government control. There is little evidence that the IDLG remedied these tensions. Instead, its creation fueled bureaucratic competition for donor attention.

Provincial Government

Provincial governors, appointed by the president through IDLG, serve as representatives of the executive branch for the thirty-four provinces. While some provincial governors were previously associated with mujahideen factions and emerged as strong leaders, most governors did not have such a high profile and were chosen by the Karzai administration because of their weak power bases, allowing the central government to maintain political control.

The case of the provincial councils illustrates the challenges with the institutional design of a democracy based on strong principles of centralism. Each successive round of provincial council elections (2005, 2009, and 2014) has been met with increased allegations of vote rigging, undermining citizen confidence in the councils. In annual, nationally representative public opinion polls of the Afghan people, the Asia Foundation has found that citizen confidence in provincial councils has decreased since their inception.[5] Similarly, another nationally representative survey funded by Democracy International showed that individuals believe their provincial members to be the most inaccessible of all public figures (including nonelected district and provincial governors). In some provinces, provincial councils have become another vehicle to extract rents from citizens and aid projects.[6]

The lack of citizen confidence and perceived lack of access to provincial council members can be attributed to various factors. First, the councils were elected on an at-large basis, thus individual members have no formal constituency (aside from serving an entire province).[7] The lack of local constituencies diffused accountability. Second, council members had weak authority. According to a 2006 law specifying their roles, provincial councils exist to monitor the role of the provincial governor and administration, but these bodies have no veto or agenda-setting power. Although they are elected councils, they are not legislative bodies because they have no lawmaking authority. The only substantial activity given to these bodies was oversight of international development projects supported by donors as well as some provincial development planning, which provincial governors have no obligation to heed. The international community helped carve out the role for provincial councils in overseeing donor projects, believing that influence over the allocation of donor funds would yield political influence. According to interviews and focus group discussions conducted by Democracy International, when informants expressed satisfaction with these bodies, it was frequently a result of their ability to distribute aid.[8] On the other hand, the ability to leverage aid for personal gain was more frequently cited as a source of outrage. And although some effective representatives did emerge from the process, the electoral institutions created weak and dependent councils that did not allow them to live up to their democratic promise and provided a limited check on the authority of or representation to provincial administration.

District Government

District governors are also both appointed and dismissed by the president. However, unlike at the provincial level, the constitutionally mandated district council elections never happened

Although district governors have weak formal authority, they are the most consequential subnational officials in most of Afghanistan, serving as the face of the state to citizens.

because the government lacked the logistical resources and security required to physically delimit districts and implement district elections. Even if district councils were to be held, they would face the same legitimacy constraints facing provincial councils, as it is unclear what role district councils would have vis-à-vis appointed district governors.

Although district governors have weak formal authority, they are the most consequential subnational officials in most of Afghanistan, serving as the face of the state to citizens. With little citizen input, they are vetted by IDLG and appointed by the president. Some district governors are professional bureaucrats, and, in some cases, they have served as governors of other districts during their career. In the best case, district governors and their staff are members of the professional civil service and have gone through civil service exams and training. In some districts, professional district government staff have served for almost a decade.[9] Although public opinion data are consistent in showing that, on average, district governors are more trusted than provincial governors, qualitative research illustrates that individuals tend to have greater faith in district governors who come from their district. This is because citizens feel that deep ties with the district allow space for citizens to hold these individuals accountable.[10] Conversely, although citizens have relatively more faith in district governors than most public officials, their track record remains quite mixed. When district governors rotate frequently from one district to the next or expect to be in power for a short period as a result of the insurgency, they behave like "roving bandits" and prey on citizens. This pattern of behavior has done extraordinary damage to government legitimacy. In many instances, the lack of formal accountability of district governors to citizens and their short time horizons provide incentives for malfeasance, especially when the district governor has no ties to the district.

In the absence of elected district councils, various ministries, with support from the international community, sought to establish district councils to build legitimacy of the state. With support from the Ministry of Rural Rehabilitation and Development (MRRD), district development assemblies (DDAs) were set up to coordinate donor and development activity in each district. IDLG, through the Afghanistan Social Outreach Program, set up its own district community councils (DCCs). The DDAs and DCCs, set up by rival government agencies in competition for donor funds, sought to draw on distinct constituents, but both sought to serve as de facto district councils called for in the constitution. The DDAs sought to scale up the MRRD's community development councils (CDCs), while the DCCs sought to draw on "traditional" leaders in the community to improve political communication between citizens and the government, with the goal of enhancing political stability. After much wrangling, by 2013, the MRRD and IDLG had agreed to a common framework that would establish DCCs, relying primarily on CDCs, in all thirty-four provinces by the end of 2016. The start-up of these councils has been slow.

The development of the DCCs may be premature, because after the creation of the National Unity Government, there has been a rush to hold district council elections; according to the power-sharing agreement, members of the Constitutional Loya Jirga (CLJ) that will decide on long-term constitutional reforms in 2016 must be selected from elected district councils. District council elections were slated for 2015 but postponed due to resource and security constraints. Given that CLJ delegates should come from district councils, enormous contestation over the election procedures is likely to occur.

Village Governance

Although the constitution calls for formal village governments, it is unclear how many villages exist in Afghanistan; scholars and practitioners continue to debate what constitutes a village, and thus, the current estimate is somewhere between 20,000 and 40,000. As donors became interested in providing village-based aid, the number of villages estimated by the government increased. The constitution calls for village council elections, but none have been held. Like in the districts, donors and Afghan ministries provided their own solutions to fill a perceived vacuum of governance. Unlike district or provincial governments, the constitution did not mandate a village leader—only village councils (who had no mandate).

After 2001, many Afghan and international policymakers assumed that the social fabric in villages had completely broken down, as observers had long detailed the breakdown and transformation of traditional governance resulting from economic transformation and war.[11] This rationale led to the MRRD to create the National Solidarity Program (NSP), which created more than 30,000 CDCs throughout Afghanistan covering almost 80 percent of rural areas with more than US$1 billion in funding, mostly from the World Bank. Although created by MRRD, the NSP was implemented by more than two-dozen, mostly foreign nongovernmental organizations (NGOs). The NSP was based on community-driven development models imported from Indonesia and East Timor but was more ambitious as it sought to go beyond aid delivery and create "government at its most basic form... The introduction of democratically elected community decision-making bodies as a viable alternative to the traditional local governance structure has provided a vehicle to re-build the social fabric and relationships at grassroots level."[12] On the one hand, the NSP was to rebuild the social fabric, but at the same time, MRRD presented the CDCs as a new alternative to customary governing organizations, which NSP officials believed to be an impediment to local development.[13]

Efforts to establish governance at this level are somewhat paradoxical, as villages tend to have fairly robust systems of customary governance.[14] When observers described the breakdown of traditional authority in Afghanistan, they described a reduced ability of larger-scale traditional mechanisms to maintain authority at the intracommunal level (usually at the provincial or district level). This meant that the collapse of traditional regional political mechanisms did not necessarily result in the breakdown of customary governance at the village level. Indeed, customary sources of authority are effective in providing certain public goods; are widely perceived as legitimate; and in many situations, work collaboratively with district governments.[15] The MRRD and donor community nonetheless proceeded to roll out CDCs in thousands of villages to address a perceived governance vacuum. Systematic evaluations of the NSP suggest that the councils actually undermined quality of governance, largely because they competed with—not substituted for—existing governing mechanisms.[16] Despite this, CDCs became the interim village councils called for in the constitution.

By the time of the surge, this diagnosis became increasingly apparent to some observers. Perceiving the failure of the formal justice sector to produce legitimacy, some called on the Afghan government and donors to provide assistance to the traditional justice system.[17] Similarly, many U.S. soldiers serving in rural Afghanistan described the importance of tribes and traditional forms of governance as a bulwark against the Taliban insurgency. This led to countless military and civilian programs designed to strengthen traditional governance and link traditional governance with district governments, providing incentives for communities to create cadres of "fake" elders.[18]

Emergence and Endurance of Parallel Structures

It is no surprise that in the absence of meaningful reform, the international community created parallel structures of governance—a sort of rentier government alongside the formal state. Three kinds of parallel structures resulted from the formal structure of subnational government and international engagement: donor structures supported by the International Security Assistance Force (ISAF), development structures, and government by strongmen.

Donor Structures

The most pervasive parallel structures were created by donor governments to address the inability of the Afghan national government to quickly fulfill its capacity mandate. Frequently out of frustration, donors established parallel governing organizations to help them execute their goals, which were often out of step with government agendas. Donors operated within these parallel structures, and once in place, there was less pressure in the short run to reform the state, because strengthening parallel systems became an end in itself.[19] The most visible parallel structures in post-2001 Afghanistan were the provincial reconstruction teams (PRTs), which at the height of surge activities in 2010, covered all of Afghanistan's thirty-four provinces. Initially established in 2002 to provide both military and development assistance, with the goal of extending state authority, improving security, and promoting reconstruction, the PRTs were inherently political bodies.[20] They brought international military and civilian actors "together to work for the common good of the local population whose goodwill would determine whether state authorities would succeed or not."[21] By attempting to coordinate military and development assistance, the PRTs engaged in state-like functions, seeking to "win the hearts and minds" of Afghans by providing services and security to generate stability.

By default, establishment of the PRTs as parallel governing bodies represented the Afghan state's inability to provide similar functions and public services through its line ministries. The United States and other ISAF partners created PRTs to work around the cumbersome Afghan bureaucracy. As the surge reached its height, it crowded out Afghan government priorities and reduced the incentives of Afghan subnational officials to engage with citizens through rentier dynamics. Ultimately, the PRTs appeared to undermine rather than strengthen government by crowding out local agendas, overwhelming the capacity of subnational units to absorb resources, and creating projects that were neither desired nor sustainable for subnational governments or their constituents.[22]

In 2009, the United States established district stability teams (DSTs) in the more insecure districts of Afghanistan to implement ISAF's counterinsurgency mandate. DST activities mirrored PRT activities at the district level, seeking to expand the writ of the state through the provision of security and development assistance. Similarly, the Village Stability Operations (VSO) program extended DST activity into "hostile" areas. Unlike the DSTs and PRTs, VSO worked almost exclusively with nonstate actors, including customary leaders and anti-Taliban local militias (who later became the Afghan Local Police, based on an idealized *arbakai* model).[23] Once again, external military forces sought to engage with local actors in a decentralized manner, because the centralized bureaucracy proved largely unable to provide the goods and services demanded by the service delivery model used in the counterinsurgency strategy.

Ultimately, the provincial reconstruction teams appeared to undermine rather than strengthen government by crowding out local agendas, overwhelming the capacity of subnational units to absorb resources, and creating projects that were neither desired nor sustainable for subnational governments or their constituents.

Development Structures

Many development projects have served as parallel governments competing with or substituting for subnational governments. Efforts to strengthen municipal governance and the NSP illustrate this point. The models used by donor programs to support both of these efforts were emblematic of approaches taken by donors after 2001.

The Regional Afghan Municipalities Program for Urban Populations (2009–14), funded by the U.S. Agency for International Development, sought to provide training to municipal officials and small grants to citizen groups. Rather than establishing its offices in local municipal government buildings, it set up its own offices that worked in parallel to the government, hiring local staff as trainers and paying them significantly more than what officials earned at the subnational level. These donor-supported offices were better resourced than their counterpart subnational government offices. Project staff could allocate grant money for activities with far greater ease than local municipalities, who were constrained by Ministry of Finance regulations. As a result, citizens were encouraged to turn to donors if they had issues to address, undermining the state-society relationship.

International NGOs were largely responsible for establishing the CDCs in almost every district throughout rural Afghanistan. The NSP was not implemented by government officials but instead by these NGOs who set up offices in district centers. The high visibility of NSP offices compared to government offices in many parts of the countryside was striking. NSP offices, responsible for dispersing government funds for local projects, had better trained staff (usually from outside the district), computers, generators, satellite communications, and multiple four-wheel drive vehicles. The capabilities of district government offices seemed weak in comparison. The implementing NGOs, as subcontractors to the government (with donor funding), were able to provide services to communities much faster than the government offices; they were not subject to the same procurement regulations as district government officials, therefore giving them a higher level of discretion and allowing them to operate quickly and more effectively. The high level of funding and profile of NSP offices created antagonism between district governors and NSP officials, especially before the surge.

Government by Strongmen

Although provincial and district governors had weak formal authority, many emerged as being capable. Frequently, these individuals were former warlords or strongmen.[24] Although they had formal positions in the state, the authority they exercised was not formally enshrined in any written document but rather existed in parallel to the formal rule of law. These governors bent the rules or operated entirely outside them to accomplish their goals, noble and otherwise. They exercised enormous authority *despite* the law.

Individuals also established power bases outside of the formal authority granted to them by the state. At the provincial level, individuals such as Atta Mohammad Noor in Balkh Province and Gul Agha Sherzai in Nangarhar Province were capable of both providing local public goods, especially with the creation of impressive infrastructure projects, and challenging executive authority in Kabul. To skirt the rules was a double-edged sword, allowing them to expropriate donor resources to provide some public goods. Although predation of government officials at all levels has been well-chronicled, many district government officials used informal authority to resolve disputes in their communities. Governors frequently mediate disputes that communities are unable to resolve themselves, usually at the request of citizens. Legally, district

Donor support created institutional stagnation by promoting technical solutions to inherently political problems.

governors have no legal right to resolve such disputes, but do so because they provide faster justice than the state courts.

Technical Fixes

Donor programs and the Afghan government's national priority programs almost universally ranked technical assistance over meaningful political reform. Instead of encouraging dialogue over political change, donor support created institutional stagnation by promoting technical solutions to inherently political problems. This was particularly acute in the areas of land reform and the rule of law at the local level.

A pressing issue facing districts and villages is land tenure security. Since 2001, Afghan and international approaches have treated land reform as a technical rather than political issue. Policymakers believed that the issuance of government-backed legal titles would yield land tenure security. Since coming to power, Ghani has also supported this position.[25] The theory is clear: Legal titles improve productivity by decreasing uncertainty and can improve prospects for development.[26] Technical assistance should therefore focus on registration of ownership. Yet, creating an effective system of property rights requires more than mapping plots and providing legal titles; it is entirely dependent on political reform, such as creating an effective judiciary to adjudicate decisions and a police force that can enforce decisions with equanimity. Such reform also requires the ability of the state to tie its own hands and not become involved in land grabbing and to respect the courts' decisions. There is little reason to believe that legal titles will improve tenure security; the state is weak, judges who interpret property rights are frequently corrupt, and there are few effective constraints on state authority.[27] In other words, while the state can plot out and issue legal titles, it is not necessarily required to adjudicate disputes or resolve them.

Efforts to establish rule of law are another example. Substantial investments were made in training judges and lawyers and building courthouses at the subnational level.[28] Clearly, technical capacity does not build legitimacy in the absence of effective political reform. Citizens view the highly centralized legal system, which operates largely in isolation from customary systems of adjudication, as corrupt.[29] Although rule of law is typically treated separately from subnational governance, citizens evaluate the legitimacy of subnational governance through its ability to fairly adjudicate disputes.

The Ways Forward

In considering the challenges of centralized governance and lack of reform at the subnational level, several ways forward come to light.

Encourage debates about the role of state in society: If a centralized system has failed Afghanistan, what is the appropriate form of government for the country? The only appropriate form is the one that is agreed on by the people of Afghanistan. During the 2014 presidential election, each major candidate expressed his support of the decentralization of authority to the local level but differed on to what degree. As the CLJ approaches, Afghans are debating state-society relations.

A fundamental political question for any society is "what role should the state play in society?" In answering this question, one must consider the size of government in the economy and society and the impact of decentralization: Should government be big or small? Should the government expand its role to build capacity or focus on establishing constraints on its

authority? Should government officials continue to be appointed by Kabul or should they be selected locally?

Decentralization is not uniformly seen as a panacea, as some have cautioned about decentralizing political and fiscal authority.[30] However, decentralization may be important in a state widely perceived as corrupt. Furthermore, no amount of capacity building or training could make the central planning model the Afghans inherited from previous regimes function well. In the presence of corruption, it may make more sense to invest in local control rather than a centralized state. The reason is that a corrupt, centralized state in Afghanistan may be worse than a corrupt, decentralized state. Bureaucratic rigidity is one reason for corruption, because it is often the only way to get things done. Decentralization and autonomy could reduce the need for corruption as a way to grease the wheels of bureaucracy.

Decentralization may also improve the provision of public goods, better matching the local needs of citizens and possibly enhancing quality and delivery of the goods.[31] In the context of a fragile state, decentralization to local levels can reduce opportunities for the state to renege on its promise of institutional reforms.[32] More generally, decentralized governance can improve the quality of government.[33]

Decentralization of government would not be out of step with the reality of governance in Afghanistan. The term *federalism* is a colored political term, but in many ways, the Afghan political system behaves like an informal federal system.[34] There is routine power sharing between district officials and village representatives.[35] Customary governance may provide a source of local governance and a defense against government predation.[36] Decentralization of political authority may capitalize on the governance capability of those who actually hold local power. As the central government has for decades proven incapable to execute its own policies, government officials and communities continue to rely on work-arounds to solve problems. It may be time for these de facto arrangements to be recognized.

It may also make sense to refocus statebuilding efforts on establishing constraints at the central level. The international community promoted state capacity as a key to gaining the trust of citizens. The service delivery model introduced in 2001 was taken to extraordinary heights during the surge to win hearts and minds through the provision of public goods. Yet, in most postconflict environments, egregious predation on the part of the state generates most conflicts and cycles of state failure.[37] Given mistrust of the state over several generations, a focus on tying the state's hands might make more sense.[38] After all, a fundamental lesson of Afghan history is that the state has had enough capacity to make life hard for its citizens but has never had meaningful constraints on its authority. Rather than building state capacity, donors may wish to turn their attention to helping governments credibly commit to tying their own hands.

Breaking the path of dependence: It is a great irony that reconstruction efforts to build subnational governance appear to have strengthened a dysfunctional system of subnational administration. After the collapse of the Soviet Union, international donors used leverage to encourage countries with central planning legacies to reform their institutions—to decentralize decision making, to build checks and balances within the government, and to make government more accountable to citizens. Ironically, donor funds in Afghanistan were used to strengthen the same kinds of institutions that in other contexts donors fought to reform.

Reliance on the 1964 model meant that the basic framework of law governing subnational administration remained largely unchanged. In fact, the Bonn process in 2001 stated that the 1964 legal framework would serve as the basis of law. Institutional lock-in resulted in the

preservation of the Soviet bureaucratic model and even the return of many bureaucrats from the 1960s and 1970s who had previously served in the government.

The reconstruction project emboldened political institutions that were not designed to accommodate democratic interests, providing few constraints on government officials and no meaningful local oversight of government activity. The planning model was designed to suit authoritarian interests, not a democracy. The state was riddled with an incoherent planning process that was to transmit budgets and execution from the central government to myriad line ministries. Path-dependent processes also ensured a top-heavy bureaucracy, comprising line ministries and executive agencies with, in many cases, overlapping areas of responsibility. Once donor funds began to pour into the country, government officials had almost no incentive to rationalize and reduce the number of ministries, as each ministry office provided a need for unfulfilled capacity building and donor assistance. The resulting dysfunction is illustrated in the government's abysmal budget execution rate.

Aid largesse did not leverage governance reform but served to crowd out political debates as a result of rentier dynamics. By 2007, a consensus within Afghan society began to emerge: the Taliban was growing in strength and the centralized administration was not creating incentives for subnational officials to deliver goods and services. Government offices were used as patronage and rewards. Former warlords, or strongmen, were entering government office.[39] Across the country, reports of growing corruption among district and provincial officials led some to conclude that state ineffectiveness and corruption at the subnational level was a primary driver of the continued Taliban insurgency.[40]

The role of provincial councils as advisory bodies to the unelected provincial administration was not new but had been part of the constitutional structure in 1923. The authority of provincial councils had not changed substantially over time. Thus, subnational governance in post-2001 Afghanistan represented institutional continuity with that of the past. Rather than revisit the accountability structure of the state or the design of institutions that facilitated government abuse, the military and civilian surge that followed sought to strengthen an administrative state that was unable to deliver basic goods and services. The influx of aid and external assistance during that period further crowded out domestic debates about the role of government in society. This created an institutional lock-in rather than reform.

Better evidence, better policy: A first step to improving the prospects for subnational governance is to replace presumptions and panaceas with concrete evidence. For example, many donors and governments put enormous stock into the CDCs as a magic bullet without sufficient data to back up such claims. As Afghanistan looks to debate the creation of village governance, this evidence should help direct policymakers and Afghan citizens.

A survey experiment was recently conducted to understand the consequences of introducing village council elections in rural Afghanistan.[41] A nationally representative sample of respondents in rural areas were told they would be voting in future village council elections. They were then randomly assigned to one of three village election scenarios: formal elections using secret ballots, formalization of their CDC as the village council, and formalization of customary governing councils. During qualitative interviews and focus group discussions, many informants indicated being wary of formal elections in their village, as they associated the ballot box with state corruption (given the high level of corruption surrounding the national and provincial elections).

Despite these misgivings, when considering the different ways to establish village councils, the survey revealed that formal ballot box elections could help change the perceptions of

democracy in Afghanistan. The research found that recognizing customary governance could lead to more support for reconciliation with the Taliban and improve perceptions that subnational structures will represent citizens at higher levels of government.[42] This suggests that holding local elections may be premature and that resources for building village governance may be better used to address more pressing gaps at other levels of government. It also illustrates the fundamental trade-off in any policy: Introducing formal state elections may improve citizen satisfaction with democracy, but use of customary structures may increase support of reconciliation with the Taliban.

Conclusion

Lack of reform at the subnational level continues to reinforce a system where local units have no autonomy and no meaningful representation of citizens' interests. At the same time, the central state aspires to extend its authority without providing a substantial role for local governance. Thus, it is not surprising that Afghanistan faces the same challenges of decades past. To improve statebuilding prospects, Afghans may wish to renegotiate the social contract upon which the post-2001 constitution was constructed.

Policymakers seeking to reform subnational governance need to recognize that there are no panaceas—simply imperfect alternatives from which to choose. The appropriateness of institutions depends on context; institutional blueprints imposed without consideration of local conditions do not generally work.[43]

Given the state's poor track record of subnational governance, many Afghans fear, rather than desire, an extension of the state to the countryside.[44] As a result, the post-2001 model that prioritized the strengthening of government institutions and building state capacity without sufficient consideration of how they would be restrained seemed to foment citizens dissent rather win hearts and minds.

Recognizing customary governance could lead to more support for reconciliation with the Taliban and improve perceptions that subnational structures will represent citizens at higher levels of government.

Notes

1. Max Weber, *The Vocation Lectures: Science as a Vocation, Politics as a Vocation* (Indianapolis: Hackett, 2004).

2. Islamic Republic of Afghanistan, *Afghanistan National Development Strategy 1387–1391 (2008–2013): A Strategy for Security, Governance, Economic Growth & Poverty Reduction* (Kabul: Islamic Republic of Afghanistan, 2007).

3. For background on this debate, see J. Alexander Thier, "The Making of a Constitution in Afghanistan" (London: London School of Economics, 2003).

4. Interviews with district government officials, Nangarhar and Balkh provinces, July 2012.

5. Asia Foundation, *Afghanistan in 2014: A Survey of the Afghan People* (Kabul: Asia Foundation, 2014).

6. According to an interview with a long-serving U.S. Department of State official for eastern Afghanistan, provincial council members represented a center of "organized crime" in Nangarhar Province.

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Rule of Law and Statebuilding in Afghanistan
Testing Theory with Practice

ERICA GASTON AND ERIK JENSEN

Introduction

Underfunded, underprioritized, and underperforming, rule of law development has been a much-maligned part of the Afghan statebuilding exercise. Critics argue that rule of law efforts were not only poorly managed and implemented but also poorly conceived and designed, driven by international donor preferences and capabilities rather than by Afghan justice needs. While partially true, this view misses the great deal of effort and interest in identifying strategies to respond to the environment and to address rule of law weaknesses in Afghanistan, often despite limited funds and significant political constraints. Further, donors and practitioners (Afghan and international) developed rule of law strategies in Afghanistan based on the best practices and thinking at the time and were willing to course correct and rethink their assumptions where those efforts did not appear to be succeeding.

Rule of law assistance in Afghanistan can be divided into two phases. During the early years, from 2002 to 2007, relatively small amounts of donor funds and interest in rule of law were focused on top-down, state-centric approaches. From 2007 on, renewed interest in Afghanistan and the counterinsurgency approach increased the funding and scale of rule of law efforts and encouraged bottom-up, community-focused approaches and embraced alternatives to the formal justice system.[1] These two phases were informed by similar shifts in rule of law development theory at the time—often referred to as the first and second generation of rule of law approaches.[2]

In thinking about the next phase of rule of law efforts in Afghanistan, donors and practitioners must assess whether the second-generation approaches succeeded in addressing the failings of the first. Such an inquiry must go beyond critiquing implementation failures—of which there were no doubt many—and assess whether the underlying theories and assumptions addressed the problems that emerged in the early years. A preliminary examination of the second-generation programming on community-based dispute resolution, often referred to as "informal justice," suggests that the failings had more to do with a lack of political will to tackle underlying political problems and to be realistic about timelines, than due to the rule of law programming per se.

Examining these rule of law theories has broader implications than for rule of law in Afghanistan alone. In many ways, Afghanistan became a testing ground for global rule of law

theories and best practice. Given the scope of engagement in Afghanistan (time, money, and sheer number of international projects and initiatives tried), it offers one of the best test cases for whether prevailing theories on rule of law development were apt and which types of program interventions work better than others. Analyzing rule of law efforts in Afghanistan offers an important opportunity to develop more effective practices and strategies for postconflict rule of law development writ large.

The Early Years

In 2002, Afghanistan had inarguably one of the weakest rule of law systems in the world. Insecurity was rampant. Most of the country was beyond state control or even the control of local power brokers. State institutions were weak, wanting, or nonexistent.

Formal justice institutions were particularly frail. Even during the formal justice system's zenith, from 1964 to 1979, there were few functioning courts beyond urban areas, and those that did exist were highly limited by weak legal education and knowledge among the judiciary, poor availability of statutory texts, lack of judicial independence (vis-a-vis the executive or local power brokers), and weak enforcement.[3] Islamic law and customary norms and traditions had far more credibility and use among the population than the Western-modeled state system. These long-standing weaknesses were exacerbated by the thirty years of war and domestic upheaval that began with the Soviet invasion of Afghanistan in 1979. The scale of physical destruction, the erosion of government and judicial institutions, and the fracturing of state power for long periods of time destroyed any semblance of a functioning, national legal system.

Given the virtual nonexistence of the formal justice system, and the projected cost and time involved in resurrecting (or creating) one, one might have expected early interventions in Afghanistan to rely more on Afghanistan's long tradition of legal pluralism, including nonstate Islamic and customary mechanisms, than a purely state-driven approach to rule of law. However, the early years of engagement in Afghanistan were heavily influenced by the "liberal peace" model of statebuilding that had emerged in the previous decade. Along with free market reforms, elections, and developing strong state institutions, rule of law reforms were part of the standard package of international intervention in the 1990s and early 2000s. From post-Soviet Eastern Europe, to Kosovo and East Timor, to Kabul, rule of law practitioners went to work implementing this first generation of rule of law reforms—through training judges, prosecutors, and other legal professionals; urging international treaty accession and legal reform; building or renovating courthouses; and updating judicial management systems to mirror Western justice systems. In Afghanistan, such an approach was encouraged by many Afghan partners and elites, some motivated by a desire to break with the past and modernize Afghanistan and some motivated by the opportunity for new construction contracts or legal trainings abroad.

However, this approach was difficult to implement in Afghanistan given the state of the Afghan judicial system and the limited funding. Although nominally a priority, the justice sector received only a fraction of international assistance. Under the "lead nation" approach developed in 2002, Italy was given lead responsibility for the justice sector and, in the first few years, bore most of the costs for judicial assistance, providing US$20 million of the US$27 million requested by the Afghan government for justice sector reform for the 2003–04 fiscal year.[4] Over time, other major donors gradually increased funds for rule of law, but the funds still only constituted a small percentage of their overall international assistance. From 2002 to

The early years of engagement in Afghanistan were heavily influenced by the "liberal peace" model of statebuilding that had emerged in the previous decade.

2007, the U.S. Agency for International Development (USAID) allocated only 1 percent of its total budget for Afghanistan to rule of law support.[5]

Questioning the First-Generation Approach

By 2005, international practitioners were beginning to question whether the liberal peace model of statebuilding was working. The model had been developed based on the theory that in failed or failing states, weak central governments were the problem because they could not satisfy popular grievances, equally distribute resources or political power, or otherwise address persistent sources of conflict. However, the proposed remedy—strong, democratic state institutions—proved difficult to establish. In case after case, the top-down, state-centric focus did not result in strong, democratic institutions but rather created ineffective or hollow institutions, dominated by corrupt elites who had a greater interest in safeguarding power and absorbing donor resources than creating institutions that served the public good.[6] This had the opposite effect of what the liberal peace model intended and often fostered further conflict.

Afghanistan appeared to be a case in point. Despite billions of dollars, and years of effort to build the Afghan state, weak state institutions lacked the capacity or will to meet the demands of the population. Corruption and nepotism were rampant. Rather than supporting the development of a strong, inclusive state, the massive influx of aid resulted in a rentier state dominated by warlords and corrupt elites.

The justice sector offered a particularly stark example of the failings of this top-down institutional approach. Thanks to Western donors, Afghans had more courts, judges, and model laws, but they were inaccessible or simply undesired by the Afghan population, which vested more legitimacy in Islamic and customary law traditions and mechanisms.[7] With limited reach beyond Kabul and a few urban areas, the justice system was at best irrelevant and at worst pernicious. Rather than acting as a check on burgeoning corruption, the justice sector was one of the most corrupt sectors. Uninformed or ill-prepared justices and prosecutors were as likely to apply the law in ways that violated rights as they were to enforce the new liberal Constitution and laws that had been so carefully crafted since 2002.[8]

The state-centric liberal peace model was not wholly to blame for these failings, of course. Billions of dollars had been wasted or misspent through a lack of coordination, high overheads inherent in many donor-driven projects, lack of sufficient consultation and engagement with the local population, and pure mismanagement of funds.[9] The disappointing progress could also be attributed to unrealistic donor expectations of what it would take to build state institutions in Afghanistan.

Second-Generation Rule of Law in Afghanistan

Responding to the failures unfolding in Afghanistan and other countries, the international community increasingly turned its attention to alternatives to the state-centric model.[10] For example, they looked to governance that existed beyond the state or to community approaches to security provision.

Within the rule of law sector, practitioners increasingly dismissed first-generation activities like providing courthouses, training judges, or drafting a constitution (although some of these activities still continued in Afghanistan, to be sure, particularly once the international military became more engaged in rule of law from 2011). Rather than the first-generation, top-down approach, second-generation practitioners tended to argue that a legitimate rule of law system

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must be driven by a bottom-up, organic process—more attuned to the impact of corruption, a needs-based approach to justice, and community-tailored project interventions.[11]

Perhaps more than anywhere, these new trends in statebuilding practice would be put to the test in Afghanistan. Finding alternatives to the state not only fit with the second-generation rationales but also offered a potential relief to frustrated donors tired of dealing with a difficult and corrupt Afghan state. They also meshed well with the emerging counterinsurgency strategy on the military side, which embraced a bottom-up strategy of addressing the popular and local grievances that were helping the Taliban gain supporters.

Among other strategic pivots, this shift led to a particular reexamination of the rule of law approach in Afghanistan.[12] Donors hoped that reforming their justice strategies and providing more support could not only help fix what was wrong in the justice sector,[13] but that the justice sector might then be able to help curb corruption and rule of law weaknesses that were feeding insecurity and crippling the overall statebuilding effort.

Rule of law assistance was already moving in this direction with the 2006 Afghanistan Compact[14] and the 2007 Afghanistan National Development Strategy,[15] which advocated both justice sector reform and greater funding. Attention toward rule of law then multiplied with the adoption of a counterinsurgency (COIN) strategy in 2009; commander of the International Security Assistance Force (ISAF), U.S. General Stanley McChrystal, argued that to fight the Taliban insurgency, they would have to "promote good local governance, root out corruption, reform the justice sector, pursue narcotics traffickers, [and] increase reconstruction activities."[16] Although there was little empirical evidence that justice institutions would be a safeguard against Taliban encroachment, it became an imperative strategy to improve existing justice institutions and extend their reach (along with governance and development institutions) to contested areas.

Along with the COIN strategy came more resources for rule of law programming. From 2006 to 2010, the budget for the U.S. State Department's Bureau of International Narcotics and Law Enforcement in Afghanistan, whose core mandate includes rule of law components, went from $26.5 million to $328 million.[17] From 2009 to 2010 alone, the USAID rule of law budget doubled to $75 million.[18] Additional funding for rule of law-related activities through military sources, such as provincial reconstruction team funds, are difficult to track and assess but would have increased the total amount significantly. Although the largest donor, the United States was not alone; the European Union, United Kingdom, United Nations, World Bank, and other donors also increased engagement in the justice sector.[19]

The shift was not just in the amount of resources but also how those resources would be spent. In keeping with the new second-generation thinking on rule of law, interest in community norms and legal structures and nonstate approaches to building rule of law increased significantly. Post-2009 justice programming began to reflect an imperative to go beyond the urban elite and government partners in Kabul.

Informal Justice and Community Stabilization

Although there are many aspects of second-generation rule of law programming, the way these new approaches attempted to address failings of the first-generation approach are best illustrated by the projects surrounding justice provision through community-based dispute resolution, often referred to as "informal justice."

As interest in nonstate approaches and legal pluralism increased, research and theories surrounding community-based justice provision gained greater salience with second-

generation rule of law theorists. Research in countries like Sudan and Liberia demonstrated how nonstate or community-based dispute resolution, which applied religious or community codes of behavior, stood in for rule of law where the state was absent or not respected.[20] Second-generation practitioners began to suggest hybrid or pluralistic justice systems—those that incorporated both traditional or customary mechanisms and formal state judiciary processes.

Afghanistan represented a strong case for such a hybrid approach. Rule of law practitioners visiting Afghanistan since 2002 had noted the insignificance of the state justice system vis-à-vis the much stronger and more widespread system of community-based dispute resolution.[21] Tribal or community-based mechanisms known as *shuras* and *jirgas* had dominated dispute resolution across Afghanistan historically. They were perceived as quick, credible, and more trustworthy than formal justice mechanisms.[22] Moreover, because the informal justice system already existed, it promised the quick results demanded by the COIN strategy and timeline.[23]

Informal justice projects proliferated across Afghanistan from 2009 on, typically funded by international donors or coalition military forces and implemented by local or international nongovernmental organizations or development contractors.[24] Projects included research and documentation to understand existing practices, efforts to recognize or develop elements of legal pluralism in Afghan legislation, outreach with elders and dispute resolution leaders to improve awareness about the Afghan state and Afghan law, and the expansion or creation of community-based dispute resolution in many areas to counter or displace "Taliban justice" in contested areas.[25] Other projects included linking community-based dispute resolution bodies with state justice or governance actors, for example, by encouraging referral of cases from the informal to the formal system and enabling local elders or *shuras* to seek recognition or approval from local formal justice or executive actors once a decision had been reached.[26]

Many informal justice projects overlapped with similar bottom-up, nonstate initiatives funded by international donors working in other sectors. These initiatives, for example, included creating district community development councils (CDCs) in the development sector and district community councils (DCCs) in the governance sector[27] and organizing or supporting local militias in the security sector.[28] In practice, at a local level, these various *shura* initiatives all involved the same local actors, making the achievements or consequences of any individual initiative difficult to disentangle.

The focus on informal justice hoped to remedy the failings of the state-centered first-generation efforts by (1) improving legitimacy—greater consideration of community-based justice forums and customary or Islamic law perspectives might address the formal system's lack of popular legitimacy, while linking the discredited and dysfunctional state with service-providing community mechanisms led by respected local actors might improve the state's credibility in hard-to-reach, local areas; (2) addressing corruption—related to the state's credibility issues, community justice mechanisms might play a role in tackling corruption, either by supporting alternatives to the corrupt state mechanisms or by empowering local actors, who might then provide a check on corrupt state actors; (3) addressing access issues and service gaps—supporting justice provision through mechanisms that already existed (i.e., community-based mechanisms) was thought to be faster than building a formal justice system, preventing the Taliban from stepping in to fill the gaps in the meantime.

Each of these three objectives proved difficult to achieve in practice. For instance, informal justice projects that sought to address the Afghan government's lack of credibility by linking them (locally) with respected community actors tended to function only when the local government official in question already had some measure of local power or credibility.[29] In these

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cases, the community-based dispute resolution mechanisms would have likely have sought the government official's input or ratification regardless of an international donor encouraging it. Most of these mechanisms did not take hold in communities and have not outlasted the end of their funding. Meanwhile, efforts to take greater consideration of community or Islamic norms proved controversial from a human rights perspective.[30] While these normative frameworks may have had greater legitimacy with the majority of the population, rights activists argued they did so at the cost of women's and minorities' rights and presented staunch opposition to any state recognition of alternate dispute resolution.[31] Facing these critiques, embracing legal pluralism in Afghanistan was a nonstarter from its inception.

Second, the most significant sources of the Afghan government's credibility problem were widespread corruption and state capture by predatory actors, which second-generation interventions not only failed to address but may have helped spread to previously untainted local levels. Rather than reducing corruption, informal justice projects exposed local, community-based dispute resolution to corrupt practices. For example, encouraging a local *shura*-mediated land dispute to be referred to the local district governor for a stamp of approval or to the local judge for validation frequently resulted in the demand of a bribe or sometimes direct misappropriation of the land in question.

Meanwhile, the build-up of new local community structures and injection of funds into them crowded out traditional community mechanisms and created new opportunities for local capture by predatory actors. Because of the access to and control over the local distribution of foreign funds, CDCs and DCCs became dominant structures locally, crowding out traditional community elders and structures in all areas, including dispute resolution.[32] The government-backed Afghan Local Police or other local militia initiatives also become more engaged in dispute resolution in many areas, overpowering community-based rule of law forums with rule by the gun. The international funds and military support available through such new local structures attracted the interest of local power brokers, many with direct or indirect links back to corrupt state officials.[33] This created incentives for capture and spread corruption to the local community rule of law space, making it less fair than before.

Finally, the second-generation programs did no better at surpassing the fundamental impediment to first-generation programs' successes—that building a justice system or addressing rule of law gaps takes time. In practice, second-generation projects, such as attempting to empower community structures or shift norms, can take as long as first-generation approaches of developing formal institutions. In 2009 and 2010, donors looked to informal justice alternatives to fill gaps in areas where, due to insecurity, the formal sector was weak or nonexistent. However, in reality, community mechanisms tended to also be weaker in areas where the state was weak and for the same reasons.[34] Repeated cycles of conflict—and the resulting death, mass displacement, and property damage—disrupted local, social dynamics and structures, eroding the source of authority for traditional tribal structures or of individual elders.[35] Even where the government reassumed control, tribal structures in many cases did not reassert themselves. The original legitimate, relatively locally accountable community actors and structures had taken generations to form. Resurrecting these community structures would itself be a long-term project and was challenging to begin in an environment in which rule by the gun, corruption, and short-term survival was the prevailing logic.

Even where community structures existed, efforts to change or shape them—for example, by discouraging practices seen to violate human rights or Afghan law or encouraging cooperation with Afghan state actors—tended to take longer than the six-month to two-year

timeline given to most informal justice projects. Establishing relationships or improving rights awareness and protection within informal justice can take as long as building state institutions. This is in part because of the personality-driven nature of informal justice but also because altering or developing informal justice depends to an extent on changing underlying norms and accepted behaviors—the same essential challenge to developing a formal justice system.

Conclusions

The limited impact of informal justice programming offers only one example of a wider trend—that many second-generation programs not only failed to address the first-generation issues but also, in some cases, exacerbated existing problems. This was not necessarily because the second-generation instincts were misplaced. For example, greater attention to community perspectives and demands for justice and efforts to strengthen rule of law beyond formal state institutions were important corrections to an overly state-centric focus of the first generation. However, these innovations did not get at the fundamental issues feeding rule of law weaknesses, which often resided in political decisions beyond the justice sector. In the case of informal justice, the assumption that switching from formal to informal justice actors could bypass or check corruption, or that it could avoid the generational pace of rule of law development, appear particularly misplaced, providing two key lessons for future efforts.

Rule of law interventions alone cannot lead the fight against corruption in the early stages of a justice system's development. The widespread assumption in international rule of law practice is that judiciaries can and should lead the public fight against corruption. This assumption endures despite evidence in many countries that judiciaries in the early stages of development perform poorly in constraining corruption. Although, ideally, the justice system is an independent and neutral forum for resolving issues, in reality, the system is highly influenced by underlying power dynamics, especially if still in development. If leading government actors reject the premise of being bound by the rule of law, and if the structures are occupied by predatory or corrupt actors, then it is highly improbable that any amount of external assistance can minimize those elements via the justice system. Where the main political actors are allowed to prioritize their interests above others with impunity, essentially rejecting a rule of law approach, neither formal nor informal justice actors will be able to constrain them. Tolerating corruption and impunity in higher levels of the Afghan government, or in the security sector, had a much bigger negative effect than any justice programming could ever make up for.

A critical and dispassionate conversation about the realistic time horizons needed for results to take shape is required. The take-away from the equally slow progress in community-based justice development should not be that informal justice approaches should be abandoned simply because they did not deliver a quicker alternative (nor that they should be embraced in other countries on the misguided theory that they will). Building a legal culture requires adequate time, the strategic use of foreign assistance resources, and highly capable and self-critical program personnel knowledgeable about the political economy of the country and of international donor assistance. Currently, the vast majority of rule of law resources are committed to short-term assistance (one to three years), even if that assistance is ineffective in addressing long-term problems and needs. A realistic conversation about objectives and timelines would, in general, help donors make more strategic funding decisions for both formal and informal justice programming.

Whether building formal institutions or gradually changing community norms and practices around women's rights, establishing a functioning rule of law system could take decades and maybe even longer in countries dealing with the legacy of long-term conflicts, atrocities, and injustice. There is no shortcut to justice. In the short term, this can put Western statebuilding practitioners in the uncomfortable position of supporting institutions or individuals that are still neglecting minority rights, increasing inequality, or committing or condoning rights abuses—critiques that could be lodged against both community-based mechanisms *and* formal institutions. This is evident by the dilemma faced in continuing to work with an Afghan government that punishes women from running away from abusive situations, sentences alleged blasphemers to death, or routinely tortures security detainees to coerce confessions. Yet, as disturbing as these official and unofficial acts are, norms and habits do not change overnight; therefore, realistically, the best option is to develop plausible, incremental strategies to address them.

As practitioners approach a "third generation" of rule of law programming and statebuilding in Afghanistan and other countries, how should they incorporate these lessons? Perhaps the solution is not to embrace one type of approach (e.g., second generation) to the exclusion of another (e.g., first generation)—but rather examine which interventions under these two umbrellas have yielded results. Where programming has not appeared to work, the solution may not be to abandon that approach or type of project altogether but rather investigate why the underlying theories and assumptions (not just the implementation of them) failed. Such an inquiry should go beyond factors in the rule of law arena and explore how surrounding political structures and statebuilding choices in other sectors affected rule of law programming.

This kind of deeper reflection on past rule of law programming in Afghanistan may not only result in better choices in rule of law development in the future but may also help guide rule of law development in other contexts. Already among the rule of law development field, programming that took place in Afghanistan is often looked to as a model or at least as the only example where many first- and second-generation theories have been put into practice at such a level. Learning from the successes and failures in the past decade of Afghanistan rule of law development may yet lead to a more balanced, incremental, and ultimately more successful approach in future rule of law development.

> *Perhaps the solution is not to embrace one type of approach…to the exclusion of another… but rather examine which interventions under these two umbrellas have yielded results.*

Notes

1. There are at least five distinct waves of thinking about rule of law post-WWII. See Erik G. Jensen, "The Rule of Law and Judicial Reform: The Political Economy of Diverse Institutional Patterns and Reformers' Responses," in *Beyond Common Knowledge: Empirical Approaches to the Rule of Law*, eds. Erik G. Jensen and Thomas C. Heller (Redwood City, CA: Stanford University Press, 2003), 336–66. But for purposes of this paper and the focus on statebuilding, the rule of law initiatives in Afghanistan are divided into two generations.

2. In Afghanistan, as in other rule of law development contexts, the two generations are not mutually exclusive. Some second-generation activity occurred in the first and significant first-generation activity has continued in the second.

3. Martin Lau, *Afghanistan's Legal System and its Compatibility with International Human Rights Standards* (Berlin: International Commissions of Jurists, 2003).

4. The United States spent approximately $13 million on nonpolice-related rule of law assistance in 2003, the report noted. See International Crisis Group, "Reforming Afghanistan's Broken Judiciary," Asia Report, no. 195 (2010), www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/195%20Reforming%20 Afghanistans%20Broken%20Judiciary.ashx.

5. From 2002 to 2007, USAID allocated $64 million for rule of law support (1 percent of total aid), according to the International Crisis Group. See International Crisis Group, "Reforming Afghanistan's Broken Judiciary," Asia Report, no. 195 (2010), 10 (citing USAID, "Afghanistan: Budget and Obligations," www. usaid.gov/afghanistan/budget-and-obligations).

6. For a broader discussion on peacebuilding trends at this time, see Astri Sukhri, "The Long Decade of State Buliding," in *Managing Conflict in a World Adrift*, eds. Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington, DC: U.S. Institute of Peace, 2015).

7. Surveys suggested that no more than 20 percent of Afghans relied on the formal justice to resolve disputes. See, for example, Leigh Toomey and J. Alexander Thier, "Bridging Modernity and Tradition: Rule of Law and Search for Justice in Afghanistan" (Washington, DC: U.S. Institute of Peace, 2007), www.usip.org/publications/bridging-modernity-and-tradition-rule-of-law-and-search-justice-in-afghanistan.

8. For example, women who fled abusive situations would frequently be prosecuted and imprisoned for "running away," although this crime does not exist under Afghan law and violates basic international human rights principles. See Tim Luccaro and Erica Gaston, "Women's Access to Justice in Afghanistan," Peaceworks 98 (Washington, DC: U.S. Institute of Peace, 2014), 19–20. See also Toomey and Their, "Bridging Modernity and Tradition," which notes the widespread lack of education and judicial training among the judiciary, that 36 percent had no access to statutes, and that 82 percent had no access to Supreme Court decisions.

9. For at least the last forty years, donors have had unrealistic expectations along wholly unrealistic timelines for creating or improving formal legal institutions in countries at earlier stages of development. See David Kennedy, "Laws and Developments," in *Law and Development: Facing Complexity in the 21st Century*, ed. Amanda Perry (New York: Cavendish Square Publishing, 2003), 17–26.

10. Astrid Suhrke, *When Less Is More: The International Project in Afghanistan* (New York: Columbia University Press, 2012).

11. Of course, academic work of previous decades such as Clifford and Hildred Geertz, *Meaning and Order in Moroccan Society* (1979) and Sally Falk Moore, *Law as Process: An Anthropological Approach* (1978) and even work that stretches back to Sir Henry Maine's writing in the mid-nineteenth century is relevant to the second-generation programs that focus on nonstate processes and the evolution and manifestation of norms. Bridging theory and practice in rule of law promotion has always been challenging. Even bridging the accumulation of knowledge between one generation of rule of law practitioners and the next is severely incomplete. And, in any event, a dynamic balance between induction and deduction in the development of programs on the ground is difficult to achieve.

12. See, for example, United Nations Development Programme (UNDP) Evaluation Office, *Assessment of Development Results: Evaluation of UNDP Contribution* (New York: UNDP, 2009), 35, www.oecd.org/countries/afghanistan/46817736.pdf. The UNDP notes that lack of progress resulting from lack of coordination or a coherent strategy are "particularly acute" in the justice sector compared to other sectors. A European Union justice strategy document in 2008 found that of all the sectors, the judicial sector "remains perhaps the one in most urgent need of change." See Gareth Harding, *Afghanistan: Reform of the Justice Sector Programme* (Brussels: European Union External Action, 2008), 25, http://eeas.europa.eu/ifs/publications/articles/rep1/reportage%20vol1_chapter2_afghanistan%20-%20reform%20of%20the%20justice%20sector.pdf.

13. Although the overall tone was critical, by many measures, substantial progress was made in the justice sector in the early years. Courthouses had been renovated or built in urban areas, and even some peri-urban areas, across the country. Hundreds of judges, prosecutors, and legal personnel had been trained. Key justice institutions including the Supreme Court, the Attorney General's office, and the Ministry of Justice had been significantly stood up and strengthened from a fledgling existence in 2002. Hundreds of laws and statutes had been recovered, and ongoing projects to rationalize them with the new 2004 Constitution and subsequent legislation were underway. Critiques may have had as much to do with unrealistic donor expectations as with the legitimate concerns about continuing poor performance and corruption.

14. "Governance Rule of Law and Human Rights," in *The Afghanistan Compact* (London Conference on Afghanistan, January 31–February 1, 2006), Annex I.

15. Ali Wardak, Daud Saba, and Halima Kazem, *Afghanistan Human Development Report 2007—Bridging Modernity and Tradition: Rule of Law and the Search for Justice* (Islamabad: Army Press, 2007).

16. Rajiv Chandrasekaran and Karen DeYoung, "Changes in Afghanistan, Washington May Require Shift in U.S. War Strategy," *Washington Post*, September 21, 2009.

17. Besides the rule of law assistance, this increase in the international narcotics and law budget also supported counternarcotic justice and anticorruption efforts, assistance for the protection of women and girls, and correctional facility development. For more information, see Liana Sun Wyler and Kenneth Katzman, "Afghanistan: U.S. Rule of Law and Justice Sector Assistance" (Washington, DC: Congressional Research Service, 2010), 27.

18. See Suhrke, *When Less Is More*, 216.

19. For a more detailed account of the trends in rule of law funding, see Noah Coburn, "Informal Justice and the International Community in Afghanistan," Peaceworks 84 (Washington, DC: U.S. Institute of Peace, 2013), 35–37.

20. See, for example, Deborah H. Isser, *Customary Justice and the Rule of Law in War-Torn Societies* (Washington, DC: U.S. Institute of Peace, 2011); and Cherry Leonardi, Leben Nelson Moro, Martina Santschi, and

Deborah H. Isser, "Local Justice in Southern Sudan," Peaceworks 66 (Washington, DC: U.S. Institute of Peace, 2010).

21. For an overview, see Coburn, "Informal Justice and the International Community in Afghanistan," 45–46. The Afghanistan Research and Evaluation Unit (AREU) conducted community-based dispute resolution case studies in the Nangarhar, Bamiyan, Kabul, and Balkh provinces. For more information, see www.areu. org.af.

22. See Wardak et al., *Afghanistan Human Development Report 2007—Bridging Modernity and Tradition: The Rule of Law and the Search for Justice*, 9.

23. "[A]s part of the overall counterinsurgency strategy, the International Security Assistance Force (ISAF), the U.S. government, and others have suggested that tangible progress in improving governance and rule of law must be made in the short term (often defined as a twelve to eighteen month timeframe). …Given the shortcomings of the state institutions and the length of time it will take to develop the state justice sector, Western military and civilians leaders have begun to work with informal mechanisms to provide needed short-term services to the population." See Noah Coburn and John Dempsey, "Informal Dispute Resolution in Afghanistan," Special Report 247 (Washington, DC: U.S. Institute of Peace, 2010), 5.

24. For an expansive discussion of different types of international community engagement in informal justice, see Coburn, "Informal Justice and the International Community in Afghanistan."

25. Ibid.

26. See, for example, Erica Gaston, Akbar Sarwari, and Arne Strand, "Lessons Learned on Traditional Dispute Resolution in Afghanistan," Building Peace 3 (Washington, DC: U.S. Institute of Peace, 2013). The piece describes a series of USIP projects that included developing such linkages; see also Coburn, "Informal Justice and the International Community in Afghanistan," 41–42. Coburn describes a large-scale, multiyear project funded by USAID and implemented by Checchi Consulting that significantly involved developing formal justice linkages.

27. Locally elected CDCs funded through the World Bank's Afghan Solidarity Program were rolled out in most areas of Afghanistan. Because they could decide how foreign development funds were spent in local districts, CDCs dramatically reshaped local development and governance dynamics. See Hamish Nixon, *The Changing Face of Local Governance* (Kabul: AREU, 2008), www.areu.org.af/Uploads/EditionPdfs/802E-Changing%20Face%20of%20local%20Governance-WP-print.pdf.pdf. For a general overview of local subnational structures, see Michael Shurkin, *Subnational Government in Afghanistan* (Santa Monica, CA: RAND, 2011), 10–12, www.rand.org/content/dam/rand/pubs/occasional_papers/2011/RAND_OP318. pdf. For more on the creation and impact of these programs, generally, see Frances Z. Brown, "The U.S. Surge and Afghan Local Governance," Special Report 316 (Washington, DC: U.S. Institute of Peace, 2012). For a more critical review of these programs, see Coburn, "Informal Justice and the International Community in Afghanistan," 39–42; and Shahmahmood Miakhel and Noah Coburn, "Many Shuras Do Not a Government Make: International Community Engagement with Local Councils in Afghanistan," Peace Brief (Washington, DC: U.S. Institute of Peace, 2010), www.usip.org/sites/default/files/pb50.pdf.

28. On the security side, efforts to coopt local tribes and armed groups into state-backed community defense structures cycled through a number of different acronyms and projects, each with significant investment and implementation across wide areas of Afghanistan. Most of these were monitored under some auspice of the Afghan security forces structure. For an overview of different community defense or militia development activities, see Rachel Reid, *"Just Don't Call it a Militia": Impunity, Militias, and the "Afghan Local Police"* (New York: Human Rights Watch, 2011), 15–23, www.hrw.org/sites/default/files/reports/ afghanistan0911webwcover.pdf.

29. See, for example, Seth Peavey, *Opportunities and Challenges for Linking Formal and Informal Justice Institutions in Kunduz and Takhar: An Evaluation of the USIP Justice Linkages Project in Kunduz and Takhar Provinces* (Kabul: Cooperation for Peace and Unity, 2012); and The Liaison Office, *Linkages between State and Non-State Justice Systems in Eastern Afghanistan: Evidence from Jalalabad, Nangarhar, and Ahmad Aba, Paktia* (Kabul: The Liaison Office, 2009).

30. Opponents of incorporating or supporting informal justice mechanisms argue that, on principle, Western donors should not be involved in supporting community mechanisms that have a reputation for rights violations, particularly against women. This ranges from disenfranchisement of minorities in communities to trading women or boys as barter for resolving disputes, to (in extreme examples) enforcing stoning for adultery or other perceived crimes. Many argue that even if state mechanisms are also supported, supporting a parallel, nonstate structure detracts from the long-term project of achieving a positive, rights-based rule of law framework.

31. An example of this was the role of women's rights and human rights groups in defeating proposals to develop a formal policy on the relationship between formal and informal justice actors. See Coburn, "Informal Dispute Resolution in Afghanistan," 21–23.

32. For more on how these quasi-government structures affected other local dispute resolution, see Gaston et al., "Lessons Learned on Traditional Dispute Resolution in Afghanistan."

33. CDCs originally had only a development focus, but because they controlled development funds, many took on conflict resolution in practice (enabled by the prominent role that their control over development funds gave them in communities), while the DCCs had dispute resolution and rule of law engagement as a core part of their mandate from conception. For more on the differing mandates, see Shurkin, *Subnational Government in Afghanistan*, 11.

34. See Coburn and Dempsey, "Informal Dispute Resolution in Afghanistan," 3; and Gaston et al., "Lessons Learned on Traditional Dispute Resolution in Afghanistan."

35. In some areas, tribal elders have been deliberately assassinated or threatened by the Taliban or other insurgent groups to prevent competition for authority or their ability to shift support to the state. See The Liaison Office, *Building Dispute Resolution Institutions in Southern Afghanistan* (Kabul: The Liaison Office, 2011), 15–28.

Macroeconomic and Public Financial Management in Afghanistan

WILLIAM A. BYRD

Introduction

In addition to challenging political and security transitions, Afghanistan faces daunting economic problems, including slow growth, high unemployment, weak private investment, and low government revenues. The 2014 presidential election—Afghanistan's first without an incumbent on the ballot—led to a prolonged and difficult political transition to a new administration.[1] This political change was juxtaposed with the transfer of combat responsibilities to Afghan National Security Forces (ANSF) as the United States and other international partners drew down their military forces in 2014. The security situation remains volatile, especially with the Taliban's resurgence in 2015, as exemplified by their brief takeover of the provincial capital of Kunduz. Although the ANSF has not been defeated, it is incurring heavy, probably unsustainable casualties, and serious deficits in air support and other key "enablers" are evident.

The National Unity Government (NUG), in addition to serious political challenges, came into office facing a weak economy and a fiscal crisis.[2] Although the NUG agreement,[3] as well as the government's paper for the London Conference on Afghanistan[4] in December 2014, embodied strong policy statements and a general determination to move ahead, the complex formal political arrangements of the NUG constitute an obstacle to reforms and day-to-day political management. Moreover, the NUG agreement's political agenda is ambitious and its implementation is proving contentious, further absorbing political attention. In this challenging political and security context, the economy will continue to demand attention and, if things get worse, could have political ramifications.

In this light, it makes sense to analyze economic management experiences in Afghanistan since 2001 and gauge their relevance in the current environment. While significant progress has been made in economic management—particularly in macroeconomic and public financial management (PFM)—the progress has been variable, with some backsliding in recent years and signs that certain areas of success may be unsustainable. Important lessons can be learned from both the successes and failures to date, especially where there are common contributing factors. Understanding the implications of these lessons will be important for overcoming the limitations and obstacles to further improvements in macroeconomic management and PFM.

Overview of Macroeconomic and PFM Performance

The overall picture for macroeconomic and PFM performance is positive (see Table 1). Economic growth has been rapid (an average of 9 percent per year) amidst large year-to-year fluctuations, and average per-capita income has risen sharply. Inflation has been contained, though it is suffering from volatility as a result of fluctuations in international food and energy prices. The exchange rate has been relatively stable following the successful currency reform of 2002/03.[5] Afghanistan's international reserves grew to more than $7 billion, equivalent to nearly eight months of imports—a good cushion against external shocks that many other countries lack.

However, growth has not been inclusive following the early agricultural and postconflict recovery. Between 2007/08 and 2011/12, consumption inequality increased slightly, and the proportion of Afghanistan's population below the poverty line barely changed.[6]

Moreover, some achievements are unsustainable. A sharp slowdown in economic growth began in 2013/14 and continued in 2015. The slowdown can be attributed to several factors, including the reduction in international military expenditures as a result of the drawdown of foreign troops, uncertainty over the transition and loss of confidence over the delay in signing the Bilateral Security Agreement (BSA) with the United States, the election process and its convoluted outcome, and the volatile security situation and outlook. Low economic growth, despite the relatively good agricultural performance over the past three years, highlights the vulnerability of the macroeconomy to further shocks. A poor agricultural harvest, substantial worsening of the security situation, or a political breakdown could easily send economic growth into negative territory.

For some economic and fiscal variables, the pattern has been one of substantial progress followed by stagnation or backsliding. The most notable example is Afghanistan's budgetary revenue. During most of the period from 2001 to 2011/12, revenue grew rapidly, peaking at 11.6 percent of the gross domestic product (GDP) (higher than Pakistan's corresponding ratio and Iran's non-oil revenue to GDP ratio), but subsequently, it has stagnated in nominal terms, dropping sharply as a share of GDP to 8.7 percent by 2014 (see Table 1).

Public Financial Management: An Unambiguous Success Story

PFM—which refers to the budgeting, allocation, spending, accounting, and auditing of public funds—is a foundation of government functionality, policymaking, and accountability. This has been an area of outstanding, sustained progress. Based on the World Bank's Public Expenditure and Financial Accountability (PEFA) assessment of the country's PFM status as of the end of 2012, Afghanistan compares favorably with countries that in other respects are much better off and far exceeds other fragile or conflict-affected, low-income countries. PFM improvements—and associated confidence that budget funds are properly accounted for and are spent for stipulated purposes with credible financial controls—have enabled large increases in aid to be channeled through the Afghan budget. Starting from low levels in the early post-2001 period, total on-budget aid exceeded 14 percent of GDP in 2013 and approached 16 percent of GDP in 2014, with further increases expected as more security costs are shifted onto the budget.

Moreover, nonprojectized on-budget aid, comprising funds not earmarked for specific development projects or programs, and over which the Afghan government has control within the parameters of its budget, approached $2 billion (over 9 percent of GDP) in 2013 and

Table 1: Summary of Macroeconomic and Public Financial Management and Performance

Broad Area	Indicator	Performance	Comments
Economic Growth	Average annual real GDP growth	9.1% per annum during 2003/04–2010/11; low recently: 3.7% in 2013, 1.3% in 2014, projected at 1.3% in 2015	Economic growth rapid but volatile, unsustainable; early agricultural and postconflict recovery, then huge aid
	Average per capita income	Rose from $186 in 2002 to $689 in 2012	Incomes have risen rapidly with GDP growth
	Inequality of average per capita consumption	Gini coefficient rose modestly from 29.7 in 2007/08 to 31.6 in 2011/12	Consumption-based indicator understates income inequality
	Poverty ratio	33% in 2005 (survey covered summer only); 36.3% in 2007/08; 36.5% in 2011/12	No change from 2008 to 2012 despite rapid GDP growth
Inflation	Average annual consumer price index increase	Inflation fell sharply after 2002/03 currency reform; currently, it is negligible due to the weak economy	Inflation mostly single-digit; volatility due to international food, energy prices
Foreign Exchange Management	U.S. dollar exchange rate	47.8 in 2011/12; 57.4 in 2014; 60.8 in July 2015 (average during each year)	Remarkably stable, with only modest depreciation recently
	Gross reserves (foreign currency plus gold)	$7.4 billion in 2013, 2014, and 2015 (equivalent to about 8 months' imports)	Rapid growth during 2002–12, based on high aid; good cushion
International Trade	Exports of goods	$0.7 billion in 2013, $0.8 billion in 2014; projected at $0.8 billion in 2015	Exports anemic (but significant unrecorded exports)
	Imports of goods	$9.2 billion in 2013, $8.9 billion in 2014; projected at $8.8 billion in 2014	High imports funded largely by aid inflows
	Trade deficit	> 40% of GDP currently	Large, financed by aid
Revenue Mobilization (2002–11)	Ratio of revenue to GDP	3% of GDP in 2002/03; rose to 11.6% of GDP in 2011/12	Rapid revenue growth, ratio above Pakistan, Iran (non-oil)
	Revenue as % of recurrent expenditures	Reached 66.5% in 2011/12—covered nearly two-thirds of recurrent spending	"Fiscal sustainability ratio" rose progressively over time

Table 1 (continued)

Broad Area	Indicator	Performance	Comments
Revenue Mobilization (2011–14)	Ratio of revenue to GDP	Dropped to 9.7% of GDP in 2013, 8.7% in 2014	Three percentage point drop, stagnation in nominal terms
	Revenue as percent of recurrent expenditures	Dropped to 55.2% in 2013, 43.8% in 2014	Considerable backsliding from earlier progress
Other Fiscal Aggregates	Total core budgetary expenditure	Reached 24.6% of GDP in 2013 and 26.2% of GDP in 2014	This is comparable to budgets in other low-income countries
	Core fiscal gap	14.9% of GDP in 2013 and 17.5% in 2014	Extremely large, financed almost entirely by aid
	Aid through core budget (including projectized)	14.4% of GDP in 2013 and 15.7% of GDP in 2014	High compared to most other countries
	Nonproject on-budget aid	9.3% of GDP in 2013—around US$2 billion of fungible budget funds; 10.3% in 2014	ARTF recurrent window, LOTFA, direct budget support; extraordinarily high
PM Improvements	Total core budgetary expenditure	Reached 24.6% of GDP in 2013 and 26.2% of GDP in 2014	This is comparable to budgets in other low-income countries

Sources: World Bank Afghanistan Economic Update, October 2014 and April 2015; World Bank Afghanistan Development Update, October 2015; World Bank Transition Economics Update, November 27, 2014; World Bank, Afghanistan: Emerging from Transition (presentation for Senior Officials Meeting, September 4–5, 2015); Afghanistan Ministry of Finance, Fiscal Bulletin Month 12 1393 (2014); World Bank, Poverty Status in Afghanistan, July 2010; Central Statistics Organization, National Risk and Vulnerability Assessment, 2011–2012; author's calculations.

increased to more than 10 percent of GDP in 2014—an extraordinary achievement only made possible by the major improvements in PFM institutions, processes, and capacity.[7] While on-budget aid has comprised a relatively small proportion of total civilian and security sector aid to Afghanistan (total aid peaked at around 100 percent of GDP in 2011/12 before dropping to below half that level in recent years), Afghanistan nevertheless has achieved extraordinarily high levels of on-budget aid in absolute terms compared with other postconflict and conflict-affected countries.

Within this overall picture of sustained progress, some issues are apparent. The pace of improvement was rapid in the early post-2001 years but has slowed down in recent years, with signs of modest backsliding in some areas since 2012.[8] And the credibility of the budget remains weak compared to other PFM indicators. While raising concerns, these issues do not detract from the impressive progress made since 2002.

Successes in the PFM area can largely be attributed to the reasonably well-aligned incentives of key actors, catalytic initial investments and actions, and dynamics set in motion that favored increases in on-budget aid and PFM improvements over time.

2002–03 Currency Reform:
Not Listening to the IMF, in the National Interest

By 2001, following hyperinflation during the 1990s, Afghanistan's currency was almost valueless—the largest note worth less than $0.25. The Afghan government, led by the Minister of Finance with the Governor of the Central Bank (Da Afghanistan Bank—DAB), decided that a new currency was essential for national sovereignty and macroeconomic stability and went ahead with a currency reform despite initial advice from the International Monetary Fund (IMF) to go instead with dollarization. Subsequently, international advice was to engage an expensive consulting firm to implement the currency reform, but the government decided to rely on the *hawala* (informal financial transfer) system to collect the old currency and exchange it for new notes.

This was inevitably a chaotic and messy process—not least because considerably more of the old currency appeared than had been thought to exist. The difficult decision was made to exchange this extra currency (some of which consisted of large amounts of brand new bills in shipping containers), even while recognizing that doing so would provide a further windfall to the powerholders who had control over it. Inventory control and disposal of the enormous number of old notes posed logistical difficulties. Nevertheless, the currency reform was completed during October 2002 to January 2003. The new Afghan currency quickly built up credibility and provided a sound foundation for macroeconomic management. This is an example where success was achieved by the Afghan government charting its own path, making use of existing local capacity, and taking a practical approach in implementation rather than striving for illusory perfection.

The No-Overdraft Fiscal Rule: Right for its Time

The Afghan Ministry of Finance (MOF), in this case with full IMF support, instituted from the beginning a strict policy of not resorting to domestic deficit financing (i.e., not borrowing from or running a negative deposit balance or overdraft vis-a-vis the DAB). This sent a welcome signal of fiscal self-restraint and buttressed the credibility of the Afghani. The no-overdraft policy was feasible during the post-2001 decade, when both domestic revenues and aid channeled through the Afghan budget were rising rapidly. Once deposits with the DAB were built up, managing cash flow within each year by drawing down or increasing DAB deposits was possible. Moreover, the usual trade-off that fiscal tightness, by reducing aggregate demand, might lead to lower economic growth was not in play, since the economy was growing rapidly, fuelled first by the initial agricultural and postconflict recovery and then by massive international military expenditures and large amounts of aid.

However, in recent years—with the economy in recession, revenue stagnating, expenditure pressures worsening, international military spending sharply falling, and aid beginning to decline—the disadvantages of the no-overdraft policy came to the fore, particularly in terms of dampening aggregate demand in an already weakening economy. In 2014, the government ran a small domestically financed budget deficit of 1.7 percent of GDP by running down deposits at the DAB.[9] With those deposits now reduced to very low levels, maintaining small deficits would require some form of borrowing or overdraft from DAB. But whatever deficit policy may make sense now,[10] the no-overdraft policy certainly played a useful role in the early post-2001 years.

The Kabul Bank fiasco illustrates how a confluence of greed, readily available resources for looting, and high-level political connections protecting those involved gave rise to a "perfect storm" and worst-case outcome.

Strong Monetary and Foreign Exchange Management, but Weak Bank Supervision

The DAB presents a mixed picture: On the one hand, macroeconomic management, using rudimentary instruments (notably regular auctions of foreign currency in the Kabul market), has been effective in controlling the money supply and stabilizing the foreign exchange rate, limiting inflation, and building up sizable foreign currency reserves. On the other hand, weak supervision of private banks was a contributing factor to the massive fraud and theft amounting to close to $1 billion in the politically connected Kabul Bank. Perhaps most fundamentally, the Kabul Bank fiasco illustrates how a confluence of greed, readily available resources for looting, and high-level political connections protecting those involved gave rise to a "perfect storm" and worst-case outcome. While other Afghan private banks, though much smaller than Kabul Bank, also carry vulnerabilities and risks of failure, those risks relate more to concentrated and potentially bad investments rather than the kind of outright fraud and theft seen in Kabul Bank.

The establishment of around a half dozen Afghan private banks, initially seen as one of the post-2001 success stories, was based on a new banking law designed with international technical assistance. However, as information emerged in 2010 about the massive fraud and theft at Kabul Bank, it became clear that the bank was a serious threat to macroeconomic and fiscal stability, severely damaging the credibility of the Afghan government. Despite great international pressure, efforts to hold the principals of Kabul Bank criminally or financially accountable faltered.

The reasons for and ramifications of the Kabul Bank crisis have been recounted in detail elsewhere, most notably in two publicly available reports by the Joint Monitoring and Evaluation Committee.[11] Some contributing factors include, first and foremost, the combination of high-level political connections and an aggressively expanding private bank with large and growing deposits (partly facilitated by Kabul Bank's role in handling the payment of salaries into government employees' bank accounts). This led to politicized decision making, as well as serious risks of fraud and theft with political protection. A fundamental problem was that close associates and relatives of top political leaders were serving as principals and shareholders of a private bank.

Second, technical assistance and capacity building provided to the DAB, though significant, did not offset these powerful political forces. Nor was having a good banking law on the books a meaningful deterrent.

Third, the early warnings of problems at the Kabul Bank were not heeded. By the time the huge extent of the losses became apparent, it was already too late to engage in prevention. Recovering stolen funds has subsequently been an uphill battle, although the current Afghan administration has tried to reenergize this effort, including by reopening legal cases against the principals of Kabul Bank.

Fourth, the narrow institutional objectives and incentives of donors and international financial institutions (IFIs) were not closely aligned with the financial probity of Afghan private banks. Their own money was not directly at risk (although when the Afghan government had to step in and fill the "fiscal hole" created by the Kabul Bank failure, donor funds were indirectly affected given the fungibility of the budget). And for the IFIs, hands-on oversight of private banks was not part of their mandate or normal business, unlike public financial management. Thus, there were no strong institutional incentives at play on the international side to prevent the Kabul Bank disaster.

And finally, in retrospect, the early focus on restructuring and privatizing Afghanistan's handful of public sector banks seems misplaced. These fairly small banks (most of them virtually defunct) did face management problems and posed potential fiscal risks, but nothing like Kabul Bank as its deposits grew to a peak of $1.3 billion. Moreover, despite considerable efforts and associated conditionality, progress reforming the public sector banks was slow, while in the meantime, Kabul Bank was incurring major systemic risks, resulting in a worst-case outcome.

Customs Revenue Captured by the Government, but Worsening Systemic Corruption

In late 2001, customs facilities at Afghanistan's border crossings were controlled by regional powerholders, who prevented customs revenues from accruing to the national budget and instead appropriated them for their own use. The MOF made recapturing these revenues an early priority and was successful over several years through a combination of pressure, moral suasion, and, in some cases, transfer of the powerholders concerned to other positions. As a result, once received and booked, customs revenues entered the government's single treasury account and become resources for the national budget, with associated PFM protections. This major accomplishment contributed to the rapid growth of total budget revenues to a peak of 11.6 percent of GDP in 2011/12, representing an impressive average rise of around one percentage point of GDP per year from 2002 to 2011/12.

Unfortunately, especially since 2011/12, apparently worsening corruption in the MOF Customs Department has resulted in major losses of potential revenues. Although the decline in customs revenues can partly be explained by the slowdown in economic growth and lower dutiable imports, corruption also has been a considerable factor. Widespread reports and accounts (including interviews with current and former customs officials) indicate that corruption in the department has become organized and pervasive. Moreover, other government officials and regional and local powerholders in the border crossing areas appear to be systematically involved as well. The sheer volume of resources collected at a small number of border processing points and international airports make these revenues an attractive target for corruption.

Different Approaches and Results Across Other MOF Departments

The MOF is by all accounts a relatively effective and institutionally developed government agency in the Afghan context, led by well-qualified, effective management teams throughout the past dozen years, with demonstrated strong performance notably in terms of PFM. Nevertheless, performance has varied across the main departments within the ministry.

The Treasury Department arguably has been the most successful among MOF departments. It was the locus of initial efforts in 2002 to jump-start payments, computerization, and accounts, with international capacity brought in to assist. Within a few years, the unreformed MOF Accounting Department was absorbed into the Treasury Department, which consolidated early achievements and helped pave the way for further PFM improvements. Reforms built on the existing accounting framework (dating from the 1960s), rather than trying immediately to revamp and modernize it. As a result, civil servants in the department were more readily able to learn and implement computerized approaches based on concepts they were already familiar with. In contrast to some other departments, capacity was developed to a large

The low political exposure and visibility of the work of the Treasury Department gave it an overtly "technocratic" ethos, which facilitated improvements in public financial management performance.

extent by building the skills of civil servants rather than only bringing in high-paid Afghan professionals in noncivil service positions (the so-called "second civil service"). The low political exposure and visibility of the work of the Treasury Department gave it an overtly "technocratic" ethos, which facilitated improvements in PFM performance.[12] And finally, early PFM efforts at the department helped minimize vulnerabilities to corruption; and by all indications, actual corruption has been limited.

The Budget Department presents a somewhat different picture, although considerable progress has been made in improving technical aspects of the budget process. Annual budgets are properly formulated and generally have been promulgated on a timely basis at the beginning of each fiscal year (a basic PFM standard in the PEFA indicators), and budget preparation has become increasingly systematic over time. However, the budget is inherently a political instrument (from 2006 onward, subject to approval by the elected legislature), and understandably, the more political parts of the budget process have proven challenging to effectively operationalize. Moreover, the Budget Department and staff appear to have been overloaded with reforms introducing somewhat advanced processes, such as program budgeting, which have fallen short of achieving their objectives and may have detracted from the department effectively fulfilling more basic budget functions. And finally, capacity in the department has been developed largely by bringing in outside Afghan professional expertise in high-paid, noncivil service positions that will be more challenging to integrate into core civil service capacity.

In 2005, the MOF's Internal Audit Department was given the responsibility to oversee internal audits in all ministries, as stipulated in the Public Finance and Expenditure Management Law (PFEML). However, this mandate was challenged by the comptroller and auditor general (head of Afghanistan's supreme external audit body), who considered internal audits to be under the purview of his office. Reflecting this view, an amendment to the PFEML in 2012 prevented the MOF Internal Audit Department from auditing other ministries. Thus, although solid capacity existed in this department, with a sizable cohort of trained auditors, this capacity could not be utilized to its full potential.

Ingredients of Success in Public Financial Management

What were the ingredients of sustained progress in PFM? First, the incentives for key actors involved—the Afghan government (primarily the MOF), the World Bank (administrator of the Afghanistan Reconstruction Trust Fund—ARTF),[13] and bilateral donors—were reasonably well-aligned. The narrow institutional objectives of these actors and the constraints they faced, though distinct, pushed them in the same direction, especially via the ARTF financing mechanism. The government wanted more funds to go through the Afghan budget, under its control; this was seen as critically important, not least for paying government employees' salaries at the beginning, which had been paid only intermittently during the Taliban period (1994–2001). The World Bank's objective of delivering substantial aid to Afghanistan (both directly and through the ARTF) required that such aid go through the budget and be executed by the Afghan government, as per the bank's institutional rules. Bilateral donors were interested in supporting development and stabilization priorities but were largely reluctant to channel their aid through the Afghan budget, reflecting fiduciary as well as legislative constraints in their capitals. Progress toward the institutional objectives of all three main actors was made, and the constraints the actors faced were eased, by establishing sound PFM systems and improving them over time. Initially, PFM improvements occurred through bringing in donor-funded,

foreign capacity to work for the Afghan government, but over time, Afghan institutional and human capacity increased.[14]

Second, financial investments and enabling factors were instrumental in achieving initial success and subsequent progress. As early as April 2002, the World Bank initiated a series of projects to fund the development of PFM systems and capacities in the MOF. The World Bank also covered the initial administrative costs of the ARTF. An up-front grant of 35 million Euros from the Netherlands, along with contributions from the United Kingdom, enabled the fund's start-up. Other donors, with a generally supportive albeit more cautious attitude, slowly started contributing to the ARTF in significant amounts, and eventually, "flocking to success" became evident as contributions snowballed to high levels. Rapidly growing aid flows through the fund generated rising management fees (even though relatively low as a percentage of ARTF disbursements—ranging from 3 percent initially to a low of 1.5 percent at different times), which supported high-quality management and administration of the ARTF as well as project preparation.

Third, policy actions and sustained management attention were important factors. PFM reforms initially relied on Afghanistan's existing accounting system (which facilitated rapid uptake by government officials already familiar with that system) and on the existing legal framework dating mostly from around the 1960s. Later, when new laws were introduced, such as the PFEML, they were tailored to Afghanistan's circumstances and needs and could be understood locally. Senior officials in both the MOF and World Bank prioritized the ARTF, and early on, the World Bank stationed senior financial management staff in Kabul to provide hands-on support. Finally, donors proactively supported the fund, participating in the ARTF Steering Committee, conducting reviews, and demanding adequate financial controls, reporting, and accountability.

Fourth, aligned incentives along with key actors' initial investments and projects set in motion strong dynamics fostering progressive increases in on-budget aid and further PFM improvements over time. Aid money channelled through the national budget via the ARTF entailed requirements for documentation and accounting of funds spent, which in turn, meant that effective PFM systems, processes, and checks and balances had to be put in place. Learning by doing characterized the early post-2001 years, leading to better PFM implementation, declining fiduciary risks, improving PFM indicators, acceptable audit reports, and so on. Increasing confidence that on-budget funds were being spent well and that fiduciary risks were contained encouraged donors to provide more funding through the ARTF, building a virtuous cycle that delivered sustained increases in on-budget aid—progressively improving PFM processes and outcomes (as demonstrated by respectable and improving PEFA indicators for 2005, 2008, and 2012)—and positive development outcomes for national programs supported by the fund and other on-budget aid.

Finally, the ARTF has demonstrated considerable flexibility as a coordinated financing instrument, further increasing both its attractiveness to donors and its impact. The ARTF Incentive Program,[15] instituted at the end of 2008, consisted of (1) a gradually declining baseline of fund reimbursements for the recurrent budget—signalling that as Afghanistan's domestic revenue increased, underlying dependence on the ARTF would fall over time; (2) linking higher ARTF recurrent budget reimbursements to a combination of revenue performance and stipulated progress on agreed policy reforms; and, more recently, (3) an Operations and Maintenance (O&M) facility to incentivize increases in O&M spending and improvements in fiscal flows to provinces. The program has worked well and represents a good-practice innovation, building on the ARTF's earlier success.

LOTFA's Lack of Success Compared with the ARTF

The Law and Order Trust Fund of Afghanistan (LOTFA), administered by the United Nations Development Programme (UNDP) and mainly used to pay police salaries, has not performed as well as the ARTF. While security expenditures raise particular challenges, the problems of LOTFA appear to go beyond such issues. Although the fund has grown over time, with the size of the Afghan National Police increasing and their wages rising, LOTFA has long been plagued by weak management and lack of oversight.[16] There have been longstanding concerns about the lack of control over payroll and verification, as well as outright corruption; in 2012, long-term procurement fraud involving LOTFA and UNDP staff came to light, which damaged the fund's credibility.[17] Afghan President Ashraf Ghani's request that management of police salaries be transferred from LOTFA to the Afghan government (not yet implemented at the time of writing) reflects a broader perception that the fund has not performed well.

The incentives for key actors involved in LOTFA do not appear to have been aligned in favor of strong fiduciary standards and financial controls. The Ministry of Interior (MOI), responsible for the police, has remained largely unreformed. Moreover, the de facto segregation of police funding through LOTFA from the civilian budget (which was partly funded through the ARTF) reduced pressures on the MOI to improve and may have weakened the linkage between PFM performance and payments from LOTFA. PFM was not a core area of expertise for the UNDP, and outside PFM expertise was not employed in the early years to remedy this deficiency for LOTFA. Even though police salaries accounted for the overwhelming bulk of fund expenditures (and associated management fees paid to UNDP), getting the nuts and bolts right—ensuring that funding for police salaries was appropriately utilized and properly documented with a reasonable degree of oversight—did not appear to be a top priority early on. And, at least initially, LOTFA donors did not seem to prioritize holding the UNDP and MOI accountable for PFM performance—perhaps because they were more concerned with the quantitative expansion of the security forces and only secondarily about PFM performance in the security sector. In recent years, bilateral donors (and their audit bodies, such as the U.S. Department of Defense Inspector-General and the Special Inspector General for Afghanistan Reconstruction) have been much more vocal about the need for effective financial controls to prevent corruption in the security sector. A salient lesson is that such concerns need to be prioritized from the beginning.

Contributing Factors to Progress or Lack Thereof

Broader contributing factors to progress, or lack of progress, in the field of macroeconomic management and PFM have included the following:

Afghan leadership and management. A consistent theme since 2002 is that development progress has been greater when the responsible Afghan government institutions have had strong leadership and management teams, and more limited when they have not—irrespective of the level and quality of international support.[18] The starting point was usually a qualified minister with a technically qualified, effective Afghan management team, who developed a vision for the sector and operationalized and implemented well-designed programs for the Afghanistan context. Foreign advisors were often involved in program design but operated under the leadership of Afghan management teams in the ministries concerned. Donors did not drive the process, but as program implementation got going and achieved initial results, they increased their funding. The macroeconomic management and PFM spheres have been

no exception to this general pattern; both the MOF and, perhaps to a slightly lesser extent, DAB have had relatively strong senior management teams.

Resources and vulnerabilities to corruption. Progress was greater when an institution or department did *not* handle large amounts of resources (e.g., in the case of monetary and exchange rate management), especially if protections were in place to make corruption more difficult. In some cases (e.g., PFM), early actions were able to offset vulnerabilities to corruption when the amounts of money involved were still relatively small. At the opposite extreme, Kabul Bank, with large deposits and inadequate oversight, represented an enormous opportunity for theft and fraud. Customs revenues have offered another major target for corruption. The huge amounts of international military spending and off-budget aid during the "surge" period represented an extremely lucrative target for corruption and probably contributed indirectly, at least to some extent, to the shielding of on-budget expenditures from the most serious vulnerability to corruption. But in recent years, as international military spending and off-budget aid have declined, the relative attractiveness of budgetary revenues and expenditures for corruption might have increased.

Political exposure. Progress tended to be easier when activities were overtly "technical" and did not attract much political attention (e.g., macroeconomic management and nuts-and-bolts PFM). Sometimes political imperatives aligned reasonably well with technical achievements— for example, in the case of reforming the currency and maintaining a stable exchange rate for the Afghani, where considerations of national sovereignty came into play. On the other hand, where the political profile was higher, especially when intertwined with high-level political interests reaping financial benefits, not only was progress slower, but there was a risk of disastrous outcomes (e.g., the Kabul Bank crisis).

Windows of opportunity. A window of opportunity for reforms existed in the first several years following the downfall of the Taliban regime in late 2001. This is not surprising; similar phenomena are observed in other countries—even in a much more normal situation, there is often a "political honeymoon" for a new government coming into office. So much more so in Afghanistan where the 2001 intervention was widely seen as a major turning point, providing a great opportunity for change—a "golden moment" for a country thought at the time to be entering a postconflict phase. The situation was fluid; the Taliban regime was defeated and thoroughly discredited, and the elite powerholders who came back after being pushed out by the Taliban in the 1990s were not yet fully entrenched and probably were uncertain about their prospects. Moreover, their political preoccupations were mainly over the key security agencies— the defense and interior ministries and the National Directorate of Security (intelligence)— whereas the MOF and DAB were not yet on the political radar (though the MOF assumed increasing importance over time).

Reforms and good practices put in place soon after the 2001 regime change had much greater prospects of being successful and sustained (if the enabling conditions were in place) than those attempted later in the face of more entrenched political headwinds.[19] This is evident in the case of national development programs: Those that were developed and implemented early on had greater prospects for success (e.g., the Basic Package of Health Services and the National Solidarity Programme). In addition to effective Afghan leadership of the Ministry of Communications, early reform efforts in telecommunications contributed to the success achieved in this sector. On the other hand, progress was much slower for civil aviation, where early reform efforts stalled and leadership was weaker—even though it is a sector, like telecommunications, where international experience demonstrates that rapid, private sector-based development is possible.

Progress was greater when an institution or department did not handle large amounts of resources…especially if protections were in place to make corruption more difficult.

Incentives and dynamics. Sustained progress was achieved when the objectives and incentives of the main institutional actors were fairly consistent and well-aligned and when positive dynamics were set in motion to achieve sustained progress over time. Examples include on-budget international aid, primarily through the ARTF, and improvements in PFM. Taking informed risks that started a virtuous cycle was extremely important (e.g., when a proactive donor made an up-front, sizable contribution to the ARTF, without waiting for everything to be in place or for demonstrated results). The relatively simple design of the ARTF, its flexibility to expand and evolve over time, and the priority it received from the World Bank as ARTF administrator were all conducive to sustained progress, resulting in the ARTF mobilizing a cumulative total of nearly $9 billion of on-budget aid during 2002–15.[20]

In other areas, however, incentives and dynamics were not conducive to sustained success or were even inimical to progress. Prominent examples include the MOF Customs Department (sizable resources to plunder and high vulnerability to corruption), the DAB's private bank supervision (high-level political connections of Kabul Bank, which led to massive theft and fraud), and the poor performance of LOTFA (unreformed Ministry of Interior, weak incentives in the main entities involved to pursue PFM improvements).

Limitations and Obstacles

Afghanistan's experience has also shown the limitations and obstacles to sustained progress in macroeconomic management and PFM.

The limits to technocratic reforms. Technocratic reforms and development programs can significantly contribute to progress, but only if there is political space for this to happen. In areas that inherently have a strong political dimension (e.g., certain parts of the budget process) progress has been slower. Moreover, the political space for more technocratic reforms arguably has narrowed in recent years.[21] While the macroeconomic management and PFM spheres tend to be less vulnerable to the narrowing of political space, they are not entirely exempt.

Increasingly entrenched and pervasive corruption. One major obstacle has been corruption. While corruption has been avoided or curtailed in some institutions and processes—effectively creating relative "islands of integrity"—overall, it appears to have become more pervasive over time, reflecting the following:

- *Huge inflows of resources vulnerable to corruption*, in the form of in-country international military expenditures and off-budget aid, which peaked during the "surge" period at tens of billions of dollars per year—well exceeding Afghanistan's GDP.

- *Rising government revenues*, which as they increased over time became lucrative targets for corruption—particularly customs duties but also other tax and nontax revenues.

- *Enhanced government functionality and regulatory and service delivery roles*, which has provided scope for bribes and favors; government procurement and mining contracts, for example, are highly vulnerable to corruption.

- *Entrenchment of patronage networks and lack of high-level political checks against corruption.*

As corruption becomes more entrenched in general, it might be increasingly difficult to maintain islands of integrity, such as for core PFM functions. Thus, the government must urgently work to reverse corruption trends and make inroads against its most damaging forms.

From too much money to perhaps too little, resulting in primarily negative PFM incentives. Increasing availability of aid in the first half of the post-2001 period, albeit much more modest than later during the surge, generated important positive incentives for the

Afghan government and other actors. While there were negative sanctions tied to financial requirements for ARTF reimbursements and ARTF contributions, these functioned within an overall environment of increasing on-budget resources, where good performance of development programs and improvements in PFM led to more aid funding. In the current fiscal squeeze, with declining aid and the need to protect security sector expenditures and other basic spending (e.g., on civil servants' salaries), it is questionable whether the associated predominantly negative incentives in place can further stimulate PFM improvements.[22] A related question is whether negative incentives in the current environment can be credible, when they might result in, at the extreme, nonpayment of government salaries.

Challenges of macroeconomic management under severe resource constraints and with slow economic growth. Good macroeconomic management in Afghanistan since 2001 was facilitated by large inflows of resources: aid, fiscal support, and foreign exchange. Rapid economic growth fuelled by these inflows meant that difficult trade-offs in macroeconomic and fiscal management could be avoided. This does not detract from the achievements of macroeconomic management during this period; avoiding major mistakes on the macro front is important in any country and never should be taken for granted. However, with the current low-growth environment, fiscal crisis, and exchange rate depreciation, macroeconomic management by the MOF and DAB will be more difficult. They will need to better prioritize fiscal expenditures, mobilize more revenues without major recessionary consequences for the private sector, and determine how to jump-start economic growth.

Main challenges to further progress in Afghanistan's public financial management. Some broader challenges could not only inhibit but also reverse PFM progress. These include

- *Stagnation of revenue*—this has worsened the outlook for fiscal sustainability and may at some point undermine donor support for on-budget aid—not least if it is perceived that such aid reduces the government's incentives to mobilize more revenue.

- *Enormous availability of off-budget funds during the surge period*, which may have diluted some of the positive incentives supporting PFM improvements.

- *Significant ineligible expenditures submitted to the ARTF for reimbursement*—as much as 20 percent of payroll and close to 60 percent of nonwage O&M in recent years—have been found by the ARTF's external monitoring agent to be ineligible for reimbursement by the ARTF. This does not mean loss of donor money, but it is a sign of weakness in PFM processes.[23]

- *Entrenched and pervasive corruption in general*—though good PFM practices have so far reduced the vulnerability of budget spending to corruption.

- *Difficulties in making the Afghan budget a more strategic policy instrument*, exacerbated by the fiscal squeeze during the past couple years—with most budget resources tied to security, salaries, and specific donor-funded development projects, only a small discretionary portion is left.

Narrowing political space for development. During his nearly thirteen years in office, former president Hamid Karzai was not a reformist nor a strong advocate for institutionalization but was instead almost entirely preoccupied with day-to-day political management. Under these circumstances, progress depended on whether there was a strong leader and/or empowered management team in the ministry or agency concerned, whether they had the political space to take forward reforms and development policies, and whether corruption was not out of hand.[24] However, the political space, even for more technocratic reforms, appears to have narrowed during the latter part of the Karzai administration, largely as a result of the entrenchment

of elite networks and pervasive patterns of patronage.[25] Moreover, Karzai's style of political management meant that it became increasingly difficult to keep reform areas insulated from politicization. While macroeconomic management and PFM have tended to be less vulnerable to this narrowing of political space, they have not been entirely exempt.

The 2014 political transition—loss of the usual window of opportunity? Prior to the 2014 presidential election, concerns were widely voiced that it might go badly wrong or in a worst-case scenario break down into violent conflict. There was also a widespread feeling, however, that if the election went well, the change to a new administration would provide a window of opportunity to renew reforms, take forward a meaningful anticorruption agenda, and make a good start in the post-transition decade.[26] The election fortunately did not break down, but the long drawn-out process of finalizing the outcome and the negotiations over the NUG and its slow start have detracted from the expected window of opportunity. The first one hundred days of the new administration saw some significant changes and important signals (e.g., signature of the BSA, more generally repairing the relationship with the United States, reopening Kabul Bank criminal cases, outreach to Pakistan and the Taliban). However, there was a long delay in forming the cabinet, and selecting and appointing deputy ministers, provincial governors, and other senior officials also has been a slow process. Thus, the window of opportunity that normally ensues after a change of government may have at least to a considerable extent closed, without having been sufficiently exploited.

Lessons Learned

Important lessons can be learned from Afghanistan's experience with macroeconomic management and PFM since 2001—for Afghan government institutions and the political leadership and for international partners. Some lessons may be applicable to other spheres of activity, as well as to other conflict-affected and postconflict countries.

Take advantage of windows of opportunity. The first few years after 2001 saw a disproportionate share of successful initiatives that achieved major progress. Virtually all of the achievements in macroeconomic management and PFM were set in motion in these early years, reflecting the fluidity of the situation and less entrenched political interests, which left space to put in place sensible macroeconomic policies and PFM reforms. Once a window of opportunity has closed, it becomes much more difficult to build and sustain momentum for progress.

Build on what already exists. The currency reform is a good example where progress was facilitated by relying on existing capacity and/or practices. Another example is the use of the existing Afghan budget accounting system as a basis for initial PFM improvements, rather than starting with a completely new accounting system.

Use simple, flexible instruments and interventions. Macro instruments were rudimentary, including most prominently the regular auctions of U.S. dollars by DAB to stabilize the exchange rate, influence the money supply, and limit inflation. The ARTF started out with a simple design but had the flexibility to evolve and build on success over time.

Synergize incentives and foster positive dynamics. Rather than pursuing one-off interventions or repeatedly trying to make inroads against a static target, the key for both government and international partners is to rely on incentive alignment and to set in motion positive dynamics that cumulatively build progress over time and become sustainable. PFM is the most prominent example where conducive incentives and dynamics led to sustained success.

Learn by doing. PFM improvements came about through successive years of implementation, starting from a small and rudimentary base. Implementing computerized payments and accounts, enhancing the quality of the Afghan national budget, and developing a more programmatic approach in key sectors are all examples of learning by doing. In the early post-2001 period, each annual budget represented a significant improvement over the previous year's budget.

Make sound macroeconomic management a priority. Poor macroeconomic management could have greatly exacerbated Afghanistan's problems, resulting in adverse outcomes such as high inflation, exchange rate instability, and/or dissipation of foreign exchange reserves. Macro instruments were rudimentary and limited, but macroeconomic outcomes were positive for the most part.

Push forward reforms in more technocratic, less overtly political, activities. Key dimensions of PFM benefited from being below the political radar and from being seen as "technical" activities; the same applied to macroeconomic policies and instruments.

Facilitate political space for technocratic reforms as much as possible. Even in the more technical areas, the existence of political space for progress (which could be generated in different ways) has been a crucial factor for success (such as in parts of the budget process). Creating political space calls for greater political awareness on the part of international partners and a political strategy by the government.

Prioritize mechanisms to prevent and combat corruption early on. Widespread corruption has become a dominant concern (especially regarding customs and revenue collection), even if PFM on the expenditure side has remained more insulated from large-scale corruption. If financial accountability and integrity are not prioritized up-front, corruption could become entrenched, making it harder to address.

Prospects for the Future

While considerable success has been achieved since 2001 in macroeconomic management and PFM, there have been some examples of slow progress or even major failure. Looking forward, macroeconomic management and PFM perhaps face even greater challenges. Some key questions must be addressed:

How can the government respond effectively and pro-actively to the country's challenges, rather than drifting from one political "crisis" to another? The Ghani administration has already used up about one-third of its term in office. Although the cabinet is now in place, much time has been lost, and the rest of the government remains far from fully staffed. The country faces worsening security threats, ongoing political challenges (including implementing the ambitious political agenda put forward in the NUG agreement), and an even weaker economy than expected earlier.

How can political space be generated for effective development and reforms? The political configuration of the new administration (and correspondingly how the necessary political space could be generated) is different from the previous administration. Ghani is a reformist president, but the more complex political arrangements now in place can be obstacles to reform and day-to-day political management. Moreover, the highly contentious political agenda set forth in the NUG agreement is further distracting political attention from reforms and development policies and programs.

How can modest job-creating growth be achieved given the challenging security and political situation and a deteriorating economy? The economy and issues around macroeconomic

management are increasingly coming to the fore. One challenge will be managing the exchange rate while maintaining adequate foreign currency reserves, which inevitably will entail further depreciation of the Afghani over time—although the government will need to be mindful of the inflationary impact. Sustaining the impressive growth in Afghanistan's domestic budgetary revenue seen in 2015 will be a priority,[27] while minimizing recessionary consequences for the private sector. With limited discretionary resources, prioritizing expenditures for maximum effectiveness will be a major challenge.

How can PFM improvements be maintained and built upon when resources are severely squeezed and past incentives and dynamics may have weakened? As noted earlier, progress in PFM has slowed down over time, and, in recent years, there have been signs of possible backsliding. A recent review found that PFM systems are relatively strong but the credibility of the budget remains weak.[28] Moreover, the fiscal cash crunch in 2014 necessitated extraordinary measures that have further undermined budget credibility and may have exacerbated vulnerabilities to corruption in the budget execution process.

Acknowledgments

Notes

1. For an analysis of the election and the postvoting difficulties encountered from a broader political economy perspective, see William A. Byrd, "Understanding Afghanistan's 2014 Presidential Election: The Limits to Democracy in a Limited Access Order," Special Report 370 (Washington, DC: U.S. Insitute of Peace, 2015), www.usip.org/publications/2015/04/24/understanding-afghanistans-2014-presidential-election.

2. For more information on the economy, see World Bank, *Afghanistan Economic Update, April 2015*, https://openknowledge.worldbank.org/handle/10986/21894; for more on the fiscal crisis, see William A. Byrd, "Afghanistan's Continuing Fiscal Crisis: No End in Sight," Peace Brief 185 (Washington, DC: U.S. Institute of Peace, 2015), www.usip.org/publications/2015/05/15/afghanistans-continuing-fiscal-crisis-no-end-in-sight.

3. Afghanistan Analysts Network, "The 'Government of National Unity' Deal," www.afghanistan-analysts.org/miscellaneous/aan-resources/the-government-of-national-unity-deal-full-text/.

4. Islamic Republic of Afghanistan, *Realizing Self-Reliance: Commitments to Reforms and Renewed Partnership*, London Conference on Afghanstan, December 2014, www.embassyofafghanistan.org/document/realizing-self-reliance.

5. For the broad economic picture and trends since 2001, see, among others, Richard Hogg, Claudia Nassif, Camilo Gomez Orsorio, William Byrd, and Andrew Beath, *Afghanistan in Transition: Looking Beyond 2014* (Washington, DC: World Bank, 2013), 41, https://openknowledge.worldbank.org/bitstream/handle/10986/13107/758480PUB0EPI0001300PUBDATE02028013.pdf?sequence=1. For more recent developments—including with regard to inflation, exchange rate, foreign currency reserves—see World Bank, *Afghanistan Development Update, October 2015*, www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/10/27/090224b083174638/1_0/Rendered/PDF/Afghanistan0de0pdate00October 020150.pdf. Also see World Bank, "Afghanistan: Emerging from Transition." Presentation for Senior Officials Meeting, September 4–5, 2015, www.worldbank.org/content/dam/Worldbank/document/SAR/afghanistan/Af-SOM-Sept-2015.pdf.

6. Based on an earlier, not fully comparable household survey conducted in 2005, it appears that there was not much change in the poverty ratio between 2005 and 2011/12, despite rapid economic growth during this entire period. See Dean Jolliffe, *Poverty Status in Afghanistan* (Washington, DC: World Bank, 2010), http://documents.worldbank.org/curated/en/2010/07/14551011/poverty-status-afghanistan-profile-based-national-risk-vulnerability-assessment-nrva-2007-08; also see Afghanistan Central Statistics Organization

(CSO), *National Risk and Vulnerability Assessment, 2011–2012: Afghanistan Living Conditions Survey* (Kabul: CSO, 2014), www.af.undp.org/content/dam/afghanistan/docs/MDGs/NRVA REPORT-rev-5 2013.pdf.

7. The figures on aid-to-GDP ratios can be found in World Bank, *Afghanistan Economic Update, April 2015*, Annex 2, 26.

8. This finding is emphasized in a consultant study commissioned by the Afghanistan Ministry of Finance, *Afghanistan: A Preliminary Fiduciary, Development Risk and Cost-Effectiveness Assessment*, 1, 6, and elsewhere. (Reviewed by author; not available to the public.)

9. World Bank, *Afghanistan Development Update, October 2015*, Appendix Table 3, 24 (figure for discretionary balance). A drawdown of positive deposits represents deficit financing in the year in which it occurs, and there is no difference from a macro-monetary perspective between running down positive deposits by a certain amount and incurring an overdraft (i.e., negative deposit balance) vis-à-vis the Central Bank of the same amount.

10. For a discussion on the need for Afghanistan to run modest, domestically financed fiscal deficits in the current economic situation, see William A. Byrd, "What Can Be Done to Revive Afghanistan's Economy" Special Report 387 (Washington, DC: U.S. Institute of Peace, 2016), 8–9, www.usip.org/sites/default/files/SR387-What-Can-Be-Done-to-Revive-Afghanistans-Economy.pdf.

11. See Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC), *Report of the Public Inquiry into the Kabul Bank Crisis* (Kabul: MEC, 2012); also see MEC, *Unfinished Business: The Kabul Bank Follow-up Report* (Kabul: MEC, 2014).

12. However, the recent cash crunch has given the Treasury Department a more political role in deciding which government bills and other budgeted expenditure items actually get paid and which are left unpaid (building up significant arrears in the government accounts).

13. The ARTF, established in 2002, is a multidonor, coordinated financing mechanism that pools contributions of several dozen donors and channels them through the Afghan budget. The ARTF recurrent window pays for civilian government salaries and nonwage operating expenditures, while the ARTF development window funds development projects and programs. For more details on the fund, see www.artf.af/.

14. However, many professional and managerial Afghan staff—in the MOF and elsewhere in the government—have been on temporary contracts at much higher than civil service pay rates, raising important questions about sustainability.

15. See www.artf.af/policy-reform-program.

16. The problems of LOTFA and UNDP's management are documented in UNDP evaluations and audit reports, SIGAR reports, press accounts, and other public documents. See, for example, UNDP Office of Audit and Investigations, *Desk Review of UNDP Afghanistan: Oversight of the Monitoring Agent of the Law and Order Trust Fund for Afghanistan*, http://audit-public-disclosure.undp.org/view_audit_rpt_2.cfm?audit_id=1310. See also William A. Byrd and Scott Smith, "Ghani, UNDP, and The New York Times: Who Really Overreached on Paying Afghan Police," Foreign Policy South Asia Channel, February 2, 2015, http://foreignpolicy.com/2015/02/02/ghani-undp-and-the-new-york-times-who-really-overreached-on-paying-the-afghan-police/.

17. Nathan Hodge, "U.N. Fund Scrutinized for Afghan Corruption," *Wall Street Journal*, May 10, 2012, www.wsj.com/articles/SB10001424052702304543904577396421507307902; and Meena Haseeb, "UN Trust Fund Agency Allowed Procurement Fraud in Afghanistan," Khaama Press, February 28, 2013, www.khaama.com/un-trust-fund-agency-allowed-procurement-fraud-in-afghanistan-2232?keepThis=true&TB_iframe=true&height=600&width=900&caption=UN+trust+fund+agency+allowed+procurement+fraud+in+Afghanistan.

18. William Byrd, "Responding to Afghanistan's Development Challenge: An Assessment of Experience During 2002–2007 and Issues and Priorities for the Future," South Asia Region PREM Working Paper Series SASPR-11 (Washington, DC: World Bank, 2007), 22, http://documents.worldbank.org/curated/en/2007/10/8903270/responding-afghanistans-development-challenge-assessment-experience-during-2002-2007-issues-priorities-future.

19. See Byrd, "Responding to Afghanistan's Development Challenge," 31–33, for a more detailed discussion.

20. See World Bank, "ARTF Administrator's Report on Financial Status as of December 21, 2015 (end of 12th month of FY1394)," Table 5, www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2016/02/11/090224b08416f9b6/1_0/Rendered/PDF/ARTF000adminis0fth0month0of0FY13940.pdf.

21. William A. Byrd, "Afghanistan: Nurturing Political Space for Development," Opportunity in Crisis Series 3 (London: Chatham House, 2015), www.chathamhouse.org/publications/papers/view/199287.

22. The withholding of donors' ARTF contributions for a time during 2010 to 2011—to pressure the Afghan government to address the Kabul Bank crisis—illustrates the limits of trying to impose strong negative conditionality. While there was success in documenting the extent of the problem and where money went and in orderly capitalization of the fiscal hole, the recovery of lost and stolen assets was slow, Kabul Bank could not be sold off, and progress in holding those responsible criminally accountable was limited. The Kabul Bank experience also exemplifies the adverse side effects (disruption to the Afghan national budget

and damage to development programs and ARTF's credibility) that can arise from such an exercise of strong negative conditionality.

23. In earlier years, ineligible ratios of 10 percent or less for payroll and below 40 percent for nonwage O&M were typical. Since the ARTF does not reimburse ineligible expenditures, no ARTF funds (or associated donor contributions to ARTF) are lost as a result, but nevertheless, high ineligibles can be an indicator of weakness in expenditure reporting and controls.

24. Byrd, "Afghanistan: Nurturing Political Space for Development."

25. Ibid.

26. As suggested in Byrd, "Afghanistan: Nurturing Political Space for Development," 3: "…there may be a window of opportunity in the months immediately after the new government takes office to institute improvements and restore and expand the space for development-oriented policies and investments."

27. For a discussion of the performance of budgetary revenue in 2015, see William A. Byrd and M. Khalid Payenda, "Afghanistan's Revenue Turnaround in 2015," Peace Brief 201 (Washington, DC: U.S. Institute of Peace, 2016).

28. Consultant study commissioned by the Afghanistan Ministry of Finance, *Afghanistan: A Preliminary Fiduciary, Development Risk and Cost-Effectiveness Assessment*. (Reviewed by author; not available to the public.)

Support to Afghan Private Sector Development

PAUL FISHSTEIN AND MURTAZA EDRIES AMIRYAR

Introduction

Between 2001 and 2014, the United States and its allies made significant investments in private sector development, mainly because of the perceived importance of creating livelihoods and human security for the Afghan people but also because of the widely and deeply held belief that economic growth and employment would lead to stability and support for the new Afghan government. The investments aimed to encourage the shift from a mixed, but largely state-led, economy to a market-driven economy and to support the state in creating the necessary enabling environment.

Afghanistan's economic progress has been mixed; while significant achievements have been made, many of them have proven to be unsustainable. Weaknesses have become more visible since the 2014 transition—evident by the contraction of donor-fueled sectors of the economy such as construction and services; the decline from the double-digit overall growth of the previous decade to 1.3 percent in 2014;[1] and the shrinking of revenues that has pushed the government into a fiscal crisis and put payment for salaries and services at risk.

With unemployment continuing to rise, economic issues are increasingly coming to the fore. Lessons can be learned from examining the effectiveness of past support to the economy.

Economic Performance, Unemployment, and Poverty

Since 2001, the international community in Afghanistan has invested heavily in private sector development and economic growth, in part due to the belief that poverty and unemployment are major sources of instability. The international community's support has been oriented to developing a free market economy and an outward-looking trade regime, while discouraging an activist role for the state, such as operating state-owned enterprises and providing subsidies. Various programs have targeted economic governance, small and medium enterprise development, and employment creation.

However, despite average, annual, aggregate growth rates of more than 9 percent, a fivefold increase in per capita income, and dynamic sectors such as telecommunications, transport, construction, media, private education, and services, neither the economy nor the enabling environment has developed to the satisfaction of Afghans or their international supporters.

Gross domestic product (GDP) growth fell to 3.7 percent in 2013 and further to 1.3 percent in 2014, and net foreign direct investment in 2013 was less than one-third of the 2004 level.[2] This can be attributed to several factors, including the reduction in both international spending and the population's confidence (the latter due to a drawn-out election process and a sharp uptick in violence). Afghanistan's agriculture sector, traditionally its strongest, has performed poorly, and opium poppy cultivation set a new high during the 2013/14 agricultural year.[3]

The 2011–12 National Risk and Vulnerability Assessment[4] and other sources give no indication of a national-level improvement in either poverty or unemployment over the last seven years. In fact, there are indications of an increase in income inequality,[5] and job creation is far below the level required even to keep pace with new labor market entrants, let alone meet the heightened expectations of the post-2001 generation. While the government has been given high marks for some aspects of public financial management and macroeconomic management, the indicators for the enabling environment all show either no change or a decline, especially in areas related to policy enforcement. Predictions of even modest growth in the future make optimistic assumptions about stability, reforms, investment in infrastructure, and the extractives sector. Certainly, optimism has fallen since the heady days of the early 2000s when there was talk of a Kabul stock exchange.

Economic Policy

The most significant policy change post-2001 was the adoption of a market economy after decades of a mixed, guided economy. While large parts of Afghanistan's trading and small industries sectors had always been private and outside direct government control, after the fall of the Taliban, there was a general expectation that, armed with capital and technical support from the international community, the state would again take the lead in the economic sphere. After thirteen years, Afghan society is still divided on the practical and ethical implications of this policy change. Fairly or not, the market economy is held responsible for numerous evils: corruption, mafias, warlords, inequality, and the trade imbalance. It is also seen by many as part of a Western-imposed package of liberal "democratic" values, which has led to license and impunity and upholds individual rights at the expense of society. To some extent, the divisions in attitudes fall along generational lines. The older generations retain an imperfect nostalgia for a better and more secure time when the country was at peace, there was less corruption, and the government ran factories that employed thousands of Afghans and provided goods through a "coupon" system. The younger generation, much of which has been educated outside of the country during refugee stays in Pakistan or Iran or else at home post-2001, is generally more open to the values of the market economy, believing more in competition, achievements based on merit, and the right to enjoy the fruits of one's own labor. However, even those who support the market economy say that the rollout was too fast—that institutions were not ready—and that, as a consequence, Afghanistan has not experienced the true market economy, only crony or warlord capitalism.[6]

Lessons Learned

There is fairly wide agreement that Afghanistan's economy has not achieved the type of growth desired—and that the country's economic problems and challenges primarily relate to security and uncertainty but also competitiveness, infrastructure, the enabling environment, and governance. There is less agreement, however, on how the international community's support

has contributed to economic growth (or not), and how it could have been more effective, considering the performance of the Afghan government and the dire condition the country was in at the end of 2001. It is hard to gauge just where the economy should be after thirteen years, especially given the insurgency.

Some of the following lessons learned are specific to private sector development and the economy, while others are more generic and applicable to other areas of intervention as well. They reflect the immediate objective of creating economic activity and jobs but also the more abstract goal of building a state that Afghans respect and pay allegiance to. Many of these lessons are in line with first principles of development and therefore should have been learned decades ago, which begs the question of whether the primary issue is knowledge or agency and motivation.

Development in the midst of war is challenging. Above all else, expecting sustained economic growth in the midst of insurgency or war is unrealistic—not least because conflict-related uncertainty creates an inhospitable climate for long-term, slow-yielding investments, especially if neither donors nor the government is able to provide guarantees. Throughout Afghanistan's history, the preference for trade (relatively low-risk and with a short time horizon) has been ascribed to uncertainty,[7] and the present is no exception. Insecurity and uncertainty motivate national and international private sector firms to seek long-term investments elsewhere in the region; this includes the roughly four thousand Afghan businessmen who are said to be based in China. In 2011, an estimated $4.6 billion in cash, or roughly one-quarter of GDP, was legally exported through Kabul Airport alone, not including funds exporting via other channels or by illegal transfers.[8] At a minimum, the cost of security imposes an additional burden on any economic activity. Uncertainty also creates an inhospitable environment for building the sorts of institutions required to effectively manage and guide private sector development.

A war economy establishes a set of dynamics and incentives that skew resources toward short-term gains, are inimical to longer-term growth, and generally have a negative impact on competition. The war economy in Afghanistan has created opportunities for powerful private sector players to opt for monopoly and misuse of public resources, such as in the extractives sector, where instability and lack of government control has allowed commanders and local powerholders to capture resources for personal benefit. In addition, the focus on counterinsurgency and stabilization channeled international funding to exactly those insecure geographic areas where investments were least likely to produce returns. Relatedly, some private sector development activities were used as short-term stabilization tools to win "hearts and minds" rather than achieve sustainable economic outcomes. While quick impact projects and other stabilization activities focused on putting people (especially young men) to work, such short-term activities do not usually create sustainable employment.

Money was a two-edged weapons system. While Afghanistan's dilapidated condition seemed to require almost unlimited financial resources to build its institutions and jump-start its economy, there is significant evidence that the attempt by international donors to spend too much money too fast had negative unintended consequences.[9] Success was measured by the amount of money disbursed (the "burn rate") rather than development outcomes. This was especially the case from 2007 onward, and even more so during the 2009 military and civilian "surge."

The most obvious consequence of excessive spending has been the corruption that has reduced the population's faith in the state (and the international community) and compromised the performance of institutions that should support the private sector. With pressure from Washington, DC, (and other capitals) to spend, fewer questions were asked. Free or highly

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subsidized inputs (justified on the basis of poverty), funds for conferences and exhibitions that could have been paid for by entrepreneurs themselves, and other uses for "easy money" also furthered a culture of dependence from the village to the ministry. Even when ministries had money in their budgets, there was often a preference for donor funds, because accessing them was easier. This reinforced the sense of playing with "someone else's money." At times, donor funds also competed with private sector investments. For instance, the U.S. Agency for International Development (USAID) created the Agricultural Development Fund (ADF) in part because the private sector was not willing to lend to the agriculture sector. This, however, competed with private sector financial services companies, such as Afghan Growth Finance, as ADF provided cheaper loans. The market was distorted, and local successful firms had to compete with free or subsidized money from the international community.

High salaries paid by the donors (three to eight times civil service levels) fueled salary inflation and resulted not only in a brain drain from ministries and other government institutions but also increased the cost of living and costs of production. Ironically, Afghanistan now has among the highest labor costs in South Asia—one factor that makes production uncompetitive and the country unattractive to foreign investment. Salary inflation was recognized as a potential issue from the beginning but was mostly ignored by agencies who feared losing out in the bidding war for what was then seen as a limited pool of human resources. Finally, as noted above, the war economy drew capital to quick and better-paying contracts (which often had minimal oversight), rather than to other less remunerative but longer-term activities.

A purely technical approach was too narrow. Aid agencies mostly adopted a relatively narrow technical view in formulating policies and programs, rather than one that adequately considered how various types of power are used to capture markets and institutions. Pursuing an idealized version of how competitive markets should work, rather than acknowledging realities (such as the often rampant abuse of market power to discourage competition), led to unanticipated outcomes.

Afghans' most pervasive complaint about the post-2001 economy is the capture of benefits by a small group of well-connected individuals and groups who have acted as mafias to suppress competition, especially in profitable industries such as oil, gas, and transport. The capture of benefits has been observed in other postconflict settings, as well as in settings where rapid social change of any sort has taken place. According to one analysis, "Liberalization of the economy according to simplistic Western models (and not taking into account the political economy and conflict dimensions) has effectively been taken advantage of by a select group of individuals, families and networks that originally gained power and earned money from the war in Afghanistan."[10] The international community's desire for stability often meant acquiescing in noncompetitive behavior by powerholders so as to keep them "inside the tent." Regional warlords thus became entrenched as big economic players who suppressed competition and marginalized rivals. This has had a negative effect on both equity and growth.

The narrow technical approach also ignored that the state's functions were being captured by elites and the well-connected. Tasked with being a regulator of the economy, the state instead became a source of preferential access to contracts, economic rents, and other benefits. Toward the end of former president Hamid Karzai's era, a popular meme referred cynically to the government as a *shirkat-e sahami* or "stakeholder company." The opaque manner in which some of the country's state-owned enterprises were sold off on favorable terms to those with *wasita* (personal connections) under privatization initiatives backed by the international community was seen as "looting" and as part of a deeply flawed process characterized as "insider

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trading." The sale of the Ghori cement factory to a group affiliated with senior government officials is considered one of the more egregious examples that both crowded out economic activity and undermined support for the state.[11] Many believe that the state-owned enterprises (SOEs) should not have been killed off until a way was found to employ the displaced workers.

The extractives sector also offers examples of where privileged access has led to capture by powerful individuals and groups. The Ministry of Mines and Petroleum identified two thousand illegal mining sites;[12] yet, there has apparently been little appetite for doing anything about them, despite the widespread recognition that such mining leads to suboptimal resource management and poor economic and social outcomes. During the long and acrimonious debate on the minerals law, members of parliament took a firm stand against the privatization of mines and mineral resources partly due to ideology and partly to self-interest, as it was alleged that they stood to gain from the current arrangements. Such impasses have hurt economic development; according to one government official, "The *wolesi jirga's* [lower house of Parliament] failure to act on the minerals law has cost the country US$100 m so far."[13]

Afghanistan was not a blank slate. The common assertion in the early years after 2001 that "nothing existed" or that "everything had been destroyed," despite evidence of vestigial elements of an administration,[14] had at least two major unintended consequences. First, ignoring or bypassing the existing bureaucracy often left international advisors unaware of how policies were being implemented (or not). Office heads and *mamurin* (rank and file office workers) often delayed or subverted policies that were supposed to encourage the private sector. Sometimes attributed to "lack of capacity," it was usually due more to a mix of personal and ideological reasons. Planned private enterprises, such as a slaughterhouse in Herat or a skilled labor institute, which would compete with government enterprises were abandoned by entrepreneurs when it became clear that they were likely to encounter bureaucratic obstacles from within the ministries.

The second consequence of the blank slate assumption was the creation of parallel structures. To speed implementation, many projects were designed to sideline current government officials, creating donor-led project implementation units and project management units staffed largely by consultants. Often referred to as the "second civil service," these units were sometimes effective at achieving immediate project goals but much less so at developing and implementing policy. This weakness has come to the fore, especially with reduced funding in recent years; in some cases, programs ground to a halt when funding for the units ceased. In other cases, projects failed because they were designed by consultants but implemented by ministry staff who did not fully understand the project or have the necessary skills. In addition, the salary and resource differentials created resentment between the old and new generations of office workers, which further reduced the motivation for integration.

In some cases, new institutions exacerbated the problems they were intended to solve. Their ostensible mission was to assist the line ministries in providing quick and effective services to the private sector in order to respond to the unprecedented demand for goods and services needed for the delivery of aid. However, internal government politics, personality-driven approaches, and the lack of a vision for the institutions' future often resulted in a shift from their initial mission and created a competitive environment among institutions vying to provide services that had money and opportunities for power. For example, originally created to perform a registration function, the Afghanistan Investment Support Agency was considered a success at first, but after a leadership change, it succumbed to corruption and ineffectiveness; its investment promotion and support function was overshadowed by potentially more lucrative licensing.

Strong and transparent institutions are needed for an enabling environment. As a consequence of corruption and officials' lack of real commitment to proclaimed policy goals, the strong and transparent institutions required for creating the enabling environment in which the private sector could thrive did not exist. As a member of the Kabul Bank review committee put it, "you can't create a market economy without creating a strong government."[15] Despite achievements in areas such as public financial management, overall, the government has made "limited" progress.[16] Indicators show either no improvement or a decline, especially in critical areas such as policy enforcement and property rights, or even the basic protection of business owners against physical threats and intimidation by their competitors.[17] Moreover, the international community often had to operate in a policy vacuum, as the government did not have a consistent, unified vision or policy for economic development.[18] As a result, donors often had competing strategies and projects.

The regulatory capacity of the state did not grow in proportion to the post-2001 economic boom launched by the billions of dollars injected into Afghanistan by the international community. As a consequence, abuses followed. Laws were selectively executed, subverted, or simply ignored. In many cases, officials set their own "policy."[19] Changes in tax and fee policy, sometimes apparently at the whim of senior officials, maintain an uncertain environment that can be exploited by corrupt officials. Overlapping mandates, ambiguity over responsibilities, and lack of clarity about "scope of authority" have led to inter- or intra-institutional competition over who controls processes, which can be used to extract rents. Significant delays have occurred when institutions (e.g., the Ministry of Commerce and Industry and the Afghanistan Chamber of Commerce and Industry) contest the control of procedures, with neither willing to give up potentially remunerative gate-keeping functions.

According to estimates by the United Nations Office on Drugs and Crime (UNODC), the Afghan people pay bribes equivalent to 20 percent of GDP (including for business-related procedures such as land or shop registration and paying taxes and public utility fees), which "has a major impact on the country's economy."[20] Without reasonable assurances of protection, entrepreneurs are often unwilling to raise their visibility or take risks that might expose them to financial losses or even physical harm. Partly for this reason, an estimated 80–90 percent of Afghanistan's GDP remains in the informal economy, and Afghan entrepreneurs are investing in neighboring countries. Businessmen complain that some policies pave the way for corruption by establishing requirements that are either too frequent or too difficult to fulfill. For instance, requiring firms to renew business licenses annually rather than every three or five years provides corrupt officials with more opportunity to collect bribes. Similarly, in an environment where record keeping can be extremely "casual," requiring firms to submit five years of business accounts creates such an onerous task that paying a bribe is often the most expeditious way to resolve the requirement. Some attribute the greater external investment in telecommunications to the relatively strong institutions put in place in that sector, which might demonstrate their importance in supporting private sector growth.

Despite the extremely unconducive environment for conducting business transparently, some private sector firms continue to struggle to conduct business ethically and avoid corruption by any possible means. However, doing business transparently is costly, and competing becomes difficult; corrupt contracting processes on government tenders sideline firms that promote clean business. Without the establishment of transparent government institutions that can reduce corruption and create a level playing field for the private sector to grow, private sector businesses reluctantly see the unethical way of doing business as the only means of surviving.

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Sustainability must be considered early on. It is mainly in the last several years—since the 2010 announcement of the 2014 transition plan—that increased attention has been paid to the sustainability of many of the investments made in Afghanistan since 2001, as well as, on an even higher level, the sustainability of the overall economy and its sources of growth. While recent criticism has mostly surrounded the major shortfall in operations and maintenance funds for capital projects,[21] less obvious but equally important is the lack of technical and organizational sustainability of many of the institutions and processes created to foster private sector development. Even with progress in streamlining processes, there has often been backsliding. For instance, one study found that the steps required to license a business had been reduced from more than fifty to eight between 2004 and 2006 but that, by 2011, had inched back up to more than twenty—most of which required handing over "illicit fees."[22] This is less an indictment of technical assistance than an illustration of the difficulty of changing deeply engrained behavior. The computerization of customs forms has been affected by problems with connectivity, entry of incorrect data, and other issues that suggest that new technology was not a sufficient solution. But, it is also widely believed that officials are reluctant to use new technology that targets inefficiency, because this would reveal performance inadequacies and reduce opportunities for corruption.

Regarding employment, while donor-funded programs—such as the National Solidarity Program and public works, microfinance, and military-supported stabilization programs—have created short-term work, the World Bank has observed that "permanent job creation can only be achieved through growth in the real economy."[23] Despite the expressed desire for "market-driven" employment and training programs, studies have found a lack of linkages between donor-funded training/capacity-building programs and the labor market.[24] Many donor-funded vocational training centers have provided training that was "rudimentary" and focused on traditional skills (especially in the case of women) that were already widely available.[25] Although the human capital pool has greatly expanded, it is ironic that during a time when Afghanistan experienced an extreme building boom, complaints were still heard about the lack of qualified Afghan tradesmen. Critics assert that more proactive training and vocational education in the building trades would have allowed Afghan workers to take advantage of job opportunities during the post-2001 construction and services boom, which attracted skilled and semi-skilled workers from all over South Asia (sometimes imported by construction bosses under questionable working conditions).[26]

Donor-funded industrial parks were meant to address the key constraints of land and power, but the "build it and they will come model" has had mixed results. Electricity, water, and sewage have often been lacking, and especially where generator power has been necessary, the fully priced services that the industrial parks offer (based on a cost-recovery model) have been too high for Afghan companies. Plots have often been distributed on a speculative basis rather than for productive activities. Business activity and employment generated by industrial parks has been far less successful than was anticipated or was projected in proposals.[27] Construction of cold storage facilities for agricultural outputs has similarly been largely ineffective without complementary investments. Donors have invested in business development services (BDS) as a way to support budding enterprises that wish to expand and lack the knowledge to do so, but demand from Afghan companies has been limited, and most of the BDS agencies are chasing the same donor-funded opportunities; many BDS have become defunct.

On a positive note, some development practitioners point to the effective use of private sector development grants by programs such as the Afghanistan Business Innovation Fund

as a meaningful incentive for already-running private firms to use innovative approaches to produce goods that were demanded domestically and, in certain cases, internationally. With a focus on sustainability and a market-driven approach from the outset, such programs have resulted in more sustainable private firms. For example, 786 Pharmacy, which provides high-quality medicine through its medicine-dispensing chain of stores, has grown rapidly with the funding and technical support of donor funds. 786 Pharmacy has also managed to receive venture capital funding from the London-based InFrontier for a planned expansion of the chain from eight stores today to fifty in five years' time.[28]

Citizens want to perceive the state as strong and capable. Even if a sensible policy choice, designation of the private sector as driver of the economy has undermined support for the state by the population, which frequently accuses it of having done "nothing." The idea of a laissez faire system in which the state "gets out of the way" of the private sector has been subject to double criticism: first, because it has not gotten out of the way (e.g., due to corruption), and, second, because it pays the political price of "doing nothing."

Despite extensive and pervasive corruption and the complaint that the state's actions have not delivered meaningful impact, many Afghans still believe in the state and want it to play a larger role in areas assigned to the private sector, including health service delivery, agricultural extension, and manufacturing. State legitimacy is affected by the growth of the economy and the extent to which it is seen as delivering employment. Some analysis has concluded that the state should have had a stronger focus on economic development and job creation.[29] Also, branding and communication strategies that aimed to create goodwill and associate services with specific donors and agencies may have done so at the expense of the Afghan government. The decline in what were considered symbols of modernization (e.g., the former Bagrami textile mill, which is currently being used as a car wash) is a sore point with many Afghans, young and old. Perhaps it is an idealized version of the state, but the international community seems to have underestimated the extent to which its reduced role was a break with the past.

Free trade needs to account for regional competition and predatory behavior. Afghanistan has been unable to take full advantage of the free-trade regime, which was largely imposed on the country after 2001. There are, of course, many reasons for the country's massive trade imbalance,[30] including all those that come with an economy decimated by decades of conflict (e.g., high costs, poor infrastructure, unreliable power, lack of quality control, poor rule of law), but the population mostly blames it on a combination of the market economy and the weakness of the state in not responding to predatory behavior by neighbors. According to one official, "We should have protected industries; we needed at least five years to be competitive, but instead we forced them to compete with Iran and Pakistan."[31] At least some of this can be attributed to the international community's pressing for an open trade regime and its reluctance to support subsidies and protective measures. There have been significant credible reports of "dumping" (which has now entered the local language vocabulary), obstruction of trade, and changes in tariffs and taxes by neighbors that have killed some Afghan industries. According to one official, "We had factories in the past, but now Torkham [the main border crossing into Pakistan] has an open door in one direction."[32] Afghan producers complain that the actions taken to link them with international markets have been sporadic and inconsistent. Smuggling of goods and other "off-the-books" trade with the neighboring countries makes recognition of dumping and other unfair practices difficult.

Many Afghans believe that Afghanistan moved toward accession to the World Trade Organization to show the country's progressiveness, capability, and engagement with the

world, but that under current conditions, it would be "suicide" to go beyond observer status. Recognizing that the notion of open trade (as well as the market economy more generally) was controversial, the USAID-funded Trade and Accession Facilitation project was partially devoted to changing public attitudes.[33]

Implementation issues and competing institutional imperatives need to be addressed. Finally, myriad implementation issues have limited success in Afghanistan and are the source of many of the ills mentioned above. Aside from the use of the "burn rate" as a metric for success, numerous other issues—short duration projects, unrealistic timeframes, excessive focus on countable deliverables, rapid turnover and lack of continuity of personnel, complex bureaucratic procedures, institutional rivalries, inconsistency of policies between agencies and over time, cumbersome processes for vetting and approval of staff, the need to produce "success stories," application of inappropriate international standards, and the introduction of nonsustainable technology and systems—have contributed to ineffective or even counterproductive projects. Many of those issues have been documented in the development literature and institutional archives. While collaboration and minimization of overlap were objectives written into most project documents, institutional imperatives and the challenges of coordination (e.g., mobility, short-term postings) often made achieving them impossible. Activities such as energy transmission and capacity building were especially notorious in this regard. In the latter case, duplication of activities overloaded government institutions. Perhaps the most serious implementation issue was lack of knowledge of the social and institutional context in which policies and projects were designed and implemented.

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Institutions as well as policies have had multiple, sometimes conflicting, imperatives. Despite the objective of employing idle citizens, especially young men, capital intensive construction techniques were frequently used, generating returns to capital (at first mostly to external firms) rather than income to labor. For example, the US$129 million ADB-financed construction of the 73 km railway between the Hairatan border crossing and Camp Marmal/Mazar airport was done by the Uzbekistan State Railways, which apparently provided all materials and labor, losing an opportunity to create local employment and build a cadre of trained staff.[34]

Conclusion

Although the above lessons would have been more pertinent several years ago when the level of international investment in Afghanistan was greater, most remain relevant and could inform current and future interventions in the country, as well as those in other countries. The key take-away points include the following:

- Expectations were excessively high for broad-based economic activity and institutional development, given that Afghanistan was increasingly under conflict and therefore subject to pervasive uncertainty.

- Multiple, myriad objectives, such as mixing private sector development work with military-led stabilization activities, resulted in misaligned incentives and the channeling of funds into short-term projects with limited long-term impact.

- Spending too much money too fast made institutions vulnerable to corruption, created dependence, raised the costs of living and production, and made short-term, quick-payoff economic activity more attractive.

- There was inadequate understanding of the population's lack of knowledge of and enthusiasm for a market economy, as well as the extent of people's expectations of the

state with respect to the economy. This does not necessarily point to a need to increase government involvement or retain the SOEs in their previous form—only to be aware of the social consequences of economic policy and practice.

- Insufficient attention was paid to the political economy of markets and institutions and how they were captured by well-connected powerholders who used their positions to suppress competition and marginalize rivals.

- Afghanistan was mistakenly viewed as an institutional "blank slate," and trial and error was deemed an effective method to discover what works best—thus resulting in the development of parallel structures rather than the integration of new structures or ideas into existing institutions or ways of thinking.

- The strong and transparent institutions necessary for establishing an enabling environment for economic activity largely did not exist, which discredited the state and its economic policies and inhibited private sector development.

- Interest in the financial, institutional, and technical sustainability of projects and programs—including those related to job creation and human capital development—came too late and was inadequate.

- An open trade regime in a country with noncompetitive production and predatory neighbors led to a massive trade imbalance, job losses, lack of popular support for economic policy, and alienation from the state. This is not to argue for protection but rather to (1) recognize the regional competitive and political disadvantages that make the notion of a "level playing field" implausible, as well as the domestic political cost of current policies and (2) question whether at times ideology blocked opportunities.

- Many in the international community underestimated the practical challenges of an environment where logistics, institutions, human capital, and politics were not sufficient to support smooth project execution. Implementation was also exacerbated by numerous other issues (e.g., short rotations for personnel, unrealistic timeframes, complex bureaucratic procedures, and introduction of non-sustainable technology and systems) that further impeded progress.

An open trade regime in a country with noncompetitive production and predatory neighbors led to a massive trade imbalance, job losses, lack of popular support for economic policy, and alienation from the state.

In fact, many of these "lessons" were well known in advance by development professionals. Many of what have been called "unanticipated consequences" were not unanticipated at all, but were foreseen. These include wage inflation, a culture of dependence, and corruption. This raises a question about whether it is a lack of knowledge or the often perverse incentives within our own institutions that are responsible for working in violation of known best practices and first principles. Through drawing on the substantial and growing body of experience in Afghanistan, the international community should be able to use increasingly limited aid resources more wisely and make better informed decisions in future operations elsewhere. Despite the serious challenges and problems facing the Afghan private sector, many firms have managed to survive and even thrive; with the right kind of support, such firms can seek further growth, especially in the most promising sectors such as telecommunications, agriculture, education, and healthcare.

Notes

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19. For example, in theory, raisins were officially exempted from export taxes but were still subjected to various taxes and fees by some officials. Sarah Lister and Adam Pain, "Trading in Power: The Politics of 'Free' Markets in Afghanistan," Briefing Paper (Kabul: Afghanistan Research and Evaluation Unit, 2004).

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21. It is notoriously easier to mobilize donor funds to construct physical infrastructure (e.g., roads, hospitals, and schools) than to maintain and run them. According to the World Bank, "the Afghan budget … will also face even greater liabilities from a growing wage bill and the O&M costs of the assets built over the last decade"; see Richard Hogg, Claudia Nassif, Camilo Gomez Osorio, William Byrd, and Andrew Beath, *Afghanistan in Transition: Looking Beyond 2014* (Washington, DC: World Bank, 2013), 52.

22. Saeed Parto and Jos Winters, "Business Licensing in Afghanistan: Procedural Reform or Institutional Regression?" Working Paper (Kabul: Afghanistan Public Policy Research Organization, 2014).

23. Inder Sud and John O. Rankin, "Afghanistan: A Synthesis Paper of Lessons from Ten Years of Aid," Workshop Draft (Washington, DC: World Bank, 2013), 11.

24. While private English language and computer training academies have mushroomed since 2001, employment in foreign offices and Afghan companies is neither extensive enough nor sustainable enough to provide employment for all those who have flocked to these courses. Some question whether they provide access to the long-term job market. Some lay the blame in part on the government's lack of policy and implementation. While the Ministry of Labor and Social Affairs has developed occupational standards and the Ministry of Education plans to build schools in key sectors using standard curriculum, there is a long way to go. At certain times, the vocational training agenda has been stalled due to competition between these and other ministries over responsibility.

25. Samuel Hall Consulting, *Afghanistan: Time to Move to Sustainable Jobs: Study on the State of Employment in Afghanistan* (Kabul: International Labour Organisation, 2012).

26. Afghan employers often prefer regional workers because they are seen as cheaper and more skilled. It is ironic that Afghan workers in Iran are often preferred for the same reasons.

27. Special Inspector General for Afghanistan Reconstruction (SIGAR), "Gorimar Industrial Park: Lack of Electricity and Water Have Left This $7.7 Million U.S.-funded Industrial Park Underutilized by Afghan Businesses," SIGAR 15-30 Inspection Report (Arlington, VA: SIGAR, 2015).

28. Andrew Ward, "InFrontier Takes Stake in Afghan Pharmacy Chain," *Financial Times*, June 29, 2015, www.ft.com/intl/cms/s/0/f8b4e5d2-1c1e-11e5-8201-cbdb03d71480.html#axzz43NxiIsgC.

29. Francoise Jacob, *Monitoring the Principles for Good International Engagement in Fragile States and Situations, Country Report 1: Islamic Republic of Afghanistan* (Paris: Organisation for Economic Co-Operation and Development, 2010).

30. For most of the post-2001 period, imports have been four times exports. See World Bank, "Afghanistan in Transition: Looking Beyond 2014: Volume 2: Main Report" (Washington, DC: World Bank, 2012).

31. Interview with the chief executive officer and managing partner of the business group, January 2015. Actual and perceived predatory behavior has led to lobbying for protection. "Afghan Industry Union Calls for More Government Supports," Ariana News, January 29, 2012.

32. Interview with an Afghan government official, February 2015. Torkham is the main border crossing between Afghanistan and Pakistan.

33. "Traders and the Afghan public see insecurity, corruption, and decreasing product quality as negative consequences of increased trade"; see Chemonics International, *Trade and Accession Facilitation for Afghanistan (TAFA): Annual Report November 2009–November 2010* (Washington, DC: Chemonics International, 2010), 46; Trade and Accession Facilitation for Afghanistan, "Knowledge, Attitude and Practice (KAP) Survey of Afghanistan Towards Trade: Summary of Findings for TAFA" (Kabul: TAFA Project Office, 2010).

34. The nontendered construction contract, as well as a subsequent three-year management contract, has been attributed by some to the dual desires for speed in construction and to curry favor with Uzbekistan in the context of North Atlantic Treaty Organization's increased reliance on the Northern Distribution Network. An Asian Development Bank (ADB) evaluation noted that "by employing the design–build concept, ADB also missed an opportunity to develop the capacity of the government to plan, design, and contract management for civil works." According to the evaluation, the project "would be neither financially nor economically viable if sound methodological and analytical standards were used." ADB Independent Evaluation, *Country Assistance Program Evaluation: Islamic Republic of Afghanistan Asia Development Bank* (Washington, DC: 2012), 34. The project was given a Development Impact Honors award by the U.S. government but was heavily criticized by the ADB independent evaluation for "weak analysis and due diligence"; see Country Assistance Program Evaluation, 28.

U.S. Army Corps of Engineers in Afghanistan
State Strengthening Through Infrastructure Building

JODI JONES SMITH, JOHN DRAKE, M. ANNETTE EVANS, AND SCOTT C. FARQUHAR

Introduction

In 2001, the U.S. Army Corps of Engineers (USACE) began a major endeavor to assist in rebuilding Afghanistan's national infrastructure. USACE has provided construction and program management in overseas locations for many years; however, Operations Enduring Freedom (OEF) and Iraqi Freedom (OIF) notably increased the USACE scope in active war zones where the United States and its coalition partners designated reconstruction as a strategic priority. During the ensuing years, USACE executed a contract construction program in Afghanistan including 943 completed projects at a cost of nearly $10 billion.[1]

Operating in Afghanistan's counterinsurgency (COIN) environment presented many novel challenges for USACE, including working with coalition partners, incorporating new skill sets, and defining appropriate metrics for success. Afghanistan's primitive infrastructure and lack of electrical power complicated the coalition strategy and efforts.

Many factors will ultimately determine whether the United States' involvement in Afghanistan and its reconstruction efforts was successful or worthwhile. In determining victory in an insurgency, the "perception of a strategic audience"[2] is a distinct factor; this perception is more difficult to measure than in a traditional military victory. In Afghanistan, the strategic audience may have several critical components, including the host nation population's perception. Because the COIN "end state requires sustainability, which is an enduring perception by the strategic audience,"[3] these perceptions must not only exist at a specific time but continue through time.

One measure of success is the Afghan population's own reported reasons for optimism. While accurate measures are difficult to obtain, polling by the Asia Foundation showed that Afghans who feel optimistic about the direction of their country cite "reconstruction and rebuilding"[4] more often than any other reason for that optimism. These data suggest that USACE's construction efforts positively influence this strategic audience.

Working as part of a holistic team, from strategy development through to completion, USACE gained some unique perspectives on state strengthening in Afghanistan. Through examining USACE's road and energy programs and capacity development efforts since 2001, important lessons can be learned and appropriate metrics for success can be gleaned.

In most cases, USACE did not design the programs/projects but rather managed, engineered, and constructed them for others, including the Combined Security Transition Command-Afghanistan, military units, the U.S. Department of State, and the U.S. Agency for International Development (USAID). A USACE project delivery team worked with host government representatives, stakeholders, USACE engineering and technical experts, and construction contractors to meet the agencies' requirements.

USACE in Nonpermissive Contingency Environments

USACE's approximately 35,000 civilian and military members deliver engineering services in more than 130 countries. USACE is distinct from the U.S. Army's tactical engineer units, reporting directly to the Secretary of the Army and executing U.S. Army and Department of Defense military construction, acquiring real estate, and developing national infrastructure through a civil works program.

USACE provides capabilities complementing the operational Army force in situations requiring a military response (called a *contingency*) and in nonpermissive environments in which the host nation military and law enforcement lack control and/or intent to assist with U.S. military operations. These capabilities include technical engineering and contract construction, which leverage USACE's considerable scope and resources that are otherwise unavailable to the operational commander[5] and typically involve extensive construction within a host nation.

USACE in Afghanistan: 2001 to Present

USACE efforts in Afghanistan fit within the U.S. military's overall efforts to establish peace and stability. Achieving this goal in a conflict-affected nation requires that military objectives link with an overarching cooperative effort by U.S. government departments and agencies, "intergovernmental and nongovernmental organizations, multinational partners, the private sector and the host nation."[6] These stability efforts endeavor to

- create conditions fostering the local population's belief that the situation occurring in their nation is legitimate, acceptable, and predictable;
- lessen violence;
- enable governmental, economic, and societal institutional functioning; and
- encourage general adherence to local laws, rules, and behavioral norms.[7]

In 2001, a USACE Forward Engineering Support Team (FEST) deployed with the U.S. Army XVIII Airborne Corps during Afghanistan combat operations, providing engineering, planning, contracting, and real estate management during and immediately after the initial conflict.[8] As part of USACE's Field Force Engineering program, the FEST provided responsive technical engineering and contract construction management to combatant commands and their Army components.

As the newly formed U.S. headquarters at the embassy compound in Kabul began strengthening and reinforcing the nascent transitional Afghan government, the Combined Forces Command-Afghanistan (CFC-A) focused on political-military affairs, building relationships with the Afghan government, its allies, the U.S. Embassy, and the North Atlantic Treaty Organization's military mission (International Security Assistance Force or ISAF). Focusing on stability and reconstruction, the first CFC-A commander began harmonizing coalition military actions with political plans, harnessing the instruments of national power

(diplomatic, information, military, and economic) within the campaign and supporting the national strategy.

The military effort refocused its strategy on the Afghan people and local legitimacy as its center of gravity or the element necessary to achieve victory. The coalition planned to achieve success not only by fighting the enemy but through fostering and strengthening Afghans' support for their new national government. The plan relied on the belief that the population would reject the insurgency or terrorist groups and instead rally to the efforts of the coalition and Afghan security forces.

The campaign plan focused on assigning coalition combat units to unsecure areas—using the "clear, hold, build" tenets established in the Army's field manual on counterinsurgencies[9]—and was advocated by former secretary of state Condoleezza Rice.[10] After better understanding the area, these units would conduct precise, simultaneous offensive, stability, and information operations to *clear* the enemy; increased local stability and outing of violent insurgents would foster support for the national government. Eventually, improved Afghan security forces would partner with and supplant the coalition combat units. These indigenous units would *hold* the territory to secure the population from the enemy while creating the security that would allow *building* economic and governmental reform.[11]

Following combat operations in 2002, the Office of Military Cooperation-Afghanistan asked USACE to oversee facility renovation and construction for the new Afghan National Army (ANA). Afghanistan's new government needed the ANA to ensure internal peace and stability, and it required facilities to support its new force. The pace of renovating and constructing the ANA's support facilities determined how quickly the ANA could expand.

USACE was a key component of the U.S. reconstruction plan for Afghanistan. Given the increasing scope and complexity of Afghan infrastructure development, Major General Karl Eikenberry requested that USACE deploy more personnel from its Transatlantic Program Center, which provided engineering support to soldiers in the Middle East, Africa, and Russia.[12] In September 2002, USACE's Transatlantic Programs Center established the Afghanistan Area Office in Kabul to manage the ANA construction program.[13]

As the reconstruction effort grew, USACE established the Afghanistan Engineer District (AED) in Kabul in March 2004. By February 2005, AED was staffed by more than one hundred USACE personnel.[14] The AED managed projects for the coalition militaries, the advisory effort to build Afghan security forces, and USAID. This growth also benefitted the Afghan economy. In early 2003, large international contractors performed 70 percent of AED's construction work, but by 2007, Afghan contractors were completing almost 70 percent.[15] In fiscal year 2004, USACE awarded $600 million in contracts for work in Afghanistan, with a significant portion allocated to companies who trained and employed local workers.[16]

USACE's 943 completed construction projects in Afghanistan focused on infrastructure supporting the Afghan National Police and ANA, medical facilities, transportation, electrical power generation, education facilities, housing, and fuel storage. While most USACE construction centered on Afghan National Security Force infrastructure, USACE also improved Afghanistan's civil works, supporting the Afghan government's efforts to provide sustainable governance, economic development, security, and stability.

USACE's civil works program in Afghanistan is similar to its U.S.-based civil works program. Projects require authorization and approval and must be followed by a separate funding appropriation, but these processes occur much more quickly in the contingency environment. Like the U.S. civil works program, projects are often initiated at the local level,

but in Afghanistan, this may occur through military units working with Afghan leaders or through USAID's partnership with a specific ministry.

Civil works projects aim to improve Afghan quality of life and set the conditions for commerce and employment opportunities. Staffed with deployed volunteer engineering, construction, and business professionals, the USACE civil works team provides comprehensive engineering, management, and technical support. Civil works project examples include potable water supply for Kandahar, irrigation and dam improvements in the Helmand and Arghandab valleys, watershed studies in western Afghanistan, transportation infrastructure to and from the Pakistan and Iranian borders, and local and regional hydroelectric and electrical power improvements.

USACE Involvement in the Transportation and Electrical Sectors

Civil works projects addressed immediate access to reliable municipal services like water and electricity, job creation in the revitalized agricultural value chains, and commerce through route corridors. Two sectors, roads and electrical power, illustrate infrastructure development dynamics in Afghanistan.

Creating a Transportation Infrastructure

Afghanistan's primitive transportation infrastructure complicated the coalition strategy. Lack of paved roads hindered U.S. forces' ability to support one another[17] and maintain its logistical network. Some of Afghanistan's greatest internal challenges also resulted from the lack of an adequate and reliable transportation network; Afghanistan had few options for importing and exporting goods, impeding its economic development.

In 2001, Afghanistan had 18,000 km of roadways and only 60 km of paved roads. About 90 percent of this network was disconnected and poorly maintained.[18] By early 2015, these values increased to 42,150 km and 12,350 km, respectively.[19] These figures represent almost a complete new creation of the national paved road network and more than a 234 percent increase in all roadways. USAID, in partnership with USACE, continues building and repairing roads to help overcome obstacles created by the lack of transportation.

By 2011, development partners had invested more than $4 billion improving transportation infrastructure and institutions in Afghanistan. USAID alone has invested more than $2 billion to construct and rehabilitate more than 2,000 km of roads.[20]

Afghan government road categories include regional and national highways and provincial and rural roads. A funding source accompanies each approved road project. Various sources can provide these funds, depending on the project's purpose. For example, military construction (MILCON) funds provide resources for roads built for the military's operational requirements. The Commander's Emergency Response Program (CERP) provides funding for commanders to construct "urgent, small-scale, humanitarian relief, and reconstruction projects and services that immediately assist the indigenous population and that the local population or government can sustain."[21] USACE's road construction was funded by MILCON, the Afghanistan Infrastructure Fund (AIF) in partnership with USAID, and CERP.

The Ring Road

The Ring Road is the "backbone of the national transport system and principal conduit for national and international passenger and freight traffic."[22] More than 80 percent of Afghans

live within 50 km of the road,[23] which connects Afghanistan's five major cities (Herat, Kabul, Kandahar City, Jalalabad, and Mazar-e-Sharif). Efforts to build and rebuild the road appear to be positively affecting the Afghan economy, with imports and exports increasing almost 250 percent since 2003, representing annual average growth of about 30 percent.[24]

However, these efforts and other transportation network investments have been fraught with many complex challenges. The major enduring problem is how to meet ongoing operations and maintenance requirements, which have, to date, been accomplished mostly through international and coalition efforts. To ensure long-term maintenance of their roads, the Afghan government must have the institutions and resources to sustain their infrastructure. USAID currently has a project providing "Technical Assistance to the Ministry of Public Works," valued at $25.5 million. Scheduled to conclude in 2017, project goals include helping the Ministry of Public Works (MOPW) establish an independent government road authority[25] to improve accountability and efficiency by initiating road-user fees to fund operations and maintenance.[26]

The Salang Tunnel

The USACE Salang Tunnel project exemplifies many of the strong points and complications involved with Afghanistan rebuilding efforts. The 1.6 mile tunnel is part of the Salang corridor through Parwan Province; it serves as the primary route between northern and southern Afghanistan crossing the Hindu Kush mountain range and is typically the only pass in the area remaining open the entire year. An estimated 5,000 to 7,000 vehicles travel the route daily, carrying nearly all commerce for Kabul and all other eastern Afghanistan cities. At about 11,200 feet (3,400 meters) above sea level, the Salang is one of the world's highest road tunnels.[27]

The Soviet Union and Afghanistan developed the Salang Road together beginning in 1955. While providing a critical connection for Afghans, the tunnel has had many safety issues. Military actions and accidents compound the pass's inherent dangers, which include avalanches and extreme weather. A tunnel fire in 1982 killed more than one hundred seventy Soviets and Afghans. Combat between the Northern Alliance and the Taliban through 1997 and 1998 destroyed the tunnel ventilation system and entrances, resulting in the tunnel's closure to all but foot traffic.[28]

A joint effort by Afghanistan, Russia, the United States, and other countries cleared mines and debris from the pass and reopened the tunnel in January 2002. About a decade later, rehabilitation of the Salang Tunnel began under a two-phase, $20 million, CERP-funded project. The first phase included purchasing materials and equipment to conduct emergency repairs to the tunnel roadway. The Theater Engineer Brigade performed some of the work and also oversaw and mentored MOPW personnel at the tunnel. These repairs were designed to allow USACE time to award the Phase 2 contract providing more permanent repairs.[29]

USACE awarded the $13.4 million contract to the Omran Holding Group. Phase 2 work began on November 5, 2012, and concluded on time and under budget about thirteen months later on November 30, 2013. Work included replacing the road pavement, improving the sub-drainage system, upgrading electrical and ventilation systems, repairing and expanding power plants, replacing jet fan conductors, replacing and installing lights, and installing closed circuit television cameras.[30]

The major enduring problem is how to meet ongoing operations and maintenance requirements, which have, to date, been accomplished mostly through international and coalition efforts.

Successful project completion required cooperation among USACE, ISAF mentors, the MOPW, and Omran Holding Group (formed in 2004 as a product of the Afghan First Initiative).[31]

The Salang Tunnel project was successful in numerous ways, but problems linger related to upkeep and overuse. In terms of positive aspects, the tunnel was an excellent use of CERP funding because its successful completion addressed important transportation and safety requirements for the local population. The tunnel's previous state not only generated vehicle collisions, but many people died in the tunnel because of poor ventilation. The project was a model for collaboration between the U.S. Department of State, USAID, and the Afghan government. An Afghan firm also successfully constructed the project with quality assurance oversight from the USACE Local National Quality Assurance program.

Unfortunately, systemic problems with tunnel upkeep, combined with overuse, have degraded the project's enduring legacy. The MOPW has not been able to fully take up operations and maintenance efforts, resulting in overall tunnel deterioration.

Sustaining the Roads

Sustaining gains made during the past decade is the primary issue now facing Afghanistan. Without a viable, internal Afghan maintenance plan, the roadway system is quickly deteriorating. Both Afghan and coalition leaders recognize that the road network's success depends on a sound plan.

In 2007, the Afghan government created the Afghan National Development Strategy (ANDS), with the overarching objective to "substantially reduce poverty, improve the lives of the Afghan people, and create the foundation for a secure and stable country."[32] Recognizing the road network's importance in creating conditions for economic growth and prosperity, ANDS articulated the country's vision for roads, including specific objectives for the Ring Road and airports. Focusing on inexpensive and reliable connectivity, ANDS aimed to establish a fiscally sustainable road maintenance system.

In spite of ANDS' goals and strategy, an Asian Development Bank Transport Sector Assessment identified continued funding challenges and a lack of sector governance in 2011.[33] In 2014, the U.S. Special Inspector General for Afghanistan Reconstruction expressed concern that "the U.S. government may be supporting road projects in Afghanistan that will be unsustainable due to not being properly maintained."[34]

USAID recognizes that an ongoing plan for road operations and maintenance (O&M) is a necessity. Although the MOPW is now able to take some ownership of O&M, they have an approximate "$100 million maintenance gap and inadequate technical staff" and, therefore, can only focus on "serious emergency repairs."[35] Not only does Afghanistan require a viable plan, they also require the personnel, expertise, funds collection, and national security to execute this plan. A critical question remaining is how Afghanistan will collect, manage, and disburse fees from road users, in the form of taxes or tolls, to fund O&M.

The method in which the road projects were initiated also affects the road's ultimate sustainability. For example, MILCON-funded roads were intended specifically for U.S. and coalition transport, traversing some of Afghanistan's most difficult terrain. The roads were designed without a long-term sustainability plan because they were built for the military's short- and medium-term operational requirements.

Lack of a sufficient maintenance program is sometimes evident before road projects are even completed. One current USACE road project in eastern Afghanistan shows considerable

Although the Minsitry of Public Works is now able to take some ownership of operations and maintenance, they have an approximate "$100 million maintenance gap and inadequate technical staff" and, therefore, can only focus on "serious emergency repairs."

wear and tear in its early completed sections. Damage from terrorist attacks, decay, and pitting and grooving from overloaded vehicles underscore the critical need for Afghanistan to create an internal mechanism to maintain roads as international partnership declines.

Ultimately, successful nationbuilding requires a host nation to maintain and repair transportation infrastructure. In addition to fiscal considerations, sustainability requires engineering and construction expertise and the ability to forecast maintenance requirements. Unfortunately, it is extremely difficult to address these issues at a project's inception because the strengthening of government institutions parallels infrastructure development in the contingency environment. A coordinated effort across interagency organizations and the host government involved in road projects is essential. Unity of effort in developing a strategy and the resulting projects would help avoid duplication of effort and over-committing the host nation to unaffordable, follow-on O&M costs.

A comprehensive roads strategy and associated maintenance and cost recovery plans are still being developed. While USACE can carry out the projects, ultimate stability in Afghanistan requires governmental agencies that provide structure and financial support to sustain these projects. While the lack of strategy and O&M does not affect USACE's ability to manage road construction, the overall wisdom of this program is questionable without a plan for sustaining gains. State-strengthening efforts are clearly improved when the host nation addresses fiscal and programmatic concerns early in the reconstruction process.

Creating a Power and Energy Infrastructure

One of USAID's priorities has been enabling Afghan communication with the wider global community by providing electricity. USACE partnered in this effort to increase Afghanistan's per capita electricity production, which remains one of the world's lowest. After multibillion dollar investments, about 28 percent of Afghans could regularly access power by 2012—up from about 6 percent in 2002.[36] Specifically, in 2003, Afghanistan had a 200 megawatt power generation capacity; this increased more than four times to 900 megawatts (MW) in 2014.[37]

Until about 2010, USACE focused on power generation supporting construction for coalition forces. After that, USACE broadened its scope to include the AIF, which concentrated on providing power generation to Afghanistan as a whole using a national power grid. The Afghan government, the international community, the U.S. Department of State, USAID, and the U.S. Department of Defense effectively planned for the Afghan national electrical system and invested AIF funds in appropriate (and sometimes insecure) locations.

Hydroelectric Power through the Kajaki Dam

The international coalition has long placed strategic importance on upgrading the Kajaki Dam in Helmand Province; this project provides another example of difficulties faced during the reconstruction effort. Built by the American engineering firm Morrison Knudson and commissioned in 1953, the dam is about 100 miles northwest of Kandahar City. Kajaki Dam originally held 1.7 billion m^3 of water and produces 33 MW of electricity using only two of its three originally planned turbines. Installing and operating the third turbine would boost electrical output to 50 MW; routing that electricity to Kandahar would ease the city's requirement for diesel generators, reducing operating costs and air pollution and providing a sustainable, renewable energy source.[38]

Installing the third turbine became a reconstruction priority as part of "a major U.S.-funded project in cooperation with the Government of Afghanistan."[39] After lengthy delays, caused largely by security concerns and political conflict, the $75 million project began in May 2013 and is scheduled to end in 2016.

For the past ten years, the U.S. government has funded diesel fuel for Kandahar's generators at a cost of roughly $1 million every month. These generators were put in place to help power Kandahar until the Kajaki Dam turbines and power lines are functional. As coalition forces withdraw, the Kandahar fuel subsidies will also disappear, potentially leaving one million Kandahar citizens without power and providing insurgents with an opportunity to recruit the unemployed and disenfranchised.[40]

The third turbine sits just outside the dam's powerhouse, waiting for installation after being delivered in 2008 by mostly British troops. The turbine pieces traversed a 100-mile route in which "more than 3,000 British troops were needed to fight off the insurgents" and about 200 Taliban fighters were killed.[41]

As USAID and USACE upgrade Kajaki Dam, other USACE contractors will install high voltage cables from Kajaki to Durai Junction, Laskar Gah, and Kandahar. Substations along the power lines will deliver electricity to local cities and towns, introducing government services to rural areas, hopefully encouraging local farmers to grow commercial crops.[42]

Sustainability of the Power Generation Network

Many stakeholders are more optimistic about the sustainability of Afghanistan's power and energy than its road network, because

- the Afghan government has a more viable plan for long-term power grid management;
- although still difficult, capturing user fees is much easier for power than roads; and
- a national power grid requires a national cooperative effort, whereas roads may be constructed individually.

The electrical power sector's relative success results significantly from involvement of the Afghan electric utility company, Da Afghan Breshna Sherkat (DABS). DABS is an independent, autonomous limited liability company established under the Corporations and Limited Liabilities law; the Afghan government owns all DABS' equity shares.[43]

DABS assumed ownership of the electrical sector in the Afghanistan Energy Strategy, and USACE's electricity construction projects have a much higher success rate because of DABS' consistent and timely communication. Long-term success is possible because DABS represents the governance structure and associated municipal services' commitment to sustainability. Both the public and private sectors actively supported the energy strategy and resulting fiscal responsibilities. Establishing appropriate "energy sector governance is the single most important issue for the long run health of the sector."[44]

A national grid, unlike individual spot generation, requires national government oversight. The power grid also connects Afghanistan to its neighboring countries, including Pakistan, creating a mutual, vested interest in success. Neighbors depending on the same electrical grid are probably less likely to attack or take other actions damaging to the grid.

Electricity on a national grid also lends itself to a market model. The ability to collect user fees creates conditions for a successful long-term financial support plan that is currently lacking in the roads framework. Independence for the Afghan government depends on its economy generating funds to sustain these investments. With USAID's assistance to

commercialize DABS-Kabul, "cash collections increased by nearly 60 percent."[45] The Special Inspector General for Afghanistan Reconstruction recognizes DABS-Kabul as "one of the best performing electricity directorates in all of Afghanistan" but further acknowledges they continue to operate at a financial loss.[46]

Building Capacity in Construction and Engineering

Although the long-term success of infrastructure in Afghanistan depends on internal ownership, Afghanistan lacked this capability early in the operation. Many developing nations lack construction and management expertise, as well as supporting institutions such as banking and law enforcement. To help remedy this and ensure successful project completion, USACE developed several programs to increase local capacity, including a successful program to train local nationals on construction quality assurance.

In this program, Afghan local national engineers act as quality assurance representatives (QARs), executing USACE's quality assurance program "at remote locations not easily accessible to U.S. personnel."[47] USACE project managers and engineers help train these individuals in USACE processes. This program helps ensure project sustainability into the future.

USACE currently has a little more than two hundred trained QARs who visit project sites daily. USACE has executed more than fifty Afghan QAR-only projects since early 2014. Most of these individuals hold at least a bachelor's degree in engineering and are fluent in English as well as local languages. The QAR program

- allows the execution and oversight of projects that strengthen Afghan security and stability;
- allows a smaller USACE presence in-country, protecting U.S. personnel and conserving monetary resources;
- increases Afghan economic growth and trains future leaders;
- provides USACE access to sites otherwise inaccessible to American engineers;
- allows project continuity and language and customs assistance; and
- builds national pride.[48]

USACE plans to expand the local QAR program as its in-country presence decreases.

Other successful programs for developing and supporting Afghan construction companies have taken place since early in OEF. One Afghan firm stated:

> The recent history of the Afghan construction industry is one of complete transformation. It is a fact that we do not have reliable statistics on the construction industry in the years before September 11, 2001, but it is fair to say that before 9/11 there was no structured construction industry in the country. By 2013, however, the Afghan Investment Support Agency (AISA) counted as many as 6,540 registered construction companies in Afghanistan, and there probably were a lot more.[49]

Capturing and Documenting Lessons Learned

USACE, along with many other agencies, has begun capturing, processing, and documenting information from the coalition engagement in Afghanistan. For many reasons, including the novelty of counterinsurgency operations and protracted engagement length, OEF provided a large volume of information. Critical self-evaluation may be even more warranted given the large funding expenditure and criticism that Afghanistan stability efforts have not been viewed as fully successful.[50]

USACE's Transatlantic Division began formally documenting lessons learned in its overseas contingency operations in spring 2011, as the last contingency district in Iraq closed. During the analysis, information coalesced into seven guiding principles for how USACE operates in nonpermissive contingency environments (see Table 1).[51] The principles emerged through analyzing hundreds of pages of internal after-action reviews, interviewing operational leaders, funding and reviewing a third-party study evaluating USACE's participation in OIF and OEF operations, and conducting two conferences to discuss and capture senior leaders' experiences in Iraq and Afghanistan.

Table 1. USACE Overseas Contingency Operations Principles

Adapt	Provide only the *level of service needed* to accomplish the mission.
	Adapt methodologies in stride to meet changing requirements.
Design Sustainability	*Consider program/project handover and end state early in the process*; assume the host nation will eventually use, operate, and control all projects.
	Project success depends on the *local population's needs and abilities.* Build facilities that the host nation can operate and maintain.
Develop Capacity	Maximize *indigenous resources* and *build host nation capacity* where appropriate.
Integrate Command and Effort	Recognize that *military and civilian agencies share equities* in each other's initiatives/programs/projects. Whenever possible, coordinate, de-conflict, network, etc.
	Communicate critical observations to those who need to hear them (command, host nation officials, customers), even if not part of the standard process.
	Fully integrate USACE elements into the *theater military command*/task force.
Maximize Reachback	*Maximize the use of reachback* and reduce deployed assets.
Standardize Processes	Maximize the use of USACE *standard business processes* and corporate information technology solutions.
	Use *standard engineering designs* where possible.
Train	*Train* for contingencies during peacetime; *establish relationships* with supporting maneuver units and sister agencies.

Each guiding principle applies to the contingency environment. As the analysis continued, the matrix was refined based on summarized wisdom from previous leaders. The principles provide an essential, experience-based starting point for USACE planning and operating in the contingency environment. USACE is institutionalizing these lessons into salient doctrine and training programs so future contingency operations personnel may benefit from its experiences in OIF and OEF.

Interestingly, other organizations involved in stability operations discovered similar principles and lessons independently. USAID's "Nine Principles of Reconstruction and Development" evolved from its realization that it required a "more uniform and consistent set of guiding principles."[52] Four of USAID's major principles mirror USACE's, including

capacity building, sustainability, partnership, and flexibility. Similarly, the final report of the Special Inspector General for Iraq Reconstruction to Congress echoed these lessons.[53] Its report provides seven final lessons—three of which (host-country engagement, uniform systems, and integrated efforts) are similar to USACE principles.

Conclusion: Measuring Effects and Success

Working in support of stability tasks presents complex challenges, including determining when the operation reaches successful conclusion. USACE confronted these challenges by collaborating intensively with the requirement-generating agencies, multidisciplinary approaches to project management, continuous feedback, and, most effectively, partnerships with the host nation when possible. "By almost all metrics, societal progress in Afghanistan has been significant in the last 13+ years. U.S. and Coalition forces, along with an increasingly capable ANSF, have provided the necessary security to enable these improvements."[54]

USACE's internal success measurements vary, depending on the program being measured. For Afghan National Security Fund projects, the metric is the number of completed facilities to base, train, and operate the ANA and Afghan National Police; currently, one thousand facilities have been completed at a cost of $8.6 billion. The AIF contributions are intended to improve Afghanistan's economic development. AIF success metrics would include items such as the number of persons receiving electricity, acres of improved irrigation, and miles of roads produced.

After the conclusion of OEF, the U.S. Forces-Afghanistan commander testified to the U.S. Senate on gains made during the campaign, including an overall life expectancy that has increased from forty-three years to sixty-four years. In addition to improvements in roadways, access to reliable electricity increased from 6 percent to 28 percent, internet users increased from zero to more than six million, and the number of Afghan television stations increased from none to fifty.[55]

Perhaps the best measure of success is the optimism of the Afghan people. While indicators are mixed, surveyed Afghans who state they believe their country is "moving in the right direction" cite reconstruction and rebuilding as their primary reason for optimism.[56] These data indicate that the reconstruction effort positively influenced the Afghan people and suggest that the country now has a more tangible foundation on which to build.[57]

In addition to improvements in roadways, access to reliable electricity increased from 6 percent to 28 percent, internet users increased from zero to more than six million, and the number of Afghan television stations increased from none to fifty.

Notes

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Role of the Media in Nation Forming

JAMES DEANE AND SHIRAZUDDIN SIDDIQI

> When I look back on the processes of history, when I survey the genesis of America, I see this written over every page: that the nations are renewed from the bottom, not from the top; that the genius which springs up from the ranks of unknown men is the genius which renews the youth and energy of the people. Everything I know about history, every bit of experience and observation that has contributed to my thought, has confirmed me in the conviction that the real wisdom of human life is compounded out of the experiences of ordinary men.
>
> —Woodrow Wilson, *The New Freedom: A Call for the Emancipation of the Generous Energies of a People*, 1913

In its more than 250-year history, the diverse communities that constitute modern Afghanistan have never had the opportunity to shape the destiny and identity of their nation. The role of the media in the Afghanistan transition has been a relatively peripheral priority in post-transition planning, particularly in relation to its potential for providing a national platform for public debate and dialogue. Here we distinguish between concepts of statebuilding and nationbuilding, focusing on the role of media in nation formation and bringing Afghanistan's diverse communities closer together in shared political dialogue. Though the Afghan media has developed significantly over the last decade, it faces major threats and there is high potential for backsliding. Currently, the media is poorly situated to play the increasingly important role of enabling the people of Afghanistan to negotiate their differences and establish a stronger sense of shared identity and nationhood. However, concrete steps could be taken to address this increasingly urgent challenge, with a particular focus on reforming the state broadcaster, Radio Television Afghanistan.

Introduction

Despite some moments of democratic flowering—such as between 1963 and 1973, when political parties were able to publish freely—prior to 2001, the media was largely under the influence of the state and deeply mistrusted by the public. This was the case under the monarchy that ruled the country for most of the twentieth century and the 1973 republic that followed it. It was certainly the case when in the 1980s, the Soviet Union poured money into the propaganda machine that was the monopoly state broadcaster of the time. And it was most tragically the case under the mujahideen and the Taliban when, from 1996, Radio

It [the Afghan media] is now one of the most liberalized in the world, comprising a broadcast spectrum saturated with jostling radio and television channels and notable for its dynamism and relative independence.

Kabul and Radio Television Afghanistan were renamed Radio Shariat and all forms of cultural expression, including music and tape cassettes, were banned.

Given the media's history, it is no wonder that Afghans and the international community take pride in the media as it exists today. It is now one of the most liberalized in the world, comprising a broadcast spectrum saturated with jostling radio and television channels and notable for its dynamism and relative independence. That pride resides mainly in the pluralistic character of the media—that multiple media institutions exist; that journalism has a certain capacity and freedom to inform the public and hold government to account; and that it is vibrant, innovative, and of reasonable quality.

Regrettably, while the progress is indeed remarkable, the media's future is of increasing concern. That concern is rooted in many factors, including the lack of an advertising market sufficient to sustain the media sector that has evolved, the growing cooption of media by factional forces (including warlords), and the withdrawal of international support.[1] Of particular concern is the media's capacity to play the role which, arguably, its people need most: to provide the democratic platform through which Afghan citizens can come together to rebuild their nation.

Statebuilding, Nationbuilding, and Nation Forming: A Brief Discussion of Concepts

Any discussion about the role of the media in state strengthening is inevitably contentious. "Statebuilding is the creation of new government institutions and the strengthening of existing ones," argued Francis Fukuyama in 2004.[2] In Afghanistan's history, as in much of the world, the principal characteristic of any strategy designed to use the media to strengthen the state has been that of authoritarian governments controlling and deploying a centralized, state media system to project a national vision and control power.

This chapter does not focus on the role of the Afghanistan media in *statebuilding* but on its role in building a sense of nation. There is not space to do proper service to the conceptual confusion that besets the term *nationbuilding*, but the confusion was usefully summarized more than a decade ago by Jochen Hippler:

> The term nationbuilding is used today in a markedly vague and inconsistent manner. Nationbuilding is on the one hand the process of socio-political development which—usually over a longer historical timespan—allows initially loosely linked communities to become a common society with a nation-state corresponding to it……..on the other hand [it is] a political objective as well as a strategy for reaching specific political objectives.[3]

This chapter focuses on the first of Hippler's concepts—a process that allows the loosely linked communities of Afghanistan to become a common society through a process shaped by society, not just the state.

Hippler identifies three prerequisites for nationbuilding to succeed. The first is an integrative ideology, the second is the development of a functional state apparatus, and the third—the main focus of this chapter—is the integration of society from the loosely associated groups that existed previously. "To achieve this, the patterns of communication between the social groups need to be intensified to the extent that communication does not principally take place within the groups," argues Hippler.[4] "Even though the internal communication of the ethnic religious and other groups may remain stronger than that between them, a certain degree of close communication among them is [a] requirement for successful and enduring nationbuilding," he concludes.

A similar definition, with a similar focus on the role of media, is made by Hopp and Kloke-Lesch, who argue that the objective of nationbuilding rests on three constituents. The first is a functional statism central to which are "the functions of securing a monopoly of force, guaranteeing security for the population and neighboring countries, the provision of public assets, as well as the rule of law and legal certainty."[5] Second, "the building of a nation requires a physical, social, and media infrastructure that is shared by the entire civil society, [and] these assets must be accessible to all groups of the population."[6] Third, nationbuilding "presupposes a sociocultural structuring and integration process leading to shared characteristics of identity, values, and goals."[7]

The neglected focus on identity formation is emphasized by Professor Paul Collier: "The fundamental mistake of our approach to statebuilding has been to forget that well-functioning states are built not just on shared interests but on shared identity."[8] This is a valid concern: Too much international attention has been invested in supporting the architecture and capacities of the Afghan state and not enough on how Afghans—as a people, as a society—can engage in the kind of dialogue that can help overcome their differences and define their future. While elite political leadership is essential to building national identity and nationhood in Afghanistan, success cannot be assured without incorporating, reflecting, and melding the diverse voices from across Afghan society. The media system of Afghanistan is currently poorly equipped to play that role.

Why Independent, Trusted Platforms Matter for National Debate

The process of nation rebuilding will require Afghans to have access to information they can trust, it will require people to be exposed to the perspectives of those with whom they disagree, and it will require the existence of trusted platforms upon which people can debate their differences peacefully.

These differences are a reflection of the diverse histories of the peoples who happened to live close to each other when this part of the region was declared a unified country in the eighteenth century. Since then, these diverse communities have had few opportunities to fully understand each other. The country still lacks an essential precondition for forming a national identity, and as a result, a whole range of issues can still be exploited to divide rather than unite.

These issues relate to geographical affiliation (known as *samt*), which is still highly relevant even with increased urbanization; linguistic diversity; ethnic diversity; tribal affiliation (that is, the divisions within each ethnic group); and religious differences (besides having a Sunni majority, Afghanistan is also home to Shia and Ismaili Muslims, Hindus, as well as small silent minorities belonging to other religions). To negotiate these differences and accommodate these diversities within a shared national identity and culture, all these groups require shared platforms and goals they can trust and engage with. While the media of Afghanistan has much to be proud of, it is also increasingly fragmented with the great number of broadcast stations serving particular, often urban, audiences and is relatively poorly equipped to engage all people in society in the same national conversation. Worse, if the media fractures along sectarian lines—and there are signs that this is happening—the fear is that it might further deepen these divisions rather than resolve them. In the twenty-first century, with increasingly ubiquitous access to information and communication, the role of media in nationbuilding cannot be to simply preserve the state. Afghanistan needs a media system that can reflect and meet the concerns and interests of all sectors of society. It needs, in other words, some kind of a national

public service media. Afghanistan is a long way off having that system, but unprecedented opportunities now exist to help create it.

The Successes and Limits of Investment in Afghan Media

Investment in the Afghan media, as part of building democracy, has focused on distributing the state's control of information to as many different actors in society as possible. International support to the Afghan media has been arguably the most intensive, costly, and successful example of media development in history.

In 2001, aside from the Taliban's Radio Shariat, only a small number of courageous Afghan journalists existed and they worked for international media. Since then, the government has prioritized rapid liberalization of the Afghan media, and with private investment from the Afghan diaspora and international support, the media environment has been transformed. Television and radio has expanded by around 20 percent per year since 2006.[9] Kabul alone has an estimated thirty TV stations, larger cities like Herat and Jalalabad typically have about four or five TV stations, and there are close to two hundred radio stations across the country. An estimated ten thousand people are employed by the television, radio, and print industries. Mobile telephony has exploded. This growth has been driven by large-scale commercial as well as donor investment. The National Endowment for Democracy estimates that "hundreds of millions of dollars over a ten year period" were invested in the Afghan media by the United States alone.

The objectives underpinning support for the media have overwhelmingly focused on supporting decentralized democratic institutions capable of holding government to account and reflecting the diversity of Afghanistan's society. On many levels, this approach has been successful: A truly diverse and dynamic media landscape now exists, and even while still relatively nascent, the Afghan media has come far in informing its public and holding government to account. However, there are two areas still needing further attention.

First, the environment needs to allow for an even greater impact on the state's performance. For all its vibrancy, innovation, and pluralism, there is little evidence that the Afghan media has made the state more responsive to citizen's needs or more capable in meeting them. In particular, Afghanistan has continued to feature among the most corrupt of countries, ranking 166 out of 168 countries in the world.[10] It still takes immense courage to carry out proper investigative journalism in the country, and the level of impunity of those who attack, kill, or harass journalists remains a source of national and international concern. "Despite the expansion of stations and titles, the number of independent journalistic outlets remains relatively small. In much of the media, proprietors call the tune and journalists must follow. There is a great deal of censorship and bias," according a BBC Media Action analysis published in 2012.[11] "You can't write against powerful faces in parliament," said one leading journalist quoted in the BBC report. Nor is this inability to hold powerholders to account limited to government. "It is not possible to write about corruption and the warlords," argued the same the journalist.[12] More recently, a reporter who recounted the fighting between Hezb-e Islami and the Taliban was instructed by a Taliban commander to "stop all your reporting or we'll kill your family."[13]

While the biggest threat to journalist safety is still the Taliban, those who expose corruption continue to be in danger. According to one Afghan journalist quoted in a Reporters without Borders report, "Fear is a constant companion in our work, especially when we reveal cases of corruption involving senior officials. The fear is such that it drives some journalists to leave their region. We are increasingly seeing a lack of professional journalists, especially those

doing reporting and investigative journalism."[14] The country is still classified as "Not Free" by Freedom House.[15]

Attacks on the media have been especially intense around elections, restricting it from informing the national public debate at its most critical juncture. "Relative freedom of speech was undermined prior to both rounds of the election, when numerous attacks on journalists occurred with impunity," according to the European Commission electoral monitoring commission for the 2014 election.[16]

Much still needs to be done to support Afghanistan's independent media to overcome these challenges, but despite them, the role of a still nascent media in Afghanistan in informing its public, and in holding government to account, has been impressive and is wildly more effective than anything that has preceded it in the country's history. There remains much to be proud of. It is in the second area that success has been arguably more limited—in enabling communication across the deep fracture lines in Afghan society to allow the kind of nation forming that is the focus of the remainder of this chapter.

Media, Society, and the Afghan Nation

Afghanistan is a nation that has a famously strong society and a historically weak state.[17] "The Afghan state has been in a condition of crisis for most its life, since the country's emergence as an identifiable political unit from 1747. It has gone through so many internal political and social upheavals, foreign interventions, and invasions that it has largely existed as a seriously fractured or disrupted political entity," according Amin Saikal writing in 2005. "The authority of successive central governments has remained weak in comparison with the strength of micro-societies which have functioned more or less as autonomous enclaves shaped by ethnic, tribal, sectarian and linguistic allegiances and the role of dominant personalities."[18]

The international community's focus on building the institutions and capacities of the Afghan state, and particularly its capacity to provide security and services for its people, clearly makes sense given this history. So too, however, would an approach that complements statebuilding with a focus on enabling Afghan society to play its part in rebuilding the nation. Given the strength of Afghan society, the engagement of people in defining the country's future will need to go beyond representational politics (however successful and inclusive recent elections have been). The Afghan media is crucial to that process but is ill equipped to play a role in democratic nation formation.

A process of nationbuilding requires at least a national media infrastructure that provides all Afghans with a means of accessing independent news and a trusted platform for public dialogue and debate through which they can negotiate their differences. An infrastructure capable of mediating difference will be especially important.

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Challenges to Media and Nationbuilding in Afghanistan

Three indicators suggest that the media, as it currently exists in Afghanistan, is ill-equipped to enable the kind of democratic, national public debate and dialogue that is needed.

The media is mainly local, not national. The broadcast spectrum in Kabul is saturated, but drive 10 miles outside of the city and getting a broadcast signal becomes difficult. The same is true for other major cities. Afghanistan is one of the most mountainous nations in the world, where broadcast signals travel especially short distances. Rural areas are poorly served by the media, and it is here that the Taliban communication networks are often strongest. The

only broadcaster that has a genuinely national reach is Radio Television Afghanistan, which still exists to serve the Afghan state, not necessarily the Afghan public. Even international stations, including the BBC, that have historically been available across the country have cut back on expensive shortwave and medium wave transmissions and now focus on localized FM broadcast stations in more populated areas (even if they had not cut back, it is not clear how many Afghans would continue to have shortwave radios or listen to them). The most marginalized groups in Afghan society are arguably those with the least opportunity to engage in, or be engaged in, a national public conversation.

The media is mainly partial, not independent. The media system, while far more plural now, risks becoming increasingly captured by political, factional, ethnic, or extreme religious actors. Donor agencies have invested heavily in the media but are generally decreasing their budgets as the transition progresses. Any independent, commercial media sector depends on advertising to sustain themselves and invest in journalism and serves the audience their advertisers want to reach. The advertising market in Afghanistan is estimated to be between $20 and $30 million, which is far too small to sustain the media that exists.[19] There are only a handful of major advertisers, principally mobile phone companies and large banks based in Kabul.

The lack of advertisers and generally weak economy will have two consequences. Without adequate advertising income, mainstream media is likely to (1) shrink and consolidate as donor funds dry up and (2) become more dependent on those who can afford to pay for it, which increasingly include factional actors, such as warlords, and those who fund them. Findings from BBC Media Action's research in 2012 suggested that the second largest supporter to media after the United States was Iran.[20]

The country's open licensing regime has already enabled politicians and religious leaders to establish their own media. Some of the media are being referred to as "warlord" channels that have a highly restricted agenda and foster divisive conflict and an ethnicization of Afghan politics. While the reach of these channels remains relatively low, their impact can be serious. The government has closed down some channels for "inciting sectarian tension and threatening national unity." One human rights specialist interviewed by BBC Media Action said, "I am very worried about warlord media because they are taking their political agendas onto the screen. Even if you radicalize a thousand people in Kabul, it can prove dangerous in the long term."[21]

The media landscape in Afghanistan looks likely to become increasingly fractured and coopted by specific interests in society. The interests owning and controlling much of this media are focused on advancing their own agendas, not allowing the citizenry of the country to chart their own way forward and find sufficient shared identity to rebuild their nation. These processes are intensifying, but the most factional media of all are simply persisting. The Taliban do not have their own television channels, but they do have a social media presence that makes prominent use of video footage and is highly sophisticated and effective at fostering loyalty to their cause.

The national broadcaster is insufficiently independent or credible to provide a platform for democratic nationbuilding. When BBC Media Action interviewed journalists and politicians as part of its research on the media in Afghanistan, a common theme emerged about the importance of national media. "Stations have not been created on the basis of the needs of the people. They have been set up to serve the interests of foreign countries or powerful warlords," said one former independent member of parliament.[22] "We still don't have a country wide media…in Afghanistan today, we seem to lack confidence to build institutions," said

The media landscape in Afghanistan looks likely to become increasingly fractured and coopted by specific interests in society.

one experienced journalist.[23] "The biggest need in the media sector is unity, consensus, and national understanding....otherwise, we will never pull ourselves out of this difficulty," said another journalist.[24]

Such sentiments have led many to focus again on whether the state broadcaster, Radio Television Afghanistan (RTA), can be reformed to become sufficiently independent and trusted across political and factional spectrums to become a credible platform for national debate and dialogue. The broadcaster is much weakened because of its lack of editorial independence. Like its commercial rivals it is heavily dependent on advertising. However, while it is losing audience share, popularity, and credibility, a significant residual respect for the station remains, and its national reach makes it an important consideration in the context of this chapter.

Efforts have already been made to make RTA more independent and effective. The Media Law of 2009, passed by a two-thirds majority, was an attempt to equip RTA to play a more independent national role. Many donors—including Japan, the United States, the United Kingdom, France, and India—have provided substantial support, especially to improve its equipment. China has also supported the broadcaster. A major partnership with BBC Media Action includes the coproduction of an independent public debate program, Open Jirga, which has attracted a substantial audience (more than three million), major credibility, and the participation of the most senior political actors in the country, including former president Hamid Karzai and President Ashraf Ghani.

However, the 2009 media law has never been implemented, and the reformed governance structure it envisaged has never appointed. The broadcaster continues to serve the state's interest. Despite this, Ghani has signaled that he believes RTA should become independent. "I want our national TV (RTA) to be like the BBC. It must be a truly national TV, which should reflect the voice of Afghans," he tweeted on August 12, 2014.

Conclusion

The media faces many challenges in Afghanistan, especially in enabling the people of Afghanistan to rebuild their nation. However, there are also opportunities for the international community to pursue, especially related to supporting a reform process for the state broadcaster. It is difficult to see how Afghanistan can rebuild itself without a forum for national public dialogue and debate, and this forum is unlikely to be created without the media providing a foundation.

International development and diplomatic support for the media has focused on bolstering diverse, often localized, democratic institutions. Given the success of this approach and its major contributions to the rebuilding of political, social, and cultural life in Afghanistan, existing media support strategies should remain a priority. However, they should be complemented by equally urgent strategies to build a genuinely independent, national media that will enable the people of Afghanistan to negotiate their differences and help rebuild their nation.

No one pretends that this process will be easy or successful. The history of transforming state broadcasters into independent and financially sustainable public service broadcasters is, at best, mixed. Even when support strategies are highly effective, the political obstacles to states surrendering control of "their" broadcaster can be immense.

The consequences of failure, however, seem serious. It is extremely difficult to envisage how Afghanistan can rebuild itself unless its people have the means to develop a sense of shared identity, common purpose, and peaceful reconciliation—and one crucial vehicle is a national media infrastructure that provides an environment for that to happen. The people

of Afghanistan face immense challenges in rebuilding their nation. Supporting national democratic media platforms that can help them to do so should be a far higher priority than it has been in the past.

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Afghan Youth and the Effects of Hybrid Politics

MUJIB MASHAL

Introduction

After the fall of the Taliban fourteen years ago, space opened up for youth participation in every sector of life, including governance. Having the skills to operate in a rapidly changing outside world, youth make up much of the workforce in the government and private sector. Increases in connectedness, availability of educational opportunities, and urbanization have created decent human capacity—something Afghanistan has been in dire need of after three decades of conflict left many institutions shattered.

However, this youth development has happened without a clear direction or long-term vision. Hybrid politics that give the powerful an unfair advantage have paved the way for political dynasties and blocked natural merit-based growth and capacity building. On the surface, a generational shift seems to be happening in Afghan politics, but deeper down, the system has given a boost to the controversial old guard that has proven versatile. The Afghan government's lack of vision is evident by its lack of investment and planning in higher education, its suppression of any kind of politics in educational institutions, and its failure to control fundamentalist trends in these institutions. The shallow development of civil society, driven largely by donor "quick-fix" projects that align with political calendars at home, has further weakened a sense of direction for the development of youth and their place in the democratic cycle.

What the Elections Showed

The country's presidential and provincial council elections in 2014 provided a glimpse into where Afghan youth stand today. While on the surface, voter turnout was large and the process went smoothly, the deeper reality, as is usually the case in Afghanistan, was much more complex and showed some deficiencies. No presidential party broke completely with the past. The candidates publicly proclaimed the importance of the youth vote, but much of their actual work was focused on ringing in the old guard, perpetuating the idea of "vote-banks" controlled by former warlords (something many hoped would be eliminated by this election). The candidates also ignored the trends of rapid urbanization, connectedness, and political awareness of the new youth, continuing to see them through the old lens—that the youth had no agency and would follow the path their political and ethnic elders chose for them.

Prominent youth political movements found themselves torn apart—their unity tested by whom they decided to support. With campaigns focused on personalities rather than agendas, achieving consensus over whom to support as a group became difficult. Many youth groups splintered or remained silent to give their movements more time to mature into stronger players in the political cycle. Allegations of serious election fraud sent a bitter message: It was not grassroots politics that decided the future of the country but rather networks of patronage and the bullying force of warlords, who still had many weapons despite costly disarmament campaigns.

While all attention was focused on the messy presidential election, the generational shift in Afghan politics was most apparent in the provincial council elections and better demonstrates the complexity of politics outside Kabul. The Afghanistan Independent Election Commission (IEC) reported that 70 percent of the provincial council candidates were youth,[1] defined in Afghanistan as between the ages of eighteen and thirty. But beneath that number was a mixed reality. The Election Complaints Commission received many complaints of vast engineered fraud. Furthermore, although a quick study of ten provinces shows that about 60 percent of the winning council candidates are in their thirties or younger,[2] many of them are either family members of influential commanders or have acted as their political proxies due to depending on them for campaign funding. The election was predominantly about resources—those who had the resources, either from their own businesses or as a proxy for someone else, could more easily rally people or simply buy votes to stuff the boxes.

The elections point to the uneven playing field. The politics of thirteen years has perpetuated the influence of a powerful class. The provincial council vote also points to the durability of the old guard and its adaptability to the demands of the nascent democratic system. In many cases, the old guard's politics have become more about employing influence and resources, either in favor of an offspring or a proxy.

The new power-sharing government of President Ashraf Ghani has largely kept to its promise of increasing youth in leadership positions. A majority of president Ghani's palace staff are young, but youth appointees at the highest levels (deputy ministers and directors) are typically either children of strongmen or campaign loyalists who are often criticized for taking key posts in areas they have no expertise in.

The Cost of Political Hybridism

Following the fall of the Taliban, Afghanistan had the opportunity to lay a strong foundation for democracy. But a government in a vacuum, buttressed not by its own roots but rather foreign armies and foreign aid, needed to move forward cautiously. Out of necessity, former president Hamid Karzai chose what is described as a "hybrid system," where interest groups with diverging ideologies, liberal and conservative, could coexist. The principal idea was that the government will "be stable if its authority pattern is congruent with the authority patterns of the society of which it is a part."[3] In reality, a shattered social fabric was taking hold, with new local dynamics replacing traditional leaders. The guns and drugs of three decades had deeply affected the traditional weight of the Maliks and Khans.

The hybridism gave time and space to old strongmen, who allied themselves with the government and the U.S. military to extend their roots and tap into the vast resources that came with the invasion. The system perpetuated patronage that has its roots in the first influx of military money for anti-Soviet fighters during the 1980s. These strongmen's ideologies did

Youth appointees at the highest levels (deputy ministers and directors) are typically either children of strongmen or campaign loyalists who are often criticized for taking key posts in areas they have no expertise in.

not match the new democratic reality, yet on the surface they polished their images to meet the demands of a new era, under the gaze of a watchful media.

Over the last decade, the Afghan economy has largely depended on development aid and military spending. And through their connections, strongmen gained a monopoly over much of the logistics, transportation, and supply contracts. They also started their own construction companies to control the market even further. Or they used their political influence to get a cut from projects obtained by others. Their money ensured the continuation of their patronage.

Bureaucratic Representation, but Not Political Weight

When Karzai came to Kabul in 2001 to form a government, the country was drained of any capacity to deal with the billions of dollars in international aid that poured in. For an entire decade of the civil war, Afghanistan had run on chits and signed letters, not a formal bureaucracy. The remnants of the 1980s system were not adaptable to the new realities of a world that called for computer and English language skills at the least. Thus, the government had to rely on a new cadre of youth, mostly refugees returning from Pakistan and Iran who had gotten a better education during the years that the country burned in war. Even the bureaucracy became a hybrid one: A generation in its 40s and 50s, slow on learning the new demands of partnering with the outside world and happy to sign timesheets and not create much trouble, and a class of ambitious youth in its 20s and 30s, moving at a pace more attuned to the strides the country needed to take.

Over the past thirteen years, this class of youth has become the backbone of the government system. They are delivering most of the work done by a government marred by inefficiency and corruption, failing to provide the most basic services. However, political hybridism has prevented the evolution of a clear, long-term vision for youth development. Due to the lack of investment and planning in higher education, the capacity of government universities remains low; they are unable to absorb more than 50 percent of the country's high school graduates. And while the privatization of higher education has helped—there are 134,000 students in 98 private universities and 120,000 in 31 public universities[4]—the quality of education remains a serious concern. There is significant program duplication, and the programs offered do not match many of the country's human resource needs. Agriculture and mining remain the two economic hopes of the country, but none of the private universities offer degrees in either.

Despite their role in running the government, Afghan youth have not been able to rise above the bureaucratic level. To move into elite political posts, they need the support of strongmen. For example, in southern Helmand Province, the position of the deputy governor opened up following a scandal in 2011. Taking initiative they thought the government would appreciate, local activists sent a list of competent youth leaders to the governor and to Kabul for consideration. Over thirteen years, Helmand had had many young leaders with master degrees from abroad and with experience running businesses and nongovernmental organizations in the difficult reality of the volatile province. This was an opportunity for the gradual rise of youth. But, Sher Mohamed Akhudnzada, a former warlord and governor of Helmand whom Karzai had essentially given veto power over local appointments, was furious; he shut down the process as soon as he found out about it.[5]

"The political architecture of the Afghan system—based around patronage and clientelist networks that do not permit inclusive politics—is not conducive to encouraging youth development and participation," writes Srinjoy Bose, who has extensively researched Afghan youth over the past decade.[6] "The present hybrid system of governance (the mix of formal and

Political hybridism has prevented the evolution of a clear, long-term vision for youth development.

informal institutions) dismisses the modern and increasingly educated youth as a caricatured entity not yet capable of contributing meaningfully to state and society."[7]

Some level of disconnect is also associated with the development of civil society, which is also largely driven by youth. Because donor agendas have dictated most civil society efforts over the past ten years, these efforts have become synonymous with those of nongovernmental organizations that use funds to implement "quick impact projects." Not only has this marginalized the traditional platforms of civil society in Afghanistan—the *shuras* and *jirgas*— but, in many places, the voluntary nature of such *shuras* was eliminated by paying shuras either a one-time payment or monthly salaries for the project's duration. Because such efforts were always vulnerable to corruption, "the perceived legitimacy of efforts to rebuild Afghan civil society" was deeply affected.[8] Civil society development became characterized by reactionary conferences and seminars described as "box ticking exercises."

Risk of a New Kind of Islamist Activism

While the government has been focused on fighting the Taliban insurgency and trying to bring them to the table, a softer religious fundamentalism is taking root. Unlike the Taliban, which recruited its foot soldiers from the rural youth migrating to Pakistani madrasas, new extremist groups are targeting educated youth inside Afghanistan, especially those in urban centers who are disenfranchised by the government's corruption and the presence of the international community. Well-networked and technologically savvy, these groups—such as the pan-Islamist movement Hizb u-Tahrir and the less extreme group Jamiat-e Eslah— preach against voting and elections, citing them as un-Islamic and Western.[9] The groups hold public gatherings and use social media extensively to reach Afghans. The government's lack of attention to addressing such trends leaves youth especially vulnerable to indoctrination.

The most alarming factor about these new groups, especially Hizb u-Tahrir and Jamat-e Eslah, is that they have gained a foothold among youth who have "enjoyed modern and higher education…come from the middle class and modern professions."[10] That is exactly the class that the U.S. government's development efforts have touted as their biggest achievement— in providing them education and development opportunities. Both these extremist groups, according to extensive research by the Afghan Analyst Network across nine provinces, have educational institutions at their core. "Hizb ut-Tahrir has been a predominantly campus-born group effective at spreading its message among students (and teachers and lecturers). Eslah organizes large, dedicated programs, such as free seasonal courses for school children and religious competitions with attractive awards for the winners. Eslah also runs its own high schools, universities and teacher-training institutes."[11]

These new groups have what the Taliban have lacked: a chicer, urban packaging that draws on modern politics from states such as Turkey and Egypt, with role models such as Recep Tayyip Erdogan and Mohamed Morsi. Helping them package and disseminate messages are mainstream media tools—from Youtube and Facebook, to FM radio channels, to local television channels, and recorded sermons sold in music shops.

Conclusion

Despite the hybrid politics that gave unfair advantage to old strongmen, Karzai's government— with significant international support—succeeded in developing a capable cadre of young Afghans who constitute the backbone of almost all government and private institutions.

But Karzai's lack of long-term vision, and his penchant for playing politics at the cost of everything else, have made it difficult for the new power-sharing government to work within a polarized environment and curb the influences of burgeoning extremist groups that threaten to reverse or derail youth progress. While Ghani and Abdullah Abdullah have been locked in discussions over cabinet appointments, the stagnation has frustrated the population, especially the youth.

Ghani ran for office on the promise of becoming a transitional leader—one who will do the groundwork to hand over the country to a younger, better-equipped cadre. While he has brought *some* younger talent into the government, he has struggled on almost every other front, including security, development, and the economy. The "brain drain" that depleted Afghanistan of all its capable human resources during the civil war is once again becoming a possibility in Kabul and across the country.[12] Unless the government can restore the public's trust, the current charged environment of fear and uncertainty will cause a backsliding on the achievements of the past fourteen years.

Notes

1. Aazem Arash, "Youth Constitute 70 Percent of Provincial Council Candidates," TOLOnews, March 12, 2014, www.tolonews.com/en/afghanistan/14165-youth-constitute-70-percent-of-provincial-council-candidates.

2. The provinces include Badakhshan, Badghis, Laghman, Kandahar, Khost, Nangrahar, Takhar, Panjshir, Parwan, and Kapisa.

3. Srinjoy Bose and Nishank Motwani, "The Limits of 'Hybrid Governance' in Afghanistan," *Strategic Analysis* 38, no. 4 (2014): 416–26.

4. Provided by Massoud Trishtwal, former director of Private Universities at the Ministry of Higher Education.

5. As recounted to the author by activists in Helmand.

6. Srinjoy Bose, "Afghan Youth: Separating Fact from Fiction," The Diplomat, accessed October 31, 2015, http://thediplomat.com/2013/11/afghan-youth-separating-fact-from-fiction/.

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8. Vanessa van den Boogaard, "Building Afghan Civil Society 'From the Outside,'" *International Affairs Review* 10, no. 2 (2011): 29–42, 33.

9. Borhan Osman, "Afghan Youth for Democracy? Not all of Them," Afghanistan Analysts Network (AAN), www.afghanistan-analysts.org/afghan-youth-for-democracy-not-all-of-them/, accessed July 2, 2015.

10. AAN, "Afghanistan's New Generation of Islamic Activities," AAN, www.afghanistan-analysts.org/aan-paper-afghanistans-new-generation-of-islamic-activists/, accessed July 2, 2015.

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12. Frud Bezhan, "Afghanistan Tries to Stem Tide of Migration 'Brain Drain,'" Radio Free Europe Radio Liberty, www.rferl.org/content/afghanistan-fighting-migration-brain-drain/27262971.html, accessed October 31, 2015.

Women's Empowerment
Challenging the Notion of Victimization

ORZALA ASHRAF NEMAT

Introduction

To fully understand how the lives of Afghan women have changed over the past fourteen years, it is important to learn from the real-time experiences of women and how international assistance for women's advancement has really been received and translated on the ground. Some valuable insights can be learned from the following story of one woman's journey.

On a hot summer day, I found Huma filing the classroom score list into the school logbook in her small office at the village high school. Huma used to be a young teacher in the early 2000s, running home-based secret classes for girls in her village. Later, she got involved in the governance of her village and helped form a community development council (CDC).[1] Her initial experiences of organizing home-based classes helped her reconnect with her villagers and explain to them the CDC election process and how to vote anonymously for their preferred local representatives. In the process, Huma herself won a seat and became a CDC member.

However, due to several events, Huma had to resign from the CDC and begin her career as a school administrator: she started to have children, adding to her responsibilities at home; the CDC leadership was not actively engaging her in the distribution of resources in her village (e.g., she was not kept informed about solar panel distribution in her village and was not informed about CDC meetings); and more broadly, national parliamentary and presidential elections changed people's understanding of and attitudes about elections and democracy.

I approached Huma during my field research because I heard she was one of two female council members but no longer active. She first refused to talk to me because she said she was no longer engaged in the CDC, and if I wanted to see her about that, there was nothing she could share. My second attempt to see her at the village school office was successful. Although she was still not interested in sharing information about her CDC experience, when I invited her to reflect on her view of the village's council work as part of the larger National Solidarity Program, she responded, "Democracy was working very well in our village, but elections ruined it." She then went on to explain:

> You see, when we started with CDC elections, it was fairly easy to mobilize villagers. I would go knock [on] doors and ask people to gather for a cup of tea in a house. They would not expect anything in return. They will gather and we would discuss our village issues, problems, etc. But now, particularly after the way the national elections were organized in our village, things have changed. Because in these elections, every

candidate run all different forms of bribery in order to succeed, such as offering food, clothes like *lungi* and *chapan* [turban and long traditional coats], and even cash. So after this, people think democracy is all about bribing, buying, and not really about true representation and anonymous voting.

Huma's story illustrates the following important points: It first challenges the notion that Afghanistan's traditional society is resistant to democratic models of governance and that rural women are more vulnerable than urban women. Huma's story also highlights the various structural norms and traditional values that remain a barrier to women taking on a public role. For instance, after she became a mother, with more family responsibilities, she was not kept informed about village meetings. Finally, it demonstrates the outcomes of development and governance interventions in a given place and time. Broadly, her story reveals the complexity of democratization in a society mainly led by patronage relations. That these relations dominated presidential and parliamentary elections reveals how internationally sponsored democracy can actually reinforce patronage relations rather than replace them with democratic values, processes, and institutions.

Many lessons can be learned from post-2001 statebuilding and governance interventions and their support of women's rights and advancement in Afghanistan. However, whether these interventions primarily focused on women's empowerment or just addressed it as part of a larger initiative, the resulting changes cannot be framed as being solely successful or unsuccessful. Further, a more in-depth study of these interventions is needed to identify the empirical rather than theoretical realities of how women's situations have changed on the ground. Related to this point, it is important to not only consider the evolution of women's rights and their political and socioeconomic status but to also go deeper and examine how broad reforms have translated to real changes and improvements in women's daily lives.

One way to determine real change is to look at women's advancement in the context of changes in the political economy since 2001. Production structures and different patterns of economic activity cannot be understood without looking at political interests and the organization and balance of power and social relations. Through examining how power relations govern the distribution of resources, benefits, privileges, authority, and relationships with donors, the material status of women's empowerment can be discerned.[2]

Finally, in gleaning the gains made in women's advancement, it is important to then understand the significance for women's rights and how these gains can be sustained and built on through the next phase of U.S. and international engagement.

Note that what follows below is not a systematic review of women's empowerment programs and projects in Afghanistan, nor is it a comprehensive critique of what empowerment or advancement means.[3]

Historical Overview of Women's Advancement

The political advancement of women's rights in Afghanistan since 2001 can be best understood by (1) analyzing how women's social, political, economic, and legal status have been negotiated by different political regimes over the past century; and (2) situating women's empowerment and their advancement into a broader context of internationally sponsored statebuilding and governance assistance. Therefore, it is first necessary to examine women's advancement historically and in the broader context of statebuilding interventions.

Since the nineteenth century, various political regimes in Afghanistan have made women's rights an integral part of discourse, seeking to create a stronger public role for women in sociopolitical and economic spheres. Support for reforms first emerged under the rule of Amir

Abdur Rahman Khan. He ordered the abolition of some traditional customs (such as forcing widows to marry their deceased husband's brother), raised the age of marriage, allowed women to inherit property, and secured women the right to divorce under defined conditions.[4] Abdur Rahman Khan's predecessors (Habibulah Khan, later followed by King Amanullah Khan) attempted to build on these reforms by sending girls abroad for education, building schools for girls beyond the capital, and denouncing polygamy. Despite resistance from some conservative parts of the population and women from Amanullah's family, particularly Queen Soraya, his wife played an instrumental role in promoting women's public role in the society.[5] After a brief period of turmoil in the decades to follow,[6] in the early 1930s, the country embarked on expanding public spaces for women. Many women were educated as teachers, nurses, lawyers, doctors, engineers, and other professions; and were able to assume formal, public roles in government offices in the cities. However, women in rural areas often remained isolated, with less or limited access to education and other services. Afghanistan's 1964 constitution emphasized the equal rights and obligations of all Afghans without any discrimination or preference (Article 25); and this, for the first time, opened the space for women to vote and be elected. Since then, a limited number of women have become members of parliament and taken leadership positions in a few government offices.

Rapid reform continued in the 1970s under the Soviet-sponsored People's Democratic Party of Afghanistan (PDPA) regime. Women's literacy efforts and broader land reform campaigns were used to extend reforms to rural and remote areas. The PDPA made education compulsory for girls and boys, as well as adults, and raised the marriage age to sixteen. PDPA's radical socialist agenda—most notably its promotion of state atheism, confiscation of land, and abolishment of bride prices—triggered strong reactions by the local population, especially power brokers.[7] In Kabul, women were relatively active as party central committee members and cabinet members, as well as participants in antigovernment activities such as demonstrations and the distribution of antigovernment propaganda.[8] However, at the subnational level, outside of the major provincial capitals, there was more opposition to supporting women's literacy and their involvement in politics.

During the civil war period (1990s) and the Taliban's rule (1996–2001), there was a major backsliding in many of the reforms, once again restricting women to household roles. Systematic discrimination against women began under the Mujahideen era in early 1990s and intensified under the Taliban.[9] In the mid-1990s, public infrastructure was significantly damaged, and funding for education and other public services decreased significantly, leaving nongovernmental organizations to fill the gaps through confined projects with limited outreach. Additionally, the formal ruling regimes promoted a far more restrictive and fundamentalist approach with regards to women's mobility and access to services. They eventually took away their right to education and participation in the political sphere. However, it is important to recognize the silent forms of resistance and resilience that Afghan people, particularly women, performed during this period—for example, by running home-based literacy and health education classes for women and girls and continuing to work in the health sector.[10]

A key lesson to be learned from Afghanistan's contemporary context is that women's rights and their status has been a bargaining chip used by various national governments and regimes to either promote modernity or counter it on the basis of more restrictive interpretation of religion and customary norms. Recent history (1978–2001) also reveals how the PDPA and the Taliban—two ideologically radical extremes (one focused on "liberating' and "freeing" women and the other focused on restricting women to household and reproductive roles)—were

Women's rights and their status has been a bargaining chip used by various national governments and regimes to either promote modernity or counter it on the basis of more restrictive interpretation of religion and customary norms.

both rejected by the population as a whole.[11] In addition, it highlights the dependency of Afghan elites on external sponsorships for carrying out their ideological campaigns. But, what is equally notable is that women's resilience and resistance to the restrictive rules on mobility and public life serves to portray them as active agents rather than passive victims of these conflicting interventions or reforms.

Significance of Women's Advancement in Post-2001

Over the last fourteen years of U.S. intervention, Afghan government leaders and international partners have repeatedly highlighted the gains made for women's rights, and thus, they have been well-documented.[12] So, this section will focus instead on the significance of those gains.

A significant difference between historical and post-2001 attempts at reform and modernization is the current centrality of women's liberation and women's rights—to the point that the war on terror was justified as a war to "liberate" women.[13] The Taliban's ill-treatment of women has contributed further to such a justification. The broadcasting and publishing of public execution footage[14] and other photos of beatings and amputations of women have become part of war-on-terror propaganda posters and billboard ads, inviting people to make a choice to be "either with us, or against us"—the dominant rhetoric used by president George W. Bush in the early days of intervention.[15]

Securing women's rights and ensuring their full participation in all aspects of life were goals of the historical Bonn Agreement, which has become the foundation for the post-2001 political settlement.[16] Cooperation with the United States and its allies in Afghanistan meant every Afghan leader, including warlord commanders and veterans of the anti-Soviet Mujahadeen era, are obliged to express their support for women's rights at least in speeches. Starting with president Hamid Karzai (first as chairman of the transitional administration), all higher- and lower-ranking officials expressed their support through somewhat artificial statements to the media (e.g., celebrating women's day with speeches about women's rights), with a purpose of showing allegiance to U.S. and ally efforts. In practice, few of the political elites were seen to accept or endorse outstanding women leaders who spoke up in parliament or other political settings. This exceptional opportunity to empower Afghan women, however, was recognized by others, including moderate Afghan government leaders and civil society organizations, who used the international and national political commitment to encourage donors to fund more women-focused programs and projects. By using Islamic references, women organizations and moderate Afghan politicians succeeded in presenting a far more lasting and moderate model of democracy and women's rights that could also be accepted by conservative parts of Afghan society.[17]

Since 2001, international donors, government leadership, and allies have expressed greater political commitment to women's empowerment; and women-focused programs and projects have significantly increased their outreach (covering relatively larger parts of both urban and rural areas). However, the unprecedented flow of resources and expanded political support have not necessarily resulted in the complete transformation of gender relations and women's place in the society, as will be discussed in the remainder of this chapter.

Other recent and significant contributions to women's advancement include constitutional guarantees and electoral rights for women, including that 25 percent of parliamentary seats be filled by women; institutional and legal reforms that aim to ensure women's access to the public sector and to justice; national and subnational policies that include gender as a crosscutting theme; and the ratification of various international treaties and conventions that mandate

the Afghan government to report on women's rights. Regardless of the effectiveness and sustainability of these advancements, they have undoubtedly opened more space for women's meaningful participation in the public sphere.

Mixed Motivations and Instrumentalization of Women's Empowerment

Considering the above advancements, a valid question arises: If political will is present and international interventions have been endorsed by national leaders who signed onto an agreement to ensure women's full inclusion in all political, social, and economic spheres, then why do women continue to experience gender-related violence and why are their security and political participation and legal status at even greater risk than in the past decade and a half? Scholars and policymakers have different responses based on their world view and where they stand.[18] Arguably, there are several important factors to consider when trying to answer the question.

Justifying the war on terror on the basis of "liberating" Afghan women to "save" them from the "barbarian" Taliban brought increased attention to, followed by substantial resources for, women's rights efforts.[19] But, for many intervening governments, institutions, and organizations, Afghanistan and its people were considered passive receipts of aid and assistance. This meant international operations were seen as being applied to a tabula rasa or a blank slate.[20] It was assumed that once the Taliban was eliminated as a ruling regime, there would be no resistance to women's active public role.[21] This assumption led the international community to largely overlook existing power structures and dominance of the patronage-based system of rule, which obviously has patriarchy at its core.[22] Most project documents, policy papers, and media outputs highlighted the Taliban's antiwomen mentality, associating every aspect of women's subordination and discrimination with the Taliban and their followers.[23] In reality, a far more complex sets of power relations exists, with competing forces operating for their own party, group, community, or larger constituency's interests and, thereby, defending women's rights or respecting them only if those rights do not threaten their own power and authority.[24]

In addition, the reality is that the United States and its allies[25] also have mixed motivations and intentions, such as safeguarding their own national security; eliminating safe havens for terrorist operations at a global level; maintaining a stronger presence in the region; and introducing a liberal democratic system through constitutional democracy, development aid, and investment and privatization. Further investigation of all these motivations and the implications is beyond the scope of this chapter and requires further research. The development environment in Afghanistan is complex, with various modes of assistance being implemented by multiple intervening countries. These modes range from Wilsonian approaches based on external interventionism as a response to existing needs, to Dunantist approaches based on humanitarian principles, to religious and faith-based approaches that sometimes counter these other approaches—all operating in one context and for the same population.[26]

Short-Term(ism) and Sustainability

Major shifts in the scale and flow of resources, political commitments, and intergovernmental relations all affect how women-focused programs and projects are implemented and sustained. For instance, during 2002 to 2008, "quick impact projects" became an important tool for U.S.-funded programs (particularly through the U.S. Department of Defense).[27] The drawback of

Women lack direct access to markets, sufficient skills to run their business beyond the project life cycle, and lasting mechanisms to support micro-, meso-, and macro-level enterprises that benefit women.

these projects—particularly those focused on women—was the implementation timeframe (generally less than six months); few results or outcomes could be viewed as making a long-term impact or contributing to sustainability.

Furthermore, while donor funding increased dramatically with the military surge in 2009, it has been declining since the drawdown of military forces began in 2012. This has led to a backsliding of progress related to jobs and infrastructure (e.g., roads, clinics, and schools). The elimination of large-scale, off-budget funding has resulted in large-scale unemployment, limited access to jobs, and an increasing number of dysfunctional buildings, conference rooms, offices, and even clinics and schools that the government cannot afford to maintain and sustain without international funding.[28]

Innovative approaches are needed to address the issues of donor dependency and lack of sustainability. In terms of the economy, women lack direct access to markets, sufficient skills to run their business beyond the project life cycle, and lasting mechanisms to support micro-, meso-, and macro-level enterprises that benefit women.

Regarding women's rights projects, they have done little to challenge the structural aspects of women's subordination that results in their lower status in the domestic and public spheres. In other words, there is limited indication that a theory of change has been applied or tested when programs and projects have claimed to empower women or build their capacities. For example, in protesting the efficacy of women's rights workshops and trainings, a woman trainee complained that although she has acquired many certificates, her place in society has not yet improved. Undoubtedly, behavioral and attitude changes take time, but there is little evidence that short-term, one-time workshops—which often focus on women only—can lead to such changes. In addition, some women and men participate in these workshops because of the financial incentives, which makes applying what they have learned less likely.

Regarding political participation, although quotas were introduced successfully, they do not appear to have been useful in practice. Essentially, the political economy of governance in Afghanistan was overlooked. In other words, most of the seats reserved for women in parliament have been dictated by political elites—including strongmen, influential politico-military figures, private business owners and contractors, and drug-mafia—who introduced and sponsored female candidates in exchange for their full loyalty.[29] This is one reason that, to date, parliament has not witnessed any collective action by more than 26 percent of female parliamentarians on matters that concern women's rights.[30]

In terms of advocacy, although women leaders have proved to be highly dedicated and vocal in their demands, more attention must be paid to the content and implementation of advocacy efforts. Some of the training and coaching workshops to build women's advocacy capacity have been helpful, but these have largely focused on individuals and not enough on institutions. For instance, international partners often invite individual advocates with good language and communication skills to visit the United States or Europe and claim that they represent the voices of Afghan women. The problem with such simplification is that there is no single "Afghan women's stance" or voice—as in every society, women constitute a diverse, heterogeneous group. Women residing outside Kabul or the provincial capitals do not feel represented by women's voices from Kabul. Hence, building institutional capacity in advocacy must also be a priority to bring together and represent all voices. Furthermore, more south-south cooperation is needed to create ties and solidarity among women from war-affected societies and other developing countries; this will enable them to share experiences and strategies and to build stronger, more effective regional and global networks of women advocates. Currently,

women activists and leaders from Afghanistan travel more often to the United States and European countries than to Middle Eastern or Asian countries; perhaps this approach should be reconsidered for future programs.

Finally, in looking at rural versus urban interventions, there is no doubt that, post-2001—with the aim of expanding the government's influence into the communities and districts—unprecedented nationwide coverage was achieved. However, for numerous reasons, outreach to rural areas remains too limited, particularly in regards to women's active and meaningful engagement in public life. For example, certain assumptions have led to inappropriate or less effective interventions in Afghanistan's rural settings: the idea that illiteracy is equivalent to lack of knowledge, that rural women are passive objects with no power and authority, that rural women have little or no mobility or access to productive roles in the economy, and that rural women do not resist patriarchy. More in-depth research is required to challenge these misconceptions; contemporary and historical literature and ethnography on Afghan women already challenges them by highlighting women's agency, their active role in the economy, and their productive roles and power and influence within the existing patriarchal system of rule.[31]

The earlier account of Huma's experience demonstrates that women can be proactive and occupy a public space within their communities. The school Huma works in is named after Queen Suraya, a progressive woman and the wife of King Amanullah, who secured Afghanistan's independence in 1919. When I visited Huma's village, I asked the school headmaster (a man) if I could take a picture of the large portrait of the queen and king, along with the queen's brief biography. After I took the photo, Huma invited me to her tiny office, where she had a much larger portrait of Queen Suraya, who was without a scarf and wearing a light blue, slightly adjusted sleeveless dress; Huma said,

> Here, you should also take [a] picture of this portrait. This is the initial portrait we, the women of the village, brought to the school. We liked it, because we can see the queen and her beauty more clearly. But the school principal—who also is the Mullah of the grand mosque in the village—and some of the male colleagues objected that this photo was not appropriate because she doesn't wear a dress with sleeves. So, we agreed to send the portrait back to the photo studio and asked to do something with the sleeves. By the time we came back, the men in the school had already hung this other photo where the Queen appears with the King. We were surprised how they did that without telling us. But we knew what the message was. So, I decided to keep this large portray of the Queen in my own tiny office. We said, this portrait is not going to leave this school!

This story may not seem significant without having an in-depth understanding of the broader village context and its power dynamics. What is clearly remarkable is the resilience of women in perhaps the most challenging environment, where they have to continuously defend their rights and values and challenge norms and practices. Huma's attempt may seem simplistic, but her story, particularly the way it was communicated to me as a researcher or "outsider" in her village, conveyed the message that "we, too, are active and willing to change our lives and challenge the existing system."

Conclusion

The importance of drawing lessons in the context of liberal, statebuilding interventions and experiences cannot be understated—where not only the intentions, motivations, and assumptions of the intervening actors and institutions are considered but also their impact on the broader political economy and, in this case, women's empowerment and political participation. While the focus on women's issues is not unique to the post-2001 period, the scale and scope of interventions and response of the population are particularly noteworthy.

Afghan women need to be seen as partners rather than vulnerable individuals.

Many different actors, with their own strategic, geopolitical, military, and factional or personal objectives, have instrumentalized women's rights. In this context, serious challenges remain related to mixed motivations, misconceptions, and long-term impact and sustainability. The on-the-ground reality of women's experiences must be recognized, and the resilience, resistance, and proactivity of Afghan women must be harnessed. Afghan women need to be seen as partners rather than vulnerable individuals if the United States and its allies are to achieve real, sustainable change for women and girls.

Notes

1. In 2003, the government of Afghanistan established a nationwide National Solidarity Program (NSP), funded under the World Bank's Community Driven Development Scheme. For varying perspectives on the gender aspects of this program, see Sippi Azarbaijani-Moghaddam, *If Anyone Listens, I have a Lot of Plans: A Study of Gender Equity through the National Solidarity Program's Community Development Councils* (Kabul: Danish Committee for Aid to Afghan Refugees, 2010); and A. Beath, F. Christia, and R. Enikolopov, *Randomized Impact Evaluation of Afghanistan's National Solidarity Programme* (Washington DC: World Bank, 2013).

2. Jacqui True, *The Political Economy of Violence against Women* (New York, NY: Oxford University Press, 2012).

3. See, for example, Naila Kabeer, "Gender Equality and Women's Empowerment: A Critical Analysis of the Third Millennium Development Goal," *Gender and Development* 13, no. 1 (2005): 13–24.

4. Ghosh, Huma A., "A History of Women in Afghanistan: Lessons Learnt for the Future or Yesterdays and Tomorrow: Women in Afghanistan," *Journal of International Women's Studies* 4, no. 3 (2003): 1–14.

5. Ibid, 4.

6. Amanullah Khan's government was toppled by Habibullah Kalakani, whose rule was somewhat similar to the Taliban's. For instance, he closed all schools for women and all western education centers. See Ghosh, "A History of Women in Afghanistan," 7.

7. Lester W. Grau, and Ali Ahmad Jalali, "The Soviet-Afghan War: Breaking the Hammer & Sickle," *Veterans of Foreign Wars Magazine*, March 1, 2002; and Ghosh, "A History of Women in Afghanistan."

8. Cheryl Benard, *Veiled Courage: Inside the Afghan Women's Resistance* (New York: Broadway Books, 2002).

9. For more information on Taliban decrees related to women and other cultural issues, see A. Rashid, *Taliban: Militant Islam, Oil, and the New Great Game in Central Asia* (New Haven, CT: Yale University Press, 2000), 217–19; and Amnesty International, *Women in Afghanistan: Pawns in Men's Power Struggles* (London: Amnesty International, 1999).

10. For further elaboration, see Orzala Ashraf Nemat, *Afghan Women at the Crossroads: Agents of Peace—or Its Victims?* (New York: The Century Foundation, 2011); and Elaheh Rostami-Povey, *Afghan Women: Identity and Invasion* (London and New York: Zed Books, 2007).

11. Nemat, *Afghan Women at the Crossroads*.

12. "Afghan women have come out of a total seclusion during Taliban rule to take their rightful place in the society making 20 per cent of our civil service, 27 per cent of our parliament and 39 per cent of our students in our classrooms;" from Karzai's statement at The International Afghanistan Conference in Bonn, December 5, 2011, http://president.gov.af/en/news/5281, access July 21, 2015.

13. Lila Abu-Lughod, "Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others," *American Anthropologist* 104, no. 3 (2002): 783–90; Ratna Kapur, "Unveiling Women's Rights in the 'War on Terrorism,'" *Duke Journal of Gender Law and Policy* 9 (2002): 211.

14. Zarmina was publicly executed in the Ghazi Sports Stadium on November 17, 1999. The incident was filmed by the Revolutionary Association of the Women of Afghanistan. The incident received significant coverage on the day of its occurrence by Taliban police across Kabul; later, the footage was publicized globally, symbolizing an image of Taliban's treatment of women. See http://abcnews.go.com/GMA/story?id=125721&page=1, accessed July 22, 2015.

15. "All nations, if they want to fight terror, must do something... You're either with us or you're against us;" from George W. Bush's statement after September 11, 2001, http://news.bbc.co.uk/1/hi/world/europe/1642130.stm, accessed July 21, 2015.

16. Nemat, *Afghan Women at the Crossroads*.

17. Huma Ahmed-Ghosh, "Voices of Afghan Women: Human Rights and Economic Development," *International Feminist Journal of Politics* 8, no. 1 (2006): 110–28.

18. See, for example, Deniz Kandiyoti, *The Politics of Gender and Reconstruction in Afghanistan* (Geneva: United Nations Research Institute for Social Development, 2005); Sedef Arat-Koc, "Imperial Wars or Benevolent

Interventions? Reflections on 'Global Feminism' Post September 11th," *Atlantis* 26, no. 2 (2002): 53–65; and Rostami-Povey, *Afghan Women: Identity and Invasion*.

19. See, for example, Kapur, "Unveiling Women's Rights in the 'War on Terrorism,'" 211; Krista Hunt and Kim Rygiel (eds), *(En)Gendering the War on Terror: War Stories and Camouflaged Politics* (Hampshire, United Kingdom: Ashgate Publishing, 2006); and Anne Sisson Runyan and V. Spike Peterson, *Global Gender Issues in the New Millennium* (Boulder, CO: Westview Press, 2013).

20. Nils Gilman, *Mandarins of the Future: Modernization Theory in Cold War America* (Baltimore: Johns Hopkins University Press, 2003); Michael Latham, "Modernization as Ideology," cited in Ian Roxborough, "Building Other Peoples' States: The Sociology of State-Building," *Comparative Sociology* 11, no. 2 (2012): 181; Hunt and Rygiel, *(En) Gendering the War on Terror*; and Runyan and Peterson, *Global Gender Issues in the New Millennium*.

21. Kapur, "Unveiling Women's Rights in the 'War on Terrorism.'"

22. Mounira M. Charrad, "Central and Local Patrimonialism State-building in Kin-Based Societies," *The Annals of the American Academy of Political and Social Science* 636, no. 1 (2011): 49–68.

23. Orzala Ashraf Nemat, "Local Governance in the Age of Liberal Interventionism: Governance Relations in the Post-2001 Afghanistan," PhD thesis (SOAS, London, 2014).

24. Ibid.

25. Homogeneity also did not exist among the United States and its allies on the ground; each country had its own approach.

26. This issue is not limited to Afghanistan. See Dalya Mitri, "Challenges of Aid Coordination in a Complex Crisis: An Overview of Funding Policies and Conditions Regarding Aid Provision to Syrian Refugees in Lebanon," Civil Society Knowledge Center and Lebanon Support, May 23, 2014, http://cskc.daleel-madani.org/paper/challenges-aid-coordination-complex-crisis, accessed July 18, 2015.

27. U.S. Agency for International Development, "PRT Quick Impact Projects," www.usaid.gov/node/51861, accessed October 21, 2015.

28. For examples of these projects, see quarterly reports from the Special Inspector General for Afghanstian Reconscruction (SIGAR) published since 2008 (www.sigar.mil/allreports/, accessed in June 2015).

29. Orzala Ashraf Nemat, "Women and the Elections: Facilitating and Hindering Factors in the Upcoming Parliamentary Elections" (Kabul: Afghanistan Research Evaluation Unit, 2015).

30. For example, parliament has repeatedly refused to pass the Elimination of Violence Against Women bill, and strong and experienced candidates for ministry-level positions, including at the Ministry of Women Affairs, have been discounted.

31. See, for example, Kandiyoti, *The Politics of Gender and Reconstruction in Afghanistan*; and T.W. Chaudhary, Orzala A. Nemat, and Astri Suhrke, "Promoting Women's Rights in Afghanistan: The Ambiguous Footprint of the West," in Susanna Campbell, David Chandler, and Meera Sabaratnam (eds.), *A Liberal Peace? The Problems and Practices of Peace Building* (London and New York: Zed Books, 2011), 106–20.

Recommendations

The following broad recommendations apply not only to Afghanistan but also to other countries where the international community is involved in state strengthening.

- **Commit to long-term, predictable support at reasonable levels.** Financial, military, and development support can create a level of confidence in the future, encourage domestic and foreign private investment, and reinforce and sustain the gains made. This starts but does not end with the Afghan National Security Forces. The United States should build on its investments in social and economic transformation but also insist on improved monitoring, evaluation, and accountability and recognize that some of the emerging long-term needs stem from the systems international actors have instituted.

- **Support Afghan civil society and invest more in higher education.** Support for Afghan civil society, as well as critical government institutions, should continue. Over the next decade, control of Afghan politics will likely pass from the hands of traditional power brokers to those with a different and far more constructive world view. This trend should be recognized by increasing investment in Afghanistan's younger generation. A longer-term commitment will also help to sustain the gains made by women.

- **Support the Afghan government in negotiations with the Taliban.** If the new government continues to pursue negotiations that are backed by significant segments of the population, stay within articulated red lines, and are consistent with U.S. national interests, the United States should not undermine these politically or militarily, as done in the past. The reality is that the negotiation process will be long and extremely fragile.

- **Be clear, pragmatic, and skillful in managing relations with Afghanistan's regional neighbors.** Since 2001, the United States has at times been able to work discretely with Iran and Pakistan but has also been vulnerable to being misled by them and has occasionally not considered the regional impacts of bilateral diplomacy.

- **Build on U.S. domestic support for Afghanistan.** Public support for major military operations in Afghanistan has waned over the past five years (in part due to the dominant narrative of failure), but this does not imply opposition to more modest, long-term programs of security and development assistance and diplomatic engagement. If provided with the strategic rationale for a stable and politically moderate Afghanistan, the American public will endorse policies supportive of that objective, provided that the costs are not deemed excessive. Support would be especially forthcoming for keeping Afghanistan from again becoming a safe haven for international terrorism, sustaining the gains of Afghan women, and not destabilizing nuclear-armed Pakistan.

- **Improve U.S. analytical and decision-making processes.** The political context and operating incentives in Afghanistan should be more carefully considered to ensure that military and development resources are not wasted or have unintended negative consequences.

- **Promote accountability systems that encourage institutional learning and improvement rather than attempt to catch out and punish.** Currently, policymakers

are encouraged to highlight and exaggerate success and hide or minimize failure, which reduces opportunities for improvement.

- **Capitalize on and enhance the effectiveness of U.S. accumulated human and political capital.** Unlike in 2001, the United States now has a pool of people with extensive experience in Afghanistan and a good understanding of its politics, economy, security forces, and society. They can help formulate and implement an effective Afghanistan policy but will need professional incentives to serve in that country as America's security priorities shift elsewhere. Tours of duty for senior- and mid-level management should be extended from one to two or three years (building in appropriate career incentives for those who accept), and personnel assigned to Afghanistan must be given the wherewithal to engage with the population beyond fortified embassy and military compound walls.

- **Establish a bipartisan congressional caucus for Afghanistan.** A group of people who believe in providing sustained, long-term U.S. and international support to Afghanistan, contingent upon improvements in government performance and accountability, can play a positive role in mobilizing resources and ensuring that policies are effective.

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