States of Conflict

A case study on state-building in Afghanistan

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'States of Conflict'

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Introduction

Afghanistan presents one of the most complicated and troubling challenges to confront the international community in the early years of the twenty-first century. The drift of attention from Afghanistan to Iraq in 2002–03 led to a disastrous loss of momentum in the transition inaugurated by the overthrow of the Taliban regime in November 2001, and the installation just over a month later of an interim Administration headed by Hamed Karzai. Since then, the country's problems have been compounded by the development of a dysfunctional constitutional framework, by aid programmes that too often fuelled corruption, and by violent attacks in the south and east of the country carried out by Taliban groups sustained by sanctuaries in neighbouring Pakistan.

All these factors have led to a serious fall in confidence on the part of ordinary Afghans. The proportion believing that their country is moving in the right direction has fallen from 64 per cent in 2004 to 42 per cent in 2009 (Asia Foundation 2004, 2009). These factors have also contributed to a growing malaise among the country's international supporters, some of whom are now recommending negotiations with the Taliban as the best way out of the quagmire.

Focusing simply on these factors, however, can lead to an underestimation of the depth of Afghanistan's problems. Many of what are seen as 'governance' problems under President Karzai have much deeper roots, and can be attributed to the collapse of the Afghan state and the serious problems of reconstituting and re-legitimising the state when levels of trust between political actors are low and expectations of what the state can deliver are unrealistically high. Such problems cannot be overcome easily or quickly, and it is absurd to expect any Afghan political leader to be able to deliver magic solutions, although different leaders may approach their tasks in different ways. Afghanistan has now experienced more than 30 years of turmoil, and a whole generation of young Afghans has known nothing different. It is naive to expect that Afghanistan can be extracted from its difficulties at high speed, and managing this burden constitutes an immense challenge for any Afghan leadership.

The efforts to stabilise Afghanistan since the overthrow of the Taliban regime have involved complex endeavours on the part of diverse actors in the international community, and components of Afghan society at both mass and elite levels. Although the internal Afghan contributions, both positive and negative, should not be underestimated (see Maley 2006), the focus of this case study is primarily on the activities of the wider world. The story is not a happy one, with dedication on the part of some global actors undermined by incompetence and limited attention span on the part of others. If there is a broader lesson from this case, it is that there can be no international 'quick fixes' for severely disrupted states. This lesson also applies as governments contemplate how best to proceed in Afghanistan from this point.

Historical background

Afghanistan is notable for the complexity of its society, politics and geopolitical environment, and these complexities help explain the tangled course of its history (Saikal 2004). Islam is the religion of the overwhelming majority of the population, divided into a significant Shiite Muslim minority and a Sunni Muslim majority. More than 50 ethnic groups have been identified in Afghanistan (Schetter 2003), with ethnic Pushtuns making up the largest single group (although probably less than half of the overall population). A range of languages are also spoken within Afghanistan's borders, and the population is occupationally differentiated in complex ways, with urban life quite different from rural, and sharp distinctions in social roles according to gender as well.

Afghanistan's political life has been similarly fragmented. In the 1960s, students graduating from Kabul University were exposed to Marxism at one end of the political spectrum and to Islamist ideas of Middle Eastern origin at the other. This led to increasing division within the Kabul-based political class which flared spectacularly into view with the communist coup of April 1978 and the Soviet invasion of Afghanistan in December 1979. The struggle between Soviet-backed communists and forces of the Afghan resistance (the *Mujahideen*) reinforced ideological differences that were already there.

But after the collapse of the communist regime in April 1992, new sorts of forces emerged. Pakistan, wanting to block any re-emergence of the Afghan nationalism that had poisoned the two countries' bilateral relations in earlier times, threw its weight behind the radical *Hezb-e Islami* (Party of Islam) of Gulbuddin Hekmatyar. When the *Hezb-e Islami* proved incapable of seizing Kabul or holding other territories, it then shifted its support to the new Taliban (see Rashid 2000), who were somewhat injudiciously described by Pakistan's Interior Minister as 'our boys' (Murshed 2006: 45).

This Pakistani involvement led to fierce struggles for control of the Afghan capital between 1992 and 1996, when the Taliban movement managed to occupy it. The Taliban, however, proved to be an anti-modernist force with no reconstruction agenda and very little understanding of the wider world (Maley 2000). They failed to secure significant international recognition and their growing patronage of extremists such as Osama Bin Laden meant that when the 11 September attacks took place in 2001, the Taliban had few friends left.

Following the invasion led by the United States in 2001, the test for the international community has not simply been the re-establishment of an Afghan government. A deeper and more profound challenge has been the reconstitution of the Afghan state, a task that involves the development of both capacity and legitimacy. The Afghan state was fragile even before the destabilisation caused by the communist coup (see Rubin 2002), and with the Soviet invasion of Afghanistan, the ability of Afghan rulers to raise significant local revenues was lost as the bulk of the population lived in areas outside the state's control. Thus, the cessation of aid from the Soviet Union, which triggered the disintegration of the Afghan communist regime in April 1992, did not so much cause the collapse of the state as expose it.

Furthermore, it is a mistake to assume that the reconstitution of the state is an objective that would necessarily enjoy near-universal support. Indeed, a number of unsavoury actors, such as criminal networks, stand to benefit from the absence or weakness of the state. And a much wider range of ordinary people, while welcoming the idea of an effective state, may nonetheless be reluctant to shift their loyalties from local sources of protection that have proved of value in troubled times (such as tribes or even warlords) in favour of an untried, untested and remote new administration that is not well placed to assist them if they run into difficulties (Mukhopadhyay 2009).

This problem has been compounded by that of elite fragmentation. There are good reasons to believe that a consensually-unified elite, one in which there are shared understandings of the norms of behaviour that make a political system work, is a prerequisite for the establishment of a stable political order in which ordinary people can use mechanisms of popular choice to change their rulers without bloodshed. Yet the turbulence that has afflicted Afghanistan for the last three decades has provided anything but propitious conditions for the emergence of cooperative forms of behaviour in which different political actors are prepared to trust each other.

The scale of Afghanistan's suffering since 1978–79 is often not fully appreciated. Of a pre-war settled population estimated at just over 13 million people, more than 6.2 million had been displaced to neighbouring countries as refugees by 1990, with countless others displaced internally (Schmeidl and Maley 2008). In addition, vast infrastructure damage had occurred, and the human toll of war was enormous, with one conservative calculation suggesting that in the decade following the communist coup, on average more than 240 Afghans perished every day for 10 years straight (Khalidi 1991).

This context – a severely weakened state, a fragmented elite and massive social damage – decisively shaped the agenda of political, economic and social reconstruction in the post-2001 period. The formal framework for these activities was supplied by the so-called 'Bonn process', which originated with a conference in Bonn, Germany, in November and December 2001. The meeting brought together a number of key non-Taliban Afghan political actors, under the auspices of the United Nations and in particular the UN Secretary-General's Special Representative, Ambassador Lakhdar Brahimi, to negotiate a pathway forward (see Dobbins 2008).

The agreement struck at Bonn was a sophisticated one. It recognised that no single mechanism to build the legitimacy of new arrangements would be strong enough to attract the support of all key elements of Afghan society. Thus, it combined a mixture of legitimation strategies: the establishment of an Interim Administration headed by a charismatic Chair, Hamid Karzai; the holding of two *Loya Jirga*s, or traditional tribal assemblies, the first to elevate the Interim Administration to the higher level of a Transitional Administration, and the second to draft a new constitution; the return to a ceremonial position of former King Zahir, who had occupied the throne for nearly four decades before being overthrown in a palace coup in July 1973; and, ultimately, the holding of free and fair elections in accordance with the requirements of the constitution.

These benchmarks were all met, to considerable international applause. The 'Emergency *Loya Jirga*' was held from 11–19 June 2002, and affirmed Karzai's position, although it was perhaps more notable for the determined efforts of President George W. Bush's envoy, the Afghan-born Dr Zalmay Khalilzad, to head off moves by supporters of Zahir Shah to give the former monarch an enhanced role, and for arm-twisting behind the scenes by the Defence Minister, Mohammad Qasim Fahim.

At the constitutional *Loya Jirga*, held from 14 December 2003 to 4 January 2004, there was again a lot of attempted arm-twisting by Fahim. However, on that occasion, it was a good deal less successful, pointing to a wider erosion of the position of the so-called 'Northern Alliance' groups that had played a central role in opposing the Taliban militarily in Afghanistan. The resulting constitution created, on paper at least, a strong executive presidency, with a much weaker bicameral Parliament with an elected Lower House (*Wolesi Jirga*). A presidential election was held on 9 October 2004, and Karzai won comfortably with 55.4 per cent of the vote (although he only narrowly avoided a runoff election, which the French-style system of electing the president would have required, had no candidate obtained more than 50 per cent of the vote in the first round of polling). Finally, on 18 September 2005, elections were held for the *Wolesi Jirga*, and it met for the first time in December of that year.

While these measures to rebuild the political system were being pursued, a great deal of activity was occurring in economic and social spheres too. Major international conferences were held in Tokyo (in January 2002), in Berlin (in March to April 2004) and in London (in 2006) to elicit support for Afghan reconstruction and to endorse strategic plans for the specifics of reconstruction activity. These culminated in the approval in 2006 of an updated Afghanistan National Development Strategy (ANDS), the implementation of which was to be overseen by a Joint Coordination and Monitoring Board (JCMB), co-chaired by a senior Afghan offical and the Special Representative of the UN Secretary-General.

Some reconstruction activities were undertaken by Afghan ministries, funded partly by locally-raised revenue and partly from funds contributed by donor governments to an Afghan Reconstruction Trust Fund. Others were undertaken by international organisations, private commercial contractors or sub-contractors, or non-governmental organisations (NGOs), for the most part drawing on direct funding streams that bypassed the Afghan government altogether. To even a casual visitor, Kabul seems another world entirely from what it was during the Taliban era, and many of the changes are indubitably for the better.

Yet the sense of crisis currently surrounding Afghanistan is deep and pervasive. There is far more to Afghanistan than the Kabul bubble, and even Kabul is not as safe as it may appear. In the words of the eminent journalist and commentator Ahmed Rashid, if the US and NATO were to 'start to pull out of Afghanistan during the next twelve months … [t]hat would almost certainly result in the Taliban walking into Kabul' (Rashid 2009).

Three particular factors have contributed to this situation. The first is the re-emergence of insurgency in Afghanistan, with Pakistan-based Taliban fighters mounting attacks with improvised explosive devices (IEDs) and other weapons on both Afghan civilians and international forces, especially in the south but increasingly in the east and even parts of the north. These have been complemented by attacks carried out by Hekmatyar's *Hezb*, and by a network of combatants linked to the former *Mujahideen* commander Jalaluddin Haqqani, a network that Pakistan's Army chief in May 2008 reportedly described as a 'strategic asset' (Sanger 2009: 248).

The second is the weak legitimacy of the Afghan state and its failure to secure the normative support of the Afghan people. In transitional phases in disrupted states legitimacy is strongly related to the performance of the government, and in Afghanistan there is great disappointment at how the government has performed (Maley 2008). For many Afghans the shameless fraud that tainted the 20 August 2009 elections may have been nearly the last straw. Of course, the Afghan government has been severely constrained by resource scarcity, by the desire of some donors to determine how funds they donate will be spent, and by problems of insecurity arising from the Taliban's resurgence, but that makes little difference to Afghans confronted by problems of corruption, abuse of power and injustice on a daily basis.

The third factor is the pervasive influence of criminality in Afghanistan – most visible in the ability of many gangs and syndicates to act with impunity – and in the rise of opium production from 185 tonnes in 2001 to 6,900 tonnes in 2009. Some of the profits from these illicit activities have found their way to the Taliban (Peters 2009). Criminality can be just as great a blight on the daily lives of ordinary people as insurgency, and a government that cannot confront criminals is likely to be seen as little better than the criminals themselves.

The nature of international involvement

In all these developments, the wider world has been heavily involved. Afghanistan is no longer the exotic, isolated land of nineteenth century Orientalist imagery: rather, it is deeply entangled in the complex politics of its region, in processes of globalisation that have transformed the world around it, and in the policies of major powers and of multilateral agencies and institutions. To understand Afghanistan's challenges, it is essential to see not only how its domestic complexities shape its prospects, but also how it mirrors the complexities of the world. This involves in turn an understanding of the specific forms of international engagement that have occurred in Afghanistan since 2001.

At the outset, it is important to grasp just how many international actors have been involved in Afghanistan. A dominant player, of course, has been the United States, but many other state actors have been involved as well: the United States' NATO allies, including the United Kingdom, non-NATO allies such as Australia, and other states that have been involved as financial contributors, such as Japan, or as contributors of large numbers of personnel as aid workers or contractors, such as India. This diversity is reflected in the number of embassies that have been opened in Kabul, and in the activities of government-based aid bureaucracies such as the UK's Department for International Development (DfID) and the United States Agency for International Development (USAID).

There is also a substantial multilateral presence in Kabul and beyond. The United Nations Assistance Mission in Afghanistan (UNAMA), established by UN Security Council Resolution 1401 of 28 March 2002, nominally sits at the apex of the United Nations organisational 'family', but many other members of that 'family' – notably the UN Development Programme (UNDP), Office of the United Nations High Commissioner for Refugees (UNHCR) and Children's Fund (UNICEF), the World Food Programme and the World Bank – have entrenched presences, and tend to adopt their own approaches to problem-solving. Beyond the UN and Bretton Woods systems are a number of other multilateral agencies, such as the Asian Development Bank, and a plethora of international and local NGOs, some of them very experienced in working in the Afghan environment (such as the Swedish Committee for Afghanistan), but others much less so. And increasingly there are private commercial contractors playing significant roles as implementing agencies.

The UN actors have played diverse roles in one particularly important sphere, namely assistance in the process of institutional development. The Bonn Agreement deliberately left many questions about the shape of the Afghan political system for Afghans themselves to resolve, as part of what was explicitly labelled a 'light footprint' approach to involvement in Afghanistan (in contrast to the approach taken in other recent UN missions, such as that of the UN Transitional Administration in East Timor). However, in facilitating institutional development, the UN played a number of roles. It oversaw the process of selection of *Loya Jirga* delegates to draft the new constitution, and while the selection processes clearly did not meet the standards of freedom and fairness required for a credible election, they were more inclusive than would have been the case had existing power holders simply demanded places in the *Loya Jirga* for their clients and supporters (Rubin 2004).

The UN was also heavily involved in the running of the 2004 election, through a Joint Electoral Management Body (JEMB) in which two eminent international elections administrators, Reginald Austin of Zimbabwe and David Avery of Australia, played critical roles. (In 2005, a different approach was taken, with the UNDP playing the lead role for the UN in electoral assistance.) But beyond formalities, the shaping of a political environment has much to do with promoting trust between different local actors, and here, Ambassador Brahimi, who represented the Secretary-General until early 2004, played a critical and largely successful role.

International actors have also been deeply involved in economic and social reconstruction, not just as contributors of resources, but also as agents of management and coordination. It is important to note that the issue of how reconstruction should be pursued, or development promoted, is not a narrowly technical question, but one that raises deep questions about the appropriate roles of the state and of markets in determining resource allocations and income distribution. Furthermore, effective markets do not exist in the absence of a framework of rules and norms: a 'civil economy', as Richard Rose has pointed out, 'is a market economy operating within a clear legal framework' (Rose 1992: 14). The implication is that economic development will necessarily be shaped by progress in such areas as the reconstitution of the rule of law and of judicial, policing and penal systems. Yet this has proved one of the most frustrating aspects of international involvement in Afghanistan.

Responsibility for supporting reconstruction efforts in related spheres has in a number of key cases been divided between different actors according to a 'lead nation' model. Thus, supporting the re-establishment of a functioning court system was assumed as a responsibility by the government of Italy, while Germany took responsibility for police reform. As well as complexities surrounding the division of responsibilities between different foreign actors, there have also been difficulties relating to the relative authority of the donor community and the Afghan government. Here one witnesses the entanglement of different political systems and pressures. Donor countries are responsible to their own publics, and the desire to demonstrate rapid progress can drive reconstruction in the direction of 'quick impact projects'. The Afghan Government, by contrast, has every reason to wish to assert its own sovereignty, and to encourage projects that reflect its priorities rather than those of the donors. This, of course, is an issue in many different contexts (Jenkins and Plowden 2006).

It is in the sphere of security that the involvement of the wider world has been most extensive. The international military presence in Afghanistan has not only become a matter of domestic controversy in many Western countries, but has also been used by the Taliban in their propaganda, which seeks to depict their activities as a struggle of Muslims against non-Muslim foreigners (International Crisis Group 2008). Some see a foreign presence as the factor fuelling insurgency in Afghanistan (Lodhi and Lieven 2009), but this claim is more often made than substantiated, and research carried out for the BBC and released in February 2009 showed considerable popular support for a continued NATO/International Security Assistance Force (ISAF) (59 per cent) and US military presence (63 per cent).

A certain level of international military presence was unavoidable in Afghanistan after 2001. The US was keen to use its forces to pursue al Qaeda, and the Bonn participants had themselves formally requested the deployment of an International Security Assistance Force to bridge the security gap that had arisen in the aftermath of the Taliban regime's collapse. The deployment of ISAF throughout Afghanistan did not come about immediately, but from October 2003, ISAF personnel spread beyond Kabul, and on 9 August 2003 NATO formally assumed responsibility for ISAF Command.

The organisational framework within which many military personnel came to be deployed was the so-called 'Provincial Reconstruction Team' (PRT), a force with mixed military and reconstruction responsibilities – although it rapidly became clear that there was no single PRT 'model', but rather a range of approaches that reflected the structures, cultures and wealth of the contributing militaries (Yaqub and Maley 2008). However, with the growth of insurgency, many militaries that originally saw the Afghanistan mission as at worst an exercise in 'conflictual peacebuilding' (Suhrke and Strand 2005) have found themselves caught up in fierce combat which has cost many lives – with the UK and Canada suffering particularly from violent attacks in Helmand and Kandahar respectively. The route to eventual exit has seemed to many to be the reform of the Afghan security sector, through the establishment of a new Afghan National Army (ANA) and the recruitment of an Afghan National Police. However, the police-building experience has been widely viewed as a costly failure (Wilder 2007), and it is unclear whether even the ANA, which has a much better reputation, would hang together or disintegrate if it faced real pressure (Maley 2009b).

There is one other area of international involvement that has been of importance in shaping Afghanistan's recent destiny, and that has been in the theatre of regional relations in South and Southwest Asia. Through much of the 1990s, Afghanistan was neglected by the major powers, but it became a battleground for influence between regional actors (see Coll 2005 and Gutman 2008). Afghans often criticise the behaviour of the Western forces in their country but this does not mean that they want to see them leave, since that would likely turn Afghanistan into such a battleground once again. Pakistan in particular has had a long history of disruptive meddling in Afghanistan (Hussain 2005), both to limit Indian influence and to prevent the resurfacing of the 'Pushtunistan' territorial dispute that poisoned Pakistan–Afghanistan relations from the late 1940s to the late 1970s.

However, until very recently, Pakistan's activities attracted little public comment from Washington or London, in part because President Bush regarded Pakistani President Musharraf as an ally, and in part because security cooperation from Pakistan was very important for the UK after the London bombings of 7 July 2005. Nor did major power diplomacy give much attention to the need to view Afghanistan's problems in a wider regional context (see Rubin *et al* 2001). The reluctance of the wider world to address the issue of perfidious behaviour by Pakistan was something that the Karzai government understandably found extremely frustrating, and it is only since Barack Obama assumed the US presidency that the problem of Pakistan has begun to receive the attention it deserves.

Assessment of international involvement and lessons learned

The sections above offer a condensed account of some of the areas in which international involvement in Afghanistan after 2001 has produced less than sterling results. These experiences in the areas of politics, state-building, aid and the management of transition in a world crowded with issues offer some sobering lessons about what might be required to make things work better in the future, both in Afghanistan and in other countries emerging from severe internal strife.

Think through the meaning of 'state-building'

A first lesson is that much more thought needs to be given to the meaning of 'state-building'. The Bonn agreement, for all its merits, had one huge flaw: it embodied no serious reflection on what *kind* of state Afghanistan might require for the future. As Fukuyama has pointed out, the state can vary in both its scope and its strength (Fukuyama 2004), in the range of matters that are treated as being within its purview, and in the capacities that it has to deal with such matters. A state that attempts too much will likely end up doing nothing really well, and its standing in the eyes of the public is likely to suffer accordingly. The risks that could be posed by a strong centralised state have been noted in the past (Shahrani 1998) and were highlighted in a stark critique published shortly after the Bonn agreement was finalised (Ottaway and Lieven 2002).

In Afghanistan, there was a strong case for identifying certain core tasks on which to focus – basic security, government finance reform, the promotion of primary health care, improvements in education, and road building – with a small number of ministries to match. Instead, the Bonn agreement envisaged more than 20 departments of government, which were distributed among the different parties that took part in the meeting. This had disastrous consequences. These 'parties' were not political parties in the Western sense of the term, but patronage networks, and positions in the new state structure were all too often distributed on the basis of loyalty rather than competence. The distribution of departments to political rivals also set the scene for ferocious rivalry between different bureaucracies, the precise duties of which were not often clearly delineated.

The result over time was a growing sense among Afghans that the state was corrupt and dysfunctional, and a developing Western literature emphasising the inappropriateness of what had been attempted in Afghanistan (Suhrke 2006, 2007). State-building is not a simple 'technical' task. It requires, on the contrary, the most careful reflection on what is likely to be attainable and acceptable in a given cultural and political context.

Rely on institutions, not individuals

A second lesson is that it is dangerous to rely on individuals rather than institutions to sustain a transitional process. The sad case of President Karzai shows this all too clearly. A minor but respected figure from one of the smaller *Mujahideen* parties, and a member of a distinguished Pushtun family, he proved acceptable to the different participants in the Bonn meeting to chair the Interim Administration, and rapidly won support for his grace, inclusiveness and commitment to the idea of a modern Afghanistan.

As time went on, however, these qualities proved less relevant to the daily challenges that Afghanistan faced. After he was elected President in October 2004, people looked to Karzai to take the lead in policy development and implementation. Yet these were never his areas of notable skill: he had grown up, politically, in the 'state-free' environment of Mujahideen politics in the Pakistani city of Peshawar in the 1980s, and it was tactical deal-making and alliance-building at which he excelled. Thus from 2004, more and more observers were remarking on the sluggish performance of the state, and its inability to meet the aspirations of ordinary Afghans.

Karzai was by no means to blame for all these problems; he had not been a participant at the Bonn meeting, and had inherited some of the defective political arrangements that had been

created there. However, he did not have a clear strategy to address these deep structural problems. Instead, as the standing of the government slipped, his reliance on tactics rather than strategy accelerated, and it culminated in the disastrous election of 20 August 2009. This election witnessed what one commentator called 'epic levels of fraud and vote stealing' (Filkins 2009), with the independent Election Complaints Commission, on which international officials were in a majority, striking out over 1.2 million votes, or 22.3 per cent of the 5.66 million allegedly cast (see also Afghanistan Analysts Network 2009, Boone 2009, Ruttig 2009).

The exposure of the fraud did Karzai an inordinate amount of reputational damage, even though evidence did not surface that linked him directly to it. Had there been more attention given since 2001 to nurturing institutional mechanisms to allow ordinary people to rule well, the crisis created by the discovery that a favoured individual had feet of clay would not have been anywhere near as worrisome.

Aid is a blunt instrument

A third lesson is that reconstruction and development aid is a relatively blunt instrument for achieving political goals or bettering people's lives. Vast sums have been poured into Afghanistan since 2001, but there is little to suggest that many 'hearts and minds' have been won in the process (Wilder 2009). Far too much aid has been 'churned' through the payment of very large salaries to consultants when it would have made far more sense to spend money to boost local capacity. Furthermore, monies have been squandered through multiple sub-contracting that does little more than fill bank accounts in Dubai. A disturbing number of projects have been poorly designed, shoddily implemented, and inadequately monitored (Stephens and Ottaway 2005, Nawa 2005), and these easily attract more attention than projects that proceed well.

Here, the fragmentation of international action has had extremely deleterious effects. While it is easy to recognise the theoretical benefits of improved coordination, this does not translate into a willingness to be coordinated. Beyond this, political considerations can drive even well-considered projects off course. Road-building, for instance, can have positive effects (Kilcullen 2009), but only if it responds to local needs and plays integrative roles. An unhappy contrast is the showcase Kabul-Kandahar highway, which was rushed to completion in 2003 to coincide with a visit to Afghanistan by the American First Lady, but has been decaying almost from the moment it was opened to traffic, and is now so insecure that many travellers avoid it altogether. A further problem is that when areas are peaceful, they have often received less aid than disturbed areas, creating a classic problem of moral hazard.

Afghanistan is by no means unique in confronting these sorts of problems, but in complex transitions there is often only one chance to get things right, since defective approaches often benefit at least some actors who then have an incentive to resist reform. Putting aid delivery back on track is unlikely to be easy.

International developments may undermine transition

A fourth lesson is that international developments may seriously or fatally undermine a process of transition within a given state. Two international factors above all compromised Afghanistan's transition. One was the US preoccupation with Iraq. This led the Bush Administration in March 2002 to block the expansion of ISAF beyond Kabul out of fear that ISAF would require airlift assets that were already being earmarked for a future operation to overthrow Saddam Hussein. This sent a disturbing signal about the seriousness of Washington's commitment to Afghanistan, and by the time that the decision was reversed in October 2003, vital momentum had been lost. This was paralleled by a profoundly misguided approach to Pakistan, which at the first sign of US wavering adopted what has been described as a 'two-track foreign policy toward Afghanistan' (Weinbaum and Harder 2008: 27), with the second track involving ongoing support for radical groups. The consequences of Washington's almost wilful blindness to this development haunt Afghanistan to this day (Schmitt and Sanger 2009).

Some policy implications for Afghanistan

Although there are no silver bullets offering immediate solutions to Afghanistan's complex problems, there are steps that can be taken to hold on to what has been achieved since 2001, and to begin to reverse the loss of momentum that has undermined the efforts of the Afghan government, the United States, and its NATO and non-NATO allies. If Western leaders pursue these steps seriously, the prospects for Afghanistan may prove somewhat better than much of the reporting in the popular press would suggest.

1. It is vital to improve the quality of messaging to Afghanistan.

Western leaders often speak as if there is no mass Afghan audience for what they have to say. Nothing could be further from the truth. The bulk of the Afghan population listen to international short-wave radio broadcasts on a daily basis (from outlets such as the Pashto and Persian services of the BBC and Voice of America), and these information sources are increasingly complemented by Afghan radio and television stations (such as FM Radio Arman and Tolo Television). Public agonising in Western capitals about the situation in Afghanistan directly affects that situation: Afghans, for very good reasons, are always watching for signs of how the wind is blowing. The key to winning hearts and minds is not to be found in the delivery of aid to local communities, but in *credibly signalling that the Afghan government and its supporters are likely to come out on top*. This is not the message that ordinary Afghans are currently receiving.

2. A nuanced approach to dealing with different components of the Afghan community is important.

There are significant blocs of disaffected tribal elements within Afghanistan, and seeking to draw them back to the side of the government is sensible, through enhanced engagement with local communities in the south and east (Semple 2009). *This is different, however, from attempting to 'deal', 'engage', or 'negotiate' with the Taliban.*

There is very little to suggest that fruitful discussions with the Taliban are at all likely to occur, or that any Taliban leaders are remotely interested in talking (Maley 2007, Tellis 2009), but the mere discussion of the possibility has negative effects that are usually overlooked. Every time this idea is mooted in Western circles – as it was, for example, by the UK's Foreign Secretary David Miliband in July 2009 (Weaver 2009) – it sends shivers down the spines of significant elements in the Afghan population, starting with Afghan women and members of ethnic and sectarian minorities. Indeed, the recent increased outflow of Hazara refugees from Afghanistan may well derive from fear of a 'Yalta'-style deal in which parts of the country would effectively fall under Taliban control, something that would be likely to result from policy proposals already being canvassed in Western academic circles (see Lodhi and Lieven 2009).

But the problem is not simply one of perceptions or expectations. Accepting a Taliban sphere of influence in southern Afghanistan would be a recipe for a rapid and catastrophic loss of any remaining momentum in Afghanistan's transition, for attempts at rearmament by anti-Taliban groups that had earlier relinquished their weaponry, and for the establishment of an Afghan sanctuary for the Pakistan Taliban. It is especially dangerous to think that a solution lies in buying off the Taliban. Such approaches produce conditional compliance rather than stable peace, a point illustrated by the unhappy experience of the French in the vicinity of Sarobi, where their failure to continue making payments which apparently had been made by their Italian predecessors in the district saw them come under unexpected and lethal fire in August 2008 (see Gall and Rahimi 2008, Coghlan 2009).

3. The Afghan Taliban are vulnerable.

While the Afghan Taliban are much more organisationally coherent than is often recognised (see Sinno 2008, Dorronsoro 2009), they are also vulnerable because of their dependence on sanctuaries in Pakistan.

It is the closing of these sanctuaries and the arrest of the top Afghan Taliban leadership that should be the centrepiece of Western diplomacy and the search for a political rather than purely military solution to the Afghanistan problem.

Without attention to this matter, the despatch of further forces to Afghanistan is little better than a band-aid measure, offering a short-term palliative rather than any long-term cure. In August 2007, President Musharraf stated during a visit to Kabul that, 'There is no doubt Afghan militants are supported from Pakistani soil. The problem that you have in your region is because support is provided from our side' (Shah and Gall 2007). This simply confirmed what a mountain of evidence had long shown (see Johnson and Mason 2007, Rashid 2008, Jones 2008, Jones 2009, Maley 2009b).

The threat to stability in Pakistan posed by Talibanisation has been long in the making (Maley 2001), but has now reached a critical point. Sooner or later the realisation is likely to dawn even in high military circles that it is impossible to address the challenge from Pakistani Taliban without also moving against the Afghan Taliban, who provided the inspiration that allowed the Pakistani version to take shape. The closing of the Afghan Taliban's sanctuaries would likely have a dramatic and positive impact on the situation in Afghanistan, and could even trigger a cascade similar to that which saw the Taliban regime collapse very quickly in late 2001. Western governments that decline to address the sanctuaries issue not only undermine any meaningful counterinsurgency strategy, but also compromise the safety of their own troops in the field.

4. The international community needs to take a much stronger stand than it has adopted thus far on the issue of good governance and the rule of law.

The international community could easily start by improving its own behaviour. When Western leaders endorsed the idea of prolonging President Karzai's term until an election in August 2009 – even though it was absolutely clear from Article 61 of the 2004 Constitution that the President's term expired on 22 May 2009 – they sent the message that even the most fundamental law could be twisted for administrative convenience. It is hardly surprising that the 20 August election witnessed more twisting, but this time on the part of electoral fraudsters. Equally, when Western actors make use of the services of highly-suspect private security companies that often behave as if they are above the law (Brooking and Schmeidl 2008), the attempt to promote good governance and the rule of law inevitably suffers.

At the very least what is required is a *much tougher set of conditions attached to the use of funds that are supplied from international sources, and a more resolute approach to monitoring and accountability.* This does not, of course, mean that governance is likely to improve rapidly or that the rule of law will blossom any time soon, but it will at least signal to ordinary Afghans that their concerns about justice and governance are beginning to be taken seriously. Improvements in this sphere are crucial if there is to be any hope of rebuilding the governmental legitimacy that was lost through the fraud that contaminated the voting on 20 August 2009 (Maley 2009a). Excessive deference to Afghan 'sovereignty' not only misses the complexity of the idea of sovereignty itself, but also burdens the Afghan state with unrealistic responsibilities that it is unlikely to be able to discharge.

A good place to start would be to demand, immediately, the replacement of the Chair of the Independent Election Commission, who not only bore formal responsibility for the running of the August 2009 elections, but also routinely displayed partisanship on a scale amounting to serious impropriety (Human Rights Watch 2009). The Chair announced even *before* the runoff election that was scheduled for 7 November (and later cancelled) that 'Karzai is going to win' (Filkins 2009).

Such a demand should be matched by the demand that independent international officials continue to make up a majority of the membership of the Election Complaints Commission. Unless these steps are taken, the 2010 legislative elections are likely to be just as farcical as the 20 August poll proved to be.

5. It is vital to recognise the need for constitutional reform in Afghanistan.

On paper, Afghanistan has a strong presidential system. This has not served the country at all well. Presidential systems, by creating one winner and many losers, readily contribute to division rather than cooperation in countries that are already fragmented. In addition, the Afghan presidency is seriously overloaded, with one person simultaneously called upon to provide symbolic leadership, drive policy development and implementation and reconcile conflicting ministries and agencies.

Finally, a presidential system empowers unelected associates of the president at the expense of those who can claim some legitimacy, either as elected members of the Afghan parliament, or as traditional leaders of significant tribes. This system fosters an approach to politics that nurtures cronyism and networking, but does little to ensure effective policy formulation and implementation. At some point it will need to be seriously addressed if it is not to do fatal harm to Afghanistan's political future.

References

Afghanistan Analysts Network (2009) *Polling Day Fraud in the Afghan Elections,* Kabul: Afghanistan Analysts Network

Asia Foundation (2004) *Democracy in Afghanistan 2004: A Survey of the Afghanistan Electorate,* Kabul and San Francisco: The Asia Foundation

Asia Foundation (2009) *Afghanistan in 2009: A Survey of the Afghan People,* Kabul and San Francisco: The Asia Foundation

Boone J (2009) 'Afghanistan: anatomy of an election disaster' *The Guardian,* 20 October

Brooking S and Schmeidl S (2008) 'When nobody guards the guards: The quest to regulate private security companies in Afghanistan' *Sicherheit und Frieden/Security and Peace* no.4: 208–214

Coghlan T (2009) 'Italians bribed the Taliban all over Afghanistan, say officials' *The Times,* 16 October

Coll S (2005) *Ghost Wars: The Secret History of the CIA, Afghanistan and Bin Laden, from the Soviet Invasion to September 10, 2001,* London: Penguin

Dobbins J (2008) *After The Taliban: Nation-Building in Afghanistan,* Washington DC: Potomac Books

Dorronsoro G (2009) *The Taliban's Winning Strategy in Afghanistan,* Washington DC: Carnegie Endowment for International Peace

Filkins D (2009) 'The Great American Arm-Twist in Afghanistan', *New York Times,* 25 October

Fukuyama F (2004) *State-Building: Governance and World Order in the 21st Century*, Ithaca: Cornell University Press

Gall C and Rahimi S (2008) 'Taliban Escalate Afghan Fighting' *New York Times,* 20 August

Gutman R (2008) *How We Missed the Story: Osama Bin Laden, the Taliban, and the Hijacking of Afghanistan,* Washington DC: United States Institute of Peace Press

Human Rights Watch (2009) *Afghanistan: Human Rights Concerns in Run-Up to Elections,* New York: Human Rights Watch

Hussain R (2005) *Pakistan and the Emergence of Islamic Militancy in Afghanistan,* Aldershot: Ashgate

International Crisis Group (2008) *Taliban Propaganda: Winning the War of Words?,* Kabul and Brussels: International Crisis Group

Jenkins K and Plowden W (2006) *Governance and Nationbuilding: The Failure of International Intervention,* Cheltenham: Edward Elgar

Johnson TH and Mason MC (2007) 'Understanding the Taliban and Insurgency in Afghanistan' *Orbis* vol. 51.1: 71–89

Jones SG (2008) *Counterinsurgency in Afghanistan,* Santa Monica: RAND National Defence Research Institute

Jones SG (2009) *In the Graveyard of Empires: America's War in Afghanistan,* New York: W.W. Norton

Khalidi NA (1991) 'Afghanistan: Demographic Consequences of War, 1978-1987' *Central Asian Survey* vol. 10.3: 101–126

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

Lodhi M and Lieven A (2009) 'How the west can exit the Afghan quagmire' *Financial Times,* 5 October

Maley W (2000) *The Foreign Policy of the Taliban,* New York: Council on Foreign Relations

Maley W (2001) 'Talibanisation and Pakistan', in Groves D (ed.), *Talibanisation: Extremism and*

Regional Instability in South and Central Asia, Berlin: Conflict Prevention Network: Stiftung Wissenschaft und Politik, pp.53–74

Maley W (2006) *Rescuing Afghanistan,* London: Hurst & Co.

Maley W (2007) 'Talking to the Taliban' *The World Today* vol. 63.11: 4–6

Maley W (2008) 'Building Legitimacy in post-Taliban Afghanistan', in Rennie R (ed.), *State building, Security, and Social Change in Afghanistan: Reflections on a Survey of the Afghan People,* Kabul and San Francisco: The Asia Foundation, pp.11–26

Maley W (2009a) 'Democracy and legitimation: challenges in the reconstruction of political processes in Afghanistan', in Bowden B, Charlesworth H and Farrall J (eds) *The Role of International Law in Rebuilding Societies after Conflict: Great Expectations,* Cambridge: Cambridge University Press, pp.111-133

Maley W (2009b) *The Afghanistan Wars,* Basingstoke: Palgrave Macmillan

Mukhopadhyay D (2009) *Warlords As Bureaucrats: The Afghan Experience,* Washington DC: Carnegie Endowment for International Peace

Murshed SI (2006) *Afghanistan: The Taliban Years,* London: Bennett & Bloom

Nawa F (2006) *Afghanistan, Inc.: A CorpWatch Investigative Report,* Oakland: CorpWatch

Ottaway M and Lieven A (2002) *Rebuilding Afghanistan: Fantasy versus Reality,* Washington DC: Carnegie Endowment for International Peace

Peters G (2009) *Seeds of Terror: How Heroin is Bankrolling the Taliban and al Qaeda,* New York: Thomas Dunne Books

Rashid A (2000) *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia,* New Haven: Yale University Press

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

Rashid A (2009) 'The Afghanistan Impasse' *New York Review of Books,* 8 October

Rubin BR (2002) *The Fragmentation of Afghanistan: State Formation and Collapse in the International System,* New Haven: Yale University Press

Rubin BR (2004) 'Crafting a Constitution for Afghanistan' *Journal of Democracy* vol. 15.3: 5–19

Rubin BR, Ghani A, Maley W, Rashid A, and Roy O (2001) *Afghanistan: Reconstruction and Peacebuilding in a Regional Framework,* Bern: KOFF Peacebuilding Reports 1/2001, Swiss Peace Foundation

Ruttig T (2009) *Afghanistans Wahlkrise: Die gefälschte Präsidentschaftswahl und Strategien für »danach«,* Berlin: SWP-Aktuell 2009/A 56, Stiftung Wissenschaft und Politik

Saikal A (2004) *Modern Afghanistan: A History of Struggle and Survival,* London: I.B. Tauris

Sanger DE (2009) *The Inheritance: The World Obama Confronts and the Challenges to American Power,* New York: Harmony Books

Schetter C (2003) *Ethnizität und ethnische Konflikte in Afghanistan,* Berlin: Dietrich Reimer Verlag

Schmeidl S and Maley W (2008) 'The Case of the Afghan Refugee Population: Finding Durable Solutions in Contested Transitions' in Adelman H (ed.) *Protracted Displacement in Asia: No Place to Call Home,* Aldershot: Ashgate: 131–179

Schmitt E and Sanger DE (2009) 'U.S. Asks More From Pakistan in Terror War' *New York Times,* 16 November

Semple M (2009) *Reconciliation in Afghanistan,* Washington DC: United States Institute of Peace Press

Shah T and Gall C (2007) 'Afghan Rebels Find Aid in Pakistan, Musharraf Admits' *New York Times,* 13 August

Shahrani MN (1998) 'The Future of the State and the Structure of Community Governance in Afghanistan', in Maley W (ed.) *Fundamentalism Reborn? Afghanistan and the Taliban,* London: Hurst & Co.: 212–42.

Sinno A (2008) 'Explaining the Taliban's Ability to Mobilize the Pashtuns', in Crews RD and Tarzi A (eds) *The Taliban and the Crisis of Afghanistan,* Cambridge: Harvard University Press: 59–89

Stephens J and Ottaway DB (2005) 'A Rebuilding Plan Full of Cracks' *The Washington Post,* 20 November

Suhrke A (2006) *When More is Less: Aiding Statebuilding in Afghanistan,* Madrid: Fundación para las Relaciones Internacionales y el Diálogo Exterior

Suhrke A (2007) 'Reconstruction as Modernisation: the "post-conflict" project in Afghanistan' *Third World Quarterly* vol.28.7: 1291–1308

Suhrke A and Strand A (2005) 'The Logic of Conflictual Peacebuilding', in Barakat S (ed.) *After the Conflict: Reconstruction and Development in the Aftermath of War,* London: I.B. Tauris: 141-154

Tellis AJ (2009) *Reconciling with the Taliban? Toward an Alternative Grand Strategy in Afghanistan,* Washington DC: Carnegie Endowment for International Peace

Weaver M (2009) 'Britain renews calls for Afghanistan talks with Taliban' *The Guardian*, 27 July

Weinbaum MG and Harder JB (2008) 'Pakistan's Afghan policies and their consequences' *Contemporary South Asia* vol. 16.1: 25–38

Wilder A (2007) *Cops or Robbers?: The Struggle to Reform the Afghan National Police,* Kabul: Afghanistan Research and Evaluation Unit

Wilder A (2009) 'Squandering hearts and minds' *International Herald Tribune,* 17 September

Yaqub D and Maley W (2008) 'NATO and Afghanistan: Saving the State-Building Enterprise' in Shepherd R (ed.) *The Bucharest Papers,* Washington, DC: German Marshall Fund of the United States, and London: Chatham House: 5–17