



**ANKARA
HACI BAYRAM VELİ ÜNİVERSİTESİ
LİSANSÜSTÜ EĞİTİM ENSTİTÜSÜ**

CIVIL SERVICE REFORM IN AFGHANISTAN SINCE 2001

Mohammad YASAR HASSAN

**Thesis Supervisor
Prof. Dr. Gonca BAYRAKTAR DURGUN**

**MASTER'S DEGREE
ECONOMIC AND ADMINISTRATIV SCIENCES
INTERNATIONAL PUBLIC ADMINISTRATION**

AUGUST 2019

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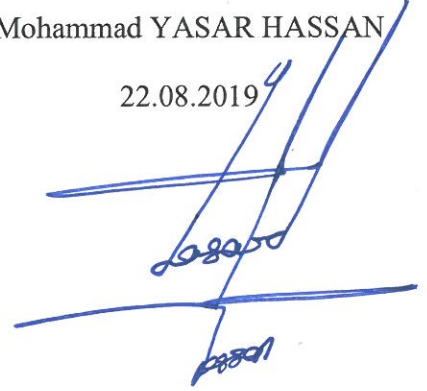
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Mohammad YASAR HASSAN

22.08.2019



2001'DEN BU YANA AFGANİSTAN'DAKİ KAMU HİZMETİ REFORMU

Yüksek Lisans Tezi

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ÖZET

Sağlıklı ve hesap verebilir bir idare ve kamu hizmeti sektörleri oluşturmak, Afganistan'daki mevcut durumun önceliklerinden biri olup, müreffeh ve meşru bir yaşama doğru ilerlemeyi sağlar. Kamu yönetimi reformu, insanları daha iyi ve niteliksel hizmetler sunarak refah için duyarlı ve iyi bir hükümet yaratmanın bir yoludur. Ayrıca, kamu idaresinin, devletin idare veya kamu hizmeti sisteminin bir önceki sistemden yeni sisteme, zaman ve devlet koşullarına göre derlenmesi ve modernizasyonu ile yenilenmesi süreci, acil gerekliliklerden biridir. Topluluğun büyümesine, gelişmesine ve refahına teşvik eder. Her ne kadar reform gündeminin ve yeni kamu hizmeti sisteminin uygulanması hükümet kalkınma planlarının öncelikleri arasında olsa da hükümet Afgan halkının çoğunluğunun çıkarlarını karşılamayı ve ülkede uygun bir yönetimin temelini oluşturmayı hedeflemektedir. Bu çalışmada Afganistan'ın Kamu Hizmeti Reformu ve kamu hizmeti sektörlerinin reform yönünden performansı ile ilgili olarak yapılmıştır. Araştırma, kamu sektöründeki performans engellerini daha geniş bir çerçevede ortaya koymaktadır. Bu yaklaşım ülkenin kısa bir tarihçesini, vatandaşlara hizmet sunmaktan sorumlu ulusal ve alt ulusal idareleri almaktadır. Afganistan'daki ulusal altı yönetim hakkında çok az araştırma olmasına rağmen bu araştırma Afganistan'daki mevcut Kamu Hizmeti Reformu bilgisine katkıda bulunacaktır. Bu tezin ana sorusu, reform sürecindeki mevcut ulusal ve alt ulusal Kamu Hizmeti Sektörleri yapılarını ve bu yapıların neden ulusal ve alt ulus seviyesindeki insanlara etkili, verimli ve yeterli kamu hizmetleri sağlayamadığı zorlukları ve sorunlarını tanımlamaktır. Bunun için devletin doğası, mevcut yasaları, politikaları ve diğer prosedürleri incelenmiştir. Yapıları, kurumları ve hizmet sunma kabiliyetlerini ve kapasitelerini etkileyen faktörler veya doğrudan ve dolaylı değişkenler. Bu sorunlara ulaşmak için ulusal ve alt ulusal seviyeler analiz edildi, ulusal ve alt ulusal idarelerin yapı taşlarını oluşturan engelleri ve zorlukları tespit edilmiştir.

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ABSTRACT

Establishing a healthy and accountable administration and civil service sectors is one of the priorities of the current situation in Afghanistan, which ensures that it is going to drive the people to prosperous and legitimate life. Public administration reform is a way to create a responsive and good government to satisfy people by providing better and qualitative services. Moreover, the process of reforming the public administration with the renewal of the administration or civil service system of the state from the previous one to the new system by compilation and modernization according to the necessity of time and state circumstance is one of the urgent needs that promote growth, development, and welfare of the community. Although the implementation of the reform agenda and the new civil service system are among the priorities of the government development plans, that objected to meet the interests of the majority of the Afghan people and underpin the foundation of a proper administration in the country. This study conducted about Afghanistan's Civil Service Reform and the civil service sectors performance with reform aspect. The research expounds the public sector performance barriers in a broader context. This approach takes a short history of the country, the national and sub-national administrations responsible for delivering services to the citizens. While there are very few researches on the sub-national governance in Afghanistan, this research will add to the existing knowledge of Civil Service Reform in Afghanistan. The main question of this thesis is to describe the current national and subnational Civil Service Sectors structures within the reform process and the challenges and problems that why these structures cannot deliver effective, efficient and sufficient public services to the people on the national and sub-national level. For this purpose, the nature of the state and the current laws, policies, and other procedures that exist in the country are studied. The factors or direct and indirect variables that affect the structures, institutions, and their ability and capacity to deliver services. To reach to these problems, national and sub-national levels, find out the barriers, and challenges that form the building blocks of the national and sub-national administrations are analyzed.

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A large part of my gratitude goes to my friends, who have provided encouragement to me, as well as valuable suggestions of how I could improve my study. They have, most importantly, been invariably around to listen to my constant complaints about little failures and have patiently dealt with my concerns. To each and every one of them, I dedicate this thesis.

Lastly, yet most importantly, my thesis is dedicated to my parents, particularly to my Father (May his soul rest in peace) who was exemplary of my life exemplary, my mentor and fogleman and who have given me the best possible opportunities, some of which perhaps better than I deserved. Being researchers themselves, they have been my first point of inspiration to conduct scientific inquiry, and although separated from their field, I continue to take their guidance when it comes to writing scientific papers. Their love and dedication has been absolutely unconditional, and I can never be thankful enough to be born to such talented human beings.

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ABBREVIATIONS

Abbreviations	Explanations
ADB	Asian Development Bank
AMD	Afghanistan Millennium Development.
ANDS	Afghanistan National Development Strategy.
AOP	Administrative office of the President.
AUWSSC	Afghanistan Urban Water Supply and Sewerage Corporation.
BPS	Better Public Services.
CBR	Capacity Building for Result.
CCAP	Citizen Charter Afghanistan Project.
CCP	Citizen Charter Program.
CDC	Community Development Council.
CRIDA	Capital Region Independent Development Authorities.
ICSC	Independent Civil Service Commission.
CSR	Civil Service Reform.
CTAP	Civilians Technical Assistance Program.
DABS	De Afghanistan Bank.
DGs	Developing Countries.
GoIRA	Government of Islamic Republic of Afghanistan.
HDA	Helmand Development Authorities.
IARCSC	Independent Administrative Reform and Civil Service Commission.
IDLG	Independent Directorate of Local Governance
INGOs	International Non-Government Organizations.
ISAF	International Security Assistance Force.
MCP	Management Capacity Program.

MOF	Ministry of Finance.
MOI	Ministry of Interior Affairs.
MOJ	Ministry of Justice.
MUDH	Ministry of Urban Development and Housing.
NATO	North Atlantic Treaty Organization.
NGOs	Non-Government Organizations.
NPM	New Public Management.
NPP	National Priority Program.
NSP	National Solidarity Program.
NUG	National Unity Government.
NVDA	Nangarhar Valley Development Authorities.
OECD	Organization for Economic Cooperation and Development.
P&G	Paving & Grading.
PAR	Public Administration Reform.
PRR	Priority Reform & Restructuring.
RDAs	Regional Development Authorities.
SOC	State-Owned Cooperation.
TOR	Term of References.
UN	United Nation.
UNDP	United Nation Development Program.
USAID	United State Agency for International Development.
USSR	Union of Soviet Socialist Republics.

1. INTRODUCTION

Different groups of the population follow the process of administrative reforms across the country, with different levels of precision and responsiveness, due to their jobs related affairs and various political, economic, and social affiliations. For the purpose of that, what influential impacts from the current administrative reform process will have a heterogeneous impact on the pulse of life-affairs transactions and their material and spiritual benefits.

Because, the lack of qualitative services to meet the needs of today's people, the ineffectiveness of the administrative apparatus, the chain of corruption in government offices, the infectious worst level of bureaucracy at the administrative offices, the of trade in goods procrastination, the disparity and inequity in the salaries of civil servants, the distribution of civil services vacancies or positions, The lack of transparency in the selection and recruitment of qualified people and dozens of other dilemmas, the interests of the people of the country and the international community in related issues to the reform process and the new system of ranking and subsistence and the need for changes in the administrative system, has made and raised.

The purpose of writing and conducting this research is to introduce and provide general and concise information on the reform of the Afghanistan Civil Service System, which been initiated and carried out since the establishment of the interim government, and outlining its achievements, obstacles and problems, and suggestions for improvement and better reform of administration and staffing.

Reform means the amendment or improvement of what is unsatisfactory, wrong, corrupt. The word (reform) is an attempt to change and substitute certain aspects of economic, social, and political life without conversion of the foundation of society.

Before the incident (the military coup D'état of Soviet Union allies) of April 27, 1978 taking place, in the organization body of Prime minister office a General directorate by the name General Directorate of Civil Service offices exist, whose activity was not so tangible, and, unlike some of the few, most of the population was unfamiliar with this office and its duties. After the establishment of the communist regime and the presence of the Soviet Union (USSR) troops in 1980, the general directorate of civil service offices dissolved due to unknown reasons.

After the collapse and demolishing of the Taliban regime, in 2001 at the Bonn Conference that resulted in an agreement on the arrangements and establishment of the

Interim Government of Afghanistan, the United Nations had along assistance and support with the interim government for fulfilment of its duties. In this Conference Beside other independent commissions, such as the Independent instant Loya Jirga (Great Council) Commission, Independent Justice and judiciary Commission and the Independent Human Rights Commission of Afghanistan, the Independent Civil Service affairs also named and agreed to be form and establish.

According to Act number (5) of Interim government determined in Bonn Conference is as follow: "The Interim government will establish the Independent Civil Service Affairs Commission with the help and cooperate of the United Nations. The commission provides individuals with the privilege of listing the key components (positions) of the public sectors, including governors and district governors, based on their ability and skills to provide to interim administration authorities.

Although, the transition of political and administrative power took place on December 22, 2002, we could consider it the beginning of implementation phase of The Bonn conference, but the establishment of the Commission, known as the Independent Civil Service Commission, that extended by Decree No 257 of May 23, 2002 (five months after the start of work) of head of Interim Government that was declared without mentioning the causes and reasons for its delay, which was thought to be due to conditions that at that time dominated the political climate of the country, that government was divided between powerful buddies and political parties and various power centers.

The main points of this decree of establishment of CSC were as follows:

1. Establish healthy offices in which government officials and employees are determined and appointed based on competence, expertise and technical skills.
2. The commission consisting of (9) members (commissioners).
3. The Commission major responsibilities are to select high-ranking officials (second grades and higher) with the cooperation of the relevant ministries and overseeing the appointment of low-ranking officials and advising the government on areas of administrative regulations and policies.
4. The commission prevented any political interference.

The following sections were exempted from the scope and competence of the Commission.

1. Sectorial Agencies officials and employees.

2. Municipal officials and employees.
3. Government agents that hired on a contract basis and for a certain period of time.

ICSC continued its services for one year without any significant performance and achievement under the supervision of United Nations (UN), and it was not including in the budget and formal formation or organizational structure of the government, That finally through decree number (25) On June 10, 2003 of the head of the interim government, it became an independent administrative unit and an official government body, and renamed to the Independent Administrative Reform and Civil Service Commission.

In accordance with the third article this decree, the IARCSC assigned to the following duties.

1. Detection, selection and proposal of appointment of high ranking civil servants.
2. Reviewing, evaluating and approving the recommendations of ministries, agencies and civil agencies regarding the appointment, transfer and promotion of high ranking civil servants and presenting them to the competent authority for approval.
3. Supervision of the appointment of low-ranking civil servants in government agencies/ Ministries.
4. Investigate the petition and complaints of civil servants and persons who have sought for employment to make appropriate decisions in the field.

In the decree No:25, contrary to Decree No:257, only the elected official of the municipalities and other elected bodies have been excluded from the aforementioned provisions decree, and immediately, pursuantly based to Decree No. 26 dated June 10, 2003, of the head of the Interim Government the regulation of IARCS performance and activities were approved and enacted, in addition to the above decree, the Commission were tasked to design, regulate, implement and lead the overall and plenary Administrative Reform Program.

After adoption of the constitution of the Islamic Republic of Afghanistan, by the Loya Jirga (Great Council) on January 26, 2004, relied on Article 50 constitution that mentioned as follow, “The state shall adopt necessary measures to create a healthy administration and realize reforms in the administrative system of the country. The administration shall perform its duties with complete neutrality and in compliance with the provisions of the laws” On September 5, 2005, the Civil Service law and subsequently on June 15, 2008, the Civil Servant law were enacted.

Furthermore, Afghanistan entered the so-called decade of transformation in 2015. The transformation decade seeks to build and consolidate on the outcomes of (2011-14) transition period to ensure Afghanistan's future as a stable, functional, and durable state.

One major objective is to build an Afghan state that guarantees, respect and protect human rights, provides security, and recognized by its citizens as their legitimate representative and provider of services that meets its basic needs.

Afghanistan continues to be a fragile state with frail and weak public institutions. The civil service considered as a core engine of the government, responsible for direct service delivery to citizens through either civil service sectors or the private sector under the supervision and regulation of the state authorities or the civil service sectors. The creation of civil service reform (CSR) requires a specific Afghan context understanding, which is characterized by difficult social heterogeneity, geography, religious supremacy, ethnic divisions, a young demographic profile, authority-driven leadership, patriarchy, and in particular insecurity and conflict.

Good governance requires a sufficient and efficient public service, an administration that is accountable to its public and a reliable judicial system and According to the World Bank, "Good governance is synonymous with sound development management." It is the central in creating an environment that fosters equitable development. For provision of public good government play the key role. To correct the market failure and to make markets work efficiently they established the rules. To fulfill this role, governments need revenues as well as agents to collect these revenues and produce public goods. This in turn, requires accountable system, reliable and adequate information, and efficiency in delivery of public services and in resource management.

Good Governance is the capacity of a government to manage the fiscal and administrative affairs of the state, formulate policies, and deliver services and goods to citizens according to the general consensus.

The relationship between the good governance and civil service sector is inevitably crucial, as the civil service sector plays the key role in management of the fiscal and administrative affairs of the government, policy formulation, , and the service delivery to the public either directly or indirectly through the private sector.

Governance reform agenda of the Afghanistan National Unity Government (NUG), including the civil service sectors reform, has to be consolidate and its legitimacy anchored

via citizen's active participation in the merit-based appointments, enforcement the rule of law, and continued administration improvement. In this respect, the NUG is committed to "rigorously simplify service delivery arrangements across the civil service."

The programs in the governance sector are expected to support an overarching discussion and work on governance-related topics beyond individual programs. A better understanding of the governance context in Afghanistan and greater systematic work on governance issues in both governance and sector programs enhances the effectiveness of the Afghan-German Development Cooperation.

The thesis starts with the explanation about the civil service reform and its reason of existence and it's for better service delivery more based on the Weberian bureaucracy we will discuss about the public administration current and modern paradigm New Public management and its usage in governance at modern and developed country and developing country with the perspective in adopt it in third world country such a Afghanistan.

In the Second chapter this research paper will describe the Afghan public administration in the following stream. The second chapter of this thesis is explaining and describing the political and social aspects and review public administration areas of Afghanistan. It will explore the ceramic of Afghan society, the practices, the customs, and the culture. The nature of the separation of powers in Afghan state and the national and subnational public sectors and its functions and its main challenges.

The third chapter goes into details and explains the overall reform process, its steps of implementation, structures, institutions, and the recent policies and strategies devised to the betterment and improvement of the governance practices and services delivery. The chapter explains the structural reform and installation of meritocratic appointment process with respect to the law and country circumstance and required condition. Furthermore, in this chapter, the central responsible agency and its structure in function due to reform issues are described and as well, the national and subnational institutions analyzed in term of their reforms and there is discussion about the minor and major problems that together pose threats and make challenges for civil service reform process and its policies.

Finally, based on the research result as a proposition in the Third chapter as well there is discussion over the most critical issues that how and why the Afghan state lost its legitimacy, a precondition for stability and providing services and particularly failing in installment of Civil Service Reform in Ministries/Public Agencies. There are possible

solutions or prescriptions to the problems and challenges discussed in this thesis. Much endeavors have been vested to make the prescriptions or possible solutions compatible to the Afghan context.

The main aim of this research is to provide a comprehensive overview of the status quo of the civil service sector in Afghanistan in terms of its legal background and modes of action. Furthermore, it highlights the obstacles and challenges hampering the implementation of reform initiatives. In the conclusion, recommendations are proposed on how to overcome the hesitant reform process and accelerate the implementation of CSR programs, some of which have long existed.

Methodology

The methodology of this study is descriptive and prescriptive, which will be done through literature review existing on the current administrations of Afghanistan, mainly post-2001.

The research assessed the existing legal and regulatory framework and scrutinized the government's strategies and programs. It reviewed reports and relevant academic articles produced by national institutes and international development agencies.

Moreover, the research conducted key informant interviews with public administration officials and academics on civil service issues. In addition, this research is based on interviews that conducted in Kabul with actors from the government in national and sub-national levels and desk research of the United Nations agencies, non-governmental organizations (NGOs), and the international community in order to gain their respective views and perspectives. The interviewees were identified and selected carefully based on their experience, skills with, and relevance issue to civil service issues in Afghanistan.

Generally, this research is composed of explanatory and descriptive method with quantitate and qualitative data with more focus on qualitative researches.

Furthermore, most research resources are the first handed resources like the IARCSC Reports, rules, regulations and government and international polices relevance to civil service reform.

2. CIVIL SERVICE REFORM AND PUBLIC ADMINISTRATION CURRENT PARADIGM

2.1. Introduction: Civil Service Reform

The government executives whether it's a president, prime minister, duke, governor, mayor, emperor or king without some form of civil service that government cannot function. In democracies, dictatorships, monarchies and republics system of government civil service refers to the body of appointed officials (Civil Servants) that under the direction of the Head of Government carry out the functions of government.

The civil service usually understood as a subset of the broader public service. This subset consists of government agencies, ministries, and departments, including people implement government programs and policies, who advise on developments, and those who manage day-to-day activities.

Reforming the civil service is vital in improving governance, economic policy, service delivery, and public financial management, when we talking of civil service reform it's the course civil servants the carry out the burden and task of the government and its improvement toward more efficient and effective performance and service delivery.

To make GoIRA more responsive, organized, honest, and affordable to bring government closer to the grassroots and to make government deliver and perform better Civil service reform activities have included efforts.

The civil service reform literature in developing countries suggests that common traps and challenges are:

- “Insufficient attention to politics: Understanding the particular context’s political economy dynamics is likely to be crucial to efficient and effective reform. Particularly patronage is often a significant challenge” (Lauth and Hashimi, 2016).
- Attempt to transplant organizational structures of one country’s and practices to another without due consideration of contextual differences.

¹ Political economy relates to the prevailing political and economic processes in society – specifically, the incentives, relationships, distribution and contestation of power between groups and individuals – all of which greatly impact on development outcomes. See the GSDRC’s *Political Economy Analysis Topic Guide*: Retrieved August 1, 2019, from <http://www.gsdr.org/go/topic-guides/political-economy-analysis>.

- Over-emphasizing cost-cutting and downsizing. “Excessive focus on cost-cutting can undermine government effectiveness and fail to produce lasting savings” (Lauth and Hashimi, 2016).
- Failing to integrate reform activities into the organizational framework and broader policy.

The CSR following key lessons have emerged from experience:

- Thorough understanding of context has assisted the implementation and planning of reform. Evidence indicates that successful change requires strong domestic political leadership. For understanding context, political economy analysis tools can be useful.
- Both incremental approaches and whole-of-system have been successful. A progressive and incremental approach is most likely to be sustainable and politically feasible. Plans for reform include identifying 'windows of opportunity' and 'islands of effectiveness' to build on. Different reform approaches or models, may be appropriate depending on the context.
- Introducing merit-based systems through wide-ranging organizational changes has improved accountability and performance and the ability to attract better and well-educated staff has reduced corruption and is associated with higher growth rates. Interventions that narrowly focused on improving conditions and pay, performance monitoring or performance management have been challenging to implement, and have not always provided clear benefits. “In the core civil service, the evidence relating to the effects of performance-related pay is uncertain, typically owing to difficulties in quantifying outputs of core public service departments, compared to service delivery units” (Lauth and Hashimi, 2016).
- Flexible and long-term donor support has contributed to successful civil service reform. Reform can be slow, therefore, require continuous, consistent support. Also, capacity needs can arise that require responsive support.
- Public Administration performance and changes Monitoring can be challengeable because to identify tangible results outside of direct service delivery it can be difficult. Many information and assessment sources are available from which to tailor context-specific assessment tools.

There are very few and outnumbered countries of the world that are satisfied with their civil service systems and public bureaucracies. Civil service reform is being discussed in

Latin America, North America, Europe, and Africa (Ingraham, 1996: 247-267). Some are fixing the problems of having a career civil service and others that are trying to develop a career civil service. Some are struggling with identifying the role of civil service in a changing political environment while others that are dealing with legacies of past colonial civil service systems. Whatever the case may be, around the world, civil service reforms are a topic of interest. “Each nation of the world faced with the challenge of adjusting its domestic and international policies rather rapidly in response to forces of globalization and technological change” (Skogstad, 2000: 805-829); (Farazmand, 1999: 509-522). The role of the civil service in public service, governance, and economic development is vital, irrespective of the structural and institutional differences across countries. In the below table, you will see the number of civil service reform programs funded by the World Bank in different parts of the world. From 1980 to 2001 the number of such programs has significantly increased.

Region	1980 - 1986	1999 – 2001
East Asia and the Pacific	0%	8%
Europe and Central Asia	18%	15%
Latin America and the Caribbean	27%	16%
The Middle East and North Africa	5%	11%
South Asia	0%	13%
Sub-Saharan Africa	50%	37%
Number of Projects	22	62

Table 2.1. Civil Service Reform Projects by Region and Year 1980 – 2001 (Mukherjee 2001:509).

2.2. Civil Service Reform (Lesson from Abroad)

Most civil service reforms (CSR) during the last two decades have been associated with movements towards economic and democracy efforts. Often, these are twin thrusts. “Between 1981 and 1991, CSR in 44 developing countries was supported by World Bank lending operations, which comprised 60 Structural Adjustment Loans and 30 technical assistance loans” (World Bank, 1995). But CSRs have been confined to developing countries. They have taken place in United Kingdom and New Zealand, also in rapidly modernizing nations such as Malaysia, Chile, Poland, Canada and Singapore. Some have been comprehensive, others limited. Without support from United Nations agencies or other

bilateral or multilateral donors a number have taken place. While the most of these reforms experience has been mixed, most as a whole indicate support for improving the efficiency of the economy, including the public sector, the private sector, and the government itself.

The electorate in many countries is still mystified about administration and its processes and its fairly ignorant about the civil service system and the way that it operates. Even the elite, have a limited view of the overall policy and management processes especially the political leaders and their immediate entourage, which civil servant's seniors sometimes shroud in as much mystery and complexity as possible. In most developing countries with the introduction of democracy based on universal adult suffrage, the political leadership has a burden to communicate with the electorate for the need of administrative and civil service reforms or the outline of such reforms, even in their electoral platforms in most of developed countries for example, Canada, New Zealand, Australia, United Kingdom, United States governance and civil service reforms have been brought about on the basis of an electoral mandate received through campaign debates on issues of governmental management and civil servant performance and roles. Similar debates are needed in as well in such country with a poor economic like Afghanistan in order to develop a deeper understanding of the roles of government and civil servants in the everyday life of individual citizens.

In Majority of developing countries (DCs), excellent and significant progress have been made in liberalizing their economies and creating, enabling business environments for the private sector, a framework that would yield "control" and "incentive" systems for private businesses that in a free market economy operate efficiently.

However, in many DCs for the public sector, little progress has been made in creating a similar favorable "enabling" institutional environment. Therefore, in many DCs have failed to adjust public functions/rule and to provide the "control" and "incentive" systems that would influence the behavior and values of government organizations positively to deliver superior government services.

The simple definition of required civil service or public administration reforms can be carried out by a small and capable group of leaders. But actual and real implementation requires a more comprehensive/extensive effort over time.

As Afghanistan Administrative and civil service considered in Boon conference 2001 with the full support of World Bank and United Nations while that during the revolutionary

time (80th and 90th decades) of civil service reform, Afghanistan possessed and struggled with war against USSR and Civil War, therefore first we need to shape the public Sector agencies, it's functions and the employees that carrying out the functions based on the practice of civil service reform in developing country with the aspect of civil servants remuneration, payroll, asses and merit-based recruitment and their effect in service delivery in public sectors , in the follow based on the practices in in developing country we are going to discuss about civil service reform policy and its implementation in New Zealand, Canada and Poland, that Some of these practices can be adapted to our administrative system on an experimental basis, although to determine the feasibility of adoption and to inculcate similar practices within our bureaucracy, a separate study is necessary.

2.2.1. Civil Service Reform Case in New Zealand

In 2012 New Zealand launched the 'Better Public Services' (BPS) agenda, and in terms of exemplifying civil service, reforms have since been at the forefront in the world. Although it is a small developed country and no significant comparisons can be made between it and Afghanistan, but to look at some of its reforms, it certainly is interesting.

The New Zealand Government, in its reforms process, introduced a list of priorities for which it set based-targets and outcome for instance reducing the number of Central agencies staff from 88000 to 37000 (Davison, 2016). These were, among others, related to the protection of children from vulnerability and social security for which it was imperative that all government departments work together. Amongst the bureaucracy, this fostered the feeling of collective action, instead of typically each department sticking to their own defined responsibilities and outcomes. Political heads were made accountable, which was also unseen in most other bureaucracy forms and remained an unimaginable concept for Afghanistan.

The agenda NPM pushed to greater heights by New Zealand. The bureaucrats or civil servants enter into contractual agreements with political heads to define outcomes and target, which takes accountability to an unprecedented level. To ensure unhindered cooperation and free flow of information, they have also strengthened linkages between government agencies horizontally. To the chief executives of the agencies, certain degrees of autonomy have also been granted by law to enable them for exercising greater responsibility and have a hands-on approach to proactively identify problems and respond with solutions and its diagnosis without necessarily having to take prior sanction from political bases or powers (Falconer,

n.d.). Performance evaluation in the New Zealand system is also linked to overall performance as a group, along with individual bureaucrat assessment. These encourage reinforcement and peer review to put in good work for the collective benefit of all bureaucrats, in turn through better service delivery, ensuring the mutual benefit of the public.

2.2.2. Civil Service Reform Case in Canada

In the mid-1990s, Canada for decades developed a welfare state with expensive social programs that led to massive fiscal 6% deficits of the GDP. Therefore, during 1985-94, while maintaining government programs (by limiting budgets & salaries) tried to reduce budgetary deficits gradually (Segura, 2011).

These Civil Service reform efforts were incremental and gradual, but they were also de-moralizing and ineffective.

In 1995, a new Prime Minister of the country decided to do “urgent major surgery” to carry out significant changes in the government’s size and roles, to achieve a budget deficit of 3% of GDP the key to success was that at the outset, the objectives of the reform were agreed upon by civil society and stakeholders: to reduce government roles & expenditures, while improving and reforming the delivery of a more limited set of “core” government services.

Under the Ministry of Finance, a robust Central Unit was created that would manage and coordinate the analysis and make recommendations to an Inter-Ministerial Committee with outside reviewers. The Central Unit for comprehensive “Audit” of all government decided to organize programs: all agencies and public sectors were instructed to carry out a self-review of their operations and programs (Segura, 2011).

Agencies were instructed that these Program Reviews had to be based on:

- i. National budget cuts of between 5% - 60% per agency.
- ii. Pre-specified Questionnaire that for each pre-identified function/program contained only six questions:
 1. Is this being a program of clear "public interest" and is so why?
 2. In doing it, is there a strong case for a “government’s role”?
 3. Can this reform be done better by other “jurisdictions” (the provinces)?
 4. Could this reform be done “externally” by a private sector/partnership?
 5. If kept, how can it be made more efficient and business-like?

6. Is the program “affordable” and are there are resources for it?

The Central Unit Based on the responses from the agencies, recommended and identified to the Inter-Ministerial Committee as follows:

- the set of core functions of governments that should be retained, and the “reduced” targeted allocation of budget resources to them.
- Essential non-core functions that should be delegated to local governments privatized, or subcontracted.
- Non-essential functions that should be eliminated.

The reform measures included:

- Reducing the number of Cabinet Ministries from 35 to 23,
- Eliminating 73 government boards/agencies,
- Restructuring or privatizing and decentralizing 47 other agencies.
- Transferring/cutting civil service jobs by 18% (45,000 people)
- Ending transportation and agricultural subsidies.
- Reducing the 60% percent state subsidization of the real sector.

To attract and retain skilled public servants, a further reform effort was initiated in 1997. Subsequently, the following increasing emphasis was placed on:

- for agencies, developing performance-based fiscal budgets.
- Incentives based on contracted and measurable performance.
- The flexibility of a greater management
- E-government, under which business registrations, licenses, and similar tasks were done on-line.

Within two years, the fiscal budget was in surplus, and by the consumer, surveys showed that service delivery had improved.

2.2.3. Civil Service Reform Case in Poland

Poland also launched the civil service reform in the late 20th century, in 1998, the major and significant problems that triggered Polish reform of public administration were the following (Segura, 2011):

- Highly centralized and concentrated decision-making with direct central government participation in decisions on a variety of most of the local level issues.

- Through a broad range of regulations, the central administration was also involved in the control of “decentralized” local entities.
- System of public finance was highly centralized that envisaged financing of all budget-funded entities out of state budget.
- Between different levels of government Unclear delineation of responsibilities, with conflicting priorities of local authorities and state.
- In the process of policy development and formulation Low public participation.
- Public administration low accountability to the public.
- Huge and wide network of public administration bodies that in some cases contradicted the principles of territorial differentiation.
- Weak public services delivery.

The 1999 significant public administration reform made the central ministries responsible only for strategy and policy, with the decentralization of public service delivery to territorial self-government, through this reform the following actions take place and put in practice.

- Operational and Functional reviews eliminated complicated administrative procedures and regulations at various levels of government.
- The system of public finances also reformed, which local government is receiving their source revenues, shared taxes, and general transfers from the center.
- The state administration monolithic structure was replaced by a decentralized model that clearly separated regional/local affairs from national affairs of “countrywide character.”
- The main principle of decentralization was that committees should make the resolution of all social problems of local communities based on territorial, cultural, and economic ties.
- Due to the problem of coordination or problem of scale or with other communities, the central government intervened in situations when the problem could not be solved in the community.

Through the reform about 100,000 of central staff in the 1990s, were fully transferred to local governments. Nevertheless, over these staff, the central government still retained some authority, including appointment rules.

The decentralization outcome was a public administration that looks like a classical pyramid, the basic tiers are in charge of everyday matters focusing their activity on the basic social services delivery to the public, and the administration top tiers were concentrated on strategy, policy and general problems of the country's development. Local affairs were entrusted and relied on municipalities (Gminas), the basic and the most important level of public administration. Through this reform more than 2,500 Gminas were established within the country, that the most important local community's collective needs were met: they are now responsible for social welfare, local transportation, sewerage and water, sports, housing, parks, fire protection, public health, nurseries, primary education, libraries, and culture, etc.

The Gminas was run by democratically elected councils which established management boards with executive powers. After the devolution to the Gminas (municipalities) the following discretionary reform took place:

- For secondary educations and other services that extend beyond the municipality borders, 370 Provincial governments (Powiats) are responsible.
- Regional affairs and related services were entrusted to 16 Regions (Wojewodztwa), that in the sub-national organization is the state the largest administrative unit, which its head is appointing by the Prime Minister.
- The Regions executive bodies (Wojewodztwa) took responsibility for regional roads, major hospitals, university education, maintaining public order, and environmental protection within their jurisdiction.
- The Central government responsibilities retained to develop national policies and decide on strategic matters.

Decentralization has moved ahead, but checks have been put in place to central agencies, decentralization of fiscal budget is considerable, still program standards place restrictions on how the money should be spent, staff have been devolved, but though appointment rules the interests of unions have been preserved, despite this between government levels some of these restrictions have created political tensions.

2.3. Weberian Bureaucracy

Max Weber is known as the initiator of the rational-legal bureaucracy model in the late 19th and early 20th century (Hai and Nawi, 2012). Max Weber believed that bureaucracy is the most efficient way to set up administration and organizations. He believed that

Bureaucracy is better than traditional structures, in a bureaucratic organization, the division of labor is clearly described for each employee and everyone is treated equal, according to his studies “Bureaucracy is an organizational structure that is characterized by many rules, standardized processes, procedures and requirements, number of desks, meticulous division of labor and responsibility, clear hierarchies and professional, almost impersonal interactions between employees”(Udy, 1959).

In his impartial management system description, the bureaucratic organization theory was instrumental in propounding; He developed the rational bureaucracy concept, one which is served only a single purpose and removed from all other aspects of public life. The Weberian bureaucracy salient features are (Max Weber - Bureaucracy n.d.):

1. Administrative Class: This class comprised of the bureaucrats, who receive salaries based on their posts and positions and are permanent employees of the state. They are appointed based on their competence and have functions and tenures that determined by the rules of the organization.
2. Hierarchy: The bureaucracy a critical feature is a fundamental emphasis on hierarchy. Within the organization, Hierarchies are fixed, and bureaucrats are subjected to higher-ranked officer’s strict supervision. The ranks devolve authority and responsibility.
3. Division of Work: duties, tasks, and Obligations are divided carefully amongst the bureaucrats, and responsibility is fixed and arranged at every echelon.
4. Official Rules: Regulations and Rules do not only serve the purpose of providing legitimacy to the bureaucrat to carry out a certain function, but also keep the bureaucrat rooted to their responsibilities and rights, and ensure the arbitrary decision-making avoidance on the part of the officer.
5. Impersonal Relationships: In bureaucratic theory, Impersonality is an essential aspect. Officers and their actions and/or decisions are supposed to be wholly removed from personal considerations and involvement. In his/her work, a bureaucrat may not be sentimental about it, which could affect or endanger rational decision making.
6. Official Record and portfolio: By each bureaucrat proper records are to be kept, to keep track the individual's activities as well as an overall record of the organization achievements.

Benefits of Bureaucracy (Weber’s Bureaucracy: Definition, Features, Benefits, Disadvantages, and Problems n.d.):

1. The employee's proper management through procedures, rules, and records mechanisms.
2. Responsibilities and duties clearly defined avoid conflicts of jurisdiction and actions.
3. Recruitment and promotions are on merit bases. This ensures that every job is given to the proper person that best suited to carry it out.
4. Through the clear division of responsibilities, the performance of bureaucrats can be efficiently tracked.

Disadvantages of Bureaucracy:

1. In the bureaucratic system, red-tape is quite high, and it involves a lot of paperwork.
2. Bureaucrats have not always invested itself in the organization, and therefore do not have the belongingness feeling.
3. Due to the strict adherence to rules and regulations, bureaucrats tend to behave like machines. This inhibits and prevents personal touches to policy implementation, which in some cases, maybe crucial.
4. As the system is structured, Bureaucrats are settled into the routine, and often resist any change to the status quo.

2.4. Non-Weberian Models of Bureaucracy

The Weberian traditional bureaucracy concerns about complex, organizations require extension and refinement for the understanding of the organization designed for social development therefor It shall be developing.

According to Kaplan 13968, the Six ideal type modes of looking at development bureaucracies are proposed as follow:

1. The organizations are theoretically oriented.
2. To meet the changing contingencies of the development process, the organizations designed to provide latent structure.
3. To work with the entire social system, the organizations are client-centered and consequently designed.
4. The organizations are designed to perform a socialization or resocialization function.
5. Socially development organizations are committed ideally to a norm emphasizing experimental design as the primary consideration in the program design.

6. For social development the organizations are constrained by the limited alternatives for change available at any given time.

Additionally, brief attention is given to the great importance of modernize a social system and/or community disintegration and ego impairment as critical constraint an attempts to repair.

The management of social change that it is the modernization process. it is questionable whether the Weberian usual model, directed toward organizational effectiveness and efficiency, and for any problems of organizational design, it is appropriate: such as the population programs, poverty program, the alliance for progress, and other attempts at massive change.

Moreover, as a tentative definition, a development bureaucracy is assumed to involve the following elements (Kaplan, 1968: 471-483):

- The management of change, to alter the basic patterns of a way of life that is the direction of efforts.
- To plan change the design of structures to effect and direct a change process that is the specification of workable criteria of organizational structure.
- As to increase the adaptive capacities of individuals and groups, the focus on the goal of altering the whole way of life or parts of it.
- As noted before according to Max Weber bureaucracy was an organization characterized by expertise, rationality, task orientation, establish position, explicit rules for procedure and hierarchical arrangement, all leaded and directed toward specific organizational efficiency and so on. "It is probably fair to say that recent sociological theories of complex organizations are a series of footnotes to weber" (Katz, 1964:431).
- To the correlate of bureaucracy in a recent review of, Title and Hall analyzed bureaucratization along the impersonality dimensions, specificity, hierarchy, division of labor, technical competence, and complexity of rules. In favor of examining the dimension of Weber's theory, the rationality dimension of bureaucracy is emphasizing by Stanly. In organizational structure review of theories, Hickson claims that from "Weber to the present most of organization theory reduces to a basic concern with role expectations, particularly the degree of role specificity and the range of role discretion,

he also points out that such a preoccupation might inhibit the development of new ideas” (Hickson, 1966:224).

- Many of the concerns that deriving from the Weber classic work, have been related to means of making organizations more efficient and more effective government, higher efficiency and effectiveness in production, and so on. Thus one might say that in the spirit of Weber’s interests in bureaucracies much of what has been done reflects and outgrowth of the way in which one makes organizations more efficient. Therefore, much of this work is devoted to an analysis of the structural patterns related to rationality and efficiency. Indeed, much of the theory for change and plan for change is in support of increasing Weberian type efficiency.

2.5. Old Public Administration and The New Public Management

New Public Management (including the reinvention movement and the new Managerialism) over the past decade and a half, has literally swept the world and the nation. In the myriad applications of these ideas the common theme has been the use of market mechanisms and terminology, in which between public agencies and their customers the relationship is understood as based on self-interest, to those occurring in the marketplace involving similar transactions. Public managers urged to “steer, not row” their organizations, and they are challenged to find innovative and new ways to achieve results or to privatize functions that by government previously provided. In the past two decades, many public agencies and jurisdictions have initiated efforts to find alternative service-delivery mechanisms and to increase productivity based on public-choice assumptions and perspectives. Public managers have concentrated on high performance and accountability and have sought to restructure bureaucratic agencies, streamline agency processes, redefine organizational missions, and decentralize decision making. In privatizing previously public functions governments and government agencies in many cases have succeeded, establishing new processes for measuring productivity and effectiveness, holding top executives accountable for performance goals, and reengineering departmental systems to reflect a strengthened commitment to accountability (Denhardt brothers, 2000). In the United States, as well as in a number of other countries The effectiveness of this reform agenda, has put governments around the world on notice that new standards are being sought and new roles established. These ideas were popularized and crystallized by Osborne and Gaebler, 1992. A number of now-familiar principles provided by Osborne and Gaebler a through which

“public entrepreneurs” might bring about massive governmental reform ideas that remain at the core of the New Public Management. Gaebler either Osborne intended that these principles to serve as a new conceptual or normative framework for public administration, to transform the actions of government an analytical checklist: What we are describing is nothing less than a shift in the basic model of governance used in America. This shift is underway all around us, but because we are not looking for it, because we assume that all governments have to be big, centralized, and bureaucratic, we seldom see it. We are blind to the new realities, because they do not fit our preconceptions” (Osborne, Gaebler, 1993:321). For the New Public Management Other intellectual justifications evolved as well. These justifications, Hood writes New Public Management moves away from traditional public bureaucracy modes of legitimizing it, such as on administrative discretion, procedural safeguards in favor of “trust in the market and private business methods, ideas couched in the language of economic rationalism” (Hood, 1995:94). As such, in public administration the New Public Management is clearly linked to the public choice perspective. In its simplest form, public choice views the government from the standpoint of customers and markets. Public choice not only an elegant affords and to some compelling model of government, to reduce government and make it less costly it also serves as a kind of intellectual road map for practical efforts. And it does so unabashedly.

As already noted, in public administration there is a longstanding tradition supporting the idea that government should be run like a business. For the most part, these recommendations meant that government agencies should adopt practices, ranging public Service from “scientific management to total quality management that have been found useful in the private sector” (Denhardt, n.d).

New Public Management takes this idea a step further, arguing that government should not only adopt the business administration techniques, but also should adopt certain business values as well. The New Public Management thus becomes a normative model for public management and public administration. In making their case, New Public Management proponents have often used the old public administration as a foil, against which the entrepreneurship principles can be seen as clearly superior.

According to Osborne and Gaebler “The kind of governments that developed during the industrial era, with their sluggish, centralized bureaucracies, their preoccupation with rules and regulations, and their hierarchical chains of command, no longer work very well”

(Osborne and Gaebler, 1993:11–12). In fact, bureaucratic institutions increasingly fail us while they served their earlier purposes. What are the tenets of this old public administration bureaucratic, and is it reasonable to characterize any contemporary thinking which bring and falls outside New Public Management as evidence of the old public administration? Certainly to the old public administration there is not a single set of ideas agreed to by all those who contributed over the decades to it as also there is no single set of ideas that all associated with the New Public Management would agree to. But there are some elements of public administration practice and theory that seem to constitute a normative model or a guiding set of ideas that we now generally associate with the old public administration.

This model includes the following tenets:

- Politically Public administration is neutral, valuing the neutral competence idea.
- The government focus is to the direct delivery of services and the best organizational structure is a centralized one.
- Through top-down control mechanisms programs are implemented, limiting discretion as much as possible.
- To the possible extent, bureaucracies seek to be closed systems, thus limiting citizen involvement.
- In public organizations rationality and efficiency are the most important values.
- In policymaking and governance public administrators do not play a central role, rather, with the efficient implementation of public objectives they are charged.
- The public administrators job of described to POSDCORB (Gulick's, 1937: 13).

If we compare these principles with the principles of New Public Management, New Public Management clearly imposed and looked like a preferred alternative. But even a cursory examination of the public administration literature demonstrates that these traditional ideas do not fully embrace contemporary government practice or theory. of course for the last 100 years the field of public administration, has not been stuck in progressive reform rhetoric. Instead, there has been a vibrant and rich evolution in practice and thought with substantial and important developments that cannot be subsumed under the title “the New Public Management”. So we will now require to explore an alternative that based on recent practical and intellectual developments in public administration.

2.6. New Public Management

The 1970s and 1980s marked as a paradigm shift in the discourse for public administration. Public management as a concept was rising due to the incumbent system apparent failures. Public management as a doctrine arose out of criticism of the classic bureaucratic system disadvantages, wherein service delivery was criticized and said to be inefficient, too much centralization was in place due to the hierarchical nature of the system and accountability was not measured in the proper manner.

This traditional bureaucracy system was challenged by proponents of public management that sought to retain the hierarchies but by further depoliticizing the bureaucracy was proposing more efficient means of administration. This approach gave way to the New Public Management, which can be said to derive from the private sector its principles a means to end approach to increase the state's efficiency in service delivery to its citizens.

Therefore, From the late 1970s, in many OECD (Organization for Economic Cooperation and Development) countries “New Public Management (NPM) is a loose term for a set of broadly similar administrative doctrines popular” (Hood, 1991). It builds upon other approaches such as ‘Weberian’ public administration and makes use of administrative (Depoliticized) decentralization and employment reform techniques and pays. The overall and inclusive approach; however, with a different focus: NPM consists of changing from a public administration doctrine of regular, predictable behavior to behavior driven by performance. There is no description set of ‘NPM reforms,’ but the following seem to be key NPM components (Hood, 1991; Dunleavy, 2006; McCourt, 2013; Kapucu, 2007):

- **Hands-on professional management:** Visible, active, and discretionary control of organizations from people at the top of the hierarchy.
- **Explicit standards and measures of performance:** Defined targets, goals, indicators of success, preferably expressed in quantitative terms, especially for services at a professional level. Moving towards a greater emphasis and persistence on specific performance incentives and responsiveness to clients.
- **Greater emphasis on output controls:** Rewards and Resource allocation linked to measured performance. Centralized bureaucracy-wide personnel management Break up.
- **Shift to disaggregation of units:** Management systems unbundling into units built around products, operating on decentralized budgets and on an 'arms-length' basis

dealing with one another. Effectively splitting up sizeable public sector hierarchies with responsibilities delegation.

- **Shift to the greater competition:** Moving to public tendering procedures and defined-term contracts. As to allow greater competition introducing provider/purchaser separation into public structures.
- **Emphasis on private-sector styles of management practice:** Moving away from military-style public service ethic. Greater flexibility rewards and hiring greater use of public relations techniques.
- **Emphasis on greater discipline and parsimony in resource use:** Increasing labor discipline and resisting union demands, cutting direct costs, thus limiting 'compliance costs' to business.

NPM introduced a convergence of the private sector and the public sector, by letting the market (private sector) to drive the government's service delivery to citizens in an unprecedented fashion.

In general, there has been little NPM implementation in developing countries (McCourt and Minogue, 2001 and McCourt, 2013). Dunleavy et al. (2006) argue that "NPM is "dead," as it has come to involve a policymaking process that is too complex and less able to respond effectively to social problems." McCourt (2002) argues that "while there is scope for more use of NPM in developing countries, there should be greater effort to develop approaches from existing structures to be better suited to the context."

2.6.1. The Rise of New Public Management

Over the past 15 years, the rise of 'new public management' in public administration is one of the most striking international trends. Related to this issue we refer mainly to UK experience, NPM is not a uniquely British development phenomenon. "NPM'S rise seems to be linked with four other administrative 'megatrends'" (Hood, 1990) namely:

- I. Attempts to reverse or slow down the government growth in terms of overt public spending and staffing (Dunsire and Hood 1983);
- II. The shift toward quasi-privatization and privatization and away from core government institutions, with emphasis on subsidiarity in Service provision (cf. Hood and Schuppert 1988; Dunleavy 1989).

- III. The automation development, particularly in information technology, in the distribution and production of public services.
- IV. The more international agenda development, increasingly focused on general issues of public management, decision styles, policy design, and intergovernmental cooperation, on top of the older tradition of individual country specialisms in public administration.

Like most administrative labels, NPM is a loose term. Its usefulness lies in its convenience as a shorthand name for the set of broadly similar administrative doctrines that from the late 1970s in many of the OECD countries dominated the bureaucratic reform agenda (Aucoin, 1990; Hood, 1990; Pollitt, 1990).

Although it is ill-defined that among bureaucrats NPM aroused strong and varied emotions. At one extreme were those who support the NPM theory and held that it's the only way to correct for the irretrievable failures and even moral bankruptcy in the 'old' public management (Keating, 1989). At the other extreme were those who oppose the theory and dismissed much of the thrust of NPM as gratuitous and philistine destruction of more than a century's work in developing a distinctive public service ethic and culture (cf. Martin 1988; Nethercote 1989b).

“NPM'S rise also sparked off debate as to how the movement was to be labeled, explained, and interpreted. What exactly was the public management Emperor plow wearing? Where did the design come from, and did its novelty lies mainly in a presentation or content? Why did it find favor? Was it an all-purpose and all-weather garment? This article attempts to discuss these questions, with particular attention to the last one” (Hood, 1991).

2.6.2. Where The NPM Design Came from: NPM The as a Marriage of Opposites

One way for interpreting NPM'S origins is a marriage of two different streams of ideas (Hood, 1991). One marriage partner is the 'new institutional economics.' It was built on the base of very familiar story of the post-World War II transactions cost theory, development of public choice and principal-agent theory, from the early work of Arrow (1963) and Black (1958) to Niskanen's (1971) landmark theory of bureaucracy and the spate of later work which built on it.

They are generating a set of administrative reform that the new institutional economics movement helped doctrines built on ideas of contestability, transparency, user choice, and

close concentration on incentive structures. Such doctrines were very different from the ideas of 'good administration,' based on traditional military-bureaucratic, with the emphasis on orderly hierarchies and elimination of overlap or duplication (Ostrom, 1974).

The other marriage partner in the public sector was the latest of a set of successive waves of business type 'managerialism' in the international and tradition scientific management movement. "This movement helped to generate a set of administrative reform doctrines based on the ideas of 'professional management' expertise as portable" (Martin 1983), paramount over technical expertise, to achieve results requiring high discretionary power ('free to manage'), through the development of appropriate cultures indispensable and central to better organizational performance, (Peters and Waterman 1982) and the active adjustment and measurement of organizational outputs.

Whether in this union, the partners were fully compatible remains to be seen. That free to manage is a different slogan rather than 'free to choose.' The two can conflict, particularly where the revolution of NPM is led from above (as it was in the UK) rather than from below. The two partner's relative dominance are varied in different countries, even within the Westminster model' tradition (Hood, 1990). For example, in the unique New Zealand circumstances, the synthesis of transactions cost theory, public choice, and principal-agent theory were predominant, producing analytically driven NPM movement of unusual coherence.

But in Australia and the UK, the business type managerialism was much more salient, producing less intellectually and a more pragmatic elegant strain of NPM or 'neo-Taylorism' (Hood, 1991). Between these partners' potential frictions were not resolved by any single coherent or definitive exposition of the joint philosophy.

The Treasury's Government Management of New Zealand (1987) comes closest to a coherent NPM 'manifesto,' given that much of the academic literature on the subject either enthusiastic commitment or lacks full-scale elaboration to NPM.

2.6.3. The Acceptance Factor of NPM and Why It Found Favor

There is no single accepted interpretation or explanation of why NPM 'caught on' and why it coalesced (Hood, 1990; Hood and Jackson, 1991). It Associates with the political rise of the 'New Right' by Many academic commentators. But on its own does not explain that why these particular doctrines found NPM their favor, nor why NPM was endorsed so

strongly by Labour governments ostensibly opposed to the New Right', notably in New Zealand and Australia. Among all approaches, the possible explanations are the following four.

- I. For those doctors who take a skeptical view of administrative reform as a series of evanescent fashions and fads, NPM rise might be interpreted as an unpredictable and sudden product of logocentric success (Minogue, 1986). Spann (1981) offers a classic statement for the interpretation of the administrative reform fashion. Popular, Cheap and superficial like the industrial rationalization doctrines of the 1930s (Hmah, 1976), For a period of pop management stardom NPM had many of the necessary qualities. A whim interpretation of fashion has some attractions and can cope with the reversals and cycles that took place within NPM. For instance, In the UK the radical shift, from the Hesehine creed of Ministers as the hands-on public managers to the 'Next Steps' professional managers corporatization creed at the top, with ministers and chairmen in a strictly 'hands-off' role (Sturgess, 1989). But equally, the simple 'whim of fashion' explanation weakness is that for over more than a decade, it does not account for the relative endurance of many of the seven precepts identified in the table.
- II. Equally skeptical explanation, but one which better accommodates the enduring or recurring features of many aspects of NPM, is the view of endless rebirth NPM as a cargo cult' phenomenon, in spite of the idea repeated failures that substantive success 'cargo' can be gained by the particular kinds of managerial ritual practice. In the promulgation of simplistic and stereotyped recipes for better public management in the USA Downs and Larkey (1986) describe a recurring cycle of disillusion and euphoria, which shows striking similarities with the Melanesia well-documented cargo cults (Hood, 1991). However, this explanation 'cargo cult' cannot tell us why the recurring public management of NPM variant appeared at the time that it did rather than at any other.
- III. The less skeptical approach might be to view the rise of NPM as an epoch-making attraction of opposites through Hegelian interpret and spectacles.
- IV. In this case, the opposites are two historically distinct approaches to public administration, which in NPM are in a sense fused. One is the state-led economic development of German tradition (Volkswirtschaft) by professional public managers, with its roots in cameralism (Small 1909). The other is the liberal economics of Anglo-Saxon tradition, allied with a concern for matching duty in administration with self-

interest, “that has its roots in utilitarianism” (Wume 1981). But, like the interpretation of ‘cargo cult,’ the opposites’ interpretation synthesis of on its own does not help us to understand that why at this particular time rather than at any other, those two distinct public administration traditions should have united.

V. Indeed, might be the more promising interpretation of the emergence of NPM is as a response to a set of special social conditions developing in the long peace since World War II at developed countries, and which accompanied it by the unique period of economic growth (Hood, 1998 and 1991). Conditions which may have helped NPM to precipitate include:

- Changes in distribution are serving to weaken and income level the ‘Tocqueville coalition’ in the electorate for government growth, and the conditions are laying for a new tax conscious winning electoral coalition.
- Changes in the system of socio-technical associated with the development of the lead technologies of the late twentieth century Kondratiev cycle ‘post-Fordism’ and ‘post-industrialism’, serving to remove the traditional barriers between private sector work and public sector work.
- A shift towards a new machine of politics, the advent of a new technology campaign geared towards making public policy, polling of key groups in the electorate by intensive opinion, such greater clout in policy-making relative to the voice of experience from the bureaucracy by the professional party strategists.
- Shift to more white-collar, socially heterogeneous population, in public policy less tolerant of ‘statist’ and uniform approaches (Hood and Schuppert, 1988).

The fourth explanation of NPM is somewhat overdetermined than the other three, but it seems more promising in that it has the power to explain what none of the others three can do, namely why NPM in the particular place and time that it did should have emerged and under a variety of different auspices.

2.7. International Perspective of Civil Service Reform and Policy Dissemination

Civil service reform is not just an Afghanistan phenomenon. This discussion is going on around the entire world, mainly related to the governance role of the civil service and its development (Frant, 1993: 990-107). “The failure of civil service structures and training to produce a civil service that may perform this role adequately has been widely noted by researchers and commentators” (World Bank, 1999). (Dwivedi and Henderson, 1990)

Observed that “The role of bureaucracy in national development cannot be overemphasized. All development programs require considerable direct participation and involvement by the bureaucracy at all stages of their Implementation and formulation. It will not be inappropriate to suggest that officials brought up in the colonial administrative culture and wedded to the Weberian model of bureaucracy are unfit for the responsibilities of development administration”. Unfortunately, there is little evidence of civil service reform systematic analysis before it copied from one national setting to another.

Wolman defines that the policy transferability is “borrowing of policy from one political system for use in another” (Wolman, 1992:27). The common belief is that bureaucratic problems are amenable to standard solutions underlies such policies. Halligan documented the growing literature about the diffusion of civil service reform policies. (Halligan, 1996).

Moreover, Hill (1976), Eyestone (1977), and Painter (1991) identify various modes of such policies dissemination. The below table shows how similar policy initiatives in the US and UK followed by various Australian policies. Whether these policies were merely the result of diffusion or the result of deliberative, careful policymaking may need further evaluation — however, even the similarity of names between those adopted by Australia and overseas policies.

Reform	Overseas			Australia	
	Name	Country	Date Introduced	Name	Date Introduced
Financial Management	FMI	UK	1982	FMIP	1983
Central Personal Management	CSRA	US	1978	PSRA	1984
Senior Executive Service	SES	US	1978	SES	1984
Efficiency Scrutiny	Efficiency Scrutiny	UK	1979	Efficiency Scrutiny	1986

Table 2.2. Australian Policy Via US and UK Policy (Halligan, 1996)

But as Ingraham points out “the popularity of policy diffusion in the area of civil service reform has contributed to a general tendency to choose a solution before a problem is specified and to base expectations for reforms on political symbols and demands, rather than on careful analysis of civil service structures” (Ingraham, 1996). As a result, there are financial, budgetary, procedural, relational, and structural reforms without evaluating any evidence of their success; they are just copied from other systems. The adoption of national

reform policies from another system without its deliberation may help fix one problem but can also create several new problems. Policies that are adopted from another system as a result of diffusion do not remain the same when being implemented under different social, political, and cultural conditions (Roger and Kim, 1980). Therefore, it is important that reform policies are instituted after adjusting for the indigenous political, cultural, social, and bureaucratic variations and after careful examination.

2.7.1. Policy Dissemination Major Characteristics

In policy transfer to pull and push factors cannot be easily separated. The distinction serves as analytical purpose, but pull and push factors for many policy issues are likely to be present together. The question is how, through various interaction channels, policy entrepreneurs and policy makers learn the programs of their counterparts in other countries and how this experience influences their domestic policy process (Bennett, 1991b, p. 32).

According to McAdam and Rucht (1993) Approaches four elements of the process of policy transfer can be identified that show as following:

1. A group or organization and person that serves as the transmitter or emitter.
2. A group or organization and person that is the borrower or adapter.
3. A policy item that is diffused.
4. Diffusion channels that may consist of organizations, people or other media that link the adapter and the transmitter.

Therefore, an analysis framework must be able to explain the connections and relationships between these four elements. As Bennett suggests the transferring of a policy item may lead to the policy goals emulation. It can refer to policy content-statutes, regulations, administrative rule, and so on. Finally, countries may transfer the instruments of policy, the institutional tools available to manage the policy (Hill, 1976).

It is also possible that the same goals from countries may be adapted and then pursued using modified instruments. Equally, there is no assumption that policy outcomes will just be because of the same policy goals, instruments, and content that have been transferred. Between countries, differences in circumstances make such an assumption groundless.

The diffusion channel or the mechanism for communication between borrowers and emitters also take a variety of forms. The work of McAdam and Rucht (1993) pointing out

that the diffusion channels may run along a spectrum from relational to non-relational. Direct intense interpersonal contact between adapters and transmitters may involve in some borrowing. At the other extreme, it may depend on some non-relational channels such as the mass media. The borrowing of some measures of policy may occur through the mass or non-specialized media anonymous offices. The green revolution In the last decade or so leading to the widespread adoption of environment programs might provide as an example (McAdam and Rucht, 1993). The role of professional associations, aid organizations, and consulting firms needs to be mentioned in the mechanism for communication.

Even if high quality and appropriate information are available, a certain minimal similarity attribution on the part of the transmitters and the adopters will be required if a non-relational process is to occur. (Strang and Meyer, 1991), quoted in (McAdam and Rucht, 1993) suggest those actors in different countries that find themselves in institutionally equivalent positions may be particularly in favor of this form of transferring. It may be in different countries that policy-makers, transfer not based on direct interpersonal ties and skills but rather through “an amorphous process, depending more on information and a certain similarity or even identification of adopters with transmitters” (McAdam and Rucht, 1993: 59).

However, in most cases, an element of interpersonal ties and contact is likely to ease the process. First, borrowers have been to be persuaded that their situation is similar to the transmitters' situation potential. This is a “non-trivial process of social construction where direct contacts, even if minimal in number, are likely to dramatically increase the chances of adapters fashioning a vision of themselves as sufficiently similar to transmitters as to justify using their model” (McAdam and Rucht, 1993). Second, borrowers may need to have checked the details of policy goals, instruments, or content that are to be transferred. Direct contact of some sort between the adapter and transmitter is likely to provide essential information or at least useful encouragement. It is possible that rather than the immediate proximate policymakers, the third parties of the origin country may provide the point of contact. Professional associations, aid organizations, and consulting firms can be the best examples for the point of contact. The following topics take into consider how to analyze the process of transferring. Two models, ‘policy streams’ and ‘lesson drawing’ are discussed that for understanding the process and draw on different theoretical traditions provides different frameworks.

2.7.1.1. Lesson drawing in public policy

The first approach to be discussed is closely associated with Richard Rose (1991, 1993) pioneering work. The judgment that made by policy-makers is the heart of lesson-drawing is that “under what circumstances and to what extent can a program that is effective in one place transfer to another” (Rose 1991: 3). Rose précised and focused on the element of rationality in the process while to recognize the limitations imposed by political values, time, and information.

The theoretical frame is a relay to Simon’s (1957) concept of ‘bounded rationality.’ “The dominant image of policy experts as social engineers” (Rose, 1991: 4) for instrumental purposes seeking knowledge. These lesson-drawers are constrained and guided in their work by the political system.

2.7.1.2. Policy stream and Policy Transfer Model

To views policy change as less orderly and rational, an alternative model can be outlined than the framework suggested by Rose (1993, 1991).

Several writers like (Wolman, 1992; Bennett, 1991) have pointed out that cross-national policy transfer is a messier and more diverse process than captured by Rose’s concern of lesson drawing.

Although, Alternative model is more analytic and descriptive while Rose’s concerns extend to the practical and prescriptive. Its theoretical base incorporates some of the bounded rationality assumptions implicit in Rose’s model, including the constraints among policy-makers imposed by limited time and knowledge. This model associated with Kingdon’s (1995) “policy streams and Cohen et al. (1972) “garbage can process.” Here one enters a world of ambiguous and conflicting goals and unclear ways of its proceeding. At different times in the policy process, multiple participants engage and disengage.

From the policy agenda problems can appear or demolish. Policies and Solutions are existing in separate streams. Political events and politics add a further element of uncertainty. Out of this “primeval soup” policies are emerging when “windows of opportunity” present themselves. By policy entrepreneurs, a crucial role is played that found in a complex mix of policy communities who seize their chance to give prominence or advocate a proposal to a policy idea (Kingdon,1995). As they seek to influence their domestic policy process, cross-national experience presents a valuable option to such policy entrepreneurs.

3. POLITICAL AND SOCIAL REVIEW OF AFGHANISTAN IN PUBLIC ADMINISTRATION

3.1. Political and Historical Background of Afghanistan

“The Islamic Republic of Afghanistan is a landlocked country located within South Asia and Central Asia” (The World Factbook, 2017) Afghanistan is bordered in the south and east by Pakistan, in the west by Iran, in the north by Turkmenistan, Uzbekistan, and Tajikistan, and in the far northeast, China. “Its territory covers 652,000 square kilometers (252,000 sq. mi) and much of it is covered, by the Hindu Kush mountain range, which experiences very cold winters. The north consists of fertile plains, whilst the south-west consists of deserts where temperatures can get very hot in summers” (L.Runion, 2007:44).

in 2018 – 19 (1397) the country total population is “estimated to be about 31.6 million persons. Around 16.1 million persons of this figure are men and 15.5 million persons are women. In 1397 (2018 - 19) out of 31.6 million population, 22.6 million persons (71.5 %) live in rural areas 7.5 million persons (23.7 %) in urban areas and 1.5 million persons (4.8%) are nomad population” (Estimated Population of Afghanistan, 2018:3).

In 18th Century After dying of Nadir Shah (Persian King) and collapsing his kingdoms-ship his military commander “Ahmad Shah Durrani a young man from Durrani tribe [Afghan Tribe] unified the Pashtun tribes [Hotak And Durani Tribes] and founded Afghanistan in 1747” (Ghobar, 1989). The country served as a buffer between the Russian and British Empires until it won independence in 1919 by King Amanullah Khan from notional British control that within these ages afghan people suffered a lot from first, Second and third Anglo War (Afghan vs British war). “A brief experiment in democracy ended in a 1973 coup and a 1978 communist counter-coup. The Soviet Union invaded in 1979 to support the tottering Afghan communist regime, touching off a long and destructive war” (Coll, 2008:165).

In 1989 the USSR withdrew under relentless pressure by internationally supported anti-communist mujahidin (Afghan Fighters) (The world factbook, 2017) during these teen years between USSR and Mujahidin’s more than 1,5 million of Afghan peoples martyred and all the administrative systems and Afghanistan civilizations are destroyed, after the defeating of USSR A series of subsequent civil wars Between Jihadi Leaders in 1996 saw Kabul finally fall to the Taliban, a hardline Pakistani-sponsored movement that emerged in

1994 to end the civil war and anarchy in country. “Following the 11 September 2001 terrorist attacks, a US, Allied, and anti-Taliban Northern Alliance military [Mujahidin Group] action toppled the Taliban for sheltering Usama BIN LADIN” (About Afghanistan, 2018).

3.2. Social and Tribal Aspects of Afghanistan

Afghanistan is a multi-language, multi-ethnic and multi-cultural country but current and accurate statistical data on the sensitive subject of ethnicity groups in Afghanistan are not available yet, and ethnicity data from small samples of respondents to opinion polls are not a reliable alternative.

But formally “14 ethnic groups are recognized as Afghan nations: Pashtun, Tajik, Hazara, Uzbek, Turkman, Baloch, Pashley, Nooristani, Aymaq, Arab, Kyrgyz, Qyzilbash, Gojar, Brahawi, and other ethnic groups” (Afghanistan Constitution, 2004: Article 4).

There are more than 40 minor languages with around 200 dialects like Dari or Persian, Pashtu, Uzbeki, Turkmani, Balochi, Pashai, Nuristani, Pamiri and other but according to the constitution Dari or Persian and Pashtu this two language are recognized as a formal language of the country, but as well on those region and places that majorities are speaking in another language like Uzbaki, Turkmani, Pamiri and etc that language will recognize as a third formal language in that specific area that they are speaks them (Afghanistan Constitution, 2004:Article 16).

The percentage that Afghan people are speaking in it: “Persian or Dari (official) 80% (Dari functions as the lingua franca), Pashto (official) 47%, Uzbek 11%, English 5%, Turkmen 2%, Urdu 2%, Pashayi 1%, Nuristani 1%, Arabic 1%, Balochi, Shughni, Pamiri, Hindi, Russian, German, French less than 0.5% each” (The World Fact Book, 2017).

Data represent most widely spoken languages shares sum to more than 100% like Dari or Persian language because there is much bilingualism in the country and respondents allowed to select more than one language.

The formal and governmental religion according to the constitution is Islam that “The sacred religion of Islam is the religion of the Islamic Republic of Afghanistan. Followers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rituals” (Afghanistan Constitution, 2004: Article 2) around 99.7% population are Muslim (Sunni Muslims and Shia Muslim) and the rest are Sikh (Buddhists), and according to the constitution “In Afghanistan non-of laws, rules and policies can do not contradict or

oppose Islam Religion” (Afghanistan Constitution, 2004: Article 3) and all rules, regulation, and laws must in line with Islam religion.

3.3. Structure of Political and Government System

An “UN-sponsored Bonn Conference in 2001” (Bonn Conference, 2001) by Afghan leaders [Jihadi Leaders and other well-known politicians] established a process for political reconstruction that included the adoption of a new constitution and new organizational Structure by temporary and transitional government that considered in this conference for three years, a presidential election held in 2004 for the first time in the history of Afghanistan and as well in 2005 National Assembly elections. In December 2004, Hamid Karzai became the first democratically elected as the president of Afghanistan through direct votes by afghan nations, and the National Assembly (Parliament) was inaugurated in 2005 and the members of Parliament elected also elected by direct votes of afghan nations, Hamid Karzai was reelected in August 2009 for a second term of presidency and after completion of his term of presidency, the 2014 presidential election was the country's first to include a unprecedented runoff, which at the first round featured the top two vote-getter, Abdullah Abdullah and Ashraf Ghani. Throughout the summer of 2014, at the second round of election their campaigns disputed the results and traded accusations of corruption and fraud in the election, leading to a US-led with the coalition on other international society’s diplomatic intervention that included a full vote recount and audit as well as political negotiations between the two camps. “In September 2014, Ashraf Ghani and Abdullah Abdullah agreed to form the Government of National Unity, with GHANI inaugurated as president and ABDULLAH elevated to the newly created position of the chief executive officer (Prime Minister). The day after the inauguration, the GHANI administration signed the US-Afghan Bilateral Security Agreement and NATO Status of Forces Agreement, which provide the legal basis for the post-2014 international military presence in Afghanistan” (The World Fact Book,2017).

Islamic Republic of Afghanistan Governmental system is presidential within three state power (Executive, Legislative and Judicial) and acting as a democratic country, the president is heading the state and the president must act with the provision of Afghanistan constitution.

Based on Afghanistan constitution, the administration system of the Islamic Republic of Afghanistan are based on the units of the central government (Ministries and General

Directorates) and local offices, shall be regulated in accordance to the law. The central administration should be divided into several administrative units that each of them should be headed and led by a Minister.

The local administrative unit shall be a province and districts that each province should be-headed and leaded by provincial governor that acting as represented and delegation of the state president, the number, area, divisions, and related provincial organizations as well, “a number of offices shall be regulated on the basis of population, social and economic conditions, as well as geographical location” (Local Government Law, 2000) according to the law and based on the constitution the central government that preserving the principles of centralism, should transfer necessary powers, in accordance with the law to local administrations in order to improve and accelerate social, economic, as well as cultural matters, and foster peoples’ participation in developing national life.

3.4. Separation of power

The constitution of Afghanistan defines the separation of state powers and divides the state into three major branches of executive, legislative, and judiciary that shown in figure 1. It states the presidential system of the government viable for the country. The parliament has two houses called, Wolesi Jirga and Meshrano Jirga or in another word the upper house or senate, the constitution of Afghanistan, 2004 has placed extensive powers at the hands of the executive and established it a strong institution. The centralization of power into the executive is based on the practical and historical context of the country.

Based on the constitution the separated powers of country they have their own authorities and responsibilities and according to the constitution and published law each of them should act independently, by enlightenment of constitution and related law each one of the state power are separated clearly and there is no problem in their separation, but the centralized and unitary system sometimes exposing and emerging some difficulties and problems.

Moreover, as stated before Afghanistan governmental system is presidential and the head of the hierarchy system “the President shall be the head of state of the Islamic Republic of Afghanistan, executing his authorities in the executive, legislative and judiciary fields in accordance with the provisions of this Constitution, the President shall have two Vice-Presidents, first and second, the Presidential candidate shall declare to the nation names of both vice presidential running mates. In case of absence, resignation or death of the

President, the First Vice-President shall act in accordance with the provisions of this Constitution. In the absence of the First Vice-President, the Second Vice-President shall act in accordance with the provisions of this Constitution” (Afghanistan Constitution, 2004: Article 60), and as stated article 64 of the constitution the president of the country has the following authorities, responsibilities, and duties:

1. Supervising and overseeing the implementation of the Constitution.
2. Determine the fundamental lines of the policy and politics of the country with the approval of the National Assembly.
3. Being the Commander in Chief or High Commander of the armed forces of Afghanistan.
4. Declare war and peace with the endorsement or agreement of the National Assembly.
5. Take the necessary decisions to defend the territorial integrity of the country and preserve independence.
6. Dispatch on envoy the units of the armed forces outside of Afghanistan with the endorsement of the National Assembly.
7. Convene or to hold the Loya Jirga (Grand Council) except in the situation prescribed in Article 69 of this Constitution.
8. Declare or proclaim as well as terminate the state of emergency with the endorsement and approval of the National Assembly.
9. Inaugurate the National Assembly and Loya Jirga (Grand Council) sessions.
10. Accept the resignations of vice-presidents of the Republic of Afghanistan.
11. Appoint the Ministers, Attorney General, Head of the Central Bank, National Security Director as well as the Head of the Red Cross with the endorsement of the Wolosi Jirga (House of People), and their dismissal and acceptance of resignation;
12. Appoint the head and judges of the Supreme Court with the endorsement of the Wolosi Jirga (House of People).
13. Appointing, retiring and accepting the resignation and dismissal of judges, officers of the armed forces, police, national security as well as high-ranking officials according to the provisions of the related law.
14. Appoint heads of political (diplomatic) representatives of Afghanistan to foreign states as well as in international organizations.
15. Accept credentials of foreign political representatives in the Republic of Afghanistan.
16. Endorse laws as well as legitimacy decrees.

17. Issuing and approving the credential letter for accepting and signing of international treaties in accordance with the provisions of the law.
18. Reduce and pardon criminal penalties in accordance with the provisions of the law.
19. Endowment medals, insignias and honorary titles in accordance with the provisions of the law.
20. Establishing of commissions to improve the administration of the country in accordance with the provisions of the law.
21. Performing of other authorities and duties that stated and enshrined in this Constitution.



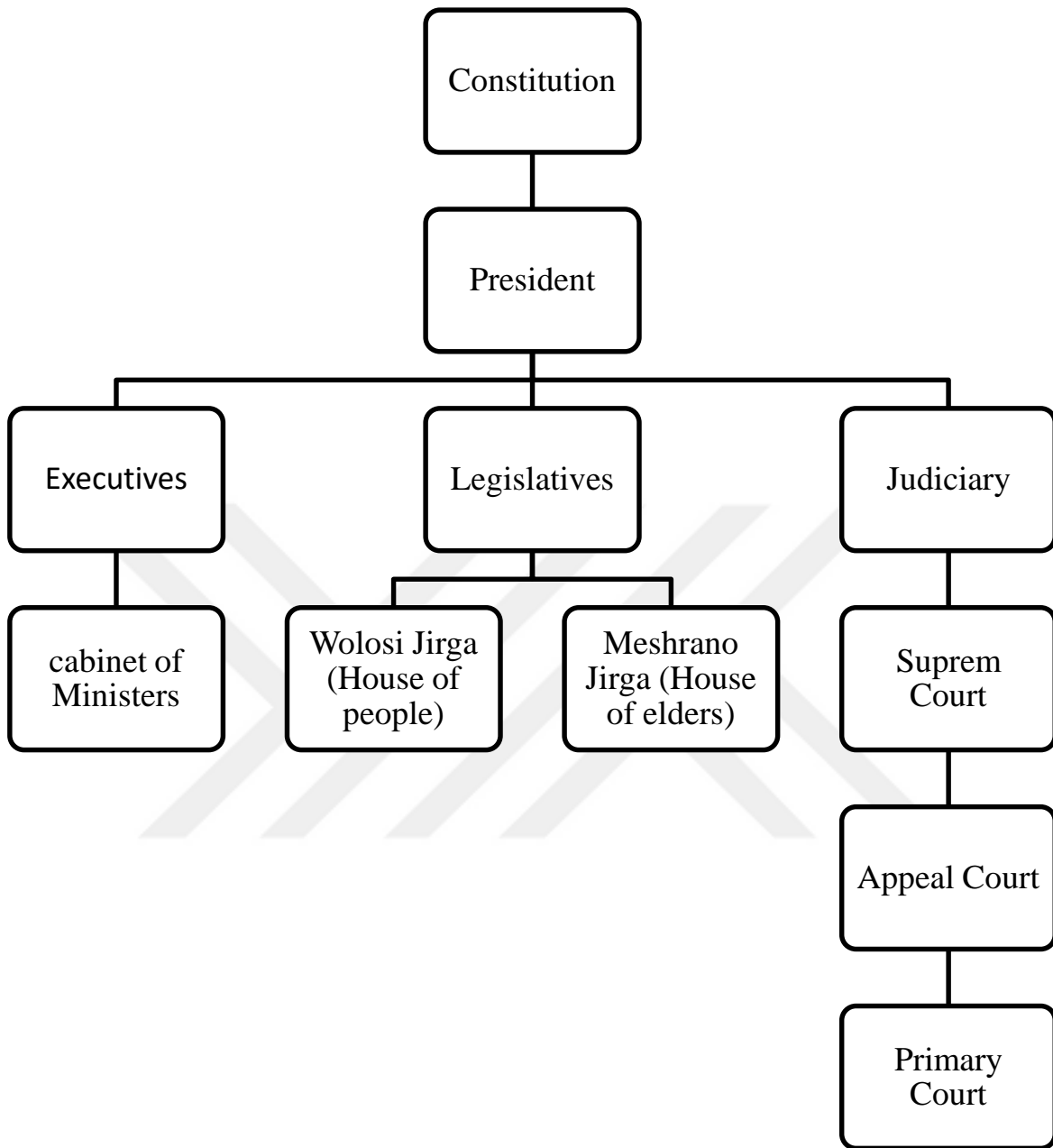


Figure 3.1. Separation of Powers (Afghanistan Constitution, 2004)

3.4.1. Executive Branch

According to Afghanistan constitution, the government or the executive branch of the is formed by the composition and consolidation of the ministers (Cabinet of Ministers) under the chairmanship and leadership of the president, the number of ministers and their duties is regulated and described by law.

The minister are electing by direct vote of the Wolosi Jirga of parliament (House of people), after the introducing the candidate ministers by president of the country to Wolosi

Jirga, and achieving more than 50% or at least 50+1% of votes from House of people (Wolosi Jirga) a person will appoint as a minister, and they are responsible for reporting to president and Wolosi Jirga as well as the president of the state and Wolosi Jirga they have the power and authority to fire the minister.

Nevertheless, the current situation after the problematic and controversial presidential election in 2014 that resulted in a national unity government, both chiefs of executive and president have the responsibility to lead the executive branch.

In addition, after 2014 election, in national unity government the executive branch divided into two officers, the president that acting as ahead of the state and Chief Executive Office that acting as prime minister, and in accordance to agreement of national unity government both of them have equal authorities and responsibility.

As stated in article 75 of the Afghanistan constitution, the executive branch or the government they have the following duties or responsibilities:

1. Implement and Execute the provisions of this Constitution, other laws, as well as the final decisions or orders of the courts.
2. Preserve and protect independence, defend the territorial integrity and safeguard the interests and prestige of Afghanistan in the international community and society.
3. Maintain public law, preserve the civic order and regularity and eliminate all kind of administrative corruption.
4. Prepare the budget, regulate and organize financial conditions of the state as well as protect the public or commonwealth.
5. Devise, arrange and implement social, cultural, economic and technological development schemes and programs.
6. Report to the National Assembly (Wolosi Jirga) at the end of the fiscal or financial year, about the achieved tasks as well as important programs for the new upcoming fiscal year.
7. Perform other duties in accordance with this Constitution and other laws, fall within the responsibilities of Government and understood as their duties.

3.4.2. Legislative Branch

“The National Assembly (Parliament) of the Islamic Republic of Afghanistan, as the highest legislative organ, shall manifest the will of its people as well as represent the entire nation” (Afghanistan Constitution, 2004: Article 82).

Every member of the parliament, during voting, should consider in accordance with the general or common interests and supreme benefits of the Afghanistan people.

The National Assembly or Parliament of Afghanistan as another parliament in the world they have three aspects of duties.

1. Lawmaking.
2. Oversee the government action, activities and performance.
3. Representation of the specific area (province) of Afghanistan people.

The parliament (national assembly) has the following duties and responsibilities (Afghanistan Constitution, 2004: Article 90).

1. Ratification, modification, and abrogation of laws and legislative decrees.
2. Approval of social, cultural, economic and technological development programs and projects.
3. Approval of the country budget, as well as permission to obtain and to dispense or grant loans.
4. Creation, modification, and abrogation of public administrative units.
5. Ratification of international treaties and agreements or abrogation of membership of Afghanistan in them.
6. Other authorities enshrined or described within this Constitution.

Afghanistan legislative branch is leading with the bicameral national assembly, that national assembly or parliament formed by two chambers, First Wolosi Jirga (house of people) and Meshrano Jirga (House of Elders).

3.4.2.1. Wolosi Jirga (House of people)

In comparison with the second chamber, Wolosi Jirga is more authorized than Meshrano Jirga and as described in article 83 of Afghanistan constitution the members of the Wolosi Jirga should be elected by the direct vote of the people through a free, general and secret election. The House of People work period should end and terminate after the

disclosure of the results of the elections, on the first of Saratan (Gregorian Month) of the fifth year and the new parliament shall commence and start their work. The House of People elections should hold 30-60 days prior to the expiration of the term of this house.

The number of the house of people members should be proportionate to the population of each constituency and should not be exceeding the maximum of two hundred fifty individuals, that in the 2004 electoral law set the size of the house 249 members. The elections law will determine electoral constituencies and other related issues. “The elections law should adopt measures to attain, through the electorate system, general and fair representation for all the people of the state, and proportionate to the population of every province, on average, at least two females shall be the elected members of the House of People from each province” (Afghanistan constitution, 2004: Article 83).

As determined in article eighty one of Afghanistan constitution, the house of people or Wolosi Jirga has the following special responsibilities and duties:

1. Decide about elucidation session from each one of the Minister (but with the proposal of twenty percent of all its members, make inquiries from each Minister. If the explanations from the ministers not given satisfactory, the House of People should consider the issue of a no-confidence vote. The no-confidence vote on a Minister should be explicit, direct and based on convincing reasons. The majority of all members of the House of People 50+1% of the attendees should approve the vote).
2. Decide on the development programs and the state budget.
3. Approve or reject appointments according to provisions of the Afghanistan constitution.

3.4.2.2. Meshrano Jirga (House of Elders)

Meshrano Jirga is weaker than the first chamber and Based on article 84 of Afghanistan Constitution, Members of the Meshrano Jirga should elect and appointed as follows:

1. From each provincial council members, one individual should be elected by the council, for a four-year term.
2. From district councils’ members of each province, one individual should be elected by the councils, for a three-year term.
3. The President shall appoint the remained one third of the members for a term of five year, from amongst experienced and expert personalities, including two members from

amongst the handicapped, impaired, disables and two from nomads, The President should appoint fifty percent of these individuals from amongst women, The individual that selected as a member of the House of Elders will lose membership to the related Council, and another individual will be appointed in accordance with the provisions of the law.

Currently Meshrano Jirga (House of elders) they have 102 members that elected and appointed with the provision of Afghanistan constitution.

Authorities of Chambers	Wolosi Jirga	Meshrano Jirga
1. Approve or reject appointments	Yes	No
2. Elucidation of ministers	Yes	No
3. Ratification, modification or abrogation of law	Yes	Yes
4. Approval of the State Budget and Development programs	Yes	No
5. Chairmanship of joint sessions	Yes(president of WJ)	No
6. Approval of Refusal bill	Yes(by 2/3 majority)	No
7. Approval of refusal bill by the President	Yes(by 2/3 majority)	No
8. Supervision of Presidential office(in case of absence of The president and Voice- president's)	No	Yes(President of MJ)
9. Creation of special commission in order to Supervise the government actions.	Yes	No

Table 3.1. The difference of duties authorities between two Houses

3.4.3. Judiciary Branch

The judiciary is an independent organ of the state in the country. The judiciary comprised of the Supreme Court, Courts of Appeal and Primary Courts, whose organization and authority should have regulated by law. The Supreme Court is the highest judicial organ, and head of the judicial power of the Islamic Republic of Afghanistan (Afghanistan Constitution, 2004: Article 116).

Supreme Court is comprised of nine members, appointed by the President and with the endorsement and voting of the House of People, and in observance of the provisions of Article One Hundred Eighteen (118) as well as clause three of Article fifty (50) of Afghanistan Constitution, should initially appointed in the following periods and manner:

1. Three members for four years.
2. Three members for seven years.

3. Three members for ten years.

With the provision of the article, one hundred seventeen of Afghanistan constitution Appointment of members not permitted for a second term.

The President is appointing one of its members (from amongst them) as the Supreme Court Chief of Justice of, Members of the Supreme Court, except under circumstances stated in Article One Hundred Twenty-Seven (127) of Afghanistan Constitution, will not dismiss till the end of their term.

Based on Article one hundred twenty and one hundred twenty-one (120, 121) of the Afghanistan constitution the judicial organs have the following authorities.

1. The judicial organ is included consideration of all cases filed by incorporeal or real persons, including the state as defendants or plaintiffs before the court in accordance with the provisions of the law.
2. At the request of the courts or the government, the Supreme Court is reviewing the laws, legislative decrees, international treaties and international covenants for their compliance with the Constitution and their interpretation in accordance with the law.

3.5. Loy Jirga (Grand Council)

“The Loya Jirga is the highest manifestation of the will and consideration source of the Afghanistan People.

The Loya Jirga is consists of:

1. Members of the National Assembly;
2. Presidents of the provincial assemblies and district assemblies.

Ministers, Chief Justice and members of the Supreme Court and also the attorney general can participate in the Loya Jirga sessions without voting rights” (Afghanistan Constitution, 2004: Article 110).

The Loya Jirga or grand council is convening in the following situations and conditions:

1. To decide on issues related to territorial integrity, independence, national sovereignty, and supreme national interests of the country.
2. Amend provisions of the country Constitution.

3. Impeach or trial the President in accordance with the provisions of Article Sixty Nine of the Afghanistan Constitution.

From the time of emerging new government of Afghanistan after the incident that took place in United State of America in 11 September 2001 till now, the grand council (loy Jirga) held two times in the country the first in 2004 that resulted to ratification of Constitution and second time in 30 September 2014 that resulted to Afghanistan and United States of America Bilateral Security Agreement.

3.6. Administration and Public Sectors in Afghanistan

Based on the country constitution article one hundred thirty-six (136), The the Islamic Republic of Afghanistan administration, based on the units of the central (national) government and local offices that should be regulated in according to the law. The central administration divided into several administrative units that each one of them headed by a Minister. The local administrative units are provinces, that the number, area, divisions, related provincial organizations and number of offices are regulated based on population, social and economic conditions, and geographical location.

“The government in preserving the principles of centralism, transferring necessary powers in accordance with the law to local administrations in order to accelerate and improve economic, social and cultural matters, and foster peoples’ participation in developing national life” (Afghanistan Constitution, 2004: Article 137).

Moreover, as described in article one hundred thirty-seven (137) and Article one hundred thirty-nine (139), there is a provincial council in every province, the members of provincial councils according to law are electing for four years by the residents of the province that proportionate to the population, through free, general, secret and direct elections. The provincial council electing one of its members as President of the council, the provincial council is participating in the attainment of the development objectives of the state the province improvement affairs in the manner prescribe bylaws, and as well as advising the provincial administrations on related issues.

The provincial assembly council is performing its duties with the cooperation of the provincial administrations.

In Addition, District Councils and Villages Councils are also establishing to organize activities and to attain active participation of the people in provincial administrations in

districts and in villages in accordance with the provisions of the law, local residents are electing the members of these councils for three years through free, general, secret and direct elections.

Participation of nomads in these local and village councils regulated in accordance with the provisions of the law.

Municipalities established for administrating and organizing the city affairs that the mayor and members of municipal councils electing through free, general, secret and direct elections and all issues and matters related to municipalities, regulated by law.

Afghanistan Administrative system is a unitary system that described in figure 2, and every subnational administrative unites leading by central agencies or organizations like ministries or general directorates, that administrative and financial powers are concentrated in central or national agencies.

Every ministry and general directorates they have their sectorial directorate or unites in each province and districts except some of them that they have just sectorial directorates in each zone that are called the line department of central agencies.

For coordination, coalition, and communication between the public sectors, there is some bureau that they are responsible for it, as well there is an organization for coordination and communication between the subnational units and central agencies and ministries.

For instance, the Office of Administrative Affairs responsible for coordination between the presidential palace and the rest of the state administration, performs the executive functions of the presidency and cabinet, also promulgates the decrees of the presidency and the cabinet of ministers to the executive bodies of the government and channels the recommendations of executive offices to the presidency. Independent Directorate of Local Governance is responsible for connecting the sub-national administration with the central administration including the President. Other commissions and directorates perform as agencies of the state, elaborated in the chart below.

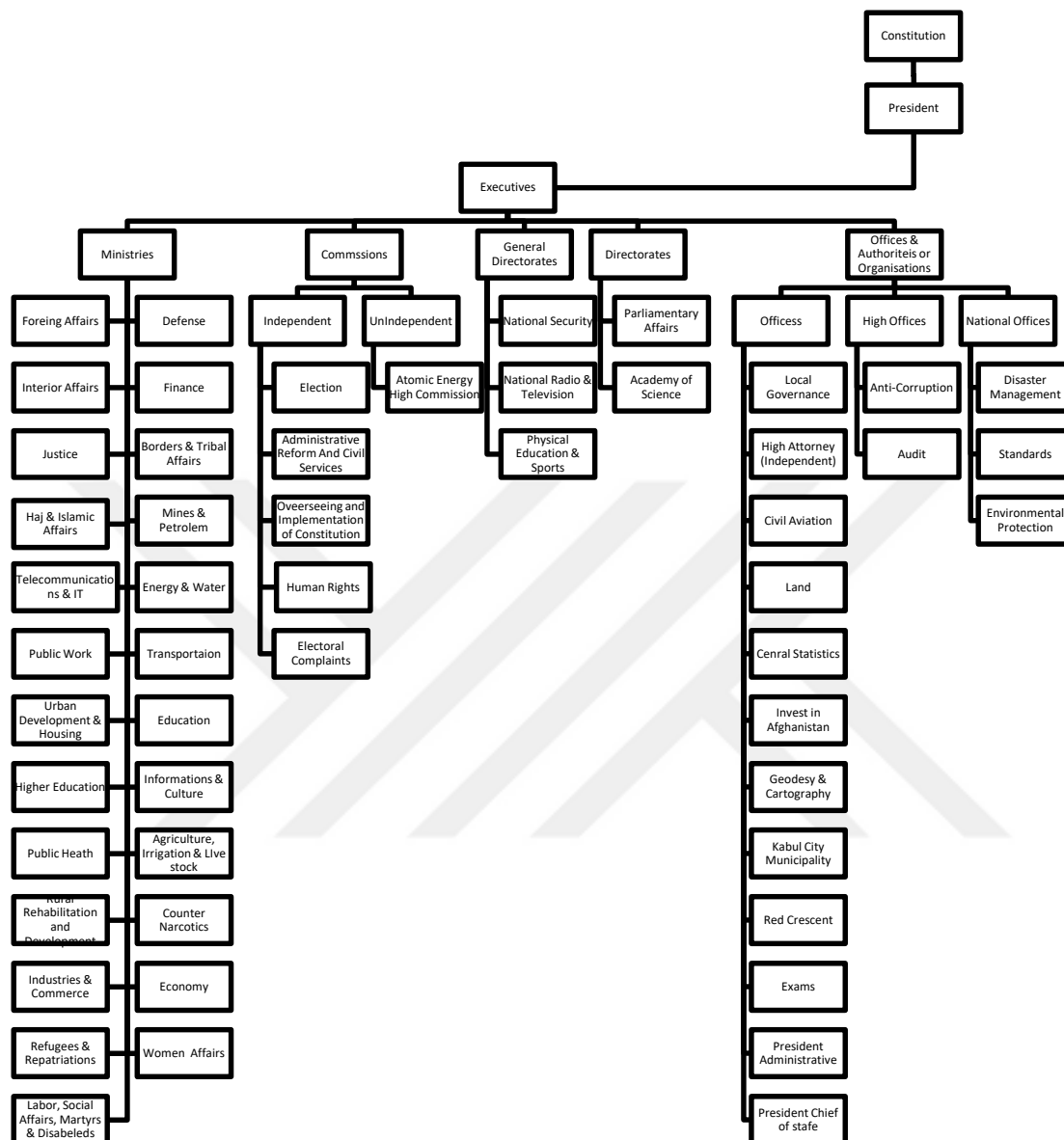


Figure 3.2. Administrative Structure of Afghanistan (Afghanistan Constitution, 2004)

The president has, for the execution and performing other government functions, reserved advisors in many governance areas to help him in shaping policy options. The function of independent commissions and directorates is, in a sense of totality, to accelerate the execution of state activities by asking the help of relative administrative independence they have.

3.6.1. Afghanistan Subnational Administrative Structure and Overview

“Afghanistan divided into 7 economic regions. We have 34 provinces, 387 districts, 163 municipalities, and approximately 45,000 villages” (Subnational Policy, 2018:3). As Afghanistan has a unitary system of governance, the Ministry of Interior (MOI) managed all domestic issues, including the domestic police force and all subnational entities. The civilian component of subnational governance was separated from MOI relative recently (in 2007), which created the Independent Directorate of Local Governance (IDLG) that its institution chart described in Figure 3. All governors and mayors now report through IDLG to the President.

“To manage these subnational entities, IDLG recommends provincial and district governors and mayors to the President. Each of these forms a point of contact with the citizens of our country. However, there are key issues with the current system of governance of these subnational entities” (Subnational Policy, 2018:3). First, except for the military corps, for the purposes of developing economic strategies yet we have not used a grouping larger than a province. Second, our provincial or local governance structure is not well codified. The provinces management ranges from the exercise of strong authority by individual governors to minor coordinating roles by provincial councils to provinces where management only focuses on security issues. Third, the reach of government to people or its residents in some districts is minimal to nonexistent. This creates a vacuum of justice and security that non-state actors seek to fill. Municipalities currently have greater clarity but not we defined.

The municipal law defines the basic parameters of municipal responsibilities in its territory and beyond. This legislation allows municipalities to be the authorized subnational entities that are able to collect revenues from citizens, and the basic structure of service delivery, that it's not yet effective and at least transparent. However, the GoIRA Constitution specifies that mayors should be elected, which they have not yet been done, because of the inability of government to hold the election socially, economically and as well as lack of security or insecurity in place where the election supposed to be held, and “Surprisingly, it is at the most local level where we perhaps have had the most success. The creation of the National Solidarity Program and its successor program (Citizen's Charter) provides a clear and robust framework for engaging with villages. Through the creation of village shuras and the provision of block grants, the Government of Afghanistan has been able to extend its reach to thousands of villages throughout the country. In addition, the

Citizen Charter program has been expanded to include urban neighborhoods. These subnational levels are summarized in the table below, and then described in greater detail in the sections that follow” (Subnational Policy, 2018:4).

Department (Office)	Summary
National	IDLG created in 2007 to manage the civilian aspects of subnational governance. All provincial, district and municipal entities report through IDLG to the President
Regions	Seven primary regions of Afghanistan correspond to our military and police corps. and seek to develop corresponding economic agencies to promote regional economic growth for these seven regions, as well as an additional economic agency for the central region
Provinces	Afghanistan has 34 provinces. For each province, there is a provincial governor and directors from line ministries. Moreover, there are representatives from the judicial branch located within each provincial headquarters that working independently and not responsible for the governor office.
Districts	District-level representatives include district governors, district managers from line ministries directorate, and district security chiefs. Representatives from the judicial branch are also located within most districts
Municipalities	There are more than 163 municipalities in Afghanistan, which are governed under a 2000 Municipal Law
Villages	Currently, we have approximately 45,000 Villages, The NSP and Citizen’s Charter program have helped to institutionalize village shuras/Community Development Councils as a primary governance structure at the local level, for their communication and coalition with the district governor office every village they have one representative.

Table 3.2. Key Subnational Levels (Afghanistan Subnational Governance Policy, 2018)

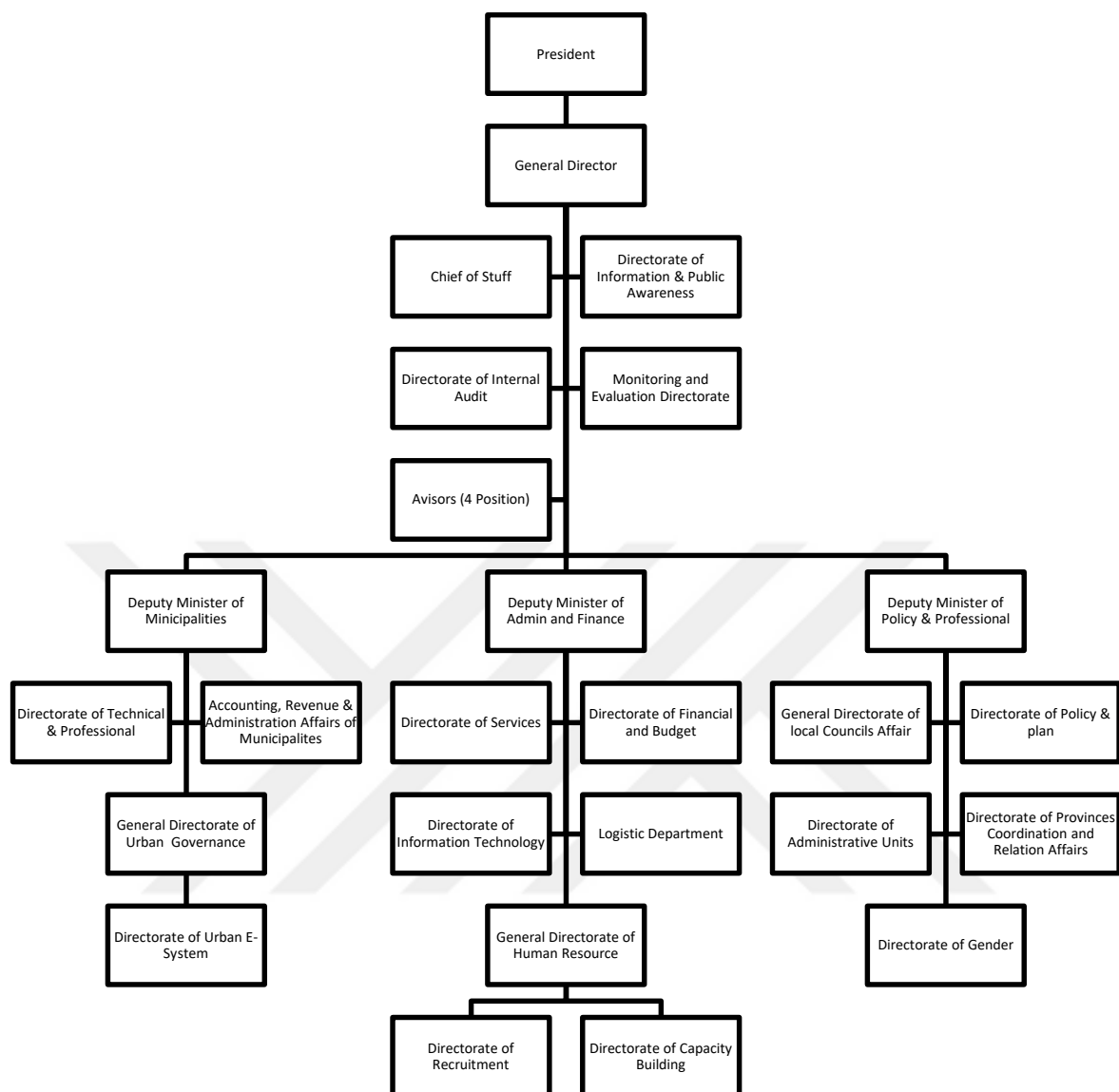


Figure 3.3. Institutional Chart of Independent Directorate of Local Governance (IDLG)

Number Employees	Ranking of Position											Total
	Out of rank	Supreme	Above	First	Second	third	fourth	fifth	sixth	seven	eight	
Central (IDLG)	1	3	0	3	21	98	150	81	39	96	69	561
Provincial (provinces & Districts)	0	10	24	40	524	582	819	1701	771	1554	598	6623
Total	1	13	24	43	545	680	969	1782	810	1650	667	7184

Table 3.3. Organizational Structure (Tashkil) Independent Directorate of Local Governance, 2018

3.6.1.1. Regions

The region is the largest subnational entity or unit, “Regions correspond roughly to the six ecological zones and five river basins of Afghanistan, although regions do not constitute a separate political unit, Afghanistan could have seven regions corresponding to the seven military and police corps in the country. However, to improve regional economic development, we will now also use the regional unit for the development of regional economic strategies. There is some precedent for such an initiative. The Helmand Development Authority (HDA), and the Nangarhar Valley Development Authority (NVDA) have existed in Afghanistan for decades. Within the Ministry of Energy and Water corresponding to each of Afghanistan’s five river basins we have five directorates. International case studies also exist, including the United States of America (through the Tennessee Valley Authority) and Islamic Republic of Pakistan (through the Lahore Development Authority). As within the country we have the Capital Region Independent Development Authority (CRIDA), through the creation of seven additional regional development authorities (RDA) we will implement this policy decision. Each regional development authority will be responsible for the planning, design, implementation, and monitoring of development projects in their respective regions. In other words, these entities will be the projects owners. Each RDA will be constituted as a State-Owned Corporation (SOC). The focus on the regional unit will generate some key benefits. First, through it we will create greater geographical balanced economic development. To date, economic policies and programs have been too focused on the implementation of projects in Kabul and perhaps a few additional capitals of provinces. Second, such a focus will more clearly separate policy-making functions from operational functions” (Subnational Policy, 2018:4-5). Currently, ministries spend the majority of their resources and time in the implementation of projects. This must change. Ministries must be regulatory bodies and policy-making, with state corporations the vehicles of implementing such policies. Third, RDAs will act to improve complementary development between regions. This will improve transit integration and the management of regional economic projects that span multiple regions.

Region	Provinces	Population	Summary
Capital	Kabul, Panjshir, Kapisa, Wardak, Parwan	7,179,727	The largest region of Afghanistan, due to the presence of Kabul (Capital). The key economic area of focus in this region is manufacturing. The key river basin is the Kabul River Basin. This region already has the Capital Region Independent Development Authority (CRIDA), which will be the model for other regional development authorities.
East	Nangarhar, Kunar, Nuristan, Laghman	4,371,640	This region closely integrated with the Center Region and acts as a key corridor for trade between Afghanistan and Pakistan. Moreover, this region has extensive agricultural resources (Nangarhar), mineral resources (Nangarhar), and horticultural goods (Nuristan). As such, the area can act as a key transit hub and agricultural processing center.
South	Kandahar, Helmand, Nimroz, Uruzgan, Zabul	4,358,192	This region key river basin is the Helmand River Basin. The region includes large agricultural lands and acts as key transit areas to both Pakistan and Iran.
Central	Bamyan, Daikundi, Ghor	2,022,789	This region is the smallest region, but acts as a key transport corridor, connecting to six of the seven remaining regions.
West	Herat, Baghdis, Farah	4,040,631	This region overlaps with both the Harirod and Helmand River Basins. The key characteristics include manufacturing areas around Herat and key points in trading with Iran and Turkmenistan.
North	Balkh, Samangan, Jawzjan, Saripul, Faryab	4,474,397	This region corresponds closely to the Northern River Basin. The key characteristics include key agricultural areas, trade, and transit points with Uzbekistan and key hydrocarbon areas of interest
Northeast	Kunduz, Takhar, Baghlan, Badakhshan	4,545,303	This region corresponds closely to the key river basin of the Amu Darya River Basin. The key characteristics include key agricultural lands and strong natural resource capabilities
Total	34 Provinces	35,715,106	

Table 3.4. Summary of Afghanistan Regions

These regional development authorities will have a shareholding structure that will include line ministries but also includes three rotating board members comprised of one

provincial governor, one district governor, and one mayor (in addition to three independent directors). Representatives from the regions will rotate so that most provinces, districts, and municipalities are represented over time. “The RDAs will also coordinate closely with all subnational entities, including provincial and district governors, provincial and district councils, mayors, and village’s shuras. The creation of such economic regional development authorities will increase overall economic growth, will create improved geographic dispersion of economic growth, and will create a positive competition between regions. Each regional development authority will be created as a SOC as soon as possible, but not later than the end of the 1397 fiscal year” (Subnational Policy, 2018:5-6).

3.6.1.2. Provinces

Afghanistan has totally 34 provinces. The functions of the central government are also present within each province. As per the Law on Subnational Governance, each of these provinces been categorized as a grade I, II and III Province based on its population and ecological features. This categorization will continue to be used for base resource allocations that currently within the country we have 10 grade I provinces (Kabul, Kandahar, Herat, Balkh, Nangarhar, Kunduz, Badakhshan, Ghazni, Helmand, Paktia) 12 grade II Provinces (Parwan, Baghlan, Jawzjan, Farah, Faryab, Takhar, Kapisa, Khost, Wardak, Kunarha, Paktika, Bamyan) and 12 grade III Provinces (Logar, Laghman, Nooristan, Zabul, Uruzgan, Nimrooz, Ghor, Badghis, Sarpul, Samangan, Panjshir, Daikundi).

However, IDLG will also lead a process to assess the practicality of redrawing the boundaries of provinces and districts to make each entity more population balanced, and which would have large budgetary and resource allocation impacts. In addition to this classification system, IDLG will create a set of metrics under three categories:

1. Political indicators: e.g. whether required provincial council elections been held.
2. Economic indicators: the size of GDP, rate of growth, economic surveys of the business environment, etc., and
3. Social indicators: percentage of children in school, average years of schooling, health indicators, etc.

These scorecards of metrics will be used as part of the assessment process for the allocation of incentive funding. In terms of provincial governance, there is a great deal of variability between provincial management. On the one hand, governors exhibit strong authority in some provinces. In other provinces, governors sometimes act as coordinators

between various entities. Elected provincial councils act as a check on governor actions, based on Provincial Council Law.

“To codify the actions of Provincial Governors and other provincial executive authorities, we will revise and the Local Administrative Law by the end of 2019. This will outline the key responsibilities and tasks for provincial governors, district governors and village Qariyadar (Elder and Representative)” (Subnational Policy, 2018:6).

In Addition, in Afghanistan, all Provincial governors are acting as a representative of the president in specific and determined that appointed by the president.

3.6.1.3. Districts

There is a total of 387 districts in Afghanistan that out these 24 of them are temporary districts. As per the Law on Subnational Governance, each of these districts has been categorized same like provinces as a grade I, II, or III district that based on its population, as well as ecological and social features. This categorization will continue to be used for base resource allocations.

However, we will use the same categorization used for provinces (i.e. political, economic, and social indicators) to also measure the performance of districts, as well as for deciding on provincial incentive fund allocations.

In addition, “we propose the classification of each district into the following types: (1) urban, (2) Peri-urban, (3) transit, (4) natural resources and (5) frontier. These categorizations can also be used as a component of measuring district performance. For example, although a District Governor leads each type of district, the strategy for each type of district differs. The needs of urban districts are vastly different from the needs of natural resource districts. Just as with provinces, district-level representatives – including district governors, district directors, and district security chiefs – will be monitored by their respective councils” (Subnational Policy, 2018:7). A brief description of each district category provided below:

- Urban: Urban districts are those that have the highest population densities and thus require the highest resource allocations
- Pere-Urban: Such districts surround urban districts, and thus are largely interdependent on the performance of nearby urban districts
- Transit: These districts are primarily used as transit points, and do not include large population centers

- **Natural Resources:** These districts have large natural resource endowments, and therefore required additional resources from the Ministry of Mines and Petroleum (MoMP), the Ministry of Irrigation and Agriculture (MAIL), and the National Environmental Protection Agency (NEPA)
- **Frontier:** These districts are located away from large population centers, but sometimes endowed with natural resources, and can play an important role in transit corridors, National cohesion requires special attention to these districts

We must also consider the minimum core functions of administrators at the district level.

At the current time, district governors often view their role as a purely administrative one. However, their functions must be thought of a broader set of tasks. These include:

- **Administrative functions:** including engagement with the local community
- **Provision of security:** conducting needs assessments and coordinating with security agencies
- **Provision of justice:** ensuring that the court system and AGO representatives must be present within every district
- **Market development:** developing the physical space for district center markets, as well as connecting district villages with the district center
- **Service delivery:** acting as a coordinator in regards to health and education delivery.

Moreover, according to Afghanistan Civil Servant law appendix five, all districts governors are appointing through free competition and approval of the president.

3.6.1.4. Municipalities

Afghanistan has over 163 municipalities throughout the country. Municipalities are currently governed under the Municipal Law (Municipal Law,2018). Municipalities are also the only subnational entity that is provided the right to generate revenues.

We can see some positive changes taking place at various municipalities in late days:

- **Qala-e-Naw (Baghdis):** The mayor built a new business center for women, which inaugurated by H.E. President Ghani. The business center has two floors and space for 46 shops for women entrepreneurs.

- Maimana City (Faryab): The municipality recently built an open hall for occasions such as national gathering or festivals. The hall cost 4 million Afghani, which was financed by the Maimana City development budget.
- Charikar City (Parwan): The Charikar municipality was able to improve the city's solid waste collection efforts by increasing the number of trash-bins located in key locations throughout the city.

“However, there remain many issues with municipal governance.

First, the existing of municipal law is out of date and does not codify the responsibilities of municipalities and mayors sufficiently that the new municipal law is under amendment and update by the national assembly. That this includes making changes to our zoning procedures. Currently, municipalities develop detailed designs for every district in their respective cities. At this pace, only one-third of Kabul Municipality has a detailed design. We must, therefore, move from a rigid detailed design process to a more flexible zoning process.

Second, although municipalities are endowed with the right to raise revenues, some municipalities do not raise sufficient revenues to even pay basic salaries for the mayor. In conjunction with redrafting legislation, we must also develop a financial model that provides a sufficient revenue base from which municipalities can provide basic services.

Third, even for municipalities that are able to generate sufficient revenues, service delivery remains poor, trashes are not often picked up, and basic roads and infrastructure are not developed, at the same time, we must recognize that municipalities are not endowed with the same authorities to deliver services as in many other countries. For example, financial power delivered by DABS, water by AUWSCC, security by MoI, and justice through the Attorney General Office and Supreme Court. Therefore, we must consider the scope of authorities granted to municipalities. We will, therefore, consider a mechanism to provide greater authorities to those municipalities that show increased capabilities.

Fourth, we will create a municipal incentive fund, with clear transparency and corporate governance principles, to provide incentives for the most capable mayors. The same framework of metrics (political, economic, and social) will be used to measure municipal for the purposes of granting greater authorities and for municipal fund allocations.

Fifth, we must consider the demarcation of municipal boundaries. Current municipal boundaries were mostly drawn decades ago when our cities had much smaller populations.

Because our municipal boundaries have not expanded, this has caused self-imposed constraints on available land for development, causing housing prices to unnecessarily increase. ARAZI and IDLG must, therefore, embark on a program to assess current municipal boundaries and redraw them where necessary. Sixth, for Kabul Municipality, in particular, we must reconsider its powers. We will revoke its special status among municipalities. We will also devolve some of its powers and develop a district model where Kabul Municipality will be divided into a number of districts and will have a corresponding mayor for each district. In this way, municipal management will be brought closer to its respective constituencies. The Kabul Governor will also be given coordination authorities, with CRIDA acting as the regional development authority.

Fifth, we will codify the role of wakil-e-gozars (Representative of a specific small area) and other subnational structures in the new Municipal Law so that the roles and responsibilities of all actors are codified.

Sixth, we must develop a social housing program. Our Ministry of Urban Development and Housing (MUDH) must conduct a study on housing needs in Afghanistan, and develop a social housing plan. MUDH will implement this plan through either a new state corporation or by corporatizing one of its existing housing state-owned enterprises” (Subnational Policy, 2018:8-9).

According to the Municipal law, the municipals must elect through a direct vote by the population, but because of insecurity and financial problem till now our government didn't succeed to hold the election, that ultimately under the direction of Municipals recruitment regulations all municipals appointing through free competition that taking and leading by IDLG. In addition, this process will exist until the government becomes able to hold the election.

3.6.1.5. Villages

Totally, within the country, there are 45,000 Villages, and Afghanistan through the last decades has some of its greatest subnational successes engaging with citizens at the village level.

“This is primarily due to the National Solidarity Program (NSP), and its successor program (the Citizen’s Charter). In these programs, we have been able to provide over \$1.5 billion in block grants to more than 45,000 villages across all 34 provinces. The new

Citizens Charter Program (CCP) is a promise of the partnership between the state and the communities. It is a foundation stone for realizing the Government's development vision. The program is a whole-of-government effort to build state legitimacy and end fragmentation. The Charter is a commitment to provide all citizens in Afghanistan with basic services, based on community prioritization. For the first time, Afghanistan's urban and rural community development programs will be joined under the same umbrella. The Citizens Charter Afghanistan Project (CCAP) is one part of the larger Citizens Charter National Priority Program. However, the structure of the Citizen's Charter program must change to continue contributing to Afghanistan's economic and political development. First, to become a sustainable program, the Citizen's Charter framework must also consider financial benefits as part of its project evaluation process. Second, the program must begin to amalgamate individual villages into larger groupings and provide larger block grants to these larger groupings. This process will help the program to integrate with the larger district, provincial, and regional economic programs. Third, the program must make changes to the way it supports the agricultural sector. Here, the program must support projects that support the most important crops (e.g. wheat) where applicable, to focus on improving crop production and productivity, and to focus on the creation and support of agricultural cooperatives" (Subnational Policy, 2018:9).

In terms of governance, the village level managed, through the following governance structure:

- Qaryedar: the sole government representative that works at the village level. Qaryedars are responsible for administrative affairs of a village, including the issuance of death and birth certificates. The Qaryedar does not play a role in the implementation of community development projects. Qaryedar is appointed by IDLG, in consultation with CDC members and community elders.
- Community Development Council (CDC): the representational body at the village level, which engages in local development planning, implementation of community projects, and oversight of government service delivery. CDCs are elected through the Citizens Charter and the National Solidarity Program.

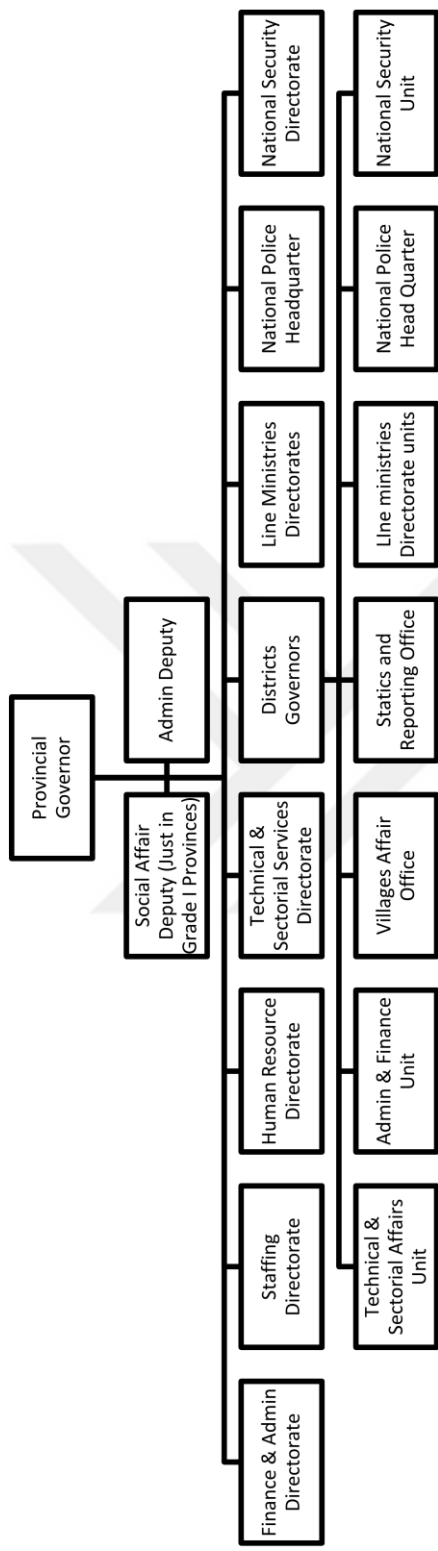


Figure 3.4. Subnational Administrative Structure (Organizational Structure (Tashkil) Independent Directorate of Local Governance,2018)

Additionally, in provincial level, we have some specialists like Gender specialists and Monitoring and evaluation Specialists that directly working under the direction and

leadership of Provincial governor, as well in the provincial governor have some technical advisors that appointed through NSP and CCP Projects.

In the districts levels as well the governors of the districts have some technical advisors that appointed through NSP and CCP Projects.



4. CIVIL SERVICE REFORM IN AFGHANISTAN, ITS STEPS OF IMPLEMENTATION, LEGAL FRAMEWORK AND POLICY ASPECT

4.1. Civil Service Background in Afghanistan

After collapsing the Taliban Era, the 2001 Bonn conference with the purpose formation of new government, for establishment of more effective civil service public Administrative reform was one of the key priority in this conference, After bringing out the constitution of the country in 2004, effective and quality of civil service reform was one of the important issues in this constitution, in article 50 of this constitution it pointed out that “The state shall adopt necessary measures to create a healthy administration and realize reforms in the administrative system of the country. The administration shall perform its duties with complete neutrality and in compliance with the provisions of the laws. The citizens of Afghanistan shall have the right of access to information from state departments in accordance with the provisions of the law. This right shall have no limit except when harming rights of others as well as public security. The citizens of Afghanistan shall be recruited by the state on the basis of ability, without any discrimination, according to the provisions of the law” (Afghanistan Constitution, 2004: Article 50).

Firstly after the establishment interim and transformational government in 2001 through the Bonn conference, as political leaders agreed and promised in this conference in 23,May,2002 with the decree number (257) of Hamid Karzai head of interim government for making effective civil service reform and accomplishment of the mission a new commission (Civil Service Commission formed that laterally changed to Independent Administrative reform and civil service commission) established and they started a collative project for PAR with the world bank, and because there was no clear guideline and even clear idea that enlightened by any laws and regulations that had many constraints and after 2004 when the IRA constitution made, with the enlightenment article 50 of this constitution they started their activities with legal base with collaboration of international community.

After the Bonn conference and formation GOIRA, the new government performed many programs in conjunction with and by the support of the International Community (IC) and development partners. Through preparing a comprehensive document addressing the necessary requirements and activities by which the government could expand his authorization all around the country, named Afghanistan National Development Strategy (ANDS), a new horizon of development was introduced.

Moreover, other partners assisted Afghanistan in preparing and performing ANDS as well as Afghanistan Millennium Development (AMD) Goals. After 2002, the strategic priorities were essential governance institutions and capacity, high priority and high impact reconstruction programs to restart the economy and social services. The strategy focused on improving livelihoods, fiscal strategy, institutions and management, governance and public administration reform and enabling private sector development.

4.2. Initiative Programs

From the formation of a new government, Government of Islamic Republic of Afghanistan (GoIRA) with the Assist and collaboration of International Community and development partners has made significant strides in establishing and developing institutions of democratic governance. The system developed to realize the delivery of essential public services, to promote the law, institutional order and to create an enabling economic environment focusing on reforming the public sector to strengthen the economy and develop modern public institutions.

“The government had/has two major strategies of reform and capacity development i.e. Reform of Public Financial Management System and the Reform in the Civil Service Sector” (Tokhi, 2012:3). These reforms have produced good results in term of developing the legal basis and institutional structures for the establishment of modern and democratic institutions working on principles of good governance.

Depend on the principles of ANDS the GOIRA has initiated six programs, which called National Priority Programs (NPP), “strengthen democratic processes and institutions, human rights, the rule of law, delivery of public services, and government accountability.” NPP for reforms in economic and financial introduces a comprehensive set of reforms for strengthening more sustainable Afghan economy and to ensure that public (including donor) funds used inappropriate and efficient manner, leading to effective development outcomes.

“The Afghanistan Program for Efficient and Effective Government aims to improve civil service management by: (i) Introducing and implementing broad-based policy, legal, and structural reforms in public administration; (ii) Improving public service delivery through a simplification of procedures, and (iii) Developing comprehensive training and improving working conditions of the civil service for bringing government closer to the public by ensuring that local government and national (Central) government are both empowered and accountable, the National Programs for Local Governance focuses on

implementing the Sub-National Governance Policy, as well as strengthening institutional development and democratic representation at the sub-national level” (Tokhi, 2013:4).

The central institutions for supporting the agenda of reform and capacity development and fighting corruption been established. Ministry of Finance (MoF) has been leading institution for reforms and capacity building in the public financial management legal, policy areas while the Independent Administrative Reform, and Civil Service Commission (IARCSC) has been leading the civil service management reform and human capital development within the GoIRA.

Furthermore, based in ANDS the Government GoIRA in 2008 with the cooperation international community reaffirmed their commitment to certain benchmarks on Public Administration Reform, Anti-Corruption, The Census and Statistics, National Assembly, Elections, Gender, Land Registration, Counter- Narcotics and Human Rights within the specified timelines. Functional institutions with trained staff been established in each province to implement appropriate legal frameworks and appointment procedures.

The strategy includes out efforts to reduce gender inequality. Institutional and administrative frameworks established at the local government level that will enable women to play an important role in decision making (such as the CDCs established under the NSP). The Constitution allows limited decentralization specifying that a Provincial Councils (PC) with elected members are to be formed in every Province and, that District, Village and Municipal Councils and Mayors are to be elected through, free, general, secret and direct elections every three years.

4.3. Administrative Reform Starts

From the collapsing of Taliban Regime and formation of the new government, the interim government based on Bonn Conference agreement established the new organization to be responsible just for administrative reform in public organizations, in 20 May 2002 by decree number (257) chief of interim government Mr. Hamid Karzai this organization formed and named as an Independent Civil Service Commission, all the activities, duties, tasks and authorities of this commission determined by this decree.

Through this decree, The Interim Government decided to appoint a commission called the Independent Civil Service Commission to create puissant and capable Administration

and Organizations in which officials and government employees were determined and recruited on the basis of suitability, expertise, and wisdom.

The commission, as required by the Bonn conference Agreements, is expected to propose or plea senior officials and government employees in key positions and administrative vacancies.

As determined in the decree, the head of the commission is the head of the Secretariat and supervises its administrative affairs.

In due course, the Commission will create committees, offices, and branches for the collection of information and statistics, the preparation and creation of procedures and regulations and advertisements and publications.

The commission will carry out its essential task, with the selection and recommendation or plea of senior officials and top-level government officials (ranked 1 and above), in collaboration with the relevant ministries, with a final appointment will be the head of government authority.

Regarding those officials and staff members less than the rank (2), the Commission monitors and oversee the appointment of departments in terms of suitability and professional conditions.

The commission reports to the government every three months about its implementation of the reform and activities.

Moreover, based to this decree the Commission adopts its decisions on the bases of law and prevents any political interference and the Independent Civil Service Commission, in response to a request from the Government performs advisory duties in the following areas.

1. In the field of administrative regulations.
2. Regarding the training of the administrative personnel, their conversions and their changes.
3. In social affairs, salary and other assistance.
4. About Disciplinary Procedures.
5. To strengthen a law enforcement Administration.

Based on the decree the competencies of commission do not include the following categories.

- Officers and military personnel.
- Governmental Enterprises personal.
- Municipalities personal.
- Government members recruited on a contractual basis and for a specified period of time.

The interim directorate hopes to obtain international assistance to improve the activities of the organization.

The interim government permitted Independent Civil Service Commission to establish separate regulations and procedures for the performance of its duties.

After the formation and determination the duties of Independent Civil Service Commission with cooperation International Assistance and International INGOs like world bank, USAID, ADB, and supporters they started their project for civil service reform but because of more limitation and less access and authority of this commission the projects compared to the administrative situation found inadequate and disproportionate.

Laterally, with the purpose of making the Administrative and civil service Reform wider, proportionate and adequate in 10.Jun. 2003 by the decree number (25) head of Interim Government (Hamid Karzai) the ICSC converted to IARCSC and became more authorized and functional.

As adverse events that affected all aspects of the country's social and economic life over the last two decades before the formation of a new government in 2001, a variety of negative phenomena and deficiencies have been identified in the public administration system, which calls for reform. In order to make better use of modern information technology systems, it was necessary to create an administrative reform and to take effective measures in the future, for this purpose through the decree NO: 25 Concerning the adjustment and implementation of the reform program in the ministries, Organization and government Enterprises agencies the Independent Administrative Reform Commission structured and made and based to decree found the following authorities and described in six articles as defined below:

Article I: The Independent Civil Service Commission, which pursuant to the provisions of the Bonn Agreement, in accordance with Decree No. 257 Head of Interim Government dated May 20, 2002 , with the prophecy of structuring and forming the Healthy and Certified Organization is responsible for recruiting the High-ranking Public

Organizations Officers based on the principle of due diligence, Expertise, Proficiency is required and mandate to organize and set up the cross-country Program of Administrative Reform, Lead and adapt.

Article II: The name of the Independent Civil Service Commission is changed and modified to Independent Administrative Reform and Civil Service Commission (IARCSC).

Article III: The Independent Administration Reform and Civil Service Commission have addition authorities as follow:

1. Detection, selection, and proposal of senior civil servants.
2. Review, evaluate and approve the recommendations of ministries, and civil institutions regarding the appointment, transfer, and promotion of high-ranking civil servants to the competent authority.
3. Supervise the appointment of low-ranking civil servants in government Ministries, Organizations and agencies.
4. Investigate the complaints of civil service complaints and individuals concerning the recruitment process and make appropriate decisions in the field.

Article IV: The Independent Administrative Reform and Civil Service Commission is an Independent Administrative Budget Unit and shall report its performance directly to the Head of State.

Article V: The organizational structure and implementation of the duties and competencies of the Independent Administrative Reform and Civil Service Commission shall be regulated by a separate regulation.

Article VI: The ministries, Government organizations, and agencies are required and obligate to respect and implement the decisions, guidelines, and demands of the Independent Administrative Reform and Civil Service Commission.

Selection of elected officials in municipalities and other elected bodies excluded from this rule of this decree.

Latterly after formal ratification of Afghanistan constitution at January 4, 2004, based in article 50 this constitution that ordered as follow “The state shall adopt necessary measures to create a healthy and sustainable administration and realize reforms in the administrative system of the country. The administration shall perform its duties with complete neutrality and in compliance with the provisions of the laws. The citizens of Afghanistan shall have

the right of access to information from state departments in accordance with the provisions of the law. This right shall have no limit except when harming rights of others as well as public security. The citizens of Afghanistan shall be recruited by the state on the basis of ability, without any discrimination, according to the provisions of the law” the IARCSC formed this Commission institutional Chart and defined its duties and objected on a legal based as shown in figure Five with the full support International organizations.

Based on the decree this organization formed as an Independent commission with the idea of Implementing Reforms separately from the politics and intervention of Politicians, Warlords, and Government Senior Officials.

Moreover, IARCSC, in order to lead the administrative reform, has been formed to create regulation and policies for reforming the public administration system and monitoring its implementation. In other words, the commission is obligated to implement the corrective and accurate programs in the system of public administration of the country. So that the administration can perform its duties in complete neutrality in accordance with the provisions of the laws.

4.3.1. Independent Administrative Reform and Civil Service Vision & Mission

“IARCSC combined of 8 commissioners and a director that appointing directly by president” (IARCSC Annual Report, 2010:4), these commissioners has the leadership of this commission, commission divided into two board Appeals Board and Appointments Board as shown in figure (5), three of the commissioners has the lead of Appeals Board and 5 others they have the lead of Appointment Board and through an internal election they select one as director of the Board, “each boards is independent in their decision making the director of the commission do not have the right of intervention he/she is just overseeing the performance” (Civil Service Law, 2005:5-11)

Moreover, IARCSC established with the following Vision, Mission and goals or objectives.

- Vision: IARCSC has the vision of establishing a legitimate, accountable Administration, reliable and balanced gender Appointees with the capacity and potential for providing effective and efficient services to the people of Afghanistan more on “the civil service of Afghanistan legally shall be stable and resilient, financially self-reliant, strategically and structurally adapted to objectives and

missions, in terms of organization and human resource capacity shall be to the stage of participation and the specialized division of duties And technical based it shall be integrated into the level of overall coverage of the electronic system in communication and management, and in terms of service to the standard and citizen-oriented service delivery” (IARCSC Annual Report; 2012:5),

- Mission: Mission of to Facilitate the process of improving the performance of offices that can provide quality services to the Afghan people and mission of to facilitate the process of improvement and betterment the performance of offices that can provide qualitative services to the Afghan people and “the transformation and development of Afghanistan's civilian services into an effective, service-oriented and adaptable circumstances and environment changes through administrative reform and sustainable change management based on a participatory and people-centered culture”(IARCSC Annual Report; 2012:5), Briefly we can describe that the mission of this commission is to establish develop, effective, non-political and accountable administration to lead and facilitate the reform, and build capacity and potential in civil service to provide an effective and sufficient services to the people.
- Goals and objectives: IARCSC is established to set up a policy and regulations for reforming the public administration, monitoring, and enforcement system in order to lead the reform process.
- In other words, the commission is obligated to implement the corrective programs in order to enable the administration to carry out its duties with complete impartiality and in accordance with the provisions of the law in the system of public administration of the country.

“Mainly IARCSC objected to meet the following goals” (IARCSC Annual Reports, 2009:2010:2012)

1. Installing the merit-based system in civil service sectors.
2. Creating a legitimate, modern, accountable, responsive Administration and effective legal framework for reforming the administrative and organizational structure, establishing a human resources information bank.
3. Reducing administrative corruption, creating an atmosphere of mutual trust between the people and the government and implementing strategic information management.

4. Raise the domestic and international credibility of the country's administrative and political system through the establishment of a healthy administrative, competitive recruitment, performance appraisal and capacity building in civil service.

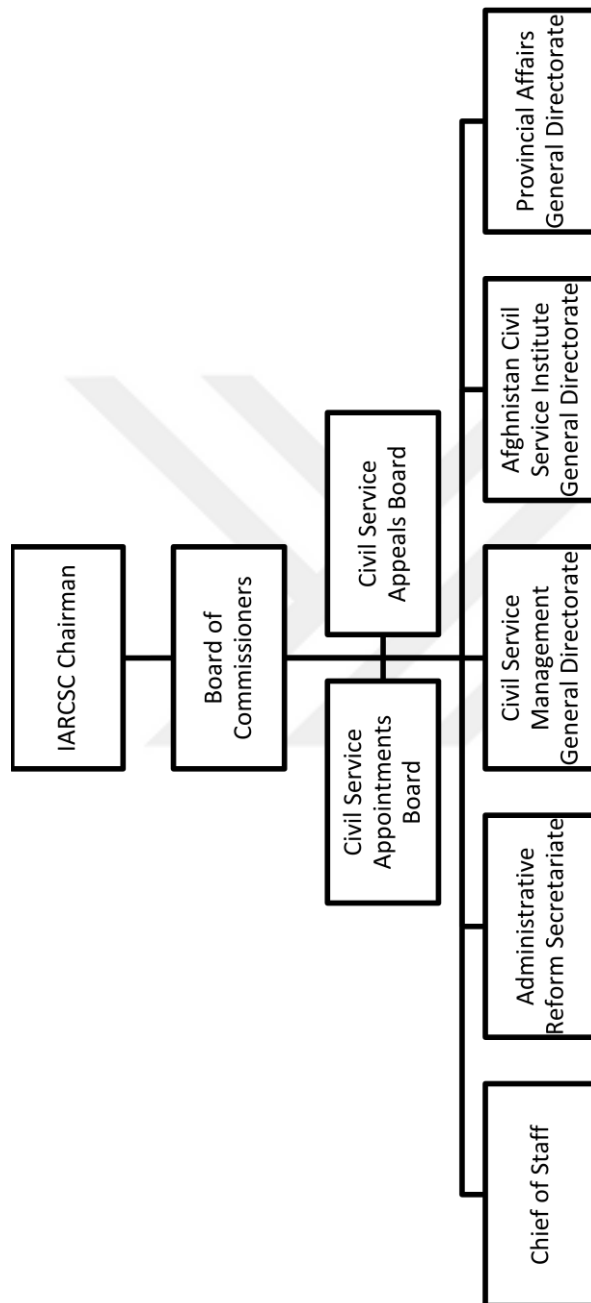


Figure 4.1. Independent Administrative Reform and Civil Service Organizational Chart

Number Employees	Ranking of Position											
	Out of rank	Supreme	Above	First	second	Third	Fourth	fifth	sixth	seven	eight	Total
IARCSC	9	0	1	4	30	252	245	46	4	192	51	833

Table 4.1. Organization Structure (Tashkil) of Independent Administrative Reform and Civil Service Commission, 2018

Appeals board and Appointments board are the main elements of reform acting as the strategical body of IARCSC, both are carrying the tasks and responsibility and accountability of the Administrative Reform.

4.3.1.1. Civil Service Appointments Board

Appointment board is combined of (5) commissioners that appointing by the country president and through an internal election electing one as head of the board that covering the all appointment of the high-ranking official (1, 2) and monitoring the implementation of merit-based recruitment of all ranking public officials within the country.

“The main duties and responsibilities of the Civil Service Appointments Board as stipulated in article 14 and 15 of the Civil Service Law are as follow:

1. To identify and recommend the recruitment, appointment, promotion, transfer, retirements, pension payment and other personal matters of high-ranking civil servants for the approval of the President.
2. To lead and chair the work of the recruitment committees, approval of TORs, announcements, shortlisting and final selection of candidates.
3. To recommend selected candidates for approval of the president, monitoring the recruitment process of the lower grade civil servants in ministries and government agencies.” (www.iarcs.gov.af: 2018)

4.3.1.2. Civil Service Appeals Board

Appeals Board is combined of (3) commissioners that appointing by the country president and through an internal election electing one as head of the board.

This board is more likely as Administrative Court and it is the sole body for addressing the civil servants’ grievances and complaints across the country. It established based on the Bonn Agreement and has officially in 2004 started its operation; the goal of the board is to

ensure that civil servants, contracted staff and candidate's rights are protected in civil service management.

“Its goal is to ensure equality in civil service management. The board bases its duties and responsibilities on Article 28 of the Civil Service Law and strives to implement the Independent Administrative Reform and Civil Service Commission's (IARCSC) broad strategy”(www.iarcsc.gov.af: 2018).

4.4. Civil Service Reform Legal Framework

The administrative reform legal basis stems from Article 50 of the Constitution. In fact, the need to reform the country administrative system was required after the overthrowing of the Taliban regime in 2001 and the installation of a presidential form of government. The presidential decree that established the IARCSC furthermore provided the legal basis through which reforms could be carried out within the Afghan government system, with main focus on civil service management and reforms. The World Bank senior official commented as follows:

“Public administration reforms in the new government of Afghanistan started from scratch and have had both successes and failures. There have been constraints in legal, structural, and capacity areas. The civil service has come a long way from 2001 until now. The legislative framework was not clear in terms of reforms, but a clear legal framework is now available. The roles and functions of the civil service are clear, and a working system has been established”.

While the IARCSC established to carry out several functions of civil service management and administrative reform, it has also played the coordination role between ministries and ensuring that the promulgated legislation applied in practice. With the administrative system evolution and implementation of the Civil Service Law after the enforcement of the 2004 Constitution, there has been a further debate on enhancing the quality of civil service rules to further strengthen the public administrative system and bring it on a par with the international principles of public administration.

4.5. Steps of Civil Service Reforms Implementation

As previously noted, for the purpose of establishing a healthy and responsive administration to people needs in which officials and civil servants are determined or

recruited on the basis of suitability, expertise and wisdom, based on Decree No 257 dated May, 23, 2002 of the chairman of the interim government of Afghanistan for public administration reform a commission formed (Independent Civil Service Commission) that Bonn agreements were foreseen.

The commission was tasked with proposing government officials and employees in the key bonds and responsibilities of the administration, and the final appointment was made by the government.

The commission, which consisted of a working committee, continued one year for the same period without having a significant and tangible achievement until after one year, the ratio of the existence of negative phenomena and administrative failures caused by accidents over the past two decades in the country, action was necessary that should be taken to eliminate it.

It was also used to better utilize the modern information technology systems that immediately entered the country after the deployment of the interim government and also partially leaked to government departments. Improving and speeding up the work of government departments and ministries to connect and keep pace with the evolution and process of the international community was a crucial necessity for the administrative reform, as stated by Decree No. 25 dated June 10, 2003 by the head of state That procedure for the adjustment and implementation of the administrative reform program was issued and, in accordance with the first paragraph of the decree, the Civil Service Commission was adjusted and modified to the Independent Administrative Reform and Civil Service Commission and the Commission was required to design, regulate, implement the Universal Program of Administrative Reform.

On the other hand, along with the fall of the Taliban regime and the agreement of the Interim Administration in Afghanistan, the arrival and appearance of ISAF and NATO troops and hundreds of domestic non-governmental organizations and international organizations with the widespread support of international community to Afghanistan government, a serious challenges exposed like, that these domestic and International NGOs attracted and positioned the afghan cadres and expertise with salaries far more than the government's salaries that have been fixed for many years that was more less than the proportions of the price of goods and commodities . that positioning by these NGOs drove Public sectors to the lack of cadres and the escape of well-trained, skilled and experienced cadres. Therefore, the transitional government decided to envisage attracting, retaining and

encouraging key temporary salary officials of at least 4,000Afs and a maximum of 11,700 Afs based on the existing ranking system from the 10th rank to First, the top rank and sup-top rank were set.

Additionally, for officials with exceptional management skills, foreign language proficiency, familiarity with information technology, expertise and experience and higher education, and elite and expert individuals are paid with exceptional salaries, by the name of Super Skill At least \$ 300 and the maximum amount of \$ 2,000 and still it sustain and a group of public officials receiving it.

These salaries were paid only to the employees of those ministries and departments that, in accordance with the order of the government, reformed their policy, strategy, functions and organizational structure and established their offices on the basis of merit and adequacy through free competition (Civil Servants law, article 35).

4.5.1. Priority Reform Restructuring

After formation of IARCSC 2002 this commission with the full support of international society and NGOs launched the Public Administration Reform process that through this program firstly the restructured the Public Sectors structure but this process doesn't cover all sector that after existence of civil service law in September 5, 2005, laterally with the provision of this law IARCSC started priority reform restructuring (PRR).

“Through the first reform program i.e. Priority Reform and Restructuring (PRR), the IARCSC and its development partners were able to introduce and strengthen the much-needed merit-based recruitment system in GoIRA, which makes the basis for meritocratic institutions. In PRR, the reform introduced to a limited number of directorates/ department of a ministry/agency and the incentive used was Interim Additional Allowances as there was no legal base for salary reform. PRR was followed by Public Administrative Reform (PAR), in which, reforms were implemented in all the departments of a single ministry/agency” (Tokhi, 2012:3).

In accordance with the decree of the head of state and Civil Service law, the Governmental department shall submit their plans and scheme of general reform or partly reform of the ministry/ office to the Commission for assessment analyze and examination.

The proposal for the rehabilitation and reconstruction of the structure and chart of the ministries and departments after the review (the Ministerial Advisory Committee for

Administrative Reforms) was envisaged by the chairman of the commission. After the abolition and dissolution of the Committee, this mandate was delegated to the Commission's leadership.

The Board of Committees composed of (general director of commission, head of appointment board, head of the appeals board, general director of civil service institution, general director of the secretariat and administrative reforms and senior advisor to the commission) In order to include a general or partly reform of the ministry or office in the priority reform restructuring (PRR), the following practices were implemented in accordance with the following procedure.

1. All ministries and offices were authorized to propose that all departments or only some selected departments of the ministry subjected to a reform program with one or more departments of that ministry or office.
2. Joint Tasks (united form) All ministries and government departments, such as financial, administrative, executive, human resources, plan and foreign affairs and etc. by the Commission in consultation with the Advisory Committee of Ministers for administrative reform including the program It would be corrective.
3. All suggestions from ministries and offices included two phases or stage for inclusion in the reform program.

First stage/phase: The Minister or Head of the Independent Bureau during a meeting with the Leadership Board of the Ministry or the office drew the need for reform and restructure of the entire Ministry department or partly, and shall assign the Task Force to lead the reform program. The task force was tasked with taking into account the priorities set out in the base of Government's Development Program to identify the Office's activities, in accordance with the Office's objectives and policy, the Office's work procedures, the system of coherence and monitoring of the performance of the Office, the provision of services and facilities, and the technical requirements of the general or partial reform of the ministry the reform scheme of the ministry or office shall be suggested to the Administrative Reform and Civil Service Commission by this task force with the approval of the minister or head of the organization.

Second Stage/phase: In the second phase, ministries and government departments, including in PRR reform, were required to submit their proposal to the Administrative Reform Board within one month of the approval of their first phase proposal.

The proposal for the second phase presenting the objectives, organizational structure, rank, and mandates of the ministry or department concerned was presented after the reform and included the following information.

- ✓ Improvement and effectiveness in the management and maintenance of the expected economized budget in comparison with the budget and the calculation of deficiencies in the event of non-reform of the organization of the office.
- ✓ Assembling of similar tasks.
- ✓ Clear separation of distinct tasks, including assignments.
- ✓ Presenting the administrative hierarchy system clearly and concisely.
- ✓ Matching competencies with responsibilities at all levels of administrative follow-up.
- ✓ Explain that in all areas of work, the administrative control is reasonably balanced.
- ✓ Presenting of the equivalence of the suitability of the senior management's workload.
- ✓ Considering the number of officers and staff in line with the duties of the administration.
- ✓ Explain that the proposal of the second phase is in accordance with the provisions of the law and if the law is not specified, its way out is presented.
- ✓ Provide the necessary modifications in the relevant legislative documents required for the implementation of the reform and reconstruction of the relevant ministry or department.
- ✓ Review the possible and complementary effects of reforms on the duties of other parts of the ministry or department under the reform program and other government agencies.
- ✓ Consider further modifications and rehabilitation within the ministry or department, including the justification of duties to other ministries and departments, including the timing of its implementation.
- ✓ A supplementary plan for the cost of the reform program (proposals scheme), together with the Ministry of Finance approval.
- ✓ Operational Plan for the implementation of a corrective program in the ministry or department, with time allocation and responsible resources.
- ✓ The resources needed to implement a corrective program, including office equipment and information technology.
- ✓ Identify proposed packages that qualify for additional pay, together with a description of the bill of obligations for each post, including the intended purpose of the

assignment, the main tasks, the indicators based on those of the officer assigned to the contract.

The second phase proposal submitted to the Advisory Committee of the Ministers for Administrative Reforms after reviewing and analyzing the board of Administrative Reform.

The General Director of the Commission IARCSC, after receiving the advisory vote of the committee, approved or rejected the second phase of the proposal and sent to the ministry or the department under the reform program.

4.5.2. Public Administration Reform

Subsequently, the PRR was modified to PAR public administrative reform and the difference in PRR with PAR was merely that in the PRR program the ministry or department, in general, or in part, included to reform program due to limited government funding and low capacity of technical and technical workers and experts both in the Commission and in the ministries and departments of the government that the reform program was about to implement, the PRR reform program initially included key ministries and key departments of the government, and in the following years, by addressing the challenges and obstacles the implementation of the reform program intensified and The ministries and departments generally included reformation, hence the name PAR, and at this stage, the duties and responsibilities of the IARCSC has also been rebuilt and the task of the Administrative Reform Board has been entrusted with the Department of Civil Services of the Commission with the ministries and government departments for this purpose establishing of office in the area of cooperation with the ministries and departments for their inclusion in the reform program due to the density of work and task communication was required. Then organizational structuring and administrative reform directorate were created and tasked with providing direct guidance and facilities to ministries and departments with a reform program on reforming the strategy, plan, organizational structure, and other elements of the reform and rehabilitation process.

As proposed by the first and second phase of the reform program by the ministries and departments through direct cooperation between specialists and experts of the Directorate for the Establishment and Modification of the Public Administration and the Working Group on Reforms of the Ministry or department, and after approval by the competent authorities of both departments (ministry & IARCSC) for final assessment and analysis of the Administrative Reform of Office It should be noted that, as we have already noted, the

clinician presented the proposal to the commission's leadership committee following an analysis and evaluation during the procedures, which was approved by the chairman of the commission and, after being communicated to the ministry or the department, was subject to an effective corrective action program for reforming,

All officers in the packages included in the corrective program should be reassured of their merits and competencies through a free competition test, so that they would later be entitled to additional temporary pay, such as the appointment of top officials through the Civil Service appointment board and the appointment of low ranking officials by The nominating committees of ministries and government departments and in the provinces were in accordance with the provisions of the law and the procedures for the appointment of civil servants.

The duration of the work in the PRR package has an additional one-year salary and the first three months of that was a trial period. At the end of the trial period, in the event of good performance, the officer's term of service was extended to nine months. If, as a result of the annual performance appraisal, the satisfaction of the officer was still fulfilled, then he would have been able to carry out the task or compete for a higher qualification. He also had to pay extra as a Super Skill. In case of insufficient performance of the agent as a result of evaluating the performance of his trial period, he would have been restarted to a competitive notice as a result of the lack of expectations, and the officer would be in a state of waiting with salary.

4.5.3. Payment and Grading

During the implementation of PAR, the legal base for a whole of salary system reform as well as the required human resource capacities were built to manage the Pay and Grading Reform (P&G) as the new system of organizational structure and payment framework. The P&G resulted in breaking the old, ineffective and traditional human resources management systems and changed them to more efficient and effective ways of functioning and operations. Through PAR and P&G implementation, the basis for rules-based and meritocratic civil service management was created. These major reform programs were successfully complemented by several short-term capacity injection programs/projects, which not only facilitated smooth implementation of the reform processes but also attempted to build sustainable capacities in critical client ministries/agencies of the GoIRA.

There is a need for revitalization of reforms and a reassessment across the Government as to 'next generation' reform initiatives needed to build on this base.

Therefore, The Priority Reform and Restructuring Program in the ministries and departments of the State and Provinces, which was initiated by the Chief of Government of Decree No. 25 dated June 10, 2003 terminated by the Civil Servants Law, which was passed by Decree No 32 of June 15,2008, approved by Parliament It is considered to change, and it displaces itself into the new payroll system or, alternatively, the new system of ranking and subsistence that called payment and grading reform (P&G).

According to paragraph (1) of Article 6 of the Civil Servants Law, as shown in table 3, there are eight positions that organized in five categories, each of these positions has five steps, and the employee is appointed from the beginning of the appointment, at the first step of the determined position and the successful passing of the performance appraisal promote to a higher degree.

Former grades of twelve ranked positions and twelve ranked payrolls were adjusted according to the provisions of this law to the rank and salary system of eight rankings, with each clamp taking five steps. In the ranking, the eighth grade and the seventh grade respectively are based and allotted to unskilled and skilled loggers who were not included in the category of officers, and the other packs ranked sixth to the first rank of the former officers. According to Article 3 paragraph (2) of the Civil Servants Law, all public employees are included and called a civil servant. And the record holders and loggers include the civil servants' class and fall under the seventh and eighth grade of the ranking of position.

The terms and criteria for recruiting in the eight-position clause in Article 8 of the of the civil servants law have been noted that, in order to be assigned to the first grade position of Civil Service Department (General Directorate), having at least Bachelor's degree certificate and work experience of at least four years related to the duty and to be prescribed Second grade position Civil Service (Directorate) having a Bachelor's Degree Certificate and a three-year Proposed Award is required.

Similarly, for the purpose of appointing to a third grade position of civil servant, having at least two years of working experience related to duty and associated education, to be employed in the fourth grade (general manager) having associated education certificate (Above High school degree) and having at least one year's work experience Concerning the duty, to hire in the fifth and sixth grade, the admission and merit of having a minimum grade

of academic background (high school degree), regardless of the experience required, are for graduates in grade 5 position, and for high-school graduates in grade 6 positions.

As mentioned earlier, the sixth rank is the successor of the twelve records (rank 10th – first, upper and upper rank).

The fundamentals of the distinction between the ranking and salary and the former system are as follows.

1. The former twelve records belonging to the officer or clerk and position of both, while in the new system the grade is used only for the function of the closure; neither the officer is otherwise considered a permanent staff member, and as long as he belongs to the office, it is his/her duty.
2. In the new ranking system (six), the steps and administrative steps are clear and straightforward.
3. In calculating salaries of civil servants in the annual budget of the government, the calculation error is less likely to happen.

The size and amount of the salary of the ranking of eight positions and five steps of the pledges are set out in the annex to the number 1 of the Civil Servants law, which is at least the first step of the eighth grade is 5000 AF and at last the fifth step of first grade is 35000 AF that arranged and based on the labor market in the market economy.

It should be noted that for the first time in the history of the public administration, the number of salaries of civil servants in the law is predicted to be considered as the first step in improving and betterment of the salaries of government civil servants. Article 20 paragraph (4) of the Civil Service Law has also been conferred on the government to revise in the determination of the civil servant's salary in order to improve the living and livelihoods of civil servants in light of economic growth and financial strength of the government.

Before the establishing of the temporary or interim government in Afghanistan for many years the state economic policy or mixed economic was in practice, and because of this, governments policies or governments required themselves to be hired and provide work occasion for all people in the country, especially for educated people. And for this reason, the human resources and employment agencies have been working in the past to form the government. And was responsible for introducing graduates from public or vocational schools and universities and other institutions of higher education in view of their profession and specialties with a view to employing in public administrations, which is normal in the

absence of economic production and employment. Which resulted in organizational inflation and the invisibility of unemployment in state-owned organs and enterprises. With the commencement of administrative reform, the government is now under no obligation to comply recruitment with the market economy policy set forth in Article 10 of the Constitution, “The state shall encourage, protect as well as ensure the safety of capital investment and private enterprises in accordance with the provisions of the law and market economy” (Afghanistan constitution, 2004: Article 10) which obligated the government to provides all the citizens with the employment opportunities, but the government requires that facilities an equitable opportunities and right to people. Because in the final analysis of expenditures and expenditures of the state are provided by the taxes and products of individuals. It would not be fair for the government to recruit without urgent necessity and observance of the principle of saving employees' budgets, and without the necessity and responsibility to establish offices or decorate state institutions. On the contrary, the government has a duty to reduce its costs to the extent possible in order to observe the principle of social justice and to provide better services to its citizens, and, with a small, coherent organization, provide the most essential services in all areas of political, social, economic, cultural, military life , Security, health or hygiene, training, and so on.

To this end, in a democracy-based state, recruiting public administration and public services, such as the private sector, based on the desirability, competence, specialized and individual skills through fair and equitable and fair competition and labor market Takes place.

Therefore, the government, in certain circumstances, is to attract, retain and encourage decent and (irreplaceable), skilled and inexperienced employees, especially in the context of the actual private competition with the private sector, NGOs and international organizations, and fear of escaping creative brains And the lack of technical and professional staff and management is required for some of the additional payment to the Super Skill employees, as it clarifies the amendment to Article 35 of the Civil Service Civil Servants law:

In order to better perform professional and technical tasks, recruiting and retaining cadres for some of the agents can provide exceptional material privileges with regard to the financial resources set.

As shown in table 4 in accordance with the provisions of the article, the minimum subsistence level of the super skill payment is equivalent to the US \$ 100, and the maximum limit is one thousand five hundred US dollars, which is based on the degree of education,

work experience, managerial skills, familiarity with information technology, ability on Dari and Pashto official languages and foreign languages for civil servants.

Persons eligible for recruitment in the new payroll system in the presence of a vacancy based on their professional qualifications (education, experience and other tasks) are recruited at the first step of 1 position till 6 position through a free Competition and Qualified skilled Contractors The first step of seventh position and unskilled contractors staff are in the first step of the eighth grade position through a competitive process.



Category	Grades	Steps	Salary	Position	Level
A	1	1	27200AF	General Directors	Strategical positions
		2	28500AF		
		3	29800AF		
		4	31100AF		
		5	32500AF		
	2	1	18400AF	Directors	
		2	19400AF		
		3	20400AF		
		4	21400AF		
		5	22400AF		
B	3	1	13000AF	Head of departments	
		2	13750AF		
		3	14500AF		
		4	15250AF		
		5	16000AF		
	4	1	9900AF	General Managers	
		2	10400AF		
		3	10900AF		
		4	11400AF		
		5	11900AF		
C	5	1	8000AF	Officers	
		2	8300AF		
		3	8600AF		
		4	8900AF		
		5	9200AF		
	6	1	6500AF	Clerk/ Assistants	
		2	6750AF		
		3	7000AF		
		4	7250AF		
		5	7500AF		
D	7	1	5600AF	Loggers, Drivers	
		2	5750AF		
		3	5900AF		
		4	6050AF		
		5	6200AF		
	8	1	5000AF	Cleaners	
		2	5100AF		
		3	5200AF		
		4	5300AF		
		5	5400AF		

Table 4.2. Public Position grades ranking (Afghanistan Civil Servants Law, 2007)

Position	1			2			3			4					
Criteria															
Education	D	M	B	D	M	B	D	M	B	AD	D	M	B	AD	HS
Experience period	3	4	5	2	3	4	1	1	2	3	1	1	1	2	2
Managerial Skills	Management and Administration														
Domestic Languages	Dari (Persian) and Pashto														
Foreign Languages	English, French, Dutch, Russian, Arabic														
Computer	Microsoft Office and Internet														
Payment amount (\$)	1400	1300	1200	1100	1000	900	850	800	750	600	550	500	450	400	300
	1500	1400	1300	1200	1100	1000	900	850	800	750	600	550	500	450	400

* D = Doctorate, M = Master, B = Bachelor, AD = Associated Degree and HS = High School

Table 4.3. Addition payment (Super Skill) Criteria (Afghanistan Regulation of Intrinsic Matters of Civil Servants, 2009)

Note: for qualified and skilled appointee the amount determine by a committee that each of the factors have specific percentage that affect the amount of payments.

- Education 40%
- Experience 20%
- Administrative Skills 20%
- Dari and Pashto language 10%
- Foreign Languages 10%
- Computer and internet 10%

4.5.3.1. Payment and Grading Reform installation in Sub-National Administration

For implementation and installation of P&G reform in subnational or local administration IARCSC with the coalition and cooperation of IDLG formed their offices in to 7 zone (Northern Zone, southeastern Zone, southwestern Zone, Western Zone, North Eastern Zone, Southern Zone) to implement the meritocratic based reform (P&G) and each zone covered at least 5 Provinces and these zones have their agent to their related provinces.

For the implementation of reform based on the appointment regulation and the appointment policies, the committee is formed that the provincial governor or provincial

deputy governor has the leadership of the committee and the IARCSC agent in the area has the responsibility to overview the process.

Laterally in 2017 IARCSC with the aim of speeding the reform in the area of subnational administration formed their technical directorate to each province.

4.6. Programs and Projects for attracting and keeping the Experts

Cause there is a need for revitalization of reforms and a reassessment across the Government as to 'next generation' reform initiatives needed to build on this base.

Many highly qualified Afghan experts were hired for different GoIRA agencies through some projects and programs like Management Capacity Program (MCP), Civilian Technical Assistance Program (CTAP), etc. which are followed by Capacity Building for Result program (CBR) that affects most of important positions including General Directorates, Directorates, Officers and experts to facilitate reforms and develop sustainable systems and processes aimed at increasing organizational efficiency and performance.

The capacity building for result program CBR through better budget implementation, simplification of work processes and better services delivery, helps the government endeavors for the betterment of the capacity and performance of the ministries responsible for the implementation of national priority programs. This program is for bringing the necessary reforms and promoting service delivery of those (public) institutions which are included in the program. "The CBR program started from the year 2012 with its implementation plan for 6 years from then on. The program set to end formally by December 2017 but considering the implementation needs, there is a possibility of its extension beyond December 2017" (CBR Implementation Annual Report, 2016: 1).

As noted before the CBR program covered all technical position that the ministry of finance and IARCSC had the leadership of this program was planned until December 2017 but because of the necessity of this program it sustains till December of 2018 and after this program a new program (TAGHIR) substituted and alternated instead of CBR and TAGHIR was much smaller than CBR and it's covering less technical position and according to GoIRA strategy its planned just for 2 years and it will end at the end of 2021 and the leadership of this program is with National Reform Council and the IARCSC has the implementation duty and task.

4.7. Challenges, Problems, and Constraints

The reform of civil service and public administration system faced a number of challenges and pressures over the past years while some of the challenges remained. Continuing insecurity and conflicts adversely affects Afghanistan's development as well as support from development partners to enhance effectiveness public administration, GoIRA schemed and develops a comprehensive long-term human resources strategy for the civilian sectors with focus on the strategic level of analytical work to develop long-term assistance strategies in sectors that are high priority for the government support the development of a coherent, shared approach to sub-national administration to enhance the sustainability of national programs related to public administration development.

The reason for slow progress in civil service and public administration reforms is a function of so many factors. Because of insecurity and clashes in the area, one of the significant factors is that important policy discussions on reform are crowded out by security-related issues. Many other system-wide challenges and problems range from deficiencies within the legal and regulatory environments, capacity constraints within the operational and institutional environments in ministries and agencies at the sub-national and central levels

The most important challenge, problems, and constraints are as follow:

- Insecurity
- limited Budget funding and national economic resources
- Limited coordination among donor-funded programs
- Public expectation and aspiration
- weak human resources capacities and Donor funded staff
- Political interferences.
- Delay in the completion of legislative documents and the continuation of the interference of some officials with the competence of the Ministry and public agencies.
- Continue violations for facilitating the recruitment of recruited staff, Continue recruiting low ranking staff without complying with the competition process such as the Ministry of Finance and other public agencies, Conversion of recruited staff to non-identical duties, intervention of official authority in performance appraisals public employees and so on between commission, ministries and governors and presidential high authorities.

- Not realizing the ownership of the public administration reform process by partners (ministries and independent agencies)
- Failure to promptly submit eligible candidates to internal and external scholarships by the ministries and government departments.
- The existence of security problems and because the lack of security the administrative experts traveling to insecure provinces was inadequate, no guaranty for the safety of reform implementers.
- Appointment of some appointees through the old or previous system (proposed), that it subjected as a controversy to the civil servant's law.
- Delay in examination and interviews of applicants because of no respect to time and date by a representative of the ministries.
- Detainment of announcing the vacancies by ministries and public agencies.
- Noncooperation of local departments for submission of supporting documents to the issues under review in the field offices
- Interventions of some local government officials in relation to cases (complaints of civil servants).
- High-level government officials, exercising influence over the firing of the recruited staff, misusing the performance appraisal and assessment to appoint their intended person.
- In the recruitment process, during the free competition for well-deserved and qualified candidates, some challenges have been established, as well as Prevention occupying the vacancy by the competent authorities of the relevant Office for the successful candidate.
- The maximum amount of foreign scholarship is limited to ability in the English language which is a highly qualified civil servant being largely deprived of these facilities.
- Failure to implement the assessment plan for performance appraisal in high grade and low grade due to the lack of coordination between ministries and public agencies with IARCSC.
- Plea to the presidency for recruitment of high-ranking officials in reformed posts without competing in antonym with the Civil Servants Law.

- Plea to the presidency and for payment of high salary for some non-competitive officials of the ministries and public agencies from 95th code with allotted public administration reform.

4.8. Legal Framework

For establishment the basic organizational principles of the state executive including ministries and central agencies (and their subnational departments and line departments). A clear legal framework is required; these organizational principles should encompass and consist of these very structures and central executive procedures. The framework shall be flexible in terms of the reallocation of tasks, while the principles governing the establishment, merging, and reorganization of ministries and central agencies and the allocation of tasks between ministries and agencies need to be clear and transparent.

Three key laws shall be approved and enforced to allow for future civil service reforms. Firstly, the Organic Law seeks to clarify or specify the mandate and functional assignments of the horizontal and vertical structures, including state-owned enterprises. The MOJ and IARCSC assigned to develop a unified draft of the law to be presented to the Cabinet of ministers and Parliament. The draft is still pending at the MoJ.

Secondly, the Administrative Procedure Law articulates service delivery methodology for the government and sets out its standards and norms. It also defines certain standards and rules for the participation of citizens in the administrative procedure and as well as service delivery. However, it appears that the judiciary branch is resisting this law.

Finally, the Civil Servants Law defines and details the rules for the employment of civil servants. This law started to be revised and amended in 2010 and 2017. The IARCSC and MoJ are working on the text, but it is still in the draft phase under the final review of the MoJ.

An Urgent decision need to be taken regarding the long-awaited revision of the existing laws that govern the public agencies/ ministries or sectors and the completion of the legal framework.

There is a pressing need to establish common binding regulations that govern the administrative processes, notably with regard to budgeting, planning, and resource management

Constraints and Obstacles to the endorsement and finalization of these laws are mainly due to a lack of political will, inability, low capacity, other priorities, multiple laws pending approval, work overload, and simply a lack of interest. Often regulations become stuck in the Legislative Department of the MoJ.

Civil Service Reform implementation should not be the sole responsibility of the individual ministries or public agency. The IARCSC must be competent enough and strong to push, pursue, and speed for the implementation of reforms. Additionally, Parliament should fulfill one of its main tasks in monitoring the performance of ministries and public agencies.

Taking into account that currently every organization arranging their administration process by regulation that is made by the ministry and public agencies and approved by the minister or general director of agency, and anytime they can modify and update their regulation as they wish, its cause of ineffective, inefficient (parliament) and passive legislative within the country.

Still all laws related to administration made by the executive branch of the government the legislative just approved or disavowed the law most the committees, all the laws made by MoJ and the copartner or involved ministry or agency and sent it to legislative for avow and approval, even still many draft laws still are pending in MoJ.

Lack of overseeing and surveillances of executive branch by legislative branch also caused to un-implementation of the reform completely and adequately, even some of the ministry or public agencies not take care of the laws related to administrative and its processes right now many laws are avowed by parliament and put it in practice like Civil Servants law and Civil Service law but all public agencies or ministries still didn't applied that like Administrative office of the president and ministry of foreign affairs still they implementing the old recruitment system and they didn't implemented the administrative reforms as well as other agencies that they applied the civil service reform they applied it partially not completely and still the appoint some of their employees through the old system, that its in controversy and confronting the civil servants law.

Moreover, with the country we have 34 city municipalities (provincial center) and 143 districts and harbors municipalities just 30 of the city municipalities reformed and implemented the new system of public administration, but still 4 provinces their city municipalities like [Parwan (charikar municipality), Takhar (Taloqan Municipality),

Jawzjan (shibrghan Municipality), Logar (Poli Alam)] still did not reformed and they following the old system, additionally these 30 provinces city or central municipalities that reformed but still near 40% percent of their employees did not recruited through the meritocratic (Free Competitive) appointment (IDLG Reprot,2014).

Beyond the provinces central or city municipalities out of 143 districts and harbors municipalities none of them reformed or installed the civil service reform and still not included in plan of IDLG.

During the discussion with Mr. Mohammad Naseer Hamidi that he is working as general director of Urban Governance about the municipalities and civil service reform he mentioned that there are two constraints and challenges for reforming of the municipalities first the own incomes of municipalities because they shall pay the wages and salary of the employees from their incomes and these district municipalities proclaim that do not have the capability and ability to implement the civil service reform and second politicization of the reform.

Even those public agencies and ministries implemented the civil service reform still they putting some of their employees in the service through the old system for example the district governors and provincials deputy governors should appoint through free competitive and pass the merit to achieve the position but according to IDLG reports in 2018, 18 out of 43 deputy governors and 123 out of 387 and 25 out of 137 provincial directors recruited through the merit and competitive process while others leading the service through the suggestion and proposition of IDLG and confirmation or agreement of the president that based on the civil servants law appointment without passing through the merit is illegal and unacceptable, although the ministries and public agencies in their central office also they put some of the employees in the service through the old administrative system without taking care of the merit.

After the endorsement of civil servants law in June, 2008 many amendment brought to this law by IARCSC with the cooperation of MoJ but still it's not responsive to the public administration circumstances because most of the articles modified by comments of the public agencies and ministries that obviously these comments stream from their lobby groups and interest it's the reason that still the system is not acceptable by the people even there are many mistakes and failures to this system form instance as shown in first appendices of this law for each position 5 steps is determined that and public office promoting to higher step yearly after passing successfully her/his performance appraisal and

assessment that its covering four years of the services beyond four year of services is not predicted in this law.

As well as in the structural reform of the organization and making/ revising the term of references (TOR) or job description there is no guideline determined in civil servant's law and civil service law all of the public agencies adjusting their organization structure and revising the TORs based on their interest and perspectives.

For more information, Dr. Mirza Abdullahi has been interviewed who has good knowledge about the reform and was former general director of administrative reform, during the discussion with him I found that the organizational reform the structural format of the agencies completely modified and changed that in this process all the vacancies and position announced for free competitive process that in this process some of the former public officers acquired to their position but some didn't within this process the organizational structure modified by the perspective and interest of IARCSC reform specialist and the related ministry authorized representative, during discussion he mentioned the reformist staff of the Commission, together with the senior representative of the ministry/agency, changed the ministry/agency organizational structure on an arbitrary and non-academic basis, which resulted in all the staff of the ministry/agency obliged to undergo a test of recruitment. That the test for grades 1 and 2 taken by the IARCS appointment board with senior Delegation of ministry/agency, and third to eight staffed ministries/agency by the ministry/ gency under overseeing and supervision of the authority of the IARCSC Delegation, during the test assessed and recruited at least three candidates. In the absence of the three candidates, the position was Putin on a second renouncement, and in the case of three candidates between the counted the candidates, recruited the top nominee who has taken the highest mark. During this recruitment process, a number of existing public officers gone to their homes and some remained in the service, after passing successfully the test, that during this process in a number of ministries which ministers were affiliated with the leaders, ministers that appointed by influential buddies (parliament and politicians). The process did not have any scientific guarantees for transparency and well-being, and the people have called it free friendship rather than free competition, and so far the appointment board of IARCS for the reform of administration has not put in such a mechanism.

More on, Employees of ministries and government agencies did not have a term of references before the implementation of the civil service reform, whatever the authority had ordered they put in service and practice. The introduction of term of service in government

departments was a positive step, but contrary to the term of service standards, in the absence of a consolidation of duty it described based on willing of the IARCSC reformers and the representative of the Ministry/agency, the TORs was established, in which the appropriation, effectiveness, efficiency, suitability was not taken into account.

Despite to the three basic issues, one article or text of the TORs that still exist is "The Officer is required to perform other duties assigned by the relevant authority based on law" was added to the TORs. This text obliges the officer to take out unlawful applications, whether the law has abolished in the public agencies/ministries. Today legal enforcement in government departments/ministries is more fun. When the agent performs legal acts, they change very easily at the end of the year and subsequently a part the TOR and if it not match 50 percent of TOR that he had before the officer is going for black peas and should go for free competitive test to acquire the position again.

Therefore, with purpose of appropriate reform and transparent administration a legal frame work that cover all related issue to administration is require to appear and put in act that based in this new frame work all failures shall be solves and there nor free room for authorities to involve their interests in the administration.

With the provision of this upcoming legal framework, the ministries/government agencies should revise their organizational structure and employees TORs or job description based on scientific methods and criteria.

4.9. DE Politicization of Administrations and Civil Service Reform

As noted the Afghanistan government establish based on agreement in Bonn conference 2001, which this conference was credited by the attendance of warlords and politician (Political Parties) those who had the leadership of sacred war (Jihad) against Soviet Union (USSR) and involved in nearly 40 years' war and civil war that created more than 5 governments within the country and small streets country at the capital (Kabul).

After formation of interim government and newborn government through the Bonn conference that majority of this conference was Jihadi Leaders and commander these leaders took the leadership of the interim government and most of well-known or putative former jihadi Commanders becomes the vice president, ministers and General directors, Provincial Governors, District governors etc.

All the civil service reform and recruitment process was under influence of this commanders and leaders even the IARCSC performance and activities that it causes to reforming the organizational structure in contradict with scientific method and illegal recruitments that still exist.

Most of these commanders with disrespect and no fear from violation of the law started the providing of services through the public agency that they had its leadership beyond that they did not interested for creation or update of the laws to organize and standardize the public administration and even it occurred that they counted and claimed as a source of problem of bringing the new laws and its update beyond its implementation.

Marshal Mohammad Qaseem Fahim that he was a former jihadi commander during the war and vice president after creation of new government in 2001 and was the vice president till he was alive in June 11,2013 during the first Provincial Governors conference he mentioned to the media and governors that he do not believe to this reform and transparency, as a joke he mentioned if there was a reform and transparency in administration (I hadn't that much wealth I were not that much rich that I am, in transparent government with appropriate reform If I put all my effort I could become an officer with income to have house in Makroyan (Residential Area) that now even my cleaners and security guards have house there).

More on during the interview with Dr. Mirza Abdullahi he mentioned first when he became as a general director of administrative reform he interviewed by religious cleric that he was member of one of powerful political party with now knowledge about administration and civil service reform but he was a commissioner of IARCSC in appointment board.

For more information, Dr. Timor Sharan has interviewed who has good knowledge about civil service reform and have many publishes about governance like network governance and currently working as a Deputy Minister of policy and professional of Independent Directorate of local governance, he pointed out, the most critical challenge for civil service reform is politicization of bureaucracy

He mentioned currently the public administration in Afghanistan in national and subnational extremely suffering from politicians, which the political structure of the country traditionally consolidated and synchronized with disobeying the law, for instance many of those position that compete should be recruited through free competitive merit, occupied just with proposition of the public agency and approval of the president. Many position created

on political base not scientific method just for keeping happy some lords and leaders, beyond that he mentioned scientifically deputy minister position are technical positions but legally it changed to political position that currently all of them recruited through political perspective not technical. He pointed out currently more than fifty percent of district governors and provincial deputy governors recruited illegally with the proposition of IDLG and approval of president without any merit base, the leaders and former Jihadi commanders through politicizing of the administration trying to make challenges of legalizing the administrative process and civil service reform to wide their patronage system.

National and Sub-national administrations are turned politicized this way. This is spoils system what Woodrow Wilson dubbed in the United States at his time. Administrations and organizations including security are distributed and divided as spoils of war among different political camps, of which larger portion is made of the previous militia groups. The fresh graduates and even the ones who are now incumbents on senior or lower positions, to the larger extent try to be part of a military-political group or a party to secure his position and his job. There is very fewer evidence of people who are recruited in a competitive and merit-based process transparently.

It is recommendable that there is a very dire need for the separation of politics and administration. It means this process should take place after the demilitarization and depoliticizing the warlords. The separation of politics and administration would increase the legitimacy of state institutions, it will stop the brain drain, it will strengthen meritocracy, and it will increase the effectiveness and efficiency of national and subnational administrations by appointing and recruiting new cadres.

It is clear that Afghan bureaucracy is highly politicized and the impacts are visible in the daily lives of Afghans. For instance, merit-based recruitment in Afghan bureaucracy is a nightmare of the neophyte fresh graduates of universities and other technical institutes. Clientelism, favoritism and the kinds of other bureau pathologies have pervaded the national and sub-national administrations. This is the direct impact of political favoritism (tribal and ethnic kinship and relationship) in the public sector. During my interview with one of the governance experts at the independent directorate of local governance on how to tackle the problem, he suggested the clear separation of politics and administration in the public sector. The Wilsonian thesis of politics-administration dichotomy should be one of the possible options for better service delivery on sub-national level governance. A visible impact of this positive change should be the merit-based recruitment in the civil service in sub-national

structures and institutions, the organizational structure of the organizations should be depoliticized, for more efficiency the financial support for keeping and attracting cadres should base on technical skill and knowledge now relationship and interest of high official authorities.

4.10. Civil Service Sectors Structural and Management Reform

As noted above during the interview with Dr. Mirza Abdullahi Former Public administration general director he expressed that the organizational structure of ministries and civil service sectors reformed based on the interest of the minister or general director with involvement of IARCSC reformer team that it's not responsive to its mandate and needs of the sector. Therefore, the division of labor and responsibilities not determined on scientific base and mandate of the sector as consequence still duplicated position exist in the miniseries.

Mr. Saed Madadi that have good knowledge about reform and currently working as general director of Civil Service Institute and Mr. Naseer Hameedi that currently working as a general director of Urban governance demonstrated the organizational structure of the civil service sectors needs and require general assessment for redesigning a restructuring for this purpose GoIRA should appoint a designer board combined of experts and specialist even if it's necessary to import from foreign countries.

There shall be a functional review, radical scientific-based reform that focuses on the structural reform and right-sizing of the organizational structure of the civil service sector. The civil service sector structure should be responsive to its mandate and functions. For subsequent revision to establish a clear division of tasks to eliminate duplication and dysfunctional overlap in organizations there is a need to analyze the competences and responsibilities allocated to the ministries and public agencies to undertake.

Organizational structures of civil service sectors should reform, and any overlaps, duplications and parallels structures should remove. For instance, obvious duplications and overlaps exist in planning and economic policy at the Ministry of Economics and Ministry of Finance.

It is an urgent need to develop procedures and structures for effective coordination both at the administrative level across ministries or civil service sectors and at the political level among members of the government and between the two. The main objective shall be

to provide recommendations for the reorganization of structures at both the central and sub-national levels of civil service sectors, with the purpose to identify actions to right-size (increase or decrease) certain functions of government so as to enhance administrative effectiveness and efficiency. This review could also identify parallel (external aid-funded) delivery procedure and mechanisms to integrate them (where reasonable) to allow the savings to be reallocated to service delivery.

Civil service sectors work processes need to be reform and reengineer to improve government administrative execution through accelerating and simplifying the processes. Reforming civil service sectors work processes, to optimize administrative execution shall be of high priority for the GoIRA. The major focus should be on efficiency, accountability, transparency, effectiveness, simplification, unification, streamlining, and standardization of procedures supplemented by a data archiving system and interconnected document management.

This shall be applied first to all existing rules, regulations and laws concerning the civil service and public service delivery to assess the dispensability and necessity of procedural issues. This assessment should result in a comprehensive list with concrete proposals for elimination or amendment. For this purpose, the GoIRA shall establish an independent commission composed of members of high representatives of the President's Office or cabinet of minister (executives), parliament, the IARCSC, members of the judiciary, and delegates of civil society. The IARCSC could follow up on the commission's consideration and proposals with respect to their implementation.

Furthermore, the GoIRA should compile a list of worst practices and best practice in the civil service sector in order to develop guidelines for sustained, unified, streamlined, and simplified procedures.

An installation and improvement of e-governance will contribute to increased effectiveness and efficiency as well as accelerating economic growth, empowerment and promoting sustainable development and reducing poverty. It will also make able the citizen to have electronic access to governmental services. For immense potential of e-governance, the government should push for its development and implementation throughout the entire country. Processes and procedures that could be made electronically services should be determine identify in this respect. A national civil service data center shall be established in order to program, develop, maintain and implement a comprehensive national and subnational e-governance system. Besides other advantages such as the acceleration,

streamlining and standardization of procedures, this would also contribute to legal conviction and reduce the cost spent on separate systems. All entities and civil service sectors dealing with civil service issues should be sufficiently and successively equipped with hardware using the unified software. Civil service sectors staff should be properly trained and citizens shall be instructed to use this tool.

In this case, there is a need for the establishment and development of a comprehensive and modern system for human resource management. The objective is to move the civil service to the rules and merit-based system from a system that is currently constructed around patronage and loyalty. Human resource management system across the entire government would provide an accurate and reliable picture of the civil service, including the number of employees, their positions, and length of employment and shall address the longer-term career development and performance of civil servants.

Human resource management system should be based on individual performance and career development and incorporate cultural factors and unique traditional. This should include a national training policy for the civil servants that linked to performance and career development as well as a civil servant's performance appraisal policy that can be implemented across the all sectors of the government. Regarding performance appraisal and punishment and reward system could be established.

1. More effective and efficient civil service through enhanced job security.
2. Opening up of career opportunities for both established Afghan professionals and youths.
3. Increased efficient employment in the public sector.
4. Prevention of a brain drain.

Human resource management policy would also feature better planning in terms of recruitment plans and civil service needs and for all levels both at the center and in the provinces. The outcomes would assess through the routine monitoring of the regulations, laws, policies and systems related to the implementation of human resource management.

For ensuring timely, complete and accurate information on the civil service to better support policy development, planning and decision-making a Human Resource Management Information System was developed to provide civil service basic data, but it does not meet be yonder and broader human resources needs. The Human Resource Management Information System needs to be modernized to reflect and expose a more responsive and

comprehensive human resource management strategy. This would be better support the human resource management functions within ministries and civil service sectors at the central (National) and subnational levels to help and develop policymaking, strategic plans and facilitate and accelerate the transition from data collector to system implementer.

“Neither PRR nor P&G accorded sufficient attention to strengthening the cadre management. The IARCSC therefore rightly proposes to establish a system of career-based civil service development, allowing talent to be attracted, hired, and promoted across the core functions of the government” (Hashimi and Lauth, 2016: 34).

For development of both technical cadres (public health, foreign affairs, Attorneys, etc.) and common cadres (human resources, procurement, financial management, etc.), with the cooperation of universities and academicians a national general administrative examination should be established, while the composition and strength of each cadre should be clearly identified and defined. The cadre management system would establish both common and technical cadres in all civil service sectors. For ensuring the relevance of qualifications with the concerned position, the main objective would be the professionalization of the civil service. Moreover, it would link recruitment with the qualification and background education of potential candidates.

For this purpose as MR. Saed Madadi general director of civil service Institute pointed, the GoIRA is supposed to import a small number of international professionals with a project to train domestic cadres for following up the system and IARCSC should establish a certification process with the leadership of trained staff by international administrative professionals to guarantee the professionalization of civil service and guarantee the cadres, and it should be a mandate for all civil service sectors to save and recruit the cadres based on the data of human resource management system.

4.11. Modification of Independent Administrative Reform and Civil Service

Commission (IARCSC)

June, 10, 2003 creation of the IARCSC by decree head of interim government the shortly the IARCSC started their activities for restructuring the organization without any farseeing objective with the leadership of the vice president Hedyad Amin Arsala and 2004 the establishment and outvote of Afghanistan constitution IARCSC identified as a permanent public agency for no reasonable purpose.

According to the experts view changing the IARCSC reduced its position and brought with same level of other ministries and public sectors while the article 50 of constitution for efficient and effective administrative permitted the government to create some organizations. During interview Dr.Mirza Abdullahi former general director of administrative reform in IARCSC and Dr.Tomor Sharan Deputy Minister of policy and professionals manifested that identifying of IARCSC as permanent organization reduced its prestige within the executive branch.

As experts believes that IARCSC based on the Bonn conference shall be an Adhoc and supreme organization that subjected for CSR with specific objective with determined time-bound after accomplishment of its project this commission supposed to be liquidate, during the service this commission is will task to support and make able the other public agencies to lead the process by their own. After the liquidation of the IARCSC just some supportive and capacity building of this commission shall be remain like civil service institute. During the service, this commission shall make the ministries and public sectors able and capable to in the future recruit their appointees through free competition with respect to the merit and develop its organizational structures based on their mandate and tasks.

Because of the numerous “heads,” even for reforms and multiplicity of functions in the civil service sector, For CSR the IARCSC should be the leading agency. This should have respected and clearly communicated. From any political interferences, the IARCSC should kept away. Of uppermost importance is the visible and clear acknowledgment and support of IARCSC given by the entire government, president and parliament.

The IARCSC shall remain as the leading entity in determined and specific time-bound for providing the strategic direction and management of the civil service and supporting the development of a strong, efficient and effective system of public administration. Charged with extensive and demanding tasks, for strengthen its leadership of the reform program the IARCSC requires greater support.

For creation of a modern system of public administration and implementation of CSR a credible, capable, and effective IARCSC is critical. While for setting up and expanding the IARCSC since its establishment many considerable progress has been made, some significant capacity challenges remain there that, if not addressed, could undermine its ability to effectively discharge its mandate.

For effective and efficient CSR, the preconditions for the IARCSC to successfully fulfil its important role and function are its independence, sufficient funding, the unconditional support of the President and Parliament, a highly qualified and adequately salaried personnel, highly committed, an ambitious and powerful leadership, and equally important the respect for its leadership by other stakeholders.

Additionally, one of the biggest criticize from IARCSC services on the experts' side are, that the reform was not citizen-oriented from beginning just satisfy the international society government made something and the IARCSC put all its effort on recruitment. Dr.Mirza Abdullahi and Dr. Timor Sharan accusing the IARCSC that they just focused the recruitment process to guaranty a sustain life tenure of this commission while the reform is not just appointment or recruitment process all reform happened with objective of new recruitment process.

Moreover commission should focus more on capacity building and process mapping procedures it can happen while the commission become as a supreme agency not at the same level with other agencies.

4.11.1. Capacity Building and Trainings

Only small portion of civil servants have capacity and the appropriate skills to perform their jobs competently. Therefore, it is uppermost importance through the development and implementation of a national training strategy, training policy, and training plan to strengthen the capacities, skills and operational performance of civil servants at all levels. As a side effect, this action could even gradually replace costly international experts with Afghan nationals. For this purpose IARCSC formed Civil Service institute that providing short term courses and training for civil servants within the country and abroad.

For more information Mr.Saed Madadi who has good knowledge about capacity building and currently working as general director of civil service institute has been interviewed he mentioned the training of this instituted just covering civil service sectors except military sectors, high attorney and judicial sectors. On the other side, this program the commission launching within the country and abroad with the cooperation of international society or INGOs, during discussion he mentioned that all the training designed based on three steps.

1. Educational need assessment by organization.

2. Consultation with organizations.
3. Long term training for specific skills

This method of designing the training until yet was not effective because most servants have low education they can not recognize and realize the weak point while leading committee of training composed of experts and academician is required, beyond that this institute also training the newly graduated from university 200 person per year that it is also insufficient and inefficient.

In order to identify the actions for capacity strengthening by a training needs assessment the existing training policy as well as the Afghan Civil Service Institute's capacity to deliver should be reviewed. In general, for in-service training and for new appointees there should be a comprehensive program. The training should include different options and modalities from general and basic knowledge or specific skills up to higher-level training. It should address middle-level and senior managers, newly recruited junior civil servants and senior civil servants.

It is also crucial to create opportunities in higher education through Bachelor's and Master's degrees to develop middle- and high-level civil service managers at universities. To take into consideration the education of elite civil service following the example of the German University of Administrative Sciences Speyer and French École Nationale d'Administration (ENA) or could be worthwhile.

“The entire training programs should not be restricted to merely imparting specific professional expertise but to educate people in social capital issues so that they become trustworthy, highly committed, and responsible employees and citizens. Moreover, the training policy should be interlinked and correspond with the P&G system” (Hashimi and Lauth, 2016: 35).

4.11.2. Recruitment Process

The government needs to signal clearly the clientelism, political interference, favoritism and must stop it and be replace it to transparent meritocratic practices for promoting, hiring, dismissing the civil servants, and this would result in ensuring and achieving better motivated and better-qualified staff. Additionally, this would contribute to create confidence in the government.

It is therefore necessary to immediately implement and develop a transparent, consistent, and accountable merit-based appointment plan and policy to be apply by the IARCSC's Appointment Board, ministries, agencies, and other government structures at the national and subnational levels. Later on, to supervise and ensure transparent, fair and merit-based appointments, provincial and ministerial appointment committees should be establishing.

Cause of the country's high population growth, there is also an urgent need for a continuous and comprehensive assessment of the public sector of the prospective personnel needs in order to identify the specific demands of the different sectors, in particular set out how a steady supply of qualified candidates through the education system can be ensure.

There is a huge gap to be address in regarding the women participation in the civil service and gender equity. Women are not friendly even in private workplace. However, the civil service in the different layers of administration and management should be composed of a higher percentage. Although for the promotion of gender equality in the civil service there is a Gender Directorate at the IARCSC, for enforcement of the government's policy on gender equity and female promotion it is too weak and overburdened to tackle. For development of an anti-harassment policy and gender-equity, the Gender Directorate should remain the leading agency, but by presidential decree and by a national gender policy the obligation of each governmental entity to implement and publically account for it should be implement.

Additionally, as all experts agree for more transparent appointment process the computerized exam base should be install and develop in every government entity, for instance, the IARCSC installed a computerized exam based form group B (1 and 2) positions that each applicants should pass the computerized exam successfully to qualify for interview but it is limited. The source question or questioner bank that entered in the system is not completely appropriate to the position responsibility, therefore the system should be update and install in every agency to cover group C and D positions as well and the whole appointment or recruitment process shall monitor and oversee by civil society and they shall be involve in the process.

4.11.3. Accountability and Civil Society

With respect to confidence of the citizens in the state and its function, accountability within the civil service is crucial. For the people to be protect against mistreatment such as

the arbitrary behavior and unlawfulness of governmental bodies the rule of law requires legally guaranteed civic rights. To defend and claim their rights and to take legal proceedings whenever necessary people must be entitled by law.

Many societies that are active and many civil society platforms are exist in Afghanistan, but at the same time, accountability needs to be start from within the government itself. Indeed, a greater number of accountability laws needs to be in the country.

“However, there is only one primary law, the Administrative Procedure Law, which sets out the accountability of civil service agencies to citizens. However, the law is still in the draft phase, and like many others, it has not yet been endorsing. This should done without any delay” (IARCSC Annual Report, 2017).

In terms of governmental accountability, civil society could also play a pivotal role, acting as both a partner of the government and watchdog. Due to the imperfect political mechanisms, through engagement and involvement in political and economic decision-making civil society could provide citizens with the opportunity. Civil society could establish monitoring a culture of advocacy by publicly overseeing the government’s performance. Civil society normally represents a great opportunity for transparency, leveraging and accountability.

Another aspect for involving of civil society in the reform process is to make them communicate with the government on the rights of the people and the government’s responsibility is to meet their demands. Currently, about the basic responsibility of the government very few government officials are aware of it, which is to address citizen’s demands and to protect their rights. For this reason, the government should consider rather than an opponent civil society as a vital companion, and therefore for participating actively should encourage the Afghan people. Eventually, this would prove to be another important step toward confidence and mutual trust.

Both the international community and the government are called to support civil society in Afghanistan. The efforts to strengthen civil society should focus on building its management and technical capacity through training and other capacity-building efforts coupled with financial support for the work accomplished. For instance, for civil society representatives to help them understand government financial management procedures and the budgeting the MoF could conduct some seminars.

4.12. Private Sector

For public private partnership, there is only one article in the Procurement Law, although in every sectoral ministry in the civil service sector there are private sector development units. However, for the government to develop private public partnerships there is no clear and overall policy direction. Currently, the Ministry of Commerce, MOF and Afghanistan Investment Support Agency, in the civil service sector run private public partnerships, but without any clear strategy and framework.

It has also discussed that the IARCSC should outsource its capacity-building programs to the private educational sector, institutions and universities. Indeed, for infrastructure investment and public service delivery the private sector is an important partner in. Yet this process needs monitoring, evaluation and clear policy guidelines by the government.

Furthermore, well-functioning civil service is need to carry out these overseeing and monitoring functions. As long as Afghanistan struggles with fights on many fronts to establish a functioning and sound civil service and various governmental issues, it is reasonable to remain focused on this challenge. However, in the long term, collaborating with the private sector could become an interesting option.

With this in mind, for procurement, for effective frameworks for public-private partnerships and the creation of robust systems and proactive measures could be developing.

In principle, the same applies to the idea of decentralization. Given the country's weaknesses in its central administration and in particular, the ambivalent experience of decentralization reforms in other developing countries and fragile states in Asia, the delayed design of such a policy might prove to be advantageous.

4.13. Administrative Court or Tribunal

Significant and important provision that needs to be consider but has not been yet added to the law is the establishment of administrative court or tribunals, which could be done either through the parliamentary act or by Supreme Court. The establishment of this tribunal would resolve problems relating to internal administrative issues and administrative reform within the government structure. To adjudge the Administrative issues, strengthen people's confidence in the constitutional government and state the tribunal would also act as an impartial body.

The most crucial issue is civil service reform is lawfulness and legitimate administration, that currently demolished and violated because of political interferences and high level of institutions interest and wishes. based article 19 of civil servants law all the civil servants have life tenure job immunity except some exceptional condition like if employee found corrupted or with insufficient performance through appraisal or weak performance appraisal that employee would fire, but currently in all ministries and civil service sectors with no respect to law they changing the employees illegally. For instance, in IDLG in subnational level out of 387 district governors and 42 provincial governors and 134 provincial technical directors 182 and in central agency out 18 director and advisor 13 of them appointed illegally. Now it is happening that they changing illegally a person who recruited through the merit and the law quarantined his job security or life tenure job immunity, and appointing another one without any respect to merit and law and currently it become a culture in ministries and civil service sectors.

Moreover, there is different types of payment within the organization tow person that working at the same position with the same skill receiving the different salary that the friendship is ruling this not equity and equality.

During discussion and interview with Mr. Mirza Abdullahi ex-general director of administrative reform, he mentioned there is no guaranty and job security for civil servants and also inequity exist in civil service reform and public administration. As well, Mr. Sharan Deputy Minister of policy and professional of IDLG also mentioned the politician, for widening of the patronage system and to sustain their influence in civil service sectors supporting these illegalities beside that they are the cause of these illegalities.

Mr. Abdullahi also mentioned the civil servants court is part of the administration for justice in the public administration and to deals with issues such as justice in the selection process, corruption/embezzlement and injustice on the rights of civil servants in civil service sectors/ministries, provinces and districts.

He suggested the member (judges) tribunal shall be consist of five members, one of them as the chairman, the other as the head of the executive and the third one as the secretary of the court among the members. The election of members of the tribunal should be conduct freely and fairly by a commission composed of lawyers of the country in a free and/or electoral process and should endorse by parliament. Minimum profile of the candidates for the membership of the court should be the reference and the eligibility of the candidates among the members of the Union of Lawyers of the country.

For this purpose, administrative court is required and administrative court should be a type of court specializing in administrative law, particularly disputes concerning the exercise of public power. This court role is to ascertain that official acts are consistent with the law. Such courts are considered separate from general courts. As well, this court should supervise the whole process of implementation of law in civil service sector and should make sure the implementation this court for bringing justice and equity in administration.



5. CONCLUSION

For Civil Service reforms assessing and analyzing the context of the host country or society or the borrower, for better reforms policy implementation is the key to success. Understanding the context will provide a wide array of possible solutions to administrative and policy implementation complexities. Therefore, during the research, I noticed that the rise and fall of the first modernist king of Afghanistan, Amanullah Khan, was due to the negligence of these social factors in reforms. Tribal systems, which are based on kinship and blood relations, used as factors of identity and allegiance to a group or a network in the government.

During the governance evolution in Afghanistan, this civil service or administrative system is not changed but still has the influence within the political arena. The presidential, parliamentary, and provincial councils' elections reflect this fact to the larger extent. The tribal politics or the tribal system in the country widely influenced the state civil service systems in Afghanistan throughout the history of state evolutions both in theory and in the practice. People for thousands of years lived with the untouched tribal system, formed, and collapsed the states using it as a force against and in support of the leadership.

Therefore, bureaucracy in Afghanistan is highly personalized and this is directly through the tribal, ethnic, and kinship allegiance of the bureaucrats in office to the political contenders outside the bureau. The administrative performance and the ultimate paralysis of governance principles such as transparency, accountability, ethical conduct, efficiency, effectiveness, and rule of law, specialization, and respect for human rights are the obvious facts found in bureaucracies as such. The public services delivery in such systems is highly biased and unequal. State and its resources (national and sub-national) are considered as booties of war and there is always high competition for the capture of these resources to distribute among his own kin, clan, tribe, and friends. Moreover, these problems are making the situation difficult for curing the bureau pathologies, institutional development, and administrative and civil service reform.

During establishment of republic country in 1973 and latterly invasion of Soviet Union the tribal issues and its involvement in administration reduced and become to minimal but after the defeating the Soviet Union during the civil war and laterally when the Taliban ousted a group of them and took control of the 90% of the country, the traditional and tribal form of governance reappeared and started to function once again. A large portion of the previous commanders absorbed in the lines of Taliban and a portion of them fled to the 10%

of the rest of the country and formed an alliance, dubbed it the Northern Alliance. After the fall of Taliban, the warlords again came to the face of government and took the ground. The international community and the USA handed over the power and government to the warlords. The warlords become the strongmen, made abundance capital through contracts, which is provided to them by hijacking the national and sub-national administrations. They become ministers in the cabinet, provincial governors, district governors, police chiefs, and many other senior positions that can easily control the revenue of the state. The former president, Mr. Karzai was also heavily relied on these warlords for power. Therefore, up to date the influence of the politicians, warlords and political parties exist in administration that CSR affected by them.

The Afghanistan persistent fragile situation prevents the government from undertaking change and reforms, as existence of unstable situation security undermines the reform priorities. Nevertheless, after more than one decade of successive major administrative reform programs and a large number of individual often uncoordinated and short-term initiatives and projects, there is a big chance for the NUG to promote civil service and the Afghanistan's development.

Civil service sector as the visible and acting tool of the government has to contribute toward improvements and developments in the reliability and quality of services to citizens and businesses. Services such as measures to reduce poverty, improve living standards, combat corruption. For the development, improvement and of the country itself enhance private sector development are crucial. Therefore, the entire government should focus on CSR. In this respect a Whole-of-government, sustainable and systematic policy framework and program are necessary. In general, a clear roadmap needed, as is a determined strategy in terms of prioritizing the issues to be address and the solutions to be implement consistently and continuously.

Basic requirement to achieve this is a comprehensive and consensual understanding of CSR. Most important are the unquestionable will, commitment and high motivation of the government from the President down to the management, high-level bureaucrats and civil servants. This requires the diligent selection of competent and qualified people at every level and place.

Considerable reform plans and roadmaps have been developed such as the National Priority Program, PRR, P&G, PAR, and CBR. However, less attention has been given to sustainable implementation systems and approaches. A comprehensive monitoring

framework required and needed to ensure the sustainable and smooth implementation of reform programs.

The PAR, PRR and P&G route to administrative reform makes political and fiscal sense in the Afghan context. It does challenge the public administration wisdom and is no doubt fraught with risks but, under the circumstances, the heroic CSR underway across the Government, and rolled out across the country, are likely to lead to visible and measurable improvements in administrative efficiency and service delivery in the short term. With a substantial degree of Afghan ownership and with a minimum of political fall-out these improvements can be made. Furthermore, the current CSR framework provides Government with a formal mechanism to resist pressures for both sector-specific and across-the-board wage increases. Finally, perhaps CSR most important contribution is likely to be on keeping the lid upon further and unsustainable levels of migration of large numbers of good government employees into a highly distorted post-conflict donor-funded labor market what Afghanistan's Finance Minister has referred to as the "parallel administration". This alone would be sufficient justification for supporting CSR.

For the purpose CSR in national and subnational level, IARCS created, this commission tasked to create and develop the GoIRA Civil Service reform policies and implement it, the need for existence of such commission predicted in BONN conference, the conference that resulted to establishment of new government after demolishing and collapse of Taliban regime. This commission was responsible for structural reform of ministries/public sectors and installation of meritocratic recruitment system through free competitive process.

The application of the competitive recruitment system of civil servants on the basis of the suitability, competence and expertise through the merit system instead of the Spoil system or the appointment based on partisan, personal relationships and high official interest, based on the global experiences proved its integrity and fairness. It can be considering the key to healthy civil service sectors, who serves solely to the public.

After the establishment of the new government (GoIRA), the system of competitive designation was a new phenomenon and a new experience in the public administration system, which is unprecedented in the history of country. Obviously, it faces a series of difficulties, challenges, obstacles and barriers, but as the meritocratic recruitment system scientifically accepted widely and universally, it would eventually succeed with consecutive

and sustainable improvement and development in it. We can say that the competitive process recruitment is in the interests of the people and strong support should be given.

The meritocratic recruitment through a competitive process has created movement and mobility between civil servants and volunteers in civil services, and has prompted them to continuously and successively upgrade their capabilities, skills and knowledge, which will be result to provide better public services. In order to protect and support the civil servants in the face of the unfair and discriminatory treatment of officials and government authorities, the government through meritocratic recruitment system has been set up to prevent arbitrary and tyranny, and officials can evolve their initiative and character. The CSR goal is to protect the rights of the law, the dignity and reputation of the agent, the provision of the rule of law, justice and transparency in the performance of administrations and strengthen of democracy in public administration.

As the Taliban regime collapsed and the arrangements of the Interim Administration in Afghanistan and the entry of NATO and ISAF forces and hundreds of non-governmental organizations and international organizations, together with the widespread assistance of international community to Afghan Government's it also were made challenges. As that the national and international non-governmental organizations (NGOs), in order to achieve cheap human resources, to attract and recruit the professional and the technical administrative staff of the government, in return for salaries far more than the government's salary, which has been steady for many years, that is compare the cost of goods and services was minimal, caused to lack and escape of expertise in government. Therefore, the government decided to organize and enforce a new legal basis for determining and fixing salaries in order to attract, retain and encourage the officers. In addition, for staff with exceptional management skills, foreign languages ability, familiar with modern technology, specialization and experience and higher education that considered irrevocable, they are prescribed exceptional salaries, but still compare to the life cost and price of commodities it was more less.

Despite the meritocratic recruitment, the structural reform of ministries and civil service sectors applied inappropriately basis on the interest of IARCSC reformers and relevance minister interest and perspective not scientific methods and base.

Consequently, I prescribed a measures to increases the legitimacy of the state and its institutions for implementation of CSR, for institutions to perform well they need legitimacy, and for legitimacy, I need strong transparency and accountability in our institutions. Here I

need to put a big question mark that why our development and reform policies fail? I mean that between the performance of state institutions (service delivery) and the current conflict in the country is a relationship that undermines reforms and restructuring. Therefore, in third chapter, I described and explained how to strengthen the CSR and why/ how the public institution can undertake the CSR for better providing the appropriate and adequate services to people and how can we deal the CSR Failures, obstacles and challenges.

In addition, this research paper with respect to good governance has presented an international perspective on civil service reform. Civil service reform policy can be best understood using conceptual and theoretical frameworks that are then can be applied to the particular case of Afghanistan civil service. As well the international experience of civil service reform policies is presented with the caveat that the unique political, historical, social, and economic environment of Afghanistan and its civil service system needs to guide adoption of such policies.

The paper also emphasized adherence to the principles of merit and investment increase in the training of civil servants to ensure that the civil service continues to attract talented individuals. A case has been made for incorporating formal civil service reform policy in the recruitment, remuneration and training of higher civil service to improve professional competence of civil servants as key contributors to the reform policy process.

Moreover, it is concluded that into reforming of the civil services, the government with the support of high level political leaders needs to put more concerted effort, it is suggested that the government should re-commission the IARCSC at regular periods as temporary and interim commission with clear objective and determined period of time to meet the objectives, possibly every 10 years, if it continues to intend to employ the suggested reforms at this slow pace, and at the current level of increment. It is also suggested that the government involves stakeholders, including civil servants as well as the general public, more deeply in the matter of civil service reforms. This is because to the betterment of service delivery in the country civil service reforms are absolutely crucial. By bringing reforms discussions into the public domain, the general public will take a greater interest and will also consider itself an important stakeholder in the civil service reform process and it will result to the degree that these factors can be brought together to maximize government ownership and motivation for undertaking civil service reforms and to enhance a country's capacity to carry out such reforms, the likelihood of a successful, sustained administrative transformation program can be achieved, and at last civil reform must rest on, rather than a

piecemeal approach to reshaping contemporary institutions and administrative behavior. The systems view considers organizations, people, process, interactions and relevant external environment in the analysis and prescriptions for change. This may be the only means available to imitator societies to provide integral and complete part to building administrative capacity and generating indigenous, exploratory practices and theories of management. Such theories and practices cannot be, but must be independently evolving, (diverging or converging from Western theories and practices) as their criteria and objectives dictate.



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