A CRITICAL PERSPECTIVE ON STATE FAILURE, ITS CONSEQUENCES, AND RECONSTRUCTION OF THE STATE AFGHANISTAN: A CASE STUDY

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ABSTRACT

A CRITICAL PERSPECTIVE ON STATE FAILURE, ITS CONSEQUENCES, AND RECONSTRUCTION OF THE STATE
AFGHANISTAN: A CASE STUDY

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This thesis attempts to provide a critical perspective on state failure together with its consequences, and how the reconstruction of state is carried out in the aftermath of failure. The thesis commences by discussing the emergence of 'modern' nation-states, and proceeds by analyzing how current patterns of statehood respond to the classic nation-state denominations. Examining the concept of state failure, the thesis aims to verify whether established characteristics of statehood are applicable in view of contemporary dynamics of state weakness. The thesis then observes the difficulties for upholding inherent weaknesses in a state against the pressing nature of the contemporary dynamics of international relations; and, thus explores avenues for frameworks preventive to state failure, as well as post-failure resuscitation of states when these frameworks fail to take effect.

Putting this analysis into perspective, the thesis discusses various aspects of international community's engagement for reconstruction of the state in Afghanistan, a country which represents an example for state failure and collapse *par excellence*, in the frame of a case study. Drawing from this case study, the thesis highlights the shortfalls and successes of state reconstruction in Afghanistan, in an attempt to provide useful hints for similar future engagements elsewhere.

Keywords: Modern nation-state; state weakness, failure and collapse; reconstruction and resuscitation of state; Afghanistan.

ÖZ

DEVLETİN ÇÖKÜŞÜ, SONUÇLARI VE DEVLETİN YENİDEN İNŞASI
ÜZERİNE ELEŞTİREL BİR YAKLAŞIM
AFGANİSTAN: ÖRNEK OLAY İNCELEMESİ

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Bu tez devletin düşkünlüğünün sonuçlarına yönelik eleştirel bir bakış sunarken, düşkünlüğe bağlı çöküşün ardından devletin yeniden inşası sürecini irdelemektedir. Tez, 'çağdaş' ulus devletlerin oluşumlarını tartışarak yola çıkmakta, bugünkü devletin özelliklerini 'klasik' ulus devletin nitelikleriyle kıyaslamaktadır. Tezin amacı, devletin çöküşü kavramını incelerken, devletin yerleşik özelliklerinin bugün karşılaşılan zafiyetler karşısında uygulanabilirliğini incelemektir. İçselleştirdiği zafiyetlere ve uluslararası ilişkilerin dinamiklerinin zorlamasına karşın devletin sürdürülmesinin zorluklarını inceleyen tez, devletin çöküşünü engelleyici süreçleri değerlendirirken, bu süreçlerin başarısızlığından dolayı çöküşün kaçınılmaz hale gelmesi durumunda devletin yeniden kurulmasını da irdelemektedir.

Bu tahlilin ışığında tez, devletin düşkünlüğü ve çökmesi üzerine tipik bir örnek oluşturan Afganistan'da devletin yeniden inşası sürecinde uluslararası toplumun çalışmalarını çeşitli yönleriyle örnek olay incelemesi çerçevesinde tartışmaktadır. Tez, edinilen deneyimlerin ışığında Afganistan'da devletin yeniden inşasının başarılı ve başarısız yönlerini gelecekte karşılaşılabilecek benzer olaylarda yararlı olabilecek ipuçları edinmek amacıyla ortaya çıkarmaya çalışmaktadır.

Anahtar sözcükler: Çağdaş ulus devlet; devlet zafiyeti, düşkünlüğü ve çöküşü; devletin yeniden kurulması ve inşası; Afganistan.

To My Family

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AIA	Afghan Interim Authority
AMF	Afghan Militia Forces
ANA	Afghan National Army
ANBP	Afghan New Beginnings Programme
ANP	Afghan National Police
AoO	Area of Operations
ASNF	Afghan Special Narcotics Force
ATA	Afghan Transitional Authority
CFC-A	Combined Forces Command-Afghanistan
CIMIC	Civil-Military Cooperation
CLJ	Constitutional *Loya Jirga*
CONOPS	Concept of Operations
CNPA	Counter Narcotics Police of Afghanistan
CPEF	Central Poppy Eradication Force
DDR	Disarmament, Demobilization and Reintegration
DfID	UK Department for International Development
DIAG	Disarmament of the Illegal Armed Groups
DoD	US Department of Defence
DoS	US Department of State
ELJ	Emergency *Loya Jirga*
EUSR	European Union Special Representative
FCO	UK Foreign and Commonwealth Office
GoA	Government of Afghanistan
HIG	*Hezb-e Islami Afghanistan-Gulbiddin (Hikmetyar)*
IAG	Illegal Armed Groups
ISAF	International Security Assistance Force
MoD	Ministry of Defence
MoFA	Ministry of Foreign Affairs
MoI	Ministry of Interior

NMS	National Military Strategy
NAE	National Assembly Elections
NATO	North Atlantic Treaty Organization
OCHA	UN Office for the Coordination of Humanitarian Affairs
OEF	Operation Enduring Freedom
OMF	Opposing Military Forces
OPLAN	Operational Plan
OSC-A	US Office of Military Cooperation-Afghanistan
PDPA	People's Democratic Party of Afghanistan
PRT	Provincial Reconstruction Team
PTS	*Program-e Tahkem-e Solh*
PSYOPS	Psychological Operations
SSR	Security Sector Reform
UK	United Kingdom
UN	United Nations Organization
UNAMA	UN Assistance Mission for Afghanistan
UNDP	UN Development Programme
UNHCR	UN High Commission for Refugees
UNICEF	UN Children's Fund
UNODC	UN Office of Drugs and Crime
UNSC	UN Security Council
UNSMA	UN Special Mission for Afghanistan
UNSRSG	UN Secretary General's Special Representative
US	United States
USAID	United States Agency for International Development
WFP	World Food Programme

CHAPTER I

INTRODUCTION

"Clarity of thought is a contribution to peace" (Cooper, 2003:6)

State failure is a contemporary phenomenon in international relations attributable to the dynamics that emerged in the post Cold War era. It follows the traits of state formation structured in the post-colonial period overlapping to largely after the Second World War. State formation *en masse* was prolific and characteristic to this period. However, in most cases, this development did not bode well for the future of newly born states. The inherent structural weaknesses contained therein the period state formation were symptomatic to eventual state failure; however, they were overshadowed by the concurrent East-West conflict powerfully super-imposed on the individual states and the international system for almost half a century.

Following the 'Revolutions of 1989', the demise of East-West conflict and subsequent emergence of globalisation revealed the weaknesses of these period states. In a world where ideological conflict vanished and adjustment to the 'modern' norms became the standard, weak states found it increasingly difficult to stand up to the new challenges born from within and externally. As the differences between the weak and the strong states, or the failing and the empowered, are becoming more significant; so is the disharmony in the contemporary international system, where states once forced to stay in tune regardless of their conflicting structures.

From this perspective, it is not surprising to observe that some states find it increasingly difficult to cope with, and to contain, resurgent strains of internal strife and conflict with their far-reaching consequences. In some cases, belated adjustment to modernity pushes the states to the abyss of failure, creating an environment conducive to lawlessness. In rare cases where state collapse occurs, exponential forces of extremism takes hold. In

the absence of preventive mechanisms, spill-over effects of internal conflict often cause outward mass migration and other disturbances. This paves the way for emerging threat perceptions, and in turn, provokes response from other states regardless of geographical proximity, for rising instability and turmoil is *now* transcendent of borders in a globalising world. Feeling exposed to perceived or real threat, other states turn their attention to the source of the problem to tackle with the crisis, often in *post facto* manner. Identifying and addressing the root-causes *ante facto* is in rare fashion, leaving room for an interventionist foreign policy, which claims an affluent niche in addressing the crises.

In light of these observations, the aim of this thesis is to examine and to trace the root causes that act as precursors for state failure, as well as exploring venues for preventive frameworks. The thesis also discusses whether state failure is symptomatic of an emerging wider challenge in the international system. According a critical approach to the state failure phenomenon, the thesis then analyzes reconstruction of the state in the case study of Afghanistan.

With this motive in mind, the thesis is constructed in two main parts: An analytical frame for state formation, development and failure; as well as prospective schemes for reconstructing the state are discussed from a critical perspective in the first part, i.e. chapter 2. Upon these premises, state failure and subsequent collapse followed by reconstruction is analysed in the case study of Afghanistan in the second part, i.e. chapter 3. Therefore, the two chapters should be read in conjunction.

As a starting point, the second chapter of the thesis presents a theoretical and conceptual, as well as an historical framework for the state. A theoretical frame is utilized to shed light on the delineations argued by the "*foundationalists*", and the "*anti-foundationalists*". In this perspective, the ontological position of the thesis remains attached to the "*foundationalist*" underpinnings, or more specifically, the "*realist*" theory. Against this theoretical framework, a deductive logic is employed in explaining the formation of state failure. In conceptualizing the state notion, on the other hand, the thesis offers a thematic discussion for 'modernity' in terms of state

formation. Against this setting, an historical trajectory for state formation is framed.

In the later part of the same chapter, attributes of the state are discussed, and against this background, states in their 'contemporary' form are outlined. As such, *states are discerned along the line of argumentation that frames them in their 'pre-modern', 'modern' and 'post-modern' forms to allow subsequent focus on the 'modern' state*; and, *the 'modern state's' patterns of behaviour*; eventually, *narrowing down the discourse on the 'dysfunctional state'*. This categorization of the states might well be regarded contentious; as such framing is arguably arbitrary. Nevertheless, the claim of coherence is derived from the argument that the '*Westphalian* order' upon which the concept of 'modern' state rests is left largely void after the demise of the East-West conflict; and, that an objective direct causality can be established between particular patterns of behaviour observed in a cluster of states and state failure.

Following this line, inherent weaknesses embedded in the failing states are explored against a changing paradigm of our contemporary age. One major premise of this section develops the argument that *failure in rectifying these weaknesses delays and ultimately prevents adjustment, exacerbating the prospects for improvement*. On a complementary note, the changing nature of the relationship between the individual and the state is examined to give way for further discussion on 'state legitimacy'. This is viewed essential for arguably *absence of 'state legitimacy' constitutes a major cause of weakness, thus an underlying cause for internal conflict*.

The consequences of state failure when it reaches to proportions of total collapse and the response to these tremors are also briefly discussed drawing from contemporary examples. Putting the structural dynamics of state failure in perspective, the thesis reflects on mechanisms to prevent state failure, and explores state-building prospects. As such, another argument underlines that, *in most of the state failure cases the effort to re-build the state focuses on what is considered an essential prerogative: capacity building for a restructured and reformed state authority*. This is yet another premise for a complementary argument pursued under this topic: *In*

reinvigorating a legitimate basis for the state, capacity building in primarily the security sector is a prerequisite. This effort is often imposed and led by external actors who perceive an underlying interest in doing so. The parallel running nation-building effort, on the other hand, ensures the viability of the state legitimization in a conflict-free environment, and should come from within, albeit with foreign mentoring when necessary, to ensure sustained success and viability. The end of this discourse closes the first part of the thesis.

In the third chapter, background premises for failure and collapse in Afghanistan that led to foreign intervention in an effort to binding a dysfunctional state back in the international system are posited. The chapter begins by providing an historical background, and subsequently discusses the dynamics of state failure in Afghanistan, followed by elaborations on the process for state building with the support of the international community. Framing the underpinnings of the process for rebuilding the state, the chapter analyzes the security sector reforms: political, judicial, and military components of the state building effort in post-conflict Afghanistan as a case study. The reconstruction of state in Afghanistan is highlighted as a collective endeavour through implementation of the security sector reforms. Thus, processes for disarmament, demobilization and reintegration of the former combatants, building a national army and a national police force, displacing the arbitrary judicial system with a new one compatible with the international standards, and fighting against the prolific illicit cultivation and trafficking of narcotics are closely examined. Insofar as the respective scopes and strengths of these efforts are concerned, this discourse deduces that success of the reform process in these fields is indispensable for reconstruction of state in Afghanistan, i.e. empowering the central authority is a quintessential prerequisite to prevent resurgence of failure in the future. The discourse therefore assesses performance of the security sector reforms in retrospect, and from a critical perspective, in order to extract a 'lessons learned' exercise for future practice.

The methodology employed in Chapter 3 rests on qualitative examples, also drawing from the quantitative approach. Several years of field

research, data analysis and personal observations as well as interviews with foreign and Afghan stakeholders constitute the primary basis for the arguments contained therein. Some first hand sources and encounters, however, are held anonymous as conditioned by their sensitive nature, and subsequently the information is not attributed, in a country rising from its fragile infancy in both political and security terms. They are utilized solely for fostering a solid background analysis.

The final chapter provides conclusions for prospects in preventing future state failure. The prospects are discussed against the backdrop of a renewal of state empowerment, and more importantly, legitimacy and capacity building that would help to indigenous self-renewal and development, as well as to tackle with factors of instability, which would discard the necessity for foreign intervention.

CHAPTER II

2. A CRITICAL PERSPECTIVE ON STATE FAILURE, CONSEQUENCES, AND RECONSTRUCTION OF THE STATE: THEORY, HISTORY AND PRACTICE

2.1. The Theoretical and Conceptual Framework

In exploring the dynamics of state failure together with its root-causes and consequences, the nature of state 'reality' seems to be the first issue to be dealt with. Putting the 'invisible persona' of the state in theory and subsequent conceptualization as a daily-observed 'reality' represents a complex task. Nevertheless, this needs to be properly addressed for a subsequent sound analysis.

In analysing the state, the quintessential question that requires an answer is related to the nature of reality. Is reality a concrete 'objective' nature, therefore, sanctioned by empirical observation in 'positive' and 'real' terms; or is it a loose constellation of characteristics postulating 'idealised norms' in the form of mere 'construct' or 'perception' based on 'interpretation'?

For its part, "f*oundationalism*", as an ontological position, offers an explanation for the objective nature of 'reality'. A convenient guidance is thus provided by the "*positivist"* and "*realist"* theories, both of which are essentially "*foundationalist*". Both theories, in turn, assert that the world exists independent from our knowledge of it, and the natural and social sciences are broadly analogous. Owing to this analogy, establishing causal relationships between social phenomena, thus developing explanatory and predictive models in social sciences is entirely possible (Marsh & Furlong, 2002). "*Positivism*" contends that "there is no appearance/reality dichotomy, and the world is real and not socially constructed", therefore, "direct observation can serve as an independent test of the validity of a theory" (*ibid.*, 2002:22). However, "*realism*", unlike "*positivism*", does not privilege

direct observation in this respect, since it asserts that the existence of "deep structural relationships between social phenomena which cannot be directly observed, but which are crucial for any explanation of behaviour" proves to be sufficient (*ibid.*, 2002:20). For realists, after all, the consequences and effects of the social phenomena in interaction are felt in a diverse fashion notwithstanding the lack of direct observation.

"*Foundationalism*" comprises "*behaviouralism*", the "*rational choice theory*" and "*institutionalism*" as primary 'approaches' in explaining and obtaining the 'objective reality'. For classical political scientists and political sociologists, these different blends of "*foundationalism*" naturally constitute a corner stone in developing the state theory, since they frame the state in respective paradigms of human behaviour, the assumed rationality in establishing choices, and aggregates of institutions.

"*Anti-foundationalism*", on the other hand, holds a different ontological position in explaining the perceived nature of 'reality'. For "a*nti-foundationalism*", the world does not exist independently of our knowledge; rather it is "socially or discursively constructed" (*ibid.*, 2002:26). As such, social phenomena exist by virtue of interpretation; and in essence, the interpretations and meanings attached thereto shape and affect outcomes. Interpretation, thus, is a natural tribute to the impossibility of 'objective' analysis. Therefore, unlike "foundationalist" social scientists, interpretists render the notion of uncovering 'reality' to discourses and traditions (*ibid.*, 2002).

"*Anti-foundationalism*", sounding its diametrical opposite, comprises "*feminism*", "*Marxism*", the "*normative theory*" and the "*interpretative theory*" as primary 'approaches' in explaining and obtaining the 'perceived reality'. In contrast to the 'scientific' and empiricist character of the "*foundationalist*" approaches, the "*anti-foundationalists*" adhere to the hermeneutic tradition of a socially constructed world. Here, the focus is upon the 'meaning' of the behaviour or occurrence; and the emphasis is upon 'understanding', rather than 'explanation' (*ibid.*, 2002) of the perceived social construct.

The dichotomy between the "*foundationalist*" and "*anti-foundationalist*" positions represents a gap in construction of the state theory respectively.

For the former, developing explanatory and predictive models in theorising the state constitutes the core of the matter. For the latter, the impossibility of 'objective' analysis of 'reality' renders the theory into a discursive construction of the state. In spite of contrasting each other ontologically, these positions nevertheless allow room for a cross-analysis, and exploration of a full-fledged explanation and understanding for the formation, functioning and decay of state. A note of caution should, however, be dropped at this point: The cross-analysis would arguably be limited to testing the findings on a comparative and complementary basis for these positions are in essence not interchangeable since they reflect fundamentally different approaches.

Against this backdrop, this thesis owes its ontological position, and its theory of knowledge -especially with regard to its methods, validity and scope- to "*foundationalism*", and more specifically to "*realism*". The aim is to test the 'subjective' qualities of the state 'reality' against the 'objective' state 'notion'. Explaining the problem of arising discrepancies between the 'reality' and the 'notion' naturally follows. Another aim is to discuss whether state failure is symptomatic to a wider change in the international system. If verified, such an eventuality could evoke a change with dramatic effects in the international climate.

As such, the discursive line draws from the "*behaviouralist", "rational choice"* and "*institutionalist"* segments of "*foundationalism"* insofar as its epistemological position is concerned. Threading within this theoretical framework, a deductive logic is employed in explaining the formation of state failure. In conceptualizing the state notion, on the other hand, the thesis offers a brief thematic discussion on 'modernity'.

Conceptualizing the state against this theoretical setting requires a closer look to the evolution of the notion of 'modern' against a time-line. According to the traditional take, the nation-states are characterized as 'modern' for they are products of the '*Westphalian* order' that irrevocably separated the 'ancient', i.e. the reign of the church in the decaying persona of the 'Holy' Roman Empire; from the 'modern', i.e. the emerging secular/worldly authority in the ascending persona of the monarchies, in the 17th century.

‘Modern’ as it was, the ‘Westphalian order’ was sealed in the year A.D. 1648; and it remained the backbone of the international state system to date. While the ‘order’ prescribed the secular/worldly monarchies as salient features of the system, it also gave way for the nation-state that rose to eminence, and subsequently attained permanence. The ‘order’ in later stages characterized the components of the system, the nation-states, along uniform lines. Hence, the political structures and political philosophies of the ‘modern’ nation-states have so far been essentially viewed as variations of *one* kind. The logical line assumes that the differences observed among the ‘nation-states’ were attributable to naturally diverging political choices, indigenous circumstances, and levels of development, but *not* attributable to any primordially existent structural differences.

In setting the conceptual frame for state failure, this thesis attempts to explain the arguably under looked aspects of ‘modern’ statehood, especially in light of the developments that evolved since the demise of the East-West conflict. In a contextual departure from the classic subscription to the term ‘modern’, a more discerning term ‘contemporary’ is chosen to denote *all* states in their present form, regardless of their strength, capabilities and capacities. In their contemporary standing, states are therefore categorized along the lines of a narrative that employs the terms ‘pre-modern’, ‘modern’ and ‘post-modern’. States, thus, are argued to take their positions and credentials accordingly. Insofar as their intrinsically political, economic, social, financial, military motives and conduct that cause internal and extravert manifestations, they arguably qualify for a relevant category, and sometimes cross-categories. The underlying objective causalities inherent to their structures are presumably influential in this process. Hence, the term ‘contemporary’ represents the whole spectrum of existing states in their static ‘modern’ standing, or their postures in the ‘pre-modern’ cluster, or in their ascendant ‘post-modern’ level.

Cooper’s take for putting the state concept in perspective rests on a plane where states differentiate along these lines, and where they display structural differences in regard to their *functions,* i.e. their capacities, scope and motives, as well as their foreign policy orientations, offers an interesting

analysis in this regard. This vein conceptualizes the state and introspection of statehood through a discussion of the origins of differentiation and distinction among the states, and the causal points of departure and perceived fault lines to this end (Cooper, 2003).

It may well be argued that this line of thinking represents a rather abstract categorization, therefore, insufficient to make sound assumptions and to develop tangibly measurable models. This is recognized as a valid point. However, it may also be held that the weaknesses inherently embedded in a state cannot be overlooked when they represent a structural difference in contrast to other members of the international system. As such, if the state exemplified is born into these primordial weaknesses, it is possible to develop an explanation and a predictive model so as to illustrate where the state *could* lead, and how this course *could* be altered provided that necessary mechanisms are put in place.

2.2. States in Historical Perspective

Early roots of 'modern' state can be traced back to fragmentation of the feudal order represented by the Holy Roman Empire that came into inception "by the *crowning of Charlemagne as emperor by the Pope on Christmas Day* A.D. 800." (Pierson, 2004:33; emphasis added). The Empire *per se* was conceived as a manifestation of the 'kingdom of spirituality' on the earth; and thus, was born with the blessing of the Catholic Church.

After almost eight hundred years, a series of inter-related wars waged in an epochal fashion ended with the dynastic, catholic, multi-national Holy Roman (*the Habsburg*) Empire's defeat (Bobbitt, 2002). The 'Thirty Years War', entitled as such in retrospect, was waged by 'lesser' units of the system against the *very* system featured through a coalition led by the Empire.

Thereafter, the 'modern' European state system ushered by the Treaty of Westphalia (1648) replaced the 'ancient' system and, together with it, the era of the Church's domination. The '*Westphalian* order' was built upon the concept of respect for state sovereignty on equal footing, and this represented a radical departure from the past (Stohl & Lopez, 1998). This

overarching feature, when coupled with organized, rationally motivated, occasionally constitutional, and tangibly 'territorial' states, heralded a new era. The '*Westphalian* order' further brought a new definition to the state by acknowledging the legitimate existence of the territorial state organized on a recognizable constitutive basis (sovereignty) that did not conflict with the status quo (equality) (Bobbitt, 2002). In the ensuing period, this became the accepted norm in the European society. Hitherto monarchy-centric with religious credentials, sovereignty possession was gradually transferred to the nation, when secularized. The principle of 'territoriality', on the other hand, helped evolution of a state-hood within well defined and upheld boundaries. This new state of affairs ultimately progressed towards emergence of the 'modern' nation-state.

The French Revolution, and the ensuing Napoleonic Wars, was waged on account of the challenge posed by the nation-state to the 'kingly' or 'princely' states that were remnants of the 'ancient' order with respect to their governance styles. This led to an evolution of the '*Westphalian* order' from within, nonetheless preserving the key principles of 'sovereignty' and 'territoriality'. Paradoxically, while trying to encounter the rise of the 'nation' state, monarchies resorted upholding the same principles in an effort to defend the established system. It is worth noting that the same principles remained among the key attributes of state to date.

The balance of power, or the 'Concert of Europe', thenceforth established within the newly 'inter-nationalised' system served well in checking the struggle among the nation-states before the encounters reached to destructive proportions. It lasted until such time it could no longer be applicable as a sensible tool. Devastation of the two great wars of the twentieth century culminated to previously unforeseen heights for Europe and for other parts of the world, producing a new system characterised by bi-polar domination of the global state of affairs, which at the same time sought methods to prevent recurrence of another major conflict (Bobbitt, 2002).

Subsequent 'decolonisation' process in the wake of World War II ushered a quantitative change in the paradigm of international relations. While new members of the international system embraced independence

hastily and rather unexpectedly, most of them accommodated inherent weaknesses that disqualified them in meeting the established attributes of statehood and norms of the international system (Cooper, 2003). In retrospect, this kind of statehood was, arguably, *nominal* rather than *real*.

At this point of analysis, Cooper's view offers a perspective in explaining the dramatic changes that came to fore by the demise of 'Cold War' in 1989. He holds that the '*Westphalian* order' remained intact until 1989 although it was seriously undermined by the end of World War II (Cooper, 2003). The shift towards bi-polarity at the systemic (international) level did not sanction a change at the state level by virtue of *rational choices* made by the two hegemonic powers, the United States and the Soviet Union. Thus, maintaining stability at the state level during the course of East-West rivalry best served the interests of the hegemonic powers since their direct involvement conditioned a catastrophic war. When inevitable, hegemonic confrontation took the form of low intensity warfare through proxies at the peripheries. In effect, "change took place within the established framework of the balance of power and the sovereign independent state" (Cooper, 2003:3). It may be inferred that state weakness was disguised under prevalent systemic conditions: the weak 'state' was maintained, against all odds, in relative stability with a view to maintain the 'order'.

Turning to the earlier historical line, one can argue that there was no major discrepancy or contradiction between the monarchic-state and its by product the 'modern' nation-state; for both were based on constitutive arrangements, and both were territorial in nature. In a similar vein, legitimacy of the state was respectively drawn from the 'subjects' and the 'citizenry'. Broadly speaking, they represented a *continuum*, since the 'nation-state' was slowly brewed from the territoriality of the 'state-nation' (Bobbitt, 2002). However, as differentiations among the states are no longer disguised under systemic requirements, some states -in their present form and dynamics- arguably cease to qualify as credible, viable and sustainable members of the international system, when measured against the *Westphalian* criteria. This perspective suggests that, unabated for three hundred years, the '*Westphalian* order' was sustained and adapted to the changing

circumstances to date, despite the exhaustion of its rationale in the *contemporary* era.

2.3. Attributes of the State: A Discussion in the Contemporary Setting

What makes the 'state' different from a human aggregate, or an organized community? The classic starting point for a definition unequivocally refers to the *Weberian* notion of *means* adopted by the state. As such, the German political sociologist and economic historian Max Weber established the state as: "…one can define the *modern* state only in terms of the specific means peculiar to it, as to every political association, namely, the use of physical force within a given territory." (Weber, 1970:77-78; emphasis added).

However, exploring beyond the limits of this analysis, other empirical approaches seek a definition based on the *functional* attributes of the state. Pierson, in this respect, neatly captures the characteristics of the state along the *functions* of possessing monopoly of the *means* of violence, territoriality, sovereignty, constitutionality, impersonal power, the public bureaucracy, legitimate authority, citizenship, and taxation (Pierson, 2004). Several of these *functional* attributes will be examined closely in the proceeding sections for their *dysfunction* constitutes the *causal* link for state failure.

It is worth noting, however, that the definition of state attained this contemporary refinement rather recently, following an extensive debate of several centuries to date, which also provided a valuable paradigm for state formation. Tracing the roots of this debate takes the discourse to the 16th century, although much earlier credentials could be traced back to the ancient world. Hobbes, for instance, argued that the individuals needed to establish over themselves a supreme authority, *legibus solutus*, to direct their actions to the common benefit, and to avoid a "war of all against all" (Hobbes, n.d.; cited in Lucas, 1966:72; Pierson, 2004:7). In *Hobbesian* terms, this supreme authority, the 'great *Leviathan*', whilst resorting violence, drew sovereign legitimacy from the will of individuals conferred on him [*sic*] (Hobbes, n.d.); therefore, the violence imposed upon the individuals could be

tolerated as legitimate. However once established, "the 'great *Leviathan*' proceeded not from consent but from irrevocable force" (Pierson, 2004:7-11). This was nevertheless viewed as the only way to prevent disorderliness and chaos. Like Hobbes, Bodin also "premised his position on the claim that the purpose of political authority was to maintain order" (Morrow, 2005:30).

The *Hobbesian* concept of state sovereignty, inasmuch as it sought justification in reflection of the horrors of civil war, was much contested and refuted in the later centuries. Grotius contrasted with Hobbes in upholding humans' possession of natural rights (Sabine, 1937:358-367); while Locke held the sovereign power subject to the will of its citizens (Sabine, 1937: 442-445); Kant characterized the state as a facilitator for good action rather than a coercive force for moral acts (Morrow, 2005:71); and, Rousseau relocated sovereignty in the people (Morrow, 2005:86-87). Others, like Bentham, Mill, and Schumpeter established governance as "a democratic process through which people exercised some sort of constraint upon those state actors with whom real sovereignty rested" (Pierson, 2004:13).

By all accounts, state has been defined as a structure superior to individuals (*later*, citizens), staying immune from its coercions, and possessing the unique privilege of exercising violence in the form of orderly force (albeit with constraint based on consent in *later* periods). With the advent of *constitutionalism*, this account was subjected to further refinement by virtue of the principle of the rule of law. Echoing the *Kantian* perspective, the American and subsequently the French constitutionalism established the "constitutional political order (as) 'not the rule of men, but the rule of *rightful law*'." (Pierson, 2004: 15, Kant cited in Pierson; emphasis added).

Nevertheless, these features of the state still portray an incomplete picture insofar as the holistic definition of state attributes is concerned. In addressing this gap, emphasis is required on the issue of deriving *legitimization* from the *citizenry.* This is a central theme for defining the boundaries of legitimacy aspired by any state authority. Thus, Weber's account provides a useful starter: "Legitimate authority describes an authority which is obeyed, at least in part, 'because it is in some appreciable way regarded by the [subordinate] actor as in some way obligatory or exemplary

for him'." (cited in Pierson, 2004:18). Pierson further refines this theme in accentuating that:

> The state is legitimate to the extent that it expresses the authentic will of its population. In obeying the state, we [*sic*] are simply obeying the dictates of our [*sic*] own wills vicariously expressed. The modern state is widely seen to be legitimate *inasmuch as (but no more than)* it represents 'the will of the people'.[1]

These discourses sound the doctrines of 'Social Contract' and 'Government by Consent', both drawn from the '*Social Contract'* of Rousseau (Lucas, 1966:284). As argued by Rousseau, bound to the state by obligations of *citizenship*, the *citizenry* nevertheless retains the quintessential right to withdraw its consent from the state, thus holding the option to de-legitimize the state authority. As such, he asserted in his '*Social Contract'* "…the sovereign power, absolute, sacred, and inviolable as it is, does not and cannot exceed the limits of general conventions, and that every man may dispose at will of such goods and liberty as these conventions leave him." (cited in Sabine, 1937:497).

Doctrinal evolution of the state concept, and the ideas accommodated therein, are characteristic for a sound definition of the state attributes. On a positive note, so long as the citizenry desires to recognize, respect and uphold attributes of the state, 'objective reality' of the state is empowered. By contrast, a dysfunctional state unleashes confusion and disorder, and eventually chaos: the state with its attributes is then reduced to a mere nominal construct unable to meet the expectations of its citizenry. The underpinnings of state weakness that may lead to failure, therefore, are not dichotomous to the dysfunctional attributes of the state. At the expense of sounding a caveat of tautology, this argument, among other things, seems to be helpful in analysing the state failure.

By comparison to their forerunners, contemporary states are more varied in their capacities and capabilities along a diverse spectrum. The proliferation of the decolonisation process swelled the number of contemporary states next to the already existing ones that gave birth to them. Today, states are more numerous than they were half a century ago, and the

[1] *ibid.,* 2004:19, emphasis added.

range of their population sizes, physical endowments, wealth, productivity, delivery systems, ambitions and attainments are more extensive than ever before. In the wane of the Ottoman and Austro-Hungarian empires, there were 55 recognized independent national polities. In less than the span of a century, they rose to 191 after the demise of the East-West conflict. This development owed much to the 'decolonisation' process and to the fragmentation of the '*Westphalian* order' in the 1990s (Rotberg, 2004:1). Arguably, not all of these states feature sovereignty in the *Westphalian* sense since a considerable number of the new comers are *empirically* observed as inherently fragile, therefore, entertain serious weaknesses.

Fukuyama offers a perspective on this issue. He assesses nominal or real sovereignty through the medium of state strength. In this view, the notion of 'strength of the state' comprises the *scope* of the state functions, as well as the *capacity* of the state institutions. As such, "the scope of state functions lies along a continuum stretched from *necessary and important* to merely *desirable to optional*" (Fukuyama, 2004:10), regardless of the delivery capacity of state institutions. This sheds light on understanding the stark differences on the 'capacity *vs.* scope' dilemma observed between the least developed and the most advanced states. It is the *capacity* of the state institutions rather than the *scope* of state activities that underscores the *real* endowment, i.e. strength or weakness, in exercising sovereignty; which otherwise remains *nominal*. Regardless of the level of ambition the *scope* of activities could reach, they might well be destined to fail so long as the *capacity* of the state institutions fails to support the scope due to weakness.

In this *contemporary* setting, weakness is becoming a discernible feature of the international system at the state level although it has not yet become a force of compulsion for a systemic review. Yet, its *causal* effects have become more visible since the end of the East-West conflict. New concepts in statehood, security, and threat perceptions as well as the revolutionary change in communications technology, and ascendance of globalisation in hitherto unprecedented scale spread in a world that underwent a dramatic change in as little as a decade in the 1990s. Here, a note of caution is deemed useful: The features of state collapse, together

with their foreign policy implications, invoked by the 'Revolutions of 1989' took forms in Europe different than else where. They were arguably belated transformations of the anachronistic socialist forms into their liberal kin. In other words, 'regimes' rather than the 'states' were shattering in their failure of upholding 'self-legitimacy'. State structures, however, remained intact. Thus, failing 'regime legitimacy' was restored when these states were transformed into liberal forms. In Delanty's words, "what came to an end in 1989 was not modernity *tout court* but just one kind of modernity, namely a modernity oriented to the project of state socialism" (Delanty, 2005:275).

The *libertarian* view dominant in policy making circles in the Western hemisphere, thus, was justifiably jubilant during the early post-Cold War years, in the face of the collapse of communism. For a period, the language of *laissez-faire* and *neo-liberalism* found an affluent niche in international relations (Chandler, 2002) in extended celebration.

Fragmentation of Former Yugoslavia represented the only violent example of this otherwise peaceful transformation in Europe. Even there, the violent nature of secession does not prejudice this line of argumentation; for structural state failure was confined to the cases of Croatia, Bosnia-Herzegovina and Kosovo-in contrast to Slovenia and Macedonia-, where the 'state authority' concentrated in the Serbian core resorted to exerting de-legitimised coercion over the centrifugal forces taking hold in the already fragmented federation. Elsewhere in the world, however, state failure due to structural weaknesses was brewing in full pace.

Nonetheless, the necessity for according a responsive foreign policy stance in the form of interventionism did not take long as humanitarian crises emerged one after another in Europe and elsewhere (Keren & Sylvan, 2002). These crises *per se* represented a radical departure from the past contingencies. As such, collective action addressing the humanitarian crises in the wake of the dissolution of former Yugoslavia, Sierra Leone, Liberia, Rwanda East Timor, the Democratic Republic of Congo, Angola, Burundi, and Somalia, among others, became trade mark of the this new form of state behaviour.

Attempting to identify state weakness that issued these *causalities* leading to failure, and indulging upon addressing appropriate formulations to this phenomenon found common place among the academic and political circles. In identifying the phenomenon, various generic terms; *dysfunctional*, *rogue, failing*, *failed*, *collapsed* were employed among others (Fukuyama, 2004; Rotberg, 2004; Kasfir, 2004; *et al*.) Descriptive by scope, these terms only identify the *de facto* nature of the phenomenon, not *how* and *why* the state weakness *ipso facto* develops into that nature.

Urged by the need to address the existence of this gap, Cooper offers a perspective for explaining *how* and *why* this occurrence takes hold. In his view, neither the systemic requirements of the East-West conflict for disguising the state weakness nor the need for upholding weak states by systemic solidarity is present any more. In the *contemporary* world, therefore, states assume new postures in a new configuration of 'pre-modern', 'modern' and 'post-modern' clusters[2] (Cooper, 2002). It follows that states with 'pre-modern' denominations are yet to attain *ipso facto* statehood in the *Westphalian* sense, whereas states in the 'modern' cluster maintain their postures with classic *Westphalian* attributes in spite of the systemic dissolution. The relatively few, on the other hand, assume a 'post-modern' posture in departure from classic state configuration (*ibid*, 2002). Should Cooper's account is taken valid, then it seems fair to justify a substitution of terminology from *modern* to *contemporary* so as to utilize a generic description for the present international political system and its composure of states. This line further holds that, in the absence of utilizing such substitution and categorization, states with persistent symptoms of *pre-modern* denominations have been, and still are, assumed to accommodate identical levels of *scope* and *capacity* on par with others. This would represent a problem in explaining the dichotomy as to why some fail, and the rest remain immune from failure.

In the spectrum of contemporary states, a line of separation -*though not strict*- emerges among the three categories. In characterising the *pre-*

[2] It is important to emphasize that the terms employed here do not imply any connotation for 'modernity' in political sociology and that implications thereof are limited only to descriptive purposes in state formation.

modern state weakness, measuring against the *Weberian* scale of possessing monopoly on the legitimate use of force offers a guideline: as state weakness grows, resorting to use of force is severely undermined either through loss of legitimacy or the state's self-deprivation of monopoly over the use of force (Cooper, 2002). The state's lack of institutional capacity to implement and enforce policies as a whole complements this outlook (Fukuyama, 2003).

It follows that the *pre-modern* states not only fail to meet the demands of their disenfranchised population internally, but they are prone to employ increasing levels of *alienated violence* with eventual risks of extravert contagion. The 'pre-modern' states display symptomatic weaknesses in a spectrum ranging from failure (a majority of the successor states to the former Soviet Union and most of the African continent) to total collapse (Afghanistan, Somalia, and former Yugoslavia).

Whereas the *pre-modern* states increasingly demonstrate signs of weakness; the structural dynamics of the *modern* bear a two-way potential for either decadency or ascendancy, depending on the *modern* state's pattern of behaviour. Overall speaking, however, the *modern* state can be classified as an example of the sovereign state in the *Westphalian* sense, exercising its functions for delivery of public goods and services in varying degrees. The *Weberian* notion of the monopoly of legitimate use of force remains intact; however, the very notion bears risks when conducted in excessive fashion. The *modern* state displays relative weaknesses and strengths measured in terms of its intensity of focus, and success in reaping its benefits in tangible terms, on the scope of state activities and in capacity of the state institutions.

Against the challenging ambiguity of discerning the *pre-modern* and the *modern*, a rather straight forward and stark contrast emerges between the decadent character of the *pre-modern* and the ascendant features of the *post-modern*. There, the distance between the two extremes of the contemporary state spectrum remains not only obvious, but also alarming in abysmal disproportions when measured against a scale of power, wealth and development levels.

Following Fukuyama's argument, another characteristic classification with respect to the government and governance structures of the state in these groupings could be constructed along the following lines:

The *pre-modern* states struggle to establish *governance* through *capacity* building in the *government*; *scope* of governance is therefore nominal.

The *modern* states possess a *government* with intact *capacity;* however, the *governance* is hampered in *scope*, thus undermining the delivery of public goods and services.

In the *post-modern* states, on the other hand, *government* is disappearing through arising non-state actors, informal networks, and flow of capital, deregulation, and access to information. Scope of governance is under redefinition where government *capacity* is increasingly transferred to the informal 'actors'. These are the states which truly take part in 'globalization', both in terms of substantial contribution and in reaping the benefits of this phenomenon (*ibid.*, 2003).

Nevertheless, a consensus on the definition of *post-modern* state is still under discussion. At this point, referring to Cooper's characterisation provides guidance. As such, the concept stands as:

> a state system where the modern world is collapsing into greater order rather than into disorder where it does not rely on balance; nor does it emphasize sovereignty or the separation of domestic and foreign affairs."[3]

Cooper further distinguishes characteristic features of the *post-modern* state, and the *order* where applicable, in the following frame:

> * The breaking down of the distinction between domestic and foreign affairs,
> * Mutual interference in (traditional) domestic affairs and mutual surveillance,
> * The rejection of use of force for resolving disputes and the consequent codification of self enforced rules of behaviour,
> * The growing irrelevance of borders through the changing role of the state,
> * Security based on transparency, mutual openness, interdependence, and mutual vulnerability.[4]

In exemplifying the concept of post-modern state, Cooper indicates *inter alia* evolution of the European Union, establishment of International Criminal Court, and international financial institutions. He argues that these

[3] Cooper, 2002:3.
[4] Cooper, 2003:13.

formations substantiate his claim for “emerging *self-imposed constraints on state sovereignty* in the *post-modern order*” (*ibid.*, 2003:27; emphasis added), and the *states* with a feeling of belonging thereto. From this perspective, it is these aspects of the post-modern order that underlines state strength, delineating order from disorder and chaos in other parts of the international system. The primary characteristic of the *post-modern* state is, therefore, its *voluntary adherence to multilateralism*, and to the supra-national bodies enshrining over the states, with a view to develop collective consciousness regulating state behaviour.

In the *post-modern* hemisphere, perceived vulnerability of the state gives way to mutual transparency, and consequently to a quest for establishing security through promotion of commonly shared values; i.e. upholding the rule of law, participatory democracy, respect for human rights at the universal level (*as opposed to the rights of the citizen at the state level*), and freedom of thought and expression. Devising interdependency through an amalgamation of interests, however contradictory their pursuits may be, rises to eminence; abandoning anachronic warlike dispositions of interest maximization against each other. Thus, in the *post-modern* cluster of statehood, a new terminology is employed to define the characteristics of inter-state relations: *the international community*.

This topic, together with its root and fundamental causes has been a subject for extensive debate throughout much of the 1990s. A partially explanatory term, ‘period of transformation’, brandished in haste fell short of satisfying the palpable sense of loss that emerged in the wake of break-up of the East-West conflict. Now, in retrospect, it is a relatively easier task to assess the grinding decade of the 1990s: The stronger states of the Cold War period moved forward to the *post-modern* phase, whereas the weaker stagnated in their *modern* standing. The least fortunate of all, the weakest with *pre-modern* credentials slid to failure and in rare cases, total collapse. As such, when it ceases to exist, surrender of sovereignty of the weak state to governance by international community became instrumental in containing threats and abuses from arising and in tackling with state failure (Fukuyama, 2003).

2.4. The Modern State's Pattern of Behaviour

The rationale for the existence of modern-state is no longer equivalent to the classic formulation of the kingly-state of the *Westphalian* order: *"L'état, c'est moi"*- the famous utterance of Louis XIV of France. The period modern-states have transformed from monarchies to nation-states, thereby becoming subjected to monitoring of their populations against measures of legitimacy and credibility. These are shared instruments by post-modern states as well. Unlike the foregoing, however, accountability to electorates is arguably a characteristic reserved for a segment of nation-states that are placed among liberal democracies, naturally inclined towards post-modern state behaviour. Thus, this last feature is not prolific in all nation-states; it remains restricted to a lesser number of them.

In the contemporary sense, nation-states, regardless of their modern or post-modern characters, exist to deliver public goods and services to persons living within designated borders (Rotberg, 2004:2). Thus, they respond to the expectations and demands of their citizenry. Legitimacy, in this context, is derived from a consensus between the state and its citizenry, whether in an actually existing constitutional form or in practiced code of conduct along traditional lines.

Rotberg outlines the society-state relationship within the following parameters:

> societies are assumed to exist within a state where there is a hierarchy of public goods and services. Providing security to prevent cross-border invasions and infiltrations, and any loss of territory; to eliminate domestic threats to or attacks upon the national order and social structure; to prevent crime and any related dangers to domestic human security; and to enable citizens to resolve their differences with the state and with their fellow inhabitants without recourse to arms or other forms of physical coercion is the most critical of all political goods bearing immediate relevance to the citizen. (Rotberg, 2004:3).

In the Weberian sense, state is recognised as the sole authority in possession of monopoly of legitimate force within its boundaries. The legitimatisation of state force possession, and coercion when necessary, is linked to the legitimacy of the state *per se*. As and when coercive state force

is no longer viewed legitimate by a wide array of its subjects, legitimacy of the state comes under question. Provision of security through legitimacy is, thus, an *a priori* condition for state existence.

In Rotberg's account, the delivery of a range of other desirable public goods and services becomes possible when a reasonable measure of security has been sustained. Among these public goods and services are adjudication of disputes and regulating both the norms and prevailing mores of a particular society or polity through systemized means. In so doing, the states employ codes and procedures that comprise an enforceable body of law through legal and legitimate instruments, providing security of property and inviolable contracts, and upholding a set of norms that legitimate and validate the values enshrined in the locally accepted rule of law (*ibid.*, 2004). Following the same line, (liberal) states are expected to enable their citizenry to participate in politics and the political process free from intimidation and restriction. The interface that takes place within the political space accommodates essential freedoms to participate and compete for office, respect and support legislatures and courts, tolerate dissent and difference, and uphold human dignity through respect to fundamental civil and human rights. It has to be noted however, that state forms vary in a wide range of characteristics, and parallels between the liberal form and states that assume an authoritarian/totalitarian posture can hardly be drawn in terms of delivery of political goods and services.

Next to these political goods and services, states are expected to supply basic social and economic services to support the health and welfare of the society. These include access to basic health care and educational instruction, physical infrastructure, communications networks, a monetary and banking system that allows citizens to pursue entrepreneurship, sufficient private and public space enabling flourishing civil society, and upholding standards for protection of environment enabling a humane living (*ibid.*, 2004). This outline of the public goods and services that are indispensable, expected or merely desirable can assume variations in different states. Nevertheless, modern states provide these goods and services so long as their capacity match the scope their functions. Capacity

vs. scope (delivery) dilemma is essentially an internal feature of the state. However, it also has external linkages especially in terms of foreign assistance or support that helps a state to exist. The crucial question here is then, what happens when the state ceases, or becomes unable, to behave in accordance with the norms and expectations of the society it presides over? In other words, what happens when the state cannot cope with the requirements of capacity vs. scope (delivery) dilemma?

This issue addresses the subject matter of the discourse: that the state is classified with 'misbehaviour' when it slides into contradiction in providing the public goods and services that are established, therefore expected, by its populace. The state's power, in such instances, becomes corrupt and often repressive in apparent contrast to the demands of its citizenry and the wider world. Stohl and Lopez identify the following objective features which, if exist, add to the state 'misbehaviour':

1. High levels of political violence
2. A conspicuous role for political police in everyday lives of citizens
3. Major political conflict over what ideology will be used to organize the state
4. Lack of a coherent national identity, or the presence of contending national identities within the state
5. Lack of a clear and observed hierarchy of political authority
6. A high degree of state control over the media (Stohl & Lopez, 1998:5)

In other cases, state power nominally ceases to exist being unable to function, and to fulfil its commitments to its citizenry due to a systemic change in international relations that no longer supports the state's existence.

For a better analysis of these anomalies, two separate sets of processes are employed: the 'internal and the 'external', which are linked yet stand apart in certain respects.

2.4.1. The 'Internal Processes'

The 'internal processes' that define the 'modern state's behaviour' are in fact an outline of the main parameters of faltering state performance. This is an introvert explanation of the state weakness *causally* emanating from existing internal dynamics. The weakness in capacity is translated into an inability to maintain the state activities in declared scope of activities, and as

the weakness grows, the state becomes unable to cope with the rising challenges. In the absence of democratic structures to make adjustments that enjoy popular support, the state can slide into a predatory formation, in departure from its previous protective, all inclusive and consensus based posture. In Doornbos's words, "it is thus important to look into the complex web of conditioning and facilitating factors that may (or may not) set in motion a chain reaction eventually leading to state collapse" (Doornbos, 2005:47).

The state's own perception of itself when facing rising challenges is generically a decisive factor in conducting its functions. Inclusiveness regardless of ethnic, religious, regional, cultural, racial, and gender bias constitutes a trait of post-modern societies and the state apparatus. This trait lies essentially in the heart of contractual relationship established between the state and its citizenry. Segregation, or discrimination, on these grounds puts the loyalty of the citizenry into question, hampering the perceived contractual relationship. Exclusion from the office, curbing equal education and job opportunities weakens the basis of social harmony, and effective governance. Discontent is translated into social unrest, which often rises to levels of upheavals, forcing the state to assert itself through use of force.

In establishing state authority, the use of monopolized force is considered legitimate so long as it is perceived timely, necessary, and commensurate by the subjects exposed to the force employed. The excessive, or incommensurate, use of force in tackling with the social unrest, therefore, hints to the state's inability to address the disturbances through peaceful means. Nicholson highlights this dichotomy by referring to the two forms of internal stability that exists in any state. He thus holds that

> *consensual stability* exists when stability is brought about by normal policing and threats to security come from normal criminal activities at some moderately low level. It can broadly be identified with democratic regimes. *Coercive stability* exists when states provide physical security in the sense of comparative order internally, but at the cost of severe repression which can be legitimately regarded as violence and certainly impeding the liberty if not the security of the necessarily tranquil inhabitants. The (Persian) Gulf is a rich source of states of this kind. (Nicholson, 1998:2).

The social 'crisis' and consequent instability that emerges in the wake of excessive use of force, leads to different trajectories depending on the nature of the crisis. Sometimes, individuals or groups challenge state

authority drawing self claimed legitimacy from a power base that rests on the very same dynamics state alienation emanates from. This can be translated into internal conflict in the form of upheavals, rebellions, or secessionist violence. In rare cases hostilities attain levels of civil war thereby causing a humanitarian crisis in the form of massive flows of the civilian population pouring outside the borders of the state, creating a refugee crisis. This, in turn, instigates other elements of the international community to intervene with an aim to restore the peace, stability and harmony within the international order, and within the state under question.

It is not always the corruption of state power that provokes a trajectory of crisis. In other cases, the state power simply withers, giving way to informal power networks, organized crime or extremist movements with political or religious objectives. Corrosion of state power, thus, leads towards a vacuum as the state ceases to exist except for a nominal presence. The weak or withering base of the state, according to Clapham, is compensated for by neopatrimonialism, the buying of clients, and a hierarchy of antidemocratic decisions that lead to failure and collapse (Clapham, 2004). Quoting Robert Kaplan, Yannis indicates that in such cases “state collapse is manifested by disease, overpopulation, unprovoked crime, scarcity of resources, refugee migrations, empowerment of private armies, security firms and international drug cartels” (Yannis, 2005:65).

Clapham asserts that the modern state’s behavioural pattern towards progress and prosperity has worked best in the developing world where the state inherited a pre-existing traditional political culture of statehood. As such, the societies that best support effective statehood are those with pre-colonial echoes of state formation (Clapham, 2004). In corroboration of this argument, Herbst suggest that failure for former colonial units is not an inescapable, eventual *quid pro quo* for embracing independence. This line of argumentation asserts that state failure and collapse emanate not from artificial borders, colonial mistakes and exploitation, or misplaced tutelage, but from automatic and premature assumption by former colonial administrative units of unsustainable state-like responsibilities (Herbst, 2004).

As for the dynamics of the processes for state failure, various explanations are offered by different writers. For Kasfir, state failure equals domestic anarchy, or absence of controlling authority. Facing a security dilemma, the citizenry, turns to informal non-state actors for protection (Kasfir, 2004). For Van de Walle, however, state failure is more related to an economic paradigm that accommodates irrational economic decision-making which, in turn, exacerbate the underlying economic frailties that affect the propensity to fail (Van de Walle, 2004).

Whatever the reasons are, when the internal processes are set in motion, state weakness is seemingly accentuated with growing intrastate violence accompanied by the rise of non-state actors. This trajectory, however, does not imply state failure as a given. As Kasfir argues, there is a critical point where non-state actors start recruiting followers and supplying them with arms that may eventually plunge a weak state into failure and collapse depending on the response *per se* generated by the state (Kasfir, 2004).

2.4.2. The 'External Processes'

Critical of the internal processes, some observers, on the other hand, attempt to explain the state weakness as a by-product of the changing nature of the international order. From this perspective, the demise of the East-West conflict presents an explanation for the 'external' processes that lead to state failure. In such cases, inherent weaknesses embedded in state formation are set into motion once the systemic restraints disappear.

Schlagintweit establishes the *causal* linkage between the beneficial systemic paradigm that offers a safeguard to the inherently weak states, which managed to assert a pseudo-statehood. Setting a clause for *conditionality*, he underscores that until recently colonialism and the East-West conflict offered systems of order that gave countries with a weak identity and incompetent institutions a supporting framework and guaranteed their existence. This framework provided material support if needed, and put pressure on smaller states to correct, or at least adapt, their policies.

Stabilizing the elements that made up the system, in other words, secured the stability of the system itself. With the disappearance of this 'order' since 1989, however, the characteristics now described as "pre-modern" came to the fore. Many countries of the least developed world when left alone degenerated and failed to accomplish a leap forward in overcoming their weaknesses. They were increasingly succumbed to centrifugal forces in the face of resurgent ethnic, religious or sectarian demands, or developed persistent symptoms of weakness by nature of their inherent fragility. Eventually, they descended to failure (Schlagintweit, 2002). According to this analysis, systemic change in international relations in the wake of Cold War has acted as a precursor in further exacerbating weakness in some states. However, a caveat of caution should be exercised in employing this argument in wholesale fashion while explaining state failure in recent history. Interestingly though, as it was the case for Afghanistan, *rentier* states were probably among those weak states most dramatically effected from the sudden disappearance of a *clientele* relationship, as systemic necessities to uphold the client states did not apply anymore in the wake of the collapse of the former Soviet Union.

In a similar vein, Nicholson puts the external processes into perspective by underlines that

> a class of states seem to exist at all *only because they are recognised as existing by the other state actors*. They fail (however) to provide the basic services which any state must provide to function as a genuine state. The government is severely flawed, or does not exist at a national level at all. Far from being an advertisement for anarchy, these states seem to be wholly deplorable. (Nicholson, 1998:1, emphasis added).

By drawing attention to the superficiality of these states, and to the outside interest in upholding them as members of the international system, he further asserts that

> this particular group of states did not create themselves but in some sense were created from the outside. At least in some cases, it is because the outside recognizes them as states that they continue to exist. It is not just an internal issue.
> Once a state has been created, there are strong pressures for it to persist. The elites want it that way, and are likely to give up only reluctantly and when there is no alternative. Sometimes there is no meaningful state left and the whole place descends into anarchy. However, many outside interests have a lot of stake in keeping the system going. (*ibid.*, 1998:4-5).

If this line of analysis is taken as valid, the end of East-West conflict brought the relatively guaranteed stability of the overdue 'Westphalian order' to conclusion; and an inevitable surfacing of the deceitful dynamics previously disguised took hold in state failure, provoking a transition into *terra incognita* in the post-modern age from the start of the 1990s.

Other writers, however, offer somewhat different perspectives for the 'external' processes that lead to state failure. Doornbos, for instance, exemplifies deliberate destabilization on the part of the neighbouring countries for geopolitical reasons (Lebanon or Cambodia) or for economic gain (Congo and Sierra Leone) for state failure (Doornbos, 2006). He further asserts that, "general vulnerability of poor countries, especially African countries, vis-à-vis forces emanating from the world economy" (*ibid.*, 2006:102) set a recurrent pattern for deteriorating state weakness which bear the risk for increased internal tension and violence that may eventually act as a precursor for failure.

Regardless of the reasons, nation-states fail when consumed by internal violence and forced to cease delivering positive political goods to their inhabitants. Their governments lose credibility, and the continuing nature of the particular nation-state becomes questionable and illegitimate in the hearts and minds of its citizens (Rotberg, 2004:1). A glance at the undesirable consequences of this occurrence might be appropriate in closing this chapter for the consequences alone represent a major challenge for international security and stability. This is essential also for a better understanding of the dynamics of state reconstruction in the case of Afghanistan examined in the proceeding chapter.

2.5. Consequences of State Failure

Academic debate appears to have reached a broad based consensus as for the consequences of state failure (Rotberg, 2004; Milliken & Krause, 2005; Dorff, 2000; Doornbos, 2006; *et al.*). As such, most writers agree that consequences of state failure are numerous and diverse depending on the processes they emanate from, or the root-causes they rest on. A common

trait in all state failures stipulates that undesirable consequences soon follow the failure or deconstruction of state.

Rotberg describes the failed states as “tense, deeply conflicted, dangerous and contested bitterly by warring factions” (Rotberg, 2004:5). More often than not, official authorities face varieties of persisting civil unrest, different degrees of communal discontent, and a strong violent dissent directed at the state and at groups within the state (*ibid.*, 2004). In Rotberg’s account, “it is not the absolute intensity of violence that identifies a failed state. Rather it is the enduring character and the consuming quality of that violence that engulfs great swaths of states” (*ibid.*, 2004).

Disharmony between communities tempts the regimes in failed states to prey on their own constituents with a view to seek a reliable power basis. Control of peripheral regions represents a problem, especially when these territories are occupied by out-groups, regional power-brokers, warlords or drug barons. Central government loses its reach and authority over large sections of territory, local gangs start executing mock jurisdiction at will, and commercial activities cease to exist due to lack of physical security. The extent of genuinely controlled land by the government especially after dark becomes a measure to assess the extent of failure. Flawed institutions, rampant criminal violence, endemic corruption, inability or unwillingness on the part of the central government to perform fundamental state activities, deteriorating or destroyed infrastructure, regular food shortages and widespread hunger accompany this picture. The loss, or ineffectiveness, of state power paves the way for informally privatized educational, medical and security systems (*ibid.*, 2004).

Dorff suggests the subjection of a country to an “entire range of gray area phenomena’ as a consequence of state failure. As such, he observes that

> with the steady erosion and at times complete absence of legitimate governance, the challenge becomes one of trying to establish or restore the capacity of the state to govern effectively or, failing that, managing the consequences of that ‘ungovernability’ for national, regional and international security (Dorrf, 2000:3).

In extreme cases, the matrix of state failure leads to total collapse where the dysfunctional state ceases to exist. Rare cases display the *causality* linkage between failure and collapse when collapse occurs because of severe failure in the absence of outside assistance or intervention. Lack of interest in doing so, or self-imposed isolation, helps this occurrence. Reno describes the "shift of regime power from state institutions into commerce that culminates to the hegemony of private violence" in collapsed states as a characteristic (Reno, 2005:85-98). In a graphic illustration, Rotberg strikes a strong note *prima facie* of a collapsed state as follows:

> a collapsed state exhibits a vacuum of authority. It is a mere geographical expression, a black hole into which a failed polity has fallen. There is dark energy, but the forces of entropy have overwhelmed the radiance that hitherto provided some semblance of order and other vital political goods to the inhabitants (no longer the citizens) embraced by language or ethnic affinities or borders. When collapse occurs, substate actors take over to control over regions and subregions within what had been a nation-state, building up their own local security apparatuses and mechanisms, sanctioning markets and other trading arrangements, and even establish an attenuated form of international relations, assuming the trappings of a new quasi-state (Rotberg, 2004:10-11).

Under such circumstances, the now-collapsed failing state produces an environment conducive to every sort of extremism, predatory action, lawlessness and exploitation while providing shelter to international criminal networks, terrorist groups and other violent non-state actors. These developments represent a defining moment for foreign intervention first for neighbours of the collapsed state, thereafter the international community which perceive a rising threat from the vacuum of power that takes hold in the collapsed state's 'no-man's land' in gradual proximity.

2.7. The Search for Preventive and Resuscitative Frameworks

In search for preventive measures, early indications for state failure-or, the potential for failure- should be examined. However, there is hardly any consensus as for the precise indicators or set parameters that would authoritatively dictate a forecast on the states set to fail. This is not least because every weak state is not bound to fail, and objective indicators are conditioned by subjective local circumstances.

Dorrf points out the presence of “civil and communal strife, including all-out civil war, starvation and mass refugee movements, increasing criminality and widespread corruption in the political and economic institutions, existence of black markets, extortion and prolific criminal activity” among other indicators for state failure (Dorrf, 1999:2). Rotberg refers to “a closed economic system, high infant mortality rates, decreasing low GDP per capita levels, and lack of democracy” among early indicators of state failure (Rotberg, 2004:21). He holds that other basic indicators of UN human development indices could provide a quick reference to this end; however, deaths in combat or domestic violence of internecine, sectarian, ethnic nature is generally regarded as the *real* indicator that discern a failing state from a weak one (*ibid.*) for state failure is synonymous with misplaced authority, or incapacitated government authority. In view of the inexistence of set objective criteria to qualify any given state as ‘failing’, it could thus be wiser to refer to states ‘with a high potential to fail’ or ‘enduringly frail’ if the factors of deterioration are not corrected.

Some analysts search for ways and means to prevent state failure. Comprehensive risk assessments based on a diverse range of data could lead to development of early warning systems, in case the assessment indicates to a potential to failure. In Carment’s view, for instance, “with accurate diagnosis, failure could be prevented through strategic intervention once its preconditions become evident” (Carment, 2004:136). Advocating to the view that indicators do not erupt spontaneously, but they are products of simmering conditions over a number of years, Carment suggests establishing indicative patterns to predict future international disturbances, and conflicts within both the states and chosen regions. He then proceeds to model development for early warning and subsequent prevention (*ibid.*, 2004). Once brewing conditions set a state towards failure measurable by objective criteria, preventive diplomacy, as emphasized by Carment, could be deployed an important role for pre-empting the matrix of incidents or occurrences. Carment, thus points out that

> preventive diplomacy entails primarily, but not exclusively, ad hoc forms of consultation using non-compartmentalized and non-hierarchical forms of information gathering, contingency planning, and short-term response

> mechanisms. The risks are proximate and analysis and action are combined at once in rapid succession.
> Preventive diplomacy is therefore targeted and short-term, and the preventive action taken relates directly to changes in conflict escalation and conflict dynamics.
> Outside actors can seek to influence the course of events and can try to alter or induce specific behaviour through coercive and operational threats and deterrents or through less coercive strategies of persuasion and inducement. The outside actors can work to influence the incentives of the relevant parties engaged in conflict, but cannot change the initial conditions that led to conflict in the first place (*ibid.*, 2004:143).

It is an even more difficult task to secure consensus on the resuscitative frameworks when measures targeting structural prevention *prior* to failure go in vain (Alger, 2000). The option of operational prevention to contain the damage comes to the fore *after* the failure, however, in a much-debated fashion. As such, there is a broad range of views as to how best to respond on state failure, or cope with the circumstances that entail of total collapse when a state moves from fragility to enduring chaos. Some writers advocate to foreign military intervention with a view to rectify the failure and collapse, alleviate the human suffering, and stop the trajectory towards a total catastrophic end by strong military means (Chandler, 2006; Brock, 2000; Keren & Sylvan, 2002, Clapham, 2000; *et al.*). Some others, on the other hand, suggest another variant of methods to counter and check state failure through political engagement supported by lighter military presence. Through a spectrum of international involvement aimed at resuscitating the state, some advocate to a 'surrogate sovereignty' maintained by great powers (Jackson, 1998), while others suggest a collective mechanism of trusteeship would work best as a response to state failure (Bain, 2000). Another view highlights the potential role new forms of governance could play once they are devised and upheld by international and supra-national organizations (Wallensteen, 1999).

Regardless of the methods employed all observers agree that the front running prerogative in tackling with state failure or collapse is to establish a secure environment, provide humanitarian relief; and, support economic growth and development to alleviate the shortcomings that entail to a complicated environment that set dynamics of failure.

Before this chapter is closed, it would be appropriate to make a point briefly as to whether state failure is symptomatic of an emerging wider challenge in the international system. The overriding assumption of this thesis argues that weaknesses inherent to period state formation *en masse*, when no longer disguised by the systemic safeguards, turn into tangible defects, and the road for failure and subsequent collapse is cleared unless it is checked and contained properly. In corroboration, Spanger, draws attention to a world of states in turmoil when he notes that "233 *internal wars and failures of governance* between 1954 and 1996 occurred" and that "during the past forty years on average 20 percent of the world's states are considered a failure, with a peak of 30 percent in the early nineties" (Spangler, 2000:5). Holm, on the other hand, underlines that weak states are the result of the way international system have been created, therefore, defects and responsibility that entail to state weakness and failure lie within the system (Holm, 1998).

CHAPTER III

3. AFGHANISTAN: A CASE STUDY

3.1. General Framework

State weakness and failure, and efforts for reconstruction, has a long history in Afghanistan. Contemporary international focus is placed on Afghanistan only after the atrocities of the popularly versed '9/11 syndrome', however roots of state weakness and endeavours to strengthen and rebuild the state in different forms have been a permanent feature of the Afghan politics since the eighteenth century. Nevertheless, within the scope of this thesis, it would be appropriate to examine Afghanistan as a model insofar as the contemporary dynamics of failure it accommodates, and as a case inasmuch as perspectives for reconstruction it accommodates.

Broadly characterized, Afghanistan is termed as a land-locked country with terrain and climate features unattractive and often hostile to outsiders. The hospitable, yet fierce character of its people complements the country's standing. A physical extension of the arid Central Asian steppes, Afghanistan accommodates diverse ethnic groups, all extensions of the neighbouring peoples. The natural and man-made borders of the country take the form of accessible frontiers as they do not prevent close interaction traditionally in the form of rudimentary but lucrative trading of goods as well as human flows, due to their porous nature. Most importantly, continual existence of the central authority is best observed at intervals through a series of historical epochs. Owing much to its inherent weakness, the state remains dysfunctional at other times, and central authority's reach to its frontiers and the provinces at the periphery remains limited. The *capacity* of state institutions has remained at modest levels throughout its modern history, running in sharp contrast to the extended *scope* of the state functions

ambitiously sought by its rulers. Adding to this complexity, other factors of *internal* nature put Afghanistan off the track of a functional state.

This generic observation offers an explanation for to the basic reasons of weakness, failure and subsequent fragmentation of the state in Afghanistan in modern times. While efforts for reconstruction of the state attempt to respond these deficiencies, they have so far registered limited success not only because of the scope and the breadth of the problem, but also due to neglect in addressing the root causes of the challenge in a fundamentally holistic nature.

Turning to *external* factors of weakness in Afghanistan, it worth mentioning that the Afghan landscape offers both a secure 'buffer' and a convenient 'crossing' for its neighbours. From an historical perspective, this *external* characteristic has not only provided a deficiency for the formation of state structures in Afghanistan, but it has also represented a complex regional paradigm for its neighbours that has lasted till today: *a continuous two-way quest for security and stability both internally and externally where a country existed devoid of a functioning state .* More recently, hegemonic power play of the nineteenth century led the great powers to seek supremacy over Afghanistan, a trail translated into the twentieth century regional political framework.

This chapter, in light of the foregoing, provides a brief inspection of the dynamics of state weakness in Afghanistan that have surged continually from the inception of the state notion. Thereafter, it attempts to shed light on the nature of contemporary dynamics of state failure, and subsequent efforts for reconstruction of the state. The chapter remains engaged with the arguments and conclusions of the theoretical discussion contained therein the preceding chapter, while attempting to verify the facts observed in the field against the measure of theoretical findings.

3.1.1. Afghanistan in Historical Frame

Putting Afghanistan in historical frame represents a complex task for the 'state' in Afghanistan has existed in a series of different forms through the

course of historical epochs. For a coherent discourse, therefore, a reality check might be crucial: Has Afghanistan ever entertained *ipso facto* statehood with denominations in line with classic *Westphalian* attributes of 'modern' state? Has Afghanistan's claim for an 'ancient' standing adorned with rich traditions empowered this country impenetrable by the ushering forces of decolonisation, and therefore provided protection from dynamics of *pre-modern* state failure? Can traditionally established and respected structures alone serve well for the challenges of the *post-modern* world? An analysis of Afghanistan's historical dynamics provides negative answers to these questions.

In setting the historical frame, Afghanistan's rise as an autonomous and recognizable political entity is traced back to Ahmad Shah Abdali (Durrani), a young Afghan warrior who had served in the army of the Persian conqueror Nadir Shah, winning command in Kandahar of a confederation of the leading Pashtun tribes in 1747 (Rasayanagam, 2003; Magnus&Naby, 1998 *et al*.). Throughout successive dynasties, Afghanistan is entitled as an 'empire' based on the allegiance of tribal confederacies; with its rulers seeking to consolidate their nominal power over vast swathes of land and diverse peoples. The extent of statehood, however, is rather ambiguous throughout this period especially during the early legendary epoch. The Ghilzai, the Sadozai-Durrani and the Muhammedzai dynasties existed along the same trait of early state formation, until Afghanistan became a recognized independent entity as a constitutional monarchy in 1919. This trait was characterized in championing Sunni Islam, seeking bounty and territorial expansion through expeditionary warfare, securing the allegiance of mainly Pashtun tribes by sharing spoils of the war, and seeking sustained legitimacy through the established tribal practice of holding *loya jirgah*s, or tribal assemblies. The long honoured Afghan tradition for upholding the 'Amir of Afghan-stan' on a 'first among the equals' standing was quintessentially at the core of state formation until the late nineteenth century. This point deserves particular attention for it not only highlights the inherently loose character of statehood in Afghanistan, but it also explains the contextual nature of political, social and economic allegiances of the tribes any Amir

would be compelled to sustain during his reign, should he wish to stay clear of any challenge to his authority.

This period witnessed a loosely-knit 'empire' successfully withstanding two Anglo-Afghan Wars of 1839-1842 and 1878-1880. The long nineteenth century was characterized by European imperial rivalry over Afghanistan, largely described as the 'Great Game' after British author Rudyard Kipling's denomination. It was towards the end of this period when 'the Iron Amir' Abdul Rahman Khan ascended to throne with British favouritism. In a belated introduction of modern statehood, Amir Abdul Rahman Khan thus

> established a model of a centralized state in Afghanistan, which was supported by the introduction of political theory of virtual divine right to rule based on the defence of the land of Islam (the *Dar-ul-Islam*). The absolutism of this form of government had not hitherto been espoused in Afghan history. With Abdul Rahman came the theory of the divine right of kings.[5]

This episode of Afghan history, however, should be interpreted as an attempt to establish the clout of central authority over the periphery, and to impose a top-down modernising reform process with a view to *primarily and foremost* keep the country resiliently intact in the face of a perceived imperialist onslaught targeting Afghanistan. Thus, *external* sanctions rather than *internal* necessities arguably cast a decisive influence in the introduction of Abdul Rahman Khan's absolutist reformism in Afghanistan. As such, capacity building was limited to structuring an efficient taxation system to the possible extent[6], building a bureaucracy and army. Measuring by standards of the period, the Amir's absolutism was reminiscent of a bygone age for it was drawn from a claimed divine right to rule.

Notwithstanding the reform process, the Amir's sovereign authority remained nominal due to a fast broadening gap between the scope of his ambitions and the virtually limited capacity of reformed state institutions. This fact was expressly manifested when the Anglo-Russian Convention of St. Petersburg declared Afghanistan a 'buffer state' within the British sphere of influence in Asia in recognition of the Russian possessions in Central Asia. This *external* sanction once again characterized Afghanistan's dubious

[5] Magnus & Naby, 1998:36.
[6] It has to be noted, however, that the taxation system was confined to the form of road levies and customs taxes rather than income tax.

standing as part of the *Westphalian* sovereign system of states. Even when Amir Amanullah Khan, the founder of modern Afghanistan, established the country's status as an independent constitutional monarchy in 1919, the state was still devoid of exercising sovereignty in the classic sense of *Westphalian* norms, thereby owing its recognition by other states much to the dynamics of international politics, and in turn, a legitimate *raison d'être* derived from its status as a 'buffer state' between the Soviet Central Asia and British imperial possessions in South Asia.

The impressive efforts undertaken by Amir (King) Amanullah Khan, and his successors Nadir Shah and Zahir Shah, to modernize Afghanistan along the lines of a 'modern' state bode well, however with limited effect, for the quintessentially feudal, rudimentary and tribal structures proved resilient. In Rubin's analysis,

> these (modernizing) rulers created new elites through a *foreign-funded educational system* in the hope that these new elites would help them *control, penetrate* [*sic*.] *and transform the society*. They sought to mobilize resources from both the peoples of Afghanistan and from international sources, including both states and markets. (Rubin, 2002:x, emphasis added)

While these *internal* reforms served as instruments disenfranchising a largely tribal/rural population that resisted the reformist aspirations of the modern urban elite, Afghanistan still managed to uphold a state posture politically and financially benefiting from *external* factors -in close resemblance to the nineteenth century 'Great Game'- which emanated from its location at the confrontation line of competing alliance systems throughout the Cold War.

Against this backdrop, Rubin puts Afghanistan's anomaly of a weak 'rentier state' into perspective by indicating that lack of capacity of the state institutions in reaching out and delivering public goods remained in stark contrast to the swelling scope of state functions in the country. As such, the decision making process was reserved for a small solidarity group of Pashtuns often at the expense and resentment of the majority non-Pashtun population who occupied the bureaucracy. While the state relied on resources largely received from foreign aid, levies imposed on commercial agriculture and taxation of foreign trade mostly in its meagre forms provided

lesser part of the state revenues. Both Rubin and Rasanayagam underline Afghanistan's profile as a 'rentier state' that relied on foreign aid to maintain, develop or expand its infrastructure, and where an established practice of "financing over forty per cent of the state expenditures from revenue accruing directly from abroad mostly in the form of foreign aid from the Soviet Union from 1958 onwards" became the norm (Rasanayagam, 2003:259; Rubin, 2002:65). Rubin also highlights the development of a concurrent patronage system towards the favoured Pashtun tribes, in the form of making funds and relieves available to the predominantly Pashtun population in the southern provinces of Afghanistan (Rubin, 2002). The Afghan state's preferred line of action during most of the twentieth century, therefore, arguably resembles the preceding nineteenth century. During both timeframes, the state increasingly relied on foreign aid first from the British imperial rule, then the Soviet Union, to maintain a 'buffer state' status and to reap the benefits of such standing, eventually distributing the state revenues to create a reliable power basis for the central government within the country.

Until after the demise of monarchy by Daoud Khan's coup in 1973, state's penetration to the traditional structures of the Afghan society remained limited, and "the state's legitimacy stayed somewhat precarious" (Barakat, 2004:3). Thus, the doctrinal influence and leverage the *mullahs* enjoyed alongside the deeply rooted tribal structures were virtually left intact at the time when Daoud Khan[7] attempted to enforce reforms of great *scope* although he was deprived of state *capacity* to execute them. The *Sawr Revolution* of 1978, and the Soviet intervention and occupation of Afghanistan on 25 December 1979, when viewed from this perspective, represents more than a mere power struggle among different factions of the People's Democratic Party of Afghanistan (PDPA) to establish control over the regime.

Daoud Khan's government, opposed by both leftist PDPA and traditional ethnic leaders for different reasons, was overthrown and killed by the leftist military officers in the *Sawr Revolution* in April 1978, and the PDPA

[7] Daoud Khan was a cousin and son-in-law of the last Afghan king-on-throne Mohammad Zaher Shah. He was an ambitious liberal reformer with a conjecture inspired by foreign influence.

leader Noor Muhammad Taraki became the President of Afghanistan. Demonstrating typical traits of a weak state with limited resources and *capacity*, yet with an ambitious *scope* of activities, the Afghan government under the authoritarian rule of the PDPA and President Taraki engaged in an intense effort to transform the country towards what the ruling elites saw as 'modern'. However, the central government was confronted with fierce conservative resistance against these efforts at the tribal and village level as the Islamic traditionalists and ethnic leaders had began an armed revolt by late 1978, and by the summer of 1979 they were in control of much of Afghanistan's rural areas. In a series of tragic *coup d'etat,* President Taraki was deposed and later killed. He was replaced by his deputy Hafizullah Amin who, by failing to suppress the rebellion, provoked the brewing Soviet intervention. From this perspective, direct Soviet intervention represented, among other things, an attempt to prevent failure in a client state. In the wake of the Soviet intervention, Babrak Karmal replaced President Amin. Karmal adopted more open policies towards religion and ethnicity, however, the country was already under direct foreign occupation, and resistance against the central government had transformed itself into a full-fledged *jihad.*

In account of this framework, analysing the dynamics of *jihad* waged against the Soviet occupation outlines a state's sliding course from weakness towards failure. The resistance against foreign occupation championing a holy war, or *jihad*, is significant in itself. It worth noting that, similar religious references were employed at ease during the Anglo-Afghan Wars of the nineteenth century in the absence of other largely acceptable benchmarks across the Afghan society. Dissimilar to earlier occupations, however, the state, with all its apparatus and mechanisms, was viewed as part of the foreign occupation. Thus, popular judgment reasoned the *country* falling victim to foreign occupation by collaboration of an alienated *state*. This perception precipitated a straightforward rejection and consequent ousting of an illegitimate regime together with its denominations of statehood in the wake of a successfully sought *jihad*. However, this *internal* factor alone provides an insufficient explanation of the success of the *jihadi* endeavour waged by Afghan actors. *Externally*, the international conjuncture played a

crucial role in ensuring the success of *jihad*, and consequently leaving Afghanistan devoid of anything resembling that of a state authority; thereby setting the country's swing from a failing Soviet satellite towards sectarian and internecine violence culminating in civil war during the 1990s.

The Soviet invasion and occupation of Afghanistan in 1979, thus, raised Afghanistan's neighbours to eminence in their plans to exploit any opportunity to install a friendly government in Kabul by helping to topple the Soviet-backed regime in Afghanistan. The *jihad vs foreign occupation* catch phrase should, therefore, be viewed from the perspective of a proxy war pursued in the larger setting of the Cold War, and in particular of the rivalry between Afghanistan and Pakistan. Playing a prominent role amongst all, Pakistan sought to nullify ethno-nationalist aspirations of the Pashtuns on both sides of the border, by supporting an overarching *jihad* above other sources of reference for resistance. Several authors argued that Pakistan's engagement with and subsequent favouritism of primarily Pashtun resistance movements laid the groundwork for the ensuing civil war, and for further fragmentation in Afghanistan (Rubin, 2003; Rashid, 2000; Johnson&Leslie, 2004, *et al.*).

Table 1 illustrates major *jihadi* groups (parties) that were involved in the resistance against the Soviet occupation. It is interesting to note that all but few still stay in the political scene under their claim that they have a legitimate right for having fought through the jihad, and having put up a resistance to the Taliban in the ensuing period. As such, all cast influence with varying degrees on contemporary Afghan politics, along with the Afghan émigrés who returned to their country after the toppling of the Taliban. This issue will be revisited in the proceeding sections.

Table 1 Afghan *jihadi* resistance movements (later political parties)

Party	Leader	Ideology/powerbase
Mahaz-i Milli-yi Islami-yi Afghanistan *National Islamic Front of Afghanistan (NIFA)*	Pir Sayyid Ahmad Gailani	Traditionalist-nationalist (Royalist), Pashtun with tribal ties.
Jabha-yi Nijat-i Milli-yi Afghanistan *Afghanistan National Liberation Front (ANLF)*	Hazrat Sibghatullah Mujaddidi	Traditionalist-nationalist Pastun with tribal/ulama connections
Harakat-i Inqilab-i Islami-yi Afghanistan *Islamic Revolution Movement (HAR)*	Mohammed Nabi Mohammedi	Islamic traditionalist, mostly Pashtun with other ethnicities, connections with mullahs
Hizb-i Islami-yi Afghanistan *Islamic Party of Afghanistan (HIH)*	Gulbiddin Hikmetyar	Radical Islamist, state educated intelligentsia, Pashtuns outside the tribal Structure, strong links to Pakistan
Hizb-i Islami-yi Afghanistan, Khalis faction *Islamic Party of Afghanistan (HIK)*	Mawlawi Younis Khalis	Islamist, very anti-Shia, all Pashtun, militant tribal ulama
Jamiat-i Islami-yi Afghanistan *Islamic Society of Afghanistan (JIA)*	Ustad Burhanuddin Rabbani	Moderate Islamist, state-trained ulama, mainly Tajik with others, featuring the legendary Commander Ahmed Shah Massoud
Ittihad-i Islami Bara-yi Azadi-yi Afghanistan *Islamic Union for the Freedom of Afghanistan (ITT)*	Abd al-Rabb al-Rasul Sayyaf	Radical Islamist, Salafi, mostly Pashtun with strong links to Saudi Arabia
Harakat-i Islami (*) *Islamic Movement (HI)*	Ayatollah Asif Muhsini	Moderate Islamist, urban youth, Pashtu and Hazara
Sazman-i Nasr-i Islami-yi Afghanistan (*) *Islamic Victory Organization of Afghanistan (IVOA)*	Ayatollah Montazeri	Educated Shia youth from Afghanistan with organizational support from Iran
Guruh-i Pasdaran-i Jihad-i Islami (Sipah-i Pasdaran) (*) *Group of Guardians of the Islamic Jihad (SP)*	Anonymous	Branch of the Iranian Revolutionary Guards (Pasdaran) in Afghanistan

Note for Table 1: The first seven in row were officially recognized by Pakistan hence received aid sent by the US, and collected from the Gulf countries together with other overseas sources. The rest in row were favoured by Iran due to their Shia background, and were therefore disadvantaged in receiving funds. It has to be noted that the Shia parties marked with (*) merged after the withdrawal of the Soviet forces to embody *Hizb-i Wahdat Islami Afghanistan-HW (Afghanistan Unity Party)*. General Abdul Rashid Dostum's *Junbish-i Milli-yi Islami Afghanistan* (National Islamic Movement of Afghanistan) has a standing different from the classic *jihadi* parties for it joined the political/military scene after the Soviet withdrawal.[8]

[8] Rubin, 2002:xi, Barakat, 2004:4, *et al.*

Meanwhile on the government front, President Karmal was replaced as PDPA leader in May 1986 by Mohammad Najibullah, who subsequently became the President in November 1987. However, the Soviet Union was already in quest for an honourable exit from Afghanistan. Following the Geneva Accords of April 1988, the Soviet forces completed their withdrawal in February 1989, paving the way for gradual collapse of the Soviet-backed President Najibullah's government in April 1992. Almost simultaneously, the *jihadi* groups signed the Peshawar Accord on 24 April 1992, thereby forming of a fragile interim government in Kabul and proclaiming the Islamic State of Afghanistan. However, the government could only take over whatever was left of amidst the ruins of war. In Rubin's words, "Perhaps this entity was Islamic, but it was hardly a state, and it certainly did not rule Afghanistan" (Rubin, 2002:272).

The formation of a new government, and the proclamation of a new state, did not bode well for the disagreements amongst the *jihadi* groups triggered an all-out civil war from 1992 to 1996, which, in turn, gave way for the rise of the Taliban movement. The fragile government formed by inherently hostile, coalescing rival *jihadi* parties claimed legitimacy derived from controlling Kabul (thus making Kabul a target of Taliban), and the fact that their version of the government was broad-based, multi-ethnic and representative (unlike Taliban's Pashtun power base). The ill-prescribed fragmentation of Afghanistan along ethnic/sectarian lines was completed during this period: in the absence of viable state institutions to act as an overarching entity, centrifugal forces were set free and the country was quickly de-centralized; regional warlord-ism took hold; previously sidelined ethnic/sectarian groups and minorities claimed power in their regions; poppy cultivation and illicit production of opium and its derivatives spread in a vertical trajectory; and, violation of human rights in unprecedented scales became common practice.

The rise of Taliban from 1994 onwards, and its swift advance to power by 2001, would thus be better appreciated when the reign of civil war's arbitrary terror is taken into account. The circumstances were reminiscent to a *Hobbesian* state of affairs, and the Taliban quickly assumed a primitive

form of *the Leviathan* in Afghanistan's peculiar conditions. In fact, Taliban was hailed by a sizeable -if not all- part of the dreadfully suffering Afghan population in spite of its draconian authoritarianism and adherence to fundamentally puritan version of Islam. Taliban, promising to provide law and order, gradually covered large chunks of territory. However, the ultimate success of Taliban in overwhelming its opponents -the fiercely non-Pashtun Northern Alliance- took more than what a claimed security provider could deliver by its indigenous means. It was Pakistan's support that enabled Taliban ultimately establishing a largely resented *Pashtunwali* (Pashtun code of conduct) rule over the country by 2001.

In this perspective, Afghanistan's slide from weakness to failure can arguably be traced through the unfolding events predating foreign occupation that took severe facets when direct foreign occupation imposed itself; and, the swing towards ultimate collapse can be framed during the destructive years of civil war that deteriorated with the Taliban's rise to power. In fact, the country's scarce industrial infrastructure was completely dilapidated; a quarter of the population forced to mass exodus, and a whole generation already traumatized by 1996. The intellectual drain, on the other hand, took a gradual course from 1973 to 2001; as the aristocracy was forced to exile in 1973, and the liberals followed them with the *Sawr Revolution* in 1978, the socialists followed suit in 1979, and ultimately the communists were ousted in 1992. From this perspective, the political scene was devoid of all educated classes in favour of the *jihadi* groups from 1992 onwards, until their come back by the Bonn Agreement in 2001.

The collapse of Afghanistan's state structure through the spectrum of 23 years of conflict and strife, foreign occupation, and civil war in its entirety is best illustrated by the figures in table 2.

Table 2 Measures of Humanitarian Emergency in Afghanistan

Indicators	Afghanistan	South Asia	Developing countries	Industrial countries
Human development index rank (out of 174)	169	N/A	N/A	N/A
Population (approx.)	25 million			
Refugees in Pakistan (2001)	2 million			
Refugees in Iran (2001)	1,5 million			
Number of IDPs	1,1 million			
Number of killed in war	1,5 million			
Mine affected areas	55,000 sq km			
Landmines (approx.)	10 million			
Population % with access to				
Health care	29	65	79	100
Safe water	12	77	69	100
Daily calorie supply per capita (1992)	1,523	2,356	2,546	3,108
Infant mortality per 1,000 live births (1993)	165	85	70	N/A
Under five mortality per 1,000 live births (1993)	257	122	101	N/A
Maternal mortality per 100,000 live births (1993)	1,700	469	351	10
Life expectancy at birth in years (2001)	40	60	62	76
Adult literacy rate (%, 1993)	28	48	68	98
Male	*45*			
Female	*14*			

Note for Table 2: The total collapse of state structure with grave consequences on communications and an upsurge of violence and civil war in most parts of the country prevented collection of data during the rule of Taliban, a trait which continued until recently. Thus, it would be safe, if not the only viable option, to quote figures dating from the 1990s in measuring the basic indicators for Afghanistan.[9]

[9] Rubin, 2002:xi, Barakat, 2004:4; quoted from the World Bank, UNDP, UNHCR and UNOCHA data on Afghanistan 1992-1996 and 2001.

In the course of Afghanistan's catastrophic slide towards total collapse a generation of human population was utterly traumatized, and material resources were depleted; and, as the delivery of basic public goods and services ceased to exist, the civil population was left utterly dependent on foreign aid. In the absence of any widely recognized authority, law and public order, the country turned into a safe haven for extremism and terrorism, and a breeding ground for organized crime, ultimately bearing classic features of state collapse.

In view of the questions raised in the introductory part of this section, one could conclude that Afghanistan's *ipso facto* possession of statehood in compliance with classic *Westphalian* attributes of 'modern' state was highly dubious since the early periods of state formation in mid-18th century. As illustrated, the Afghan state was inherently deprived of sufficient capacity, which, in turn, led to a failure to empower itself, extend its scope of activities, and deliver basic public goods and services. In the face of rising challenges posed by the *modern* -and, lately the *post-modern*- world, this culminated to a characteristic *pre-modern* state failure *par excellence.*

3.1.2. Setting the Targets: the 'Bonn Conference'

In the escalation of the conflict in Afghanistan following the 11th September attack on the US by the Afghanistan based al-Qai'da organization, the UNSC "expressed support for the efforts of the Afghan people to replace the Taliban regime, while condemning for allowing Afghanistan to be used as a base for terrorism and for providing safe haven to Osama bin Laden, and authorized the UN member states -under Chapter VII of the Charter of United Nations- to take appropriate measures to tackle with international terrorism" by resolutions 1368 (12th September), 1373 (28th September) and 1377 (12th November).[10]

In the immediate aftermath of the 11th September attack, the North Atlantic Council also convened for a special meeting in which it "declared its

[10] cited in the UN Security Council web site. [online] (Last retrieved on 15th September 2006) (http://www.un.org/Docs/scres/2001/sc2001.htm)

solidarity with the United States and pledged its support and assistance", thereby invoking Article 5 of the North Atlantic Treaty[11]

Enjoying a prompt international empathy for the victims of the terrorist attacks, the US garnered unprecedented support, and a 'coalition of the willing' was formed to respond to the threat posed by al-Qai'da and the Taliban that consistently denied of any ill-doing. Military offensive of the international coalition led by the United States started in earnest on 7th October 2006, prompting the toppling of the Taliban regime in Afghanistan within a period of eight weeks. The US-backed anti-Taliban 'Northern Alliance' forces entered Kabul on 13th November, and in the ensuing battles, remnants of Taliban were uprooted from their other strongholds.

Outbreaks of looting and executions of the Taliban prisoners together with chaotic disorder prompted the United Nations to announce plans on 13th November, and to adopt resolution 1378 on 14th November "in support of a new and transitional administration leading to the formation of a government in Afghanistan", while "encouraging the member states to support the efforts to ensure safety and security of areas of Afghanistan no longer under Taliban control", effectively laying the ground for the deployment of a multi-national force to Kabul.[12]

As the military operation[13], which became known as 'Operation Enduring Freedom', loomed in full force, political arrangements for a post-Taliban Afghanistan were already in place. The United States and its allies anticipated that heavy bombing of the Taliban lines had broken any resistance Taliban forces could put up against the Northern Alliance militias, and that the latter were poised to enter in Kabul at any time. This would bear undesirable consequences, with a reoccurrence of the circumstances reminiscent to the 1992, for a non-Pashtun dominated Northern Alliance was feared to exploit the opportunity to keep the Pashtuns at bay in a future government of Afghanistan. It worth noting that at this particular stage of the

[11] cited in the US State Department web site. [online] (Last retrieved on 10th May 2006) (http://www.state.gov/r/pa/ho/pubs/fs/5889.htm)
[12] Cited in the UN Security Council web site. [online] (Last retrieved on 10th September 2006) (http://daccessdds.un.org/doc/UNDOC/GEN/N01/638/57/PDF/N0163857.pdf?OpenElement)
[13] The operation was initially code-named 'Operation Infinite Justice', however, subsequently changed quietly so as not to provoke sensitivities among the Muslim countries.

conflict, Taliban was virtually the only credible Pashtun force in the theatre. Worried about such prospects, the United States and its allies together with the UN, endeavoured to keep the anti-Taliban militia on hold, and attempted to delay their entry to the capital Kabul. Under intense pressure, the Northern Alliance stated its agreement to sharing power and to a broad based, representative government.

In anticipation of an imminent Northern Alliance march into Kabul, the 'Six plus Two' group (six countries neighbouring Afghanistan and the US and the Russian Federation) met in New York on 12 November, under the chairmanship of the UN Secretary General, agreeing on the need for a broad-based and freely chosen Afghan government. This constituted the first of a series of steps for setting the scene for a political settlement. The following day, on 13th November, coinciding with the Northern Alliance militia forces entering Kabul, the UNSRSG for Afghanistan Lakhdar Brahimi submitted a five-point approach to the UNSC with a view enable the formation of a broad-based, multi-ethnic government in Afghanistan. Thus, this plan envisaged:

1. A meeting of the most important representatives;
2. The creation of a provisional national council chaired by someone respected throughout the country;
3. The establishment of a transitional administration for up to two years;
4. The convening of a Grand National Council (*Loya Jirga*) to confirm the programme of the transitional administration including the elaboration of a constitution;
5. The end of the transitional phase with the adoption of a new constitution and the creation of a new government. [14]

Within two weeks, the post-conflict political process was in place with the participation of the delegates from moderate Pashtun groups and the Northern Alliance, and under the auspices of the UN, "28 Afghan delegates representing the Northern Alliance and the so-called Rome, Cyprus and Peshawar shuras gathered on 27th November at Königswinter, Petersberg near Bonn, hosted by Germany" (Rasayanagam, 2003: 256), starting the so-called 'Bonn Process'. In effect, the meeting was open to all Afghan groups,

[14] Cited in the German Foreign Ministry web site. [online]
(Last retrieved on 21st September 2006)
(http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan)

prominent individuals and factions that were opposing Taliban, and they were trusted with the task to form a transitional administration in the post-Taliban era.

The meeting lasted until 5th December, and after much pressure from the UN and the US, the delegates agreed on a document entitled "Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions", which together with its annexes, laid the foundation of an *Afghan Interim Authority* (AIA) that would represent the legitimate sovereign authority in Afghanistan with immediate effect, and through the interim period, until a transitional authority were established through a *Loya Jirga*.

The Agreement stipulated that this would take the form of an *Emergency Loya Jirga* (ELJ) that would be convened within the next six months to decide on an *Afghan Transitional Authority* (ATA) and to elect a president for the transitional period. Convening of another *Loya Jirga,* entitled as *Constitutional Loya Jirga* (CLJ)*,* within a period of eighteen months to adopt a new constitution for Afghanistan was also mandated by the Agreement. The Agreement further elaborated a timeframe for holding free and fair elections in Afghanistan, upon completion of these phases, in any case no later than two years from the date of the convening of *Emergency Loya Jirga*.

The 'Bonn Agreement' designated Hamid Karzai as Chairman of the *Afghan Interim Authority* together with vice-chairmen and members of the *Authority*, requested the UN to authorize an early deployment to Afghanistan of a UN mandated force, with a further request for the assistance of the UN to monitor and implement all aspects of the agreement.[15] The 'Bonn Agreement' was endorsed by resolution 1383 of the UNSC on 6th December 2001, and the Council declared its support for the implementation of the Agreement including the establishment of a number of interim institutions.[16]

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[15] cited in the German Foreign Ministry web site. [online]
(Last retrieved on 21st September 2006)
(http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan)

[16] cited in the UN Security Council web site. [online] (Last retrieved on 22nd September 2006)
(www.un.org)

On 6th December, following the formation of the interim government in Bonn, the Taliban leader Mullah Mohammad Omar negotiated the surrender of his forces in Kandahar to local tribal chiefs, through an intermediary (Rasayanagam, 2003: 256). Hence, the Taliban ceased to exist as a political force in Afghanistan. However, it is important to note that neither a formal cease-fire, nor any other document to end the hostilities, and specify the status of the renegade Taliban forces, was ever concluded between the Taliban and the US and its allies; or, to this effect, the Northern Alliance. The Taliban forces simply disappeared from the scene, only to come back at a later stage.

The 'Bonn Agreement' was the first of a series of agreements intended to re-create the State of Afghanistan after years of civil wars and foreign interventions. The aim of the Bonn Agreement, thus, was to create a dialogue on a peaceful settlement for the future of Afghanistan, and to set up an agenda for the establishment and development of democratic and participatory political institutions. Viewed from this perspective, the 'Bonn Agreement provided a vital impetus for the Afghan factions warring among themselves, despite the common threat posed by the Taliban, to initiate a democratic state building process. This was to be carried out under foreign ownership, mentoring and enforcement where necessary since no Afghan government was recognized by the whole nation since 1979 regardless of the self-claimed legitimacy of subsequent governments in Kabul.

It has been largely claimed that the 'Bonn Agreement' was the best solution readily available that was applicable for democratic state building based on a broad-based consensus. Taking into account of the uneasy alliance amongst the parties that made up the Northern Alliance, and the continuing conflict between the Pashtuns in the persona of the Taliban and the non-Pashtuns represented by the Northern Alliance, not least to mention the peculiar circumstances of Afghanistan, it is difficult to contradict with this view. With hindsight, however, it was argued by almost all stakeholders that the agreement reached in Bonn was far from being flawless. In justification of these views, the Pashtun constituency attending the Bonn conference was representative of the exile groups that had almost no presence on the ground

in Afghanistan. The so-called Rome, Cyprus and Peshawar groups were all sidelined to a marginal standing by the Taliban, which claimed, albeit unfoundedly, an overarching representation of the Pashtuns. Inclusion of the mainstream Pashtuns in the new state formation was, therefore, sought by installing the exile groups. This was particularly important in view of the fact that historical lineage of the ruling elite in Afghanistan was almost always dominated by the Pashtuns, excluding the brief interlude of Prof. Rabbani's presidency.

Dr Zalmai Khalilzad (himself an influential ethnic Pashtun/American who served as the US Ambassador and Special Representative of the President of the US to Afghanistan from 2003 to 2005) had played a pivotal role during the Bonn Conference. He later recalled that

> the Afghan Americans (most of them ethnic Pashtuns) were busily engaged with the American officials during the Bonn Conference, and competing factions vied for getting the seat of Presidency. At the same time, there were different views as to whether the jihadis should be present in Bonn, but there was a widely shared consensus to keep certain people out of Bonn.[17]

The EU Special Representative (EUSR) Mr Francesc Vendrell who at the time of the Bonn Conference was working as Deputy to UNSRSG Dr Lakhdar Brahimi indicated that

> the conference was held a month too late, and instead, it should have been organized before the fall of the Taliban. Being aware of this deficiency, the Northern Alliance took advantage of this situation, and walked into Kabul. Facts on the ground were established, and a limited space was left for manoeuvring (in Bonn). Therefore, Bonn was not a peace conference; it was (organized) in response to an emergency. The international community was in search of an exit far too soon. Thus, (we) put forward a two-and-a-half year plan. It was obvious that the timeline foreseen for reconstruction of the state was too short, and that the calendar would inevitably slip, so would the target dates. This was not, however, viewed as an important obstacle: The United States merely saw the calendar as a set of benchmarks (deadlines); they obviously were in a hurry to move forward.
>
> As for the choice for a presidential but not a prime ministerial system, the final decision was deferred to the *CLJ;* however, Mr Karzai and Dr Khalilzad were in favour of a presidential system for they believed it would be far more efficient than the latter. Eventually, the agreement was reached on a 'presidential minus' system.[18]

[17] Interview in Kabul, 11th May 2005.

[18] Interview in Kabul, 19th July 2005.

Dr Zalmay Rassoul, National Security Advisor to President Karzai, offered another perspective on the issue when requested to comment on the dynamics in Bonn. He highlighted that

> The (pro-monarchy) Rome Group was in contact with the Northern Alliance from March 2001, and the latter had declared support for the return of the exiled King H.M Mohammad Zaher Shah. The United States, however, was not very receptive to these ideas until 11th September. In the wake of the 11th September attacks, nevertheless, the United States was engaged with these ideas; preparations were hastily made in Washington DC for a conference in Bonn. An inter-Afghan dialogue was re-initiated; warlords on the ground were activated against Taliban. (We) obviously needed the support of Iran and Pakistan in organizing the Peshawar and Cyprus groups as well.
> In Bonn, the three-point plan proposed by the former King back in 1994 actually became the UN plan. The plan foresaw that 'the will of the Afghan people would prevail', and stressed that 'the King did not seek any position for himself', while emphasizing that 'holding an Emergency *Loya Jirga* was necessary'.
> The United States was more interested in carrying out a successful the military operation than the state building effort. As for the future (interim) President of Afghanistan, the King decided on Mr Karzai. *(This last account, however, was disputed by Mr Francesc Vendrell, the EUSR at the time of the interview. In a largely shared view by other stake holders, Mr Vendrell disclosed that Dr Abdul Sattar Sirat -a prominent member of the Rome Group, and a trusted aide to the former King- was chosen as the future Interim President by nine votes, whereas Mr Karzai's and Dr Rassoul's votes remained at two and one respectively in the wake of the voting process in Bonn. According to this account, Dr Sattar was asked to withdraw in favour of Karzai)*[19]

Other observers refer to the Bonn Agreement primarily as a "power sharing arrangement". According to this view, "the Bonn Agreement accommodated serious weaknesses in the absence of security clauses: there were no timetables for disarmament of the militias groups, and most importantly no security structures for the future". This was in view of the "overwhelming strength of the Northern Alliance in the wake of the anticipated fall of Taliban" and the prudence exercised thereof "not to antagonize the Northern Alliance." [20]

From an overarching perspective, it would be justified to claim that the Bonn Agreement exclusively produced a political framework as for the reconstruction of state in Afghanistan. The Agreement, as such, was finalized in account of the pressing circumstances on the ground.

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[19] Interview in Kabul, 16th July 2005.

[20] Interview with Mr Mark Sedra in Kabul, 14th May 2005.

Other crucial issues revolving around the larger state building effort, i.e. resolving the pressing issue of donor commitment for physical reconstruction of Afghanistan, and establishing a security structure framework for the future were deferred to the conferences to be organized later in Tokyo and Geneva in 2002.[21]

3.2. Implementation of State Building by Foreign Ownership

Under the stipulations of the 'Bonn Agreement' the AIA was inaugurated on 22 December 2001, and President Burhanuddin Rabbani transferred the power to Chairman Karzai during a solemn ceremony held at the Ministry of Interior, Kabul. Almost all AIA members together with other senior *jihadi* figures were present at the ceremony along with representatives of other countries and international organizations.

A substantial presence of the international community at the ceremony is worth mentioning for this indicated the foreign ownership of the *post-war rehabilitation* effort. Quoting an example of the foreign ownership, it can be mentioned that Senior Vice-Minister Uetake, who was representing Japan during the ceremony, held talks with Chairman Karzai, "in which he recognized the AIA, and pledged that Japan would contribute USD 1 million to the Trust Fund established within the UNDP."[22]

The AIA was made up of 30 members, and consisted of an Interim Administration, Supreme Court and the Special Independent Commission for convening of the ELJ. Accordingly, the AIA represented an all-encompassing body consisted of the legislative, the executive and the judiciary. The main objective of the Interim Authority was to administer Afghanistan as the sole sovereign authority for six months and to convene the ELJ that would in turn establish the ATA. As indicated earlier, the Transitional Authority would replace the Interim Authority.

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[21] Cited in the German Foreign Ministry web site. [online]
(Last retrieved on 10th October 2006)
(http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan)

[22] Cited in the Japanese Foreign Ministry web site. [online] (Last retrieved on 12th May 2005)
(http://www.mofa.gov.jp/region/middle_e/afghanistan/ceremony0112.html)

By the end of December 2001, foreign ownership over the reconstruction of Afghanistan was firmly established. It had become clear that the international community had committed to provide security and political stability for Afghanistan through the UN. The 'lead nation' concept for carrying forward the Security Sector Reforms (SSR) was also developed during the Bonn Conference as indicated by Dr Zalmay Rassoul, the National Security Adviser to the President of Afghanistan[23]. Securing donor commitments for reconstruction of the country, however, would take a painful turn over a long period.

Afghanistan, thus, was placed under an international tutelage with the support of the United Nations, although its status was not named as such. Different from the previous experiences of the post-colonial period when the UN Trusteeship Council[24] was directly entrusted with governing the newly independent territories, Afghanistan was encouraged to attain a self-governed status with the assistance of the international community. This was drawn from the previous state building experience obtained in the Balkans; however, it was far more comprehensive in scope for it covered all institutional aspects of the state building effort. It would set a new example for the future debates focusing on the best practice as to how the failed states could be put back on track of reconstruction.

3.2.1. Establishing a Secure Environment

Once the political agreement was reached as to dynamics of the future state of affairs, establishing a secure environment ran as an immediate requisite over all other objectives in the collective effort to reconstruct Afghanistan. The necessity would produce a two-fold benefit: To provide a sense of security that would signal a return to normality would clearly help the Interim Administration to carry on with its agenda, but it would also help

[23] Interview in Kabul, 26th July 2005

[24] The UN Trusteeship Council suspended operation on 1 November 1994, with the independence of Palau, the last remaining United Nations trust territory, on 1 October 1994.

rehabilitating the larger public, and people could commence reconstruction at the grass-roots level. The sense of security would also help the donor and aid community to return Afghanistan for all but the downsized Red Cross had left the country well in advance of 11th September due to security concerns and restrictions imposed upon by Taliban.

When resolution 1386 was adopted by the UNSC on 20th December, the road was cleared for deploying an International Security Assistance Force (ISAF), in line with the 'Bonn Agreement' and the previous resolutions of the UN Security Council. It has to be noted that the envisaged international force was sanctioned by the UN; however, it was distinct from a UN peacekeeping force. Failed UN missions in Rwanda, Bosnia and Somalia were standing factors for caution. A UN peacekeeping force would also take a longer time to assemble, with inherently invariable weaknesses, and co-ordination problems in its command and control structure. (Rasanagayam, 2003: 258). The ISAF, on the other hand was assembled with lightning speed, and after a speedy deployment, its footprint was on the ground under the British command.

It worth mentioning that the UNSC, by its resolution 1386, asked the formation of ISAF with reference to not only the 'Bonn Agreement' but also for reasons under Chapter VII of the United Nations. From its inception, ISAF was not imposed upon the Afghan government, but in an attempt to empower the newly capacitated AIA, it was deployed in view of the request of AIA to the UN; thus operating at their behest.

3.2.1.1. The International Security Assistance Force (ISAF)

At the outset, ISAF-I under the command of Maj. Gen. John McColl, British Army, was comprised of eighteen countries. ISAF was mandated by carrying out three principal tasks: aiding the interim government in developing national security structures; assisting the country's reconstruction; and, assisting in developing and training future Afghan security forces. A Military-Technical Agreement overseeing the rules of engagement (ROE)

was signed between Commander ISAF (COMISAF), Maj. Gen. John McColl, and the AIA on 31st December 2001. Under this agreement, ISAF was accorded with 'complete and unimpeded freedom of movement throughout the territory and airspace of Afghanistan'.

Initially, the ISAF mission was limited to Kabul and the Bagram airbase to the north of Kabul. This was due to the fact that the US military officials remained wary of dispatching peacekeepers to other cities while the military campaign was still ongoing. The ISAF contributing countries were also reluctant to engage with the mission to such extent. Finally, an amendment to the UNSC resolution 1386 would be needed to expand ISAF's operations beyond the Afghan capital. The UNSC adopted resolution 1510 anonymously on 13th October 2003 to extend ISAF's mandate beyond Kabul, thereby paving the way for an expansion of NATO-led ISAF. The UNSC Resolution 1510 thus authorized

> expasion of mandate of the ISAF to allow it, as resources permit, to support the ATA and its successors in the maintenance of security in areas of Afghanistan outside of kabul and its environs so that the Afghan authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operatein a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement.[25]

The 'Bonn Agreement' as well as the UNSC resolutions on ISAF established a three-way partnership among the AIA, later ATA; the United Nations Assistance Mission in Afghanistan (UNAMA) and ISAF. Following resolution 1386, resolutions 1413, 1444, 1510, 1563, 1623, 1659 and 1707 have been adopted by the UNSC in the course of time to specify and update the scope, area, responsibilities and mandate of the security assistance force.

ISAF served under three individual country commands, i.e. the UK, Turkey and Germany/the Netherlands (conjointly) until it was taken over by NATO on August 2003. Thus, Maj. Gen. Akin Zorlu, Turkish Army, took-over as COMISAF-II in June 2002, and Lt. Gen. Norbert Van Heyst, the Dutch Army, took-over COMISAF-III in February 2003.

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[25] UNSC Resolution 1510. [online] (last retrieved 10th September 2006) http://daccessdds.un.org/doc/UNDOC/GEN/N03/555/55/PDF/N0355555.pdf?OpenElement

NATO's take-over of ISAF was essentially related to the ambiguity of rotation periods amongst the individual countries, and to the difficulty in finding countries willing to take-over the command of ISAF. Following the NATO take-over, this critical deficit was addressed, and ISAF command was subjected to rotation amongst the NATO-assigned brigades of the NATO member countries.

3.2.1.2. NATO's Take-over of ISAF

Since 11th August 2003, ISAF is supported and led by NATO, and financed by the troop-contributing countries. NATO is thus responsible for the command, co-ordination and planning of ISAF. This includes providing a force commander and headquarters on the ground in Afghanistan.

NATO's role in assuming the leadership of ISAF in August 2003 overcame the problem of a continual search to find new nations to lead the mission and the difficulties of setting up a new headquarters that emerged every six months in a complex environment. A continuing NATO headquarters also enables small countries, which find it difficult to act as lead nations, to play a strong role within a multinational headquarters.

In November 2003, NATO appointed Mr Hikmet Çetin of Turkey to the post of Senior Civilian Representative (SCR) in Afghanistan. In August 2006, Mr Çetin was succeeded by Ambassador Daan Everts, from the Netherlands. The SCR is responsible for advancing the political-military aspects of the Alliance's engagement in Afghanistan and receives his guidance from the North Atlantic Council. He works in close co-ordination with the ISAF Commander and the United Nations as well as with the Afghan authorities and other representatives of the international community present in the country, such as the EU.

ISAF's mandate was initially limited to providing security in and around Kabul. In October 2003, the UN extended ISAF's mandate to cover the whole of Afghanistan, paving the way for an expansion of the mission. However, in view of the differing threat assesments, and the reservations of the NATO

nations to embrace a full-fledged expansion, ISAF's expansion acroos Afghanistan was spread in time and scope, developing in stages.

In December 2003, the North Atlantic Council, NATO's principal decision-making body, authorised the Supreme Allied Commander, General James Jones, to initiate the expansion of ISAF by taking over command of the German-led Provincial Reconstruction Team (PRT) in Kunduz. Thus, by the end of December 2003, the military component of the Kunduz PRT was placed under ISAF command as a pilot project and first step in the expansion of the mission.

It worth noting the mode of expansion through the PRT module in Kunduz, since the PRTs characterise the foot-print of NATO/ISAF on the ground rather than a concept of garrison like presence across the country. In actual fact, the NATO-led ISAF expansion in later stages followed this model. The model was chosen consciously for the NATO nations were hesitant to commit large troop contingents to Afghanistan, and they viewed the whole mission essentially as a stability provider in contrast to the OEF-led fighting mission in other parts of the country. In that sense, the PRT-driven model bode well since PRTs are essentially small teams of civilian and military personnel working in the provinces to provide security for aid workers and help reconstruction work. They are also key in supporting the three pillars of the Bonn Agreement: security, reconstruction and political stability. In 2003, apart from the Kunduz PRT, there were eight other PRTs under the command of OEF, the continuing US-led military operation against OMF targets in Afghanistan.

Six months later, on 28th June 2004, at the Summit meeting of NATO Heads of State and Government in Istanbul, NATO announced that it would establish four other provincial reconstruction teams in the north of the country: in Mazar-e-Sharif, Meymana, Feyzabad and Baghlan. This process was completed in October 2004, marking the completion of the first phase of ISAF's expansion. ISAF's AoO reached a coverage of some 3.600 sq. kilometres in and around Kabul and approximately 185.000 sq. kilometres in the north, and the mission was able to influence security in nine northern provinces of the country.

In February 2005, NATO announced that ISAF would be further expanded into the west of Afghanistan in Stage 2. The expansion process began in May 2005, when ISAF took on command of two additional PRTs, in the provinces of Herat and Farah and of a Forward Support Base (a logistics hub) in Herat. In the beginning of September, two further ISAF-led PRTs in the West became operational, one in Chagcharan, capital of Ghor province, and one in Qal'a-e-Now, capital of Baghdis province, completing ISAF's expansion into the west. The extended ISAF mission now led a total of nine PRTs, in the north and west, providing security assistance in 50 percent of Afghanistan's territory. The Alliance continued to make preparations to further expand ISAF, to the south of the country. In September 2005, the Alliance also temporarily deployed 2.000 additional troops to Afghanistan to support the NAE.

In December 2005, NATO endorsed a plan that paved the way for an expanded ISAF role and presence in Afghanistan; the first element of which was the expansion of ISAF to the south in 2006, in Stage 3. This was implemented in July 2006, when ISAF assumed command of the southern region of Afghanistan from US-led OEF, expanding its AoO to cover an additional six provinces -Day Kundi, Helmand, Kandahar, Nimroz, Uruzgan and Zabul- and taking on command of four additional PRTs.The expanded ISAF now led a total of 13 PRTs in the north, west and south, covering some three-quarters of Afghanistan's territory. The number of ISAF forces in the country also increased significantly, from about 10.000 prior to the expansion to about 20.000 after.

On 5 October 2006, ISAF implemented the final stage of its expansion, by taking on command of the international military forces in eastern Afghanistan from the US-led OEF. The NATO-led ISAF's AoO currently covers the whole of Afghanistan. NATO leads some 30.000 troops from 37 countries and 24 PRTs. In addition to expanding the Alliance's AoO, the revised OPLAN also paved the way for a greater ISAF role in the country. This included the deployment of ISAF operational mentoring and liaison teams to ANA units at various levels of command. These are small groups of

experienced officers and non-commissioned officers that will coach and mentor the ANA units to which they are attached.[26]

3.3. Setting the Scene for Reconstruction

In recognition of the need for a *post-war reconstruction* of Afghanistan, initial efforts for establishing a new collective endeavour in this vein were translated into a Senior Officials Meeting on Reconstruction Assistance to Afghanistan that was hosted by the US State Department in Washington DC, on 27th November 2001, the same day Bonn Conference started. Thus, the scene was set for reconstruction of Afghanistan at a time when the military operation against Taliban and al-Qai'da was approaching the end of its first eight-week phase.

The senior officials meeting was jointly chaired by the United States and Japan, and the G-8 countries, the EU Chair-in-Office (Belgium), the EU Commission, the Netherlands, Sweden, Denmark, Saudi Arabia, Turkey, the Chair-in-Office of the OIC (Qatar), Korea, China, India, Switzerland, Finland, Australia, Austria and Norway were represented. UNDP, OCHA, UNICEF, WFP, UNHCR and the ADB also participated in the meeting.

The holding of the meeting represents an important turning point with respect to reconstruction efforts. Until such time, the aid delivered to Afghanistan was limited to *humanitarian assistance*, and the meeting transformed the nature of the aid to *reconstruction assistance*. Nevertheless, it was acknowledged by the participants that there should be a seamless connection between these two forms of aid.

The participants further underlined the central role the UN was playing in Afghanistan, confirmed their commitment for reconstruction assistance to Afghanistan, recognized the importance of carrying out reconstruction with quick-impact projects, and welcomed the initiation of the Bonn Conference under the auspices of the UN.

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[26] This section is drawn from the NATO/ISAF homepage that outlines the history of ISAF. [online] (last retrieved 10th October 2006) http://www2.hq.nato.int/ISAF/about/about_history.htm

Among other results of the meeting were the agreement to establish a follow-up structure as a forum to demonstrate political guidelines, and as such a steering committee was formed with the US, Japan and Saudi Arabia as co-chairs. Convention of a ministerial level (donors) conference in Japan at the end of January 2002 was also accepted.[27]

The first meeting of the Afghan Reconstruction Steering Group was held on 20-21 December in Brussels, during which Japan announced the dates to host the ministerial conference in Tokyo on 21-22 January. In view of the preliminary studies carried out by the World Bank, UNDP and the ADB, the demand for reconstruction assistance was acknowledged up to USD 2.26 billion for the next two-and-a-half years, USD 9 billion for the next five years, and up USD 20 billion for the next ten years periods.[28]

3.3.1. The Tokyo Conference

The International Conference on Reconstruction Assistance to Afghanistan was co-organized by Japan, the US, the EU and Saudi Arabia in Tokyo on 21-22 January 2002. Representatives of sixty governments at the ministerial level and twenty international organizations participated in the conference. Chairman Karzai of the AIA and other participants announced their visions and policies for achieving the reconstruction and development of Afghanistan. As such, the primary focus of the conference was on displaying international community's solidarity with Afghanistan. In view of the 'Bonn Agreement' the international community expressed its political support for extending concrete assistance to Afghanistan by making specific commitments and pledges, on condition that all Afghan factions positively contributed to the peace process. The AIA, while recognizing that it held the

[27] cited in the Japanese Foreign Ministry web site. [online]
(Last retrieved on 11th August 2006)
(http://www.mofa.gov.jp/region/middle_e/afghanistan/meet0111.html)

[28] (cited in the Japanese Foreign Ministry web site.) [online]
(Last retrieved on 11th August 2006)
(http://www.mofa.gov.jp/region/middle_e/afghanistan/meet0201.html)

primary responsibility for reconstruction, identified the following key priority areas for the reconstruction of Afghanistan:

1. Enhancement of the administrative capacity, with emphasis on payment of salaries and establishment of the government administration,
2. Education with special emphasis on the girls,
3. Public health and sanitation,
4. Infrastructure development, particularly roads, electricity and telecommunications,
5. Reconstruction of the economic system, particularly the currency system,
6. Agriculture and rural development, including food security, water management and revitalising the irrigation system[29]

Along with these priority areas, the AIA also announced its commitment to transparency, efficiency and accountability in carrying out the reconstruction effort; stressed the need for community building; and, highlighted the importance of mine-clearance, and assistance to war victims and the disabled. There was also stress on the need to eradicate the problem posed by narcotics emanating from Afghanistan. Finally, there was recognition that the UN should play a pivotal role, with stress on the key roles played by the Afghan and international NGOs on the overall effort to provide reconstruction and development in Afghanistan.[30]

Pledges and commitments of over USD 1.8 billion for 2002 were announced at the Tokyo Conference. Some donors made multi-year pledges within various timeframes. Thus, the cumulative amount pledged for collective reconstruction effort stood at more than USD 4.5 billion. The need for rapid disbursement of the pledges was recognized that as a priority to enable the AIA to function.[31]

In light of the Tokyo Conference proceedings and conclusions, it is evident that the AIA was utterly reliant on the assistance of the international community to function properly. The foreign stake holders had an interest to make the AIA a functioning body, recovering from the dysfunctional and

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[29] cited in the Japanese Foreign Ministry web site.[online] (Last retrieved on 11th August 2006)
(http://www.mofa.gov.jp/region/middle_e/afghanistan/meet0201.html)

[30] cited in the German Foreign Ministry web site. [online] (Last retrieved on 11th August 2006)
(http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan)

[31] cited in the Japanese Foreign Ministry web site.[online] (Last retrieved on 11th August 2006)
(http://www.mofa.gov.jp/region/middle_e/afghanistan/meet0201.html)

collapsed state structure, thus displaying capability to maintain peace and stability along with delivery of basic public goods and services to the extent possible. Notwithstanding this, some critics argued with hindsight that the funds pledged in Tokyo were far from being sufficient -especially when compared with the similar efforts designed to raise funds for Iraq- for laying a basis comprehensive reconstruction.[32]

In the larger picture, the international stake holders retained their position as security providers through the newly deployed ISAF in Kabul, and the OEF military presence across the rest of the country. The Tokyo Conference conclusions remained the primary scale as to the implementation of the reconstruction commitments until the next Donors Conference held in Berlin, on 31st March-1st April 2004.

3.4. Setting the Scene for Security Sector Reform

Setting the scene for security sector reform (SSR) was clearly more complicated than garnering support for reconstruction. Firstly, the newly installed AIA was in its infancy, and highly reliant on foreign security providers to function in a secure and stable environment. By the time agreement was reached in the Berlin Conference, the Northern Alliance -in an explicit challenge to the international calls urging otherwise- had firmly established itself in Kabul with a formidable militia force amounting to thousands of veteran fighters (Rasanayagam, 2003), with tens of thousands militiamen spread across the country with firm allegiance to scores of regional war-lords (Özerdem, 2004). To make the things worse, the first phase of the military operation against Taliban was barely completed with remnants of Taliban and al-Qai'da fugitives still operating in the countryside. The AIA was a nominal power unable to sanction even the movement of the fractions of militia force in Kabul. The Northern Alliance militia was fractured in itself with individual allegiances of the factions resting on tribal/clan/regional/leadership loyalties. They remained highly independent and unaccountable for their actions and exploitations. The only force that

[32] Interview with Mr Mark Sedra, Kabul, 14th May 2005.

could act as a deterrent for misgivings of such a force was ISAF although it was outnumbered in its sheer size of a couple of thousand troops.

Against this backdrop, the international community recognized the urgent need to empower the central authority by sustaining the presence of ISAF in Kabul, and acting as a deterrent to the excesses of the regional power brokers through the OEF forces. Simultaneously, the war was fought against the remnants of Taliban and al-Qai'da in the southern provinces. Meanwhile a multi-tiered approach was developed to identify and address the deficiencies in the broad spectrum of the security sector reform (SSR) in the country. As such, building a new national army (ANA) and a police force (ANP); disarming, demobilizing and re-integrating (DDR) the former combatants (militia with loyalty to different war-lords, drug-barons, and power brokers); and, launching an integrated action plan against the cultivation and trafficking of narcotics was deemed essential. A longer haul effort to complement, support and sustain the SSR that was required to introduce a feeling of justice across the country was re-establishing the dysfunctional judicial.

This colossal task was not addressed immediately for the OEF military operation was in its ensuing phases after the Taliban informally negotiated its surrender on 6 December 2001. It worth mentioning the nature of these military operations to better analyze the reason for keeping the regional militia spared. The OEF launched a major military operation by mid-December by bombing "the cave complex in Tora Bora, in the inaccessible Safeed Koh mountain range overlooking the Pakistani border." (Rasayanagam, 2003:256). This operation was viewed crucial to incur casualties on the remnants of Taliban and al-Qai'da. The OEF resorted to a heavy aerial bombing campaign, relying on the ground the irregular militia forces offered by the Northern Alliance and regional warlords. With a handful US Special Forces and advisers on the ground, "the operation failed to cordon-off a very large and virtually inaccessible region." (Rasayanagam, 2003:256).

Similarly, another attempt to encircle remnants of Taliban and al-Qai'da forces in the Shah-e-Kot Valley near Gardez was undertaken in March

2002. During the operation, code-named Anaconda, the OEF displayed an excessive reliance on Afghan militias in anticipation of heavy casualties in the mountainous terrain. Still, 'Operation Anaconda' became the largest US ground offensive since the Gulf War in 1991 with over two-thousand US and coalition forces moved into eastern Afghanistan.[33]

3.4.1. The Geneva Conferences

The leading foreign stakeholders, the United Nations and other international organizations came together with the AIA in Geneva in two consecutive conferences (the so-called 'Geneva I' and 'Geneva II' conferences) on 3rd April and 17th May 2002 to discuss the scope and implementation of the SSR programmes in Afghanistan. Although organized at separate dates, these conferences were of the same nature, i.e. designating ownership for the SSR programmes as well as raising pledges for implementation of these programmes, and they were complementary to each other; thus, can be viewed as one. In fact, the second conference was organized as a 'clearing house' for providing conclusions on the pending issues derived from the first one. Their significance emanated from the fact that the so-called lead-nation concept on the five pillars of the SSR was formally announced with individual nations taking the lead (Geneva I). As such, the US agreed to take the lead in training the ANA and Germany was announced as the lead-nation in training the ANP. Japan was entrusted with the DDR. The UK undertook the planning and assistance in implementation of the counter narcotics effort. Finally, Italy assumed responsibility in the judicial sector reforms as the lead-nation. The concept did not preclude the involvement of other countries in any of the five pillars of the SSR; on the contrary, other countries were encouraged to join in support of the efforts of the lead nations. The lead nation responsibility rested primarily in envisaging, planning, funding and implementing the designated SSR pillar, in close co-

[33]Cited in the 'Campaign Against Terror' web site. [online](Last retrieved on 17th August 2006)
(http://www.pbs.org/wgbh/pages/frontline/shows/campaign/etc/epilogue.html)

ordination with the AIA as well as other contributing countries. Progress in meeting the target figures in particular pillars was to be collectively evaluated at intervals. Although the notion of lead-nation was inspired by the previous experiences in the Balkans, an all-out endeavour of this scope was undertaken for the first time in an effort to re-construct a failed state.

During Geneva I Conference on 3rd April, the AIA submitted a working paper to the conference proceedings projecting the planned strength of the ANA at 80,000; including an air force of 8,000 and 12,000 border guards. The ANP was envisaged as another 70,000-strong force. The main principles of the ANA, on the other hand, came to rest on another working paper distributed by the US DoD, entitled *'The Way Ahead for the Afghan National Army (ANA)'*. The paper recommended that "ANA should be broad-based, multi-ethnic, centrally trained and under civilian control."[34] A follow-up conference on the SSR was convened in Geneva in May 2002, to decide on the implementation of the SSR pillars.

Prominent figures, which influenced the SSR blueprints at various stages, provided insight on different aspects of the concept that served as a basis for the SSR pillars, when interviewed in Kabul in 2005. UNSRSG Mr Arnault indicated in hindsight that the international stake holders had seriously underestimated the weaknesses emanating from the facts on the ground, and that action was taken belatedly and with a selective focus on building the army and the police force. He thus underscored that

> fiscal sustainability in SSR was not built from the beginning -thereby causing the ANA and the ANP engulfing the total budget of the central government at a later stage. In this vein, revenue projections and fiscal discipline in the SSR frame were not envisaged. Thus, magnitude of the task encountered was not fully realised during the Geneva Conferences. Lack of basic state structure, therefore *inexistence of state capacity against the state's scope of activities*, was underestimated. This [*sic*.] undermined the performance in the SSR pillars. In fact, *capacity building in the state structure* should have been made a pillar of the SSR. Horizontal (among ministries) structures and vertical (central government and provinces) structures were left absent. To further exacerbate the picture, the Afghan military figures managed to establish themselves at the local level while they consolidated their factional hold on the MoD and the MoI. It took a long time to reverse these dynamics, which could have been prevented relatively easily at the outset.[35]

[34] cited in the web site of BICC. [online] (Last retrieved on 5th May 2005) (www.bicc.org)

[35] Interview in Kabul, 14th July 2005, emphasis added.

UNSRSG Mr Arnault recalled that at the time of the Geneva Conferences, "the only existing plan was an army reform; hence priority was accorded to reconstructing the ANA over other SSR pillars; and consequently training of the ANA and the ANP started in 2002, postponing the reform of the MoD to 2003 only after ensuring a multi-ethnic frame for the MoD, which was dominated by the Tajik/Panjheri group."[36]

Mr Eckhardt Schiewek, Special Assistant to the UNSRSG, echoing remarks of the latter opined that "at the time of the Geneva Conferences, *in line with the traditional view,* the state was primarily seen as a source of revenue for the mujahedeen parties, not as a political goods provider"; and that "the mujahedeen parties were effectively running different parts of the state apparatus, thereby prepared to resist to the progress SSR in anticipation of the SSR's detrimental effect on their vested interests."[37]

EUSR Mr Vendrell, on the other hand, claimed that "the limited deployment of ISAF to Kabul was a mistake since this left the disorder in the provinces intact, and slowed down the implementation of the SSR blueprints." In his account, "the UNAMA and UNSRSG footprints should have been more visible". He further inferred that "the Geneva Conferences were primarily dominated by the G-8 countries who sought to maximize their visibility, leaving the discussion on Afghanistan on the fringes." As such, "lead nation notion was not a good idea for the SSR blueprint should have been undertaken by the UN for an efficient co-ordination and implementation." Vendrell joined a large group of other observers who questioned the merits of entrusting certain SSR pillars with selected lead nations particularly in view of their inexperience.[38] Sedra, a prolific writer on the SSR blueprints in Afghanistan and elsewhere, confided that "SSR in Afghanistan has been viewed as the 'exit strategy for the international community." However, he claimed that at the initial stages of the SSR "the United States had placed the priority on counter insurgency operations, and

[36] Interview in Kabul, 14th July 2005.

[37] Interview in Kabul, 4th May 2005, emphasis added.

[38] Interview in Kabul, 19th July 2005.

employing the Afghan militia to this end; a move not coherent with the SSR frame."[39]

3.5. Targets Revisited: the 'Bonn-II Conference'

The targets set by the 'Bonn Agreement', and the consensus reached at the 'Geneva Conferences' concerning the SSR process was revisited at another conference when, upon the initiative of Germany, a Foreign Ministers Conference entitled "Rebuilding Afghanistan: Peace and Stability" was held at Petersberg near Bonn on 2nd December 2002, marking the anniversary of the 'Bonn Agreement'. The so-called 'Bonn II Conference' aimed to review the progress accomplished thus so far, and to set revised priorities accordingly.

Aims of the conference were outlined by the German chairmanship as

> underlining the importance of a continued international commitment to Afghanistan on the further implementation of the decisions laid down in the Petersberg Agreement (the 'Bonn Agreement') concluded in December 2001; as well as taking stock of what had been achieved so far, and to decide on the points of reference for the joint work during the next few months.[40]

President Karzai and members of the ATA were present at the conference alongside the UN and EU representatives as well as Foreign Ministers of a large group of countries who had particular commitments to Afghanistan. Similar to the previous year, an international conference entitled "Constitution and Civil Society: Essential Elements of Democratic Development in Afghanistan" was also held prior to the conference with some 70 participants as well as human rights and civil society groups. This was of particular importance for the conference laid down the democratic principles that were expected to be enshrined by the forthcoming CLJ, which would be tasked to conclude the new constitution of Afghanistan.[41]

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[39] Interview in Kabul, 14th May 2005.

[40] cited in the German Foreign Ministry web site. [online] (Last retrieved on 22nd August 2006)
(http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan/konfe...)

[41] *ibid.*

The conference adopted a final communiqué with all participants paying tribute to the progress achieved so far in Afghanistan. In the final communiqué, the election through the ELJ by secret ballot of President Karzai as Head of State and the establishment of the ATA was noted with satisfaction; while the establishment of some other key institutions by the ATA like a Judicial Commission and a Human Rights Commission, the Central Bank and the issuance of a new currency were commended.[42] In light of these accomplishments, the conference agreed that "the work of the ATA to achieve a series of institutional reforms in five key domains: security, administrative, judicial, financial, and socio-economic fields were vital."[43] Furthermore, the decision taken by the ATA to create the ANA, and to carry forward the DDR and the ANP processes as well as to intensify efforts to combat against drug trafficking was strongly endorsed. It worth noting, however, that although the SSR process was taken into account in a holistic manner, there was no specific reference to the judicial reform process, which was perilously lagging behind at that stage thus undermining the success of the SSR process as a whole.

Fulfilling the remaining provisions of the 'Bonn Agreement', most notably a new constitution and holding free and fair elections, were recognized as priorities in the forthcoming period, with reaffirmation of the commitment of international community provided as a given throughout this process.[44]

The intent of Afghanistan and neighbouring states to meet in Kabul on 22nd December 2002 to decide on a declaration of good neighbourly relations was also welcomed by the conference participants, since neighbouring states' attitude towards Afghanistan was deemed vital in ensuring the success of the Bonn process.

A prominent feature of the 'Bonn II Conference' was the signing by President Karzai of a decree establishing the ANA in witness whereof the

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[42] *ibid.*

[43] *ibid.*

[44] *ibid.*

participant states.[45] The decree was adopted as part of the conference proceedings and issued as annex of the final communiqué. This was a particularly important development for the ANA was thus born with the blessing of the international community. The reaffirmation of the international community through reassurances provided in support of the SSR process; as well as dedication for further democratization, good governance and accountability of the ATA, not least mentioning enforcing the timetables set by the 'Bonn Agreement' the previous year were among important conclusions of the 'Bonn II Conference'.

When asked to comment on the 'Bonn II Conference', LTG Karl Eikenberry, who twice served as Commander of Combined Forces Command-Afghanistan (CFC-A) through 2002/2004 and 2005/2006, underlined that "the debate on the ultimate size of the ANA was finally concluded during the 'Bonn II Conference' after much debate."[46] In his account,

> the intention was to make the ANA move forward. There was a clear need to build institutions, command and control structures, which were virtually inexistent. However, reforming the MoD and the Chief of General Staff was a challenge for job portfolios were to be created; disruptions were to be addressed along side a massive restructuring effort. Translations from Pashtu to Dari made things more complicated. President Karzai and Marshal Fahim Khan (*first MoD, later Chief of General Staff*) were to agree on each item, yet other factions were to agree on the same following their agreement. At one stage, it looked like an uphill struggle for increasingly smaller returns were secured in spite of the big amounts spent by the US and partner countries. Cracking infrastructure was slowing down the efforts, hampering the ANA build-up. However, there was a genuine need to get the ANA and the police reforms moving for these were the frontlines to counter the insurgency.[47]

3.6. Implementing the SSR process

Implementing the SSR process proved to be a real challenge for all stake holders including the Afghans. By all measures, the DDR was the most pressing issue for disarming the former combatants was the only way to secure the countryside and extend the central authority to the provinces.

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[45] *ibid.*

[46] Interview with LTG Karl Eikenberry, Kabul, 20th July 2005

[47] Interview in Kabul, 20th July 2005.

Building the ANA and the ANP was no less important for they would consequently provide public order, and security where insurgency was still on. Although the SSR pillars were closely intertwined, these three took priority over counter-narcotics and the judicial reform under pressing circumstances. Nevertheless, when judged with hindsight, this two-tier approach seems to have done worse than better in ensuring a successful implementation of the SSR process, for the in the absence of a coherent counter-narcotics strategy or a sound judicial system, neither the ANA nor the ANP could work effectively. Similarly, most former combatants subjected to DDR felt tempted to join the rows of mercenary forces related to the drug-barons in the countryside, although they were though to become eligible in joining the ANA or the ANP. In the absence of a judicial reform process, if anything resembling a reform movement existed at all, mock and arbitrary justice system took hold, further complicating the matters.

3.6.1. Disarmament, Demobilization and Reintegration of Former Combatants (DDR)

Largely, disarmament, demobilization and reintegration of the former combatants have been viewed as a vital and indispensable component of post-war rehabilitation and reconstruction of a state. Yet it represents the most challenging, complex and imminent prerequisite in all war-stricken societies. This was especially true in Afghanistan for the country was deeply divided amongst factions/regional power brokers with countless armed militia when Taliban was toppled.

Before dwelling on the implementation of the DDR process in Afghanistan, it would be appropriate to provide a definition of the DDR. As underlined by Özerdem,

> *disarmament* is the collection, control and disposal of small arms and light weapons, and the development of responsible arms management programmes. *Demobilization* is the process by which the armed force of the government and/or opposition or factional forces either downsize or completely disband. *Reintegration* is the process whereby former combatants, their families, and other displaced persons are assimilated into the social and economic life of (civilian) communities. These three phenomena are interrelated, rather than sequential, but they can be thought

> of as part of a sequence of activities that have to happen for a society to recover from conflict. (Özerdem, 2004:162-163; emphasis added.)

The DDR process is not indigenous to Afghanistan for it has been perfected through previous experiences in Bosnia-Herzegovina, Cambodia, El Salvador, Eritrea, Ethiopia, Guatemala, Liberia, Mozambique, Nicaragua, Sierra Leone and Uganda (Sedra, 2003; Özerdem,2004; Rubin, 2003; *et al.*), however, Afghanistan represented a unique challenge due to the sheer size of the armed population. Sedra observes that "there might be as many as 8 million guns in Afghanistan" highlighting the fact that "between 1986 and 1990, the US and its allies funneled USD 5 billion worth of weapons to the *Mujahedeen* in support of their resistance against the Soviet occupation". (Sedra, 2003:2). He further concludes that "between 150,000 and 250,000 Afghans were integrated into organized military groups and thus could be categorized as combatants." (*ibid.*, 2003.)

Against this backdrop, at the time of their establishment the AIA and the ATA possessed little authority outside Kabul, leaving much of the countryside to the regional warlords who maintained private armies and generated resources through illegitimate taxation, extortion, the narco-trade, and all other illegal activities in their mini fiefdoms in defiance of the central government at will. Adverse security conditions, lack of political consensus among main power brokers, inadequate donor support, and lack of progress in other SSR pillars further complicated the environment that was not conducive for implementation of the DDR process. Distrust and insecurity ran deep following a 23-year war, and the poverty-ridden country offered dimmed prospects in generating licit income for the demobilized former combatants who would seek a livelihood other than what they had been acquainted with for a generation.

Unlike the reference for a national army, the 'Bonn Agreement' did not contain an explicit clause for DDR. This was emanating from the reluctance of the Northern Alliance in stripping the *Mujahedeen* of their arms. (Sedra, 2003:4). Thus, it was not until the April/May Geneva security donors conference that the issue was formally dealt with (*ibid.*, 2003.).

When requested to comment on the beginnings of the DDR process in Afghanistan, the Japanese Ambassador Norihiro Okuda emphasized that at the time of the Bonn Conference, the US was primarily interested in carrying forward the military effort against Taliban, and that it was mainly thanks to the Japanese efforts that reconstruction of Afghanistan was uplifted on par with the military endeavour. Thus, ensuring the US support on this matter, Japan initiated the Tokyo Conference in January 2002[48]. In view of the beginnings of the DDR process, the Ambassador further recalled that

> it was mainly the European countries and the 'Friends of Afghanistan' group that pushed for the Geneva Conference (of April 2003). A great deal of talk concerning the humanitarian and reconstruction assistance was on the agenda. Geneva (Conference) was a forum to address the issues in further detail, based on projects. It was, in fact, a donor's conference where security dimension (in Afghanistan) was also discussed.[49]

In account of the criticism by some observers as to the reason Japan was entrusted with owning the DDR process in spite of its apparent lack of experience in this field, the Ambassador offered a rare insight, seemingly hitherto unavailable to most observers, highlighting that

> Japan (vaguely) proposed (during the Geneva Conference) in the form of sounding out the prospects for establishing a 'Ministry of Veterans' on the Japanese model after World War II. However, this idea was not pursued further. Had it been accepted (by other donors), Japan would then be prepared to offer financial contribution to this Ministry. Likewise, nothing similar to DDR was conceived (to be undertaken by Japan) initially for the Afghan authorities were thought to be capable of carrying out this task indigenously. Thus, Japan did not want to get involved in the military activities (due to its constitutional restrictions), but it decided to politically take part in the SSR frame. With support of other donors, however, it managed to negotiate the constitutional restrictions.[50]

Nevertheless, from April/May 2002 until February 2003 the DDR process made very little headway. According to Sedra, this was primarily because of the Japanese "inexperience, poor planning, lack of vision and initiative" (Sedra, 2003:5). In fact, the Japanese government first proposed, in May 2002, to establish a military demobilization agency in Kabul; and following the breakdown of this plan, it devolved all responsibility to the UN

[48] Interview with Mr Norihiro Okuda, Kabul, 10th July 2005.

[49] Interview in Kabul, 10th July 2005.

[50] Interview in Kabul, 10th July 2005.

Assistance Mission in Afghanistan (UNAMA). The UNAMA, in turn, proposed a UNAMA-designed DDR pilot programme, 'The Afghan Disarmament, Demobilization and Reintegration Programme' (ADDRP), the results of which would be utilized for a long-term, comprehensive DDR strategy in Afghanistan. Although the programme was fully funded, it was never implemented. The Afghan government, then, created two commissions to oversee planning and implementation for the DDR, namely the 'National Disarmament Commission' (NDC) and the 'Demobilization and Reintegration Commission' (DRC) in July 2002 (*ibid.*). Meanwhile, the UN sponsored, ad hoc, area based disarmament initiatives continued all year long sponsored by local military commanders, often at the expense of their less powerful competitors (*ibid.*). The fact, however, remained that the number of weapons collected during these initiatives remained obscure in an environment where transparency and verification against the claimed numbers was highly dubious.

Finally, under intense US pressure, Japan was persuaded to kick-start, albeit belatedly, a fully owned DDR programme through a conference entitled 'Consolidation of Peace in Afghanistan' on 22nd February 2003. The conference managed to gather more than 30 donor countries, the EU and 10 international organizations, resulting with a pledge of more than USD 50 million for a renewed DDR initiative; and more importantly gave way for the announcement of an agency, the 'Afghan New Beginnings Programme' (ANBP) that would ensure the success of the DDR process during the next three years (*ibid.*). Thus, the ANBP was formally given headway on 6th April 2003, when the ATA and the UN Development Programme (UNDP) signed an agreement inaugurating the ANBP with an ambitious target to demobilize 100,000 combatants over a period of three years at a cost of USD 127-million. By funding the ANBP, the Japanese government effectively sub-contracted the UN and independent agencies to carry forward the DDR process in Afghanistan. Finally, by a Presidential Decree in October 2003, the DDR pilot phase started in 5 cities including Kunduz, Gardez, Kabul, Mazar-e-Sharif and Kandahar, denoting an even geographic distribution.

Two points worth mentioning before further analyzing the implementation of the DDR process: First, it took one-and-a-half-years from the Geneva Conferences until the actual start of the process, a period devoted to experimentation with loss of invaluable time. This slow threading forward, in turn, postponed tangible progress in the rest of SSR pillars due to lack of security in the countryside. Second, a solid benchmark figure, i.e. 100,000 former combatants, was set in rather arbitrary fashion to impress the donor community. In actual fact, only two-thirds of this figure, or at least half of the most reasonable estimate, were barely met in the end when the DDR process was finally brought to an end in June 2005. With hindsight, the most successful facet of the DDR process was the heavy weapons cantonment (HWC) for two reasons: First, heavy weapons were difficult to hide; second, they were barely serviceable by the time HWC process was commenced.

The official Japanese line on the DDR process, however, refers to a success story. Mr Yuichi Inouye, who served as Counsellor for DDR at the Japanese Embassy in Kabul throughout the implementation of the DDR process, presents the track-record of the notion in his reference paper entitled 'Japan's contribution for DDR', as successful. According to this account, "although the DDR was designed to target 100,000 AMF combatants, the actual number of soldiers on the ground seemed *at a later stage* to be no more than 60,000"[51]. When interviewed in Kabul, Mr Inouye opined that this difference emanated from the "inflated figures of AMF combatants as provided by their commanders with the hope of retrieving payments from the donor community; which, in turn, were confiscated by the commanders"[52]. The reference paper, thus, asserts that

> Prior to the commencement of DDR in October 2003 and formation of ANA, Japan insisted on reformation of the MoD to maintain ethnic balance within the headquarters of the Ministry to convince all tribes to support DDR. In view of the lessons learned, cash payment to soldiers was abandoned because the cash was coercively taken by commanders. Decommissioning of the military units also proved to be essential for ensuring success of the DDR.

[51] Unpublished reference paper of the Japanese Embassy in Kabul, "Japan's contribution to DDR", Kabul, 2005; emphasis added.

[52] Interview with Mr Yuichi Inouye, Counsellor for DDR at the Japanese Embassy in Kabul, Kabul, 5th May 2005.

> Following the pilot phase in 5 cities, another Presidential Decree was issued on 27th March 2004 kick-starting phase 1 and disarmament of 40 percent of the AMF before the Presidential elections in October 2004, in 9 cities. Until August 2004 when Marshal Fahim Khan was relieved of his official duties as Chief of Defence Staff, approximately 2,000 soldiers were DDR'ed per month, and afterwards this figure was doubled. A total of 32,000 soldiers were disarmed, and 92 percent of the HWC was completed by the end of 2004.[53]

The reference paper highlights Japanese contribution to the DDR in excess of USD 125-million, with additional donations of the UK, the US, Canada and the Netherlands for reintegration projects.[54] Nevertheless, the paper concedes that

> the most important pending issue after the official completion of the DDR process in July 2005 was the Disbandment of Illegally Armed Groups (DIAG), which remained spread across the countryside. The DIAG were estimated to hold at least 1,800 military groups with 130,000 irregular forces in Afghanistan. The ANBP had identified 24 of these groups highly threatening, and therefore they had to be dismantled before the parliamentary elections in September 2005. The DIAG were also thought to be involved in the drug trade, thus representing a formidable challenge in eradication of narcotics in Afghanistan.
> (Furthermore,) the experience over years showed that DDR process had to run parallel to other programmes including regional development, strengthening of central government and capacity building of local administrations to facilitate reintegration of the former combatants.[55]

Since its inception, the DDR targeted decommissioning of the AMF soldiers and officers. However, the AMF represented a loose body of armed vigilante with self-claimed legitimacy, far from being regulated and organized. They were, at best, remnants of the formal Afghan Army long extinct since the early 1990s, and heavily mixed with outlaws as well as the *jihadi* irregulars during the civil war. Thus, it was next to impossible even approximately to assess the scope of, and figures subscribed to, the AMF. Therefore, inasmuch as the DDR process was concerned, almost all figures were based on rough estimates and approximations. Actually, when the process came to an official end by the beginning of July 2005, all supposedly non-AMF armed forces were broadly termed as part of the IAG, and thus

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[53] Unpublished reference paper of the Japanese Embassy in Kabul, "Japan's contribution to DDR", Kabul, 2005.

[54] Unpublished reference paper of the Japanese Embassy in Kabul, "Japan's contribution to DDR", Kabul, 2005.

[55] Unpublished reference paper of the Japanese Embassy in Kabul, "Japan's contribution to DDR", Kabul, 2005.

disbanded as illegal. Yet the problem posed by armed groups remained real with gross consequences of insecurity on the ground. Estimated figures on the size to the IAG are, therefore, indicative of the scope of this problem. A detailed study by Gen. Abdul Rahim Wardak, Minister of Defence, underlines the challenges and prospects contained therein the DDR process. This study draws attention to the ambiguity in differentiating the AMF from the irregular militia forces, thus highlighting the nearly impossible job to carry out a complete DDR process.[56]

DDR was implemented on a voluntary basis offering cash incentives for reintegration of ordinary soldiers or political benefits for the commanders-turned-into politicians. It served as a precursor for transformation of the commanders towards a legitimate posture. The IAG, on the other hand, were to be dealt with by persuasion to disarm; or in rare cases where possible, by coercion. Eventually, the resilient AMF, or first decommissioned then re-armed groups, were labeled as of 7 July 2005 (the official date of closure for the DDR) as part of the IAG for they preferred to stay engaged in their illicit dealings. Such was the performance-based track-record of the DDR process in Afghanistan.

When requested to assess the overall performance of the DDR process, the Japanese Ambassador in Kabul, Mr Okuda reflected that

> 63,000 former AMF was disarmed by the end of June 2005, and almost 52,000 of these were admitted into the reintegration programme. A total of 9,085 heavy weapons and 34,726 light weapons were collected during the course of this process. This figure coincided with 6 soldiers per one piece of heavy weapons, i.e. a tank, a piece of artillery, or a multiple rocket launcher. The payments to the soldiers, officers and the commanders/generals were commenced in October 2003, at the respective ranges of USD 50, 100 and 250. This amounted to USD 100-120 million per annum in the beginning based on 100,000 soldiers. However, as the DDR progressed, the Afghan government financed the soldiers in declining figures, completely terminating the payments in June 2005.[57]

The Japanese Ambassador referred to functions of the ANBP somewhat similar to the originally thought of establishing a 'Ministry of Veterans'. However, he acknowledged that, unlike its forefather, the ANBP

[56] Unpublished working paper "Demobilization, Disarmament, and Reintegration: A Complete Solution" by Gen Abdul Rahim Wardak, Kabul, January 2004.

[57] Interview with the Ambasador of Japan, Mr Norihiro Okuda, Kabul, 10th July 2005.

failed to satisfy the expectations of the donor community insofar as the performance recorded in reintegrating the decommissioned and disarmed combatants. The vocational courses or cash incentives provided for the former combatants in return for ensuring their voluntary disarmament, did little to help their employment, thus reintegration into the civil society, despite best efforts exerted by the ANBP. Nevertheless, the ANBP would require an additional sum of USD 5.5 million to continue and complete the reintegration of the former combatants through 2005-2006.[58]

The DDR, in sum, provided the primary opportunity for the former combatants to return the civil life. However, reintegration aspect of the process failed to keep pace with the performance of disarmament and demobilization components for the economic reconstruction of the country lagged behind. Yet another more complicated problem remains to be solved that generates insecurity across the countryside: Carrying out the DIAG process. The closure of DDR process offers hope for a more secure Afghanistan, however, ignoring the potential consequences of the threat represented by the IAG can deliver a fatal blow on the state building and rehabilitation efforts. Indeed, an UNAMA paper prepared in August 2005 prior to the parliamentary elections highlighted that there were some 255 candidates who had links with IAG across Afghanistan.[59]

3.6.2. Building the National Army (ANA)

Establishment and training of the new Afghan security and armed forces was first mentioned in Annex I of the 'Bonn Agreement' within the context of the assistance to be provided by the international community. In spite of this early reference, the Presidential Decree creating the ANA lagged another year till in December 2002, and the process of MoD reform could only start on 20th September 2003. As pointed out in Section 3.4., the ANA was largely a US blueprint from its inception, although there was an effort from the AIA in conceiving a set of target figures for the ANA. The belated

[58] Interview in Kabul, 10th July 2005.

[59] Unpublished UNAMA parliamentary elections working paper, August 2005.

building of the ANA would inevitably constitute a primary factor for prolific insecurity and lack of capacity in reconstruction of the state, and its heavy reliance on international assistance.

The ANA was originally conceived of a relatively smaller force deployable for specific missions. It was the Afghan ownership that insisted for enlarging the size of the ANA, and thus by the time of the Geneva conferences there was anecdotal evidence suggesting a broad consensus on the size of the ANA in the range of 70-thousand, which was officially approved by both the ATA and the international community in 'Bonn II Conference', in December 2002. An all-encompassing 'National Military Strategy' (NMS) was initially developed during the AIA, and consequently up-dated during the ATA to outline the threats to the Afghan nation, as well as strategies, objectives and posture of the Afghan armed forces. According to the NMS, the strategic direction of the ANA was

> to counter the internal threats and to extend the authority of the central government in the short term. In the long term, the ANA would assume its traditional role as ultimate guardian of the independence and freedom, national interests, and defender of the territorial integrity, national sovereignty and the spiritual values of the country. The ANA was to be utilized as a vehicle to reach the national objectives of the legitimate and elected government which had the authority to use the ANA. (NMS, 2004:5).

According to the NMS, the mission and role of the national army was defined as "safeguarding the independence, territorial integrity of the country, protecting Islam, preserving the national and traditional honour and values of Afghanistan" (*ibid.*, 2004:9). However, taking into account the current situation, the NMS further tasked the ANA with

> supporting the central Islamic government, gradually replacing all factional, private and irregular militia forces, disarming all illegal armed groups, fighting the terrorists and destructive elements with the cooperation of the Coalition, NATO forces and independently. (*ibid.*, 2004:9).

The NMS identified the structure of the national army on "equal participation of all ethnic groups living in the country" and that "this principle would be respected in all echelons (soldier, non-commissioned officers, officers and civil servants)." (*ibid.*, 2004:10). Prescribing the total strength of the ANA as "70-thousand in line with the Bonn II agreements", the NMS ordered that the ANA would include "the basic ground forces, air and air

defence force, quick reaction forces, support and service support forces, and reserve forces (excluded from the figure 70,000)." (*ibid.*, 2004:12).

Lieutenant General (LTG) Sher Mohammed Karimi, who served as Head of the Strategy Division at the MoD from 2002 onwards, highlighted some aspects that influenced the thinking, which shaped the ANA. He asserted that the threats to Afghanistan were specified as

> extremism, terrorism, and drug trafficking; and thus, the NMS shaped the defence posture accordingly. (Accordingly) the 3,500-strong air force corps would constitute an integral part of the ANA-*unlike most traditional armed forces, including Afghanistan in the past*. The original date to complete the process of building the ANA was pulled forward from 2011 to 2007, in the face of pressing needs to counter insurgency and drug trafficking. By 2007, the ANA would acquire an air lift capability for a battalion size task force, close air support and presidential airlift.[60]

LTG Karimi, however, confided that communications, logistics, as well as airlift and support remained as 'critical gaps' in the ANA by mid-2005.[61] LTG Eikenberry recalled that "the ANA was largely viewed as a matter of national emergency in 2002" and as such, the initial US blueprint foresaw "the construction of a 5,000-strong corps to be deployed in countering the warlords, who were representing a serious challenge to the central government as regional contenders."[62] According to his account,

> This thinking influenced the first year of the SSR reform process. A major challenge was to retrieve viable memory of institutions due to long years of war. The ANA was to be accorded with the primary function of a domestic, territorial and defensive force. It was to be deployed, first and foremost, against insurgency, to secure the borders, in light infantry formation supporting domestic stability and security. The thinking in military terms was ensuring a gradual development: 'crawl, walk, and run'. However, the international community did not fully realize the monumental proportions of the task, and the difficulties contained therein the process of reconstructing the ANA [63]

The international community was concerned to fetch a quick-fix solution to the prolific security problem in the country. This entailed a priority attached to the ANA among other SSR pillars. In corroboration, some observers recall that "rebuilding a national army always enjoyed priority

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[60] Interview with LTG Sher Mohammed Karimi, Kabul 17th June 2005; emphasis added.

[61] Interview in Kabul 17th June 2005.

[62] Interview with LTG Karl Eikenberry, Kabul, 20th July 2005.

[63] Interview in Kabul, 20th July 2005.

among other SSR pillars, (yet) contrary to the initial conceptions, it was weakly linked to the DDR process in pooling its man force from the ex-combatants."[64] Therefore, the founders of the ANA turned to quick outsourcing, starting from scratch in training the ANA recruits.

In all failed states, establishing a secure environment falls under the responsibility of the international community. Afghanistan proved no exception to this prerequisite. However, as the insurgency continued to linger, the attention of the US-led OEF was focused on deploying the AMF in the insurgent areas, viewing the reconstruction of the ANA as the 'second-highest priority'. LTG Karimi provided insight information on the training of the ANA. He explained that "the first *kandak* (battalion) of the ANA was trained by Turkey. Thereafter, training of the officers was undertaken by the French, the non-commissioned officers by the UK, and soldiers by the US."[65]

In line with the lead-nation notion, the US designated an office entitled 'The Office of Military Cooperation-Afghanistan (OSC-A)' to carry forward the mission to rebuild the ANA, and to help restructuring the ANP. The OSC-A was placed under the command of a Major General, operating under the CFC-A in terms of operational employments, and accountable to the US Ambassador in terms of security assistance. In an unclassified briefing in Kabul, the OSC-A officials underlined that the principal aim of the OSC-A was to "deliver integrated and sustainable Afghan Defence and Police Sectors to support the development of a stable Afghanistan, strengthen the rule of law, and deter and defeat terrorism within its borders."[66] In line with this objective,

> the ANA would be comprised of a Central Corps based in Kabul 201st 'Sellab' (Flood), and four Regional Commands (Gardez 203rd 'Tandir' (Thunder) Corps, Kandahar 205th 'Atal' (Hero) Corps, Herat 207th 'Zafar' (Victory) Corps, and Mazar-e-Sharif 209th 'Shaheen' (Falcon) Corps), and an Air Corps Command based in Kabul; with future commands in Jalalabad and Kunduz. From 2002 to 2007 a three-phase approach was envisaged for complete, integrated and sustainable command and control structures for the MoD, the Central Corps and the Regional Commands. Eventually, the ANA would be constitute a 70-thousand strong force with 5 corps, 7 brigades, 35 *kandaks*, deployed at 8 garrisons across the country. The the US, the UK, Germany,

[64] Interview with UNSRSG Mr Jean Arnault, Kabul, 14th July 2005.

[65] Interview in Kabul, 17th June 2005.

[66] Briefing note by OSC-A, Kabul, 16th May 2005.

> Turkey, France, Canada, New Zealand, Romania, and Bulgaria conducted the training of the ANA. By the same token the US was the largest contributor by USD 1 billion/year mainly in terms of capital investment, subsidies and pay to the MoD, and by providing food, equipment, maintenance, ammunition infrastructure and transport for the ANA. The expenditures were expected to be stabilized in the range of USD 600 million/year (MoD budget) in the long term. This would require a per capita expenditure amounting to approximately USD 7,100/year, or USD 700/month.[67]

The voluntary nature service in the ANA drew much criticism from the outset. Critics argued that this feature would run contrary common wisdom in a country crippled with deep ethnic and regional rivalries, and that a conscription-based army would function as a critical basis for the conscripts in building a common identity for the country they would serve for. Insofar as this aspect is concerned, however, the Afghan authorities were determined to build the ANA on a voluntary basis. When asked to comment on the underlying reasons, the MoD General Mohammed Rahim Wardak specifically underlined that

> the central government was not politically or financially powerful enough to impose conscription (at the outset). Another compelling reason was that the young men had to stay back at home to support their families. (Thus) Conscription would represent a major financial burden for a financially fragile state. In the future, however, (we) plan to transform the ANA into a partially professional army, whereas the rest (the half) will be comprised of conscripts.[68]

LTG Karimi was more specific as for the professional nature of the future ANA. He disclosed, "the parliament was to decide on the professional nature of the ANA, at an appropriate time in the future."[69]

3.6.3. Building the National Police (ANP)

The police infrastructure was largely eradicated in Kabul and throughout Afghanistan by the end of 2001. Two decades of armed conflict

[67] Briefing note, Kabul, 16th May 2005.

[68] Comment by MoD Gen. Mohammed Rahim Wardak, in response to a question on the structure of the ANA, during the '2nd National Conference of Governors, Corps Commanders, Chiefs of Police of All Provinces of Afghanistan on National Security and Governance', MoFA, Kabul, 9th July 2005.

[69] Interview with LTG Sher Mohammed Karimi, Kabul 17th June 2005.

had destroyed basic organizational police structures, i.e. training facilities and bureaucratic apparatus, including health care and payment systems. This had also led to deterioration in the qualification of police personnel, as well as an extensive blurring regarding their task and size. With the distinction between police and army having *de facto* been lifted, more than 150,000 individuals were at times affiliated with the Afghan police force. The majority either lacked the necessary qualifications to fulfil policing tasks ('conscript patrolmen') or had never been officially assigned to them ('back door policemen'). The *de facto* police force had received little or no professional training, and they were inadequately equipped and burdened with a multitude of non-police tasks. This lack of professionalism had also severely damaged the image of the police in the Afghan public, bringing police-public relations to a very low level. The AIA's and the ATA's control over the police system was largely restricted to Kabul, with the function of providing arbitrary security in the provinces by different types of militias under the control of regional factional leaders/power brokers.

Against this backdrop, Germany unofficially took the lead to rebuild the ANP prior to the Geneva Conferences. As such, on 13th March 2002, the German Government decided to set up a project office in Kabul geared towards this objective. Shortly afterwards, the 'Seat and Status Agreement' (*Agreement Between the Federal Ministry of Interior of the Federal Republic of Germany and the Ministry of Interior of the Interim Government of Afghanistan on the Establishment of an Office for the Reconstruction of the Afghan Police Within the Framework of the Afghan Stability Agreements*)[70] was signed on 15th March 2002 to establish the scope of Germany's lead role on rebuilding the ANP. The project office commenced functioning on 3rd April 2002, the day Geneva I Conference started its formal proceedings for designating ownership of the SSR pillars.

Thus in reorganizing the ANP, Germany laid down a three-stage road map, and designated the first target as establishing a police force in Kabul as

[70] The original of the Agreement *[Vereinbarung zwischen dem Bundesministerium des Innern der Bundesrepublik Deutschland und dem Innenministerium der Interimsregierung von Afghanistan über die Einrichtung eines Projectbüros zum Wiederaufbau der Afghanischen Polizei im Rahmen des Stabiltätspaktes Afghanistan Sitz-und Statusabkomnen)]* was signed in German language in Berlin.

nucleus of the ANP thereby creating the basic structures in the capital. In the ensuing phase, consolidation and extension of the ANP was foreseen with starting the standard training and gradual expansion of the police presence beyond the capital; and in the final stage, reinforcement of the police force with functionality of national and provincial police forces interlinked with other security structures and gradual withdrawal of the lead nation was planned (Federal Ministry of Interior [BMI], 2004).

In co-operation with the Afghan authorities, Germany initially proposed a 50-thousand strong police force reconstructed on the basis of a conventional national police coupled with specialized drug police. The Kabul Police Academy was thus rebuilt and opened for training of police officers on 24th August 2002. Shortly afterwards, the responsibility for the border guards was transferred from the MoD to the MoI in November 2002, a decision much debated later as for its merits, and the training of a further 12-strong border police was included in the plans. Accordingly, the border police was entrusted with the duties of maintaining border security and immigration control duties at border crossings (BMI, 2004).

The Netherlands, Hungary, Norway and the People's Republic of China supported Germany in terms of training assistance and providing equipment to the ANP. Nevertheless, Germany remained the largest contributor to the overall project through a disbursement of € 50 million for the three-year long reconstruction of the ANP from 2002 to 2005 (*ibid.*, 2004). Germany also appointed an ambassador level coordinator specifically entrusted with carrying forward the police project, a model later adopted by Italy and Japan for their respective leads in other SSR pillars.

When asked to comment on the origins of Germany's involvement in the ANP reconstruction, the German Ambassador in Kabul Dr Rainald Steck recalled, "a substantial number of Afghan police officers were (previously) trained in the German police academies, thus Germany felt comfortable to take the lead in this field"[71].

Dr Steck further commented that

[71] Interview with German Ambassador in Afghanistan, Dr Rainald Steck, Kabul, 16th May 2005.

> the initial agreement between Germany and Afghanistan envisaged the training of all ANP personnel in Germany, however, plans were later revised to provide training in Afghanistan. Thus, the police academy was opened in Kabul to train the police officers whereas the patrolmen were to be trained in the regional training centres to be set up in the provinces. Accordingly, Germany appealed to potential partner nations, the most likely of which was the US. The US, in view of the shortfalls in personnel numbers, provided support to the German lead by opening, funding and operating 8 regional training centres that were to be maintained by contracted professional security companies. Dnycorp Co. became the leading sub-contractor, operating most of these centres. In this frame, Germany retained the lead in devising the overall strategy, reforming the MoI, equipping the ANP and supporting the Kabul police academy. In the end, training of approximately six-thousand officers was targeted for management and command duties. Nevertheless, the bulk of the police force the *stanman* (sergeants) and the *satunkai* (constables) was to be recruited and trained by the US in the regional training centres. [72]

At the time of the Berlin Conference in March/April 2004, however, it became clear that for effective border police co-operation, Afghanistan's neighbours had to be included in the ANP project, and the idea of an international conference was born. At the behest of the Government of the State of Qatar, an international conference was organized in Doha, on 18-19th April 2004, where Afghanistan's neighbours and leading donor countries as well as international organizations took part for further pledges and assistance in other forms.

In Dr Steck's account,

> the conference was highly successful in bringing Afghanistan's neighbours together on the basis of the indivisibility of security, and detailing the pledges made during the Berlin Conference of 31st March-2nd April. Most notably Memoranda of Understanding were signed between Afghanistan, Pakistan and Iran for cooperation on border security. A Declaration entitled 'The Doha Declaration on regional Police Cooperation' was adopted at the end of the conference. A follow-up conference was also planned in Doha, Qatar, in November 2005. [73]

Dr Steck emphasized that Germany would retain the ownership of the ANP project until 2008 with an additional annual contribution of €12 million in line with its pledge made during the Berlin Conference. The ambassador, however, admitted that the salary/rank schemes for the ANP remained the main issue to be resolved together with the poor quality of the *stanman* and

[72] Interview in Kabul.

[73] Interview in Kabul.

the *satunkai* training at the regional training centres.[74] In fact, the poorly trained and illiterate police sergeants and constables proved to be hardly qualified for policing duties during the presidential and parliamentary elections. They were paid a mere USD 16 and USD 30 per month respectively, making these officers prone to nepotism and corruption. Among other shortcomings of the ANP, delayed disbursement of salaries and lack of proper equipment should also be mentioned. Although Germany plans to withdraw from the lead-nation status by 2008, the ANP is not expected to attain capabilities in accordance with international standards by 2010. Even then, only a restricted core of officers will have acquired training skills. These problems underline a fundamental vulnerability for an efficient police force in Afghanistan for the near future.

3.6.4. The Judicial Sector Reform

Among all SSR pillars, performance in the judicial sector reform under the Italian lead was the most criticized to date. This is mainly due to the lack of an apparent strategy coupled with a long delay to commence the reform process. In fact, it was not until the beginning of 2005 the reform process started to make a headway, and even then in a painfully slow pace. Most observers are severely critical of this slow motion progress in the judicial sector reform, and they have continually questioned the merits of Italy taking the lead in this sector.

In response to this criticism, the Italian Coordinator for the judicial sector reform Ambassador Jolanda Brunetti-Goetz admitted that progress was in fact lagging behind schedule. She remarked that the reform work was originally scheduled to start by mid-2003; however, it was belatedly given a kick-start at the end of 2003 by appointment of an Italian Supreme Court judge experienced in the judicial reform as coordinator in Kabul[75]. Nonetheless, the Italian coordinator stayed in Kabul for a period of six

[74] Interview in Kabul.

[75] Interview with the Italian Coordinator for Judicial Reform, Ambassador Jolanda Brunetti-Goetz, Kabul, 23rd June 2005.

months after which he left for Italy. Until the actual commencement of work under the new coordinator Ambassador Brunetti-Goetz in January 2005, almost no visible progress was made on the ground except the training of 600 judges, attorneys, prosecutors and jurists through 18 month-long courses in Italy.

Right from the outset, the lead-nation strategy on judicial reform focused on promoting the principle of basic human rights and reconstituting the formal judicial sector through providing a visible profile to the judicial system. A three-tier approach was adopted for the latter: procedural penal code was revised to protect the rights of the accused; the juvenile code was thoroughly examined to protect the rights of the minors; and, the penitentiary law was rewritten to safeguard the rights of the detainees and the convicted. In this process, three principal institutions were identified with a need to reform: the MoJ, the Supreme Court, and the Office of the Attorney General.[76]

Brunetti-Goetz (2005) noted that 80 per cent of the justice administration was carried out through the judgments of the local *shuras* (councils), at village or township levels, thus there was almost no mention of a formal and standardized justice system. Against this backdrop, the formal sector needed another 10 to 15 years to start fully functioning. The informal sector, on the other hand, required a 'cultural transformation' for it was community based and community focused; leaving little room for consideration of human rights or alike. In view of this situation, the strategy foresaw the implementation of a programme 'Provincial Legal Initiative' in Badakshan, Herat, and Nangarhar provinces in a pilot phase to extend the central justice system. Brunetti-Goetz further identified the principal shortcomings standing before the accomplishment of the judicial sector reform as lack of adequate laws, gaps in the internal organization of the institutions of the justice sector with functional relations amongst them, poor law enforcement, and lack of human resources.

[76] Brunetti-Goetz, 1st May 2005, *Strategic Plan on the Reform of Justice in Afghanistan* presented at ISAF meeting, ISAF Headquarters, Kabul.

When interviewed on the performance so far recorded in this field, Ambassador Brunetti-Goetz asserted that the scope of the overall reform process was colossal and that Italy needed the assistance of partner nations to carry forward the process. She highlighted that

> the judicial system in Afghanistan was based on a mixture of continental European, Turkish and traditional *majalla* legal systems, and this hybrid system was decided to be kept intact although it required an update to meet the standards of the modern era. Mostly, Italy had spent €20 million during 2003/2005, and the future budget was earmarked as another €12 million primarily for educational facilities and training of the judiciary. The US Government was providing substantial assistance through the USAID which was tasked to build 30 prisons and the courthouses. The USAID had disbursed USD 45 million for these projects. Italy, on the other hand, was utilizing the UN agencies (primarily UNODC, UNICEF, UNDP) as sub-contractors to build the rest of the judicial infrastructure, and to revise the legal codes. [77]

In essence, the judicial sector reform in Afghanistan accommodates a prerequisite of social transformation in the country as a whole. It would therefore require a holistic approach closely intertwined with the traditional and cultural dynamics of the Afghan society. In the absence of other formal structures, the basic informal decision making structure of the society, the *shura*, is employed for issuing judicial verdicts at the grassroots level. At the level of SSR reform, lack of progress in the judicial sector undermines the accomplishments attained in other SSR pillars for a discredited justice system hardly helps for law enforcement and extending the posture of a legitimate state. Delayed justice, if it is empowered at all, exposes the weakness of a reconstituted fragile state for the populace seeks alternative 'informal' methods for attaining self-justified justice within the society.

3.6.7. The Fight Against Narcotics

In comparison to the rest of the SSR pillars, the counter-narcotics effort probably represents the most arduous one, seemingly facing an insurmountable challenge. It implies not only the eradication of the drug problem in its cultivation, interdiction and trafficking facets, but also the provision of replacing this *sole source of livelihood* with licit alternatives. The

[77] Interview in Kabul.

colossal scope of this effort would be better appreciated when two basic facts are taken into account: Afghanistan is the largest producer of opium and its derivatives in the world thus qualifying the issue as an international problem. Furthermore, the country is utterly dilapidated in its infrastructure, which could otherwise offer alternative perspectives for licit livelihoods. Growing poppy is the sole source of living for most farmers given the pervasive poverty in rural areas and the high opium price. Years of war and drought have created a fertile environment for poppy to thrive, as the state weakened and the farmers' access to other markets collapsed. Today, the thriving opium economy, and the insecurity it breeds, is the greatest threat to building a stable, secure Afghanistan. The Center on International Cooperation (CIC) emphasized that Afghanistan produced 87 percent of the world's illicit opium in 2005 with poppy cultivation proliferated to all 34 of Afghanistan's provinces and overall income from poppy cultivation and opium trafficking accounted for more than half as large as Afghanistan's legal economy.[78] Worse yet, drug trafficking has concurrently become the principal source of dealing for renegade commanders, regional power brokers as well as the OMF generating an unrivalled income. The Afghan economy is heavily corrupted by narcotics related dealings at all levels by ascension of drug trafficking to a profile hitherto unforeseen. Many observers hold the view that the problem cannot be resolved in the absence of a long-term, integrated strategy equipped with vast resources. Until such time, the narcotics problem will continue to undermine the efforts to reconstruct a legitimate state and a legal economy.

The authoritative statement by Antonio Maria Costa, head of the UNODC, on 3rd September 2006 in Kabul concerning Afghanistan's poppy cultivation is indicative of the deteriorating proportions narcotics have claimed in the Afghan economy. Mr Costa's account suggest that Afghanistan produced 92 per cent of the global opium supply used to make heroin, and the poppy cultivation had surged by 59 percent in 2006, making Afghanistan's drug trade accounting for at least 35 per cent of the economy

[78] *Counter-Narcotics Policy in Afghanistan* [database]. (March 2005). New York: CARE and Center on International Cooperation.

while “it remained the largest source of employment, foreign investment and income generation”.[79]

In corroboration of the UNODC statement, the Senlis Council, an independent think-tank specialized in drug related issues worldwide, issued a report entitled *“Afghanistan Five Years Later: The Return of the Taliban”* on 5th September 2006, highlighting the scope of the drug problem in Afghanistan. The report, thus, held the view that that “the international military coalitions in Afghanistan- the OEF and the ISAF- were fuelling fear and resentment among the Afghans”, thereby facilitating the return of Taliban in Afghanistan. According to this line, “the failure to address Afghanistan’s extreme poverty was fuelling support for Taliban”, and the “US and UK counter-narcotics strategies had accelerated and compounded all of Afghanistan’s problems”. The report was highly critical of the US and UK approaches to the drug problem reminding, “poppy cultivation was a food survival strategy for millions of Afghans, and the poppy eradication policies were fuelling violence and insecurity”. In this context, the report warned that the “GoA legitimacy and effectiveness was undermined by US-led international community’s approaches” and that the nation-building sequencing was in “wrong order” for “the international community’s priorities were not in line with those of the Afghan population” since the “international community had prioritized military-focused responses to counter terrorism and Afghanistan’s opium crisis.” The report concluded that so long as the “military expenditure outpaced development and reconstruction spending by 900%; the fight against reducing poverty, the drug problem, and democracy-building efforts would collapse and the Afghans would starve.”[80]

The CIC indicated in 2005 that “for the years 2002 to 2004, total income from the drug trade for Afghan farmers and traffickers (USD 6.82 billion) was more than twice as much as the total amount of international aid

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[79] Costa, Antonio Maria. (2006) “Opium cultivation surges by 59% in Afghanistan” [online] (last retrieved 5th September 2006) http://www.ft.com/cms/s/1e7f3f6a-3ba5-11db-96c9-0000779e2340,dwp_uuid=7f5f6b

[80] The Senlis Council, (2006) “Afghanistan Five Years Later: The Return of the Taliban” [online] (last retrieved 21st November 2006) http://www.senliscouncil.net/modules/publications/014_publication

dispersed for ongoing or completed projects (USD 3.37 billion)[81]. Furthermore, the annual opium economy (about USD 2.8 billion) was more than half as large as Afghanistan's legal economy (about USD 4.6 billion) for the same period[82].

Against this gloomy picture, the UNODC Resident Representative Doris Buddenberg commented in May 2005 that of all the cultivated land in Afghanistan (approximately 4 million hectares) only 131,000 hectares was devoted to poppy cultivation, yet the total eradicated area was less than 0,15 percent (approximately 200 hectares) of the poppy cultivated land[83]. Ms Buddenberg classified Afghanistan as a "narco-economy" but not a "narco-state" for the current government was not sponsoring the problem. However, she cautioned that this was not the same for the members of parliament, most of which were related to commanders, drug-lords and regional power-brokers directly involved in this illegal activity. It was thus explicit that the problem posed by opium trade could scuttle the whole reconstruction effort especially in view of the fact that the so-called 'vetting process' employed to filter the candidates for national assembly elections did not foresee links with narcotics as a case for dismissing applications (the only case for dismissal was related to the verified links with IAG)[84].

The UK Ambassador in Kabul Ms Rosalind Marsden when interviewed in Kabul conceded the need for improved coordination among the lead-nation (UK), partner countries and the GoA to ensure that eradication and interdiction activity was better organized. The Ms Marsden asserted that the GoA did not have any political clout nor was it efficient on this matter. The Ministry of Counter Narcotics (MoCn), a brand new Ministry created to

[81] *Counter-Narcotics Policy in Afghanistan* [database]. (March 2005). New York: CARE and Center on International Cooperation.

[82] *ibid.*

[83] Interview with Ms Doris Buddenberg, UNODC Resident Representative Afghanistan, Kabul, 21st May 2005.

[84] Interview in Kabul.

coordinate the efforts to this end was infusing more confusion than coordination[85].

A more interesting point to note emerged from the interview with Ms Marsden: that the UK, despite all criticism, was inclined to accentuate the eradication/interdiction facet of the counter-narcotics effort, rather than provision of alternative livelihoods (AL). This is thought to emanate from two reasons: First, the UK, being the lead-nation on counter-narcotics effort, was seeking law enforcement (eradication/interdiction), rather than focusing on providing sustainable long-term AL projects. Second, the UK apparently lacked substantial resources to fund AL projects, which would consume large sums, time and personnel. When viewed from this perspective, the UK-led counter-narcotics effort displays resemblance to the Italian-led judicial sector reform for both are seemingly ill-equipped and non-committal for envisaging longer term projects that require a social (judicial sector) and economic (counter-narcotics) transformation in Afghanistan.

Thus, when referring to the law enforcement facet of the overall counter-narcotics effort, Ms Marsden underlined that

> the Central Poppy Eradication Force (CPEF) was operating under the MoI and specifically tasked with eradication of the poppy crop in the fields. The CPEF was funded by the US DoS and trained by the US security contractor Dyncorp. The CPEF was comprised of 500 personnel. The ANP was also engaged with some eradication/interdiction, yet it was negligible. The two most significant forces employed in the law enforcement facet were the Afghan Special Narcotics Force (ASNF) and the Counter Narcotics Police of Afghanistan (CNPA), both funded, trained and mentored by the UK. The highly secretive ASNF was comprised of some 300 all-Afghan personnel operating with their British mentors, whereas the CNPA accommodated some 750 personnel. Both were used to high-risk operations against the heavily armed laboratories operated by the drug-lords. [86]

It is worth noting that opium production has always been a part of the Afghan culture. Nevertheless, it has never before reached to the current proportions that bear serious consequences abroad. Opium trade has thus been accelerated by the dynamics of state failure in Afghanistan, and especially by the forces that were unleashed following the collapse of the state in the early 1990s. Lawlessness took hold during most of the last fifteen

[85] Interview with Ms Rosalind Marsden, UK Ambassador to Afghanistan, Kabul, 26th June 2005.

[86] Interview in Kabul.

years and poppy cultivation, though not the opium trading, was briefly banned by Taliban in 2000-2001 with the hope of gaining international backing and recognition. Both cultivation and trafficking was banned by the AIA in January 2002.

By the end of 2004, the GoA adopted, under apparent international pressure led by the UK and the US, a *'Counter Narcotics Implementation Plan'* that reflected a new determination by the GoA to tackle the cultivation, production and trafficking of drugs in Afghanistan[87]. The GoA Plan stipulated seven pillars; i.e. information campaign, alternative livelihoods, interdiction and law enforcement, criminal justice, eradication, building institutions, demand reduction and treatment of addicts. By virtue of this plan, the GoA announced the creation of the MoCN to better coordinate the efforts deployed to against narcotics; and it also decided to have a religious edict (*fatwa*) issued and displayed in all mosques to carry these messages to local communities across Afghanistan[88].

With hindsight and in view of the overarching importance of the counter-narcotics effort, it would be safe to conclude that success in this pillar of the SSR would ensure long-term security and stability in then country, thus helping the reconstruction of a legitimate state and a legal economy. Success is attainable for the farmers receive only a tiny fraction of the illegal wealth generated by opium trade. The so-called 'lion's share' goes to the traffickers and the intermediaries with no impact to improve the lives of the ordinary Afghans. Hence, the importance to implement the AL projects. It is worth noting, however, the aid disbursed by the international community to provide AL still constitutes a miniscule proportion (total USD 350 million as for the year 2005) of the illicit wealth (USD 2.8 billion as for the year 2006) generated by drug trafficking. In all efforts though, it is crucial to ensure that the overarching theme must be 'Afghan ownership'; i.e. the efforts must be

[87] Government of Afghanistan (2005) *The 2005 Counter Narcotics Implementation Plan*. Kabul, Afghanistan.

[88] It has to be noted, however, that there is no such clear reference in the Islamic holy book Qo'ran as for the disbandment of opium. Therefore, utmost caution should be exercised over using this issue for it represents a controversial reference. When asked to comment on the issue, the GoA authorities refrained from making further statements.

viewed by the Afghan population as indigenously GoA owned initiatives, and not as part of the foreign-owned action imposed upon the GoA from abroad.

3.7. The Provincial Reconstruction Teams: Security Providers or Contractors for Reconstruction?

Although they are not part of the SSR pillars, the Provincial Reconstruction Teams (PRTs) play in the overall state reconstruction effort in Afghanistan. Not least on this premise, the PRT concept deserves a good deal of attention within the frame of the state reconstruction discourse. The PRT concept has developed indigenously in Afghanistan, drawn from scattered experience during previous conflicts.

The PRTs operating in Afghanistan have received mixed reviews from different circles. From the official civilian-military perspective, they constitute the backbone of the efforts to provide security, stability and reconstruction in the provinces. From the aid community's perspective, however, they constitute, albeit unknowingly at times or unintentionally at all times, an obstacle before the works of the NGOs on the ground. In spite of their acknowledged shortcoming, the PRTs bode well flourishing from modest beginnings, and they currently represent a 'light foot-print' of the international community on the ground, as opposed to an alternative of a robust peacekeeping operation covering the entire countryside. Despite continued criticism from the aid community as to the merits of maintaining PRTs, and together with them, uniformed and armed personnel deployed as force protection, several governments fielding the PRTs in Afghanistan continue to view them as a "successful flag-ship project" and an "effective, flexible, low-cost instrument that can be easily adapted to other conflicts elsewhere in the future" (Jacobsen, 2005).

To fully apprehend the utility and scope of functions of the PRT concept, it has to be recalled that the international community, from the inception of military operation in Afghanistan, was extremely cautious to commit a large military presence to assist making and keeping peace in the country. Nonetheless, there was an obvious need to help extending the clout

of the central authority into the provinces, not least for boosting its legitimacy. Rampant insecurity in the countryside, on the other hand, deterred the NGOs and members of the aid community to serve freed from intimidation poised upon their institutional and personal safety. PRTs, from this perspective, provided an excellent tool-kit to serve these objectives. Caution, however, should be exercised as for the expectations bound to their profile and scope of activities. The word 'reconstruction' attached to their denominated acronym often does not match the impression recalled, nor does it generally qualify the nature of the work they are engaged with on the ground. Hence, the ongoing debate as to whether it would be better to present them as *Provincial Stability Teams* versus the currently employed denomination *Provincial Reconstruction Teams*. The PRTs, in generic terms, carry out modest reconstruction work. Their scope of activities are generally varied (since there is no uniform mandate or task description by default), but they are hardly engaged with large-scale reconstruction effort. They are envisaged to provide a more safe and secure environment so that reconstruction work can be done. In doing so, they maintain a flexible and mobile foot-print on the ground that facilitates the work of the aid community while extending The GoA's presence across the whole country by supporting the profile of the local provincial and district governors.

The PRTs grew out of the Coalition Humanitarian Liaison Cells (CHLCs) established in 2002 as part of the OEF with an aim to provide the military headquarters with information on humanitarian needs, de-conflict military operations with aid operations, and implement small projects that were carried out trust and confidence among the Afghan population. Towards the end of 2002, the DoD decided to expand the CHLCs into larger teams of reconstruction with reinforced CIMIC capabilities, accommodating USAID and other government experts from the civilian departments as well as aid experts fielded from sub-contracted companies. Thus, the first US PRT was officially established from a conversion of an earlier CHLC on 31st December 2002 in Gardez (US Agency for International Development [USAID], 2005); and, others followed this model in Bamyan, Kunduz, Mazar-e-Sharif, Kandahar and Herat in early 2003. These sites were chosen deliberately in

view of keeping an ethnical balance across the country (USAID, 2005). In the early period, the vision for the PRTs was to maintain an OEF with a combination of military and civilian personnel working in units between 50 to 100 people, with a military lead and soldiers making up the majority of the teams. The political staff was to be appointed by the DoS (in later UK-led versions by the FCO), and the development expertise were to be provided by the USAID (in later UK-led versions the DfID) as the teams were to work together for CIMIC activities (USAID, 2005). Having developed the initiative, the US requested that other Coalition nations provide inputs, either into existing US-led PRTs or as lead nations in the creation of additional PRTs. In response, the UK deployed a PRT in Mazar-e-Sharif, whereas New Zealand and Germany took over the PRTs in Bamyan and Kunduz respectively in 2003. The PRT network was extended into other provinces in time with other OEF/NATO nations either participating in the existing PRT frames or establishing their PRTs from scratch. As of the end of 2005, there were PRTs operational in all major provincial capitals in Afghanistan, with their 'satellite' PRTs in adjacent provinces.

The PRTs operate on the ground with a presumed co-operation and consent of the local population and more importantly the local power brokers. They maintain an impartial posture as against the armed factions under the control of the power brokers without prejudice to their main objective of extending the profile of the central government. While maintaining this posture, the PRTs employ a minimum or non-use of force policy. Although the PRTs do not have a standard CONOPS, a typical PRT by the end of 2005 had attained a much larger in size than that of the early PRTs, with development staff to oversee the reconstruction projects (from the USAID, DfID or equivalent in other countries), a political officer (from the DoS, FCO or equivalent in others), and the military staff (including the CIMIC and PYSOPS teams) under the PRT commander usually with the rank of a lieutenant/full colonel.

As was observed during individual field trips covering almost all PRTs in Afghanistan during the period March 2004-August 2005, three distinct PRT models had emerged based on the US, the UK and German practice with

other nations adopting either of these models with minor modifications. It worth mentioning the basic features of all three models not least for they entertain significant distinctions, but also for the so-called PRT 'best practice' constantly develops on the 'lessons learned' exercise extracted from the field practice of these models. It is also important to mention that the PRT experience is valued by all PRT-leading countries for the very concept is largely viewed as a useful CIMIC hybrid tool-kit that can be employed in future conflicts elsewhere in the world with minor modifications.

Thus, the main driving force behind the logical construction of the US PRTs is to identify, fund and carry out humanitarian and reconstruction projects in order to win 'hearts and minds'. A typical US PRT consists of 50 to 100 personnel and has three personnel components all operating under military command: the military, political adviser(s) and development/reconstruction experts. GoA/MoI representatives are also accorded a place within the PRTs. The US PRTs typically demonstrate a robust approach to force protection, thus maintain a show of force at all times, deserving the reference 'fort' attached to them by the aid community; in sharp contrast to the UK and German models. The principal focus is on identifying and implementing quick impact projects to earn the trust of the local population to persuade them to support the US presence and the GoA. The CIMIC and PYSOPS teams play a significant role to this end. The PRT commanders have significant cash sums at their disposal to be disbursed at personal discretion. This is how the US PRTs have managed to construct hundreds of schools, water wells and village clinics involving employment of local Afghans. Jacobsen points out that the US PRTs disbursed some USD 20 million to fund 451 quick impact projects in 2002-2003, with an average project cost of USD 45,000; whereas the same amount rose to USD 52 million in 2004. By comparison, the amount spent by the DoD and USAID quick impact projects from 2001 to 2004 was more than USD 2 billion(Jacobsen, 2005:19-20). Such significant engagement with development/reconstruction work inevitably takes the international aid community, and particularly the NGOs, on a collision course with the US-led PRTs, for the former complain about the lack of co-ordinated action in terms

of infrastructural projects implemented in development/reconstruction in the provinces.

The UK model, on the other hand, is multi-national, and the political officers are significantly tasked with carrying out helping institution building. The UK PRTs operate on joint civilian-military leadership. UK-led PRT home bases are smaller, flexible in scope, and are essentially mobile. They employ lightly armed mobile observation teams that undertake long-range patrol missions independently of their home bases for long periods. During these patrols, the mobile teams use ‘safe houses’ established at certain ranges, and they seek to establish contact and build-up trust with local commanders, power brokers as well as the ordinary Afghans. The UK focus is more on security, institution building, and supporting to carry out the DDR, ANA and ANP, and to undermine the drug culture. The driving logic behind the PRT work is ‘arm lightly, co-operate with partners, and collaborate with the locals’. Reconstruction effort, funded by the DfID, is very thin on selected projects. In contrast to most other examples demonstrated by the US and Germany, the UK PRTs are more inconspicuous without a robust show of force, and they are embedded town centres rather than outside the urban areas behind fortified walls, thus earning the name ‘pet house’. The UK PRT commanders explain this difference by indicating to former civil conflict experiences and lessons learned exercise emanating from the civil strife in Northern Ireland.

The German model consists of the largest number of personnel with heavy logistics and meticulously detailed organization. They share similar traits with their US and UK kin, yet they accommodate a larger number of civilian personnel independent from military command, based on the traditional principle of civil-military separation. Thus, the civilian lead under a senior civil servant acts on par with the military commander. Press and information together with PYSOPS play an important part in the CONOPS. Reconstruction work is limited in scope, so are patrolling ranges. The German PRTs are heavily fortified, thus earning the name ‘bunker’, as they operate under strict orders to keep clear from local unrests. The military’s role is limited to security, liaison and co-ordination with humanitarian organizations and local actors. Their posture is preoccupied with force

protection and coverage to the PRT civilian personnel who work for SSR programmes, particularly the DDR, and some infrastructural support. From the aid community's perspective, observed during field trips, the German model is by far the most preferable among others, since it is least intrusive toward the NGOs.

Some concluding remarks will be discussed in Chapter III of this thesis as for the possible future role/features of the PRTs. Suffice to say, at this stage, that the PRTs have been playing a more important role than previously conceived, and they have turned out to be an inseparable component of the overall state reconstruction effort in Afghanistan.

3.8. The Berlin Conference: Foreign Ownership Extended

A conference of political, economic and military nature was convened in Berlin on 31st March-1st April 2004, under the co-chairmanship of Germany, Japan, Afghanistan and the UN. The 'Berlin Conference' was intended to review the achievements of the last two years since the Tokyo Conference envisaged the donor contributions for a limited period. Thus, it was high time for a stock taking exercise, securing continued commitment of the international stakeholders.

By the time the conference was organized, NATO had taken over the command of ISAF; therefore, all NATO nations were present at the conference. Among the over-sixty delegations were the G-8 and the EU countries, Afghanistan's neighbours and others with a particular commitment to Afghanistan. Afghanistan took part as co-chairman and relayed a strong signal for its commitment to accomplish a transfer of ownership in due course.

The conference produced a principal document, entitled the *'Berlin Declaration'* with its annexes *'Progress Report on the Implementation of the Bonn Agreement'*, *'The Way Ahead: The Work Plan of the Afghan*

Government', and *'The Berlin Declaration on Counter-Narcotics within the Framework of the Kabul Good Neighbourly Relations Declaration'* [89]

'The Berlin Declaration on Counter-Narcotics within the Framework of the Kabul Good Neighbourly Relations Declaration' was agreed upon by the Transitional Islamic State of Afghanistan, People's Republic of China, Islamic Republic of Iran, Islamic Republic of Pakistan, Republic of Tajikistan, Turkmenistan and Republic of Uzbekistan in the margins of the conference, in line with the '*Kabul Declaration on Good Neighbourly Relations'* signed on 22nd December 2002.[90]

The Berlin Conference provided an opportunity to review the level of commitments, and the accomplishments thus so far managed by the ATA and the international community prior to the forthcoming completion of the Bonn process by holding the presidential and parliamentary elections. It reviewed the status of the institution building agenda in Afghanistan, the SSR blueprints, the ISAF deployment, and the reconstruction agenda. In view of these issues, the conference laid down a work plan for the ATA practically covering a wide range of issues in regard to the forthcoming elections as well as institution building and development; with particular emphasis on the electoral process and political rights, electoral security, good governance and public administration, fiscal management, private sector, economic and social development, rule of law and human rights, gender issues, disarmament and security, and drugs.[91]

The Berlin Conference also managed to produce a total amount of USD 8.2 billion through the multi-year commitments, in the form of pledges, grants and donations from March 2004 to March 2007. Of this amount, USD 4.4 billion would thus be disbursed during the period 2004/2005, in a bid to provide fresh impetus for the reconstruction and development projects.[92]

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[89] Cited in the German Foreign Ministry web site. [online] (Last retrieved on 3rd October 2006)
http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/afghanistan

[90] *ibid.*

[91] *ibid.*

[92] *ibid.*

The Berlin Conference represented a benchmark in departure from the post-war reconstruction phase into the post-war development stage with foreign ownership extended for another period of three years in fiscal terms. Although no substantial investment that would contribute to the development of Afghan economy was foreseen, the ATA managed to present a working framework that formed the basis of the proceedings of the conference, and clarified the intentions of the ATA as for the future development of the national economy.

3.9. State-building in Retrospective: A Lessons Learned Exercise

Afghanistan threaded forward along the lines foreseen by the 'Bonn Agreement' from late 2001 till early 2006. During this four year period, presidential and parliamentary elections were organized, and the SSR reforms were carried forward in line with the decisions of the Geneva Conferences. Thus, the so-called 'Bonn Process' came to an end by the end of 2005, and a renewed commitment by the international community was sought for another five-year term. This was the underlying thinking for organizing the London Conference on 31st January-1st February 2006.

Before reflecting on the decisions taken at the London Conference, it would thus be appropriate to briefly overview the political, social, and economic developments that occurred in the country during this period in the fashion of a lessons-learned exercise.

From the outset, the international community, and particularly the US, preferred to engage with the reconstruction of Afghanistan on a light 'foot-print' concept. If one major reason for this decision was to strengthen the future GoA, another one was the overriding US priority to carry forward the 'war on terror' rather than engaging with the reconstruction of Afghanistan. This policy preference featured DoD as the sole agency in formulation and implementation of the policies until mid-2003 (Weinbaum, 2006). Afghanistan was viewed as purely a military effort; however, the US and its allies refrained from occupying the country. Even then, US civilian institutions were sidelined, prospects for reconstruction of the state lagged far behind

(Goodson, Weinbaum, and Starr, 2006 *et al.*). This approach was partially corrected when in mid-2003, an Afghan Interagency Operating Group (AIOG) was established in Washington DC to work closely with the Afghan Reconstruction Group (ARG), a task force constituted within the US Embassy in Kabul to complement and interact with the AIOG (Weinbaum, 2006:137-138). Still the US military spending -a colossal USD 900 million per month- outpaced the budget earmarked for reconstruction -merely USD 200 million per month (*ibid.*). In this setting, military operations dictated the pace and commitment for reconstruction. It took almost two years and a lot of energy to bring reconstruction spending close to a larger fraction of the military budget. With the reconstruction effort falling behind the military objectives, most observers became critical of this dichotomy in the larger rehabilitation effort. As Goodson underlines,

> There is an inherent trade-off in the heavy versus light foot-print decision in state-building [*sic.*] in terms of the choice between capacity-building and sovereignty. That is, if existing institutional capacity is lacking, then the size of the international foot-print and the level of international involvement will have significant implications for the governance of the country. If early sovereignty (or quasi-sovereignty) is a priority and capacity is lacking, a light UN or US foot-print will delay and possibly even cripple capacity development and force a continued reliance on a NGO presence (Goodson, 2006:160-1).

Paradoxically, the light 'foot-print' of the international community provided greater legitimacy for Afghan rule and acceptance for a foreign presence in the country. It created a political space through ambiguity where Afghan ownership developed. As such, the AIA was constituted by the 'Bonn Process', and functioned until it was replaced by the ATA in June 2002. The AIA organized a grand convention, the Emergency *Loya Jirga* (ELJ) that was responsible for selecting the ATA which would govern Afghanistan for two years, and which would formulate Afghanistan's new constitution. It worth noting that last time a *Loya Jirga* was utilized as a recognized legitimate authority was in 1964 to promulgate the new constitution, and notably in 1943 to affirm the king's policy of neutrality during World War II (Thier & Chopra, 2004:102). ATA, in turn, facilitated the convention of another grand convention, the Constitutional *Loya Jirga* (CLJ), on 13th December 2003 which was specifically entrusted with the task of formulating a new constitution for Afghanistan. Following extensive deliberations, the ELJ

adopted the Constitution for Afghanistan on 4th January 2003, envisaging a presidential system for Afghanistan. Finally, as foreseen by the 'Bonn Agreement', the Presidential and the NAE were organized in October 2004 and September 2005 respectively. However, in fact, organizing the election cycle proved to be more complicated than anticipated earlier. In the absence of clear benchmarks or definitions accentuated by the 'Bonn Agreement', the presidential elections were held a year earlier than the parliamentary elections, and the latter were carried out in an incomplete fashion. The complex structure foreseen for constituting the bi-cameral national assembly became a challenge for reconstruction of the state. As such, when NAE, or specifically elections for the Lower House (*Wolesi Jirga*) and the Upper House (*Meshrano Jirga*), were eventually realized in September 2005, the constitution of the latter further lagged behind. This was due to the reason that a third of the Upper House was to be elected by the district and provincial councils that were to be ideally held together with the House elections. The district and provincial council elections could only be held later to complete the election cycle. Despite these imperfections, a parliament (Lower House) was in place by the end of 2005, thereby creating a much-needed space for legitimate political interface among key actors, power brokers and stakeholders.

With hindsight, it is safe to argue that priority was accorded to putting formal structures in place in the larger effort for reconstruction of the state in Afghanistan. Yet this prioritization was far from sufficient for resolving the pressing social and economic issues. The international community and the Afghan political elite attached importance to secure a political consensus at the state level that rested on delicate balances obtained through the presumed consent of the power brokers at the provincial level. It is true that overcoming differences in the political sphere, a formidable task hitherto seemingly impossible, was accomplished. However, in the economic sphere much remains to be done. As noted earlier, the 'Bonn Agreement' primarily designed a power-sharing scheme amongst the key figures, and no time frame nor benchmarks was set for accomplishing the economic aims. This was a basic underlying weakness of the 'Bonn Process', a trait still existing

today. In spite of the shortcomings, some tangible progress in the economic field was registered largely through the donor disbursements. By the end of 2005, with the political timeline accomplished by virtue of the presidential and NAE, the 'Bonn Process' came to a conclusion. Afghanistan seemed to have passed through the post-war rehabilitation phase well into the post-war reconstruction period. Yet the leap forward into the post-war development phase still seemed distant given the lack of an integrated economic strategy.

When interviewed in mid-2005, Dr Ashraf Ghani, the Rector of the Kabul University and former Minister of Finance, agreed that a democratic and legitimate achievement was accomplished through "a democratic social contract" by merit of the Presidential elections. However, he pointed out the looming crisis emanating from the rising expectations among the Afghan population; and, asserted that the level of expectations should be lowered while delivery of public goods was given a pace. Putting the figure of the total value of lost assets in Afghanistan from 1978 to 2001 at some USD 240 billion, Dr Ghani asserted that much remained to be done to make the country to stand on its own.[93] According to Dr Ghani's account,

> only 60 per cent of the pledged financial assistance was genuinely disbursed on the ground in Afghanistan for the rest was spared by the donors for overhead charges and other costs. Declining efficiency in delivery of public goods was further complicating this picture. An even more worrying issue was the lack of identifiable benchmarks across the country for a post-Bonn process. Therefore, nature of the future partnership between the international community and Afghanistan had to be defined.
> Rampant corruption when coupled with inefficient bureaucracy was posing a serious challenge for the future of the country. The overall situation was further exacerbated by the continuing drug problem; and, the rising insecurity particularly in the southern provinces with the Taliban coming back. Although demobilization of the former combatants was completed, they were yet to be fully reintegrated, and most kept their weapons; posing a serious security problem for the central government. [94]

As for the SSR reforms, by the end of 2005, rebuilding the ANA under the US-lead was to be the only pillar with an impressive record of accomplishment. Although DDR process was formally closed, full reintegration of the former combatants seemed to be far away. The former militia forces were then attracted by the IAG paving the way for a persistent

[93] Interview with Dr Ashraf Ghani, Kabul 20th July 2005.

[94] Interview in Kabul.

security problem. The poppy cultivation and opium production, on the other hand, reached previously unforeseen levels, marking a visible failure in the combat against the drug problem. The ANP was somewhat reconstructed yet the poor pay and training offered to the police force crippled the prospects for an efficient ANP. Finally, the judicial reform process was utterly fragmented with dim perspectives for the future. In all of these SSR pillars total failure was seemingly avoided with US intervention, though the US refrained from a robust engagement to the possible extent in explicit preference to leave the ground for the lead-nations. As suggested by Goodson, a major lessons-learned exercise drawn from the observations concerning the implementation of the SSR highlights "the need for timelines that reinforce rather than undercut one another" (Goodson, 2006:152).

Recreating the country's social fabric and providing social justice is another pressing issue yet to be resolved with land disputes remaining an important source of tension in the countryside. The expected return of substantial number of refugees will inevitably further complicate this problem. The returning refugees and victims of internal conflict, for their turn, are deprived of any substantial programme for rehabilitation. National unity is fragile, with entrenched ethnic and tribal divisions. Against this background, improving literacy and boosting the status of women are important requisites.

The expansion of NATO-led ISAF to the southern and eastern provinces provided a renewed security assurance for the Afghan Government, however, reported shortfalls in ISAF capabilities might well endanger the delivery of security in the south and the east especially in view of rising insurgency in these areas.

At this point, the GOA's significant effort for securing national reconciliation; i.e. with the non-criminal Taliban and HIG fighters, to complement the efforts for reconstruction of the country is worth noting. The so-called national reconciliation programme entitled 'Strengthening the Peace Programme', or *"Program-e Tahkem-e Solh" (PTS)*, was an Afghan-led initiative to repatriate the non-criminal elements of the insurgency back into mainstream Afghan society. The PTS was part of a larger policy of national reconciliation that included refugee repatriation, national

consciousness and social rehabilitation. Drawing from historical experiences of reintegration with anti-government forces in El Salvador, Colombia, South Africa, Nicaragua, Burundi and Northern Ireland, the PTS was understood to be mentored by the OEF in a bid to reduce the tension in the southern provinces that was kept steady by the continuing insurgency. The PTS, however, was not formally announced until May 2005 for a number of reasons. First, the GOA could not disregard the reactions of the former Northern Alliance leaders, of other players of the Afghan political scene, and of those of Afghanistan's neighbouring countries while the plan was being drafted, in anticipation of the resistance of the aforementioned to the differentiation between the 'moderate' and 'hard line' insurgents. Second, the political and economic environment was not conducive to, therefore convincing for, the implementation of such an ambitious programme. Third, the insurgency had resumed after a brief lapse following the subsidence in early 2002.

President Karzai endorsed the PTS in March 2005, and it was subsequently announced to the public on 9th May 2005 by Prof. Sibghatullah Mojeddidi, Chairman of the PTS Commission, and the widely respected first President of the Islamic State of Afghanistan established as per the Peshawar Accord back in 1992. Some excerpts quoted from Prof. Mojaddedi's press conference statement that was delivered on 9th May 2005 are indicative as for the intentions of the GOA by establishing the PTS:

> According to God's law, the foundation of Islam, the words of Mohammed (peace be upon him) [*sic*.], and the Constitution, Afghanistan must become a united country. Dear Brothers and sisters, Afghanistan has endured many dangerous epochs in the past, and (now) it has successfully emerged safe and secure with a new Constitution and a government. This is a historic achievement. Afghanistan is home to all Afghans regardless of ethnicity. The law and Constitution forbid prejudice and provide equal rights to all Afghans. In the past I have stood among heroic freedom fighters and with the help of God and his Angels we prevailed against the Soviets. It is (now) my intention to help unite Afghanistan and guarantee our country's sovereignty, peace and stability. Let us live together as brothers in unity as our grandparents lived in the past; let us not allow our enemies to break us apart with divisive actions. Thus, I conclude by asking all Afghans to return home from foreign lands. You are all welcome. Help me Almighty God. [95]

[95] Excerpts from the unofficial translation of the Statement by Prof. Sibghatullah Mojeddidi, Chairman of the PTS Commission, delivered at the PTS press conference, Kabul, 9th May 2005.

When requested to comment on the PTS, Prof. Mojeddidi underlined that "the PTS would consist of a Reconciliation Commission comprising the religious scholars (the *ulema*) and various tribal leaders. The Commission would act as a facilitator for the return of Taliban and HIG members, yet granting an amnesty remained in GOA's discretion."[96]

Prof. Mojeddidi further claimed that

> the PTS would provide an honourable exit for the OMF, and it would facilitate the rehabilitation of a war-torn society. Scores of Taliban and HIG members were anticipated to return by taking advantage of the prospects offered by the PTS, and some OMF had actually surrendered in quiet. Taking heed of the concerns that the fighting continued in a seemingly endless fashion, the PTS would hopefully do what the fighting so far failed to do: to establish dialogue and engagement for a lasting peace and stability in the country. This was especially necessary in view of the immature capabilities of the ANA and the ANP. [97]

In the end, the PTS underperformed and delivered dramatically less than expected. Some members of Taliban and the HIG returned to mainstream life, and they were allowed to enter into the National Assembly elections in September 2005, adding to the political muscle of the GOA in the Pashtun heartland. However, in account of the rising levels of Taliban and HIG led OMF insurgency continuing to-date, and the existence of 'no-go' areas for the GOA and ISAF forces, failure of the PTS arguably hampers extension of the central authority to the insurgency belt; thus delivering a serious blow to the state and its frail legitimacy in Afghanistan. It remains to be seen, therefore, whether the low intensity insurgency will be quelled by sustained empowerment of the state, or in contrast, the state will be exposed to vulnerability in its weakness to cope with this insurgency.

3.10. Setting the Targets for the Future: The London Conference

By 2005, with the 'Bonn Process' approaching to closure, it became obvious that a new arrangement between Afghanistan and the international community to address the current challenges with a forward leaning thinking

[96] Interview with Prof Sibghatullah Mojeddidi, Kabul, 11th May 2005.

[97] Interview in Kabul.

was deemed necessary. Thus, a conference was organized in Wilton Park, UK, from 12th to 14th May 2005, to prepare the ground work for an official conference to be hosted in London to identify the issues and challenges in the aftermath of the 'Bonn Process'. The London Conference was to convene on 31st January-1st February 2006 on the backbone of the Wilton Park Conference conclusions.

The Wilton Park conference presented an opportunity for an informal lessons-learnt exercise among the major stake holders who reflected on the performance of the 'Bonn Process' and collectively projected scenarios on the future challenges. In doing so, the conference identified the shortfalls on the political process, with particular emphasis on reconstruction of the state in Afghanistan. It was recognized that the SSR lead nations needed to make substantial national contributions to carry forward their lead on SSR pillars. Working in the fashion of a 'clearing-house', individual working groups identified the pending issues on relations between the central government and the provincial structures, the human skills deficits, gaps on human rights and transitional justice as well as gender issues, economic development, regional cooperation, security, and the counter-narcotics challenge (Jaques, 2005).[98] Among other conclusions reached, the Wilton Park Conference indicated the following:

> -There is clear agreement on the need for a post-Bonn compact, and on the elements it should contain, including State-building and development, justice sector reform, counter-narcotics, and a regional dimension for economic cooperation.
> - The new compact should be an energising document, with clear benchmarks and timelines. They should not imply a time-limited overall commitment to Afghanistan by the international community. The compact should enshrine specific commitments by the international community and by the GOA - a living document with two-way accountability.
> - There is a continuing role for UNAMA, especially achieving coordination between the GOA and the international community based on the principle of Afghan ownership (a "Kabul process").
> - There is a role for high-level monitoring of a new compact, with senior Afghan and international political engagement.
> - A new compact should be agreed over in summer (2005) between the UNSRSG and the GOA.[99]

[98] Jaques, I. (2005). *Afghanistan: Beyond Bonn*. (Wilton Park Paper, Report based on Wilton Park Conference WPS05/28:12-14 May 2005)

[99] *ibid.*

In light of the Wilton Park Conference, the London Conference thus represented the last of a series of major international conferences on Afghanistan that were kicked-off by the 'Bonn Process' in December. From this perspective, it embodied the all-encompassing cooperation between Afghanistan and the international community. In departure from its forerunners, however, the London Conference served as a forum where target benchmarks and timelines in tangible form were accentuated that would remain valid for the next five years. Insofar as the donor community was concerned, 50 donor countries were present at the Conference together with 16 other countries as observers, and 13 international organizations, under the co-chairmanship of the UK, Afghanistan and the UN. More significantly, consensus emerged for increasing Afghan ownership of the post-conflict reconstruction efforts that were to be implemented in the next five-year period.

At the end of the Conference, a comprehensive document entitled "The Afghanistan Compact" was adopted. It worth noting that the 'Compact' stands out as an important benchmark for it encompasses a wide range of inter-related issues, different from other principal documents adopted prior to the Conference. As such, the 'Compact' serves as a road map for the next five years.

The 'Compact' was based on the GOA document entitled "Afghanistan Millennium Development Goals Country Report 2005, Vision 2020". Consistent with these goals, the 'Compact' identifies security; governance, rule of law and human rights; and, economic and social development as crosscutting and critical areas of activity for the next five years from its adoption.[100] In line with this collective thinking, the 'Compact' underlines that "the Afghan Government commits itself to realising this shared vision of the future; and, the international community, in turn, commits itself to provide resources and support to realise that vision".[101]

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[100] cited in the UK Foreign and Commonwealth Office web site.
"The Afghanistan Compact", Building on Success: The London Conference, 31st January-1st February 2006" [online] (Last retrieved on 30th October 2006)
(http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c...)

[101] *ibid.*

The 'Compact' comprises three annexes that highlight the benchmarks and timelines for delivery of the goals set therein. Along with these parameters (*Annex I: Benchmarks and Timelines*), the 'Compact' underscores commitment of the Afghan Government and the international community to improve the effectiveness and accountability of international assistance (*Annex II: Improving the Effectiveness of Aid to Afghanistan*), and outlines the methods of coordination and monitoring for implementation of the targets (*Annex III: Coordination and Monitoring*).[102]

The 'Compact' (Annex I) thus provides a clearly delineated list of issues in priority areas avoiding generic statements, and sets various timelines until the end of the year 2010, the target date when Afghanistan's post-conflict reconstruction comes to an end giving way for development efforts. Annex I encompasses all areas of state reconstruction from security and governance to infrastructure and natural resources, and to health, education, agriculture, and social protection. Against this diverse and comprehensive frame, the GOA is entrusted with the task of providing a prioritised and detailed Afghan National Development Strategy that will serve as the centerpiece of the collective effort in direction and monitoring of the whole scheme. The donor community, for its part, undertakes to funnel the aid and assistance programmes through this channel and in tandem with the integrated central budget of the GOA designed in such a manner as to help capacity building. As for the coordination and monitoring of the 'Compact' activities, a 'Joint Coordination and Monitoring Board' is established by the GOA and the international community, with its proceedings fully published on a periodical basis to provide full transparency.[103]

During the London Conference, the Afghan authorities disclosed that the consolidated individual/collective aid pledged to Afghanistan for the period covering January 2002-March 2009 had amounted to USD 20 billion as of the end of 2005. Of this amount, USD 16.5 billion was actually disbursed; with almost USD 12 billion already utilized for the completed

[102] *ibid.*

[103] *ibid.*

projects. Against this setting, an additional USD 10.5 billion was further pledged by the donor community during the London Conference.

It remains to be seen whether “The Afghanistan Compact” will serve well in line with the expectations attached thereto. It seems safe to argue that the ‘Compact’ is prepared as a road-map frame document within which the reconstruction activities are planned in an integrated and coordinated fashion different from the preceding rehabilitation period. It is yet too early to anticipate a disengagement of the international community even after the Afghan security forces attain full operational capability, or the government machinery is fully reformed by the end of 2010, as envisaged by the ‘Compact’; for Afghanistan would still be heavily reliant on international assistance for the near to mid-term.

CHAPTER IV

CONCLUSION

Afghanistan represents the first major conflict of the twenty-first century that engulfed a state into the abyss of total collapse, and that required international military engagement followed by a massive reconstruction effort. It accommodates all major aspects of state reconstruction carried out over a vast *tabula rasa*: post-conflict rehabilitation, reconstruction and development in *seriatim*. Moving along this fault line, the developments in Afghanistan, both before and after 11th September 2001, set a hitherto unprecedented trajectory for tackling with future state failure.

In this concluding chapter, drawing from various aspects of the discussion in the previous chapters, the thesis reflects on the reasons for this spectacular occurrence, and proceeds to discuss a series of issues on the discourse of state reconstruction in Afghanistan with a view to draw clues that might be useful for future engagements elsewhere.

As discussed in Chapter 3, Afghanistan accommodated most characteristics of state failure prior to 2001, yet the international community refrained any wholesale engagement for rectifying these traits. This point deserves particular attention for it highlights a largely under-researched topic in international relations: *the two-way malign causality between globalization and state weakness*. As reemphasized by Nicholson, in the matrix of an ever increasing globalization, “states which are weak and ruled by weak governments find themselves in an external environment which is not conducive to asserting any control and in carrying out their duties towards their citizens” (Nicholson, 1999:1). Globalization thus can push the weak state towards a weaker posture, and “the weakest but still functioning state to become a failing state” (*ibid.*, 1999:2). It follows that there is lack of clarity as for the benefits of globalization for the weak states, especially in the absence

of systemic safeguards after the demise of East-West conflict. Nicholson stresses that broadly construed aspects of globalization affect the weak states in an increasing pace as they try to cope with the growing influence of non-state actors, volatile speculative markets, vast networks of organized crime and terrorism seeking an operational base, while fulfilling classic denominations of statehood (*ibid.*, 1999). While globalization arguably casts these effects over weak states, the repercussions of state failure -by virtue of reversed globalization- no longer remain isolated, and they reach out to other states in an aggrandized fashion, as observed on 11th September. Thus Afghanistan, on its own standing, may not necessarily remain a unique and isolated case in the future. Following this line of argumentation, it might be a sound approach to follow the contagious effects of future state failure closely.

This outlook further dampens the prospects arising from the discussion in Chapter 2 on the transformation of state attributes to structurally inherent weaknesses in statehood. If this argument is taken as valid, then it would be appropriate to expect the internal as well as external processes for state failure gain *causal* pace in the absence of the *Westphalian* systemic safeguards and in the presence of an ever-increasing, full-fledged globalization. Thus, more states with 'pre-modern' denominations might fail in rectifying these processes. They might, however, manage to postpone failure until such point where it becomes increasingly difficult to control the pressing dynamics of failure. Such states might fail to adjust and fulfill the requirements of statehood along the lines of the overriding debate on capacity vs scope of state activities, especially in the absence of international support and solidarity, thereby losing the ground of legitimacy and further drifting towards failure and collapse. In this environment empowering the central authority stands as a quintessential prerequisite to prevent and reverse resurgent state weakness that might lead to failure.

In a crosscutting analysis of Chapters 2 and 3, it worth mentioning that state resuscitation and reconstruction effort in Afghanistan attempted to address to, in sequential form, what was perceived as the underlying reason for state failure: lack of sovereignty, and thereafter legitimacy. This was a conscious choice in response to prolific insecurity emanating from the lack of

an empowered, credible and respected central authority across the country. Resuscitation of legitimacy ensued by creating a political space through the ELJ and CLJ; and, ultimately the Presidential elections. This line of action sets an example for future efforts where state reconstruction might take place under severe insecurity. It has to be noted, however, setting the gaze on establishing sovereignty, and then legitimating the sovereign polity, caused delayed reconstruction of the state institutions, although sovereignty/legitimacy and reconstruction represent two sides of the same coin. From a critical perspective, this dichotomy arguably hampered the development of the SSR process and post-conflict rehabilitation in Afghanistan.

A further analysis of state reconstruction in Afghanistan reveals that the PRT concept proved successful and set a precedent for future practice, unlike the painful progress registered in SSR pillars. Despite the apparent success of the CIMIC effort through the PRTs, aligning the NGOs with the PRT work as well as within the larger reconstruction endeavour has so far represented a complicated problem that has caused duplications, waste of resources and setbacks in most respects.

Before turning to concluding observations on state reconstruction in Afghanistan, reflecting on the findings outlined in the previous chapters would be worthwhile. As framed in Chapter 3, it appears that *reconstruction of Afghanistan is dependent on three core issues*: *sustainability of a secure environment, continued international commitment for assistance*, and *ability of Afghans to mitigate their endemic ethnic and kinship divisions* (Weinbaum, 2006:125). Addressing these core issues, a set of requisites should be fulfilled for a successful reconstruction of state.

As such, the first requisite underlines *the provision of functioning state institutions* with efficient and professional public administration. It entails that democratic credentials of the parliamentary system must be ensured, judicial institutions fully recovered, an effective ANA and ANP should support the central authority, and a stable currency must be maintained together with increased efficiency in collecting taxes and tariffs.

The second requisite underpins that *reinvigorated economy is central to sustainable development and to provision of viable alternatives for the narco-economy*. Sustained foreign assistance is essential to this end. In the short term, foreign aid will remain vital in addressing basic humanitarian needs, and in the longer term, it will help advancing the development goals while enhancing security.

The third requisite stipulates that *divisive political and constitutional issues should be resolved or managed*. This implies the need for a capable, legitimate and visionary leadership.

In carrying forward these requisites the issues of inadequate security, limited economic recovery, insufficient resources, enduring ethnic cleavages, poor human resource base, poor governance, and influence of regional powers/neighbouring countries must be negotiated for they constitute major impediments on the road for post-conflict development.

At the time of the writing of this thesis, public faith in the political process is crumbling as the gap widens between the populace and an elite that has benefited from the aid and drug money. While the drug trade fuels weapons trade and corruption, it feeds the insurgency and corrupts the officials. Thus, a foremost prerequisite is to pursue a sensible counter-narcotics programme with adequately funded and sustainable alternative livelihood projects. By all accounts, tackling with narcotics will take at least a decade; therefore, the GoA and the international community should remain engaged with this crucial issue with patience and perseverance. The insurgency is not yet a broad-based popular uprising. However, the Taliban have regrouped and refinanced their insurgency partially through drug money. In view of the predatory security gaps in the country, in the form of OMF in the south and southeast, and in the form of IAG in the rest of the country, the key to win the conflict rests on winning the populace. Overwhelming firepower, show of force and erroneous targeting does not intimidate but alienate the civilian population, constituting a strategic mistake for the international community and discrediting NATO now responsible for security assistance across Afghanistan. The international community, however, should not be intimidated by the formidable challenges Afghanistan

represents. The grave risk for Afghanistan thus remains once again being abandoned by the international community.

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