



Helpdesk Research Report

State legitimacy in Afghanistan and the role of the international community

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Question

What does the literature identify as the main factors that support or undermine the legitimacy of the Afghan state? What evidence is there that the international community has influenced state legitimacy in Afghanistan over the past 12 years? What opportunities (and risks) are there for the international community to support state legitimacy in Afghanistan?

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1. Overview

This query identifies the main factors that support or undermine the legitimacy of the Afghan state, with a focus on the role¹ played by the international community since 2001. It also identifies opportunities and risks for international efforts to support state legitimacy in Afghanistan.

Insufficient state legitimacy is now widely **considered to be a major driver of state fragility** (OECD, 2010). Legitimacy is often understood as a **key dimension** of state resilience in **state-building models** (for example the authority, legitimacy and capacity model explored in Section 5 (Carment, et. al., 2013). However, the concept and practical understanding of legitimacy in a state-building context is still emerging – with more recent focus on understanding the sources of state legitimacy, and how to influence them (particularly by external actors) (McCloughlin, 2013).

Four general **sources of state legitimacy** have been identified by Bellina, Darbon, Eiksen and Sending (2009, p.15):

1. **Input legitimacy** (*How* the state functions – e.g. including participatory processes, bureaucratic management, justice);
2. **Output legitimacy** (*What* the state does - e.g. perceived effectiveness and quality of its services;
3. **Shared beliefs** (the *beliefs* people about the state - about e.g. the state as the final authority; the sense of community; and identity related to the state)
4. **International legitimacy.**

The literature identified through this rapid literature review highlighted a number of **factors that support or undermine the legitimacy of the Afghan state**, including: local governance structures; corruption; service delivery; legitimising ideologies of the Afghan state; accountability deficits; and the 2001 Bonn Agreement.

In terms of **evidence of international community influence on state legitimacy**, three areas of focus are explored: international community delivering on state-building and peace-building promises; balancing output- and input-based sources of legitimacy; and examples from donor funded development projects in Afghanistan.

In terms of **opportunities and risks of supporting state legitimacy** in Afghanistan, three issues are identified: transition to Afghan ownership in 2014; supporting governance related projects; and risks of externally driven state-building.

The rapid literature review conducted for this query revealed a **large literature base exploring the factors that have influenced the legitimacy** of the Afghan state since 2001. Much of this is found in journals (both in policy- and practitioner-oriented journals, and academic journals) and think-tank publications (largely on conflict or Western policy). The literature tends to focus more on military issues and international dimensions, with a smaller focus on state-building, development and humanitarian

¹ The terms used to describe the international presence and action in Afghanistan since 2001 are contested by local and international actors, with characterisations ranging from humanitarian intervention to invasion and occupation, and many terms in between. For the purposes of this report, the activity of the US military and the international allied forces is referred to as 'military intervention'. All other international activities are referred to as 'international action'.

aspects. The state-building literature offers fewer references possibly as there has been limited work on legitimacy as an object of study (Mcloughlin, 2013).

The literature largely consists of qualitative, single-country studies. There are also regular reports that quantitatively analyse opinion polls and perception survey data. The focus of both qualitative and quantitative studies is generally at the macro state level. It is largely gender-blind.

Rigorous **literature on the international community's influence on the legitimacy of the Afghan state is more limited**. While many authors make general references to such influence, few make clear what the methodology behind their findings and claims is. There is a smaller amount of literature that makes specific recommendations related to legitimacy – it should be noted that, by nature, this is normative, and is generally published by policy experts and academics in policy-oriented journals.

2. Understanding state legitimacy in Afghanistan

Historic trends of state legitimacy in Afghanistan

While the Afghan state emerged in the mid-eighteenth century, its **historical sub-regions within Afghanistan have deeper roots and a greater cohesion**, stretching back to the sixth century BC (Barfield & Nojumi, 2010). The Afghan state's control was historically limited to some cities and irrigated agricultural areas (ibid). Road and communications technology supported a minimal state expansion into rural areas through the late nineteenth and twentieth centuries (ibid).

One **review of Afghan history** (Barfield & Nojumi, 2010, p.43) states that Afghan communities (even communities most favouring autonomy), accepted a central Afghan government to fulfil specific state-level responsibilities - e.g. security from internal and external threats, and negotiating with the international community.

In the current day, some argue by some that central **government authority has not taken root and is relatively ineffective at provincial and district levels** (Barfield & Nojumi, 2010). The same authors claim this weakness is widely understood but its source is not. While the current President Hamid Karzai and his administration are often blamed, the root cause, Barfield and Nojumi (2010, p.40) argue "lies in equating governance with government".

Perceptions of state legitimacy can vary significantly between different actors. Hove (2013) identifies significant differences in levels of trust² among the Afghan population, driven by such factors as ethnicity, region of residence (reflected in both the urban/rural divide, and proximity to violence), and levels of deprivation.

² Note that Hove (2013) argues the term 'political trust' is preferable to 'state legitimacy' when explaining political realities in fragile states.

3. Factors affecting the legitimacy of the Afghan state

The literature identified through this rapid literature review highlighted a number of factors that support or undermine the legitimacy of the Afghan state.

Local governance structures

The most commonly identified factor identified in the literature was local governance structures, often examined vis-à-vis national ones. Barfield & Nojumi (2010, p.41) identify as key that “governance exists where the government does not.” Local governance structures are identified both as a positive force that can support state legitimacy, and as a negative force that can undermine state legitimacy.

Rural Afghanistan is of central importance for political legitimation - as Afghanistan has a long history of local community governance, and it is where the majority of the population lives (Maley, 2013). **Local populations expect to solve their own problems through mediation and arbitration** conducted by people of their own choosing (ibid).

Barfield and Nojumi (2010) argue that the more successful regimes in Afghanistan recognised this characteristic and **devolved** a considerable amount of **informal decision-making power to local communities**. This left local communities to resolve local problems, and limited the intervention of the central state (ibid). In return, local communities recognised the sovereignty of the Afghan national state and did not challenge its legitimacy (ibid). They argue that unsuccessful Afghan regimes did the opposite, by trying to expand the central state’s control into rural areas. As a result, there were rebellions and insurgencies, and the national government’s legitimacy and sovereignty were challenged (ibid).

However, post-2001, **community governance has been largely bypassed**, with community leaders disenfranchised in a number of ways (Maley, 2013). Community leaders have not been able to engage with new actors – such as donors - due to lacking technical expertise and education. This is compared to increased influence of the educated ‘urban technocrats’ in the capital (ibid). The centralised neopatrimonial state post-2001 has also marginalised many community leaders in their rural communities (ibid).

Corruption

Corruption is widely identified as **one of Afghanistan’s most serious problems** – and influential of views of state legitimacy (Integrity Watch/Afghanistan 2010). A 2012 Asia Foundation survey (2012, p.107) found: over half of respondents (52%) identify corruption as a major problem in their neighbourhood; 56% in their daily life; 60% in their local authorities; 70% in their provincial government; and 79% in Afghanistan as a whole. In 2012, the perception of corruption as a major problem in Afghanistan reached its highest level (79%) since the first survey in 2006. These findings are relatively consistent with other studies that highlight corruption as a major concern, and barrier to effectiveness and stability of the Afghan government (Maley, 2013; Barfield & Nojumi, 2010).

Suhrke (2013) identifies that widespread corruption – both small-scale and large - has distorted and undermined the state-building project, consolidating Afghanistan’s **‘rentier state’**. Corruption has become a normalised feature of society, contributing to malfunctioning institutions and a crisis of state legitimacy (Suhrke, 2013). Widespread disillusionment with corrupt and abusive authorities in the sub-national administration has reduced support for the government, bolstering the role of insurgents

(Barfield & Nojumi, 2010). Corruption within in the Karzai administration is also considered to have undermined the external legitimacy of the government to international donors.

The Afghan constitution grants President Karzai strong executive powers, which Barfield (2012) suggests could be used to clamp down on corruption. He notes that President Karzai's refusal, or inability to do so, has contributed to delegitimise his leadership and government (ibid). This was particularly notable following the alleged fraud related to his re-election in 2009 (ibid).

Service delivery

The relationship between **service delivery and state legitimacy** is a key emerging area of focus of the general state-building literature. Previously, a state's service delivery performance had been thought to have a direct relationship with state legitimacy. However, more recent research suggests that this is a non-linear relationship and state legitimacy is influenced "not only by what outputs the state delivers, but how it delivers them, including the types of symbolic representations of the state that services convey to citizens" (McCloughlin, 2013, p.2).

Traditionally the Afghan state provided minimal services – especially in the rural areas. In some areas, the experience of the state may have been only in security, police and tax, potentially reinforcing perspectives of a repressive and illegitimate state (Brinkerhoff, Wetterberg & Dunn, 2012).

Barfield and Nojumi (2010) argue that national planning has historically proved ineffective, as ministries in Kabul have rarely managed to govern centrally in the face of the complexities of the country. The Afghan government historically provided few services outside of Kabul and other cities (ibid). However the expanded mandate post-2001 has raised citizen expectations (ibid). In addition, the Afghan state's legitimacy as a provider of services is contradicted by the heavy reliance on external support, and by a relatively low level of performance in delivering services and maintaining security (Kahler, 2008).

Legitimising ideologies of the Afghan state

Suhrke (2013, p.282-283) identifies four legitimising ideologies of the Afghan state post-2001:

(1) A liberal order. Post-2001 state-building was formally posited for some on the promise of establishing a liberal order in Afghanistan. This was a key sources of legitimacy for the international community (especially used to justify engagement at home), and among some Afghan reformers, and supporters of the government. However, as Suhrke (2013, p.282) observes, "on the whole, the Afghan state did not deliver on these [liberal order] objectives. Thus belief in this legitimising ideology waned over time".

(2) Utilitarian values. A competing ideology of legitimacy saw the Afghan state's legitimacy based on its ability to provide individual benefits (e.g. in the form of security, political positions and economic resources) in exchange for political support. Suhrke (2013, p.284) identifies this as a "fragile and fickle" source of legitimacy that "depends on continued access to the aid-and-war economy".

(3) Islam. The importance of Islam, a traditional source of legitimacy, has increased in recent years as the legitimacy of the 'liberal order' has declined, argues Suhrke (2013). Its credibility as a source of legitimacy, however, is complicated by strained relations between the Karzai government, religious authorities and the international community. Tensions have also been heightened amid the wider context of the war on terror, and perceptions of the West versus Islam (Kahler, 2008).

(4) Nationalism.³ Another traditional source of legitimacy, nationalism has also been increasingly evoked as a legitimising ideology, following the decline of the liberal order. However, this is also problematic due to the inherent contradiction between nationalism and dependence on foreign powers.

Accountability deficits

As the current administration is funded and protected by international forces, President Karzai is sometimes accused of seeing little need to compromise politically, to share authority, even if doing so would serve the long-term interests of Afghanistan's population (Barfield, 2012, p.126). Suhrke (2013) argues that the aid-and-war economy has created a '**rentier-state**' condition – disincentivising the government from generating local funds, capacity, or from facilitating the development of a sustainable, Afghan-owned order.

The 2001 Bonn Agreement

Maley (2013, p.258) highlights two key limitations of the 2001 Bonn Agreement. First, the failure of the parties to discuss and agree on the future Afghan state's 'scope' (the range of state activities) and 'strength' (the powers the state exercises to pursue its activities). Second, the decision to create 29 government departments – to ensure that each faction had a department. Maley (2013) argues that these decisions subsequently undermined the design and performance of the post-2001 state-building project, and thereby undermined the legitimacy of the state. He notes that the potentiality of building a stronger Afghan state (and hence a bigger asset to control), increased political competition. He also notes that the different factions in control of the 29 government departments had overlapping mandates which led to administrative complexity, and competition between departments for donor resources.

4. International influence on state legitimacy

Rigorous literature on the international community's influence on the legitimacy of the Afghan state is more limited. While many authors make general references to such influence, few make clear what the methodology behind their findings and claims is. This section explores a selection of different influences identified in the literature – including examples at the macro-political level, and at the micro development project level.

Delivering on state-building and peace-building promises

In a conference paper, based on analysis of opinion and survey data collected from 2007 to 2011, Hove (2013, p.2) finds that "**approval of international intervention strongly influences internal political support**". The immediate period post-2001 was characterised by a certain level of optimism, and belief by some that the 'liberal order' objectives were realistic. According to Suhrke (2013), the post-2001 state-(re)building agenda was largely justified on the following objectives:

- (1) (re)building a minimally effective state, in the aftermath of conflict (as per data collected in surveys, opinion polls, and anecdotal information); and

³ Note that the definitions and realities of Afghan nationalism remain debated.

- (2) “national reconciliation, lasting peace, stability, and respect for human rights”, with the “principles of Islam, democracy, pluralism and social justice” (as laid out in the preamble to the 2001 Bonn Agreement, agreed by Afghan parties) (In Suhrke, 2013, p.282).

Suhrke (2013) notes that if the Afghan state had fulfilled these objectives, it could technically be considered legitimate, at least by those subscribing the objectives (such as the international community). However, as Suhrke (2013, p.282) observes, “on the whole, the Afghan state did not deliver” on these objectives. Thus belief in this legitimising ideology waned over time, especially after the violence and fraud around the 2009 and 2010 elections. In a comparison of domestic institutional influences on trust in the state, Hove (2013, p.2) finds that Afghan citizen’s welfare and assessment of state performance in social and economic spheres are “pivotal”, but not more important than political drivers (e.g. perceptions of fairness and freedom).

Local or international ownership?

The literature reveals mixed perspectives regarding the extent of local ownership of the state-building process in Afghanistan. On the one hand, Kahler (2008) identifies a common slogan used in Afghanistan - “the Afghans must be in the driver’s seat” – used to emphasise the national ideology of local ownership on the state-building process. This stands in contrast to the high level of involvement of the international community. On the other hand, however, Barfield (2012) argues that “many Afghans are highly ambivalent about the presence of foreign forces in their country” being more concerned of the possibility of a widespread civil war (Barfield, 2012, p.126).

Afghanistan’s dependence on external resources (financial, military, and technocratic) has led to tensions between ownership and control (Suhrke, 2013, p.273). With both international and national actors wanting a certain level of control over policy and programming (ibid). This tension is exacerbated by the large amount of funds in Afghanistan, the large international presence, and the geopolitical importance of the peace- and state-building action (ibid). This tension influenced the choices of aid modalities (country systems versus contracting out); civil service appointments; election support; corruption issues; and whether to fight (or negotiate with the insurgents (ibid).

Balancing output- and input-based sources of legitimacy

Some experts question the balance struck between output- and input-based sources of legitimacy by international actors in Afghanistan. State-building efforts in Afghanistan (particularly as linked to the counterinsurgency strategies) came to emphasise aid and the delivery of services as bases of legitimacy, especially in the insecure southern provinces. However, comparatively less attention was given to political and governance-related sources of legitimacy, despite evidence that Afghan perceptions of the state were well-attuned to them. This may have inhibited the potential for aid to contribute to long-lasting peace by focusing on the product of development (i.e. services) at the expense of the process of development (i.e. governance).

Examples from donor funded development projects in Afghanistan

Community-driven development

In a UNU-WIDER working paper, Beath, Christia and Enikolopov (2013) assess the effects of the largest community-driven development in Afghanistan (called the National Solidarity Programme (NSP)) using a randomised controlled trial (RCT) across 500 villages, in all of Afghanistan’s 34 provinces. The NSP

includes two initiatives: (1) the election of a gender-balanced Community Development Council; and (2) distribution of grants (US\$200 per selected household) to implement village-level projects designed and selected by CDCs in consultation with villagers (Beath, et al., 2013, p.3). It is executed by the Afghan government (via the Ministry of Rural Rehabilitation and Development), funded by donors (World Bank and other bilateral donors), and implemented by national and international NGOs.

The authors find that the NSP influenced perceptions of state legitimacy, and of local governance structure. Overall they find that NSP improved participants' perceptions of the central and subnational government during the implementation of the project, however, this tailed off following completion of the project. The authors identify this "demonstrates the extent to which government legitimacy is contingent on the continued delivery of services rather than improved development outcomes per se" (p.2). The RCT found that the NSP was relatively ineffective in changing village leadership structures, and in fact male villagers perceived the quality of local governance institutions to reduce. Therefore, the authors conclude that "the creation of new institutions in parallel to customary structures may not have the desired effect, particularly in cases in which the roles of new institutions are not well-defined".

General development aid and state legitimacy

Similar findings are found in a BMZ evaluation of development cooperation in North East Afghanistan (2005-2009), based on mixed-methods analysis of two mass surveys in 2007 and 2009 across 80 villages (Böhnke, Koehler & Zürcher, 2010). In regards to state legitimacy (output legitimacy only in this evaluation), the evaluation found that "the positive effect of aid on attitudes and legitimacy is short-term and non-cumulative" (p.5). The authors suggest that state legitimacy therefore needs to be constantly earned in a volatile conflict zone (ibid).

The study also found an increase in the perceived involvement of the central state in development activities from 2007 to 2009. In 2007, the participants attributed the provision of basic goods (funded by donors) to development organisations. However, by 2009, the Afghan state was seen to be contributing at the same level as development organisations (ibid).

5. Opportunities and risks of supporting state legitimacy

There is limited literature in this area, as noted in the overview. This section starts with general donor thinking about state-models, and then gives a few examples raised in the literature of opportunities and risks of supporting state legitimacy in Afghanistan.

General state-building models

There is much debate in the policy and academic world applying broad state-building models as analytical models to understand fragility. Although the exact formula varies between state-building models, the models commonly assert that to be effective and resilient to crises, a state is expected to have **authority** over its citizens and territory (i.e. monopoly on the legitimate use of force). It is also accepted that state-building requires the (re-)building of state **legitimacy**, meaning citizens come to accept the state's basic right to rule over them. And the state is expected to develop the necessary **capacity** to secure the safety and wellbeing of its population (e.g. Carment, Samy & Landry, 2013; World Bank, 2012). A widely cited state-building model that fits this frame is the authority, legitimacy and capacity model (ALC) (e.g. Carment, et. al., 2013).

Opportunities linked to the transition to Afghan ownership, 2014

The most commonly identified opportunity is the transition to Afghan ownership in 2014. Suhrke (2013, p.284) argues that the transition to Afghan ownership in 2014 “appears to be a precondition for starting the process of creating internal legitimacy for the Afghan state and hence a more viable statebuilding process”.

Suhrke (2013, p.284) states that post-2001 tensions have emerged from international action including: the ‘rentier-state’ condition; local ownership versus international control; and building peace while waging war which has undermined the legitimacy of state. The author argues that the scaling-back of international action is therefore a “necessary precondition for more accountable, autonomous, and sustainable state-building” (p.271). This would, according to Suhrke, open up space for Afghans to re-establish a functioning and legitimate state, based on long-term bargains between elites and subjects and a measure of compromise among contesting ethnic and sectarian groups (ibid).

Opportunities to support governance-related projects

A second commonly identified opportunity for international actors is to pursue governance-related projects. Barfield and Nojumi (2010) suggest a particular focus on giving priority to understanding how Afghans (particularly rural Afghans) understand governance and facilitating their roles in governance institutions.

In a policy-oriented journal paper, Barfield and Nojumi (2010, p.47-51) suggest ten recommendations for the international community in Afghanistan:

1. “Fight the insurgency but instil a respect for the rule of law by eliminating banditry, impunity and lawlessness;
2. Recognise and strengthen informal community institutions that deal with decision-making, dispute resolution and consensus building at the village level in rural areas.
3. District administrators and provincial governors must obtain the consent of the governed through election for periods that are term-limited.
4. Establish effective ministry representation in Afghanistan’s major cities beyond Kabul to better meet local needs.
5. Grant district administrators and provincial governors the authority to raise revenue and spend those funds on local services or development projects.
6. Devolve the actual provision of local services to the provinces and districts, restricting the role of ministries in Kabul to providing funding and oversight and setting policy.
7. Categorise all civilian project proposals as “life-changing” or “life-improving” and give “life-changing” proposals top priority.
8. Plan by region; implement by district.
9. Establish regional technical schools, academies and universities to buttress Afghanistan’s civilian sector.
10. Create and support a national civic space that recognizes an emerging generation of religious, secular and traditional leaders”.

Risks with externally driven state-building

Post-2001 state-building in Afghanistan has been largely designed and financed by outside sources. This is widely identified as having weakened the legitimacy of the government (e.g. Suhrke, 2013). The role of external actors in state-building is a controversial area of debate. A widely cited and applicable study examining dilemmas in fragile states, by Paris and Sisk (2007, p.5-7) identifies five overlapping categories of trade-offs for external actors in the endogenous process of state-building, including: footprint dilemmas (how intrusive an activity is); duration dilemmas (short versus long term activities); participation dilemmas (what actors to engage with); dependency dilemmas; and coherence dilemmas.

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Key websites

- Afghan Research and Evaluation Unit - <http://www.areu.org.af/>
- Afghanistan Analysts Network (AAN) - <http://www.afghanistan-analysts.org/>

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