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Limits of internationalized state-building:
The stabilization of post-2001 Afghanistan

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Abstract The September 11 terrorist attacks put Afghanistan and other fragile states in the spotlight of international attention. They were exposed as breeding grounds for transnational terrorism and recognized as a crucial threat to global security. State-building, the approach adopted by the international community to 'fix' fragile states, has become a major preoccupation and opened fragile states to interventionist and regulative policies. As seen in Afghanistan though, these international efforts are not bringing the desired stability. The objective of the paper is to understand why state-building is not delivering expected results by unpacking and analyzing the key concepts of fragility, internationalized state-building and contemporary conflict through a critical post-colonial perspective. This leads to a broader examination of what constitutes state legitimacy, what fosters or inhibits stability and how this is influenced by the external component of the state-building processes. Grounded in this contextualization, the analytical framework presents stability as a combination of two complementary dimensions - horizontal stability, a political settlement about power sharing between elites, and vertical stability, the mutually constructive relationship between state and society. The argument that fragile situations are a combination of vertical and horizontal instabilities and that long-term stability can only be achieved if both dimensions are fulfilled and complementary is tested against the developments in Afghanistan since the fall of the Taliban in 2001. The case study exposes what happens if the political settlement among elites is not grounded in popular legitimacy. It also shows that the external factor in state-building, treated as a list of benchmarks to be ticked off in a quick-fix process, fuelled unrealistic expectations which, coupled with problems in other spheres of legitimacy, resulted in popular disillusionment and an increasing frustration with the system.

Content

1. Introduction

1.1. Identification of the problem

The International Crisis Group report released on 4 August 2011 notes:

> "*After a decade of major security, development and humanitarian assistance, the international community has failed to achieve a politically stable and economically viable Afghanistan. Despite billions of dollars in aid, state institutions remain fragile and unable to provide good governance, deliver basic services to the majority of the population or guarantee human security*"(p.i).

The public frustration and resentment against the government with problems of effectiveness, accountability and legitimacy and its international partners is increasing. There is a feeling of dissatisfaction among Afghans with the transitional process of democratisation as it is failing to bring real improvements to both the security and socio-economic situation. International actors are increasingly seen as unwelcome (imperialist) forces and the insurgency is spreading into areas regarded relatively safe until recently.

1.2. Scope of the dissertation

The objective is to understand why contemporary state-building is not delivering desired results. More broadly, the inquiry is what constitutes state legitimacy, what fosters or inhibits stability and how this is influenced by the external component of the state-building processes. The intent is to understand the generic issues by examining the case study as well as contextualizing the post-2001 situation in Afghanistan in relation to the general theory to uncover limits of internationalized state-building.

1.3. Structure

Chapter 2 will critically examine the key concepts of state fragility, state-building and contemporary conflict providing a critical postcolonial perspective and contextualizing the analytical framework built on the conceptualisation of stability as a multidimensional category. This will guide the discussion in Chapter 3 focusing on the political settlement, state-society relations and the formative role of the external actors in post-Taliban Afghanistan, uncovering the constraints to stabilisation. Finally, in Chapter 4 the findings from the analysis will be articulated in relation to the conceptual framework.

Figure 1.1 Distribution of ODA to fragile states recipients. Adapted from OECD (2013): Fragile states 2013: Resource flows and trends in a shifting world.

Afghanistan - 12.1% ODA

Top 10 fragile states - 60.1% ODA

Table 1.1. Top 10 fragile states (FS) recipients of official development assistance (ODA) in 2010. *Afghanistan, ranking first, nearly doubles the figure of DR Congo, ranked as second, and is the single country receiving most ODA by far.* Adapted from: OECD (2013): Fragile states 2013: Resource flows and trends in a shifting world.

Top 10 fragile states (FS) recipients of official development assistance (ODA)		
Country	ODA Rank 2010	Percent of total ODA to fragile state
Afghanistan	1	12.8%
Ethiopia	2	7.1%
Congo (D. R.)	3	6.8%
Haiti	4	6.2%
Pakistan	5	6.1%
West Bank and Gaza	6	5.1%
Iraq	7	4.4%
Nigeria	8	4.1%
Sudan	9	4.1%
Uganda	10	3.5%
Total percent received by top 10 (out of 47 FS) ODA recepients		60.1%

2. Theoretical background

2.1. Conceptual framework

After the market liberalism that dominated the developmental discourse in the 1980s, the last two decades have seen a growing importance of *the state* in development policy, coming 'to be perceived as a central development enabler and, as such, development is increasingly seen as a political process' (Wennmann 2009: 6). Contemporary security challenges embodied in the global discourse of counter-terror expose fragile states as breeding grounds for international violence and a crucial threat to global stability. This perspective is most clearly represented by the US foreign policy which attempts to export the *liberal democracy plus market economy* model as a security regulation in the international system. Based on the Kantian thesis of 'democratic peace', which suggests that democracies do not go to war with each other, US neoconservatives believe that 'other states can be made more peaceful and less of a threat by turning them into liberal democracies in the Western image' (Dryzek 2006: 12). This idea, embodied in the *war on terror* discourse, explains why in the 21st century fragile states are in the centre of international community engagement. In other words, in the post-Cold War geopolitical reality peripheral territories are not seen as strategically important anymore, but as places potentially threatening to international security. In this context, global actors assume improving the economic situation would not be enough; in their opinion development has to go beyond and change social relations (Wennmann 2009: 10).

Table 2.1. Top 10 'failed states' in 2013. *The composite value of twelve social, economic and political indicators of the Failed States Index developed by The Fund for Peace ranks Afghanistan as the seventh mot fragile country in the world.* (Source: The Fund for Peace, http://ffp.statesindex.org/rankings-2013-sortable)

Top 10 failed states 2013														
Failed States Index 2013		Total	Demographic Pressures	Refugees and IDPs	Group Grievance	Human Flight	Uneven Development	Poverty and Economic Decline	Legitimacy of the State	Public Services	Human Rights	Security Apparatus	Factionalized Elites	External Intervention
1	Somalia	**113,9**	9,5	10,0	9,3	8,9	8,4	9,4	9,5	9,8	10,0	9,7	10,0	9,4
2	Congo (D. R.)	**111,9**	10,0	10,0	9,4	7,1	8,8	8,5	9,6	9,5	9,8	10,0	9,5	9,7
3	Sudan	**111,0**	8,8	10,0	10,0	8,4	8,5	7,8	9,6	8,8	9,3	9,8	10,0	10,0
4	South Sudan	**110,6**	8,9	10,0	10,0	6,5	8,9	8,6	9,1	9,8	9,3	9,6	9,8	10,0
5	Chad	**109,0**	9,5	9,7	8,8	8,0	8,9	8,0	9,7	9,9	9,8	9,4	9,5	7,9
6	Yemen	**107,0**	9,3	9,2	9,0	7,4	8,1	9,2	9,3	8,7	8,7	9,8	9,5	8,7
7	Afghanistan	**106,7**	9,3	9,2	9,2	7,2	7,8	8,2	9,4	8,8	8,4	9,9	9,4	10,0
8	Haiti	**105,8**	9,6	8,6	7,0	9,1	9,1	9,7	8,8	9,6	7,6	7,9	9,0	9,9
9	Central African Republic	**105,3**	8,6	9,8	8,5	6,1	9,2	7,7	9,0	9,5	8,6	9,7	9,1	9,4
10	Zimbabwe	**105,2**	9,2	8,7	8,4	8,6	8,6	8,6	9,2	9,1	8,9	8,4	9,7	7,8

Fragile state

There is no single definition of the term 'fragile state' and international donors have their own interpretations, use different ranking system and an array of indicators for state 'weakness'.

However, common to most definitions is the comparison of fragile states to an ideal type – the Western state, historically developed in Europe as a liberal constitutional democracy with an industrialised market economy (see for example Boege et al 2008, Edwards 2010). Max Weber defined it as

> *"a compulsory political organisation with continuous operations [which] will be called a 'state' insofar as its administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of order"* (1968: 54).

The modern state is an entity that 'successfully claims a monopoly over the means of what is considered legitimate violence; has control over a territory and population; has responsibility for providing services (directly or indirectly); and is recognised by other states'. To carry out these functions a state needs formal institutions: an army and police force, a bureaucracy, a judiciary, a set of representative institutions (OECD 2010: 7). The Weberian model implies that fragility occurs when authority structures break down and become incapable of claiming 'a monopoly over the means of legitimate violence, control over a territory and a population and responsibility to provide services' (Sorensen in OECD DAC, 2009: 7). A Lockean view sees state failure in the 'incapacity to deliver public goods' hence unfulfilling the 'social contract' between the state and its citizens.

Regardless different theoretical approaches, most scholars and donors agree the core functions of a state are provision of security, representation, welfare and justice (Lister 2007: 2, Wennmann 2010: 16). State fragility is thus seen as the lack of willingness or capacity to provide the basic functions for poverty reduction, development and the safeguarding of security and human rights, which undermines its legitimacy (ODI 2010, OECD DAC 2009). The definition of normalcy and strength is embodied in Weberian sovereign democracies and the states that do not reach the western benchmark are labelled as 'fragile', 'weak', 'failed', 'collapsed' etc (Boege et al 2008: 4, Wennmann 2009: 17).

The reason why the international community sees the Western state as the ideal political organisation is not only because it is seen as the only model that can guarantee order and prosperity within its borders. From the international perspective the failure of the Afghan state, or any other state failure in achieving Western standards, is seen as a systemic anomaly of the modern state system, 'a potential source of insecurities for the core states of international society, and as a phenomenon that threatens to undermine the modern project of achieving political order' (Milliken and Krause:764). It is a fear resting on deeply ingrained Western assumptions about the only appropriate political order, where the existence of a world system 'has come to depend on the premise of normalcy of the states' (Doornbos 2003: 56).

The triumph of the state as the ultimate 'solution to the problem of political order' (p. 755) is based on the Western experience of the modern state development over roughly five centuries and can be told in three interconnected narratives resulting in the core functions the state is supposed to perform nowadays (see Milliken and Krause). At the core of the formation of the western state is violence - dealing with it unleashed the development of the modern state. For consolidating their power though extraction of goods, elites offered security to the ruled population which 'surrendered their unlimited freedoms (and unlimited insecurities) to live within a civil order', which granted that order legitimacy (p. 755). A further extension of social contracting 'developed a language of the nation in terms of a body of citizens whose collective sovereignty constituted them as a state, giving them the right of popular self-determination', which laid the foundation for the idea of state legitimation through symbolic representation of citizen's identity expressed in nationalism and democracy (p. 758). With the emergence of capitalism, the state eventually provided 'a stable politico-legal framework to foster economic growth and development'. Lastly, the welfare function was added to this narrative when the elite's concern for the wealth of the state was extended to the wealth of its population and the 'basis of state legitimacy [widened] to include a concern for the economic well-being of the citizens' (p. 760).

However, the concern about regulating violence lies at the core of *every* society – Western or non-Western, developed or developing, time and space regardless. The problem of violence is universal and 'the role it plays in shaping societies, is fundamental to the problem of economic, political and social development' (North et al 2007: 3). According to North, every society, some more successfully than others, develops institutions, organisations and beliefs to deal with violence. These mechanisms operate according to a fundamental logic – *the social order.*

What the development community fails to acknowledge is the existence of *different* social orders – 'the ways of organizing societies that are self-sustaining and internally consistent' (ibid.). North claims there are three – the primitive (hunter-gatherer societies, not pertinent to this debate), limited access orders (LAO; most of today's developing countries) and open access orders (OAO; developed countries), the differences between

the last two to be discussed more in depth later. Crucial at this point is to understand that, based on its own experience, the Western community sees its open access order as the only model able to 'solve the universal problem of violence and disorder' (p.2). Ignoring the differences between the two main social orders is, according to North, the reason why developmental interventions fail as they clash with substantially different internal social logics in developing societies.

State-building

The solution proposed to 'fragile states' is 'state-building', defined as

> *"sustainably strengthening state institutions in addition to enhancing the capacities of state actors for control, regulation and implementation, particularly in the core fields of statehood, namely internal security, basic social services, the rule of law and legitimacy of government"* (Boege et al., 2008: 3).

The concept is not new. It was first used in the context of the newly decolonized countries in the 1950s and 1960s when it was presumed those countries would follow the same development trajectories as their European predecessors. As well as other assumptions held in modernization theory, the idea that state-building would somehow organically happen after the colonizing forces had left failed to materialize in practice. It remained forgotten until the mid-1990s when processes of de-bordering and globalization fostered the emergence of the 'global governance' discourse, whose ideas were soon embodied in UN prescriptive documents through the notion of the 'responsibility to protect', reconceptualising state sovereignty from a right to protect its territory to the obligation to protect its citizens. An implication of this concept is that 'spaces in which the state is either not willing or able (or both) to secure the safety of its citizens, should and can be globally governed' (Debiel and Lambach 2010: 2).

This resulted in a changing notion of sovereignty, central to the concept of the Weberian state. The shift represents the crucial change in the understanding of state-building – the new approach 'virtually demands external intervention' and the role of external actors is fundamental (Edwards 2010:5).

Catalyzed by the events of September 11 2001, the preoccupation with transnational terrorism and the international war on terror, fragile states were positioned in the centre of the security discourse and state-building was identified as a priority of the international community (see Figure 2). They were presented as threat to international security, in reality meaning the security of the developed world and above all the United States. Framed in the 'war on terror' discourse, state-building has become a major preoccupation of US foreign policy (Boege et al, 2008: 4). The reconsideration of fragile

states as threats to international security has opened them to interventional and regulative policies 'unprecedented since the colonial period' (Duffield 2003: 308).

Yet, as Lister, along with other authors and supported by different statistics, claims 'attempts at 'state-building' have been even more unsuccessful than most good governance initiatives – to date most efforts by external agents to 'build states' have been, at best, mixed and in most cases unsuccessful' (2007:1). In the post-colonial world, policy-makers envisioned the state combining the narratives of security, representation and welfare, to be adopted by emerging states in the span of a few years/decades, completely disregarding the original historicity of those processes and the contexts in which they were to be applied. Statehood has become so fixed in the western imagination as 'the only possible form of political organization and order' (p. 762), that it was naively assumed state building could deliver the same results in other parts of the world (Milliken and Krause 2007: 762).

A critical postcolonial perspective

Fundamentally problematic about state-building coupled with a democratization agenda is that 'despite emphasizing 'local ownership', the current concepts are driven by top-down concepts of social engineering' (Debiel and Lambach 2010: 3). As Suhrke notes, the post-conflict reconstruction programmes do not just resemble the early development model of modernization. The package of reforms such as 'economic growth, political democracy, modern attitudes and Weberian rationality in state bureaucracies' applied to fragile states, are a 'particularly concentrated form' of modernization (2007: 1293). As such, contemporary exogenous state-building is perceived as yet another form of Western dominance.

According to Duffield (2003: 293), the reasoning behind international aid and intervention aimed to manage conflict and transform societies on the global periphery

Figure 2.1. Distribution of ODA between fragile states and other developing countries. *In 2010 the international community allocated 50 billion USD of ODA to fragile states – 38% of the 131 billion USD of total ODA to developing countries. 6.4 billion USD – 4.9% of the total ODA – went to Afghanistan alone.* Adapted from OECD (2013): Fragile states 2013: Resource flows and trends in a shifting world.

Afghanistan - 4.9% of ODA 2010   Non fragile states - 62% of ODA 2010

Fragile states - 38% of ODA 2010

reflects the ever present dichotomy between Us, characterized by civilicity, restraint and rationality, and Them - barbaric, excessive and irrational. The Western impulse to intervene in fragile contexts, justified and legitimized by the need to reform these 'spaces of breakdown', is represented in a 'will to govern' the borderlands. As Bauman puts it (cited in Duffield 2003: 294):

> *"[p]resent attempts at social reconstruction in war-affected societies are an example of a long-established reforming urge within liberal societies arising from the tendency to view social problems as a failure of modernity"*

By linking conflict to poverty, inequality and an absence of opportunities (ODI, 2010), 'the new wars have provided an opportunity to rediscover development as a second chance to make modernity work' (Duffield 2003: 306). This reinvention of development leaves underlying assumptions in North-South relations unchanged.

Since contemporary state-building is connected with a project of democratization of the global peripheries and some authors would claim it is essentially a social engineering project (see Suhrke 2007, Tadjbakhsh and Schoiswohl, 2008), the democratization agenda needs to be scrutinized too. Contemporary state-building represents the practical junction of the development and the international security discourse. It is based on the post-Cold War revival of the notion of 'liberal (Kantian) peace', which presupposes that states with 'modern attitudes' following a Western and Weberian rationality of political democracy and economic growth do not go into war against each other (Suhrke 2007: 1293, Tadjbakhsh and Schoiswohl 2008: 253). As such, the state building agenda is closely linked with the democratization agenda. The 'democratic reconstruction model' is based on the assumption that democratic systems provide mechanisms for reconciliation and are the best guarantors of a lasting peace' (Ottaway 2003: 314). While good in theory, the model that evolved and developed during the 1990s has shown modest success over the past fifteen years.

The legitimacy of every system lies in its support among the people or, as Dryzek puts it, '[t]he basic justification for democracy is that legitimate authority of any kind must rest on popular consent'. (2006: 23) For the same reason it cannot be a concept imposed from outside because it will almost certainly trigger resistance. After all, 'democracy is about the capacity of people to author their own collective destiny' (2006: 150).

Not only context – in democratic processes the notion of time is equally important. In a simplistic way, it can be argued that it is impossible to expect a society to go through a process of democratisation within a couple of years or even decades, when it took centuries for the concept to evolve and the practice of democracy is far from perfect even in the society that created it. According to Tilly, 'democratisation occurs along a continuum and can move in both directions' with processes of democratisation and de-democratisation of states occurring continuously, with no end point or direction guaranteed (in Larson 2010: 5). In this sense, time means democracy is neither a static concept nor an ultimately permanent achievement. Similar to this understanding is Derrida's concept of 'democracy to come' (1997) which entails the promise of an infinite perfectability and suggests the discourse, as a socially constructed process, is bound to change.

The nature of possible progress has been widely discussed by domestic critics of Western liberal democracy - agonistic and deliberative democrats. While defending *gains* of modern liberal democratic regimes, both believe the existing *practice* of democracy should be improved. They claim its scope needs to be expanded and/or deepened through 'the quality and inclusiveness of democratic processes' (Kapoor, 2002: 456). However, as Kapoor notes, these critiques are based on Western lines of thought and not necessarily acknowledging the time-space conditionality of democratization processes in non-Western societies. Concerned with 'ethnocentric liberal underpinnings' of the western radical critiques of liberal democracy conceptualized as 'a political project of modernity – the achievement of equality and freedom for all', Dhaliwal (1996: 43 -45) claims that neither agonistic nor deliberative democrats 'link histories of modernity to histories of colonialism' or imperialism. In so doing, they fail to recognize how the liberal democratic discourse constructs the West - non-West dichotomy and sustains Western superiority in this hierarchical differentiation. To identify the limits of the democratic reconstruction model as applied in state-building, recent democratization theory will be combined with a critical postcolonial perspective.

According to Slater (2002: 271) not only is democracy bound to an endless process of improvement, in Western - non-Western encounters even the meaning itself should be open-ended: 'The point here is to keep open the undecidability of the term 'democratic' even though it has been deployed as one element in a project of Western hegemony'. In his opinion, the process of exporting democracy along western lines of thought is inherently problematic because it asserts Euro-American hegemony. As Call and Cook point out, both state building and democratization theory 'suffer from some of the flaws of modernisation theory, including its tendency to view the West's experience as both normative yardstick and empirical expectation' (2003: 4), reflecting the underlying assumption of universality, inevitability and linearity of democratic processes. The observation that a political system is

supported when its ideological base reflects people's beliefs and values shows the limits of liberal democratization as part of externally lead state building.

> *"In an era of globalization, any attempt to reconstruct our vision of the trajectories of democratic politics needs to take into account the history of West/non-West encounters…and the coloniality of power and its geopolitical effects need to be allocated a central importance in the contextualization of the analysis"* (Slater, 2002: 271).

Being based on 'ethnocentric universalism' deeply rooted in Occidental thought, regulative principles imposed by the West have no legitimacy and consequently no authority in non-Western societies. Applied to exogenous state-building, this notion clearly identifies the limits of the 'democratic reconstruction' model. A non-universalist approach on democracy would prevent a reassertion of Western supremacy.

Exposing the underlying modernisation attempts, imperialist tendencies and the reproduction of 'East-West', 'North-South', 'Us-Them' dichotomies is critical to understand the implications of state-building with a democratization agenda. Understanding definitions of 'fragile state' or 'state-building' as defined by international actors/donors is not enough. A post-colonial perspective as presented by Slater (2004) is helpful in recognizing what are the assumptions and inscribed relations, the meanings attached to these concepts and how this relates to the contemporary context of (arguably post-imperial) global politics. Not disregarding the specificities of a given context (in this case Afghanistan, its tribal dynamics and a history of internal struggles over power), the 'centrality of the colonial/imperial interface' needs to be put in focus and the 'imperiality of Western power taken as a crucial component' in analysing the case (p. 162, 164). Adding a critical postcolonial perspective asserts the central importance of the invasiveness of colonial/imperial politics in shaping the current *situation of fragility* and the prospects for a desired *situation of stability*. It also facilitates locating the *fragile state-state building* problematic within global politics. This will help us understand the various dimensions, meanings and implications of international engagement in state building and highlight its inherent limits.

Contemporary conflicts

So far we have discussed the historic and ideological basis of state building, uncovering the assumptions that embody its limitations. To fully understand the challenges the discipline faces, we now need to examine what it deals with – *contemporary conflicts.*

Cold War, the global framework for conflicts played out in regional contexts in the second half of the 20th century, ended with the fall of the Soviet empire in 1989.

However, the disintegration of the Soviet block obviously did not result in global unity, peace and security and history *did not end.*

On the global scale, the world is still insecure, characterised by a constant terrorist threat and equally aggressive counter-forces. Divisions in the international system are not constituted by rival states anymore. The conflicts are provoked by contestations based on *identity* (religion, ethnicity or nationality, not necessarily coinciding with nation-states borders) 'constructed by discourses', which lived from within can be so pervasive to be perceived as singular and universal ways to understand and act in the world. The existing tension is what Dryzek (2006), calls the 'clash of discourses'.

The hegemony of a discourse can be recognized in the mentality of the early post-Soviet era, referred to as 'the end of history' by Fukuyama (1992). The world was to be dominated by a single global model of liberal democracy and capitalist market economy. The elimination of its socialist antagonist asserted the primacy of liberal democracy in the global political economy, indicating 'the triumph of the West in political, economic and geopolitical terms' (Grugel 2002: 2) and reflecting an unequal global order predicated upon Western supremacy.

However, accelerated by globalizing forces, the expansion of Western discourses (identities) and its apparent hegemony soon clashed with antagonistic discourses (identities) resulting in what Dryzek calls *'reflexive traditionalization'.* As opposed to 'reflexive modernisation' (see for example Beck, Giddens, Lash 1994), where rejecting the seeming inescapability of things taken for granted an arena for contestation and social change towards reflection, tolerance, and enlightenment opens up, in this case:

> *"An increased awareness of the availability of discourses other than the ones in which one has been socialized…can have the opposite effect by instilling a sense of threat on the part of adherents of a tradition who now realize that there are powerful alternatives to it"* (2006: 20).

As Mouffe suggests, a collective political identity requires the creation of an 'Us', distinguished from a 'Them'*.* This neutral relationship can become a friend-enemy antagonism when 'the 'Other', until now merely considered to be different, begins to be perceived as 'questioning our identity and threatening our existence' (2002: 7). Moreover, as Dryzek notes (2006), the increased awareness of competing traditions does not necessarily stop with a 'retreat into some version of one's own tradition'. Those traditions – identities can 'become altered, radicalized' (p. 30) and possible clashes more fierce.

The events of September 11 2001 ultimately marked the start of a violent conflict between parties defending antagonistic discourses. The liberal democratic world was openly challenged by religious fundamentalists who proclaimed a holy war - *jihad*, against the West. A new 'global bad' replaced communism and the War on Terror replaced the Cold War. Because of their allegiance with al Qaeda, the perpetrators of the New York attack, Taliban ruled Afghanistan was the first US target.

However, on the sub- or transnational level, things are not so black and white. As Boege (2006:2) suggests, new wars in the Global South are characterized by a myriad of competing 'actors, issues and motives'. Far from being based on ideology, these 'new wars' exhibit 'privatisation, commercialisation and the accompanying proliferation of conflict parties' fighting over economic privilege, involving 'warlords, private military companies and mafia-type criminal networks'. In the vocabulary of fragile states, this means 'the state is only one actor among others, the state order is only one of a number of 'orders' claiming to provide security and frameworks for conflict regulation'. It has no monopoly over violence and does not represent the ultimate authority over its territory. Nevertheless, territories of statelessness are not chaotic places with an institutional vacuum:

> *"Rather, regions of weak statehood generally are places in which diverse and competing institutions and logics of order and behaviour overlap and intertwine: the modern logic of the 'formal' state, the pre-modern logic of traditional 'informal' societal order, the post-modern logic of globalisation and international civil society with its abundance of highly diverse actors"* (ibid.).

Sometimes traditional actors merge with private actors and their motives: 'clan leaders might become warlords, tribal warriors might become private militias…In the context of globalised markets post-modern war economies emerge, and the actors in these war economies (warlords etc.) are often linked to pre-state traditional social entities' (p.3). As Boege concludes, contemporary conflicts are 'hybrid socio-political exchanges in which modern state-centric as well as pre-modern traditional and post-modern factors mix and overlap'.

2.2. Analytical framework

This section introduces a relational framework that will guide the discussion on constraints to stability in Afghanistan in the next chapter. A situation of stability will be presented as a combination of two complementary dimensions. I will call them **horizontal stability,** a political settlement about power sharing between elites, and

vertical stability, the mutually constructive relationship between state and society (adapted from Darbon et al 2009, DFID 2010, OECD 2010).

Horizontal stability: Political settlement and power sharing

To understand how 'the balance of power between elites and social groups affects the ability of countries to end conflict and build durable states' the concept of *political settlement* is introduced. As defined in the *DFID-funded research on Governance and Fragile States* it describes *'the types of informal as well as formal political bargains that can end conflict and bring sustainable peace, promote reform, development and poverty reduction – or fail to achieve any such progress.'* (DFID 2010: 11).

It represents 'the forging of a common understanding, usually between elites, that their best interests or beliefs are served by a particular way of organising political power'. A political settlement therefore forms the relationship between formal and informal institutions and the distribution of power in society. The two must be compatible because 'if powerful groups are not getting an acceptable distribution of benefits from an institutional structure, they will strive to change it'. A political settlement is therefore a precondition of stability. However, political settlements do not operate separately from their societies, and they need to enjoy deep popular legitimacy from their outset if they are to serve as a foundation for a stable governance system in the long-term. As will be shown later, if a political settlement in a post-conflict situation is achieved between elites with questionable legitimacy to govern, the prospects for long–term stability are hindered from the start.

To comprehend how social equilibrium works in developing countries it is useful to draw on the distinction between open access (OAOs) and limited access (LAOs) social orders proposed by Douglas North. Contrary to Weber's ideal, hence contrary to state building assumptions, he argues in reality 'no one, including the state, has a monopoly over violence'; the potential of violence is endemic - 'spread throughout the population rather than concentrated' (2007: 7). Historically all but a few societies have solved the problem of violence in what appears a 'natural way' - by creating 'incentives for groups to compete peacefully rather than fight' (p.7). Not determining any specific outcomes in terms of political regimes, economic or religious institutions, forming a 'dominant coalition containing all individuals and groups with sufficient access to violence that can, if they act unilaterally, create disorder' (p.8) is the essential logic of LAOs to reduce violence and create stability. Powerful members in the coalition are granted exclusive rights to rent creation and incentives to refrain from violence. Limiting access to those rents highlights

the privilege of having them, forging loyalty to the system 'which in turn protects rents, limits violence, and prevents disorder most of the time' (p.42). The selective suppression of competition holds the coalition together and represents the basis of social equilibrium.

Further, he identifies three types of LAO - fragile, basic and mature, relying on the same logic for maintaining stability but differing in the terms as to who has access to violence and in the kinds and variety of state organizations. In basic LAOs, state structures are consolidated and able to control violence, whereas mature LAO have private institutions outside of, but still controlled by, the state. Afghanistan is an example of a fragile LAO where 'the state can barely sustain itself in the face of internal and external violence … each faction in the dominant coalition has direct access to violence, and violence potential is a principal determinant of the distribution of rents and resources. If the allocation of these rent-flows is 'out of alignment with the balance of military power, factions demand or fight for more' (p.11).

In the 1800s, today's upper-income advanced industrial countries with market economy, open competition, competitive multi-party democratic political systems, and a secure government monopoly over violence, adopted a completely different logic. OAOs are sustained by political and economic competition over the control of the polity, which undermines the creation of permanent rents. The openness of the system to different political and economic actors allows for opposition to possible limited privileges controlled by a governing coalition. OAOs logic showed that 'economic and political development is intrinsically linked' (p. 17). On the other hand, as Milliken and Krause observe, informal and neo-patrimonial distributive structures used to stabilise the systems operating in poor states, are economically not efficient which can 'increase societal fissures or exacerbate inter-group conflicts' (2002: 761).

State building attempts try to instantly reproduce the OAO logic in developing contexts. The problem is there is no mechanism inherent to the system guaranteeing the progression from a LAO to an OAO.

Vertical stability: Mutually constitutive state society relations

Since every political settlement needs to be supported by the people, the relationship between state and society will be analyzed. Mutually constitutive state society relations are a precondition for long-term stability of any political order. In a fragile context with a traditional, tribal social structure, understanding the dynamics between state and society is even more pertinent. The shift from state to *state-society relations* will be explained and argued through a *legitimacy-capacity* nexus. First, the notion of legitimacy will be dissected into a rational-

legal versus traditional legitimacy (the case study being a traditional society exposed to the creation of a modern, Weberian, essentially Western state). Second, since coming in *package* with state building, the essential problem *of democracy as an export product* will be discussed considering the cultural particularity of liberal democracy. Because of the internationalized nature of contemporary state-building characterized by the prominent role of external forces, the analytical framework for stability will regularly be referring to the broader picture of contemporary discourses and global politics.

Beyond capacity

In its engagement with fragile states, the international community practical policies largely deal with the 'state' trying to enhance its scope, reach and effectiveness, assuming that by enhancing 'input (process)' and 'output (performance)' capacity and effectiveness (based on the Western model), legitimacy will follow automatically (Clements, 2009:1). However, the relationship between capacity and legitimacy as well as state and society is more complex.

Generally, legitimacy is a 'quality of an order, actor or institution that is conferred upon it by those who are subject to it' (Darbon et al 2009: 8). A social or political actor is seen as legitimate when 'a population regards it as satisfactory and believes that no available alternative would be vastly superior', (ibid.) thus granting the actor ultimate authority to 'rule by primarily non-coercive means' (OECD 2010: 15). This conceptualization is based on an empirical approach, which defines legitimacy as a 'complex set of beliefs, values and institutions (endogenous and exogenous) about the social compact governing state-society relations' (Clements, 2009: 1). On the other hand, capacity is the ability to provide 'political and administrative capacity covering the major part of territory and managing essential services like security, representation and basic welfare' (Darbon et al 2009: 9). It is now recognized that state-building cannot only be about the state and focused on establishing or strengthening formal institutions, detached from the citizens. As argued in the 2009 ODI report *State-building for peace,* the quality and nature of the relationship linking state and society are also essential. As observed in the report *The Legitimacy of the State in Fragile Situations to inform OECD policies* prepared by Darbon et al (2009), the argument is that **'mutually constructive and mutually reinforcing relations'** between state and society are central to a successful process of stabilisation and development. The two co-exist and are connected through a mutually strengthening (in fragile contexts weakening) linkage of legitimacy – capacity, where the capacity of the state to meet the 'symbolically established expectations that people have of the state' (Darbon et al 2009: 3) affects its legitimation in the eyes of the people. What exactly these expectations are, how and to what extent the state is supposed to deliver, is society-specific. So is legitimacy, it follows. Also importantly, the expectations and consequent conditions for legitimation change over time.

As seen in Buisson (2007) '[l]egitimacy is a condition of the strength of state institutional capacities – while the latter reinforces state legitimacy – as well as an essential condition of stability on the long term' (p. 122). What follows is that conflicting relations between state and society are at the core of fragile contexts. Further, he claims, the creation of state-society institutions is a non-mechanic, non-linear and uncompleted process. Neither is the state an 'outcome of a universal process of rationalization of society'. Rather, these dynamics are shaped along context specific historical, economic and cultural trajectories, 'influenced by both external and internal dynamics' (p120). This means that:

> "*The state is in each country a particular case of political development, which implies that the Western model of the state cannot be presented as the only rational solution to crisis and social harmony*" (2007: 121)

State and non-state legitimacy realms

Re-focusing the state building debate on state-society nexus has further implications. Not only is the Western state model not the only possibility, as Buisson argues, also legitimate authority is not located in the state realm only and different and varied patterns of state-society relationships exist outside the classic Western-state. Accepting state-building must shift from exclusively enhancing state effectiveness to cultivating constructive state-society relations implies recognizing those relations are shaped by different sources of legitimacy. Although Weber (1968) identified three types of legitimacy - rational, traditional, and charismatic, Clements (2009:3) observes donors have so far seen the rational-legal legitimacy based on state process and performance as the only acceptable source of power and authority.

But society is not only influenced by formal institutions with rational-legal types of legitimacy. People relate to informal societal institutions within traditional networks with traditional and charismatic sources of legitimacy as well (Clements, 2009, Boege et al, 2008). In developing countries, especially in remote rural areas, large parts of the population still rely on non-state institutions of 'customary law, traditional societal structures (extended families, clans, tribes, religious brotherhoods, village communities) and traditional authorities (such as village elders, headmen, clan chiefs, healers, bigmen, religious leaders, etc.)'(Boege et al., 2008: 7).These informal spheres are based on, so Clements (2009), 'grounded legitimacy'.

Political order thus rests on sources of legitimacy lying within 'the state realm and those located within the social and community realms' (Clements, 2009: 3). Hence, '[t]he state' is only one actor among others, and 'state order' is only one of a number of orders claiming to provide security, frameworks for conflict regulation and social services (Boege et al, 2008: 6). Power and authority are subject to negotiation and the state 'has to share … legitimacy and capacity with other structures' (p. 10). Following this logic, the state is weak when there are forces that are more powerful and people on the ground do not primarily see themselves as 'citizens of the state' or 'nationals' but rather as members of pre-state societal entities. In such traditional societies, the state is perceived as an alien force outside 'their group' (kin, village, tribe…) to which people are primarily loyal (Boege 2004: 12).

Identification with the state

The last point has significant implications for the representative function of the state, where democratization should guarantee an identification of the people with the state. Constructive relationships with the society based on the state's ability to meet people's expectations do not only refer to how the state operates and performs ('input and output legitimacy') but also relate to the symbolic aspects of the state – its embodiment of and connectedness to a collective identity. Not suggesting its strength or pervasiveness, this identity represents a shared set of beliefs that makes people engage 'around a common acceptance of a state and their mutual recognition as citizens despite their differences' (Darnbos et al 2009: 18).

To understand why the concept of liberal democracy is limited (and limiting) when applied to traditional societies one needs to understand its 'Western cultural particularity' (Parekh 1994). At its core in fact lies individualism, which sees 'the individual as the ultimate and irreducible unit of society' (p. 162), a notion deeply embedded in both the 'liberal' as well as in the 'democratic' Western political thought. Classic political liberalism comes from a philosophical strain based on individual liberties*,* where 'the individual is conceptually and ontologically prior to society' (p.157) thus making it hard for liberalism to 'offer a coherent account of the community' (p. 162). Traditional societies, however, are polities where the sense of community is very strong and the atomic liberal individual is not regarded as the basic unit of society, but is defined in communal terms. Communally orientated societies believe that 'their member's rights may be legitimately restricted in the larger interest of the traditional way of life', as opposite to individual rational choice. Just as challenging for collective societies with possibly discursive political traditions is the concept of representation - the idea of individuals representing other individuals based on the notion of one man, one vote, and individually competitive as opposed to consensual politics. Clearly, 'the liberal principle of individuation [is] culturally and historically specific' to the Euro-American context, which means that a representative democratic system entrenched with liberal values 'cannot claim universal validity' (p. 169).

Valuable in resolving these contradictions is Deveaux's (2003) discourse on deliberative practices in traditional, non-liberal societies. She claims that if a deliberative approach emphasizes inclusive debate and decision making (of those affected by the decision) through negotiation and compromise, it 'can produce fair and equitable solutions'. Democratic equality in this case lies not in voting and representation but rather in the ability to participate in such processes. Therefore, although not necessarily liberal, the outcomes of negotiations 'are nonetheless consistent with norms of political equality and democratic legitimacy' (p. 800) which is not, as often wrongly assumed, 'a strictly liberal conception'.

As Slater suggests, democracy has 'a series of 'shifting' and 'differential' meanings and it needs to be treated as a polysemic term' (2002: 271). If the outcome of democratic processes is not measured against an 'Euro-American frame of thinking and interpretation', this open-endedness can help articulate a vision of democracy that would better embody non-Western cultural values and help disassociate democracy from its perceived connection to modernisation projects and imperial or (neo)colonial discourses.

2.3. Hypothesis

The proposed explanation of constraints to stability along with limitations of internationalized state-building has two parts. First, it suggests that fragile situations within states are a combination of vertical and horizontal instabilities and that long-term stability can be achieved only **if both dimensions are fulfilled and complementary.** Second, it asserts that in state-building projects, these internal dynamics are extraordinarily, sometimes decisively, and potentially negatively influenced by external forces. This two-partite argument is presented as being the case in Afghanistan and is to be discussed in the next chapter by analyzing the post-2001 political settlement, state-society relations and the formative role of the external actors.

2.4. Methodology and limits

The research is based on qualitative analysis of secondary data in the form of published academic literature and thematic journals. Part of the empirical analysis uses studies produced by the Afghanistan Research and Evaluation Unit (AREU).

A practical limitation comes from the dynamic and multilayered nature of the case study, whose uncertainty and complexity represents a challenge for analysis. In this light, the aim of this paper is not to develop concrete proposals for further engagement. Rather it is to analyse the limits to stabilisation and democratisation posed by current trends, which could inform directions for future involvement.

3. Case study Afghanistan

3.1. Pre-2011: From the 'Great game' to the Taliban overthrow

A historic-anthropological perspective on political order in Afghanistan

The international intervention in Afghanistan is significantly shaping the power landscapes (see Shahrani 2002, Suhrke 2007) and affecting perceptions of state legitimacy in post-2001 Afghanistan. But the current situation cannot be grasped without a thorough understanding of how the historic power sharing patterns in Afghan society were affected by external forces that empowered specific segments of the society which, according to Shahrani, had 'a cumulatively negative impact on state-building efforts in Afghanistan' (2002: 717). Barfield (2010) claims two periods in the past 150 years have been particularly formative.

First, the two 19th century Anglo-Afghan wars destabilized the historically loose centre-periphery connections and affected perception of legitimate governance. Historically unruly tribes at the margins of the empire were left outside central structures and contestation over power and territory in Afghanistan was reserved to ruling elites. But the British invasion triggered widespread resistance and for the first time non-elite groups were not only involved in national politics but proved a decisive force capable of removing a government. From this moment, newly conscious regional power holders became increasingly harder to rule and each succeeding regime had a weaker claim to political legitimacy.

Second was the 1979 Soviet occupation when attempts to induce rapid and radical social change faced massive opposition. Afghanistan played the role of a battlefield in a Cold War conflict where each side was militarily and financially supported by one of the global rivals. Regionally based and increasingly autonomous resistance groups eventually became powerful enough to make the Soviets withdraw in 1989. During the Soviet era, what was historically a heterogeneous society finally transformed into a fragmented society along ethnic, religious-sectarian, regional and tribal lines (Shahrani 2002: 717) with militarized power-holders.

Figure 3.1. British soldiers in Afghanistan during the Anglo-Afghan wars. Author: John Burke. Source: http://www.simonnorfolk.com/burkenorfolk/photos.html

The historically uneasy relations between tribal or religious leaders and central powers finally broke down when power became highly decentralized in the arms of factional commanders (warlords), supported by militarized traditional solidarity groups, who challenged central control (Lister 2007).

The collapse of the Kabul regime triggered a power struggle among rivaling *mujahedeen* (leaders in the holy war) where none of the armed groups was 'able to establish either political legitimacy or military hegemon' (Barfield 2006: 255). Prolonging the civil war wiped out the legitimacy earned by ousting the soviets.

Defeating regional power holders and bringing some security and order to a chaotic and anarchic situation gained the emerging Taliban support among many Afghans and initial approval within the international community. It soon became clear though that their vision of society was too extreme for most of Afghans and their idea of Islamic statehood based on *shari'a* not fitting the western liberal democracy and free market capitalism.

The turning point was al-Qaeda's September 11 terrorist attacks, part of the global *holy war* against the West. The following US intervention started the *war on terror,* a conflict effectively interpreted by Dryzek's *clash of discourses*. After years of civil war, Taliban repression and no legitimate domestic actors left to govern, the US intervention was welcomed by the majority of Afghans. Within a couple of weeks, the Taliban were defeated. In December 2001 the international community, the UN and certain internationally approved Afghan groups signed the Bonn agreement, which laid down the framework for the post-Taliban reconstruction. What followed is a textbook example of the state building doctrine.

3.2. Post-Taliban state building

Defining Afghanistan as a fragile state
The overthrow of the Taliban destroyed their centralized administration based on Islamic law and a hierarchical army system. At the time of US intervention Afghanistan had been ravaged by two decades of conflict among a fractious polity, poverty was extreme and widespread. The incapacity to safeguard security over its territory, ensure respect of human rights and provide services for poverty reduction and development, qualified Afghanistan as a failed state according to international standards. The invasion was justified by presenting the Taliban allegiance with al Qaeda as a proof of fragile states being breeding grounds for international terrorism and representing a threat to international stability. For further international and local legitimation, the intervention was framed as a *responsibility to protect*, the moral basis for externally lead state-building.

State building in Afghanistan
The 2001 Bonn agreement laid down the foundation for state-building as a 'transition to a liberal, constitutional democracy, served by an effective state apparatus […] and a single army, with a commitment to 'social justice', respect for human rights, and 'sensitivity' to the rights of women' (Suhrke 2007: 1298). Aims to build a transparent, effective and accountable state by promoting the rule of law, liberal democratic institutions and fostering economic reconstruction were adjusted to the Western ideal of a modern state. As Suhrke observes, the agreement reflected 'a vision of social progress … where post-war reconstruction is wrapped in a broader concept of development and modernisation' (p. 1292). Western-standards development was accompanied by promises of rapid peace, prosperity and order which were to be achieved through substantial international military and financial aid. Externally fuelled hopes shaped 'a new social contract' according to which people expected the government to 'save them from abuse by local warlords, to secure the peace and provide prosperity' (p.1292). In this light the discontent with the situation ten years into the state-building process, when it is clear 'the new order is neither peaceful nor prosperous for most people' (p.1305), is understandable.

Figure 3.2. A mine victim from Herat. Source: author

The nature of the instability

The situation exhibits both sets of tensions identified in the section on contemporary conflict. Most obvious are the clashes with an ideological, anti-foreign basis challenging the system as a whole: the growing insurgency of militant Islamist forces suggests an alternative based on a completely different discourse (a completely different interpretation of reality). The Taliban and their supporters aim to 'free Afghanistan from foreign 'infidel forces' and establish an Islamic society', targeting on their way everything perceived as Western domination, from foreign aid workers to officials of an 'illegitimate government' (Suhrke 2007: 1300). The other set is typical for 'new wars' (Boege 2004) - non-ideological, but privilege and interest based (economic and/or political), encompassing various actors engaging with the state system in complex and often questionable ways. As it will be shown, both can undermine the state building project and affect prospects for stability. Even more so when popular dissatisfaction with the existing system resonates with an alternative within the radical opposition, offering to accommodate unmet expectations better.

It will also become clear how the horizontal and vertical dimensions of a socio-political order are inextricably interrelated to the point where instabilities in one dimension affect the other. In addition, the role of external force in shaping the Afghanistan stabilisation process will be highlighted.

3.3. Stability analysis

Horizontal stability: Political settlement and power sharing

The sustainability of the political settlement laid down in the Bonn agreement and the governance structures developed in the following years, is uncertain for various reasons. Already from the start, the Interim Authority was agreed upon only by certain Afghan groups, mostly Tajik commanders from the Northern Alliance (non-Pashtun involved in the Taliban defeat). Although being the biggest ethnic group, the Pashtun were sidelined due to their connection with the Taliban and excluded from the settlement in the first place. This lopsided agreement not only empowered specific factions, but also left a vast part of the population feeling underrepresented and alienated from the government. The US and UN approved warlords participation in the 2002 Emergency Loya Jirga, called to establish an Interim Administration to govern until the 2004, was essentially the preference of 'peace over justice', where power-holders with the ability to destabilize the settlement were preemptively invited into the coalition (Morgan Edwards 2010). As Lister notes, some of those who 'controlled the military and financial resources generated by participation in the conflict and the war economy…gained formal political power at both the national and sub-national levels in the newly emerging 'state' (2007:4).

Figure 3.3. Tents and equipment in Camp Marmal, ISAF Regional Command North, Mazar-e Sharif. Source: author

Even in the following years, the preferred tactic of the Karzai administration was co-optation rather than confrontation of power-holders 'by accommodating them with important positions in central and provincial government' (p.5). This situation can best be explained with the logic of fragile LAOs, where each faction has access to power and persuading these actors into the state structure by offering them exclusive privileges 'is more than just service to interest groups; it is a solution to the problem of violence.' (North 2007: 42).

This has been accentuated by the very state-building strategies - the presence of international military forces, the set-up of the Afghan National Army, disarmament of militias –, which encouraged power-holders to find new ways for asserting their power (Lister 2007). Instead of contesting central power, regional warlords are now partaking in the political game, adapting the rules to best suit their interest (Barfield 2004). Following North, when a LAO society, in which social order rests on personal and patronage-based relationships, is faced with the imposition of a foreign logic with depersonalized and formalized OAO institutions (as in state-building), which threatens the very logic on which the LAO society operates to regulate violence, it will subvert those institutions to keep the system stable (2007: 31). According to Lister in fact 'as structures built on bureaucratic rules are created, the mediation of power and the aggregation of inter-

ests are conducted through the organisations and institutions of the state, but not necessarily according to these bureaucratic rules' (2007: 6).

Moreover, due to the fundamentally unstable nature of coalitions in fragile LAOs characterised by a 'pervasive uncertainty', elites are not committed to observing rules (North 2007:12). This is perhaps the reason why power-holders lured into the coalition with the purpose of exchanging war economy privileges for political power, retain connections with high-revenue illegal activities. Drawing on Lister's conclusions, state-building is clearly not modifying the inherent logic of Afghanistan as a LAO, rather it is 'changing how political power interacts with the structures of the state [as it] continues to be exercised in a personal and patronage-based manner, but within the overall framework of bureaucratic rules' (Lister 2007: 5).

Hence, there seems to be some kind of functioning political settlement between power holders based on appropriation of externally imposed institutions – not exactly the interpretation of local ownership as expected by donors.

Vertical stability: Mutually constitutive state society relations
As proposed in the central argument, sustainable stability can only be achieved if a political settlement of

Figure 3.4. Buzkashi spectators. Mazar-e Sharif. Buzkashi, a sport similar to polo but played with a headless goat carcass, is popular in Afghanistan and across Central Asia. Source: author

power sharing enjoys deep popular support. In other words, an arena of stability is drawn by advancing its horizontal and vertical dimension.

Failed popular legitimization

Co-opting warlords in institutionalized relations with the central government is a risky compromise to rent peace and a shaky ground for popular legitimation. Warlords, regional commanders, base their power on local commanders, who endowed with force only 'structurally play the role of traditional elders' (Roy 2003:6), but are not necessarily legitimate since many Afghans associate them with rights abuses (Morgan Edwards 2010). The international community approach of engaging with the local tribal context has been unbelievably superficial, conflating the concept of warlord with traditional or charismatic authority. It failed to distinguish 'between legitimate sources of local governance and governance imposed by strongmen who have asserted themselves as a result of external patronage over the past three decades and – since 2001 – through the international community's failure to exclude known rights abusers from political office' (p.23).

Instead of being held accountable for crimes committed during the civil war, warlords were given formal political positions enabling them to further protect their interests, slowing down the judicial reform and hampering the reform of local and central security institutions. Moreover, their return to areas lost during the Taliban regime enabled some to use 'the money and arms they received to invest in drug production and engage in land grabs, predation, political intimidation, and ethnic cleansing – a major source of insecurity for Afghans' (p.11). This lead to an anarchic situation in the provinces where law, order and security continue to deteriorate while with narco_trafficking and corruption are reaching the highest political levels. In addition, instead of being disarmed as planned, local militias now used by these officially appointed figures to control the countryside, were recognized by Karzai and supported by US military 'for counter-insurgency purposes' (Suhrke 2007: 1300).

The post-Taliban administration failed to legitimate itself on many levels. First, it prevented a significant Pashtun segment from supporting the political settlement and even with the current representation in the Cabinet, a narrative of exclusion remains (Larson 2011). It continued with the 'peace over justice' strategy, leaving people feeling disillusioned with the corruption and criminalisation of the central government (Lister 2007: 4), bewildered by the enrichment of those who should have instead been penalized. The patronage system typical for LAO that seems to foster horizontal stability has negative effects on vertical stability – popular legitimation - as the elites included had no legitimacy in the first place. Far from being mutually constructive and reinforcing, ten years into the state building project the relationships between state and society are characterized by inability to provide security,

welfare, livelihoods and justice on one side and frustration, alienation, disillusionment with a state perceived as not primarily serving people's interests on the other side. Additionally, as acknowledged in the analytical framework, people's expectations from the state change over time and were in this case inflated by the international community's unrealistic standards for state reconstruction. Its failed recognition of patronage and kinship systems in a tribal LAO, perpetuated inequalities in income and wealth as aid flows were not channeled evenly to the population but helped enrich the powerful instead (Suhrke 2007). By definition, an order is legitimate when regarded as satisfactory to the point where no alternative is preferred. The Afghan state (and its international backing) is not perceived as such and these sentiments are being increasingly exploited by the Taliban, whose presence is spreading across the country to areas well outside their Southern and Eastern strongholds. On this front, prospects of stability are weak.

Afghan social and individual identities and loyalties are defined by Islam and kinship (representing the same ideological framework as ethnicity). They embody the most persistent and pervasive context for social interactions and organisations. As such, they regulate the relationship between the formal and informal, between state and society (Shahrani 2002).

Grounded legitimacy

As exposed in the theoretical chapter, in traditional societies the state is not necessarily the highest nor the

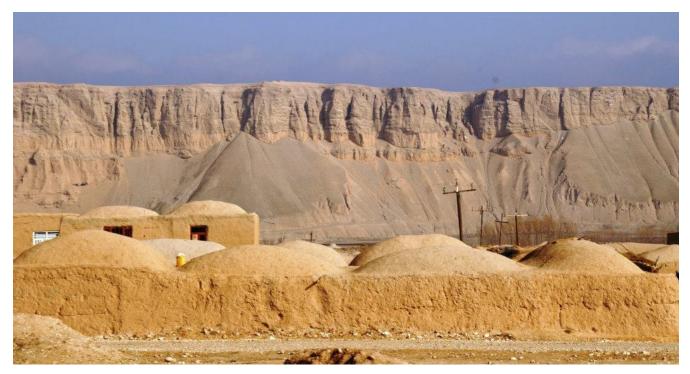**Figure 3.5.** Men flying kites over Kabul. Source: author

only point of reference. In Afghanistan, particularly in rural areas, tribal and ethnic groups are the defining social feature and take primacy over the individual (Barfield 2010: 18): 'People's primary loyalty is, respectively, to their own kin, village, tribe, or ethnic groups'. This is a common feature of Afghan identity and the basis for of a shared political culture (Roy 2003: 4):

> *"Real political life is played out at the local level and primary loyalty lies with a 'solidarity group'…composed of an extended network of people who tend to consider that they are protected by this group affiliation and that they could build on it for whatever purpose (business relations, political constituency, patronage and clientelism, and also - during the war - armed resistance)"*

As such, the existence of customary traditions is not an inherently positive or negative feature. As seen in the previous section some aspects can be, and in the case of Afghanistan have been, abused for narrow and even criminal interests instead of the common good of communities. Further, they are not to be romanticized as a better option compared to Western individualist orders since they can be used to justify negative practices for vulnerable groups (the position of women in Afghanistan is such an example). Internationalized state-building based on evolutional socio-cultural theory with its linear progression take on transition from traditional to modern, overlooked both positive and negative aspects of customary institutions (Clements et al 2007).

As both Clements (2007) and Debiel and Lambach (2010) observe, there hasn't been much research conducted on the role of traditional orders in the stabilisation of fragile states. However, a study conducted in Kunduz and Paktia province (see Debiel and Lambach) showed an interesting pattern of state society interaction. In Kunduz, where there are no strong horizontal social networks, warlords, local commanders and other 'big men' claimed legitimacy not from traditional sources but from the occupation of official positions. Contrary, in Paktia 'tribal structures saved the region from warlordism' as horizontal networks deeply embedded in society were 'remarkably able to control violence and regulate conflict' (p.7). As Clements et al observe, 'tradition and custom can generate a strong sense of continuity, trust, and order' (p. 47), generating legitimacy and having 'a lot of positive potential for state-building' (p. 3) in contexts where the state has proven incapable of delivering basic security, services, welfare and justice. Despite Afghanistan's strengths at the local level and de facto decentralization (Johnson and Leslie 2005), it has only recently been recognized how important subnational governance is (Lister 2005, 2007). Although the relationship between formal governmental and informal tribal structures at the subnational level is still very unclear, evidence from AREU research 'suggests that in parts of Afghanistan there is an increasing acceptance of, and desire for, more locally representative and inclusive structures'. It is also recognized that 'many traditional structures still carry considerable legitimacy with much of the population

Figure 3.6. Traditional mud houses with dome roofs in Balkh province. Source: author

and cannot simply be bypassed' since they 'contain a wealth of local knowledge and understanding that can benefit local government enormously' (2005: 7). Valorising customary resilience requires a paradigmatic shift from seeing the inability of the state to pervade every single part of the society as its weakness, to a potential shared arena where the existence of local customary structures is seen as a strength that could constructively be engaged with in what is called a 'hybrid political order' (Boege 2006, 2008).

If traditional structures are recognized as a legitimacy realm complementary to (rather than one to be replaced by) the rational-legal realm, they 'can forge constructive relationships between communities and governments' (Clements et al 2007: 51). This is crucial because:

> "*The organic rootedness of the state in society is decisive for its strength and effectiveness*" (ibid.).

As Clements argues, the full recognition of people's identities, including the customary part of it, is essential for building a sense of citizenship in traditional societies as Afghanistan. This is important because '[i]nstitutions of governance can only be effective and legitimate if the people have a sense of 'ownership' (ibid.), which is to be discussed more in depth in the following section.

Democracy, representation and identification with the state

The heterogeneity of social and individual identities is to be reflected in the symbolic realm of the state. Just like others, the Afghan society is characterized by diverse and/or contrasting tendencies. A political system should respond to this multiplicity of identities if it is to be assured a deep and broadly based popular legitimacy. To understand what the Afghans expect from the emerging political system, I will draw on AREU's study *Deconstructing "Democracy" In Afghanistan* (Larson 2011).

After ten years of the 'rhetoric of democratization' engaged to support the international state-building initiative, democracy is not widely accepted as a system with inherently positive qualities. Introduced with the good governance assumption 'that the promotion of democracy automatically promotes growth' and that 'introducing democratic institutions will encourage a culture of accountability [with] governments being pressurized to deliver goods and services' (p.11), these high expectations remain unmet. Rather than ensuring peace and the rule of law, the new governance structures have come to be associated with increasing insecurity, a predatory government unable or unwilling to deliver services to its citizens, and abused by power-holders with unlimited freedom for

Figure 3.7. A group of men preparing lamb kebab. Source: author

corruption. This failure can be interpreted with North's discourse on contrasting social orders that cannot be simply transplanted because the imposing logic will be either rejected or subverted to the existing one.

Democracy perceived as an imported concept, associated with Western liberal values and secularism, was one of the most commonly emerging perceptions, varying from an 'imperial project brought to serve greater political goals of foreign countries', to something that could be adopted if reconciled with an 'Afghan culture' and be 'fixed within an Islamic framework' (p. 21). The respondents pointed out substantial differences between Islamic and Western social norms and values, the latter being often synonymous with modernisation. What a desired 'Islamic democracy' as opposed to a 'Western democracy' would look like remains indistinct and ambiguous, just like the concept of 'Islamic framework' within which individual freedoms should be defined. Following Roy's (2003) argumentation of Afghan state legitimacy as being dependent on resistance to foreign interference and adherence to Muslim values, the perception of democracy as cultural imperialism threatening Muslim values is weakening state-society relations as the state is not seen as embodying an Afghan identity. These negative perceptions and broken promises are being tactically exploited by the Taliban in promoting their superiority to the existing regime.

On a good note, elections are not seen as a hostile imposition of an individualistic culture and there is a sense of ownership and support for democratic institutions as they inspire participation and inclusion. The right to an individual anonymous vote is particularly welcome where traditional leaders are 'viewed as corrupt or linked with

criminal activities' (Lister 2005: 7) and traditional structures abused for particular interests rather than common good. More problematic is the idea of competitive politics as potentially conflictive and destabilizing, as opposed to the preferred consensual model, valued as a traditional and legitimate decision-making practice. Interestingly, in many communities this has been reconciled by making voting a community affair 'in which candidates are selected according to local consensus and then bloc votes given' (p.41). As noted in the analytical framework, collective decision making might be at odds with individual rationality but is not necessarily undemocratic or illegitimate (Deveaux 2007). This local cultural adaptation can be read as one of the possible interpretations of democracy as a 'polysemic and open-ended term' (Slater 2002).

Not going deeper into the overlaps between Islam and democracy, but acknowledging they are not mutually exclusive (see for example El Fadl 2004), for now the relationship between the two in Afghanistan remains unclear and there is no political debate about it. There has been an attempt to combine liberal democratic with customary institutions by scaling up consensual politics of the *shuras*, traditionally used at the local level, to the national level, a practice with sporadic historic precedence as noted by Barfield (2010). This top-down experiment of engaging with historically questionable traditions romanticized by the international community is what Hobsbawm (1992) dubs 'invented tradition', a mechanism states use to legitimize their authority. On the other hand, collective voting on the community level can be seen as a 'practical manifestation of Afghans claiming ownership of elections and participating in them through their own established mechanisms of decision-making' (Larson 2011: 41).

4. Conclusion

What the theoretical discussion as well as the empirical analysis show is that the major constraints for successful state-building are *endogenous rather than exogenous*, meaning that the limitations lie not in the environments state-building deals with, but in the *underlying assumptions* of the concept itself, which prevent the international community to really understand and constructively react to local complexities. The problem with unidentified assumptions is that *they prevent state-building from recognizing existing threats as well as strengths in fragile contexts.*

As seen in the case of Afghanistan, the assumption that the modern Western state is the only political organisation that can regulate security, guarantee order and provide prosperity had multiple negative effects. The consequent failure to recognize the existence of different social orders with different logics to create socio-political stability lead to frustrating results in Afghanistan. Not recognizing mechanisms of patronage and kinship exacerbated corruption and contributed to further empowerment of illegitimate political figures. What is theoretically proposed by North is actually hap-

pening in Afghanistan where power-holders are bending the imported bureaucratic rules and using state structures for their own interests.

Further, the conceptualization of state fragility according to a Weberian model as a benchmark of normalcy and ideal of strength, without a corresponding recognition of the historicity and contextuality of the Western state creation, tends to overlook non-state dimensions with indigenous structures 'able to provide security, development and wellbeing for the people based on trust, order and continuity' (Clements 2007; 47). The potential of categories that could be used for a more responsive and locally effective state-building so far remains vastly underutilized in Afghanistan.

Moreover, the imposition of liberal representative democracy as the ultimate political system resulted in the perception of the intervention as a modernizing imperialist project threatening the Afghan identity. But it also showed resilience of customary community structures and institutions engaging with the possibility for the articulation of democracy outside the Euro-American context.

Figure 4.1. Four young men observe a helicopter flying over the 'green zone' diplomatic area of Kabul. Source: author

The analytical framework developed to test the proposed explanation of constraints to stability as a combination of horizontal and vertical instabilities, where stability can be achieved only if both dimensions are fulfilled and complementary, proved appropriate and the hypothesis fairly accurate in asserting that a political settlement among elites needs to be grounded in popular legitimacy if the situation is to achieve long term stability. It showed that for state-society relations to be mutually reinforcing the state needs to meet people's expectation in a practical realm (the performance state functions) as well as in a symbolic realm (embodying social identities with cultural norms, values and practices). It also exposed that the external factor in state-building, treated as a list of benchmarks to be ticked off in a quick-fix process, fuelled unrealistic expectations which, coupled with problems in other spheres of legitimacy, resulted in disillusionment and an increasing frustration with the system thus opening up an arena for actors radically opposing the state-building project in Afghanistan.
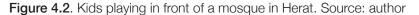
Author's reflection

The following reflection is based on the author's personal experience of living and working in Afghanistan for two years after the submission of the original paper in September 2011. The challenges faced by the Afghan state, the Afghan society and the tensions in the relationship between the two exposed in the original paper remain largely unchanged. If anything, the uncertainties of the Afghan population appear to be increasing and expressed through commonly negative speculations regarding the political and military *Transition 2014* (with the

key events being the pulling out of international military forces with a complete security hand-over to Afghan forces and the forthcoming presidential and provincial council elections). As such, the hypothesis on fragility presented as a dysfunctional puzzle of horizontal and vertical instabilities amplified by the role of external forces can be still considered relevant. The paper therefore represents a solid introduction into the dynamics of over a decade of state-building in Afghanistan, a project that many suggest will go down as one of the major political, economic, security and developmental failures of the international community engagement.

Unsurprisingly though, research experience from the field indicates that some aspects presented in the paper were too simplified and necessitate a more nuanced and careful approach. For example the suggested clear dichotomy between two local conflict drivers - ideology (the Taliban) and pragmatic profit seeking (criminal networks). On the ground these sometimes opportunistically merge into patterns of community intimidation by actors of questionable identity with local criminals hiding behind the label 'Taliban' (often attributed to anyone with a covered face carrying a gun) and the actual Taliban claiming actions executed by criminal groups to give an impression of greater power and presence.

Other observations – such as the need for a wider recognition of the opportunities provided by hybrid orders pointed out for example by Boege (2006, 2008) and Clements (2008) - were not aligned with ground realities in recent years. After a perhaps initial neglect of

Figure 4.2. Kids playing in front of a mosque in Herat. Source: author

customary structures, the donor community swayed the other way, which to some extent lead to a saturation with artificially created *shuras*, but also supported an essentially hybrid system - the justice sector. In a country where the formal justice system is known as being weak, ineffective and pervaded with corruption, between 80 and 90% of all cases (TLO 2009) are solved by informal justice institutions. Efforts have been put into strengthening the linkages between the formal and the informal justice systems, where supporting the latter, often the only available and popularly used in remote areas, has, not without challenges and limitations, increased access to justice.

Further, more diversification would be needed when discussing the Afghan society and the attitude of groups towards the state as well as in relation to each other. Differences do not only lie between the usually noted factions or ethnicities. Other splits, some of them amplified by the foreign presence - for example the urban-rural divide -, are becoming more prominent. While the tensions between center and periphery in Afghanistan are nothing new (see Chapter 3.1), the prolonged exposure to Western presence (particularly in Kabul) and the proliferation of new communication technologies are further polarizing the differences. This is coupled with a booming population and increasing levels of urbanization that further exacerbate the generation gap. The political discourse in Afghanistan is dominated by old elites with agendas that do not necessarily address the needs of the youth – the majority of the Afghan population – which is largely excluded from the decision-making process. Many of the young and educated are leaving the country in search of better economic prospects and out of fear of political radicalization and possible retaliation towards those who worked with the international community. In the light of the on-going foreign military drawdown and despite

commitment to continued engagement of the international community after 2014, the future of Afghanistan remains uncertain.

As far as the international community is concerned the two most pertinent and logically following questions are: *'What has the international community learnt about state-building interventions in fragile states?'* And *'How are those lessons going to be translated into practice to achieve sustainable stability?'* In 2007, the OECD Development Assistance Committee adopted ten Principles for Good international engagement in Fragile states and Situations (OECD 2011). The OECD 2011 monitoring survey of the fragile states principles assessed the progress of international development in fragile states and the results are far from encouraging:

> "*International performance against these Fragile States Principles is seriously off-track. Overall, in the thirteen countries under review in 2011, international stakeholder engagement is partially or fully off-track for eight out of ten of the FSPs*" (OECD 2011: 11).

But above all looms the inevitable consideration on the prospects for international interventions in fragile states after over a decade of engagement in Afghanistan and Iraq and at a time when most of the donor countries are facing an economic decline. The 2011 OECD report expects about half of fragile states to see a drop in programmable aid between 2012 and 2015 which will prove particularly challenging for countries highly dependent on foreign aid like Afghanistan. Is this a sign of a temporary 'intervention fatigue" or are other approaches, most notably the drone programs in Pakistan and Yemen limited to targeted killings of alleged terrorists without large scale engagement on the ground, an indication of an actual paradigmatic shift in the politics of international intervention?

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