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Peace Building and State-Building in Afghanistan: constructing sovereignty for whose security?

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ABSTRACT *In the aftermath of civil wars, international actors often worry about the incoherence, tribalism, and division of war-torn nation-states like Afghanistan. However, the problems encountered in the Afghanistan recovery and reconstruction effort illustrate that the divisions, rivalries and fragmentation of authority of the 'international community' have constituted just as big an obstacle to what the UN now calls 'peace building'. Sustainable stability and peace, to say nothing of democracy, require international actors to delegate some sovereign functions to a multilateral entity that can reinforce rather than undermine the institutions responsible for the reconstruction of the nation-state. The history and contemporary situation in Afghanistan makes clear that there is an important need for the peace-building mechanisms proposed by the UN Secretary-General's High-level Panel. This would involve a unified international decision-making body that would act as a counterpart to the recipient national government and potentially bring order to the anarchy that invariably flows from the multiple agendas, doctrines and aid budgets of the array of external actors involved in 'peace building' in Afghanistan and elsewhere.*

Afghanistan provided the United Nations with its first chance to implement the recommendation of the Brahimi report for 'integrated missions', which would exercise unified control over the political, assistance and peacekeeping functions of the UN[1]. This would take place under a mission headed by Lakhdar Brahimi himself, who returned to the UN as the Special Representative of the Secretary-General (SRSG) for Afghanistan. During and in the aftermath of civil wars, international actors often fret about the incoherence, tribalism and division of war-torn countries like Afghanistan. The Brahimi report, however, recognises that the divisions, rivalries and fragmentation of authority of the UN system and the rest of the 'international community' have constituted just as big an obstacle to what the UN calls 'peace building'.

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The December 2004 report of the UN Secretary-General's High-level Panel (HLP) on Threats, Challenges, and Change took the proposal for integrated missions even further by proposing the establishment of an inter-governmental Peace Building Commission to oversee UN operations to rebuild states after armed conflict. This Commission would exercise budgetary authority over a Peace Building Fund, which would be kept fully replenished in advance of operations and would contain unearmarked contributions. A Peace Building Support Office with the UN Secretariat would support the Commission.[2] The creation of a unified, multilateral decision-making body as a counterpart to the national government receiving the aid aims to bring order into the anarchy often created by multiple agendas, doctrines and aid budgets. Examining the attempts to rebuild a state in Afghanistan illustrates the deficiencies of the current international institutions that the HLP wished to address.

While political sensitivities prevented the HLP from using the term 'state-building', such operations have the paradoxical mission of helping others build sovereign states. They constitute the contemporary version of a long-standing security task: the stabilisation of the periphery by great powers, which must now be carried out in a globe governed by a regime of universal juridical sovereignty of the national state. Even the administration of US President George W Bush, which has adopted a doctrine of preventive war on the basis of unilateral judgement that governments might threaten US security, has been constrained to act within the same regime. Its inability to motivate Iraqis or international partners to collaborate with an occupation regime forced the administration to call on the UN to assist in the initially unwanted transfer of sovereignty to Iraqis.

This recourse to the UN, despite political differences between proponents of multilateral peace building and prosecutors of unilateral preventive war, shows that these projects respond to a common security environment. The central fact of the environment in the past half-century has been the replacement of global juridical imperialism by global juridical national sovereignty. The UN incorporates this organising principle into its Charter. Hence, when the collapse of public security in Afghanistan threatened its neighbours, Pakistan responded through covert actions to sustain the Taliban as a client regime, rather than by splitting the weakened country's territories with its neighbours. When the Taliban's grant of refuge to al-Qaida proved to be a threat to the USA, Washington responded not simply by overthrowing the government but by calling on the United Nations to oversee a political transition and a programme of 'reconstruction'. Despite the intentions of the Bush administration, that programme moved beyond humanitarian action to a comprehensive, if at times distorted and poorly co-ordinated programme of state-building, in which Washington, NATO and reluctant European states have all participated.

From imperialism to peace building: doctrines in historical context

The use by various states and organisations of *sui generis* terms such as 'peace building', 'post-conflict reconstruction', 'nation-building', or 'stabilisation',

displaces these operations from their historical context. The US's pursuit of security from both terrorism and challenges to its strategic dominance has different implications from the pursuit of human security through processes of global governance; the two converge to some extent over the intervention in Afghanistan and diverge over the invasion of Iraq. These doctrines, however, constitute different responses to a common problem: maintaining order and security, however and for whomever defined, in an increasingly integrated global system juridically and politically organised around universal state sovereignty.

For centuries stronger powers have intervened along their peripheries to establish politically acceptable forms of order. Before the arrival of European imperialism in Asia, the territory of today's Afghanistan constituted a shifting frontier among empires based in the neighbouring regions. The arrival of British and Russian empires led to the demarcation of the country as a buffer state between these empires, and British aid enabled the Afghan Amir to 'stabilize' the country with a repressive state that lacked full external sovereignty. The 1905 Anglo-Russian treaty on Afghanistan, Persia and Tibet, which established the status of Afghanistan, illustrates the fact that, during this period, the European states that constituted the core of the imperial state system tried to regulate their competition through a stable division of colonial rule. Great powers co-operated to impose a common juridical framework over the entire globe, but one that institutionalised unequal political and legal status for different territories and peoples.

Afghanistan, which gained full independence in 1919, eventually joined the League of Nations. Other states followed it out from under imperial domination as the contemporary global framework for security developed with the foundation of the United Nations system after World War II. The UN oversaw the extension of decolonisation, extending the international regime of national sovereignty enshrined in its Charter to the entire globe, a process that continued through the UN-supervised transition to independence of Timor Leste.

During the Cold War the struggle over building postcolonial states largely took the form of competing foreign aid projects among the alliance systems led by the USA and USSR. Afghanistan received aid from both camps. The end of US–Soviet *de facto* co-operation tore the country apart. After the end of the Cold War regional competition continued the process of state destruction. The same global change freed the UN Security Council to undertake multilateral state-building efforts, especially in the aftermath of conflict, but the failure to undertake any such effort in Afghanistan showed that, while the end of zero-sum strategic competition made co-operation possible, it also lowered the stakes for major powers, who were content to allow some problems to fester.

The attacks of 11 September 2001 showed that the USA could now be attacked from even the weakest state and hence reignited US nationalists' strategic interest in the periphery. The regime of universal sovereignty, however, requires more powerful states and international organisations to work through the institutions of national states. Post-war operations attempt to *transform* states, rather than *absorbing* them into other, more powerful, units.[3]

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Peace-building and stabilisation as state-building

At the most schematic analysis, state formation consists of the interdependent mobilisation by a sovereign of three types of resources: coercion, capital and legitimacy.[4] The sovereign wields coercion, in the form of what we hopefully call security institutions, to exercise a monopoly of (legitimate) force over a territory. He needs the accumulation of capital to produce income that can be extracted as revenues to fund state functions and services. Symbolic and cultural resources consecrate the use of force and public revenues as legitimate and link them into a meaningful whole to induce people to comply voluntarily as citizens. The state claims to exercise its power as the delegate of an imagined community—the nation.

These three types of resources have been mobilised in different combinations and contexts to build, destroy or undermine states. When the British transformed Afghanistan into a buffer state, they provided weapons and money to the ruler, Amir Abdul Rahman Khan, but they did not impose any standards of legitimacy. They simply insisted, as provided in the Treaty of Gandamak (1879), that the Amir not extend his administration beyond the Durand Line. Thus the Amir received power resources, which he used to wage internal war, deport populations, massacre, execute and torture. Rudyard Kipling wrote verses about these practices, but as long as they served to maintain a stable border for the British Empire, no one attempted to reform them.

The Amir foreshadowed a familiar pattern of the postcolonial state. Epigrammatically, during the formation of national states in Europe, rulers struggled and negotiated with subjects who became citizens to extract resources to wage war against external threats. In the postcolonial world rulers struggled and negotiated with external powers to gain aid or capital to protect themselves from domestic threats. Citizens often became disenfranchised, as rulers looked to foreign patrons rather than citizens for power resources. External powers were motivated not by concern for apolitical 'stability', but by the strategic competition of the Cold War and now the global 'war on terror' as well as by economic interests.

This process of extroverted state formation underlies many changes in the international system, including the shift from interstate to intrastate warfare and the crises of legitimacy and capacity of postcolonial states, leading to the violent contestation and collapse of many. Afghanistan's rulers built a state with co-ordinated flows of foreign aid; the state exploded in civil war when the aid flows instead subsidised competing military forces; and the state collapsed when the aid flows ended. The post-2001 effort constitutes a new round of internationalised state-building, with the UN formally recognised as the co-ordinator of international assistance.

Participants in peace building or stabilisation operations attempt to use foreign resources of the same types to build acceptable states in areas that pose a perceived threat to powerful actors. Afghanistan became a point of consensus among international actors in part because it united characteristics of a 'rogue state', of concern to the USA, and a 'failed state', of concern to

globalist humanitarians. The partial contradiction between the US military mission of hunting down Taliban and al-Qaida, even in collaboration with Afghan warlords, and the mission of the UN-authorised International Security Assistance Force (ISAF), to secure the nascent administration from warlord pressure, constitutes a concrete example of what Ghassan Salamé calls the 'dual legitimacy' problem of global state formation.[5]

Internationalised state-building

The doctrines of the states and organisations engaged in this effort often contradict the goal of state-building. Building a national state means creating a sovereign centre of political accountability, which is not necessarily the same as building an ally in the war on terror. Multilateral operations often consist of juxtaposing existing capacities—humanitarian aid, war fighting, peacekeeping, economic guidance and assistance, civil society support, democracy assistance—without a coherent strategy. A strategic decision maker would require command and budgetary authority over the entire operation, which was the rationale for the Brahimi report's proposal for 'integrated missions', but the Afghan operation, for instance, despite an attempt at such integration and being founded by Brahimi himself, continued to suffer from lack of coherence. In 2002 the UN issued a Consolidated Appeal for Afghanistan with no reference to the reconstruction strategy or the national budget. At the same time, the USA's own reconstruction plans were being formulated in Washington without international consultation.

Such operations make use of the same types of resources as other processes of state-building: coercion, capital and legitimacy. The core tasks of security provision are peacekeeping or other forms of international transitional security provision. In Afghanistan these include operations with different, though now converging, goals by the Coalition and ISAF; dismantling irregular militias that compete with the state's monopoly of coercion (demobilisation, disarmament and reintegration, or DDR); and building new security forces, called Security Sector Reform (SSR), which includes building the Afghan National Army (ANA) and Afghan National Police (ANP).

As in all such operations economic resources for public services in Afghanistan have almost entirely come from international assistance, rather than from domestic capital accumulation and resource mobilisation. Donors have largely delivered assistance through their own implementing agencies and national NGOs. According to the Minister of Finance of Afghanistan, in 2004–05, out of a total of $4.9 billion of public expenditure, only $1.4 billion was channelled through the government budget.[6] Aid outside the budgetary control of the national government may block growth of state fiscal capacity, capital accumulation and economic management, undermining the state's accountability to citizens.

The legitimacy of the operation derived initially from a combination of international legislation (Security Council resolutions supporting the coalition military action) and the political agreement reached under UN

chairmanship at Bonn. The Bonn agreement outlines a process to increase the legitimacy of the interim administration to that of a fully elected constitutional government through internationally supported political processes. The UN, troop providers and donors, however, have tried to constrain these processes so as not to contradict international standards of human rights and key foreign interests.

Coercion and security

In the period before the rise of the Taliban the Afghan army disintegrated, and Afghanistan had the pattern of fragmented control of armed forces characteristic of 'failed states'. The Taliban largely recentralised control over coercion, but the US intervention destroyed their forces, while rearming the same commanders and warlords who had previously dominated the country. The US-led coalition and ISAF, however, enjoyed an overwhelming preponderance of military force, which made a state-building project possible.

The Bonn Agreement partly signified that Afghanistan would undergo 'warlord democratizstion', in which armed groups would demobilise in order to resolve a security dilemma, deciding to arbitrate their differences via elections rather than violence. Such a process requires confidence-building measures and transparency enforced by peace keepers.[7] This constituted only part of the mission of the coalition and ISAF, however. While the Northern Alliance factions consented to the power sharing in the Bonn Agreement, its precise terms were obtained under pressure and required subsequent enforcement by the coalition and ISAF, generally through coercive diplomacy rather than direct exercise of force. The deposed groups (al-Qaida and Taliban) were not parties to the Bonn Agreement, and successful state-building required eliminating or co-opting them, the main job of the coalition.

State-building operations following internal armed conflict must include measures for DDR of combatants and for the changes in government security agencies—SSR—but the Bonn Agreement, concluded in great haste under pressure from the US military campaign, referred to these in only the most general terms. The subsequent negotiations over these programmes were key to the nature of the new political order. The *mujahidin* groups demanded that the new security forces should consist primarily of their own militias with new weapons and training. Accepting this model would have deprived political reforms of their meaning by assuring that the armed forces remained under the personal control of faction leaders. Only the leverage provided by the coalition and ISAF enabled the UN to negotiate a different outcome. The unwillingness of either the USA or Europeans to exert much military pressure against the warlords and faction leaders, however, meant that their agreement to the building of depoliticised armed forces had to be obtained largely through incentives, mainly through the offer of political incorporation. Hence co-optation rather than marginalisation had to be the main strategy toward the former warlords.

Training and reforming security agencies is equally political. The intense, quasi-religious *esprit de corps* of military organisations derives from the human need to believe intensely in something for which one risks one's life. Forming effective armies and police requires formation of a national authority that can command such loyalty, not just technical training. The formation of an officer corps particularly depends on forming its coherence and spirit in service to a mission. High salaries bring recruits but do not inspire them to sacrifice. Neither the ANA nor the ANP was able to provide most of the security necessary for the two *Loya Jirgas* (Grand Councils) or the October 2004 presidential elections. It is no wonder that in Afghanistan as elsewhere the first post-war elections required international security forces.

A longer-term problem is that the Afghan state may not be able to sustain its security forces. Given current salary levels and future staffing plans, maintaining the ANA will eventually impose a recurrent cost estimated at about $1 billion per year on the Afghan government. In order for Afghanistan to cover the cost of the ANA with 4% of legal GDP, near the upper limit of the global range of defence spending, it would have to more than quintuple its legal economy. Nor can any state long survive the funding of its army and police by foreign powers. An 'Afghan National Army' fully paid for by the USA and deployed with embedded US trainers, can be only a transitional measure. States must eventually develop an economic and fiscal capacity to pay for their security forces. Economic development, capital accumulation, the collection of revenue and the suppression of illegal, untaxable parallel economies (such as trafficking in drugs and other forms of smuggling) all require effective security forces. Thus, among the tasks of transitional international security providers should be strengthening the government's fiscal capacity and providing security for property rights. Despite initial resistance, the coalition and ISAF now seem to have realised that they will have to help the Afghan government secure its borders against evasion of customs revenue, not just terrorists or narco-traffickers.

Public finance, assistance, capital accumulation

Afghanistan was among those post-war countries where the local economy and the capacity of the state to deliver services were most damaged in decades of violence. Many people needed humanitarian assistance to return to their homes and survive. Basic assets such as roads, schools, power supplies and financial institutions had to be rebuilt or built from scratch. With its human development indicators tied for last place in the world, Afghanistan needed massive building of human capital through education, training and health care. Much of the economy was and is informal or illegal, producing incomes for mafias or patronage networks engaged in drug trafficking and for other businesses which have captured parts of the state but do not contribute to it.

The dominant modes of assistance delivery, however, ignore and indeed often undermine the fundamental strategic goal of economic assistance to

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state-building: strengthening sustainable state capacity to mobilise resources to deliver services, which requires the growth of licit economic activity, which in turn requires public services such as security, rule of law, fiscal and monetary management, and education.

The central state institution that co-ordinates mobilisation of resources, provision of services and legitimation of state power is the budget. And it is the process of mobilising these resources domestically, and particularly the struggle over the budget, which is at the centre of the process of state formation and legitimation.

International donors contributed to a UNDP trust fund for government salaries during the first six months of Afghanistan's interim government, but only a few have been willing to continue budgetary support or make it into their main means of contribution. Rather than disbursing money from a common account under the control of a political authority that can be held accountable to the nation receiving the aid, most donor countries or agencies, notably the USA, have maintained separate spending mechanisms and procedures that are accountable to its own political authority. In the 2005 budget presented by the Afghan authorities, for instance, less than 30% of all expenditures were channelled through the Afghan government's budget.[8] What former Afghan finance minister Ashraf Ghani has called the 'dual public sector' operates according to its own rules. Its salary scales suck capacity out of the national government by drawing most qualified nationals into the service of international organisations. Its inflationary effect on price levels depresses the value of state salaries.

Accountability also suffers. As far as donor states are concerned, aid money is 'spent' when it is disbursed to an agency, not when the agency implements a programme. Hence the Afghan Donor Assistance Database (DAD), which is the most advanced system of donor accountability yet devised, keeps no accounts of expenditure by the numerous implementing agencies.[9] Instead it tracks 'disbursements', that is, the deposits by donors of funds into the accounts of implementing agencies, much of which is still sitting in these accounts. Since Afghans, who hear reports of huge figures unmatched by perceived results, have no way to demand accountability for the funds, the frequent result is populist politics. In Afghanistan this has taken the form of a campaign against NGOs, whom the government and press accuse of massive corruption. The campaign reached such a level that the Afghan government passed a decree forbidding the use of government funds for NGOs only a week before the annual Afghanistan Development Forum in April 2005, sparking a conflict with donors.

This method of giving aid fails to build the legitimacy and capacity of the recipient government. The government cannot make decisions about what services are to be provided, track expenditures, or gain experience in providing public goods. Multilateral operations risk creating elected governments fragmented among clienteles of different aid agencies, with no political authority having the power to pursue a coherent strategy for building sovereignty. Elected governments without budgetary authority or control over security provision hardly merit the term 'democracies'.

Of course, the governments of countries such as Afghanistan are often incapable of exercising such responsibilities. International organisations have created a number of mechanisms to enable the Afghan government to increase its responsibility and build capacity. The Afghanistan Reconstruction Trust Fund (ARTF), administered by the World Bank, provides support for the government's recurrent and development expenditures. The Law and Order Trust Fund for Afghanistan (LOTFA) provides support for SSR. A new trust fund provides support for counter-narcotics programmes. Donors deposit unearmarked contributions into these funds in return for a voice in the management of the fund. The Afghan government must provide full documentation of expenditure for approval by the fund's governors. The joint governance of the fund provides both aid donors and the recipient government with a voice in accounting for expenditure, while empowering the government to make policy decisions.

The problem of dual legitimacy can also occur in the area of economic policy. In many post-war countries governments that rely on state patronage for support may clash with international financial institutions trying to implement liberal market policies. In Afghanistan the clash focuses more on the approach to counter narcotics. After ignoring the problem for several years, the USA now apparently wants to solve it quickly, ignoring the fact that this 'criminal' activity accounts for 40% of the total Afghan economy, by UN estimates. The decrease in planting in 2005, partly motivated by a drop in prices caused by a glut of supply, is not likely to be sustainable as promised aid fails to materialise. Armed clashes with eradication teams have already occurred in some areas, and conflict over opium eradication may give new life to a declining insurgency.

Legitimacy, transitional governance, and democracy

Almost by definition international state-building operations begin under conditions where states lack not only capacities to provide security and services but also legitimacy. The legitimacy of the state in Afghanistan had fallen to historic lows in the course of the previous decades' conflicts.

Legitimacy begins with that of the international operation. The intervention in Afghanistan enjoyed international legitimacy (no state opposed it) and considerable support in Afghanistan, where Afghans saw it less as destroying sovereignty than as potentially restoring it after years of interference by neighbouring countries. Involvement by the UN provided a more credible interlocutor for political groups than direct action by the occupying power, as the Bush administration found to its apparent surprise in Iraq. The next stage was the establishment of a transitional administration. The Bonn Agreement established a process of political transition marked by an emergency *Loya Jirga*, adoption of a constitution at another *Loya Jirga*, and election of a 'fully representative' government.

Although the UN, unlike some regional organisations, has no clear standards for the type of government legitimate for its members, its

operational doctrine requires that the transition lead to adoption of a constitution providing for at least an appearance of liberal democracy, with elections constituting the principal benchmark. The USA has, even more explicitly, made 'democracy' (defined as a government elected by universal adult suffrage) as the goal of such operations. International actors also require that any constitution or basic law profess adherence to international standards of human rights. This led to an agreement that appeared to require Afghanistan to become a consolidated and 'gender-sensitive' democracy within two and a half years.

This goal was clearly not attainable. Like many such agreements, the Bonn Agreement had timetables and benchmarks for political changes, but no mechanism to co-ordinate these political measures with timetables and benchmarks for the creation of security institutions and fiscal capacity. Electing officials to preside over a non-functional pseudo-state that can provide neither security nor services does not constitute democracy. The struggle over how militias were to be disarmed and new security institutions built was at least as essential to any democratic character of the regime as holding elections.

Elected governments presiding over a society that visibly supports them, however, will be better able to mount campaigns for empowerment by international actors than interim governments of dubious legitimacy. Thus the first election of a legitimate government, while a key step in the state-building process, is far from its termination point and may mark its true beginning. After his election, Afghan President Hamid Karzai openly opposed US plans for aerial eradication of the opium poppy, showing greater independence than previously.

Conclusion: constructing sovereignty for whose security?

Studies of state-building operations often try to identify 'best practices' without asking for whom they are best. While actors can learn how better to achieve their goals, every step of the process of internationally sponsored state-building generates political conflict. Nonetheless, in a strategic environment where the goals of actors are interdependent, negotiation may lead to convergence among actors with different motivations. The Bush administration entered Afghanistan committed not to engage in 'nation-building'. Eventually, however, it needed an 'exit strategy' which would be sustainable only if the USA and other international actors helped Afghans build institutions that would serve the common interests of Afghanistan and the international community.

Hence the nationalist concept of 'exit strategy' and the globalist concept of 'sustainability' may converge on the mission of building a legitimate and capable state. Doing so effectively requires transitional governance institutions that incorporate the need for both national and international legitimacy. The problems encountered in the operation in Afghanistan illustrate how the institutions proposed by the High-level Panel endorsed by the UN Secretary-General would provide an institutional framework to

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make this possible.[10] These institutions would create a single counterpart for the national sovereign of the recipient countries that would provide a forum for donors and troop contributors, as a well as a fund through which they could co-ordinate their decisions.

This organising principle of the contemporary global system requires that state-building, and particularly multilateral state-building, be placed at the centre of the global security agenda. To do so will require negotiated delegation of some sovereign functions, not only of the reconstructed country, but also of the donor countries. They will better serve their own needs by giving aid in ways that are more accountable to the reconstructed country's citizens, not just to their own.

Notes

1 Report of the Panel on United Nations Peace Operations (A/55/305 - S/2000/809).
2 'A more secure world: our shared responsibility', *Report of the Secretary-General's High-level Panel on Threats, Challenges and Change* (A/59/565 2004); and the Secretary-General's report on the implementation of the recommendations of the High-level Panel, 'In larger freedom: towards development, security and human rights for all', *Report of the Secretary-General* (A/59/2005).
3 Robert Jackson & Carl G. Rosberg, 'Why Africa's weak states persist: the empirical and the juridical in statehood', *World Politics*, 35(1), 1982, pp 1–24. For a more recent interpretation, see Michael Barnett, 'The new United Nations politics of peace: from juridical sovereignty to empirical sovereignty', *Global Governance*, 1(1), 1995, pp 79–97.
4 Charles Tilly, *Coercion, Capital, and European States, AD 990–1992*, Oxford: Blackwell, 1992.
5 Ghassan Salamé, *Appels d'Empire: ingérences et résistances à l'âge de la mondialisation*, Paris: Fayard, 1996.
6 Dr Anwar-ul-Haq Ahady, Minister of Finance, 'The budget as a tool for accelerating economic development and poverty reduction', presentation to the Afghanistan Development Forum 2005, Kabul, 4 April 2005, p 6.
7 Barbara F Walter & Jack Snyder (eds), *Civil Wars, Insecurity, and Intervention*, New York: Columbia University Press, 1999. See also Leonard Wantchekon, 'The paradox of "warlord" democracy: a theoretical investigation', *American Political Science Review*, 98(1), 2004, pp 17–33.
8 Ahady, 'The budget as a tool'.
9 For a link to the DAD, see http://www.af/dad/index.html.
10 'A more secure world'; and 'In larger freedom'.