

Afghanistan, The First Five Years: The Source of Future Insecurity

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Submitted: August 13, 2013

Table of Contents

1.0 Introduction:	2
2.0 Historical Context: America’s Engagement in Afghanistan—From the Cold War to the War on Terror	7
2.1 The Bear Trap, The Soviet Vietnam:	8
2.2 Critique 1 — Impacts of Courting Islamic Fundamentalism.....	11
2.3 The Rise of the Taliban:.....	13
2.4 Critique 2 — Afghanistan’s Narcotic and War Economies - Guns coming in and drugs coming out	15
3.0 Terrorism and State Fragility, Framing the Invasion and Reconstruction of Afghanistan:	20
3.1 Understanding State Fragility:	20
3.2 Taking Root in Weak and Failing States - Terrorism and the Defense of Civilization:.....	22
3.3 Diffusing the Terrorist Threat in Fragile States—Liberal Peace-Building, Nation-Building, and State- Building:	24
4.0 Beginning in Error: A Flawed Invasion Strategy, Creating the Conditions for Insecurity: ...	28
4.1 The Light Foot-Print—A Compromise in Force, A Compromise in Stability:	30
4.2 Fragility and Terrorism, Stability and Warlords: A Disconnect:.....	33
4.3 Bonn Agreement I—Setting the Parameters of Exclusion and Insecurity:.....	37
5.0 The Perils of an Ineffective Security Sector:	41
5.1 Disarmament, Demobilization and Reintegration:	43
5.2 Afghan National Army & Afghan National Police:	46
5.3 Afghan National Police:.....	49
5.4 Counter-Narcotics:	53
5.5 Judicial Reform:.....	56
6.0 Pakistan—Ally in the War on Terror, Spoiler in Afghanistan:	60
6.1 The Geo-Politics of Confrontation:	60
6.2 Partnering with Pakistan and the Impacts on Security:	63
7.0 Conclusion:	67
Bibliography:	70
ANNEX A: MRP Proposal	79

1.0 Introduction:

The US invasion of Afghanistan in 2001 and the consequent overthrow of the Taliban were to mark a period of optimism and opportunity. After decades of conflict and institutional decay, Afghanistan was fragile, a state on the verge of collapse. Yet, as the victors of Operation Enduring Freedom and the international community gathered in early 2002, the rhetoric of nation-building ratcheted up and a new Afghanistan was to be born. President George W. Bush, in his 2002 State of the Union Address, declared that “America and Afghanistan are now allies against terror. We'll be partners in rebuilding that country.” Colin Powell (2002), Secretary of State, in speech shortly thereafter remarked that “[w]e are committed to doing everything we can to assist you in this time of transition, to a new Afghanistan, an Afghanistan where people will be able to live in peace and security, raise their children, dream of a better future.” United Kingdom foreign secretary, Jack Straw, stated “It is bound to take some time to rebuild what is an almost completely devastated state. That happened in Germany after the war. It is almost bound to happen here now” (The Guardian, 2001). Despite the well-meaning rhetoric of the US and the international community, their words never translated into results – or a new Afghanistan.

After more than a decade and hundreds of billions of dollars spent on military operations and development aid, hopes for Afghanistan's future have faded. Sentiments of Afghans and the international community building a new state together have given way to stark critiques of failure. The *Globe and Mail* (2012) stated that “[c]learly, a decade of nation-building has failed to create a democratic, civil Afghanistan.” Similarly, the *Economist* (2009) surmised that “success is uncertain, that the overall situation is deteriorating in the face of a resilient and growing insurgency...” Cordesman (2011) asserts that likelihood of a “meaningful strategic success has dropped from roughly even in 2009 to 4:1, to 6:1 at the end of 2011.” Furthermore, they conclude that “the human and financial costs have far outstripped the probable grand strategic benefits of the war.” In addition, the *National Post* (2012) questioned the ability of Afghan National Security Forces (ANSF) (i.e. Afghan National Army and Afghan National Police) to maintain order once international troops have withdrawn.

The increasing risk of insecurity or civil war with the exodus of Western troops in 2014 is supported by the following indications. In their conflict analysis of Afghanistan, Holmber et al.

(2010) found that the continuing low capacity and integrity of the ANSF, the rapidly shrinking window of opportunity for a negotiated peace or military victory, and the dubious alliances that prop up the Karzai Administration are all likely to contribute to a situation of continued warfare with the potential escalation of a civil war following 2014. Mazhar, Kahn and Goraya (2013) observe that with the drawdown of North Atlantic Treaty Organization (NATO) and International Security Assistance Force (ISAF) troops, highlights the earnest risk of failure and possibility that the ANSF will lose ground to the insurgency. Speculations surrounding future declines in security, exemplified by the emergence of a civil war are propelled by the fact that Afghanistan is currently challenged by endemic factionalism, sectarianism, corruption, and weak institutions (Cronin, 2013). More to the point, Wazir (2012) argues that the aspirations of building a functional democracy in Afghanistan cannot happen in an environment of worsening law and order, insecurity, criminalization of the economy, poverty, warlordism, and corruption. It is for these reasons that Felbab-Brown (2013) contends that “a civil war post-2014 remains a very likely outcome, with the corollary thriving of the drug trade.”

Accordingly, Afghanistan remains a nation plagued by violence and instability. President Bush’s vision of liberty and life¹ in Afghanistan is disappearing with the looming prospect of complete state failure after 2014 as coalition forces withdraw. The alarming reality of Afghanistan descending into another period of civil war once the international mission concludes demands redress. However, before such corrective actions can be taken (if at all), it is essential to understand why the international community has been unable to help Afghanistan transition from fragility to stability. This broadly represents the central research question. To synthesize a reasonable answer requires a detailed analysis spanning a myriad of issues (e.g., security, development, governance and foreign aid). These issues, however, are diverse and complex. To address all the issues in appropriate detail would exceed the limitations of this research project. Thus, the scope of this research paper will seek to address the aforementioned question by focusing on the security sphere,² to understand how policies and strategies applied between 2001

¹ "These two visions, one of tyranny and murder the other of liberty and life clashed in Afghanistan. And thanks to brave U.S. and coalition forces and to Afghan patriots, the nightmare of the Taliban is over. And that nation is coming to life again." – excerpt from President George Bush’s speech at the U.S. Army War College, 2004.

² For the purposes of this paper, the term security sphere will refer broadly to military operations including counter-terrorism and counter-insurgency; disarmament, demobilization and reintegration; development of the Afghan National Army and Policy forces; counter-narcotics; and judicial reform.

and 2005, during the invasion and under first Bonn Agreement inhibited the transition from fragility to stability.

To address this research question, the discussion will be structured upon two guiding objectives: (1) to analyze the disconnection between the War on Terror (particularly the tactics and strategies employed in counter-terrorism and insurgency operations) and the exercise of post-conflict reconstruction³ - resulting in conflicting and sometimes irreconcilable objectives; (2) demonstrating how this policy gap laid the ground work for insecurity during the mission and likely post-2014. Supporting the above research objectives are the following secondary research questions:

1. to what extent did the US support of Afghan warlords affect the governing capacity of the Interim Administration and subsequent Karzai Administration?
2. how did the failure to successfully implement Security Sector Reform (SSR) requirements contribute to insecurity?
3. how has Pakistan's geopolitical interests exacerbated insecurity in Afghanistan?

The analysis will seek to touch upon both internal and external factors that set the stage for insecurity and have hampered reconstruction. Key issues for examination include: the dubious use of factional leaders (i.e. warlords) in counter-terrorism and insurgency operations; the inability of the first Bonn Agreement to promote long-term peace and stability; the various impediments to successful Security Sector Reform (e.g., imprudent counter-narcotic strategies, failure of disarmament, demobilization and reintegration programs, police predation, etc); and the enlistment of Pakistan as an ally in the War on Terror. Peceny & Bosin (2011) note that the above issues represent critical choices that were made by US policymakers and the international community at the outset of the intervention; consequently, such decisions have contradicted and undermined mission objectives, and weakened the capacity of the Afghan state. Although the present environment of insecurity is the culmination of decades of interconnected events, the fact remains that current insecurity in Afghanistan is the direct/indirect outcome of certain policy decisions during the first five years of the intervention. By identifying specific policy decisions it

³ Goetze and Guzina (2008) observe that since the 1990s, peace-building has become synonymous with nation building. Despite conceptual differences in origin, peace-building, nation-building, and post-conflict reconstruction will be used in reference to broad processes that promote peace and stability, development, the transition to democracy, rebuilding of institutions and infrastructure (Call & Cook 2003; Fukuyama 2004; Dobbins et al).

will assist in understanding why the international community has fallen short in reconstructing Afghanistan.

A general review of the literature pertaining to violence and insecurity from 2001 onward reveals significant policy errors and gaps. Principally, the absence of a grand strategy that effectively bridged the objectives of the War on Terror and post-conflict reconstruction resulted in the subordination of reconstruction to the aims of counter-terrorism (Sedra, 2002, 2006; Carothers, 2003; Rubin, 2006; Goodhand, 2008; Katzman, 2008; Gross, 2009; Mukhopahyay 2009). The high risk decision to adopt a light footprint as the framework for intervention has proven ineffective in establishing security within a country still in conflict (Sedra, 2006; Gross, 2009). Also, the exclusion of the Taliban from the Bonn process failed to address national reconciliation and initiated reconstruction in the absence of a peace agreement or ceasefire (Meher, 2004; Rubin, 2006; Sedra, 2006; Ishizuka, 2007). The empowerment of fractional groups (i.e. warlords) with interests conflicting with those of the state challenged the authority of the Afghan government, and its ability to promote peace and security (Cordesman, 2002; Ayub and Kouvo, 2008). In addition, disjointed efforts between the Afghan government and international donors failed to develop a functioning security sector, defined by effective disarmament, demobilization and reintegration (DDR) of militias and illegally armed groups, the development of an operational Afghan army and national police force, appropriate counter-narcotics strategies and a functioning justice system (Ayub, Kouv & Wareham, 2009; Gross, 2009; Grossman, 2009).

Broadly, the above issues are instructive: first, in highlighting negative relationships between policies pursued and concrete security related outcomes (e.g., empowerment of warlords, whose violence and illicit activities continued to challenge the authority of the Afghan government); and second, in drawing a connection between insecurity and two time-specific events (i.e. the invasion of Afghanistan and the Bonn Agreement) . Analyses will bring to light how key decisions during this period (2001-2005) affected security in the long-term. The intent in focusing on this specific period is not to discount the influence of policy decisions or events in the years following, but to demonstrate how ill-considered or short-sighted decisions during this pivotal period set the course for continued insecurity and the ultimate failure of the international community in reconstituting Afghanistan from a haven of transnational terrorism to a functioning democracy.

In order to analyze and discuss the policy issues mentioned, the research project will be broken down into five sections.

- *Section two* will begin with America's proxy war with the Soviets during the 1980s to illustrate how US Cold War strategies laid the groundwork for Islamic fundamentalism, the events of September 11th, and America's return to Afghanistan. The intention is to provide a historical overview that illuminates America's contributions to Afghanistan's insecurity and instability.
- *Section three* will establish the policy context surrounding the invasion of Afghanistan, primarily focusing on how 9/11 changed the foreign policy orientation of the US and framed fragile states as security threats. Supporting this, will be a discussion on the intersection of the War on Terror and liberal peace-building in how both frameworks seek to use liberal assumptions to address conflict, insecurity, and terrorism.
- *Section four* will emphasize the absence of a cohesive strategy that would integrate the objectives of the War on Terror and post-conflict reconstruction. This section will highlight three key issues: (1) the limitations of the light footprint in achieving peace and stability; (2) the empowerment of warlords in counter-terrorism and insurgency operations, including the related impact on security; and (3) how the flaws in the first Bonn Agreement contributed to the future conditions of insecurity and conflict.
- *Section five* will highlight the short-comings and constraints faced by the US and the international community in pursuing SSR. The analysis will focus five key program areas; DDR, including the Disbandment of Illegally Armed Groups (DIAG); the development of an Afghan National Army (ANA) and Police Force (ANP); counter-narcotics; and judicial reform .
- *Section six* will examine the destabilizing influence of Pakistan, particularly its support of the Taliban and the connection to Pakistan's geopolitical interests in the region. The intent is to demonstrate that Pakistan is a critical variable in for future peace in Afghanistan.

2.0 Historical Context: America's Engagement in Afghanistan—From the Cold War to the War on Terror

“What is more important in the world view of history? A few stirred up Muslims or the liberation of Central Europe and the end of the Cold War”- Former National Security Advisor to President Jimmy Carter, Zbigniew Brezinski in a 1998 interview with La Nouvel Obervateur

America's periodic interest and disinterest in Afghanistan over the last 30 years has been premised on a short-term calculus, where eminent threats and strategic interests are addressed without an eye to the future. America's return to Afghanistan following the events of the 9/11 is the epilogue to an engagement that began decades earlier. This section is an account of how America created the conditions for religious fundamentalism, sheltered an emergent narcotics industry, showered a fragmented (i.e. rural vs. urban, traditional vs. modern, tribal vs. national identity), and under-governed society with weapons and let it fester. September 11, 2001 was not an unforeseen tale of events gone wrong but an outcome of making decisions based on the *realpolitik* of the moment⁴.

Many of the aspects that underpin Afghanistan's fragility are the by-product of America's winning at all costs mentality that underwrote its Cold War policy. The singular focus on defeating the Soviet Union justified extraordinary measures and judged the future fallout or blowback to be a lesser evil than the threat posed by communism at the time. The Soviet Union's support of socialism globally was not only a challenge to the needs of a capitalist society but to American business interests around the world (e.g., Guatemala, Iran, Chile, etc.). It produced an “intense anti-communist ideology” that Hartman (2002) describes as being driven by a “naïve emotionalism of anti-communism.” In Afghanistan, America's fear of communism would see it supplant the terror of communism for that of Islamic fundamentalism (Carpenter, 1994; Hiro, 1999; Hirshkind & Mahmood, 2002), incite the development of an illicit market economy based on the commodification of violence, monopolized by warlords (Serda, 2002; Schetter, 2004), and implicitly support the development of the world's leading producer of opium (Martin, 2005; Chouvy, 2007; Kreutzman, 2007; MacDonald, 2007).

⁴ Asad (2003) observes that America's role in “Afghanistan has been that of an active, if sometimes hypocritical, collaborator and protector...depending on the *Realpolitik* of the moment.”

America's engagement in Afghanistan during the Cold War represents another instance of an almost unbroken continuum of foreign interference. Like the interlopers before it, America would use Afghanistan as a pawn in its great game with the Soviets.⁵ Given the stakes of the zero-sum game, America's actions would not be constrained by the concerns surrounding the welfare of the Afghan people or the preservation of their country. A declassified State Department document from 1979 disclosed that "the United States' larger interests... would be served by the demise of the (communist) regime, despite whatever setbacks this might mean for future social and economic reforms in Afghanistan" (cited in Hartman, 2002). Moreover, the Central Intelligence Agency (CIA) expressed no moral reservations about "us[ing] other lives for our geopolitical interests" (Blum, 2003). America compromised Afghanistan's future development and stability to satisfy its own ends—protection of American economic interests (e.g., oil) and containment of Soviet influence in the Middle East and Eurasia. The following sections will discuss the pretext for Soviet and American interventions in Afghanistan, the parameters of America's covert war, and the resulting fallout, specifically the events and conditions that shaped 9/11 and the 2001-2005 period under examination in this research project.

2.1 The Bear Trap, The Soviet Vietnam:

Afghanistan's relative neutrality during the Cold War rendered it of minimal strategic importance within US foreign policy circles (when compared to other nations like Iran or Vietnam). However, the encroaching influence of the Soviet Union in Afghanistan came to a head in April 1978, when the Soviet backed People's Democratic Party of Afghanistan (PDPA) seized power. The PDPA moved to implement Soviet style reforms, such as the promotion of state atheism, land reforms equal rights to women and universal education (Gibbs, 2006). These measures were perceived to be contrary to Islam, consequently evoking significant outcry from conservative elements within Afghan society. Opposition to the PDPA reforms would culminate in a national uprising led by an alliance of conservative Islamic groups (often referred to as the

⁵ The 'great game' originally referred to the strategic rivalry and conflict between the British Empire and the Russian Empire for control of central Asia during the 19th century (Wikipedia 2012). According to Walberg (2011), the 'game' is a "metaphor for the broader rivalry between nations and economic systems with the rise of imperialism and the pursuit of world power." In the post-WWII era, the rise of Communism and then Islam as counter forces to American imperialism has seen the term updated (i.e. Great Game II in reference to the Cold War, etc).

Peshawar Seven), who would later be known as the mujahideen. By the spring of 1979 the rebellion had spread to most of Afghanistan's 29 provinces. To retain its grip on power, the PDPA initiated a campaign of repression, characterized by mass arrests, torture, and executions (Gasper, 2001). It was increasingly evident that the PDPA would not survive without the support of Moscow. Despite numerous requests for direct military support, the Soviets were reticent to intervene, initially providing limited resources (e.g., weapons, military advisors). Soviet experiences in Indonesia and Egypt, and the American defeat in Vietnam, however, compelled Moscow to "push harder and compromise less" (Rubin, 2002). Consequently, with the deteriorating situation, the Soviets invaded Afghanistan on December 27, 1979 to safeguard their geopolitical interests in the region and their friendly regime in Kabul (2001).

Retrospectively, the Soviet Union's invasion of Afghanistan was a fortuitous moment, as this decision would eventually spell its demise and the end of the Cold War; yet, the decision to intervene was both an outcome of geo-political self-interest and American guile. It has since been revealed that the US had been covertly funding the mujahideen eight months prior to the Soviet invasion—with the specific intent of inducing a Soviet intervention.⁶ William Casey, former Director of the CIA, explained that the US policy in Afghanistan was to "grow the war," thereby trapping the Soviets in prolonged and costly conflict draining their resources, not unlike how Vietnam had bled the US⁷ (Gasper, 2001; Hartman, 2002). On the day the Soviets officially invaded Afghanistan, President Carter's Security Advisor, Zbigniew Brzezinski wrote "We now have the opportunity of giving to the USSR its Vietnam War" (Frank, 1998).

⁶ Former CIA director Robert Gates admitted that aid to the rebels began in June 1979, this was confirmed by Zbigniew Brzezinski, Jimmy Carter's Security Advisor in 1998, who stated:

According to the official version of history, CIA aid to the mujahideen began during 1980, that is to say, after the Soviet army invaded Afghanistan [in] December 1979. But the reality, secretly guarded until now, is completely otherwise: indeed, it was July, 1979, that President Carter signed the first directive for secret aid to opponents of the pro-Soviet regime in Kabul. And that very day, I wrote to the President in which I explained to him that in my opinion this aid was going to induce a Soviet military intervention... We didn't push the Russians to intervene, but we knowingly increased the probability they would (La Nouvelle Observateur 1998).

⁷ In regard to creating a Soviet quagmire in Afghanistan, Charles Wilson, a member of the Appropriations Subcommittee of the House Armed Services Committee and biggest congressional supporter of the mujahideen commented that:

There were 58,000 dead in Vietnam and we owe the Russians one...I have a slight obsession with it, because of Vietnam. I thought the Soviets ought to get a dose of it...I've been of the opinion that this money was better spent to hurt our adversaries than other money in the Defense Department Budget (Washington Post 1985, quoted in Blum 2003).

In Afghanistan, the mujahideen were the direct recipients of a CIA program that funneled military and financial aid principally through the Pakistani Inter-Services Intelligence (ISI). This would be the largest covert program of its kind since World War II (Bearden, 2001). Overall, the CIA program utilized contributions from such strange-bedfellows as China, France, Great Britain, Iran, Egypt, Saudi Arabia, the United Arab Emirates and, astonishingly, even the state of Israel (Crile, 2003)⁸. To maintain plausible deniability early in the campaign, the US only supplied weapons and equipment that were used by the Soviets or Eastern European countries. Then in 1985, the Reagan Administration issued National Security Decision Directive 166 that shifted the strategy from harassing the Soviets to waging a technically advanced war against them (Hartman, 2002). To achieve this, the CIA began providing satellite mapping intelligence, long range sniper rifles, demolitions training using delayed timing devices for C4 explosives, Stinger anti-aircraft missiles, and the CIA in partnership with the ISI established schools in guerilla warfare and urban sabotage (Coll, 1992).

To defeat the Soviets, the US flooded Afghanistan with an almost ceaseless stream of military and financial aid. By 1987, the US was providing over \$700 million a year in military assistance with arms shipments reaching 65,000 tons annually (Gasper, 2001; Hartman, 2002). Commonly cited statistics estimate that the US spent cumulatively between three and six billion dollars, which is in addition to hundreds of millions contributed by nations like Saudi Arabia (Hiro, 1999). As a result, the mujahideen had more than 250,000 full- or part-time fighters by the mid-1980s (Bearden, 2001). The success of this military operation had a significant human cost—at the conclusion of the war in 1989, there were over 26,000 Soviet deaths with another 35,000 casualties, in addition to the two million deceased and six million displaced Afghans (Beaumont, 2009).

American Cold War policy in Afghanistan was able to deliver a prolonged conflict, which bled the Soviet Union over 10 years, diminishing its influence in the region and instigating its collapse. Despite the success, the American strategy in Afghanistan was subject two principal criticisms. First, the massive amounts of American military and economic aid were funnelled to

⁸ According to one report:

The CIA became the grand coordinator: purchasing or arranging the manufacture of Soviet-style weapons from Egypt, China, Poland, Israel and elsewhere, or supplying their own; arranging for military training for Americans, Egyptians, Chinese, Iranians; hitting up Middle Eastern countries for donations, notably Saudi Arabia which gave hundreds of millions of dollars in aid each year...pressuring and bribing Pakistan... to rent out its country as a military staging area... (Blum, 2003).

extreme and conservative Islamic groups. Second, America's direct and indirect actions during the conflict turned the Afghanistan-Pakistan into the largest producer of opium and sizable market place for illicit arms (Hirschkind & Mahmood, 2002). The remainder of this discussion will explore the above criticisms to assess the broader impacts on Afghanistan leading up to September 2001.

2.2 Critique 1 — Impacts of Courting Islamic Fundamentalism

The Cold War alliance among the US, Pakistan, Saudi Arabia, and the mujahideen would result in the creation of a new ideological adversary and imminent security threat—Islamic fundamentalism. Although historically, Afghanistan has been a conservative Muslim country, its brand of Islam was tolerant of other Muslim sects, religions and different lifestyles, and did not resemble the harsh draconian interpretation associated with the Taliban (Rashid, 1999). Neither the strain of Islamic fundamentalism nor the theocratic-political organization of the Taliban was historically rooted in Afghanistan. Both were imported from Pakistan and Saudi Arabia—cultivated over twenty years of jihad against the Russians and internal fighting among warlord factions (Gasper, 2001; Hartman, 2002; Stabile & Kumar, 2005). The raise of Islamic fundamentalism has inspired terrorism resulting in the eruption of violence globally, affecting nations such as Algeria, Egypt, Sudan, Jordan, the Philippines, Pakistan, London, Indonesia, India, Yemen etc. Yet, it was American hands that weaponized Islam and unleashed this viral weapon upon the Soviets with no means to control it.

As a tool of American foreign policy, Islamic fundamentalism was wedge, a means to incite conflict based on the atheistic prescriptions of communism; its rejection of religion was grounds for jihad. Therefore, to contain the spread of communism, the US sought to “export a composite ideology of nationalism and Islam to the Muslim-majority Central Asian states and Soviet Republics with a view to destroying the Soviet order” (Hiro, 1999). The mujahideen encapsulated this strategy, as Islam would become the galvanizing force to expel a foreign invader. Islamic fundamentalism in the short-term was perceived to be more of an asset than a liability. The Soviet threat was real and immediate compared to the undefined threat of Islamic fundamentalism in the future. Hartman (2002) argues that the “US ignored the threat of Islamism

and used it as a bulwark against communism and revolution.” Regardless, what is pertinent is how the US courted, armed and trained radical fundamentalists.

The simplistic framing of the mujahideen as “Cold War soldiers” or “freedom fighters” distracted from who they were and the dangers of cultivating Islamic fundamentalism. In short, the mujahideen “were brutal, fierce, blood thirsty and basically fundamentalist” (Kux, 2001).⁹ To harness the zeal and militancy, the CIA in collaboration with Pakistan and Saudi Arabia set-up religious schools known as madrassas to indoctrinate and recruit mujahideen. The more than six million Afghan refugees in Pakistan became key source of recruits. Kux (2001) observes that many of the Afghan refugees in Pakistan were from rural and conservative regions and opposed communist efforts to modernize and secularize Afghan society, thereby making mujahideen recruitment easy.

Through the refugee camps it was funding in Pakistan, Saudi Arabia was able to introduce its brand of Islam known as Wahhabism. Wahhabism is fundamentalist reform movement promoting a strict and literal interpretation of the Quran, which in Saudi Arabia is mandated by force (Rashid, 1999). Schwartz (2003) characterizes Wahhabism as a “violent fundamentalist doctrine that rejects all non-Wahhabi Islam [and is] intolerant of Shi‘ite Islam, Judaism, Christianity, and Hinduism...” The primary impact of the Saudi funded madrassas was the creation of an army of “fundamentalist warriors [mujahideen]” based on Wahhabi tenets (Hartman 2002). Moreover, the Saudi madrassas would effectively globalize Wahhabi Islamic fundamentalism because the ISI with the CIA’s consent recruited over 35,000 radicals from 40 different countries, with intention of converting the Afghan jihad into a global war waged by all Muslim states against the Soviet Union (2002). Breaden (2001) comments that the Saudi funded camps in Pakistan, with tens of thousands studying there, “would become a virtual university for promoting Pan-Islamic fundamentalism.” Today, the madrassas continue to provide a key source of recruits for the Taliban.

Aside from the fundamentalist indoctrination delivered through the madrassas in Pakistan, the preferential allocation of American military aid to extreme groups within the mujahideen was another critical factor. The funding of extreme groups was carried out by the ISI and unchallenged by the CIA. For instance, of the more than \$3 billion the US funnelled into

⁹ It has been reported that the mujahideen liked to “torture their victims by first cutting off noses, ears and genitals, then removing one slice of skin after another” (cited in Blum 2003).

Afghanistan, the majority of aid (estimated at 75 percent) was channelled to the most extremist groups, which served to marginalize the moderate and secular voices (Hirshkind & Mahmood 2002). Carpenter (1994) notes that “there was no evidence that CIA officials or other US policymakers strenuously objected to the channelling of aid to the most extreme authoritarian elements of the Afghan resistance.” In fact, the notion of funding extremist groups was accepted as operational pragmatism, because as one CIA official in Pakistan commented, “fanatics fight better” (Cordovez & Harrison, 1995). A favoured recipient was Gulbuddin Hekmatyar,^{10,11} a vehement anti-American who was able to build his power thanks to American money and weapons. His Hizb-I Islami was touted by the ISI “as the group with best chance to resist the Soviets” (Hartman, 2002). Islamic fundamentalism had been a critical force in expelling the communist influence and amidst the chaos following the Soviet withdrawal, it would fully entrench itself under the rule of the Taliban.

2.3 The Rise of the Taliban:

The Soviet withdrawal in 1989 would usher in a period of conflict as the mujahideen fragmented, each group seeking to consolidate their local and regional power in the absence of a strong central government. A civil war would ensue from 1989 to 1992 pitting the majority Pashtun population in the south and east against the ethnic minorities in the north Tajik, Uzbek, Hazara, and Turkmen (Rashid, 1999). The civil war ended with the Jalalabad Peace Agreement in 1993; however, the country was left in a state of lawlessness, insecurity, instability, and disorder with no infrastructure, water or electricity in many areas. The emergence of the Taliban in 1994 was a “predictable outcome” according to Hirschkind & Mahmood (2002) who argue:

The Cold War policy of promoting Islamic groups in the region, equipping with most sophisticated military and intelligence equipment, had gradually over a period of 10 years created the political climate [for the] emergence of the Taliban.

¹⁰ Gulbuddin Hekmatyar served as Prime Minister from 1993-1994 and again in 1996. He is the founder and leader of the Hezb-e Islami political party and paramilitary group. His organization gained infamy by throwing acid on the faces of unveiled women. In the post-9/11 era he has become an enemy of the state, allegedly participating in the assassination attempt on President Hamid Karzai in 2002. Since 2008, his group has claimed responsibility for numerous attacks against coalition forces.

¹¹ In speaking about Hekmatyar’s continuing violent opposition to the U.S. and Coalition Forces, Mashal (2012) comments that “to many, he [Hekmatyar] epitomises the short-sighted alliances of the US, siding with unreliable figures who, even during their cooperation, openly expressed their dislike for the U.S. world view.”

As a theocratic and political movement, the Taliban was a manifestation of the Wahabbi ideology being cultivated in the Saudi funded madrassas in Pakistan's refugee camps. Despite the influence of a foreign ideology, the Taliban's popularity among the war weary Afghans was an outcome of the inability of the mujahideen leadership to act cohesively and prevent Afghanistan's "disintegration into predatory warlordism" (Felbab-Brown, 2006). By 1996, the Taliban had captured Kabul and were able to achieve peace, order, and relative security for the population (Rasid, 1999; Vollman, 2000; Hirschkind & Mahmood, 2002; Russo, 2006). An initial source of legitimacy for the Taliban was their ability to promote economic stability by mitigating economic predation and warlordism. Principally, the Taliban reduced the high transaction costs in the trafficking of legal and illegal goods by eliminating the arbitrary taxes/tolls charged by local warlords. The Taliban provided protection for smugglers and charged a flat tax on opium (Felbab, 2006). This resulted in increased stability for smugglers, merchants, and farmers, thereby bolstering economic activity, providing vast segments of the population with a reliable livelihood. In addition, Roy (1995) argues that the Taliban's legitimacy was also rooted in the weapons they controlled, particularly, their success in disarming and assimilating warlords. Vollmann (2000) argues that one consequence of the Taliban's oppressive regulations was that life for the majority of Afghans had become considerably safer; therefore, the Taliban's reinstatement of order and instigation of economic activity were drivers of legitimacy against the back drop of a crumbling state and corrupt warlords.

At the outset, the emergence of the Taliban did not elicit significant opposition from either the majority of people in Afghanistan or the international community, including the US. The US concluded that there was "nothing objectionable in the steps taken by the Taliban to impose Islamic law" (Chossudovsky, 2005). In fact, the US under President Clinton, supported the Taliban in their conflict with the Northern Alliance as a means of leveraging a pipeline agreement. Specifically, the construction of a pipeline through Afghanistan, which would allow US-based Unocal to have access to the Caspian Sea oil. One US diplomat explained, "the Taliban will develop like the Saudis did. There will be Aramco, pipelines, an emir, no parliament and lots of Sharia law. We can live with that" (Rasid 2000). In the years prior to 9/11, America was amenable to the Taliban's fundamentalism, so long as it did not threaten the US or its imperial pursuits.

2.4 Critique 2 — Afghanistan's Narcotic and War Economies - Guns coming in and drugs coming out

In the way that guns beget violence, the same is true that guns beget drugs, and vice-versa. This notion is a simple summation of the second major impact of the America's Cold War policy in Afghanistan. The massive narcotics and war economies of Afghanistan that spawned during the Soviet occupation and continued to flourish thereafter, are due to the limited economic alternatives resulting from the destruction of war and the nature in which the US conducted its covert operation against the Soviets. Although, these factors are reinforcing, this section will focus on how the US was complicit in nurturing the development of both phenomena. As Goodhand (2005) points out the CIA/ISI pipeline that used to funnel arms to the mujahideen created the infrastructure for the war and narcotics economies following the Cold War.

The civil war that consumed Afghanistan during the early 1990s was spurred on by the huge endowments of weapons introduced to the region by the US. Afghanistan's situation was part of the larger trend at the end of the Cold War, specifically, newly independent states (i.e. Eastern bloc nations) or states involved in proxy conflicts, who were left with a volatile combination of huge stock piles of small arms and an inability to regulate them (Dhanapala, 2002). For instance, the more than one million Kalashnikovs supplied to the mujahideen by the CIA resulted in one of "the most conspicuous cases of an externally generated civil war" (Lock, 1999). On the surface, Afghanistan's civil war was presented as an intractable clash of ethnic and tribal identities; however, underneath it the mujahideen (turned warlords) were terrorizing and plundering the Afghan population for personal gain (2002). What emerged in the aftermath of the Cold War was an economy based on war or as Schetter (2004) observes an 'economy of violence'. An economy of violence is a self-perpetuating system, in which violence is the primary commodity that connects material profit to insecurity. Duffield (2000) explains that the success of war enterprises (armed groups) or in his words 'conflict entrepreneurs' is controlling the means of violence. In effect, the widespread accessibility of weapons and the erosion of the state's monopoly on violence in Afghanistan transferred the provision of security to private war enterprises. Yet, the inherent problem or cyclical aspect of an economy of violence is that war enterprises have a vested stake in insecurity. Consequently, they protect the inhabitants of one

territory while victimizing the habitants of another. Afghanistan prior to the Taliban was a textbook example of the perils of flooding a nation with guns and removing the governing laws and regulations.

The economy of violence in Afghanistan was accompanied by the development a large illicit market for arms supplied by the US. Locke (1999) argues that the legacy of America's lavish supply to the mujahideen is a key element in the masses of small arms floating freely in the black market. The other critical element underlying the development of illicit arms bazaars in the region was the pervasive corruption among Pakistani officials, ISI agents, and the mujahideen. Hilali (2002) observes that many Pakistani officials and mujahideen leaders "were much more concerned with confiscating weapons destined for the resistance as with supplying them to the actual purpose," explaining why so many weapons disappeared and reappeared for sale in weapons bazaars. It was estimated that 30-50 percents of the arms supplied by the US were stolen or sold (Weiner 1990).¹² The CIA turned a blind eye to the fact that their weapons were being sold on the open market and being channeled to groups known for their excessive violence against non-combatants. For the CIA, it was a necessary cost. In effect, it turned Afghanistan-Pakistan into one of the most heavily armed areas in the world (Hirschkind & Mahmood, 2002).

The mujahideen's entrance into, and control over, Afghanistan's opium production was oddly a product of both under and over supply of military aid. From 1979 to 1984, the mujahideen relied on antiquated weapons and were dependent on external aid to support their war effort. As a result, the mujahideen utilized poppy cultivation and opium trafficking to generate income. In a 1986 report to the US Congress articulated this problem:

...The CIA wishes to maximize the mujahideen war efforts against the Russians in Afghanistan. This includes assistance in weapons procurement...The mujahideen are, however, undersupplied with armaments, as recent Western news reports have indicated. Unless the US increases military aid, the only other real source for arms funding is the drug trade (cited in Haq, 1996).

The mujahideen's production did not cease with the increase in military aid from the US. In fact, the introduction of additional weapons only exacerbated opium production in Afghanistan. In

¹² The massive siphoning of weapons into the black market was an articulated fear, which contributed to the reluctance of the Carter and Reagan administrations to provide sophisticated weapons (Hilali, 2002).

part, the mujahideen used CIA supplied munitions to capture prime agricultural land in liberated areas and forced local populations to grow poppies (Haq, 1996; McCoy, 1997).¹³ By siphoning American military aid, mujahideen commanders were able to sell weapons on the black market and reinvest their profits into drugs. It should be noted, that initially only three mujahideen commanders were exploiting opium production for military purposes—Gulbuddin Hekmatyar, Pir Sayad Ahmend Gaylani and Ismat Muslim—however, by 1989 and onward, the above groups had provided a model to for other commanders to emulate (Felbab-Brown, 2006).

Afghanistan's narcotics traded ballooned during the 1980s and onward. For instance, Cockburn and St. Clair (1998) site that between 1979 and 1982 Afghanistan's opium production tripled. By 1989, the seven major mujahideen groups were responsible for a total of 800 megatons of opium (Cooley, 1999). The burgeoning drug trade did not escape the CIA; however, American drug policy articulated by the War on Drugs was subordinated to the objective defeating the Soviets in Afghanistan. The CIA was aware that the mujahideen were heavily involved in the drug trade. Consequently, it has been observed that the Drug Enforcement Administration (DEA) and CIA were working against each other in the region (Haq, 1996; Cockburn and St. Clair, 1998; Gasper, 2001). For instance, a Washington Post article in 1990 highlights that during the 10 year conflict, DEA agents were posted in Pakistan "watching without making a single arrest or seizure as the flood of Afghan-Pakistan heroin captures 20 percent - 30 percent of the US drug market"¹⁴ (cited in Haq, 1996). The CIA's provision of political protection and logistical linkages facilitated the movement of drugs, specifically: trucks loaded with American arms would be unloaded at Pakistani Army and ISI facilities and reloaded with heroin—protected from police search by ISI papers (1996).

America's superseding objective of defeating the Soviets prevented efforts to constrain or inhibit the growth of Afghanistan's narco-economy during its infancy. The mujahideen's

¹³ It should be noted that the surge in opium production during the 1980s also reflects the consequences of the Soviet counter-insurgency strategy which adopted a scorched earth and depopulation tactics. The Soviets destroyed food crops and infrastructure leaving few subsistence options other than poppy cultivation (Felbab-Brown, 2006).

¹⁴ During the conflict, the DEA had ample evidence pertaining to the increasing size of the Afghan-Pakistan heroin trade. The DEA office in Islamabad was one its largest in Asia. The inaction on the part of the DEA is described by Lawrence Lifschultz:

It is very strange that the Americans, with the size of their resources, and political power they possess in Pakistan, have failed to break a single case. The explanation cannot be found in a lack of adequate police work. They had some excellent men working in Pakistan. But working in the same offices as those DEA agents were five CIA officers who, so one of the DEA agents later told the Washington Post, ordered them to pull back their operations in Afghanistan and Pakistan for the duration of the war (Gasper, 2001).

freedom to traffic arms and narcotics is the principal reason underlying their financial self-sufficiency and ability to establish strong private armies in the years following 1984 (Haq, 1996). Felbab-Brown (2006) observes that profits from illicit weapons and drugs allowed mujahideen commanders to become powerful warlords, who by the late-1980s and early-1990s emerged as Afghanistan's new elite with institutions of resistance and independent power bases. Through action and inaction the US contributed to Afghanistan's prominence as the world's largest producer of opium and reinforced the decentralized power of regional warlords. Both factors would again come to the fore following America's 2001 invasion.

Overall, America's Cold War operation had proven successful in creating a Soviet quagmire in Afghanistan, eventually leading to a withdrawal and the collapse of the USSR. All victories have their costs, and after 10 years of covert warfare and billions of dollars spent, "America was left with mujahideen warlords whose skill as drug dealers exceed their competency as military commanders" (Haq, 1996). The mujahideen, turned warlords, fuelled conflict and instability internally, and propelled the global drug externally. The CIA's utilization of Islamic fundamentalism to promote a global jihad against the Soviets created the building blocks for the next enemy of jihad—the US. Pakistan's madrassas indoctrinated thousands with a virulent form of fundamentalism that inspired terror abroad and underscored the raise of the Taliban in Afghanistan. The Taliban is living consequence of the 'win at all costs' mentality that defined America's short-term decisions taken during the Afghan-Soviet war.

This section has provided an informed historical account of America's engagement in Afghanistan prior to 2001. In doing so, the purpose has been to highlight America's contributions to Afghanistan's fragility. Past decisions taken by the US have greatly affected Afghanistan's political, economic, and social landscapes, painting a nation awash in blood and conflict. America has affected fragility in Afghanistan in three ways: (1) it directly supported the development of a war economy through the lavish provision of arms during the Cold War, which spawned warlords and perpetuated violence; (2) it consciously ignored the mujahideen's involvement in narcotics trafficking and the increasing size of the market, transforming Afghanistan into the preeminent narco-state; and (3) encouraged the expansion of Islamic fundamentalism, which led to the introduction of the Taliban in Afghanistan and the emergence of the phenomenon of Islamic terrorism globally, which was at the forefront of 9/11. Warlords,

narcotics production and trafficking, and Islamic fundamentalism have all contributed to Afghanistan's on-going fragility and insecurity.

Moreover, America's Cold War experience highlighted the grave error of narrowly pursuing an objective (i.e. eliminating the Communism threat) regardless of the intended or unintended consequences. The war and narcotics economies combined with the emergence of Islamic terrorism in Afghanistan exemplify this point. This lesson, however, was not heeded. In the War on Terror, America has exhibited the same singular focus, with respect to eliminating al-Qaeda and the Taliban without sufficiently considering the impacts their actions (i.e. arming warlords) on post-conflict reconstruction and security in general.

America's approach to fighting Communism ultimately created the conditions and justifying rhetoric (i.e. mitigating terrorist threats emanating from fragile states) for its re-intervention in Afghanistan in 2001. Although Afghanistan's fragility would be front and centre following 9/11, America's culpability in transforming it into a 'terrorist haven' would be omitted from the driving narratives of the War on Terror. The next section will explore the leading narrative, the intersection of state fragility and terrorism.

3.0 Terrorism and State Fragility, Framing the Invasion and Reconstruction of Afghanistan:

The intervention in Afghanistan should be understood as a project of transformation. Authors such as Paris (2002); Duffield (2005); Goetze and Guzina (2008); Heathershaw (2008); and Chandler (2009) frame the engagement in Afghanistan as part of a continuum of Western interventions aimed at transmitting an internationally approved model of domestic governance (i.e., liberal democracy). The precedence of Western intervention predicated on reconstituting non-liberal democratic states would find new meaning in the post-9/11 era. Observers such as Duffield (2005); Barnett (2006); Call (2006); and Simpson and Tomlinson (2006) note that the security paradigm following 9/11 not only emphasized the threat of international terrorism, but its connection to failed and fragile states. Specifically, underdevelopment was increasingly viewed as a threat to Western security. The dire humanitarian conditions in Afghanistan combined with Taliban's support of al-Qaeda reaffirmed the need within American foreign policy circles to address security threats emanating from fragile states like Afghanistan.

The intervention in Afghanistan was the focal-point for America's War on Terror. It would be the rhetorical umbrella under which the security imperatives of the War on Terror would be bridged with the wider process of liberal transformation. The intervention and reconstruction of Afghanistan embodied both structural as well as ideological change, whereby the West, led by the US, undertook a mission to remake Afghanistan into a functioning liberal-democracy. Recast as a liberal-democracy, Afghanistan, in theory, would be amenable to Western interests and cease to be a security threat. This section will be devoted to understanding the linkages that connect fragile states to terrorism and the corresponding solution of neutralizing security threats through the promotion of a liberal-democracy.

3.1 Understanding State Fragility:

In general, fragile states are nations that do not have the capacity or are unwilling to provide basic services and security to its population (Torres and Anderson, 2004; Baranyi and Powell, 2005; François and Sud, 2006; Kandiyoti, 2007; Zoellick, 2008; Feeny and MacGillivray, 2009). More specifically, state fragility speaks to a loss of institutional capacity with respect to the provision of security, and basic services (including distribution of economic

resources), and legitimacy (Schneckener, 2004; Stewart and Brown, 2010). For instance, fragility stemming from deficits in the provision of security means that the state is unable to protect its citizens from various kinds of violence (e.g. civil war or high levels of criminality) or no longer has the monopoly on the use of violence/force. Similarly, the inability to provide health care and education, uphold the rule of law or active suppression of civil and political liberties speaks to deficiencies in service provision and legitimacy respectively. Conversely, Torres and Anderson (2004) contend that a functioning state is defined by two structural features—the exercise of authority over its sovereign territory and the possession of adequate administrative capacity (e.g., personnel, skills, systems and infrastructure). In short, fragile states have lost the ability to control a territorial space, and protect as well as provide for its inhabitants.

In addition to capturing the diminished capacity to govern, fragility also refers to the risk of failure. There is a spectrum of fragility or typology differentiating fragile states: weak, failing and failed, or collapsed states¹⁵. The underlying assumption is that stability declines as a state moves from weak to failed (Schneckener, 2004). Declines in stability contribute to increasing fragility which heightens the risk of failure. Moreover, as a state moves from weak to failed, the elements of security, service provision, and legitimacy increasingly become absent. For example, a weak state may retain the monopoly on the use of force while exhibiting deficits in service provision or legitimacy. Comparatively, in a failed state none of the key aspects of governing are present (Schneckener, 2004; François and Sud, 2006; Rice and Patrick, 2008; Wyler, 2008).¹⁶ State fragility is a multidimensional problem. It is associated with civil conflicts, humanitarian crises, human rights violations, organized crime, and reduced global prosperity. In the aftermath of 9/11, the problem posed by fragile states was the production of global security threats, in the form of transnational terrorism (i.e. al Qaeda).

¹⁵ Within the literature ‘fragile’ and ‘weak’ appear to be used interchangeably referring degrees to which a state is unable to meet to its essential requirements. For instance, a failed state is the extreme representation of state weakness (Rice and Patrick, 2008; Wyler, 2008).

¹⁶ Schneckener (2004) points out that the failure or collapse of state does not necessarily mean anarchy, in some cases such as Somalia, Democratic Republic of the Congo, Lebanon, and Liberia, etc where the state is replaced by non-state actors who derive authority from the use of violence. However, Milliken and Krause (2002) argue that failure is a functional event versus collapse which is institutional. Failure is a functional event, occurring when the state does not fulfill its core responsibilities. Collapse is an institutional event occurring when state institutions crumble completely leaving a multidimensional void in authority (e.g., political).

3.2 Taking Root in Weak and Failing States - Terrorism and the Defense of Civilization:

September 11th, 2001 vaulted fragile states to the forefront, supplanting previous humanitarian concerns with those of national and international security. Barnett (2006) observes that 9/11 “catalyzed an emerging view that weak states pose a major threat to themselves and international security.” Call (2006) asserts that the attacks of 9/11 “drew attention to state failure, bringing ‘failed states’ into the top tier of US security interests.” The US National Security Strategy (2002) crystallized the connection between terrorism and failing states by stating that “America is now threatened less by conquering states than we are by failing ones.” Newman (2007) notes that following 9/11 there was a fundamental shift away from traditional military threats posed by rival states towards the non-traditional dangers emerging from weak states. Hagel (2004) states that “the [W]ar on [T]errorism cannot be considered in isolation, without taking into account the wider crisis of governance throughout the developing world.” For instance, the bombings of US embassies in Africa (Dar es Salaam, Kenya, and Tanzania) in 1998, the 2000 attack on the USS Cole in Yemen, and the 2001 destruction of the World Trade Center in the US have been linked to Al Qaeda’s bases in Afghanistan and Sudan. Both nations are considered to be the archetype of failed states.

Accordingly, the US-led intervention of Afghanistan can be seen as a direct response to a security threat emanating from a failed state. Horff (2005) considers Afghanistan to be a failed state because:

[It] provide[s] an environment in which such actors [terrorists] can thrive, exploiting the lack of effective governance to build their resources. So, for example, the inability of a state to control criminal activities such as drug or weapons smuggling, money laundering, and terrorism may eventually transform the country into a kind of “safe haven” from which the criminal can effectively consolidate and expand operations.

Various actors, such as politicians, academics and journalists have propagated the idea that fragile states provide a ‘breeding ground,’ a ‘sanctuary’ or a ‘launching pad’ for terrorist activities that directly threaten the international order including Western nations (Herbst and Mills, 2003; Hagel, 2004; Schneckler, 2004; Newman, 2007; Tiskuisis, 2009). Subsequent studies (Kittner, 2007; Piazza, 2007; Hewitt, Wilkenfeld, & Gurr, 2008) have found a high correlation between terrorism and fragile states. It is believed that the inherent conditions of fragile states

notably the “ungoverned or under-governed areas” permit the creation of ‘safe havens’ which in turn create or enable terrorists (IPS, 2005; TRADOC, 2005; USAID, 2005; Piazza, 2007; Haims, Gompert, Treverton, & Stearns, 2008). Yet, for some authors (Hehir, 2007; Newman, 2007) the connection between terrorism and weak or failed states is less clear. Newan (2007) argues that “there is not a conclusive relationship between state failure, weak states, and terrorism” and that “terrorism is less likely to occur in situations of failed states.” Similarly, Hehir (2007) contends that “there is no causal link or pronounced correlation between failed states and the proliferation of terrorism.” Schneckener (2004) offers a useful explanation in understanding the relationship between weak states and terrorism. Given the requirements of terrorist organizations (e.g. access to resources, planning and training facilities, recruitment, and transit and supply routes, etc), he argues that most attractive countries are those whose statehood is challenged/compromised, however failure/collapse is not imminent. In other words, terrorist organizations may seek to locate in nations where governance capacity is minimal but a modicum of stability persists. Afghanistan would seem to illustrate this point because al-Qaeda did not establish a presence until after the Taliban had captured Kabul in 1996 (Al-Jazeera, 2009; Bajoria, 2011; CBC, 2011). The Taliban’s deficits in the provision of basic services (e.g., health, education, sanitation, etc.) combined with its strict and brutal enforcement of Sharia law contributed to regime’s illegitimacy. Yet, the ability of the Taliban to disarm large segments of the population provided the sufficient stability for al-Qaeda to operate in Afghanistan (Hirschkind and Mahmood, 2002; Russo, 2006).

The wider discourse of the War on Terror not only highlighted the centrality of state fragility and terrorism, but emboldened the idea that certain fragile/failed states (e.g., Afghanistan, Somalia, Sudan, etc) were incubators for Islamic terrorism. Schneckener (2004) astutely notes that the ‘Islamic imprint’ of transnational terrorism prior to and following 9/11 is an essential element that informed the framing of the War on Terror (i.e. defending civilization or the idea of civilized society)¹⁷ as well as provided the rationale for intervening in Afghanistan (i.e. reforming a state that is failing to conform to Westphalian standards of statehood,

¹⁷ The 2002 US National Security Strategy positions the War on Terror not as a clash of civilizations but a battle of ideas within a civilization. Yet, the idea that nations who harbour terrorists or are ‘allies of terror’ are therefore ‘enemies of civilization’ speaks to a broader divide. Particularly, Western nations under the leadership of the US and select Islamic states who oppose Western (American) hegemony. As a result, the War on Terror in many ways is the principle manifestation of this conflict between the West and fundamentalist Islamic nations.

consequently creating a conducive space for transnational terrorism). The War on Terror sought to mitigate security threats attributed to state fragility through modernizing efforts inherent in peace/nation/state-building. Consequently, western conceptions of state-hood and civilization informed both the diagnosis and prescriptions for terrorism.

3.3 Diffusing the Terrorist Threat in Fragile States—Liberal Peace-Building, Nation-Building, and State-Building:

Many of the issues listed above that define fragile states are often those that legitimized international interventions aimed at achieving stability through the cessation of conflict, reinvigorating state authority and institutional capacity. As a result, this has proliferated concepts, such as peace-building, nation-building, and state-building. Efforts have been made to conceptually differentiate each of these terms. For example, Call and Cook (2003) articulate peace-building as not only a means to keep former enemies from going back to war but also as a means to address the root causes of conflict to foster development in a non-postwar environment. Lederarch (1994) conceives of peace-building as “efforts to transform potentially violent social relations into sustainable peaceful relations and outcomes.” Dobbins (2004) conceptualizes nation-building as “the use of military force to introduce democratic values.” Fukuyama (2004) argues that nation-building involves the “...stabilizing [of] the country, offering humanitarian assistance and disaster relief, rebuilding the infrastructure, and jump-starting the economy.” Chesterman (2005) articulates state-building as an externally driven process “directed at constructing or reconstructing institutions capable of providing citizens with physical and economic security.” In the context of fragile states, however, each of these concepts fall within the same general continuum of creating structures and strategies to realize peace and enable the state to fulfill its governing obligations. For the purposes of discussion, these terms will be used interchangeably.

More important than the conceptual nuances is the understanding that peace-building and the reconstruction of Afghanistan is not an objective process, insofar as the desired end state is embedded with normative values and assumptions. In other words, peace-building is a political discourse, representing and justifying certain political interests and ideas (Lund, 2003; Heathershaw, 2008). The intervention and reconstruction of Afghanistan embodies the assumption of liberal peace—liberal-democracies are the foundation of a stable international

order because they are less likely to war with each other (Barnet, 2006; Sorensen, 2006). Liberal peace-building, therefore, promotes the idea that market democracies are the most appropriate model of domestic governance for war shattered states to adopt (Hansen, 2000; Paris, 2002; Goetze and Guzina, 2008). This assumption is central to the US National Security Strategy—“America will encourage the advancement of democracy and economic openness because these are the best foundations for domestic stability and international order.” Another critical aspect of liberal peace is that it sets “the standard by which ‘failed states’ are judged” (Heathershaw, 2008). It is in the judgement of and prescriptions for fragile states by which the latent values of liberal peace and peace building become naturalized.

The absence of functioning liberal-democratic institutions in fragile states illuminates the underlying association of liberal peace with modernity and civilization. Duffield (2005) observes that fragile states symbolize the failure of modernity and escalation of social regression. Therefore, nation-building can be seen as giving modernity a second chance. Julian Reid (2006) argues that the War on Terror is a response to threats against liberal modernity. Hence, the prevailing discourse of connecting fragile states to terrorism and the projection of liberal values within the War on Terror. In this vein, the intervention in Afghanistan as part of the War on Terror was intended to discipline the Taliban for their support of al Qaeda, and then reconstruct the country based on the Western liberal model (i.e., open markets, human rights, the rule of law, and democratic elections) (Chandler, 2009). The convergence between the War on Terror and liberal peace-/nation-building represents the imposition of liberal values to mitigate security threats in Afghanistan. Specifically, liberal peace-building provides a vehicle for structural change by establishing the necessary security, political, legal, economic, social, and cultural conditions for peace (Call and Cook, 2003; Lambourne, 2009), thereby, allowing liberal peace-building to support the counter-terrorism objectives of the War on Terror .

If liberal democracies are less likely to go to war with each other, than it can be assumed that the probability of conflict between a democratic and non-democratic state is higher. Given this, Paris (2002) conceives of peace-building as a management tool in the relationship between core and periphery, insofar as offering assistance to fragile states with ideological strings attached. The intent is to initiate conformity with Western standards of domestic governance (e.g. free elections, rule of law, market liberalization). By being able to define the standards of acceptable behaviour, Western nations have pursued what Paris (2002) calls a “mission

civilistric” by reconstituting fragile states based on the belief that liberal democracy is the preeminent model. Within the rhetoric of the War on Terror, the Western liberal democratic model is equated with a civilized society or as the marker of civilization. In 2001, for instance former National Security Adviser, Condoleezza Rice urged African Nations, particularly those with large Muslim populations, “to speak out at every opportunity to make it clear that this is not a war of civilizations that this is a war of civilization against those who be uncivilized in their approach to us” (Herbst and Mills, 2003). Moreover, the US National Strategy for Combating Terrorism (2003) refers to terrorist attacks of September 11th as an attack on civilization or against the “idea of civilized society”. This assertion speaks to the inherent dichotomy that liberal democracies are positioned as the epitome of civilization; comparatively non-liberal democracies are the antithesis of a civilized society.

Central to the War on Terror and liberal peace-building is the construction of binaries that divide good and evil, functioning and fragile, and civilized and uncivilized. Within the post-9/11 security lexicon, the division between developed Western states and fragile developing nations is expressed by the concepts of homeland (functioning Western nations) and borderlands (fragile states). Thereby, homeland states are endowed with civility, restraint and rationality. Comparatively borderland states are characterized by barbarity, excess, and irrationality (Duffield 2005). This is merely another way of framing the impetus for reconstituting fragile states, while implicitly conferring the normative benefits of Western prescriptions for state fragility. The security threats emanating from Afghanistan substantiated the need to modernize it based on rational standardized programmes of reconstruction distilled from codified lessons learned and best practices from previous peace-building initiatives (e.g., Namibia, Western Sahara, Cambodia, Somalia, Bosnia and Herzegovina, Eastern Slavonia, East Timor, Sierra Leone, and Kosovo) (Suhrke, 2007) . As both a project of modernization (see Heathershaw, 2008) and as an initiative of Western military transformation, liberal peace-building efforts encapsulate the “principles of the modernist faith—reason, science, technology, and intelligent bureaucratic management” (Dickson, 2004). Subsequently, if Afghanistan is to shed the categorization of borderland or fragile state it must embrace the rationality and modernity of liberal democracy.

The discussion in this section has focused on the ideological and theoretical underpinnings that shaped the intervention in Afghanistan. Specifically, understanding why Afghanistan was considered to be fragile, a security threat to both America and the international order, and situate the response under the War on Terror (i.e. invasion and reconstruction of Afghanistan) within a broader effort to impose the assimilation of western liberal values. The use of dichotomies (fragile vs. stable or homeland vs. borderland) served to reinforce the pre-modern or uncivilized perceptions of Afghanistan, thereby validating the exercise of nation-building. Therefore, the purpose has not been to answer why the international community cannot transition Afghanistan from fragility to stability but address why the international community is undertaking this effort. In doing so, it illuminates why the engagement in Afghanistan pushed for democracy, constitutional rights and protections, re-establishment of social and educational services, and development national police and military forces. Conversely, the next section will begin to directly tackle the failure of the international to achieve stability in Afghanistan by examining the US invasion strategy and related tactics employed during the first five years to illuminate how these factors set the course for insecurity and instability.

4.0 Beginning in Error: A Flawed Invasion Strategy, Creating the Conditions for Insecurity:

Despite what may be remembered as “one of the most successful military victories of the twenty-first century” (O’Hanolon, 2002), America’s defeat of the Taliban in little more than two months after September 11th was but a fleeting triumph. The strategies and tactics that allowed US Special Forces and anti-Taliban forces to capture Kabul and expel al-Qaeda from Afghanistan at the outset of Operation Enduring Freedom would also undermine future security and post-conflict reconstruction. To this point, Kagan (2003) argues that “the US [had] developed and implemented a method of warfare that [could] produce stunning military victories but [did] not accomplish the political goals for which the war was fought.” This disconnection between the military approach of the War on Terror and the requirements of rebuilding Afghanistan speaks to absence of a cohesive strategy that would effectively consider both objectives.

This gap was a product of the Bush Administration’s reluctance to focus on the political objectives as well as the development of detailed post-war plans for Afghanistan. In the aftermath of 9/11 America possessed no defined war plans for Afghanistan (Peceny and Bosin, 2011). Reeling from September 11th, it was ill-prepared for war; nevertheless, America was seeking punitive action against the Taliban and the capture of Osama bin Laden. However, unlike the first Persian Gulf War, guided by the Powell Doctrine,¹⁸ the mission in Afghanistan would initially be premised on destroying the Taliban and al-Qaeda forces and the ability of their commanders to control them (Kagan, 2003). This singular focus would limit the consideration of other objectives (e.g., political, humanitarian, and economic) required not only for post-conflict reconstruction but to quell insecurity and foster stability.

The general lack of consideration or conscience neglect of the post-conflict environment reflects America’s initial ambivalence to committing to a sustained non-military engagement (i.e. nation-building). During the early stages of the invasion, Peceny and Bosin (2011) comment that “it was unclear whether the US would even make a major contribution to rebuilding efforts” thereby keeping the possibility of a quick exit. In 2001, the US was focused on toppling the

¹⁸ The Powell Doctrine refers to series of questions or considerations that must be answered prior to military engagement. Requirements include: a clear articulation of the national security risk, the application of overwhelming military force, confirmation of strong public support, and a defined exit strategy (Healy, 2003).

Taliban, fighting terrorists, and supporting the Afghan Interim authority—not post-conflict reconstruction (Barnett, 2006; Donini, 2006; Zenkevicius, 2007; Peceny and Bosin, 2011). A declassified strategy paper prepared by the National Security Council for Secretary of Defense, Donald Rumsfeld in October 2001, emphasized the elimination of the Taliban and al-Qaeda while avoiding excessive nation-building or reconstruction efforts. An excerpt from the document states “[t]he US should not commit to any post-Taliban military involvement since the US will be heavily engaged in the anti-terrorism effort worldwide” (National Security Council, 2001). America’s preference to conduct military and counter-terrorism operations while remaining hands-off in areas such as peace-keeping and humanitarian assistance was expressed by a US State Department report that argued “peacekeeping operations might interfere with war-fighting plans, complicating the effort to achieve core US security goals in the country”¹⁹ (Marten, 2002). The inescapable fact, however, was that the mid to long-term success in fighting terrorism would not be found in just defeating the Taliban and al-Qaeda but building a functioning nation-state (Cordesman, 2002). It was not until 2003, that the US became earnestly involved in post-conflict reconstruction with the establishment of Provincial Reconstruction Teams (PRTs) (Zenkevicius, 2007).

It has also been postulated that America’s decision to commit to nation-building in Afghanistan was a reflection of its wider geo-strategic aims with respect to Central Asia (Cornell, 2004; Lawson, 2004; Bromely, 2007; Işeri, 2009). Işeri (2009) contends that the geo-strategic importance of Central Asia to American policy makers is reducible to the political control of the region’s energy resources and countering the influence of China, Iran and Russia. The US has long articulated its desire to benefit from the exportation of Caspian oil and gas since the publication of the Silk Road Strategy in 1999. Yet, the renewed strategic relevance of Central Asia following September 11th can be understood by the intersection of energy resources and weak states. Cornell (2004) explains that Central Asia is “a predominately Muslim region populated by weak states with troubled political systems countries and struggling economies.

¹⁹ According to Bob Woodward’s account in *Bush at War* (2002), in respect to the Afghan war in 2001, President Bush stated to his war cabinet that “I oppose using the military for nation-building. Once the job is done, our forces are not peace keepers. We ought to put in place a UN protection and leave.” Yet in his memoir, *Decision Points* (2010) the former President explained his decision to commit to nation-building in Afghanistan: “Afghanistan was the ultimate nation building mission. We had liberated the country from a primitive dictatorship, and we had a moral obligation to leave behind something better. We also had a strategic interest in helping the Afghan people build a free society”.

The conditions fostered the emergence of radical Islamic groups...the rise of anti-Americanism underscores the US interest in checking the growth of radical Islam and targeting terrorist organizations...” As such, a strategic foot hold in the region, provided by a stable Afghanistan and friendly regime in Kabul would serve to increase US control over world oil supplies, reduce American dependence on Middle Eastern oil and permit the mitigation of potential security threats (Lawson, 2004). Regardless of the stated and unstated motivations driving US engagement in Afghanistan, including the delayed embrace of nation-building, the fact remains there was an absence of comprehensive planning and foresight leading up to and following the invasion. Consequently, the question of importance to paper is not why the US invaded or why it shifted course to support nation-building – but how the misalignment of the War on Terror and post-conflict reconstruction set the course for insecurity in Afghanistan.

The lack of congruence between War on Terror and post-conflict reconstruction reflects America’s initial ambivalence but more fundamentally demonstrates that nation-building was a secondary consideration, superseded by counter-terrorism and counter-insurgency operations (Barnett, 2006; Sedra, 2006). This divergence shaped the framework for the military engagement, particularly the application of the light footprint and the dubious use of warlords in counter-terrorism and insurgency operations. Not only did this entrench the power of warlords locally and regionally, it effectively skewed the Bonn Agreement producing a flawed accord incapable of sustaining peace and building a new Afghanistan. America’s desire to wage war without picking up the pieces afterwards, largely explains the adoption of short-term strategies with perilous long-term implications. The remainder of this section will be devoted to examining how the light footprint, the use of warlords, and the Bonn Agreement set the conditions for systemic insecurity.

4.1 The Light Foot-Print—A Compromise in Force, A Compromise in Stability:

The War on Terror as a security paradigm²⁰ was global in scale denoting the mobilizing of numerous countries and significant resources in the mitigation of security threats abroad. It

²⁰ The War on Terror not only represented a new security paradigm but embodied a fundamental shift in American foreign policy. Fundamentally, the Bush Doctrine of pre-emption was a radical change in that America would seek to address its security interests/issues without being constrained by the multilateral rule-based order of the international system (Ikenberry, 2009). Although the missions in Afghanistan and later Iraq would see the U.S. ask

seems ironic or counter-intuitive that the invasion of Afghanistan would employ the minimalist approach of the “light footprint.” The decision to adopt the light footprint reflected two critical factors (1) reluctance of the US to deploy ‘boots on the ground’ to avoid following in the footsteps of the futile Soviet intervention, and (2) the United Nations equal reluctance to become heavily involved in a mission following its poor performance in Somalia and the Balkans (i.e. Kosovo) (Suhrke, 2007). As the overarching framework for engagement in Afghanistan, the light footprint was appropriated to validate the invasion strategy (including the use of warlords as proxies in Operation Enduring Freedom). Although the light footprint was used to provide policy cover for the tactics employed during invasion and in counter-terrorism operations thereafter, it was initially conceived to support the delivery of humanitarian and developmental assistance, not military operations. Lakhdar Brahimi, the former UN Special Representative of the Secretary-General in Afghanistan, advocated the light footprint to “avoid the creation of parallel institutions and dual systems, which undermine local authority, hinder coordination and precipitate competition” (Brahimi, 2007). Nevertheless, he reckoned that the light footprint could be applied in Afghanistan to minimize the foreign presence and limit Western actions to facilitation, advice, and subtle interventions to encourage Afghans to self-organize and lead the peace process (Chesterman, 2002; Freeman, 2007; Suhrke, 2007). Both the US and international community were supportive of this approach because Afghanistan was “simply too big, too complicated and too unfriendly an environment” (Suhrke, 2007). The light footprint was therefore presented as a solution, providing a framework in which to pursue the War on Terror without committing significant resources or requiring a long-term commitment from either the US or international community. Given the complexity of the Afghan environment, a delicate approach was necessary.

Accordingly, at the outset of the invasion, American military planners were confronted with a paradox pertaining to the appropriate level of force. O’Hanolon (2002) explains:

Too much American force (e.g. a protracted and punishing strategic air campaign or outright ground invasion) risked uniting Afghan tribes and militias to fight the outside power, angering the Arab world, destabilizing Pakistan and spawning more terrorists. Too little force, or the wrong kind of force risked outright military failure and a

the international community to ‘join us,’ nevertheless America would set the conditions of support or limits for involvement. In short, “U.S. strategies were not open for debate” (Dunn, 2003).

worsening of Afghanistan's humanitarian crisis—especially given the limited capabilities of the small militias that made up the anti-Taliban coalition.

Moreover, the adoption of the light footprint was driven by other considerations, such as the negative perceptions of foreign troops held among the Afghan people; lessons learned from previous nation-building missions (e.g., Kosovo); the reluctance of NATO countries to deploy significant number of troops in Afghanistan; and, as indicated above, America's "skittishness" regarding nation-building (Goodson, 2005; Ishizuka, 2007). From a theoretical perspective the light footprint was a logical strategy in that it addressed the unique contextual factors (e.g., the paranoia surrounding foreign invaders). From a tactical perspective it provided the US with access to armed forces capable of supporting military operations, and it empowered local populations, therefore, potentially minimizing the longer-term involvement of the US. From a military perspective, the light footprint offered short-term strategy that could be leveraged in disrupting al-Qaeda training camps and deposing the Taliban. Whether its proponents regarded the light footprint as a viable long-term solution is uncertain.

In years following the invasion, it has become increasingly apparent that the appropriation of the light footprint as a military strategy did not translate into an effective framework for post-conflict reconstruction and development. In a study conducted by Doyle & Sambanis (2000) found that "post-conflict environments characterized by hostility, complexity and impoverishment...typically require greater international assistance and effective authority for sustainable peace." After decades of war, Afghanistan was in dire need of significant infusions of resources and support across all spheres (political, economic, social, etc). Without objective criteria to define 'light,' the light footprint was open to interpretation, which affected developmental efforts, for instance in the misestimating residual level of institutional and professional capacity, or allocating insufficient human resources to deliver programs (Stockton, 2002; Ayub, Kouvo & Wareham, 2009). Moreover, by 2005 the international community began to shift away from the light footprint, perhaps explained by its failure to empower Afghan institutions, ensure integrity and accountability, and promote coordination among donors (Ayub & Kouvo, 2008). As a senior UN Official, Frances Vendrell (2011) recalled:

Some of us forcefully argued for a heavy footprint on the model of Cambodia, East Timor, Bosnia or Kosovo, convinced that, after years of conflict and misrule, the Afghan people were ready for a strong international role that would do away with both warlord and Taliban rule, reconstruct their country, and assist in building up rule of law

institutions. But we were overruled by those favouring a ‘light footprint’, in which the Afghans would be ‘in the lead’, a politically correct slogan that in practice ensured that the process would be led not by genuine representatives of the Afghan people, but by a group of mostly rapacious individuals. Afghans saw the international community’s support for transferring power to the worst villains in their country and drew the natural conclusions.

The light footprint speaks to the means of providing international assistance; however, its shortcomings in Afghanistan are attributable to the high-level strategic objectives being compromised by the unintended effects of operational policies (Stockton, 2002).

The utilization of warlords as a tool of American military intervention is the primary example of an operational policy adversely affecting the broader goals. More specifically, the limited deployment of US troops under the light footprint translated into an invasion strategy premised using Afghan warlords as proxies against the Taliban. In practicality, it meant the use of “all available means” on the ground, i.e. “bring back, arming, and bank rolling the warlords who had been responsible for the chaos and atrocities committed during the civil war period (1992-1996)” (Donini, 2006). The light footprint legitimized the use of warlords, which in turn has had an undeniable impact on peace and stability. This paradox of fighting fragility and terrorism by arming self-interested predators is the subject of the section below and underlines one of the central research questions of this paper.

4.2 Fragility and Terrorism, Stability and Warlords: A Disconnect:

The light footprint legitimized the use of Afghan warlords as proxies in overthrowing the Taliban in 2001, and their continued incorporation into US military counter-insurgency and terrorism operations. By empowering Afghan warlords to fight the Taliban and al-Qaeda, it allowed them to consolidate the power locally and regionally (Bhatia et al., 2004; Goodson, 2005; Rubin, 2006). In part the decision to re-arm the warlords during the invasion in 2001, demonstrated the narrow focus on fighting terrorism, whereby short-term military objectives would overshadow the long-term needs of post-conflict reconstruction. Fundamentally, the use of Afghan warlords represents the principal disconnection in American policy—combating terrorism and state fragility by arming local and regional strongmen with no accountability to a centralized authority or interest in a functioning state.

The employment of warlords in counter-terrorism and insurgent operations stands in contradiction to the War on Terror's central premise that state fragility, characterized by weak governance and the breakdown of law and order, provides conditions conducive for terrorism. Although a short-term solution (i.e. warlords/militias associated with Northern Alliance used as proxies against Taliban and al-Qaeda) this policy has exacerbated deficiencies in governance, undermined efforts to peace-build, and perpetuated instability (Mukhopadhyay, 2009). This disconnection, the between means (use of warlords) and the ends (stable functioning Afghanistan), demonstrates Sedra and Middlebrook's (2004) contention that "from the outset the centrality of security was not adequately recognized in making economic development and democratization possible." Afghan warlords have taken on the role of spoilers because they have no vested interest in a functioning Afghanistan. They derive their power and resources by subverting efforts to promote sound governance practices and licit economic behaviour. Yet, within the parameters set by the light footprint, warlords were a tactical resource on the ground to be utilized in military operations.

Afghan warlords were used to down-play perceptions among Afghans of another foreign invasion, limiting comparisons to past invaders (i.e., British, Soviets). However, their employment was a grave miscalculation which never advanced security, reconstruction, governance, and relations with Afghans. Afghan warlords have been perpetrators of large-scale human rights abuses and have competing economic and political interests which are inimical to building a secure and democratic state (Sedra, 2002; Carothers, 2003; Macrae and Harmer, 2003; Bhatia, Lanigan & Wilkson, 2004; Katzman, 2008). Warlords are actively involved in extortion, cross border smuggling, and the drug trade (Bhatia, Lanigan, & Wilkson, 2004). Yet, the American provision of arms, financial resources, and legitimacy rejuvenated Afghan warlords (primarily those affiliated with the Northern Alliance), allowing them to consolidate power. It was expressed at the International Donors Conference in December 2001, that the greatest threat to reconstruction and peace-building was the lack of security caused by the resurgence of warlords (Sedra, 2002). Reports to Congress have highlighted that "US dependence on local Afghan militia forces in the war strengthened them for the post-war period, setting back post-war democracy building efforts" (Katzman, 2008).

The persistence of insecurity associated with warlords highlights several key issues. First, the ousting of the Taliban created a security vacuum, which permitted two new conflicts to

emerge: the Coalition's pursuit of al-Qaeda and the struggle for power among Afghan factions (Johnson, 2003). Second, Middlebrook and Sedra (2004) note the empowerment of warlords effectively "returned large parts of the country back to status quo prior to 1994, when the Taliban seized power and disarmed warlords." As a result, the strengthened position of warlords presented a significant challenge to the legitimacy of the Afghan government. Warlords represented a competing source of authority exercised over local populations. Percy and Bosin (2011) argue this is attributable to bargains struck in 2001, whereby victory over the Taliban and the creation of a political settlement in which warlords would support the Karzai administration in exchange for control over local districts. This not only highlighted the limited reach of the Karzai administration beyond Kabul but future problems in trying to contract the power of warlords. Compounding matters was that the Karzai government lacked (and continues to do so) the necessary coercive tools (e.g., strong independent national army and police or judiciary) to marginalize or disarm warlords (Mukhopadhyay, 2009). Despite the provision of the 2002, *loya jirga* that excluded warlords, Karzai pushed for their inclusion (Secor, 2004). Consequently, warlords have been able to undermine governance and security because they were incorporated in state structures, obtaining positions as governors and police chiefs (Giustozzi, 2009). In addition to political appointments, Karzai has reallocated foreign aid to ensure the cooperation of warlords. Rent-seeking behaviour of warlords has been estimated in some reports to account for 35 to 50 percent of all misappropriated aid (Delesgues and Torabi, 2007). Warlords have rewarded followers by placing them in influential positions and themselves retained private armies, obstructing security reforms and promoting state predation.

It is evident that the misuse of the light footprint in support of military operations led to the re-empowerment of Afghan warlords. Equally evident is the impact of warlords on security and instability. Their empowerment speaks to the gap between how the War on Terror was executed and the necessary requirements for post-conflict reconstruction. This gulf continues to affect Afghanistan's stability and security. As the 2014 security transition approaches, the precarious bargains struck with warlords by the Karzai Administration is increasingly troubling. Critically, the continued presence of warlords in state institutions has served to entrench the weakness of the central government, endemic corruption, and increase the resonance of Taliban propaganda. For instance, in 2009 following a successful presidential campaign, drawing upon direct support of warlords from the four major ethnic groups, the Pashtuns, Tajiks, Hazaras, and

Uzbeks, President Karzai again rewarded them or their associates with senior government positions (Arian, 2012). Nojumi, Mazurana and Stites (2009) observe that in addition to political patronage, President Karzai appointed many warlords and militia commanders to prominent positions and reshuffled them into different ministerial and provincial agencies to achieve short-term stability (a futile attempt at buying peace).

The decision to placate and accommodate warlords, in is part a reflection of President Karzai's desire to retain power, and the other ISAF's continued dependence on them for intelligence, logistics, and participation in counterterrorism operations (Felbab-Brown, 2013). To date, the latter consideration has meant the sacrificing of governance and persistent insecurity brought about by the corruption of warlords embedded within the state (Chayes, 2013). More to the point, recent revelations reported by the *New York Times* that the CIA had been providing millions in cash to pay off warlords and politicians, is the quintessential example of the dysfunction and disconnection between the strategic objectives of the Afghan mission and the operational/tactical polices employed. In support of this argument, the article states "the US has greased the wheels of the same patronage networks that American diplomats and law enforcement agents have struggled unsuccessfully to dismantle, leaving the government in the grips of organized crime syndicates" (Rosenberg, 2013). The convergence of warlords, drug lords, and leaders of organized crime within the new national government has not only resulted continued lawlessness and insecurity but a local power "shift [sic] from legitimate traditional leaders accountable to their communities to a new generation of strongmen who control the military and financial resources" (Theros and Kaldor, 2011).

The short-term benefits of using warlords as proxies or as auxiliary forces in counterterrorism and insurgency operations has achieved the initial objective of deposing the Taliban and disrupting al-Qaeda, however, at the expense of long-term stability. Without the demonstrated capacity or the will to neutralize the effects of warlords, Afghanistan will only continue to struggle following the security transition in 2014. The inescapable reality is that warlords have a vested interest in the state of Afghanistan, so long as they can continue to profit from it. Yet, the continued patronage of them by the US and government of Afghanistan has only perpetuated the present course of instability and insecurity. Like the Islamic fundamentalist fighters during the Cold War, the Afghan warlord in the War on Terror is the contemporary example of short-term and short-sighted military planning.

4.3 Bonn Agreement I—Setting the Parameters of Exclusion and Insecurity:

The Bonn Agreement 1 (BA-1) was signed in December 2001 and ended in 2005. It was to be the blueprint for re-establishing the governing institutions of Afghanistan. Endorsed by the UN and leaders of Coalition nations, it signalled a new chapter, a transition from war to peace, where the joys of “inalienable rights and freedom [would be] unfettered by oppression and terror” (UN Security Council, 2001). As a post-conflict agreement, the BA-1 aligned with the light footprint, providing a flexible framework for further negotiations through the institutions it created. This strategy blurred the line between negotiating a peace agreement and implementing it (Chesterman, 2002). The BA-1 was not peace negotiation between warring parties, but a discussion for power-sharing in a transitional administration among the winners of Operation Enduring Freedom (Johnson, 2003; Ayub and Kouvo, 2008). For authors such as Barnett (2006), the BA-1 emphasized the American desire for regime change and the building of an ally in the War on Terror. The flaws of the BA-1 are both ones of commission and omission that planted the seeds of insecurity and decreased the space for development and reconstruction.

Recent efforts to negotiate a peace settlement with the Taliban reflect a critical error of the BA-1 process—the exclusion of the Taliban, who were labelled as an enemy of the state by the US and international community (Ishizuka, 2007; Mukhopadhyay, 2009). Consequently, the BA-1 was not inclusive nor did it promote national reconciliation (especially between the Taliban and Northern Alliance), further intensifying ethnic fragmentation (Johnson, 2006). For the Transitional Government of Hamid Karazi, it was a missed opportunity to negotiate with amenable elements of the Taliban in 2001 (Mukhopadhyay 2009). More importantly, the BA-1 set a bumpy course for reconstruction in the absence of a ceasefire, permitting Afghanistan to remain an in-conflict country.

The Taliban’s exclusion from the BA-1 draws attention upon the actors who were included. Goodson (2005) observes that the “BA-1 brought together concerned parties from inside and outside Afghanistan.” Among the “concerned” were factional leaders associated with the Northern Alliance, who received a prominent role at Bonn in return for their service in American counter-terrorism and counter-insurgency operations (Ayub & Kouvo, 2008; Mukhopadhyay, 2009). Despite the bloody and heinous past of the Northern Alliance, the BA-1 not only sanctioned the participation of the regional strongmen and warlords in security activities

but placed power in their hands (Jalali, 2009). In short, Afghanistan's security and stability was largely entrusted to warlords. Rubin (2003) argues that the accepted logic at the time prioritized security and stability in the short-term above accountability, peace, and justice in the long-term.

Another key limitation of the BA-1 was it that failed to appropriately plan SSR. The BA-1 addressed SSR indirectly, emphasizing the need for an international security force until an Afghan security force was developed, and required all armed groups to fall under the control of the Interim Authority (Ayub, Kouvo & Wareham, 2009). The BA-1 did not mention disarmament, demobilization, and reintegration (DDR), which was not implemented until 2003 (Grossman, 2009). Mass (2006) argues that the inadequate priority assigned to DDR allowed paramilitary groups and criminal elements to operate freely following the BA-1. Part of the explanation shaping the minimal attention to SSR, in terms of building a national army and police force was the immediate need for post-conflict security. Emphasis was placed on ensuring a minimal level of security as opposed to creating credible institutions (e.g. National Afghan Police or Army) (Ayub, Kouvo & Wareham, 2009). SSR was further impacted by uncoordinated and different donor-led approaches, established by the BA-1, which prevented harmonized actions. This resulted in a fragmented approach delaying SSR. The lack of consideration paid to SSR in the BA-1 exemplifies its contribution to insecurity in Afghanistan.

The BA-1 demonstrates the strategic gap between the primacy of counter-terrorism and counter-insurgency operations over post-conflict reconstruction. Although it was intended to be a short-term document supporting Afghanistan through a pivotal transitional time, it did not need to be short-sighted in its thinking. Fundamentally, the BA-1 created the political space for warlords and former humanitarian abuses to assume broad powers within nascent central government. Perhaps more importantly, it failed to seize the opportunity for peace. By not seeking a ceasefire or peace agreement with the Taliban, it created the conditions for on-going conflict. With no stake in the new Afghanistan following its defeat in 2001, the Taliban were relegated to the periphery with few options but to fight. Aggregate data, indicates that in the years following the BA-1 security has unequivocally declined. For instance, the number of insurgent attacks have steadily increased from less than 100 per month in 2002, reaching an apex of over 1,600 in June 2011; the number of attacks has since levelled around 800 (Livingston, Messera, O'Hanlon, 2010; Livingston and O'Hanlon, 2012). More recently, the number of security related incidents from 2009 to 2011 increased 50 percent (11,524 in 2009 vs. 22,903 in

2011)²¹. Unsurprisingly, the United Nations Assistance Mission in Afghanistan reported that 2011 was the fifth consecutive year in which civilian casualties increased (1,523 in 2007 vs. 3,021 in 2011). Since 2007, 11,864 civilians have died in Afghanistan (UNDP, 2011). The escalation of security related incidents would coincide with the documented increases in US troops (exemplified by the surge in 2009), that has seen troop deployments increase from roughly 8,560 in 2002 to 100,000 in 2010 (Livingston, Messera, O’Hanlon, 2010).

As Western nations are reducing troop deployments in preparation of a withdraw from Afghanistan, the failure to establish peace more than a decade earlier has resulted in a situation where the Taliban and other insurgent groups do not need to defeat the US/ISAF/ANSF to win the war. Statistics provided by the US Department of Defence have highlighted a decline in coordinated and complex enemy attacks since 2010; however, this is not necessarily indicative of the increasing efficacy of counter-insurgency operations. Despite conceding ground in the past few years, the Taliban has “exhibited the capability to strike back anytime and anywhere” (Mazhar, Kahn and Goraya, 2013). Rather than directly confronting US/ISAF /ANSF troops, insurgents have elected to carry out high profile urban attacks and targeted assassinations.²² Cordesman (2012) argues that the increase in assassinations of Afghan leaders, security personnel, and civilians, speaks to a change in strategy that focuses on terror and intimidation as a means to control the population. The change in tactics has permitted the Taliban and other insurgent groups to “expand[sic] the armed conflict and demonstrate their reach across the country” (Arian, 2012). Wazir (2012) argues that the “Taliban are now more powerful than ever in Provinces of Parwan and Baghlan and it seems that they have now more support bases in Tajak and Uzbek populated areas of Afghanistan.” Additionally, in lieu of the 2014 security transition, the change in strategy is timely, insofar as the Taliban is biding its time—waiting out

²¹ The UN Secretary General reported in 2011, security incidents involving armed clashes and IEDS numbered 1,664 incidents in January 2011, compared to a monthly average of 1,620 in 2010, and 960 in 2009. It also found that security incidents at the end of August 2011 were 39 percent higher compared with the same period in 2010 (United Nations Security Council, 2011).

²² This change in tactics has resulted in: the assassinations of Hamida Barmaki, a commissioner of the Afghanistan Independent Human Rights Commission; Ahmad Wali Karzai, Head of Kandahar Provincial Council; Hikmatullah Hikmat, Head of Kandahar Ulema Shura; Jan Muhammad Khan, Senior Adviser to the President; and Ghulam Haydar Hamidi, Mayor of Kandahar. High profile attacks include the Intercontinental Hotel on June 28, 2011; the attack on the British Consulate on August 19, 2011; an attack on the U.S. Embassy compound on September 13, 2011; and the end of October 2011, the worst single strike against American personnel in Kabul since the U.S. invasion in 2001 (Maley, 2012).

the US and the international community. A resolution with the Taliban prior to 2014 would be desirable and allow the West to save face. Given the limited incentive for the Taliban to negotiate a peace agreement “analysts are cynical and doubt whether any contract can really be accomplished within such a restricted span of time prior to the exit” (Mazhar, Kahn and Goraya, 2013). Since there is no evidence to suggest that the insurgency will cease prior to or following the 2014 security transition, Afghanistan will continue to be marred by conflict.

The presence of conflict currently, and likely continuance into the future, demonstrates the lack of coherence between the conduct of the War on Terror and the requirements for post-conflict reconstruction. This has been exemplified by the limitations of the light footprint, the dubious use of warlords, and the short-comings of the Bonn Agreement. Also, the presence of sustained conflict draws attention to a key research question, the effect of American support of Afghan warlords on the Interim Authority and the Karzai Administration. Warlords have been perhaps the greatest contributor to insecurity and exhibitor of conflict between the War on Terror and post-conflict reconstruction. As predators, abusers, drug traffickers, and corrupt officials they have eviscerated the capacity of the national government to govern, casting a cloud of illegitimacy as they hamper reform and developmental efforts. Their resurgence under the War on Terror has without a doubt negatively affected security and governance. As such, the next section will illuminate how warlords have manipulated and undermined SSR, thereby constraining the realization of a functioning Afghan security sector. In addition, the connection between the poor performance in SSR and the continued persistence of insecurity and lawlessness will be a key focal point.

5.0 The Perils of an Ineffective Security Sector:

A functioning security sector is vital for post-conflict reconstruction and development. According to the United Nations (2009) SSR is critical to ensuring stability and preventing countries from relapsing into conflict. SSR is a long-term process that requires a minimum level of security to function. The necessity of ensuring this outcome was not only paramount to Afghanistan's future, but to the success of the War on Terror. In 2001, the magnitude of pursuing SSR could not be understated. The international community was in actuality rebuilding Afghanistan's security sector from the ground up, against an ominous set of circumstances. To achieve SSR inherently requires efforts to consolidate the central authority of the state; however, the orchestration of Operation Enduring Freedom and the brokerage of the BA-1 resulted in a divided Afghanistan. The power of the Interim Afghan Authority, followed by the Karzai Administration, was dependent (and continues to be) on negotiations and trade-offs with local power holders (i.e. warlords) (Ayub, Kouvo and Wareham, 2009). It has been documented that the empowerment and incorporation of local power holders into official positions has not only allowed them to exercise "political, police and judicial authority through their control militia forces" (Miller and Perito, 2004), but to implement tactics to retain power and undermine the reform process (Giustozzi, 2008). By 2004, the consequences of America's decision to prioritize counter-terrorism over post-conflict reconstruction had begun to emerge. Principally, the "resurgence of anti-government spoiler groups, burgeoning narcotics trade, the entrenchment of regional power brokers or warlords, and rising incidents of banditry and general criminality" were symptomatic of a looming security crisis (Middlebrook and Sedra, 2004).

It is important to remember that efforts to develop Afghanistan's security sector and pursue reform were being undertaken in the absence of a peace agreement. Arguably, Afghanistan was and remains an in-conflict country. As mentioned earlier, the BA-1 was not an accord among adversaries but a deal among victors. In one regard, the BA-1 excluded the Taliban from the BA process, alienating groups sympathetic to the Taliban and Pakistan, inviting spoiler behaviour and persistent conflict. In another, it empowered and included warlords making them stronger and harder to bring under the law (Goodhand, 2008). Compounding matters, the ISAF did not have the capacity to act outside of Kabul, illuminating the fact that Afghanistan has

had the lowest number of peacekeepers per capita when compared to recent missions (e.g., Kosovo, Bosnia, Liberia, etc.) (Bhatia et. al, 2004).

From a post-conflict reconstruction perspective, the limited number of international peacekeepers/security forces highlights a limited ability to maintain control and provide security nation-wide. Therefore, the question at hand is: how could one expect SSR efforts to be successful when a country is at war and its “allies” (i.e. warlords) are fighting against it? For this reason, commentators (Mcarae and Harmer 2003; Sedra 2004; Middlebrook and Sedra 2004; Giustozzi 2008; Goodhand 2008; Ayub, Kouvo and Wareham, 2009) have been critical of both the Bonn process and SSR. Despite the earnest intentions of the international community, the inescapable fact is that the lack of integration between the War on Terror and post-conflict reconstruction prevented the necessary conditions from being present (i.e. minimum level of security and political stability, local elite consensus on its strategy and goals, and a base level of institutional infrastructure and human capacity) (Sedra, 2004). SSR cannot be successful when violent challenges to state legitimacy, organized crime, and corruption are rampant (Gross, 2009).

SSR efforts have also been challenged by the conditions set by the BA-1, specifically the “lead nation” donor support framework adopted at a Group of Eight conference in 2002. Rubin (2004) captures the overall arching problem of the BA-1 that constrained SSR when he states that:

The Bonn Agreement was prepared in a great hurry, without first hand data or experience of Afghan costs or conditions, which contributed to the formulation of pledges and support structures that grossly, underestimated the reconstruction needs of the country, particularly in the security sector.

The lack of consideration that went into forming the BA-1 is evident in the short-comings of the donor support framework that was devised. Based on the adopted framework, SSR responsibilities were split among the following donors: the US (training and reforming the Afghan National Army); Germany (training and reforming the Afghan National Police); Italy (developing the judiciary); Japan (disarmament, demobilization, and reintegration); and the United Kingdom (counter-narcotics). At the time, the presumed benefits of the framework were that it clearly distributed responsibility among donors and gave them a direct stake in the reform process, thereby compelling their long-term support. Commentators like Goodson (2005); Sedra (2004; 2006); and Ayub, Kouvo and Wareham (2009) contend that the framework was laden

with problems: competing political visions and rivalries that obstructed planning and coordination; cross pillar leadership and synergies; and increased Afghan suspicions of the process. A fundamental issue from Perito's (2009) perspective was that responsibilities were not assigned according to expertise, experience, or resources, which was only compounded by the absence of a mechanism to coordinate reform efforts. In this respect, one can argue that lead donor framework impeded rather than advanced SSR because it did not provide clear, common objectives based on the capabilities of donors with structures to facilitate coordination.

The fact that the breadth of security reform required was not properly understood, served to further limit the scope and effectiveness of SSR. For instance, the international community focused on short-term security and stability. Consequently, donors focused on "train-and-equip programs" to accelerate the development of Afghan Security forces with insufficient attention being paid to developing the accompanying management and governance structures (Perito, 2009). The insufficient attention paid to developing sound governance practices had resulted in abuses of power and corruption within the Ministries of Defence and Interior, two key institutions involved in SSR. Overall, the short-comings of SRR are attributable to adverse security conditions, lack of funding, poor planning and coordination among donors, and the weakness/corruption within the Afghan government. These factors will be examined in relation to disarmament, demobilization and reintegration (DDR), Afghan National Army (ANA), Afghan National Police (ANP), counter-narcotics and judicial reform.

5.1 Disarmament, Demobilization and Reintegration:

The influence of the Northern Alliance and its militia leaders during the first Bonn conference significantly impacted the ability of the international community and the Interim Afghan Authority to disarm, demobilize, and reintegrate spoiler groups. Evidence of this was that BA-1 made no specific reference to DDR and Northern Alliance leaders were able to defer the start of the DDR process, until 2003 (Rossi and Giustozzi, 2006; Rubin, 2006). The absence of explicit references to DDR in the BA-1 communicated a clear message in the opinion of Macrae and Harmer (2003) that "warlord power would not be challenged." As it will be explained, the failure of DDR was one of design and circumstance, whereby both elements

together produced poor results, allowing regional power holders to challenge the authority to the Afghan government, undermining SSR and perpetuating insecurity.

The DDR program was administered through Afghanistan New Beginning Program (ANBP), supported by Japan as the lead donor and the United Nations Development Program, as the implementer, with other donors making financial contributions, for a three-year period with a mandate target of 100,000 soldiers and officers for DDR (Grossman, 2009). Broadly, the objective of DDR in Afghanistan was to reintegrate personnel from the existing Afghan militias (whose loyalty to the new government was questionable) back into the society by providing vocational training and capital to start their own business (Zenkevicius, 2007). This was also supported by the development of a national army, by replacing disconnected forces and personal militias with a centralized army. This approach contrasted an initial proposal put forth by the former Deputy Defence Minister Baryalai, who advocated that existing militias be reorganized into the ANA with its commanders appointed officers (Rossi and Giustozzi, 2006). However, efforts to limit the ability of militia commanders to exploit the DDR process for self-enrichment proved to be futile.

The effectiveness of the DDR program was hampered by manipulation of government officials and poor design. Principally, a needs assessment to determine the number of soldiers and weapons to be reintegrated and collected was not conducted. Consequently, ANBP officials were forced to rely on figures provided by the the Afghan Ministry of Defence (MOD), specifically for the number of weapons collected. The MOD's leadership included former militia commanders (e.g., Deputy Minister Baryalai), who had a vested interest in overstating the number of troops disarmed and weapons collected, as the basis of claiming more resources from the central government (Sedra, 2006; Stanekzai, 2011). According to ANBP figures, 70,000 weapons had been collected from 63,380 combatants; however, Rossi and Giustozzi (2006) note that despite these recorded figures, militias in effect handed over as few weapons as possible and that 36 percent of the weapons collected were unserviceable/unusable.

Another design flaw of the DDR program was the limited scope, which over emphasized active Afghan Military Forces and regular militia while excluding irregular tribal forces and the

disbandment of illegally armed groups (DIAG).²³ The DIAG program was not implemented until 2005, targeting 2,000 illegally armed groups and their more than 100,000 members through voluntary, negotiated, and forced disbandment (Jalali, 2006). Although official numbers estimated that there were 120,000 armed persons operating in over 1,800 illegal groups, Zenkevicius (2007) contends that figures were likely 20-30 times higher because of the three to four million illegal light weapons and ammunition withheld by the Afghan population. The above figures underline the failure of DIAG because it was only effective in four provinces (Laghman, Kapisa, Heart and Farah) and was not operational in southern Afghanistan (2007). Consequently, there remained a significant number of illegal groups scattered throughout Afghanistan perpetuating the drug industry, imposing illegal taxes, and undermining the legitimacy of the central government (Stanekzai, 2011).

When the DDR program concluded in 2006, international donors had spent over US \$100 million, more than double the initial budget, without collecting an adequate number of weapons or providing the necessary conditions for reintegration. Giustozzi (2008) argues that there was “little effort made to prevent ex-combatants from being reabsorbed by new or old systems of patronage run by warlords and local commanders.” Reintegration efforts were hampered by poor vocational training that did not provide the skills required by the market combined with insufficient analysis of local economic conditions (Grossman 2009). Moreover, the US continued to employ various Afghan militias (although officially assigned to AMF) in its fight against the Taliban during the DDR program (Chandra, 2005). By providing various groups with weapons, while simultaneously trying to disarm the population did little to bolster the success of the DDR program. Therefore, DDR today is seen largely as a symbolic initiative and basically a failure. Poor design and narrow scope combined with manipulation from warlords prevented effective and widespread demilitarization, disarmament or reintegration of armed groups. Consequently, they continue to undermine peace and security.

The failure of the DDR program can be linked to deteriorating security conditions marked by the escalation and exponential rise in insurgent attacks from 2004 onwards. Furthermore, the launching of the Afghanistan Peace and Reintegration Program (APRP) in 2010 corroborates the evidence of persistent insecurity in Afghanistan and the failure of the previous

²³ In 2005 a DIAG was implemented as a government-led program supported by the international community and Japan, acting as the lead nation.

DDR program. The APRP seeks to concurrently reintegrate low level insurgents with enticements of jobs or vocational and literacy training, while seeking reconciliation with high level insurgents. Both the APRP and the previous DDR program highlight the inability to effectively incentivize insurgents into renouncing violence. Point in case, only 1,200 of an estimated 35,000 insurgents have entered the APRP (Tierney, 2013), citing insufficient guarantees of security or mechanisms to protect former fighters, insufficient job opportunities, and the failure to respond to the political grievances that fuel the insurgency (Derksen, 2011; Jarvenpaa, 2011). Consequently, insecurity remains an on-going issue because warlords, drug lords and other spoiler groups have retained the means of violence to challenge the authority of the central government, and undermine law and order.

5.2 Afghan National Army & Afghan National Police:

Military reform, specifically the development of the ANA, has received the greatest attention of all the SSR pillars. In spite, the limited success of SSR, the ANA is considered to have achieved relative success, especially when compared to the ANP (Perito, 2009; Rondeux, 2010; Wentzell, 2012). Development of the ANA has not been without serious challenges or falters. Following a donors conference in 2002, it was designated that the ANA would have a total of 70,000 personnel,²⁴ comprised of 43,000 combat troops, 3,000 air corps, 21,000 in support commands, and 3,000 MOD and general staff (Sedra, 2006). The mission of the ANA was to be the sole source of security for the Afghan government, replacing all other military forces, combating terrorists and other destructive elements in cooperation with coalition and peacekeeping forces (GOA, 2005). The problem facing the US and donors in 2002, was how to convert factional commanders and their militias, into a modern, multi-ethnic, and non-factional national army.

Following the removal of the Taliban in 2001, a security vacuum emerged and was filled by the Afghan Military Forces (AMF), under the leadership of the Northern Alliance. At the time, the Northern Alliance was the only armed security force in Afghanistan and their integration into US military operations under the light footprint entrenched their initial influence in the ANA and MOD. It was estimated in 2002 that the AMF had complement of 75,000

²⁴ In order to address the growing security crisis in recent years the projected ANA requirement has been increased to 200,000 personnel (Younossi et. al, 2009).

personnel (which decreased to 45,000 in 2003) (Giustozzi, 2007). With such a large standing complement of soldiers, the Afghan Interim Government and the US were presented with the decision to build the ANA from ground up or use existing structures (i.e. the AMF). Aligning with the light footprint, initially the US opted to utilize existing structures, whereby it sought to train militia leaders as company-grade officers with warlords as generals under a power-sharing agreement. Under this model the US would supply uniforms and training with a projected time frame of five years²⁵ to integrate dispersed militias into a uniform national army (Younossi et al., 2009).

By September 2003, the US abandoned the notion of transforming the AMF into the ANA and elected to rebuild the ANA from scratch. From 2002-2005, the US developed the ANA through the Office of Military Cooperation—Afghanistan (OMC-A).²⁶ This decision was taken for a few reasons: one converted AMF militia troops performed poorly in combat,²⁷ despite being experienced fighters they had limited exposure to operating within a formalized command structure (Younossi et al., 2009). Second, the MOD exploited ethnic rivalries to retain control of the armed forces, undermining the goal of establishing a national, multi-ethnic military. Rondeaux (2010) argues that the MOD has played role of “spoiler rather facilitator of army development” because of the domination of Tajik commanders, who by distributing resources among a few powerbrokers reinforced ethnic-factionalism and reduced institutional loyalty. At the time, it was observed that national interests were often superseded by local or individual politics, thereby creating the perception that the ANA was a political army opposed to a national army (International Crisis Group, 2009; Rondeaux, 2010). Third, for the Afghan Interim Authority, it needed to extend its presence in the provinces to strengthen its influence locally and control over unsanctioned military groups or insecure areas (i.e., along its southern border with Pakistan) (Giustozzi, 2007). This could only be achieved with an ethnically balanced and modern military force.

²⁵ At the beginning of the process optimizing around transforming the AMF into the ANA produced unrealistic time frames for military reform. Deen (2002) notes that some U.S. military officials predicted that the ANA be a full strength by 2004. However, with the identified target of a 70,000-man army, with an officer ratio of one to 10 would have required the Kabul military academy to graduate nearly 450 officers every six weeks (Younossi et al., 2009).

²⁶ The OMC-A would later be reorganized as the Office of Security Cooperation-Afghanistan (OSC-A) when it assumed the additional mission of training the ANP in 2007.

²⁷ The reliance on Afghan fighters during the battle of Tora Bora permitted many high ranking members of al-Qaeda (bin Laden, al-Zawahiri) to escape into Pakistan. It is argued that Afghan fighters lacked the necessary motivation, training, and equipment to be an effective ally (O’Hanlon, 2002; Krause, 2008).

The decision to rebuild the ANA from scratch in 2003 has yielded mixed results. By the end of 2005, the ANA consisted of approximately 30,000 soldiers organized into 27 Kandaks and 18 combat support and combat support battalions (Zenkevicius, 2007). From a combat readiness perspective, over 42 percent of the targeted 43,000 combat troops had been trained (Sedra, 2006). This permitted the ANA to participate in counter-terrorism and insurgency operations, and to provide security during the Presidential elections in 2004, and Parliamentary elections in 2005. During this period several issues came to the fore that hampered the development of the ANA and its ability to operate independently. According to the US Government Accountability Office (2008), the ANA received approximately \$2.8 billion from 2002 to 2005; however, concerns that resources were not immediately or efficiently allocated have resulted shortages of necessary equipment. Inadequate funding precipitated shortages in essential equipment, such as uniforms, boots, communications gear, infantry weapons, ammunition, and vehicles, as well as the adoption of faulty or obsolete supplies (i.e., guns) (estimates in 2009 put Afghan army units 40 percent short on necessary items). The decision to initially arm the ANA with donated and salvaged Soviet weapons and armored vehicles epitomizes why the ANA was insufficiently equipped, hindering its performance in combat. This decision was taken due to the presumed familiarity of former Afghan army and militia personnel with Soviet weapons, and the willingness of former Soviet coalition nations to donate weapons from their arsenals. However, much of the equipment was worn out, defective, or incompatible with other equipment (Rondeaux, 2010).

Critically, the inability to properly equip ANA units at the outset highlighted the priority given to combat readiness. Sedra (2006) notes that the emphasis on developing combat capacity diverted much needed resources away from recruiting, training, acquisition and logistics, and communications and intelligence. As of April 2005, less than 10 percent of their positions had been staffed. Undeveloped, or under developed support structures, was identified by the US Government Accountability Office (2005) as a key factor contributing to the dependency of the ANA on Coalition militaries for strategic and tactical leadership as well as logistical support (SIGAR, 2009) .

The development of the ANA was also constrained by recruitment and retention issues, epitomized by poor discipline and quality of recruits. Retention was especially problematic in 2003, with a desertion rate of 10 percent a month (Sedra, 2006). Wisner (2003) noted initially

that the salaries paid to soldiers were too low, especially in inflation ridden areas like Kabul. Consequently, inadequate pay was associated with high dropout rates, poor quality recruits, and lack of professionalism. Efforts to improve recruitment and retention have been pursued through salary increases; however, salary increases have been linked to a cyclical behaviour of soldiers going absent after earning enough to subsist for a period of time (Brookings Institute, 2010; CIGI, 2010). In addition, by 2005, initiatives to accelerate the training of ANA recruits were reported to reveal a deficit in qualified candidates for leadership positions (GAO, 2008). Chives (2010) explains that the greatest leadership deficit is in the commissioned officer corps, where non-commissioned officers (NCOs) are commonly assigned because of shortages. This removes the best “first-line leaders” from platoons, which hurts the counterinsurgency operations that rely on quick decision making ability at the squad level. Additionally, it puts the most talented squad leaders into positions of strategic decision-making to which they tend to be poorly suited. To correct the problems of poor quality recruits, undisciplined behavior, and other gaps, the US began embedding training teams within ANA units and the overall rate of training was slowed to produce fewer higher quality soldiers (Younossi et al., 2009).

As mentioned above, the development of the ANA from 2001 to 2005 has stood out as a relative success story for the Afghan government and the international community. Although much work remains, the ANA has made significant progress where the ANP has not. Both are essential corner-stones of Afghanistan’s security sector, permitting the central government to consolidate its authority and more importantly enhance the stability of Afghanistan. The next section will discuss the obstacles faced in reforming the ANA and how the short-comings in this area have had an adverse affect on security.

5.3 Afghan National Police:

Years of conflict and Taliban rule had eroded any and all policing structures and capacity in Afghanistan. In its place were armed militias or warlords, who essentially preyed upon the citizens or exhorted money for protection. The need for police reform intensified in the post-Taliban era, as it was an essential pillar in bringing peace and stability to Afghanistan. Yet, initial efforts under the BA-1 to reform and develop the ANP were an abject failure. The ANA would be synonymous with being corrupt, predatory, unprofessional, and incompetent (Sedra, 2006; Wilder, 2007; Zenkevicius, 2007; Perito, 2009; RUSI, 2009). More problematically, the

ANP would themselves become a source of insecurity and illegitimacy for the Afghan government. A study of police reform by the Royal United Services Institute (2009) found that:

...the Afghan National Police has not achieved a minimum acceptable standard expected of a police force from either international or Afghan perspectives. Weak and ineffectual, institutional and individual competence to tackle crime is low. Perversely, many officers are actively involved in criminality. Corruption is rife... Reports detailing the predatory nature of the ANP are increasingly frequent.

In 2002, when Germany assumed responsibility for police reform, their objective was to establish a multi-ethnic force capable of enforcing the rule of law and providing security that would complement the efforts of the ANA. The Bonn Agreement established a benchmark of developing an ANP force of 70,000 officers divided among: the National Police (country wide), Highway Police (traffic on roads principally around Kabul), and Border Police (border security) (Zenkevicius, 2007). During the nascent stages of the ANP formation, the process was hijacked by the infiltration of Northern Alliance commanders and warlords. Principally, they were able to seize control of the upper echelons of the ANP, appointing themselves as commanders, generals or colonels. These positions of power were later confirmed by the Interim Afghan Authority (RUSI, 2009). The negative impact on the quality and professionalism of the ANP was unequivocal because warlords in positions of power filled local and provincial police forces with fighters from their private militias, 'most of whom had little or no police training or experience' (Wilder, 2007). Consequently, many district ANP units remain populated by rebadged mujahedeen 'who have just changed their clothes' (Ibrahim, 2006). Perito (2009) observes that this was a grave concern because many were used to "acting with impunity prepar[ing] them poorly to serve as police in a democratic society." Therefore, instead of fostering a policing culture based on upholding the law, providing justice, and protecting Afghan citizens, the ANP was transformed into a band of enforcers, unprofessional, and driven by a militia mentality.

The infiltration of warlords into the ANP directly underscores the criticisms of predation and corruption, but also speaks to another issue constraining police reforms — the quality of recruits. When the ANP initiative began in 2002, there were an estimated 50,000 men working as police, however, the problem was one of quality not quantity. Specifically, more than 70 percent of the ANP recruits were illiterate, inhibiting their ability to learn basic police skills, such as taking statements from witnesses, writing incident reports, and maintaining records (Perito,

2009). Another compounding factor adversely effecting ANP reform was the absence of recruiting and vetting processes. As a result, there was insufficient information on who was being trained and their status following training. This has allowed ANP commanders to manipulate the statistics claiming the salaries of ‘ghost policemen’ (RUSI, 2009). In addition, Wilder (2007) points out that in some instances this has strengthened the forces opposed to the central government.

Also insufficient resourcing in both equipment and funding have slowed ANP reform. The ANP has experienced chronic shortages of weapons, whereby police are unable to practice with their firearms due to ammunition shortages. Other major short falls include uniforms (especially winter), appropriate detention facilities, transport capabilities for patrolling, and communications equipment (i.e. short wave radios, faxes or computers) (Zenkevicius, 2007). It was reported that in 2005, an average patrolman's salary was US \$25 per month (Sedra, 2006). The poor and at times infrequent pay of ANP officers is cited in contributing to corruption. Resourcing issues are partly explained by the fact that by 2004, only \$11.2 million of the \$65 million requested for police salaries had not been contributed. Without the necessary funding the Afghan government was unable to seriously deploy the ANP beyond Kabul and some provincial capitals (Perito, 2009). This left large swathes rural Afghanistan without security.

Thus far, the discussion has emphasized how internal forces constrained the development of the ANP. It should be noted that the international community’s inability to effectively coordinate and its prioritization of the ANA over the ANP are equally to blame. Critically, Germany focused its efforts on running the Kabul Police Academy, as opposed to coordinating ANP reform. This became problematic starting in 2003, when the US created separate and parallel training programs. Therefore, the lack coordination between the US and EU programs resulted in confusion because the respective initiatives reflected policing practices of the donor nation (Perito, 2009). Moreover, many of the issues afflicting the ANP illuminate the fact that police reform has been neglected in favour of ANA development. The ANA has received greater attention and resources, perhaps because the “recognition of policing and its centrality for civil peace-building, development and counterinsurgency was largely ignored” (RUSI, 2009). To this point, when the ANP was experiencing similar problems as the ANA (i.e. low pay, retention, unprofessional behavior), however the corresponding actions in the ANP were not taken (i.e. pay increases, embedding of western police trainers). Consequently, Goodson (2005) argues that the

failure to adopt similar steps has left the ANP “worse paid, less professional and more corrupt than the army.”

As mentioned previously, the frequency and intensity of insurgent attacks has steadily risen since 2004, highlighting the on-going struggle of the Government of Afghanistan to assert control over the country. The change in tactics by insurgents (targeted assassinations and high profile attacks), once again raises questions about the ability of the Afghan National Security Forces to provide security. It has been acknowledged that the task of developing a national military and police force from the ground up was a massive undertaking, probably beyond the timeframes established by the international community.²⁸ Yet, in some ways the reason insecurity persists and a larger crisis looms post-2014, is that many of the issues identified during the first five years of the mission continue to afflict both the ANA and the ANP. Overall, Mazhar, Kahn and Goraya (2013) observe that the ANSF continue to lack sufficient weapons, equipment, and adequate training. Specifically, longstanding critiques of the ANA’s dependence on the US and NATO for critical support functions like logistics or intelligence, and divisive ethnic factionalism remain issues.²⁹ Similarly, the lack in adequate anti-crime capacity due to limited police skills continues to inhibit the ability of ANP to enforce the rule of law, exemplified by the prevalence of murders, robberies, and extortion (Felbab-Brown, 2012; Plenty and Perito, 2013). Moreover, the ANP continues to alienate Afghan citizens with widespread instances of corruption, abusive behavior, drug use, and drug trafficking, which only spurs on support for the insurgency (Plenty and Perito, 2013). The reality is that ANSF reform has been slow and even (especially in comparing the ANA and ANP). Consequently, there is no evidence to suggest that the ANSF has the capacity to effectively protect the people of Afghanistan (Arian, 2012). This is highly problematic given the timelines for withdrawal articulated by Western

²⁸The development of the ANA or ANP from the start has been informed by goals relating to achieving a force of a certain size by a certain time. This priority has overshadowed the assessment of capabilities. Cordesman (2013) argues that the metrics used to assess the development of the ANA have emphasized criteria, such as total manpower opposed to elements focusing on effectiveness and performance in the field. Consequently, focus and resources must be placed on elements that make ANA effective against insurgents, and then regularly assessing battlefield performance.

²⁹ ANSF continue to be dependent on NATO assistance for critical assets and capabilities, specifically command, control, intelligence, air support, medical evacuation, logistics, and maintenance, contractor management, battle space integration. Within the ANSF ethnic fissures and competing patronage networks continue to run through the force with segments loyal to particular top level commanders rather than the to the institution or more importantly the government (Felbab-Brown, 2012). With respect to the ANP, high attrition rates continue to afflict the force. Since 2011, the ANP has an attrition level of 25 percent, in part because President Karzai has resisted calls to criminalize leaving the force without permission (Plenty and Perito, 2013)

militaries. Therefore, the inability to address the systemic issues constraining the development of the ANSF reduces future insecurity to a logical inevitability.

The prospect of continued conflict and unrest in Afghanistan is further hardened by rampant narcotics production and trafficking. In discussing the challenges of reforming the ANSF, reining in warlords and countering the insurgency, narcotics is front and centre providing money for arms and fueling corruption. Not unlike the other pillars of SSR, counter-narcotics efforts have yielded a mix of poor results and futility. The next section will further articulate the connection between Afghanistan's unbaiting illicit drug economy and persistent insecurity.

5.4 Counter-Narcotics:

The post-Taliban Afghanistan has become the world's largest illicit-producer of opium and heroin. The United Nations' 2007 World Drug Report cited a 100 percent increase in Afghanistan's opium production from 2001 to 2006, contributing to Afghanistan's 75 percent share of the global heroin market (Ghufran, 2008). Sherman and Rubin (2008) argue that the explosion of narcotics production is a function of the "political insecurity and social chaos in Afghanistan creat[ing] the conditions for the illicit drug industry." Narcotics production hampers reconstruction because it "provides resources to insurgents and criminals, promotes corruption among public officials, and discourages participation in the licit economy" (Perito, 2009). Despite the earnest need for effective drug control strategies, the principal policy of crop eradication failed to promote stability and security (exemplified by the confliction between counter-narcotics and counter-insurgency/terrorism operations), economic development and undermined the legitimacy of the Interim Administration (Corti and Swain, 2009; Felbab, 2005;2012; Lacouture, 2008; Sedra, 2006).³⁰ The inability to implement an effective counter-narcotics approach is another factor explaining the limited success of SSR outlined in the BA-1.

³⁰ Proceeds from narcotics trafficking are a major source of corruption effecting various government ministries and institutions. Goodhand (2008) highlights that in areas rife with poppy cultivation a police chief could expect to pay \$100,000 in bribes for a six month position that paid \$60 a month. Moreover, in his report, Wilder (2007) estimates that 80 percent of the personnel at the Ministry of the Interior were benefiting from the drug trade. Corruption stemming for narcotics productions severely undermines the creditability of the Afghan government in that opium cultivation is illegal, and measures such eradication have had negative impacts on subsistence farmers. Yet, at the same time, government officials enrich themselves on the profits from narcotics trafficking and smuggling.

Different strategic frameworks were developed from 2001 to 2005 (e.g., Afghan National Drug Control Strategy, US ‘Five Pillar’ Strategy, Governor Led Eradication)³¹ advocating a mixture of initiatives, including rural /alternative development, eradication, and interdiction. By 2004, the US prioritized crop eradication as the primary objective following consecutive years of increased opium production.³² American emphasis on eradication was expressed in 2005, when it spent \$258 million on eradication of a possible \$782 million ear marked for counter-narcotics initiatives (Lacouture, 2008). A study conducted by the Senlis Group, “Afghanistan, Five Years Later: The Return of the Taliban” (2006), concluded that the misinformed strategy of eradication diverted substantial amounts of funds away from development and poverty relief. The policy of eradication failed to address the root causes of production, and its vital function in guaranteeing survival, accessing credit, land, and income. In addition, eradication resulted in shifting production, rising prices, and incentivizing opium production in Afghanistan (Corti and Swain, 2009).

From a security perspective, eradication was divisive and destabilizing. Felbab-Brown (2012) argues that eradication created economic refugees and alienated rural populations from the national government, creating an opportunity for Taliban mobilization. Regional warlords benefited similarly from the adverse impacts of eradication because they too were able exploit popular discontent to consolidate their power base (Felbab-Brown, 2005). Counter-terrorism and insurgency operations were also impacted because warlords and local populations who profit from or depend on opium production were less willing to cooperate or provide reliable intelligence (Lacouture, 2008). Moreover, the lack of sustained peace and successful development strategies (e.g. crop substitution³³) underscored increases in production. This was problematic, given that an estimated 70 percent of the Taliban’s income (approx. \$200-\$400 million annually) was derived from a 10 percent tax on farmers, protection money from

³¹ The Afghan National Drug Control Strategy (NDCS) was launched in 2003, identifying four key areas: (1) disrupting the drug trade; (2) strengthening and diversifying legal rural livelihoods; (3) reducing the demand for illicit drugs and treatment of problem drug users; and (4) developing state institutions at the central and provincial level (NDCS, 2003). Comparatively the U.S. developed its Five Pillar Strategy in parallel focusing on the following areas: (1) alternative livelihoods; (2) elimination/eradication; (3) interdiction; (4) law enforcement/justice reform; and (5) public information (U.S. Counter-Narcotics Strategy for Afghanistan, 2007).

³² The 2008 UNODC Report estimates Afghanistan’s cultivation and production for 2001 (185 tons); 2002 (3,400 tons); 2003 (3,600 tons); 2004 (4,200 tons); 2005 (4,100 tons).

³³ The 2007 UNODC Opium Survey in Afghan revealed that the gross income from hectare of opium was \$5,200 (U.S.) compared to \$546 for wheat (U.S.) (UNOC, 2007).

traffickers, and the sale of opium (Lacouture, 2008; Perito, 2009). Eradication failed to achieve the aim for denying a lucrative source of income to the Taliban and warlords, promoting a transition to licit economic activity and creating stability.

Looking to the future, Afghanistan's narcotics trade will continue to overshadow the licit economy and act as an on-going source of insecurity. It is reasonable to speculate that if security and stability remain in question or decline post-2014 that narcotics production and trafficking will increase. High-production areas tend to be among the least secure, therefore, if insecurity expands geographically production has the potential to increase as the ability to enforce laws diminishes. Despite the troop surge in 2009, and the growth of the ANSF, Afghanistan is still the leading producer of opium, accounting for 80 percent of the global supply (Rubin, 2012). This trend is likely to continue, as the United Nations Opium Survey (2012), reported that poppy cultivation in Afghanistan increased by 18 percent between 2011 and 2012. More importantly, it found that cultivation increased, signalling the intention of farmers to continue to plant opium. The connection between opium and subsistence is well established, and may become stronger as the Afghan economy experiences shocks or contractions resulting from the withdrawal of foreign militaries in 2014. If the economy declines, it will embolden the incentives to cultivate and traffic opium (Felbab-Brown, 2012).

Another factor that may continue to see opium production drive insecurity is the ineffectiveness of interdiction targeted at Taliban-linked drug traffickers. Attempts to be more effective against the insurgency in rural areas required scaling back eradication operations and focusing interdiction efforts on suppressing the financial flows to the Taliban. According to Felbab-Brown (2013) this has not affected the Taliban at the strategic level because it can draw revenue from taxing all economic activities within areas they operate. As noted above, if insecurity increases post-2014, it is foreseeable that the Taliban will be able to increase their revenues from opium levies. Consequently, this would afford them greater financial resources to purchase arms and sustain their conflict against the Government of Afghanistan. The sad reality is that Afghanistan's narcotics trade entrenches fragility by fueling corruption and giving means to insurgents to wage war. Its duality as both a source of subsistence and conflict fixes opium to Afghanistan's future. The precarious state of the central government characterized by its limited capacity to assert control and impose laws drastically increases the likelihood of a burgeoning opium industry post-2014.

A key factor that has supported insecurity and narcotics trafficking is the absence of a functioning legal system to enforce the rule of law. The next section will explore the relationship between insecurity and ineffective judicial reform. As the final pillar of SSR under examination

5.5 Judicial Reform:

After successive decades of conflict, Afghanistan's legal infrastructure (courthouses, prisons) and capacity (qualified lawyers, judges, other legal personnel, etc) was eroded. Sedra (2006) quotes one observer, "every aspect of a functioning judiciary is presently absent." Prior to the invasion in 2001, the rule-of-law was based on the Taliban's harsh interpretation of the Quran with mullahs dispensing sentencing without independent review (Zenkevicius, 2007). Also rule-of-law functions often rested in the hands of regional power-holders, who regardless of official position exercised political, police, and judicial authority through their control of militia forces (Miller & Perito, 2004). Despite the size and complexity of rebuilding the judicial system, it has been a process rife with problems.

The BA-1 established the Judicial Commission of Afghanistan with the mandate of reconstructing the nation's legal system. Afghanistan's justice system was to be rebuilt in accordance with Islamic principles, international standards, rule-of-law, and Afghan legal traditions (International Crisis Group, 2003). Yet, the merging of Western and Islamic legal principles has also presented itself as a significant issue. An international panel led by the distinguished legal scholar, Cherif Bassiouni, concluded that donors had failed to link reforms to "the foundation for justice in Afghanistan—Islamic law." International support for rule-of-law programs has tended to ignore or avoid issues of Islamic law (Suhrke & Borchgrevink, 2008). Therefore, the preference towards western legal norms negatively impacted the acceptance of legal reforms among Afghanistan's population.

Perhaps, the greatest obstacle in gaining the acceptance and trust of the Afghan people in the emergent judicial system was the influence of warlords and regional commanders. Corruption is wide-spread in Afghanistan, consequently local power-holders (i.e. warlords, police chiefs, and provincial governors) were able to sway judges and prosecutors influencing who is prosecuted (Miller & Perito, 2004; Zenkevicius, 2007). Furthermore, Wardak (2004) highlights that the lack of cooperation between the police and the judiciary is partly reflective of the fact that the ANP post-2001 was largely comprised of Northern Alliance Militia, whose

allegiance was to their factional patrons rather than to the national Afghan Interim Authority. As much as the capacity of legal personnel has been identified as a gap, the incorporation of warlords and individuals who have committed human rights abuses into positions of power (ministers, parliamentarians, etc) is one of the principle concerns. For example, the Afghan Independent Human Rights Commission was devised to address abuses of the past. However, Grossman (2009) observes that by 2002, “commanders implicated in human rights abuses and war crimes had entrenched themselves in positions of power... [and were seeking] to discredit transitional justice initiatives claiming that such programs maligned the mujahideen, who liberated Afghanistan from the Soviets.” Borrowing from Miller & Perito (2004) how can there be any kind of accountability for past war crimes and human rights violations if many of the perpetrators continue to wield power either within the Transitional Administration or outside it.

The process of judicial reform has been plagued with other problems. Principally, the building of an independent judiciary has been secondary to other rule-of-law initiatives such as policing (Miller & Perito, 2004; Wardak, 2004; Zenkevicius, 2007). For instance in 2004, the US provided \$13 million in support of judicial reform, constitutional, and human rights commissions, while allocating \$110 million for police training (Miller & Perito, 2004). Sedra (2006) highlights that at the start of 2005 the justice sector had only received two to four percent of funds allocated for security sector institutions. Lack of resourcing is in part attributable to the fact that the BA-1 excluded justice from the five pillars of security sector reform, resulting in the separation of rule-of-law and justice reform from SSR strategies (Ayub, Kouvo & Wareham, 2009). In addition, poor coordination among international stakeholders is also to blame, as the lead nation Italy was seen as focusing on the implementation of its projects instead of broader coordination (2004). Compounding matters, Sedra (2006) notes that international stakeholders became factional players preventing the creation of an overarching strategy, preventing overlapping and incompatible programs.

The need for a functioning, impartial judiciary capable of enforcing laws and dispensing justice cannot be disputed. To date in Afghanistan, such a system remains a vague idea. In its report, *Reforming Afghanistan's Broken Judiciary* (2010), the International Crisis Group found that “Afghanistan’s justice system [was] in a catastrophic state of disrepair” characterized by inoperable and understaffed courts with personnel lacking proper training and salaries. Compounding the institutional ineptness of the Afghan judiciary is the continual manipulation

from the executive branch and abuse by officials, many of whom are former warlords as well as “expert practitioners of corruption, extortion, embezzlement, tax evasion and living off the profits of the opium trade” (Braithwaite and Wardak, 2013). According to the National Corruption Survey (July 2010) conducted by Integrity Watch Afghanistan, the majority of respondents perceive the justice and security institutions to be the most corrupt. The acuity of corruption within the judiciary is well document,³⁴ epitomized by the arrest of 92 judges in 2009 for taking bribes; however, the behaviours of judges has been slow to change because neither the international community nor the Government of Afghanistan has provided adequate security for judicial personnel (Carter and Clark, 2010).³⁵ Moreover, anti-corruption measures targeting the judiciary have also been thwarted by President Karzai, who on average has issued 800-1,000 presidential pardons, predominately for individuals and families connected to the President. As a result, there has not been one conviction for corruption against a senior person in a politically connected family (Carter and Clark, 2010; Braithwaite and Wardak, 2013).

The present emphasis on corruption within the judiciary is not to overshadow the other issues of funding, capacity, or tensions between Western and Islamic legal principles. However, from a security perspective, the on-going impotence of the judiciary in Afghanistan supports an environment of impunity, where individuals or groups can commit crimes (e.g., kidnappings, drug trafficking, murder, etc) and pay the state to turn a blind eye. The fact that the judiciary is not seen as looking out for the interests of people is destabilizing, in that it creates support for the Taliban. Mason (2011) argues that the Afghan state has failed to compete with the Taliban in terms of their ability to instill the rule of law and enforce justice, albeit brutally at times. Similarly, Ladbury and CPAU (2009) found that the “general perception was that the Taliban had indeed captured the justice market and were perceived to be reasonably efficient and fair—at least when compared to the formal system which was neither.” Conversely, the Government of Afghanistan is not only a perpetrator but concealer of criminality and predation, which has victimized Afghans. The propaganda of the Taliban is fueled on the perceived illegitimacy of the Karzai Administration. Until there is a functioning and independent judiciary to support the rule-

³⁴ Consistently surveys conducted by the Asia Foundation (2008; 2009; 2011) have indicated that in Afghanistan is shows citizens are more likely to experience having to pay a bribe in their dealings with the judiciary than in their dealings with the police, the military and customs officials (Braithwaite and Wardak, 2013).

³⁵ Between 2002 and 2010 approximately 30-40 judicial personnel were killed, including fifteen judges (International Crisis Group, 2010).

of-law, including sound governance, insecurity and instability will continue. Based on the current trends, the capacity of Afghanistan's judiciary will further erode, especially post-2014 as presents gaps in the enforcement of law and order expand into chasms of criminality, lawlessness and instability.

Understanding the relationship between the failed implementation of SSR and the corresponding impact on insecurity was one the primary research questions of this paper. Through an examination of each SSR pillar, it is explicitly clear that Afghanistan's security sector overall is laden with problems. Issues of capacity, corruption, predation, and poor coordination are only a few of the issues that have constrained SSR. The grave short-comings in SSR present a bleak picture of the future, where notions of security, justice, law and order have no place. Moreover, the inability to establish credible and operational institutions (i.e. police, military, judicial) or exert control over armed groups and drug traffickers speaks to not only the failure of SRR but the broader objective of transitioning Afghanistan from fragility to stability. Without a functioning security sector, the hopes for peace in Afghanistan are dashed.

The next section will address the third and final research question, the impact of Pakistan on insecurity in Afghanistan. Pakistan's interference in Afghanistan, through its relationship with Taliban, is rooted in unresolved historical issues but represents another instance where Afghanistan's borders have again become the playing surface for geo-political gamesmanship.

6.0 Pakistan—Ally in the War on Terror, Spoiler in Afghanistan:

The majority of this discussion has pertained to the contradictions in approach and strategic missteps of the US and the international community in contributing to insecurity in Afghanistan. As previously noted, much of the conflict throughout Afghanistan's history is rooted in the meddling and interference of its regional neighbours. This factor did escape the international community, exemplified by the signing of the Kabul Declaration on Good Neighbourly Relations, a pledge of non-interference by Afghanistan's immediate neighbours—Pakistan, Uzbekistan, Turkmenistan, Tajikistan, China and Iran—in 2002. Despite the facade of good intentions, the present mission in Afghanistan has been particularly undermined by the indirect and direct activities of one nation—Pakistan. Pakistan's role in contributing and perpetuating conflict in Afghanistan is well documented (Meher, 2004; Cohen, 2007; Jones, 2007; Jaspal, 2007; Rubin, 2008; Telis, 2008; Padukone, 2012). Its support of the mujahideen during the Cold War and the Taliban in the years leading up to September 11th, and, more problematically in the years thereafter, has not only hampered post-conflict reconstruction but has served to destabilize both nations (Jalali, 2006). The nature of Afghan-Pakistan relations speaks to a complexity shaped by historical events (i.e. colonialism) and unresolved geo-political disputes (i.e. contestation over Kashmir between Pakistan and India) that continue to undermine peace and security.

6.1 The Geo-Politics of Confrontation:

Pakistan's geo-political interests in Central Asia and particularly in Afghanistan reflect the colonial legacy of the partition of British India into present day India and Pakistan. For decades, the tension between the two nations has coalesced in the unresolved conflict in Kashmir. Whether in Kashmir or presently in Afghanistan, Pakistan has generally sought "strategic depth" to counter India's influence in the region. Within the context of Afghanistan, the jockeying for strategic depth has often employed a tit-for-tat strategy, for instance throughout the Afghan civil war during the 1990s India supported the Tajik, Uzbek, and Hazara dominated Northern Alliance, while Pakistan provided resources to the Taliban. The underlying impetus of Pakistan's geo-political calculus is the positioning of India as the pre-eminent threat, thereby Afghanistan represents an area of security competition between Islamabad and New Delhi

(Kronstadt and Katzman, 2008). To this point, Rubin (2008) observes that Afghanistan has replaced Kashmir as the principal battleground between India and Pakistan. Pakistan's continued engagement in Afghanistan is driven by the fear that India is pursuing a policy of encirclement—i.e. building alliances among the nations that border Pakistan. If India were able to influence the creation of a favourable regime in Kabul, Pakistan would be flanked to the southeast by India and to the northwest by Afghanistan. This underscores Pakistan's on-going support of the Taliban and desire to assert influence in Kabul.

The notion of encirclement is paramount to explaining Pakistan's two-faced engagement in Afghanistan under the War on Terror. Pakistan's public denouncement of the terrorist attacks on September 11th and alliance with the US forced it to "sever" ties with the Taliban, "...a force [Pakistan] had nurtured, trained and equipped for almost a decade" (Telis, 2008). In doing so, Pakistan watched its foe, the Northern Alliance seize power in Kabul with the support of the US and India. Since 2001, India has attempted to expand its influence in Afghanistan by providing financial assistance, funding the construction of buildings (e.g., Afghan parliament building), roads, and establishing consulates in Jalalabad, Kandahar and Herat.³⁶ The tipping point for Pakistan was in 2005, with the announcement of US troop reductions signaled a waning commitment and fostered the perception that Afghanistan should look to India as a long-term partner (Schmitt and Cloud, 2005). Only a few years previous, Pakistan had a close relationship with the Taliban in Kabul, however, the increasing sense of an "Indian-Afghan axis" encouraged Pakistani officials to counter this trend by supporting the Taliban (Jones, 2007).

The disputed border or Durand Line partitioning Pakistan and Afghanistan is another vestige of colonialism which continues to influence instability and insecurity between the two nations. Imposed in 1893, by the British, the Durand Line divided the Pashtun tribes inhabiting south-eastern Afghanistan (i.e. Kandahar) from those in north-western Pakistan (i.e. the Federally Administered Tribal Areas, North-Western Frontier Province and Baluchistan). Over the years, the border has been a source of hostility and tension with periodic calls for a united Pashtun territory (Pashtunistan) incorporating the Pakistani territories (O'Loughlin et al, 2010).

³⁶ India's financing of road construction near the Afghan-Pakistan border was particularly contentious. It was reported that these projects were managed by the Indian state-owned Border Roads Organisation, whose mission is to support the strategic needs of the Indian armed forces (Jones, 2007). In addition, Pakistan has accused India of using its consulates for terrorist purposes and inciting unrest. Some have suggest, that the bombing of India's embassy by presumably pro-Pakistan factions was response to its increasing influence in Afghanistan(Katzman, 2008)

The point of divergence is that Pakistan has insisted on recognizing the Durand Line as the official border, whereas Kabul has never shared this view (Kronstadt and Katzman, 2008). Regardless, the problem at hand is that the border between Pakistan and Afghanistan encompasses inhospitable terrain and unmanned crossings making it porous, allowing an unimpeded flow of insurgents from the Federally Administered Tribal Areas (FATA) into southern Afghanistan.

The unique conditions of the FATA and the North-Western Frontier Province (NWFP) have transformed them into effective staging grounds or “safe havens” for insurgent activities that undermine security in both Afghanistan and Pakistan. Specifically, the FATA are largely autonomous and independent of Islamabad, consequently there is little oversight in the provision of public services, patronage regulates loyalty, and corruption is rife (Jones, 2002). Some reports describe the FATA as “the most ungoverned, [and] combustible regions in the world” (Katzman, 2008). Similarly, the Economist (2007) referred to the FATA as a “twilight zone of semi-autonomous anarchy” where significant swathes “are largely ungoverned, constituting less a failed state than place where the state...[is] hardly even tried.” As mentioned previously, the FATA and south-eastern Afghanistan share the Pashtun tribal identity, which has permitted the Taliban to find anonymity in this area. Telis (2008) observes that following their defeat in 2001, much of the rank and file of the Taliban sought refuge in villages on the western side of the Durand Line. This observation is shared by Johnson and Manson (2008) who observe that the US invasion of Afghanistan precipitated an influx of Taliban and al-Qaeda militants into the FATA and NWFP regions, resulting in the consolidation of extremist control in the region.

Control of the FATA and NWFP along the border by extremists and insurgent groups like the Taliban have unequivocally impacted security in Afghanistan. These areas provide an almost impregnable base for command and control, fundraising, recruiting, training, and launching and recovery of military operations and terrorist attacks (Rubin, 2008). Evidence of this is provided by US commanders, who estimated that about 30 percent of all attacks in Afghanistan were the result of militants crossing the border from Pakistan (Katzman, 2008). Given this, the Pentagon has stated publicly that “the existence of militant sanctuaries inside Pakistan...represents the greatest challenge to long-term security within Afghanistan” (Kronstadt and Katzman, 2008). As one US Special Forces assessment concluded, “the sanctuary provided by crossing into the Pakistani tribal areas...has contributed more to the survival of the insurgents than any other

factor” (Jones, 2007). This raises an important question, if the War on Terror was premised on the elimination of terrorist sanctuaries why would the US partner with Pakistan?

6.2 Partnering with Pakistan and the Impacts on Security:

Although the US and Pakistan were staunch allies during the Cold War, united in expelling the Soviets from Afghanistan, the relationship dissolved following the disclosure of Pakistan’s nuclear program in the 1990s. Between the end of the Cold War and September 11th America halted weapons transfers, imposed sanctions, and cut aid to Pakistan. The events of September 11th would precipitate America’s re-engagement with Pakistan. Some say America’s relationship with Pakistan was renewed by a combination of personal affinities, military requirements, and few other options. Regardless, President George W. Bush’s trust³⁷ in President Musharraf to be an effective ally in the War on Terror may have been misplaced, however, at the outset Pakistan was willing to distance itself from the Taliban and provide support for American military operations in Afghanistan.

Pakistan supported American military operations in Afghanistan in a variety of ways. First, Pakistan granted the US access to its airspace, following the unwillingness of Iran to do the same. Second, the US was granted access to a limited number Pakistani military bases with accompanying Pakistani troops to provide protection for those bases and for US ships in the Indian Ocean. Third, the US received logistical support, including fuel and access to ports to deliver supplies. Fourth, the Pakistani military deployed approximately 80,000 soldiers to the FATA and NWFP to assist in the capture of al Qaeda and Taliban fighters fleeing Afghanistan. Fifth, Pakistan provided intelligence about al Qaeda and other extremist groups in Afghanistan and Pakistan (Meher, 2004; Cohen, 2007; Jones, 2007; Jaspal, 2007; Rubin, 2008; Telis, 2008; Padukone, 2012).

In return for its participation in the War on Terror, the US repealed sanctions and restored the flow of aid to Pakistan. From 2002 to 2007, Pakistan received more than \$10 billion dollars for military, economic, and development activities (Tellis, 2008). Much of the aid was annual reimbursements for Pakistan’s participation in Operation Enduring Freedom and counter-terrorism operations in the FATA. In this regard, American aid to Pakistan reflected a quid pro-

³⁷ President Bush states When [Musharraf] looks me in the eye and says...there won’t be Taliban and won’t be al-Qaeda, I believe him, you know?” (Cohen and Chollet 2007).

quo relationship insofar as the financial assistance can be seen as thank you to the Musharraf government for its role in the War on Terror (Cohen and Chollet, 2007). Therefore, aid to Pakistan was primarily fixed to security and counter-terrorism operations, not strengthening Pakistan's internal stability through developmental reforms.³⁸ This pattern is reminiscent of American aid during the 1980s. The 9/11 Commission (2004) concluded that US assistance had not "moved sufficiently beyond security assistance to include significant funding for education efforts." A subsequent report by the US Government Accountability Office (2008) found that:

There have been limited efforts, however, to address other underlying causes of terrorism in the FATA, such as providing development assistance or addressing the FATA's political needs. For example, although the FATA has some of the worst development indicators in Pakistan and is ruled under colonial administrative and legal structures dating from 1901, the United States has devoted little funding to address these issues in the FATA.

The resulting predicament was that despite the allocation of billions of dollars in security related aid the US was no closer to increasing its influence over Pakistan with respect to controlling the Taliban or insurgents operating within its border or Pakistan being able to assert control over the FATA or NWFP where insurgents were active. The limited focus on security prevented wider allocations of aid to addressing the underlying conditions driving instability in Pakistan.

The emergence of terrorist sanctuaries in Pakistan's FATA and other areas along the Afghan border are not only attributable to the unique conditions (i.e. relative unpoliced, homogeneous tribes, geographically isolated, etc.) but conscious action and inaction on behalf of the Pakistani government. To paraphrase Kronstadt and Katzman (2008), if Pakistan's army has conducted unprecedented operations in the FATA, why has it been so ineffective in containing the Taliban? From the start, Pakistan adopted a selective strategy that sought to balance its goal maintaining strategic depth against India in Afghanistan with the need to be seen as supporting American objectives in the War on Terror (Jalali, 2006; Kronstadt and Katzman 2008; Rubin 2008; Tellis 2008). To achieve this dual agenda, Pakistan pursued different courses of action depending on the group. Specifically, it carried out targeted arrests and assassinations against

³⁸ According to the U.S. Government Accountability Office report *Combating Terrorism: Increased Oversight and Accountability Needed over Pakistan Reimbursement Claims for Coalition Support Fund* (2008), highlights that of the approximately \$10 billion received about \$5.8 billion was directed towards combat operations in the FATA. In addition, 96 percent of the \$5.8 billion was to reimburse the Pakistani government. The GAO was only able to identify two non-military activities in the FATA, one the State Department's Border Security Program, which received about \$187 million, and USAID development activities, which amounted to about \$40 million.

domestic sectarian groups whose jihadi-violence within Pakistan was not aligned with national interests, vis-à-vis India and Afghanistan. Conversely, “terrorist” groups (i.e. the Taliban) operating under the direction of the ISI in support against India were largely exempt from Musharraf’s domestic campaign against violence and extremism (Telis, 2008). Evidence of Pakistan’s strategy is reflected in the capture of numerous al-Qaeda operatives, including senior leaders and comparatively low numbers of Taliban killed or captured in the FATA (Rubin, 2008, Katzman, 2008). Perhaps a key contributor was the fact the Taliban were ethnically Pashtun, and therefore able to blend in whereas non-Pashtun al-Qaeda operatives were more easily detectable.

The aiding and abetting of the Taliban is directly tied to Pakistan’s geo-political interests. As a result, the Taliban have benefited from the protection and patronage of the Pakistan ISI. Specifically, the ISI have reportedly provided weapons and ammunition, financial assistance, and continued to support or ignore Taliban recruiting centers (i.e. madrassas) and training camps (Jalali, 2006; Jones, 2007). Incidents have been identified by US and NATO officials where the ISI has divulged intelligence (tactical, operational, and strategic levels) to the Taliban undermining counter-terrorism and insurgency operations (Jones, 2007). The ISI and Pakistani government’s active role in supporting the Taliban can also be seen in the fact that they have transformed FATA into a staging ground for militants to conduct asymmetric warfare in Afghanistan (Rubin, 2008). The above instances represent active contributions to undermining peace and security in Afghanistan; however, Pakistan has also contributed in passive ways as well.

Following September 11th, the Pakistani military attempted to exert control over the FATA. By 2003, there were approximately 70,000 Pakistani soldiers conducting counter-terrorism operation in the region (Jalali, 2006; Kronstadt and Katzman 2008). As a result of these operations, the Pakistani military sustained significant casualties precipitating a change in approach. Rather than directly engage the Taliban and al-Qaeda in the FATA, the Musharraf government opted to negotiate a series of peace deals (2004, 2005, and 2006) with tribal leaders fronting for the Taliban. The premise was that the government would cease military operations in the FATA, if tribal leaders stopped sheltering militants. Cohen and Chollet (2007) argue that “Musharraf’s decision to use tribal elders to rein in insurgents [was] less a strategy for victory than a means of removing his army from the battlefield and protecting them in their barracks.” Johnson and Mason (2008) lend credence to this statement because the ultimate outcome of this

strategy was that the Pakistani Army released captured insurgents from the area, returned seized weapons, ceased its patrols, dismantled checkpoints and even paid reparations for damages they caused. Fundamentally, these concessions did not reduce militant or Taliban activities in the FATA. In fact, it created a more conducive space for insurgents to plan, train, recruit, and regroup. Moreover, it is no surprise that future security assessments conducted by the US departments of State and National Defence would find that Pakistan was a major source of Islamic extremism and a safe haven for terrorists or that al Qaeda and other Pakistan-based militants pose a threat to Pakistan as well (GAO, 2008). The escalation of the insurgency since 2006 highlights the impact of Pakistan's complicity not only in nurturing terrorism but contributions to insecurity and instability on both sides of the Durand Line.

Critically, Pakistan's geo-political interests were not amenable to the objectives or the requirements of the War on Terror. Its counter-productive approach to targeting some terrorist organizations while protecting others has produced dire consequences not only within its borders but in Afghanistan. Principally, extremists in the FATA have expanded across the Pashtun belt seizing control of tribal areas on both sides of the Durand Line (Telis, 2008). With respect to the research question of the impact of Pakistan's geo-political ambitions on security in Afghanistan, the affect is unequivocal. Pakistan's support of the Taliban and other select insurgent groups residing in the FATA is a critical factor explaining the persistence of insecurity in Afghanistan. A military defeat of the Taliban and other insurgent groups would have likely been possible had they not had the opportunity to take refuge in the tribal areas of Pakistan, affording the ability to regroup and plan future attacks. Pakistan's aiding and abetting of the Taliban to achieve its geo-political goals vis-à-vis India has undercut efforts to advance peace and stability in Afghanistan. Looking to the future, if the conditions in Afghanistan continue to deteriorate, Pakistan has no incentive to renounce its support of the Taliban because if a civil war were to ensue post-2014, its chances of asserting influence in Kabul increase; therefore, reinforcing Pakistan's willingness to support the Taliban at the expense of security in Afghanistan. The role of Pakistan in affecting insecurity in Afghanistan is significant, allowing it to be part of the problem and the solution.

7.0 Conclusion:

In spite of the military prowess, technocrat knowledge, and guiding virtue of liberal democracy, the US along with the international community have been unable to transform Afghanistan from a fragile, war torn state into a functioning democratic nation. Although there are small successes to speak of, nevertheless the resounding question is not one of hope and opportunity but trepidation. Will Afghanistan relapse into a civil war once the West has left? At present, the signs are grim. Available evidence strongly suggests that conflict and insecurity will remain fixtures of Afghanistan's identity. This paper has sought to contribute to the understanding of why future insecurity in Afghanistan is a probable reality, if not inevitable. The analysis has highlighted key issues affecting security that were documented during the first five years of the engagement. Yet, the persistence of the issues not only explains why insecurity remains a problem but illuminates a whole host of other factors that constrain peace and stability (e.g., corruption).

This paper has advanced the premise that the lack of convergence between the strategies employed in the War on Terror and the requirements for post-conflict reconstruction is the principal overarching contributor to insecurity. The absence of a cohesive approach to bridge these two objectives has resulted in counter-productive policies and shown the inherent dysfunction within American foreign policy. At the outset of the invasion, the rhetoric pertaining to fragile states was that they were potential sources of terrorism due to the erosion of the state, exemplified by the inability of the central government to assert control within its borders. Yet, to address the breakdown of the state that resulted in 9/11, the US sought to eliminate the threat by hunting down the Taliban and al-Qaeda. Nation-building was not on the horizon, and therefore the future implications of how the War on Terror was conducted were of little consequence. As such, the employment of Afghan warlords in US military operations is both the quintessential example of the disconnection between the War on Terror and the requirements for post-conflict reconstruction, and one of the defining factors explaining the persistence of insecurity. The US re-empowered a group of individuals who were perpetrators of mass human rights abuses, leaders of criminal organizations and drug trafficking networks. Fundamentally, they had no vested interest in a functioning Afghanistan. The infusion of money and resources forced the nascent Afghan government to co-opt or bribe warlords for peace, rather than confront them

(Baithwaite and Wardak, 2013). Inclusion of these spoilers into ministries, parliament, and security forces has not only stained the Government of Afghanistan with illegitimacy but transformed it into a “savage criminal enterprise” run by a few people (Nixon, 2011).

Warlords/militia commanders in positions of authority have intensified ethnic fissures, made corruption endemic, manipulated and undermined SSR across every pillar. It is confounding to think that the US sought to mitigate security threats and remake Afghanistan into a model liberal-democracy by utilizing warlords—who themselves are sources of predation, instability and insecurity.

Another defining element reflecting the lack of convergence between the agendas of the War on Terror and post-conflict reconstruction was BA-1. Not only did it formally confirm the power of warlords in the post-Taliban government and ineffective approach to SSR, but it failed to seek a peace agreement or cease fire with the Taliban. By not doing so, Afghanistan became a perpetual in-conflict country, unequivocally increasing not only the difficulty of post-conflict reconstruction but critically hampering the potential for success. This was a lost opportunity that will haunt Afghanistan because the Taliban and other insurgent groups have no incentive to negotiate with the likelihood of their bargaining positions strengthening following 2014. Moreover, this grave miscalculation indisputably set the course for insecurity because it never created the space for peace, only conflict. The inescapable reality is that a country cannot be rebuilt in the midst of a war.

Although, the establishment of functioning security institutions such as the ANA and ANP or judiciary, serve the needs of both the War on Terror and post-conflict reconstruction, all have been affected to varying degrees by capacity issues, corruption, factionalism and poor donor coordination. SSR in Afghanistan remains a failed or at best an incomplete enterprise. Aside from the relative success of the ANA, there is a litany of examples that speak to a troubling void in Afghanistan’s security sector. Without a functioning security sector that upholds the rule of law, protects citizens, and permits the Government of Afghanistan to monopolize the use of force, insecurity and criminality will persist.

The choice of Pakistan as an ally in the War on Terror has not only contributed to insecurity but highlights a major factor underscoring the absence of peace and stability in Afghanistan. It has been shown that American military aid to Pakistan has only stoked extremist activities in the FATA, while failing to address other contributing factors (i.e. poverty or

education). Given America's knowledge of the geo-political ambitions of Pakistan (i.e. strategic depth against India) and its relationship with the Taliban, it remains puzzling that the US would not only partner with them and then support their adversarial proxies (Northern Alliance warlords) during the invasion and in the years thereafter. It is no surprise therefore that the Pakistani ISI elected to continue to support the Taliban and other insurgent groups. In a simplistic way, the selection of Pakistan as an ally aligns with the premise that the War on Terror and post-conflict reconstruction were not integrated. Nevertheless, until the ANSF have the capacity to effectively patrol and enforce the law, and Islamabad devises a strategy to enhance governance within FATA and rein in the ISI, the cross-border flow of insurgents will continue.

It is hard to be optimistic about Afghanistan's future, when history seems destined to repeat itself. Unfortunately following 2014, the Afghanistan landscape will again endure conflict. Where old scars have healed new ones will form. Leonard Cohen was once sung "I've seen the future, brother: its murder."

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ANNEX A: MRP Proposal

I. Statement of Research

In the decade since the US-led invasion, Afghanistan's instability continues. The potential of complete state failure looms as coalition nations plan and practise the withdrawal of troops and transfer security responsibilities to the Afghan government. Understanding why the international community has been unable to help Afghanistan's transition from fragility to stability underscores the objective of this research project. Such a question, however, requires analysis of a myriad of issues that cut across security, development, governance and foreign aid. The scope of this research paper will be limited mainly to the security sphere, specifically, policies and strategies applied during the war in 2001 and pursued until 2005 when the transitional provisions of the first Bonn Agreement ended.

The objective of this paper will be two-fold, (1) to analyze the disconnect between the War on Terror (particularly counter-terrorism and insurgency operations) and the exercise of post-conflict reconstruction³⁹ - resulting in conflicting and sometimes irreconcilable objectives; (2) demonstrate how this policy gap laid the ground work for insecurity between 2001-2005 and thereafter. Supporting research questions include:

4. to what extent did the US support of Afghan warlords affect the governing capacity of the Interim Administration and subsequent Karzai Administration?
5. how did the failure to successfully implement Security Sector Reform (SSR) requirements contribute to insecurity?
6. how have Pakistan's geopolitical interests exacerbated insecurity in Afghanistan?

Accordingly, the analysis will touch upon the dubious use of factional leaders (i.e. warlords) in counter-terrorism and insurgency operations, the inability of the first Bonn Agreement to promote long-term peace and stability, the various impediments to successful SSR, and the enlistment of Pakistan as an ally in the War on Terror. Such an analytic approach will help identify drivers of insecurity during a pivotal period and assess their impact on future security and stability. The present environment of insecurity in Afghanistan is the direct/indirect outcome of certain policy decisions during the first five years of the intervention. Identifying specific decisions will assist in understanding why the international community has fallen short in reconstructing Afghanistan.

II. Rationale and Significance

Peceney & Bosin (2011) observe that US policymakers made critical choices at the outset of the intervention that contradicted and undermined mission objectives, and weakened the capacity of the Afghan state. Using a retrospective lens, it is possible to understand how and why insecurity in Afghanistan emerged historically, transformed and intensified since the US invasion in 2001. In doing so, a literature review of past decisions and actions reveals significant policy errors and gaps; the absence of a grand strategy that would effectively bridge the objectives of the War on Terror and post-conflict reconstruction resulting in the subordination of reconstruction to the aims of counter-terrorism (Sedra 2002, 2006; Carothers 2003; Rubin 2006;

³⁹ Goetze and Guzina (2008) observe that since 1990s, peace-building has become synonymous with nation building. Despite conceptual differences in origin, peace-building, nation-building and post-conflict reconstruction will be used in reference to broad processes that promote peace and stability, development, the transition to democracy, rebuilding of institutions and infrastructure (Call & Cook 2003; Fukuyama 2004; Dobbins et.al).

Goodhand 2008; Katzman 2008; Gross 2009; Mukhopahyay 2009). The high risk decision to adopt a light footprint as the framework for intervention has proven ineffective in establishing security within a country still in conflict (Sedra 2006; Gross 2009). Also, the exclusion of the Taliban from the Bonn process failed to address reconciliation and initiated reconstruction in the absence of a peace agreement or ceasefire (Meher 2004; Rubin 2006; Sedra 2006; Ishizuka 2007), which endangered the reconstruction process. The empowerment of fractional groups (i.e. warlords), with interests conflicting with those of the state challenged the authority of the Afghan government, and its ability to promote peace and security (Cordesman 2002; Ayub and Kouvo 2008). In addition, disjointed efforts between the Afghan government and international donors failed to develop a functioning security sector, defined by effective disarmament, demobilization and reintegration (DDR) of militias and illegal armed groups, the development of an operational Afghan army and national police force, appropriate counter-narcotics strategies and a functioning justice system (Ayub, Kouvo & Wareham 2009; Gross 2009; Grossman 2009).

Broadly, the above issues are instructive: first, in highlighting negative relationships between policies pursued and concrete security related outcomes (e.g., empowerment of warlords, whose violence and illicit activities continued to challenge the authority of the Afghan government); and second, in drawing a connection between insecurity and two time-specific events (i.e. the invasion of Afghanistan and the Bonn Agreement). Analyses will bring to light how key decisions during this period (2001-2005) affected security in the longer-term. The intent in focusing on this specific period is not to discount the influence of policy decisions or events in the years following, but to demonstrate how the beginning period of 2001-2005 the establishment of security was constrained by different factors, which have had longer-term impacts on peace and stability in Afghanistan.

III. Literature Review-Contextual Analysis

The War on Terror: Liberal Peace in Theory and Insecurity in Practice

The purpose of this section is to briefly examine the liberal underpinnings of the War on Terror, and situate the intervention in Afghanistan as part of a continuum of Western interventions aimed at transmitting an internationally approved model of domestic governance (Paris 2002; Duffield 2005; Goetze and Guzina 2008). Under the War on Terror, state fragility had been positioned as a source of international terrorism. In the case of Afghanistan, the War on Terror was intended to discipline the Taliban for their support of al Qaeda, and then reconstruct the country based on a Western liberal model (i.e., open markets, human rights, the rule of law and democratic elections) (Chandler 2009). Liberal values were championed as the path to modernity for fragile and failing states as well as the building blocks for a stable international order. The underlying assumption is that liberal states are less likely to war with each other and thus they offer the ideal model for peace and stability (Goetze and Guzina 2008). This assumption is central to the US National Security Strategy – “America will encourage the advancement of democracy and economic openness because these are the best foundations for domestic stability and international order” (NSS 2003)

The imposition of liberal values and the need to mitigate security threats in Afghanistan are reflected in the convergence of the War on Terror and liberal peace-building. Liberal peace-building (or nation-building in the context of Afghanistan) shares many of the liberal assumptions expressed in the rhetoric of the War on Terror. It provides a vehicle for structural change, insofar as being premised on the cessation of conflict by establishing the necessary

security, political, legal, economic, social and cultural conditions for peace (Call and Cook 2003; Lambourne 2009). This way, liberal peace-building supports the counter-terrorism objectives of the War on Terror by mitigating potential security threats through the introduction of liberal democratic principles.

Despite, the theoretical congruence between the War on Terror and liberal peace-building, the current conditions in Afghanistan demonstrate the gulf between theory and practice. Specifically, the lack of integration, between the War on Terror and nation-building efforts resulted in the prioritization of security (i.e. counter-terrorism and insurgency operations) and the absence of a larger strategy that aligned security operations with nation-building (Barnett 2006; Sedra 2006). Nation-building initially was a secondary consideration, despite the inescapable fact that the mid to long term success in fighting terrorism would not be found in just defeating the Taliban and al-Qaeda but building a functioning nation-state (Cordesman 2002). The lack of strategic coordination between the two objectives permitted imprudent short-term policy interventions to the detriment of long-term stability. The discussion in the following sections will explore key contributors to insecurity, to clearly demonstrate the lack of coherence between the objectives and policies on War on Terror and nation-building.

A Light Footprint: A Framework for Insecurity

The Afghan mission initially was defined by two contradictory concepts – “the global war on terror” and the “light footprint” concept. Principally, the War on Terror denoted a massive mobilization of resources in combating terrorism. Yet, as the featured theatre for the War on Terror, military engagement in Afghanistan was premised on the adoption of a light footprint, the utilization of minimal military resources, specifically troops on the ground (Bhatia et. al 2004). Lakhdar Brahimi, the former UN Special Representative of the Secretary-General in Afghanistan, advocated this approach to avoid a heavy foreign presence and limit Western actions to facilitation, advice and subtle interventions. He reckoned that this would encourage Afghans to self-organize and lead the peace process (Chesterman 2002; Freeman 2007). Adoption of the light footprint was driven, to some extent, by the negative perceptions of foreign troops among the Afghan people; lessons learned from previous nation-building missions (e.g., Kosovo); reluctance of NATO countries to deploy significant number of troops in Afghanistan; and American “skittishness” regarding nation-building (Goodson 2005; Ishizuka 2007). Based on the circumstances, the light footprint was not without merit. However, as a military strategy the light footprint did not translate into an effective framework for development in the post conflict period. Specifically, it underestimated the inadequate levels of institutional and professional capacity following decades of war (Ayub, Kouvo & Wareham 2009). The limitations of the light footprint in Afghanistan are consistent with a study conducted by Doyle & Sambanis (2000) that found, “post-conflict environments characterized by hostility, complexity and impoverishment, which, in fact, typically require greater international assistance and effective authority for sustainable peace”. After four years of the light footprint policy, Ayub & Kouvo (2008) contend that the international community began to shift away, perhaps explained by the failure of the light footprint to empower Afghan institutions, ensure integrity, and accountability, and promote coordination among donors.

Another consequence of the light footprint was that it legitimated the use of Afghan warlords as proxies in overthrowing the Taliban in 2001 and their continued incorporation into US military counter-insurgency and terrorism operations. By empowering Afghan warlords to fight the Taliban and al-Qaeda, it allowed them to consolidate the power locally and regionally

(Bhatia et. al 2004; Goodson 2005; Rubin 2006). In part the decision to re-arm the warlords during the 2001 war itself demonstrated the narrow focus on fighting terrorism, with over-emphasis on short-term military objectives and negligence of long-term nation-building needs. Warlords proved problematic in terms of professional effectiveness⁴⁰ and lawlessness. Fundamentally, the use of Afghan warlords represents the principal disconnection in American policy – combating terrorism and state fragility by arming local and regional strongmen with no accountability to a centralized authority. The following section will explore how the use of Afghan warlords affected post-conflict development and security.

Fragility and Terrorism, Stability and Warlords: A Disconnect

The employment of warlords in counter-terrorism and insurgent operations stands in contradiction to War on Terror's central premise that state fragility, characterized by weak governance and the breakdown of law and order, provide conditions conducive for terrorism. Although a short-term solution (i.e. warlords/militias associated with Northern Alliance used as proxies against Taliban and al-Qaeda) this policy has exacerbated deficiencies in governance, undermined efforts to peace-build and perpetuated instability (Mukhopadhyay, 2009). Fundamentally, this disconnection between means (use of warlords) and ends (stable functioning Afghanistan) demonstrates Sedra and Middlebrook's (2004) contention that "from the outset the centrality of security was not adequately recognized in making economic development and democratization possible." The remainder of this section will elaborate on the use of Afghan warlords and the consequent effects on security and stability.

During the US invasion of 2001, Afghan warlords were used to down-play perceptions among Afghans of another foreign invasion, limiting comparisons to past invaders (i.e., British, Soviets). However, their employment was a grave miscalculation, which never advanced security, reconstruction, governance and relations with Afghans. Afghan warlords have been perpetrators of large-scale human rights abuses and have competing economic and political interests which are inimical to building a secure and democratic state (Sedra 2002; Carothers 2003; Macrae and Harmer 2003; Bhatia, Lanigan & Wilkson, 2004; Katzman 2008). Warlords are actively involved in extortion, cross border smuggling and the drug trade (Bhatia, Lanigan, & Wilkson, 2004). Yet, the American provision of arms, financial resources and legitimacy, rejuvenated Afghan warlords (primarily those affiliated with the Northern Alliance), allowing them to consolidate power. It was expressed at the International Donors Conference in December 2001 that greatest threat to reconstruction and peace-building was the lack of security caused by the resurgence of warlords (Sedra, 2002). Reactive reports to Congress have highlighted that "US dependence on local Afghan militia forces in the war strengthened them for the post-war period, setting back post-war democracy building efforts" (Katzman, 2008).

The persistence of insecurity associated with warlords highlights several key issues. First, the ousting of the Taliban created a security vacuum, which permitted two new conflicts to emerge: the Coalition's pursuit of al-Qaeda and the struggle for power between Afghan factions (Johnson 2003). Second, Middlebrook and Sedra (2004) note the empowerment of warlords effectively "returned large parts of the country back to status quo prior to 1994, when the Taliban seized power and disarmed warlords." As a result, the strengthened position of warlords presented a significant challenge to the central government. Warlords represented a competing

source of authority exercised over local populations. This not only highlighted limited reach of the Karzai administration beyond Kabul but its weak governance capacity. Fundamentally, the Karzai government lacked the necessary coercive tools (e.g., strong independent national army and police or judiciary) to marginalize or disarm warlords (Mukhopadhyay 2009). Warlords were able to undermine governance and security initiatives because they also were incorporated in state structures, obtaining positions as governors and police chiefs (Giustozzi 2009). Warlords have rewarded followers by placing them in high positions often inhibiting reforms and promoting state predation. The success of the Afghan mission has, in effect, been undermined by the reestablishment of the power of the warlords, which unequivocally impacted negatively on security and stability.

Bonn Agreement I: Setting the Parameters of Exclusion and Insecurity

The Bonn Agreement 1 (BA-1) was signed in December 2001 and ended in 2005. It was to be the blueprint for re-establishing the governing institutions of Afghanistan. Endorsed by the UN and leaders of Coalition nations, it signalled a new chapter, a transition from war to peace, where the joys of “inalienable rights and freedom [would be] unfettered by oppression and terror”⁴¹ (UN Security Council Resolution 1386). As a post-conflict agreement, the BA-1 aligned with the light foot-print, providing a flexible framework for further negotiations through the institutions it created. This strategy blurred the line between negotiating a peace agreement and implementing it (Chesterman 2002). Fundamentally, the BA-1 was not peace negotiation between warring parties, but a discussion for power-sharing in a transitional administration among the winners of Operation Enduring Freedom (Johnson 2003; Ayub and Kouvo 2008). For authors such as Barnett (2006), the BA-1 emphasized the American desire for regime change and the building of an ally in the War on Terror. The flaws of “commission and omission” in BA-1 planted the seeds for insecurity, decreasing the space for development and reconstruction.

Currently, the effort of a negotiated peace settlement with the Taliban reflects the admittance of a critical error of the Bonn 1 process – the exclusion of the Taliban. They were labelled as an enemy of the state and of the international community by the US (Ishizuka 2007; Mukhopadhyay 2009). Consequently, the BA-1 was not inclusive nor did it promote national reconciliation (especially between the Taliban and Northern Alliance), further intensifying ethnic fragmentation (Johnson 2006). For the Transitional Government of Hamid Karzai, it was a missed opportunity to negotiate with amenable elements of the Taliban in 2001 (Mukhopadhyay 2009). More importantly, the BA-1 set bumpy course for reconstruction in the absence of a ceasefire, permitting Afghanistan to remain an in-conflict country.

The Taliban’s exclusion from the BA-1 draws attention upon the actors who were included. Goodson (2005) observes that the “BA-1 brought together concerned parties from inside and outside Afghanistan.” Among the “concerned” were factional leaders associated with the Northern Alliance, who received a prominent role at Bonn in return for their service in American counter-terrorism and counter-insurgency operations (Ayub & Kouvo 2008). Despite the bloody and heinous past of the Northern Alliance, the BA-1 not only sanctioned the participation of the regional strongmen and warlords in security activities but placed power in their hands (Jalali 2009). In short, Afghanistan’s security and stability was largely entrusted to warlords. Rubin (2003) argues that the accepted logic at the time prioritized security and stability in the short-term above accountability, peace and justice in the long-term.

⁴¹ http://www.nato.int/isaf/topics/mandate/unsr/resolution_1386.pdf

Principally, the BA-1 failed to appropriately plan the detailed provisions for SSR. The BA-1 addressed SSR indirectly; emphasizing the need for an international security force until an Afghan security force was developed, and the requirement that all armed groups fall under the control of the Interim Authority (Ayub, Kouvo & Wareham 2009). The BA-1 did not mention disarmament, demobilization and reintegration (DDR), which was not implemented until 2003 (Grossman 2009). Mass (2006) argues that the inadequate priority assigned to DDR allowed paramilitary groups and criminal elements to operate freely following the BA-1. Part of the explanation shaping the minimal attention to SSR, in terms of building a national army and police force was also the immediate need for post-conflict security. , Emphasis, thus, was placed on ensuring a minimal level of security as opposed to creating credible institutions (e.g. National Afghan Police force or a strong army) (Ayub, Kouvo & Wareham 2009). SSR was further impacted by uncoordinated and different donor-led approaches, established by the BA-1, which prevented harmonized actions. This resulted in a fragmented approach that setback the operations under the key SSR pillars.

The lack of consideration paid to SSR in the BA-1 exemplifies its contribution to insecurity in Afghanistan. In light of this, the next section will briefly examine the aim of SSR and how the ineffective implementation of SSR constrained the realization of a well functioning Afghan security sector. There is a direct connection between the poor performance in this area and the outcomes of insecurity and lawlessness.

Security Sector Reform: An Uncoordinated Necessity

According to the UN (2009) SSR is critical to ensuring stability and preventing countries from relapsing into conflict. SSR is a long-term process that requires a minimum level of security to function. In the case of Afghanistan, Sedra (2004) observes the preconditions for SSR were not present and the process was accelerated to restore short-term security and stability, in the absence of conflict management mechanisms to fill the security void following the overthrow the Taliban. Gross (2009) similarly argues that the context of Afghanistan demonstrated the limitations of the SSR model because of violent challenges to state legitimacy, organized crime and corruption. Compounding the implementation of SSR was the approach set by the BA-1: [It was] prepared in a great hurry, without first hand data or experience of Afghan costs or conditions, which contributed to the formulation of pledges and support structures that grossly underestimated the reconstruction needs of the country, particularly in the security sector (Rubin 2004).

The SSR program was finalized in 2002, designating lead nations to spearhead key initiatives. The US was assumed responsibility for military reform, and training the Afghan National Army (ANA), Germany for the Afghan National Police (ANP), Italy for justice, Japan for DDR, and the UK for counter-narcotics (Ayub and Kouvo 2008). By giving donors a vested interested in the process, the intent was to secure their commitment long-term. According to Sedra (2006) this framework “encouraged donor rivalries and competition, hindered the exploitation of synergies across the sector and increased Afghan suspicions of the process.” The purpose of this section is to discuss the short-coming of SSR and where applicable, connect the short-comings to the contradiction between military operations in the War on Terror and nation building efforts.

Disarmament, Demobilization and Reintegration:

As mentioned previously, Afghan militia leaders associated with the Northern Alliance were able to influence the decisions of the first Bonn conference. A prime example was their preference to defer the start of the DDR process, stalling its initiation until 2003. Broadly, the objective of DDR in Afghanistan was to reintegrate personnel from the existing Afghan militias (whose loyalty to the new government was questionable) back into the society by providing vocational training and capital to start their own business (Zenkevicius 2007). This also supported the development of a national army, by replacing disconnected forces and personal militias with a centralized army. The DDR program was administered through Afghanistan New Beginning Program (ANBP), supported by Japan as the lead donor and the United Nations Development Program (as the implementer, with other donors making financial contributions), for a three-year period with a mandate target of 100,000 soldiers and officers for DDR (Grossman 2009).

The effectiveness DDR program was hampered by poor design and manipulation by government officials. Principally, a needs assessment to determine the number of soldiers and weapons to be reintegrated and collected was not conducted. Consequently, ANBP officials were forced to rely on figures provided by the the Afghan Ministry of Defence (MOD), specifically for the number of weapons collected. The MOD's leadership included former militia commanders (e.g., Deputy Minister Baryalai), who had a vested interest in overstating the number of troops disarmed and weapons collected, as the basis of claiming more resources from the central government (Sedra 2006; Stanekzai 2011). According to ANBP figures, 70,000 weapons had been collected from 63, 380 combatants, however, Rossi and Giustozzi (2006) note that despite these recorded figures, militias in effect handed over as few weapons as possible and that 36 percent of the weapons were unserviceable/unusable.

Another design flaw of the DDR program was the limited scope, which over emphasized active Afghan Military Forces and regular militia while excluding irregular tribal forces and the disbandment of illegally armed groups (DIAG)⁴². The DIAG program was not implemented until 2005, targeting 2,000 illegal armed groups and more than 100,000 members of the illegal armed groups through voluntary, negotiated and forced disbandment (Jalali 2006). Although official numbers estimated that there were 120,000 armed persons operating in over 1800 illegal groups, Zenkevicius (2007) contends that figures were likely 20-30 times higher because of the 3-4 million illegal light weapons and ammunition withheld by the Afghan population. The above figures underline the failure of DIAG because it was only effective in four provinces (Laghman, Kapisa, Heart and Farah) and was not operational in southern Afghanistan (2007). Consequently, there remained a significant number of illegal groups scattered throughout Afghanistan perpetuating the drug industry, imposing illegal taxes and impeding the progress of government authority (Stanekzai 2011).

When the DDR program concluded in 2006, international donors spent over US \$100 million, more than double the initial budget, without collecting an adequate number of weapons or providing the necessary conditions for reintegration. Giustozzi (2008) argues that there was "little effort made to prevent ex-combatants from being reabsorbed by new or old systems of patronage run by warlords and local commanders." Reintegration efforts were hampered by poor vocational training that did not provide the skills required in the market combined with insufficient analysis of local economic conditions (Grossman 2009). Therefore, DDR today is

⁴² In 2005 a DIAG was implemented as a government-led program supported by the international community and Japan, acting as the lead nation.

seen largely as a symbolic initiative and basically a failure because of poor design and narrow scope that prevented effective and wide spread demilitarization of armed groups (i.e. local and regional strongmen, and warlords), who continue to undermine peace and security.

Afghan National Army and Police Force:

With respect to the development of the Afghan National Army (ANA), in 2002, the challenge facing donors was how to create an effective national army and police forces from a group, comprised mostly of factional commanders and their militias, which had little or no equipment or infrastructure, who were unpaid or under-paid, and who maintained corrupt relationships with factionalized institutions (Ministry of Defense and Interior) (Wilder 2007). The development of ANA was hampered by difficulties of recruitment and retention. It was especially problematic in 2003 with a desertion rate of 10 percent a month and a standing enlistment of 9,700 (Sedra 2006). Efforts to improve recruitment and retention have been pursued through salary increases; however, salary increases have been linked to a cyclical behaviour of soldiers going absent after earning enough to subsist for a period of time (Brookings Institute 2010; CIGI 2010). From the start the operational capacity of the ANA was a concern and it promoted continued dependence on Coalition militaries for strategic and tactical leadership as well as logistical support (SIGAR 2009).

Since 2002, the ANP has been riddled with allegations of police predation and corruption. Security and safety has been adversely affected because the ANP is failing to uphold its mandate, enforcement of the rule of law and the protection of Afghan citizens (Sedra 2006; Wilder 2007; Perito 2009; FPRI 2010). Issues such as inappropriate training, high rates of illiteracy amongst recruits, poor equipment, donor emphasis on quantity versus quality of ANP personnel and weak government – and poor donor coordination have constrained the ANP's development (Wilder 2007; Perito 2009; FPRI 2010). The short-comings of ANA and ANP development are notable factors that have contributed to an environment of insecurity in Afghanistan.

Counter-Narcotics:

Post-conflict Afghanistan has become the world's largest illicit-producers of opium and heroin. The United Nations' 2007 World Drug Report cited a 100 percent increase in Afghanistan's opium production from 2001 to 2006, contributing to Afghanistan's 75 percent share of the global heroin market (Ghufran 2008). Sherman and Rubin (2008) argue that the explosion of narcotics production is a function of "political insecurity and social chaos in Afghanistan creat[ing] the conditions for the illicit drug industry." Narcotics production hampers reconstruction because it "provides resources to insurgents and criminals, promotes corruption among public officials, and discourages participation in the licit economy" (Perito 2009). Despite the earnest need for effective drug control strategies, the principal policy of crop eradication has failed to promote stability and security (exemplified by the confliction between counter-narcotics and counter-insurgency/terrorism operations), economic development and undermined the legitimacy of the Interim Administration (Corti and Swain 2009; Felbab 2005;2012; Lacouture 2008; Sedra 2006). The inability to implement an effective counter-narcotics approach is another factor explaining the limited success of SSR outlined in the BA-1.

Different strategic frameworks were developed from 2001 to 2005 (e.g., Afghan National Drug Control Strategy, US ‘Five Pillar’ Strategy, Governor Led Eradication)⁴³ advocating a mixture of initiatives, including rural /alternative development, eradication and interdiction. By 2004, the US prioritized crop eradication as the primary objective following consecutive years of increased opium production⁴⁴. American emphasis on eradication was expressed in 2005, when it spent \$258 million on eradication of a possible \$782 million ear marked for counter-narcotics initiatives (Lacouture 2008). A study conducted by Senlis Afghanistan, “Five Years Later: The Return of the Taliban” (2006) concluded that the misinformed strategy of eradication diverted substantial amounts of funds away from development and poverty relief. The policy of eradication failed to address the root causes of production, and its vital function in guaranteeing survival, accessing credit, land and income. In addition, eradication resulted in shifting production, rising prices and incentivizing production in Afghanistan (Corti and Swain 2009).

From a security perspective, eradication was divisive and destabilizing. Felbab-Brown (2012) argues that eradication created economic refugees and alienated rural populations from the national government, creating an opportunity for Taliban mobilization. Regional warlords benefited similarly from the adverse impacts of eradication because they too were able exploit popular discontent to consolidate their power base (Felbab-Brown 2005). Consequently, counter-terrorism and insurgency operations were also impacted because warlords and local populations who profit or depend on opium production were less willing to cooperate or provide reliable intelligence (Lacouture 2008). Moreover, the lack of sustained peace and successful development strategies (e.g. crop substitution⁴⁵) underscored increases in production. This was problematic, given that an estimated 70 percent of the Taliban’s income (approx. \$200-\$400 million annually) was derived from a 10 percent tax on farmers, protection money from traffickers and the sale of opium (Lacouture 2008; Perito 2009). Eradication failed to achieve the aim for denying a lucrative source of income to the Taliban and warlords, promoting a transition to licit economic activity and creating stability.

Judicial Reform:

After successive decades of conflict Afghanistan’s legal infrastructure (courthouses, prisons) and capacity (qualified lawyers, judges, other legal personnel, etc) was eroded. Sedra (2006) quotes one observer, “every aspect of a functioning judiciary is presently absent.” Prior to the invasion of 2001, rule-of-law was based on the Taliban’s harsh interpretation of the Quaran with mullahs dispensing sentencing without independent review (Zenkevicius, 2007). Also rule-of-law functions often rested in the hands of regional power-holders, who regardless of official position exercised political, police and judicial authority through their control of militia forces (Miller & Perito 2004). Despite the size and complexity of rebuilding the judicial system, it has been a process rife with problems.

⁴³ The Afghan National Drug Control Strategy (NDCS) was launched in 2003 identifying four key areas: (1) disrupting the drug trade; (2) strengthening and diversifying legal rural livelihoods; (3) reducing the demand for illicit drugs and treatment of problem drug users; and (4) developing state institutions at the central and provincial level (NDCS 2003). Comparatively the US developed its Five Pillar Strategy in parallel focusing on the following areas: (1) alternative livelihoods; (2) elimination/eradication; (3) interdiction; (4) law enforcement/justice reform; and (5) public information (US Counter-Narcotics Strategy for Afghanistan 2007).

⁴⁴ The 2008 UNODC Report estimates Afghanistan’s cultivation and production for 2001 (185 tons); 2002 (3,400 tons); 2003 (3,600 tons); 2004 (4,200 tons); 2005 (4,100 tons)

⁴⁵ The 2007 UNODC Opium Survey in Afghan revealed that the gross income from hectare of opium was \$5,200 (US) compared to \$546 for wheat (US) (UNOC 2007).

The BA-1 established the Judicial Commission of Afghanistan with mandate of reconstructing the nation's legal system. Afghanistan's justice system was to be rebuilt in accordance with Islamic principles, international standards, rule-of-law and Afghan legal traditions (International Crisis Group 2003). Yet, the merging of western and Islamic legal principles has also presented itself as a significant issue. An international panel led by the distinguished legal scholar, Cherif Bassiouni, concluded that donors had failed to link reforms to "the foundation for justice in Afghanistan – Islamic law." International support for rule-of-law programs has tended to ignore or avoid issues of Islamic law (Suhrke & Borchgrevink 2008). Therefore, the preference towards western legal norms negatively impacted the acceptance of legal reforms among the Afghanistan's population.

Perhaps, one the greatest obstacle in gaining the acceptance and trust of the Afghan people in the emergent judicial system was the influence warlords and regional commanders. Corruption is wide-spread in Afghanistan, consequently local power-holders (i.e. warlords, police chiefs, and provincial governors) were able to sway judges and prosecutors influencing who is prosecuted (Miller & Perito 2004; Zenkevicius 2007). Furthermore, Wardak (2004) highlights that the lack of cooperation between the police and the judiciary is partly reflective of the fact that the ANP post-2001 was largely comprised of Northern Alliance Militia, whose allegiance was to their factional patrons rather than to the national Afghan Interim Administration. As much as capacity of legal personnel has been identified as a gap, the incorporation of warlords and individuals who have committed human rights abuses into positions of power (ministers, parliamentarians, etc) is one the principle concerns. For example, the Afghan Independent Human Rights Commission was devised to address abuses of the past. However, Grossman (2009) observes that by 2002 "commanders implicated in human rights abuses and war crimes had entrenched themselves in positions of power... [and were seeking] to discredit transitional justice initiatives claiming that such programs maligned the mujahideen, who liberated Afghanistan from the Soviets." Borrowing from Miller & Perito (2004) how can there be any kind of accountability for past war crimes and human rights violations if many perpetrators continue to wield power either within the Transitional Administration or outside it.

The process of judicial reform has been plagued with other problems. Principally, the building of an independent judiciary has been secondary to other rule-of-law initiatives such as policing (Miller & Perito 2004; Wardak 2004; Zenkevicius 2007). For instance in 2004, the US provided \$13 million in support of judicial reform, constitutional, and human rights commissions, while allocating \$110 million for police training (Miller & Perito 2004). Serda (2006) highlights that at the start of 2005, the justice sector had only received two to four percent of funds allocated for security sector institutions. Lack of resourcing is in part attributable to the fact that the BA-1 excluded justice from the five pillars of security sector reform, resulting in the separation of rule-of-law and justice reform stabilization and SSR strategies (Ayub, kouvo & Wareham 2009). In addition, poor coordination among international stakeholders is also to blame, as the lead nation Italy was seen as focusing on the implementation of its projects instead broader coordination (2004). Compounding matters, Sedra (2006) notes that international stakeholders became factional players preventing the creation of an overarching strategy, preventing overlapping and incompatible programs.

Without a functioning and independent judiciary the rule-of-law and sound governance are impossible. Stability and security require the enforcement of laws; however, the shortcomings in the area of judicial reform highlight another instance where counter-terrorism and insurgency strategies have conflicted with reconstruction initiatives. The empowerment of

warlords within and outside the Interim Administration is a primary factor, which has undermined each pillar of SSR. They have sabotaged efforts to rebuild Afghanistan because warlords profit from illicit activities (i.e. narcotics trafficking), and have a vested interest in insecurity and a dysfunctional central government. However, the poor achievement of SSR programs is also due to lack coordination among donors, flawed methodology and design of SSR programs, capacity issues (e.g., skills) and corruption. Many of the issues presented above explain why the international community has struggled to transition Afghanistan from fragility to stability and why insecurity continues.

Pakistan: Ally in the War on Terror, Spoiler in Afghanistan

Pakistan's reluctance and inability to address sources of terrorism within its borders has contributed to increasing insecurity in Afghanistan (Meher 2004; Johnson and Mason 2008; Rubin 2008; Tellis 2008; O'Loughlin et al. 2010; Riedel et al. 2010). The Pentagon has stated publicly that "the existence of militant sanctuaries inside Pakistan...represents the greatest challenge to long-term security within Afghanistan" (Kronstadt and Katzman 2008). Despite receiving billions in security and economic aid (\$10b 2002-2008 see Tellis 2008) as a partner in the War on Terror, Pakistan remains committed to its own geopolitical interests. The present NATO mission in Afghanistan cannot be absolved of responsibilities for many of the problems which have engulfed the region. For decades, Pakistan sought to build a sphere of influence within Afghanistan, exemplified by its continuous support of the mujahideens during the Soviet invasion in 1970s and civil war with the Northern Alliance in the 1980s. Pakistan wants to use Afghanistan as a strategic ally in its unresolved conflict with India. Earlier, competing interests between the two nations had fuelled the conflict in Kashmir. Rubin (2008) observes that Afghanistan has replaced Kashmir as the principal battleground between India and Pakistan. Pakistan's continued engagement in Afghanistan is driven by the fear that India is pursuing a policy of encirclement - i.e. building alliances among the nations that border Pakistan. If India were able influence the creation of a favourable regime in Kabul, Pakistan would be flanked to southeast by India and northwest by Afghanistan. This underscores Pakistan's on-going support of the Taliban and desire to assert influence over Kabul.

Another geopolitical issue tied to insecurity is the disputed border between Pakistan and Afghanistan. A contested remnant of Colonialism, the Durand Line divides Pashtun tribes inhabiting the Federally Administered Tribal Areas (FATA) and North-Western Frontier Province (NWFP) from Pashtuns in south-eastern Afghanistan. Kabul has never recognized the Durand borderline; Pakistan's insistence on Durand line as the valid border fuels enmity between the countries. A porous borderline allows ethnic Pashtuns involved with insurgency (i.e. Taliban) to move unchecked, evading capture in Afghanistan and regrouping in Pakistan. Taliban recruitment has been most concentrated in the FATA and NWFP of Pakistan and south-eastern Afghanistan (Tellis 2008). The FATA are largely autonomous and independent of Islamabad, consequently, the Pakistani military has turned the FATA into a staging ground for militants to conduct asymmetric warfare in Afghanistan (Rubin 2008).

The War on Terror required Pakistan to adopt a selective approach to counter-terrorism. Principally, Pakistan's strategy has been to target al-Qaeda operatives while retaining the Afghan Taliban as a strategic source of pressure on Afghanistan (Kronstadt and Katzman 2008; Rubin 2008; Tellis 2008). Evidence of Pakistan's strategy is reflected in the capture of numerous al-Qaeda operatives, including senior leaders and comparatively low numbers of Taliban killed or captured in southern Afghanistan or in the FATA (Tellis 2008). Despite conflicting interests and policies of the US and Pakistan, America's continued support of Pakistan reveals several factors;

a dependence on the Pakistani army for intelligence about al Qaeda and other extremist groups (Meher 2004; Rubin 2008); a logistical dependence, as the American military relies on supply routes running through Pakistan to support operations in Afghanistan and the coalition air campaign when operating from ships in the Arabian Sea or bases in the Persian Gulf (Jaspal 2007; Padukone 2012; Radin 2011); and a relationship driven by personal affinity⁴⁶ and necessity, whereby President George W. Bush's supports Pakistan because he trusts President Musharraf to be an effective ally in the War on Terror. In reality, America's endorsed Musharraf based on the perceived lack of alternatives (Cohen and Chollet 2007).

The escalation of the insurgency since 2006 highlights the impact of Pakistan's compliance in nurturing terrorism. America's questionable support of Pakistan has undermined the objectives of the War on Terror and inhibited nation-building in Afghanistan. The future of Afghanistan is being jeopardized by Pakistan's geopolitical interests and its growing inability to contain militant Islamic groups internally.

IV. Research Design and Methodology:

The intention of this research paper is to highlight drivers of insecurity that emanated from the first five years in Afghanistan (2001-2005). Methodologically, this project will use a qualitative approach to identify various factors, in many cases imprudent policies (e.g., crop eradication) or decisions (enlisting warlords in counter-insurgency operations) which have contributed to the current security dilemma. Informing the research will be a review of secondary sources, such as peer-reviewed and non-peer reviewed articles, reports from various institutions and organizations, and where applicable video documentaries. Sources will be identified and obtained through internet searches and online databases. Afghanistan will be treated as in-conflict country, where a minimum level of security is required for development and reconstruction. Therefore, by analyzing the various factors that cause instability and insecurity, it is possible to partly explain why the reconstruction of Afghanistan has achieved limited results. Structuring the analysis, the paper will be divided into five sections:

- *Section one* will provide a broad overview, beginning with America's proxy war with Soviets, linking Cold War strategies to the context from which 9/11 emerged. A brief examination of the security environment under Taliban will also be discussed to contrast the results achieved by the international community.
- *Section two* will establish the policy context surrounding the invasion of Afghanistan, primarily focusing on how 9/11 changed the foreign policy orientation of the US and framed fragile states as security threats. Supporting this, will be a discussion on the intersection of Bush doctrine and liberal peace-building in how both frameworks seek to use liberal assumptions to address conflict, insecurity and terrorism.
- *Section three* will emphasize the absence of a cohesive strategy that would help integrate the objectives the War on Terror and post-conflict reconstruction. The goal is to highlight the limitations of the light footprint as a counter terrorist/insurgency tactic and the corresponding ramifications in a post-conflict setting.
- *Section four* will focus on the impact of the Bonn Agreement on the development of an Afghan security sector, specifically the legitimization of warlords associated with the Northern Alliance and limited consideration given to SSR.

⁴⁶ President Bush states "When [Musharraf] looks me in the eye and says...there won't be Taliban and won't be al-Qaeda, I believe him, you know?" (Cohen and Chollet 2007).

- *Section five* will examine the destabilizing influence of Pakistan in terms of connecting its tacit support of the Taliban to wider geopolitical interests.

V. Ethics Statement

This project is relying on desk research, specifically an analysis of secondary sources and will not utilize field research or interviews. Given this, there is no requirement for ethical clearance by the University. The author will adhere to the University of Ottawa's guidelines regarding academic integrity and plagiarism.

VI. Calendar

The goal is to have an approved proposal for the start of the Spring/Summer 2012 semester. A draft will be completed by Fall 2012. The final version of the MRP will be completed and submitted for approval by end of the Winter 2012 semester.