FORMAL AND INFORMAL GOVERNANCE IN AFGHANISTAN

Reflections on a Survey of the Afghan People, Part 1 of 4

Robert D. Lamb, Senior Fellow and Director of the Program on Crisis, Conflict, and Cooperation, Center for Strategic and International Studies
FORMAL AND INFORMAL GOVERNANCE IN AFGHANISTAN
Reflections on a Survey of the Afghan People, Part 1 of 4

Robert D. Lamb, Senior Fellow and Director of the Program on Crisis, Conflict, and Cooperation, Center for Strategic and International Studies
The Asia Foundation is a nonprofit, nongovernmental organization committed to the development of a peaceful, prosperous, just, and open Asia-Pacific region. The Foundation supports Asian initiatives to improve governance, law, and civil society; women’s empowerment; economic reform and development; sustainable development and the environment; and international relations. Drawing on nearly 60 years of experience in Asia, the Foundation collaborates with private and public partners to support leadership and institutional development, exchanges, and policy research.

www.asiafoundation.org

© Robert D. Lamb
ABOUT THE SERIES

*Formal and Informal Governance in Afghanistan* is one of a series of companion analytical papers to The Asia Foundation's recently released public-opinion survey, *Afghanistan in 2011: A Survey of the Afghan People*. The series of essays provide detailed analysis of the survey data on the opinions and perceptions of Afghans toward government, public policy, democracy, and political and social change as interpreted by specialists who have in-depth knowledge of the region. The contributors comment on trends, patterns, and variations owing to Afghan geography, ethnicity, and other factors, and offer policy advice with a long-term view on the future of Afghanistan.

ABOUT THE AUTHOR & ACKNOWLEDGEMENTS

Dr. Lamb is a senior fellow and director of the Program on Crisis, Conflict, and Cooperation at the Center for Strategic and International Studies in Washington. He would like to thank Sadika Hameed for analytic support, and Brent Van Weereld and Denise St. Peter for research assistance. His views are his own.
TABLE OF CONTENTS

INTRODUCTION.................................................................................................................. 1

GOVERNANCE.................................................................................................................... 2

AFGHAN VIEWS OF GOVERNANCE.................................................................................. 7

CONCLUSIONS..................................................................................................................... 16
INTRODUCTION

Every six months since 2008, the United States Department of Defense has been required to report on progress in Afghanistan and Pakistan. Known as the 1230 report (after the section of the Congressional authorization bill mandating its preparation), it has usually observed that governance in Afghanistan is a major obstacle to progress toward stability. Its analysis has most often focused on two problems of the Afghan government: capacity and corruption. That is, the Afghan government does not have the capability or the capacity to govern within the current system as designed, and many government officials steal public money or extort funds from Afghans. As a consequence of these problems, the Afghan government is not delivering services, resolving grievances, or attracting Afghan support away from insurgents nearly as effectively as it could be: “Setbacks in governance and development continue to slow the reinforcement of security gains and threaten the legitimacy and long-term viability of the Afghan Government.”

American counterinsurgency doctrine and European statebuilding guidance—two of the main intellectual pillars on which the international effort to stabilize Afghanistan is largely based—suggest that progress on stability in places such as Afghanistan requires efforts to legitimize a host-nation government to its own people, build its capacity to serve its citizens effectively and accountably, extend its authority throughout its territory, and conform to international humanitarian, human rights, rule of law, or “good governance” standards. These are some of the requirements against which the international community judges the Afghan government, and by most international accounts it has not lived up to their expectations. The complaints reflected in the 1230 report are widely shared.

The Afghan government might not be living up to most international expectations, but the real question is whether the government is living up to most Afghans’ expectations. A corollary to this is whether Afghans share the conventional view that governance is something that should be done mainly by the government. The Asia Foundation’s annual survey of the Afghan people provides important clues regarding how Afghans view governance and how some shortcomings might be addressed in the short term so that longer-term state building efforts might have an opportunity to progress beyond the withdrawal of International Security Assistance Forces (ISAF) troops over the next three years. This chapter reviews the concept of governance, provides a simple framework for analysis, explores Afghans’ views of governance, and considers the implications of those views on efforts to improve governance in Afghanistan in the short term.

---

GOVERNANCE

Most countries and international organizations working to improve governance in Afghanistan are trying to do so mainly by helping Afghan state institutions and officials do a better job of governing. In other words, in their implicit conceptualization—shared by most Afghan officials—governance is roughly equivalent to government. One of main objectives of the Afghanistan National Development Strategy (ANDS), for example, is to “strengthen democratic practice and institutions, human rights, the rule of law, delivery of public services, and government accountability.” The 1230 report likewise discusses progress in terms of the Afghan government’s ability to “extend effective governance and promote economic and social development” throughout Afghanistan. The U.S. civil-military campaign plan focuses on improving the government’s technical capacities and policies, while the State Department’s regional stabilization strategy focuses on “improving the Afghan people’s confidence in their government” through “improved service delivery, greater accountability, and more protection from predatory practices.” At an international conference in Kabul in July 2010, the Afghan government pledged to undertake, with support from foreign donors, “structural reform to create an effective, accountable, and transparent government that can deliver services to the population and safeguard national interests” and “to strengthen each of the three branches of the government and to reinforce the constitutional checks and balances that guarantee and enforce citizen rights and obligations.”

By contrast, most Afghanistan analysts and scholars differentiate between governance and government. Thomas Barfield and Neamatollah Nojumi write that

Governance is the manner in which communities regulate themselves to preserve social order and maintain their security. Government is the action of ruling, the continuous exercise of state authority over the population it governs. While governments in the developed world are the unquestioned suppliers of governance to their local communities, this has not been the case historically in Afghanistan. Here one finds adequate local governance in the absence of formal institutions.

Similarly, Douglas Saltmarshe and Abhilash Medhi define governance as “the values, norms, and conventions that different social, political, and administrative groupings apply to meet their

---

organizational goals, along with the interaction between them” and note that governance “relates to informal practices, religion, and the operation of civil society as well as formal government.”

Hamish Nixon writes that governance “concerns ways of organizing resources and responsibilities toward collective ends” and “involves questions of process, participation, and accountability.” He cites a definition that focuses not on governments but on organizations in general. Michael Shurkin, writing about local government in Afghanistan, observes that “local governance is a broader concept that refers to the ‘formulation and execution of collective action at the local level’ and encompasses the ‘roles of formal institutions of local government and government hierarchies, as well as the roles of informal norms, networks, community organizations, and neighborhood associations in pursuing collective action by defining the framework for citizen-citizen and citizen-state interactions, collective decision making, and delivery of local public services.’”

Some authors introduce a broad conceptualization of governance in their first pages only to shift in the main body of their work to an analysis and recommendations focused on government shortcomings, often treating informal and hybrid governance structures as something that needs to be displaced by government institutions. This is a common approach in development. As Shurkin observes, “The consensus among development specialists in particular is that ‘good’ local governance is best served by a local government that has, to at least some degree, the means to be responsive to local needs, suggesting a measure of decentralization and a mechanism that enables citizens to communicate their interests and obliges local state actors to listen to them.” In short, improving governance, in the most widespread view, amounts to statebuilding at the national and local levels.

The academic literatures on governance, across multiple disciplines, take a much broader view of what governance is and of the kinds of actors that “do” governance. The term itself has ancient roots, but it was not until the mid-20th century that governance began to take shape as a concept worthy of academic study. In the 1970s, institutional economists began arguing that how corporations are run affects business outcomes, and corporate governance became a subject of study. In the 1980s, some public management scholars, observing that how governments are

run affects policy outcomes, imported market concepts into what had been a field focused largely on influencing policy through hierarchical institutions.\textsuperscript{14} By the 1990s, it was beginning to be argued that how countries are run affects development outcomes, and “good governance” rose to the top of the international development agenda.\textsuperscript{15} By the 2000s, some military and security professionals and scholars of international politics came to recognize that how countries are run affects security outcomes, and new doctrines came into being for dealing with what had formerly been dismissed as “small wars” or “operations other than war,” and national governments began developing more robust strategies for dealing with illicit nonstate actors.\textsuperscript{16}

As these broad academic conceptualizations of governance were translated into policy agendas, however, they became simultaneously too narrow (in their focus on states) and too broad (in their agendas for action). The “good governance” paradigm of the 1990s helpfully focused attention on some of the most important underlying causes of human misery: policy and politics, not just economics. But the international community generally operates at the state level, and its members—largely international lawyers, international relations scholars, diplomats, and others employed by governments, “member state” multilateral institutions, or nongovernmental organizations (NGOs) trying to influence governments—tend to assume that states are and should be the most important type of actor on the world stage.\textsuperscript{17} As a consequence, when the “good governance” paradigm was adopted in policy circles beginning in the 1990s, it became something that mainly states should be encouraged and enabled to pursue. Those states that fell short came to be considered “fragile” or “failed.” Efforts to strengthen civil society were geared largely toward improving citizens’ and NGOs’ capacities to influence the state and participate in democratic processes.\textsuperscript{18}

\begin{flushleft}
\end{flushleft}
Such efforts can be important for long-term development. But the problem with using good governance as the basis for planning is that the kinds of places with “bad governance” often fall so far short of the “good governance” ideal that the agenda for action necessarily involves enormous efforts over many years. Merilee Grindle reviewed the growing agenda of the good governance ideal, as reflected in the annual World Development Report, and found that between 1997 and 2002, “good governance” was represented as having 27 different characteristics and was claimed to require 31 institutions, 22 laws, 37 types of policies, 34 types of services, and 27 types of strategies. Resource-constrained and impatient, international donors and the publics they represent have difficulty planning for, paying for, and sticking to such an ambitious agenda.

As the security field began recognizing the importance of development, it picked up this ambitious tendency as well. Post-conflict reconstruction (PCR) is an even more daunting task than building good governance in peaceful societies. At the turn of the millennium, the Center for Strategic and International Studies (CSIS) and the Association of the U.S. Army (AUSA) developed a framework for identifying the tasks that would need to be carried out after stabilization. The framework, adopted by the State Department when it stood up an office for reconstruction and stabilization, identified more than 100 categories of tasks, each of which was to be carried out over three phases. More limited fields, such as those seeking to improve the security and justice sectors, were also encouraged to adopt a good governance agenda, with recommendations for a shift from a “train and equip” paradigm to a “security sector reform” (SSR) or “security and justice sector reform” (SJSR) paradigm, inspired by the reasonable observation that trained and equipped personnel need to be well managed to avoid any perverse consequences of security assistance.

Doctrine for counterinsurgency, the “graduate school” of warfare, likewise adopted good governance and statebuilding as the main components of efforts to legitimize host-nation governments. Given the limited capacities and patience of many


international civilian and military institutions to implement the policies prescribed by these approaches, many policies and strategies intended to improve governance in the field have been implemented incompletely and inconsistently and at times have been honored more in the breach than in spirit or letter—nowhere more so, perhaps, than in Afghanistan.

The too-narrow (state-focused) and too-broad (ambitious-agenda) approach to governance has sparked a backlash in academic and policy circles. Against the highly rational, task-focused approaches to planning came suggestions that governance is done not just by hierarchical institutions but by complex networks or “complex adaptive systems,” and that the outcomes of governance therefore do not always result from linear planning but sometimes emerge through unpredictable processes. Against the donor-driven, top-down approaches to statebuilding came recommendations for bottom-up stabilization and “good enough” standards. Against ambitious, expensive counterinsurgency doctrine came recommendations to scale down or even abandon ambitions to bring about the good in favor of a tighter focus on removing the bad. Against the formal-governance focus of statebuilding came admonitions to respect local, nonstate, customary, and informal practices.

All of these controversies and contradictions have played out in Afghanistan over the past 10 years. It is entirely possible to argue—with good reason on both sides—that the “good governance” approach to stabilization and development in Afghanistan has failed, or that it has never been seriously attempted. The growing demand for a “governance strategy” in Afghanistan is not so much a complaint that such a strategy does not exist (arguably, many such strategies exist) but that whatever Afghans and the international community are doing to improve governance is not working—or does not have any hope of preventing the collapse of the Afghan state and the outbreak of a civil war as international troops draw down over the next few years.


AFGHAN VIEWS OF GOVERNANCE

In recent research on governance, CSIS has used a definition of governance drawn from a multidisciplinary review of the academic and policy literatures: 27

[G]overnance is defined pragmatically and broadly to include four sets of public or collective activities: making policies (rules and decisions) that significantly affect some population or subpopulation; providing essential services and public goods; building and managing public or collective institutions; and managing or manipulating networks of influence. When people are being “governed,” they are interacting with policies, services, institutions, or networks. These are the four faces of governance. 28

In this conceptualization, not only is governance something that is done through formal institutions and officials of governments, but, consistent with most other academic conceptualizations, it also is something that is done through informal or customary practices and by illegal groups. In fact, not only is governance not equivalent to government, it also is not equivalent to “good governance”: institutions can be managed poorly by governments of modern states or councils of tribal elders; terrible rules can be developed by national legislatures or urban gangsters; disputes can be resolved through the rule of law or the law of the jungle; services, such as education or search and rescue, can be provided by humanitarian NGOs or religious terrorists; and networks of people can be exploited and manipulated by corrupt government officials, tribal elders, mafia strongmen, insurgents, drug traffickers, or warlords.

The framework used for the following analysis, therefore, includes the four “faces” of governance described above—institutions, networks, policies, and services—and three types of governance actor: formal, informal, and illicit.

Table 1. Governance Framework, with Illustrative Indicators from The Asia Foundation 2011 Survey of the Afghan People

<table>
<thead>
<tr>
<th></th>
<th>Institutions</th>
<th>Networks</th>
<th>Policies/Processes</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Formal</strong></td>
<td>national/subnational government, ANSF, provincial council</td>
<td>political party</td>
<td>election, rule of law, courts, parliament</td>
<td>health, reconstruction, education, justice</td>
</tr>
<tr>
<td><strong>Informal</strong></td>
<td>jirga, shura, mullah, khan, NGOs, CDCs</td>
<td>patronage, tribal kin, ethnic kin, ulema</td>
<td>dispute resolution (jirga, shura, sharia)</td>
<td>CDCs, NGOs</td>
</tr>
<tr>
<td><strong>Illicit</strong></td>
<td>local Taliban, local militia</td>
<td>Taliban, opium smugglers</td>
<td>dispute resolution (sharia, patronage), rule of man</td>
<td>employment, protection, religious education</td>
</tr>
</tbody>
</table>

Source: Based on Robert D. Lamb, Political Governance and Strategy in Afghanistan (Washington: CSIS, 2012)

---

27 See Appendix A in Robert D. Lamb, Microdynamics of Illegitimacy and Patterns of Complex Urban Violence in Medellín, Colombia, 1984-2009, doctoral thesis, University of Maryland School of Public Policy, 2010.
For the purposes of this analysis (and the sake of simplicity), formal governance here is considered something states and governments do, deriving their authority from the Afghan constitution or some decree, regulation, law, or other state policy (even if it is legally questionable). Informal governance is something tribal, religious, and other traditional actors do, although hybrid institutions and NGOs are included as informal actors here as well, mainly because they tend to be present in an area explicitly as a stopgap measure until formal institutions can take their place. Illicit governance is something insurgents and organized criminals do when they make and enforce rules or provide some service. All of these types of actors are present in Afghanistan, and many govern some aspect of some Afghans’ lives.

**Institutions and Networks**

In areas where perceptions of insecurity and fear for safety has increased in 2011—largely in the southern half of the country—Afghans have begun to view most kinds of governance institutions, formal and informal, less favorably than they have in the past. Uzbeks feared for their safety more than any other ethnic group this year, and their views of governance institutions tended to be more negative than others’ views. Nevertheless, in general, more Afghans in 2011 believed that both formal and informal institutions were doing a good job of governing than not, with formal institutions faring a bit better than informal, except in the justice sector. Throughout the country, sympathy for the motives of illicit networks (mainly Taliban and affiliated insurgents) has declined precipitously. In fact, more Afghans reported being unsympathetic toward insurgent groups in 2011 than at any other time since The Asia Foundation began its annual survey. Despite a reasonable level of confidence in governance institutions, Afghans generally recognized that corruption is a problem throughout the country and felt that many authority figures abuse their positions to benefit themselves rather than society.

Asked about how much confidence they have in the ability of shuras and jirgas—traditional councils of elders—to manage community affairs, about two-thirds of Afghans expressed a fair amount or a great amount of confidence, a level that has stayed about the same since 2009. The number of Uzbeks reporting “not very much confidence” or “no confidence” in these informal institutions has nearly doubled, from 15 percent in 2009 to 28 percent today. There were significant regional differences: the Central regions around Kabul and the Hazarajat, and both the Northeastern and Northwestern regions, all reported significant increases in confidence, while negative feelings doubled in the West and rose significantly in the East, Southeast, and Southwest, where fear of safety and perceptions of insecurity have risen most.

Confidence in the national government has changed in different ways in the north versus the south. In the East, Northeast, Northwest, and Central Hazarajat, the view that the national government is doing a “somewhat good” or “very good” job has risen between 14 and 18 percentage points since 2009, with more than three-quarters of residents in all of those areas reporting positive views today. In the Southeast, the sense that the government is doing a “somewhat bad” or “very bad” job has skyrocketed from 13 to 39 percent, while negative views in the South and Southwest have risen by 9 and 7 percentage points, respectively. Nevertheless, more Afghans still reported positive views (62 percent) than negative views (39 percent) in the Southeast; positive views were higher in the Southwest than in Kabul (where views have
remained largely unchanged, at around two-thirds positive); and in the West positive views have merely fallen to the levels now reported in the Northwest and Hazarajat (77 percent). In all regions but the Southeast, between 72 and 82 percent of Afghans thought the national government was doing a good job in 2011, and even in the Southeast a clear majority thought so. Uzbeks were the only ethnic group to have become less positive toward the national government, but even about three-quarters of them still believed the government was doing a good job in 2011.

Similar observations can be made about subnational governments. The Southeast and Southwest both turned relatively less positive toward their provincial governments in 2011, but more than two-thirds of respondents in both regions still reported positive views. All other regions reported being more than 80 percent positive about their provincial governments. Municipal authorities were doing a good job, according to 64 percent of Afghans. These urban governments did not fare quite as well in the Northeast, Northwest, or Hazarajat, where less than half of respondents said they were doing well, but in Hazarajat, at least, the response still represented a significant increase in support over 2010 levels (from 6 percent to 44 percent reporting “somewhat good” or “very good”). Rural governments fared a bit better than their urban counterparts. Only Hazarajat showed a significant decline in positive views since 2010, but its 2011 level (65 percent) was still much higher than it had been in 2009 (50 percent), so rural governments there were improving as well. The Southeast, Southwest, and West showed substantially less favorability in 2011 than they did in 2009, but again all three showed an improvement of between 9 and 19 percentage points over 2010.

**Figure 1. Favorability Ratings for Select Formal Authorities**
Nevertheless, Afghans were not exactly uncritical about their public figures. On the question of whose interests various authorities serve, more Afghans thought that government officials in all branches of government looked out primarily for their own interests rather than for the interests of Afghan society. Only government employees were viewed as serving society’s interests (44 percent) more than their own (38 percent). More than any other type of public figure, religious leaders were seen as serving the interests of Afghan society (45 percent of Afghans believed this) more than their own interests, although about a third of Afghans still believed even they were mainly self-serving. (A strong majority, 70 percent, said they thought “religious leaders should be consulted” regularly about local problems, and just 29 percent said “politics and religion do not mix.”) Political parties also were mainly seen as acting on behalf of “the country as a whole” (25 percent) or “broad layers of society” (19 percent), with some believing they served “regional interests” (18 percent). International and Afghan NGOs and foreign donors fared worse, seen by more than half of survey participants as acting more in self-interest than in the interests of the Afghan people; only around a quarter believed they mainly operate in the interests of society, about the same number who believed they act under mixed motives.

Most Afghans who said that they or their families had been a victim of crime or physical attack in the past year said they reported the incident to some authority, a very rough proxy for who Afghans trust to make good decisions (or at least decisions they think will benefit them): 35 percent reported the incident to the police, 12 percent to the army, and 12 percent to the district governor; 25 percent to a shura or elders and 10 percent to tribal leaders; but almost none to a local militia or warlord. A majority (59 percent) believed government authorities “would punish the guilty party,” with 37 percent expressing little or no confidence. This suggests a far greater degree of confidence in formal and informal authorities than in illicit actors (although Afghans also recognize that many of these authorities are corrupt or have links to illicit groups).

Nearly two-thirds of Afghans reported being unsympathetic toward insurgent groups, generally because the Taliban kill innocent people (16 percent), disturb the peace (16 percent), or are oppressive (12 percent). Fewer than a third of Afghans were sympathetic toward insurgents, but
those who were gave reasons that had more to do with a shared identity—because insurgents are Muslims (64 percent) or Afghans (59 percent)—than with any real sympathy for their objectives (e.g., only 9 percent cited “jihad” as a reason for support). About 80 percent of Afghans said they support peace talks with insurgents and think insurgents should be offered jobs, homes, or other forms of help as part of the process, and 73 percent believed such efforts would contribute to stability.

Regarding what the central government’s greatest achievement has been, the most common responses (i.e., mentioned first or second) in 2011 were “reconstruction” (26 percent), “better education system” (26 percent), and “establishing peace and security” (20 percent). Its greatest failings were considered to be “insecurity/continual fighting” (32 percent), “administrative corruption” (25 percent), “lack of job opportunities” (14 percent), “weak government” (13 percent), “suicide attacks” (11 percent), and “removing the Taliban” (10 percent).

Finally, important information in Afghanistan is relayed through the media (81 percent of Afghan households have a radio, and 42 percent have a television), but like many traditional societies, Afghans have long gotten information, news, and in some cases instructions from powerful individuals by word of mouth as well—that is, through their social networks. As more mobile phones become available, word-of-mouth communication becomes faster and social networks become thicker. In 2011, 66 percent of Afghans had a functioning mobile phone in their household, up from 59 percent in 2010, 52 percent in 2009, and 40 percent in 2008. This trend can be expected to help Afghans strengthen their own informal networks over time and, with the advent of mobile-phone-based direct-payment systems, potentially help them become less susceptible to theft by middlemen.

**Policymaking, Decisionmaking, and Access to the System**

The survey did not ask any questions about Afghans’ views of particular laws, policies, or rules, but it did ask Afghans about their views of various systems for decisionmaking and policymaking, the accessibility of those processes, their relationships with decisionmakers, and their views on the electoral system and democracy. Asked, “How satisfied or dissatisfied are you with the way democracy works in Afghanistan?,” 69 percent of Afghans reported being satisfied (20 percent of those were “very satisfied”), and 29 percent were unsatisfied. Just over half of Afghans said they believed they have influence over government decisions, with 15 percent saying they had “a lot” of influence. Just under half of Afghans were less confident in their level of influence: 22 percent said they have “very little” influence, and 23 percent felt they had “none at all.”

There was strong support for democracy overall, but many Afghans reported views about democracy somewhat at odds with common Western notions. Almost all Afghans (90 percent) agreed (“strongly” or “somewhat”) with the statement, “We should choose our leaders in this country through regular, open, and honest elections.” But they had mixed feelings (with a number of respondents seeming to “agree” with mutually contradictory statements) about checks and balances between the legislative and executive branches, and generally had more expansive ideas about executive powers than most constituencies in Western democracies are comfortable with. While 70 percent agreed that the parliament had the right to make laws that the president
doesn’t agree with, for example, 43 percent said it was also fine for the president to simply pass laws without parliamentary approval. Half thought the president should always obey the law, but 61 percent thought the president “should not be bound by laws or court decisions that he thinks are wrong.” Despite these views on executive power, more than twice as many Afghans supported a two-term limit for the president (73 percent) than supported no constitutionally defined term limit (35 percent).

Likewise, views about the job of a legislature were not limited to their strictly formal role. Only one-third felt the most important responsibility of members of parliament (MPs) was to “make laws for the good of the country”; about the same proportion (29 percent) thought their most important job was to “listen to constituents and represent their needs.” Only about a tenth of respondents thought the main job of MPs should be to “monitor the president and his government,” whereas about a quarter believed it was most important for MPs to “deliver jobs or development.” This suggests minority but significant support for formal government officials’ acting in a personal rather than a strictly institutional capacity—a mixing of formal and informal roles.

Beyond views of democracy in general and democratic processes in particular, the survey asked Afghans about their views on processes for making decisions about important communal problems and disputes. A quarter of Afghans reported that their community has had a problem in the past year that required outside help. Problems included disputes over land, lack of electricity or water, the need to rebuild roads or bridges, security problems, and tribal or family disputes. Two-thirds of those who said they asked for outside help with these problems reported (meaning it was the first, second, or third entity they mentioned) that they turned to the local shura or jirga, while a little over one-third turned to district authorities. About a quarter said they asked a malik or khan (a powerful community leader), the Afghan National Police, or a mullah (local religious leader) for help. None reported turning to the Taliban for help, but of course some maliks, mullahs, and district authorities are linked to the Taliban in some parts of the country, so it is likely this is an instance of underreporting (but if so, the number is still probably small). Overall, more than half reported their problem had been resolved, most within a month, and just over a third said the problem was “pending resolution.” Comparing 2011 to 2010, 52 percent of respondents mentioned community shuras and jirgas first (not first, second, or third, as above), a significant increase over 2010 (41 percent) and more than six times higher than the next highest category (Afghan National Police, which only 8 percent mentioned first). This suggests a high degree of local legitimacy for a problem-solving role for informal systems.
Table 2. Authority for Problem-Solving

<table>
<thead>
<tr>
<th>Who did you approach / ask to solve the problem? (First mentioned)</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elders of local shura/jirga</td>
<td>41%</td>
<td>52%</td>
</tr>
<tr>
<td>Afghan National Police</td>
<td>11%</td>
<td>8%</td>
</tr>
<tr>
<td>Government agency /office</td>
<td>5%</td>
<td>7%</td>
</tr>
<tr>
<td>Afghan National Army</td>
<td>7%</td>
<td>6%</td>
</tr>
<tr>
<td>Malik/Khan</td>
<td>8%</td>
<td>6%</td>
</tr>
<tr>
<td>District authorities</td>
<td>3%</td>
<td>6%</td>
</tr>
<tr>
<td>A member of parliament</td>
<td>6%</td>
<td>4%</td>
</tr>
<tr>
<td>Provincial governor/authorities</td>
<td>5%</td>
<td>3%</td>
</tr>
<tr>
<td>Community development council</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Mullah</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Taliban</td>
<td>1%</td>
<td>0%</td>
</tr>
</tbody>
</table>

A similar observation can be made regarding a question that was asked specifically about a “dispute” rather than a “problem”; 20 percent of Afghans reported having had a dispute, with 59 percent of those disputes being over land. Where they took the dispute was about evenly divided between the formal and informal sectors: 43 percent to a village- or neighborhood-based shura or jirga, 41 percent to a state court, and 12 percent to both. Those who turned to the shura reported doing so because shuras “resolve disputes efficiently” (26 percent), government courts are corrupt (21 percent), “local shuras are honest” (16 percent), or “local elders are members of the shura” (10 percent). Overall, three quarters of Afghans said they were “somewhat” or “very” satisfied with the dispute resolution mechanisms that were available to them; only 21 percent were unsatisfied. By fairly wide margins, Afghans felt that the informal systems available to them were more accessible, fair, trusted, effective, prompt, and in accordance with local norms and values than were the state courts.

Community development councils (CDCs) are bodies set up to make local decisions regarding development; they are hybrid bodies, structured like traditional shuras but having the formal sanction of the state. In the absence of village councils, which are constitutionally mandated but do not yet exist, CDCs are the only state-sanctioned decision-making bodies at the local level in Afghanistan. Only about half of respondents were aware of a CDC in their community. Of those, membership was reported to be dominated by informal actors: 84 percent reported that shura or jirga elders were members, 71 percent said a local malik or khan was a member, and 58 percent said a mullah was; ordinary people were reported to be members by between one-third and one-half of respondents; and warlords (“local commanders”) were said to be involved by 28 percent. Of respondents who were aware of a local CDC, only 14 percent were at all dissatisfied with the council, while 81 percent were satisfied (52 percent “somewhat satisfied,” 29 percent “very satisfied”), and there was not much regional variation in these views.
Table 3. Reported Membership in Community Development Councils

<table>
<thead>
<tr>
<th>CDC Membership</th>
<th>Yes (%)</th>
<th>No (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elders of local shura/jirga</td>
<td>84</td>
<td>15</td>
</tr>
<tr>
<td>Local malik/khan</td>
<td>71</td>
<td>27</td>
</tr>
<tr>
<td>Mullah</td>
<td>58</td>
<td>40</td>
</tr>
<tr>
<td>Local teacher</td>
<td>47</td>
<td>51</td>
</tr>
<tr>
<td>Ordinary farmers</td>
<td>45</td>
<td>53</td>
</tr>
<tr>
<td>Shopkeepers</td>
<td>39</td>
<td>58</td>
</tr>
<tr>
<td>Landless agricultural workers</td>
<td>37</td>
<td>61</td>
</tr>
<tr>
<td>Local commanders</td>
<td>28</td>
<td>69</td>
</tr>
<tr>
<td>Municipal/district officials</td>
<td>24</td>
<td>72</td>
</tr>
<tr>
<td>Women</td>
<td>23</td>
<td>75</td>
</tr>
<tr>
<td>Doctor</td>
<td>21</td>
<td>61</td>
</tr>
</tbody>
</table>

**Service Delivery**

When Afghans were asked what made them optimistic about the future, the responses depended largely on how the delivery of services in their region was perceived. “The major reasons for optimism,” the report suggests, “generally correspond to high levels of satisfaction with the performance of related government services (security in the Central/Hazarajat, North East, and North West, reconstruction and rebuilding in the West and East, and improvements in the education system in the South East and Central/Kabul regions), highlighting the link that respondents make between progress in the country and the ability of government to provide essential services and support development.”

In the Hazarajat, for example, 21 percent of respondents reported having complete confidence in the government justice system, compared to just 7 percent in the Southeast, 10 percent in the East, and 11 percent in the Southwest.

More than half of the survey participants reported being aware of reconstruction (building roads and bridges) and education (opening schools and hiring teachers) projects in their area; between one-third and one-half knew about local projects for drinking water (48 percent), health delivery (44 percent), or agriculture (33 percent); and fewer than a third were aware of local irrigation, electricity, de-mining, demilitarization and disarmament, industry, mosque-building, or humanitarian programs. Of those who were aware of such projects, a majority or a plurality believed the Afghan government, rather than a foreign sponsor, was “primarily responsible for providing most of the aid” for all types of projects except de-mining.

Of all government services, Afghans reported the greatest level of satisfaction with the national education system, with 85 percent reporting the government is doing a “somewhat” or “very” good job; 41 percentage points of that figure were of those who reported “very good.” Regionally, the lowest level of satisfaction with government education is still quite high (79 percent in the Southeast and 72 percent in the Southwest); all other regions reported satisfaction

---

levels between 84 and 91 percent. National health service provision was generally perceived somewhat less positively, with 67 percent reporting the government is doing a “somewhat good” or “very good” job (but of that figure only 17 percent reported the government is doing a “very good” job). The most positive responses were in the Central region around Kabul (23 percent “very good”), followed by the East (19 percent) and the Northwest (18 percent); perceptions of health services were lowest in the Hazaraja (12 percent) and the Southeast (13 percent).

At the local level, more Afghans were satisfied than not with local conditions and the availability of most services. They key exceptions were the availability of electricity, water for irrigation, and jobs. In general, Afghans believed that service provision was about the same or better this year than last year, and would be even better next year than this year. Asked to rate the “availability of education for children,” 73 percent said it was “quite good” or “very good,” more than twice as many as said it was “quite bad” or “very bad.” As at the national level, local health services were viewed generally positively, but not as much as education was. More than half of the respondents rated the “availability of clinics and hospitals” (57 percent) and “availability of medicine” (53 percent) as good, but a substantial minority rated them as bad (42 and 46 percent, respectively). Clean drinking water was said to be available by 70 percent of respondents. About half said water to irrigate farmlands was available and half said it was not available. But more than twice as many felt jobs and electricity were relatively unavailable than felt they were available.

Yet hope springs eternal, even in Afghanistan. In all categories but jobs and electricity, between three and six times as many Afghans believed local services and local conditions would improve in the next year than believed they would get worse, and even in jobs and electricity about twice as many Afghans were optimistic than pessimistic. Compared to the previous year, in all categories except access to schools, more Afghans said their household’s situation was about the same than said it had improved (a plurality said access to schools had improved). Still, in all categories except jobs and electricity, more Afghans said their situation was better this year than said it was worse this year, and even in jobs and electricity more said it was the same than said it was worse.

Table 4. Views on Local Services and Conditions

<table>
<thead>
<tr>
<th>Availability or Level of:</th>
<th>Good (%)</th>
<th>Bad (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drinking water</td>
<td>70</td>
<td>29</td>
</tr>
<tr>
<td>Irrigation water</td>
<td>49</td>
<td>49</td>
</tr>
<tr>
<td>Jobs</td>
<td>31</td>
<td>70</td>
</tr>
<tr>
<td>Electricity</td>
<td>34</td>
<td>65</td>
</tr>
<tr>
<td>Security</td>
<td>69</td>
<td>30</td>
</tr>
<tr>
<td>Clinics/hospitals</td>
<td>57</td>
<td>42</td>
</tr>
<tr>
<td>Medicine</td>
<td>53</td>
<td>46</td>
</tr>
<tr>
<td>Education for children</td>
<td>73</td>
<td>27</td>
</tr>
<tr>
<td>Freedom of movement</td>
<td>70</td>
<td>30</td>
</tr>
</tbody>
</table>
Table 5. Expectations for Local Conditions Next Year

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Better (%)</th>
<th>Worse (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drinking water</td>
<td>86</td>
<td>14</td>
</tr>
<tr>
<td>Irrigation water</td>
<td>74</td>
<td>24</td>
</tr>
<tr>
<td>Jobs</td>
<td>66</td>
<td>33</td>
</tr>
<tr>
<td>Electricity</td>
<td>64</td>
<td>34</td>
</tr>
<tr>
<td>Security</td>
<td>77</td>
<td>21</td>
</tr>
<tr>
<td>Clinics/hospitals</td>
<td>79</td>
<td>20</td>
</tr>
<tr>
<td>Medicine</td>
<td>77</td>
<td>21</td>
</tr>
<tr>
<td>Education for children</td>
<td>84</td>
<td>15</td>
</tr>
<tr>
<td>Freedom of movement</td>
<td>80</td>
<td>19</td>
</tr>
</tbody>
</table>

The Asia Foundation’s survey did not ask about specific services provided through informal and illicit means. The questions about who Afghans turn to for help in solving problems (see previous section) suggest that informal service provision takes place at a far higher rate than is known by outsiders: twice as many reported turning to local shuras and jirgas than to district authorities. And the extremely low rates of confidence in illicit actors—insurgents and warlords—also suggest that, to whatever unknown (but certainly low) level any malign actors do provide services, Afghans are probably accepting their help only as a last resort. Still, many government officials and MPs are also “local commanders” or warlords, or are corrupt, and Afghans do turn to them for help often. In fact, “administrative corruption” was cited as both the most common and “most unacceptable” form of corruption by a large plurality of respondents: 39 percent mentioned it first or second as the type of corruption that affects them most, and 36 percent said it was the most unacceptable. Unfortunately, it is not possible to compare service provision by corrupt versus non-corrupt government officials using the survey data available.

CONCLUSIONS

Actual power is widely but unevenly dispersed in Afghan society. Corruption is widespread, but also uneven. The government is weak and does not have access to the resources it needs to pay for its own operations. Many Afghans are skeptical that anyone, in the public or private sectors, is looking out for their interests. International security forces are planning a rapid drawdown through 2014, and most analysts expect international aid will fall as well. There are widespread rumors that former commanders, warlords, and other power brokers are stockpiling weapons and hoarding money, to hedge against the possibility that the Afghan state might collapse and the country might again fall into a civil war of all against all. Many observers, including most policy analysts, believe the Afghan government does not have the ability, and perhaps does not have the willingness, to do what it would need to do to keep the country together; most believe Afghan leaders will not implement most of the needed reforms to which they have repeatedly committed themselves in international fora.
The Asia Foundation survey shows that many Afghans are fearful for the future and concerned about many of the same problems as international donors and analysts. But if the survey results are to be believed—and the methodology is about as good as one can hope to carry out in a research environment as difficult as this—Afghans seem not to be as negative about governance as one might expect. No survey has asked a representative sample of foreign donors, advisers, aid workers, military officers, or policymakers what they think of the job the government is doing, but anecdotally one might reasonably doubt that 75 to 80 percent of foreigners would think the Afghan government is doing a “somewhat good” or “very good” job—but that is how many Afghans think so. It is surprising to learn that Afghans had mostly favorable views of their national, provincial, municipal, and village governments in 2011, and many had more favorable views in 2011 than they did in 2010. This is despite a widespread view that corruption is a major problem at all levels. In fact, more Afghans think corruption is a problem at the national and provincial levels than at the local level, yet more Afghans still think the national and provincial governments are doing a good job than think lower-level governments are doing a good job. Certainly there is a great deal of pessimism among Afghans regarding local conditions and the availability of local services. But that pessimism is somewhat outweighed by the large number of Afghans who think things have gotten better locally since last year—and will get even better next year.

What are we to make of this?

Afghans seem to want their government to be strong and capable, accessible and accountable, modern and democratic. But perhaps Afghans do not compare how Afghanistan is today with how much better it could be, as most internationals seem to: that comparison would surely suggest Afghan governance falls far short of the ideal. Perhaps, instead, Afghans compare how Afghanistan is today with how much worse it could be, possibly with how much worse it has been in recent memory. Where international observers see flawed elections, perhaps Afghans see leaders coming into power by stealing votes rather than by killing rivals? Where internationals see a corrupt governor, perhaps Afghans see a warlord who was once a mass murderer but today is merely a thief?

Unfortunately, The Asia Foundation’s survey was not designed to explore such comparisons (it was designed mainly to inform project design). But it does contain some hints as to how Afghans might answer questions about alternative scenarios for governance. What price are Afghans willing to pay for peace—not just to end the current insurgency but to keep the government together and prevent the outbreak of an even worse civil war among currently peaceful power brokers?

Could Afghans live with some forms of corruption, if the alternative is war? Afghans think there is too much corruption among government officials, and they do not think the Afghan government is doing enough to stop it—but they also think the government is actually doing a pretty good job overall anyway. They probably would not support allowing particularly abusive officials to stay in power. But there is no data to suggest how much abuse or what kind of corruption Afghans will tolerate. Could Afghans live with a power-sharing arrangement with current insurgent leaders—which almost certainly would have to include appointing Taliban commanders as ministers or governors? Almost no Afghans share the Taliban’s vision of
government, yet many support reconciliation and believe it is necessary to give former fighters something in return for peace.

Could Afghans live with a president who runs for a third term in office, despite constitutional restrictions on his doing so, if that is what it takes to get him to implement needed constitutional or governance reforms? Most Afghans think the presidency should be limited to two terms, but there is also broad support for a strong, independent executive willing to ignore laws if they are in the way of his getting things done.

Can they live with a justice system without written laws and procedures, one that does not guarantee due process or strong human rights protections? Most Afghans already turn to shuras, jirgas, mullahs, maliks, and khans to make important decisions about community priorities (e.g., for development and reconstruction), public problems, and important disputes, even where the government system is available, and most are satisfied with the options available to them.

On all of these issues, substantial minorities would disagree and would not say they could live with corruption, Taliban governors, a third-term president, an informal justice system, or a government that refuses to undertake reasonable reforms.

The vision for governance laid out in Afghanistan’s constitution, its national development strategy, and the communiqués of international donor conferences is a vision of good governance and modern democracy—a vision that most Afghans strongly support, at least in principle. But the “rule of law” and the “rule of man” still operate side by side in Afghanistan today, and most Afghans seem to recognize that it will take many years for the latter to give way to the former. Meanwhile, they have lives to live, jobs to create, roads to build, children to educate, problems to solve, injuries to treat, conflicts to resolve, and decisions to make. No community that wants to preserve—or establish—a modicum of peace and stability can afford to wait around for a government (or foreign donors) to catch up to their needs for rules, decisions, institutions, services, and so on; instead they will use whatever governance options are available to them, whether from formal, informal, or even illicit sources. The result, inevitably, is going to be a hybrid system, and Afghans themselves will argue over its form, its rate of formalization, and its fairness, for many decades to come.

The withdrawal of ISAF troops and the transition to Afghan lead over the next few years will be accompanied by a heightened sense of uncertainty and potential for civil war. The top priority for the international community should be to keep the current hybrid system from falling apart so that those arguments can take place without resort to violence. That objective might best be served by helping to give as many Afghans—including power brokers and insurgents—a stake in the system as possible. Doing so, however, would require that foreign donors make some uncomfortable compromises to their own visions for Afghanistan’s governance, and take Afghans’ views—contradictory and nuanced as they are—much more seriously.