AFGHANISTAN
Long War, Forgotten Peace

Michael Cox
Editor

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edited by

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Contents

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LSE Public Policy Review Series Editor

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1. Introduction – Before and After the Towers: Afghanistan's Forty-Year Crisis

Michael Cox

It is one of the many tragedies of our time that in an era of 'great power peace' bloody conflicts have broken out on the so-called periphery of the international system with immense regularity. The list almost seems endless, from Central and Southern Africa, where countries such as Rwanda and the Democratic Republic of the Congo have experienced the most brutal conflicts, right through to the Middle East, where one country after another – Syria, Lebanon, and Yemen being perhaps the most recent – has undergone that most appalling of experiences: civil war made worse by the intervention of outside actors and powers.

Whether we believe Afghanistan has suffered more or less than these other countries is not a question that can ever be answered. All one can say with certainty is that like them – but for much longer – it has experienced the most violent of conflicts going right back to late 1979 when the Soviet leadership, then led by KGB man Yuri Andropov, took what its military believed was an ill-considered decision to intervene. As Rodric Braithwaite shows in Chapter 2 of this volume, not only did this have major consequences for the USSR (some even claim it accelerated the system's demise), it had even more devastating results for Afghanistan itself [1][1].

The trauma did not come to an end when Moscow finally decided to leave 10 years later. A long civil war then ensued, followed in turn by Taliban rule supported by Al Qaeda (AQ), who then went on to attack the United States on 9/11. This in turn precipitated a large-scale intervention by the West, the main burden of which was borne by the US. Born of high hopes that Afghanistan could be turned into a functioning democracy with a thriving market economy, within 10 years the mission was already creaking, by 2014 most Western troops had left, and by August 2021 the United States finally decided to call time on what President Biden – never an enthusiast – termed the 'forever' war [2].

Western analysts never cease reminding us how much Afghanistan cost the West and the US in terms of 'blood and treasure'. Indeed, Biden himself laid great stress on how much the war had cost the United States in his various speeches and statements defending his decision to leave.² But for Afghanistan and Afghans, the cost has been of a quite different magnitude. Obtaining accurate and reliable figures is by no means easy. Yet even the most conservative estimates point to a human disaster measured in numbers killed and injured, refugees created, and lives upended by an almost permanent state of war. Indeed, the Soviet intervention alone led to hundreds of thousands of civilian deaths, two million internally displaced people, and somewhere close to 5 million refugees.

During the decade of civil war that followed, there was further upheaval. The population of Kabul dropped from around two million to 500,000, many more were killed or injured, and hundreds of villages were destroyed. After 2001, the number of casualties went down somewhat. Even so, possibly more than

200,000 people were killed over two decades, 70,000 of them civilians. Indeed, between 2016 and 2020 there were nearly 4,000 civilian casualties, including 1,600 children.[3] This long list certainly tells us something. On the other hand, it tells us 'very little about the conflict's indirect costs measured in terms of poverty, starvation, mental illness and life-long impacts on health and well-being'[3]. Neither does it reveal much about the impact all this had on ethnic tensions inside Afghanistan itself. In fact, given that the Taliban were not exactly known for their commitment to Western-style democracy, some of its leaders (almost exclusively recruited from the majority Pashtun ethnic group) later blamed ethnic tensions for the failure of democracy to take root in the country [4].

The narrative in this collection begins in effect with the 9/11 attack, followed by America's initial military response, which then widened out to include NATO in what Sten Renning and Paal Sigurd Hilde show in Chapter 10 to have been its most significant mission out of area since the end of the Cold War [5]. But first and foremost this was a US war. Having determined the attack on the American homeland had been carried out by Osama bin Laden backed by the Taliban – a fact the Taliban to this day denies [6] – the next move was to destroy the Taliban and its various allies.

Initially, at least, this proved to be relatively easy. However, what complicated the mission was, firstly, the imprecise legal basis upon which the war was justified, as shown by Devika Hovell and Michelle Hughes in their chapter; secondly, President George W. Bush's much-criticised decision to widen the 'war on terror' and invade Iraq [7]; and finally, a lack of clarity about what the war was supposed to be achieving. Was it, as some assumed,

merely to drive Al Qaeda and its allies out of Afghanistan and then go home? Or was it a more ambitious goal of cleansing the Augean stables and reforming Afghanistan in the hope a new kind of polity and society, now purged of what President Bush called the evil of extremism, would finally emerge? As we now know, this turned out to be a bridge too far. Indeed, the broad consensus now seems to be that building a 'new nation' in a country as rural, conservative, and indeed as poor as Afghanistan was 'always destined to fail' [8]. Yet, to many of those on the ground at the time, it seemed as if this was the only thing that could possibly justify the ongoing war against the Taliban.

At the start of the Western operation, the sheer unpopularity of the Taliban was perhaps the biggest advantage held by the US-led coalition. The problem was that as the occupation went on, not enough Afghans saw immediate benefit for themselves, giving the Taliban time to regroup, then gain ground, and finally, as Florian Weigand shows in his contribution, to win yet again in 2021. That said, something was achieved, especially through the vehicle of several international agencies often working under the auspices of the UN. There were certainly some 'bright spots', including a lowering of 'child mortality rates, increases in per capita GDP, and increased literacy rates' [9]. Even so, a great deal was not done, and many opportunities were missed by the West. Yet because of the sheer determination shown by many Afghans, women in particular – an issue discussed by Nargis Nehan in her piece – some improvements did take place. But as Afzal Ashraf and Caroline Kennedy-Pipe demonstrate in their contribution, much more might have been achieved if it had not been for the West's basic misunderstanding of the cultural and tribal customs

of much of Afghan society itself. Nonetheless, as a Brookings study has shown, whereas in 2003 fewer than 10% of girls were enrolled in primary schools, by 2017 that number had grown to 33%. Meanwhile, female enrolment in secondary education grew from 6% in 2003 to 39% in 2017. Women's life expectancy also grew from 56 years in 2001 to 66 in 2017, and their mortality during childbirth declined from 1,100 per 100,000 live births in 2000 to 396 per 100,000 in 2015 [10].

Success, they say, has many parents, but failure is more often than not an orphan. It is thus inevitable that this particular collection of essays, written in the shadow of the West's hasty and ill-planned withdrawal in August 2021, reads a little bit like a catalogue of failure. Perhaps if it had been composed a few years earlier when the Taliban only controlled a small part of the country and the future looked less bleak, the authors here might have been able to put more of an optimistic gloss on what happened. But given the speed with which the whole coalition effort imploded, leaving so many Afghans behind, it is hardly surprising that the essays here tend to assume that the question that really needs answering is not what went right but, rather, why did the whole effort fail so badly?

Even the withdrawal was handled badly, and what should have been a carefully planned evacuation turned into a messy and bloody rout. As Leslie Vinjamuri explains in her analysis, Biden had never been keen on the mission and made it clear in his run for the White House in 2020 that America would be withdrawing sooner rather than later. To that degree he made good on his election promise. However, the chaotic character of the departure, with masses of desperate Afghans trying to get

on a plane at Kabul airport, did little to enhance America's reputation as an ally one could trust. Quite the opposite in fact. If anything, the way in which the US got out 'shredded' not only its reputation and that of President Biden but also that of the 'entire western alliance' as well [11].

Meanwhile, in Afghanistan itself, the hasty retreat into exile of President Ashraf Ghani's government and its replacement by the Taliban has only led to what looks like the almost complete collapse of everyday life. No doubt some hoped that the new Taliban would not be like the old one. But such hopes were quickly dispelled. The rhetoric of the Taliban may have moderated somewhat since 2001, but their extremist beliefs do not appear to have changed at all. As one seasoned observer has noted, 'All evidence suggests the Taliban still believe in restoring their old system of an emirate, in which an unelected religious leader, or emir, was the ultimate decision-maker' given authority from God (quoted in [12]).

Since seizing control, the Taliban leadership have shown little inclination either to share power or to concede anything to the demands of the international community to respect human rights. The insurgent group expected a complete handover of power, and this is precisely what happened. Thus the first new interim government contained no women, the interior minister was a long-standing member of the Haqqani network, who also happened to be on an FBI wanted list, and one member of the government was a former Guantanamo detainee who had, it was rumoured, been close to Bin Laden (something he denied). No doubt under pressure from more friendly countries like Pakistan,

Russia, and China to do something, the Taliban leadership did go on to make additional appointments on 22 September. This very slightly broadened the new government's makeup, but it did not fundamentally alter its Pashtun character; significantly, neither were any women added. As one observer pointed out, it was clear the Taliban were not willing to 'make any significant concessions for the sake of international recognition, sanctions relief or the resumption of aid from Western governments' [13].

Since then, it has been difficult to detect any sign of positive change, either in the government's outlook or in terms of what is happening on the ground itself. On the contrary, the situation appears to have moved from the desperate, immediately following the almost Vietnam-like withdrawal of US forces in August 2021, through to the deeply tragic. Neither does the situation look like it will improve in the near or medium term. As Michael Callen and Shahim Kabuli explain in their contribution, the Afghan economy was hardly in great shape before the Taliban takeover, but since then, the situation has become a good deal worse. The war may have come to an end, but the economic situation remains distinctly bleak. Indeed, only a month after the West's withdrawal, the International Monetary Fund (IMF) was estimating that the Afghan economy would contract by 30% by the end of 2021, with appalling human consequences. And so it turned out to be. In fact, only a few months later, the UN was already calculating that Afghanistan would see a rise in people in need of humanitarian assistance 'from 9.4 million in 2020 to 24.4 million in 2022'. It also identified the many reasons for this, 'including the suspension of much foreign aid, which had financed

around 75% of public spending in 2019, the Taliban's decisions to ban the use of foreign currency and many women from employment, shortages of cash due to the demobilisation of security forces, non-payment of civil servants, and restrictions on access to Afghan assets held abroad' (quoted in [14]).

All this in turn has only exacerbated an already desperate situation, not only for those who had to remain – the United Nations Development Programme (UNDP) talked openly at the end of 2021 of the need to avert a 'basic needs crisis' [15] – but also for those who had been forced to flee the country. Towards the end of 2020, the UN High Commissioner for Refugees, Filippo Grandi, was already warning of Afghanistan's refugee crisis being at a breaking point [16]. Equally challenging was life for those who had been displaced within Afghanistan itself. As another UNHCR official pointed out just after the Taliban had seized control, the refugee flow would no doubt continue. But the 'displacement crisis' was equally critical inside Afghanistan, with over 3.5 million Afghans having been uprooted by conflict [17].

What then to do, asks Thi Hoang in her contribution on the wider costs of the conflict reflected in a likely increase in human trafficking and aggravated migrant smuggling, especially of women and girls? Here the West, she argues, must follow what she terms 'a pragmatic, human rights-centred approach' over and above immediate diplomatic and political considerations. Otherwise 'more lives will be lost' or destroyed as a result of smuggling and trafficking. John Collins, Shehryar Fazli and Ian Tennant then look at an equally difficult area impacting on Afghanistan: opium and the trade in opium. They are not

optimistic. As they go on to explain, one of the greatest failures of the West during its long 20-year engagement in Afghanistan was a failure to eradicate or reduce Afghan poppy cultivation even after the Taliban was ousted in 2001. Now with the Taliban in charge again, and farmers having few economic incentives not to grow poppies, the future looks decidedly bleak.

Assuming that there is no easy solution to the current crisis, we are nonetheless compelled to think creatively of policies that might at least help alleviate the situation. Those who are less hostile to the Taliban, such as Iran or Pakistan, could help, as of course could China, whose attitude towards Afghanistan is discussed in detail in this collection. Yet as Feng Zhang shows, even the Chinese will be cautious when it comes to getting involved. Iran, meanwhile, may welcome the departure of the Americans. Whether or not it is likely to provide serious backing for a regime of a different theological cast of mind to its own is not so clear. Moreover, having already played host to millions of Afghan refugees, it is unlikely to be willing to welcome many more [18]. Russia, of course, is well positioned to gain new leverage in Afghanistan. Moscow, in fact, could hardly contain its joy at what finally happened to the US. Yet given its now almost complete preoccupation with the war in Ukraine and the impact that sanctions are having on its own economy, it is unlikely to spend too much time worrying about Afghanistan [19].

In a strange twist of fate, therefore, all roads once again lead back to the West. Thus far no Western government has recognised the Taliban and, for the time being, are most unlikely to unfreeze Afghan assets or advance the new government in

Kabul the aid it so desperately needs. Talks continue between the parties, but as the discussions in Oslo in January 2022 showed, Western donors will not make any significant material concessions to the Taliban unless the Taliban is willing to undertake policies such as widening the government, protecting human rights, and providing girls and women much greater access to education [20]. Many in the West meanwhile continue to press for sanctions to be lifted, if only to prevent a looming humanitarian crisis. To leave hundreds of thousands of people starving is, as one policy-maker put it, not an option. But there is still a long way to go. The bitter legacy of the war, the brutality displayed by the Taliban throughout the conflict, and the way in which it took over and has since run the country does not at this moment leave much room for hope.

Then, as if the situation was not dire enough, came the Russian invasion of Ukraine on 24 February 2022. Indeed, with the West's attention now concentrated almost completely on the humanitarian crisis facing Ukraine, what little hope there may have been for Afghanistan has been dealt a serious blow. Once again, Russia appears to have become the arbiter of Afghanistan's destiny. Whether or not its war against Ukraine becomes 'Putin's Afghanistan' remains to be seen [21]. But for Afghanistan itself, the consequences of what is going on in Ukraine look to be little short of disastrous. As Afghanistan's former ambassador to Ukraine has reminded us all – more in sadness than in anger one suspects – the world is already forgetting about Afghanistan, leaving the Taliban free to implement their policies with little or no international scrutiny [22]. The Afghanistan tragedy, one fears, still has a long way to run.

Original versions of most of the chapters were commissioned for an issue of LSE Public Policy Review (https://ppr.lse.ac.uk), a journal that encourages inter-disciplinary commentary on contemporary issues, based on frontier-level research.

Notes

[1] Chapter 2 in this book by Sir Rodric Braithwaite details the USSR's intervention. This is discussed in more detail in his book [1].

[2] See also US Costs to Date for the War in Afghanistan in $Billions, FY 2001–2021, Watson Institute For International and Public Affairs, 2022.

[3] Figures obtained from https://reliefweb.int/report/afghanistan/40-all-civilian-casualties-airstrikes-afghanistan-almost-1600-last-five-years

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2. Afghanistan: Learning from History?

Rodric Braithwaite

Policy-makers could have concluded from Britain's three wars in Afghanistan and the Soviet defeat that the Americans were likely to be defeated there too. It is mountainous, poor and turbulent. Even successful invaders have found it ungovernable. The British imposed their foreign policy requirements on the Afghans, but then quickly withdrew. The Russians installed a Communist puppet, but withdrew after a long war against determined Islamist guerillas. Afghanistan descended into civil war until the Taliban imposed their version of law and order. America began with a stunning victory, ejecting the Taliban who had backed Osama bin Laden's destruction of the Twin Towers in New York. But after 20 unsatisfactory years they too withdrew and the Taliban returned. Three old lessons were reconfirmed. Liberal interventionism – the attempt to re-engineer someone else's society by force – very rarely works. Policies of counter-insurgency rarely work either. Pouring aid into a poor country raises expectations, but raises corruption even higher. But the lessons need to be applied critically, not blindly.

Introduction — 'This Time It Will Be Different'

As the Russians were going into Afghanistan in December 1979, a senior official is said to have reminded Foreign Minister Andrei Gromyko of the trouble the British got themselves into when they invaded the country a century earlier.

> 'Are you comparing our gallant Soviet warriors with those mercenaries of British imperialism?' Gromyko responded furiously. 'No, no, minister, of course not,' the official replied hurriedly. 'The soldiers are quite different. But the mountains are the same'.

Governments can be like adolescents. Their judgements are often coloured by wishful thinking and a belief in their invulnerability. They very rarely listen to advice, but have to learn for themselves. Some are quicker and better at it than others.

But a knowledge of the history can illuminate the mistakes of governments not only with the benefit of hindsight, but at the time or even before they are committed. America's defeat in Afghanistan was foreseeable by anyone who was paying attention, and who had bothered to look at the Soviet war in the 1980s or Britain's three Afghan wars in the 19th and early 20th centuries.

The Background

Afghanistan's modern rulers have always faced four main tasks: to preserve a semblance of national unity; to preserve the independence of the state from the depredations of outside powers; to modernise their country; and to stay alive.

The last has been the most challenging. Between 1842 and 1995 seven of Afghanistan's leaders fell victim, whether to family feud, palace coup, mob violence, revolution, or outside intervention. Over five more were forced into exile. Others prudently abdicated while the going was good.

The country these individuals fought to control is extremely poor, sparsely populated, and ruggedly mountainous. In places, it is impassable, with its considerable mineral resources barely exploited. Afghans are devout and occasionally fanatical Muslims, divided between Sunnis and Shias. They fight bitterly among themselves, within and between families, tribes, and ethnic groups, including Pashtuns, Tajiks, Uzbeks, and Hazaras.

Outsiders sometimes maintain that Afghanistan is not a real country at all, that it is too fissiparous, too unwilling to submit to central direction, too prone to disintegrating into dissent and rebellion. Past Afghan governments nevertheless held it together reasonably well. Their methods have never been pretty: a combination of bribery, ruthlessness towards the weak, compromise with the powerful, keeping the key factions in balance, and leaving well alone. Such methods may not have been what the West would regard as good governance. But they worked.

Because Afghanistan stands at the crossroads of ancient trade routes, it has always attracted the attention of neighbouring predators despite its poverty. Its foreign policy has primarily consisted of distancing itself from one predatory rival in return for a guarantee of security from, and a large bribe to, the other. In terms of deterring invasions, this is a policy that has often failed. The course of history shows a country that is frequently successfully invaded.

But while the invasions are often successful, the subsequent occupation of the country has never been equally so. Despite their domestic quarrels, Afghans are almost always willing to unite against foreigners. They may have disorderly military methods, but Afghans are good at dying for their country and at fighting for it effectively. The invaders have usually preferred to cut their losses and pull out. That has always been Afghanistan's ultimate defence.

The British Lesson

Contrary to myth, Afghanistan was not the grave of the British Empire. Though it embroiled the British in three unsatisfactory wars, British policy towards Afghanistan was a qualified success. They quickly learned that the imperial formula that worked so well in India would not work in Afghanistan, and sensibly settled for their minimum objective, a monopoly of Afghan foreign policy – a goal they sustained for 80 years.

Underlying Britain's interest in Afghanistan was the fear that a rival power, like Persia, France, or Russia, might use Afghanistan to steal their Indian empire away. Their solution was to install their own puppet first. They defeated the Afghan army in 1839, but their own force was massacred by irregulars as it attempted to return to India. They sent a new 'Army of Retribution' to revenge the humiliation. It sacked Kabul and hanged the notables in the market place. Honour satisfied, the British then sensibly withdrew. Their puppet Shah Shujah was murdered, but his successor, Dost Mohamed, agreed to consult them in matters of foreign policy.

Before their next Afghan war, the British had defeated the Sikhs and annexed the Punjab, a chunk of Sikh territory around Peshawar that had formerly belonged to Afghanistan. The

Afghans never accepted the change. It involved the British, and in due course the Pakistanis, the Russians, and the Americans, in a great deal of trouble.

Disorder in Kabul led to a fraying of the British tutelage. To reassert it, the British returned in 1879. The main body of their army was successful, but a large detachment was badly mauled at Maiwand in Helmand province. Once again the British devastated Kabul, hanged a lot of people, and withdrew.

Abdur Rahman emerged from the chaos. He agreed with the British to keep the Russians out in exchange for material and political support. A brutally effective ruler, he set up the rudiments of a modern state bureaucracy, modernised his army with the help of the British, and struck a skilful balance between them and the Russians.

This cosy arrangement lasted until 1919. With the Indian army deployed to fight in the First World War, Rahman's grandson Amanullah invaded North West India in the hope of recovering the Punjab. The British expelled him. But they were running out of imperial steam and agreed to give up their hold on Afghan foreign policy.

Amanullah was a reformer. He established a Council of Ministers, promulgated a constitution, decreed a series of administrative, economic and social reforms, and unveiled his queen. He thus angered religious conservatives and provoked a rebellion. In 1929 he was chased into exile in Italy.

His grandson Zahir Shah reigned from 1933 to 1973, the longest period of stability in Afghanistan's recent history. During his rule, further reforms were made, including an elected parliament, the introduction of political parties, some freedom of speech, and votes for women. The emancipation of women was a notable

achievement, with women attending university, and working unveiled as airline hostesses and receptionists, announcers on Kabul Radio, and as diplomats at the United Nations. Inevitably, Zahir was also overthrown, by his cousin Daud in 1972, and also took flight to Italy.

Daud continued the reforms. By now Afghanistan was reasonably secure, with a substantial army and the bureaucratic paraphernalia of government. Foreigners and the tiny middle class who lived in the big cities later looked back on this time as a golden age. But for the vast majority little had changed, and at its core the system remained the same combination of ruthlessness, compromise, and decentralisation it had always been.

The Russian Connection

The story long persisted, and perhaps still persists, in the West that the Russians invaded Afghanistan in 1979 in order to threaten the West's oil supplies, to acquire a warm water port, or to incorporate the country into the Soviet Union, and that they were chased out in 1989 by a bunch of gallant mujaheddin guerrillas armed with little more than Kalashnikovs and Stinger missiles supplied by the CIA. Such a narrative is almost entirely mythical.

By the 1930s, the Soviet Union was Afghanistan's most important commercial and political partner. After the Second World War, Zahir and Daud manoeuvred successfully between the Americans and the Russians. The Americans were first persuaded to build a large irrigation project in Helmand province, but then became distracted by Vietnam, so Afghanistan looked to the USSR. The Soviets increased their provision of loans, grants, training, and technical and military assistance.

Large numbers of young Afghans went to the Soviet Union to further their education.

These delicate balancing acts were derailed when the Afghan Communists overthrew and killed Daud in April 1978. The Soviets were taken by surprise, though they naturally had to welcome this addition to the Socialist bloc. The new rulers announced that they would leap direct from feudalism to a prosperous, just society, giving land to the peasants, food to the hungry, education to all, and freedom to women so that they should no longer have to live completely shut up in their homes. They would move before the landlords and the mullahs could stop them. If that meant taking short cuts on the way, so be it.

But they were deeply split between two factions. The first faction, from the city, held Nur Muhammad Taraki as President, and the second, from the country, followed Hafizullah Amin the Prime Minister. In their impatience to establish control, they turned to terror. First, it was used against others, then against one another. When the Russians advised moderation, they retorted that what had worked for Stalin would work for them. Soviet officials compared them to the murderous reign of Pol Pot in Cambodia.

The Communists were never welcomed by the Afghan people, not least because of their attacks on Islam. In March 1979, an army unit mutinied in the provincial capital of Herat, and was backed by the locals. The government panicked, and asked the Russians to send troops.

But the Soviet leaders were clear: the central role of religion, the low standard of literacy, and the backwardness of the economy all meant that Afghanistan was not ripe for revolution. Any

attempt to impose it with Soviet bayonets would lead straight into a quagmire. So they told Kabul to sort Herat out for themselves.

That they did. But revolts continued to break out all over the country, and the murderous strife within the Afghan Communist Party got even more vicious. In September 1979, Amin had Taraki murdered, took sole control, and stepped up the terror against his opponents both inside and outside the Party.

By now Yuri Andropov, the head of the KGB, had convinced himself that the Americans had recruited Amin when he was studying in New York, and that he was on the verge of switching alliances. A small clique around the senescent Soviet leader, Leonid Brezhnev, concluded that Amin would have to be ejected by force.

The Soviet military were aghast. The Chief of Staff, NIkolai Ogarkov, told his civilian bosses that a military intervention made no sense. He was slapped down. The Defence Minister told him it was not his place to teach the Politburo its business. He should do as he was told.

On 27 September Amin was killed by the Russians in a special forces operation and replaced by their puppet, Babrak Karmal. But even before this, the 40th Army had begun to cross the frontier. It was an improvised force of about 80,000 conscripts, its officers trained to fight sophisticated armies in Germany and unprepared for the infuriatingly unorthodox Afghan way of war. The Russians' limited aim was to train the Afghan security forces to defend the regime, and then leave.

But they soon discovered that large numbers of Afghans were entirely unwilling to accept an atheist Communist government backed by foreign troops. Just as the Soviet military had feared,

they got bogged down and were kept in Afghanistan for the next nine years. Their attempts to negotiate a settlement at the UN were consistently frustrated by the Americans. The war in which they now found themselves was a brutal matter of small-scale raids, ambushes, roadside bombs, and air strikes, with appalling atrocities committed by both sides. The mujaheddin rebels fought with practised skill. Their simple weapons were generously supplied over the mountains from Pakistan, supplemented by sophisticated weapons from the CIA. The Russians fought with ferocity, matched by willingness to take casualties. They won most of their battles. But they never had enough troops to hold their ground, and when they withdrew, the rebels moved back.

When the Russians entered Afghanistan, Soviet 'socialism' was still seen as a model in some parts of the developing world. The Soviets had brought Soviet-style law and order, economic and agricultural development, and higher education (including for women) to their Central Asian republics. The idea that they could help the Afghans construct a modern society was not wholly absurd. Their civilian advisers, many speaking the language, fanned out across the country, and got on well with the Afghans, with many of their projects proving successful. It did not take long for them to learn that there was little point in going against the grain of Afghan society. They advised the Afghan government to abandon the idea of rapidly making the country 'socialist'. Despite the stress of war, Kabul was still a flourishing and vibrant place when the Soviets left, where women could play – and were playing – an increasingly substantial role. Nostalgic Afghans would later say that they had lived better under the Russians than they did under the Americans.

But by the time Mikhail Gorbachev came to power in 1985, Soviet public opinion had turned against the war, as the body bags piled up at home. The military were clear that they could hold territory, but only as long as their soldiers remained. Otherwise 80% of the country was dominated by the rebels. The Soviet Chief of Staff told Gorbachev in 1986, 'We have lost this war'. Gorbachev was anxious to leave as soon as possible. But the Americans were anxious to hold their opponents' feet to the fire. And he faced the dilemma that all face when they try to disengage from an unsatisfactory war. A million Soviet soldiers had passed through Afghanistan. Thousands of them had died, said Gorbachev, 'and it looks as though they did so in vain'. There is a widespread belief that portable anti-aircraft missiles provided by the Americans, called Stingers, enabled the mujaheddin to turn the scales. It is a myth. The Stingers had no impact on Gorbachev's decision-making: he had already decided to withdraw before the first Stinger appeared on the battlefield. The Stingers were an inconvenience to the Soviet airforce, but little more: the Russians rapidly modified their tactics to meet them.

Despite deliberate foot-dragging by the Americans, Gorbachev managed to negotiate a withdrawal deal by 1988. The Soviet forces departed in an orderly fashion, with bands playing and flags flying. The details were agreed in advance with the Afghan authorities and the rebel commanders, so there was a bit of fighting, but not much. They were gone by February 1989, little more than nine years after they arrived.

Soviet occupation was replaced with a competent government under Mohammad Najibullah, a former Communist and secret

policeman who reinvented himself as a Muslim patriot. He had a substantial army, armed with fairly modern Soviet equipment, with many of its officers having been well trained in the Soviet Union. This was the army that had fought alongside the Russians adequately, if not brilliantly, and despite its weaknesses, it continued to fight on its own against the rebels for more than two years after the Russians left. But throughout this period, it depended on supplies of Russian food, equipment, and ammunition. After Najibullah was overthrown in 1992, the Russians cut these off, and the mujaheddin leaders turned on one another. Orderly government disintegrated, and Kabul was practically destroyed in an atrocious civil war.

The Soviets failed in Afghanistan because their force was too small to hold the ground; they were unable to seal the frontier with Pakistan; their opponents received massive foreign aid; and the governmental and popular will collapsed inside the Soviet Union. Most Afghans were determined not to accept the transformation of society that the Russians had to offer. A Russian commentator summed it up: 'We tried to teach the Afghans how to build a new society, knowing that we ourselves had failed to do so [in Russia?] …. Our army was given tasks which it was in no position to fulfil, since no regular army can possibly solve the problems of a territory in revolt' [1].

He was right. Much the same lessons could have been drawn from the British experience. You can invade Afghanistan, you can defeat Afghan armies, and you can negotiate workable arrangements with the authorities. But if you stick around for too long, the Afghan people will turn against you, and you will find yourself having to pull out.

Fiasco

A new force now arose in Afghanistan: the Taliban. Backed by Pakistan, they defeated the remnants of the mujaheddin and took over the country. They were welcomed by many ordinary people as good Muslims who brought law and order after the appalling chaos of civil war.

But in 2001 the Twin Towers in New York were destroyed by a group of terrorists, largely Saudis directed by their countryman, Osama bin Laden, whose Al Qaeda terrorist network was head-quartered in Afghanistan. When the Taliban refused to hand him over, the Americans invaded, toppled them and chased Bin Laden out of the country. Their campaign was brilliantly effective, but it depended as much on Afghan allies on the ground and small contingents of American special forces on horseback as it did on the sophisticated weapons at which the Americans were so adept.

The Americans then had to decide what to do next. There were two alternatives. One was to pull out, warning the Afghans that they would be back if the terrorists returned. The other was to stay, to help rebuild and modernise the country, in the belief that turning Afghanistan into a modern state (whatever that might mean in practice) would prevent it once more from becoming a base for international terrorism fuelled by Islamic fundamentalism.

The Americans decided to stay. Hamid Karzai, a courageous but comparatively minor Pashtun grandee, was parachuted into office as president. He did not live up to expectations. Rather than help create a democratic modern government in Afghanistan, he adopted the traditional Afghan methods of

government: nepotism, compromise, bribery, and the occasional threat. But he lacked the ruthlessness of his more brutal and effective predecessors, earning only the contempt of his own people and his American sponsors.

Aid money poured in, backed by innumerable expensive consultants and official experts, few of whom had much understanding of the way Afghanistan worked. Much of the money went on fees to the foreigners or as bribes to local officials. Much of the rest was spent on ill thought-out projects that failed to deliver.

Many well-meaning volunteers arrived too, with strong ideas about rights for women, good governance, and sustainable agriculture. Despite their courage and dedication, they found it hard to accept that most Afghans had their own firm views about religion, the role of the family, the position of women, and the right way to conduct everyday affairs, and that they had no intention of abandoning them at the behest of another bunch of outsiders.

At first the Taliban lay low. But they began to make their presence felt in 2006, just as NATO deployed its International Security Assistance Force. The British chose to go to Helmand, forgetting that this was where they had been roundly defeated during the Second Afghan War. The Afghans remembered and assumed that the British were coming to take revenge.

The Taliban offensive rapidly gathered pace. They performed a succession of attacks on police posts and suicide bombings in markets, quickly making it clear that the American-led occupation was going disastrously wrong. Generals came and went, reinforcements surged in and out. But, in tones eerily reminiscent of official voices in Saigon as the Vietnam war turned

nasty, military spokesmen continued to insist that the occupation was on its way to success.

President Barack Obama came to office determined to end what was becoming an open-ended commitment. In 2011 he announced that most American forces would leave by 2014: the Afghans would then take over responsibility for their own security. His unhappy generals argued that he was inviting the Taliban simply to wait out the American departure and invite Al Qaeda back to threaten America.

In 2013 an American think tank said bleakly that the American government 'has not laid credible plans for the security, governance, and economic aspects of Transition. It has not made its level of future commitment clear to its allies or the Afghans, and it has failed dismally to convince the Congress and the American people' [2]. Inevitably, the withdrawal went ahead. The domestic need to win votes at home won out against broader foreign policy goals. This withdrawal was continued – and accelerated – under President Donald Trump, who took office in 2016. American forces were steadily reduced from 10,000 in 2011 to 2,500 by the end of 2020. Without consulting the Afghan government, President Trump agreed with the Taliban that by May 2021 they would all be gone. President Biden delayed that date by three months.

The Americans and their allies then scuttled off in unplanned, humiliating disorder, abandoning the Afghan children, the professional people, and above all the women who had trusted their promises of a better life. Adding insult to injury, Biden said: 'Afghanistan political leaders gave up and fled the country. The Afghan military collapsed, sometimes without trying to fight' [3].

One thing Afghans can do without any Western training is fight for something they believe in. The Taliban did. The attempt of Western allies to deflect the blame onto the very people that they had put in place and trained for 20 years was not only peculiarly unattractive: it showed that they never got to grips with the basic problems.

Why Did the West Get It So Wrong?

It all went wrong because of a central flaw at the heart of Western policy. The policy rested on the idea that Al Qaeda could be eliminated if we destroyed the Taliban and re-engineered Afghan politics to ensure that the country never again became a base for Islamic terrorist groups. But Al Qaeda have shown that they can operate effectively from many bases. Some of the worst terrorist atrocities have been planned and mounted from within the West. The most effective means for dealing with that are good intelligence, good police work, and the occasional use of unorthodox military force. That does not require boots on the ground in Afghanistan.

The differences between the Soviet and the American wars in Afghanistan were significant. The Soviet generals gave their opinion about the feasibility of an operation without too much souped-up military optimism. They were always under firm civilian control. The civilians could and did reject their military advice as they saw fit, sometimes to everyone's disadvantage.

By contrast, despite their supposed subordination to civilian politicians, American soldiers expressed their views in public, and often the public listened. Successive presidents had to take that into account. Only Obama, who got rid of one insubordinate

general, came close to acting as decisively as President Harry Truman did when he sacked General Douglas MacArthur in 1951.

America's overwhelming military power and its victories in 1945 encouraged Americans and their generals to believe that the difference between war and peace is absolute, and that the aim of war is unconditional victory. American strategic thinkers attacked the Soviets for sticking to Carl von Clausewitz's view that war and peace are two aspects of the same activity. But Clausewitz and the Soviets were right. The Americans have never lost on the battlefield. But in Vietnam, Iraq, and Afghanistan they lost their war, and after Korea they only managed to force a stalemate. And that was because they forgot that you can pursue a war to victory only if you get the politics right.

The American war in Afghanistan lasted twice as long as the Soviet war. The only solace to take from this war is that, thanks to smart weapons, the casualties on both sides were substantially less than they were in the Soviet war, or in the American wars in South East Asia.

The dismal debacle in Afghanistan reminded us of three things that we knew already.

Liberal Intervention

Liberal intervention designed to re-engineer other people's societies doesn't work. Very expensive American attempts to create democracy failed not only in Afghanistan, but also in China, Vietnam, Iraq and elsewhere.

To build a democratic nation in Afghanistan would have required a degree of sustained stamina, clarity of purpose, insight, and generosity that was never remotely likely to be forthcoming.

And it wasn't only democracies that failed because of their obsession with the short term and concern with domestic popularity. Fatigue and domestic politics took over for the Russians too.

The Americans successfully presided over long-term change in Germany, Japan and South Korea after 1945. They fought and then stayed in all three countries long enough for change to succeed. They did so not for moral reasons, or because they were fond of the three peoples involved, but because they had a Cold War to fight. In Vietnam even that motive was inadequate.

Some think that the Americans should have left their small remaining contingent in place to give the Kabul government the breathing space to get its act together. No one has shown convincingly why that would work when a massive effort over two decades had already failed.

War Against Terror: Counter-Terror and Counter-Insurgency

The second lesson is that overwhelming military power is not enough to secure victory over people who are fighting for their country or their ideology and have the time, the commitment, the discipline and the appropriate weapons. However many battles they won, the Russians lost in Afghanistan, as did the Americans, in Vietnam, Iraq, and Afghanistan; the British in Palestine, Egypt, and Aden; the French in Indochina and Algeria. As the Taliban used to say: 'You have the watches, but we have the time'. In the end, foreigners get tired and go home. The insurgents, as has so often been said, don't have to win: they simply have to avoid losing.

'Counter-insurgency' is not the answer. The theory was developed by the French in Indochina and was much touted by

American generals in Iraq and Afghanistan. The British believed they were rather good at it. It depends on winning the hearts and minds of ordinary people, on persuading them that they are better off with the forces of law and order than they would be with the insurgents. It has rarely worked, if ever. The reason is simple. If you use military force, you are bound to kill people's wives and children. Saying you're sorry for the 'collateral damage' wins no hearts at all.

You can, of course, suppress a terrorist movement if you are prepared to be sufficiently ruthless. The Russians hammered the Chechens into the ground, then outsourced the management of the place to a unscrupulous local warlord. Other imperial powers have also behaved ruthlessly when they felt they needed to, especially when it was conveniently out of the public eye. But in our modern interconnected world the political price is almost always too high.

The Seductions of Aid

The third thing we already knew from much experience is that if you pump billions of aid into countries that don't have the necessary infrastructure, a large proportion of the money will end up in the pockets of foreign contractors and in the offshore bank accounts of the local politicians. The Marshall Plan worked because the Europeans already knew how to run a modern economy, but needed help in rebuilding the ruins. Afghanistan was very far from this. Nor is it enough to say that Afghan government was corrupt, because so are many governments across the world. While the West may celebrate our avoidance of the more obvious forms of corruption, we still practise theories that openly celebrate greed. Poor countries do not have that luxury.

What About the Future?

Those who took part in the Afghanistan intervention have an immediate moral obligation to repair some of the damage they have done, to provide new lives for those who have been forced from their country, and to get medical and other aid to those who remain behind. That means entering into a relationship with the people who now run Afghanistan. Some object to any formal recognition of the Taliban, and regard that as an excuse to freeze Afghan assets abroad. But without informal arrangements that help the Afghan economy to get going again, the people we have deserted face disaster yet again. That would leave the remains of our moral reputation in tatters.

The West's ability to shape future events in Afghanistan will now inevitably be limited. Its neighbours – Pakistan, India, Iran, China, Russia and its Central Asian associates – have a far more direct and continuing interest in what goes on there than the West does. Their mutual rivalries mean they will find it hard or impossible to cooperate effectively. The West will now be able to do little more than use its limited diplomatic and political assets to nudge them in the right direction.

But the widespread argument that defeat in Afghanistan marks a permanent decline in American power and influence misses the mark. America recovered from Vietnam and went on to win the Cold War. Its problem lies elsewhere, and has nothing to do with Afghanistan. America's hegemony lasted a little more than a decade after its victory in the Cold War. But it will remain outstandingly powerful, rich, and ingenious for the foreseeable future, with the key difference being the presence of China, a more versatile and formidable opponent than America has ever faced. China has the largest population in the world and the

second largest economy. It is beginning to surpass America in an increasing number of sophisticated branches of technology. Like America, it produces goods that people everywhere want. It already has enough sophisticated nuclear missiles to make the Americans think very carefully before getting into a scrap. George Kennan's idea of containment worked with the Russians. But it will not enable America to see off the Chinese.

Let us not draw the wrong lesson from history yet again.

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3. Three Sins: The Disconnect Between *de jure* Institutions and *de facto* Power in Afghanistan

Michael Callen and Shahim Kabuli

Three key issues that would plague the Afghan government were woven into its fabric from the beginning. First, the Afghan government initiated at the Bonn conference in 2001 explicitly excluded the Taliban. This is widely argued to be the 'original sin' that stymied subsequent political development. This *exclusionary* decision gave the Taliban and their supporters no choice other than to sustain violent conflict, deepen ties to Pakistan, and seek more favourable terms or an outright victory. This was not the only sin. Second, the government adopted an electoral system that combined large multi-member districts with a single non-transferable vote (SNTV). This obscure system is used almost nowhere in the world precisely because it is known to be politically *divisive* and to undermine the development of political parties. This, in turn, limited the potential for groups focused on shared political agendas to emerge. Third, the highly *centralised* presidential system created by the 2004 constitution – which copied many elements of Mohammad Zahir Shah's 1964 constitution – did not accommodate Afghanistan's rich diversity and the reality that *de facto* power is decentralised. These three features of Afghan institutions ensured that a broad-based and inclusive

government capable of providing stability, safety, liberty, and economic opportunity to Afghans would not emerge, even with unprecedented levels of international assistance. These *exclusionary, divisive, and centralised* political institutions were fundamentally out of sync with Afghanistan's political realities and encumbered the development of an effective state.

Introduction

The international effort to build a state in Afghanistan carried tremendous financial and human costs. The US spent $2.3 trillion, and around 176,000 people, mostly Afghans, were killed [1]. If we consider development assistance alone, Afghanistan received $145 billion (or about $4,000 per Afghan), which, in real terms, amounts to substantially more than was spent under the Marshall Plan. Nonetheless, more than half of the country's population – an estimated 22.8 million people – now face life-threatening food insecurity as the economy crumbles, while many of the human rights advances achieved during the past 20 years are being quickly reversed [2]. An unprecedented international effort to modernise Afghan institutions has ended politically almost where it started: with Afghanistan under the control of a brutal Taliban theocracy.

It is hard to imagine a scenario that more starkly calls into question whether stable democracy is possible in Afghanistan. Indeed, it makes a case that any such effort, no matter how it is executed, may not be worth the phenomenal financial and human costs. Such pessimism is reinforced by the fact that Afghanistan has managed only two peaceful transitions since

1747: in 1901 when Habibullah Khan inherited the throne and in 2014 when Ashraf Ghani was elected [3].

A substantial body of political economy research – much of it written post-9/11 – argues that insurgent conflicts, like that in Afghanistan, are best understood as violent contests for state control [4–9]. As such, success is much more a question of politics and popular support than one of military superiority. For peace to endure, it must be palatable to any potential spoilers, and, correspondingly, provide them with an acceptable degree of political voice and power. If the design of the state is fundamentally out of sync with underlying social and political power dynamics, it has little chance for success. In such a scenario, the state both has limited incentive to invest in capacity [10] and cannot navigate the traditional forces which block reform and oppose the development of a modern state [11].

This article contends that the reason democracy failed to take root in Afghanistan is because of three specific design choices – which we call the three sins – that ensured Afghanistan's *de jure* political institutions did not cohere with the underlying allocation of *de facto* political power. Collectively, these three sins put a political solution that might achieve a broad enough consensus to work out of reach, with disastrous consequences for the Afghan state.

First, the Taliban were explicitly excluded from peace negotiations and constitutional deliberations, restricted from any political participation by a provision in the constitution, and otherwise disallowed from any form of non-violent participation. This served to disenfranchise a significant percentage of the population, not least the confederation of Pashtuns who

came to support the Taliban. Adopting such a stance ignored the fact that globally, the most successful peace agreements are those that allow for insurgent participation [12, 13] and made Afghanistan's institutions fundamentally *exclusionary*. The only avenue to gain voice for the Taliban and their supporters was to sustain violent conflict, seek support from Pakistan, and push for more favourable political terms or the outright victory they ultimately achieved.

Second, political parties could not develop because of the decision to create large voting districts along with single non-transferable votes. This system is basically not used any-where else in the world precisely because it drives political division, as we detail below. Restrictions on listing party affilia-tion on the ballot also did not help. The electoral system, in this sense, was fundamentally *divisive* and created a winner-take-all system. Predictably, this led to a patronage-oriented politics that entrenched existing elites [14] and excluded groups that shared pro-growth agendas, such as the growing urban middle class or new business elites, from becoming a viable political force.

Finally, the constitution gave vast powers to the executive, such as appointing all provincial and district governors. The highly *centralised* system is as far from the *de facto* federal nature of Afghan tribal authority as can be imagined.

Several experts have already pointed out that these design flaws encumbered Afghanistan's political development [15–18]. Our observations are not novel. We argue, however, that it is important to consider these design features together. They created an *exclusionary, divisive, and centralised* set of formal institutions

that were fundamentally disconnected from Afghanistan's political realities.

This, in turn, created two downstream issues for Afghanistan's political and economic development. First, there was limited room for healthy politics and for effective state-building. Elites excluded from power opposed the state and sabotaged its development, both from within and from without. The crescendo of violence from the Taliban, the fact that the outcome of every election from 2009 onward remained deeply contested, and a series of failed power-sharing arrangements, all provide evidence that many of Afghanistan's elite never bought into the mission of the state. Afghanistan also suffered frequent opposition from within, with ministers refusing to pursue the agenda of the President, ministries frequently working at cross-purposes, and a broad range of actors deciding to loot rather than to build the state. Unprecedentedly large flows of foreign assistance exacerbated these issues, creating the widely discussed focus on capturing rather than building the Afghan state.

Second, because this dysfunction was woven into the country's institutional fabric, international actors – even when they worked to improve the situation in Afghanistan – could only work at the margins. International forces were restricted to winning hearts and minds through the provision of local development projects [5, 6, 19] or revising tactics to minimise civilian casualties [20]. While these pursuits were necessary for the US-led coalition to succeed in Afghanistan, they could not be sufficient. Matters as fundamental as institutional reform and bringing in the Taliban were basically off the table until it was too late.

State building, at its core, requires identifying a domain in which there is sufficient agreement on the core mission as a precondition for building state capacities [21]. The US did not, and perhaps could not, create a coherent long-term strategy focused around this mission. Instead, it spent colossal sums trying to fix problems at the margins. HR McMaster, whose involvement in the Afghan war culminated in serving as US National Security Advisor, famously argued that Afghanistan was not a 20-year war but rather a one-year war fought 20 times over. Much of those 20 years was spent working on problems at the fringes, and not at the core, of Afghanistan's political issues.

How Did This Happen?

Many of the fundamental issues that would plague the US-created Afghan government began at the Bonn Conference. As Surhke [17] describes, when the architects of the Afghan state convened in Bonn on 27 November 2001, they created a system with no room for the Taliban and one that naturally led to a highly centralised presidential system. This was for at least three reasons.

First, the goal of the conference was not to create a viable long term political solution. It was to quickly create a palatable successor regime to the Taliban. Then–Secretary of State Colin Powell and the US military wanted terms for an interim governing arrangement before the US-backed Northern Alliance militias captured Kabul (in part, to avoid the bloody settling of ethnic vendettas). The much longer project of building consensus around a set of institutions – a hallmark of successful constitutional processes [22] – was simply incompatible with US timelines. This was left to the future.

The UN, which was put in charge of the Bonn negotiations to provide an international stamp of approval, allowed only four narrow political factions to be represented. It created an iterative structure that included a timeline for progressively wider elections and the eventual 2004 constitution. Much of the hard work of negotiating a peace process was left to the future, but was made impossible by the fact that elites had control from the outset [17]. Hamid Karzai guided the country toward a highly centralised state with an electoral system that *de facto* prevented the emergence of alternative coalitions or parties [15, 16] as we describe below.

Second, the US severely underestimated the Taliban's degree of grassroots support, its importance to the Pakistani military, and therefore its potential to reconstitute itself. Had it appreciated this, a much better option would have been to ensure that the Pashtun confederations that had always supported the Taliban were genuinely bought into Afghanistan's political institutions.

Third, in 2001, there was little debate that Western liberal democracy would inevitably be the preeminent model of political organisation [23–25]. Even before 9/11, the neoconservative movement took this to its most extreme – if markets and politics globally should be fashioned in America's image, then why not intervene to accelerate that process wherever possible? Military intervention was added to the set of instruments acceptable to neoconservatives to propagate the Western liberal model after 9/11.

Confidence in the US's ability to quickly build democracies, of course, proved misguided. In the immediate aftermath of 9/11,

the existing literature on the fundamentally political nature of counter-insurgency and civil war, such as Galula [26] and Popkin [9] was largely forgotten. It would not be rediscovered and used to guide military policy until the publication of the US Army Field Manual on Counterinsurgency [27]. And the remarkable political economy literature on conflict, governance, and development was created largely in response to the need to understand state formation and provide solutions for policy-makers engaged in the colossal undertaking of building modern states in poor war-torn countries [28].

It was challenging to forecast how long or costly engagement in Afghanistan would be, or even to think about how to pursue this effectively. Correspondingly, there was limited appreciation of the political complexity of insurgent conflict and of the potential to be drawn into a quagmire. The example of Iraq is instructive. In October 2002, Nobel laureate William D. Nordhaus produced one of the only independent and professional attempts to forecast the costs of a potential invasion in Iraq. He provided two estimates. If the occupation was short and favourable the war would cost $121 billion. If it was prolonged and unfavourable it would cost $1.595 trillion. Nordhaus's estimates vastly exceeded the official estimates from the US government and were viewed as outlandish, even though he pointed to the frequent failures to estimate the eventual costs of wars, including the Vietnam war, which cost 11 to 15 times the original estimate. In practice, Iraq greatly exceeded Nordhaus's maximum estimate. The most recent estimates place the costs of the Iraq war at just over $2 trillion, before including future veterans' care.

Three Original Sins: Creating an Exclusionary, Divisive, and Centralised Political System

Several commentators have pointed to the exclusion of the Taliban from politics as the 'original sin' in the Afghan war [18]. However, there were a set of related issues that also shackled political and economic development. This section considers a broader set of three original sins.

Sin 1: excluding the Taliban

The exclusion of the Taliban from the original negotiations at the Bonn Conference was the original, most damning sin. Successful peace arrangements often include provisions that allow all parties to participate [12, 21]. For example, of the 110 conflicts that were settled between 1975 and 2005, 33 of the 42 that permitted rebel participation endured for five years, while only 30 of the remaining 68 survived that long [13]. While this research came of age after 2001, it is not altogether surprising that if large groups or powerful actors are entirely excluded from a political system, they will resort to violence to force their way in.

Early in the war, conceding a role for the Taliban was anathema to America, which had the veto power to block their inclusion. President George W. Bush conflated Al Qaeda and the Taliban in a speech on the evening of 9/11 [17], and pursuing terrorists with the full military might of the US was the order of the day. The authors had a particularly memorable conversation in Afghanistan in 2009 with a US Army colonel who was at Central Command in Orlando during the planning phases for the Afghan invasion. He described a stressful

round-the-clock planning process that involved running through nightmare scenarios like Al Qaeda obtaining a nuclear weapon from the Pakistani arsenal and the escalation of a broader war that might draw in Pakistan. Tellingly, the intellectual exercises of either not invading at all or of only running a limited 'over-the-horizon' counter-terrorism mission aimed at killing Osama bin Laden were apparently not discussed at Central Command in October 2001. Not invading was not an acceptable option. Nor, as Lakhdar Brahimi, the lead UN negotiator in charge of the Bonn proceedings explained, was involving the Taliban in any successor regime. Signalling that an attack on the American homeland would carry major and lasting consequences even for the Taliban – who were only tangentially involved in the 9/11 attacks, but did refuse to give up Bin Laden – was the paramount consideration.

Sin 2: promulgating an obscure and inherently polarising electoral system

The Afghan constitution enshrined an electoral system that combined multi-member districts and a single non-transferable vote (SNTV). This system is exceedingly rare and used by almost no successful democracies [16]. It is only used, or only has been used in, Jordan, the Pitcairn Islands, Vanuatu, Japan from 1948 to 1993 (with the important caveat that constituencies were limiting to having very few representatives), and Taiwan from the 1960s to the 1990s. Both Japan and Taiwan abandoned the problematic system because it led to factionalism and created incentives for patronage.

Afghanistan only holds elections for the president and for the lower house (Wolesi Jirga). The Wolesi Jirga comprises 250 seats spread across 34 constituencies (provinces). When Afghanistan decided on its electoral system, the interim government felt that any constituency other than the 34 provinces would be unacceptable (although the country does have 421 districts contained within those 34 provinces that could plausibly constitute single-member electoral units).

The problem with the combination of multi-member districts and SNTV are carefully described by Reynolds and Carey in two pieces [15, 16]. At its most basic, members from the same party or political alliance are forced to run against one another. Moreover, if a candidate receives more votes than needed to enter office, they cannot transfer these excess votes to their allies. And so, they do not form coalitions. In contrast, other multi-member systems that allow pooling within party lists avoid this issue. Under an SNTV system with large multi-member districts, unless a political alliance perfectly anticipates its voter support, and nominates a number of candidates in line with that support, and controls its voters such that it distributes support across them evenly, support for the alliance will not translate into votes for that alliance. It is easy to devise scenarios where parties can receive a substantial majority of votes and still receive a minority of seats. Therefore, there is very limited incentive for political coordination. It is every candidate for themselves.

This system led to a number of costly outcomes. First, it made it virtually impossible for parties or other political coalitions to emerge around a shared political agenda. Consequently, the

same tribal groups that fought during the bloodiest period of Afghanistan's 40-year-long episode of constant instability had no incentives to form broader political coalitions. Nor could new political actors, such as new business-oriented urban elites, easily create new pathways to political power.

Second, the system created incredible incentives for election fraud, which is documented in our study of the 2010 Wolesi Jirga election reported in Callen and Long [14]. There we precisely measure how much specific candidates were able to inflate their vote totals during the aggregation process, and found consistently that a small set of powerful candidates engaged in dramatic vote inflation.

Widespread fraud not only undermines the key role that elections play in both allowing voters to select competent politicians and in providing performance incentives to incumbents who know they will someday face re-election [29]. It also erodes the social contract. In Berman, Callen, Gibson, and Long [30], we find clear evidence that reducing election fraud *causally* increased popular support for the Afghan government. It also increased citizens' willingness to cooperate with the state in basic and fundamental ways, such as being willing to pay taxes or provide critical intelligence regarding anti-state actors to state forces.

The Taliban understood the vital nature of free and fair elections with broad-based participation for legitimising the state. On election days, the Taliban committed about 10 times as many attacks as they would on a normal day. Moreover, a remarkable study using fine-grained data on attacks and travel routes to polling centres shows clearly that the Taliban sought

to disrupt voting, by, for example, attacking travel routes while simultaneously minimising civilian casualties by attacking in the morning [31].

Reflecting the fading legitimacy of the Afghan state and disaffection with the system, turnout in Afghan elections dropped successively and very severely, from 9,716,413 voters (83.66% turnout) in 2004 to 1,823,948 voters (18.87% turnout) in 2019.

Third, the system is incredibly complex for voters. Ballot papers were often several pages long and included the names of hundreds of candidates.

Fourth, voters share only a very broad geography with all of their elected representatives. Afghanistan's provinces are both large and incredibly diverse. Allowing candidates to run at-large in a province almost ensures that some regions and groups will have no elected political representation.

Why did Afghanistan adopt such a deeply flawed electoral system?

Indeed, the decision to have large district magnitude, SNTV, and electoral rules prohibiting party affiliation on the ballot were implemented precisely to prevent the formation of parties and to preserve the power of the executive. While the UN argued for a proportional representation system, through a series of machinations, Hamid Karzai controlled the entire process leading up to the constitutional convention in 2004, and it was quickly ratified. The first draft was devised by a nine-member committee appointed by Karzai between October and March 2003, and from April to December 2003 a further 35-member all-Afghan constitutional commission selected by Karzai finalised the draft.

They presented it to the Loya Jirga (grand council) in December 2003. The highly controversial constitution did not specify the electoral system, though intimated it should be some form of list proportional representation (PR).

The precise details of the system were to be worked out by the Afghan government in cooperation with the Joint Election Management Body (JEMB) and the UN Assistance Mission in Afghanistan (UNAMA). They agreed to a closed-list PR system using multi-member districts based on Afghanistan's 34 historic provinces.

However, Karzai tasked a young assistant with making the case for closed-list PR to his cabinet. The assistant did not understand the system or its logic, and did not make a compelling case [32]. This, combined with popular distrust of political parties due to the chaotic nature of multi-party politics in the 1960s and the subsequent Communist Party rule and Soviet occupation (1978–89), and a belief that creating single-member districts from Afghanistan's traditional 34 provinces was not logistically or politically feasible, led to the eventual adoption of SNTV with multi-member districts.

Sin 3: enacting a centralised presidential system

Afghanistan is highly polarised: while the country has never had a census, around 40% of its population are Pashtuns, 30% are Tajik, 10% are Hazara and 10% are Uzbeks. These groups are also religiously divided. The Pashtuns and Uzbeks are predominantly Sunni, while the Tajiks and Hazara are predominantly Shia. Historically, Pashtuns have dominated politically, but

Pashtun regimes in Kabul have been forced into *de facto* federal arrangements because of the large non-Pashtun populations in Afghanistan's north and west. Correspondingly, prominent Tajik leaders, as well as political scientists working on Afghanistan, advocated for a federal system.

How these sins undermined the development of a capable state

There are several logics regarding why e*xclusionary, divisive, and centralised* winner-take-all political systems, in ethnically, religiously, and culturally divided societies become extractive and do not develop politically or economically [32, 33]. The characterisation from Padró-i-Miquel [34] describes Afghanistan well. In the presence of entrenched social cleavages, especially when succession protocols are weak (as with highly controversial elections), rulers can gain the support of a sizeable share of the population even while pursuing policies focused on personal enrichment. The rationale is that citizens will have a preference for rulers from their own group, even if they are corrupt, because they will be better off than they would be if a similarly ineffective and venal ruler from another group took power. In such an equilibrium, political order and continued opportunities for rulers to enrich themselves, are maintained through in-group patronage, rather than through pursuing inclusive and effective reforms.

Reasons That Afghanistan is Uniquely Dysfunctional

While it is clear that the design of Afghanistan's institutions severely undermined the country's chances, Afghanistan will

always be beset by major obstacles. Any account of why Afghanistan failed is incomplete without acknowledging these.

First, the challenging reforms required to create stable and inclusive political institutions requires complete sovereignty. So long as the dispute between India and Pakistan persists, this is all but impossible. Pakistan simply will not risk the possibility of a stable and autonomous ruling regime in Afghanistan that could some day refuse to support Pakistan in its dispute with India.

This is because Pakistan's powerful military believes it needs 'strategic depth' in case of an Indian land invasion. It also trains proxy terrorist groups in Afghanistan, which it views as key to its military strategy against India. Reportedly, when George W. Bush offered Pervez Musharraf, then Pakistan's prime minister, a large aid package to cut ties with the Taliban, a large number of senior military officers resigned in protest.

Second, many of those involved in the creation of Afghanistan's institutions in the run-up to 2004 criticised the US decision to subsequently invade Iraq. The US took its best and brightest and focused them on what they thought was a more important objective: replacing Saddam Hussein and building a democratic ally in the Middle East. The shift in focus by the US State Department and Department of Defense came at a critical moment, when the Afghan constitution was on its way to ratification. Perhaps this is why the US allowed Karzai to essentially dictate the terms and choose a set of institutions that did not acknowledge existing power dynamics and that entrenched existing divisions.

Third, there is no shortage of foreign benefactors in Afghanistan's neighbourhood who see no issue with autocratic governments and who are not especially concerned with the

welfare of Afghans. Beyond Pakistan, which seeks a sympathetic regime above all else, Russia, and especially China, which is allied with Pakistan on the issue, see benefit in seeing the US humiliated. China also seeks free access to Afghanistan's mineral wealth. Afghanistan's collapse was a major geopolitical victory for Russia and for China. It also underscored the case that autocrats are making the world over: that Western liberal ideas are antiquated and should no longer be viewed as the objective of political development.

Last, if indeed it is true that no democracy in Afghanistan can exist that does not possess two features: (1) maintaining its 34 districts as the fundamental political unit and; (2) letting voters vote for a candidate and not a party, then the SNTV system with multi-member districts may be the only option. If this is so, given that the system is both conceptually and empirically known to be highly ineffective, this would argue that Afghanistan is exceptionally unsuited to democracy. However, these two requirements seem artificial.

Conclusion

The American quagmire in Afghanistan carried tremendous costs, most especially for Afghans who saw their long struggle for a brighter future crushed by a brutal theocracy. From 2000 to 2019, GDP per capita increased from around $320 to $555 (in constant 2015 US dollars). Male primary school enrolment increased from 40% to being near-total, and female primary enrolment increased from 0% to 90%. In 2022, the country stands on the brink of collapse.

Given the degree of investment and the implications for human welfare, it is deeply important to acknowledge the reality

that one size does not fit all countries. Despite this, there was little consideration as to how the design of Afghanistan's political institutions and constitution should reflect its unique character. We contend that three design choices caused the country's institutions to be fundamentally out of sync with its political realities. We emphasise that, because these were choices, it is wrong to accept that there is no solution that could have possibly worked to create democracy in Afghanistan.

Acknowledgements

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4. Self-Defence and its Dangerous Variants: Afghanistan and International Law

Devika Hovell and Michelle Hughes

The question as to whether Operation Enduring Freedom was justified under international law may seem one that has passed its practical use-by date. Yet, as may be disturbingly apparent from current global conflicts, justifications relied on by certain states in the past can influence their credible use by other states in the future and diminish opportunities to refute them. In this essay, the authors examine the international legal arguments used by the United States and its allies to justify the intervention in Afghanistan. They look at the impact these justifications had on the authority, purpose and expectations of Operation Enduring Freedom, as well as on relevant frameworks for cooperation and acceptable limits of collateral damage. The authors also look at the impact these justifications have had on interpretations of the law of self-defence in modern conflict more broadly.

Introduction

> Let's just pause, just for a minute and think through the
> implications of our actions today, so that this does not
> spiral out of control…
>
> —US Representative Barbara Lee, 14 September 2001

The use of force is prohibited in international law. This simple but fundamental legal principle can be obscured in a geopolitical context littered with conflict and threatened conflict where the exceptions are more often seen as the rule. Relatedly, there is a tendency to dismiss international law as a 'marginal enterprise' at moments of political crisis [1 p26]. This is why, in the immediate wake of the 11 September 2001 attacks, legalistic objections to the United States' use of force against the perpetrators (and enablers) of these attacks could not help but sound reedy and off-key. However, 20 years later, the world is confronted by images of Afghanistan tumbling back under Taliban control, this time against the tragic backdrop of a military operation that cost 175,000 military and civilian lives and more than $3.2 trillion. It may be thought at this point that international legal arguments come too late. Yet, for international law, 'hindsight is a necessary vice'.[1] The practice of states, even that forged in heated times of war and crisis, can harden into enduring legal principles unless objected to or criticised in its aftermath. In this short essay, we examine the legal justifications for the military intervention in Afghanistan and consider the potential dangers in allowing these justifications to endure as part of the legal framework governing the use of force in international relations.

Article 2 (4) of the UN Charter, often described as the Charter's cornerstone, provides that 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations' [2 pxii–xiii]. In the ordinary course of things, the use of force against a state to achieve regime change, such as seen in Afghanistan in 2001, would be a manifest violation of the Charter. It may even amount to an unlawful use of force warranting higher censure as an act of aggression.[2] Yet there are exceptions. First, the prohibition does not cover situations where the government of a state consents to the use of force by another state within its territory [3]. Second, the Charter establishes a collective security framework, vesting 'primary responsibility' in the UN Security Council for the maintenance of international peace and security, and allowing the Council to authorise measures including the use of force where 'necessary to maintain or restore international peace and security'. Third, Article 51 of the Charter notes that nothing in the Charter impairs the right of a state to use force in individual or collective self-defence in the event of an armed attack until the Security Council is able to take necessary measures.

These three circumstances – consent, Security Council authorisation, or self-defence – are the only circumstances in which the use of force is not prohibited in international relations. Each of these justifications has its own elements and limitations. The US intervention in Afghanistan was justified on the basis of the doctrine of self-defence and, at least initially, faced few objections.[3] Yet despite (or perhaps because of) the initial wide

support, US action in Afghanistan has indelibly affected contemporary understandings of the doctrine of self-defence, and generated a number of variants of the traditional doctrine. This has happened to the extent that it has become common to divide analysis of self-defence (and indeed *jus ad bellum* more broadly) into pre- and post-9/11.[4] Christine Gray's seminal volume, *International Law and the Use of Force,* notes that that 'the US invasion of Afghanistan … led to a fundamental reappraisal of the law on self-defence' [4 p200]. Below, we analyse these variants and assess the extent to which they impacted the authority, purpose, expectations, cooperation with and acceptable collateral damage in the context of the Afghanistan intervention.

Rush to Unilateral Action: The 'First Option' Variant

> Two opportunities stand above all others. First was the chance to convince the Taliban to hand over Osama bin Laden before the outbreak of war. Second was the opportunity to include the Taliban in the new political settlement. In both cases, the urgency of the moment overcame diplomacy.
> —Carter Malkasian, 2021

Prior to 9/11, it was 'self-evident and generally recognized' that self-defence was only available as an action of last resort [5]. This 'last resort' requirement is a component of the principle of necessity. The most famous articulation of this doctrine derives from the Caroline Affair in 1837. Following this incident on the Niagara River, which involved the United States, the United Kingdom, and the Canadian independence movement, correspondence

between US Secretary of State Daniel Webster and UK Foreign Secretary Lord Ashburton recorded that a state must show 'a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment for deliberation'.

The 'last resort' criteria, or the requirement to show 'no choice of means', is usually described in terms of an obligation to establish the non-availability of measures other than the use of force. However, the broader interpretation is that a state can only resort to self-defence when there are no other 'realistic' alternatives, including the non-availability of the other justifications for force, such as host state consent or Security Council authorisation. This interpretation suggests a hierarchy between the three available justifications for the use of force: first, state consent; second, Security Council authorisation; and third, self-defence.[5] This positioning of self-defence as an option of last resort is seemingly justified by Article 51's qualification that nothing shall impair the inherent right of self-defence 'until the Security Council has taken measures necessary to maintain international peace and security'.

A little-discussed aspect of the US response to 9/11 is that it seemingly upended this hierarchy. On 12 September 2001, the UN Security Council passed Resolution 1368, which seemed to immediately cede the ground to the United States, recognising 'the inherent right of individual or collective self-defence in accordance with the Charter'. It has been suggested that this reflected a deliberate and strategic preference on the part of the US, which elected for unilateral over multilateral action despite clear Security Council 'readiness to take all necessary steps' in Security Council Resolution 1368[6] [6 p635–636, 7].

This suggestion does not rest upon a sufficiently nuanced assessment of the Council's reasoning. It is important to recall that in the moment, it was not only the Americans who were deeply shaken, but the international community as well. There had never been a terrorist attack of the magnitude, complexity and scope of 9/11, and even though the US and its allies had been closely tracking Al Qaeda since the late 1980s, their militaries, intelligence services and law enforcement had all missed critical indicators and warnings [8].

Furthermore, the relationship between the Taliban and Al Qaeda had been matters of Security Council concern since 1996 [9]. Following the 1998 embassy bombings in Nairobi and Dar es Salaam, the effort assumed global importance, and the Clinton administration worked aggressively through diplomatic, intelligence and law enforcement channels to find a way to bring Osama bin Laden to justice [9 p121–126, 205–207]. Subsequently, the Security Council passed four resolutions between 1998 and 2001 that specifically cited the threat from Al Qaeda and declared the supporting actions of the Taliban government in Afghanistan to be a threat to international peace and security [10–13]. These resolutions were the foundation for the diplomatic activity that immediately followed the 9/11 attacks, including Resolution 1368. They indicate that while willing to act unilaterally, the US was aware that the transnational nature of Al Qaeda's networks and operations still demanded a multilateral approach.

The question remains as to whether the 'last resort' threshold had been reached. It is clear that the law enforcement measures authorised in Resolutions 1267 [11] and 1333 [12] had not yet fully been exhausted. Both resolutions authorised the use of measures

to halt the funding of Bin Laden's and Al Qaeda's operations, but 'there was as yet no coordinated U.S. Government-wide strategy to track terrorist funding and close down their financial support networks' [8 p119]. More problematically, there is also a strong counterfactual if we consider the availability of diplomatic options. Although such alternatives appeared to have been exhausted, the urgency of the moment and unprecedented international unity following the 9/11 attacks may have created a new opening for negotiations with the Taliban. According to former Bush administration officials, even though his national security council had concluded that any attack on Al Qaeda would have to take out the Taliban as well, President George W. Bush was not initially ready to commit to a course of action that would lead to regime change [8 p315, 14]. Instead, Bush at first maintained his position that if the Taliban would agree to turn Al Qaeda leaders over to the US, close all terrorist camps, free foreign prisoners, and comply with UN Security Council resolutions, the US would leave the regime in place [9 p332–333, 14]. By 18 September, as Secretary of State Colin Powell lined up support for an eventual invasion of Afghanistan, Pakistani interlocutors reported that Taliban leader Mullah Mohammad Omar had considered the US proposal, and 'was not negative on all these points' [9 p333].

Bush did not expect the Taliban to acquiesce, but in that moment, it was not yet an unrealistic option. With patience and sustained strategic pressure, diplomacy may have worked. Historian Carter Malkasian, a US State Department official in Afghanistan who later served as political advisor to the commander of the NATO forces, exhaustively researched the Taliban's decision-making process in the early days following 11 September.

Malkasian concludes that while there may never be a definitive answer on whether a diplomatic solution could have been reached, there is strong evidence that – but for a combination of miscommunication, US political imperatives and the Bush administration's fear of further attacks – a negotiated solution would have been possible [15].

Events overtook such an opportunity. On the evening of 11 September, Bush had privately declared that the US would punish not just the perpetrators of the attacks, but those who harboured them as well [9 p330]. Over the days and weeks that followed, his resolve hardened and expanded to encompass the broader aim of 'the elimination of terrorism as a threat to our way of life' [9 p331]. Meanwhile, communicating through the Pakistanis, Mullah Omar agreed that he would ask Bin Laden to leave Afghanistan and further indicated that he would be willing to surrender him to a third country other than the US [15]. With the American public clamouring for vengeance, however, this had become unacceptable for Bush. Within days, the window for an agreement that would avert unilateral action slammed shut, and with the initiation of US airstrikes on Afghan targets on 7 October, Taliban resistance to what they saw as Western interference had hardened as well. Separated by time and absent the emotion, one can argue that by prematurely abandoning diplomatic negotiations, the 'last resort' requirement as a prerequisite for self-defence may not have been met.

The further tragedy is that the pre-invasion refusal to negotiate with the Taliban carried over into the post-invasion Bonn Conference, which charted Afghanistan's political future. Western representatives envisioned the Bonn Agreement as

a power-sharing arrangement that would form the basis for a modern democracy, but at the US's insistence, the Taliban, and by extension the percentage of Afghan society that sympathised with its national vision, were excluded. Many experts believe that the refusal to include the Taliban, or to acknowledge the interests it represented, set the conditions for the 20 years of violent conflict that followed [**9** p455–466, **16** p877].

Invasion of Afghanistan: The 'Complicity' Variant

> Nothing did more for our ability to combat terrorism than the President's decision to send us into the terrorists' sanctuary. By going in massively, we were able to change the rules for the terrorists. Now they are the hunted. Now they have to spend most of their time worrying about their survival. Al-Qa'ida must never again acquire a sanctuary.
>
> —George Tenet, 2002

Article 51 of the UN Charter provides that a state may use force in self-defence 'if an armed attack occurs against a Member of the United Nations'. In the wake of the 9/11 attacks, the idea that the US was entitled to use force in self-defence against Al Qaeda terrorist training camps seems to follow as a matter of legal logic. However, the legal position is not so simple. It is complicated by the fact that, unless terrorists are located on the high seas or otherwise outside the territory of a third state, the use of force against terrorist groups will necessarily implicate the use of force against the territorial integrity of the state in which they are located. Terrorist attacks do not in and of themselves

justify a military response against the territory or government of a non-consenting state within whose borders members of the responsible terrorist group might be found.

Prior to 9/11, the extraterritorial use of force by a state against terrorists within another state was considered a violation of Article 2 (4) [17 p209, 213–214]. In the 1970s and 1980s, such claims to the right to use force (for example, by Israel, South Africa and the US in Libya) were systematically rejected by the international community [7 p377]. In order for self-defence claims to justify the use of force against non-state actors situated in another territory, it was necessary to establish a certain level of involvement on the part of the relevant state. The standard was established in the *Nicaragua* judgment, handed down by the International Court of Justice in 1986. Here, the ICJ determined that an 'armed attack' that sanctioned the right of self-defence included the 'sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to (inter alia) an actual armed attack conducted by regular forces, or its substantial involvement therein'. A right to self-defence against a state would therefore only arise where it could be established that the state had substantial involvement with the non-state actors launching the attack. In determining the meaning of 'substantial involvement', the ICJ considered that assistance to rebels in the form of provision of weapons or logistical support would not suffice.[7]

In Mullah Omar's retelling, although the Taliban refused to surrender Osama bin Laden, there was no suggestion that they had a substantial involvement in the 9/11 attacks or even that

they explicitly endorsed them [18, 19]. Yet to suggest the Taliban was simply a passive provider of sanctuary and incidental support would underplay the extent of their involvement. While the relationship between Bin Laden and the Taliban leadership was sometimes tense, its foundation was deep and personal [9 p125]. By the 1990s, the Taliban were providing bodyguards for Bin Laden, and Afghanistan had become a sanctuary where Al Qaeda 'created a terrorist army … with little interference' [8 p237].

There was also an often-overlooked symbiotic aspect to the relationship. In return for sanctuary, 'Bin Ladin invested vast amounts of money in Taliban projects and provided hundreds of well-trained fighters to help the Taliban to consolidate and expand their control of the country' [8 p237]. Thus, US Deputy Chief of Intelligence George Tenet concluded: 'While we often talk about two trends in terrorism – state supported and independent – in Bin Ladin's case with the Taliban, what we had was something completely new: a *terrorist* sponsoring a *state*' [8 p238].

This level of complicity was underplayed in official statements. The US justified the intervention on the basis that 'the ongoing threat to the United States and its nationals posed by the Al-Qaeda organization have been made possible by the decision of the Taliban regime to allow parts of Afghanistan that it controls to be used by his organization as a base of operation' [20]. The UK explained that its military action was directed against 'Usama Bin Laden's Al-Qaeda terrorist organization and the Taliban regime that is supporting it' [21]. Articulating its support for the intervention, the European Council expressed its view that military action 'may also be directed against States abetting,

supporting or harbouring terrorists' [22]. Implicit support was given to this position in Security Council Resolution 1373, which imposed an obligation upon states to 'refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists'; 'to deny safe haven to those who finance, plan, support or commit terrorist acts, or provide safe havens'; and to 'prevent the movement of terrorists by effective border controls' (though notably it did not expressly authorise the use of force against states failing to comply with these obligations).

Broad support for the US and UK strikes against Afghanistan has led to suggestions that there has been a reinterpretation of 'armed attack' in the wake of 9/11, emphasising the level of attribution required between non-state actors responsible for an armed attack and the targeted state. While there is a continuing practice to identify links between the targeted state and the terrorist organisation responsible for the attacks, it has been noted that the link appears to have been moderated from 'substantial involvement' to 'complicity'. Christian Tams describes the need to establish that the targeted state 'is responsible for complicity in the activities of terrorists based on its territory – either because of its support below the level of direction and control or because it has provided a safe haven for terrorists' [7 p359, 385]. In the Commentary to the United Nations Charter, Randelzhofer offers a reinterpretation of attribution in the wake of 9/11, which proposes that an attack will be:

attributable to a State if they have been committed by private persons and the state has encouraged these acts, has

given its direct support to them, planned or prepared them at least partly within its territory, or was reluctant to impede these acts. The same is true, if a State gives shelter to terrorists after they have committed an act of terrorism within another State [23].

Yet it must also be recalled that the intervention against Afghanistan was not merely targeted against the relevant terrorist groups, but that it led to regime change in the targeted state. More obviously than the question of attribution, questions of necessity and proportionality are clearly in play. Indeed, a legal focus on the attribution of the 9/11 attacks to the Taliban seems artificial in a context where the more relevant focus is the Taliban's role in perpetuating the ongoing threat, necessitating actions in self-defence. The lawful purpose of self-defence is not punishment for past acts, but prevention of ongoing threats.[8] The legal question is arguably less a question of attributing the 9/11 attacks to the Taliban than a question as to whether the conduct of the Taliban rendered defensive force against that state's territory and government *necessary*. As Kimberley Trapp argues, complicity may provide evidence of necessity where a state's complicity in its territory being used as a base for terrorist operations renders defensive force against terrorists in that state's territory necessary.

This interpretation is more consistent with the strategy that the US pursued during the entire 20-year war. It began with an assessment that, by giving Al Qaeda sanctuary in Afghanistan, the Taliban had allowed Bin Laden and his operatives to meet, plan, train recruits, and ensure that they would remain out of the reach of international enforcement action. Afghanistan's diplomatic isolation meant that there were few opportunities

for meaningful negotiation, and there was no credible outside presence that could monitor Al Qaeda's activities or intent [8]. This was reinforced by the fact that between 1996 and 2001, the US had worked with 'dozens' of foreign governments to disrupt Al Qaeda, and engaged in a concerted diplomatic effort to use UN mechanisms to force the Taliban to cooperate with efforts by the international community to bring Bin Laden to justice, to no avail [8]. By 1997, US intelligence officials had come to the conclusion that the road to stopping Al Qaeda ran through the Taliban, which meant that any response to 9/11 would logically have to include the possibility of regime change [8]. During the later years of the war, as one US administration after another contemplated leaving, the fear that Afghanistan would again become a safe haven became a major political stumbling block to withdrawal, yet arguably in circumstances of less legal justification for their continuing presence.

Looking back to the United States' earliest decisions, it is important to realise that its operations *at that time* could have been justified by reference to the principle of necessity. That is not to say that every state providing safe haven to terrorists can lawfully be the subject of attack (or even regime change). However, as the next section seeks to demonstrate, this may be the legal consequence if the legal justification is based, not in necessity, but in a looser standard of attribution more generally.

Incursions against Pakistan: The 'Unwilling or Unable' Variant

Now I prefer cloudy days when the drones don't fly. When the sky brightens and becomes blue, the drones return and

so does the fear. Children don't play so often now and have stopped going to school. Education isn't possible as long as the drones circle overhead.

—Zubair Rehman, 13-year-old Pakistani student,
29 October 2013

When considering the scope of US military operations following 9/11, the focus is generally on Operation Enduring Freedom (OEF) in Afghanistan and Operation Iraqi Freedom in Iraq.[9] However, the Bush administration's 'global war on terror' (GWOT) was truly global. In all, there were at least 14 named operations within the GWOT constellation, including in the Philippines, the Horn of Africa and the Sahel, as well as against the Islamic State in Syria and Iraq. During his administration, President Obama tried to shift to a more defensive narrative by directing use of the term Overseas Contingency Operations (OCO) instead of GWOT, but the geographic breadth and lethal nature of the operations continued to expand, particularly through the increased use of small special operations teams and unmanned, standoff capabilities such as drone strikes [25].

The US continued to use OEF to describe many of its later operations, including those in Yemen and Somalia, in part to leverage the legality that OEF had ostensibly secured in Afghanistan to more tenuous claims, including a right of self-defence against terrorists operating from states 'unwilling or unable' to deal with them. The idea is that the right to self-defence extends to the right to use force against terrorists posing a threat of armed attack in states where those states are unwilling or unable to address the terrorist threat. Closely related to the 'complicity' variant, the 'unwilling or unable' variant represents a further expansion of

the international law of self-defence. The extent to which it has been used to justify forceful interventions in third states is such that it merits separate consideration.

Nowhere has recourse to the 'unwilling or unable' variant been more obviously problematic than in Pakistan. For international forces fighting in Afghanistan, the operational imperatives for intervention were admittedly compelling. Following the Soviet withdrawal in the late 1980s, Pakistan had viewed its relationship with Afghanistan and the Taliban as a means to expand its influence westward, deny territory to regional rivals such as Iran, and derail India's objectives in Kashmir [26, 27]. There were risks. The consolidation of Taliban leadership in Quetta and the presence of Al Qaeda and other Islamic extremist organisations throughout Pakistan's Federally Administered Tribal Areas guaranteed a significant degree of internal instability that would have to be carefully managed [27]. However, Pakistani military leaders believed that the Afghan Taliban could be manipulated to support Pakistan's political objectives at a reasonable cost, and many supported them out of ideological sympathy as well [27]. The net effect was that for successive US administrations threatened by Islamic extremism, some of which originated within Pakistani territory, Pakistan's accommodation represented an intractable security challenge. As one expert stated, 'Pakistan is the most dangerous country in the world today. All of the nightmares of the twenty-first century come together in Pakistan: nuclear proliferation, drug smuggling, military dictatorship, and above all, international terrorism' [28].

The Bush administration's initial post-9/11 approach was to use military and economic incentives to convince Pakistan's then-President Pervez Musharraf to withdraw official support

to the Taliban and deny sanctuary to Al Qaeda [27, 29]. This diplomatic victory was short-lived. Pakistan continued to maintain an open-door policy to fleeing Taliban, allowing them to evade American capture. Within months, the Taliban began to regroup and organise new operational hubs from Pakistan to launch its insurgency against Western forces on the Afghan side of the border [27, 29]. The West failed to respond to the growing threat, and the Karzai regime was unable to do so. From 2006 onward, Pakistan never stopped allowing safe haven, and Pakistan's Inter-Services Intelligence (ISI) agency further provided Taliban insurgents with specialised training, logistics, intelligence and support [27]. At times, Pakistani security forces attacked US formations that were pursuing Taliban operatives along the border [27, 29].

Pakistan continued to insist that it was still an ally in the war on terror, however, and at times made key arrests, shared critical intelligence with the US and its allies, and served as intermediary between the various insurgent factions and organisations. At the same time, it steadfastly refused to permit outside intervention, insisting that it would participate in GWOT on its own sovereign terms. Ultimately, the US assessed that it had no choice but to pursue a more aggressive posture [27]. While a military ground presence was never seriously considered, by 2008, US commanders in Afghanistan had authorised limited 'hot pursuits' over the Pakistani border, and occasional artillery and aerial drone strikes against verified Taliban positions on Pakistan territory had become a norm [27].

The nature of the legal justification for such cross-border incursions was foreshadowed in an August 2007 speech by then-presidential candidate Barack Obama. Obama asserted

that 'if we have actionable intelligence against bin Laden or other key Al Qaeda officials … and Pakistan is unwilling or unable to strike them, we should'. Over the course of his administration, these words were put into action. The most famous example was Operation Neptune Spear, in which Navy Seal Team Six killed Osama bin Laden in Abbottabad in Pakistan, but less publicised, US-directed drone strikes have been far more lethal and persistent. The exact numbers will likely never be disclosed, but one credible watchdog organisation has estimated that between 2004 and 2020, there were at least 430 confirmed strikes on Pakistani territory, killing 2,515–4,026 individuals, including several hundred civilians [30]. Although there have been occasional reports that it gave clandestine approval for some of the strikes, Pakistan's government has never publicly given consent for what it has labelled 'unauthorised unilateral action'. For their part, US officials have consistently implied that US actions were justified on the basis that Pakistan had shown itself to be 'unwilling or unable' to suppress the threat posed by Bin Laden.

The 'unwilling or unable' doctrine is a dangerous variant of the doctrine of self-defence that provides an unsatisfactory measure for future action. As articulated, it draws no distinction between the earnest though unsuccessful state seeking to root out threats, and the state that finds itself in the crosshairs because of its own double-dealing. This is not to deny the seriousness of the security challenge facing states threatened by the inability or unwillingness of host states to assist. In the case of Pakistan, for example, it is clear that the Taliban would not exist today without Pakistan's support, and Bin Laden and Al Qaeda would not have been able to thrive without the safe havens it

provided. As a practical matter, however, there is no limit on how far this expansion permitting unilateral incursions might go, and with the proliferation of drones and other standoff weapons technology, the 'unwilling or unable' doctrine threatens to upend the principles of sovereignty that underpin the *jus ad bellum* structure entirely.

Enduring Counter-insurgency: The 'Pre-emption' Variant

> America lost? Lost How? By failing to convert Afghanistan into a well-governed, pro-Western state through elections and investment? That was…not America's purpose.
>
> —Michael Miklaucic, 20 July 2021

Operations in Afghanistan continued for 20 years. Long after the Taliban had been overthrown and Al Qaeda had been expelled and organisationally decapitated, the initial invasion had morphed into a massive, multinational civil-military effort to transform Afghanistan into a stable democracy in which the Taliban would have no leadership role and Al Qaeda and its clones could never regroup. Yet contrary to conventional thinking, neither President Bush nor his successors were fully committed to modernising the Afghan state. How then, did the war last so long, and why did the original legal justification of self-defence continue to apply?

The answer to these questions, as with everything else involving Afghanistan, is deeply complex. One common, simplistic response is that 'counter-insurgency' represented Western

overreach – a delusion that a country with Afghanistan's history could ever become an independently functioning democracy, and therefore, the post-9/11 nation-building effort was ill-conceived and incompetently executed [31, 32]. More relevant to the question of self-defence as legal justification for the enduring counter-insurgency is the fundamental tension between two interrelated imperatives: the overthrow of the Taliban, and the need to establish and stabilise an alternative Afghan government. The operational debate came to the forefront when President Obama announced his counter-insurgency strategy in 2009. His stated goal was 'to disrupt, dismantle, and defeat al Qaeda in Pakistan and Afghanistan, and prevent their return to either country in the future' [33]. The practical question was whether this could be accomplished by continuing to target Al Qaeda alone, or whether it was necessary to defeat the Taliban as a means of denying sanctuary to Al Qaeda and its successors over the long term [34]. If the latter, then the nascent Karzai government in Afghanistan would have to be accepted and consolidated as a legitimate and effective alternative to the Taliban shadow government that by then was operating with impunity throughout the country. In other words, without stabilisation, the initial overthrow of the Taliban couldn't endure, and unless the Taliban were overthrown, it was believed, Al Qaeda would never be defeated.

It is also important to recall that at the same time, the international community was heavily invested in the Afghan state, reflecting the commitments that had been made at the Bonn Conference in 2001, and the London Conference in 2006 [35–37]. Over the years, successive UN resolutions had codified five distinct missions – security, stabilisation, counter-terrorism, counter-narcotics and security sector reform [36, 38–41]. The

counter-insurgency campaign did not replace any of these. Instead, it was a US-led effort to consolidate the disaggregated resources, objectives and tactics into Obama's overarching strategic goal. 'Counter-insurgency' may have been the US terminology of choice, but it was essentially the same 'stabilisation' mission that the international community had been conducting since 2002, and the 'comprehensive approach' that the ISAF mission had adopted to express 'the full range of civil-military activities required to stabilise Afghanistan' [42].

It is highly questionable whether self-defence can be used to justify such a long period of military action and occupation, but that became the dominant narrative on which the US relied. As Christine Gray recognises, the longer OEF continued, 'the further it was detached from its initial basis in self-defence' [4 p232], but the perpetual reliance on self-defence didn't happen in a vacuum. Like the evolution of the three variants previously discussed, the events of 9/11 had led to the US government to dramatically rethink its approach to security, and a broader preventative dimension began to emerge and take legal form. While the text of Article 51 reflects that self-defence is only available 'if an armed attack occurs', the logic that the UN Charter should not be a suicide pact has led to acceptance in some quarters of a doctrine of anticipatory self-defence. Under this interpretation, self-defence is recognised as lawful in the event of an 'imminent' armed attack. This interpretation was taken still further in an innovation that has come to be known as the 'Bush doctrine' [19 p306]. This doctrine, promulgated in the US National Security Strategy 2002, declared an intention on the part of the US to 'act alone, if necessary, to exercise our right of self-defence by acting pre-emptively'. The reactive posture of the past was declared

no longer appropriate. Rather, given 'the inability to deter a potential attacker, the immediacy of today's threats, and the magnitude of potential harm', the US could no longer 'remain idle while dangers gather'. The Strategy declares the need to 'adapt the concept of imminent threat to the capabilities and objectives of today's adversaries', maintaining the option of pre-emptive actions 'even if uncertainty remains as to the time and place of the enemy's attack'.

Perceptions of the magnitude of the terrorist threat connected with an arc of post-Cold War optimism about state-building, which saw the answer to foreign policy challenges in 'creating capable states with representative governance based on the rule of law, with widely available economic opportunity, social safety nets, protection of fundamental human rights, and robust civil societies' [43]. In Afghanistan, as it had earlier in Iraq, this informed the debate over whether it was possible to eliminate the threat from Al Qaeda without successful democratisation in Afghanistan. The decision, in the near term, was that it was not.

The attempted democratisation of Afghanistan cannot be justified under the doctrine of self-defence or indeed under *jus ad bellum* more broadly. The problem lies in the conclusion that removal of the terrorist threat was assumed to be necessarily connected to Afghanistan's democratisation. Yet democratic state-building only served to escalate the US intervention and fed into the Taliban narrative of a puppet government installed by foreign infidels [15]. The result in legal terms was that the intervention in Afghanistan ended up being an 'unstable hybrid' of justifications, blurring lines of purpose, authority, cooperation and expectation [44]. The uncomfortable legal reality is that a defensive operation limiting itself to what was necessary and

proportionate may have justified (or even required) US with-drawal at a point where the Afghan state was in a position of humanitarian and governmental disarray.

The irony is that a more principled legal framework did exist. Authority for Afghan state-building could be undertaken under Afghan authority with assistance at the level of the international community, justified if necessary by Security Council resolutions. And in fact, the authority for the 19 years' worth of military operations that followed the Bonn Agreement could be found in the requests by the Afghan government in the form of multilateral commitments and bilateral military technical and status of forces agreements.[10] The civil-military stabilisation operations were authorised by more than two decades of Security Council resolutions and UN mandates. The dominant narrative, however, was that continued engagement by foreign (and particularly US) military forces in Afghanistan was made necessary by the need to ensure that the Taliban could never again allow Afghanistan to become a terrorist safe haven. Unfortunately, rationalising democratisation of Afghanistan in the name of US self-defence connects it with an outmoded Cold War narrative rather than any acceptable interpretation of international law.

Conclusions and Tensions

> Well, it was a just war in the beginning.
> —Michael Walzer, 3 December 2009

Over the course of a 20-year campaign, Operation Enduring Freedom 'clearly overstretched the boundaries of even the broadest understanding of self-defence' [7 p390, 45]. Michael

Byers argues that continuing US reliance on self-defence evaded opposition due to the fact the operation had alternative legal bases in Security Council resolutions and the consent of the Afghan Transitional Authority. Yet Byers acknowledges that the US never relied on these alternative bases explicitly [6]. Instead, the US maintained a firm line that military action over the course of two decades was justified on the basis of self-defence. In keeping to this firm line, the effect was to work distortions into understandings of the authority, purpose and expectations of Operation Enduring Freedom, together with relevant frameworks for cooperation and acceptable limits of collateral damage.

Operation Enduring Freedom and its successor Operation Resolute Support threaten to cast a long political and legal shadow. Military operations such as those in Afghanistan raise fundamental questions about the legitimacy, purpose and limits of power and the use of military might [46]. They expose unresolved tensions in approaches to international law and international relations, including tensions between exceptionalism and multilateralism; punishment and defence; imperialism and self-determination; gradated sovereignty and sovereign equality. Careful reflection and critique are essential, if only so unresolved politics do not mutate into law.

Notes

[1] Borrowing from Hilary Mantel's description of the historian's situation.

[2] See definition in Rome Statute, Art 8 *bis*.

³ See reference to objections (on the basis of a preference for UN approval) by Cuba, Belarus and the Organization of the Islamic Conference of Foreign Ministers [3 p630–631].

⁴ See, for example, the three parts of *Use of Force in International Law* [4] divided between (I) The Cold War Era; (II) the Post-Cold War Era; and (III) the Post 9/11-Era.

⁵ According to Bruno Simma's edited *Commentary on the UN Charter*, 'the right of self-defence embodied in Art. 51 is only meant to be of a subsidiary nature': 804. Adil Haque has gone so far as to describe self-defence as an 'exception' to Security Council authorisation: https://www.justsecurity.org/70987/the-united-nations-charter-at-75 -between-force-and-self-defense-part-two/

⁶ Criticism of the US decision not to follow a multilateral approach were made by Cuba, Belarus and the Organization of the Islamic Conference of Foreign Ministers: [6 p630–631]. See related criticism in Delbrück, 'The Fight Against Global Terrorism: Self-Defence or Collective Security as International Police Action' (2001) 44 German Yearbook of International Law 9; Fassbender, 'The UN Security Council and International Terrorism' in Bianchi, *Enforcing International Law Against Terrorists* (2004), at 83, 88–89.

⁷ It is notable that this determination was the subject of dissent by Judge Jennings and Judge Schwebel, with Judge Jennings describing the Court's restrictive interpretation as 'neither realistic nor just in the world where power struggles are in every continent carried on by destabilization, interference in civil strife, comfort, aid, encouragement to rebels and the like': Jennings, 543–544. See also Schwebel, 349–350.

⁸ Reprisals are prohibited in international law and self-defence must not entail retaliatory or punitive actions. [23 p 805, 24].

⁹ According to US Chairman of the Joint Chiefs of Staff Manual 3150.29A, an operational nickname is a combination of two separate unclassified words used for 'administrative, morale, or public information'.

[10] See, for example, the Military Technical Agreement between the International Security Assistance Force (ISAF) and the Interim Administration of Afghanistan (Interim Administration), 4 January 2002. Important bilateral agreements included: 'Diplomatic Note No.202', Embassy of the United States of America, Kabul, Afghanistan, 26 September 2002; 'Note, Document No.791', Transitional Islamic State of Afghanistan, Ministry of Foreign Affairs, Fifth Political Department, 12 December 2002; 'Note, Document No.93', Transitional Islamic State of Afghanistan, Ministry of Foreign Affairs, American and Canada Political Affairs Department, 28 May 2003.

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5. Why Did the Taliban Win (Again) in Afghanistan?

Florian Weigand

This paper explores the long-term developments and dynamics in Afghanistan that enabled the Taliban to capture the state in August 2021. It suggests that the Taliban's success was enabled by the failure of the international intervention to build legitimate authority in Afghanistan. Three factors contributed to this failure. First, different actors that were part of the intervention in the country pursued competing agendas, especially with the 'war on terror' undermining human rights and state-building. Second, a gap between the internationally supported Afghan state and its citizens evolved and grew larger over time, especially due to the risk mitigation measures applied. Third, in day-to-day interactions that ordinary people in Afghanistan had with the state, it was often perceived as corrupt and extractive, making it difficult for the state to convey that it was working in the interest of its citizens.

Introduction

'Taliban sweep into Afghan capital after government collapses', the Associated Press [1] reported about what had occurred in Afghanistan on 15 August 2021. President Ashraf Ghani fled Kabul by helicopter after all the country's provincial capitals had fallen to the Taliban in less than two weeks. The Taliban's capture of the presidential palace indeed looked like a sudden military victory – almost exactly 25 years after the Taliban had last taken the capital Kabul in September 1996. However, the Taliban's success rested on a slow but steady expansion of authority across the country. This included the establishment of governance structures in the predominantly rural areas under their control and influence. Drawing on long-term research in Afghanistan [2], this paper looks at these developments and dynamics over time, arguing that the Taliban's success was enabled by the failure of the international community's intervention to establish a legitimate authority in Afghanistan. At its core it suggests that three major factors contributed to this failure, and ultimately empowered the Taliban.

First, the international intervention was characterised by competing agendas and actors. In particular, the US focus on the war on terror undermined the legitimacy of the Afghan state that the international community tried to build. Meanwhile, it enabled the Taliban to craft a narrative of resistance to oppressive interveners and to establish themselves as an alternative authority, despite being ill-equipped to govern and often coercive.

Second, the Afghan state (together with its international partners) and Afghan society grew apart quickly. The expansion of security measures, such as compounds and armoured vehicles, visibly divided the state from its citizens. The Taliban actively

drove this division through their violent attacks, while portraying themselves as more accessible to many rural populations.

Third, the day-to-day experience many people had with the Afghan state was one of corruption. In the absence of macro-level accountability, such as in the form of functioning elections, experiences on the personal level severely undermined the state's legitimacy. Meanwhile, the Taliban successfully drew on these grievances. To win people's support they did not have to offer good governance, but simply governance that was viewed as less bad than what the state had to offer.

Competing Agendas and Actors

What was the goal of the US-led international intervention in Afghanistan in October 2001? There is no clear answer to this seemingly simple question. Following 9/11, US President George W. Bush announced a global war on terror, of which the first target was the Taliban-led government of Afghanistan, which Bush accused of hosting Osama bin Laden and Al Qaeda. The military intervention, which Bush implemented primarily for domestic reasons as a visible response to 9/11 against Al Qaeda, was also framed with broader ambitions, including realising Afghans' human rights and liberating them from the Taliban and their oppressive policies [see 3]. Bush argued, 'In Afghanistan, we see al-Qaeda's vision for the world. Afghanistan's people have been brutalised – many are starving and many have fled. Women are not allowed to attend school. You can be jailed for owning a television' (Joint Session of Congress).

Beyond the fight against Al Qaeda and the promised liberation of the Afghan people from the Taliban, the international community announced their intention to transform Afghanistan

into a liberal democracy. Following the seemingly rapid military victory against the Taliban, the international community and its Afghan partners decided on the 'Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions'. The conference in Bonn in December 2001 included the winning Afghan side, mainly commanders from what is often referred to as the Northern Alliance, but it excluded the losing Taliban side. In line with the idea of 'liberal peace', the agreement outlined steps to support building a new democratic and liberal state in Afghanistan, pursuing both international and domestic expectations.

However, despite regular international conferences, this process was conducted without much of an international or national framework. Even the new Afghan constitution, introduced in 2004, was frequently ignored – both by the Afghan government and the international community. For instance, in order to find a political solution following the elections in 2014, the US pressured Ashraf Ghani and Abdullah Abdullah into a power-sharing 'National Unity Government', which created the position of a 'Chief Executive Officer' – a position that did not exist in the constitution. Admittedly, the constitution was criticised by many for being too centralised to provide a suitable governance framework for a country as diverse and decentralised as Afghanistan [see e.g., 4]. Nonetheless, ignoring it contributed to turning the state into an entity that could be negotiated over and had to be renegotiated constantly without any institutional framework.

Ultimately, there was no unity in approach. Different international and national actors pursued different agendas, given they had different priorities and different objectives. Indeed at times,

single actors pursued conflicting objectives. Prominently, the US participated in the international NATO mission in Afghanistan that aimed at providing security and training to the Afghan forces while also continuing a combat mission to conduct military operations against 'terrorists', especially the Taliban. In addition, the US funded human rights and development projects. However, there is an obvious tension between fighting a 'war on terror', the implementation of human rights, and building a state that is considered to be legitimate by its citizens.

First, most visibly, while the international community advocated for human rights, especially women's rights, the US-led war on terror caused a large number of civilian casualties. In 2019, the UN attributed 786 civilian casualties (559 killed, 227 injured) to the international military forces, 96% resulting from air strikes [5]. In addition, the Afghan National Defence and Security Forces (ANDSF) were responsible for 1,682 civilian casualties (680 killed; 1,002 injured) in the same year [5]. This way, the war on terror directly undermined the legitimacy of the state, which was often perceived as not doing much to protect its own citizens [see 2].

Second, the military intervention in 2001 relied heavily on the commanders of the so-called Northern Alliance, which did much of the fighting against the Taliban on the ground, supported by US air strikes and special forces. These commanders, often also referred to as strongmen or even warlords, were key participants of the subsequent Bonn Conference and ultimately dominated the new Afghan state as close allies of the West. The international community enjoyed working with them, as they presented themselves as reliable partners in the ongoing

war against the Taliban as well as in terms of other international priorities, such as the war against drug production. As Malejacq [6] describes, Afghanistan's warlords successfully reinvented themselves to maintain and even expand their power in the new system. However, they often had little respect for human rights and the new state's supposedly democratic institutions, prioritising their own wealth and influence [see also 7].

Third, the international military presence, with its high-volume contracts and large number of contractors, fuelled corruption. Warlords were not only empowered politically, but also financially. Many others became rich, including politicians and the owners of key businesses, such as those in the construction and transportation sector. In stark contrast to the idea of building a democratic state that rests on the rule of law, according to Suhrke [8] 'The wide-spread perception among many Afghans that the international presence itself entailed diverse forms of corruption contributed to an acceptance of illegality'. Even much of the money spent correctly ended up in bank accounts abroad, owned by the foreign and Afghan experts and professionals implementing one of the various international agendas [see e.g., 9, 10].

Fourth, the international intervention in Afghanistan lacked local-level ownership and accountability. As Suhrke [8] points out, 'the dependence on external financial, military, and technocratic resources produced tension between what we can call "ownership" and "control"'. The War on Terror reduced local ownership even further, as much of it was conducted by international, especially US, forces, using drones and special forces. Even while Afghan forces became increasingly involved over the

years, the war on terror continued to be controlled by the US. For example, units of the Afghan intelligence agencies, such as the KPF and the 0-units, did not report to the Afghan government, but directly to the US [11]. Similarly, accountability remained limited, further undermining the belief that the newly created order was a true advocate of human rights and the rule of law. The International Criminal Court [12] announced in September 2021 that it would focus its investigation on war crimes committed by the Taliban and the Islamic Sate while deciding to 'deprioritise other aspects of this investigation' – crimes potentially committed by the Afghan National Security and Defence Forces and by the international forces, including those of the US. Such messaging suggests, even if unintended, a double standard as to whose human rights violations the international community pays more attention to.

Finally, the war on terror made it difficult to seek a peaceful solution with the Taliban. For instance, the Taliban offered to surrender in 2001 and again in 2003, but thinking at the time that a military victory was likely imminent, the US rejected both offers [see e.g., 13]. The focus on the war on terror even undermined a potential peace process in 2020/21. Desperately trying to leave Afghanistan as soon as possible, following years of high costs and large numbers of US victims with little positive change in Afghanistan, the US signed an agreement with the Taliban in Doha in February 2020, promising 'complete withdrawal of all remaining forces from Afghanistan within the remaining nine and a half (9.5) months', while the Taliban promised that 'Afghan soil will not be used against the security of the United States and its allies', and to enter intra-Afghan negotiations with the

incumbent government to achieve peace [14]. The agreement enabled the US to pretend to have been successful in achieving victory in the war on terror while also having tried to achieve peace. However, the narrative ignored that the US war on terror had long been directed against the Taliban and that the Taliban had little incentive to strike a peace agreement with the Afghan government.

Inevitably then, the Taliban felt empowered to take the country by force. The Taliban entered Kabul in mid-August 2021, essentially capturing the Afghan state, while the US desperately attempted to evacuate its diplomatic staff and, often unsuccessfully, Afghan allies and citizens. Despite this, on 31 August President Joe Biden announced: 'Last night in Kabul, the United States ended 20 years of war in Afghanistan – the longest war in American history' [15]. The US claimed victory – despite having clearly failed on every front. The idea of supporting Afghan state-building was also abandoned. Following the takeover of Kabul and the capture of the Afghan state by the Taliban, the US froze the assets of Afghanistan's central bank and most development aid was stopped. As an economic and humanitarian crisis started to evolve in Afghanistan, the international community focused on humanitarian aid instead of development aid in order to bypass the state institutions it had been building for the previous 20 years and to avoid any impression of supporting the Taliban, ignoring the fact that its revoked support for the Afghan state was a key driver of the crisis.

While certainly not being a sufficient condition, to have a chance at being more successful, the international community would have necessarily required a clearer approach and defined

objectives, including criteria and indicators that set out when the objectives would be met. In contrast to the international efforts, the agenda and narrative of the Taliban was clearer, centred around what they framed as resistance against the international 'occupiers' and the Afghan 'puppet government'. They successfully exploited the contradictions of the international efforts, for instance, by pointing out the corruption of the supposedly democratic regime and the casualties of a system advocating for human rights [see e.g., 16]. Instead, they established the narrative that an Afghanistan liberated from foreign occupation and following Islamic rules would prosper.

Growing Distance and Disregard

What further enabled the Taliban's victory in 2021 was the distance of the Afghan state and its international partners from the Afghan people. Given that it was externally led, the international intervention lacked local ownership and local accountability. But, even worse, the deteriorating security situation over the years resulted in a growing gap between a state and government trying to protect itself and a population largely left to fend for itself; while this growing gap also limited the ability of the state to understand and connect with its own population.

While much of the combat in the war on terror originally took place in more remote areas, away from the glare of international attention, in the late 2000s insecurity in urban areas also started to grow. The Taliban conducted large-scale attacks in towns and cities, even in Kabul, often resulting in large numbers of civilian casualties. Contrary to their own propaganda, the Taliban were arguably often responsible for more civilian casualties than the

international military and the ANDSF (e.g., 4,904 in 2019; 1,301 killed, 3,603 injured) [5]. The consequence of the Taliban's attacks was that both the Afghan political elites and its international partners felt forced to improve their own security, most often through adopting hard security measures. After every Taliban attack, successful or otherwise, there was further withdrawal into heavily protected compounds, and ever more travel via fleets of armoured vehicles on the streets of Kabul.

Such measures drove an ever larger wedge between those trying to build a new state and its citizens [17, 18]. Arguably more importantly, it put ordinary people at higher risk. Being close to the state in the form of a compound or military vehicle meant being closer to a potential target. Ordinary people were left navigating blast walls and faced greater threat from explosions and attacks than those behind the Hesco barriers and armoured windows. Furthermore, with the state focusing on protecting itself and physically distancing itself from the people, it increasingly removed itself from the lives of most people. Research in rural areas of Afghanistan in 2014–15 [2, 19] found a commonly held view to be that the state was just a distant phenomenon, a project for largely corrupt elites and foreigners, something located somewhere in the district or provincial capital. Instead of engaging with the state, people relied on community authorities for issues such as conflict resolution as well as, increasingly over the years, the Taliban.

Naturally, segments of the Afghan state consequently lost touch with the population. This was particularly true for President Ghani. A former World Bank official who wrote a book called *Fixing Failed States* [20], he strongly believed in his

intellectual capability. He surrounded himself with a small group of loyal supporters, while maintaining distant and frequently difficult relationships with most others. Known for his outbursts, Ghani likely faced little constructive criticism. Instead of placing trust in other government institutions and people, he centralised power at the presidential palace, where a small, disconnected bubble micromanaged even the operations of the security forces [21].

This approach resulted in a growing number of people feeling sidelined, excluded from decision-making, while it also led to a further deterioration of the security situation. For example, while Ghani's approach to weaken warlords was partly successful – for instance, he removed the influential Attar Noor from his position as governor of Balkh province – Ghani was not able to fill the vacuums he created. This in turn created an opening for the Taliban to enter, influence and ultimately gain control of new territory. On 2 August 2021, less than two weeks before the Taliban captured the presidential palace in Kabul, Ghani stated to Parliament that 'I want to tell you that a clear plan is prepared for reaching stability in six months and [that] the implementation of the plan has started' [22].

It was not only the government and its citizens that became distant. The government and the international community also grew apart, with Ghani an increasingly isolated figure and the relationship between Ghani and the US Special Representative Zalmay Khalilzad particularly dysfunctional. It became especially so as the US began to extract itself from Afghanistan. The political tension resulting from the widespread impression that the US was only trying to ease its withdrawal through a half-hearted

peace process did not help improve this relationship, as Ghani fearing he would be left without international support, tried to block and delay it.

Meanwhile, the international community also withdrew from Afghan society. In the aid sector, security managers increasingly limited the movements of international staff, making it difficult for them to gain an understanding of the dynamics in the country, while this withdrawal shifted the risk to national employees [17]. In 2019, 43 out of 58 aid workers who were victims of security incidents in Afghanistan were Afghan [23].

Much of the US war on terror was also conducted 'remotely' – through drones, the targeted used of special forces and, in the later years, the use of remote-controlled Afghan forces such as the KPF. The US military bases across the country attempted to reduce risk wherever possible and at whatever cost, often through outsourcing as much as they could. This further reinforced the already widespread corruption. For instance, Aikins [24] describes a bribery scheme that steered contracts for supplying fuel to Kandahar airbase towards certain companies.

The distance between the government and the international community from the reality on the ground in Afghanistan also translated into a limited understanding of the Taliban. The state often ignored evidence of marginalisation and discontent at the local level, especially in rural areas. Many members of the international community, as well as the Afghan government, viewed the Taliban fighters, most of whom had grown up in rural areas with little access to education, as 'stupid', underestimating their capabilities [see e.g. 25]. In addition, they frequently viewed

the Taliban as a mere proxy of Pakistan, ignoring evidence of support for the group within Afghanistan's population. While Pakistan's intelligence agency ISI's support for the Taliban could certainly not be ignored, such a view overlooked the fact that the Taliban had a local support base that was expanding while the government was losing support. By labelling the Taliban 'terrorists', the Afghan government was prevented from engaging with the Taliban, even if just to understand them.

Conversely, the Taliban often benefited from closer relations with rural communities. While many communities were certainly not happy to be governed by the Taliban, local compromises could often be negotiated – for instance, on what kind of schools to keep open [26]. The Taliban successfully exploited the weaknesses of the state – its slowness and corruption – while co-opting its strengths, such as the funding it provided for schools and hospitals. In particular, the Taliban successfully drew on perceptions of marginalisation and discontent with the state to bolster their own legitimacy, offering an alternative form of governance as well as a platform to channel people's frustrations against the government. And while the national elites and its international partners had difficulties understanding the Taliban, the Taliban had a very good understanding of them. Even the money pumped into the country to fight the Taliban or to build a new state often also benefitted the Taliban. For instance, contractors supplying US bases with much-demanded fuel frequently made payments to the Taliban to ensure secure passage for their trucks [see e.g., 24]. Similarly, development projects, especially in the construction sector, were commonly taxed by the Taliban [see e.g., 27, 28].

Interactions

Both the competing agendas as well as the government's growing distance from the local population, despite being abstract, had a significant impact on people's daily lives in Afghanistan and the way they experienced the Afghan state, ultimately undermining its legitimacy. For Afghans there was little accountability on the macro level, with no oversight of how the US was conducting its war on Afghan soil and a widespread perception that elections were rigged. Hence, people were especially concerned about day-to-day interactions with authorities [2]. However, the state also failed its citizens on this level. For many civilians, especially in rural areas, in the few interactions people did have with the state, it was perceived as corrupt, extractive and, in some cases, even coercive. 'My main motivation [to join the Taliban] was the bad behaviour of governmental officials and their manner of dealing with the local people' was how a former Taliban fighter justified his decision in an interview in October 2014 [2].

Most directly, the war on terror resulted in a large number of civilian casualties. Often the victims and their families received little or no attention at all, let alone compensation or accountability. But as well as this devastating harm, more banal harms were done, with everyday interactions with the state often being deeply unpleasant experiences for Afghans [2]. Shaped by the war, the Afghan security sector was designed in a way to fight enemies and protect the newly created state – not its citizens [29]. For example, the Afghan police were trained primarily in handling weapons, with little capacity to fulfil actual policing responsibilities such as tackling crime [29]. Little effort was put into teaching basic policing skills, including literacy, protecting women's rights

and the nature and content of the Afghan Constitution [30]. A senior police officer concluded in an interview: 'In the past … the training was about the code of conduct, culture, Islam and so on. But it was not about fighting at all. Today the officers receive a brief training. Then they have to fight … Today it is a two-week training. Then the officers are called "experts of the battlefield". I did a much longer training and have 35 years of experience and still don't call myself "expert of the battlefield"' [Interview July 2015; 2]. This focus however, reflected the deteriorating security situation, with police also increasingly needed on the battlefield and the frontlines, manning checkpoints and remote outposts. Because of a lack of trained police officers, crime in places like Kabul spiked in 2019–20.

Not only were the police unable to provide much support for the civilian population, but they also relied on payments from the people, with officers routinely demanding 'fees' at checkpoints [see e.g., 31]. Due to systemic corruption, police officers often had to pay for their position, especially the most potentially lucrative ones. Consequently, the prevailing experience for ordinary people with the police was one of corruption. A university student explained: 'The police take money from the people. For example, it is quite common for them to do so at wedding receptions. A while ago, one could hear the [celebratory] gunfire of a wedding reception. The police rushed there, thinking it was a wedding party. But, when they got there they realised that a murder had taken place. So, they quickly left again, not taking any action' [Interview November 2014; 2].

Realising that top-down initiatives were failing, the international community tried to take a more localised approach.

However, this too failed to bridge the gap between the state and its citizens. In the development sector, they attempted to strengthen state-society relations through programmes such as the National Solidarity Programme and the Citizens' Charter. While achieving basic development outcomes, these failed in their intended effects of linking state and society [32]. In the security sector, rather than considering how best to protect civilians, a focus on winning the war still prevailed. The US introduced the Afghan Local Police (ALP) in 2010 that, contrary to its name, was not responsible for law enforcement, but for conducting counter-insurgency operations [33]. As the National Security and Defence Forces were unable to provide security on local level in the countryside, the ALP was created to help villages to protect themselves against insurgents. The idea was to work 'bottom up', empowering 'local Afghans in rural areas to defend their communities against threats from insurgents and other illegally-armed groups' [34]. In practice, however, the local character of the ALP inevitably became entwined in local power dynamics, with diverse sets of results. While it was a first line of defence in some places, in others the ALP became extractive and exploitative, turning against civilians [35, 36].

Much like in the security sector, the experience of the justice sector for many was one of exploitation. The systemic corruption 'trickled down' to the local level. The land rights issues common in Afghanistan often took years to solve, with the party that paid more or had more influence inevitably winning [37, 2]. Abdul Wahab, a teacher from Herat City, complained: 'If I take a case to the government, it doesn't matter if I am guilty. One always has to pay' [Interview, October 2014]. People had similar

experiences with wider bureaucracy, for instance when applying for documents such as an ID card or a passport.

The Taliban successfully exploited these weaknesses. Beyond their propaganda of fighting a corrupt regime, they also established their own governance structures. Most importantly, the Taliban introduced their own court system. The Taliban's court system in many ways matched the system of the government, with primary courts on the district level, appeals courts on the provincial level and a supreme court on the national level. These courts were often more accessible for civilians from rural areas and were widely perceived as less corrupt [37–39]. In addition, the Taliban controlled the provision of the government-funded education and health sectors in some areas [40, 41]. Ultimately, in parts of the country the Taliban provided more stability for people living under their control than the government. But while this helped the Taliban to win the war, having gained full control and being responsible for the entire country they will now have to offer much more to maintain and further expand their legitimacy.

Conclusions

The Taliban's victory in 2021 was ultimately enabled by the failure of the Afghan state and its international partners to establish and maintain legitimate authority. This was especially the case in rural areas, away from the influence of the state, where people felt marginalised and forgotten, and often only experienced the state through interactions that were perceived as being corrupt. Drawing on these failures, the Taliban successfully portrayed themselves as a lesser evil in the parts of the country under their

control, aiming to be less corrupt and less extractive. They had long claimed that while the international community had the watches, they had time. And they certainly managed to outwait the US.

However, taking control of the country was the easier part. Now the Taliban are not the underdogs, but are responsible for governing the entire country, including many areas in which people have experienced their attacks and are terrified of their conservative ideology and practices. Maintaining control is the real challenge that lies ahead. They have to build both external and internal legitimacy. Internally, they must live up to people's expectations of being treated with dignity, ensuring that interactions with them are perceived as respectful and fair [2]. In order to do so, they need to do what the international community failed to do: use the experience of ordinary people as a starting point for all policies to ensure that everyone feels respected, regardless of geography, gender, ethnicity, class or beliefs, including political opinions. However, the reports of coercion that followed their victory, including the disregard of promised amnesties, the crackdown on free speech and the media, as well as the severe limitation of movement and access to education for women, suggest that the Taliban are unwilling and unable to achieve this. Women, minorities and their critics are at particular risk of not being treated with dignity by the Taliban.

Meanwhile, the Taliban face a challenge of external legitimacy. With many countries hesitant to recognise a Taliban government, with the country's Central Bank reserves frozen, and with several prominent members of the movement remaining on the UN sanctions list, the Taliban have been struggling to establish

themselves as the new legitimate representatives of Afghanistan internationally. Making it even more challenging, they have been unable to draw on the extensive international support that used to cover most of the expenses of the government – as well as, ironically, those of the Taliban, which generated its revenue as an insurgency through taxes and levies, benefitting at least indirectly from international funding. This has placed the Taliban in a considerably more difficult position than the Afghan government of 2001.

Crucially, this lack of external legitimacy has the potential to undermine the movement internally. If it does not have sufficient resources to pay its fighters and government employees, a Taliban-controlled state is likely to turn even more coercive and extractive vis-à-vis its population. Meanwhile, lacking resources also increases the risk of fragmentation, with commanders turning against the Taliban, in some cases perhaps supporting the armed resistance or even joining the still-active Islamic State.

While the battle over gaining and maintaining authority in Afghanistan lasts, the suffering of ordinary people continues. With little international support, it does so even more so than before.

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6. The Rise and Fall of Women's Rights in Afghanistan

Nargis Nehan

The struggle for women's rights in Afghanistan stretches back to the 19th century. The movement has waxed and waned, but advances have almost always been followed by retreats. The collapse of the Afghan government is due to a wide variety of factors. Of these, the equality and growing prominence of Afghan women has been negligible, yet it is likely that women will pay the highest price for this collapse. In this essay I will discuss the rise and fall of women's rights in Afghanistan before and after 9/11, highlighting the social reforms, their positive and negative impacts, and the role of state and non-state actors in supporting and/or reversing women's rights.

Introduction

The struggle for women's rights in Afghanistan stretches back to the 19th century. Afghanistan society is deeply conservative, religious and patriarchal, and it has been a risky struggle for those pursuing women's rights. The movement has waxed and waned, but advances have almost always been followed by retreats. Social reforms for women liberation were among the reasons

for sending Amanullah Khan into exile in 1929 and demolishing both the Communist and Republic regimes.

When an empire rises, another one falls. With these empires their social, cultural, and economic policies also come and go, especially when there are not strong and independent public institutions to keep the state running despite the political changes. The women's movement in Afghanistan has been fluctuating throughout history depending on who is ruling the country. While some governments acknowledged and strengthened the position of women in Afghan society by introducing different social reforms, others suppressed them by reversing the reforms. These social reforms for strengthening the position of women were introduced by Amanullah Khan, Zahir Shah, and the Communist regime while they were reversed by Habibullah Khan, the mujaheddin and the Taliban.

Post 9/11, after the intervention of the US and allies in Afghanistan, the era of gender and minorities' apartheid, social injustice, suppression, intimidation, and totalitarianism diminished to some extent while equality, liberty, and democracy rose and opened many opportunities for Afghan women. These bold social reforms were not easy; they cost both the Afghan people and the international community thousands of lives and trillions in treasure. However, after being captured by the Taliban on 15 August 2021, Afghanistan is once again ruled by the regressive Islamic Emirate regime and Afghan women are once again imprisoned to homes with their rights impinged and the economic stability undermined.

Such rapid progress made by Afghan women in the past two decades makes it reasonable to claim that it was a revolutionary

movement. Whether enrolment of girls in schools and universities, women's employment in civil service positions, women's participation in politics, entrepreneurship in business, or advocacy in civil society and media, the opportunities for women multiplied with women not only asking for their rights, but also holding the government accountable and demanding better services for citizens. Women's participation in public life kept blossoming, as demonstrated by Afghan women's progressive participation and leadership in different fields across the country. The international community prioritised women's empowerment while fighting terrorism in Afghanistan. Right from the beginning, they supported activists' demands for women to participate in all affairs of the country. This included asserting women's rights at the Bonn Conference and in the adoption of the new constitution [1], which acknowledged women as equal citizens for the first time. This was not an entirely smooth process, however. The Afghan government, while broadly supportive of women's rights, was also using women's rights as a bargaining chip with the international community whenever it had to. The women's rights activists were sincerely and tirelessly struggling for women's rights by scrutinising government policies and parliamentary decisions, and holding them to account.

Women's presence in public life, their economic empowerment and strong leadership inspired and encouraged many families to allow their girls to not only study but also to work and take part in the development of their country. However, not all were as welcoming of this progress; it proved to be irritating and worrisome for fundamentalists and extremely conservative groups. The more women progressed and participated in the country's

affairs, the more these hardliner groups opposed women's rights and mobilised people against it. At the beginning of the Western intervention, these groups were not prominent. However, the focus of assistance on Kabul and provincial capitals, insecurity, corruption, and the support of neighbouring countries for extremism and insurgency in Afghanistan, all strengthened and expanded these groups and gradually made them visible and bold. They began publicly criticising women's rights and empowerment in Afghanistan as an urban and elite-centric movement without any connection with rural, 'ordinary' women. They portrayed women's rights in Afghanistan as a Western-imposed agenda with no domestic popularity, undermining Afghanistan's Islamic and traditional values.

The collapse of the Afghan government is due to a wide variety of factors. Of these, the equality and growing prominence of Afghan women has been negligible, yet it is likely that women will pay the highest price for this collapse. In this essay I will discuss the rise and fall of women's rights in Afghanistan before and after 9/11, highlighting the social reforms, their positive and negative impacts, and the role of state and non-state actors in supporting and/or reversing women's rights. With new technology connecting all citizens of the global village closer than ever, I will also highlight the impact of gender apartheid, extremism, and fundamentalism in Afghanistan on other countries, especially in the region.

Before 9/11

The struggle for women's rights started long before 9/11, always involving tensions between liberal and conservative groups,

urban and rural populations, and Afghanistan's religious and conservative groups and the outside world [2]. The first sovereign to take a genuine interest in the rights of women in Afghanistan was Amanullah Khan, who ruled as emir from 1919 to 1926 and as king from 1926 until 1929, when he abdicated. He was inspired by the reforms of Mustafa Kemal Atatürk in Turkey. He crafted a new constitution [3] for Afghanistan that guaranteed civil rights for all, both men and women. He outlawed strict traditional dress codes, and his wife, Queen Soraya, set the example by removing her own veil. New schools were opened for both boys and girls, even in rural areas; forced marriages were outlawed; and he endeavoured to end the practice of polygamy. Queen Soraya even began Afghanistan's first women's journal, *Ershad-e Niswan* ('Guidance for Women'), which advocated for gender equality. While these reforms earned Amanullah Khan the reputation of a forward-thinking reformist king abroad, they provoked the conservative groups at home, who began mobilising people against his government, resulting in his abdication and exile [4].

Khan was briefly succeeded by Habibullah Kalikani, but it was Nadir Shah who next meaningfully ruled Afghanistan. His reign saw a return to traditional values. He closed girls' schools, veiled women again and reversed many other reforms. The vacillation between liberal and conservative reigns continued, and this backlash did not last long as Nadir Shah was assassinated in 1933, four years after his coronation. He was succeeded by his liberal-minded son, Zahir Shah, who was the longest-reigning, and last, king of Afghanistan. Over the course of his reign, many of Amanullah Khan's initiatives were gradually implemented.

His government reopened girls' schools, funded a new university, and instituted a new constitution in the 1950s, introducing a democratic framework and granting Afghan women the right to vote [5]. In urban areas, women attended colleges, took jobs outside their homes, ran businesses, and even ventured into politics. During the Communist government, further social reforms were introduced, making education for girls compulsory and implementing a minimum age for girls to marry. These reforms once again provoked conservative rebellions and different factions organised a nationwide resistance with the support of Pakistan and the US. These factions first fought the government and later fought among themselves. During the civil war there was little in terms of the rule of law: men died in large numbers, widows were reduced to begging, rape was commonplace, and suicide among despondent women became ever more frequent.

With the formation of the Islamic Emirate in the 1990s, the Taliban introduced hugely regressive policies. They outlawed girls' access to education after the age of eight [6], forbade women from working, forced women to cover their entire bodies, including their faces, when in public, forbade women from seeking treatment from a male doctor unless accompanied by a male family member, and forbade women from speaking loudly in public [7, 8]. They banned women's voices from the radio and made it illegal to display any image of women, either in public or at home. Following 9/11, America and its allies intervened in Afghanistan and, besides fighting terrorism, they also vowed to support and liberate Afghan women.

As is overwhelmingly evident, the movement for women's rights has been a contentious and risky endeavour, cited as one

of the causes for the fall of governments. While Islamic and conservative groups have ostensibly based their opposition to women's rights in Islamic religion, in reality women's liberation simply conflicts with the country's conservative tradition, one that deeply values female modesty and chastity. It is very hard for the patriarchal society of Afghanistan to let women be empowered, to allow them to exercise their rights, and to become independent. Despite all these resistances and social conflicts, women's liberation could have prevailed if armed extremism and radicalism had not been supported by Pakistan and Iran in Afghanistan. Neither Iran nor Pakistan see Afghanistan's stability being to their benefit. Since four decades, both neighbouring countries have been waging war in Afghanistan. During the resistance against the Soviet occupation, Iran and Pakistan were the main sources of support for armed resistance in Afghanistan.

Post 9/11

The presence of the international community in Afghanistan meant that real progress could be made in advancing women's rights. The genuine and tireless efforts of the Afghan women's movement would not have succeeded without the strong financial and political support of the international community. Being largely dependent on international donors' financial support, the newly established interim administration, transitional government, and republic governments of Afghanistan had no choice but to meet their demands for women's rights to be recognised. Furthermore, in order to gain favour with the US and European embassies, all the male politicians seemed supportive of women's

rights, and none of them challenged the demands of women's rights activists.

In 2004 a new constitution was adopted. It allocated 25% of parliamentary and provincial council seats to women, as well as 30% of civil service positions. It also bound Afghanistan to respect and implement all international conventions on women's rights, such as UNSCR 1325 and the Convention on the Elimination of Discrimination Against Women (CEDAW).

Alongside this, the Ministry of Women's Affairs was created as the main body responsible for women's rights and empowerment. The Elimination of Violence Against Women Law (EVAW) [9], the National Action Plan for Women of Afghanistan (NAPWA) [10], and the National Action Plans (NAP) [11] for implementation of UN Security Council Resolution 1325 were adopted. Women were appointed as ministers, advisors, deputy ministers, provincial governors, and the head of the Human Rights Commission. A number of funding schemes were launched for the execution of policies in support of women's rights and to promote women's participation in civil society, in the media, culture, and sport, and in the private sector. Countless projects were designed and implemented to provide short- and long-term capacity-building training for women in different fields, raise citizens' awareness of women's rights, provide shelter for victims of domestic violence, and support women entrepreneurs to start small and medium-sized businesses.

After the Taliban were defeated in 2001, and due to the strong presence of the international community, the conservative elements of society such as the Taliban retreated and did not oppose any of these reforms. Supporters of conservative policies

understood much of the people's frustration with the Taliban. Under their governance, little had been achieved other than the imposition of regressive rules and the isolation of Afghanistan by engaging in drug trafficking, providing safe havens for terrorists, as well as persecuting women and minorities.

At the macro level, a huge number of gains were quickly made after the Western intervention. But at the operational level, while all the international donors were trying to support Afghan women, there were significant hurdles. It was challenging for the international community to work with women who could not speak English, exchange emails, write concepts and proposals and present Afghan women's voices in international platforms. However, this was ameliorated by the fact that a significant number of Afghan men and women from the diaspora who were raised and educated abroad returned home. They joined the UN agencies, international organisations, private firms, and government institutions. While the international donors considered them as Afghans who could speak fluent English and knew how to engage with the international partners, they were difficult for native Afghans to accept, as they were often too modern for the highly conservative Afghan society. Conservative Afghans were concerned that the diaspora were bringing Western culture into Afghanistan and that they would influence Afghan women. For them, these Afghan diaspora were a model of liberty and women's rights, and they believed they were trying to impose Western values on Afghan society.

Elections proved to be the main source of all crises and fragmentation in Afghanistan after the Western intervention in 2001. Right from the first election, the candidates made deals

with local commanders, warlords, drug lords, and religious leaders who had money and controlled blocs of voters. In exchange, such groups demanded seats in the cabinet, in parliament, on provincial councils, and on the judicial bench. After every election, such groups captured more political space, strengthening their networks and base.

More often than not, these groups favoured conservative stances. Besides corruption, misuse of power, intimidating communities and committing crimes, some of them also began opening religious 'Centres of Excellence' and madrassas all around the country with the support of neighbouring countries. The curricula for these institutions came from Iran and Pakistan and promulgated highly conservative values among young boys and girls, with some institutions even collaborating with the Taliban and Da'esh.

President Hamid Karzai was put in place by the US and its allies. However, he was a deeply conservative politician who was not supportive of civil society, free media, or women's rights, as he did not want to be seen as a Western puppet. Consequently, he rarely opted for any policy reform that would irritate the conservatives and hardliners. Instead he threw all the blame on the international community just to win the sympathy of these groups.

The real clash between women's rights activists and conservative groups began in 2009. This was when Parliament passed the Shia Personal Status Act [12], allowing a husband to starve his wife if she refuses to have sex. Women's rights activists gathered in front of Parliament to protest against the law, and were met by a force of Shia clergymen, who came out in support of

the law [13, 14]. International human rights organisations and donors also pressured President Karzai; however, in order to win the election, Karzai took the side of fundamentalists and hardliners. After a few months, Parliament proposed to reduce the women's quota share in the provincial councils from 25% to 20%. This intensified the conflict between women's rights activists and conservative groups. In 2010 the National Consultative Jirga was organised by the government to endorse the formation of a High Peace Council (HPC) with the mandate to begin negotiations with the Taliban for a political settlement. Originally, the government announced that 10% of the delegates would be women, which was criticised as insufficient by women's rights activists. The US Foreign Secretary, Hillary Clinton, called President Karzai and asked for greater female participation in the Jirga, and this was increased to 28%. Such participation and leadership in the Jirga was remarkable, particularly given that in several committees, women were elected as heads and in the rest as deputy heads. The expectation was that, not being directly engaged in conflict, Afghan women as a neutral group would be supported to play an influential role in the peace process.

However, this participation did not lead to greater female participation in the HPC. The government appointed 64 male and just four female members, with the latter from different political groups. But this time, when the proportion of female members was criticised, the government did not respond as effectively, and included only one more woman from civil society in the HPC. Little information was provided to the women members about the peace talks, with the women intentionally kept in the dark. Female participation, not only in the peace talks but in all affairs

of the country, was becoming quite tokenistic, despite all the struggles of the activists. The international community also began to give in to gender conservatism in Afghanistan. Although Afghanistan was a signatory of UNSCR 1325, the international community avoided holding the government to account on its implementation.

As time passed, the fundamentalists and hardliners were becoming bolder, vocally and publicly criticising women's rights as being a Western product imposed upon Afghanistan. Their access to power and resources kept strengthening their position, while women's rights activists had no access to power, networks or resources. Instead, the women's rights activists used donors' leverage to pressure the government to meet their demands. As outlined above, this paid off on many occasions and helped to empower Afghan women within society and strengthen their role in Afghan politics. Nevertheless, conservative groups increasingly tried to weaken and defame women's rights activists in Afghan society to reduce their influence, fomenting division between urban and rural women and between educated and uneducated classes, and sometimes simply criticising activists for being dependent on the international community, calling them 'the Embassy Women'.

In 2014, Ashraf Ghani became Afghanistan's president. He had a background at the World Bank and at Johns Hopkins University, and so he knew what the international community would be looking for. In part thanks to his reformist image, with Ghani promising social, political, and economic reforms, he drew a large number of voters among women and youth. After the inauguration of the National Unity Government, his

wife opened the Office of the First Lady to serve Afghan women and children. Ghani increased female members of the HPC by introducing a number of strong and vocal women's rights activists. He appointed women to cabinet positions in heavily male-dominated sectors such as mining and communication and required all the ministries to have at least one woman as deputy minister. Furthermore, he supported the formation of the Afghan Women's Chamber of Commerce and Industries and gave 5% preference to Afghan women-owned companies bidding for public contracts. He also nominated a woman as a member of the High Council of the Supreme Court, which was furiously rejected by conservative groups in Parliament.

Benefits were not only seen in government during this period: 3G internet and affordable Chinese smartphones enabled thousands of Afghan girls across the country to access social media platforms such as Facebook and Twitter and update themselves not only about Afghanistan but about world politics. Private TV channels allowed girls and families to watch Indian, Turkish, and Western serials and become familiar with culture and traditions in other countries. Alongside this, access to education had significantly increased in both urban and rural Afghanistan, and private courses allowed girls to learn English and engage with the world. All these changes in such a short period of time (2014 to 2019) were revolutionary. The young Afghan generation could see the peaceful life that people in other countries were enjoying while Afghanistan was drowning in conflict, politics, and corruption.

Given all these advances, many question how the government collapsed. How did the Taliban so quickly recapture the nation?

Why did the Afghan National Security Forces (ANSF) not fight the Taliban? Why did civil society and media not defend the republic and women's rights?

While all these developments were transforming Afghan society with high speed, the conservative and fundamental groups were also equally and aggressively resisting these changes. Thousands of boys and hundreds of girls graduated from their madrassas and Centres of Excellence who were against all these changes and were asking for Islamic government. They had control over most of the mosques where mullahs began speaking against democracy and women's rights during Friday prayers. They were questioning the political will of the government, highlighting the little progress to combat corruption, nepotism, injustice, and insecurity, exploiting the public's frustration and provoking them against the Western puppet government.

Women's rights activists, who were small in numbers and busy fighting on many fronts, could not build the necessary strong connections with their constituencies, especially in the rural provinces, as it required structures and resources that they did not have. Unlike politicians who were rallying thousands of their constituencies in demonstrations to showcase their public support and pressure the government for their demands, the women's rights activists were not able to rally people for women's issues. This is mainly because of their lack of access to resources and networks, as well as because women's rights were not important for men to rally for. The women's rights activists had only one leverage, which was the consistent and firm support of the international community, which they were always using to

pressure the government for their demands. However, this leverage was not effective in connecting women with their constituencies and institutionalising their leadership.

In the battle between fundamentalism and modernism, women were often on the winning side until the peace deal [15] was signed between the Taliban and the US Special Representative in Doha, agreeing on full withdrawal of international forces from Afghanistan. While the signing of the deal and release of 5,000 prisoners [16] brought the Taliban to formal negotiation with the republic team, they never engaged in negotiations with good faith. They showed one face during the peace talks in Doha and another as their military committee launched offensive attacks around the country, capturing district after district. As many political analysts observed, after the peace deal Ashraf Ghani became insecure, trusting no one except a few of his loyalists who kept him isolated from politicians, civil society, women's groups, and others. His position was further weakened when, after the 2019 election, many cases of organised corruption and impunity by these loyalists began surfacing in mainstream social media and showed them requiring money for contracts, appointments, and meetings in advance in Dubai, Turkey, and other countries [17]. As most of these loyalists were young technocrats coming from abroad, they had no connection with communities in Afghanistan and felt no accountability towards the public.

Suddenly a few former government officials, who had run for 2019 parliamentary election with the expectation that the palace would support them in getting to parliament but were not supported, went to the media and complained about sexual

harassment of women by high-level officials [18]. This was the time when the 'Me Too' campaign was trending in Western countries, and women in several eastern countries also began to join the campaign. In Afghanistan, several women, speaking anonymously, gave interviews and complaints about sexual harassment [19]. While women's groups in the system and in civil society advocated for investigation of these allegations, no action was taken by the government, as some men from the president's close circle were part of it.

Witnessing the systematic corruption, impunity, and discrimination by the close circle of the president on one hand and hearing about the rapid advancement of the Taliban, which many believed was supported by the US, on the other hand, increased people's anxiety and frustration. The elders, religious leaders, civil society, and media all had no confidence in the system and stopped defending the republic against the Taliban's forces. The ANSF were not supported and allowed to fight the Taliban, as most of the provincial and district governors, police chiefs, and generals who were from the same ethnicity as the Taliban began to make deals with the Taliban, and the Taliban were soon peacefully capturing province after province.

The sudden capture of all territory including Kabul was a shock, even for the Taliban. It took them several weeks to announce their all-mullah interim government, most of whose members were on the international sanctions list, and with no women or representatives of other ethnicities and ideologies [20]. They shut down the Ministry of Women's Affairs and replaced it with the Ministry of Promotion of Virtue and Prevention of Vice in the same building [21].

Soon girls were banned from going to schools and universities and women were banned from work [22]. More than 3,000 small and medium-sized women-owned business, and the majority of the women's rights organisations and media outlets were closed. The Taliban instructed doctors not to receive any female patients without male accompaniment and taxi drivers not to give a ride to any woman without male company or wearing non-Islamic outfits. They even restricted women in some provinces from going to all-women-run hammams.

When the US fully withdrew on 15 August 2021, it once again shook the social fabric of Afghanistan and opened another phase of struggles and challenges for the women's movement. While almost all the prominent women's rights activists, journalists, and politicians were evacuated by different countries, several new young women's groups emerged, protesting for their rights to food, work, and freedom. The Taliban cannot prevent these protests, although they have opened fire, detained and tortured activists, and used pepper spray against them [23]. In January 2022 several activists were abducted and detained by the Taliban [24]. In the same month, Norway hosted the Oslo Talks, where the Taliban met some civil society and political activists. Activists attending the conference were mostly exiled senior women who were wearing conservative clothes and delivering highly diplomatic statements. However, the young representative of the women protestors, who travelled from Kabul to attend the talk, confronted the Taliban, spoke about their intimidation, targeted disappearances, killings, and atrocities, and demanded the release of activists [25]. Some other senior activists rejected participating in the talk, claiming that the Taliban could not

be trusted based on their unfaithful engagement in the Doha peace talks [26]. The resilience, confidence and determination of Afghan women to fight for their rights make them the only peaceful force rising up against the Taliban and challenging their policies. No one could predict these uprisings, and everyone is in awe of these courageous women taking life-threatening risks, demanding their rights and using social media effectively for engaging people, and reporting atrocities suffered by women and other vulnerable groups. These are clear expressions of the new Afghanistan where the Afghan women will not put up with the regressive policies of the Taliban. They are willing to give up their lives but not their rights.

Conclusion

The women's movement in Afghanistan cannot be isolated from the tumultuous politics of the country. Afghanistan has become the ground for regional and international proxy wars. The waging of jihad against the Soviet Union re-engineered the political fabric of Afghanistan, allowing other countries in the region to interfere in its internal affairs. Iran and Pakistan, its two closest neighbours, do not see Afghanistan's stability or prosperity as being to their benefit. Both countries seek to have a weak government in Kabul in order to keep Afghanistan under their control. They have both been promoting extremism and fundamentalism in Afghanistan for decades and continue to do so. Thousands of Afghan boys have been receiving training in their madrassas, which inculcate the most regressive form of Sharia. They want to restore the Islamic Emirate and implement Sharia law. The Taliban 2.0 includes many more hardliners who are against development, modernisation, and even technology.

Four decades of conflict have made the already male-dominated and conservative Afghan society even more masculine. Much of society does not see women as human beings but as a commodity to use for pleasure, forming families and as pride to protect. Many Afghan women have been tirelessly fighting for their basic rights during all these years. At times this journey has been fulfilling, when there have been progressive governments in Kabul supporting the movement, but as soon as the progressive governments are toppled by the conservatives and hardliners, Afghan women are back to square one.

Women's rights are so politicised in Afghanistan that changes to regimes are directly impacting women's access to their very basic rights such as education and work. Everyone was expecting that Afghan women would accept all regressive policies of the Taliban and would not challenge them. However, as witnessed via media coverage, Afghan women are standing firmly for their rights and continuing to protest. This is validation that all the awareness-raising and advocacy trainings, education, and scholarships for Afghan women have paid off very well by making them fully aware of their rights, boosting their confidence and resilience, and guiding them in how to protest for their rights. As the only nonviolent group confronting the Taliban right now, demanding their rights, building alliances with feminist groups outside Afghanistan, and pressuring the international community, Afghan women have the potential to become a prominent and powerful force in Afghanistan who, despite all challenges, will stand not only for their rights but also for the rights of minorities, for liberty, and for democracy [27].

The history of Afghanistan demonstrates that for the women's movement to rise and continue, making women aware of

their rights and equipping them with the right skills to demand those rights is a prerequisite. Furthermore, having progressive governments that can adopt a legal framework and social reforms for women's advancement in different fields makes women's struggle smoother and multiplies the impact of their empowerment on society.

Today the conflict between the Taliban and Afghan women is the conflict of extremism and modernism. What will happen in Afghanistan today will set the precedent for Islamic countries and the world. If the world supports Afghan women obtaining their rights as equal citizens, this will send a clear message to all extremists and fundamentalists that the West is standing with its allies for its values. If the international community gives in to Taliban pressures and lets them suppress Afghan women, prevent civic activities, and prohibit women from exercising many of their rights, it will be a clear signal to the extremists that they can impose their ideologies on millions of unarmed people, just by capturing states and taking citizens as hostages.

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7. Women, War, and the Politics of Emancipation in Afghanistan

Afzal Ashraf and Caroline Kennedy-Pipe

During the 20 years of war in Afghanistan much attention was focused on the issue of female human rights. The emancipation of women from the rule and legacies of the Taliban was a core objective of Western states. This article traces the resistance within communities and regions to these liberal endeavours and highlights the challenges of imposing rather than embedding values. We note that the Afghan state has always struggled to provide basic human rights for its population, especially for its women. Until those needs are addressed, full emancipation through education and representation of women in society is unlikely. As a case study the country provides an understanding of feminism from a female Afghan perspective as well as an opportunity to explore the human rights context for women generally. Hence, we explain how this war allowed females in Western military forces to operate with greater gender equality on the frontline. Further research has the potential to reveal useful lessons in how female emancipation may be facilitated through an improved understanding of cultural contexts and an appreciation of how basic human rights such as the right to life and security are a prerequisite for female emancipation.

Both scholarly and practical interest in the women–security nexus deepened after the terrorist attacks of 9/11 and the wars that followed the assault on the US homeland. Specifically, the wars in Iraq and Afghanistan and the chronic instability in Pakistan caused in part, but not wholly, by the struggle with the Taliban, Al Qaeda and the Tehrik-e-Taliban Pakistan (TTP) highlighted how issues of gender affects security locally, nationally, and globally [1]. The rhetorical and practical emphasis on the 'emancipation' of women in Afghanistan by Western leaders as well as developments such as the advent of female suicide bombers across the Middle East, in Afghanistan and in Africa have combined to sustain academic and public curiosity about the woman and war question [2].

The withdrawal of allied forces from Afghanistan in August 2021 has raised a number of concerns about the future and fate of women after the return of the Taliban to power. In this piece we try to explain why attempts to realise women's human rights have ultimately failed in the country: we point to the many misunderstandings of the cultural and tribal customs by those tasked with the task of liberation. But we also highlight the fraught local and regional politics that rested ultimately on the resistance to any usurping of traditional female roles.

During the recent Afghan campaign, much was made of the imperative to liberate women from the excesses of the Taliban and ensure that public life was reordered to include females; their emancipation was deemed vital to the reconstruction of the state. While many of us fell into the trap of believing that this endeavour was somewhat novel, we are indebted to our colleague

Nargis Nehan in her contribution to this volume for pointing out that the women's movement has been a site of constant battle between the liberals and conservatives in Afghanistan. It was always going to be both controversial and, in her words, for some women 'deadly'. As Rina Amiri has written, 'We see that women have long been the pawns in a struggle between the elite modernists, usually defined as pro-Western, and the religious and tribal based traditionalists' [3]. In this piece we wish to explore the complexities of emancipatory politics both for those women living in Afghanistan and those deployed as female soldiers to Afghanistan.

Rhetoric

Representations/discourses of women were central to the wars in Iraq and Afghanistan. Both conflicts were constructed as campaigns that would allow virtuous Western men (and women) to save the victimised Afghan (and Iraqi) women from the authoritarian and patriarchal structures that enslaved them. Such narrations were embraced not only by British and American politicians but also by many scholars studying these conflicts. Both wars were supposed to deliver for Iraqi and Afghan women a form of 'emancipation' that was usually framed through a lens of Western values and norms.

The seeming importance of women, both Afghan and non-Afghan, to all aspects of the war is striking. Not only was the woman issue highlighted by politicians, but issues of gender affected the very conduct of what, despite the original intent, became a counter-insurgency campaign. The debacle of the war in

Iraq after 2003 for a while concentrated attention on that theatre as Western forces found themselves in the quagmire of what was both a complex civil war and a series of proxy wars. Yet in Afghanistan, after the initial success in toppling the Taliban, the West had two missions. One was the hunt to find and kill Osama bin Laden and eradicate Al Qaeda within the region and the other was to reconstruct the country, enforce human rights and build an effective Afghan security force. Nehan, again in this collection, has argued that after the Western interventions there was a period in which gender and minority apartheid, social injustice, suppression, and intimidation diminished to some extent. It appeared that women were attracting considerable attention and funding from the outside world.

Indeed, just after President George W. Bush declared a 'war on terror', Laura Bush, the First Lady, argued in a radio address on 17 November 2001 that 'the fight against terrorism is also a fight for the rights and dignity of women' [4]. *Time* magazine followed with a report on the plight of Afghan women entitled 'Lifting the Veil' [5]. All seemed set fair for women in the country to be rescued from the influence of the Taliban. Despite this interest in female human rights, Kim Barry has detailed the way the Bush Administration after 9/11 conveniently ignored the US part in allowing the Taliban to emerge as the dominant force in the country. When Taliban forces captured Kabul in 1996, there was a resounding silence despite reports of gross human rights violations [6]. And to respectfully qualify Nehan's statement of progress somewhat, there is also considerable evidence of the violence that was enacted against women as the US invaded the country [7], often by the warlords allied to the US cause.

Reality

Many of the Afghan men who served as allies in the US-led offensive against Bin Laden and the Taliban were controversial figures, including Rashid Dostum, who has been accused of torture, abduction, and rape as well as the infamous Dasht-i-Leili massacre. Dostum became a hugely controversial figure even before he served as vice-president in Ashraf Ghani's administration from 2014 to 2020. In 2018, the International Criminal Court was reported to be considering launching an inquiry into whether Dostum had committed a string of war crimes. Certainly, during the period of civil war and then in the period of the US invasion he had been a key figure in securing the north of the country.

Outside of Kabul and the protection of the International Security Force in the city, the national situation was one of insecurity as the warlords vied for control. In May 2002, Human Rights Watch reported accounts of gang rapes; ethnic Pashtuns in the north of the country suffered multiple attacks after the fall of the Taliban [7]. In the power struggles between the warlords, women – for example in Mazar – feared physical assault should they venture outside of the home. So, the rhetoric of emancipation did not easily fit with the reality of everyday life for women as war was waged around them. It is also the case that the US bombing campaign, widely lauded as successful in its initial stages, had profound consequences for those civilians living close to targets or the victims of the bombs that had gone astray. This difference between the reality on the ground and political rhetoric was in part created by the media, at least according to some informed female commentators [8]. The claim is that the Western

media ignored or underplayed rape and sexual abuse of women in the anarchy that followed the withdrawal of the Soviet army from Afghanistan and in the abridgement of rights during the two decades of the US-led occupation. Media stories in the West of the Afghan women's football team are pointed to as evidence of the post-Taliban emancipation of women, but allegations of abuse of these players by the team's male managers and staff is not reported to anything like the same extent. One way to approach the issue is to ask the question: if abuse is being reported in a group of women such as the football players under the gaze of the international spotlight, then what levels of abuse may exist in remote communities ruled by thuggish warlords? Afghan feminists and their Western counterparts have differing accounts of female emancipation depending upon whether their accounts privilege a commitment to female safety from abuse, or the prospects for female social and economic opportunities.

Cultural Perspectives

There is another issue in terms of perspective. Some Western feminists take the issue of female security largely as a given norm. Rape and abuse, when it occurs, is regarded as a crime against the individual female [9]. Afghan social custom regards rape as a crime against the woman's collective identity – that is, her family and her tribe. The Pashtunwali (social code), while providing a prominent role for males, was, in its own way, protective of an interpretation of female dignity and it was mainly women who perpetuated its gender values through the upbringing of their male offspring. There was an in-built prohibition against rape or kidnapping as these were considered a capital crime resulting

in a blood feud between rival tribes or families. Therefore, by empowering non-traditional elites in the form of warlords the consequences of invasions by both of the superpowers worsened, rather than improved, female empowerment and safety. (The prevalence of rape, beatings and kidnappings had also occurred with the emergence of warlords following the US-backed insurgency of the mujaheddin against the Soviet invasion.) In the most recent war, it was at the point of invasion that the Afghan social equilibrium of roles and order between men and women was upset.

There is irony in Western justification of the war against the Taliban on the grounds of female emancipation when sexual abuse had been a significant factor both in the establishment and rise of that group. In 1994 an Afghan warlord raped and killed three women. Mullah Omar and his Taliban provided swift justice by executing the warlord for his crimes, assuaging the indignation and outrage of local people [10]. The Taliban, which had come into existence a year earlier by opposing the abuse of boys, became even stronger by delivering justice for female victims of 'sexual abuse'.

There was therefore a serious question to be asked about the nature of who controlled what outside of Kabul in this early period of supposed emancipation of women from the Taliban. One key question was: who or what could control and influence the warlords? We should note here that part of the Soviet strategy in its own ill-fated Afghan war after 1979 was to instrumentalise the role of women in public life – precisely to break up tribal allegiances and local power. This strategy had provided some advances under Soviet occupation when the number of women for

example almost equalled the number of men attending university. Earlier in the century the Soviet leadership had committed itself to the modernisation of women's roles in Central Asia precisely to emancipate Muslim women [11].

Invasion and Emancipation

In retrospect, the pre-war analysis of the prospects of Western success in either Iraq or Afghanistan seems at best naïve and at worst delusional. The hope that Western forces would be welcomed had gained some traction, for example, in the justifications of war made by politicians such as Tony Blair and George W. Bush. In societal terms in Afghanistan the reaction to the US-led invasion was not what had been expected. This should and could have been predicted. Historically when external powers have infringed on national culture and religious beliefs, extremist ideologies emerge in reaction. We saw this in many instances throughout the 19th century, when, for example, the British introduced legislation banning Hindu practices of sati (the burning of a widow on her husband's funeral pyre) and in the practice of child marriage [12 p17]. This in turn led to the appearance of the Arya Samaj, a forerunner of the RSS (the world's largest extremist movement, and the group responsible for Mahatma Gandhi's assassination) and its mainstream affiliate the BJP, India's current ruling party.

According to Sir Olaf Caroe, the 19th-century Wazirstan Masood tribe sought to 'at all costs to resist subjection and to preserve their own peculiar way of life. To attain this end they were always prepared to make use of adventitious aids such as appeals with a pan-Islamic flavour' [10]. In other words, whenever Pashtun tradition is threatened by the West, it has

sought to defend its local cultural identity by appealing to a wider Islamic identity and constituency; this factor was greatly helped by the US-sanctioned appeals by Saudi Arabia to declare a jihad against the Soviets and to send Islamist militants to fight in Afghanistan. As we described above, a catalyst for the emergence of the Taliban was Mullah Omar's repulsion at the increasing practice of male child abuse by the warlords. The practice of sexual abuse of young boys, known as *bacha bazi*, was a trigger for Mullah Omar to declare opposition to such practices [13].

The use of the women question was not therefore just confined to the US and its Western allies. So too did the Taliban utilise the issue. For elements of that group, control of the female population, and the symbolic importance of rituals and repression, was and remains in part a drive to create an idealised society. This is an authoritarian response, that is a fear of uncertainty caused by an assault on traditional values and structures. We see this reaction playing out not just in Afghanistan but also in the US, albeit for different social reasons [14].

But our concern here is to highlight that those Western practices and policy did not fully take into account the local gendered politics and all the sensitivities that lay deep within Afghan culture. In this respect, it is worth considering why on the whole we have and continue to separate out the question of women, or perhaps place the issue in isolation from the successes or failures of other initiatives undertaken in, for example, the military, political and economic spheres. Here we are keenly aware of the endemic corruption within Afghan institutions and how this had a considerable impact, destroying any real chance of political transformation.

So, to take the example of Rashid Dostum, he benefited financially from US support for his part in ousting the Soviet army, but his corruption and debauchery reached new heights under the recent Afghan government. The Taliban define themselves largely as standing against the character, values and power of such people [15]. So, can any improvement in female rights be advanced without first developing a system of justice in society? According to the 11th-century Muslim philosopher al-Ghazali, the answer is no. In his forerunner to Machiavelli's *The Prince*, *The Book of Counsel for Kings*, al-Ghazali observed: 'Whenever Sultans rule oppressively, insecurity appears. And however, much prosperity there may be, this will not suit the subjects if accompanied by insecurity.' Western leaders may be forgiven for their ignorance of what may appear to be obscure Eastern political thinkers, but in 2009, ISAF's own anti-corruption team wrote that 'the international community has enabled and encouraged bad governance through agreement and silence, and often active partnership' with corrupt and abusive warlords. It identified this as a 'key factor feeding negative security trends' and went on to point out that this had resulted in acute disappointment within Afghan society and had 'contributed to permissiveness towards or collusion with' the Taliban [16].

One query that lurks unanswered is: if the West was at all serious about supporting female rights, then why did it not begin by uprooting the prominent abusers of those rights? It is certainly not because this was an unknown issue. Malalai Joya (named after a 19th-century Afghan female warrior) warned at the outset of the misogyny of the previous Afghan government and the warlords involved. She posed the question: 'Why would

you allow criminals to be present? Warlords responsible for our country's situation … The most anti-women people in the society who brought our country to this state, and they intend to do the same again' [17]. Her questions remain unanswered, as do the claims of Kathy Gannon, who pointed out the many atrocities and crimes committed by the Northern Alliance and other warlords selected as partners for the Western intervention. She points out that 'in one grisly attack five women of the Hazara ethnic group were scalped. The attackers were not Taliban; this was two years before that radical Islamic militia took Kabul' [18]. She made pragmatic recommendations on how to remove these men from positions of influence and power, but these were not enacted. It would be reasonable to assume that when there is a choice between the certainties and short-term benefits of power politics and the uncertainties and long-term nature of ethical policy, Western political culture favours the former. Sadly, almost by definition, women and other weak members of society will always be victims of power politics.[1]

It would be somewhat misleading though to consider the plight of women as being somehow particular to the Afghans rather than at least in part a consequence of ill-judged external interventions. Here we want to look at how the military campaign itself used the issue of women in a very specific manner. There are two aspects to this. The first is how counter-insurgency developed an emphasis on women and their roles in the community, and the second theme is that military service in Afghanistan opened up possibilities for Western women that had hitherto been closed to them. The irony here is of course that while Afghan women have been returned to Taliban rule, we

must consider the possibility that Western female soldiers benefited from service in the country.

Female Counter-Insurgency: The Role of Western Women Soldiers

Laleh Khalili [19] has argued that the gendered nature of the wars in Iraq and Afghanistan were patently obvious when soldiers encountered the local population. In these interactions, women in the community were typically perceived as civilians while men – that is all males over the age of 14 – were 'coded' as combatants. As a consequence, men were targeted as potential enemies both by combat units and by drones. (Under President Obama the armed drone became his weapon of choice, with 563 strikes carried out either in signature strikes, where the individual's identity is unknown, or in precision strikes on a named individual.) Women were not usually the targets of such strikes but were part and parcel of the collateral damage which inevitably accompanied aerial assaults.[2]

In Iraq, US forces had initially largely ignored the female population, in part because of the sensitivities of engaging with women in a traditional society. Insurgents in turn took advantage of these cultural sensitivities by disguising themselves in the all-enveloping female clothing to avoid detection whilst perhaps plotting or perpetrating attacks. (This was not a new tactic as during the 1966 Algerian conflict, for example, insurgents cognisant to the ideas of the French army would dress in burqas and easily cross through checkpoints which were usually closed to men but open for women [20].)

This disguise, as we may term it, in turn forced Western forces to deploy women soldiers at checkpoints precisely to be able to

search females without causing offence. During the presidency of George W. Bush, the mission to emancipate Afghan women led to the recruitment of more women into the armed services. Following the election of Obama, the focus shifted somewhat. The drive for equality in the armed forces became of paramount importance. This was coupled with new peacebuilding approaches which eventually led to a revaluation of the role of female service members in war zones [21] and active deployment of females on the front line in the post-9/11 operations.

Ironically, given the substance of this essay, the Afghan theatre provided Western military women with opportunities that had been long denied to them in terms of frontline operations [22]. Deployment in Afghanistan opened up opportunities in field artillery, combat arms positions and special operations. From 2009 there was a need for American women to accompany American troops on patrol, especially after the military 'surge' and the parallel civilian surge to extend reach into Afghan civilian populations. All of this spearheaded a significant shift in American policy, eventually leading to the lifting of the embargo on women in combat.

The Feminisation of Counter-terrorism and Counter-insurgency (COIN)

The US developed two programmes to enable military forces to make contact with Afghan women: the Female Engagement Teams (FETs) and the Cultural Support Teams (CST). It is worth discussing the reasons for this innovation. Some of those who provided briefings to senior commanders deploying to Afghanistan on cultural intelligence and psychological operations have noted that central to Pashtunwali is the concept of

nang (honour). Three important factors contribute to Pashtun honour: zar (gold or wealth), zan (women and girls) and zamin (land or property) [23]. Despite these efforts, though, any cultural appraisal and sensitivity collided with a typical Western military operation that involved breaking down doors, storming into property and even intruding into female quarters. All this proved counter-productive. A single such operation could offend against all three cultural taboos. It was partly to mitigate such effects that female soldiers were introduced. It at least meant that the handling and interrogation of women could be carried out without the offence that would be keenly felt if male soldiers engaged with females. (It is worth remembering that even in recent times, 'we', for example in the UK, no longer think it appropriate for male policeman or soldiers to handle females in our own cultural context.)

When the training of Western women soldiers is scrutinised, it becomes apparent that the military mission or some form of intelligence gathering took priority over any cultural sensitivities. In other words, killing insurgents was more important than protecting and winning over the hearts and minds of the female population. Consequently, and whatever the good intentions, female soldiers perpetuated rather than refined the ill-fated counter-insurgency practice put in place by their male comrades.

The issue was that in their kill/capture missions, the US used a variety of tactics, including precision strikes and night raids on the homes of Afghans suspected of colluding with terrorist groups. These night raids (as described above) caused widespread upset amongst the Afghan community [24] and also caused considerable friction between President Karzai and his allies. Not only were civilians killed, but the domestic space was

also violated and what became apparent is that the cultural 'sanctity' of the home was not well understood by many Westerners.

Female soldiers were meant to reassure the local women during night raids that they as women would protect the wife, the mother, and the children of the household even as the raid was conducted. This occurred even as the men of the household, the husbands, brothers, fathers and sons were hunted down. Accounts by female soldiers who served in this capacity have related instances of removing their helmets to show their faces and demonstrate to the household that they too were women and protectors.

The mission was to build relationships with the women even as soldiers collected 'intelligence' and information on the home. There is scant evidence that this type of relationship-building with local women actually worked and there have been numerous stories of the inconsistencies in what and how local women were meant to respond as homes and communities were invaded and menfolk removed. The detention of men raised questions about how families could be supported without the presence and activity of male breadwinners. Despite these inconsistencies, or perhaps because of them, a need for women soldiers was also demanded by the Provincial Reconstruction Teams (PRTs) that were established from 2005 by the US and its allies. This meant military and civilians experts working in conjunction with local Afghan leaders to provide development funding for local projects to try and win 'hearts and minds'.

These engagements also provided intelligence-gathering opportunities [25]. Despite controversy over this intelligence role, and as noted above, the embedding of all-female cultural teams alongside special operations forces was regarded as successful in enabling access to the 50% of the population usually side-lined

in the business of war. One male veteran I interviewed told me that in his two tours of the country and when engaging with local communities he never encountered a woman. They were always in his words secluded in the back of the compound and unlikely to engage with any men outside of the family. But this is not the whole story. While Western women were quite literally on the frontline, the emergence of an Afghan national army co-opted women into the armed services.

Female Martyrs

In this complex theatre, women, unusually for a traditional society, were also resorting to violence, as in the phenomenon of suicide bombers. In Afghanistan there was, at least initially, a prohibition against the use of female 'martyrs'. However, for a multiplicity of reasons, we have witnessed an increase in female suicide bombers since 2009. This followed an open letter issued by Umayama al-Zawahiri (the wife of Al Qaeda leader Ayman al-Zawahiri) urging her sisters to assist the terrorist groups through suicide missions. The use of females created the conditions for surprise attacks and had the added 'bonus' of creating an additional pool of recruits.

The experiences of women in the conflict have been represented in the oral tradition of landays, traditional short verses that have reflected the impact of drones strikes, military occupation, and suicide. These verses might speak of the glory of war but can also provide telling accounts of what it means to be female. Violent images abound, as in this couplet:

Embrace me in a suicide vest
but don't say I won't give you a kiss [26]

Martin Van Creveld, the military historian, has argued that women are only ever used in battle/conflict when men are not available, or are reluctant to take part [27]. Indeed, women in the Royal Air Force were used in supporting roles such as fighter ferry pilots during the Second World War but then excluded from flying aircraft until virtually the end of the last century. They were allowed to fly transport aircraft in the late 1980s and only in the late 1990s were they permitted to qualify for combat roles. This Western example provides valuable insights into how wartime strategic necessity and peacetime social change work on different timescales. Female emancipation is a social project which in the West has taken over a century and is advancing as part of wider societal changes, by learning from failures of policy and practice. In war, women in all societies are invited to fill any gaps left by men in traditionally male roles. Once war ends, progress on female emancipation returns to its usual social speed, which can be accelerated or decelerated by the economic and social changes brought about by that war. The return of the Taliban may well accelerate progress against rape and other forms of sexual abuse. It will certainly decelerate progress in wider education and in the workplace for women.

These questions point to issues that need some attention. The Afghan conflict and what occurs now provides a rich seam of opportunities for further research and debate on the place of women in society. But there are challenges to any study: any comparison of women's rights under the Western-backed government and the Taliban is problematic partly because reporting and analysis are skewed by an apparent bias in favour of the norms espoused by the West. And here we must acknowledge that there were significant improvements in terms of women's

health through intervention. Female life expectancy rose from 56 years in 2001 to 66 years in 2017. Mortality in childbirth also improved from 1,100 per 100,000 deaths in 2000 to 396 per 100,000 in 2015 [28].

Those were just some of the gains made for women. There were others made in terms of politics and representation. But any future Western analysis would need to address the subtle issue of perceptions shaped by power politics, the consequence of which is that Taliban abuse of women's rights appears to have been mostly overt and criticised, whereas abuse of women's rights under the previous regime was largely covert and ignored. There is also the question of which rights are more important: the right to work or the right to life.

Urban Versus Rural

We must also unpack the category of Afghan women. There is a significant distinction between urban and rural life. Many of the political gains for women were made in the cities; although it is true that the Taliban had issued some of its most severe edicts in Kabul concerning female apparel, behaviour, and work [29]. Rural women in Afghanistan have, when asked, declared that the right to life was/is the crucial issue. Most Western analysts operate at the pinnacle of Maslow's hierarchy of needs where education and work are understandable priorities. The conditions in Afghanistan are near the bottom of this hierarchy, where the right to life and security (against rape, for example) is of most importance. It is unsurprising, therefore, that the Taliban rose to power initially on a crusade to stop sexual abuse, and managed to reduce the threat to life and rape for more women and girls

(and boys) than was the case under the previous regime. These points can partly explain the failure of the Western-backed mission in Afghanistan.

Another issue is that Western analysts employ different timescales and conditions to judge female emancipation between the experience of the West and places such as Iraq and Afghanistan. What took decades in the West is in our view unreasonably expected to take place in just a few years in Afghanistan. For example, the US insisted that parties standing for the January 2005 Iraqi Transitional Government elections should field at least 25% female candidates [30]. In 2005, the UK Parliament had around 20% female representation – over 100 years after Nancy Astor became the first female MP to take a seat in the House of Commons. The Iraqis were being asked to achieve a level of female political representation in just over two years that the West had failed to achieve in 100 years. Similar attitudes were employed on the female issue in Afghanistan. Western attempts to impose the norms that took so long to develop in a different cultural context, while Afghans were experiencing the societal equivalent of post-traumatic stress disorder, was ill-judged. This accounts for some of the policy and strategy failures we see today.

Afghanistan therefore offers a rich case study to understand feminism from the perspective of not just Afghan women but also from the relative standpoint it offers to revaluate female emancipation in the West. It also provides excellent examples of how feminism has been weaponised for power politics and how issues of societal and economic development gave way to the idea that counter-insurgency had priority. Finally, Afghanistan has allowed females in Western forces to operate with greater

equality on the frontline, principally to extract intelligence from women in Afghan villages. Their overall performance is difficult to judge due to a lack of independent research, but any successes that may have been achieved took place at the tactical level, and obviously failed to translate into a strategic victory.

Prospects for Women in Afghanistan

Since the takeover by the Taliban, Afghanistan's military has effectively been disbanded, along with the return of its female members to the private sphere. If the Taliban remain in power the prospect of female soldiers being part of any future Afghan military is extremely unlikely. The issue of female participation in wider public life, especially in education and the workplace, is an issue on which the Taliban appear to be divided. Several statements indicating the desire to allow women to be educated and to work have been made, but they come alongside indications that all of this will be delayed for a variety of reasons. These include an argument that Taliban members are not trained or equipped to deal with women in a public or civic setting.

There are also claims that women are being harassed or positively hunted down as punishment for speaking out on other activities in public. Most of these claims are denied by the Taliban. It is thus difficult to verify or find truth here. There is always a strong possibility that many of the individuals accused of harassing females may well be either criminals posing as Taliban or more likely tribal or other social relations who consider that the women involved have brought dishonour to their traditional codes of behaviour through these public activities.

Equally relevant is the fragmentary nature of Taliban policy arising out of the diversity of backgrounds and experiences in

its leadership. Some in this group are traditional hardliners who have spent little time outside of their tight social circles. A small number who have spent time abroad, particularly in Qatar where the Taliban had a headquarters, have indicated a somewhat more liberal approach. Qatar's example would have been particularly inspiring for the Taliban because it is a society that has to a large degree successfully managed to blend highly conservative ideas on female dress codes with remarkable degrees of empowerment of women through education and leadership in the workplace.

According to statistics, Qatari women lead the world in studying STEM subjects, with 57% of Qatari women choosing these subjects compared to 35% in the US [31, 32]. Less well known is the fact that these women can go on to lead organisations in cybersecurity or fintech to a degree which is rarely seen in Western society. It is likely that exposure to this model of successfully combining strict religious interpretations with liberal ideas about female equality of opportunity will have influenced some of the Taliban leadership. Less certain is whether that leadership can come to a united vision of the future. Whatever progress may be made in this area, it is likely to take time because social and cultural change inevitably takes time to evolve.

One significant factor in discussing the future is the issue, already highlighted, of the political will to restore female rights. The priority for the Taliban is to provide the necessities for its population in terms of food and fuel necessary for survival. Currently it is failing to do so partly because of its own ineptitude but largely because of the failure of the international community to coordinate a suitable post-conflict settlement allowing the release of funding and the agreements on trade and aid necessary to help the country establish a sustainable

economy. If the West wishes to support female emancipation to allow women to receive an education and have equal opportunities in the workplace it must do all it can to support the basic needs of Afghan society in terms of food, shelter and fuel. Only then is there any hope for progress on the higher ideals of female emancipation.

There is much to be gained by studying this topic in detail. In the meantime, it is safe to conclude that geopolitical involvement in Afghanistan has put back rather than advanced the cause of female emancipation. These wars caused instability by deliberately disrupting the delicate power structures of traditional society through the empowerment of alternative leaderships: they were motivated by parochial gains achieved through perpetuating insecurity. Evidence suggests that female emancipation is always culturally contextualised, and advances are best advocated through a complex and probably long drawn out evolutionary, socially led process. The Afghan case study highlights the importance of considering the thorny issue that some of the human rights that underpin female emancipation are a precondition for others, that is, the right to life and security over the right to education and equality of opportunity and inclusion. Security, stability and a form of justice in society were considered a prerequisite for social development according to both the values of the region and the findings of some ISAF studies, and it seems sadly that in the turmoil of war these were lost.

Notes

[1] We should note here the valuable contributions made by feminist scholars in alerting us to the multiple issues of gender and power. See

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² There has been a 'Shocking disregard for civilians as US drone strike adds to death toll'. Amnesty International. https://www.amnesty.org/en/latest/press-release/2019/09/afghanistan-shocking-disregard-for-civilians-as-us-drone-strike-adds-to-death-toll/

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8. Human Trafficking in Afghanistan – What Hope for Change?

Thi Hoang

Decades of wars, internal conflicts and political instability have driven millions of Afghan families into poverty and increased human suffering and vulnerabilities, eroded community resilience, and amplified human trafficking activities (and in several cases also created new forms of these practices). This chapter first provides a brief overview of the main trafficking forms, and their widespread reach and practices in the Afghan context, both before and after the Taliban's takeover in August 2021. Second, it discusses the potential implications and impact of the new Afghan government, international actors and non-governmental organisations' policies, intentions and perspectives for the multiple humanitarian crises in the country, especially for the development of ways to address human trafficking in particular. I argue for prioritising humanitarian assistance. Stakeholders need to pursue a pragmatic approach to responses and negotiations that puts human lives at its centre, to prevent worsening the humanitarian crises, exacerbating vulnerability to human trafficking, and causing further loss of life and other harms.

In 2021, Afghanistan had the world's third largest number of refugees and asylum seekers (approximately 2.8 million), after Syria (at 6.8 million) and Venezuela (at 5.4 million) [1]. Many of Afghanistan's internally displaced persons (IDPs) and refugees have lost their homes, livelihoods, social contacts and circles [2]. They are thus increasingly susceptible to negative coping forms for survival, such as embarking on unsafe journeys, selling their organs or body (offering sexual services), agreeing to exploitative labour conditions, and in some cases, forcing their daughters or sons into marriage and/or into being sexual partners of wealthy and powerful individuals. Such strategies can be ways to acquire the financial means for the family's survival, and/or to offset the migration costs, thus subsequently putting themselves at high risk of trafficking [3].

Because of their numbers, and vulnerable and impoverished situations, many Afghan refugees and asylum seekers have been unable to secure legal migration channels and so have resorted to smuggling and criminal networks for transport and/or border crossings. Relying on people smugglers is highly risky and dangerous, especially under the 'travel now, pay later', or 'pay-as-you-go' models, which are considered the 'mass-transit bulk trade' in the migrant-smuggling business [4]. These forms of payment enable refugees with little initial financial means to cross borders, but can easily lead to their being placed in debt bondage or another exploitative situation due to the accumulated debts to their smugglers and high interest rates demanded by loan sharks [5].[1] Given the minimal border management that often characterises conflicts, refugees and displaced people who are victims of trafficking are also unlikely to be screened for victim

identification when crossing international borders. Conversely, many face being criminalised or extorted by corrupt border guards and police for not having valid documentation [6].

The main destinations of Afghans seeking a new life and job opportunities overseas included Iran, Pakistan, Greece, Turkey, the Gulf States and Europe. Capitalising on this need, many traffickers, disguised as labour intermediaries and recruiting agents, offered desperate people false employment in low-skilled sectors such as domestic work, construction, and agriculture. Once they arrived at their destinations, however, many Afghan migrants and refugees were then threatened and forced into trafficking situations of labour and sexual exploitation [7]. Specifically, Afghan women and girls were reported to be exploited in sexual and domestic servitude in Iran, India, and Pakistan, whereas the men and boys were found to be trapped in forced and bonded labour in the construction and agricultural sectors in Greece, Turkey, the Gulf States, Iran, and Pakistan [8].

There have also been reports showing the exploitation of Afghan children in criminal activities such as smuggling and the trafficking of drugs, fuel and tobacco, and as street beggars and vendors, in Iran and by Iranian criminal groups. When caught, these children risked being detained, tortured, and extorted by the Iranian police [7]. Furthermore, Afghan children were also found to be coerced into fighting alongside the Shia militias in Syria by both the Iranian government and the Islamic Revolutionary Guards [7].

Human trafficking in Afghanistan shares much in common with other humanitarian and conflict-affected contexts, but there are also factors and characteristics specific to the Afghan

context. These include the cultural and religious beliefs, values and practices which have led to the use of child soldiers and suicide bombers as weapons of war; the treatment of women and girls as inferior citizens and 'commodities'; and the use of impoverished underage boys as *bacha bazi*. (Literally translated this phrase means 'boy play', also known as 'dancing boy'; it is an Afghan custom or common practice pursued by wealthy and powerful warlords and businessmen who exploit young boys as young as 11 or 12 as 'tea boys', entertainers, dancers and sexual partners [9].)

The hasty withdrawal of US forces and the Taliban's swift re-capture of Kabul on 15 August 2021 led to a further mass exodus of Afghans and foreign nationals and put thousands of other households in danger of the Taliban's retribution. Families and individuals anxious to leave but without the thousands of dollars needed to pay smugglers have been attracted to 'pay-as-you-go' models of smuggling and migration. These models significantly aggravate the risks facing migrants and could lead to them falling victim to human trafficking [4].

As the Taliban re-establishes control, seeking the legitimacy of its government and regaining a major foothold in the country and region, Western actors and the international community have sought to negotiate with the new government to uphold human rights, especially those of women and girls, in their governance and administration practices [10]. It remains to be seen whether the Taliban will accede to any such requests and demands in return for their regime's recognition and international aid and support. What is clear, however, is that decades of conflict have significantly increased vulnerabilities, eroded

community resilience, and amplified human trafficking activities and practices in the country and inflicted on the Afghan people. The longer these tensions and negotiations go on, coupled with humanitarian crises that pre-date 15 August 2021 – for example, the largest increase of hunger and famine in the country the UN has ever reported [11] and natural hazards including one of the most severe droughts in 30 years – the more lives will be lost, with greater human suffering and even more refugees, IDPs, and smuggling and trafficking victims.

In the rest of this chapter, I begin by outlining the particular dynamics of human trafficking in Afghanistan, saying a bit more about multiple aspects often bound together. The second section considers the chronic weakness of government responses to control these diverse practices and looks at the new Taliban regime's possible stances and actions. The final section considers how international actors can best exert influence to mitigate the scale of current problems.

The Dynamics of Human Trafficking

Afghanistan has primarily been a country of origin for human trafficking, and to a lesser extent, a destination and transit country. Evidence of exploitative and abusive practices targeting men, women, and children have been well documented, although under-reported [7]. Human trafficking has grown internally, because of financial hardship, traditional 'custom' and the cultural values and beliefs of a conservative patriarchal system, and it has also mushroomed during and after households' or individuals' departure as refugees and migrants. Afghanistan's decades of conflicts and wars created a vacuum of governance, justice and

enforcement on which traffickers and criminal groups could easily capitalise. Cultural norms and social attitudes regard men as superior to women, and there are acute power imbalances between influential warlords and wealthy businessmen compared to villagers and displaced persons.

Forced marriage and sexual exploitation of women and children

The majority of Afghan victims of human trafficking are women and children who have been subjected to internal trafficking rather than cross-border trafficking. The most common forms of in-country trafficking are forced marriage and the sexual exploitation of women and children, especially boys for *bacha bazi*, forced labour of children and adults (both Afghan nationals and migrant workers), (forced) recruitment of adults and children into armed groups, and organ trafficking.

The particular vulnerability of Afghan women and girls to being trafficked is deeply rooted in Afghan social practices, cultural values and traditional patriarchal norms and beliefs, according to which women and girls are considered to be men's property: '[T]hey are father's child when born, brother's sister when grown up, husband's wife when married and son's mother when old' [12]. In Iran and Pakistan, Afghan women have reportedly been trafficked for the purposes of sexual exploitation, while cases of trafficked Afghan children have been linked to countries such as Iran, Oman, Pakistan and Saudi Arabia [13].

Lacking agency and unable to make decisions regarding their own lives and fate, many Afghan women have been treated as 'commodities' and forced into human trafficking and exploitative

situations by their own fathers, husbands, or sons, or abducted into sexual servitude and forced marriage by armed men [13]. As victims of trafficking, especially of sexual exploitation, Afghan women and girls are not only at heightened risk of gender-based violence (GBV) and emotional and sexual abuse at the hands of their traffickers [14], but also in danger of being punished and criminalised for 'moral crimes', or jailed, following the abuse and exploitation [15]. If they were 'lucky', they could resort to marrying their perpetrators to keep their family's 'honour'. If not, as reported in many cases, some women have been subjected to 'honour killings' carried out by male family members [16].

Afghan children are also among the most vulnerable to trafficking, especially when their family's adult men are away due to wars and conflicts. They are therefore at a greater risk of child labour, which extends to situations of forced, bonded and the worst forms of child labour. Reports of child exploitation in Afghanistan detail how children have been forced to work, often in inhumane conditions, as domestic servants, beggars, drug mules, truck drivers, miners, and child soldiers [7]. Afghan child survivors of trafficking face heightened susceptibility to exploitation and re-victimisation.

To understand the extent of the sexual servitude and exploitation inflicted on Afghan women and girls, it is important to understand the institutional, legal and cultural factors constituting their traditional 'rights' and 'morality'. Any extramarital sexual contact for women and girls is strictly banned and criminalised. So, when an Afghan woman or girl is trafficked or sexually exploited, or tries to escape her abusive marriage, or just runs away with someone to whom she is not related (regardless of whether she

had been previously abducted or kidnapped), she is considered to have committed a moral crime equivalent to adultery or prostitution, and can face a jail sentence [13]. The acts of adultery, prostitution and running away are considered to be synonymous and terms for them are used interchangeably across the country.

During the two decades of Western intervention and Western-backed government, and despite the countless international efforts and pressure on the Afghan government to uphold the human rights of women and girls, Afghan women and girls were still regularly spotted being forcibly taken away by commanders, military and armed groups while going to school, doing grocery shopping or playing outside their home [13]. The Taliban fighters and forces also reportedly abducted, kidnapped and sold women as sex slaves to fund its regime [17]. Many women were also abducted for forced marriage while trying to flee the Taliban and conflict areas. Afghan women and girls were also reportedly forced into marriage by their male relatives, especially their fathers and husbands, in order to repay a debt or settle disputes.

To repay a debt

Many Afghan men, especially those living in impoverished and desperate situations, resorted to selling their daughters in the form of an arranged marriage, as a means to pay off a debt [12]. In some cases, the father forced one of his daughters to marry his creditor. In other cases, they arranged his daughters' marriages to other men, who would in turn give him some money as the 'bride price' so he could pay off some of his debts. The United Nations High Commissioner for Refugees (UNHCR) and the

International Organization for Migration (IOM) have reported cases where girls were forced to marry moneylenders or creditors at IDP and refugee camps [18]. Some creditors and loan sharks were also reported to have kidnapped and abducted women and girls when their male relatives' debts were outstanding:

> A young Tajik girl, (about 12–16 years of age), was forced into a marriage with a Pashtun creditor for debt alleviation. Her father owed money to the man while living in an IDP camp in the West and could not pay back the debt. They negotiated and agreed to exchange the girl for releasing the debt. [13]

The reported and estimated age range of women and girls forced to marry (or be engaged) for debt relief purposes were between four and 16 years of age. The majority of reported cases of forced and child marriage for this purpose were in Kandahar, Herat, Uruzgan, and Bamyan [18].

To settle disputes

For centuries, women and girls have been used as a means to settle disputes and restore 'lost honour' between families. When a murder is committed in the event of a feud, one of the daughters or sisters of the accused is demanded by the victim's family to restore the honour lost by the deceased male member. In some cases, the local jirga (an elder in the local council) would decide the fate of the accused or offender's female family members, usually by ordering them to marry an eligible male member in the victim's family. If the offender's daughters or sisters were too young, sometimes an additional girl was then demanded. A girl

under 10 years old would be kept as a domestic servant until she reached the age of 10, when she would be married. This practice, called '*Bad*' in Afghanistan and '*Swara*' or '*Vani*' in Pakistan, was reported to take place throughout Afghanistan, mostly in villages, and in Pashtun areas of Pakistan.

Although this traditional practice was initially rooted in the hope or idea that the families involved in a dispute would formally join forces with the girl's marriage, in reality, there is still a strong stigma to such marriages, which are known as '*bad nikkah*'. The girls or women in a *bad nikkah* have to carry the burden and shame of the initial crime of her male relative for the rest of her life. In the victim's family into which she was forced to marry (though some girls are not even given legitimate marital status), she represents the crime, and is thus accorded the lowest status and treated as a criminal, as well as often being subjected to extreme physical and mental violence. Unable to escape such forced marriage and/or withstand the perpetual abuse, many women involved reportedly commit self-immolation or other form of suicide [13].

Forced labour and child labour

Across Afghanistan, practices of forced labour have effectively trapped families, especially young children, to work in dangerous conditions as widespread unemployment, rising food insecurity, and intensifying poverty limit any economic prospects [7]. Up to a third of children of primary school age (from 7 to 12) were estimated to be involved in at least one form of child labour [11]. Reports have also shown the recruitment and large-scale abuses

in the use of child labour across several industries and sectors, including carpet-weaving, farming, brick-laying and poppy cultivation [7]. Families engaged in opium poppy farming also sold their children to opium traffickers as debt payment [7].

In some cases, drug-addicted parents had forced their children into hazardous work and begging [7]. In other cases, NGO-run orphanages that were under government oversight were also reported to have subjected the children to child trafficking [7]. In general, many trafficked Afghan children were forced to work in inhumane and exploitative conditions as domestic servants, beggars, drug mules, truck drivers, as well as in high-risk areas such as in conflicts and disputed territories to mine and extract coal and salt. According to UNICEF, 'Afghanistan was one of the most dangerous places in the world to be a child' [19].

(Forced) recruitment of adults and children into armed groups

Reports have shown the abduction and use of women and girls by the Taliban and insurgent groups as soldiers, cooks, porters, messengers, suicide bombers, and sex slaves [7]. In Afghanistan, both insurgent groups (the Taliban and the Islamic State in Khorasan Province), non-state armed groups and Afghan security forces under the Western-backed government (including the Afghan Local Police [ALP], Afghan National Army [ANA], Afghan National Police [ANP] and National Directorate of Security [NDS]) continued to recruit and use children from impoverished and rural areas in combat and non-combat roles with impunity [7]. In addition to the use of threats and pressure on local communities, according to the US State Department's

2021 Trafficking in Persons (TIP) report, the Taliban specifically paid the children's families with cash or in-kind benefits (such as protection), in order to have them sent to its madrassas (Islamic schools) that provided military training and religious indoctrination [7]. Cases of children and female soldiers being used as suicide bombers, weapon transporters, spies, and camp guards were also recorded as having been committed by the Taliban and the Islamic State [20].

Trafficking for organ removal

Trafficking for organ removal appears to have become a new form of trafficking in Afghanistan, against the backdrop of widespread poverty, constant conflicts, and the rise of private hospitals [21]. Media reports have documented a significant rise in the illicit kidney enterprise in Herat, a city with seemingly unlimited fresh supplies of human organs. Here, the recipients could purchase a kidney for about $3,500 (of which the broker could receive about $80, with the remainder shared between the donor and the hospital and/or surgeon in charge). This was estimated to be only one-20th of the operational cost in the US [21].

Afghan men and women may be willing to sell their organs for several reasons – including hunger, poverty, outstanding debt, unaffordable marriage and severely ill parents. Since most kidney donors can live with just one kidney, hundreds of desperate, impoverished, and indebted Afghans have resorted to selling theirs, only to be left in an even more wretched state and with worsening health later on: many were reported to be in great pain, too weak to be able to work, and unable to afford

any medication [21]. Despite the significant medical risks and health deterioration after selling an organ, many Afghan men and women felt they had no choice other than to sell their kidney for as little as $1,500 [22], or about £2,800, as reported by a man in a displacement camp northeast of Herat [22].

'Bacha bazi'

Afghan traditions and customs prohibit women and girls from the performing arts and dancing in public, and so Afghan boys as young as nine to 12 years of age, particularly those from poor and marginalised communities and considered good looking, are targeted for recruitment as *bacha bazi* [24, 7]. One boy, Imam, who was 15 years old and had been a 'dancing boy' for four years in 2017, said the following in a documentary: 'We have difficulties. We can't do anything. We have no choice apart from this. My family has very little money. I can't support them. I have to do this' [25]. Some boys as young as nine, sometimes also known as '*bacha bereesh*' (beardless boys), were often asked to dress up as girls and dance at celebrations or tea parties, especially in northern Afghanistan, to their 'male patrons' [26]. The male patrons comprise an assortment of powerful and wealthy local men, ranging from warlords, mujaheddin commanders, businessmen, military officials, religious leaders and organised criminal groups [9]. To many wealthy and powerful men, having a *bacha bazi* reinforces their social status and wealth, especially if the boy is good looking and a good dancer – it is 'a mark of prestige' and status symbol [26].

There have also been reports of boys as young as four or five years old being abducted and sexually assaulted by military

commanders and armed groups in southern Afghanistan: '[The boys] were held overnight, and occasionally for up to 2–3 days. When they were released, there was evidence of rape, i.e., rectal bleeding' [13 p37]. Although homosexuality and paedophilia were prohibited under Afghan law, these acts of sexual abuse and interaction are often not considered to constitute adultery or pre-marital sexual relations. It was therefore common for powerful warlords and commanders to have young boys as their 'mistresses', whom they would bring along to parties and force to dance, as well as to perform sexual acts [13].

Despite some Western governments' attempts to eradicate the practice, it only grew in popularity after the fall of the Taliban in the early 2000s. In the 2021 TIP report by the US Department of State, the ALP, ANA, ANP, and pro-government militias that received direct financial support from the state were said to be recruiting young boys for *bacha bazi* [7]. In northern Afghanistan, community elders were the main *bacha bazi* traffickers, whereas police, military, checkpoint commanders and local government officials were their perpetrators in southern provinces, especially in Kandahar [7]. A filmmaker in Kapisa said that armed men forced him to film their celebrations one night:

> When I got there I saw a very nice-looking boy dancing. The party continued throughout the night, and I had to film everything they did with that boy. What I witnessed were not the actions of human beings. After they finished, they took the film cassette from me and let me go. [27]

Since the criminal practice is overwhelmingly committed by powerful men, the perpetrators of *bacha bazi* can easily escape

criminal proceedings and punishment by simply offering bribes or exploiting their relationships with law enforcement, prosecutors, and judges [7].

The complicity of the US military

There were also reports of human trafficking cases to which the US military and the allied forces (in)directly contributed [28, 29]. While the US military was stationed in Afghanistan, its soldiers and personnel were allegedly instructed to ignore child sexual abuse, in particular the practice of *bacha bazi*, taking place directly on military and government compounds by their Afghan military or police personnel [29]. 'At night, we can hear them screaming, but we're not allowed to do anything about it', the Marine's father, Gregory Buckley Sr, recalled his son telling him before he was shot to death at the base in 2012. 'My son said that his officers told him to look the other way because it's their culture' [29]. When some American soldiers took action, they were reportedly disciplined, dismissed from military service and sent back to the US [29]. Many US officials and Marines voiced their concerns about the US military arming and backing several Afghan commanders who reportedly sexually abused young boys. 'The reason we were here [in Afghanistan] is because we heard the terrible things the Taliban were doing to people, how they were taking away human rights', said Dan Quinn, a former Special Forces captain who beat up a US-backed militia commander for keeping a boy chained to his bed as a sex slave. 'But we were putting people into power who would do things that were worse than the Taliban did – that was something village elders voiced to me' [29].

In addition, some US government contractors allegedly abused tens of thousands of third-country nationals or low-skilled migrant workers, exploiting them in services and work in support of US military and diplomatic missions in Iraq and Afghanistan [28, 30]. The majority of these migrant workers, also known as the 'army behind the army', were from countries across South Asia, Southeast Asia and the African continent, such as India, Nepal, Bangladesh, Sri Lanka, the Philippines and Uganda. Many were reported to have been trafficked and abused as workers in the construction, security, food and services sectors for the US military and diplomatic missions in Afghanistan [28]. They were forced to work for low wages (as little as $150 to $275 per month, far less than the promised $1,000), and forbidden to leave or return home. They lived and worked in dangerous, unsanitary and degrading conditions to provide essential services to the US military and diplomatic missions. In addition to the low pay, many migrant workers were charged recruitment fees of between $1,000 and $5,000, which led them to resort to loan sharks (with interest rates as high as 50% annually), placing them in a situation of debt bondage [28, 30]. In many cases, the abused and exploited workers had been deceived about their working locations, and were promised work in Dubai, Kuwait or other Gulf States – only to find out after arrival that they would be working in a conflict-ridden Afghanistan [28].

Post-smuggling trafficking activities

Afghan migrants and refugees residing in Iran were also trafficked into Europe by criminal groups, who would then treat them as bonded labour (such as working in restaurants) and

forced sex work, to pay off their smuggling debts [7]. Media reports also documented cases of Afghan boys being forced to become *bacha bazi* in Germany, Hungary, Macedonia and Serbia [31]. In addition, criminal groups have reportedly preyed on the rising number of Afghan returnees and the increasing number deported from Iran, Pakistan, Turkey and European countries in recent years [32]. For example, in 2019 Turkey deported about 24,000 Afghans. And in 2020 865,790 Afghan returnees were recorded, mostly undocumented migrant workers sent back from Pakistan and Iran. Many Afghan returnees were reported to be forced and trafficked for labour exploitation in agriculture, brick kilns and carpet weaving [7].

Transit country for human trafficking

In addition to being a major source country for human trafficking, Afghanistan has also been an important transit country. Rampant corruption among border guards and officers, as well as minimal border security and management due to years of conflict and a fragile state, largely contributed to the prevalence of trafficking routes and transported victims across the Afghan borders. Iranian women and girls aged between 12 and 20 were transported from the Sistan Baluchistan province in Iran to Quetta in Pakistan, transiting in Kandahar in Afghanistan, for forced marriage or forced to work as 'sex slaves' [13 p41]. Chinese, Thai and Philippine women, lured by false promises of work and employment opportunities, were trafficked and forced into brothels and sex work in Kabul or trapped as wives or 'sex slaves' of armed groups, commanders or fighters in Afghanistan [12]. Although the nature of trafficking in these cases remains

unclear, its extent revealed ties to domestic and Chinese criminal networks. Women and girls were lured to Afghanistan with promises of high-paid jobs as domestic workers, for instance, by traffickers disguised as legitimate labour brokers and/or working for recruiting agencies, and only realised that they had been trapped by traffickers when they arrived [7].

Third-country nationals (TCNs)

In a normal setting, third-country nationals (TCNs) and migrant workers may already be particularly vulnerable, owing to linguistic barriers, cultural differences, lack of awareness of their legal rights, protections and local laws, discrimination, marginalisation, migration expenses, as well as fraudulent and unethical recruitment practices [33]. TCNs in Afghanistan, especially migrant workers from countries such as Bangladesh, India and Nepal, or from neighbouring countries such as Iran and Pakistan, are at greater risk of trafficking because of their limited access to humanitarian assistance, social networks, and other support systems [3]. Against a backdrop of civil wars and conflicts, some TCNs were reportedly kidnapped while travelling to their workplace and executed by insurgents, sometimes broadcast on television [28].

The Weakness of State-Centred Responses
Prosecution

In poor and increasingly deteriorating security situations, the Afghan judiciary from 2002 to 2021 was reported to be 'underfunded, understaffed, undertrained', ineffective, as well

as influenced and intimidated by corrupt officials and/or perpetrators. In addition to conflating human trafficking and migrant smuggling, many prosecutors and/or judges would reportedly enforce customary law, which often discriminated against female victims [7]. Western-backed governments' anti-trafficking efforts were also reported to focus mostly on *bacha bazi* cases, although only 16 suspects in 14 *bacha bazi*-related trafficking cases were investigated in 2019 [7]. Widespread official complicity and impunity and disregard for the rule of law regarding *bacha bazi* remained high, with many cases detailing the involvement and crimes committed against boys by the Afghan Local Police (ALP), Afghan National Army (ANA) and Afghan National Police (ANP), especially checkpoint commanders and police at the borders and on government compounds [7]. Furthermore, many *bacha bazi* victims reported sexual abuse, detainment and criminalisation by the police when attempting to report their cases.

In cases involving children younger than 12 who were forcibly recruited by anti-government armed groups, the victims were reportedly arrested, detained and prosecuted for terrorism-related crimes [7]. Similarly, in cases that involved female victims of sexual exploitation, the trafficking victims were instead punished for their 'moral crimes': they were routinely arrested, detained, penalised and sexually assaulted by the police and authorities when reporting the crimes. Several female trafficking victims were also unable to access the formal justice system due to the cultural norms preventing them from engaging with male judicial officials. Over the past five years, Afghan prosecutors and judges allegedly pressed female trafficking victims for sexual

favours in exchange for continuing investigations and prosecutions of their cases [7]. Given these significant risks of threats and reprisals, not only from the perpetrators but also from the authorities, many trafficking victims were advised against reporting the crimes to law enforcement or participating in trials.

Protection

In addition to the severe lack of shelters for trafficking or abuse victims, the government's efforts to protect people from trafficking were largely inadequate. Adult male victims were not allowed at any government shelters. Child trafficking victims were reportedly placed in orphanages, and some subjected them to being re-trafficked. Trafficked boys were sometimes placed in juvenile rehabilitation centres due to the lack of available shelters. Female victims were placed in prison when the authorities could not accommodate them in shelters. In general, it was most often NGOs with international donor funding that provided protection and care for victims, including some 27 women's shelters in 20 provinces in 2021, offering protection, legal, medical, and social support to abused and/or trafficked women and girls [7].

Prevention

The government of the Islamic Republic of Afghanistan reportedly made some modest efforts to adopt anti-trafficking prevention plans from the 2010s onwards. These included the adoption of a prohibited child labour list of 29 occupations and working conditions and issuing a directive to enhance enforcement of the

human trafficking law [34]. In 2014, Afghanistan became a signatory to the UN's Palermo Protocol to 'Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children' [35]. However, its implementation remained largely inadequate to prevent trafficking.

The New Taliban Government and Contemporary Trafficking Challenges

Leading up to the withdrawal of coalition forces on 15 August 2021, Afghanistan grappled with increasingly severe climate conditions, as well as escalating levels of violence that led to civilian casualties and large-scale displacement. In the preceding years, a series of droughts – one of which was the worst the country had experienced in 30 years – led to widespread water shortages. In addition, the COVID-19 pandemic continued to spread throughout the country.

So, the new Taliban regime faced a huge list of problems in several dimensions. Afghans were increasingly unable to feed themselves and their families, leading to rising rates of malnutrition, particularly among children. Women and children, often the breadwinners after decades of conflict, were critically affected by the sharp rise of unemployment. Access to food, water, health services and education, among other services, has fallen throughout the country and left an estimated 24 million Afghans in desperate need of humanitarian assistance. Furthermore, the number of conflict-driven displacements has steadily increased and grown in scope, with greater displacement taking place both within and seeking to leave Afghanistan. Half a year after the Taliban's takeover, an additional 700,000 Afghans are internally

displaced, adding to the existing three million displaced by decades-long conflict. Forced returns are taking place on an unprecedented scale, with Pakistan and Iran sending thousands of Afghans back to the country daily [36].

An estimated 65% to 75% of Afghanistan's budget had come from foreign aid [37]. Essentially cut off from international markets, the government's accounts were also frozen. Foreign investments, aid and external trade – a substantial source of Afghanistan's public expenditures – came to a standstill [38]. US sanctions blocked Afghanistan's central bank from approximately $9.5 billion in assets frozen in US accounts [39]. Without these funds, state capacities were spread extremely thin, funding was depleted, and government workers were left unpaid, which led to the widespread deterioration of basic services. There was scarce work available, while prices of food and fuel continued to rise.

The country's education system, weakened by various socio-political developments, faces a drop in enrolments. Teachers are not being paid, markets are increasingly burdened, businesses have begun to shut down, and unemployment has risen. Approximately 3.7 million children are not enrolled, over 60% of whom are girls [19]. The closure of multiple girls' schools in areas such as Ghazni and North Fayab exacerbated those figures further – 2.2. million Afghan girls are out of school [37]. The Taliban has prohibited Afghan women and girls from attending any form of schooling beyond primary level and the outlook for improvement remains bleak. Pervasive social and traditional norms in Afghanistan, which normalised child marriage and virginity tests, heightened women's vulnerability to exploitation and harm.

Even before the Taliban's takeover in August 2021, the small number of civil society actors, NGOs, and humanitarian responders were reportedly overwhelmed, overburdened, hugely under-resourced, under-funded [40], and constantly under security, violence and even death threats in the country. For instance, 10 staff members of a UK–US charity were reportedly killed by gunmen in June 2021 [41]. As the US and allied countries withdrew their troops and the Taliban gradually took over the entire country, financial institutions and banks in the country were forced to close down and freeze their assets, making it difficult for NGOs to pay their staff and cover operating expenses [42]. International organisations and UN agencies were said to have been able to use agents to transfer cash into the country, but local and national NGOs did not fare as well, since all or most of their bank accounts and funds were in Afghanistan [42].

Having no access to cash and banking has reportedly affected civil society's capacity to respond to the population's humanitarian needs, threatening a huge disruption to the delivery of basic services against the backdrop of one of the largest humanitarian crises worldwide [42]. Fearing for the safety and lives of their own staff members, many foreign NGOs were obliged to evacuate their staff and halt their operations. However, this may have risked reinforcing the distorted view held by many Afghans that Western NGOs were the tools of the US military, regardless of their political and religious standpoints, subsequently making it harder for those international NGOs that remained to gain local people's acceptance [43].

Given this dire situation confronting roughly half of the Afghan population, the international community had been hoping for a

more collaborative and accommodating Taliban that would be willing to cooperate with NGOs and international organisations to deliver urgent humanitarian aid. However, according to the Office of the High Commissioner for Human Rights (OHCHR), the Taliban allegedly carried out house to house searches for former officials and civilians who had worked with the US military and companies; reportedly attacked and threatened UN personnel; and raided the offices and compounds of NGOs and civil society groups [44]. Civil society actors and humanitarian responders remaining in the country therefore need to stay alert and be prepared to face potential hostility. Expectations of a 'new' or more progressive Taliban-led government may just be wishful thinking.

The regime has reportedly gone back on its word regarding upholding the country's civil and women's rights [44]. Many of its earlier ideologies, cultural and governing practices from before 2001 have been brought back, such as prohibiting women and girls from higher education and access to criminal justice systems. Within three weeks after the Taliban takeover, women began to be progressively excluded from the public sphere. In many areas, they are prohibited from appearing in public spaces without a male chaperone. In numerous professional sectors, women face increasing restrictions, according to Michelle Bachelet, UN High Commissioner for Human Rights [44].

Given the various reports of the Taliban's human trafficking practices to boost Taliban fighters' morale and/or the status of leaders, or to attract new followers, or to deploy child soldiers, and/or to finance their operations, under the Taliban's rule current human rights violations and human trafficking practices

are likely to continue. In many cases, they may be amplified in the name of preserving traditional values and cultural norms. Furthermore, some practices which were to some extent prohibited under the previous Western-backed government, such as the forced marriage of women and girls as means of debt relief and dispute settlement, may well return.

There have also been reports of new dynamics and exploitation under the Taliban's rule. Opium poppy production and mineral deposits, well-known income sources for the Taliban, significantly depend on the use of forced or exploitative labour of unskilled and semi-skilled workers in harsh and hazardous conditions [45]. Mohammad Yaqoob (the eldest son of Mohammed Omar, the founder of the Taliban, and a member of the 12-person council set up to steer Afghanistan) was reported to envisage the strategic use of the mining operations and drug production to secure financial independence for the Taliban. Some claims have been made that ethnic minority groups in China, especially Uighurs, will be forced to cross the Wakhan Corridor to work in Afghan–Chinese-owned mines, to meet the region's mining operation and production goals [45]. With an end to conflict with the US-led coalition, Afghans will potentially return and be attracted to the employment opportunities arising from increased poppy production cycles. Opium poppy demand is expected to rise given the fewer restrictions under the Taliban's governance (see Chapter 9).

Policy and Diplomatic Challenges

Western countries, especially the US, the EU and its member states, and international organisations such as the UN and the EU

initially criticised the Taliban's new era of rule on the grounds of its unconstitutional means of overthrowing the government, as well as human rights issues, especially the new regime's lack of inclusivity and respect for the rights of women and girls. However, the international community has also sought to bargain with the new government, partly acknowledging the failures of the previous US-led Western intervention in Afghanistan:

> The collapse of Afghanistan is not the result of things that happened just in the last year or a couple of years. They're the result of 20 years of missteps in how the West has run its war in Afghanistan. (Emma Graham-Harrison, senior international affairs correspondent, *The Guardian*, in [46])

The new Taliban ministers were at first occupied with re-establishing their rule and control over the country, and so human trafficking was not among their top priorities and concerns. The Taliban's political and religious ideology centres around patriarchal beliefs and practices and stressing the importance of family rules and structure. Coupled with the recently enforced ban on women and girls' higher education, the restoration of the country's 'traditional' and cultural practices of forced and child marriage is likely to once again normalise exploitation committed by male family members [7]. The institution of marriage will most likely be more strictly interpreted and enforced, putting female victims of trafficking, rape, kidnapping and abduction at higher risk of being criminalised by the state, alongside wider cultural sanctions and a possible new upsurge of 'honour' killings.

In relation to diplomatic challenges, millions of Afghans are in a perilous situation, while international actors' plans are driven by political imperatives and may risk paying little regard to the Afghan people's life-threatening conditions. It seems imperative, therefore, that the Western allies should recognise earlier mistakes and adopt a more pragmatic approach, especially in prioritising recovery plans, actions, and directing resources to relieve Afghanistan's humanitarian crises:

> One mistake that the West has made over the last 20 years has been to see the Taliban as a rather small collection of fanatics rather than a group that represents *one strand of genuine opinion in Afghanistan,* and particularly one strand of Pashtun opinion'. (Sir Richard Stagg; in [37], emphasis added)

Critics also urge the international community to bear in mind that isolating the Taliban for a long time, pushing the regime to feel they are up against the wall, may lead the new regime to resort to more extreme measures such as leveraging human trafficking and humanitarian crises, or further engaging with international, regional organised criminal networks and extremist groups in search of state revenues.

Persuading a newly incumbent and long-insurgent regime to modify any of its cultural values, beliefs, and perspectives is a process that must always take time, and any such effort needs to be pursued with care and diligence. Any attempt to rush things would risk backfiring and meeting with stronger local resistance and disapproval. By failing to prioritise the dire economic

and humanitarian crises in Afghanistan, Western arguments for upholding the rights of women and girls, including to higher education, as well persistently pressuring the Taliban to become an inclusive governing authority, might be made in vain if millions of women and girls end up dying of starvation. To uphold the human rights centred on the respect for human life, the path needed is one that makes available the humanitarian aid, food and water urgently needed by nearly half of Afghanistan's population.

Equally important is the provision of genuine help to the mass exodus of Afghan refugees and displaced people trying to flee the country, especially those most at risk under Taliban rule. These include persecuted groups (such as the Hazaras), human rights and women's rights advocates in the 2001–21 period, those with ties to the former government or Western powers (having previously worked for Western governments, embassies and military groups, such as interpreters or security guards, or for international organisations), and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) people. Despite these groups' heightened dangers and risks of persecution, many Western countries have reportedly been reluctant to give support and/or grant them the refugee status and the right to remain [47]. Iran and Pakistan, the two largest host countries of Afghan migrants and refugees, have also repeatedly threatened them with mass deportation [37].

Just six months after the fall of Kabul, Russia invaded Ukraine in February 2022, in the process arguably pushing Afghanistan's humanitarian crises and challenging situations further down the international agenda. The stark contrast between how Western countries urgently responded to the needs of the Ukrainian

refugees fleeing the war, compared to their Afghan counterparts, painted an unfortunate picture of 'selective compassion', which reflects the way that countries have prioritised and differentiated the suffering of different peoples [47]. This contrast also shows that the main challenges arguably do not lie in the lack of infrastructure or logistical obstacles, but rather in the relevant actors' lack of political will. In tackling Afghans' heightened vulnerability to human trafficking and aggravated migrant smuggling, especially women and girls, the West has long been reluctant to follow a pragmatic, human rights-centred approach – placing human lives at its centre, thus prioritising humanitarian aid over diplomatic and political tensions. The longer this attitude endures, the more lives will be lost, with greater human suffering, and more Afghan refugees, IDPs, and victims of smuggling and trafficking.

Acknowledgements

Notes

[1] These are also considered aggravating circumstances to migrant smuggling (United Nations Office on Drugs and Crime, 2019).

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9. Opium, Meth and the Future of International Drug Control in Taliban Afghanistan

John Collins, Shehryar Fazli and Ian Tennant

With the fall of Kabul in August 2021, the Taliban swept back to power with almost shocking speed and coherence. This was despite two decades of intervention and state-building efforts by NATO powers, which had sought to forestall precisely this outcome. This failure of a direct intervention strategy raised immediate questions over the future shape of Afghanistan's drug policies and how it would engage with multilateral forums such as the United Nations. The UN drug control system will have to contend with whether and how Afghanistan and UN member states can find a way to cooperate over the country's drug policies, through anti-organised crime treaty and other frameworks. The Taliban's April 2022 announcement of the reintroduction of an opium production ban has revived one of the key questions around its similar policy in the early 2000s: is this a sustainable and sincere move, or an opportunistic or impossible intervention?

What does the Taliban capturing control of Afghanistan mean for illicit drug economies in the country, the region and the global community more broadly, and how may these relationships evolve in the future? The country remains a linchpin within

the international drugs trade. It is the global centre for organic heroin production and, some suggest, plays an increasing role in the global methamphetamine market [1]. Accordingly, Afghanistan's cooperation – or not – at a regional and multilateral level to prevent drug trafficking and other illicit flows will have major implications for regional crime and security policies and, by extension, geopolitical stability. Whether, how, and with what leverage Afghanistan and UN member states can find a way to discuss, manage, cooperate or continue the conflict over the country's drug policies is an inescapable problem for the ongoing UN drug control system and anti-organised crime treaty frameworks. It is therefore vital to map what potential scenarios and options member states and multilateral bodies have for engagement with the new Taliban regime.

We answer these questions and examine how these scenarios could play out, drawing on the country's recent history and a large body of work.[1] We begin by briefly recapping how Afghanistan came to be central to the modern drugs trade, and how, in the late 1990s, the otherwise pariah state under the Taliban sought legitimacy through drug control, introducing an outright ban on opium cultivation in 2000. This ban produced a rapid collapse in cultivation but only lasted until the regime's toppling by NATO in late 2001 following the attacks of 11 September 2001. Questions about the motives and sustainability of the Taliban's approach thereby remain. In particular commentators have questioned whether it was simply an effort to drive up prices while canvassing the international community for economic assistance [1].

In the second section we examine the 2002–21 period of American invasion, and the struggle between the Kabul government and the Taliban insurgency when Western efforts to reduce the drug trade were mostly thwarted by a complex political economy of insurgency, conflict, and instability. These two decades of broadly failed state-building efforts and an explosion of opium cultivation, even under direct NATO occupation, raise questions about the possibility of reducing Afghanistan's enormous reliance on the opium trade, which loom as large today as they did in the 1990s. Billions of dollars have been spent on counter-narcotics efforts, running the full gambit of strict enforcement, crop destruction, development support and 'alternative development' programmes, specifically aimed at enabling communities to shift away from a reliance on opium cultivation. In Afghanistan, none of these seemed to offer long-term sustainable results during the NATO presence of 2001–21. While the US, UK, and other international partners determined that poppy cultivation was feeding the insurgency, many Afghan stakeholders, inside and outside the government, viewed it as a source of stability – and eradication efforts a source of instability. Indeed, the Taliban benefited from International Security Assistance Force (ISAF)-backed poppy-eradication efforts, exploiting the grievances of local communities that were among the hardest hit [1].

The third section considers the Kabul government's engagement with the UN drug control system before the Taliban swept to power in 2021. In the fourth section we then analyse the Afghan illicit drugs economy as it is in 2022, while the conclusion examines how the renascent Taliban government may decide to

maintain engagement with UN drugs forums, or may not, and what Western governments might do in either case. Following the NATO withdrawal, Afghanistan's potential engagement with multilateral drug control remains unclear. The same impediments to UN engagement and international legitimacy remain forefront, not least, the Taliban's abysmal record on women's and girls' rights, which makes engagement with the regime particularly unpalatable for Western liberal governments.

Poppy cultivation certainly has fuelled past conflicts in Afghanistan, but it has also provided steady and much-needed rural income, starting with poppy farmers in the rural southwest. Thus, for a young Taliban regime whose leaders are also from the same region, the risks of a major backlash probably outweigh any benefits of enforcing the new poppy ban; curbing the opium trade could provide armed rivals the same opportunity to tap rural discontent that eradication efforts under the Republic provided the Taliban insurgency. The April 2022 announcement of the reintroduction of an opium production ban has therefore raised as many questions as it has answered over the sincerity and viability of this policy.

How Afghanistan Became Central to the Modern Drugs Trade

The territories that constitute modern-day Afghanistan have a long history as a crossroads of opium and empire, which would inevitably come into contact with multilateral control efforts of the 20th and 21st centuries. Geographically, parts of modern-day Afghanistan became transit points, playing a triangular geopolitical and economic role between Chinese and British Indian

opium markets [2]. When Afghan rulers first attempted entry into the global drug market in the 20th century it was largely driven, or drawn, by external forces. The Sino-Indian opium trade was winding down, leaving a potential market gap while Afghan governments looked to fund modernisation through opium exports [3]. Nevertheless, there is little indication that Afghan opium registered as more than a minuscule local enforcement issue in the face of a gargantuan global market before the 1960s. Multilateral emphasis focused overwhelmingly on Iran, Turkey, Yugoslavia and Southeast Asia. Within this context, Afghanistan was still largely viewed as a potential spoiler for Iran and the global licit market more broadly [4].

By gradually acceding to the UN's regulatory system on drugs, Afghanistan assumed significant regulatory burdens, which in turn required state capacity to implement. Aside from the basic bureaucratic underpinnings of a system of estimates and reporting via international treaty bodies, it also conferred the obligations to suppress illicit cultivation, manufacture and consumption. If Afghanistan would struggle with the former, it was hard to see how it could hope to enforce the latter, even with geographically limited production [2].

Iran's ban on drugs production in the mid-1950s arguably started the long-feared regional shift of opium cultivation into Afghanistan. While states were slowly gearing up to implement the 1961 Single Convention, a rapid expansion in consumer markets saw a boom in demand for heroin and other drugs [5]. Simultaneously, Asian drug markets had been disrupted by a successful suppression campaign within the People's Republic of China, and the emergence of Burma (Myanmar) and the broader

'Golden Triangle' (the bordering areas of Laos, Myanmar and Thailand) as a key axis in the world heroin trade [6]. The dismantling of the French Connection heroin trafficking ring, centred on Marseilles and drawing on excess production of Turkish opium (which underwent mass eradication in the 1970s), only solidified the dislocations in global markets. The end of the Turkish–French–US trade route resulted in a drought in US heroin markets from around 1973 [7].

As opium supplies slowly depleted in Iran, they were replaced by traffickers and cultivators in Afghanistan. By 1969, production in Afghanistan had taken root and Iran was its key market. The trade proved to be lucrative and to some degree straightforward – despite the threat of the death penalty if caught – because traffickers deployed existing smuggling routes to transport products into Iran [8]. Iranian markets remained the focal point for Afghanistan's opium while Afghanistan briefly became a tourism destination for US and European counterculture tourists who came to smoke cannabis and take advantage of a lax government attitude to their activities. Their early smuggling of hashish to Europe began the supply routes that would eventually be used for heroin smuggling [8].

Afghanistan still paid relatively little attention to Western heroin markets, but this changed with the collapse of the French Connection, coupled with disruption in the Golden Triangle from drought and the fall of the governments in Vietnam and Laos in the mid-1970s [8]. Demand for opium produced in the Golden Crescent (comprising Afghanistan, Iran and Pakistan) suddenly spiked in the West, coinciding with the brief collapse of the Iranian opium market following the fall of the Shah, Mohammad

Reza Pahlavi, in 1979 [8]. In the same year, the Soviet invasion of Afghanistan led to immense destruction of Afghanistan's agricultural capacity, pushing many farmers towards opium as a cash crop for subsistence, but also as a means to finance their guerrilla activities [9]. Some mujaheddin commanders eventually became financially self-sufficient by 1984, as the lucrative nature of opium cultivation and production dwarfed foreign aid. By 1988, an estimated 100–200 heroin refineries were said to exist within Pakistan's Khyber tribal district, across the border. Opium production increased over the 1980s at an average of 15% a year, a process that strengthened with the Soviet withdrawal, the absence of a functioning government and factional conflicts.

By 1989 Afghanistan and Pakistan were seen as global hubs of heroin manufacture [8]. Western aid dried up, and the civil war among the mujaheddin in the early 1990s led the opium economy to replace it as a source of paramilitary financing. Moreover, expanding drug smuggling moved neatly on to existing arms and other commodity smuggling routes [8]. In 1994 the US cut off all aid, citing drug production and trafficking concerns. As the Taliban gained control of roughly 75% of Afghanistan from 1996 to 2001, there was some policy ambivalence in the West. Many hoped they would eradicate domestic opium production, given the indications that the Taliban took a hardline approach to drug use. And for a time in 1994 and 1995, before it took control of Kabul, the group imposed prohibitions in territories it controlled. Fearing Taliban reprisals, farmers also temporarily reduced their crops in these areas [10].

By 1996, however, the Taliban's prohibitionist orientation had evolved into an acceptance of cultivation and trafficking and a

desire to tax it. Drugs use, heroin manufacture and cannabis production were all banned, while production and trading in opium were not (in reality heroin labs were eventually also taxed by 1999). The Taliban have a long and well-documented engagement with illicit markets as a means to fund their activities and buy off opponents, with some describing their 'bribe approach' as a 'key feature of the Taliban's military tactics' [10]. By 1999 UN estimates placed the value of the Afghan opium crop at $265 million, with an estimated $40 million in tax revenue for the Taliban [11]. The Taliban eventually sought to expand cultivation by handing out licences and distributing fertilisers [10]. Between 1980 and 1999, opium production rose from 200 to 4,600 tonnes a year against a backdrop of total economic collapse [10]. By the 1990s Afghanistan had become the predominant source of global illicit heroin supplies, providing roughly 70% by 2000 [12]. However, for various (much debated) reasons [1], including international pressure, the Taliban embarked on a ban on opium production from July 2000 onwards, particularly in 2001. It was enforced by repression and close monitoring of crops with local accountability for outcomes [9 p82]. The ban proved effective in the immediate term with a 99% reduction in cultivation and a net 65% decline in the potential global production of opium and heroin in the 2001 harvest. However, the ban also pushed large swathes of the population into economic ruin, particularly in rural areas where people relied on opium cultivation as their sole means of income [13]. Some sources also argue that the purpose of the Taliban's ban on opium cultivation was to consolidate its control over the heroin trade and drive up prices of opium – of which the Taliban had 3,000 tonnes stockpiled [10].

Initial hopes for a thaw in Afghan relations with the West proved short-lived. Despite the ban, the US ordered the closure of the Taliban's informal 'embassy to the UN' in New York, in response to which the Taliban closed down the UN political office in Kabul [14]. Nevertheless, by 2001 roughly 95% of Afghanistan was under the control of the Taliban, while the murder of Northern Alliance leader Ahmad Shah Massoud by Al Qaeda assassins on 9 September 2001 solidified the Taliban's position, as well as that of Al Qaeda leader Osama bin Laden, who had the certainty of protection by his host government following his attack on the US on 11 September [15]. This also ultimately led to the Taliban being deposed by US-led forces and the creation of a Western-friendly regime under Hamid Karzai.

Drug Control After the Taliban's Fall, 2001–21

Soon after the fall of the Taliban, with no effective enforcement of prohibitions in place and no clear substitute crop for farmers, poppy cultivation resumed and returned to its mid-1990s levels [16]. Subsequent efforts to replace poppy crops with wheat were unsuccessful, as the latter crop required more water to grow and was less financially sustainable. Viewing illegal drugs as a separate problem from suppressing the surviving Taliban insurgency, the US initially gave it low priority. Furthermore, the US war strategy hinged on winning the support of the Afghan people, making it reluctant to take any action that risked alienating poppy farmers – a significant portion of the population – or friendly warlords who profited from opium trafficking.

So it was the United Kingdom through the Security Sector Reform framework established in 2002 that initially took the

lead on counter-narcotics, making a commitment to help eliminate poppy cultivation within 10 years [19, 20]. Later, however, the US changed its stance in the face of mounting evidence of links between the opium trade and the insurgency. A revitalised opium industry also risked jeopardising Western and domestic efforts to build a democracy, and strangling the legitimate economy [1]. The result was a haphazard mix of policies and strategies to curb Afghanistan's drug trade, which included aerial spraying of poppy fields; bombing and other interdiction of labs, depots and transportation; and rural development programmes – all of which met with limited success. Warlords and drug lords backed both by the US and the Kabul government exploited eradication policies to target the competition and keep prices high. The efforts also eroded trust between the Afghan government and its international partners, and fed the Taliban's propaganda mill [1].

During this period, Western governments pledged millions of dollars to the UN's Office of Drugs and Crime's (UNODC's) range of programmes in Afghanistan to address drug cultivation and trafficking [19]. Although many interventions took place outside UNODC through other partners or through bilateral programmes, looking at UNODC programme budgets in Afghanistan during this period demonstrates the commitment of a range of donors to tackle the drug situation through programmes mandated by the UN's Commission on Narcotic Drugs (CND) decisions. Alternative Development (AD) is an approach to drug control based on the premise of providing economic alternatives to communities living in drug-crop-affected regions. There are many different national approaches, with

programmes often depending on donor preferences. For example, some donors impose conditionality, meaning that funding is dependent on farming communities committing to end opium production. Other donors focus on the creation of economic opportunities as a means of drawing communities away from a reliance on illicit economies without resorting to conditionality.

Until 2019, UNODC had implemented AD programmes in Afghanistan costing almost \$25 million, of which the US provided \$20 million, Japan \$3 million, and the Russian Federation \$1 million. In financial terms, this is the fourth largest UNODC country programme on record, and its largest in the West and Central Asian region, where it has implemented a total of \$90 million in programmes. In addition, between 2016 and 2019, the US and Japan each pledged almost \$9 million to the \$18 million UNODC law-enforcement capacity-building efforts in Afghanistan (the second largest programme in the region's history), and in the same period Japan pledged \$2.5 million to support UNODC's efforts to support criminal justice capacity in the country [19].

Finland and others have made huge contributions to UNODC programmes focused on international cooperation capacity-building, as well as improving international cooperation on criminal matters. However, and despite the temporary success of the Taliban's opium ban in the early 2000s, none of the counternarcotics strategies, including the vast AD and capacity-building programmes implemented by UNODC through its CND mandates and aimed at the illicit drug market, has ultimately been effective in reducing poppy cultivation. Existing conditions – particularly in terms of widespread poverty, limited economic

opportunity and decades of conflict prior to the Taliban's rule – remain the structural causes of the illicit drug economy.

Afghan Engagement with the UN Drug Control System

During the 2010s, Afghanistan's engagement at the CND was shaped by these capacity-building programmes and related research and analysis work, clearly focused on opiate trafficking and cultivation – in particular through the Paris Pact Initiative (detailed below), the Afghan Opium Survey, and the Afghan Opiate Trade Project, as well as AD programmes, law enforcement and criminal justice capacity building, as well as some health and prevention activities. At the political level, Afghanistan became active in its participation at the CND only in 2012, becoming a Commission member from 2012 to 2015, and again between 2018 and 2021 [2]. It was therefore increasing its participation in the UN bodies making policy on drugs and expending political capital in getting itself elected in its regional group (the Asia Pacific Group) in New York, since the CND is a subsidiary body of the UN Economic and Social Council (ECOSOC), undertaking lobbying activities in Vienna and other capital cities to support its candidacy [2].

However, Afghanistan has primarily acted at the CND as a recipient country, with its positions based on calling for more international cooperation and capacity-building, given its dependence on the West through UNODC for support in this area. It has never taken on a similar role to other major producer states such as Colombia and Mexico, which receive significant capacity-building funding, but also have shaped the international

agenda to fit their domestic priorities. Afghanistan had never been vocal in this way in the CND or related forums. In addition, its engagement was generally focused on opiates (to which donor funding is attracted) – but looking at research, monitoring, prevention and alternative development [2].

The Afghanistan government consistently used its platform during its period at the CND to accuse the Taliban of involvement in illicit narcotics. For donors and other regional powers, engagement with Afghanistan at the CND can be characterised as a vehicle for their engagement with the Afghan authorities – with projects such as the Opium Survey having a steering group consisting of the main donors, Afghanistan and UNODC country and global staff. In addition, other forums such as CARICC (the Central Asian Regional Information and Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs) and the CND regional subcommission on drug trafficking in the region, provide other opportunities for engagement with law enforcement [2].

The Paris Pact Initiative (PPI) was launched in 2003 and comprises 58 partner countries and 23 organisations, which included UNODC [20]. It quickly became a key multilateral framework for addressing opium traffic, including cultivation and production, originating in Afghanistan, linking multilateral resolutions and local technical assistance [21]. The 2003 Paris Declaration was augmented by a 2006 Moscow Declaration, which suggested additional measures to counter the traffic from Afghanistan [22]. A Third Ministerial Conference of the Paris Pact Partners on Combatting Illicit Traffic in Opiates Originating in Afghanistan met in Vienna in 2012. The resulting

Vienna Declaration (2012) became the roadmap for PPI activities and focused on four main pillars: regional initiatives; financial flows; diversion of precursor chemicals; and reducing 'drug abuse and dependence' [23].

Since 2013, the Initiative received pledges totalling $7.4 million, mostly from the US ($5.6 million), and Russia ($1.5 million) [19]. However, the Initiative lost political and financial momentum in subsequent years as donors, such as the UK, reduced their investment in counter-narcotics work in Afghanistan in general, and in UNODC-run programmes in particular.

Despite the amounts of money spent on programmes that were ultimately unable to control poppy cultivation and trafficking, these schemes remained central to the engagement between Afghanistan and other countries throughout the 2000s and 2010s. One of the lasting benefits of that engagement was the relationships built up between figures in the government or connected to it, and Western donor governments and UN agencies. By the end of this period, however, these relationships were also of little value as the new regime took over. UNODC field operations were already largely confined to Kabul before the 2021 Taliban takeover. After the takeover, terms of engagement became quite rigid, and will take time to change. UNODC had to comply with the UN's Transnational Engagement Framework and rely on its other offices in the region. UNODC is trying to focus on non-local/regional interventions but based on the same models – operational engagement with law enforcement, monitoring drug production, and so on. Since the Taliban regained power, there have been attempts to revive the PPI, with the US and Germany in particular being interested. This might have

been a good vehicle for this kind of re-engagement between the West and the new regime in Afghanistan, but any attempts have stalled following Russia's invasion of Ukraine, as Western governments seek to avoid all areas of cooperation with Russia at the UN, though it remains important in this process [2].

Despite the potential interest from both sides to resume engagement along similar lines as before, Afghanistan is still represented (at the time of writing, in July 2022) in other diplomatic forums by representatives of the former regime – who, for example, represented the country at the regular CND session in March 2022. For now, they focus on issues such as human rights and girls' education, but time must be running out for their ability to represent the country. While they are publicly supported by Western diplomats for the issues on which they campaign, their inability to gain insights and influence the new regime will become more important for donors as time wears on [2]. Overall, the relationships built up over many years with the previous government are now worthless, and Taliban perspectives on international assistance and the multilateral order do not lend themselves to reviving old approaches [2].

There is, however, an opportunity for a change in approach based on being realistic about what can be achieved through traditional methods of engagement at the CND and UNODC programmes, and about the limits of what can be accomplished through regional cooperation in relation to law enforcement. One key missing element of earlier engagement has been civil society participation and consultation, as most efforts have focused on enforcement and other state-led approaches to address drug trafficking, including through top-down AD programmes.

While it may be difficult under the new regime, there is the potential to include more community-led elements in engagement with drug policy, both on the ground and through multilateral engagements.

The Contemporary Afghan (Il)licit Economy

Afghanistan's economy was already struggling before the Taliban's August 2021 takeover.[2] The beginning of a reduction of US forces in 2011, ahead of a planned 2014 troop withdrawal, shrank Afghanistan's economy and labour market, revealing how the country's wartime economy was unsustainable [1]. Foreign reconstruction funding also dried up, and some 500,000 people lost their jobs between 2014 and 2016, according to the International Monetary Fund (IMF) [24].

The COVID-19 pandemic aggravated this trend. One estimate suggests two million people lost their jobs by May 2020 [25]. These job losses created a market for human smugglers, as Thi Hoang details in Chapter 8 of this book [26]. The pandemic forced many Afghans abroad to return as employers laid off domestic and foreign workers, but with few employment prospects [27]. As a full US withdrawal approached, Afghans grew increasingly desperate to leave the country. According to UNHCR, in June 2021 there were 2.6 million Afghan refugees [28], comprising 11% of the world's recorded refugee population [29].

The Taliban takeover created a new crisis, accompanied as it was by a shrinking of the Afghan National Defence and Security Forces (ANDSF) and civil service, restrictions on women in the workplace, halting of infrastructure projects, and major reductions in foreign aid, trade and investment. By January 2022, half

a million workers had reportedly lost their jobs [30]. This coincided with one of the worst droughts in decades, affecting most of the country and forcing the internal displacement of nearly 700,000 people [31].

The international response to the Taliban's forceful seizure of Kabul hit the country's banking sector particularly hard. The freezing of around $9 billion central bank (Da Afghanistan Bank, or DAB) foreign reserves, held mostly in the US, triggered a collapse of the local currency (Afghani). It also caused a liquidity crisis. Aid cut-offs and sanctions triggered high inflation, including of food, and impeded trade. In January 2022, inflation for basic household goods reached 42%, while imports fell 65% [32].

Informal financial flows have increased sharply as a result. Transactions with Afghan banks all but stopped as US, UN and other sanctions on the Taliban and Haqqani Network now applied to the ruling regime in Kabul, and amid a lack of clarity about what activities would be permissible. The new government imposed capital controls to help curb inflation and prevent a collapse of the banking sector [33]. Amid growing international outrage about the humanitarian impact of US sanctions, the Biden administration issued a series of 'general licenses' clarifying what activities would be permissible. The most consequential, General License 20, allows for most transactions that do not involve direct transfers to the Taliban, Haqqani Network or other listed individuals, or entities they own [34]. While the legal impediments have largely receded as a result, Afghan banks are still not integrated into the global banking system, leaving the change potentially 'meaningless' [33]. Legacies from Russia's

invasion of and war in Ukraine has compounded the problem. Wheat imports from Kazakhstan, for example, were transacted through Russian banks, a route Afghan businesses are now wary of, given US and European sanctions on several Russian banks [1]. The larger Afghanistan's informal economy grows, and the more constrained legitimate activity becomes, the more demand there will be for illicit markets and activity to fill the breach. More people may also become available for employment in drug trafficking and other smuggling networks, as well as to expand these networks' customer base. Drought and the COVID-19 pandemic had already weakened rural and urban economies alike. Meanwhile, the poppy requires little water and is resilient in adverse agricultural conditions, which makes it an attractive long-term investment. Poppy remains the country's most valuable cash crop, and its labour-intensive cultivation employs several hundred thousand people. Warlords and traffickers lend money to farmers to plant poppy, collecting the opium paste directly from them. Poppy also offers tenant farmers access to land, and work as daily wage labourers [1]. Poppy farmers use profits to invest in deep wells, water pumps, and solar panels [37]. Secondary and tertiary markets include fertilisers, herbicides, tractors, transport, construction, rest stops, food and fuel stations, while the crop provides food security, children's education, and a way to meet everyday costs for Afghans [1].

UNODC has reported that since 2020 poppy cultivation has risen, and quality heroin exports have been in the hundreds of tons. Afghanistan's illicit opiate economy's gross output was estimated in 2021 at $1.8 to $2.7 billion [36]. The total value of opiates is thought to exceed licit exports [37]. Methamphetamines

have added to Afghanistan's illegal drug market, creating a new international supply chain that passes through Pakistan and, via traditional heroin maritime trafficking routes, onward to eastern and southern Africa [38]. This is reportedly driven in part by the 'discovery' across central and northern Afghanistan of abundant *Ephedra sinica*, a shrub that contains a natural version of ephedrine. This provides a cheap, naturally abundant source of ephedrine, and Afghan cities – and even rural areas – are reportedly seeing a large increase in crystal meth use [39].

Methamphetamine distribution could therefore build on existing opium and heroin supply chains, including via Pakistan. The large quantities are probably more than Iran consumes and could, therefore, be destined for the Gulf, Turkey and Europe [38]. Drug rings could therefore be exploiting their existing transnational networks that bring Afghanistan's illicit drugs into Europe to move cheap, abundant methamphetamines as well. Hence, while it is unclear how much of a threat Afghan meth production poses to Europe – and views on this vary significantly – this is something to monitor [1].

Estimates of the Taliban's drug-trade profits vary widely between $40 million and $400 million annually, with US officials estimating it at $200 million annually [40]. However, the year before the US-led forces withdrew, the Taliban tested a cannabis ban in parts of the southeast under their control, possibly to assess local reactions [41]. After assuming power in Kabul in August 2021, the Taliban announced its intention to restrict Afghanistan's illicit drug economy, echoing its policy in the final 15 months of its previous regime. Uncertainty over the Taliban's drug policy in the long term reportedly led traders to stockpile

raw opium, pushing up prices. For the first several months, the regime's most public response to drugs was the characteristically heavy-handed and often inhumane treatment of users. Then, on 3 April 2022, it announced its prohibition on poppy cultivation, drug trafficking and use [1].

Conclusions: The Taliban Takeover and International Engagement

Several factors will shape the implementation of the Taliban's 2022 ban on poppy cultivation and use. Some prominent experts and commentators infer that international legitimacy or favour was the Taliban's primary motivation. There are no signs yet, however, that the move will generate such a response [1]. The prospects for multilateral cooperation are also shaky [2].

There is, however, an opportunity for a change in approach based on realistic assessments of the CND's role and UNODC programmes, and about potential outcomes from regional law enforcement cooperation. Engaging civil society more effectively at all levels of policy-making is another area when constructive outcomes may prove possible.

On 17 March 2022, the UN Security Council decided to extend the UN special political mission in Afghanistan for a year. Yet without tangible Taliban commitments to basic rights (including of girls and women) the international community is unlikely to engage Kabul on counter-narcotics, especially given past failures during the Republic. In the absence of international support, how willing and able the Taliban is to enforce its own edict may remain unclear for some time. In the south, opium poppy planted in October and November is harvested in April and May.

As one analysis concluded, '[i]t is likely only to be in the autumn [2022], therefore, when farmers in poppy-growing areas are deciding what to sow that it will be clear how serious the Taliban are in enforcing this ban, and farmers in obeying it' [42].

Furthermore, the crop growth cycle begins later in the country's north than in the south. Northern provinces near or on the border with Turkmenistan and Tajikistan have seen a rise in poppy cultivation in recent years. With large Tajik and Uzbek populations, these have historically been areas of Taliban opposition. So the Taliban may be willing to test the ban on poppy cultivation on the summer harvests in these provinces, with less to lose than if it were doing so against its rural support base in Helmand and Kandahar. Two other factors make implementation more challenging today than in 2000–2001. The population has doubled to 39 million, while poppy cultivation has spread considerably, from an estimated 64,500 hectares (ha) in 2000 to 177,000 ha in 2021. The ban would therefore have to be enforced over significantly more territory, and against a crop that is sustaining more people [42].

Enforcement will also depend to some extent on the Taliban regime's cohesion. The US-led International Security Assistance Force's (ISAF) bid to fragment the insurgency seemingly had the reverse effect, because the Taliban leadership took pains to integrate disparate parts of their movement. In the years leading up to the US/NATO withdrawal, the leadership made concerted efforts to break rogue networks within the insurgency. To prevent more emerging, the Taliban allowed local commanders significant autonomy, provided they did not defy leaders' edicts and strategic goals [1]. In the ongoing transition, as the Taliban

leadership tries to centralise authority and resources, it will have to grapple with the always troublesome balance of power between centre and periphery. The immediate prospect of breakaway factions that would pose a security threat is limited. Yet there are conspicuous differences in how local commanders tackle social issues, such as female education and NGO activities, making that environment difficult to predict and varied by region [1], with implications for trafficking. For example, the Haqqani Network had integrated itself into Pakistan's tribal belt economy, especially in North Waziristan. Depriving this key element of the regime (and, previously, of the insurgency) of a major revenue stream would be risky. Furthermore, to offset the risk of foot soldiers joining other armed groups such as Islamic State-Khorasan (IS-K), the leadership may be inclined to grant such fighters significant space to indulge in local criminal enterprises and rent-seeking from illegal mining, logging and, perhaps above all, the drug trade [1].

Because of these dynamics, any sustained action to enforce the narcotics ban will require significant international pressure and incentives, given the revenues that poppy cultivation brings to state and society, and the potential for social unrest or even violent opposition to such a ban. If viable alternatives remain limited, the Taliban regime is unlikely to pursue aggressive opium poppy-eradication efforts. Monitoring the flow of poppy already harvested in the southwest, and the autumn planting season, will help gauge whether poppy cultivation, and opium and heroin trafficking, will maintain an upward trend in the long term, despite the 3 April edict. In a collapsing Afghan economy, with hundreds of thousands losing work since 2020 and the 2021 regime

change, already cheap labour has become significantly cheaper – a major advantage for opium traders seeking more farmhands.

At the same time, the century-old treaty system of international drug control has been undergoing a significant period of fragmentation and arguably evolution towards a drug regime complex [4]. Among key protagonists, such as the US and European governments, decades of experience with deeply ineffectual counter-narcotics policies within Afghanistan have seriously reduced any appetite for direct drug policy intervention. Simultaneously, the legalisation of cannabis in North, Central and South America, and now within Europe, raises significant questions about the evolution of the global drug control system and its application to pariah states such as Afghanistan. Meanwhile, the Taliban cannot be engaged in the same way as Mexico or Colombia as prominent producer countries that possess clear political aims on drug policy and an ability and willingness to articulate these aims in international forums and shape international policy responses based on them.

Western political and institutional support to build Afghan counter-narcotics capacity is inconceivable in the short term, least of all providing support to a police force answering to an interior ministry headed by a prominent designated terrorist, Sirajuddin Haqqani. To the extent that the US and UK governments and the EU engage the Taliban on any security issues, it will probably not extend beyond Al Qaeda and IS-K-oriented counter-terrorism. Nevertheless, with its current ban, the Taliban could again be trying to make counter-narcotics a basis for international engagement. Nor has the international community set eradication as the price of legitimacy.

With rising desperation in Afghanistan, Western governments should think beyond interdiction, and consider what the growing influence and resourcefulness of transnational criminal groups means for their political interests *within* this strategic region, where they have already invested considerable sums towards strengthening rule of law and formal economies. That influence is as much a socioeconomic problem as one of law enforcement, and a good anti-trafficking strategy will address both.

Notes

1 This chapter draws on research conducted as part of working papers: [1, 2]. It represents a synthesis of work conducted by researchers and consultants under the Global Initiative against Transnational Organized Crime as part of the Serious Organised Crime & Anti-Corruption Evidence (SOC ACE) research programme, funded by the UK's Foreign, Commonwealth & Development Office (FCDO) at the University of Birmingham. The views expressed here do not necessarily reflect the UK Government's official policies.

2 This section is drawn from the work of Shehryar Fazli [1].

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10. Operationally Agile but Strategically Lacking: NATO's Bruising Years in Afghanistan

Sten Rynning and Paal Sigurd Hilde

For more than 20 years, NATO engaged in security assistance in Afghanistan. The engagement represented a colossal politico-military investment in regime renewal. The return of the Taliban to power in 2021 defines a defeat for NATO, we argue. Defeat followed in part from NATO's strategy deficit: the alliance did not adequately focus on Afghanistan's political fundamentals; it committed to a 'comprehensive approach' campaign blueprint that defied reality; and its decision-making process was too cumbersome and too loaded with political interests to correct course. We also argue that part of the reason for failure resides outside of NATO and with the multiple other actors involved in the conflict. Faced with such complexity, NATO in fact proved operationally agile and resilient. We find that NATO is aware of this challenge of 'operational agility but strategic deficit' but that there is no quick fix to what is, essentially, a leadership issue. NATO will improve only if key allies do more to lead *in* NATO and not *for* NATO.

Introduction

Some six months following its unexpected and chaotic with-
drawal from Afghanistan, NATO found itself confronted with
state-on-state war in Europe where Russia invaded Ukraine and,
incredibly, pinned the blame on NATO. The war for Ukraine
commanded attention to the point where NATO's Afghan years
appeared a distant memory. Yet the timing of the Ukraine war
suggests that NATO adversaries such as Russia took stock of
NATO's Afghan experience and sensed an opportunity. It is thus
critical for every security analyst and official to revisit NATO's
mission in Afghanistan and derive lessons [1].

We argue in this article that NATO experienced a defeat in
Afghanistan and that Afghan-related politico-strategic learning
in NATO does not run deep and will likely have a limited impact
on NATO's main policy dossiers in the future. In this respect,
Afghanistan represents failure for NATO. Over the course of
almost two decades of expeditionary operations in Afghanistan,
at an immense cost to both Afghan and NATO member socie-
ties, little has been achieved. We have seen an inability to coor-
dinate more closely and effectively with other key stakeholders
in the Afghan game; the marginalisation of the alliance in the
final years of diplomatic outreach to the Taliban; and the sudden
collapse of the training mission in August 2021 followed by the
return of the Taliban to Afghan government.

Further, we argue that the mission to rebuild Afghanistan
post-2001 defies easy categorisation and interpretation, and thus
that one should be careful not to place NATO at the front and
centre of every dimension of the mission. To a large extent, the
mission has been American.[1] The United States began Operation
Enduring Freedom in October 2001 without taking up NATO's

offer of collective defence involvement. Moreover, the US maintained an enemy-centric counter-terrorist mission in parallel to NATO's mission to stabilise the government and enable economic and social development. The US dominated the military effort, but it has also been the biggest donor in the reconstruction and governance effort.

While US aid was more or less coordinated with the US military effort (though not necessarily NATO's), the United Nations (UN) and national development agencies that provided more than half of the total civilian aid were sometimes reluctant to coordinate with a politico-military alliance such as NATO.[2] The humanitarian agencies of the UN were among the most principled eschewers. Coordination has also been lacking with the Afghan parties, including the political elite that formed around President Hamid Karzai, who was in office from 2002 until 2014. Rather than build national institutions, they have funnelled public money into private networks and ventures. Finally, Pakistan, India, Iran, China, and Russia have pursued interests that sometimes conflicted with the UN-mandated institution-building to which NATO was tied.

As well as noting where NATO has struggled, it should also be noted that it has been hugely resilient while navigating a sea of significant geopolitical complexity. This resilience has included an ability to adapt to changing and challenging conditions on the ground and, to a considerable extent, a willingness to put its money where its mouth is. We shall explore this resiliency in section one of the article.

We then turn to shortcomings that touch directly on NATO in section two. There we explore the complexity of the overall Afghan mission and NATO's stubborn adherence to coordination

– its so-called Comprehensive Approach. In theory, NATO should run security assistance, other organisations should run governance and development, and all of them should coordinate. In reality, NATO's operational footprint grew so large that the responsibility for Afghanistan's political settlement fell in large parts to NATO, but allies shied away from this reality [4]. In section three we turn to NATO in-house consultations, or the lack thereof, that help explain this lack of strategic pragmatism. We can identify several instances of significant allied input into the campaign, but over time alliance decision-making grew disjointed and, by the time of the Trump presidency (2017–2021), distinctively limited on the core issue of political settlement.

Carl von Clausewitz wrote that war is 'not merely an act of policy but a true political instrument, a continuation of political intercourse', where war is the means and the 'political object' the goal [5 Book 1, Chapter 1, section 24]. Herein lies the greatest lesson of Afghanistan for NATO: that to master war, in Afghanistan and elsewhere, it must first and foremost invest in the coordinated and coherent political purpose that any war is supposed to serve.

Resilient NATO

The terrorist attacks of 11 September 2001 were a shock to NATO. They were both unexpected and lethal. Further, they also elicited a separate US response, with the US invading Afghanistan with a coalition force, rather than through NATO. NATO, having invoked its sacrosanct collective defence clause, Article V, on 12 September, was marginalised from the outset. To become relevant in Afghanistan, it had to pass through a number of

'transformation' efforts, unmooring NATO from its region-al confines and making the alliance fit for purpose in an age of global wars on terror [6 paragraph 4].

At the beginning of the war on terror, NATO had little in the way of a concrete role. Instead, it was aiding individual al-lies, such as Britain, Germany, and Turkey, which ran the ear-ly International Security Assistance Force (ISAF) that followed from a UN mandate to support an Afghan political settlement [7]. NATO's collective operational entry into Afghanistan there-fore first involved a decision in April 2003 to take command of ISAF, then a decision in December to expand ISAF from Kabul to the Afghan regions – in accordance with a new UN mandate and in respect of military conditions.

This first phase of NATO resilience thus involved a politi-cal-military effort to engineer NATO's advance from a position of irrelevance to ISAF command. It represented a hard-fought compromise inside NATO where France remained sceptical of any NATO command outside the Euro-Atlantic area. The United States had no clear vision of what would come next in Afghanistan because its strategic focus had moved to Iraq. Britain was somewhat favourable to a broader NATO role but also to transitioning out of Afghanistan after having taken the first ISAF lead, while Germany, Canada, and the Netherlands, set to invest in ISAF, sought NATO's help. In short, the decision of April 2003 to take ISAF command represented a collective deci-sion to reaffirm NATO's security relevance.

This leap into relevance inevitably sowed the seeds of new challenges, though. First, the expectations of the political class were for an intervention that went beyond Kabul's borders, while

having little appetite for providing the troop numbers needed for a national campaign. This left NATO in a position where it had to commit to a large functional expansion across Afghanistan's geography but with small force numbers: large because it foresaw the expansion of Provincial Reconstruction Teams (PRT) across Afghanistan; small because NATO foresaw a need for limited military protection elements for each PRT.

Second, where military orthodoxy calls for 'unity of command', the assistance mission and the expected predominance of civilian reconstruction and development inside the PRTs meant that NATO did not seek this type of command. Instead, it offered an umbrella of protection under ISAF, which it commanded, and then sought partnership with reconstruction and development agencies along the loose and ephemeral principle of 'unity of effort'.

By December 2003, NATO had its Operational Plan for the expanded ISAF (OPLAN 10302) in place, but this was just the beginning of a lengthy rollout of the now Afghanistan-wide national security assistance mission. The full rollout was not completed until late 2006, and was done with limited resources, in that ISAF consisted of a total of 35,000 dispersed troops. Simultaneously, the Taliban insurgency was gaining strength, notably in southern and eastern provinces adjacent to Pakistan.

NATO's ability to withstand the early encounters with the insurgency, broadly over the years 2005–08, speaks to its resilience. None of the allies had prepared for such an armed conflict at a strategic distance from Europe, and NATO and ISAF were generally wrong-footed through these years by an innovative and carefully planned insurgency.[3] ISAF's first overview of its

national campaign – its so-called Placemat – showed a coherent arrangement of five regional commands and 26 PRTs [8], but this coherence belied the reality, which was a struggle to define the type of war NATO had on its hands. 'Stabilisation' in effect meant that counter-terrorism and counter-insurgency (COIN) remained outside ISAF's remit – ranging from black operations to the capture, detainment, and interrogation of enemy fighters to the training of local forces. Having organised for stabilisation, moreover, ISAF had no strategic reserve capable of moving rapidly to flashpoints of fighting – which inhibited its efficacy and frustrated NATO's most exposed allies, particularly in the southern and eastern provinces of the country.

NATO was able to overcome these years of frustration when the Obama administration from 2009 on made Afghanistan a key national security priority (the Bush surge in Iraq had terminated in 2008). The Obama surge created an influx of troops and civilian advisors as well as an adjusted strategic framework along counter-insurgency lines. NATO now accepted COIN as its strategic approach and broadened ISAF's remit to include the training of Afghan security and defence forces. There were limits to this flexibility – prisons, interrogations, and black ops remained off-limits – but ISAF's operational blueprint changed, and NATO funnelled more resources into it.

A final and significant phase of NATO resilience was visible at the off-ramping phase of the surge when NATO needed to upgrade its political approach to Afghanistan to allow for military de-escalation. In 2010, NATO and Afghanistan entered an Enduring Partnership, and NATO appointed a Senior Civilian Representative with enhanced staff to guide NATO in the

transition to greater Afghan security responsibilities. The focus was to prepare NATO to move from from ISAF to a scaled-down training mission. The latter, Resolute Support, began in January 2015 and lasted until its collapse in August 2021.

In hindsight, it is obvious that NATO's transition effort from 2010 was inadequately attuned to the major political and institutional flaws in Afghanistan, and we shall address these shortly. However, it is worth underscoring the degree to which NATO sought to give substance to its long-term assistance programme, reflecting the alliance's 2010 decision to place crisis management on a par with collective defence in its new Strategic Concept [9].

At its November 2010 summit, NATO offered Afghanistan a policy package consisting of enhanced liaisons; a trust fund to support Afghan forces; a training mission (Resolute Support); and a wider Enduring Partnership programme designed to reinforce a parallel US-Afghan Strategic Partnership Agreement [10]. With these measures, NATO innovated its security practice. Still, it was clear that the supposedly conditions-based transition still conveyed the sense that allies were wanting out, and that it struggled to give sufficient attention to the political preconditions needed for security transition.[4] This raises questions about political ownership of the wider Afghan campaign and NATO's ability to manage such ownership.

The Reluctant Owner

Once NATO committed to commanding and rolling ISAF out across Afghanistan and did so partly in a collective reply to the divisive war in Iraq, it was clear that the alliance would be saddled with a heavy political responsibility. Yet NATO resisted this. It

was ready to offer security assistance, but unwilling to own the overarching campaign. Instead, NATO looked for leadership it could enable, as opposed to collectively offering. It first looked to the UN, before turning to US leadership. The resulting 'enabling NATO' came at the cost of 'strategic NATO' and, in effect, the alliance's collective ability to read and shape the battlefield of which it was a part.

Secretary General Jaap de Hoop Scheffer presciently captured the challenge NATO faced in undertaking comprehensive institutional collaboration, observing that 'NATO cannot steer the process' because 'NATO is not a nation-builder'. In contrast, the United Nations is, and the steering wheel should thus have been in UN hands [4 p153]. But the UN could not build a nation that required such a massive combat mission as ISAF. The principle of 'unity of effort' and then the so-called Comprehensive Approach followed, but these principles hid a reality of dispersed efforts, inadequate coordination, and a marked deficit of campaign leadership.

In going along with this vain theory of nation-building, NATO incurred liabilities on a par with other international organisations, such as central UN bodies across UN agencies and national relief and development agencies. The question we must ask is why NATO did not react more forcefully once the discrepancy between its Afghan footprint and its theory significantly grew, and what this means for NATO as a politico-military alliance. Three points stand out.

First, it is important to note that by the time NATO expanded its presence in Afghanistan, institution-building was the common answer to how to cure the ills of so-called failed states.

This was not a NATO policy expertise, but European allies were particularly eager to explore this method to bolster NATO's 'security assistance' mission [2 p84]. The allies did notably not seek 'big ISAF's' fusion with the counter-terrorism mission run by a US-led coalition, but rather its merger with the institution-building strategy advocated by a multitude of international actors, including the UN, the G8, and the EU. In early 2006, when NATO was preparing ISAF's expansion into southern Afghanistan, the international community and the government of Afghanistan reached agreement on an Afghanistan Compact – a roadmap for supporting Afghan capacity-building. In parallel, the Afghan government developed an Afghan National Development Strategy for connecting the state to its citizens [13, 14]. Afghanistan thus gained the 'double compact' – from government to international community, and from government to citizens – that the later Afghan president, Ashraf Ghani, among others, held out as a prescription for state-building [15].

Second, NATO allies were aware of the need to infuse clear leadership into such a broad-based campaign. Streams of policy development ran through all allied capitals, but particularly noteworthy is the US National Security Presidential Directive (NSPD) 44 of December 2005. NSPD 44 set a course of action in that it called for greatly enhanced government-wide coordination for the purpose of stabilisation assistance [16]. Moreover, it directly affected NATO, which began a search for its proper 'comprehensive' stabilisation policy (which in 2006–08 would become NATO's Comprehensive Approach Action Plan, CAAP, and a tailored plan for Afghanistan, the Comprehensive Strategic Political-Military Plan, CSPMP).[5] Simultaneously, leading allies,

notably the United States and Britain, sought to fuse development and governance in a strengthened UN 'special representative' office. Here, the two governments put forward Paddy Ashdown, who had significant relevant experience from his time as United Nations High Representative for Bosnia and Herzegovina.

Third, the fact that these measures often had limited effect was not NATO's fault alone. The involvement of other nations, including in UN votes, meant that NATO had to compete with antagonistic players, such as Russia, that could both shape UN mandates for ISAF and resist wider cooperation agreements between NATO and the UN. In 2006, when NATO sought such an agreement, the prospect of a Russian veto led the UN and NATO general secretaries to settle for a written declaration of intent entered by the organisations' secretariats. Even so, Russia still protested this limited measure of rapprochement. Another player was the Afghan president, Karzai, who in early 2008 effectively vetoed the idea of strengthening the UN special representative.

All this left NATO in a contested field of institution-building by a novel comprehensive approach that key actors refused to play along with. By 2005–07, when the first wave of insurgency hit its national ISAF footprint, NATO could have thought differently about its priorities. In particular, it could have sought to revisit and broaden the Afghan political bargain of Bonn (2001) to stabilise the political bedrock of the country's institutions. Instead, it doubled down on building the institutions delineated in Bonn and doing so in an untested and loose comprehensive approach-network. The allies thus did not pay adequate attention to nature of the underlying Afghan political bargain that proved the Achilles heel of 20 years' worth of stabilisation effort:[6]

- The key competition inside Afghanistan was not one of nationhood (or identity) but of power. In this respect, Afghanistan differed greatly from Iraq.
- The establishment of a central government in 2002 entailed the empowering of the Northern Alliance, which moved into all key security and defence ministries and functions.
- The rejection of reconciliation initiatives from Taliban ranks in 2002–03 implied both a failure of political inclusion and a bias of state power.
- The international and regional coalition that supported Afghan stabilisation early on soon broke down, meaning neighbours such as Pakistan, India, and Iran emerged as critical power brokers and/or spoilers.

The bet of NATO and other organisations and agencies that the Afghan state could be reinforced to the point where it could 'out-govern' its opponents proved vain in the face of this political condition. NATO forces fought valiantly, but NATO governments did not come to grips with Afghanistan's domestic and regional balance of power problem on which the country's institutional development depended. NATO renounced taking on political ownership of the war effort: thus, as a collective whole, NATO did not adequately wrestle with the 'political object' that war serves.

The Timid Alliance

It is not front-page news that the United States occupies the predominant position in NATO and did so throughout the Afghan campaign. More surprising is the timidity of NATO strategy,

which at first was due to US political reluctance, then to the complexity of offering strategic leadership in both a national and, even more so, a multinational setting. As the Special Inspector General for Afghan Reconstruction (SIGAR) has emphasised: 'The US government continuously struggled to develop and implement a coherent strategy for what it hoped to achieve' [18].

In order for NATO to be effective, there had to be foresight and early engagement. This was lacking in Afghanistan from the outset. The lesson for NATO is that campaign design is critically important. Once NATO is set on a course, the multinational setting of decision-making turns complex and resistant to change. Where individual governments with a single centre of decision-making can more easily adjust course and adapt strategy, multinational political fatigue and operational wear and tear are formidable brakes on such adaptation. Caveats and operational reservations come to predominate instead of strategic counsel and adaptation. Limited campaign design and multinational complexity meant that NATO suffered for the remainder of the campaign.

In 2001–02, much American reluctance was wound up in the fact that the Bush Administration did not envision taking a leading role in post-war Afghanistan. Consequently, it offered little guidance to NATO, nor assumed the traditional US leading role in NATO action. President Bush and, most explicitly, Secretary of Defense Donald Rumsfeld were not interested in being drawn into nation-building [19]. While the United States came to see the utility of leaving greater responsibility for Afghanistan to NATO and allies, its interest in designing and guiding the ISAF mission was limited.

This left room for allies, and they did step up. Canada, the Netherlands, and Germany drove the replacement of rotational

ISAF leadership with NATO command [20]. Likewise, Germany greatly shaped the December 2003 decision to expand NATO-led ISAF [21]. Under pressure to do more, notably from Congress, the Bush administration enhanced its reconstruction efforts in winter 2002–03 by establishing PRTs in Afghan regions.[7] To follow suit, Germany wanted NATO as the framework, and in August 2003 took the initiative to expand ISAF and offer PRTs as 'ISAF Islands' of security [23].

These efforts by US allies to shape the campaign continued as ISAF expanded. Denmark played a lead role in the 2006 adoption of the Comprehensive Approach, as did Germany and Norway in 2007–09 in respect to establishing a political dialogue with the Taliban. Apart from healing the transatlantic rift over Iraq, a key motive for this activism was that for European allies, Afghanistan was the 'good war' long before President Barack Obama coined the term. ISAF was not only legally and politically uncontroversial, but in 2002–03, Karzai, the UN, and international aid organisations repeatedly requested its expansion and that NATO take charge.[8]

The unexpected strength of the insurgency that met ISAF forces in Southern Afghanistan in 2006, did shake NATO's confidence, however, and eroded allied initiatives. There was agreement to support the Comprehensive Approach strategy, leading to the CAAP and the CSPMP, but on the security side, and increasingly beyond it, the allies began looking to the United States for leadership.

President Obama offered renewed leadership when he put General Stanley McChrystal in charge of ISAF and US forces in Afghanistan in June 2009. Bursting with self-confidence,

McChrystal offered a way forward in his initial assessment: COIN [25]. While COIN had been unpalatable to many allies until then, it would take just four months and essentially no debate for NATO defence ministers to adopt it as ISAF's new tailored strategy [26].

At the same time, NATO headquarters continued its work on the CAAP and CSPMP, but by 2009 these Comprehensive Approach policies had become bureaucratic processes of no real impact. Strategy had been Americanised: it was set either by the US commander in Kabul or by officials in Washington. The US commander of ISAF did answer to NATO, but the most important chain of command clearly was the one that ended with the US president.

US strategy did not stabilise, however. Its grand COIN strategy had a definite time limit: from 2011, the surge would subside, and Afghan authorities would gradually be put in charge. The initial condition-based transition thus became time-based. The US-led NATO strategy consequently morphed into one based on continued Afghan capacity-building in the Resolute Support Mission (RSM), combined with an active search for a political settlement. Under Obama, this strategy languished, while under Trump, it was short-circuited with his February 2020 agreement with the Taliban to withdraw all foreign troops by 1 May 2021, more or less unconditionally. Even though he did not respect the May deadline, Trump's successor, President Biden, upheld the decision to withdraw in 2021.

Sitting and former US decision-makers regularly argue in lessons-learned discussions that their allies are too timid; they should not only put forward their own ideas more forcefully, but

also challenge those of the United States. However, to expect allies to be able to change a determined United States is to exaggerate their potential influence on US decision-making. Even when determined to work through NATO, the United States can be resistant to allied input on critical issues. There is plenty of evidence for this, with allies vainly protesting that US night raids, rendition and enhanced interrogation methods undermined the overall campaign, and that an unconditional, time-driven withdrawal was unwise, all to no effect. The United States, once it has settled on a strategy, does not usually let a multinational committee working in Brussels change it. But allies can have influence in other areas. Once a campaign gets off to a bad start, NATO's multinational character offers ample opportunity for allies to resist grand new leadership initiatives. The Obama surge is a case in point: it changed the overall campaign strategy, but allies (and partners) caveated their interpretation and implementation of the changes. Earlier, in 2008, the United States sought to expand ISAF's targeting of the narcotics trade that funded the insurgency, but ran into explicit and public opposition from Germany [**27, 17** p188–189].

Two generic aspects thus seem to characterise the timid alliance: first, that the alliance got off to a bad start and so immediately sparked political frustrations, particularly given the lack of collectively agreed strategy; second, that later efforts to set things right, even where backed by heavy US investment, suffered from political reservations and operational caveats. When the US started to funnel great resources into the campaign from around 2008–09, it distorted more than solved NATO's strategic challenge because Washington began short-circuiting collective

strategy, and allies offered caveats in return. Prior to this point, NATO had two opportunities to put its engagement on proper collective tracks: in the fall of 2001, in crafting a response to the 9/11 attacks, and then in 2003–05 when 'big ISAF' rolled out. The first opportunity was lost on account of US reluctance; the second on account of the strategic pull of the Iraq war. NATO timidity in Afghanistan, even as ISAF grew and surged, followed.

Is NATO Learning Lessons?

At the November 2021 meeting of foreign ministers in Riga, NATO published a factsheet on its 'Afghanistan Lessons Learned Process'. Through seven meetings of the committee of deputy national representatives, NATO conducted a 'comprehensive review' based on written input from the International Staff and oral contributions from 19 'experts providing historical, political, operational, and cultural perspectives on NATO's involvement' [28].[9] The committee's chair – the then Assistant Secretary General for Operations, John Manza – presented a chairman's report that was 'reviewed and discussed by the North Atlantic Council at Permanent Representatives and Foreign Ministers levels' [28]. While the full report remains classified, its core findings and recommendations were subsequently published.

To some, the breadth of this review may seem inadequate in comparison to the work put into some national Afghanistan reviews.[10] However, to our knowledge and NATO's credit, NATO is the only international organisation involved in Afghanistan that has conducted such a strategic review. Moreover, and more importantly, the alliance's published lessons do address some of the core issues and challenges it experienced in Afghanistan.

On a positive note, NATO's lessons emphasise that the alliance's engagement had 'demonstrated the immense strength of Allies working in pursuit of a common goal' and strengthened 'the political integration and military interoperability of Allied and Partner forces, thus increasing the Alliance's overall political strength and combat capabilities'. As we also argue above, the Afghanistan years have indeed demonstrated the alliance's adaptability and resilience.

On a critical note, the factsheet stresses the magnitude of the international engagement, which 'went far beyond degrading terrorist safe havens'. While taking credit for 'significant gains in the fight against terrorism', it concludes that 'the wider ambition of building a stable Afghanistan, while not without important gains, proved extremely challenging'. In 'future operations', the factsheet continues, 'Allies should continuously assess strategic interests … and seek to avoid taking on commitments that go well beyond assigned tasks. NATO should establish realistic and achievable goals and seek increased participation by other international actors who are better suited to deliver those non-military effects'.

The lessons learned report thus essentially remains committed to the core message of the Comprehensive Approach: namely, that NATO should support stabilisation and institution-building by taking its share of responsibility within in a loose unity-of-effort framework. This is not surprising, but as we underscored, the problem is the lack of a hand on the campaign steering wheel, which is especially unsettling when the campaign involves a significant military component. The UN cannot take control of such a campaign. The United States may try

but will then run into the reality of entrenched political pluralism, such as they did inside ISAF's campaign, where the 26 nationally run PRTs defied unity of command.

As noted in the introduction, allies seem tempted to draw a mainly unarticulated lesson from the stabilisation operations in Afghanistan (and in Iraq): just don't do it. However, the NATO lessons learned factsheet explicitly warns against taking this lesson too far: In 'a more dangerous and complex global security environment … crisis management should … remain a core Alliance task'. Clearly, NATO is teeing itself up for continued crisis management engagement in its next Strategic Concept (to be adopted in June 2022). However, before NATO engages anew in 'train, advise and assist missions', it needs to operationalise what it means to 'carefully consider the political and cultural norms of the host nation and the ability of that society to absorb capacity building and training'.

Above all, NATO must anchor its engagement in collectively agreed campaign design from the very outset. Illusions of, or ambitions for, campaign leadership will not suffice. Collective leadership will not come easily, but the temptation to forgo it and look to the alliance leader, the United States, carries significant risks. As SIGAR notes in a recent report: 'The US government was simply not equipped to undertake something this ambitious in such an uncompromising environment, no matter the budget' [18].

A further main lesson emphasised in the NATO lessons learned report partly mirrors our analysis: the lack of strategic consultations at NATO Headquarters. The factsheet notes that '[r]eporting from the field during the ISAF and Resolute Support

eras was frequently delayed and encumbered by procedures, thus making it difficult for Allies to effectively evaluate and provide relevant direction for the mission'. At issue here are principally the so-called Periodic Mission Reviews, which according to standard NATO procedures are submitted on biannual basis [29].[11]

Beyond these mission reviews, the broader point is that NATO Headquarters got inadequate feedback from commanders and other representatives in the field. The tendency of commanders (as well as politicians and other leaders) to present upbeat accounts of the achievements of their own efforts is well known, and in many ways a result of political and institutional logics. To remedy the challenge of reporting, the factsheet proposes that 'Allies should consider mechanisms to improve the timeliness and relevance of reporting from the field and for more interactive discussions in the Council'.

Interestingly, the report goes on to state the following: 'Allies would have benefitted for [*sic*] more meaningful discussions on the negotiations of the US-Taliban agreement'. Noting that 'the consultations in February-March' of 2021 'were open, sincere and clear', this open criticism of the Trump administration's failure to consult with allies is arguably more important that the challenge of reporting. If the United States wants to maintain and build on its trust in NATO, it must lead *in* NATO, not *for* the Alliance.

It seems that the leadership at NATO headquarters, from the Secretary General downwards, has a particularly important role to play in improving the ways and means of information flows and situational awareness. Ultimately, these should stimulate

more relevant political debates in the decision-making chamber, the NAC. It is well within the mandate of organisational leaders to prepare the grounds for such political debate and, if nations resist offering needed information, to set the NAC agenda in such a way that the lack of information, and thus the threat to the campaign, itself becomes a topic for debate.

Conclusion

We return to Clausewitz's fundamental question of political purpose. As a regional security organisation with a global footprint, NATO must invest in fundamental political discussions as to what the alliance is and what it should strive to achieve. Twenty years of campaigning in Afghanistan underscore this point, as does the subsequent war in Ukraine initiated by Russia. Whether NATO is seeking to solve other countries' crises or establish effective defence and deterrence, the alliance must communicate clear ambitions and back these with credible diplomacy and defence muscle.

From Afghanistan emerges the lesson that NATO first and foremost must improve the ability of the NAC to become aware of and engage in campaign design; it must resist becoming a mere add-on to campaigns spearheaded by individual nations or coalition forces; and it must take responsibility for its political-military nature by dedicating greater leadership resources in pursuit of the political objectives that the use of armed force is intended to serve.

In Afghanistan, NATO proved operationally agile but strategically lacking. This combination led NATO to the defeat it

and the international community suffered in August 2021 when the Taliban regained power. History teaches by analogy, and so Afghanistan and Vietnam are not identical cases, but books such as Max Hastings' *Vietnam: An Epic Tragedy, 1945–1975* are striking for the similarities they conjure to the Afghan campaign [31]. The analogy reminds us that 'never again' will only last for so long. Moreover, it highlights the marked need for frank and honest (NATO) discussions of political purpose. A multinational campaign will always be pregnant with multiple purposes (defeating an adversary; building a new government; validating the alliance; securing related geopolitical gains, etc.), and so it is incumbent upon those in charge of it to prioritise among these purposes and align resources accordingly.

NATO is not closing the book on crisis management, as we saw. Nor is NATO beyond the business of state-on-state war, as Russia's aggression against Ukraine and on the doorstep of NATO territory vividly reminds us. Thus, NATO leaders owe it to NATO publics and to NATO troops to fully digest the overriding lesson of Afghanistan: that it is their responsibility to offer a NATO strategy worth its name.

Notes

[1] Perhaps fittingly, there are only three index references to NATO in the main text of Carter Malkasian's *The American War in Afghanistan: A History* where NATO is brought into the history to 'make up for [a US] shortfall' [2 p130]. The US Army's account of the war is differently replete with references to NATO but also how its entry into Afghanistan was 'disjointed', came with 'fundamental flaws', and was hampered by the shift of US strategic attention to Iraq [3 p80, 84, 181].

[2] Based on multiple interviews conducted in Brussels, Washington DC, and New York in the context of the Norwegian Afghanistan Commission, 2015–16 [17], in which both authors participated.

[3] The insurgent offensive that NATO ran into in 2006–07 was decided in 2003 by the newly formed Taliban leadership council, the Quetta Shura, and carefully prepared for southern Afghanistan in the intervening years by Mullah Dadullah Lang, a notorious experienced and hardline commander.

[4] Planning for transition was integral to the Obama surge and began early in 2010. See [11]. Within about a year, US Defense Secretary Robert Gates felt compelled to caution that 'there is too much talk about leaving and not enough talk about getting the job done right' [12].

[5] These documents are classified, but for a discussion see [4 p145–146].

[6] These critical points emerge from the authors' research in the context of the official Norwegian Afghanistan inquiry, 2015–16 [17], of which the authors were a part.

[7] In December 2002, Congress passed the Afghanistan Freedom Support Act, which stressed among other the need for 'improving security throughout the country' [22].

[8] On 17 June 2003, for instance, the International Rescue Committee and CARE International sent a statement to NATO signed by 80 NGOs calling for 'the expansion of the International Security Assistance Force (ISAF) beyond Kabul in Afghanistan under NATO's leadership' [24].

[9] The second author participated as one of these experts at the third meeting, primarily to present the findings of the Norwegian Commission on Afghanistan.

[10] By comparison, the Norwegian Commission on Afghanistan conducted 21 meetings covering about 50 days and interviewed more than 330 witnesses, ranging from President Ashraf Ghani to Norwegian Army privates.

[11] NATO submitted a similar type of report at regular intervals to the UN, based on the Security Council mandate of mission [see **30**].

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11. Biden's Realism, US Restraint, and the Future of the Transatlantic Partnership

Leslie Vinjamuri

The United States' withdrawal from Afghanistan had been attempted by three US presidents. It reflected an interest in reorienting US global engagement to focus on the Indo-Pacific and to limit US military engagement in wars no longer perceived to be core to US vital interests. President Joe Biden's personal commitment to withdrawing troops from Afghanistan also played an important role. While the exit from Afghanistan was undertaken in coordination with NATO, Biden's determination to withdraw US troops meant that America's key partners felt informed rather than consulted. But the end of America's global role was quickly overshadowed by new developments. A new strategic partnership between Australia, the United Kingdom, and the United States was announced in September 2021, demonstrating that the US shift to the Indo-Pacific would be coordinated only selectively with the US's partners in Europe. However, the war in Ukraine confirmed the US role as a security provider in Europe, drove a renewed mutual commitment to the transatlantic partnership, and underscored the enduring significance of US global leadership.

Introduction

The abrupt and chaotic withdrawal of US troops from Afghanistan in August 2021 came as a dramatic shock to many across Europe and in the United States and appeared to threaten a grave rupture to the transatlantic partnership. But, the return of great power conflict hastened a return to transatlantic unity in the face of Russia's war in Ukraine. Additionally, the decision to withdraw US troops was in fact years in the making. President Joe Biden's personal interest in withdrawing US troops from Afghanistan was well known and emerged more than a decade before the 2021 policy change. Biden was the third in a line of US presidents determined to reorient US policy to the Indo-Pacific, to rethink the role of the military in the Middle East, and to align America's military interventions with a careful evaluation of its vital interests.

The US withdrawal was perceived by many to be directly at odds with two of President Biden's most important pledges: to renew American leadership and to secure and promote democracy and human rights in a world that his administration defined as a contest between democracies and autocracies. A new determination to exercise restraint in the use of military force, though, underscored the new US strategy and meant that diplomacy and other instruments would be deployed to achieve US foreign policy goals. The Biden strategy emphasised bilateral, multilateral, and regional partnerships, and a reliance on instruments, such as targeted sanctions, that did not involve the direct use of military force.

America's global standing had taken a hit during Donald Trump's presidency, and the US's relationships with its closest partners had atrophied. China had become more assertive

abroad and more authoritarian at home, and relations between China and the US had deteriorated markedly during Trump's presidency and during the first year of the pandemic. The economic and health effects of the pandemic had a devastating impact in the US. Unemployment soared, and on 7 January 2021, less than two weeks before President Biden entered office, more than 4,000 Americans died of COVID-19.

At the time of Biden's inauguration, there was a sense of urgency, driven by the administration's heightened awareness of domestic discontent in the US and an ongoing effort by a radicalised Republican Party to derail Biden's agenda. The 6 January attacks on the Capitol in Washington had unsettled Americans and also America's closest partners. In Europe, the 6 January Capitol attacks were a shock but also a recognition of a changing US.

The decision to withdraw US troops from Afghanistan reflected the foundations of Biden's foreign policy doctrine: exercising restraint in the use of military force, limiting US military interventions to US vital national interests, and focusing US strategy on the Indo-Pacific. The final element would prove to be the most difficult to achieve.

But the 6 January attacks and, several months later, the rapid exit from Afghanistan spurred a renewed debate about European strategic autonomy and the need to guard against a US whose global role would continue to be unpredictable and uncertain.

Middle East

For the Biden administration, 6 January not only signalled a grave crisis for US democracy, it also underscored the fact

that the crisis spurred by the pandemic would not produce an extended reprieve from internal divisions or create a basis for unifying Congress behind Biden's agenda. Instead, domestic politics would continue to disrupt the president's efforts to advance his policy agenda. The window for Biden to achieve his foreign policy goals was also likely to close quickly. History alone suggested the mid-term elections would yield Republican gains in the House and Senate. But a highly polarised US electorate, a radicalized Republican Party, and a Democratic Party torn between its progressive and its moderate wing all combined to create an even greater constraint on the president's ability to deliver his climate agenda or his broader spending plans to 'build back better'.

Even if Biden had faced an easier domestic climate, the US effort to reorient America's foreign policy to the Indo-Pacific would not have been easy. Previous presidents had tried, and failed, to do the same. Events had a way of undermining their efforts. The rise of ISIS drew Obama squarely back into the Middle East. President Trump initially found himself drawn further into the Middle East and increased US troop commitments. Later, his decision to take the US out of the Iran Deal led to more, rather than less, US focus on responding to Iran's disruptive tactics in the region.

Where Trump had succeeded was in mobilising US domestic support in opposition to China. Trump's rhetorical attacks were designed to blame America's economic plight, loss of manufacturing, and trade deficit on China. Trump even blamed China for the pandemic. During his presidency, a clear bipartisan consensus was forged around the need to take a tougher line on China. This helped pave the way for a strategic focus on China, even if

Trump did not deliver on this goal and instead pursued a policy that was defined by tariffs.

By the time Biden was inaugurated, the strategic imperative to focus on China had become even more compelling. China now represented nearly 17% of global GDP, a dramatic change from the 9% it held when Obama entered office. China's handling of the onset of the pandemic created an easy opportunity for President Trump, who used this to deflect attention from his own poor handling of the US response to the pandemic and instead sought to mobilise Americans by further politicising the origins of the pandemic. This led to strong anti-China sentiment in the US and a hardening of US public attitudes towards China. China's crackdown on Hong Kong and the adoption of a new national security law also contributed significantly to negative public opinion in the United States.

Afghanistan

The history of US engagement in Afghanistan was the context for the decision to withdraw US troops. When President Biden took office, the US troop presence had been reduced to a core of around 2,500, but US troops had been in Afghanistan for nearly two decades. The aims of the intervention, which had evolved far beyond the original goals, were never entirely clear. A mission that had been started to defeat those responsible for the 9/11 terrorist attacks quickly expanded to include counter-terrorism alongside a more comprehensive approach to nation-building.

Despite some early success in defeating the Taliban, Bush, Obama, and Trump all tried and failed to withdraw US troops from the country. Biden not only inherited a different situation

in Afghanistan, he also had a personal and long-standing commitment to withdrawing US troops from Afghanistan. As vice president he had been a far more vociferous opponent of US engagement and had clashed with other members of the Obama administration on Afghanistan policy. In 2009, Biden was a vocal critic of the surge that saw 30,000 additional American troops sent to Afghanistan [1].

President Trump was also determined to achieve a deal with the Taliban during his first term. This determination later created a hard constraint on America's subsequent policy options in Afghanistan. Trump had negotiated and signed a deal with the Taliban that committed the US to withdraw its troops by February 2021. By talking directly with the Taliban, sidelining the Afghan government, and agreeing to a deal that set a firm timeline for a US withdrawal without conditions, Trump effectively set the Taliban's expectations. The Taliban were determined to wait for the US to withdraw its troops. Many policy-makers in the US believed this gave the Taliban time to regroup so they could later renew violent attacks should the US fail to deliver on its pledge.

Trump's negotiations excluded the Afghan government, thereby emboldening the Taliban and weakening the Afghan government. But Trump's determination to announce a deal overrode any considerations for future stability in Afghanistan.

This context informed President Biden's decision to withdraw US troops from Afghanistan; he argued that the status quo was not sustainable and that if US troops remained, the Taliban would use this to justify a rapid return to violence. This, he argued, would require the US to send more troops to maintain

peace and stability. President Biden believed strongly that the status quo would not last. US troop commitment had dwindled to 2,500, and the US had taken no casualties, but Biden agreed with those who argued that the Taliban was merely waiting it out, and that if the US broke its commitment to exit Afghanistan on the agreed timeline, the Taliban would renew its violent campaign to push the US and NATO to withdraw. This would mean the 2,500 troops the US maintained in Afghanistan would be woefully short of what would be required to maintain peace and stability, leaving the US with the difficult choice of exiting, facing sustained attacks, or increasing its troop commitments.

Expert opinion on how many additional troops would be needed varied. A report by the Aghanistan Study Group, convened by the US Institute of Peace, estimated that an additional 2,000 US troops would be required, taking the total to 4,500 troops. Biden anticipated, however, that future casualties would lead to the unravelling of public support for an ongoing presence in the country.

This was the backdrop to President Biden's decision: a strategic reorientation of America's global role, the personal views of a US president deeply opposed to a war that he felt had evolved far beyond its original objectives, and the inheritance of a conditions-free deadline for the US departure from Afghanistan. He was also under intense pressure at home as the pandemic continued. The country was highly divided on key issues, such as the economy and the pandemic. President Biden was faced with a stark choice: withdraw troops and risk a Taliban takeover, or send more US troops and risk a quagmire and opposition at home.

Exit

President Biden's determination to take US troops out of Afghanistan was delayed, but not altered, by his desire to work in coordination with NATO allies. This explained, in part, why he did not immediately announce this key foreign policy decision. Shortly after his inauguration, President Biden unveiled a series of foreign policy measures. Many of these were expected: the US would recommit to the Paris Accords and the World Health Organization (WHO) and take steps to rejoin the UN Human Rights Council. But the fate of US troops in Afghanistan was not on the list. Only after consulting with key NATO partners did the Biden administration announce its decision to withdraw all troops from Afghanistan, wiith a deadline that was only slightly extended beyond that which was agreed in Doha.

Chaos

Biden's careful consultation with US allies in the first months of his presidency peaked in June with a trip to the UK and Europe for meetings of the G7, NATO, and the EU, as well as a tense bilateral meeting with President Putin. This early summer high-water mark for transatlantic cooperation contrasted dramatically with the effect the August withdrawal from Afghanistan unleashed not only on Afghanistan but also on the transatlantic relationship.

What began as a measured approach to a major foreign policy decision erupted into a chaotic withdrawal that left the US's key European partners feeling they had been informed rather than consulted. The situation rapidly unravelled, unleashing a crisis in Afghanistan not only for the Afghan people but also for the

transatlantic partnership and for President Biden. The rapid descent into a blame game revealed a shocking absence of Western unity and led to proclamations by some that the American era was over and that America's credibility had been destroyed.

At home, the political debate oscillated between a first-order question about whether the US should have stayed in Afghanistan and a series of second-order issues about the intelligence that had informed this choice and the coordination among NATO allies and, especially, whether the US could have anticipated the collapse of the Afghan government and the rapid Taliban takeover. The failure to plan a more orderly exit of international citizens and Afghans who had supported the international presence unsettled nearly all of America's key partners in the region. Very quickly, though, it was disclosed that State Department officials had been warned [2] that Kabul could collapse if US troops withdrew and that the CIA had knowledge of the Taliban's growing strength – all providing fodder to partisan division. Republican senators took aim at Democratic opponents [3], which further fuelled the conservative media's assault on the Biden administration. Early polls suggested that voters in the US split along partisan lines, with initial polling showing that 69% of Democrats and only 31% of Republicans supported the withdrawal [4].

A highly polarised and partisan political environment in the US, and a divided political class in the UK, did not help. The risk that the US – and the UK – would become engulfed by a debate driven by partisan politics was very real. This made it more difficult to understand what drove the US exit from Afghanistan, and

especially whether the surprising speed of the Taliban's takeover revealed a failure of policy, a failure of intelligence, or some combination of the two.

Allies

The Biden administration's determination to withdraw all troops had a dramatic and negative impact on its relationship with partners across Europe, perhaps especially with the UK. Debate in the UK Parliament during the chaotic and dangerous exit centred on the UK's dependence on US power and capabilities and the reality that the UK was unable to act alone. In this case, the UK was clearly unable to maintain its presence in Afghanistan without US support. The contrast between US-UK coordination on Afghanistan stood in stark contrast to the portrayal of a strong and almost equal partnership during the UK's successful hosting of the G7, President Biden's visit to Cornwall, and, especially, the UK's leadership at COP26. In Europe, the perception that the US had failed to take consultation seriously unleashed a torrent of negative public opinion and elite concern that Europe risked dependence on an unreliable and unpredictable United States that cared little about Europe's own foreign policy commitments and values. This gave even further charge to a long-standing debate in the EU about the need for strategic autonomy.

The paradox for US policy was that the long-standing view among the public that the US should end its direct engagement in what had become known as the 'forever wars' had recently abated. The decision to withdraw US troops was not driven by public opinion; the US public had come to accept a limited troop presence in Afghanistan. The foreign policy community in

Washington also revealed a lack of consensus and did not determine Biden's decision.

But the botched and chaotic withdrawal wreaked havoc on the president's approval ratings at home. It also alienated America's key European partners and cast a dark shadow over the transatlantic partnership, and appeared to threaten its very foundations. In the months that followed, Europeans seemed determined to renew their drive for strategic autonomy, and the UK, in the midst of a year of defining its independence from Europe and its identity as Global Britain, sought to maintain a distance from its closest security ally.

Aftermath

The chaotic and disruptive exit from Afghanistan also provoked a debate about the future of American leadership and the consequences for US credibility far beyond Afghanistan. Some argued that China and Russia would both draw the lesson that the US would not respond if they chose to pursue an aggressive policy in their own neighbourhoods. Others argued instead that, however chaotic, the US exit from Afghanistan actually underscored its commitment to reorient US policy to the Indo-Pacific, even if it also demonstrated that the United States would no longer commit to humanitarian interventions.

For America's NATO partners, the chaotic withdrawal led to a feeling that Europe's own values and interests mattered little to the broader US calculus and that the alliance would now be defined by the United States' alone. US power and interest would shift to the Indo-Pacific and Europe would be left in the lurch. Biden's determination led many Europeans to believe

that Trump and Biden were not far apart on their basic foreign policy aspirations.

But subsequent events quickly recast the reality for Europe, and for the transatlantic partners. First, the announcement in September 2021 of the Australia-UK-US (AUKUS) partnership created a renewed sense of cooperation and shared purpose between the US and the UK. This came at the expense of France and suggested that the US would be single-minded in its foreign policy pursuits.

The fate of Afghanistan after the Taliban takeover grew increasingly dire over the winter as most of the population faced a grave humanitarian crisis. But the shadow it cast over the future of the transatlantic partnership was short. And Western unity in the face of Russia's brutal invasion of Ukraine radically altered the equation. Within two weeks, the US and Europe united around one of the most extensive and hard-hitting sanctions regimes ever adopted, and cooperated to ensure the transfer of lethal aid to Ukraine in its efforts to defend its territory and its people.

In the United States, President Biden's approval ratings suffered as a result of the widespread feeling that he had botched the Afghanistan withdrawal and was responsible for inflation. But his response to the war in Ukraine drew strong, bipartisan support and seemed at least temporarily to create a sense of unity and moral purpose among the US electorate.

The Western response to Russia's violation of Ukraine's sovereignty, and its unleashing of a brutal war against Ukraine and Ukrainians, set the transatlantic partnership on a new course. High levels of unity between the US and its European

partners seemed likely to persist in the face of grave uncertainty over Ukraine's future, a refugee crisis on a scale not seen since the Second World War, and prolonged insecurity in Europe. After only a few weeks of war in Ukraine, it became clear that the prism through which Biden's foreign policy would be judged had fundamentally changed. America's attention rapidly focused on Ukraine and the European security order. How this would impact American attitudes towards the exit from Afghanistan unclear, but it looked possible that Biden's determination to focus US strategy on vital national interests would be supported. As the humanitarian crisis in Afghanistan deepened it remained unclear whether moral judgments of Biden's Afghan policy would return to the fore. But in the face of Russia's aggression, Europe's capacity for humanitarianism was set to come under considerable strain, and it would force difficult choices.

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12. China's New Engagement with Afghanistan after the Withdrawal

Feng Zhang

China's historical relationship with Afghanistan is marked by three periods: estrangement during the Cold War (1955–1990), rising concern with Uighur terrorism emanating from Afghanistan (1991–2000), and evolving activism in Afghan affairs following the US invasion (2001–2020). Since the withdrawal of US forces in Afghanistan in August 2021, Beijing has formed a new, five-pronged engagement policy toward Afghanistan: pragmatically and cautiously accepting the Taliban's dominance in Afghan affairs, preventing the re-emergence of Afghanistan as a safe haven for terrorists, facilitating an inclusive politics in the country, demonstrating a greater degree of humanitarian concern, and shaming the United States and the West for forfeiting their responsibility. Shaping this new policy are four factors that have affected and will continue to affect Chinese policy in the future: security and stability in Xinjiang and China's Western border region, Afghanistan's place in China's overarching international strategy, great power politics involving the US, and the economic value of Afghanistan.

Introduction

The ignominious departure of the United States from Afghanistan in August 2021 after a 20-year intervention left China as the biggest regional country capable of playing a critical role in future Afghan affairs dominated by a resurgent Taliban. What is China's policy toward Afghanistan after the US withdrawal? To what extent will it seek to exercise its influence? I argue that China has formed a new, five-pronged engagement policy toward Afghanistan: (i) pragmatically and cautiously accepting the Taliban's dominance in Afghan affairs; (ii) preventing the re-emergence of Afghanistan as a safe haven for terrorists; (iii) facilitating an inclusive politics in the country; (iv) demonstrating a greater degree of humanitarian concern; and (v) shaming the US and the West for forfeiting their responsibility. However, although China's policy has certainly become more active and constructive, it is still hemmed in by major constraints, not least its misgivings about the Taliban and its growing rivalry with the United States.

I begin by sketching the historical background to Sino-Afghan relations, distinguishing three phases of this relationship from the founding of the People's Republic of China in 1949 to the US withdrawal in 2021: (i) estrangement during the Cold War (1955–1990); (ii) rising concern with Uighur terrorism emanating from Afghanistan (1991–2000); and (iii) evolving activism in Afghan affairs following the US invasion (2001–2020). I then examine four factors that have affected and will continue to affect Chinese policy toward Afghanistan: (i) security and stability in the northWestern province of Xinjiang and China's Western border region; (ii) Afghanistan's place in China's overarching

international strategy; (iii) great power politics involving the United States; and (iv) the economic value of Afghanistan.

These factors determine the continuities and changes of Chinese policy after the US pullout. Afghanistan is likely to receive more attention from policy-makers as a result of the priority of neighbourhood diplomacy in China's overall foreign policy. But the precise degree of its rising importance will be determined by policy-makers' perceptions of China's interests and its vulnerabilities in the country. Among its interests, security and stability in Xinjiang and along the wider Western border region will continue to dominate economic considerations. Among its vulnerabilities, the most salient are the nature and competence of the Taliban regime and the strategic posture of the United States. China is acutely aware of the limits of external intervention in influencing the Taliban, so its future contribution to Afghan reconstruction, while it will undoubtedly grow, is going to be limited by such realism. China is critical of the US strategy of quitting Afghanistan so as to concentrate on competing with it in the Indo-Pacific, with China seething at both the mess that Washington has left in Afghanistan and its recalibration of strategic offensives against it. The surging rivalry between the two countries is preventing them from meaningfully cooperating over Afghanistan, despite the fact that cooperation is obviously needed and would, if successful, help to ease their rivalry.

The Historical Background

Afghanistan established a formal diplomatic relationship with the People's Republic of China in January 1955, becoming one

of the first few countries to recognise the new Communist-led government in Beijing. The relationship became more distant from the late 1970s to the end of the 1980s, as Afghanistan fell under the Soviet sphere of influence and as China broke away from its alliance with the Soviet Union after the 1960s. During the 1980s, Afghanistan became a battleground, with China collaborating closely with the United States in a common effort to thwart the Soviet invasion of the country, and with additional help from Pakistan it provided Soviet-style arms to Afghan insurgents. The Sino-Afghan relationship during the Cold War thus was dominated by great power rivalry [1]. This became less so after the Cold War, although, as we shall see, great power rivalry – now played between China and the United States – has re-emerged as a severe constraint on Chinese policy.

The evolution of the Sino-Afghan relationship in the post–Cold War period can be divided into three phases. In the first phase, from 1991 to 2001, Afghanistan did not play an intrinsic part in Chinese foreign policy-making. At this time, Beijing's interest in Afghanistan was in terms of protecting Xinjiang against terrorist threats and developing relations with the post-Soviet Central Asian republics. Uighur terrorism acquired policy salience for the first time in April 1990, when a group of Uighur men conducted an armed uprising against Chinese police and security forces in the township of Baren with the aim of establishing an 'East Turkestan Republic' [2 p568]. Meanwhile, Afghanistan was mired in a civil war between the regime of President Mohammad Najibullah and various mujaheddin units, forcing China to withdraw its embassy staff in 1993. In 1996, the Taliban took control of the country, but

China refused to establish diplomatic ties with the new regime. The triumph of this fundamentalist Islamic movement greatly heightened Chinese anxiety, because the Taliban had no scruples about providing a safe haven for a variety of radical Islamists. These included not only the Islamic Movement of Uzbekistan that launched attacks mainly into Central Asian states, but also the Uighur-centred East Turkestan Islamic Movement (ETIM) that demanded independence for Xinjiang.

Consequently, China took bilateral and multilateral measures. Bilaterally, it sought to deal directly with the Taliban through the intermediary of its long-time ally, Pakistan. Multilaterally, it found common cause with Russia and the Central Asian states to create a new regional security institution – the Shanghai Five – which was established in 1996 with Russia, Kazakhstan, Kyrgyzstan, and Tajikistan. It expanded, becoming the Shanghai Cooperation Organization in 2001, with Uzbekistan as an additional member.

The second phase of China's post-Cold War policy toward Afghanistan lasted from 2001, when the United States invaded Afghanistan in the aftermath of the 9/11 terrorist attacks, to 2021, when, after a 20-year misadventure, Washington decided to entirely withdraw its troops from the country. For the first 10 years of this period, China adopted a largely reactive attitude toward the US intervention, offering limited engagement with the new US-backed Afghan government and rejecting any direct security involvement in the country. After the Obama administration made clear its intention to withdraw US and NATO forces from Afghanistan, however, China was forced to come to grips with the consequences of a post-US-controlled Afghanistan.

So, after 2012, Beijing ramped up its diplomatic, security, and economic engagement with Kabul. It secured an observer status for Afghanistan in the Shanghai Cooperation Organization and upgraded the bilateral partnership to a strategic and cooperative partnership in June 2012. In September 2012, Zhou Yongkang, a member of the Standing Committee of the Politburo responsible for internal security, visited Kabul, an unmistakable sign that Beijing was seeking greater security and counter-terrorism cooperation with the Afghan government to insulate Xinjiang after the US withdrawal [2 p572].

China greatly intensified its bilateral and multilateral diplomatic activities after 2014 when the United States withdrew the bulk of its combat troops. The year 2014 is seen by many observers as a crucial year in China's policy evolution [3 p621, 4 p285]. In that year alone, two senior security officials – Minister of Public Security and State Councilor Guo Shengkun and the People's Liberation Army (PLA) Deputy Chief of Staff Qi Jianguo – visited Kabul, while Afghanistan's newly elected President Ashraf Ghani visited China. Soon, security and intelligence cooperation between China and Afghanistan took concrete – and in some cases, publicly acknowledged – forms. China sent its People's Armed Police troops to join their Afghan counterparts in patrolling the northeastern Afghan province of Badakhshan and offered to support a mountain brigade for the Afghan National Security Forces, while Kabul handed over Uighur detainees in an effort to persuade China to use its influence with Pakistan to help start negotiations with the Taliban. On the multilateral front, three trilateral mechanisms took shape during this period: China–Afghanistan–Pakistan, China–Russia–Pakistan,

and China–Russia–India dialogues. In October 2014, China hosted the fourth ministerial conference of the Istanbul Process (also known as the Heart of Asia) on Afghanistan, attended by 46 countries and international organisations, with the United States participating as a 'supporting nation' [5 p901–903]. Finally, and notably, China joined the Quadrilateral Coordination Group with Afghanistan, Pakistan, and the United States in January 2016.

Factors and Calculations

Before examining China's policy changes after the August 2021 US withdrawal, it is useful to consider the main factors affecting Chinese policy toward Afghanistan. Three factors deserve particular attention: security and stability in Xinjiang and China's Western frontier region; Afghanistan's place in China's overarching international strategy; and great power politics involving the United States. The first two factors have remained more or less constant through 2021, so they impart a degree of continuity to Chinese policy. The third factor, however, has undergone major changes and is mainly responsible for new shifts in Chinese policy. The economic value of Afghanistan, especially with regard to its natural resources, may be considered a fourth factor. But it is much less important than the first three factors and is far from a main driver of Chinese policy.

Terrorism

The first and most important factor is Chinese concern with security. China is focused, above all, on the threat Uighur terrorism and separatism poses to the internal security and stability of

Xinjiang province and the Chinese interior, as well as broader concerns with border security in the vast Western frontier region. Xinjiang is China's biggest province by area, constituting one-sixth of the country's landmass, and borders Pakistan, Afghanistan, and the Central Asian republics of Tajikistan, Kazakhstan, and Kyrgyzstan. Any one of these countries could become a breeding ground for Uighur terrorism. Afghanistan has emerged as a particular menace because, as noted earlier, the Taliban regime has previously accommodated Uighur terrorists, including the ETIM, and allowed them to join Al Qaeda-affiliated terrorist camps.

Chinese authorities estimate that hundreds of Uighur militants underwent training in Afghanistan when the Taliban controlled the country from 1996 to 2001 [6 p13]. They were mostly forced out after the US invasion and fled to Pakistan. After their safe havens were squeezed by the Pakistani army, they returned to Afghanistan and maintained a crucial presence in the north of the country, including the Wakhan corridor, where the ETIM chief was believed to be operating. This was one of the main reasons for Chinese interest in patrolling Badakhshan and in supporting the aforementioned building of a mountain brigade for Afghan security forces. In the 2010s, Chinese authorities reported a number of Uighur terrorist attacks not only in Xinjiang but also in China's interior regions, including a suicide attack at Tiananmen Square in October 2013 and a mass attack at the Kunming Train Station in March 2014. Between 2010 and 2014, terrorist attacks either in Xinjiang or linked regions (such as the Kunming attack) claimed the lives of 468 people and injured 548 [2 p574].

China fears the potential of Uighur terrorism and separatism to fan out from Afghanistan and Pakistan to Central Asia and the wider Middle East region, destabilising its Western frontier. The emergence of Islamic State (ISIS) as a major regional force in 2014 deepened these anxieties, as the movement declared its aspiration to extend its self-declared Caliphate into Xinjiang, and with some Afghans associated with the Taliban calling for the establishment of an ISIS-style regime in Afghanistan [6 p18]. In February 2018, ISIS issued a direct threat against China, releasing a video in which Uighurs vowed to return home to carry out attacks [7 p3]. The joining of forces between Uighur terrorists in Afghanistan and other terrorist groups in Afghanistan, Pakistan, and Central Asian countries would constitute a security nightmare to Beijing.

Terrorism and instability in Afghanistan affect not only China itself but also the Central Asian frontier regions, whose states together share 2,300 kilometres of borders with Afghanistan and 3,300 kilometres of borders with China [5 p900]. The terrorist and extremist threats confronting Central Asia are both internal to regional countries, such as the Islamic Movement of Uzbekistan, and external, of which Afghanistan constitutes the greatest menace. If the Central Asian states are infiltrated by terrorists from Afghanistan, the threat may spill over from their long and porous borders into Xinjiang. Unlike the Wakhan Corridor separating China from Afghanistan, which is difficult to traverse due to its harsh climate and formidable topography, China's borders with Central Asian states cannot be closed. Beijing has thus pushed the agenda of countering the so-called 'three evil forces'

of separatism, terrorism, and religious extremism with Central Asian states, and with notable success.

Pakistan is a thorn in the side of China's fight against Uighur terrorism. A close ally of China's since both countries' founding in the late 1940s, Pakistan is notorious for providing a safe haven for Islamic extremists, including the Taliban and Uighur militants. In recent years, China has also fallen victim to attacks against its personnel and infrastructure by Pakistani extremists in Balochistan, where the China-Pakistan Economic Corridor (CPEC) – a flagship project of the massive Belt and Road Initiative (BRI) – is being developed. Beijing has tried to pressure Islamabad to repel Uighur militants based in the Federally Administered Tribal Areas of Pakistan adjoining Afghanistan and to safeguard the security of Chinese projects inside the country. However, the repeated terrorist attacks in Balochistan and the resurgence of the Afghan Taliban have reduced Beijing's confidence in Pakistan's ability to do so.

Grand strategy

The second factor affecting China's policy toward Afghanistan is the country's place in China's overarching international strategy. Before President Xi Jinping assumed office in late 2012, Afghanistan was barely relevant to Chinese grand strategic thinking. As noted above, it only mattered when it impinged on China's security, as when it was invaded by the Soviet Union in the 1980s and when it accepted Uighur militants in the late 1990s, but hardly more. Since 2013, however, two new developments have elevated Afghanistan's importance in Chinese policy, although still only to a limited degree.

The first, as the Chinese scholar Zhao Huasheng notes, is the rising prominence of neighbourhood or periphery diplomacy (*zhoubian waijiao*) in Chinese foreign policy [5]. In October 2013, China held its first-ever conference on diplomacy toward countries on its periphery. President Xi emphasised the need to strive for achievement in neighbourhood diplomacy so as to ensure a favourable regional environment for China's development. Attended by representatives from the party, local and central government, the military, state-owned enterprises, and the diplomatic corps, this conference was a milestone in raising the profile of neighbourhood diplomacy in modern Chinese foreign policy. The distinguished Chinese scholar Yan Xuetong argues that it indicated a strategic shift in Chinese foreign policy from 'keeping a low profile' to 'striving for achievement'. In his view, it put an end to the debate about whether Xi was following the approach of Deng Xiaoping, the mastermind behind China's reform-era foreign policy, in keeping a low profile, and ushered in a new era of a more activist regional strategy [8].

The second development is the much-vaunted Belt and Road Initiative, or BRI, a globe-spanning connectivity program advanced by President Xi in September–October 2013, exactly at the same time as the new neighbourhood diplomacy was announced. The Belt part of the BRI seeks to connect the whole Eurasian continent from East Asia to Western Europe, while the Road attempts to link the Western Pacific, the South China Sea, and the Indian Ocean. By one account, the BRI network encompasses 4.4 billion people (63% of the world's population), 64 countries, and a combined economic output of $21 trillion (29% of global GDP), requiring a gigantic investment of $20 trillion in its first 10 years

[9 p120]. It is China's global economic strategy and is frequently asserted by observers as President Xi's grand strategy [10, 11].

Of these two developments, neighbourhood diplomacy affects China's policy toward Afghanistan more than the BRI does. Once the leadership has determined that foreign policy must be more proactive on the regional front, the diplomatic establishment must find ways to implement this new directive. Such an imperative must have been filtered through the policy process to bear on Afghanistan, although, of course, the specific manifestations of a more activist Afghanistan policy are determined by practical conditions.

With respect to the BRI, however, the significance of Afghanistan is open to doubt. Some observers think that Afghanistan could be a central hub for the Belt linking Central Asia with South Asia, at least as it appears on the map [7 p2]. In 2016, officials from Afghanistan, China, and Pakistan mooted the possibility of extending the China-Pakistan Economic Corridor to Afghanistan [12 p104]. As China seeks to integrate Xinjiang and utilise its geopolitical position to overcome Uighur separatism and terrorism while facilitating a China-centric Eurasian geoeconomic system, Afghanistan ought to receive greater attention from Chinese strategists [2]. Even if this is true, Afghanistan can by no means attain centrality to the BRI in Central and South Asia simply by virtue of its geography [13]. In fact, Afghanistan is bypassed by two corridors of the BRI to its south and north, respectively: the China-Pakistan Economic Corridor and the China-Central Asia-West Asia economic corridor, which runs through the five Central Asian republics as well as Iran and Turkey. In other words, Afghanistan is dispensable in the whole

scheme. A prominent Chinese analyst asserts that when it comes to economic significance Afghanistan is of no account to the BRI [14]. Those who tout the geopolitical value of Afghanistan and advocate the building of a strategic corridor linking China with Iran through Afghanistan overlook the massive costs and risks of doing so [15]. In terms of both geopolitics and security, Beijing considers Afghanistan largely in a negative rather than positive light: it is a problem to be managed and contained rather than an asset to be leveraged and exploited.

The 'Great Game'

The third factor affecting Chinese calculations toward Afghanistan is great power politics in Central and South Asia and, since 2001, Sino-American relations in particular. China's perceptions of the role of the United States and NATO in Afghanistan have undergone several interesting shifts. For roughly 10 years after the US invasion in 2001, Beijing was predictably apprehensive of US motives, in keeping with its general suspicion of a US intention to constrain or even contain China's rise. Hardliners in China's strategic community, especially the PLA and security agencies, were apt to see the US military presence in Afghanistan as a threat to China's national security and an instrument of America's encirclement strategy toward China. Partly as a result of such thinking, Beijing ignored US requests for cooperation, such as entreaties to assist Washington in developing alternatives to the increasingly fragile supply routes via Pakistan for the delivery of materiel to US and NATO forces [2 p571]. As Washington decided to withdraw its forces, however, Beijing began to see the US presence in a more favourable

light. It was no longer averse to the idea that the US presence might, after all, be in China's interests, because it allowed China to free-ride on Western stabilisation efforts. So Chinese officials started expressing concern that the United States should not leave too hastily [16]. Its anxieties about US encirclement were superseded by fears that Afghanistan might once again become a safe haven for Uighur militants and so destabilise China's Western frontier.

Underlying these changing perceptions is a conflicted mindset that simultaneously views the US containment of the Taliban as a positive outcome for Xinjiang's security and the strategic and military presence of the United States in Afghanistan as a geopolitical threat to China's national interest. As Andrew Small observes, China 'wanted neither a Western victory that might entrench a US military presence in its backyard, nor a Taliban victory that would pose risks to Xinjiang and the wider region' [17]. Consequently, between 2001 and 2014, it provided only tokenistic financial and political contributions to Afghanistan, aimed as much to avoid alienating anyone as to help rebuild the country. Such a conflicted mindset can only be resolved by a much greater willingness to intervene in Afghan affairs and for China to take matters into its own hands, or by the unfolding of one of the two dreaded outcomes – a US victory or a Taliban victory. As it turned out, it is the latter that Beijing now has to confront after the events of August 2021.

Economics?

Before moving on to the new Taliban challenge, it is important to clarify the significance of economic considerations in China's

policy toward Afghanistan. It is well known that Afghanistan is richly endowed with a range of valuable natural resources including oil, natural gas, iron ore, gold, copper, cobalt, lithium, and other raw materials worth nearly \$1 trillion [18]. It is natural to think that if China could import these resources through the BRI, it will be able to diversify its imports away from more distant, volatile, or unfriendly countries. Trade with Afghanistan will also promote the economic growth of China's Western provinces as well as the neighbouring countries of Pakistan and the Central Asian republics [6 p19].

These considerations of Afghanistan's economic value must be weighed against the costs and risks of doing business with and in Afghanistan. The \$20 billion Afghan economy runs largely on opium production and narcotics trafficking, as well as international aid. Sino-Afghan trade is negligible in the context of China's trade with its neighbours, amounting only to a meagre \$550 million in 2020 [19]. Afghanistan lacks the political stability, domestic security, and decent economic system necessary to create an adequate environment for Chinese investment. Its seemingly never-ending wars and civil conflicts, corruption, and decrepit infrastructure, as well as other problems, cannot but deter large-scale Chinese investments. It is instructive that China's two biggest investments in the country so far – the Metallurgical Corporation of China's \$3 billion investment in the Aynak copper field and the China National Petroleum Corporation's investment in the Amu Darya oil project – have stalled, barely effectively running, let alone turning a profit. The Aynak copper field is located in Logar, one of Afghanistan's most violent provinces, and is now widely seen as a failed investment [4 p288]. Lessons

of this kind have taught Chinese companies to be as risk-averse as their Western counterparts [6 p27].

A New Engagement Policy

The four factors examined above will enable us to develop a good explanation for the continuities and changes of China's policy after the US withdrawal from Afghanistan in August 2021. This policy may be described as China's new engagement with an Afghanistan that is once again governed by the Taliban. It consists of five main elements: (i) pragmatically and cautiously accepting the Taliban's dominance in Afghan affairs; (ii) preventing the re-emergence of Afghanistan as a safe haven for terrorists; (iii) facilitating an inclusive politics in the country; (iv) demonstrating a greater degree of humanitarian concern; and (v) shaming the US and the West for forfeiting their responsibility. The first four elements contain clear continuities from past policies, but all of them have been advanced with a greater degree of urgency. Shaming the United States was meant in part to vindicate China's longstanding criticism of interventionist US foreign policy, but also to prod Washington to bear responsibility for Afghan reconstruction after the withdrawal.

Although China did not establish official relations with the first Taliban government of 1996–2001, it established contact with the regime in the late 1990s and has maintained channels of communication ever since. A Chinese ambassador to Pakistan even met with the Taliban's leader, Mullah Mohammad Omar, in November 2000 [17]. Unlike the United States and some other Western countries, China has long taken the view that the Taliban are and will remain a core political actor in Afghanistan, and it has tried to avoid antagonising it by refusing to side openly

with US and NATO positions [2 p573]. Although the Taliban's rapid seizure of power in August 2021 surprised China as much as it did the United States, Beijing had not doubted its ability to secure a prominent role in Afghan affairs. On 28 July, before the Taliban took control of Kabul, State Councillor and Foreign Minister Wang Yi received a high-level delegation headed by Mullah Abdul Ghani Baradar, the deputy leader of the Taliban. Wang described the Taliban as 'a pivotal military and political force in Afghanistan', thus offering, for the first time in public, China's acceptance of it as a legitimate and dominant player in Afghan affairs [20].

Conditionality

Such acceptance, however, is made on pragmatic grounds and seems to be conditional on the expectation of the Taliban's willingness and ability to combat terrorism and forge a viable political settlement, the second and third elements of China's new engagement policy. After all, the Taliban is an Islamic fundamentalist movement with no intrinsic respect for the secular notions of sovereignty and territorial integrity associated with modern statehood. Beijing's caution is manifest in the fact that, at this writing in February 2022, it has withheld official recognition of the new Taliban government. As no other country around the world has done so, China is obviously in no hurry. But recognition may have also been held up as a leverage against the Taliban over issues of major concern, especially counter-terrorism and political stability.

China's concern with Uighur terrorists and separatists operating from their bases in Afghanistan was heightened by the US withdrawal. In all of their public pronouncements about

Afghanistan in 2021, Chinese officials never failed to point out the Taliban's responsibility to cast aside the ETIM and other forms of terrorism on Afghan soil. In the 28 July meeting with Mullah Baradar mentioned earlier, Wang Yi managed to elicit a pledge that Afghan territory will not be used by any forces to harm China [20]. In late October, meeting with Baradar again in Doha, Wang stated in unmistakable terms that China wanted the Taliban to completely sever ties with the ETIM; in response, Baradar repeated the promise of never allowing any forces to use Afghan territory to do things that will harm China [21].

Chinese officials are likely to take such promises with a pinch of salt, because they have been given several times before. Beijing knows precisely what the Taliban's track record on this actually amounts to – limiting ETIM activities somewhat but still providing them with a protected environment – and now it wants more. Therefore, in addition to directly pressuring the Taliban, China has made a renewed appeal to regional multilateralism, particularly the Shanghai Cooperation Organization and various coordination mechanisms with neighbouring countries, including Pakistan, Russia, Iran, and the Central Asian republics. In late October, Wang Yi declared that these countries need to form an 'anti-terrorism united front' [22]. It is not clear to what extent China would enlist the United States in this endeavour, but any assistance Washington could render in counter-terrorism would be welcomed by Beijing, whatever their differences in other areas.

Facilitator

Chinese efforts to facilitate an inclusive political process in Afghanistan began long before the final US withdrawal. Before

the Taliban's triumph, however, it was framed as a 'reconciliation' between the Taliban and the US-backed regime in Kabul. In 2010, Beijing stated for the first time that the Afghanistan reconciliation process needs to be 'Afghan-led and Afghan-owned'. In 2014, it began to bring the warring parties together for talks, with the hope of achieving inclusive political reconciliation, enhancing counter-terrorism capability, and maintaining communication and coordination with the United States [3 p623]. It was not, however, truly able to take on a mediation role, owing to a lack of in-depth knowledge about the actors and issues involved.

Since August 2021, China has continued to espouse the 'Afghan-led and Afghan-owned' principle, except now that the Taliban's dominant position is accepted as a fait accompli [23]. Accordingly, Beijing no longer sees its role as a quasi-mediator but rather as a facilitator that will help orient and urge the Taliban to take political reconstruction seriously. Chinese officials emphasise in particular the need for the Taliban to create a broad and inclusive political framework, to adopt moderate domestic and foreign policies, to disown and combat terrorists, and to develop friendly relationships with neighbouring countries [24]. These messages are clearly geared toward protecting China's security interests in Xinjiang and the wider Western border region, as elaborated earlier.

China's discourse also exhibits interesting continuities and changes. The continuities reflect long-standing foreign policy principles as applied to Afghanistan. These include respect for the sovereignty, independence, and territorial integrity of Afghanistan; support for the Afghan people's choice for their development path; and non-interference in Afghanistan's internal

affairs. Starting in mid-2021, however, Beijing began to promise that it has no geopolitical designs on Afghanistan and that it will seek neither 'private gains' nor a sphere of influence in the country [21]. This was clearly meant to pre-empt a possible outside suspicion that China would fill the strategic vacuum left by the US withdrawal.

Aid and assistance

The fourth element of China's new engagement policy is greater humanitarianism, and this too flows naturally from earlier policies. China has provided Afghanistan with material aid and other kinds of humanitarian assistance since 2002, as well as waiving all of the country's earlier debts. Initially modest, China's financial contribution dramatically increased after 2014, with the total amount between 2014 and 2017, valued at $326.7 million, exceeding the total of that given between 2001 and 2013 [4 p286]. In addition, China supported the building of hospitals, schools, and other high-profile reconstruction projects, as well as providing educational scholarships and training the country's officials in diverse areas.

China's post-2021 humanitarian approach is notable for its wider range of concerns. In early September 2021, Beijing announced that it was giving emergency aid of goods worth more than $31 million, as well as donating 3 million doses of COVID-19 vaccines, with more to come as required [24]. By contrast, Western countries were struggling to find ways to channel funds in ways that would circumvent the Taliban, even though the total volume of Western aid still dwarfed that of China's. Chinese aid threw a shameful spotlight on the Biden administration's February

2022 decision to use half of Afghanistan's foreign reserves ($3.5 billion) frozen in US banks to compensate American victims of the 9/11 attacks [25].

China has not limited its aid to material goods. It has begun to emphasise the rights of women, children, and minority groups inside Afghanistan as well as the proper handling of refugees [26]. These belong properly to the realm of human rights, an area in which China has been repeatedly criticised by the West.

The United States

The final, inescapable aspect of China's new policy concerns the United States. As we have seen, between 2001 and 2020 China's attitude toward the US role in Afghanistan reflected two distinct kinds of worry: an initial worry about an entrenchment of the US presence that would 'encircle' China and a later worry about a premature or disorderly US withdrawal that would threaten China's security by allowing terrorists to regroup. As the latter worry became real in August 2021, China's perception of the United States turned into a mix of scorn and indignation.

The scorn was manifest in its censure and mockery of the chaotic US withdrawal. In June 2021, when the Biden administration was planning the withdrawal, Wang Yi expressed hope that it be carried out in a responsible and orderly manner to prevent the worsening of Afghanistan's security situation and a relapse into terrorism [27]. In early July, he blamed the United States for causing problems in Afghanistan and pressed it to ensure a stable transition of Afghan affairs. Washington, he averred, should not allow its withdrawal to breed chaos and conflict [28]. In early September, as the debacle of the US pullout shocked

the world, Wang pinned Washington down for its 'inescapable responsibility for the peaceful reconstruction of Afghanistan', all the while admonishing it not to create new problems for the country or to cause new instabilities that would harm the interests of Afghanistan's neighbouring countries [29]. China's rebuke carried a clear double message – a triumphant pummeling over the failure of the US policy of armed intervention and nation-building as well as a forceful exhortation for Washington to fulfil its post-withdrawal obligations to Afghanistan. The latter may be seen as a variant of the Chinese belief held after 2014 that some US presence in Afghanistan in fact serves China's interests.

More importantly, China's position revealed a strong sense of indignation about the United States that went far beyond the mere fact that Washington had left a total mess in Afghanistan for China and other regional countries to clean up. There was also fury that the Biden administration justified its Afghanistan exit on anti-China grounds, a fury that would severely constrain its activism toward Afghanistan and limit its cooperation with the United States over Afghanistan. On 4 September, in a telephone call with the Iranian foreign minister, Wang Yi noted the US assertion that the purpose of its withdrawal from Afghanistan was to better concentrate on the challenges from China and Russia. Not only was this an attempt to find an excuse for its failure in Afghanistan, Wang protested, but it once again exposed the nature of US power politics around the world. If the United States did not learn lessons from Afghanistan and completely change its foreign policy approaches, it was bound to suffer even greater defeats in the future [29].

'Great defeats' was no doubt intended as a warning against the US strategy of competition toward China that was spearheaded

by the Trump administration and has been adopted in large measure by the Biden administration [30, 31]. Two schools of thought have emerged regarding Washington's position on Afghanistan in the context of its relations with China. One school holds that the fiasco of the US withdrawal demonstrated once more – after the Iraq War, the global financial crisis, and a string of other policy failures over the past 20 years – the decline of US power and competence. According to this thinking, a strategic opportunity has opened up in Afghanistan, and China should fill the vacuum with alacrity. In particular, China needs to scale up the BRI by using Afghanistan to link up Central and South Asia, so as to achieve a better balance in the Western and eastern elements of the strategy [32].

The second, opposing school of thought is nowhere near as sanguine. Instead, it presents a foreboding analysis that posits an insidious anti-China US agenda. This view holds that the US withdrawal from Afghanistan was a deliberate step in Washington's overall grand strategic shift from focusing on the Middle East to targeting China in the Indo-Pacific region. What is especially insidious in the US move is that by leaving Afghanistan, Washington was intentionally creating a gap to entice China to move in and devote more resources to its Western borderlands. In effect, Washington was setting up a strategic trap by which to lure and ensnare China in the west so as to subvert its strategy on the eastern maritime front [33]. Thus, the Biden administration was believed to be trying to lull China into a false cooperation with it over Afghanistan by talking up China's responsibility for Afghan transition. The obvious conclusion of this analysis is that China should not take the US bait. Rather than falling into the US trap and foolishly shifting its strategic

resources to the west, China should instead compete even harder with the United States in the east.

In all likelihood, the second view had the upper hand in 2021 and may well continue to dominate policy debates in the near future. There was no evidence of China actively taking up the US place in Afghanistan in the second half of 2021. It is true that Chinese officials mentioned the prospect of greater economic relations, including assisting Afghanistan to participate in the BRI [22]. But despite this rhetoric, there were no specifics about how that might be done, and all the questions about extending the BRI to Afghanistan raised in the previous section remain outstanding.

China has certainly become more active and constructive in Afghan affairs since the US pullout. Bilaterally, it has renewed a cautious engagement with the Taliban; multilaterally, it has taken a leading role in regional multilateralism to facilitate Afghan reconstruction, including building new coordination mechanisms, such as the Foreign Ministers' Meeting of the Neighboring Countries of Afghanistan. But its activism still has major limits. Apart from its misgivings about the Taliban and Afghanistan's notoriety – proved once again by the failure of US intervention – as the 'graveyard of empires', rivalry with the United States is the most important external source of these limits.

Beijing's traditional vigilance toward the United States, now heightened under the new condition of strategic competition between the two countries, constrains the degree to which it can cooperate with Washington over Afghanistan. In the 2010s, China cooperated with the United States over capacity-building programmes in Afghanistan, including police training and

demining [34]. Into the 2020s, Beijing certainly will not reject communication with Washington or rebuff US counter-terrorism efforts, but any great degree of joint intervention in internal Afghan affairs, especially of the armed kind, will be out of the question. In the 1980s, when the two countries collaborated closely on military and intelligence matters over Afghanistan, they successfully thwarted the Soviet invasion. Now, if they can inaugurate a new round of cooperation, they may well pull off Afghan reconstruction. Alas, such is their surging enmity that this is likely all but impossible [35].

Conclusion

In terms of the future role Afghanistan is likely to play in Chinese foreign policy, its importance is likely to rise further, owing to the priority that neighbourhood diplomacy has been receiving from decision-makers since 2013. But the precise degree of its rising importance will be determined by policy-makers' perceptions of China's interests and vulnerabilities in Afghanistan.

As we have seen, China's predominant interest in Afghanistan is ensuring its own security and stability – above all in the restive Xinjiang province but also in its vast Western border region abutting Central and South Asia. Combatting Uighur and other associated forms of terrorism, separatism, and extremism must and likely will remain a central goal of its Afghanistan policy. The severity of these threats and the effectiveness of the Taliban regime in controlling them will, to a large degree, determine the tempo and substance of Chinese policy. In contrast, despite the popular hype, China's economic interest is far less prominent, and certainly not one that will plunge it into the war-torn

country. At any rate, China's assessment of the economic value of Afghanistan is intimately bound up with the internal stability and security of the country, and it will commence large-scale investment, BRI-related or otherwise, only after Afghanistan has achieved more or less the same degree of tranquility as in Pakistan or the Central Asian republics.

China's security interests in Afghanistan generally call for a more activist approach toward the country, but perceived vulnerabilities are likely to constrain such activism. Two dominant vulnerabilities are the nature and competence of the Taliban regime and the strategic posture of the United States. China's pragmatism toward the Taliban, as we have seen, is mingled with great caution and conditioned by the future direction of the Taliban's internal and external policies. Above all, China wants a moderate Taliban government that will maintain domestic stability and will forge friendly relations with neighbouring countries. But it is acutely aware of the limits of external intervention in influencing the Taliban. Herein lies a great difference between its approach to Afghan reconstruction and that of the United States. The forceful, root-and-branch US approach of armed intervention, democracy promotion, and nation-building is anathema to China. China will be compelled to be more active and constructive in Afghan affairs as its interests dictate, but it will never opt for interventionism of the US kind. We are likely to see greater Chinese contribution to the reconstruction of Afghanistan, but only as much as Beijing feels comfortable with.

China has always worried about the US presence in Afghanistan. In early years following the US invasion, it feared that Washington's dominance of Afghanistan might help it to

complete its strategic encirclement of China in the west; later, it fretted that a premature US pullout might give terrorists a new lease on life. The vulnerability it felt after the US withdrawal in 2021 is that Washington is scheming to adjust its strategic focus and to compete with China in the Indo-Pacific by leaving a mess in Afghanistan for China to clean up – and perhaps also by creating a vacuum to entice and suck in China's strategic resources. The tragedy of Afghanistan is that it has been racked by continuous wars and conflicts for the past 40 years, and its prospects of peace and prosperity have often been at the mercy of the great powers. The tragedy of Sino-American relations with respect to Afghanistan is that their new rivalry is preventing them from launching meaningful cooperation over a country where cooperation is obviously needed and which, if successful, would help to ease their rivalry.

Acknowledgements

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Afghanistan: Long War, Forgotten Peace
Edited by Michael Cox

Afghanistan has been in the headlines for many years – but tragically for all the wrong reasons. First invaded by the Soviets in 1979, the country experienced the trauma of civil war followed by yet another intervention, this time by the United States and allies, which ended with the West's ignominious withdrawal in August 2021. *Afghanistan: Long War, Forgotten Peace* examines multiple dimensions of what happened and why, and what the future holds for the country now the Taliban are back in power.

Multidisciplinary in approach, this book features analysts from a variety of academic disciplines, including policy-makers and public intellectuals – many with direct experience of having lived and worked in Afghanistan. It explains why the Taliban finally triumphed, what this means for Afghan society, and how competing actors in the international system have reacted to the Taliban takeover. Questions include whether the West's withdrawal represented a major or only a temporary setback for NATO and the United States, and whether and how there can be any amelioration of the situation in Afghanistan itself. The country and its people face multiple interrelated challenges, including those of women's rights, the drugs economies and human trafficking and exploitation.

This volume is essential reading for all those concerned with what happens in Afghanistan over the coming months and years, the consequences for the Afghan people – and for the rest of the world.

LSE Press