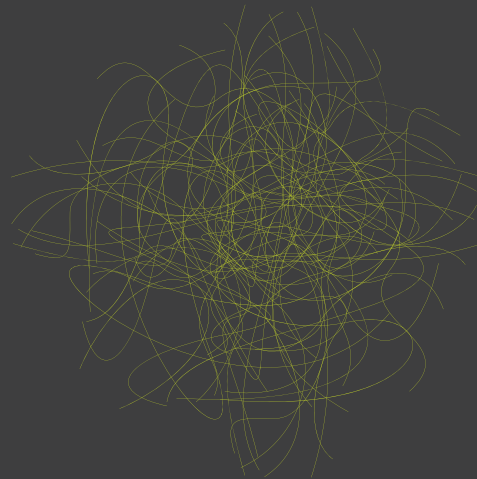


**Sources of Tension  
in Afghanistan and  
Pakistan: A Regional  
Perspective**

**The Changing  
Nature of Power  
and Sovereignty  
in Afghanistan**

**Aziz Hakimi**

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# THE CHANGING NATURE OF POWER AND SOVEREIGNTY IN AFGHANISTAN

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## 1. Introduction

Domestic and global anxiety about the fate of Afghanistan and the West's decade-long military, diplomatic and economic engagement in the region has intensified as United States (US) and North Atlantic Treaty Organisation (NATO) troops prepare to disengage from the conflict. The change is reflected in Western policy's turn to realism - exemplified by demands to abandon nation building abroad and recognise the limits of Western power - and instead work through and with local allies, as has been attempted by Western counter-insurgency (Stewart 2009).

Western intervention is generally criticised on the basis of the assertion that Afghanistan is ill-suited to Western liberal models. Instead, a clear re-orientation is evident in both policy and academic circles towards the 'local' and the 'traditional' and in favour of hybrid political orders over the 'Westphalian state' (Boege, et al. 2009). Ironically, conservative politicians and critical theorists have come to agree on the same thing: liberal peace-building approaches had not necessarily led to peace in zones of conflict. However, the implication of this new understanding has not necessarily led to the questioning of key liberal assumptions underpinning Western forays into zones of instability. Instead, the failure of liberal ideas and institutions taking roots in the violent parts of the non-Western world has been, mistakenly, attributed to too much liberalism operating in Western projects of intervention; an inherent illiberalism on the part of non-Western societies; and their resistance to adopting Western norms and values over their own traditional practices (Chandler 2010).

Meanwhile, escalating violence has led to calls for a strategy of less counter-insurgency and more killing and capturing, using Special Operations Forces (SOFs), drones and local proxy forces (Kaplan 2010). The recent US-Afghanistan strategic partnership agreement aims to pursue a combination of institutional building, albeit on a more modest scale and continuing kill/capture operations to contain the insurgency. Expectations of Western exit are also hinged on a peace deal with elements of the insurgency. A better trained and equipped Afghan security force, including local militias, coupled with modest amounts of continued Western aid, is expected to keep the current oligarchy in

power against an armed insurgency allegedly supported by Pakistan's military establishment. However, the regional dimension of the conflict is tied to domestic politics of the states in the region, whereby '*state-building in one country, for instance Pakistan, may derive benefits from violence, economic interest and state disarray in another, for example Afghanistan*' (Cramer and Goodhand 2002, 886). This makes for an unstable region and the continuation of violent politics in both countries.

Afghan political elites believe that Pakistan will continue its policy of destabilising Afghanistan until a pro-Pakistan Afghan government is installed in Kabul. Cross-border support to the Taliban insurgency is considered a key element of Pakistan's strategic calculation to achieve this aim. The Pakistan army's two-faced policy of military crackdown against Pakistani Taliban in the tribal areas, combined with its refusal to act against the Afghan Taliban operating inside those same areas, is seen as further proof of Pakistani complicity in instability inside Afghanistan, aimed at achieving its long-standing policy objective of strategic depth. Despite internal opposition, especially in the country's liberal media, to Pakistan's foreign policy objectives in Afghanistan, the military establishment in Pakistan has not shown any indication of changing its existing mindset about Afghanistan and the region. Providing support to *jihadi* groups in India and Afghanistan not only achieves a certain foreign policy objective, but is also closely linked to the role of the military in domestic politics and Pakistan's state-building project. The Pakistani military has relied on political alliances with domestic Islamist parties in order to weaken secular political parties and civilian governments inside Pakistan - an outcome that guarantees the military's supremacy in domestic politics. The Islamist parties in Pakistan maintain strong links with the Taliban in Afghanistan and the Kashmiri *jihadi* groups in India. The '*mujahideen*' in Kashmir have waged an armed struggle against the Indian state since the late 1980s to free Kashmir from India's domination.

Afghan politicians have harboured equally hostile views towards Pakistan over the issue of the Durand Line, which Afghanistan has not yet recognised. In private, a number of senior politicians have justified the presence of foreign troops and Western aid to the state-building project and regard support to the country's police and army as a means to strengthen Afghanistan's position in a future conflict with Pakistan. There are strong residues of irredentist claims within conservative and nationalistic political circles in Afghanistan.<sup>1</sup> The persistence of this kind of political discourse makes it difficult for a more enlightened policy to emerge, that could prepare the way for the recognition of the Durand Line by Afghanistan as a means of resolving existing tensions between the two countries and normalising political and economic relations.

This paper aims to explain the broader contours of the emerging fields of political power in contemporary Afghanistan and its implications for regional politics. It is inspired by the assertion that much of the Western scholarship of Afghanistan is 'theoretically barren'; mostly shaped by Western geostrategic self-interest; and '*its deficiencies are reflections of the overall poverty of this scholarship*' (J. M. Hanifi 2011, 268).

This assertion is mainly due to the tendency in much of this literature to rely on out-dated and flawed theoretical frameworks and under-theorising of knowledge. The implication is, that notwithstanding a few

1. An irredentist is one who advocates the recovery of territory culturally or historically related to one's nation but now subject to a foreign government.

exceptions, a large corpus of academic and other knowledge production endeavours in relation to Afghanistan has not only become highly politicised in the last decade, but has also fundamentally become an exercise in which '*the blind lead the blind*' (J.M. Hanifi 2011, 269).

The first part of the paper provides a brief historical overview of Western interventions into and involvement with Afghanistan and the kind of political repertoires and outcomes they produced and ended up validating.

It first traces the origin of the 'tribal' and 'stateless' notions of Afghanistan; how and why they came about; and the reasons why such notions continue to hold so much potency. There has been a tendency, from colonial times onwards to consider the 'state' and 'tribe' as insular and separate orders, and more or less constantly engaged in internal struggles. A more critical literature has challenged this singular view of the state and tribe by offering a more subjective and multi-dimensional view of power and political authority (e.g. Moore 1993; Lund 2006; Bertelsen 2009).

It then engages with a discussion of counter-insurgency and the work of 'soldier-scholars' and anthropologists in order to explore the current interest of the Western military in the 'local' and the 'traditional', and reveals the contours of engagement with tribal leaders and local shuras, through a brief discussion of the Afghan Local Police programme. It provides a critical perspective on the tribes and *shuras* and how they have been used instrumentally for military objectives as part of counter-insurgency. The paper briefly engages with a more critical literature to demonstrate the limits of some of the concepts previously discussed, including the tribe and its apparently enduring character and the state as a social actor. It also highlights the massive social transformation that has taken place in Afghanistan in the last four decades; the consequence of these changes for our understanding of contemporary power dynamics at the local and national level; and their regional implications.

The last section is a case study of local power dynamics in the border province of Nangarhar. It aims to demonstrate how actual power relations in the province operate and why it is not possible to reduce these complex dynamics to either the state or tribal logic. The case study shows that the notion that Afghanistan is working according to a tribal logic is in fact difficult to sustain empirically. It demonstrates that the reality of violent politics in which commanders and warlords enjoy a privileged position by virtue of their arms and money, hardly affords a constructive role for traditional leaders and institutions. The case study concludes that the situation described by Jon W. Anderson in the late 1970s and later on validated by subsequent scholarship starting in the 1990s (Rubin 1995) and well into our present time (Dorransoro 2005; Giustozzi 2009) that '*there are no khans anymore*' continues to hold true in the case of Nangarhar. Tribal leaders like *khans* and *maliks* have been replaced by commanders, warlords and insurgent leaders, as well as militant mullahs, making escape from 'armed politics' a long term challenge for Afghanistan (Giustozzi 2011). The same can be said about Pakistan's tribal areas.

The case study also highlights the need for rethinking some key theoretical assumptions. It shows that the earlier colonial imageries of

Afghanistan and the current claims that Afghanistan is tribal and stateless upon which Western models should not be imposed is a product of both a particular historical reading by some scholars and also speaks to the specific needs of outside powers, who find themselves mired in the messy reality of military occupation and local resistance.

## 2. Historical Context

### The Thirst for Knowledge & Conflicting Narratives

With a history going back to the beginning of the nineteenth century, Western interests in obtaining knowledge about Afghanistan, and ways to make it 'legible' (and therefore more governable) have remained steady throughout the first decade of the twenty first century. The thirst for context specific knowledge has, however, increased as Western intervention deepened in the second half of the decade. Although there is a long-standing colonial history which has promoted a certain view of Afghanistan as being tribal and stateless, it is important to note that specific histories of Western intervention have led to the generation of particular imageries of the country, which - given official sanction - has rendered them partly hegemonic and a possible basis for future reference. Historically, this trend has privileged a tribal, stateless and Pashtun imagery of Afghanistan (Mousavi 1998; B. D. Hopkins 2008). More pointedly, Afghanistan is described either as a 'stateless space', a place of pure anarchy and chaos inhabited by independent tribes and conservative Islam, or alternately a 'para-colonial state' (a state created but not occupied by colonial order) ruled according to timeless native traditions (B. D. Hopkins 2008). This essentially unstable political order is held together by 'balanced opposition' among the competing orders, whereby the state is one among many social formations and sources of authority but not necessarily the dominant Weberian form (Kilcullen 2009).

However, there have been variations and inconsistencies in what are often considered hegemonic texts.<sup>2</sup> For example, when it suited imperial-colonial policy, the Pashtun tribes are celebrated as natural allies and the rightful rulers of Afghanistan. However, at other times, the same tribesmen are described as savage and violent people living in a place of anarchy and disorder (Lindholm 1980). In the aftermath of the first Anglo-Afghan War (1839-1842) and the failure of the British to directly control Afghanistan, the British colonial regime in India tried to justify its isolationist policy towards Afghanistan by treating the Pashtun tribes as marginal and violent people inhabiting a marginal and harsh land best left to their own devices (B. D. Hopkins 2008). It therefore follows that the production of cultural knowledge has been closely aligned with Western strategic objectives and its complex history of intervention. It also points to the interplay between expert knowledge and Western imperial policy. The autonomy ascribed by the British to the frontier tribes in the nineteenth century, for example, can be understood in relation to British imperial objectives to secure a frontier zone of stability between India and Afghanistan. This required wresting the control of these areas from the Afghans, by asserting that the tribes in today's FATA had been independent and outside the sovereign authority of the Afghan monarch. The implication of this argument was clear: it effec-

2. For a critical review of Thomas Barfield's acclaimed book: *Afghanistan: A Cultural and Political History* (2010) see (J. M. Hanifi 2011).

tively questioned the political authority and jurisdiction of the Afghan ruler over these areas and at the same time justified British imperial policy of indirect rule along the frontier (Haroon 2007). Later on, when the British colonial regime in India intensified its relations with its client Amir Abdul Rahman Khan, the Durrani ruler of Afghanistan from 1880-1901, the colonial authorities - as well as the Anglo-Durrani state - privileged a Durrani and Kabul-centric view of Afghanistan, wherein the tribes were increasingly fitted into the world view of the emerging Afghan nation-state (S. M. Hanifi 2011).

During the Cold War, US-Soviet rivalries lent themselves to Western support to Afghan Islamists and *mujahideen* commanders. Such efforts proved instrumental in the rise of the 'neo-khans' and conflict entrepreneurs who wield power in contemporary Afghanistan.

As more territory was wrested away from government control and fell into the hands of the *mujahideen*, the number of 'liberated areas' multiplied where new regimes of authority emerged by working with non-state armed actors. Factional fighting among the *mujahideen* groups and the loss of legitimacy and political credibility that these struggles entailed prompted both Western governments and aid workers to link up instead with local communities and tribal leaders, both to ease the implementation of their aid projects, as well as to legitimise their interventions, at a time when public authority had been fragmented and contests over political authority had escalated into violent conflicts. It was during this period that Western governments and aid workers intensified their interaction with local communities and tribal leaders. As a result, the *shuras* as institutions of local governance took on an added political significance (Carter and Connor 1989). These specific engagements ended up partly reinforcing both the celebrated tradition of the resistance of rural villagers against the central government and the image of Afghanistan as the land of *shuras* and self-ruled communities. With the US intervention in late 2001 and the initial commitment to nation building, the discursive field changed once again and the emphasis shifted to building a centralised state in order to overcome the legacy of the last three decades. Legitimacy for the new regime was provided by invoking the tradition of the *jirga* to validate the post-Taliban political dispensation. 'Piggybacking' on existing notions of authority is a powerful tool to legitimate new orders, and the *loya jirga* became the ideal instrument for the validation of authority in 2002.

### **The Implications of the Doctrine of Counter-insurgency**

However, by the end of the decade, as the task of building a centralised state proved increasingly difficult and the insurgency gained more strength to challenge the authority of the Afghan government, the US military's counter-insurgency doctrine emphasised the importance of local governance and working with traditional leaders and institutions (Ledwidge 2009; Kilcullen 2009). The emphasis consequently shifted from the national to the local and from national politicians and institutions to local leaders, *jirgas* and *shuras*. However, at present, as the US-led NATO alliance prepares to withdraw their troops from Afghanistan, such transformative efforts at the local level are proving increasingly difficult to fit into the grid of Western strategic considerations. Population-centric counter-insurgency and its lofty goals of correcting the underlying causes of conflict, removing

poverty and supporting political and economic developments are being eclipsed by a renewed focus on counterterrorism and killing and capturing the enemy. A clear reorientation in Western policy is also observable in the shift in the discourse by making appeals to the grain of Afghan culture and 'leaving Afghanistan to the Afghans' (Rodriguez 2011). This evolving perspective highlights the importance of attending to context, history and the political struggles and outcomes as a way of explaining Western intervention and the kind of world views it ends up authorising and validating. Paradoxically, as security deteriorated, a bunker mentality emerged and international aid actors increasingly retreated 'behind the wire' (Duffield 2010). Yet the demand for knowledge to map, understand and validate the many emerging fields of power has become amplified, in the quest to govern the unruly borderlands of Afghanistan. One implication of this is a growing reliance on knowledge-brokers and translators who can live and work 'beyond the wire' - Afghan research organisations, local informants and foreign academics who have 'gone native' and do not live in fortified compounds. However, the problem with this approach is that while these assemblages of expertise seek to make visible the 'traditional' and the 'informal', they also render the underlying interests and hegemonic power relations invisible.

## The "Rush to the Intimate":<sup>3</sup> the Knowledge Production Assemblage

### Culture as a Weapon

The effort to 'know' Afghanistan has involved writings by journalists, diplomats, academics, 'soldier-scholars', the military and NGOs.<sup>4</sup> This assembly of actors and institutions have argued that, since the US administration lacked proper understanding of Afghanistan and the insurgency, they themselves could play a useful role in the counter-insurgency efforts by supplying knowledge (validated by research) to the US military and other NATO forces. Thomas Barfield, the American anthropologist who is considered one of America's foremost authorities on Afghanistan, has publicly articulated the need for Western governments to consult academics in order to improve the counter-insurgency effort in Afghanistan (Horton 2010). He is a keen advocate of a counter-insurgency strategy that is based 'on a careful study of social relationships prepared by professional anthropologists with direct experience in Afghanistan' (Horton 2010). David Edwards argues that the Human Terrain System (HTS) was designed to 'bring the insights of academic anthropology to the practice of military counter-insurgency' (Edwards 2010, 1). The American military, he argues, has not been able to defeat the Afghan insurgency because it lacked knowledge of the social context in which troops were fighting. The HTS provided the military the kind of cultural knowledge they would need to carry out counter-insurgency operations, and in his view, this somehow justified the use of anthropology in the service of counter-insurgency. These overtures to and by academics have established a curious relationship between academic anthropology and military counter-insurgency (McFate 2005). However, the use of 'culture as a weapons system' has drawn criticism from leading anthropologists objecting to anthropology's instrumental use for military objectives (Gusterson 2007).

3. I borrow this term from Derek Gregory (Gregory 2008).

4. In the context of Afghanistan, NGOs and contractors, including local ones, who present themselves as 'research organisations' able to operate beyond the 'wire' are important contributors to satisfying the thirst for knowledge in and about Afghanistan. They are funded by Western donor agencies and diplomatic missions to conduct 'commissioned research'. They often do not publish their research findings.



## Perspectives on Statehood

A prominent theme that runs through some of the counter-insurgency literature constructs Afghanistan as a stateless, tribal society opposed to the modern state.

A prime example of this trend is David Kilcullen's book *Accidental Guerrilla* (Kilcullen 2009). Kilcullen relies on anthropological concepts to describe a pre-modern, tribal Afghanistan ruled by a triad form of governance - tribe, state and Islam. According to this model, which builds on David Edwards' thesis of '*moral fault lines*' (Edwards 2002), the historic moral logic of opposition between the triad powers is the constitutive element of political authority and this system is kept together and stable by maintaining a 'balanced opposition' between the three competing forces. In this view, conflict and political instability result from attempts by one of the elements to expand power at the expense of the other elements. Kilcullen argues that the West's pursuit of terrorists as part of the 'war on terror' has brought Western military institutions face to face with these pre-modern societies, and by relying on counter-insurgency and cultural knowledge, Western military institutions themselves have, after the initial debacle in Iraq, acquired the cultural sophistication and the military technology to pacify and manage them. Kilcullen argues for a strategy that emphasises local solutions to local problems and working with and through local tribal allies, such as the US military's effort of arming Sunni militias against Al Qaeda in Iraq and using tribal militias, called *arbaki* in Afghanistan. The arming of Sunni militias, the surge of American troops and the new US population-centric counter-insurgency doctrine are credited with ending the Sunni insurgency in Iraq and winning the war. David Edwards, after pointing out that the few examples of 'successful' counter-insurgency '*all come from imperial contexts, including Afghanistan and the tribal borderlands of India under the Pax Britannica*' invokes the authority of classic colonial texts by referring to Mountstuart Elphinstone<sup>5</sup>, Evelyn Howell<sup>6</sup> and Olaf Caroe<sup>7</sup> as examples of popular colonial accounts that '*can be taken as both detailed, closely observed ethnographies of specific tribal groups and as practical primers in the art of dealing with Afghan tribes*' (Edwards 2010, 15-18). Hopkins then makes the key observation that Elphinstone's work produced in the early part of the nineteenth century provided the scholarly template for subsequent colonial scholarship on Afghanistan and did much to validate the tribal and stateless view of Afghanistan and the Pashtun borderlands (B. D. Hopkins 2008).

Seth Jones, the self-styled counter-insurgency expert at the Rand Corporation describes Afghanistan as the 'land of the tribes' where all politics is local and emphasizss the importance of local power to political stability (Jones 2009). According to this view, the United States has not recognised the local nature of Afghan politics: it has wrongly based its intervention on a fatally flawed assumption that the recipe for stability is building a strong centralised government, which is then expected to established law and order in rural areas that are caught up in the grip of a brutal insurgency. Afghanistan, as Jones points out is different from Iraq, which had a highly centralised government.

5. Elphinstone, Mountstuart. 1815. *An Account of the Kingdom of Caubul and Its Dependencies in Persia, Tartary and India*. Longman, Hurst, Rees, Orme, and Brown.
6. Evelyn Howell. 1931. *Mizh: A Monograph on Government's Relations with the Mahsud Tribe*.
7. Caroe, Olaf. 1958. *The Pathans: 550 B.C.-A.D 1957*. London: Macmillan & Co.



In Afghanistan, Jones sees '*power as having come from the bottom up in Pashtun areas of the country*' and considers that attempts by Amanullah Khan (who ruled Afghanistan from 1919-1929) and the central government to '*push into rural areas sparked social and political revolts*', eventually forcing him to abdicate and flee the country. Rural resistance to central authority is apparently still strong and '*masses of rural Afghans today still reject a strong central government actively meddling in their affairs*' (Jones 2009). Recalling the lessons of Amanullah Khan's successors (the Musahiban dynasty 1929-1978), Jones advocates a similarly cautious strategy in southern and eastern Afghanistan to engage the tribes, sub-tribes and other local institutions, including support to village-level defence forces called *arbaki* that were organised under the auspices of tribal institutions to establish order. Frank Ledwidge argues that counter-insurgency essentially operates at the local level and therefore state building at national level will have to give way to local engagement with traditional authorities, even though local solutions often collide with national aspirations: for example, arming local militias is hardly compatible with the modern state's ambition to achieve central monopoly over the legitimate means of violence; and local justice initiatives such as informal justice *shuras* may not comply with '*traditional ideas of judiciary holding the monopoly on final adjudicative authority*' (Ledwidge 2009).

The strategic shift from the initial focus on building central state institutions to then abandoning those ambitions and settling for a 'government in a box' approach at the local level has been prompted by a more practical problem which has confronted the US military in Afghanistan. Since its war against the Islamist insurgents was not going well, the problem, counterinsurgency advocates concluded, was the West's efforts to build a central state. The central government had failed to meet the needs of rural Afghans where it had little influence. Initially, counter-insurgency attempted to extend the influence of the central government to the rural areas and when that failed Western militaries started setting up local governance institutions at the village, district and provincial level and then tried to link them up to the top. It also got involved in promoting local solutions to the problems of development and security. Crucially, the success of US counter-insurgency doctrine is premised on the legitimacy of the host government, meaning the government that is the focus of US counter-insurgency. In Afghanistan, the unpopularity and perceived lack of legitimacy of the Karzai government presented a major problem for the advocates of counter-insurgency. As Barfield has pointed out '*in many regions of Afghanistan, the Karzai government is seen by the local population as part of the problem, not part of the solution*' (Horton 2010). After the apparent US success in Iraq, a change of strategy was needed in Afghanistan in order to save counter-insurgency from failing there.

### **An Idealised Rural Vision**

The idealised vision of rural Afghanistan, supported by reference to anthropology, where culturally distinct communities and isolated valleys enjoy self-rule and economic self-sufficiency (Shahrani 1998) and the claims that '*Afghans have ruled themselves for generations with little central government participation at the local level*' (Horton

2010) - despite the fact that in Barfield's own admission '*Afghanistan has been a single state for more than 250 years*' (Barfield 2011, p.54) - have been used to justify decentralising power to the provinces and districts as a way of overcoming lack of progress in NATO's war efforts. Until the advent of counter-insurgency, these efforts had been predominately in support of building (what turned out to be) a corrupt and predatory central government in Kabul (Hughes 2011; Barfield 2011). Barfield has argued that '*what a fragile state (and a COIN strategy) cannot easily survive is a badly designed government run by an ineffective leader*' (Horton 2010). Therefore, he advised the US government to '*decouple its interests from those of the Karzai regime by empowering the local population and dealing with their community leaders directly*' (Horton 2010).

It is not surprising that after years of claiming to build a centralised state, followed by growing disillusionment with the Karzai government, a war that was increasingly seen as a lost cause and the growth of insurgency in rural areas after 2006 provided the US military and Western governments with the pretext - and indeed the justification - to intensify their efforts to work around the government in Kabul and directly engage with local authorities, including tribal leaders and informal *shuras*. While the call for decentralisation through a constitutional framework has been resisted by the Afghan government, US counter-insurgency has none the less attempted to empower local leaders and strengthen local governance institutions in support of its war effort. This amounted to a *de facto* decentralisation of power.

### **The ALP & the Role of the *Shuras***

A major element of the US counter-insurgency strategy, the Afghan Local Police (ALP), a country-wide local militias programme which aims to arm 30,000 local security forces under the control of the Afghan government, financed by the US military, makes a strong case for the involvement of local *shuras* in nominating and vetting local recruits. The involvement of *shuras* in local security is viewed as the key to safeguarding against attempts to manipulate the programme and avoiding past mistakes with militias that turned on local communities and brought down the government after the departure of Soviet forces from Afghanistan. The *shuras* through which the ALP operates are either existing *shuras*, such as those established by the Afghan government's Independent Directorate of Local Governance (IDLG) through the Afghan Social Outreach Programme (ASOP); or, where there are no existing *shuras*, the local administration with help from US Special Forces (which also trains, pays and arms the ALP units) has established *shuras* in locations agreed for ALP roll out. These new *shuras* are often established in areas where insurgents are active and where insecurity is a major challenge. The displacement of the local population due to conflict and intimidation by insurgents adds to the challenge of creating representative new *shuras*. Since 2006, a number of local security initiatives have tried to use the *shuras* to recruit local militias. However, independent assessments of such initiatives have generally been negative (Human Rights Watch (HRW) 2011), although the US military continues to speak positively of the ALP, especially in terms of improving local security.

## ***Shuras, Jihadis & Local Level Accountability: Strategic Engagement or Muddling Through?***

On-going attempts by the ALP to use *shuras* and establish some sort of accountability to local communities has been found to lag far behind the programme's original intent. Local communities in a number of provinces where research into the programme has been conducted have complained of unrepresentative *shuras*, their capture by local commanders, coercion to participate in them and nominate local recruits, and abusive practices by local ALP units and indeed, criminality.

In Wardak, after years of attempts by the government to improve the programme, the provincial governor recently sent a formal request to President Karzai asking the central government to disband the ALP in the province.<sup>8</sup> In place of ALP militias, which have failed to deal with the insurgency, the governor has requested additional national army and police forces for Wardak to improve local security. Many senior government officials in private made the point that despite their goodwill, the Americans were unlikely to succeed in setting up representative *shuras* or enlist the support of the local communities for the ALP, because tribal leaders and local elders had no influence and were unable to garner local support for such initiatives.

The default option then became to rely on local officials and *jihadi* commanders like Ghulam Mohammad Hotak, who in 2009 when the US military initially failed to get local recruits through the *shuras*, brought 500 of his local fighters into the Afghan Public Protection Programme (AP3), the precursor to the ALP (Lefèvre 2012). A local security official bluntly made the point that the Americans were looking for a few needles in a hay stack.<sup>9</sup> Reflecting their poor understanding of Afghanistan and its human terrain, local officials chided the Americans for their effort to find genuine tribal leaders, when few existed and most of them faced constant intimidations from the insurgents anyway. Some local elders approached by the government and the US military have openly resisted attempts to get co-opted, citing fear of retribution and betrayals by government when they did cooperate with local security schemes in the past.<sup>10</sup> As a result, the government and the US military end up working with entrepreneurial elders and local commanders who lack credibility among their own communities, but are useful interlocutors for the Americans with money. They prove useful in maintaining the façade of tradition and local *shuras* and contribute to the self-styled success of Western projects. A number of senior government officials in Wardak privately admit that working through corrupt local allies has doomed such programmes. However all sides agree that too much was at stake to let these initiatives fail by pointing out the obvious. So the muddling through continues. This brief account of the ALP in Wardak makes it clear that in contemporary Afghanistan, the tribes or traditional leaders do not hold real power at the local level (Dorrnsoro 2012). In their place, a new social class of commanders and insurgents has emerged (Giustozzi 2009) whose control over private militias and rent seeking enables them to profit from the war and aid economy of the 'unending wars' of the twenty first century, '*when waging wars is more important than winning them*' (Keen 2012).

These findings resonate well with some of the critical perspectives coming out of recent scholarship.

8. Interviews with local officials, May and August 2012. Wardak and Kabul.

9. Interview with senior security official, February 2012. Wardak.

10. Interview, former AP3 commander in Maidanshahr, December 2011. Wardak.

## The Pashtun Borderlands

Hopkins has shown that the tribal view of Afghanistan and its Pashtun borderlands and attempts to rule it through tradition has been primarily a creation of the colonial mind-set (Benjamin D. Hopkins 2011). The NATO military campaign against the Taliban-dominated insurgency, which has been dubbed as a 'war against the Pashtuns' (Lieven 2012), where the West has walked into the middle of a 'civil war' and taken sides in the war by supporting the Kabul-based Karzai government and his northern warlord allies against the rural and Pashtun dominated Taliban, is another example of the continuation of the old British colonial theme that the 'real' Afghans are rural conservative Pashtuns and everyone else are just 'minorities' or misguided modernists. Like the Americans today, the British Empire followed the same flawed strategy more than a century ago. Nearly all elements of the current counter-insurgency strategy, from 'clear and hold' tactics to arming 'tribal militias,' have their origins in the activities of British colonial administrators, according to Hopkins and Marsden (2011). As an example of a pioneer of the system of 'indirect rule', Sir Robert Groves Sandeman distinguished himself in his dealings with the tribes of the Afghan frontier. In 1891 he insisted that to control the people of the Afghan frontier, the British had to appeal to their hearts and minds (and pockets). By '*knowing the tribes*', Sir Robert believed he could rule them through their 'traditions' - '*something both more legitimate in the eyes of the tribesmen and cheaper for the colonial state*' (B. Hopkins and Marsden 2011). He recruited local tribesmen into state-sponsored militias to police the frontier on behalf of the British. But, rather than bolstering state authority, reliance on indirect rule led to further fragmentation and discord among the tribes. As a result, the people of the frontier ended up inhabiting a no-man's land where the state exercised little control. Today, this area constitutes Pakistan's Federally Administered Tribal Areas, which has become a safe heaven for local and foreign militants.

The current US counter-insurgency doctrine has been significantly inspired by the history of colonial experiences of Britain and France and the US interventions in Vietnam and Latin America (Khalili 2010). Taking their cue from the 19<sup>th</sup> century policies of British colonial administrators on the frontier, the US and its allies have made extensive use of the 'native traditions' to win local hearts and minds and bolster their authority. Today '*American soldiers sit in tribal jirgas, or assemblies, to win the support of local elders; tribal militias called *arbakai* are recruited to police the populace. But rather than showing the sophistication of the military's cultural knowledge, these efforts merely demonstrate to Afghans the coalition's poor understanding of local cultures*' (B. Hopkins and Marsden 2011). The social transformation brought about by war and displacement means that even in the southeast where apparently tribal structures function better than other areas in the country, the cynical use of these native traditions is unlikely to improve US counter-insurgency.

As succinctly noted by a tribal elder in Paktia, the crucial point of emphasis about the US tribal engagement strategy is that '*30 years of war means that everybody acts independently, not according to tradition*' (B. Hopkins and Marsden 2011).

## Tribe, State & Orientalism

In social sciences, the concept of the tribe, like the state, has been a controversial one. Gonzalez argues that '*few anthropologists today would consider using the term 'tribe' as an analytical category, or even as a concept for practical application*' (Gonzalez 2009, 15). Tapper argues that attempts to establish a stable terminology for the tribes or viewing them as primitive, and indeed the dichotomy of state and tribe are misdirected, while '*tribe and state have created and maintained each other in a single system, though one of inherent instability*' (Tapper 1990, 55-56).

It is possible, then, to conclude that these timeless imageries of native traditions and tribes acting according to an enduring code of conduct are clearly influenced by the concept of orientalism. Gregory argues that '*[i]n its classical form, Orientalism constructs the Orient as a space of the exotic and the bizarre, the monstrous and the pathological - what Said called 'a living tableau of queerness' - and then summons it as a space to be disciplined through the forceful imposition of the order that it is presumed to lack: 'framed by the classroom, the criminal court, the prison, the illustrated manual'*' (Gregory 2008, 17). The orientalism evident in counter-insurgency literature is most poignantly demonstrated by reference to and constant citation of the early twentieth century British colonial officer, T.E. Lawrence (Gregory 2008, 17-18). Lawrence's profound influence upon succeeding generations of counter-insurgents is most clearly found in the works of John Nagl (2005) and David Kilcullen (2009), both influential COIN readings.

Finally, it is important to note that the recent turn to 'tradition' and the elevation of 'local' has been presented by its advocates as a hollowed space and barrier against external intervention and imposition of liberal ideas. As a result, local approaches to justice, governance and security are increasingly presented as means to avoid the imposition of Western values, and hence something more inherently legitimate and essentially emancipatory (Grissom 2010; Richmond 2010). However, when Western intervention in these fields is studied empirically, there is in fact a glaring gap between the claims made about authenticity and non-interference and the actual processes through which 'local' forms of security and justice are promoted, which are essentially intrusive and dominating.<sup>11</sup>

## War and Social Transformation

Afghanistan has undoubtedly changed since the demise of British colonial rule in the sub-continent.

These changes have been most clearly manifest in the last four decades because of the impact of the war in Afghanistan. Migration, foreign aid and NGOs and changes in the political economy of the region, especially the rise of warlords and commanders has changed Afghanistan in significant ways. Because of the war, the men of religion and arms saw their power and prestige increase and '*the mullahs are not short-term figures but are part of strong institutions, madrasas, and political parties, able to mobilize much more resources than any tribes*' (Dorransoro 2012, 42).

11. Personal communication with Torunn Wimpelmann, fellow academic at SOAS, July 2012. London.

## Disintegration & the Rise of New Elites

These changes have occurred along several lines. They include the weakening of tribal power, disintegration of state control and the rise of new social elites as a consequence of war and loss of state control. The traditional political order of the Tribal Areas was defined by indirect rule in Pakistan and to a lesser extent in Afghanistan. The tribes were both autonomous of, and encapsulated by, the state. This pattern has significantly changed in both countries in the last few decades. The once powerful landed gentry, the tribal notables have lost their influence and are no longer powerful locally (Dorrnsoro 2012). In Afghanistan, the politically influential class of Durrani monarchs and landed gentry, the *sardars*, have been replaced by commoners - communists, commanders, mullahs, and the nouveau riche and minorities (Barfield 2010; Edwards 2002). As the war swept the country, the influence of the tribal elite was replaced by an emerging class of neo-*Khans* - commanders and warlords who relied on their militias for power.

The main challenge to state authority is thus no longer from tribal groups, and the traditional model of uprising against the state - the uneasy alliance between the tribes and the mullah (the 'mad mullah', as described by British sources) has disappeared, according to Dorrnsoro (2012, 40). Even before the leftist coup in 1978, the expanding Afghan state had significantly downgraded the power of the tribal leaders and changes in the economy had similarly affected the power and influence of the feudal *khans* (Anderson 1978). After 1978 tribal leaders were killed in large numbers by the communists and Islamists, a trend that has continued under the Taliban. In Helmand and Kandahar, the Taliban have killed hundreds of tribal leaders accused of collaborating with the government and US/NATO forces. In the midst of this, President Karzai and the US military continue to talk about the tribes.<sup>12</sup> The US military, heavily influenced by the colonial rendering of Afghanistan, continues to insist on the validity of the tribes and tribal elders when in reality 'there are no khans anymore' and the old institutional framework of tribal Pashtuns has been severely weakened as *mullahs* and commanders have taken their place (Dorrnsoro 2012). Islam although remaining important to most Afghans, has lost its appeal as a state ideology after the excesses of the Taliban regime before 2001.

## Instrumentalism & Tribal Engagement

The US military's strategy of 'tribal engagement' serves as a useful distraction to shift attention away from its own involvement with, and support to, militia commanders and warlords.

On the one hand, the US military spends hundreds of billions of dollars on its military effort in Afghanistan, large proceeds from which empower militia commanders, and on the other hand, it clings to an old and outdated colonial repertoire of tribes and Pashtun society. The strategy of tribal engagement pursued by the US military could leave in its wake a potentially problematic legacy for Afghanistan. The instrumental use of tribes by NATO against the Taliban, ostensibly to strengthen the authority of the central government, could possibly reinforce regional autonomy and indirect rule similar to the dynamics in the Kurdish areas

12. Interview with former minister, June 2012, Kabul.



of Turkey. Klein argues that the Ottoman state's attempts to integrate the frontier areas by bribing tribal leaders and arming local militias, in order to address internal and external threats, ended up reinforcing the power of state-appointed tribal leaders leading to greater regionalism and social fragmentation, ultimately downgrading the power of the state (Klein 2011).<sup>13</sup> This contradictory state effect is clearly observable in the strategies of most Afghan rulers, testifying to the fact that state policies were instrumental in the survival and political relevance of the tribes (Dorrnsoro 2012). For example, in the eastern parts of Afghanistan *'the tribes [were] more protected from the penetration of state administration, but functioned in practices as a means to relay state action. Paradoxically, the more institutionalized the tribes (as in the east), the more local and enmeshed they are in state structures far from being exterior to state structures, the tribes were a relay and part of the political system. This is why the tribes were not an alternative to the state, as demonstrated after 1979 in the countryside, where the commanders, and not the tribes, became the basic political structures'* (Dorrnsoro 2012, 41).

The Taliban have essentially tried to undermine the power of the tribes by marginalising tribal elders in order to supersede the tribal system and create solidarity across tribal groups, as a form of trans-tribal solidarity network in order to mobilise recruits for the insurgency. The rise of the Taliban is a direct result of the political marginalisation of the tribes. They are ideologically opposed to tribal politics. As a consequence, the tribal system is generally weak in most parts of Afghanistan. Indeed, in one sense, the Taliban's attempts against the tribes can be read as an attempt to 'de-tribalise' Afghanistan, essentially a modernising project, while the NATO policy of working with the tribes is essentially an attempt to 're-tribalise' Afghanistan, potentially a regressive development.

## Local Power Dynamics in Nangarhar

### Overview

Nangarhar with a population of 1.4 million, mostly Pashtun, is considered the political, economic and cultural capital of eastern Afghanistan, where the US military also maintains a Special Operations Forces base at Jalalabad airport. Its economy is closely integrated with the transit trade passing through the Torkham border crossing. The province serves as a key conduit for the movement of ideas, capital, commodities and people. The International Security Assistance Force (ISAF) maintains its Regional Command-East in Nangarhar. The presence of international military forces and the associated war-and-aid economy has significantly shaped the local political and economic scene.

The scale of this war-and-aid economy was modest in the early period, but has grown significantly over the years. Between 2002-08, the US had invested \$221.6 million in Nangarhar (Mukhopadhyay 2012). In 2009, the aid volume reached \$150 million largely in response to Governor Shirzai's successful ban on poppy cultivation in 2007-08. US military contracts for goods and services bring further dividends to the local economy. The US military relied on CERP (Commanders Emergency

13. For a similar effect on the Afghan-Indian frontier in the nineteenth century, see (Marten 2009).



Response Programme) funds to support its counter-insurgency strategy. In 2010-11, the amount of CERP funds allocated to Nangarhar was \$82 million (PI 2010). Apart from the war-and-aid economy, the mainstay of the local economy is trade in imported goods, which has flourished since the fall of the Taliban regime. Security along the Kabul-Jalalabad-Torkham road and demands for exports to feed the local construction boom and supply the national market have encouraged modest economic growth. Poppy cultivation and the smuggling of drugs are also a significant feature of the economy in the border districts like Khogyani. Cultivation of poppy remained significant until Governor Shirzai's ban in 2007-08.

### The Rise & Fall of Commanders: the New Power Brokers

After the fall of the leftist government in 1992, Nangarhar was ruled by a relatively stable coalition known as the *Jalalabad Jihadi Shura* until the Taliban captured the province in 1996. The *Shura*, headed by Haji Qader, was made up of half a dozen different *mujahideen* factions and the commanders that nominally represented them. When the US military decided to invade Afghanistan and topple the Taliban regime, it looked for local allies for support. In eastern Afghanistan it found willing allies in *mujahideen* commanders such as Abdul Haq<sup>14</sup> and Haji Qader<sup>15</sup>, belonging to the influential Arsala family and Hazrat Ali and Haji Zaman. After being discredited in the civil war that followed the departure of the Soviet troops, the US military intervention made it possible for these commanders to rise to power and become the main beneficiaries of the post-Taliban order. The three winning factions initially agreed to form a 'coalition government' and shared power.<sup>16</sup> However, the political settlement remained unstable. A separate political alliance emerged between Haji Qader and the Pashai leader Hazrat Ali to weaken Haji Zaman, eventually forcing him to relinquish power.

A prominent example of the rise of new power brokers at the sub-national level is Hazrat Ali, the Pashai *jihadi* commander from Nangarhar. Before the war he made a modest living as a local shepherd and a small time labourer in his native community in northern Nangarhar. Today, he is a powerful commander and head of his Pashai tribe. He rose to power during the *jihad* against the Soviets and occupied important positions in the local administration before the Taliban came to power. In 2001 he allied himself with the invading US forces to hunt down Taliban and Al Qaeda members in the Tora Bora mountains. The Karzai government made him the chief of police in Nangarhar. He maintains active links to his armed followers and is currently a Member of Parliament. He is considered an important power broker in Nangarhar's political scene with strong links to powerful men in Kabul. It is men like Hazrat Ali who bridge the link between provincial and central political spaces. The transformation is indeed quite remarkable: a local shepherd becoming the lord of his tribe and the political master of one of the largest and wealthiest borderlands in Afghanistan.

After the death of Haji Qader, power within the influential Arsala family has shifted to younger members. A semi-aristocratic family, the Arsala clan has a long history of involvement in Afghan politics. In 2001, Haji Zahir, a second-generation commander-turned-politician and the politi-

14. In late October 2001, Abdul Haq was captured and killed by the Taliban as he tried to mobilise the eastern Pashtuns in support of the US military campaign.

15. Haji Qader became the governor of Nangarhar after the fall of the communist regime. He was forced to flee the country when the Taliban's captured Jalalabad in 1996. Qader returned in 1999 to support the Northern Alliance against the Taliban. He was assassinated in Kabul in July 2002.

16. The Governor's post was occupied by Haji Qader. Hazrat Ali became head of Army Corps. Haji Zaman became Chief of Police.

cal heir of Haji Qader, joined the US forces in the Tora Bora campaign to capture fleeing Taliban and Al Qaeda fighters. Until 2006, he was the head of the Afghan Border Police in Nangarhar. When Gul Agha Shirzai was appointed governor of Nangarhar in 2005, disputes with Haji Zahir over rents from business activities, including the drugs trade, resulted in the latter's transfer to Takhar Province.

In 2007, a US trained team of Afghan counternarcotics officers arrested five members of the Afghan Border Police in Takhar on charges of smuggling drugs (Stockman 2009). One of the arrested men was a nephew of Haji Din Mohammad, the former Governor of Kabul and a cousin of Haji Zahir, the Chief of the Border Police in Takhar. The five men, including Din Mohammad's nephew were sentenced to prison terms of between sixteen and eighteen years. In the lead-up to the 2009 presidential elections, the five men were pardoned (Stockman 2009). At the time Haji Din Mohammad was President Karzai's re-election campaign manager and is believed to have facilitated their release. Haji Zahir is accused of having arranged the payment of large sums of money to provincial and national authorities to facilitate the movements of drugs and the release of traffickers. A recent letter from the Attorney General's Office accused Haji Zahir of involvement in the drugs trade.<sup>17</sup> During the re-election of President Karzai, Haji Zahir served as his election campaign manager in Nangarhar. In preparation for the 2010 Parliamentary elections, he started a political party, *Peace Caravan*, and went on to contest the 2010 parliamentary elections, which he won and entered the national Parliament.

### **Shifting Allegiances: the Roles of the Power Brokers & Their Families**

Haji Zahir was involved in heated debates and power struggles in Parliament after the 2010 elections. In a shift of allegiance, he sided with the opposition in Parliament, which was constituted to defy President Karzai's attempts to change the election results in order to accommodate his loyalists who had lost. For months, Karzai was mired in a protracted conflict and negotiations with Parliamentarians, members of the political opposition and the Independent Electoral Commission (IEC). The President established a Special Electoral Tribunal under the authority of the Supreme Court, which after a hurried investigation ruled out in favour of President Karzai and his camp by nullifying the electoral results of sixty-two MPs. In response to opposition from his rivals, the President ordered the removal of only a handful of MPs. Haji Zahir played a leading role in these power struggles. It was around this time that the Attorney General's Office issued a public subpoena asking him to appear before prosecutors on charges of involvement in the drugs trade dating back to his time as Chief of Police of Takhar (Stockman 2009; Samimi 2011). The case against him fizzled out once the parliamentary crises got resolved. In early 2012, he was elected as a Deputy Speaker of Parliament. Other prominent members of the family who are influential at the provincial level include Haji Jamal Khan and Haji Nasrat.<sup>18</sup> Jamal Khan is the younger brother of Haji Zahir and until recently was head of Nangarhar's Provincial Council. He was removed after an armed clash with a business ally of Governor Shirzai. Hazrat Ali reportedly played a key role in mediating the conflict. He has also formed an alliance with Haji Zahir against Shirzai.

<sup>17</sup>. The letter from the Attorney General's Office quoted by a local newswire mentioned a figure of \$100,000 for a single drugs smuggling operation carried out by Haji Zahir's men in Takhar (Samimi 2011).

<sup>18</sup>. Nasrat is the son of Haji Din Mohammad and served one term as head of the Provincial Council.

In 2005 President Karzai appointed Gul Agha Shirzai<sup>19</sup> to replace Haji Din Mohammad as Governor of Nangarhar. The decision to send Shirzai to Nangarhar might have been motivated by his desire to see his own brother, Abdul Wali Karzai, emerge as the lynchpin of his authority in the south. Karzai may have wanted to weaken Shirzai and his resources by preoccupying him with the challenge of asserting himself and consolidating his power in a difficult political environment like Nangarhar. The appointment created considerable political tensions as the Arsala family was reluctant to concede power. His arrival prompted the renegotiation of the political settlement among the local elites. President Karzai needed a ruthless and effective leader to end local squabbles and bring order and stability to the province. In need of local allies, Shirzai reached out to Hazrat Ali in order to downgrade the power of the Arsala family. The alliance with Hazrat Ali was the opening act as the Governor tried to reconfigure the province's power relations and consolidate his position. He began to co-opt former *mujahideen* commanders, tribal leaders and powerful businessmen. In a sense he was both expanding and reconfiguring the elite settlement. The political settlement under Shirzai represented a number of different arrangements, from a 'grand bargain' with President Karzai to 'mini bargains' with local elites and 'rental agreements' with the US military and international civilian aid agencies. While some rivals were excluded from the new settlement, new allies were brought in. To succeed in his schemes, Shirzai had to rely on a mixed cocktail of coercion (or the threat of it), resource extraction (capital and arms) and political prestige (legitimacy) mostly through redistributive policies to productive elites. The political settlement weaved together by Governor Shirzai involved bargaining between the ruler and his politically and economically active rivals over coercion, capital and the legitimacy that official power bestows upon a ruler (Tilly 1992).

### The Power Nexus: Control & Capital

The maintenance of power requires control and access to capital.

Shirzai employed a hybrid strategy of resource extraction, relying on both domestic and international sources. The hundreds of millions of dollars in foreign economic aid and military spending, custom revenue,<sup>20</sup> private donations and rents from the illegal sale of electricity and government-owned lands spawned a construction boom in the province as new roads, schools, clinics, offices and housing estates were built. Shirzai first started to collect private donations from traders under the 'Governor's Reconstruction Fund' and when President Karzai declared it illegal, he simply diverted the money to his private foundation, the *Shirzai Foundation*. The governor has confirmed the collection of private donations, but insists the money is being used for reconstruction projects. The Foundation is essentially used as an instrument of patrimonial rule. It is estimated that he collects about \$35 million annually in private denotations.<sup>21</sup>

The development boom quickly solidified Governor's Shirzai reputation as the 'neo-Khan' of Nangarhar. To improve his image as a reformed governor, Shirzai announced and enforced a ban on poppy cultivation. The decline in poppy cultivation increased his stature with the US government, ISAF and aid agencies. His counter-narcotics gains were amply rewarded: as aid and contracts increased, so did the Governor's cash flow and patronage

19. Before he took up the post of Governor in Nangarhar, Gul Agha Shirzai was Governor of Kandahar, his traditional power base. Like the commanders in Nangarhar, he was brought to power with the help of US military.

20. In 2008/09, the amount of customs duty generated in Nangarhar was about \$66 million. Total government revenue sent to the central Government that year amounted to \$101 million (Goodhand and Mansfield 2010, 12).

21. This estimate of Governor Shirzai's private fortune obtained from taxing commercial transport along the Jalalabad-Torkham road and donations from local businessmen is from (Mukhopadhyay 2012). The Governor regularly pockets rents obtained from municipal services, the illegal sale of electricity and the Government owned olive factory at Hadda.

base. Despite his official position, he operated openly in the local market competing with other companies and contractors for projects awarded by the US Provincial Reconstruction Team (PRT) in Nangarhar. Shirzai reportedly owns construction, logistics and private security companies and has publicly defended his decision to steer lucrative contracts in the direction of his own companies, claiming they are more effective and offer better services and value (Jawad 2011). Influential business leaders like Haji Farooq, Gul Murad and Najib Zarab are important political allies of the Governor. Shirzai reportedly owns shares in each of their businesses. This peculiar brand of patronage politics has been instrumental in his efforts to forge strategic alliances and weave 'elite pacts', by awarding some power brokers as political and business allies and downgrading the power of rivals by excluding them from access to lucrative contracts and denying them appointments in the province's local administration.

### **Decline But Not - Yet - a Fall?**

In the last year or so, Shirzai's main political rivals have agitated to oust him from power.

In February 2011, members of the Provincial Council and parliamentarians from Nangarhar took their growing differences with Governor Shirzai, mostly over the control and distribution of power and local resources into the open by publicly demanding his resignation (Jawad 2011). A few days before he was asked to resign, the Taliban had launched a large-scale suicide and small arms attack on a branch of the Kabul Bank in central Jalalabad. Live footage of the attack obtained from the bank's CCTV was broadcasted a few days later to a nationwide audience by a private TV channel. The incident sent shock waves through the local community and in the capital Kabul. Because of its scale, killing more than forty and injuring seventy, the incident became a huge political embarrassment for Governor Shirzai. Although agitations by his political adversaries have increased, including on charges of illegal taxation, corruption and misuse of public funds, the Governor continues to have the backing of the US government.<sup>22</sup>

Shirzai's supporters believe that the charges of corruption and lack of security are pretexts used by his rivals to unseat him from power. There are, however, few signs that Shirzai is likely to be replaced anytime soon. He continues to enjoy the backing of President Karzai, despite the souring of relations in 2009 when Shirzai decided to enter the presidential race. With his American patrons on the way out, Shirzai might eventually decide to leave for Kandahar, his traditional stronghold, accept a position in Kabul or run in next year's presidential election.

### **Armed Politics & Local Power Dynamics**

The most prominent category of new elites and a relatively constant feature of the local political scene are the militia commanders.

As a border province, Nangarhar's politics and economics are also tied with and affect cross-border and regional regimes of political control (Goodhand 2009). In situations where no clear winners emerge from

<sup>22</sup>. A Member of Parliament claims that the Americans told him not to interfere with the Governor's affairs and give up attempts to unseat him from power (Jawad 2011).

war, rulers with control over the means of violence, like the present-day commanders in Afghanistan, eventually agree to stop fighting. They turn to negotiation and bargaining in order to forge a political settlement or peace accord. These political coalitions are regimes of 'elite power' and their function is to limit access to power and resources in favour of the ruling class, and in doing so create incentives for its members to avoid fighting, cooperate in ensuring stability and share the rents accrued from manipulating the economic system. The transition from 'limited access orders' to 'open access orders' is marked by institutional development, the autonomy of markets from political interference and economic growth (North, Wallis, and Weingast 2009).

The current power brokers in Nangarhar were elevated to power during the US campaign to capture Osama Bin Laden in late 2001. The political settlement that emerged in Nangarhar in late 2002 became the basis for the 'joint systems of extraction' and control over local resources that in turn sustain the different types of political settlements agreed among the elites. As it happens, these kinds of political settlements are constantly renegotiated at the periphery among local elites and as a result could have a critical influence on political arrangements and stability at the national level. Continued rivalries among allies, the change in power relations between members of the political coalition and the entry of new actors into the provincial scene have necessitated the renegotiation of old arrangements and their replacement by new pacts.

The most noteworthy change prompting the renegotiation of the original political settlement in Nangarhar relates to two highly critical events: one was the killing of Haji Qader in July 2002 and the instalment of his brother Haji Din Mohammad as Governor of Nangarhar. The second factor that changed political bargaining and institutional arrangements was the appointment in 2005 of Gul Agha Shirzai as Governor of Nangarhar. Recent agitations by Governor Shirzai's rivals to oust him from power may yet again prompt local elites to reconfigure a new political coalition and renegotiate a new 'elite pact'.

### **Sources of Authority & Power**

Local power brokers derive their power and authority from many sources. They include family wealth and prestige, control over armed militias as former *jihadi* commander or warlord, involvement in or rents from the drugs trade, access to local resources such as government posts and customs revenue, links to lucrative ISAF contracts, including private security and reconstruction funds and armed competition in the private sector through ownership of construction and logistic companies.

These resources can be the source of stability, when joint extractive regimes can be cobbled together or conversely become a source of insecurity when competition over dwindling resources increases and breaks out in armed struggles or acts of political sabotage.

The multiple and overlapping relationships between power brokers in the region is a manifestation of the nature of patrimonial politics at the periphery. The web of relationships criss-crosses provincial lines, regional nodes and reaches out to the centre in Kabul. At the local level they link

up with representatives of the state, foreign military forces, local militia and insurgent commanders. Political bargains among local power brokers allow them to access vital resources and insecure areas, control and distribute these resources, maintain political alliances, including with the centre, and fend off challenges to power.<sup>23</sup>

Nangarhar's unstable power structure and relations among the elites has the potential to open possibilities for intervention from regional powers seeking to influence developments in the region. The anticipated reduction in Western aid, being central to the local elite settlement, would force local power brokers to find alternative means of patronage. The current level of aid to the province is considered too high to sustain in the long term. Some level of instability, if temporary, is anticipated as local power brokers intensify their struggles for limited resources. This may lead them towards the capture of natural resources like timber and drugs and rents from economic activities like cross-border trade. The demands for resources from the centre would increase as resources from local sources like the PRT decline. This possibility provides the opportunity for renegotiating centre-periphery relations. Membership of a local political coalition and links to powerbrokers in the central government allows access to lucrative government posts and control over provincial revenues. Since access to these resources is modulated through government channels and subject to state sanction, local power brokers are inclined to maintain workable centre-periphery relations. The benefits flow in both direction, provincial power brokers with access to resources routinely contribute to political campaigns of central state elites. Greater amounts of provincial resources are likely to be diverted to private spheres to maintain dominance over rivals and maintain centre-periphery relations, as exemplified by Shirzai's siphoning off of provincial customs revenue to his private foundation, to resource his patronage politics.

### Adjusting to Change

These dynamics then beg the question of how local power brokers are adjusting (or not) to the anticipated changes in the war-and-aid economy and what impact is this having on the nature of local power dynamics?

There are indications that changes in the political economy of the province, notably the withdrawal of foreign forces and the reduction of aid, may have already contributed to the renegotiation of political settlements at the periphery. Sensing Shirzai's vulnerability, the province's other strongman, Hazrat Ali has reportedly joined Shirzai's rival, the Arsala family, in order to increase his chances of maintaining power and adjust to possible changes to the local power structure. These developments, in turn, are likely to force the renegotiation of political alliances between Shirzai, his supporters and other rivals to increase his chances of offsetting the threat from the Arsala family. The renegotiation of such deals temporarily results in outburst of violence as evidenced by recent conflict over land between rival Shinwari tribes. The Arsala family and Shirzai supported different sides in the conflict further exacerbating the existing conflict (Foschini 2011).

As the 'transition'<sup>24</sup> evolves further and the effect of changes in Western policy begin to bite, possible scenarios include:

23. Evidence of deals by Government-allied power brokers and state official with insurgents are means of protection and keeping some level of stability at the local level. State sanction, as Government representatives or members of the border police, provides cover for local power brokers to capture and extract illicit resources.
24. Referring to withdrawal of Western forces, transfer of security and political responsibility to the Afghan Government and reduction in aid levels.



- I. A reduction in violence and the consolidation of existing elite bargains at the centre and periphery, with possible inclusion of some insurgents, whereby the current form of oligarchic power continues to function but would require the removal of those power brokers who have militarily opposed the insurgents;
- II. The conflict continues at more or less the same level with insurgents outside the political bargain and limited government control over rural areas and greater control over Kabul and major urban centres;
- III. There is a reasonable expectation of a further fragmentation of central control and greater decentralisation of power, whereby provincial power brokers as a political coalition gain more autonomy and the centre loses its significance in terms of source of patronage and mediator and enforcer of political agreements, as happened in the early 1990s. The reverse is also possible with Kabul becoming more dependent on the processes of extraction and exchange in Nangarhar. Local militias linked to local power brokers might assume a greater role in fighting the insurgency, enforcing discipline, ensuring security and protecting key assets such as border points, customs revenue, trade routes, poppy fields, mines and forests. This would reduce the relevance of the central government and national armed forces. Conflicts would increasingly take a local shape and significance.

### **Political Disintegration & the Insurgency**

If political and possibly armed competition between local power brokers leads to the disintegration of the political coalition, the insurgency is likely to capitalise on it and capture parts of Nangarhar and by association parts of eastern Afghanistan as an alternative-state space of Taliban government. Some progress in negotiations with the Taliban and other insurgents, coupled with maintaining modest levels of international aid and revenue from illicit trade and share of natural resources, could prevent a complete breakdown of the 'oligarchic' power system currently in place at the centre and periphery. Coercive power will play an important role in maintaining order. This highlights the need to strengthen the Afghan armed forces in the lead up to 2014. Local and central political settlements are certainly likely to undergo changes, but the prospect or the likelihood of a civil war remains doubtful in Nangarhar. The combination of resource extraction possibilities from the local economy and the long standing tradition of coalition politics are factors of possible stability as foreign forces leave. It is possible that a low intensity conflict may persist for some time until more durable political settlements are forged, to include some of the present power brokers and elements from the insurgency. The factional fighting, rivalries and competition for power and resources and the elite bargains in many ways explain the larger dynamics of conflict, consolidation and the unravelling of political order. The recurring cycles of revenge seeking and downgrading of the power of rivals to a large extent dominate the current power struggles of the local elites in the province. Afghanistan's recent history and troubles, could in some ways be explained by the rise and fall of local commanders. The transition and post-transition phases also are likely to be determined by similar calculations and actions, and in that sense the political outcomes are somewhat predictable, if unstable.



## Conclusions

The instrumental use of the tribes as a weapons-system against the Taliban by US counter-insurgency has the potential to 're-tribalise' Afghan society and reinforce existing tendencies of regionalism and forms of indirect rule, characterised by partial sovereign territorial and juridical claims and suspended human rights. In turn, Afghan traditions and their timeless properties are elevated as the source of local legitimacy and authority. Conversely, the modern state is rendered a misfit and an historical anomaly that is ill suited to the lands of the tribes as the place of anarchy and disorder. In the end, counter-insurgency reinforces the old dichotomies of the local versus national, the rural versus urban and the modern versus tribal.

The whole Afghan nation is effectively split into two human categories, one urban and the other rural, one modern and the other primitive.

Some people are protected, while others become the focus of imperial violence.

Some are endowed with national rights, while the vast majority of the population is deprived of such claims and entitlements by their designation as the oriental 'other', to be then governed by traditional institutions and authority which are primarily created and in the last instance validated by an imperial power.

The ceremonies organised by Special Forces to 'validate' the members of local *shuras* and ALP units are one vivid example of this kind of imperial validation of traditional authority. In fact many of these local *shuras* and ALP are coerced into formation, organised by, paid for, pushed into action and supervised by Special Forces. As a result, the validating power in zones of occupation is shifted from the sovereign government and ultimately affirmed in the body of an imperial one.

From the start a problematic concept, 'population-centric' counter-insurgency has failed to either quell the insurgency, win Afghan hearts and minds, or protect the people who find themselves caught in an increasingly brutal conflict from which Western forces are desperately trying to extricate themselves. As is already evident in some parts of the country, there is little sign of the conflict resolving itself peacefully. On the contrary, the legacy of Western counter-insurgency may very well consist of self-preservation on the part of US and NATO forces<sup>25</sup> and further militarisation of Afghan society and 'localisation' of the conflict, signified by continued infighting among heavily armed rival militias linked to local power brokers (both NATO-funded and old *jihadi* groups), insurgent groups and government forces supported by US Special Forces and CIA hit squads.

In Nangarhar, the withdrawal of international forces could intensify the power struggles between the local competitors and encourage some actors to increase their influence at the expense of rivals.

The centre is also expected to get more involved in local conflicts and ways to shape new political possibilities as national elites intensify attempts to protect allies and undermine the power of rivals, as is already

25. For example, in Wardak province US forces bribed and armed one insurgent group against another resulting in large scale armed clashes as a way of 'Afghanising' the conflict and protecting US forces from harm.

evident in parts of the North. That could set the main power holders on a new course of rearmament and attempts to forcibly grab power.

Changes in Western strategy might also mean that some of the power holders might relocate to their original power bases, in the case of Gul Agha Shirzai to Kandahar, while others who have openly opposed the insurgents might extricate themselves and go into exile. Others, like northern warlord Atta Mohammad Noor will intensify his efforts to rearm his former commanders and allies to increase his power. There is evidence of Atta distributing weapons to his allies in Mazar-i-Sharif, Baghlan and Kunduz in order to meet the threat of the insurgency, as well as in preparation for a possible 'civil war'. The lack of monopoly on coercion, by either the state or some regional 'warlord', and the high degree of accumulation and low levels of concentration of such means throughout the country presents significant challenges to stability and the prospects for peace. The violent ways and pursuit of 'armed politics'<sup>26</sup> of the country's power holders, both national actors and those at the periphery, together with the unresolved nature of long standing rivalries and competition for power, are likely to intensify external intervention and support for proxy forces to meet the demands of regional geo-politics as well as local 'civil wars'. Foremost, it is the fragmented nature of the polity and the on-going conflicts among violent elites as well as with insurgents that is the main source of external interference. Local conflicts have the ability to grow big and invite the interest and material resources of regional and distant powers.

### **A Regional Economy of Conflict**

Many of today's conflict entrepreneurs are tied to a global and regional economy of conflict: through connection to US and NATO forces as warlords, commanders and governors; and/or as insurgents to neighbouring powers like Pakistan, Iran and Saudi Arabia. Connections to former patrons of the anti-Soviet *jihad* have either been maintained or recently revived. New connections to US/NATO forces serve as a means of keeping *jihadi* commanders and local power brokers properly resourced.

Countries with ties to the insurgency - Pakistan for example - will see its influence increase as the Taliban push for the capture of more territory from the Afghan government following the withdrawal of Western forces. In some places, as in Kunar, forward operating bases abandoned by the US military have already been 'liberated' by insurgents and transnational *jihadis* (Atal and Khoshnood 2011). As local competition for power and resources increases, the influence of regional actors would increase as possible sources of financial, military and political patronage. Conversely, their influence is likely to be circumscribed by the agendas of local power brokers in their quest for power and control of strategic resources. Unless they maintain the system of patronage to local power brokers, Western governments will see a sharp decline in their influence over violent actors. In particular, their ability to insist on reforms will drastically change and weaken. Regional rivalries, for example between India and Pakistan, might intensify. The anti-Taliban alliance represented by the former Northern Alliance also enjoys close ties to India, Russia and Iran and is likely to try to exploit these relationships. As previously mentioned, the regional dimension

26. For discussion of 'armed politics' see (Giustozzi 2011).

of the conflict in the Afghanistan-Pakistan region is closely linked to domestic political struggles in Pakistan and Afghanistan. Unless both countries change their current strategic thinking, there is little hope for an end to the violent politics in the region.

The departure of foreign forces would not only mean the shrinking of key resources and the vulnerability of local coalitions in power, increased competition and power struggles. It would also entail more autonomy and bargaining power for local power brokers in relation to the centre. They are likely to land up in a better position to renegotiate resource allocation and power arrangements in favour of the periphery, further weakening the central government. In the last ten years, the central government was able, to some extent, to renegotiate centre-periphery relations away from a 'war-economy' to a 'peace-economy'.<sup>27</sup> It managed to extract more resources from the periphery and constrain the power and resource extraction processes of local elites. As a consequence of changes in Western strategies, the transformation of the last ten years will undergo significant changes yet again, with the centre on course to lose its national significance and power, and key border provinces becoming more independent from the centre, less willing to share resources extracted in the periphery and more regionally integrated into the political economies of neighbouring countries. Local power brokers are likely to become more dependent on regional powers for finance and military support to fight rivals. All this means that regional powers will be in a better position to influence events in Afghanistan. As resources extracted from international players decrease, local power brokers would be forced to find new ways to generate revenues locally. The burden of resourcing might shift to the centre. The local political economy might transition towards a more 'criminalised economy', with rent-seeking, demands for ransom, and the smuggling of arms and drugs arguably becoming the main features of the post-transition economy in Nangarhar and other borderlands. With the intensification of local power struggles, there is a potential for low intensity conflict, roadblocks and forcible taxation of economic activities. The transformation would then resemble the political economy of the early 1990s.

It is also conceivable that the withdrawal of foreign forces might take the sting out of the insurgency, as they could face problems justifying their *jihad* after the withdrawal of those forces. This could mean the reduction of violence. However, current efforts to negotiate peace with the Taliban have forced some regional actors, for example in parts of the North, to seek assistance from anti-Pakistan and anti-Taliban regional powers in preparation for an expected 'civil war'. There have also been calls for the overthrow of the regime if the Karzai government becomes too 'pro-Taliban' (Filkins 2012).

In the end, the West's chequered legacy from counter-terrorism and counterinsurgency is unlikely to succeed in erasing from public memory earlier Western pledges of building democracy and a modern nation-state in Afghanistan. Moreover, despite attempts by the U.S. military to re-write the history of the last decade, few Afghans are willing to believe the self-serving assertions by senior figures in the US military suggesting that after all is said and done, the United State is leaving Afghanistan to the Afghans in peace and harmony with its own culture and local customs (Rodriguez 2011).

27. The terms 'war' and 'peace' economy are used to illustrate two different phases of political and economic transformations. However, there is no clean cut dichotomy between economic relations during war and peace, often the two phases merge and dissipate into each other, whereby economic practice and violent methods perfected in war would simply get entrenched in the post-war economy (Goodhand 2004).

In reality, after ten years of muddling through the mess of occupation, the United States is leaving behind a violently transformed landscape peppered with local militias and their unending turf wars, and only loosely held together by short term deals with and among competing local allies for whom violence and predation has become an effective means of staying in power.

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