



Subnational Governance in Afghanistan

I. The State of Affairs

Aarya Nijat

II. The Future of District and Village Representation

Kristof Gosztonyi, Basir Feda, and Jan Koehler

July 2016



14 YEARS OF HIGH-QUALITY RESEARCH



Afghanistan Research and Evaluation Unit and
German Federal Ministry of Economic Cooperation and Development
Issues Paper

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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul. AREU's mission is to inform and influence policy and practice by conducting high-quality, policy-relevant research and actively disseminating the results, and by promoting a culture of research and learning. To achieve its mission AREU engages with policy makers, civil society, researchers, and students to promote their use of AREU's research and its library, to strengthen their research capacity, and to create opportunities for analysis, reflection, and debate.

AREU was established in 2002 by the assistance community in Afghanistan and has a Board of Directors comprised of representatives of donor organisations, the United Nations and other multilateral agencies, and non-governmental organisations.

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Foreword

The framework of good governance is strongly anchored in the third Sustainable Development Goal (SDG), namely “Developing the capacity of public and the government at the local level to cooperate in increasing welfare of the people.” Further, it is guided by the SDG’s objectives, one of which is “to develop on effective government within a democratic system, and to implement sustainable development principles through global partnership.” As Afghanistan is one of the 193 countries that are signatories of the United Nations framework to implement actions of the Rio Resolutions and Agenda 21 for real progress toward sustainable development, it is steadfast in its commitment to this initiative. This UN framework is operationalised in Afghanistan through the Governance Forum Afghanistan (“Govern4Afg”) programme.

The Govern4Afg, which is being launched by German and Afghan partners, is very timely, as it provides a platform for policy dialogue on governance topics in our country. Researchers and policymakers provide evidence-based inputs to foster dialogue aiming to strengthen development cooperation in the governance sector. One of the six selected essential topics of the Govern4Afg for 2015-16 is “Subnational Governance in Afghanistan: The State of Affairs and the Future of District and Village Representation.”

This issues paper presents the challenges as well as the opportunities for improving subnational governance in Afghanistan. In addition, this paper presents empirical evidence and conclusions regarding village and district representation in Afghanistan. The Afghan government is committed to improving public service delivery. Yet this is only possible with some form of delegation of authority to the subnational level. Indeed, there is a strong political will, for example, to eventually delegate 40% of the planning and execution authority to the provinces.

The Afghan government ensures that such discussions will not be absent from the forthcoming Subnational Governance Policy (SNGP), and it is hoped that platforms like Govern4Afg continue to provide an inclusive participation of the subnational institutions for such reforms.

Nader Nadery
 Chief Advisor to the President
 Public and Strategic Affairs and
 Ambassador-at-Large for Freedom of Expression
 July 2016

Foreword

Govern4Afg (Governance Forum Afghanistan) as a dialogue platform supports policy reform and implementation in the governance sector of Afghanistan. Good governance, rule of law, accountability and transparency are of paramount importance for the development and stability of Afghanistan. The Afghan people need to regain confidence in state institutions, corruption needs to be fought effectively and reforms need to improve people's daily lives. It is not enough for reforms to be drafted on paper - their implementation needs to take place in the villages and towns of Afghanistan.

The objective of the platform is to foster policy dialogue between Afghan and German 'Drivers of Change' in the field of good governance. Researchers and policy-makers from both countries provide evidence-based input to foster high-level dialogue and consultation in the governance sector. Thus, policy discussions are undergoing a reality check. Ultimately, the platform serves as a vehicle for the implementation of the BMZ Country Strategy for Afghan-German Development Cooperation 2014-2017.

Following upon the successful kick-off workshop in early 2015, six topics (Provincial Planning & Budgeting, Gender Responsive Budgeting, Mineral Governance, Subnational Governance, Civil Society and Civil Service Reform) were selected for in-depth dialogue according to Afghan and German priorities. In the course of 2015, research teams from both countries provided expertise and facilitated discussions between experts and practitioners through several open dialogue panels and other consultation methods, and prepared issue papers with recommendations for policy dialogue.

BMZ is expressing its wish that these issue papers are fostering further discussion in Afghanistan and will enhance donor engagement in the sector.

On this issue paper

This issue paper on subnational Governance in Afghanistan, presented to the public in July 2016, is the outcome of an intense process of desk as well as empirical research and discussions involving different stakeholders. Currently, Afghanistan has a centralised government even though the constitution provides for decentralised governance structures. In a highly fragile and volatile overall environment, key decision-makers nevertheless prefer the term deconcentration from centralised power for improved service delivery to the periphery of the vast country.

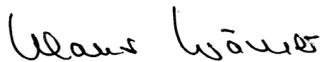
With the present issue paper, the research team contributes to improving the understanding of key governance concepts in the Afghan context. The authors consider subnational governance structures at provincial, district and municipal levels that are either part of or significantly regulated by the state. Thereby, the paper puts a focus particularly on the influential *shura* structure, in which both traditional as well as modern Afghan governance is intertwined, as a key area for potential subnational governance reform.

After a series of Govern4Afg consultations with the government agencies and an open dialogue with representatives of the Afghan government, civil society actors and other stakeholders, the key findings of the Govern4Afg expert-team lead to recommendations towards:

- Building sufficient clarity around functions, roles, processes, and services of subnational governance actors with the current reform of the Subnational Governance Policy;
- Prioritisation, in terms of division of roles in the course of reform, of the institution with the highest potential for effective reform and improved service delivery: the municipalities;
- Strengthening bottom-up accountability through support of provincial councils' right to oversight;
- Maintaining and building the *shura* structure as it leads to better popular perceptions of village-level governance.

This issue paper was informed by and feeds into the work of the Regional Capacity Development Programme (RCD) of the German Cooperation, as the latter has the objective of developing the capacity of the provincial and district administrations in six Northern Afghan provinces. Furthermore, as an affirmative result of the dialogue events and research on SNG, the Independent Directorate of Local Governance (IDLG) invited Govern4Afg's further support to its work on the SNG Policy. This led to the set-up of a SNG Support Facility which enables both a prolonged substantial input of Govern4Afg's expertise into the policy making process as well as an enhanced collaboration between the IDLG and the German Cooperation's RCD programme.

The paper will serve as a basis for further dialogue not only within the Govern4Afg context but also between government institutions of Afghanistan, inside the donor community and academia. A broad dissemination of the issue paper will foster discussions and policy reforms on and between various levels. Govern4Afg will resume discussions in the course of 2016 along with newly identified topics.



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July 2016

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Acronyms

AREU	Afghanistan Research and Evaluation Unit
BMZ	Federal Ministry for Economic Cooperation and Development
CDC	Community Development Council
CLDC	Cluster-Level Development Councils
DC	District Council
DDA	District Development Assembly
DLD	District Line Department
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
IDLG	Independent Directorate of Local Governance
KII	Key Informant Interview
LCA	Latent Class Analysis
MRRD	Ministry of Rural Rehabilitation and Development
NGO	Non-governmental Organisation
NSP	National Solidarity Programme
OLS	Ordinary Least Squares
PC	Provincial Council
PLD	Provincial Line Department
SNGP	Subnational Governance Policy

Glossary

<i>Arbab</i>	Village headman, often a large landowner; usually appointed by representatives of the central government to serve as a liaison between the village and central government
<i>Arbakee</i>	Informal militia
<i>Hashar</i>	Communal work
<i>Khan</i>	A large landowner
<i>Malik</i>	See <i>arbab</i>
<i>Mullah</i>	Local religious authority
<i>Shura</i>	Council; Community Development Council
<i>Wolliswol</i>	District manager; the appointed representative of central government in the district
<i>Wolliswoli</i>	District administration headed by the <i>wolliswol</i>

Preface

Substantiating the long-standing Afghan-German partnership, the Governance Forum Afghanistan (“Govern4Afg”) programme is an intervention in the Afghan governance sector. With an Afghan context-based analytical lens, the intervention pursues the purpose of contributing to strengthening development cooperation in the governance sector by establishing a platform for policy dialogue between key public, private, civil society, and international stakeholders. Afghan and German governance experts and analysts will come together at several high-level policy dialogues during 2015-17 that focus on key themes to produce policy input papers, of which this issues paper on subnational governance is one.

The intervention promotes and facilitates mutual learning and reflection by making diagnostic observations and sharing them. Therefore, at the end of this process, it is hoped that our understanding of key governance concepts in relation to the Afghan context gains clarity and depth, and our ability to observe governance trends, identify challenges, and establish solutions is improved. It is also hoped that this process will create a network of Afghan and German governance professionals who think innovatively and perhaps differently, and by virtue of that difference in opinion, complement each other and contribute to making progress toward the shared purpose of strengthening governance in Afghanistan.

Before proceeding further, let us define the topic of our investigation. In accordance with the Collaborative Research Centre SFB 700 (“Governance in Areas of Limited Statehood”), we define *governance* as institutionalised modes of coordinating social action aiming at the implementation of binding rules and the provision of public goods. This definition implies that the provision of law, order, and security, public goods and services, as well as development, welfare, and so forth are all governance functions. These governance functions are often—but not exclusively—provided by the state. In the Afghan context, other important governance providers include, among others, state-regulated bodies, which are nevertheless not part of the state (e.g., Community Development Councils, District Development Assemblies), informal authorities that are not or are only minimally regulated by the state (e.g., elders, *jirgas*, traditional *shuras*, *maliks*, etc.), international organisations, national and international non-governmental organisations as well as counter-state actors such as the Taliban. The concept of governance is thus considerably broader than the rules and services provided by the state.

In our paper, we deal with subnational governance. Derived from the above definition of governance, the term “subnational governance” thus comprises all forms of governance (i.e., rules, regulations, and services) provided by actors below the national level to the population. The focus of our paper is, however, narrower than the full spectrum of subnational governance. We only focus on the aspects of subnational governance that are part of the state or significantly regulated by state. As part of state-provided governance, we therefore consider the provincial, municipal, and district levels. As non-state, but state-regulated actors, we consider, in particular, the structure of development councils established by the Ministry of Rural Rehabilitation and Development, which comprise Community Development Councils, Cluster-Level Development Councils, and District Development Assemblies. In the following, we will refer to this as the “*shura* structure.” At present, two spheres of governance provision meet and interact with each other at the district level.

Executive Summary

This issues paper on subnational governance is developed as part of the Governance Forum Afghanistan (“Govern4Afg”) programme, an intervention in the Afghan governance sector that aims to promote and facilitate mutual learning and reflection by making and sharing diagnostic observations. The focus of this paper is on the aspects of subnational governance that are part of the state or significantly regulated by state.

This paper has two interconnected, but distinct parts. Part One takes stock of the structural, policy, and legal state of affairs in Afghan subnational governance, underlines the opportunities for improving public service delivery through subnational governance reform, and highlights the challenges, gaps, and areas in need of national deliberation and decision-making. Part Two is dedicated to filling the gap on village and district representation by offering evidence-based conclusions on a potential way forward on the issue. It focuses on the three-tiered structure of development shuras (councils) established under the Ministry of Rural Rehabilitation and Development, consisting of Community Development Councils, Cluster-Level Development Councils, and District Development Assemblies.

Methodology

Part one is based on qualitative key informant semi-structured interviews conducted between September 2015 and May 2016 with 15 former and current senior subnational governance officials, senior subnational governance analysts and experts, and senior advisors to the President. In most cases, the key informants were approached more than once to gather updated information and analysis on the subject. The criteria for the selection of key informants were their knowledge and proven experience of the field, as well as their degree of influence on the ongoing policy development processes and thus relevance to the reform process in practice.

For its analysis, Part Two uses quantitative and qualitative survey data gathered in 2014-15 in 25 districts in four northeast provinces (Kunduz, Baghlan, Takhar, and Badakhshan) of Afghanistan. Part Two thus hopes to serve as an orienting resource for policymakers in the Afghan government, which, as announced, plans to hold parliamentary and District Council elections between the summer and fall of 2016.¹

Part I: State of affairs in subnational governance

The scope of the system of subnational governance is significant. While public service delivery takes place through subnational units of administration at the local level, key decisions about these services are made by central government, primarily through a vertical hierarchal relationship model.

Four key institutions constitute the system of subnational governance in Afghanistan. These include the Provincial and District Line Departments of ministries, municipalities, provincial and district governors, and Provincial Councils, with IDLG facilitating the working of governors, elected councils, and municipalities from Kabul. The lead governing policy is the Subnational Governance Policy of 2010, currently under revision by IDLG. The recently approved Provincial Budgeting Policy aims to determine the pace and nature of provincial budgeting. Three key laws (Local Administration Law, Municipalities Law, and Provincial Councils Law) have remained in the legislative cycle for several years.

Subnational governance reform, dating back to 2007, has succeeded in introducing the concept of subnational governance into the intellectual and political discourse of the country. It has also added a sense of urgency to develop some form of gradual and prioritised delegation of authority with the aim to improve public service delivery at the subnational level. During this time, a civil servant cadre with expertise in subnational governance has been formed.

¹ “Afghan Leader Promises Parliamentary Election Next Year,” *Reuters*, 29 December 2015.

Yet contextual and institutional challenges remain. Systemic challenges include corruption, patronage networks, insecurity, and supremacy of politics over technical reform, as well as a lack of clearly defined functions for the centre and provinces and the absence of consensus or demand for effective subnational governance. Institutional challenges relate to the unclear distinction in the responsibilities of public, private, and civil society stakeholders, the lack of clarity on the integral components of the system of subnational governance, poor leadership by provincial and district governors in relation to the lack of sufficient and effective delegation of authority by central line ministries, and the continued delay in the fulfilment of constitutional terms on the election of mayors and District, Village, and Municipal Councils.

The way forward on subnational governance reform in Afghanistan is contingent upon the will and capacity of state institutions to implement what has been said and written in key government documents. Additionally, ensuring the interdependence between the President's strategic vision and practical interventions, identifying key subnational governance stakeholders with clearly defined roles and responsibilities, prioritising municipalities as the institution with the most potential for effective and efficient subnational governance reform, and strengthening bottom-up accountability by supporting Provincial Councils' right to oversight remain critical areas for continued focused reform.

Part II: District and village representation

The need to implement the Constitution regarding the establishment of District Councils has recently changed the status of sub-district governance reform from a low-priority debate to a top policy priority. Numerous solutions are currently being discussed: some are seemingly more in line with the tenets of the Constitution but involving higher risks, while others are probably less in line with the Constitution but involving fewer risks.

Yet constitutionality and risks are not the only considerations that should inform this debate. The capacity associated with the different solutions in terms of fulfilling their long-term function also needs to be considered, notably in terms of delivering development and governance services to the population at the different sub-district levels. In order to contribute to this debate with evidence-based suggestions, we consult quantitative and qualitative survey data from northeast Afghanistan. The focus of this investigation is the extant governance arrangements on the district and sub-district levels, dominated by a three-tier structure of development councils (henceforth, "the *shura* structure") that were established under the Ministry of Rural Rehabilitation and Development (MRRD). At its lowest level, the *shura* structure is composed of elected Community Development Councils (CDCs). A number of CDCs are grouped in Cluster-Level Development Councils (CLDCs), which in turn send representatives to the District Development Assembly (DDA). The three-tier *shura* structure performs both development and local governance functions.

We found that CDCs deliver legitimate and high-quality governance services on the village level. More active CDCs lead to better popular perceptions of village-level governance. However well a CDC functions, it can only improve perceptions of village-level governance. It has *no* impact on the perceived quality and legitimacy of state-provided governance on the district level.

However, we identified three mechanisms that *do* change popular perceptions of government-provided governance, all three of which are linked to the *shura* structure: (1) renewed elections, (2) the disbursement of renewed funds from the National Solidarity Programme, and (3) the integration of CDCs with higher levels of the MRRD-led structure of development councils (i.e., CLDCs and DDAs). These results contradict the frequently held views about the MRRD-led *shura* structure as being mainly donor-driven organisations with little local legitimacy and only concerned with development.

On the contrary, more than seven to eight years after its establishment, the *shura* structure enjoys high local legitimacy and has become the main institution of governance provision on the sub-district level. The impact on governance is felt at both the village and district levels. Most importantly, its activities *do not compete with state-provided governance, but on the contrary, they connect the village to the state and tend to strengthen the perceived quality of state-provided governance.*²

A second key finding relates to the differences in how the *shura* structure functions depending on the security situation and the geographic location of the district. Our findings suggest that the *shura* structure functions best in remote, but relatively secure districts. In this case, it has the strongest positive influence on perceptions of the state.

We derive three key recommendations from these findings for the future of district-level representation and governance. First, it is necessary to *select a sub-district governance scenario that safeguards and strengthens the shura structure as a whole* including its governance functions and maintaining its bottom-up vertical integration. Dismantling or substantially reducing the functions of this structure risks destroying the tentative links that communities have begun to develop with the state. Second, the merits of a context-sensitive approach that adapts subnational institution building to the geographical location and security of districts should be explored. Third, derived from our findings that even the individually conducted and carefully managed CDC elections are accompanied by tensions and disruptions at the village level, the risks of holding elections on the district or village level should be carefully weighed up. In view of the risks, we strongly recommend against simultaneous village and district elections for fear of exacerbating tensions in the country.

2 This statement comes with a caveat. In the “remote” and “partly secure” district subsets, a better functioning *shura* structure is associated with a decline in the satisfaction with state-provided conflict resolution. It is unclear whether this is a mere coincidence or whether there is a causal relationship between a more integrated *shura* structure and lower satisfaction with state-provided conflict.

Part I: State of Affairs in Subnational Governance

Afghanistan counts 34 provinces, almost 400 districts, and thousands of villages. The scope of the system of subnational governance is significant, as it is meant to include all decision-making processes aside from what concerns the capital city of Kabul.

Based on the Constitution, Afghanistan has a unitary form of government. The central government extends its access to provinces, districts, and villages through subnational units of administration, which, in line with Art. 137 of the Constitution on the *delegation of authority*, aim to serve as facilitating platforms for bottom-up people's participation in the decision-making processes of public service delivery at the local level.³

Thus, while public service delivery takes place through subnational units of administration at the local level, key decisions about these services are made by central government.⁴ In other words, the system of subnational governance serves as the machinery through which central government's decisions on public service delivery are operationalised.

A primarily vertical hierarchical relationship model characterises the relationship between central government and subnational units of administration. A consistent pattern of poor public service delivery has led government officials, policymakers, analysts, researchers, civil society entities, and above all, the people of Afghanistan to question these dynamics, thus generating a debate on subnational governance reform. The concept of subnational governance reform revolves around preparing the existing system of subnational governance to undergo a transition. This transition will experiment by adopting a *whole-of-Afghanistan* approach characterised by a reflection that is anchored in the whole-of-government horizontal decision-making dynamics, where the ultimate aim is to create a useful combination of both vertical and horizontal relationship dynamics.

The debate on subnational governance reform focuses on the two key questions in terms of how this whole-of-Afghanistan combination can be created, and how the system of subnational governance can strike a balance between vertical hierarchical dynamics that ensure enforcement and horizontal cooperation that sustains the whole-of-government approach in public service delivery.

This part of the paper presents a descriptive review of the structure of subnational governance system as well as policy and legal frameworks, followed by an analysis of key perspectives on progress to date, and challenges and opportunities in the reform process. A succinct set of recommendations is offered at the end of this part.

³ Art. 137 of the Afghan Constitution states: "The government, while preserving the principle of centralism, shall delegate certain authorities to local administration units for the purpose of expediting and promoting economic, social, and cultural affairs, and increasing the participation of people in the development of the nation."

⁴ Key informant interview (KII), international expert on local governance, Kabul, 24 September 2015.

1. Structure

Four key institutions constitute the system of subnational governance in Afghanistan.⁵ The Independent Directorate of Local Governance (IDLG), the parent executive entity that facilitates the working of governors, elected councils and municipalities, is based in Kabul and serves as a bridge between the centre and subnational levels. Unlike the ministries, IDLG is not directly accountable to the elected parliament, as it owes its existence to a presidential decree (2007).

First, the **Provincial Line Departments (PLDs) and District Line Departments (DLDs) of ministries** comprise one of the most important subnational governance structures. Primarily tasked with public service delivery, ministries make decisions at the centre and deliver services at the subnational level through their PLDs and DLDs, or by engaging national or international non-governmental organisations (NGOs). For services delivered through subnational line departments, ministries are expected to delegate certain responsibilities to those levels and provide them with the necessary financial resources and instructions.

Second, **municipalities** at the provincial and district levels are the second most important collective of subnational governance entities. Their revenue generation capacity is primarily through the municipal services delivered directly in urban areas. Municipalities have the second highest degree of control over their financial resources, although this access to self-generated financial resources lacks a uniform pattern, and the degree and nature of this access differs in each Municipality.

Third, **provincial and district governors** represent the tier of the subnational governance system that is best connected to the centre; they act as representatives of the President at the provincial and district levels. The President appoints the provincial governors, while the appointment of district governors takes place through a system of merit-based recruitments, conducted jointly by IDLG and the Independent Administrative Reforms and Civil Service Commission. The role of governors is to serve the central government by providing leadership at their respective levels.

Fourth and finally, Art. 138-140 of the Constitution require the establishment of **elected councils** at provincial, district, village, and municipal levels, but the current system of subnational governance has only managed to establish, by way of elections, elected councils at the provincial level. While there are no plans in sight for Village Council elections, President Ashraf Ghani recently announced that District Council (DC) elections would be held between the summer and fall of 2016.⁶ This announcement was followed by a press conference held by the Independent Election Commission on 18 January 2016, where the date of 15 October 2016 was given for the parliamentary and DC elections.⁷ Given that elected councils receive their authority through popular vote, their role is to represent the people, enable their participation in decision-making processes, and oversee the affairs of the province, with the aim to provide consultations for improvements to the government regarding provincial and district affairs.

⁵ We refer to the aspects of subnational governance that are part of the state or are significantly regulated by it.

⁶ "Afghan Leader Promises Parliamentary Election Next Year."

⁷ Martin Van Bijlert, "The IEC Announces 2016 Election Date—But What About Election Reform?," *Afghanistan Analysts Network*, 18 January 2016. Soon after this announcement, the Office of the Chief Executive rejected the parliamentary election date, calling it unjustified and unacceptable. For more information, see Mohammad Hassan Khetab, "CEO Office Rejects Election Date," *Pajhwok*, 24 January 2016.

2. Policy and Legal Frameworks

The Subnational Governance Policy (SNGP), developed in 2008-10 after extensive consultations with government ministries and independent directorates as well as civil society organisations and private sector entities, was approved by the President in 2010, with a pre-set date of 2013 for its review and revision. This ambitious policy was an effort to introduce the concept of subnational governance and facilitate a dialogue on it; this initial purpose has been achieved.⁸

Although, from one perspective, the SNGP does not validate any real practical subnational governance reform in the past or current situation,⁹ there are two significant policy initiatives that have the potential to lead to real and meaningful subnational governance reform in the future. These include the revision process of the SNGP and the approved Provincial Budgeting Policy, both of which are briefly discussed below.

2.1 Subnational Governance Policy

As committed in the Realising Self-Reliance agenda of December 2014, IDLG is now in the process of revising the SNGP with the aim to add further clarity, concision, and modesty to achieve the targets. This should make the goals of subnational governance reform practical and thus achievable. The revised SNGP will replace the SNGP that was approved by Cabinet in 2010.¹⁰

The most updated draft of the revised SNGP aims to reinforce the system of subnational governance as stipulated in the Constitution by providing direction on the four aforementioned institutions of subnational governance. SNGP focuses on the performance-based development of the system of subnational governance by introducing greater delegation of authority and responsibility, but only if sufficient resources are available, and if effective, efficient, and more accountable service delivery is demonstrated by PLDs and DLDs. This, as the policy suggests, necessitates a phased approach with regard to the clarification of roles and functions, and a gradual and selective delegation of authority to PLDs and DLDs.¹¹

Elaborating on the role of the provincial governor, the draft policy lists processes such as strategic planning and overall exercise of leadership for defining and overseeing PLD service delivery targets—through feedback received from Provincial Councils (PCs)—in addition to contributing to provincial security, conflict prevention, and administrative supervision of the affairs of the province and associated districts.¹² District governors are to perform similar activities at the level of the district, where their source of bottom-up feedback includes the to-be-established DCs, civil society organisations, Community Development Councils (CDCs), and District Development Assemblies (DDAs). In relation to the municipalities, provincial governors are to exercise a leadership role, which excludes the management of municipal revenues and expenses.

Elected councils, with at least 20% of seats filled by women, are to have clear oversight functions at the provincial and district levels. Municipal advisory boards are to serve as interim Municipal Councils until such time when municipal elections are held. Rural and urban CDCs are to serve as Village Councils and facilitate bottom-up development planning.

According to the draft policy, municipal service delivery is to be improved by empowering municipalities through increased municipal revenues and the initiation of a pilot project for the provision of performance-based grants, which, if effective, could be scaled up to cover all municipalities.¹³ In addition, the policy proposes to develop and implement a mechanism for the merit-based appointment of mayors as a step toward—and while preparations are being made

8 KII, former senior subnational governance official, Kabul, 29 September, 2015.

9 KII, international expert on local governance, Kabul, 24 September 2015.

10 Islamic Republic of Afghanistan, “Sub-National Governance Policy” (Kabul: Independent Directorate of Local Governance, 2010).

11 Islamic Republic of Afghanistan, “Draft Sub-National Governance Policy” (Kabul: Independent Directorate of Local Governance, 2016), 4.

12 Islamic Republic of Afghanistan, “Draft Sub-National Governance Policy,” 5.

13 Islamic Republic of Afghanistan, “Draft Sub-National Governance Policy,” 10.

for—mayoral elections. The policy further regulates and progressively expands municipal capacity-building programmes with a focus on their ability to invest in and make use of opportunities for public-private partnerships. It also allows municipalities to retain self-generated revenues, without remitting them to the Treasury—a measure that will be formalised subject to performance. These proposed actions align well with the President’s commitment to facilitating support for municipalities, a key area of priority for subnational governance reform.¹⁴

To ensure compliance and effective implementation, the draft policy calls for the establishment of a Standing Subcommittee of the Governance Council of Cabinet, which will “promote, monitor, regulate, and oversee policy compliance by government agencies that are affected by the Policy.”¹⁵ IDLG is assigned to provide a Secretariat to this Committee.¹⁶

IDLG is currently planning to send the revised SNGP to the President. Sources close to the President reveal that while he is substantially on board with the content and direction of the revised policy, he is insistent on making it more inclusive, like its predecessor policy, by having it go through extensive consultations with other government agencies as well as civil society organisations. This requirement is also in line with the report provided to the international community as part of the Senior Official Meeting of September 2015.¹⁷ The President is of the belief that the SNGP is a national policy of the Afghan government, and thus in order to smooth its implementation through IDLG’s effective and efficient facilitation, it must be jointly developed and owned by all relevant public and civil society stakeholders, at all levels of national and subnational governance.¹⁸ The President’s view resonates with that of international experts on local governance who considers IDLG to have a policy *leadership* role and not a policy ownership role.¹⁹

2.2 Provincial Budgeting Policy

The Provincial Budgeting Policy approved by the Cabinet on 25 November 2015 is the second most significant policy initiative. Under the leadership of the Ministry of Finance, the policy, as one of the benchmarks of the Afghanistan Reconstruction Trust Fund,²⁰ is to be implemented in the four key line ministries of Education, Public Health, Agriculture, and Rural Development throughout 2016.²¹

The policy states that its focus is the following:

*...to utilize national budget to empower local governance in order to enable communities at the provincial level to play essential role in the development of their respective province. This objective will be achieved through ‘fiscal de-concentration’ by delegating a portion of public financial management authorities to provincial entities. The Government of Afghanistan will simplify and streamline budgeting and procurement procedures, while also maintaining necessary control to effectively manage resources and provide reliable reports to all stakeholders.*²²

14 KII, close associate of the Office of the President, Kabul, 17 December 2015.

15 Islamic Republic of Afghanistan, “Draft Sub-National Governance Policy,” 3.

16 Islamic Republic of Afghanistan, “Draft Sub-National Governance Policy,” 10.

17 Islamic Republic of Afghanistan, “Afghanistan’s Road to Self-Reliance: The First Mile Progress Report” (Kabul: Islamic Republic of Afghanistan, 2015), 4.

18 KII, close associate of the Office of the President, Kabul, 17 December 2015.

19 KII, international expert on local governance, Kabul, 24 September 2015.

20 KII, senior finance civil servant, Kabul, 29 September 2015.

21 KII, senior finance civil servant, Kabul, 6 January 2016.

22 Islamic Republic of Afghanistan, “Provincial Budgeting Policy” (Kabul: Ministry of Finance, 2015), 4.

Furthermore, the policy describes provincial budgeting as a process:

*...through which service delivery and subnational development priorities are incorporated into the national planning and budgeting process. The provincial budgeting includes inputs from subnational institutions into the national budget in addition to central budgetary units. The provincial councils as the representatives of people will be consulted during the budget planning and formulation processes. Actions will be taken accordingly when laws and regulations governing the mandate of provincial councils are modified in a way that affects the provincial councils' role.*²³

Regarding the scope of the policy, the text adds that the policy:

*...applies both to the ordinary and development budgets of the government, and requires the Ministry of Finance to work on creation of 'unconditional funds' for the provincial administration as part of 'on-budget development fund' to provide funding for projects not included in the sectorial plans.*²⁴

Finally, as to the implementation, the policy elaborates that “the Provincial Budgeting Policy will be piloted in different sectors over a three-year period, and if the result were good then will be extended and implemented in the more budgetary units.”²⁵

2.3 Legal frameworks in the pipeline

On the legal front, the Constitution and the Local Administration Law are two of the key legal documents on subnational governance. The Provincial Councils Law, Municipalities Law, and the revised Local Administration Law have been in the legislative cycle since 2008 but are yet to be officially endorsed. IDLG is currently working on preparing amendments to the Local Administration Law, which are to be sent to the parliament through the Ministry of Justice and the Cabinet.²⁶ The Municipal and Provincial Council Laws are at an advanced stage: the Legislative Committee of the Cabinet has finished reviewing the Provincial Councils Law, with the oversight role of PCs firmly included.²⁷ The Municipal Law is currently awaiting the President's approval prior to its presentation at the parliament.

²³ Islamic Republic of Afghanistan, “Provincial Budgeting Policy,” 4.

²⁴ Islamic Republic of Afghanistan, “Provincial Budgeting Policy,” 4.

²⁵ Islamic Republic of Afghanistan, “Provincial Budgeting Policy,” 4.

²⁶ A source close to the leadership of IDLG confirmed the parliament's lack of readiness to reject the law and merely to allow IDLG to introduce further amendments. Parliament has also asked the government to “send its proposed amendments to the Parliament” for consideration.

²⁷ A separate regulation on the oversight role of PCs is being developed by IDLG. KII, senior subnational governance official, Kabul, 20 May 2016.

3. Subnational Governance Reform

Since the new leadership has taken office at IDLG following the inauguration of the National Unity Government, IDLG has made several immediate organisational initiatives aimed at enhancing its facilitating role between central and provincial administrations. In addition to the ongoing process of revising the SNGP, IDLG has initiated monthly video conferences between the provincial governors and the President to establish a direct line of communication between the provinces and the Office of the President. Furthermore, six different provincial governors visit Kabul every month, hold the required meetings with the ministries, National Security Council, and judiciary, and also attend the Cabinet meeting and make a short presentation about the situation in their provinces and the areas where cabinet cooperation is required. To facilitate the communication of the provincial governors with the media and public, IDLG has organised hundreds of press conferences. These changes have also enabled the creation of a feedback mechanism to provincial governors. IDLG is now a key partner in the Citizens Charter National Priority Programme and leads its urban component. IDLG's Tashkeel has been revised so that every provincial governor's office has a gender officer to focus on issues of gender mainstreaming. As an additional measure to support women, all informal settlements in urban areas will be registered, with ownership documents given to both husbands and wives to ensure that women begin to own property.²⁸

Given Afghanistan's current stage of development and the need to reflect on and master the art of transition, a selective group of key informants were asked to share their insights on the progress to date, the existing challenges, and the opportunities for reform. An analysis of the key trends emerging from the KIIs is given below.

3.1 Progress to date

The Afghan government, through its subnational governance institutions, has been successful in introducing the concept of subnational governance into the intellectual and political discourse of the country.²⁹ With an age-old centralised system of governance, this shift in the content and way of thinking has not been easy and it has taken its toll on IDLG, the flag-bearing institution of local governance reform for the past eight years. As a result of primarily IDLG's efforts, there is some degree of further clarity around the role of the provincial governors, and for the first time in its history, Afghanistan's PCs elected in 2009.³⁰

Another mark of progress is the heightened sense of urgency for some form of delegation of authority with the aim to improve public service delivery at the subnational level. Regardless of the degree of consensus regarding the concept of delegation of authority, there is a strong political will reflected in President Ghani's commitment to gradually, but eventually delegate 40% of planning and execution authority to the provinces. There is likewise an ongoing discourse on this topic, which shapes the national ownership of the subnational governance reforms, as and when introduced.

Eight years ago, Afghanistan did not have a civil servant cadre with expertise in subnational governance or even an understanding of the concept of subnational governance. Today, however, and primarily concentrated at institutions like IDLG, the Ministry of Finance, Ministry of Rural Rehabilitation and Development (MRRD), and Ministry of Economy, Afghanistan has a burgeoning group of subnational governance professionals, both within and outside the government, who represent the technical knowledge and know-how of preparing Afghanistan's transition to real local government in the future.

28 KII, senior subnational governance official close to the President, Kabul, 15 December 2015.

29 KII, former senior subnational governance official, Kabul, 29 September 2015.

30 KII, international expert on local governance, Kabul, 24 September 2015.

3.2 Key challenges

Given that the system of subnational governance in Afghanistan is meant to exist within a unitary state through some delegation of functions and finances to the local level, there is a humbling list of challenges that lie ahead.

Contextual and systemic challenges

Implementing the SNGP faces the key systemic challenges of corruption, patronage networks, and supremacy of politics over technical reform, each of which is going to take a very long time to overcome, with the requirement of a strong political will and a set of strong state institutions, particularly with regard to law enforcement and rule of law. As an additional challenge, there is a lack of clarity and consensus surrounding several key issues such as district and village representation, the division of authority between the centre and provinces, and between public and private entities—including civil society organisations—and the novel concept of public-private partnership.³¹

Unlike other countries (constituted as a federal state) where there is a clear understanding of the key functions of central and provincial entities in the form of “lists,” Afghanistan has neither clearly defined lists of functions or lines of decision-making for the centre and provinces nor a concurrent list of functions where, in the case of conflict, the decision of either side may be held supreme.

A major contextual challenge is that Afghanistan does not have a nationally engaged civil society and citizenry, and thus, there has been no consensus or demand for effective subnational governance. As one donor focal point on subnational governance explained, “IDLG leads the subnational governance reform process, but it is like the main kid on the block, with other stakeholders missing.”³² There is thus an absence of effective and active interest groups such as mayors, PC, or governors associations that support IDLG’s attempts to reform subnational governance. This leads to a weak and undermined advocacy element in the subnational governance reform debate. This is partly due to the culture of personal authority in Afghanistan that shapes the larger context of formal centralism in the governance system, and partly because people do not see any value in shaping or being part of such mobilised collective forces, as the system does not reward the volunteer work of associations.³³

In the absence of consensus on subnational governance reform, pushing a reform agenda leads nowhere and instead creates impediments. The need to organise and mobilise a national consensus in order to build a common understanding and momentum for reform is now more necessary than ever.

Subnational governance reform, as much as it is an urgent need, is not, in a most practical sense, a priority for the government or Afghanistan at large. While functioning governance structures contribute to stability and security, Afghanistan is a country at war, which thus makes stability and security its foremost priorities.³⁴ Senior subnational governance officials at the deputy minister level spend a substantial amount of time in meetings at the Ministry of Defence or National Security Council. This situation is not by accident or because of a lack of focus, but it is a reflection of the necessity of the context and must be acknowledged as such. It nonetheless results in reduced attention being given to other equally significant affairs of subnational governance.³⁵

31 While senior government officials have been using the term “public-private partnership” for their efforts aimed at creating synergies between public and private sectors or between public and civil society sectors, there is little to no institutional arrangements in place for such synergies to lead to effective public service delivery, which is further complicated by the lack of an understanding of the concept itself. KII, close associate of the Office of the President, Kabul, 17 December, 2015.

32 KII, donor focal point on subnational governance, Kabul, 20 September, 2015.

33 KII, donor focal point on subnational governance, Kabul, 20 September 2015.

34 KII, senior government official working closely with subnational entities, Kabul, 10 October 2015.

35 KII, senior subnational governance official close to the President, Kabul, 15 December 2015.

Institutional and structural challenges

The system of subnational governance in Afghanistan has two versions: the *on-paper* version as described by key policy documents and the *in-practice* version. Practically speaking, ministries have not yet delegated public service delivery authority to their PLDs, and decisions about key programmes, primarily funded through donors, take place at the centre or through national-level offices. While the Cabinet has approved the Provincial Budgeting Policy, there is a lack of clarity regarding the functions to be delegated to PLDs for which they could plan and allocate their budget. The result of this situation is that PLDs, with the exception of the security and justice sectors, have little to do aside from administrative, operational, and maintenance functions. At any rate, compared to the scale of activities conducted through or decided at the centre, PLDs feel quite paralysed.

The lack of a holistic approach to subnational governance is another major challenge.³⁶ To many, including national and international experts, subnational governance means provincial and district governor offices, municipalities, and PCs. This view is accurate, but not complete. There is indeed more to the system of subnational governance, which includes both state and non-state institutions and actors. To focus on the state side of the narrative, the civil service system and its sector reform are key components of the system of subnational governance and governance at large. In order to remain effective, the civil service system must offer job security, gradual but expected promotion, a stable salary, end of service pension, prestige, and, if one works honestly, an opportunity to serve. Today, however, this is no longer the case. With the stroke of a pen, senior government leadership can appoint or fire senior subnational governance officials. This is in addition to corruption, which makes the civil service a source of money making as opposed to honest service to the people. As a result, the civil service system, as the bureaucracy and foundation of the public administration system, does not function well.³⁷

Among the key challenges existing at a more practical level, we may note the weak provincial governor leadership, which is often compensated by the micromanagement of PLDs or municipalities, along with the weak PC accountability mechanisms. There is also the absence of elected District, Municipal, and Village Councils albeit the Constitution's provisions, while the multitude of sector-associated *shura* structures at the district and village levels lack sufficient legal backing or capacity to carry out both development and governance functions effectively. Indeed, the lack of understanding and appreciation of the existing customary subnational governance mechanisms leads to a strong push to disregard the *old* and to create *new* structures. Finally, the lack of a national consensus on how to strike a meaningful balance between standardised public administration and context-specific developmental approach remains problematic.

Provincial governors in their current capacity do not provide any meaningful leadership to provincial affairs, because, due to the highly centralised system, public service delivery primarily occurs at the centre.³⁸ Given that the provincial governor is not involved in making decisions about service delivery targets, which are primarily set at the centre, the governor lacks the ownership and, to some extent, the leadership role to follow up on those targets or hold PLDs accountable. To compensate for this lack of resources, the governor may focus on micromanaging some PLDs, or use or abuse the authority to sign off small procurement or salary payments. As said, this does not apply to the security and justice sectors, where governors have an increased involvement and degree of influence.

For the aforementioned reasons, PCs are yet to have a meaningful oversight role in provincial affairs. Legislative delays resulting in the old Provincial Council Law still being in place contribute to this shortcoming, as the law specifies the role of PCs as relating to advising, facilitating, and consulting. While the upcoming regulation on the oversight role of PCs may build clarity, its operationalisation will take time.

³⁶ KII, senior subnational governance official close to the President, Kabul, 15 December 2015.

³⁷ KII, former senior government official, Kabul, 16 September 2015.

³⁸ There are nevertheless exceptions to the power balance between the centre and provinces, as in the case of Balkh Province.

Another key challenge relates to the absence of constitutionally mandated elected Village and District Councils and the inability to make use of existing structures. Given the absence of a meaningful delegation of authority to the provinces or lower governance levels, it is difficult to link the planning of CDCs to mainstream public planning and resource allocation, because the budget development process is too centralised. Despite the communication of CDCs' plans to the centre through the districts and provinces, community planning is not yet reflected in central planning and budgeting.

The absence of elected Municipal Councils and mayors and the overall neglect of the municipalities are other key challenges.³⁹ Municipalities have an enormous potential for revenue collection and service delivery, which remains heavily underinvested. This potential is because municipalities represent an opportunity for improved public service delivery and democratic governance. People care about municipal services, which results in their inclination to invest in them or share the costs and thus enhance municipal revenue generation capacity. Moreover, municipal services are visible, which makes the bottom-up accountability and assessment of the services and their quality relatively easy. Municipal capacity-building programmes, primarily funded by donors, have focused on providing office equipment and asset support rather than on building meaningful capacity delivery and revenue generation capacity. Programmes focusing on revenue generation capacity or service delivery quality have been too few in number and limited to only some cities or towns. Thus, a real focus on municipal capacity for service delivery and revenue generation is yet to occur. Additional challenges are posed by the provincial governors' micromanagement of or interference in the affairs of the Municipality—despite being unrelated to the rest of provincial administration—as well as the lack of any fiscal transfers from the state to municipalities, and the neglected status of municipalities in the implementation of the public administration reform process.

The observed inclination of IDLG to regard subnational institutions and officials as their local branches and out-posted staff as opposed to entities with a due right to deliver services further adds to these complications.⁴⁰

Lack of clarity in roles: IDLG versus line ministries

There is also a conflict of interest, or at the very least, a lack of clarity in roles between IDLG and the ministries, leading to competition as opposed to cooperation;⁴¹ attempts to create synergy, such as by working jointly on the framework of District Coordination Councils (IDLG and MRRD), have sadly remained paper-based efforts and are yet to be implemented. Ministries remain upset or offended at the leadership role played by IDLG, while the latter, considering subnational governance as its turf, perceives this to be its valid role. IDLG's status—an independent directorate born out of a presidential decree—and ministries' unwillingness to delegate responsibility to their PLDs add to this complexity. While many believe that IDLG is one of the most important stakeholders with some form of policy *leadership* role as primarily reflected in the act of introducing or proposing a reform agenda, they emphasise how this role is distinct from policy *ownership*, which, in the case of SNGP, belongs to the government of Afghanistan and all of its associated agencies.⁴²

Although the revised SNGP will make an attempt to clarify the roles and functions of subnational governance entities, without broader clarity and division of responsibility at the national level, this effort may not prove practically effective. The lessons learned from the slow-to-no implementation of its predecessor policy offers useful insights into this process.

39 As an interim measure, the General Directorate of Municipal Affairs has established municipal advisory boards with a mandate to function as Municipal Councils.

40 KII, international expert on Afghan local governance, Kabul, 25 October 2015.

41 KII, donor focal point on subnational governance, Kabul, 21 September 2015.

42 KII, international expert on local governance, Kabul, 24 September 2015.

Lack of clarity in roles: Public versus private and civil society sectors

While there have been debates about concepts such as public-private partnership, there is a lack of clarity about which services should be delivered through public entities, which lines of work are should be left to private entities, and where the government could form public-private partnerships. The lack of an accepted understanding and the insufficient degree of flexibility for implementation of these measures lead to a lack of coordination, an overlap of services, or the reduction of the concept of public-private partnership to areas such as the engagement with civil society alone, which many believe is limited to the existing collection of elite urban-based NGOs funded by donors.⁴³

A strong perspective vis-à-vis the role of civil society in subnational governance critiques the existing narrative of civil society as public service providers—understood as a state function—and emphasises their role as entities strengthening bottom-up accountability. The fact that civil society organisations and government agencies both engage in service delivery makes these two sectors partners, but not in a useful way, and this results in weakened or—worst of all—symbolic accountability. In other cases, this co-engagement in public service delivery makes the civil society sector a competitor of the public sector for resources, resulting in a biased sense of purpose with regard to civil society’s role in strengthening bottom-up accountability. The situation is aggravated by the donor role played by the international community⁴⁴ as well as the government’s inability to define its relationship with civil society or effectively regulate its activities. In both situations, while the civil society sector is *engaged* in subnational governance, it is not in an effective way, thus failing to create a meaningful impact in the subnational governance context at large.⁴⁵ Seconding this perspective, another international donor agency representative conceded that “real” civil society organisations are in rural areas, out of reach of key donors. Pumping funds into elite organisations does not contribute to strengthening the role of civil society, but it instead proves harmful.⁴⁶

3.3 Existing opportunities

In spite of the obstacles, including a lack of domestic interest groups pushing for reform among others, we observed an indication, though not all-inclusive, that there is now both the potential and will for subnational governance reform. This opportunity is primarily based on and driven by President Ghani’s clear sense of commitment to this issue and his clear vision for subnational governance reform.

The second source of optimism for subnational governance reform is the modesty of goals as reflected in the revised SNGP, as opposed to the rather ambitious original policy of 2010. IDLG proposes a three-phased reform agenda involving short-, medium-, and long-term initiatives, where each stage is based on and feeds off the earlier stage and thus creates a sense of coherence and connectivity.

The revised SNGP targets four key areas: delegation of authority from ministries to PLDs, strengthening the leadership role of provincial governors, increasing the accountability role of PCs, and facilitating the revenue generation of municipalities for improved municipal services. As an international expert on local governance in Afghanistan said, urbanisation is a strong trend and one with no likelihood of reversal. People are moving from rural to urban areas,⁴⁷ thus necessitating initiatives like the Urban Component of the Citizen’s Charter, which is committed to facilitating the support of municipalities, particularly the election of mayors as accountable senior officials at the provincial and district levels.⁴⁸

43 KII, international expert on local governance, Kabul, 24 September 2015.

44 In particular, we refer to donors’ tendency to promote top-down accountability among supported NGOs, while often ignoring bottom-up accountability or accountability and transparency, within reasonable limits, toward the state.

45 KII, donor focal point on subnational governance, Kabul, 21 September 2015.

46 KII, donor focal point on subnational governance, Kabul, 19 September 2015.

47 KII, international expert on Afghan local governance, Kabul, 25 October 2015.

48 The President is committed to holding mayoral elections, though through a different methodology, which includes creating a review committee comprised of PC representatives and the provincial governor to assess proposals submitted as a result of an open call for proposals. A short list of the five best candidates will then be submitted for the President’s final assessment. The President believes that through this local process, mayors will have accountability to the province and would improve urban governance. KII, close associate of the Office of the President, Kabul, 17 December 2015.

Above all, the vision of the revised SNGP embodies a mature understanding that Afghanistan's subnational governance reform must occur with commitment, but in a paced way, in order to allow for a gradual synergy between the reforms and the existing functioning system. There are reasons to be optimistic that the current push will indeed result in changes on the ground. Afghanistan's central government is committed to strengthening subnational governance, and this strong political will will be necessary for helping Afghan governance to transition from paper to practice.

Another sign of hope is the improved understanding of the concept of local representation, observed through the people's expressed support for the oversight role of PCs during the debate of the Provincial Council Law. While there is ongoing and often negative competition with a lack of co-existence between formal and informal governance mechanisms at the subnational level,⁴⁹ at the local level people continue to place their faith and trust in the informal governance mechanisms such as *maliks*, mirabs, and elder councils, and, in some cases, in the three-tiered "*shura structure*" comprising of CDCs, Cluster-Level Development Councils (CLDCs), and DDAs. A popular narrative argues that while Afghanistan works on making its modern institutions of governance credible, the country should also support existing informal governance mechanisms as the only credible means of strengthening bottom-up accountability and people's participation in local governance.⁵⁰

Given the President's commitment to implementing the Constitution, his promise of holding DC elections between the summer and fall of 2016, as well as the revised SNGP's modest objectives informed by a clear sense of resource limitation, the need for a national deliberation on the issue of district and village representation is now more pressing than ever. Opting for full-fledged DC elections faces serious resource limitation as well as the risk of destabilising districts. The adoption of the concept of a District Coordination Council jointly developed by IDLG and MRRD will fall short of fulfilling the constitutional requirement of DC elections. The most resource-efficient and practical option is to hold CDC-based DC elections wherein CDCs send elected representatives to DCs. This option not only fulfils the constitutional requirements and the President's commitment to implementing the Constitution, but it also makes use of existing structures (at the village level) that have absorbed hefty sums of international aid money in the past 13 years and have become an asset.⁵¹

49 KII, donor focal point on subnational governance, Kabul, 20 September 2015.

50 KII, senior government official working closely with subnational entities, Kabul, 10 October 2015.

51 KII, close associate of the Office of the President, Kabul, 17 December 2015.

4. Recommendations

The way forward on subnational governance reform in Afghanistan is contingent upon the will and capacity of state institutions to implement what has been said and written in key government documents, most particularly the Afghan Constitution. The deficiency in Afghan governance at large and the Afghan subnational governance in particular is not characterised by a lack of understanding, an inability to attract resources, or incompetence regarding the articulation of challenges and opportunities. What remains challenging is the tendency to consider every level of governance beyond Kabul as a priority and the impractical assumption that every aspect of local governance can and should significantly improve simultaneously and in a short period of time. The capacity to prioritise and the will to emphasise gradual, practical, sustainable, and inclusive subnational governance reform through the effective and efficient utilisation of existing assets and opportunities are critical as Afghanistan moves ahead in the decade of “Realising Self-Reliance.”

The governance context in Afghanistan faces innumerable challenges, many of which are beyond the capacity of the Afghan government, private sector, and civil society organisations to significantly alter. These include the security crisis linked to the global threat of terrorism, poppy cultivation that feeds the global narcotics industry, and patronage networks and corruption with strong linkages to regional powers. These challenges require regional and global alliances to be built and necessitate both internal and external commitment and resolve. There are, however, areas where stakeholders in Afghanistan can play a central role.

4.1 Ensure the interdependence between strategic vision and practical interventions

As the draft SNGP articulates, governance stakeholders must simultaneously consider and work on short-, medium- and long-term interventions. As Afghanistan moves through this reform process, having anchors and constantly reconnecting with them would be a significant exercise. At the moment, President Ashraf Ghani’s commitment to implementing the Afghan Constitution is one such strong anchor. However, holding onto this anchor must not translate into one-sided dependence on the President. Instead, it must generate and sustain an interdependent relationship between his vision and the practical means, methods, and conditions of realising that very vision through practical, useful, and inclusive short-, medium- and long-term interventions that have been tested and modified based on the ground realities of Afghanistan.

4.2 Identify key subnational governance stakeholders and clarify their roles

Contrary to the dominant perception, ministries with their provincial and district offices play a central role in subnational governance and public service delivery. As a result, the implementation of the subnational governance reform depends upon ministries’ will and capacity to delegate functions and financial authority to their provincial and district line departments. For the provincial and district governors to exercise *leadership*, and for PCs to exercise *oversight*, the ministerial delegation of functions and finances is vital. Consequently, the institutions on which subnational governance reform must focus are not so much the provincial and district governors’ offices, PCs, or IDLG, but rather the ministries themselves.

Again, contrary to the common perception, IDLG has a role of facilitation, in support of the provincial and district governors’ offices, PCs, and municipalities and in service of building national consensus on key subnational governance decisions. IDLG offers support and works as a *secretariat* for subnational legislation and policy development and implementation processes, with the actual ownership lying with the ministries, their subnational offices, provincial and district governors’ offices, PCs, and municipalities. The same principle applies to the engagement of non-state actors such as civil society, academia, research organisations, and the private sector in developing an indigenous Afghan knowledge base on key concepts of subnational governance, as well as the provision of a sound holding environment for the establishment and active participation of volunteer interest groups such as associations of governors, mayors, and PCs. The

upcoming revised SNGP must reflect this reformed dynamic between key subnational governance stakeholders and make the SNGP relevant to the ministries by building sufficient clarity around the functions, roles, processes, and services that PLDs are expected to perform, engage with, and deliver at the local level.

4.3 Prioritise the institution with the most potential for an effective and efficient reform: municipalities

Despite the current status of Afghanistan as a predominantly rural society, a significant proportion of the Afghan population has either settled in urban areas or will do so in the future. Urbanisation is an irreversible trend and a challenge for subnational governance reform, primarily due to the lack of capacity and resources, corruption, limited transparency, and gender inequality.⁵² However, in the midst of this challenge is an opportunity presented in the form of the capacity and mandate of the institution of municipalities. For a significant proportion of the Afghan population, municipalities embody the state as the first point of contact with citizens, giving them and their services visibility and thus generating significant public interest. The mandate of municipalities to raise local revenues and capacity to facilitate the realisation of the principle of subsidiarity in urban governance makes them irreplaceable institutions of public service delivery. This enormous potential for revenue collection and service delivery must receive greater attention, in terms of both capacity building and genuine resource investment.

4.4 Strengthen bottom-up accountability: Support PCs' right to oversight

There can be no good governance without access to information and bottom-up accountability. PCs—and the soon-to-be elected DCs—embody this significant feature of good governance. PCs' right to oversee provincial affairs can empower people's elected representatives to fulfil their legal mandate.

⁵² Islamic Republic of Afghanistan, "State of the Afghan Cities" (Kabul: Islamic Republic of Afghanistan, 2015), 1:5.

Part II: District and Village Representation

As discussed in Part I above, the reform of district and sub-district governance faces something of a contradiction. On the one hand, most of the current attention of national and foreign technocrats and politicians in Kabul focuses on the higher tiers of subnational governance, that is, on governors, provinces, PCs, and municipalities.⁵³ On the other hand, it is clear that meaningful subnational governance reform cannot happen in the absence of credible and inclusive district and village representation. In spite of its importance, however, the reform of the sub-district level has for a long time been ignored by the technocrats formulating the reform agenda.

Recent events—most importantly, the President’s commitment to fulfil the requirements of the Constitution and hold district-level elections—have brought the issue of district and sub-district⁵⁴ governance reform to the fore (see Part I, Section 3.2 above). The urgent need to focus on the district and sub-district governance derives from the power-sharing agreement reached between President Ashraf Ghani and Chief Executive Officer Abdullah Abdullah. This agreement stipulates the convening of a constitutional *Loya Jirga* to deliberate changes to Afghanistan’s political system. However, this is only possible once DCs have been established, as required by the Afghan Constitution, as their representatives would need to participate as delegates in the *Jirga*.

As the previous part discussed, there is more than one way to establish DCs. Some solutions build on the extant structures at the sub-district level, leaving the status quo of the *shura* structure mostly untouched. Other solutions, like the implementation of District Coordination Councils, would imply smaller or larger changes to the current status quo, while others, like the establishment of completely new Village and District Councils through general elections, would fundamentally alter how sub-district governance functions in Afghanistan. The *shura* structure would be relegated merely to a civil society organisation that focuses on development. Whichever solution is chosen, the topic of sub-district governance reform can no longer be ignored.

The decision as to the type of sub-district governance is by no means trivial, as it will *directly* affect the lives of the rural population and therefore the majority of Afghanistan’s population. In order to support the debate regarding the future of sub-district governance, Part II of this paper presents empirical findings from northeast Afghanistan pertaining to the *shura* structure. In particular, we ask how components of the *shura* structure influence perceptions about the different aspects of village- and district-level governance. Our empirical data differs in two important respects from previous studies of the components of the *shura* structure. First, it assesses the lowest level of the structure—i.e., CDCs—at a significantly later stage of their development as compared to other quantitative studies. As an example, Beath, Christia, and Enikolopov’s assessment of the National Solidarity Programme (NSP), which established and funded the CDCs, covers a period of four years from 2007 (baseline) to 2011 (endline).⁵⁵ During this period, the sampled CDCs had received only one round of NSP funding. In contrast, our data was gathered between 2010-11 (baseline) and 2014-15 (endline). By endline, our sample of CDCs had been in existence for a considerably longer period of time than in the aforementioned survey—likely affecting the degree of their institutionalisation. Moreover, by endline, the

53 It should be mentioned that as part of the US counterinsurgency strategy, during the US military surge (2010-12), there was a stronger focus on the district and sub-district levels. According to the counterinsurgency framework, the Afghan government’s presence was to be built up rapidly after US and International Security Assistance Forces had cleared a given area of insurgents. As the district level is the *de facto* lowest tier of government, these efforts necessarily focused on the district level. Typical programmes designed during this period that focused on the district level were US Agency for International Development’s (USAID) District Development Programme and the Stability in Key Areas programme. Both programmes were active between 2010 and 2013. However, in spite of the undoubted focus of these efforts on districts, they never amounted to comprehensive policy-building district-level governance. Instead, they represented rapidly implemented *ad hoc* measures to establish a selective and security-biased state presence at the district level. At times, they even created institutional confusion and bypassed existing institutions with their short-term and *ad hoc* approaches.

54 In our paper, the term “sub-district governance” refers to governance institutions below the level of the district, i.e., CDCs, CLDCs, local *jirgas*, *shuras*, and so forth.

55 Andrew Beath, Christia Fotini and Ruben Enikolopov, “The National Solidarity Programme: Assessing the Effects of Community-Driven Development in Afghanistan,” *International Peacekeeping* 22, no. 4 (2015): 302-20.

majority of our CDCs had already finished or were in the process of implementing their second round of NSP funding. The second difference is that our dataset specifically addresses higher levels of the *shura* structure, i.e., CLDCs and DDAs. To our knowledge, this is the only dataset that uses large-scale quantitative and qualitative survey data to analyse these higher levels.

In the following, we first offer a description of the *shura* structure before discussing its assessment by Afghan and international policymakers and practitioners as well as its treatment in the literature. Subsequently, we use multivariate regressions to explore the relationship between more or less active CDCs and better or worse integrated CDCs on the one hand, and the perceptions of village- and district-level governance on the other. The term “integration” refers to the linkages and cooperation of CDCs with higher levels of the *shura* structure, notably CLDCs and DDAs.⁵⁶ We also investigate whether any observed effects are linked to the specific local context (i.e., security situation, remoteness of the district). In the regression models, we consider other factors that could have an impact on governance (i.e., we statistically control for 21 variables that offer alternative explanations for the variations observed in our dependent governance variables). Third, we summarise our results and offer tentative explanations for our findings. Finally, recommendations derived from our empirical findings are provided.

⁵⁶ Importantly, there is significant variation with regard to how CDCs connect to higher levels of the *shura* structure. Some cooperate regularly with their CLDC and are well informed about the activities of the DDA. In other cases, a CDC might work well with its CLDC, but has no knowledge of the DDA. Elsewhere, CLDCs are inactive and but some CDCs still manage to connect with the DDA of their district. Lastly, some CDCs are completely cut off from the higher levels of the *shura* structure in their district.

5. The Development *Shura* Structure

5.1 Organisation and tasks of the *shura* structure

By the term “*shura* structure,” we refer to the three-tiered structure of development *shuras* as established under MRRD. The core building blocks of this structure are the *Community Development Councils (CDCs)* first established in 2003 by the NSP. The NSP was rolled out in three phases, reaching nationwide coverage by 2009-10. CDCs represent communities comprising between 25 and 300 families.⁵⁷ The CDC representatives are elected by secret ballot by all male and female members of their respective community. Contrary to the nationwide elections for the presidency, *Wolesi Jirga*, or PCs, which are held on the same day throughout the entire country, CDC elections are a lengthy individual process preceded by extensive community mobilisation,⁵⁸ which is organised by an NGO facilitating partner contracted by MRRD to facilitate the implementation of the NSP in a given district. As a result of this extensive community involvement, CDC elections are not simultaneously held on the same day in a district, but rather consecutively.

The core function of CDCs centres on prioritising, facilitating, monitoring, and partly implementing development projects in their communities. Early on, however, CDCs were intended to serve an additional goal: namely to become “effective institutions for local governance and social-economic development.”⁵⁹ Thus, in addition to their development-related tasks, CDCs also resolve conflicts, organise *hashar* (communal work), and represent the community to the outside world.⁶⁰ At least in northeast Afghanistan from 2007 to 2015, CDCs became the main community-level governance institutions (Fig. 1). In particular, since 2011, the importance of the CDC head has increased. Concurrent with this increase, there was a drop in the perceived importance of the main alternative contender for authority in the villages: elders. This assertion is not uncontested. Some government and international officials interviewed by Aarya Nijad as part of the Govern4Afg project regarded CDCs (and, by extension, the higher levels of the *shura* structure) as mainly donor-driven bodies focusing on development with little to no effective or positive governance function.⁶¹

57 According to the NSP, a community must have at least 25 families to be eligible for a block grant. NSP does not allow for the establishment of CDCs in rural settlements or villages with less than 25 families. Given that the block grant ceiling per community is 3 million Afs, large communities with more than 300 families have the tendency to try to split into smaller communities to obtain more block grants. See Ministry of Rural Rehabilitation and Development, “National Solidarity Programme Phase Three (NSP III) Operational Manual Version Six (‘OM VI’)” (Kabul: Ministry of Rural Rehabilitation and Development, 2012).

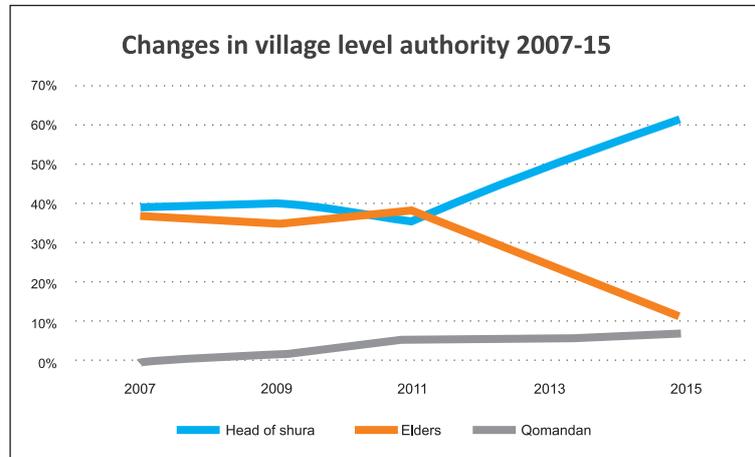
58 CDCs can choose between two different methods of running their elections: the cluster and community-wide methods (Ministry of Rural Rehabilitation and Development, “National Solidarity Programme Phase Three,” 29).

59 Ministry of Rural Rehabilitation and Development, “National Solidarity Programme Phase Three,” 11.

60 Ministry of Rural Rehabilitation and Development, “National Solidarity Programme Phase Three.” See also Hamish Nixon, “The Changing Face of Local Governance? Community Development Councils in Afghanistan” (Kabul: Afghanistan Research and Evaluation Unit, 2008); Jan Koehler and Kristóf Gosztanyi, “Sub-District Governance: Social Engineering and Local Governance in North-East Afghanistan,” in *Good Enough Governance. Wie kommt der Südsudan zu tragfähiger Staat lichkeit und funktionierender Verwaltung?*, ed. M. Schaper, 39-64 (Loccum: Evangelische Akademie Loccum, 2011).

61 KII, international expert on local governance, September 15, 2015, Kabul.

Figure 1: Respondent perceptions regarding the most powerful person in the village. Since the mid-2000s, the head of the *shura* (CDC) occupies a prominent position as an important village-level authority. Source: Five successive surveys conducted by Jan Koehler in four districts of Kunduz and Takhar provinces; the survey was conducted every two years in the same villages, but did not interview the same respondents. It is thus not a classic panel survey (Freie Universität Berlin, SFB 700 C9)⁶²



Building on the CDC structure, two additional institutional innovations have been implemented since 2007 by MRRD. Within the framework of the National Area-Based Development Programme, CDCs are gathered into geographically defined *Cluster-Level Development Councils (CLDCs)* comprising representatives of the member CDCs. CLDCs in turn send representatives to *District Development Assemblies (DDAs)* composed of the representatives of all CLDCs within a district. The tasks of CLDCs and DDAs are similar to those of CDCs, but at a higher level.⁶³ They thus prioritise, lobby for, and facilitate development projects, organise *hashar*, support the maintenance of projects, resolve conflicts, and frequently represent the interests of the community to the state. The *shura* structure is thus the only inclusive, locally elected, and rooted governance institution in an otherwise highly centralised state. The main interface of the *shura* structure with the centralised state administration occurs at the district level.

Of the three tiers of the *shura* structure, the lowest level (i.e., CDCs) is the most strongly institutionalised and functional, followed by the somewhat less institutionalised DDAs. In recent years, both bodies have received significant funds and capacity-building support from national and international actors. CLDCs are the least institutionalised level of the *shura* structure, and they are even absent in some districts (e.g., Charkint District in Balkh Province, Warsaj District in Takhar Province).

A final remark is necessary regarding the legal status of the *shura* structure. CDCs and DDAs are formal institutions of local governance, but they are not part of the state. They are formal, because their tasks and structure are laid down in decrees and policy documents: for CDCs, a presidential decree signed in November 2006 and ratified as per MRRD's Rules and Regulations; for DDAs, the National Area-Based Development Programme implemented by the MRRD with support from the United Nations Development Programme.⁶⁴ In contrast to CDCs and DDAs, CLDCs have no formal basis. From MRRD's perspective, they were only established to facilitate the election of DDAs. In many areas, however, CLDCs continue to function even after the DDA elections, and some NGOs even support them, as it is convenient to have a functional governance and developmental entity above the CDC, but below the district level. They can thus be described as an informal organisation.

⁶² We thank the DFG-funded SFB700 C9 for allowing us to use the data. The survey was conducted by OSDR under supervision of one of the authors, Jan Koehler. This dataset is different from the one used in this study to investigate the impact of the *shura* structure on governance perceptions and described in the Section 2.3 below. See also Jan R. Boehnke, Jan Koehler and Christoph Zürcher, "Assessing the Impact of Development Cooperation in North East Afghanistan 2007-2013: Final Report" (Bonn/Berlin: Federal Ministry for Economic Cooperation and Development (BMZ), 2015).

⁶³ Islamic Republic of Afghanistan, "Sub-National Governance Policy"; see also Islamic Republic of Afghanistan, "Policy for Improving Governance and Development in Districts and Villages" (Kabul: Independent Directorate of Local Governance and Ministry of Rural Rehabilitation and Development, 2013).

⁶⁴ Islamic Republic of Afghanistan, "Sub-National Governance Policy."

The status of CDCs and DDAs is, however, further complicated by the fact that—in the absence of constitutionally mandated Village and District Councils—CDCs and DDAs can perform the functions of these councils. IDLG’s Subnational Governance Policy states in this respect that:

*CDCs are presently accountable to the people who elect them. CDCs are also accountable to the Ministry of Rural Rehabilitation and Development who provides them block grant. CDCs will be accountable to people while they perform the future role of Village Councils.*⁶⁵

*DDAs will maintain their current roles and responsibilities until the constitutionally mandated District Councils are elected in 2010 [sic!]. DDAs will perform the planning function of District Councils till constitutionally-mandated District Councils come into existence.*⁶⁶

5.2 The *shura* structure and its assessment

So far the *shura* structure has received mixed assessments in the Afghan and international debate. In particular, CDCs, the oldest and most institutionalised component of the *shura* structure, generally receive positive assessments, although often on the premise that they are a temporary solution to be replaced by *Village Councils* after their establishment. Moreover, CDCs are mostly seen in their role as facilitators of village-level development and less as an institution that provides broader local governance services. Thus, a policy document on subnational governance states:

*CDCs have undoubtedly made considerable contributions to the well-being of communities throughout the country, and have made strides towards enabling Afghan citizens to participate in identifying their development priorities. However, the acceptance or legitimacy of CDCs is linked to their role as a channel for additional resources for the community.*⁶⁷

During the aforementioned series of interviews conducted by Aarya Nijat (see Part I) between September 2015 and January 2016, a relative majority of national and international experts and policymakers voiced positive views about CDCs and to a lesser extent DDAs; some even acknowledged their positive contribution to local governance (see Part I, Section 3.3 above). One issue, however, was repeatedly and critically raised by these interviewees in relation to the unclear legal status of CDCs and DDAs. Given the difficulties associated with holding elections for Village and District Councils, a number of the interviewees seemed willing to explore ways to change the legal status of CDCs and DDAs by allowing them to legally and constitutionally fulfil the roles of Village and District Councils.⁶⁸ While the majority of interviewees were—for pragmatic reasons—mildly sympathetic to the components of the *shura* structure, a relative minority considered the role of the *shura* structure as a failure with regard to governance.⁶⁹ At one extreme, some authors even viewed CDCs and the *shura* structure in general as parallel institutions that undermine state legitimacy.⁷⁰

These ambivalent attitudes continue on the subnational level. Some district governors interviewed over the years resent the *shura* structure’s ability to independently decide about projects, and instead they would prefer a less autonomous structure resembling the government-approved or -appointed *maliks* or *arbabs* of the past. However, others see a chance for the state to reach out to the people via this structure. In particular, the role of DDAs is contentious to some extent: some *wolliswols* resent the DDAs’ role and their control of funds, while others have established positive and mutually beneficial working relations with them.

65 Islamic Republic of Afghanistan, “Sub-National Governance Policy,” 18.

66 Islamic Republic of Afghanistan, “Sub-National Governance Policy,” 17.

67 Islamic Republic of Afghanistan, “Sub-National Governance Policy,” 73.

68 KII, international expert on local governance, September 24, 2015, Kabul.

69 KII, international expert on community development and governance, January 4, 2016, Kabul.

70 Christoph Zürcher, Catherine Gloukhovtseva, Gregg Fyffe and Nora Röhner, “Strategische Portfolio Review Afghanistan (Schlussbericht)” (Bonn: Federal Ministry for Economic Cooperation and Development (BMZ), 2013), 17.

The academic literature is also ambivalent on the merits of the structure. Among the relatively extensive literature on the *shura* structure,⁷¹ three surveys stand out on account of their methodologically robust impact assessment of the *shura* structure. Beath et al. conducted a randomised controlled trial of 500 villages to investigate the impact of the NSP;⁷² the impact assessment thus focuses on the basic level of the NSP structure—the CDC—without considering CLDCs and DDAs. The survey was conducted in three rounds (baseline: 2007, midline: 2009, and endline: 2011) and focused on a wide range of areas where NSP was expected to deliver an impact: access to utilities, services, and infrastructure; economic welfare; local governance; political attitudes and state-building; and social norms. Regarding the governance-related impacts,⁷³ the authors found that by midline (2009), the NSP had a positive impact on local governance characteristics (e.g., female participation in councils, villager participation in communal assemblies), political attitudes (e.g., acceptance of elections), and state-building (e.g., legitimacy of central government).⁷⁴ However, several positive impacts observed at midline had disappeared by endline, suggesting—in the opinion of the authors—that achieving durable improvements in the field of governance is “reliant upon a predictable and continuous stream of public goods and services provided by the central government.”⁷⁵ In this context, it is important to note that at endline, the surveyed CDCs had only held one election and implemented one NSP grant.

The second methodologically robust assessment conducted by Jochem et al. focuses on the village level like the previous NSP assessment.⁷⁶ However, contrary to the studies of Beath et al., Jochem et al. do not attempt to evaluate the impact of CDCs on certain governance parameters; they rather compare the attitudes toward CDCs with other possible forms of village-level political organisation. The survey administered in 2011 presented three scenarios (vignettes) to respondents regarding three possible forms of village representation: Village Councils elected in a nationwide secret ballot (a hypothetical model that does not currently exist), the transformation of existing CDCs into Village Councils with official recognition, and the formalisation of traditional *shuras* into Village Councils with official recognition. The survey responses revealed statistically significant, albeit mostly small differences, regarding the assessments of the three different vignettes. Respondents slightly preferred the secret ballot election associated with the first two vignettes (nationwide elections for Village Councils or the formalisation of elected CDCs), but felt that both CDCs and traditional *shuras* would do a better job at representing local interests vis-à-vis the state than nationally elected Village Councils. It was only regarding the reconciliation with the Taliban (or other insurgents) that responses showed a dramatically different pattern: traditional *shuras* were believed to be twice as likely to support reconciliation with the Taliban than elected Village Councils or CDCs. Interestingly, the existence of a CDC (or traditional *shura*) in a village increased the acceptance of democratic procedures as compared to villages governed by appointed village representatives (*maliks* and *arbabs*).

71 Jennifer Brick, “Investigating the Sustainability of Community Development Councils in Afghanistan” (Kabul: Afghanistan Research and Evaluation Unit, 2008); Koehler and Gosztonyi, “Sub-District Governance”; Nixon, “The Changing Face of Local Governance?”; Douglas Saltmarshe and Abhilash Medhi, “Local Governance for Local Needs: Key Findings and Policy Options for Afghanistan” (Kabul: Afghanistan Research and Evaluation Unit, 2011); Douglas Saltmarshe and Abhilash Medhi, “Local Governance in Afghanistan: A View from the Ground” (Kabul: Afghanistan Research and Evaluation Unit, 2011); Michael Shurkin, “Subnational Government in Afghanistan” (Santa Monica, CA: RAND, 2011).

72 Beath et al., “The National Solidarity Programme”; Andrew Beath, Christia Fotini, Ruben Enikolopov and Shahim Kabuli, “Randomized Impact Evaluation of Phase-II of Afghanistan’s National Solidarity Programme (NSP): Estimates of Interim Program Impact from First Follow-Up Survey” (Washington, DC: World Bank, 2010); Andrew Beath, Christia Fotini and Ruben Enikolopov, “Winning Hearts and Minds through Development: Evidence from a Field Experiment in Afghanistan,” (MIT Political Science Department Research Paper No. 2011-14, 2016).

73 Given that the main focus of this issues paper is on the possible impact of the *shura* structure on governance and corruption, our summary of the literature likewise focuses on these subjects.

74 Boehnke et al., “Assessing the Impact of Development Cooperation,” made a similar observation for the impact of village-level development projects on the legitimacy of district-level governance institutions in a longitudinal study of 80 villages in four districts from 2007 to 2013.

75 Beath et al., “The National Solidarity Programme,” 315-16.

76 Torsten Jochem, Ilia Murtazashvili and Jennifer Murtazashvili, “Establishing Local Government in Fragile States: Experimental Evidence from Afghanistan,” *World Development* 77 (2016): 293-310.

Differing from the previous two surveys, the third study with a robust impact assessment methodology focuses on the DDA (i.e., the highest level of the *shura* structure).⁷⁷ The research investigates the impact of a donor-funded programme on stability in northeast Afghanistan, where DDAs implement district-level infrastructure projects and are given training. The paper only presents selected preliminary results from the baseline (2010-11) and midline (2012).⁷⁸ These preliminary results indicate a mixed, but mostly positive relationship between the visibility of the DDA and the infrastructure development projects prioritised by the DDA on subjective security perceptions as well as on the perceived responsiveness of the district administration. The same independent variables (i.e., DDA visibility and DDA-implemented project visibility) are associated with mixed, but mostly negative results regarding participation in village-level communal work (*hashar*): in slightly more than half of the survey districts, the DDA and project visibility are associated with lower compliance rates. These mixed (i.e., not unidirectional results) might be due to the relatively short running time of the project at midline (1.5 to 2 years), as project impacts might take longer to fully manifest themselves. On the one hand, these results confirm the impression that the governance effects of development aid are highly context-dependent. However, ongoing research by Koehler et al. also suggests that complex capacity building and infrastructure development targeted at the higher levels of the *shura* structure (DDA) tend to deliver more consistent and statistically significant impacts at the second follow-up, i.e., four to five years after the commencement of the programme.

⁷⁷ Jan Koehler, Kristóf Gosztanyi, Keith Child and Basir Feda, "Mixed Method Impact Evaluation: Making Stabilisation Assessments Work for Development Cooperation," *Economics of Peace and Security Journal* 10, no. 2 (2015): 61-74.

⁷⁸ At the time of publishing the paper in 2015, the core research team was still processing the data of a second follow-up survey. The results of this second follow-up cannot yet be considered.

6. Research Questions

6.1 Gaps in the understanding of the *shura* structure and governance

This brief overview of opinions and studies related to the *shura* structure shows a tendency among practitioners to view it first and foremost as an instrument of local development, while questioning to a greater or lesser degree its function of providing local governance. Some even regard the *shura* structure as a parallel institution that undermines state legitimacy. None of the interviewees for this project consider that the *shura* structure might completely alter the interaction between the rural population and the state, despite some development projects being explicitly based on this premise (e.g., the NSP). So far, the results of methodologically rigorous studies only partly refute the fears associated with the *shura* structure, showing improved local governance outcomes and increased acceptance of democratic procedures as a result of CDC-level interventions.

These positive results, however, come with a caveat: Beath et al. suggest that many of the positive changes observed are short-lived, quickly fading after the end of the project (in this case, after the implementation of NSP 1).⁷⁹ With regard to the higher levels of the *shura* structure, the midline analysis of Koehler et al. notes a possible positive impact of DDA-level interventions based on the perceived responsiveness of the district administration.⁸⁰ However, with this midline analysis occurring only 1.5 to 5 years into the project, it is difficult to tell how the governance-related outcomes associated with DDAs would continue to develop: whether they would gain in strength and direction, or “fade away” as Beath et al. suggested for some CDCs.⁸¹

At present, significant gaps remain in our understanding of the interaction between the *shura* structure and governance outcomes. First, the rigorous assessments of CDC-level impacts on governance seem to “stop” in 2011 after the implementation of the first round of NSP funding in the surveyed villages. With regard to DDAs, the most recent publication relies on data from 2012.⁸² The question thus beckons as to whether continued engagement with the *shura* structure (in the form of additional NSP grants or new elections) would contribute to further institutionalising the structure and strengthening governance-related impacts. Another gap relates to the integrated examination of the *shura* structure. The aforementioned publications investigate outcomes associated with CDCs or DDAs, but ignore the *shura* structure as a whole. Furthermore, the studies published to date do not address governance issues such as public services, conflict resolution, and corruption.

Lastly, to our knowledge, no study has examined whether certain observed governance-related outcomes are associated with specific contexts (e.g., remoteness, security situation). The past work of Koehler et al. has identified six governance zones, in which governance is provided in different ways by different actors and to different extents.⁸³ For example, in these governance zones, the main governance actor may be the state, jihadi commanders, or insurgents, or the area may be self-governed or contested between the state and insurgents. Importantly, these governance zones are associated with different (and statistically significant) outcomes with regard to certain governance-related indicators.⁸⁴ Adapting the development interventions according to the specific subnational context in which they are implemented

79 Beath et al., “The National Solidarity Programme.”

80 Koehler et al., “Mixed Method Impact Evaluation.”

81 Beath et al., “The National Solidarity Programme.”

82 Koehler et al., “Mixed Method Impact Evaluation.”

83 Jan Koehler, “Social Order within and beyond the Shadow of Hierarchy: Governance Patterns in Afghanistan” (Working Paper 33, SFB-Governance, 2012), http://www.sfb-governance.de/publikationen/working_papers/wp33/index.html (accessed 31 May 2016); Jan Koehler, Kristóf Gosztonyi and Jan Boehnke, “Conflict and Stability in Afghanistan: Methodological Approaches” (presentation, Violence, Drugs and Governance: Mexican Security in Comparative Perspective, Stanford, 4 October 2011), http://fsi.stanford.edu/sites/default/files/evnts/media//20130513_StabilityConflict_Final_FINAL_Koehler_Gosztonyi_Boehnke.pdf (accessed 5 January 2016).

84 Koehler et al., “Conflict and Stability in Afghanistan.”

is increasingly being discussed among development practitioners and aspired to in project design.⁸⁵ However, the modalities of such projects and the evidence on which context-specific programming should be based remain unclear.

6.2 Addressing the gaps

In the following, we will address the existing gaps in knowledge in terms of how the *shura* structure is associated with governance outcomes. By addressing these gaps, we hope to reach a better understanding of whether and how the *shura* structure can contribute to improved governance and service delivery in the rural areas of Afghanistan. We investigate the identified gaps from three perspectives, summarised by the following guiding questions of our research:

- Are more active CDCs associated with better perceptions of village- and district-level governance?
- Is a better integration (linkages and cooperation) of the three levels of the *shura* structure (CDCs, CLDCs, and DDAs) associated with better perceptions of village- and district-level governance?
- Are any of the observed governance-related results associated with the *shura* structure limited to effect clusters (specific contexts), or do they occur in different contexts?

6.3 Data and approach

We investigate these questions using data obtained from a survey conducted in northeast Afghanistan in 2014-15. The research was conducted by Jan Koehler and Kristóf Gosztanyi in 25 districts of northeast Afghanistan, covering a total of 253 village communities.⁸⁶ The study included a quantitative survey of more than 5,000 respondents, complemented by the compilation of demographic, political, governance-related, and historical information about the surveyed villages, village clusters, and districts, as well as extensive qualitative interviews.

We investigated the research questions by first analysing the descriptive statistics and how the respondents in the 25 districts evaluated different features of village- and district-level governance. Subsequently, regression analysis was conducted to understand whether particular features of the *shura* structure are linked to relatively better or worse outcomes as compared to the survey averages presented in the descriptive statistics. In particular, we wanted to understand the impact of the activeness of CDCs and their integration in the higher levels of the *shura* structure on governance perceptions.

With regard to the last research question—the context-sensitive approach—we built subsets based on certain criteria (e.g., security, geographical remoteness, ecological zones) for the 25 survey districts and verified whether the abovementioned features of the *shura* structure (i.e., CDC activity and integration) led to different results within the different subsets.

⁸⁵ For example, “GIZ’s Capacities in Emergency Response and Recovery Projects,” Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), 2014, <https://www.giz.de/nothilfe/de/downloads/giz2014-en-factsheet-overview-infrastr-emerg-resp.pdf> (accessed 31 May 2016).

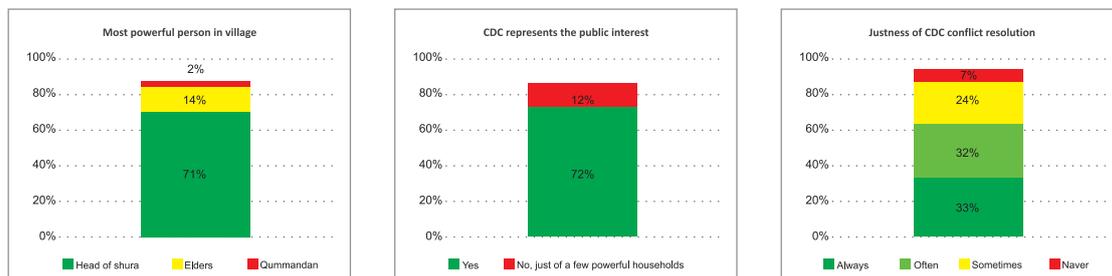
⁸⁶ We would like to thank the DFG-funded SFB700 C9 for supporting this project; the survey was conducted by Afghan Human Rights Research and Advocacy Organisation (AHRRAO) under the supervision of the authors.

7. Empirical results

7.1 Descriptive statistics

In this section, we briefly discuss the perceptions of village- and district-level governance. As shown in Figure 2 below, village-level governance in northeast Afghanistan, as assessed by rural Afghan respondents, is generally good. As already seen in Figure 1 above, CDCs have become a firmly established feature of village-level governance in the region. Accordingly, 72% of respondents assessed the head of the *shura* (CDC) as the most powerful person in the village,⁸⁷ while 72% also believed that the decisions of the CDC *shura* were in the public interest (and not in the interest of a few powerful households). Lastly, CDC conflict resolution was evaluated rather positively: 33% and 32% of respondents respectively believed that the CDC always or often resolved conflicts in a just way.

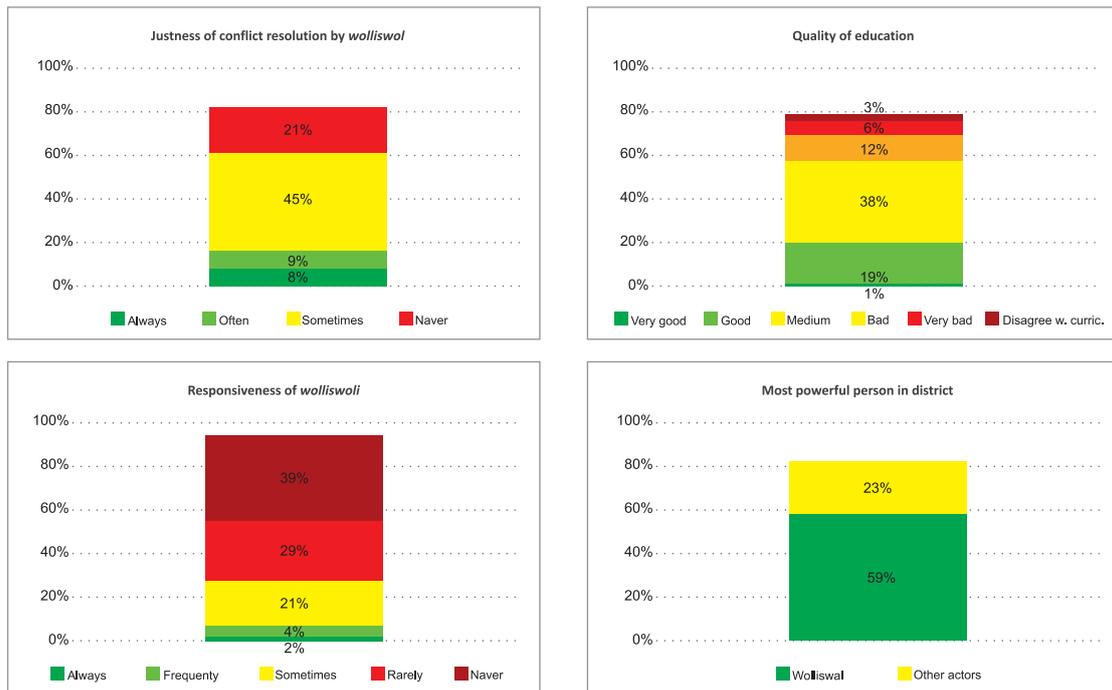
Figure 2: Perceptions of village-level governance



The results for the perceptions of state-provided district-level governance are less positive (Fig. 3). In terms of the *wolliswoli* (district administration), its conflict resolution is perceived as significantly less just compared to that of the CDC, the quality of school education is viewed quite critically, and the responsiveness of the *wolliswoli* is felt to be very low. From the perspective of state building, the only positive result relates to the respondents' assessment of the most powerful person in the district: 59% believe it to be the *wolliswol* (district manager). Over the years, a steady increase was observed in terms of the number of respondents who believed that the *wolliswol* was the most powerful person in the district, suggesting—in spite of growing insurgent violence—an increasing consolidation and presence of state power in the districts.

⁸⁷ It should be emphasised that the panel survey referred to in Figure 1 above is taken from another study and partly different districts in northeast Afghanistan than the 25 districts surveyed for this paper.

Figure 3: Perceptions of district-level governance

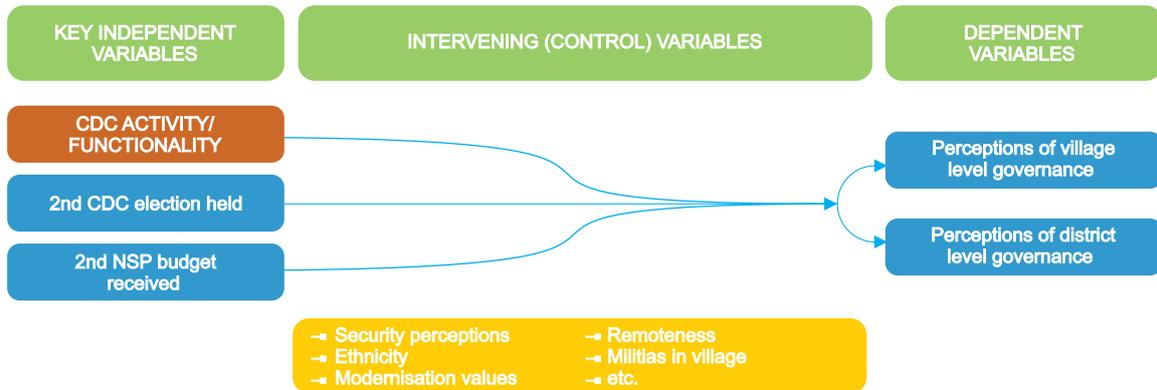


7.2 Multivariate regression analysis of the impact of the *shura* structure on governance

In this section, we use multivariate regression analysis to investigate how CDCs that are more active and functional and better integrated in the *shura* structure might influence the perceptions of village- and district-level governance. In relation to our research questions, this analysis aims to achieve two objectives. First, we want to investigate whether there is a statistically significant relationship between the quality of the *shura* structure and governance perceptions after controlling for other factors that might theoretically influence these perceptions. Second, should our analysis confirm the existence of a statistically significant relationship between the features of the *shura* structure and governance perceptions, we seek to understand the strength and direction of such a relationship

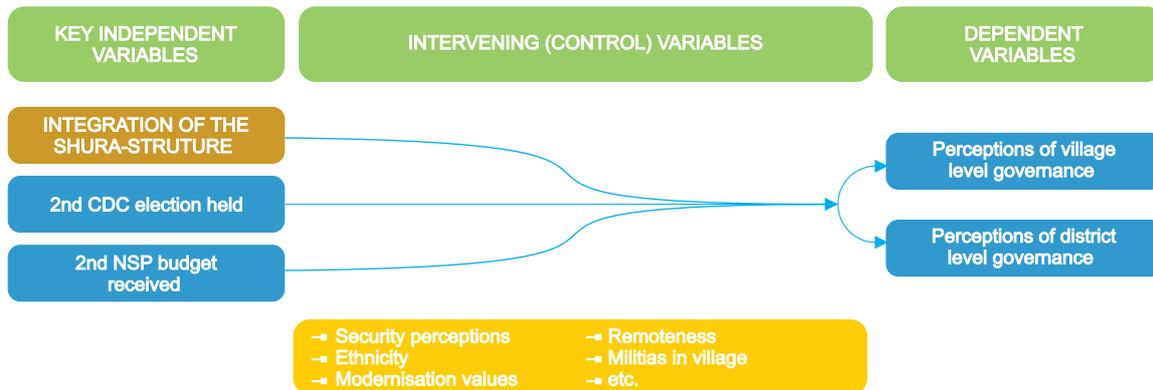
In accordance with our research objectives, two sets of regression models were developed. The first set of regression models considers the activity (functionality) of the surveyed CDCs as its key predictor (independent variable) and investigates how this variable influences governance perceptions on the village and district levels—our dependent variables (Fig. 4 and 5). The regression models control for two additional key independent variables—repeated CDC elections and the disbursement of a second round of NSP funds—as well as a large number of intervening (control) variables.

Figure 4: Impact model investigating the relationship between CDC activity and perceptions of village- and district-level governance. The model also controls for two key independent variables—repeated CDC elections and the disbursement of a second round of NSP funds—in addition to a significant number of other theoretically relevant variables.



The second regression model proceeds similarly, but its key independent variable (predictor) relates to the integration of the *shura* structure as a whole (Fig. 5). Once again, we investigate governance perceptions on the village and district levels and how these perceptions change in relation to the functioning of the *shura* structure.

Figure 5: Impact model investigating the relationship between the integration of the *shura* structure (*shura* functionality index) and perceptions of village- and district-level governance. The model is in all respects identical to the previous model, with the exception of our first key indicator “Integration of the *shura* structure.” We highlight this difference through a change in colour.



We will proceed as follows. First, we describe our *dependent variables*, i.e., governance perceptions, which, based on our assumptions, should be influenced by the good or poor functioning of the *shura* structure. We then describe our key independent variables relating to the features of the *shura* structure (CDC activity and integration of the *shura* structure). As mentioned before, we expect these independent variables to predict the dependent variables (governance perceptions). Following the discussion of the dependent and independent variables, we present the results of the regression analysis. A comprehensive list of control variables and the details of how the dependant, independent, and control variables were constructed is found in Appendix 1.

Dependent variables

A total of seven indicators (all derived from the questions of the quantitative survey) were chosen to assess the quality of governance at the village and district levels. The seven indicators are the dependent variables. Three of these indicators pertain to the village level:

- *Most powerful person in village:* Head of the (CDC) *shura* viewed as the most powerful person in the village; this is considered as an indicator of pro-state consolidation of authority.
- *Shura decisions in the public interest:* Decisions of the CDC are in the public interest; this indicator shows the extent to which the CDC institution represents the interests of the entire community as opposed to those of powerful interest groups within the village.
- *Fair conflict resolution by the CDC:* Perceived fairness of conflict resolution by the CDC; local-level conflict resolution is a key governance function for which CDCs have received extensive training. This indicator thus covers a governance function that is essential to local stability.

For the district level, four key indicators (dependent variables) depict governance:

- *Most powerful person in the district:* A combined indicator of the *wolliswol* or chief of the district police being considered as the most powerful person in the district; the *wolliswol* and district chief of police are the two most important representatives of the government in districts. We thus consider this as an indicator of the consolidation of government authority.
- *Perceived fairness of conflict resolution:* One survey question lists 21 different actors/institutions at the district level (also with the option “other”) and asks respondents the degree to which they view these actors/institutions as “fair” conflict mediators. Latent class analysis (LCA) was applied to a list of the 11 most relevant actors/institutions in order to understand response patterns.⁸⁸ Class 3 of the LCA was selected for regression analysis since the members of this class (23% of the entire sample) are considered to generally have a positive view about most village-level and state-provided modes of conflict resolution. The variable was hence dummy-coded with 1 for class membership and 0 for otherwise.
- *Perceived responsiveness of district administration to community needs:* Responses to the survey question as to whether the *wolliswol* cares about the problems of the village; this question was taken as an indicator of the state’s output legitimacy.
- *Quality of health and education (combined index):* This index combines responses to the assessment of healthcare and education. Both are essential state-provided public services. We take this as a more concrete and specific indicator of output legitimacy (given the importance of health and education as two fundamental services for which the Afghan government is responsible).

⁸⁸ LCA is a statistical method used to identify unobserved or “latent” subgroups within a population using observed variables or behaviour. For example, in our sample, we wanted to categorise into different classes or groups the respondents based on their degree of satisfaction with the conflict resolution offered by 11 different actors (e.g., elders, CDCs, *wolliswol*, judges, the Taliban). Satisfaction was observed through their assessment of the (perceived) fairness of conflict resolution offered by these actors, that is, whether they “always,” “often,” “sometimes,” “rarely,” or “never” resolved conflicts in a just way. LCA helps identify the different categories or groups of people who tend to assess conflict resolution in similar ways. In our case, LCA identified seven different classes: for example, one group (Class 5) was somewhat critical of local-level conflict resolution and very critical of state-provided conflict resolution; a second group (Class 6) accepted local-level conflict resolution, but tended to have no opinion regarding state-provided conflict resolution (“don’t know” responses); a third group (Class 3) was positive about local-level conflict resolution and also accepted state-provided justice (though less enthusiastically than local conflict resolution). LCA further enables us to obtain information about the size of a certain class of people within the whole sample by allocating each respondent to one LCA group. In our case, among the seven classes identified by LCA, Class 3 was the second largest with 1,229 respondents, Class 5 the third largest with 860 respondents, and Class 6 the fifth largest with 573 respondents. LCA is used to understand complex behavioural patterns (based on survey responses) in order to identify certain relevant subgroups. For a more detailed explanation of the lca method, see Zürcher et al., “Strategische Portfolio Review Afghanistan,” 29.

Independent variables

We specify all models for the different dependent variables, with the following set of explanatory/independent variables based on the theoretical priors set out in our impact model (see Fig. 4 and 5). In the main part of this paper, we only describe our four key independent variables, whose effect on governance perceptions we aim to understand (see the detailed list of additional control variables in the Appendix 1.) In the following, we explain these variables and provide our rationale for considering them as key independent variables.

CDC activity: We begin our analysis with the CDCs as the basic, oldest, and most functional component of the *shura* structure. In addition to their development-related duties, CDCs are also explicitly tasked with carrying out village-level governance functions.⁸⁹ Moreover, CDCs have increasingly acquired the role of representing the community to the outside world, and through their integration into the larger *shura* structure, they have a formalised avenue to access the state at the district level. This link to the outside world in general and to the district level in particular is understood from the perspective of the community performing three possible functions: this avenue might help communicate the needs and grievances of the community to the district administration, thus influencing the quality of district-level state-provided governance, or at least the perceptions thereof; it might help—for better or worse—the state administration to reach out to and access villages; finally, it might mediate and explain “the state” to the villagers.

To understand how CDCs influence the perceptions of village- and district-level governance, we first coded all surveyed CDCs according to their functionality: (1) active CDC with increasing influence; (2) medium level of activity with no change in influence; (3) partly active or dysfunctional CDC with declining influence. We coded the surveyed CDCs based on the self-assessment of the interviewed CDC representatives in the so-called *village profiles*. Village profiles are lengthy qualitative interviews conducted with the representatives of all of the surveyed villages that contain background information relating to topics such as demographics, economy, education, state relations, security, and integration in the *shura* structure of their respective communities.

Based on the aforementioned categorisation of CDCs relating to their degree of activity, we created three subsets of survey villages to investigate whether governance is perceived differently in villages with better (more active) or worse functioning (less active or dysfunctional) CDCs. We first consider the perceptions of village-level governance and subsequently discuss district-level governance. Our general expectation is that the more active and functional a local governance institution (CDC) is, the better respondent perceptions of local governance will be.

Shura functionality index: So far, we considered how well-functioning and active CDCs might have a benevolent pro-state effect on the perception of both village- and district-level governance. But how do the other levels of the *shura* structure (CLDCs and DDAs) influence the perception of governance? To investigate this, we coded the statements of the surveyed CDC representatives regarding their cooperation with higher-level councils (CLDCs and DDAs). Links to CLDCs were coded based on the CDC’s self-assessed cooperation with its CLDC as follows: (1) regular participation in the work of the CLDC; (2) occasional or partial participation; (3) no cooperation or participation. Links with the DDA were coded based on the CDC’s self-reported knowledge or awareness of the DDA’s work as follows: (1) fully aware of the work of the DDA; (2) partially aware; (3) not aware. Full participation in the work of the CLDC and full knowledge of the work of the DDA suggest a well-integrated CDC, while no cooperation with the CLDC and no knowledge of the work of the DDA represent the poor integration of the CDC within the wider *shura* structure.

To understand the relationship between district-level governance quality and the *shura* system as a whole—as seen from the perspective of the surveyed CDCs—we created a single variable depicting the quality of cooperation between the three levels. Using *factor analysis*, we combined the three dimensions that measure the functionality of the *shura* structure into a single “index” with scores measuring the degree of functionality of the *shura* system as a whole.

⁸⁹ Ministry of Rural Rehabilitation and Development, “National Solidarity Programme Phase Three.”

CDC had held a second election: CDC elections and the number of NSP rounds implemented by the CDCs. CDC elections are a fundamental component of the *shura* structure. CDCs gain their mandate from secret ballot elections, in which both men and women above the age of 18 years participate. New elections offer communities the possibility to re-elect competent, honest, and motivated CDC representatives or to replace non-performing members with new representatives. From the perspective of the CDC representatives, elections are important, because they can give them a new mandate or allow representatives who have grown tired of the job to hand over their responsibility to others. Elections thus reaffirm the community's ultimate authority over its CDC. Renewed elections might also benefit from what Faguet and Pöschl call "social learning—the accretion of collective knowledge, norms, practices, and trust by groups of voters."⁹⁰ Social learning essentially means learning by engaging in democratic practices, which is particularly pronounced with small-scale local politics. For example, by being actors in and directly exposed to the activities of the CDC, villagers can gain an increasingly accurate understanding of the kind of people who are fittest to perform the tasks associated with the CDC.

We therefore assume that repeated CDC elections are a vital factor that contributes to the better functioning of CDCs and leads to better governance outcomes (and ultimately, more positive perceptions of village- and district-level governance). As 30 of the 246 surveyed villages (12.2% of the total sample) from nine different districts had held no second CDC elections,⁹¹ we can compare how governance perceptions differ in communities that had held one or more CDC elections. We thus coded the survey villages as having held (1) one or (2) two elections. In the following, we compare village- and district-level governance perceptions for the two subsets of communities.

Second NSP budget: Since the core function of CDCs is to implement NSP development projects, we wanted to understand whether the repeated participation in NSP funding rounds and the implementation of NSP projects had an impact on governance perceptions. Indeed, the capacity of a CDC to implement NSP projects might further legitimise it in the eyes of the community (thus enhancing its authority) and provide it with a *raison d'être* and justification to meet regularly, thus perhaps increasing the CDC's capacity to provide governance services other than development to the community. An examination of our survey communities shows that the number of (self-reported) NSP rounds varies, thus allowing for a comparison between (1) the communities that implemented one NSP round (76 out of 246 communities; 30.9% of the total⁹²), and (2) those that implemented two or more (170 communities; 69.1%). It should be emphasised that the number of NSP rounds received by a community and CDC elections are not identical categories—even though, in principle, CDC elections should precede the disbursement of NSP funds.⁹³

The two key independent variables relating to the CDC holding a second election and receiving a second round of NSP funding specifically address the suggestion voiced by Beath et al. that the achievement of durable improvements in the field of local (sub-district) governance depends on a "continuous stream of public goods and services provided by the central government" to CDCs.⁹⁴

90 Jean-Paul Faguet and Caroline Pöschl, "Is Decentralisation Good for Development?," in *Is Decentralisation Good for Development?*, ed. Jean-Paul Faguet and Caroline Pöschl (Oxford: Oxford University Press, 2015), 27.

91 Regarding the communities that had held only one CDC election, there is one village in each of Khanabad, Dashti Archi, Chal, Yangi Qala, and Rustaq districts, three in Baharak (Takhar) and three in Kishim, nine in Baghlan-i Jadid, and ten in Kunduz Centre.

92 The 76 CDCs with no second round of NSP funding are located in 12 out of the 25 surveyed districts.

93 In principle, each NSP round should begin with renewed CDC elections (see KII, head of NSP, Balkh, 3 September 2015). Our village-level interviews, however, suggest that this is not always the case. Out of the 76 communities that reported having received only one or no NSP budgets, 25 had held one election, while 51 had held two elections. It is possible that these 51 communities are currently awaiting the allocation of their budget. By contrast, out of the 170 communities that had received two or more NSP budgets, 165 had held two elections, while 5 reported having only one election.

94 Beath et al., "The National Solidarity Programme," 316.

CDC activity and governance outcomes⁹⁵

Let us now proceed to the results of the regression analyses regarding CDC activity. Does a more active and functional CDC lead to improved perceptions of village- and district-level governance? As indicated in the impact model, in addition to the independent variable “CDC activity,” we consider two additional variables relating to a second election and second NSP budget. The results exploring the relationship between these three variables and the perceptions of village-level governance are summarised in Table 1 below. Note that the table shows only part of the results from the fully specified models, which cannot be presented here due to the limited space.

As expected, a statistically significant positive relationship was found between *shura* activity and a selected list of village-level governance perceptions. A one point increase in CDC activity is associated with a 14 percentage point (pp) increase in the consolidation of village-level power from the perspective of good governance (significant at the 1% level). This means that the more active a CDC is, the more likely the residents living in the community are to consider the head of the CDC as the most powerful person in the village. Further, a one point increase in the activity of the CDC is associated with a 6pp increase in perceiving CDC conflict resolution as fair and a 4pp increase in believing that the decisions of the CDC *shura* are in the public interest; these results are significant at the 5% level. So far, the regression analysis confirms our hypothesised link between more active CDCs and the improved perceptions of village governance. Given the large number of controls considered in the regression, we can be highly confident that the observed relationships are not due to chance, but show a real correlation between the variables.

Table 1: CDC activity and village-level governance outcomes

VARIABLES	Model 1 Most powerful person in the village	Model 2 Perceived fairness of conflict resolution by CDC	Model 3 Shura decisions in the public interest
CDC with increasing influence	0.143*** (0.0305)	0.0626** (0.0279)	0.0396** (0.0124)
Second NSP budget#	0.0283 (0.0805)	0.0293 (0.0563)	-0.0303 (0.0211)
Second CDC election+	0.0935 (0.0948)	-0.150* (0.0864)	0.0440 (0.0329)
Observations	4,383	4,273	4,383
R-squared	0.169	0.207	

Note: Analysis using 2014-15 survey data; models 1 and 2 use ordinary least squares (OLS) regression; model 3 uses logistic regression (average marginal effects); robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10% levels, respectively; #reference/base category for this variable is “one CDC election”; +reference/base category for this variable is “one NSP budget received.” (For further details of the methodology see Appendix 2)

Examining the two other key independent variables, *CDC elections* and *NSP rounds*, there is only one significant relationship (significant at the 10% level): a second CDC election (as compared to one) is associated with a 15pp decrease in perceiving conflict resolution by the CDC as fair. This might suggest that even the carefully choreographed elections preceded by extensive facilitating partner-led community mobilisation and *de facto* organised by the community itself lead to certain tensions and splits within the community. The fact that no such relationship was found for a second NSP budget suggests, however, that these tensions subside after a while. As an explanation, in the NSP cycle, the elections come first, while the budget for new projects is gradually disbursed one or two years after the elections, once the community, together with the newly formed CDC, has identified viable projects for implementation.

95 Beath et al. 2015, p.316.

Turning to district-level effects associated with an active CDC (Table 2), there was no statistically significant relationship. However, two other independent variables—second CDC election and second NSP budget—showed a number of significant results. A second CDC election is associated with a 12.5pp decrease in the likelihood of belonging to the class of respondents that is generally satisfied with the fairness of the available venues of conflict resolution (for a more detailed description of this indicator, see Appendix 1). Once again, this finding highlights the potential negative impact associated with CDC elections. On the district level, however, the effect appears to be temporary, as the possible negative effect reverses with the receipt of the second NSP budget, which is associated with a 10pp increase in the likelihood of belonging to the LCA class of respondents that is most satisfied with the fairness of the available options of conflict resolution. Regarding the other statistically significant results, a second election is associated with a high increase of 28pp (significant at the 5% level) in state consolidation (perceiving the *wolliswol* or district chief of police as the most powerful person in the district, an indicator of state authority). It is also associated with a comparably strong increase of 22pp in the satisfaction with the quality of healthcare and education.

From these results, we conclude that the activity and competence of a CDC will likely only have an impact on the perceptions of village-level governance. Nonetheless, we identified two mechanisms that appear to connect the CDC to the district-level with regard to governance provision, namely, CDC elections and NSP-related project implementation (disbursement of budgets). Since second CDC elections and NSP rounds are quite randomly distributed among districts (i.e., there is no bias favouring more secure districts), we discount the possibility of an “omitted variable bias.” Moreover, we also used several controls for security (Appendix 1)—notably, controls 3, 4, 5, and 15—while variable 14 measures geographical remoteness, another key aspect when considering access to the state. Based on these considerations, we thus assume that it is second elections and NSP grants that change the perceptions of district-level government within a CDC, and not the unobstructed access to the state due to better security. In the next section, we investigate whether a better integration of the *shura* structure might serve the same function: linking the village to the state on the district level.

Table 2: CDC activity and district level governance outcomes

VARIABLES	MODEL 1 Perceived fairness of conflict resolution (LCA class membership)	MODEL 2 Most powerful person in the district	Model 3 Perceived responsiveness of the district administration	Model 4 Quality of health and education (combined index)
CDC with increasing influence	0.00801 (0.0149)	-0.0269 (0.0244)	-0.00639 (0.0411)	-0.0442 (0.0374)
Second CDC election#	-0.125** (0.0447)	0.280*** (0.0801)	0.130 (0.0967)	0.224** (0.109)
Second NSP budget +	0.0973*** (0.0251)	0.0140 (0.0552)	-0.0476 (0.0736)	0.0176 (0.0779)
Observations		4,602	4,602	3,408
R-squared		0.272	0.149	0.225

Note: Analysis using 2014-15 survey data; model 1 uses logistic regression (average marginal effects); models 2, 3, and 4 use OLS regressions; robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10 % levels, respectively; #reference/base category for this variable is “one CDC election”; +reference/base category for this variable is “one NSP budget.”

Integration of the different levels of the *shura* structure and district governance

This section considers how the integration of the *shura* structure as a whole is associated with the perceptions of village- and district-level governance. Once again, we use three key independent variables: the *shura* functionality index, second CDC election, and second NSP budget. The results for the village level are detailed in Table 3 below.

Table 3: *Shura* functionality and perceptions of village-level governance

VARIABLES	Model 1 Head of (CDC) <i>shura</i> most powerful person in village	Model 2 Perceived fairness of conflict resolution by CDC	Model 3 Shura decisions in the public interest
<i>Shura</i> functionality Index...	0.0817** (0.0462)	0.0528 (0.0348)	0.0495** (0.0167)
Second NSP budget #	0.0485 (0.0838)	0.0375 (0.0545)	-0.0271 (0.0211)
Second CDC election+	0.0904 (0.103)	-0.154* (0.0856)	0.0471 (0.0356)
Observations	4,383	4,273	4,383
R-squared	0.155	0.206	

Note: Analysis using 2014-15 survey data; models 1 and 2 use OLS regressions; model 3 uses logistic regression (average marginal effects); robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10 % levels, respectively; ...combined index of the CDC's increasing/decreasing influence, and awareness of CLDC work and DDA activities derived through polychoric factor analysis; #reference/base category for this variable is "one CDC election"; +reference/base category for this variable is "one NSP budget."

A one point increase in the *shura* functionality index, i.e., the increased influence and integration of a CDC with the CLDC and DDA, is on average associated with an 8pp increase in CDC consolidation, i.e., respondents consider the head of the CDC *shura* as being the most powerful person in the village. It is also associated with a 5pp increase in the probability of perceiving the *shura*'s decisions to be in the public interest (as opposed to the interest of a select few). With regard to CDC elections and NSP budgets, there is only one statistically significant result: a second CDC election is associated with a 15pp decrease in the perception of the CDC resolving conflicts in a just manner.

Turning to the district-level results (Table 4), a one point increase in the *shura* functionality index is on average associated with a 5pp decrease in the probability of belonging to a group of respondents that is generally satisfied with the available options of conflict resolution (for an explanation of this variable, see Appendix 1). This means that a CDC that is better integrated with its higher-level counterparts (CLDC and DDA) decreases the satisfaction with the available options of conflict resolution. However, this effect is relatively weak and only significant at the 10% level. A one point increase in the *shura* functionality index is also associated with an 8pp decrease in perceiving the *wolliswol* or the district chief of police as the most powerful person in the district (significance at the 10% level). These negative results require an explanation. They seem to be driven by the more remote districts (defined as districts whose centres are located more than approximately 30 minutes' drive from a main paved road). In these districts, there was a much higher incidence of poor working relationships between the DDA and *wolliswol*, where *wolliswols* resent the development-related authority of the DDA, and DDAs refuse to cooperate with *wolliswols*. In less remote districts, the working relationship between these two important actors is better, and it more closely resembles how the relationship is defined in IDLG's subnational governance policy. Indeed, poorer working relations between DDAs and *wolliswols* might well undermine the perceptions of both state authority and the fairness of conflict resolution.

Table 4: *Shura* functionality and perceptions of district-level governance

VARIABLES	Model 1 Perceived fairness of conflict resolution (LCA class membership)	Model 2 Most powerful person in district	Model 3 Perceived responsiveness of district administration	Model 4 Quality of health and education (combined index)
<i>Shura</i> functionality Index...	-0.0368* (0.0185)	-0.0750* (0.0414)	0.113** (0.0470)	0.0985** (0.0454)
Second CDC election#	-0.120** (0.0455)	0.279*** (0.0811)	0.124 (0.0991)	0.219** (0.109)
Second NSP budget+	0.0985*** (0.0248)	0.0136 (0.0540)	-0.0539 (0.0717)	0.00678 (0.0791)
Observations	4,602	4,602	4,602	3,408
R-squared		0.281	0.154	0.227

Note: Analysis using 2014-15 survey data; model 1 logistic regression (average marginal effects); models 2, 3, and 4 OLS regression; robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10 % levels, respectively; ...combined index of the CDC's increasing/decreasing influence, and awareness of CLDC work and DDA activities derived through polychoric factor analysis; #reference/base category for this variable is "one CDC election"; +reference/base category for this variable is "one NSP budget."

The following two results are positive and significant at the 5% level. A one point increase in the *shura* functionality index is associated with an 11.3pp increase in perceiving the *wolliswoli* as caring for the needs of the village. This is a rather strong result, as it means that living in a village with the best integrated CDC is associated with a 22.6pp increase in believing that the *wolliswoli* cares. Similarly, a one point increase in the index is associated with a 10pp increase in positively assessing the quality of education and healthcare (for the best integrated CDCs, this means a 20pp increase).

Results for second CDC elections and second NSP budgets resemble those observed for CDC activity (Table 2). A second CDC election (as compared to one election only) is on average associated with a 12pp decrease in the probability of being in the LCA class that is most satisfied with the available options of conflict resolution (significant at the 5% level). It is also associated with a very strong increase of 28pp in perceiving the *wolliswol* or the district chief of police as the most powerful person in the district, and a 22pp increase of being satisfied with healthcare and education (results significant at the 1% and 5% levels, respectively). For the receipt of a second NSP budget (as compared to one NSP budget), there is only one significant relationship: a 10pp increase in belonging to a group of respondents that is most satisfied with the available conflict resolution options. These results once again suggest that the tensions and splits caused by the renewed CDC elections are only temporary in nature.

7.3 Context-sensitive approach to subnational governance? Local challenges and potentials

So far we have shown that the functionality of CDCs and their integration with the higher levels of the *shura* structure affects (mostly in a positive way) the perceptions of village- and district-level governance. In this final section, we pose the question as to whether these observed and mostly positive impacts of the *shura* structure on governance perceptions are specific to certain district contexts (e.g., security conditions), or whether they appear generally, irrespective of context-specific conditions. In other words, we ask whether the *shura* structure works better under certain conditions. These results could be hugely important for both the Afghan government and international development organisations, as they would indicate how to target interventions for greater effectiveness.

The notion that society is governed uniformly across a territory controlled by one state is today widespread, but it is not very old. Uniform political rule according to general laws over diverse and heterogeneous societies is an innovation of the age of modern nation states. The empires, kingdoms or fiefdoms of an earlier age—some continuing well into the time of nation state dominance—took it for granted that ruling was very much an adaptive process of negotiating degrees and forms of projected central power with the different subordinated societies. There could not be a one-size-fits-all approach to subnational governance lest the sovereign risked the rebellion or out-migration of his subjects.

The Afghan Emirate, the kingdom before and after the violently contested consolidation and modernisation attempts of Abdur Rahman and Amanullah Khan, is a typical example of an ever-contested central power that negotiates different forms of local governance in different parts of the kingdom.⁹⁶ Even today, many states formally constituted as unitary and politically centralised nation states often lack the capacity, political will, or, quite simply, internal legitimacy (mostly a combination of all factors) to penetrate society with uniform rules and governmental institutions.⁹⁷

In today's Afghanistan, subnational governance is provided in different ways by different actors and to different extents. Unlike federal systems or supra-national entities, this is not the institutionally intended consequence of the Constitution, which defines Afghanistan as a unitarian and centralist state, or of meta-governance. It is rather the unintentional, but predictable consequence of historical path dependencies, social fragmentation, regional semi-autonomous power centres, the limited reach of the central state, and the central state's limited access to areas *de facto* governed by armed competitors opposed not only to the government but to the very way in which the state is constituted. By consequence, subnational governance is fragmented, though not chaotic.

Understanding and analysing how governance patterns work in Afghanistan are important in terms of making informed decisions about subnational governance policies. This does not, however, tell us much about the approaches that may work best under specific local conditions. The concept of sub-district governance zones may be difficult to operationalise for two reasons: first, these patterns are highly fragmented in space, and second, many of them fluctuate over relative short periods of time. Hence, we decided to introduce more stable, but nonetheless relevant geographic criteria to investigate the variations in the relationship between the state and the people. In this section, we therefore estimate the effect of the *shura* structure on district-level governance indicators within certain geographic subsets of the survey districts. Conceptually, we refer to these district subsets as “governance effect clusters.” Statistically, these are subsets of survey-based observations formed according to theory-based criteria.

For this paper, we use two theory-derived criteria for subdividing the survey districts into governance effect clusters/subsets: security, and proximity to transport and communication infrastructure (major lines of communication, i.e., roads). *Security* is relevant as it fundamentally changes the conditions under which the *shura* structure operates. First, it hinders its routine activities (*shura* members might be threatened or simply have difficulties going about their work), and second, the *shura*'s priorities regarding its activities might change. Whereas the different levels of the *shura* structure might in a peaceful context be mostly concerned with development, local governance tasks, and “building a bridge between the people and the state”, under deteriorating security conditions, *shura* structure members as important local leaders might increasingly shift their activities to negotiating with the combatants on behalf of their communities. The role of the *shura* structure in connecting the people with the state and *vice versa* might explicitly be threatened by insurgents. For the security-based district effect cluster, districts were categorised based on security incidents and the degree of insurgent or government presence, but the time factor in relation to exposure to insecurity and conflict was also considered. We did this to account for fluctuations in the security situation over the survey period from 2010 to 2014-15.

96 Barnett R. Rubin, “The Fragmentation of Afghanistan: State Formation and Collapse in the International System” (Hew Haven: Yale University Press, 2002).

97 Jan Koehler and Boris Wilke, “Wie funktioniert Sicherheit ohne (viel) Staat? Befunde aus Nordostafghanistan und Pakistan,” in *Wozu Staat? Governance in Räumen begrenzter und konsolidierter Staatlichkeit*, ed. Marianne Beisheim, Tanja A. Börzel, Philipp Genschel and Bernard Zangel, 55-86 (Baden-Baden: Nomos, 2011).

Connectedness/access to transport and communication infrastructure is important, as it links districts to the central state and economic activities. Given the heavily centralised nature of the Afghan state, access to the Kabul-based government should result in a more streamlined implementation of the administrative rules and a more visible and pervasive state presence in general. In contrast, in more remote districts, we would expect to find more particularistic and local administrative and governance solutions, and generally a more limited reach of central government. Connectedness and remoteness are not only relevant with regard to the nature of state-provided governance, but also in relation to economic and livelihood opportunities. These opportunities can also have a strong impact on social structures (a more outward orientation of households) and their interest in participating in local governance solutions such as those offered by the *shura* structure. Regarding the connectedness effect cluster, districts were subdivided according to whether the district administrative centre was within 30 minutes' drive from a main paved road (line of communication). There are two such roads in the survey region: the road leading from Kabul via Baghlan and Kunduz to the Shir *Khan* Bandar Border Crossing with Tajikistan, and the road connecting Kunduz City to Fayzabad via Taloqan. As far as connectedness is concerned, based on these criteria, it remained unchanged over the survey period.

District effect cluster on security and the impact of the functionality of the *shura* structure on governance perceptions

Table 5 below summarises the results pertaining to the security situation in districts. A better functioning *shura* system is on average associated with an increase in the perceived responsiveness of the district administration in partly secure and secure districts. The positive effect is somewhat stronger in partly secure districts as compared to secure districts. There is no statistically significant effect on the dependent variable in insecure districts.

A one point increase in the *shura* functionality index is on average associated with a 9pp decrease in the perceived fairness of conflict resolution in partly secure districts. There is no statistically significant effect on the dependent variable in insecure and secure districts.

The *shura* structure has no statistically significant effect on the consolidation of state authority at the district level in any of the districts categorised according to the security situation during the period 2010-15. A better functioning *shura* structure is on average associated with an increase (improvement) in the perceived quality of health and education services in secure districts (significance at the 10% level only). There is no statistically significant effect on the dependent variable in insecure and partly secure districts.

Table 5: *Shura* functionality index in relation to districts grouped according to the security situation

VARIABLES (<i>Shura</i> functionality index# in security-based district subsets)	Model 1 Perceived responsiveness of district administration to community needs	Model 2 Perceived fairness of conflict resolution (LCA class membership)	Model 3 Most powerful person in district	Model 4 Quality of health and education (combined index)
Insecure districts	-0.135 (0.0960)	-0.0457 (0.0344)	-0.140 (0.103)	0.0792 (0.0688)
Partly secure districts	0.240*** (0.0808)	-0.0871** (0.0374)	0.0108 (0.0576)	0.188** (0.0837)
Secure districts	0.173** (0.0700)	-0.0129 (0.0240)	-0.0590 (0.0445)	0.0262 (0.0657)
Observations	4,666	4,602	4,666	3,454

Note: Analysis using 2014-15 survey data; average marginal effects only for district subsets; extracted from fully specified models as presented in Tables 2 and 4; model 2 uses logistic regression; all other models are estimated using OLS; robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10% levels, respectively; #*shura* functionality index is a combined index of the CDC's increasing/decreasing influence, and awareness of CLDC work and DDA activities derived through polychoric factor analysis.

District effect cluster for connectedness and the impact of functionality of the *shura* structure on governance perceptions

Table 6 below summarises the results pertaining to the remoteness/connectedness of districts. A better functioning *shura* system is on average associated with an increase in the perceived responsiveness of the district administration in districts located far from the main lines of communication. There is no statistically significant effect on the dependent variable (responsiveness) in districts located within 30 minutes' drive from the main lines of communication.

A one point increase in the *shura* functionality index is on average associated with a 6pp decrease in the perceived fairness of conflict resolution in remote districts. There is no statistically effect significant on the dependent variable in well-connected districts. The *shura* system has no statistically significant effect on the consolidation of state authority at the district level in any of the districts categorised according to their proximity to main lines of communication.

A better functioning *shura* system is on average associated with an increase in the perceived quality of health and education in remote districts. There is no statistically significant effect on the dependent variable in easily accessed districts.

Table 6: *Shura* functionality index in relation to the districts grouped according to their access to lines of communication (main paved roads)

VARIABLES	Model 1	Model 2	Model 3	Model 4
(<i>Shura</i> functionality index# in security-based district subsets)	Perceived responsiveness of district administration to community needs	Perceived fairness of conflict resolution (membership in LCA class)	Most powerful person in district	Quality of health and education (combined index)
Well-connected districts	0.0361 (0.0634)	0.0142 (0.0229)	-0.116 (0.0724)	-0.0326 (0.0613)
Remote districts	0.161** (0.0640)	-0.0604** (0.0235)	-0.0239 (0.0365)	0.134** (0.0572)
Observations	4,602	4,602	4,602	3,408

Note: Analysis using 2014-15 survey data; average marginal effects only for district subsets; extracted from fully specified models as presented in Figure 3 and Table 2; model 2 uses logistic regression; all other models are estimated using OLS; robust clustered errors at the village level in parentheses; ***, **, * represent significance at the 1%, 5%, and 10% levels; #*shura* functionality index is a combined index of the CDC's increasing/decreasing influence, and awareness of CLDC work and DDA activities derived through polychoric factor analysis.

Our research on how the *shura* structure changes governance perceptions according to different contexts (security situation, connectedness/remoteness) is still very much in its beginning stage. Our initial analysis suggests that a better functioning *shura* structure is on average associated with more positive perceptions of state-provided governance in more secure and remote districts. In more insecure and centrally located districts, the impact of the *shura* structure on governance perceptions becomes insignificant. Whether the *shura* structure might affect other governance indicators in a positive or negative sense or whether it simply loses its effectiveness are future avenues of investigation.

7.4 Results thus far

Before proceeding to the discussion of our findings, we briefly summarise the main results. We coded the surveyed CDCs based on their self-assessed activity and functionality and the manner in which they engaged with the higher levels of the *shura* structure, in particular with CLDCs and DDAs. This latter coding was also based on self-assessment. The aim was to investigate whether more active and better integrated CDCs improved the perceptions of village- and district-level governance. To investigate the relationship between the characteristics of CDCs (activity and integration) and governance perceptions, we used multivariate regression analysis to ascertain whether the observed differences in governance perceptions are the result of other factors (e.g., security, road connections) or are related to the aforementioned characteristics of CDCs. Regression analysis also allows us to assess the strength of the confirmed relationships. In constructing our regression models, we also decided to investigate the effect of other important features of the *shura* structure: the vertical integration of the *shura* structure, a second CDC election, and the disbursement of a second NSP budget.

The analysis confirms our previous assumptions that a more active CDC is associated with more positive perceptions of village-level governance. Contrary to our initial expectations, however, we found no statistically significant relationship between CDC activity and the perceptions of district-level governance. This suggests that while supporting and building the capacity of CDCs is valuable in its own right as it improves village-level governance, it apparently has no impact on the perceptions of state-provided governance, and by extension, the Afghan state itself.

Nonetheless, our analysis identified three mechanisms that establish a link between village-level governance and the perceptions of state-provided governance on the district level. The first link is the vertical integration of the *shura* structure, though its impact is partly ambivalent. A CDC that is better connected to the higher-level development councils (CLDCs and DDAs) is associated with a more responsive district administration (*wolliswoli*) and better health and education services. This positive effect is partly offset by the mildly negative outcomes in the field of conflict resolution and the tendency to view actors aside from the *wolliswol* or district chief of police as the most powerful person in a district. Respondents in well-integrated CDCs are somewhat more likely to view the DDA or elders as being the most powerful actors in a district.

The second mechanism connecting the village to the district (and thus to the state) relates to CDC elections. Here, second CDC elections had a strong positive association with the consolidation of the state's authority (the belief that the *wolliswol* or district chief of police is the most powerful person in a district) as well as healthcare and education services. These positive results are diminished somewhat by the relatively strong negative impact of second CDC elections on the perceived fairness of conflict resolution. This negative effect concerned both the village and district levels. We interpret these results as tensions associated with open elections.⁹⁸ Should this interpretation be correct, it should sound a note of caution regarding the options for electing Village Councils as organised by the Independent Election Commission. If CDC elections that are carefully prepared by NGO facilitating partners and held separately in each village lead to measurable disruptions, how much more disruption would Village Council elections cause, considering that they would be held on the same day throughout the entire country and be prepared and conducted without consideration for the circumstances of individual villages?

The third mechanism connecting the village to the district—and thus to the state—is the disbursement and implementation of a second NSP round of funding. In this respect, there was only one statistically significant relationship: a second NSP budget was associated with a highly significant and relatively strong increase in people's satisfaction with the fairness of conflict resolution. This finding is optimistic in light of the negative relationship observed between renewed CDC elections and the perceptions of conflict resolution: since NSP implementation usually takes place subsequent to CDC elections, it is likely that the intra-communal tensions triggered by CDC elections are only temporary. It is unclear whether it is simply time or the disbursement of financial resources that mends the frictions created by the elections. It will be the task of future research to shed light on this issue through a further detailed analysis of our qualitative interviews.

Lastly, we showed that the governance effects associated with the *shura* structure are stronger in secure or partly secure, and in remote districts. Since there is a certain overlap between the two categories—the remote districts of our survey also tend to be more secure—it is unclear whether this is one effect or indeed two distinct effects that contribute to making the *shura* structure more effective.

⁹⁸ This result, while interesting, might not be particularly surprising with regard to the open conflict processes of Afghan society, which rely on power differentials, (potentially violent) self-help methods, and consensus-building institutions (*jirgas* or traditional *shuras*) to deal with conflicts, competition, and political issues. See Koehler et al., “Conflict and Stability in Afghanistan.”

8. Conclusions

The main intention of this paper was to establish the possible links between the features of the *shura* structure (CDC functionality, integration of the *shura* structure, elections, and NSP grants) and the governance perceptions pertaining to the village and district levels. As shown in the previous section, we succeeded in identifying a number of statistically significant links that paint a nuanced picture of how this interaction might work.

Explaining these findings in an attempt to confirm or disprove the possible explanations requires additional work: sifting through hundreds of qualitative interviews conducted with village representatives and conducting further statistical analyses. At this point, we will only put forward three tentative explanations that will need to be tested in the future.

8.1 Decentralised development and accountability

The NSP fits into a general trend followed since the 1980s of pursuing developmental goals via community-based approaches, usually referred to as community-driven development. Community-driven development has two characteristics: it facilitates the conduct of local elections to establish a local representative decision-making body (in our case, CDCs and the broader *shura* structure), and it gives decision-making power about development funds to this locally elected body. According to the theory, better development and governance outcomes result from this approach, because the local decision-making body has a better understanding of local needs than centrally appointed government representatives or external NGO staff, and the accountability mechanisms established through elections force the local decision-making body to apply this knowledge in the interest of the community.

A number of our survey results support this posited mechanism. According to the results, 84% of respondents “fully agree” or “agree” that the authority of the most powerful person in the village derives from his election, while 72% believe that the decisions of the democratically elected CDC *shura* are in the public interest. Approximately two-thirds of respondents (63%) believe that these decisions are “never” or “rarely” influenced by powerful internal or external actors, such as *qumandans*, large landowners, government officials, NGOs, and the Taliban. Lastly, the majority (60%) consider that village-level projects are selected because the majority voted for them and not because powerful individuals or NGOs lobbied for them. These results are even more positive if the CDC functions well, it is better integrated into the larger *shura* structure, or the village receives repeated NSP grants. Some of the positive results may be temporarily offset by possible tensions caused by the electoral competition for CDC posts. If this is indeed the case, it is regrettable. Nonetheless, repeated elections are essential for maintaining accountability, legitimacy, and motivation in the long term. To give other qualitative examples of accountability mechanisms, we are aware of a number of cases in which communities deposed of CDC members for alleged corruption and incompetence.

It thus seems that the NSP’s approach of community-driven development functions well: it has established and legitimised CDCs, made them accountable to their local communities, and succeeded—in a hostile and difficult environment—in partly insulating them from illegitimate internal and external interference. In our opinion, this explains to a significant degree the positive outcomes observed on the village level where CDCs are legitimised and have authority. This mechanism (i.e., delegated authority backed up by local accountability) is, however, insufficient in terms of explaining the positive outcomes observed at the district level. We suggest two additional causal mechanisms to explain the district-level governance outcomes: changing perceptions and the existence of a channel to communicate needs and redress complaints.

8.2 Changing perceptions through exposure and awareness

The activities, services, and funds associated with the NSP “bring the state” to the people, and they do this in a way that is meaningful to the villagers of northeast Afghanistan. Thus, probably for the first time in generations, villagers actually receive something tangible and positive from the state.⁹⁹ This transfer is not restricted to the funds alone, but includes all activities related to the election of CDCs and the implementation of NSP grants. The process begins with the social mobilisation of the community and capacity building of the elected representatives. Throughout the implementation process, village representatives are required to repeatedly visit the district and even provincial centre and have frequent contact with government officials. This can contribute to showing a more benevolent face of the state and providing villagers with a better understanding of how the state functions, thus leading to a reduction in negative stereotypes and prejudices vis-à-vis the state. It is worth mentioning that in some of our interviews, CDC representatives spoke of the MRRD “as being like a father” to them.¹⁰⁰ We also found fewer “don’t know” responses when the CDCs were more functional, had held repeated elections, and had received repeated funds, which seems to confirm this assumption: respondents opted for the “don’t know” option less often, because they knew more about local governance, and more importantly, district-level governance, about which they had an opinion.

8.3 A communication channel to convey needs and redress problems

Aside from people’s perceptions and increased familiarity and understanding, the *shura* structure and probably the visits and activities performed by CDC representatives during the NSP process also serve as a concrete avenue to communicate a community’s needs and problems to government officials. In another survey that we recently conducted in nine northern Afghan districts (not identical with the dataset used for this paper), 59% of respondents stated that in the case of a complaint about basic services such as health and education, the person or institution that they would first turn to was the CDC, followed by the *wolliswol* (17%). We also noted repeated cases in which the CDCs would turn to DDA representatives to approach the *wolliswol* or relevant government line departments on their behalf.

The positive view of district-level governance in association with the better integration of the *shura* structure confirms this mechanism. It is possible that repeated elections and NSP budgets—in addition to improved perceptions and understanding of the state—might also facilitate this vertical communication.

8.4 Recommendations: Maintaining and building the *shura* structure

The need to implement the Constitution regarding the establishment of DCs has recently changed the status of sub-district governance reform from a low-priority debate to a top policy priority. Numerous solutions are currently being discussed: some are seemingly more in line with the tenets of the Constitution but involving higher risks, while others are probably less in line with the Constitution but involving fewer risks.

Yet constitutionality and risks are not the only considerations that should inform this debate. The capacity associated with the different solutions in terms of fulfilling their long-term function also needs to be considered, notably delivering development and governance services to the population at the different sub-district levels in order to improve state legitimacy. In order to contribute to this debate with evidence-based solutions, we consulted quantitative and qualitative survey data from northeast Afghanistan. The focus of this investigation was the extant governance arrangements in this region on the district and sub-district levels.

⁹⁹ State society relations are quite complex, particularly with regard to conflict resolution. Communities continuously request state assistance if they cannot cope with conflicts on the local level. See Jan Koehler, “Institution-Centred Conflict Research: A Methodological Approach and its Application in East Afghanistan,” in *Spaces of Conflict in Everyday Life: Perspectives across Asia*, ed. Martin Sökefeld, 86-113 (Bielefeld: transcript, 2015).

¹⁰⁰ KII, head of a CDC, Daikundi, 8 November 2012.

We found that CDCs deliver legitimate and high-quality governance services on the village level. More active (and probably better trained) CDCs lead to better popular perceptions of village-level governance. However well a CDC functions, it can only improve perceptions of village-level governance. It has *no* impact on the perceived quality and legitimacy of state-provided governance on the district level.

However, we identified three mechanisms that *do* change popular perceptions of government-provided governance, all three of which are linked to the *shura* structure: (1) renewed elections, (2) the disbursement of renewed NSP funds, and (3) the integration of CDCs with higher levels of the MRRD-led structure of development councils (i.e., CLDCs and DDAs). These results contradict the frequently held views about the MRRD-led *shura* structure as being mainly donor-driven organisations with little local legitimacy and only concerned with development.

On the contrary, more than seven to eight years after its establishment, the *shura* structure enjoys high local legitimacy and has become the main institution of governance provision on the sub-district level. The impact on governance is felt at both the village and district levels. Most importantly, its activities *do not compete with state-provided governance, but on the contrary, they connect the village to the state and tend to strengthen the perceived quality of state-provided governance.*¹⁰¹

A second key finding relates to the differences in how the *shura* structure functions depending on the security situation and the geographic location of the district. Our findings suggest that the *shura* structure functions best in remote, but relatively secure districts. In this case, it has the strongest positive influence on perceptions of the state. In insecure areas, a better connected *shura* structure or better functioning CDC has no impact on the perceptions of the state, but this does not mean that important functions are not delivered in insecure districts. Despite the CDCs and *shura* structure not improving the perceptions of the state in insecure districts, better functioning CDCs still reduce the fear of informal militias (*arbakees*). Yet it would seem that more active and functional CDCs can exert a certain degree of control over unruly militia commanders. In the current security situation in which militias have become an unavoidable fact of rural life, this capacity of CDCs is of high importance.

Our **first recommendation** is thus for the *selection of a sub-district governance scenario that safeguards and strengthens the shura structure as a whole*. This implies two things. First, the *shura* structure should not only act as an avenue of development provision, but also fulfil its full function as a governance provider and community representative. Second, the *shura* structure should be maintained in its full vertical integration, as it is only through the CDCs' integration with CLDCs and DDAs that the village connects to the state and thus improves villagers' perceptions of the latter. Dismantling or substantially reducing the functions of this structure risks destroying the tentative links that communities have begun to develop with the state.

Our **second recommendation** relates to a context-sensitive approach to the *shura* structure. It is necessary to adapt subnational institution building to the geographical location and security of districts by focusing development resources and work through the *shura* structure in remote, but secure districts; in insecure districts, the *shura* system can still work as a mediator between the state and armed opposition groups, although no legitimacy effect should be expected for the state under such conditions. In better connected, but secure areas, the state could emphasise direct measures to interact with community representatives through consultation, service provision, and public forms of accountability (e.g., through the activities of line ministries). CDCs in insecure areas should, however, still be maintained, as they appear to exert a certain degree of control over local militias, thus making them less of a threat to the local population.

¹⁰¹ This statement comes with a caveat. In the “remote” and “partly secure” district subsets, a better functioning of the *shura* structure is associated with a decline in the satisfaction with state-provided conflict resolution. It is unclear whether this is a mere coincidence or whether there is a causal relationship between a more integrated *shura* structure and lower satisfaction with state-provided conflict.

A **third and final recommendation** relates to elections, as even the individually held and carefully choreographed CDC elections are accompanied by temporary, but measurable tensions and disruptions at the village level. What further tensions would simultaneous village, district, and *Wolesi Jirga* elections trigger throughout the entire country? In the current volatile security situation, this might be too much for the country to bear. In view of the risks, we strongly recommend against simultaneous village and district elections for fear of massively exacerbating tensions in the country.

Appendix

This section provides a comprehensive list of the control variables used in the regression analysis as well as a description of the relevant regression diagnostics. Both sections were considered too technical for the main part of the paper.

Appendix 1: Additional control variables

In the regression models, we entered a significant number of theoretically relevant independent variables as controls. The results for these variables are not discussed in the main part of the paper. The main purpose of these variables is to ensure that the relationship between the key independent and dependent variables is not spurious and affected by other theoretically relevant variables that could influence the dependent variables used as indicators of governance.

1. *Exposure to development projects*: A survey question asking respondents whether their community as a whole has been the beneficiary of specific development cooperation projects such as roads and bridges (10 types of projects in total) in the last two years. The average of the responses is used to estimate the exposure of the communities to development activities.
2. *Project count (per CDC)*: The number of development projects per CDC. Data is collected from the CDC profiles.
3. *Fear of the International Security Assistance Force*: A survey question asking respondents the degree to which they are afraid of foreign forces (three-point Likert scale).
4. *Class of “unafraid” respondents*: A dummy coded variable extracted through the application of Latent Class Analysis to the same survey question as in 3 above by taking into consideration four different actors: the Taliban, the *arbakee*/community militias, external armed men, and criminal groups. Members of the “unafraid” class constitute a subset of the whole sample and represent respondents who are not afraid of any of the mentioned actors.
5. *Governance zones*: An expert-coded five-category variable based on CDC profiles to determine the governance zones: 1) government and hybrid governance; 2) commander rule; 3) remote areas; 4) contested zones; 5) Taliban rule. “Governance zones” is used to control for state control/presence in the regression models.
6. *Most powerful person in the village*: A survey question asking about the most powerful person in the village from a list of 12 individuals (along with “other”). A four-category variable used in the analysis was recoded from the original question: 1) local jihadi commander, *arbakee* commander, and local police commander; 2) teacher, trader, *mullah*, landlord/*khan*, and *malik/arbab*; 3) tribal and village elders, teacher, doctor, police officer; 4) head of the CDC *shura*.
7. *Contribution of international development organisations to development across seven sectors*: A survey question asking respondents the degree to which they agree with the statements about several development actors contributing positively to development across seven sectors. Responses in relation to international development organisations were extracted. The average of the maximum of responses in each category across all sectors was taken to measure satisfaction with development in general.
8. *Modernisation values*: A survey question asking respondents the degree to which they agree with four value statements (four-point Likert scale). The value statements relate to off-farm/non-agricultural job opportunities for men and women, the positive impact of education on both boys and girls, and the positive impact of the state teaching curriculum on the community as well as its complementarity to Islamic values. The average of the maximum of responses in each category for the four value statements over the 246 survey villages was used to generate this variable.

9. *Modern media*: An additive index of three dummy coded variables from a survey question asking respondents to rank one media source (newspaper, television, or radio) on a scale of 1 to 5 according to its degree of importance. The three media outlets comprise the additive index.
10. *Madrassa/public school*: A three-category variable derived from the CDC profiles: 1 for more madrassas than schools per CDC, 2 for more schools than madrassas, and 0 for an equal number of madrassas and schools.
11. *Pashtun dummy*: Self-identification as a Pashtun: 1 for Pashtun and 0 for otherwise.
12. *CDCs with less than 30% Pashtun population*: Data collected from CDC profiles. A dummy variable for villages with less than 30% Pashtun population.
13. *CDCs with less than 50% Pashtun population*: Data collected from CDC profiles. A dummy variable for villages with less than 50% Pashtun population.
14. *Remoteness*: Data collected from CDC profiles. Distance of the CDCs to the district centre by car in minutes. As the data was too skewed, a square root transformation was applied.
15. *Site access*: Coded based on information obtained by the survey team in relation to the site's accessibility. The variable is used to control for accessibility to the survey site using a four-point scale.

Appendix 2: Regression diagnostics and robustness checks

As mentioned above, we use a combination of ordinary least squares (OLS) and logistic regressions to assess the impact of the key independent variables on governance indicators. To take into account the likely homogeneity of responses across the sampled villages and due to the use of some village-level indicators in the regression analysis, we estimate the regression models by clustering standard errors on the village level. A logistic regression is used to estimate models when the dependent variables are dummy coded, i.e., they are binary outcome variables. However, OLS regression is used when the dependent variables are principal components analysis scores, averages over villages, or have an ordinal level. To ensure that the results associated with key variables are robust for ordinal dependent variables, we re-estimate models estimated by OLS regressions using an ordered logistic regression, a method more fitting to analysing ordinal-level data. No significant differences were found in the direction or statistical significance of the estimated coefficients using the two different regression models. We therefore report results from the OLS models, which are far more intuitive and easy to interpret compared to ordinal regression models.

Since a considerable number of independent variables are used to estimate the models, multicollinearity tests were run for each estimated model to ensure that the independent variables are not highly correlated to each other, as this would lead to a problem of multicollinearity. If two variables are closely related to each other, i.e., they measure the same phenomenon to a large extent, their inclusion in the same model can potentially result in the instability of the coefficient estimates and make model interpretation difficult. Multicollinearity tests conducted for the different models do not indicate a problem despite the inclusion of a significant number of independent variables.

The models are also checked for unusual and influential data points that can have an undue effect on the estimations. Added variable plots (also known as partial regression plots) are used to identify influential data points. No observations were dropped from the models, as there was no evidence of extreme influential points. Some outlier observations at the household level exist across the cut-off points, but these are too insignificant to raise any serious issues of concern.

Finally, linearity checks for key predictors, outcome/dependent variables, and normality of residuals checks are conducted to ensure that models do not violate key assumptions.

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