State-Building During and After Conflict

Explaining the Roles of Security Sector Reform and Rule of Law on Legitimacy in Two Provinces of Uruzgan and Zabul, Afghanistan

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Abstract

The concept of state-building has become a dominant approach to rebuild weak and fragile states and transform their institutions into more legitimate ones. However, in the context of state-building, legitimacy has often been treated as an exogenous phenomenon, ignoring the perspective of the local population. This approach has often led to the creation of western-type institutions, but without much understanding of how the local people would perceive them. This thesis investigates how state-building activities in the forms of Security Sector Reform (SSR) and rule of law enhance legitimacy among the local population. The study argues that when state-building activities are carried out in a more robust fashion and given enough time, the results can positively affect legitimacy. In order to test the theoretical argument, linking SSR and rule of law to legitimacy, the study conducts a structured, focused comparison of two provinces of Afghanistan: Uruzgan and Zabul, where state-building activities took place between 2008 and 2012. The study’s findings support the hypothesis. Levels of legitimacy in Uruzgan were enhanced because there were more robust activities aimed at improving security sector reform and rule of law. On the contrary, Zabul experienced loss in the levels legitimacy because state-building activities were much weaker.
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<tr>
<td>ADF</td>
<td>Australian Defense Force</td>
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<tr>
<td>AHP</td>
<td>Afghan Highway Police</td>
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<tr>
<td>ANA</td>
<td>Afghan National Army</td>
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<tr>
<td>ANAP</td>
<td>Afghan National Auxiliary Police</td>
</tr>
<tr>
<td>ANP</td>
<td>Afghan National Police</td>
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<tr>
<td>CFU</td>
<td>Combined Force Uruzgan</td>
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<tr>
<td>CSTC-A</td>
<td>Combined Transition Security Command – Afghanistan</td>
</tr>
<tr>
<td>FDD</td>
<td>Focused District Development</td>
</tr>
<tr>
<td>INGOs</td>
<td>International Governmental Organizations</td>
</tr>
<tr>
<td>JMK</td>
<td>Jan Mohammad Khan</td>
</tr>
<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
</tr>
<tr>
<td>NDS</td>
<td>National Directorate of Security</td>
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<tr>
<td>NGOs</td>
<td>Nongovernmental Organizations</td>
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<tr>
<td>OCC-P</td>
<td>Provincial Operational Coordination Center</td>
</tr>
<tr>
<td>PMT</td>
<td>Police Mentoring Team</td>
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<tr>
<td>PRT</td>
<td>Provincial Reconstruction Team</td>
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<tr>
<td>PTA</td>
<td>Police-Training Academy</td>
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<tr>
<td>SIGAR</td>
<td>Special Inspector General for Afghanistan Reconstruction</td>
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<tr>
<td>SSR</td>
<td>Security Sector Reform</td>
</tr>
<tr>
<td>TFU</td>
<td>Task Force Uruzgan</td>
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<tr>
<td>UCPD</td>
<td>Uppsala Conflict Data Program</td>
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<tr>
<td>UN</td>
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1. Introduction

State-building has become one of the most dominant instruments for rebuilding conflict-torn states. Since 1990s, a number of countries (Afghanistan since 2001, Iraq since 2003, Kosovo since 1999, and Bosnia since 1995) have been experiencing some form of state-building.¹ This is partly because of the significant shift in the international system, followed by the end of the Cold War, which brought about many new challenges for international peace and security. Among them has been the increasing threats emanating from countries experiencing violent conflict, especially internal conflicts, leaving behind many weak and fragile states (Chandler and Sisk 2013a). About 70 percent of fragile states have experienced conflicts since 1989, where 1.5 billion people live (“New Deal Document | g7+” 2016).² Conflicts arising from fragile states often entail severe violations of international norms, such as genocide, war crime, forced migration, terrorism and various other atrocities. Francis Fukuyama, in his controversial and widely cited book, State-Building: Governance and World Order in the 21st Century argues that weak and fragile states engage in human rights abuses, cause humanitarian disasters, drive massive waves of immigration, and attack their neighbors (Fukuyama 2004, 92-93).

¹ For a complete list of countries with past and present peacebuilding/state-building, please refer to page 2 of The dilemmas of state-building: Confronting the contradictions of postwar peace operations by Paris and Sisk (2009).
² The International Dialogue on Peacebuilding and State-building comprises the g7+ group of 20 fragile and conflict-affected countries as well as major development partner governments and international organizations. As of 2 December 2011, 32 countries and 5 organizations were reported to have officially endorsed the New Deal document. They include Afghanistan, Australia, Austria, Belgium, Burundi, Canada, the Central African Republic, Chad, Croatia, the Democratic Republic of Congo, Denmark, France, Germany, Guinea Bissau, Haiti, Ireland, Japan, Liberia, Netherlands, Norway, Portugal, Sierra Leone, Solomon Islands, Somalia, South Sudan, Spain, Sweden, Switzerland, Timor-Leste, Togo, the United Kingdom and the United States as well as the African Development Bank, the Asian Development Bank, the European Commission, the United Nations Development Group and the World.
The challenges posed by fragile states and the rise of state-building as a mechanism to respond to these challenges have given rise to a wide range of scholarly debates (Chandler and Sisk 2013b; Grävingholt, Leininger, and Haldenwang 2012; Chandler 2010; Paris and Sisk 2009; N. Robinson 2007; Hehir and Robinson 2007; OECD 2011; Fukuyama 2004). In the words of Francis Fukuyama (2004, ix), state-building is one of the most important issues facing the global community. However, despite the emphasis on the significance of state-building and the rise in the research revolving around the topic, there is one important aspect of state-building that has been overlooked; that is looking at whether the institutions that the international actors help rebuild in fragile and conflict-affected states are legitimate and acceptable in the eyes of the local population (who are in a sense the recipients of state-building products). The focus of this study is the creation of legitimacy among the local population in the context of state-building.

If the purpose of international state-building is to build new government institutions and strengthen the existing ones through the practices of good governance, development, western-type institutional building, etc., as Fukuyama points out (Fukuyama 2004, ix), it is crucially important to assess whether the new institutions that the international actors help build or strengthen are acceptable and legitimate to the citizens of the fragile states. In other words, how do the local population perceive the outcomes of the state-building? This thesis contributes to the existing debate on state-building and legitimacy by analyzing the research question how does international state-building enhance legitimacy in conflict-affected and war-torn societies? In so doing the study assesses the two most important activities that international state-building undertakes in war-torn fragile states, Security sector reform (SSR) (i.e., building security institutions and armed forces) and rule of law (i.e., building/establishing/promoting justice systems/courts) and assess their effects on legitimacy. Both SSR and rule of law are key and fundamental elements of state-building as “the provision of security and justice sit at the very center of what states are” (Jackson 2011a, 1804).

In order to test the theoretical argument, this study uses qualitative comparative case study methods and argues that more robust state-building activities in the forms of SSR and rule of law enhance legitimacy overtime. SSR is “essentially aimed at the efficient and effective provision of state and human security within a framework of democratic
governance” (Hangg 2004, 1). Rule of law aims at “making the state abide by law, ensuring equality before law, supplying law and order, providing efficient and impartial justice, and upholding human rights” (Belton 2005, 7). Both SSR and Rule of law within a state have monopoly over violence. As Paul Martin, the former Prime Minister of Canada stated:

It comes down to this: how well are we doing in helping to make weak states stronger so that they can better fulfill their responsibilities to their own people and to others? All the aid in the world will have only a fleeting effect if a country does not have functioning public institutions and a rule of law (The Economist 2004).

An in-depth qualitative comparative study of two provinces of Afghanistan, Uruzgan and Zabul will be conducted to test the theoretical arguments of this paper. Whereas legitimacy in Uruzgan between 2008 and 2012 improved, in the case of Zabul, it got worsened. To explain this variation, I use the method of structured, focused comparison and the most-similar case selection design. The two cases are similar in all respects, except the values of the two independent variables. The empirical data used in this study were gathered from a variety of primary and secondary sources, such as government reports, interviews (conducted by other authors), and news sources. The empirical findings support the hypothesis tested in this study. In the province of Uruzgan legitimacy improved because the international actors undertook stronger and better state-building activities in the forms of SSR and rule of law. In the case of Zabul legitimacy decreased because the presence of the international actors was much weaker, and as a result, not much was done to improve SSR and rule of law.

The structure of the thesis is as follows: Chapter Two reviews the previous literature on state-building, and identifies the research gap. Chapter Three develops the theoretical approach and builds the hypotheses of interest. Chapter Four discusses the methodological choices guiding the empirical analysis. Chapter Five present the empirical findings by assessing the values of the independent and dependent variables within the the individual cases. Chapter Six carries out a comparative analysis of the tow cases in light of the empirical findings. In Chapter Seven, I will conclude and summarize the main findings, point out possible policy implications, and discuss potentials for future research.
2. Previous Literature on State-building

State-building can be defined as “the creation of new government institutions and the strengthening of existing ones” (Fukuyama 2004, ix). Paris and Sisk (2009) treat the term state-building the same as peacebuilding or consider it as a sub-component of peacebuilding. Emerged in the “tenuous” post-Cold War era, the concept of state-building continues to dominate the international peace and security and development agendas for years to come (Chandler and Sisk 2013a). There exist vast literature discussing state-building and its functions in the contemporary global system. The rise in the debate is linked to the increasing number of intrastate conflicts and how these conflicts have continued leaving behind weak and fragile states that have subsequently posed serious challenges to international peace and security. The threats to international peace and security from these conflicts “involve tangible spillovers of military insecurity that have direct, injurious consequences for neighboring countries and leading states globally” (Chandler and Sisk 2013a; also see Fukuyama 2004). This in turn has attracted a wide range of international actors such as powerful states, the UN, international NGOs, and aid-agencies to engage in different aspects of state-building in war-torn societies, in an effort to rebuild and strengthen institutions.³ The types of activities that the international actors pursue in the process of state-building vary,⁴ but the overall objectives, nonetheless, are the same; that is to help rebuild the war-torn states and their institutions so that they are legitimate, can better serve their citizens, and ensure that these states do not revert back to the cycle of conflict. Efforts such as SSR and Rule of

³ According to the 2011 World Bank Report, there are some 40 – 60 states worldwide, with a combined population of over a billion people that are either in conflict or are just emerging from conflicts. For more detailed information, please refer to: (http://siteresources.worldbank.org/INTWDRS/Resources/WDR2011_Full_Text.pdf)
⁴ Grävingholt, Leininger, and Haldenwang (2012) identify seven areas of development that might affect state-building, including “measures of quick impact (e.g. rebuild infrastructure, provide salaries etc.), provision of basic services (e.g. health, water and sanitation, food supply etc.), guaranteeing security (e.g. peace agreement, DDR etc.), building legitimacy (e.g. of political process, good governance, justice, anti-corruption etc.), establishment of administrative capacity (e.g. fiscal governance, administrative decentralization etc.), fostering economic capacity (e.g. job creation, financial system etc.), and rights-based approaches (e.g. human rights, political rights, gender equality etc.).”
law are two prime examples of activities undertaken by international actors in conflict-torn states during the process of state-building (Heupel 2012).

**State-building and Legitimacy**

As a point of departure for analyzing state-building it is important to define what a state is and when it is legitimate. This understanding serves as the basis of what state-building is supposed to achieve. Therefore, creating a state that is legitimate and acceptable by the society necessitates state-building activities to also acknowledge “endogenous political” processes (Weigand 2013).

In the context of state-building, there are two established understandings of state and its legitimacy that need to be differentiated: one is called Weberian (known as the institutional approach) and the other termed as Durkheim (known as the sociological approach) that calls for more robust social cohesion (i.e., state-society relations) as essential tool for strong and effective state. The most prominent approach, which focuses on institutional building (Andersen 2012a) is based on Weber’s idea of legal rational domination: “A compulsory political organization with continuous operation (politischer Anstaltsbetrieb) will be called a ‘state’ insofar as its administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order" (Weber 1968, 54; emphasis in the original). For a state to be able to exercise power through the legitimate use of force, it must be able to provide security for its citizens. Thus legitimacy is understood as a condition for a state to exercise its authority. Scholars adopting this institutional approach thus tend to heavily focus on state institutions, the government, democratic norms (Andersen 2012a) and “on the administrative capability of the state [as well as] the ability of the state apparatus to affirm its authority over society” (Lemay-Hébert 2013b).

Prominent scholars such as Fukuyama (2004), Rotberg (2004) and Ghani, Lockhart and Carnahan (2005) base their claims around the Weberian theory and argue that state-

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5 Ashraf Ghani Ahmadzai is the current President of Afghanistan.
building activities should aim at creating “rational-legal structures which extend the state’s capacity of public good delivery in order to increase its legitimacy by improved performance” (Weigand 2013). Thus state-building is seen as a bureaucratic task where “the state is equated with its institutions, state collapse is understood in terms of the collapse of state institutions, and state-building implies their reconstruction” (Lemay-Hébert 2013b). Furthermore, scholars that follow the Weberian school of thought see the Western state model as the universally acceptable model for social order (Jackson 2011; Weigand 2013). In the following section I briefly outline the arguments of these scholars and a few others in terms of how legitimacy is created in the context of state-building.

In a normative argument, Fukuyama suggests that state institutions not only have to work together in a unified manner as one body, “they also have to be perceived as being legitimate by the underlying society” (Fukuyama 2004, 26). For Fukuyama, among many types of historical legitimacy in contemporary world, the most important basis of legitimacy is democracy (Fukuyama 2004). Similarly, Gilley (2006) tests a number of hypothesized causes of legitimacy and finds “that good governance, democratic rights, and welfare gains provide the most reasonable and robust determinants of legitimacy” (47-48). Rotberg (2004) maintains that the normative and political principles of democracy, human rights, and tolerance are essential components for any states hoping to be considered legitimate.

Paris (2003, 2004) base his argument around Huntington’s Political Order in Changing Society (1986), which argued that in order for societies to change, they must have right types of institutions and further notes that democratization and normative considerations should come after an institutional framework is in place, expressed in the catchphrase “institutionalization before liberalization.” Along the same parameter, Chesterman (2004) aims to specify the conditions for legitimate national governance. Elections, consultation, accountability, and capacity building are the most important elements. For Chesterman, a strong central institution is the main requirement for legitimacy, where the main task of the state is to manage the interests of different international and domestic actors and in the long run to take control of its own destiny. Ignatieff (2003) also emphasizes on institutions and treats them as key indicators of
legitimacy. Particularly, for him the rule of law, an independent judiciary, constitutional order, and separation of powers are the most important factors for legitimacy.

The UN is also central in the institutional approach discussion, as it is traditionally seen to embody the values of the international community. Morphet (2002) in her study of transitional administrations asserts that national and international legitimacy is more likely achieved if state-building is based on international norms, as opposed to local norms. Doyle and Sambanis (2000), in their quantitative study of the UN peacekeeping operations, find positive correlation between UN interventions and democratization processes, concluding that UN interventions make state-building more legitimate. Similarly, Wilson (2003) argues that while regional alliances, or as he terms it “coalition of the willing,” facilitate more military capacity than the UN, they suffer from the “perceived legitimacy” that comes with the dominance of a single state.

Fearon and Laitin (2004) posit that both the UN and the former Bush administration used neo-trusteeship as new form of international governance, engaging a range of international actors, but accountability, which is closely linked to legitimacy was not properly secured in their objectives. The authors argue that “the international system remains badly organized and badly served for dealing with the implications of state collapse” and suggest a new mechanism of neo-trusteeship to facilitate coordination and accountability of future state-building.

In addition to arguments about how legitimacy can be created in the process of state-building, a number of scholars have focused on what factors make state-building work and what do not. Here, the works of a number of prominent scholars such as Monten (2014), Hout (2013), Dodge (2013), Zaum (2013), Jarstad and Olsson (2012), Marquette (2011) Donais (2009) and Chandler (2007) are worthy to highlight.

Monten (2014) investigates why some international state-building efforts have been more successful than others in building institutions. He argues that international interventions face real obstacles when engaging in state-building, particularly, in situations where “favorable domestic preconditions” are lacking (173). For Monten, state-building efforts have been “more successful when preserving existing state capacity than when attempting to build state strength where it did not previously existed” (Monten 2014, 173).
Chandler (Chandler 2007, 71) argues that contemporary international state-building methods “insist on the regulatory role of international institutions and suggest that locally derived political solutions are likely to be problematic.” For Chandler, this approach comes with a consequence—that is the emphasis that the international actors put on the principles of good governance “take precedence over the domestic political process of government.” Chandler uses Bosnia as an example and concludes that while the international bodies have succeeded to build the external model of good governance, they have failed to create legitimate Bosnian institutions “with the capacity to overcome the divisions of the war and take society forward” (Chandler 2007, 85). Similarly, Hout (2013) studies the EU efforts on state-building by looking at good governance approaches and the support for state capacity building and finds that these approaches are problematic because the end goal of the efforts is to create Western-type states.6

Marquette (2011) points out that there exist “contradictions” and “inconsistencies” between the agendas pursued by good governance and state-building (1871). Specifically, she argues that in certain “volatile environment, fighting corruption directly” can have “destabilizing” effect (Marquette 2011, 1871). She suggests that “building integrity rather than fighting corruption, provides lessons to be learned for the anti-corruption community as a whole” (Marquette 2011, 1872).

Finally, A number of scholars emphasize on local ownership arguing that the relationship between international and local actors lies at the heart of successful contemporary state-building (Donais 2009; Jarstad and Olsson 2012).

2.1. The Importance of Legitimacy and the Research Gap

Having presented the previous research on state-building and legitimacy, I now discuss the significance of legitimacy as well as point out the research gap. To sum up, the previous research highlighted that in the context of state-building, there are two established understandings of state legitimacy: one that focuses on legitimacy of the state

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from the perspective of the international community (also known as normative or institutional argument), and another, which focuses on the legitimacy of the product of state-building in the eyes of the domestic population (also known as the sociological understanding of legitimacy) (Sabaratnam cited in Andersen 2012a, 206).

What is problematic is that most scholars frame their arguments around the Weberian or institutional building approach and argue how these approaches have worked or have not in practice. This top down approach often misses the sociological understanding of legitimacy. In situations where institutions are built by outside actors during the process of state-building, too much focus on institutional approach may add to the creation of another layer of institution that may be acceptable to the international community, but may not be so to the local population (Weigand 2013). Thus, in the context of state-building integrating both the institutional and the sociological approaches may provide a better understanding of what state-building is supposed to achieve. The focus of this thesis is to do just that. It aims to fill the existing void and analyze legitimacy from the prospective of the local population, who are the recipients of state-building products. Filling this void is important because it provides an understanding about the trust and confidence that citizens have in their state institutions and their ability to provide basic services.

Additionally, given that security sector reform (SSR) and rule of law are the two most important activities in state-building, as briefly illustrated in the introduction, not many studies have attempted to carry out a systematic comparative case study of international state-building efforts to test whether SSR and rule of law (as independent variables) affect legitimacy (as the dependent variable). Most previous studies either treat these variables as essential elements of legitimacy or emphasize on the presence of legitimacy itself as being important for a state’s function in the international and domestic realms. Thus, existing studies often “do not satisfy the requirements of being systematic and empirical in a way that would allow learning from experience” (Grävingholt, Leininger, and Haldenwang 2012). Previous literature claims that good governance, rule of law, democratic, legitimate and accountable institutions are essential for international state-building agenda and the creation of legitimacy. However, they fail to go far enough to provide sufficient understanding of whether state-building by outsiders is even welcome
by the local population, let alone being legitimate. Doing so requires a systematic and theory driven study, which this thesis aims to do. Grävingholt et al. (2012) evaluates 100 different studies of state-building and finds that most cases of comparative research lack appropriate methodology and fail to meet academic standards.

This thesis contributes to existing state-building literature by taking a slightly different approach in the understanding of state-building and legitimacy and by empirically testing how state-building efforts in the forms of SSR and rule of law affect legitimacy. This will provide further understanding of what state-building is and what it is supposed to achieve. More specifically, in order to test how state-building activities such as SSR and rule of law would affect legitimacy, this study compares two provinces of Afghanistan, Uruzgan and Zabul as case studies based on vast variations in the levels of legitimacy.

Legitimacy is measured from the point of view of the local population as opposed to whether a state and its institutions are viewed as legitimate by the international community. To date, not many authors have carried out a systematic comparative case study analysis of state-building in war-torn societies that looks at legitimacy from the perspective of the domestic population. Those who have attempted to do so, has not paid adequate attention to relevant theories that could accurately delineate a cause and effect. The majority of the products written have ended up being either opinion based or pure policy oriented papers (Grävingholt, Leininger, and Haldenwang 2012). Attempting to carry out a theoretically driven study of state-building in war-torn societies and assessing whether the actions that the international actors undertake during state-building process is perceived as legitimate by the states’ society is another contribution of this study. Specifically, the study argues that state-building in conflict-affected societies are carried out through the lens of liberal peacebuilding, which emphasizes the promotion of good governance and building democratic institutions. These approaches often ignore the local context and contribute to divergence between state-society relations.

3. Theoretical Approach

Having discussed the insights on previous research and presented the research gap, in this section, I will outline the theoretical approach by first clarify what international state-
building is and what it is not. I will then conceptualize each variable in the context of state-building, starting by legitimacy, then SSR, and then rule of law. Legitimacy is the dependent variable in this study and SSR and rule of law are the two independent variables. Lastly, I will discuss the causal mechanism and present the proposed hypotheses.

3.1. Conceptualizing State-Building

In conceptualizing state-building, this thesis leans on the definitions put forward by (Paris and Sisk 2009; OECD 2011; and Andersen 2012). State-building according to Paris and Sisk “refers to the strengthening or construction of legitimate governmental institutions” in war-torn states (Paris and Sisk 2009, 14). This definition is similar to the definition put forward by the Organization for Economic Cooperation and Development (OECD), which defines state-building as “an endogenous process to enhance capacity, institutions and legitimacy of the state driven by state-society relations” (OECD 2011). For Andersen (2012a, 207) state-building mean “efforts [taken] by external actors or donors to build or rebuild ‘failed,’ ‘weak’ or conflict-affected states, or to support such efforts.” These definitions combined provide sufficient understanding of what state-building is and what it is supposed to achieve, with emphasis on legitimacy as being a central and embedded element of state-building process. However, it is important to further clarify what state-building is and what it is not. According to Paris and Sisk:

1. State-building is not the same as peacebuilding. Postwar peacebuilding aims at creating possibilities to prevent conflicts from recurring, whereas state-building aims at building “effective and legitimate governmental institutions as an important element of peacebuilding” (Paris and Sisk 2009).

2. State-building is not limited to ‘top down’ institution building at the elites level; it includes ‘bottom up’ approaches such as strengthening civil society groups as well. “Because state-building refers to the construction of legitimate governmental institutions, it necessarily requires attentiveness to the relationship between these institutions and civil society” (Paris and Sisk 2009, 14). States’ legitimacy can be achieved both internationally and domestically. Internationally, legitimacy comes
from the belief that a state is legitimate from the perspective of the international community, whereas domestically, legitimacy comes from a “belief” among the citizens of the state that “public institutions have a rightful authority to govern them” (Paris and Sisk 2009, 15). The emphasis on legitimacy from the state’s society point of view is the most essential point for this study as legitimacy is looked at from the perspective of society, not by other means. If societies do not trust their governments’ institutions, tasked to facilitate law and order, deliver public goods, and provide security, there will be a disconnect between states and their respective societies.

3. State-building is not the same as nation-building, even though the two may be related. As mentioned, state-building is focused on building and strengthening states’ institutions, whereas nation-building is focused on the “strengthening of a national population’s collective identity, including its sense of national distinctiveness and unity” (Paris and Sisk 2009, 15).

4. The key definitions of state functions include some or all of the following:

   The provision of security, the rule of law (including a codified promulgated body of laws with a reasonable effective police and justice system), basic services (including emergency relief, support for the poorest, and essential healthcare), and at least a rudimentary ability to formulate and implement budget plans and to collect revenues through taxation (Paris and Sisk 2009, 15).

   To sum up, state-building activities could entail helping rebuild or strengthen security and justice sectors, helping the state deliver basic services (e.g. build roads and infrastructure, provide healthcare and education etc.), fostering economic capacity (e.g. job creation and financial management etc.), and rights based mechanisms (e.g. human rights, political rights, gender equality etc.)

3.2. Conceptualizing Legitimacy

Legitimacy is “at the core of a functioning state” (Grävingholt et al., 2012, 21), and internal conflicts generally erupt in states that are illegitimate in the eyes of their people (Paris and Sisk 2009, 28). States that come out of conflict often face a legitimacy crisis and this “lack of legitimacy can contribute to the resumption of violence” (Paris and Sisk 2009, 28). Both, legitimacy crisis and lack of legitimacy cause the states to be viewed as weak and fragile. Given the importance of legitimacy as being central to state-building efforts, a systematic and comparative study of legitimacy in the context of state-building is of crucial importance. Current state-building discourse not only ignores this issue but also is predominantly opinion based (Grävingholt et al., 2012, 3) or pure policy-oriented (Weigand 2013, 10). In order to provide an understanding of what legitimacy means in the context of state-building, it must be first defined.

Legitimacy can be difficult to define and measure (Gilley 2006; Karlborg 2015). Merelman (1966, 548) asserts that there have been countless attempts to define whether governments are or are not legitimate, but the attempts have been at best vague with the “indices of legitimacy unclearly stated.” Alternatively, Merelman defines legitimacy as “a quality attributed to a regime by a population. That quality is the outcome of the government’s capacity to engender legitimacy; the capacity to produce legitimacy is not legitimacy itself” (Merelman 1966, 548; emphasis on the original). Similar to Merelman’s definition, Lipset (1960, 64) suggests that “legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society.”

In the context of international state-building, states gain legitimacy from both international and domestic sources (Bukovansky 2002). Domestically, legitimacy derives from a belief among a state’s population that government institutions possess a rightful authority to govern. This is the essence of legitimacy (Paris and Sisk 2009). Building on these definitions, I maintain that while the product of state-building (e.g. efforts taken to
rebuild and strengthen institutions) may look legitimate from the perspective of the international community, it may not be so from the perspective of domestic population. Even domestically, legitimacy can be perceived or understood differently. The state and its newly built institutions may consider their actions and authorities as legitimate, whereas to the contrary, the population may view them as illegitimate. The attributes of legitimacy in this study are the quality of state-building products judged by population of the conflict-affected states.

The focus on legitimacy in this thesis therefore, is understood in terms of state-society relations, where the citizens within a state determine how legitimate the governmental institutions are. Andersen (2012b, 207) suggests that “newly (re)formed” states can be viewed as legitimate internally in two ways: “that of sources of legitimacy, and that of the ‘referent objects’ of legitimacy.” The sources of legitimacy is termed as ‘normative’ (i.e. democratic values) understanding of legitimacy whereas the “referent objects” is termed as ‘empirical’ or ‘sociological’ understanding of legitimacy (i.e. what the population considers as legitimate) (Andersen 2012b). A state’s government might enforce its authority, thinking that its actions are legitimate, but it is the population that would ultimately judge the outcomes of state’s actions because they are the subjects of legitimacy. In the context of state-building, the new government institutions that international actors help build are seen as products of state-building. These institutions are expected to fulfill a series of responsibilities. If they are security institutions, citizens expect them to ensure safety and security for the population. If they are justice institutions, citizens expect them to ensure everyone follows the rule of law and punishes those who fail to do so. If a state fails to protect its citizens and is incapable of treating everyone equally under the law and bringing criminals to justice, citizens will lose trust and confidence in the state, resulting in the state institutions being viewed as illegitimate. Thus legitimacy is created through the principles of good and sound governance (Keping 2011).

In order for a state to be legitimate, it must be able to provide basic services to its citizens. The two most important determinants of legitimacy are strong security and rule of law institutions; institutions that are able to defend the state and protect the population through proper management of the security and rule of law sectors. A state that cannot
protect its people will not be legitimate in the eyes of its population (Donnelly 2006). Equally, without accountable rule of law establishments, a state can be anything. Criminals could go unpunished, justice will not be delivered, when the citizens demand it. In short, without strong security and rule of law institutions, citizens will lose confidence in the state, which will result in the loss of legitimacy (Donnelly 2006; Keping 2011). Furthermore, presence of strong security and rule of law will pave the way for the revival of other social sectors, such as the economy, education and health systems (OECD 2010).

To sum up, international state-building in this thesis is understood as rebuilding or strengthening of governmental institutions within conflict-affected states. While the aim could be many various institutions, the focus of this thesis is security institutions and justice systems or rule of law. Legitimacy is understood from the perspective of the domestic population, i.e., how local people view the institutions that are built with the assistance of international actors during state-building process. International state-building efforts result into some types of outputs, i.e., legitimacy; the quality/performance of state-building activities determine how the domestic population perceives the outcome as either legitimate or illegitimate.

3.3. Conceptualizing Security Sector Reform (SSR)

As one of the core state-building activities undertaken by various international actors in war-torn states, the UN defines SSR as “structures, institutions and personnel responsible for the management, provision and oversight of security” (“Security Sector Reform, United Nations Peacekeeping”). These could be defense, police force, corrections, intelligence services and institutions responsible for border management, customs and civil emergencies. Similar to the UN definition, The OECD Development Assistance (DAC) Handbook defines SSR as:

Security sector reform is another term used to describe the transformation of the security system – which includes all the actors, their roles, responsibilities and actions – working together to manage and operate the system in a manner that
is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well functioning security framework.\(^8\)

The OECD’s definition is generally accepted to be the core guidelines on SSR internationally as it entails the core definitions and philosophy of it (Jackson 2011). In the context of state-building, OECD’s definition of SSR puts forward the view that there should be agreements between donor and recipient countries with the aim of achieving four core objectives: “the establishment of effective governance, oversight and accountability in the security system; the improved delivery of security and justice services; the development of local leadership and ownership of the process; and sustainability of justice and security sector delivery” (Jackson 2011, 1810-1811). For Hendrickson and Karkoszka (2001, 200), SSR is “an attempt to develop a more coherent framework for reducing the risk that states weakness or failure will lead to disorder and violence. It is the transformation of security institutions so that they play an effective, legitimate and democratically accountable role in providing external and internal security for their citizens.”

Together these definitions capture the essence of what SSR is and what it is supposed to achieve. In conflict-affected states, SSR is weak because the state may not have the capacity to transform its security institutions. This creates the needs for the international actors to engage in the strengthening of the security institutions so that the state can manage its own security and protect its population. SSR and state-building are closely linked, and during the process of state-building, international actors aim to build, improve/strengthen and transform the security sector of weak and fragile states (Jackson 2011).

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\(^8\) The core security actors, according to OECD are: armed forces; police; gendarmeries; paramilitary forces; presidential guards, intelligence and security services (both military and civilian); coast guards; border guards; customs authorities; reserve or local security units (civil defense forces, national guards, militias). For further detail please refer to the full report at: (http://www.oecd.org/dac/governance-peace/conflictandfragility/docs/31785288.pdf)
For Jackson “SSR is a fundamental element of state-building” as it “represents a window into the state-building process more broadly and into the underlying—and usually unwritten—assumptions that are made by international actors constructing states” (Jackson 2011, 1804). Because SSR is concerned with the management of security institutions and armed forces, citizens of the state rely on them for protection. If the management is weak and armed forces are incapable of providing security, citizens will not feel safe and secure. SSR essentially facilitates security for the state and its underlying population. Thus, security is one of the most essential determinants of a legitimate state because without it, a state will not be able to provide basic services to its citizens and thus will lack legitimacy. A state loses its legitimacy if it cannot provide security for its population (Donnelly 2006). According to OECD, “Security is central to state legitimacy because it makes possible the production of other sources of legitimacy including ensuring basic health and education services, sustaining livelihoods and economic activity, and establishing democratic elections and the rule of law” (OECD 2010). Furthermore, when people feel safe and secure, they will be able to participate in political as well as state-building processes without fear of retribution. In the absence of SSR, state’s security will suffer from lack of capacity and adequate management as is evident in many weak states. Without well-functioning security institutions, violence could erupt. This makes a state look weak, and subsequently, results in people viewing the state and its institutions as incapable and illegitimate.

*Hypothesis 1: As SSR is improved, levels of legitimacy among the population will increase*

**3.4. Conceptualizing Rule of Law**

The rule of law is an important concept for understanding accountability and the role of the courts within a society. The UN defines the rule of law as:

A principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law,
separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency ("Report of the UN Secretary-General on the Rule of law and Transitional Justice in Conflict and Post-Conflict Societies" 2004). 

Rule of law as understood from this definition, essentially provides a way forward for how state and society should interact. Formal institutions that administer justice system (prosecutions, courts, lawyers/attorneys) therefore play a central role in ensuring that all entities (state and non-state), including security institutions respect and adhere to the rule of law and human rights (OECD 2008). In the context of international state-building, rule of law encompasses all activities that international actors undertake in conflict-affected states—to assist with the promotion of rule of law. Similar to the provision of security, rule of law and justice are as equally important for state’s legitimacy. Without rule of law and access to accountable justice system, the population will view the state as weak and incapable to deliver justice when needed. Conversely, when state courts enforce rule of law, the confidence of people in the courts and their willingness to bring their disputes to the courts will also increase (Donnelly 2006). In situations where people don’t have access to justice, they will be forced to rely on informal forms of justice delivery and rule of law such as relying on local assemblies, public lashings (as is the case in Afghanistan, Pakistan and many other traditional societies) and other traditional means, which often fuels violence and creates a situation where people would rely on an eye for an eye type of justice.

In short, as Donnelly (2006) argues, “a state monopoly for the use of violence is central to the rule of law [and] because people bring their disputes to court and abide by the result, courts have power, are able to maintain the rule of law, and can advance civil liberties” (42-43). Rule of law leads to legitimacy because it provides a sense of trust and security for citizens of the state. This sense of security does not mean military security, but rather how the population “relies on a court system that isn’t corrupt or biased” (Donnelly 2006). With the presence of strong rule of law system, the citizens of the state

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9 This definition of rule of law has since been used by OECD (2007) and various other authors.
will have confidence in the court system, and essentially the government itself, leading to the enhancement of legitimacy.

_Hypothesis 2: As rule of law is improved, levels of legitimacy among the population will increase_

To sum up, the citizens are as the recipients of a series of goods and services and the institutions as the providers. When the citizens feel safe and secure; when they feel assured that the rule of law is enforced, the government and its responsible institutions will receive higher levels of legitimacy. Ultimately, the level of legitimacy will be determined by how the citizens (as the recipients of various goods and services, i.e., security and rule of law) perceive the institutions that are built by international actors during the process of state-building. As Gilley (2006, 48) states, “a state is more legitimate the more that it is treated by its citizens as rightfully holding and exercising political power” (Italicized in the original). Acceptable state institutions are the ones that “transparently and efficiently serves the needs of its clients—the citizens of the state” (Fukuyama 2004, 26). This is further demonstrated in the causal model on the next page.

### 3.5. The Causal Diagram

*Figure 1*

<table>
<thead>
<tr>
<th>Input</th>
<th>Output</th>
</tr>
</thead>
<tbody>
<tr>
<td>State-Building</td>
<td>Enhanced Legitimacy</td>
</tr>
<tr>
<td>Improved Security</td>
<td>People's Perception</td>
</tr>
<tr>
<td>Improved Rule of Law</td>
<td></td>
</tr>
</tbody>
</table>
4. **Research Design**

The previous section discussed the theoretical argument, suggesting that the provisions of security and rule of law as the independent variables are key determinants of legitimacy, the dependent variable. Efforts by various international actors to rebuild and strengthen security and rule of law sectors positively affect the two mechanisms assumed to be important in explaining if legitimacy increases or decreases. This chapter outlines the research design employed to test the argument empirically.

In order to achieve the overall goal of a theory-oriented case study, it is important to have an appropriate research design (George and Bennett 2005), which can be defined as “the logical sequence that connects the empirical data to a study’s initial research question, and ultimately, to its conclusions” (Yin 2009, 26). Two provinces of Afghanistan – Uruzgan and Zabul have been selected for this study. The provinces will be compared to evaluate whether the theoretical argument can delineate the variations in the outcomes of the cases as well as identify the proposed mechanisms. I assume that state-building activities aimed at building and improving security and rule of law sectors are present in various forms in both cases selected for this study. However, the exact values of the independent variables are not known.

The chapter begins by discussing the methodological approach and outlining the rationale behind the selection of cases that will be used in this study. Next, the chosen timeframe, collection of data sources will be discussed. The chapter will conclude by discussing the operationalization of the theoretical framework and presenting the structure of the empirical analysis.
4.1. Methodological Approach

This thesis aims to test whether state-building efforts aimed at building and improving security and rule of law sectors in conflict-affected states can explain the variations in legitimacy, which is the dependent variable in this study. In Chapter 2, an apparent research gap regarding the need for carrying out a systematic comparative case study of state-building and legitimacy was identified. This study has adopted qualitative methods to benefit from exploring and evaluating the causal mechanisms, which in large-n quantitative studies remain in a black box. Qualitative design allows the researcher to unpack the black box for a more thorough evaluation and analysis of the causal story.

To compare the two cases, the method of structured, focused comparison is used. The method is structured in that it allows me to formulate and ask questions that reflect the research objectives as well as it allows me to ask the same set of questions for all the cases being studied. The use of this method is rewarding because it facilitates systematic comparison of the cases under study as well as it makes cumulative findings of the case study possible. It is focused in that it only deals with certain aspects of the cases being studied (George and Bennett 2005). While the focus is to explain the variations in legitimacy between the cases overtime, it is equally important to also look at the variations overtime within each individual case.¹⁰ This approach will not only lead to more fruitful analysis of the causal mechanisms, it will also open doors for various control variables that could have potential effect on the outcome, and result in the development or building of a new theory.

¹⁰ First, the goal is to explain why legitimacy varies (in terms of high or low) between case A, B and C over the selected time period. Second, it would be fruitful to also look at the variations or change in legitimacy within each individual case over the selected time period. For example, why legitimacy in case A changed between (a) the selected years and (b) from the start to the end of the selected time period.
4.2. Case Selection and Operationalization of the Dependent Variable

In a qualitative case study or small-n research design, it is not feasible to select cases randomly because doing so could lead to serious case selection biases (King, Keohane, and Verba 1994). If we are to abandon random selection technique, it must be done so carefully (King, et al. 1994). The cases selected in this study are two provinces of Afghanistan—Uruzgan and Zabul, where state-building activities took place between 2008 and 2012.

Afghanistan makes an interesting case of state-building because since the aftermath of 2001, the international community has been trying to rebuild the state and its institutions. Under NATO-led ISAF, a UN mandated mission, nearly 50 countries from around the world were, engaged in the process of state-building. Billions of dollars have been spent in the process. While Afghanistan is assumed to be representative of larger population of cases where state-building activities take place, it is important to highlight that it is also a unique case. Since the emphasis in the the existing literature is often on state-building in the post-conflict (states emerging from conflict) settings, Afghanistan may not be a pure post-conflict case. The international community engaged in state-building in Afghanistan also fought the Taliban, al-Qaeda and other insurgent groups at the same time as they tried to help re-build state’s security and rule of law institutions. Thus, it might be more appropriate to term Afghanistan as a case of state-building during and after conflict. Whereas the post-conflict refers to when the U.S.-led military mission ousted the Taliban from power and helped set up a new government, during conflict refers to a situation when state-building takes place during an active conflict. The two selected provinces are assumed to be representative of the larger population of cases within Afghanistan, where international actors attempted to rebuild or strengthen security and rule of law institutions.

In order to select the cases, this study has used a comprehensive perception survey data of the Afghan people conducted and collected in 34 provinces of Afghanistan by the
Asia Foundation\textsuperscript{11} on security and rule of law institutions. In so doing, I first identified and extracted all the relevant questions and variables from the survey data—that directly capture people’s perceptions of security and rule of law sectors in Afghanistan and then I combined these relevant variables together and created the outcome variable, legitimacy using statistical software. The questions are described in more details in the section where I operationalize the dependent variable. Once the operation was complete, vast variations in the levels of legitimacy overtime, between and within the provinces were noticed. I then chose the two provinces as case studies based on the most interesting levels of variations in legitimacy and their comparability in terms of other variables. However, the results of perception surveys in Afghanistan, which are based on large samples, have to be treated with caution. The surveys may not be as representative, as they are usually conducted in the safer areas due to security concerns (Weigand 2013).\textsuperscript{12} This means that the interviewers may not have been able to access more remote areas, leaving out some people whose views may have been left out from the surveys. However, aware of this issue, I argue that (a) this is the most comprehensive data available on Afghanistan and (b) most state-building activities have taken place in centrally populated areas of the provinces, as part of the ISAF strategy to win hearts and minds. Thus, the data used might capture the perception of the majority of the population who experienced the effects of state-building activities, even though the data may not have been collected from remote areas.

This study uses method of comparing most similar cases, also known as the method of controlled comparison, as this approach is appropriate for identifying mechanisms left

\textsuperscript{11} The Asia Foundation is a nonprofit international organization that conducts empirical surveys to assess the quality and responsiveness of government services, patterns of corruption, and levels of violence, including the most comprehensive public opinion poll in Afghanistan. Since 2004, the Asia Foundation has carried out many comprehensive perception surveys, interviewing more than 75,000 Afghans across 34 provinces. The survey questionnaires gauge the opinions of the Afghan people on national mood, security, economic growth and employment, development and service delivery, governance, political participation, access to information, and gender. For more detailed information about the Asia Foundation and the data used in this study, please refer to: (http://asiafoundation.org/about/) and (http://asiafoundation.org/publications/pdf/751)

\textsuperscript{12} This is a working paper series. The author used perception surveys of the Afghan people collected by the Asia Foundation in her study.
out by previous research (Gerring 2007). Ideally, cases selected for controlled comparison must be “comparable in all respects except for the independent variable, whose variance may account for the cases having different outcomes on the dependent variable” (George and Bennett 2005, 81; Gerring 2007, 131). Thus, the important aspect of this case selection strategy is to show that the cases are similar on all possible aspects except the values of the independent variable. The comparative aspect of this study will allow me to control for any potential confounding factors that may influence the dependent variable.

The two cases—Uruzgan and Zabul are similar in terms of general conditions such as geography, demography, presence of anti-government groups, economic conditions, levels of violence and opium cultivation.13

Uruzgan is located in the central-south of Afghanistan Zabul is situated in southeastern, but both provinces border each other. Both provinces “have mixed flat and mountainous terrain” (“Regional Command South” 2009). Both provinces are the least developed in the country and the majority of the population in both provinces is ethnic Pashtun, with 90 percent of the people speaking Pashtu as their main language (“Province Information — Afghan Agriculture”). The male and female ratios in both provinces are the same and both provinces have about 97 percent of rural population, with about 48 percent of them being female. The majority of the population in both provinces are nomads. Levels of poverty in both provinces stand between 50 to 60 percent, with Gini Index of 22 to 27 percent. Unemployment rates in both provinces are between 35 to 49 percent, with Uruzgan having 10 percent literate workforce and Zabul having 11 percent (“Afghanistan Provincial Briefs,” The World Bank). The vast majority of the populations in both provinces rely on agriculture, with only about two percent serving in the public administration. Both provinces have about the same average years of schooling. Furthermore, both provinces share border with Kandahar, one of Afghanistan’s largest cities and a hub for trade and economic activities. Also, people in both provinces rely on opium cultivation as a source of economic income (“Narcotics”).

13 Regarding poppy cultivation see the full report by the Institute for the Study of War: http://www.understandingwar.org/narcotics
Additionally, the resurgence and presence of the Taliban as the main anti-government group in both provinces share similar characteristics. According to Bijlert (2010) these characteristics are linked to:

(1) The historical links of the Taliban movement to the area, which provided a robust and revivable network of fighters and supporters; (2) the behavior of local Karzai-era strongmen who used their links to the government and the U.S.-led war to target and marginalize their rivals; (3) the general backwardness of the area and the near-total lack of attention by the government; and (4) the existence and expansion of cross-border resourcing and militant command-and-control networks in Pakistan (Bijlert 2010).

The “Kandahari Taliban” form and control much of the Taliban structure, with the group’s leadership in both Uruzgan and Zabul, receiving commands from Pakistani based Quetta Shura (Bijlert 2010). Lastly, according to Uppsala Conflict Data Program (UCDP) between 2007 and 2012, civilian casualties in both provinces were almost the same. During those years, Uruzgan experienced 2,337 civilian casualties and Zabul saw 1,780 (Sundberg and Melander 2013). By way of contrast, the level of civilian casualties during those years in Kandahar (a neighboring province to both Uruzgan and Zabul) were over 4,000 and in Helmand (another neighboring province) was more than 7,000.

Despite the many similar characteristics that the two provinces share, there might be some factors that must be controlled for. One important factor is that Zabul province shares an international border with Pakistan, which might have made the flow of the Taliban and foreign fighters easier from across the border. However, since Uruzgan and Zabul also share borders, the fighters could have easily crossed into Uruzgan. Thus, the cases have been selected from a universe of cases based on the variations in the dependent variable as well as being similar in all respects, except the values of the independent variables.

4.3. Operationalization of the Theoretical Framework

In order to test the suggested hypotheses empirically, the main theoretical concepts have to be measured accordingly. This section will operationalize the independent and dependent variables as well as point out indicators that will be used to test the proposed causal mechanism on the empirics. As mentioned previously, the method of structured,
focused comparison requires formulating a set of general questions to structure and focus both the within-case and between-case comparisons. However, since the operationalization of the dependent variable is key in understanding what cases have been selected, it is appropriate to first discuss the operationalization of the dependent variable, followed by some concluding remarks on the case selection. In this section, I will also discuss why the questions used from the survey data are appropriate for measuring the dependent variable. Finally, I will discuss the operationalization of the independent variable.

Operationalization of the Dependent Variable

The dependent variable in this study is an ordinal variable and it is measured in terms of the overall score and changes in the levels of legitimacy, since legitimacy cannot be just present or absent. The scale runs between 1 and 4, where 1 represents high levels of legitimacy, 2 represents moderate, 3 represents low and 4 represents no legitimacy. This choice has been primarily influenced by the survey questionnaire of the Afghan people collected by the Asia Foundation, which is used to create the dependent variable legitimacy. A total of 16 questions have been selected from the survey data; questions that capture people’s perceptions of security sectors and rule of law. For example, in each province/case selected in this study, what do people say or feel or, how do they perceive the security institutions, armed forces, justice sector and the state courts? If people’s perceptions of security and rule of law institutions are positive, levels of legitimacy will be higher. On the contrary, if people have low levels of confidence and no trust in the the government institutions, levels of legitimacy will be lower. The following questions and indicators have been used to measure legitimacy:
<table>
<thead>
<tr>
<th>Questions</th>
<th>Indicators for Levels of Legitimacy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Please tell me how much confidence you have in them to do their jobs... Afghan National Army (ANA)?:</strong></td>
<td>1 = a great deal of trust</td>
</tr>
<tr>
<td></td>
<td>2 = a fair amount of trust</td>
</tr>
<tr>
<td></td>
<td>3 = not very much trust</td>
</tr>
<tr>
<td></td>
<td>4 = no trust at all</td>
</tr>
<tr>
<td><strong>Please tell me how much confidence you have in them to do their jobs... Afghan National Police (ANP)?:</strong></td>
<td>1 = a great deal of trust</td>
</tr>
<tr>
<td></td>
<td>2 = a fair amount of trust</td>
</tr>
<tr>
<td></td>
<td>3 = not very much trust</td>
</tr>
<tr>
<td></td>
<td>4 = no trust at all</td>
</tr>
<tr>
<td><strong>Please tell me how much confidence you have in them to do their jobs... Justice system/the government justice system /court system?:</strong></td>
<td>1 = a great deal of trust</td>
</tr>
<tr>
<td></td>
<td>2 = a fair amount of trust</td>
</tr>
<tr>
<td></td>
<td>3 = not very much trust</td>
</tr>
<tr>
<td></td>
<td>4 = no trust at all</td>
</tr>
<tr>
<td><strong>ANA is honest and fair with the Afghan people</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
<tr>
<td></td>
<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
<td>4 = strongly disagree</td>
</tr>
<tr>
<td><strong>ANA needs the support of foreign troops and cannot operate by itself</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
<tr>
<td></td>
<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
<td>4 = strongly disagree</td>
</tr>
<tr>
<td><strong>ANA helps improve the security</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
<tr>
<td></td>
<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
<td>4 = strongly disagree</td>
</tr>
<tr>
<td><strong>ANP is honest and fair with the Afghan people</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
<tr>
<td></td>
<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
<td>4 = strongly disagree</td>
</tr>
<tr>
<td><strong>ANP is unprofessional and poorly trained</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
<tr>
<td></td>
<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
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<td></td>
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</tr>
<tr>
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<td>3 = disagree somewhat</td>
</tr>
<tr>
<td></td>
<td>4 = strongly disagree</td>
</tr>
<tr>
<td><strong>ANP helps improve the security</strong></td>
<td>1 = strongly agree</td>
</tr>
<tr>
<td></td>
<td>2 = agree somewhat</td>
</tr>
</tbody>
</table>
| **ANP is efficient at arresting those who have committed crimes so that they can be brought to justice** | 3 = disagree somewhat  
4 = strongly disagree  
1 = strongly agree  
2 = agree somewhat  
3 = disagree somewhat  
4 = strongly disagree  

If you were a victim of violence or any criminal act, how much confidence would you have that the government law-enforcing organizations and judicial systems would punish the guilty party?  
1 = a lot of faith  
2 = some faith  
3 = a little faith  
4 = no faith at all  

State Courts are faire and trusted  
1 = strongly agree  
2 = agree somewhat  
3 = disagree somewhat  
4 = strongly disagree  

State Courts follow the local norms and values of our people  
1 = strongly agree  
2 = agree somewhat  
3 = disagree somewhat  
4 = strongly disagree  

State Courts are effective at delivering justice  
1 = strongly agree  
2 = agree somewhat  
3 = disagree somewhat  
4 = strongly disagree  

State Courts resolve cases timely and promptly  
1 = strongly agree  
2 = agree somewhat  
3 = disagree somewhat  
4 = strongly disagree |

In this study, legitimacy was defined as the quality of state institutions attributed by the population. This understanding of legitimacy is central in understanding state society relations and can apply to universe of cases. Because state and its institutions are responsible to provide basic services to its citizens, people, as the recipients of these services must have a say in how they perceive the quality of the services. One of the many ways to hear about what people have to say and how they feel (i.e. capture people’s perceptions) about their government’s institutions are asking them to participate in surveys and answer a series of questionnaires. The focus of this study is to show how people perceive security and rule of law sectors. If the citizens have high levels of confidence in how the army, police, and the judges do their jobs, then we naturally call those actors as legitimate. If they are corrupt, weak and incapable in doing their jobs, people’s confidence will be low and thus we call the actors and their actions as illegitimate or not so legitimate.
The questions asked above are important measurements of legitimacy because they directly capture people’s perception about security and rule of law institutions. They allow for people to express how much trust and confidence they have in their security and rule of law institutions. The questions are stated in general terms that could apply to any other country or region of the world.

As mentioned previously, the two selected cases out of 34 provinces – have been chosen based on the most interesting variations that existed in the outcome variable, legitimacy. Thus it is this variation that this thesis seeks to explain. While some scholars view this selection method as valid (Collier and Mahoney 1996; Evera 1997; George and Bennett 2005), King, Keohane and Verba are skeptical, arguing that selecting cases based on the dependent variable risks a selection bias (King et al. 1994). Since this study has case study methodology, it is less concerned with the random selection of cases. Furthermore, there is another condition that allows for selecting cases on the dependent variable – that is the values of the independent variable must be unknown. Otherwise, we end up with cases that would fit our theory a priori, and nothing could be learned (King et al. 1994). The research design chosen in this thesis entails cases with unknown values of the independent variables. From the survey questionnaire used to create and measure the dependent variable, it is obvious that international state-building activities in the forms of security and rule of law have taken place in the selected cases, but the extent to which security and rule of law would explain the variations in the dependent variable is not known. In order for this study to determine the values of the independent variables a thorough and in-depth analysis will be required. The variations in the levels of legitimacy are further elaborated on the next page.
### Table 2 Cases and Scores of the Levels of Legitimacy in Each case

<table>
<thead>
<tr>
<th>Cases</th>
<th>SSR ($x_1$)</th>
<th>Rule of law ($x_2$)</th>
<th>Average Score on Legitimacy ($y$)</th>
</tr>
</thead>
</table>

### Table 3 Variations in Legitimacy in Two Provinces of Afghanistan 2008-2012

<table>
<thead>
<tr>
<th>Zabul (2.55)$^{15}$</th>
<th>Uruzgan (2.47)$^{16}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>2.06</td>
</tr>
<tr>
<td>2009</td>
<td>2.68</td>
</tr>
<tr>
<td>2010</td>
<td>2.56</td>
</tr>
<tr>
<td>2011</td>
<td>2.75</td>
</tr>
<tr>
<td>2012</td>
<td>2.74</td>
</tr>
</tbody>
</table>

As illustrated in Table 3, there are interesting variations in the dependent variable. In the case of Uruzgan, legitimacy was very low in 2008, but by 2012 it improved by 0.65 point, whereas in the case of Zabul, legitimacy worsened by 0.68 point between 2008 and 2012. These variations are interesting because (a) it allows for interesting comparison of

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14 Since legitimacy is a ordinal variable, it is scaled between 1- 4, where 1 represents highest score, 2 represents moderate score, 3 represents low level, 4 represents worst, i.e., no legitimacy at all.

15 This is the average score for legitimacy in Zabul for all the years, i.e., 2008 – 2012

16 This is the average score for legitimacy in Uruzgan for all the years, i.e., 2008 – 2012
the cases and (b) it lets me to trace the causal mechanism to find the extent to which the variations could be explained by the independent variables, i.e., SSR and rule of law. Specifically, I will investigate whether state-building activities in the forms of SSR and rule of law account for the variation in levels of legitimacy. Given that the perfect score for legitimacy is 1, none of the cases has a prefect score of legitimacy to begin with. However, the interesting variations between and within the two cases overtime warrant a thorough comparative assessment. In so doing, I will look for evidence of state-building activities—that can explain whether (a) more state-building activities would correspond to higher levels of legitimacy and less activities would mean lower levels of legitimacy and (b) to see whether it is the different actors and the type of programs/activities that they carry out affects levels of legitimacy. Both will provide interesting theoretical insights on how legitimacy is created.

Operationalization of the Independent Variable

The independent variables in this paper, SSR and rule of law are analyzed as ordinal variables and are measured in terms of high, medium and low. The study assumes that international state-building was present in both cases selected for this study, but how the activities were carried out and in what shape and form (variation in Xs) is hypothesized to account for variations in the dependent variable (y). In order to assess the values of the independent variables attention will be placed on the observable nature of the international actors and the programs/activities that they carried out to improve security and rule law sectors. The main international actors engaged in state-building activities in Afghanistan include the U.S., NATO, UN, EU, and a wide range of other international NGOs. This could make the comparative part of the study even more interesting because it could shed light on which actor’s programs activities affected legitimacy and did so in what way.

Thus, to measure the values of the independent variables, I ask the following questions below. As a point of clarification, the first question is specifically concerned with measuring the values of the independent variable, the second question is concerned
with tracing the causal mechanism, and the third question is posed for the comparative analysis of the two cases:

1) What types of programs/activities did the international actors carry out to improve security and rule of law?
2) Is there evidence of investments into state-building being directly linked to changes in legitimacy?
3) Do more state-building activities lead to higher levels of legitimacy?

The extent to which a case would get a score such as high, medium and low will depend on the amount of state-building activities that the international actors undertake. Logically speaking, more state-building would mean higher scores and less state-building lower, but at the same time, quantifying state-building activities in such strict terms will not be easy. Therefore, any activities or programs that focused on improving the security and rule of law sectors, carried out by international actors will be counted. The programs and activities include but not limited to funding, training, advising, mentoring, capacity building, security assistance, building facilities, and etc. The impact on legitimacy would depend on the comparative aspects of the two cases. For instance, why did legitimacy in in Uruzgan increase but in the case of Zabul decrease? To what extent was the decrease and increase in legitimacy affected by state-building activities?

Thus, the independent variables are measured by the overall efforts undertaken by various international actors in the forms of SSR and rule of law in each case. Since the focus is international state-building, the actors have to be also international, i.e., the U.S., NATO, UN, the EU, and other international NGOs. For example, what programs/activities each actor has pursued in each case under study?

4.4. Data Collection and Timeframe

In order to find the values of the independent variables to test the causal mechanism, this study will rely on both primary and secondary sources. In so doing, I will look for reports, interviews, publications, books, and any other materials that shed light on the nature of international state-building in the two selected cases. The information will be
obtained from news media, websites of the international actors engaged in state-building activities, i.e., various U.S. government agencies, the UN, EU, NATO, and other IOs and NGOs.

The time period covered in this study is between 2008 and 2012. There are two reasons for why these years have been selected. First, the selection of the timeframe is mainly influenced by the availability of the survey data used to measure and operationalize the dependent variable; data that capture people’s perception of security and rule of law sectors, built and improved with the help of international actors. Kellstedt and Whitten suggest that in a data set scholars “analyze only those data that contain measured values” for both the independent and dependent variables (Kellstedt and Whitten 2013, 85). Doing so will help minimize the risk of another variable (Z) causing the outcome (Y) (Kellstedt and Whitten 2013). Second, 2008 to 2012 were important years for state-building activities in Afghanistan. State-building activities under the UN mandated NATO-led ISAF mission started expanding to the southern regions of Afghanistan in the year 2006. By the end of 2012, some nations had either stopped their activities or began thinking about transferring responsibilities to the Afghan authorities. Thus, the unit of analysis in this study are two provinces of Afghanistan and the time unit is years.

4.5. Structure of Analysis

The empirical analysis of this thesis is structured as follows: In the first part, I will make the case for why Afghanistan has been selected as a country for studying state-building. Then, the discussion shifts to providing a short background on each selected case, Uruzgan and Zabul respectively. This will be followed by a general overview of state-building progress or lack thereof in each province. The remaining parts will present the

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17 Afghanistan is made of 34 provinces (also know as Welayat). Provinces in Afghanistan are considered as primary administrative divisions. Each province encompasses a number of districts. The provincial governments are led by governors who are directly appointed by the president of Afghanistan: http://www.nytimes.com/2012/12/09/world/asia/for-afghan-officials-prospect-of-death-comes-with-territory.html?_r=0
empirical findings on each individual case by answering the questions from the structured, focused comparison to assess the values of the independent variables and their effects on the levels legitimacy. After presenting the empirical findings on each case, a comparative analysis of the cases will follow.

5. Afghanistan as a Case of State-building

Located in south and central Asia, Afghanistan is a mountainous and landlocked country. With a population of around 32 million people, it borders Pakistan in the south and east, Iran in the west, Tajikistan, Turkmenistan and Uzbekistan in the north, and China in the far northeast. Afghanistan makes an interesting case for studying state-building because (a) it has been affected by decades of violent conflicts and (b) almost the entire international community has in one way or another contributed to its rebuilding since 2001. Thus, Afghanistan meets both conditions: being a conflict-affected (fragile) state and having had a wide range of international actors present. The objective of these actors has been to rebuild a more legitimate state through security and other essential services to the population (Lake 2010).

Following the defeat of the Taliban in 2001, a UN-sponsored Conference in Bonn, Germany led to the creation of a new government, with Hamid Karzai becoming the first democratically elected president in 2004 (“Afghanistan” 2016). To support the newly constructed government and rebuild a new Afghanistan, the United Nations Security Council (UNSC) adopted resolution 1386 on 20th December 2001, regarding the situation in Afghanistan. This resolution authorized “the establishment for 6 months of an International Security Assistance Force (ISAF) to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas” (“UN Council Resolutions 1386 on the Situation in Afghanistan” 2001). In October 2003, the UN expanded its mandate to cover the whole of Afghanistan, leading to an expansion of the mission to the entire country (“UN Security Council Resolution 1510 on the Situation in Afghanistan” 2003). By December 2003, the UN mandated ISAF mission had expanded to the north, by May 2006 to the West, by July 2006 to the South and by October 2006 to East (“ISAF Key Facts and Figures” 2011).
On August 11th 2003, the North Atlantic Treaty Organization (NATO) assumed leadership of the ISAF mission to:

...reduce the capability and will of the insurgency, to support the growth in capacity and capability of the Afghan National Security Forces (ANSF) and to facilitate improvements in governance and socio-economic development in order to provide a secure environment for sustainable stability that is observable to the population (Claude 2011).

To carry out its state-building mission in the war-torn nation, NATO adopted the concept of provincial reconstruction teams (PRT)18 spread across Afghanistan’s 34 provinces, as portrayed on the map on page vii. The construction and state-building efforts have cost the international community billions of dollars. From 2001 through the end of fiscal year 2014, the United States, as the major contributor, had provided Afghanistan with over $100 billion, of which nearly 60 percent has been spent on the security sector reform, aimed at building, equipping, and training of the Afghan National Security Forces (Katzman 2016). The dollar amounts spent on the reconstruction of Afghanistan and the rebuilding of the ANSF excludes funds allocated to the U.S. military operations, and do not include financial contributions made by other international actors. For detailed a detailed categorical breakdown of the U.S. contributions to the reconstruction of Afghanistan since 2002 see Figure 2 and Figure 3 on the next page.

The NATO-led ISAF mission engaged in state-building activities in Afghanistan, consisted of 28 NATO member states in addition to partner countries, adding up to a total of 50 countries, including the United States. The provinces of Uruzgan and Zabul were among the 34 provinces that experienced state-building activities.

18 The PRT concept was developed by the Americans in Afghanistan in 2001, which was then adopted in NATO’s mission in Afghanistan. PRTs were the central component of NATO for stabilizing Afghanistan and facilitating reconstruction. Even though there are no general rules or blue print for the PRTs in terms of operational method, size or composition, they do share several common feature: They are joint teams of civilian and military personnel consisting of 50-300 personnel, they are generally made up by military personnel (90-95 per cent of total), political advisors and development experts. The civil military configuration of the teams was designed to improve civil military coordination and enhance the quality of the military ‘hearts and minds’ campaigns by drawing on civilian expertise and facilitating the dispersal of government funds for relief and reconstruction projects and security sector reform (Grandia 2009, 17).
5.1. Case I: Uruzgan Province

Situated in the south-central part of Afghanistan, Uruzgan province is one of Afghanistan’s 34 provinces. It borders Kandahar and Helmand provinces to the south and southwest, respectively, and Ghazni and Zabul to the east. Approximately, 90 percent of the Uruzgan’s estimated population of 395,000 is ethnic Pashtun, with Trin Kot as the capital of the province (Fishstein 2012). The Pashtuns are divided into multiple subtribes, making the province highly fragmented. The province is divided into five districts, the main ones being Trin Kot, Deh Rawud and Chora. Marked as one of poorest provinces, 97 percent of the province’s population live in the rural areas (Fishstein 2012). The main economic activities are agriculture and animal husbandry, although recently opium has become a popular crop (“Civil Assessment Uruzgan Province” 2006).

Overview of State-building in Uruzgan

As part of the NATO-led ISAF mission, the main international actors engaged in security sector reform and the development of rule of law in Uruzgan province were Dutch, American and Australian forces. Between 2006 and 2010, the forces operated under Task Force Uruzgan (TFU), and during those four years, Netherlands was the lead-nation in charge of the PRT, which “played a central role in the training of the Afghan police and the development of governance” (Brandsen 2012). Other contributing nations that operated alongside TFU included Singapore, Slovakia, New Zealand, and France (The Liaison Office 2010). The Dutch followed population-centric methods based on the concept of 3-D, which stood for defense, diplomacy and development. The mission was civilian-military in nature, with “integrated military, political and economic elements” (Khosa 2010). The focus of the Dutch mission was fighting the Taliban insurgency,

19 The main goal of TFU was “to promote the stability and safety by increasing support of the local population for the Afghan Authorities and decreasing the support for the Taliban and liaised groups” Klep Christ cited in Brandsen (2012): http://dare.uva.nl/cgi/arno/show.cgi?fid=443186
20 The Dutch PRT “comprised of soldiers, diplomats, development workers and functional specialists (reserve officers), who mixed with the local population to identify needs and functioned as liaisons for the local NGO’s” Brandsen (2012): http://dare.uva.nl/cgi/arno/show.cgi?fid=443186
building the Afghan security forces, and at the same time reaching out to local Pashtun tribes and conducting development projects (Khosa 2010).

The Dutch mission in Uruzgan came to an end in August 2010, when TFU was transferred to a U.S.-led multinational command structure, named Combined Force Uruzgan (CFU), with Australia in charge of the PRT (Khosa 2010). In 2008, the number of Australian Defense Force (ADF) personnel was 900, tasked to train the Afghan National Security Forces (“Afghanistan War”). By the end of 2010, Australia had not only significantly increased its mentoring and training of the Uruzgan-based ANA, but also became the sole nation leading the effort (Khosa 2010). CFU was designed to be more integrated than the previous arrangements under TFU, of which the Dutch and Australians ran two separate national efforts (Khosa 2010).

In 2006, prior to the beginning of the Dutch mission, there were between 600 to 650 Afghan security forces operating in Uruzgan province. Of this, only 100 to 150 were ANP; the rest were all ANA. There were also a large number of auxiliary force present but not fully under control of the government (The Liaison Office 2010). By 2010, the ANP number had increased to between 2000 and 3000 and the ANA number grew to 2,500 (The Liaison Office 2010). Also, during the four year Dutch mission in Uruzgan (2006 and 2010), the number of NGOs helping local population grew from six to 50 due to steady improvement in security. As a result, “healthcare, education, commerce and infrastructure” in Uruzgan improved (Khosa 2010). Most of the achievements were made in close partnership with Australia (Khosa 2010). As a result of improvement in security, NGOs and development agencies promised to remain in Uruzgan if the Dutch continued its mission in the province (Mason 2011).
Question 1: What types of programs/activities did the international actors carry out to improve security and rule of law?

Security Sector Reform

When PRT1 started its mission in August 2006, the security sector in Uruzgan “largely operated as a state within a state” (Grandia 2009)\(^{21}\). The National Directorate of Security (NDS)\(^{22}\) directly answered to the central authorities in Kabul, the ANA was under control of Combined Security Transition Command – Afghanistan (CSTC-A), also in Kabul, and the ANP was controlled more regionally. The Afghan Highway Police (AHP) was organized locally and had close ties to the former governor, Jan Mohammad Khan (JMK). The ANP routinely engaged in criminal activities such as abusing the local population, mainly due to poor training (Grandia 2009). Also, due to shortage of personnel in the ANP, the Afghan National Auxiliary Police (ANAP), some of whom received training from the Dutch PRT, came to to assist the ANP. The PRT conducted joint patrols with the ANAP in the local areas and at the same time the PRT personnel monitored ANAP’s functioning (Tak 2009; De Boer 2009; cited in Grandia 2009).

Since PRT 1 had been on the ground for only four months before being rotated, the situation in Uruzgan had not changed much when PRT 2 took over in December 2006. According to the commander of PRT cited in (Grandia 2009), “the starting level of PRT 2 did not differ that much” from PRT 1 (Koot cited in Grandia 2009). There was still shortage of police in Uruzgan and the police forces that were on the ground lacked political guidance and there was no accountability (Grandia 2009). The ANA however, as one of the security apparatus in the province functioned relatively well. Even though ANA also suffered from shortage of personnel, the training was going well and their level of legitimacy among the local population was relatively higher, especially when

\(^{21}\) Mirjam Grandia is a Major in the Netherlands’ Armed Forces. She earned a PhD in 2015. Some of the interviews used in this study have been extracted from her master’s thesis, which she completed in 2009. She has interviewed several Dutch military officers stationed at the Dutch PRT in Uruzgan province. Some of the people interviewed include the commanders of the PRT. Read more about her credentials here: https://www.government.nl/latest/news/2015/04/08/defence-news-summary-30-march-5-april

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compared to the other security forces (Koot and Kamerbrief; cited in Grandia 2009). Since Uruzgan’s security heavily depended on the Dutch forces, daily patrols together with the Afghan forces were executed in order to stay in close contact with the local population (Grandia 2009).

So far, as the evidence suggest, the situation in Uruzgan at the start of the Dutch mission was not very good. There was not much coherence among the security apparatus both, ANP and ANA suffered from shortage of personnel. But the PRT started taking initiatives to improve the situation by training the police and conducting joint security patrols.

By the time PRT 3 took over in mid-2007, the situation in Uruzgan had further deteriorated mainly because the governor of the province had become ineffective and had lost will to reform. His efforts were impeded also due to limited access to funds from the central government (Grandia 2009). According to PRT commander, the governor was corrupt and had almost no credibility or authority over tribal structures (Kamerbrief cited in Grandia 2009). As a result, the PRT put more efforts to directly engage with the local population through influential religious leaders (one the most influential players in the province), encouraging them to “not fight the insurgents [but] make them irrelevant” (Van de Voet 2009 cited in Grandia 2009).

The ANA training was going well and they possessed far more credibility than the police due to less corruption and the better training. To improve the situation of the Afghan police, the Dutch government funded various initiatives, such as building checkpoints, a police training center and a security coordination center (Kamerbieven and Van de Voet cited in Grandia 2009). The increasing instability in the Chora district of Uruzgan in May 2007 prompted a larger presence of the Dutch Taskforce in the area. Much time and effort was taken by the Dutch Taskforce to assist the Afghan police remain operational in the Chora district, resulting in greater satisfaction among the population because of improvement in security (Grandia 2009).

The greater level of security led to an increase in the number of children attending school. The overall situation in Uruzgan however, remained tense and the number of people displaced by the conflict continued to rise. Moreover, the presence of the Taliban in the area continued to pose a significant threat to the security forces.

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22 NDS is Afghanistan’s spy agency
insurgents’ activities increased, leading to multiple military operations that eventually led to the battle of Chora (Kamerbrief cited in Grandia 2009). Before and after the battle of Chora, the PRT facilitated numerous shuras (tribal council) in an effort to boost legitimacy and trust of both Dutch presence and the local government. The first shura was held with five most senior tribal elders in Chora, where they demanded permanent presence of the ANA in their area and asked for boost in number of police posts (Van de Voet and Kamerbrief cited in Grandia 2009). Another shura was facilitated by the PRT after the battle of Chora, where the elders “expressed their satisfaction about the fights which were delivered in order to keep the district out of the hands of the insurgents” (Van de Voet 2009 cited in Grandia 2009).

As shown by the empirics, the Dutch not only trained the ANP and helped them remain operational but also reached out to the local population. Their efforts improved the security situation and led to a greater level of trust between the population and the Afghan security forces.

By the time PRT 4 began its mission in late 2008, some progress had been made. Even though informal approaches remained to be dominant, a formal relation between the police, the army and the governor had been established (Grandia 2009). The security apparatus, with the exception of the police, had received sufficient training from the international forces. The progress and level of development had become visible (Grandia 2009). Nearly 50 percent of the local population living in the development zones benefited from increased security. “One [could] observe progress piece by piece, bit by bit. People begin to see the advantage of cooperating with [Dutch and other international forces]” (Rietdijk cited in Grandia 2009). But the legitimacy of the local government remained poor and tribal structures proved to be more efficient in taking care of people that eliminated reasons for change (Rietdijk 2009 cited in Grandia 2009). The government of the Netherlands continued supporting Uruzgan’s local government by providing funds for all “national and international capacity building activities of the

23 Development zones refer to areas where the majority of the population reside.
provincial government in the [province]” (Grandia 2009). Even though public service delivery was still non-existent, slow progress was underway. So far, the evidence shown that by 2008 the Dutch not only carried out training activities for the Afghan security forces but also engaged in improving the capacity of the local government through financial assistance and other means.

When PRT 5 started its mission in April 2008, the security situation in Uruzgan was relatively calm, compared to other southern provinces. Due to large arrests of insurgent leaders, the capacity of the insurgents had diminished and the Afghan government, with the backing of ISAF, controlled larger parts of the province than previous year around the same time (Grandia 2009). The ANA presence in the province had also grown and it had become increasingly capable to carry out operations on their own (Kaerbrief cited in Grandia 2009). As the ANA and ANP received better training and were able to provide security on their own, the operations became more and more Afghan owned (Kamerbrief cited Grandia 2009). But compared to the ANA, the development of the police remained weak, due to weakness in leadership and insufficient training. Therefore, the Dutch PRT 5 prioritized the strengthening of the police and deployed the Police Mentoring Teams (PMT), designed to train and mentor the Afghan police (Kamerbrief and Hubregtse cited in Grandia 2009). Through the Focused District Development (FDD) program, the Americans also trained about 267 police officers in Trin Kot and Deh Rawod areas of Uruzgan. Once trained, the officers would be supervised by the Dutch PMTs (Grandia 2009). Also further improvements were made in the police payment systems, registration and surveillance (Maerbrief cited in Grandia 2009).

As shown in the empirics, the Dutch and its other international counterparts saw the training of the Afghan police as a key priority. The need for training led to the deployment of Police Mentoring Teams, which helped improve the level of professionalism of the ANP.

The Dutch government renewed the PRT 6 mission with more ambitious goals towards the end of 2008. Training and mentoring of the Afghan security forces would be intensified to ensure security for important areas and main routes (Grandia 2009). The Dutch government also announced that PRT 6 would be transferred from military command to civilian control effective March 2009 (Kamerbrief; Hamelink; Van Den
Boogaard cited in Grandia 2009). A key event during PRT 6 rotation was the success of Operation Tura Ghar, which took place in the first months of 2009 in the Baluchi Valley of Uruzgan province. The goal of the operation was to clear areas between Chora and Trin Kot of insurgents’ presence and increase the movement of the local population (Grandia 2009). The success was attributed to the ANA’s performance and the close cooperation from the local population, which the PRT had facilitated (Grandia 2009). Furthermore, as a result of talks with the villagers, permanent presence of the ANA in a newly built patrol base was arranged to ensure security of the local people. The patrol base was used by both ANA and the Dutch forces (Grandia 2009). PRT also arranged shuras together with the representatives of the Afghan government to hear people’s complaints.

   It was vital that the local population believed that the security forces would maintain their presence and that the improved security situation was permanent. Some inhabitants of areas outside the development zones cautiously approached [the PRT] since they saw the benefits of cooperation with the Afghan government and ISAF [forces] (Hamelink cited in Grandia 2009).

   By the end of PRT 6 rotation, the situation in Uruzgan had improved. The main security actors, ANA, ANP and NDS met with the governor on a weekly basis to share information and improve coordination and unity of efforts. ANA continued to perform better than the police. The Taskforce in Uruzgan developed further planning to increase the capacity of the ANA. Both ANA and the staff of the Taskforce in Uruzgan synchronized their efforts and activities on a weekly basis (Grandia 2009). Most operations were planned and conducted jointly, and some were Afghan led. During the last months of the PRT rotation, ANA became increasingly capable of taking independent initiatives, solving security problems on their own (Hamelink and Kamerbrief cited in Grandia 2009).

   In summary, the empirical data presented so far provide sufficient answers to the question: *What types of programs/activities did the international actors carry out to improve security and rule of law?* At the beginning of their mission, the Dutch and their international counterparts found the situation in Uruzgan to be fragile. But they took a series of initiatives to improve the situation. They trained and mentored the security forces; conducted joint security patrols; improved their capacity of the ANA and ANP;
assessed the needs of the local population; and strengthened the local government. Their efforts, as suggested by the empirics, improved the security situation and as result led to greater satisfaction among the local population. The success created a sense of trust among the local population that people demanded for more ANA and ANP presence in their communities.

Rule of Law

At the start of the Dutch PRT, the rule of law was pretty much non-existent in Uruzgan with wide range of human rights violation. In the absence of a functioning central government, local shuras (tribal councils at the village level) and village elders carried out informal legal practices that included a wide of range Islamic and customary laws (Grandia 2009). People followed this informal legal system due to corruption and unfamiliarity with the formal legal system (Jones; Tak; De Boer cited in Grandia 2009). According to elders and government representatives, the level of service delivery in the field of judiciary was below the national provincial average (Grandia 2009). The former governor overlooked legal procedures and maintained private jails. To deal with the issue, the PRT commander inquired civilian experts in the field of security sector reform (Tak cited in Grandia 2009). The first Dutch PRT and its embedded advisors observed the quality of governance in Uruzgan to be poor. People perceived the authorities as illegitimate and incapable of looking after people (Tak; De Boer; Pronk cited in Grandia 2009). Formal and informal government structures existed side by side, adding to the complexity of government in Uruzgan (De Boer cited in Grandia 2009). Even during the PRT 2 mission the rule of law remained an alien concept in Uruzgan. However, as a result of a request made during PRT 1, a legal advisor was assigned to the PRT on a temporary basis to do an assessment of the judiciary in Uruzgan (Koot cited in Grandia 2009).

Similar to the security situation discussed earlier, the rule of law was also in bad shape at the beginning of the Dutch mission. But aware of the problem, the PRT made some small steps such as requesting civilian experts to improve the rule of law.
The local government lacked legitimacy mainly because people could not identify themselves with the local and national government. The local government was not capable of providing basic services to the population primarily due to lack of institutional capacity in the province (Grandia 2009). One key factor that had negative effect on rule of law development was corruption. According to the PRT commander who cited multiple sources, one could “buy a verdict” for 2000 dollars (Van de Voet cited in Grandia 2009). Tribal factors weakened the authority of the governor as he had no influence over tribal structures and missed any sense of tribal feeling (Van de Voet and Messerschmidt cited in Grandia 2009).

In order to improve the situation, the Dutch PRT asked for the appointment of a new police chief and put pressure on Kabul to resume operational funds for the governor’s office, which had previously been stopped. It was later decided that funds would be sent to Uruzgan to finance “tribal representative activities and the reconciliation program” (Kamerbrief cited in Grandia 2009). Lack of capacity and corruption in Uruzgan posed big challenges to PRT efforts, according to PRT 3 commander (Van de Voet 2009 cited in Grandia 2009). Towards the end of PRT 3 rotation, former President Hamid Karzai appointed a new governor for Uruzgan, who claimed that he would spent time and energy on rural development and facilitate further dialogue among various tribes. Nonetheless, his effectiveness would be largely dependent on the level of support he received from the central government (Grandia 2009). Another complicating factor in Uruzgan was the remaining influence and power of the former governor, JMK (Kamerbrief and Van de Voet cited in Grandia 2009). Of all the initiatives, rule of law programs in the province was the least developed. Despite formal judicial systems being present, the population in Uruzgan preferred and followed informal and tribal legal systems (Rietdijk cited in Grandia 2009). Similar to previous PRTs, the legitimacy of the state and local government in Uruzgan remained poor during PRT 5 rotation.

In summary, as evidence suggested, formal rule of law was ineffective and weak in Uruzgan. However, PRT did take a couple of small steps such as calling for the replacement of the police chief and pressuring the central government to resume the provincial government budget.
Question 2: Is there evidence of investments into state-building being directly linked to changes in legitimacy?

Security Sector Reform

In 2009, the PRT established a Provincial Operational Coordination Center (OCC-P) for the ANA, ANP and NDS to better coordinate their operational efforts. This was considered to be a success (The Liaison Office 2010). The OCC-P helped representatives of the ANSF meet on a daily basis, which improved information sharing efforts (The Liaison Office 2010). Furthermore, the Dutch carried out regular training sessions for the ANP at the PRT base and sent four police officers to the EU Police Mission who would later serve as advisors to the ANP in Uruzgan (The Liaison Office 2010). Another program was the Police Mentoring Team, which in addition to American Focused District Development (FDD) training program, trained ANP forces on the job. In 2010, members of ANP from Chora district completed this training, which resulted in increased satisfaction among the residents about the newly trained police (The Liaison Office 2010). The Dutch also provided funds for the constructions of a provincial prison, a Police-Training Academy (PTA) in Trin Kot, capital of Uruzgan and erected several regional security checkpoints and stations for ANP. Moreover, some 800 policemen had received training at the PTA since its establishment (The Liaison Office 2010). Even though the overall efforts taken by the international actors to improve ANP resulted in positive perception among the local population, until 2010, the ANP had still remained less professional than the ANA (The Liaison Office 2010). Corruption and “drug addiction, ill-fitting uniforms, bad equipment, bribery, and extortion” remained to be the main problems affecting ANP’s performance (The Liaison Office 2010). This created an overall concern among the people that ANP was not ready to operate on its own without the support of the international actors. In the district of Deh Rawud, for instance, many people wondered how long the ANP would last if the Dutch PRT had left, with many even speculating that the Taliban could take over the district within hours (The Liaison Office 2010).

In 2006, the ANA only had one battalion of 900 troops, which was based in Kandahar but deployed to the province of Uruzgan. By 2010, the ANA number had increased to
4,000 that all belonged to Uruzgan in the form of six battalions spread across the province (The Liaison Office 2010). The local population generally had positive perception of the ANA, citing better training and better professionalism, with many expressing hope that their number would keep increasing (The Liaison Office 2010).

The empirical answers directly speak to the causal mechanism, which argued that in conflict-torn societies improved security enhances legitimacy among the population. Improvement in security in Uruzgan led to greater satisfaction among the local population. By 2010, the local population had become dependent on the ANA and ANP. The clearly benefited from the return of relative security in their neighborhoods and demanded more ANA and ANP presence in their area.

**Rule of Law**

Prior to the Dutch arrival in 2006, the judiciary system was ineffective due to lack of professionalism and shortage of qualified judges, leading to low-level of service delivery. The then governor, JMK and his people overlooked legal procedures and maintained private jails (The Liaison Office 2010). By 2010, while the number of private prisons and cases of “indiscriminate detention” had declined, “capacity and faith in the formal justice system” remained low. ANP and NDS still engaged in the abuse of detainees, disputes were “satisfactorily” resolved by tribal shuras, village elders, government officials and even the Taliban (The Liaison Office 2010).

Formal courts were almost non-existent with only 20 percent of all the judges present on duty. Khas district for instance, was without a judge, Chora and Gizab had no prosecutor, and Chenartu and Char China districts had no rule of law professionals at all (The Liaison Office 2010). The lack of formal rule of law and justice system had forced the ANP and NDS to fill the void. Not aware of “the rules which [had] to be observed in the criminal prosecution,” they often ended up violating the “rights of suspects and accused persons” (Tilmann Röder cited in The Liaison Office 2010). A committee called Provincial Development Committee (PDC) was formed in early 2006 to oversee governance, rule of law and human rights. In 2009, this committee was changed to “Justice Shura,” where representatives of donor countries gathered to tackle issues related
to rule of law and justice. Nonetheless, despite small progress made by the international actors and the Dutch PRT, in late 2010, a Dutch provincial needs assessment commission concluded that “relevant central state institutions and international organizations had neglected the justice sector in Uruzgan” (The Liaison Office 2010).

As suggested by the empirics, more efforts needed to be taken in the development and promotion of formal rule of law. The PRT and other donors did take some steps to improve rule of law, but the extent that these efforts provide support for the causal argument is not very strong. But this is mainly due to lack of efforts on the part of the international actors.

*Table 4 Summary of the Findings for Case I*

<table>
<thead>
<tr>
<th>International Actors</th>
<th>Types of Activities</th>
<th>Effects on Level of Legitimacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dutch</td>
<td>• Provided security</td>
<td>• Legitimacy overall enhanced</td>
</tr>
<tr>
<td></td>
<td>• Trained the ANP and ANA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Built capacity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Reconstruction</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Diplomacy</td>
<td></td>
</tr>
<tr>
<td>U.S.</td>
<td>• Trained ANP</td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>• Trained the ANA and ANP</td>
<td></td>
</tr>
</tbody>
</table>

5.2. Case 2: Zabul Province

Located in southeastern Afghanistan, Zabul is one of Afghanistan’s 34 provinces. It borders Uruzgan in the north, Kandahar in the west and Ghazni and Paktia in the east. Zabul also shares an international border with Pakistan in south. The provinces is divided into 11 districts, with the ones being Shajoy, Qalat, Day Chopan, and Arghandab. Marked as one of the least developed provinces in Afghanistan, Zabul has an estimated 250,000 and 365,000 population, spread out in nearly 1,517 villages in 20 different tribes (Marlowe 2010). The vast majority of the population lives in rural areas, and most rely on agricultural products as the main source of survival (“Regional Command South” 2009).
State-building Overview

As part of the UN mandated ISAF mission, the two main international actors in Zabul province were an American PRT and a Romanian Taskforce. The U.S. was in charge of the PRT and the Romanians were engaged in counterinsurgency operations, with primary mission to patrol the Kabul-Kandahar highway, also known as Highway 1 (“Regional Command South” 2009). The PRT had personnel from the U.S. Air Force, Army National Guard and Reserves, active-duty Army and Air Force, U.S. Department of State, U.S. Department of Agriculture and USAID.

As a team they worked together with the provincial government and carried out various development projects such as building bridges, hospitals, schools and other construction efforts (Jefferson 2016). One of the PRT commanders interviewed in March 2010 said that the PRT projects had brought “huge milestone and progress” in Zabul (Thornton 2010). According to Zabul PRT commander, the main mission of the PRT was to focus:

…on the three most populous districts along Highway 1, not only because of Commander (Gen. Stanley McChrystal), International Security Assistance Force's stated population centric approach, but also freedom of movement between Afghanistan's two principal cities (Kabul and Kandahar) was [Regional Command] South's number one priority. We nested our goals within this guidance and focused principally on education and health care, he said. The former because Zabul's 11 percent literacy rate is its most crushing and debilitating stumbling block to progress and development, and health care, because it is consistently one of the most valued government services that the population expects from the [Government Afghanistan] (Thornton 2010)

The U.S.-led PRT in Zabul was located in Qalat, the capital of Zabul province. It was a civil military organization with the mission “to conduct civil-military operations in Zabul to extend the reach and legitimacy” of the Afghan government (Bowman and Dale 2009, 53). Representatives from the U.S. Department of State and USAID worked hand-in-hand with the PRT and Zabul Governor’s Office to help the Afghans build a democratic society and improve the lives of the Afghans throughout the province (Alices 2009). The PRT carried out projects that included building schools, community centers, roads and agricultural trainings. As for protection of Highway 1, the PRT installed “600
culvert covers worth $1 million” to prevent insurgents from placing improvised explosive devices (IEDs).24

**Question 1: What types of programs/activities did the international actors carry out to improve security and rule of law?**

**Security Sector Reform**

In early 2008, 259 ANP soldiers and officers from Zabul graduated from the U.S. Focused District Development (FDD) program after going through an eight-week training initiative. Participants were from various districts of Zabul such as Qalat, Shahjoy, and Tarnak va Jaldak, where the trainees would return to serve (US Army Public Affairs 2008). FDD is a police reform program developed with the help of CSTC-A to improve policing in Afghanistan’s districts as well as “address issues of inadequate training, poor equipment and corruption that made it difficult for the police to provide public safety and internal security” (US Army Public Affairs 2008). But lack of professionalism among the ANP ranks remained visible even two years after the U.S. took responsibility of mentoring and training. According to Americans advising the Afghan police in Zabul, it was difficult to distinguish soldiers from officers—“they [all] needed basic training—how to wear a uniform and what a chain of command was” (Marlowe 2010). Furthermore, Zabul residents didn’t view ANP as a force which would do good things for the people. During a shura (council) meeting in Shahjoy, Zabul’s largest districts, an elder called the police “thieves and drug addicts,” which was echoed by the audience (Marlowe 2010). Until 2010, of the 1,621 policemen, half of them lived in Qalat, the capital of Zabul, whereas Shahjoy district with twice the number of residents only had 115 policemen (Marlowe 2010).

When a reporter interviewed members of ANP in Shahjoy district, many insisted that Zabul residents resented them because they were not from the local area. They came from

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24 IEDs were one of the deadliest tools widely employed by the Taliban insurgents against the international and Afghan forces. Most often IDEs were placed along main roads aimed at destroying, which resulted destruction of roads and of lives.
all over Afghanistan and only 20 percent spoke Pashtu, the main local language (Marlowe 2010). Reportedly, in the Pashtun dominant Zabul province, from the entire ANA brigade stationed there, only 5 percent were Pashtun. The vast majority were Tajiks (Porter 2009). Recruiting soldiers locally raised question about the cadets having ties with the Taliban. “If we recruit ANP [soldiers] from Zabul province, probably they have some relationship with the Taliban,” (ANA Brigade Commander in Zabul cited in Porter 2009). The ANA and ANP in Zabul also appeared to be underequipped and most personnel were not receiving their $70 monthly pay in time. Some had not been paid in the last three months (Fumento 2007).

So far, the answers from the evidence suggest that the American-led PRT and a Romanian contingent were present in Zabul. The activities carried out by the Americans included development projects and police training missions. Evidence also pointed out the need for more ANA and ANP training.

In March 2010, Washington Post called Zabul a volatile but neglected province by NATO and the Afghan government, while neighboring Helmand and Kandahar were considered top priorities (Partlow 2010). According to the report, in December 2009, ISAF commanders pulled a battalion of U.S. sliders out of Zabul and stationed them in Helmand province. The move reduced the U.S. presence in Zabul from roughly 1,800 soldiers to 1,000, leaving the “underfunded” province in a challenging position (Partlow 2010). The decision also prompted the then governor of Zabul, Ashraf Naseri, to question NATO’s decisions and called Zabul as “the main gateway for the Taliban,” where according to him nearly 2,000 fighters operated (Partlow 2010). Governor Naseri went so far to warn NATO and the U.S. military officials that he would pull out the “Afghan police, army and local governments from the outlying districts if NATO went through with its initial plan” (Partlow 2010). Furthermore, the withdrawal of the battalion created such tensions among the U.S. military units with different goals in Zabul that eventually the Secretary of the Army visited the province to sort out the issue (Partlow 2010). Brigadier General Frederick Hodges, the senior military officer in charge of operations in southern Afghanistan said, he “personally failed to fully appreciate the psychological impact in moving forces away” from Zabul to Helmand (Partlow 2010).
In Forward Operation Base Naw Bahar, in Zabul province, there were about 764 American soldiers tasked to advise the ANA and ANP (Marlowe 2010). With a population of 23,000 people, Naw Bahar is not only one of the poorest districts in Zabul, but incredibly ungoverned. With the exception of 77 ANP soldiers and 87 members of the ANA, no other civil authorities operated in the district (Marlowe 2010). In much of Zabul, the only government entities were the ANP and the ANA; most of the district governors were illiterate and only two resided in their districts (Marlowe 2010). And only 100 Afghan Border Police (ABP) provided security along Zabul’s sixty-four-kilometer border with Pakistan at any given time (Marlowe 2010). The governor’s office as the highest administrative authority in the province had only filled 6 out of 55 staff positions.

The Americans focused on the boosting the Afghan National Security Forces:

Two of our provincial ANA commanders have graduated from American war colleges. They’ve fought the Soviets. We talk about advising, sharing intelligence, making sure the kandak (battalion) commanders are communicating with their superiors. The ANA is very top-down-centric (Colonel Brian Drinkwine, commander of the 4th Brigade Combat Team cited in Marlowe 2010).

But the American’s reach was limited to only the centrally populated areas of Zabul. Until late 2010, two of Zabul districts, Mizan and Day Chopan, didn’t even have police advisers (Marlowe 2010).

As suggested by the evidence, as the Americans continued their training activities, multiple problems affected their efforts. One, a battalion of the American troops was pulled out of Zabul and sent to Helmand. In one of the districts there seemed to more American trainers than the police trainees. Members of the ANP were not distributed evenly, with more than half stationed only in the capital city. But as suggested by the evidence, ANA training seemed to be going well.

But by mid-2011 the situation had slightly changed. The New York Times reported that ANA battalions spread across various districts in Zabul had become the first in Afghanistan to operate interdependently (Gall 2011). The local people viewed the ANA soldiers as acceptable authority and as a positive alternative to foreign troops and the Taliban. The ANA could handle “security, relations with the people and even dispute resolution” (Gall 2011). Aside from the provincial capital, Qalat, there had never been any real authority. Government officials, Taliban, and the Americans would come and go,
but the Afghan forces had steadily established authority. The achievement within the ANA could be mainly attributed to “convergence of good leadership and years of combined experience of the Afghan and American partners, both civilian and military” (Gall 2011). Compared to ANA, ANP and the ABP considerably lagged behind, mainly due to corruption and lack of accountable leadership (Gall 2011).

In summary, the ISAF forces in Zabul consisted of a small footprint of American and Romanian troops, limited to “teams of Special Forces soldiers, civil affairs officers, engineers and military mentors” (Gall 2011). With the main base in Qalat, their main focus was to provide security along the main highway that connects Kabul and Kandahar (Gall 2011). Beyond that, there were only ANA battalions responsible for security. The main task of the Romanian forces in Zabul was patrolling Highway I and supporting ANA stations that stretch along the highway—to keep the Taliban at bay (Fumento 2007). Overall, as suggested by the empirics, there were not many systematic activities focused on training and equipping the Afghan security forces, with the exception of a few scattered trainings carried out by the Americans.

Rule of Law

In mid 2011, as part of the rule of law project in Zabul, the U.S. troops delivered essential supplies to the Qalat city prison guards and the prisoners to help improve their operations and quality of life. The items delivered included, “handcuffs, radios, batons, blankets, jackets, shoes and portable heaters” (Wilson 2011). Captain Harrison Kennedy, trial prosecutor working on Rule of Law Project in Zabul said in an interview, “The Rule of Law project is central to a safe and secure Zabul, further adding, “We have been working in two areas; the courts dealing with the judges and prosecutors and with corrections” (Wilson 2011). The delivery of supplies was the first round of attempt to help the situation in Zabul’s prison. “We delivered about 50 percent of the supplies; all that is left now is some of the big stuff, said 1st Lieutenant Ryan Porte, the Rule of law Project contracting officer (Wilson 2011). Among the big items was an armored car for safer and more secure transport of prisoners, providing electricity and adding “septic system” (Wilson 2010).
The U.S. PRT also launched the rule of law radio station in Zabul in late 2012 as a way to increase the visibility of the provincial government and provide information to the people of Zabul. The goal was to help people understand the formal legal system – both how the system works and who the players are. By doing so, people will be able to direct their legal issues to the appropriate place (Clarke 2013). The first broadcast hosted the Zabul Provincial Attorney General, who gave introduction about the Rule of law program in Zabu and talked about the results of important cases and disputes. U.S. Captain John Velis, a member of Zabul Rule of law team said:

What we are trying to do is build public confidence and awareness in the formal legal system…Our thought process was that if we introduced the players, the individuals who make up the formal legal system, to the people, and have them explain how the system works then we could create interest and cause people to resort to the formal legal system to address their legal grievances (Clarke 2013).

As evidence suggest, there appeared to be a rule of law project in Zabul carried out by the American PRT. But the extent of the activity was not very substantial. There was no specific evidence of training pragmas aimed at improving the capacity of the formal judicial systems such as training judges or building local courts.

Question 2: Is there evidence of investments into state-building being directly linked to changes in legitimacy?

Security Sector Reform

In interviews conducted by the New York Times reporter in 2011, Zabul residents approved of the ANA’s performance (Gall 2011). At the beginning when the ANA moved into Zabul, because of the Taliban propaganda, people feared that ANA was there to kill them. “The people would not shake hands with us because they said we were working with the infidels,” said an ANA battalion commander to a New York Time’s reporter (Gall 2011). The ANA then moved in to set up district level council meetings to explain to the local population that they were there to help, but at first they had to convince people that they were Muslims. This effort was only undertaken in the Shinkay district where a relative peace had been restored, and not to other districts of Zabul (Gall 2011).
To sum up, while there are signs that the ANA was perceived as a legitimate force by
the local population, the overall empirical answers to the question do not provide a full
picture that a causal link can be drawn. This limitation however, is not an empirical
limitation per se; it simply means that there were not many training activities carried out.
Training of the Afghan security forces and improving rule of law did not seem to be top
priorities, whereas carrying out development projects was. From the outset, the main
objective of the American PRT was to improve education and health sectors.

Rule of Law

*Question 2: Is there evidence of investments into state-building being directly linked to
changes in legitimacy?*

The findings suggested that there were signs of rule of law programs present in Zabul, but
the overall answers did not provide full picture to the extent that a causal link could be
drawn. This limitation however, is not an empirical limitation per se; it simply means that
there were not many substantial activities carried out for long enough that their impacts
could be seen.

*Table 5 Summary of the Findings for Case II*

<table>
<thead>
<tr>
<th>International Actors</th>
<th>Types of Activities</th>
<th>Effects on the Level of Legitimacy</th>
</tr>
</thead>
</table>
| Americans            | • Limited and poor training of ANP and ANA
                     | • Zabul not a priority
                     | • Main focus was Reconstruction/development
                     | • Very limited rule of law support
                     | • ANA ANP not distributed evenly                     | • Legitimacy decreased |
| Romanians            | • Provided security                                     |                                   |
6. Comparative Analysis

After presenting the empirical findings regarding the values of the two independent variables on the two cases, I will now turn to comparative analysis. The findings support the hypotheses and the argument put forward by the causal mechanism. Improvements in security and rule of law is connected to higher levels of legitimacy but this is dependent on the levels and types of state-building activities. This is further summarized in the next section below.

*Comparative Scores of the Two Independent Variables*

The study’s main aim was to investigate if and how state-building activities in the forms of security sector reform and rule of law would account for the variations in legitimacy within and between the two cases overtime. As shown in the empirical findings sections, state-building activities brought relative security to the two provinces, but much more so in the case of Uruzgan. Compared to Zabul, Uruzgan received much better and stronger security sector reform programs aimed at training the Afghan security forces and improving their capacity and capability. This was also the case because there were more international actors present in Uruzgan, with specific goals to improve security and governance in the province.

In the case of Zabul, the primary goal of the U.S. PRT was to improve education and health systems. The small Romanian contingent was mainly concerned with keeping Kandhar-Kabul highway secure. As a result, security sector reform and rule of law development in Zabul were neglected. Compared to Uruzgan, there was much less training and capacity building activities. Some trainings that did take place benefited only one district. Other districts were neglected. Moreover, Zabul was not a priority for ISAF as it pulled out a significant portion its of troops out of the province and stationed them in Helmand. Rule of law development was neglected in both provinces but more so in Zabul. In the case of Uruzgan, the Dutch made a few attempts to change the situation, but the extent that their attempts enhanced legitimacy was not evident in the empirics. Overall, Uruzgan receive much higher scores on the independent variables as a result of stronger and better state-building activities that subsequently enhanced the levels of
legitimacy of the security and rule of law institutions among the population. To the contrary, there was much less and weaker state-building activities in Zabul as a result of which levels of legitimacy got worsened. For a summary of the findings, please see Table 5 below.

*Table 5 Comparative Scores of the Independent and Dependent Variables*

<table>
<thead>
<tr>
<th>Scores of the Independent Variables</th>
<th>Scores of the Dependent Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uruzgan</td>
<td>Zabul</td>
</tr>
<tr>
<td>X₁ = high</td>
<td>X₁ = low</td>
</tr>
<tr>
<td>X₂ = medium</td>
<td>X₂ = low</td>
</tr>
<tr>
<td>Levels of legitimacy enhanced</td>
<td>Levels of legitimacy decreased</td>
</tr>
</tbody>
</table>

**Question 3: Do more state-building activities lead to higher levels of legitimacy?**

**6.1. Within Case Analysis – Connecting SSR and Rule of Law to Legitimacy**

In the case of Uruzgan, relative improvements in security sector reform (SSR) and rule of law created positive perceptions among the local population, which as a result led to higher levels of legitimacy. As suggested by the evidence, the score was higher for SSR than the rule of law because more was done for SSR. As shown on Table 2 on page 31, In 2008, the level of legitimacy in Uruzgan was 3.02, but by 2009, it improved by 0.37 points and by 2011 by 0.69 points. This, as suggested in the empirical findings, was as a result of constant training of the Afghan forces by its international counterparts. The Dutch, Australians and the Americans were concerned with the training of the ANA and ANP from the outset.

As the training and capacity building of the Afghan forces continued, so did their levels of professionalism, although this was more so for the ANA than the ANP. The Dutch also employed diplomatic tools that enhanced trust between the local people and the Afghan security forces. They constantly reached out to the local elders, explaining why they should support the government forces rather than the Taliban. The local people in turn demanded more robust presence of the ANA and ANP in their areas. But this only became the case as the Dutch and the Afghan forces improved the security situation.
Moreover, as suggested by the findings, training programs improved ANP’s professionalism also. This led to more satisfaction among the local population, who asked for the presence of more trained police in their local community.

In the case of Zabul, there were only two international actors; a small American PRT contingent and Romanian troops. The PRT was mainly focused on development projects and the enhancement of education and healthcare. The empirics did not mention much about training or capacity building of the Afghan armed forces being done by the PRT. The Romanians based in Zabul were mainly concerned with the protection of Kandahar-Kabul highway and only provided backup for the ANA and ANP in the events of imminent threat. Moreover, as the evidence suggested, ISAF began pulling its troops out of Zabul in late 2009, which could have led to negative perceptions among the local population that the withdrawal of the American troops might leave them to the Taliban. As demonstrated in Table 2 on page 31, the level of legitimacy in Zabul in 2008 was 2.06 but by 2009 it decreased by 0.62 point to 2.68. While it is difficult to claim that the decrease in the level of legitimacy was directly linked to the withdrawal an American battalion, it is appropriate to assume that it might have had an overall negative effect. People in Zabul might have thought they were being neglected, while their neighboring Helmand province received nearly 40 thousand international forces, some of which was taken from Zabul.

6.2. Between Case Comparison – Implications for the Causal Mechanism

When comparing the two cases in light of the empirical findings two implications can be drawn: first, state-building activities focused on improving the conflict-affected state’s security sector and rule of law system can have positive effects on legitimacy in general. Second, this will be so, when more robust state-building activities focused on improving security forces and rule of law are carried out. The impact on legitimacy comes with time and effort. As the empirical findings suggested, in the case of Uruzgan province, there were far more robust state-building activities, that essentially led to improved security, and as result, created positive perceptions among the local population, causing enhancement in legitimacy. But effects on legitimacy became noticeable only a few years after the initial the activities began. In 2006, Uruzgan only had around 600 security
forces, including police and the army. By 2010, their numbers had grown to over 5,000. By way of contrast, Zabul only had around 1,600 police and half of them were stationed only in one district. The largest district had around 70 policemen. In Uruzga, with increase in the number of security forces and continued training by the Dutch, Australians and the Americans came relative security, which as suggested by the evidence, increased people’s satisfaction. This was not so for Zabul.

In line with the two hypotheses and the causal mechanism, improvement in security also brought many international NGOs to Uruzgan whose efforts improved health, education, commerce and infrastructure.

On the contrary, in the case of Zabul, there were far less activities focused on improving the situation of the Afghan forces. There were far less training and advising activities focused on improving the capacity of the ANA and ANP. This, as argued by the causal mechanism, resulted in the loss of legitimacy among the population. In Zabul, people only started feeling positively, when the ANA increased its presence and took lead in the security operations. But they first had to convince the local people that they were the good guys and were there to protect them. Only after a while people started perceiving them as a force of good. But the ANA presence only benefited the residents of one district, out of Zabul’s 11 districts. The not so evenly distribution of the ANP might caused further frustration among the people of Zabul that their government did not care much about their districts.

In summary, the findings support the two hypotheses. But the level of support for SSR is higher than the rule of law. However, the low level support for rule of law is linked to less state-building activities. Perhaps, if more efforts had been taken for the improvement of rule of law and judiciary, the results on legitimacy among the local population might have been more noticeable. Similarly, in both cases, the findings pointed out how people were frustrated by the lack of professionalism within the ANP, with some even calling them “thieves.” It became apparent that this was mainly because of lack of proper training. In the case of Uruzgan, as the international actors intensified their training programs, the police did make relative improvements that led to more satisfaction among the local people. This confirms the theoretical argument that state-
building activities focused on improving security would enhance legitimacy among the local population.

6.3. Alternative Explanations and Additional Observations

*Alternative Explanations*

Even though the empirical findings provided support for the hypothesis, it is appropriate to highlight a few alternative factors that came up in the findings that might have influenced legitimacy. The most important factors were corruption among ANP ranks, weak leadership at the local government level, and negligence on the part of the central government. Perhaps future research could look into how these factors impede state-building efforts in conflict-affected societies. Another factor that came up in the empirics regarding Zabul was the ethnic composition of the ANA and ANP. Reports suggested that in the Pashtun dominant province of Zabul, out of an entire ANA brigade, only 5 percent were ethnic Pashtun. The rest were all ethnic Tajiks. Some Members the ANP even claimed that the local people didn’t like them because they were not Pashtun. While this appears to be a factor that might have affected legitimacy, I maintain that one would expect the same in Uruzgan, where 91 percent of the population is ethnic Pashtun. The ethnic composition of the Afghan security forces did not appear to be a problem in the case of Uruzgan. Thus, it is more reasonable to think that in Zabul, it was the lack of professionalism among the members of the police that made people resent them. Moreover, the majority (95 percent) of the ANA soldiers in Zabul were non-Pashtuns, but people perceived them positively. Again, because ANA received better training from the international actors than did members of the police force.

One could also argue that another factor affecting legitimacy negatively could be the continuous violence and stability caused by anti-government groups and the Taliban, even though this factor has already been controlled for. But just to confirm; evidence actually suggested that Uruzgan experienced more violence than Zabul. The Dutch forces constantly worried about Taliban attacks at the same time as they carried out state-building activities. According to UCPD, between 2007 and 2012, Uruzgan experienced 2,337 civilian casualties, whereas in Zabul the number was 1,780 and yet legitimacy in
Uruzgan still increased (Sundberg and Melander 2013). Therefore, it would be difficult to assume that violence might have impeded legitimacy in Zabul.

Regional dimension, particularly support for insurgents from Pakistan could be another factor that might have negatively affected state-building activities in Zabul, given that it shares border with Pakistan. But according to evidence, Uruzgan was impacted more than Zabul by this factor. Regional influence, particularly from Pakistan in the southern parts remained high and the presence of Dutch forces in Uruzgan only increased cross border activities in support of the insurgents (Koot and Messerschmidt; cited in Grandia 2009). During the PRT 2 mission, the insurgents particularly focused on the provinces of Kandahar and Helmand, where they carried out violent attacks against ISAF and Afghan forces, which directly affected central and north-western parts of Uruzgan (Grandia 2009).

*Additional Observations*

Before discussing the limitations of this study, there is an additional observation worthy of mentioning. In both cases, in addition to SSR and rule of law activities, international actors carried out a wide range of development projects, such as, building schools and hospitals; improving infrastructures and the agricultural sector. These projects were often carried out by PRTs, NGOs\(^\text{25}\) and international development agencies at the mercy of the international forces for security reasons. As the evidence pointed out, the number of the NGOs in Uruzgan increased only after the Dutch and the Afghan security forces had restored security. However, the extent that these activities might have had indirect effects on legitimacy is something that could be investigated in a future study. Depending on the availability of data, a future study could perhaps carry out a large-n statistical study of all these various activities undertaken by NGOs and international development agencies and compare the scores to find out which activity was more beneficial to the local population (i.e., more legitimate in eyes of the population). Even though the results of the study

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\(^{25}\) Most NGOs in Afghanistan received funds from main international donors to carry out veracious development projects.
might be influenced by the conditions and the context of the local area where activities took place, by ruling out potential confounders, the study might be possible. Even then, security will be the dominant factor, since without it, other sectors within a society cannot not function properly and efficiently.

6.4. Limitations

As with any study, this thesis also has certain limitations that must be pointed out. In doing so, I will highlight some limitations concerning the design of the study, limitations in the empirical findings, and finally, limitations in the theoretical arguments.

Limitations of the Research Design

The main limitations related to the research design of this study revolve around the survey questionnaire used to measure the dependent variable, legitimacy, and the representativeness of the two selected cases that require some acknowledgements.

While the comprehensive perception dataset collected by the Asia Foundation appear to be one of a kind, and perhaps the only data set available – that encompasses all of Afghanistan’s 34 provinces, like any other dataset, it may have its own biases, caused by various circumstances. In the cases of Uruzgan and Zabul, two relatively unsafe provinces in Afghanistan, perhaps the interviewers did not have protection to freely carry out their task or, they were not paid enough to carry out such a risky task. The former could have left some people out of the survey and the latter might have affected the performance of the interviewers, resulting in reliance on convenient ways of interviewing only people that they had access to. Moreover, the local people that were interviewed might have had skewed knowledge about the international actors and the Afghan security forces present in their areas. Some interviewees might have had more exposure to the activities of the Afghan security forces (ANA, ANP, NDS) than others. The answers they provided could have been influenced by this scenario. Furthermore, some interviewees might have been naturally anti-American or international troops’ presence in Afghanistan or in their local communities and saw the ANA and ANP as the servants of the “infidels.” Some might have just expressed their answers in anger because of personal economic obstacles, such as being unemployed or having lost a friend or a family member in war.
Additionally, in the context of Afghanistan, the time of the year that the data were collected could have also influenced people’s answers. For example, during the so called fighting season\(^{26}\) might have naturally influenced people’s answers. Other such factors include situations when the international forces, the ANA or the ANP might have killed civilians by accident at the time of the interview. As a result, even though the data questionnaires used in this study are specifically framed around people’s perceptions of the Afghan security forces and the rule of law establishments, the discussed factors might have caused some undesirable biases. Some of the biases highlighted above are uncontrollable because they involve circumstances where people’s emotions are involved, but by increasing the sample size, this issue might have been minimized. A future study could use such perception data in a large-n study that encompass people’s perceptions of all sectors of society in a larger number of cases.

The limitations regarding case selection bias revolve around the representativeness of the two cases. Justified by the method of most similar case design, this thesis looked at two provinces within Afghanistan only. This might decrease the generalizability of the empirical findings. Level of generalizability might also be limited due to specific contexts related to the two cases studied. Both, Zabul and Uruzgan are amongst the most impoverished provinces of Afghanistan. Both provinces have low literacy rates; most of the population live in rural areas and are fragmented along tribal lines. Even though these unique similarities might have made the empirical findings context specific, I maintain that if not all, most of Afghanistan’s provinces share some of the characteristics.

7. Conclusions

This study has investigated how state-building activities in the forms of security sector reform and rule of law affect legitimacy among the local population. The main argument of the study has been that SSR and rule of law enhance levels of legitimacy among the local population overtime, when the activities are carried out in a strong and robust

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\(^{26}\) Fighting season is a widely used term within the international community engaged in Afghanistan. It starts in the spring when the Taliban launch its offensive against the government forces and ends in the winter.
fashion. In doing so, the study carried out a comparative case study of the two provinces of Afghanistan, Uruzgan and Zabul. There were vast variations in the levels of legitimacy between and within the two cases overtime. Whereas legitimacy in Uruzgan improved, in the case of Zabul, it worsened. The study’s main findings supported the hypothesis. In Uruzgan, legitimacy improved because there was a much stronger presence on the part of the international actors, and as a result, there were much stronger and better state-building activities, aimed at improving security and rule of law. In the case of Zabul, legitimacy decreased because the presence of the international actors was much weaker, and as a result, there were fewer activities aimed at improving security and rule of law.

Existing state-building literature has often looked at legitimacy from the prospective of the the international community. This dominant approach has led to the creation of western-type institutions, ignoring the views of the population on the legitimacy of these institutions. Particularly, comparative studies of how state-building activities would influence domestic legitimacy have been missing. In an attempt to fill this void, this study has looked at legitimacy from the perspective of the local population in the context of state-building. This approach has contributed to the integration of the endogenous and exogenous understandings of legitimacy and has facilitated further knowledge about what state-building is supposed to achieve.

This study’s limitations revolved around the research design. As with any survey data, perception data used to measure the dependent variable of this study may have had certain biases. But the fact that such data can be gathered in unsafe environments is an encouraging sign. Moreover, the two selected cases shared many unique characteristics that may have limited the levels of generalizability of the study beyond Afghanistan. This however, is a general limitation associated with qualitative case study methodology.

The empirical findings of this study pointed to several factors that warrant further study. Among these were the issues of corruption at the local level, weak linkages between local and central governments, the issue of ANA and ANP salaries, lack of capacity and weak leadership in the local government, interference of informal justice systems with formal ones, and the influence of various powerbrokers who act along tribal lines. While these factors did not influence the results of this study, because they existed in both cases, they do call attention for further research. Furthermore, these factors have
have valuable and important policy implications for the international actors engaged in state-building.

Finally, the most important lesson that can be drawn from this study is that state-building and legitimacy are both multifaceted concepts. Enforcing legitimacy in war-torn societies requires much deeper understandings of various factors involved, but acknowledging the perspective of the local population is a step in the right direction.
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