The Forgotten War: Afghanistan

Barnett Rubin , Joanne J. Myers

March 14, 2006


Barnett Rubin


Joanne J. Myers

Introduction

JOANNE MYERS: I'm Joanne Myers, Director of Public Affairs Programs and am pleased to welcome back Barnett Rubin today.

What has happened in Afghanistan is, in so many ways, nothing short of a miracle, for as you recall, at the time of the American invasion in 2001, Afghanistan was by all standards a failed state. It was the home of Osama bin Laden, ruled by the Taliban, and overrun by warlords. For a nation that for so many years was under siege, Afghanistan today is a burgeoning democracy.

The journey over the past five years has been anything but easy. Although this country has a democratic constitution, has witnessed the election of a representative national parliament and an elected government, the country now appears to be at a dangerous crossroads.

For example, in recent months attacks by the Taliban have inflicted the greatest number of U.S. casualties since 2001, insurgents are posing a capable and resilient threat, suicide bombings are proliferating, and the illicit narcotics industry continues to flourish, along with the corruption that it breeds. All of this threatens not only the advances made in terms of state building, but also harms the fruits of the Bonn process. These are serious problems, all which are a sad reminder of the fragile state of peace in this country.

As September 11th gave rise to a public hunger for a better understanding about Afghanistan, there were few Americans who could guide us. Although a number of men and women now hold forth on the subject, Barnett Rubin was the one everyone turned to first in order to obtain solid, sage advice.

Since the early 1980s, Barnett has been a major presence in Afghanistan, visiting there on a regular basis. For Westerners, he has helped to define and chronicle this region, often speaking with great honesty about the political and human needs in that country. In fact, if you ask Barney a question about Afghanistan, his answer will be encyclopedic, original, and as near to being irrefutable as one can be about a subject and a country that is by itself so combustible. And I always marvel how his command of the history of Afghanistan is deployed with such casual mastery.

There are many words which are synonymous with expert. Some are authority, specialist, professional, and knowledgeable. When it comes to Afghanistan, Barney is all these adjectives and more. He is someone who can give us not only assessments of what is happening on the ground, but who can also tell us about what is happening behind the scenes. Should you need his services, he can be found at NYU, where he is currently the Co-Director of the International Center for Cooperation.

Please join me in welcoming our very special guest, Barnett Rubin. I'm delighted that you are back here again.

Remarks

BARNETT RUBIN: Thank you, Joanne. As I once heard George Mitchell say, of all the introductions that I have ever received, that is the most recent. I particularly appreciated your saying that I often speak with great honesty.

JOANNE MYERS: Hopefully, you will tonight.

BARNETT RUBIN: Hopefully, today will be one of those times.

JOANNE MYERS: That was honest, wasn't it?

BARNETT RUBIN: Yes.

JOANNE MYERS: Okay.

BARNETT RUBIN: I most recently left Afghanistan on January 25th, and from there I went to London, where I attended the London Conference on Afghanistan. This London Conference was co-chaired by UN Secretary-General Kofi Annan, Afghan President Hamid Karzai, and, as the host, U.K. Prime Minister Tony Blair. They convened a meeting of sixty countries and international organizations, including all the major donor countries, troop contributors, countries from the region, the major international and regional organizations, and international financial institutions.

At that meeting they approved the Afghanistan Compact, in addition to which the Afghan government presented its Interim Afghanistan National Development Strategy. The Compact is the international declaration on how the international community—a phrase which is often empty of meaning, but which actually does mean something in Afghanistan—is going to assist Afghanistan over the next five years, through the end of 2010, and it will do so, according to this declaration, in accordance with the Afghans' own National Development Strategy, which they are now in the process of refining and calculating the cost of.

The Afghanistan Compact succeeds to the role played previously by the Bonn Agreement. I also attended the Bonn Conference with the UN Delegation in November 2001. The Bonn Agreement was an agreement among Afghans, an unrepresentative group of Afghans, the best group that the UN could convene at that time, and it was an agreement to be monitored by the United Nations.

Its goal—something people often don't realize—was the reestablishment of permanent government institutions in Afghanistan. That's what the title of the Bonn Agreement is: "An Agreement for Interim Arrangements Pending the Reestablishment of Permanent Government Institutions in Afghanistan."

This five-year process had timelines and benchmarks basically for political events. That is, it started with an interim administration that was put together at the meeting in Germany, chaired by Lakhdar Brahimi on behalf of the United Nations, and which was an unrepresentative group, and a group that had essentially no roots in the country, and was moving into a country where the administrative apparatus had broken down; there was no army, police were in dilapidated conditions, and so on.

It contained a series of steps in order to increase the representative character and the legitimacy of that administration. That is, it had to convene what we called an "Emergency Loya Jurga," a great council, within six months—this was based on a peace plan that had been developed by the Office of the former king of Afghanistan in Rome—which then approved a transitional administration and elected Hamid Karzai as president for the rest of the transitional period.

Then that transitional government had to set up a constitutional commission to draft a new constitution. Then the government had to convene another Loya Jurga to approve and adopt the constitution, which it did. I was also at that constitutional Loya Jurga.

Then they had to hold elections to create what the Bonn Agreement said was a fully representative government. As it turned out, because of the nature of the governmental system that was adopted in the constitution—namely, a full presidential system—it was necessary to have two rounds of elections, first the direct election of the president; and then—the elections could not be held at the same time, basically for logistical reasons —subsequently the election of the Lower House of Parliament and provincial councils, which made it possible to form the Upper House of Parliament. That happened in September 2005.

When that Parliament took office and sat, as it did on December 19th, essentially the permanent institutions of government in Afghanistan had been reestablished and, therefore, the mandate of the Bonn Agreement, establishing interim arrangements, was over.

Now, one positive thing we learned from the Bonn Agreement is that it is useful to have timelines and benchmarks, which energize people, and not to let those timelines slip. Mr. Brahimi used to say sometimes, when things were going slowly and people suggested that maybe we should postpone the deadline, that if we did that everyone would just relax and go away on vacation for a month, then come back, and we would have the same problem then. Sometimes I thought perhaps he was familiar with that American expression that "90 percent of life is just showing up." So they kept to that timeline pretty strictly. So we learned that it is good to have timelines and benchmarks.

But at the same time, we also saw that just reestablishing a kind of legitimacy—and I think this process has been reasonably successful in doing that—is not sufficient to make Afghanistan secure and stable.

If I may say, the sort of sound bite, from my point of view, for what we were doing at the London Conference and with the Afghanistan Compact is that the Bonn Agreement's purpose was to support the reestablishment of permanent institutions of government. The task that is before us now is to make them actually work; that is, the task now is state building.

Before Mr. Brahimi left Afghanistan at the end of 2003, he circulated a non-paper—that is a diplomatic term for a paper that no one signs, I believe—in which he said that there had been this political advance, but that Afghanistan was lagging behind in terms of national reconciliation—I should say the main thing he had in mind there was the fact that the Taliban were still outside the government and that there was still an insurgency going on—in terms of reconstruction, and in terms of security. Now, essentially, what he was saying was, if you put those three things together, Afghanistan was still lagging behind in the process of constructing an effective state, which is the political unit that within our current international system provides security and stability.

There are various reasons why Afghanistan has always had great difficulties constructing a sustainable state. Basically, that territory does not produce enough wealth to pay for the costs of governing it. It is difficult to govern for the same reason it is difficult to conquer, because both of those things involve some of the same capacities.

But the Afghanistan Compact actually is structured, very self-consciously, in a way to provide the resources and the political framework necessary for state building. The Afghanistan National Development Strategy has the same structure. That is, within it there are three pillars of activity:

1. **Security**
Of course, the basic function of any state is to provide security for the citizens and other inhabitants of that territory.

2. **Governance, rule of law, and human rights**
In order to provide that security in a sustainable way it requires much more than a military or the use of force. Of course, it requires an administration, elements of the rule of law, reestablishment of the justice system, and so on.

3. **Social and economic development**
My impression is that Afghanistan is usually perceived, in this country, as a war-torn country. People ask about whether Afghans are extremists or moderate Muslims? I remember that, even years ago, after I went to Afghanistan in 1998 for Mr. Brahimi, the International Peace Academy convened a consultation, which Mr. Brahimi attended and I was there and so was Ashraf Ghani, who later became the Afghan Minister of Finance and is today the Chancellor of Kabul University, and I just read on the Internet that he is a candidate to be Secretary-General of the United Nations.

One thing I said, which was later quoted in *Le Monde*, though anonymously, because it was a not-for-attribution meeting, was that outside of Afghanistan everyone is always talking about Islam, but inside Afghanistan the only thing anyone talks about is money.

Afghanistan is one of the five or six poorest countries in the world. In fact, it is so poor that we can't even tell how poor it is. Along with Somalia, it is one of the two countries that do not produce good enough data to be included in the UN Development Program's Human Development Report.

Afghanistan had its own National Development Report, in which it tried to put together data as best it could. Based on what they found there, Afghanistan it seems would rank approximately 173rd out of 178. Given the lack of precision of data in countries with that level of poverty, that essentially means Afghanistan is in a tie for last place in terms of child mortality, infant mortality, maternal mortality, life expectancy, and literacy, with Sierra Leone, Burundi, Mali, Chad, and maybe Guinea-Bissau.

That's a picture of the country that is so essential to global security. Therefore, if you are going to have any kind of sustainable governance security in that area, it has to have an economy that is able to pay for it.

Now, one of the ways that Afghans have coped with this poverty—and, of course, like all such countries, it is primarily a rural country with a very pastoral economy—has been by turning to the drug trade. The neighboring countries—in particular, Iran, Turkey, Pakistan—nearly eliminated opium cultivation in the 1980s, and traffickers then moved into Afghanistan. At the same time, the political leaders and military leaders, who were losing their assistance from the Soviet Union and the United States, were looking for new sources of income. It is the confluence of those trends, combined with the continuing demand for illegal narcotics of course in the developed world, which created the conditions for the growth of narcotics in Afghanistan.

Now, today, according to the estimates of the UN Office on Drugs and Crime combined with the International Monetary Fund's estimates of Gross Domestic Product (GDP), it appears that the total value at the border, the export value of all the narcotics produced in Afghanistan last year, was about 35 to 40 percent of the value of the legal GDP. Much of that money goes outside the country. That is, the major traffickers take their profits to Dubai or Pakistan or India or Uzbekistan, depending on their ethnic or factional affiliations. But still, enough of it stays there that in some regions of the country it is a mainstay of the rural economy.

Again, bear in mind that if we are talking about an activity that accounts for 20 to 30 percent of the total economy, that is not something that can be eliminated by law enforcement. In fact, I don't know how much drugs represent in the American economy—maybe less than 1 percent; I assume much less than 1 percent—but we still have not been able to eliminate it by law enforcement.

And, of course, we also know that a 5 percent decrease in the size of GDP is associated statistically with a 50 percent increase in the risk of civil war.

So, therefore, on the one hand, building good governance and stability and security in Afghanistan does require the elimination of this narcotics economy that, in a sense, is the economic base for insecurity for instability because it provides the funding for warlordism, to some extent for terrorism and insurgency, and certainly for corruption of the government. But, at the same time, we will just be trading one form of instability and insecurity for another if we do that in such a way that causes the economy to shrink and that, in particular, harms the poorest people, most of whom happen also to be living in areas which have been base areas for the Taliban. So that is quite a difficult problem to solve.

I will just say the way I think it has to be solved is by taking a long-term perspective, recognizing that it means basically creating sufficient security in governance and investment in those areas in which Afghanistan can actually develop another economy, not just creating some make-work programs so that farmers have a little supplemental income. In the countries that have succeeded in doing this, although on a lesser scale, such as Thailand, this process has taken ten, fifteen, or even twenty years. That is the scale we should be looking at, not putting one-year conditionalities on our aid, as the U.S. Congress, unfortunately, has started to do, with assistance to Afghanistan.

Now, that is sort of the structure of the plan. At the moment, there are a number of elements, however, outside the Afghanistan Compact that really are necessary if this is going to succeed. I will just make a few remarks about that and then we can have a discussion.

First and foremost in our perceptions here in this country is the issue of the insurgency. It is true, as Joanne said, that the number of American soldiers killed has been highest this year. But I think even more important is that the number of Afghans killed has been higher. In other words, this is not just an anti-American insurgency. And I should note the number of troops from other countries has been higher.

Not only has it been higher, but there appears to be a clear strategy on the part of the insurgents to target, first of all, soft targets in the Afghan government, electoral workers and others; second, to target troop contributors from other countries, including not just the ones that are in the Coalition which is battling the Taliban, but also those that are in the International Security Assistance Force, which is authorized by the UN Security Council. This is clearly a strategic lesson that has been learned from Iraq, where the insurgents, of course, attacked the Italian, the Spanish, and French journalists and others, and the U.K., in an attempt to try to isolate the United States. It is working much less effectively in Afghanistan because of the much broader multilateral support for that operation, but nonetheless they have adopted that.

Now, the data on violence in Afghanistan clearly show that there is a trend in the last two years for the number of attacks by insurgents to increase and for those attacks to become more lethal. In addition, there has been a qualitative change in their attacks. They are making much more effective use of improvised explosive devices —according to the U.S. Defense Intelligence Agency, the use of those has doubled in the past year—and also of suicide bombing attacks, the use of which has quadrupled in the past year.

I should note, of course, that Afghanistan has been largely at war since 1978. Throughout that period, most of the fighters considered themselves to be *mujahideen*, or "holy warriors," and throughout that entire time there were absolutely no suicide bombings, until one or two years ago. What appears to have happened is that Afghanistan, and the Arab world in particular, have now switched places from prior to 9/11—which, while this is not the main theme of this talk, I will say in my opinion shows the complete wrong-headedness of the Bush Administration's approach to the problem of terrorism—because prior to 9/11, Afghanistan was a sanctuary for Arab terrorists, who then used it as a base to attack in their own countries, and then ultimately in the United States.

We pushed them out of Afghanistan, they lost their sanctuary, and then we proceeded to destroy the state in Iraq, thus creating for them a new sanctuary, which is now the main recruitment and training ground, where they have developed new tactics that are now migrating back to Afghanistan and making the operation there much more

difficult.

Now, the issue of how to deal with the insurgency is at the moment a very contentious issue among the United States, the government of Afghanistan, and the government of Pakistan. This was a major subject during President Bush's visit to the region.

Since the period leading up to the visit and afterwards, as you may have noticed if you are following these issues, relations between Afghanistan and Pakistan have reached an unusual level of venom, which is troubling when you consider that they are both supposed to be our allies in the war on terror. When President Karzai went to Pakistan just before President Bush, he presented the Pakistan government and security people with a list of names, locations, telephone numbers, and so on of Taliban leaders in Pakistan. Of course, Pakistan has arrested, captured, and killed many leaders of al Qaeda, but the view in Afghanistan is it has not done that with the Taliban, which of course Pakistan had supported and helped to put in power previous to that.

Pakistani President ,Pervez Musharraf later told ABC News on the eve of President Bush's arrival that the information was "humbug and nonsense." This was not broadcast, but ABC provided me with the original transcript. Later he said that President Karzai was "living in a fantasy world" and was "completely oblivious to what is happening in his own country."

Later, after a suicide bomb two days ago which was aimed at Professor Hazrat Sebghatullah Mujadidi, who is the president of the Upper House of the Parliament, was the former president of Afghanistan, and is actually one of the leaders of Islam in Afghanistan—his family were the traditional leaders of the Naqshbandiyya Sufi order in Afghanistan—Mujadidi said that this was done by the Pakistan Intelligence Agency. He said that they were the greatest enemies of Muslims and he declared jihad against them.

This reflects the historical antagonism between these two countries, based on ethnic border issues; Afghanistan has never recognized the border between those two countries. Plus, Pakistan, of course, feels insecure because its neighbor India is eight times larger than it is. It has used guerrillas and so on as an asymmetrical tool to try to balance its much larger enemy, and it has always tried to convert Afghanistan into a pro-Pakistan rather than a pro-India state in order to provide itself with strategic depth. Whereas Afghanistan, which feels somewhat insecure because Pakistan is larger than Afghanistan, and also because they are uncertain about how long the United States will be there, has tended to turn to India, as they are now doing.

So that is a somewhat long way of saying that without a settling of relations between Pakistan and Afghanistan, which is a very complicated thing to do, it will be very difficult, if not impossible, to end this insurgency.

In addition, for its economic development Afghanistan requires economic cooperation with its neighbors. It is a landlocked country; therefore, of course, it needs its neighbors for trade and transit. It is also an exceedingly arid country, where the management of water is essential to productivity. All of its watersheds are shared with its neighbors and, therefore, it also needs riparian agreements in order to make use of those waters.

Now, the two most important neighbors are Pakistan and Iran. The lesser neighbors are in Central Asia. I have described briefly this conflict with Pakistan; it is very difficult. In fact, the government of Afghanistan does not want to buy electricity from Pakistan, which is one of the few ways that they could get electricity to eastern Afghanistan quickly.

I might note that one of the eastern provinces last year reduced its cultivation of opium by about 98 percent, and they expected to get development in return for that, including electricity. The only way they could get it in short order would be to buy it from Pakistan. But the government is against that because of their relationship with Pakistan. President Karzai does not want to have riparian agreements with Pakistan to manage the water because he is afraid of Pakistan stealing their water.

With Iran, Afghanistan has much better relations, but it is now being kept on a short leash by the United States. Iran tried to break out of its isolation over the nuclear issue by inviting the presidents of Afghanistan and Tajikistan to a meeting on economic cooperation in January, while I was there. I was told, although it did not appear in the press, that Secretary of State Condoleezza Rice called President Karzai and told him that if he went to that meeting the United States would be less generous in its contribution to the development of Afghanistan. So he did not go. This means that while Afghanistan needs regional cooperation to survive, the political situation around it is such that it is difficult for it to do so.

At the same time, the United States has been using bases in Central Asia for its military operations. But after the United States and Afghanistan signed a Declaration of Strategic Partnership, the presidents of the Shanghai Cooperation Organization member states, which include Russia, China, and most of the nations of Central Asia, signed a declaration asking the United States to close all those bases in Central Asia. So there is a whole set of regional issues that needs to be solved in order to stabilize Afghanistan.

Finally, just to come back to the drug issue, as I said, I think it should be primarily seen as a development issue.

But there is a law enforcement aspect of it as well. What you find if you look at it carefully, step by step, is if you were going to arrest major traffickers, you would have to try them somewhere. The justice system is nonfunctional at the moment.

Recently, they had their first major war crimes trial. They tried the head of the Communist secret police from 1978 to 1979, who was widely believed to be responsible for the disappearance and killing of thousands of people. He was found guilty and sentenced to death. But the same human rights organizations that had been asking for accountability for past crimes denounced the trial and asked that the conviction be set aside because the trial fell so far short of international standards. We face the same thing when dealing with narcotics.

In order to provide alternative livelihoods, we would have to get a lot of investment into those areas. But approving projects, moving equipment and money in a safe and accountable way, is very, very difficult. Doing the type of evaluations you need for long-term projects is very time-consuming.

I must disclose that I am also a small businessman in Afghanistan. I have a small company that is manufacturing essential oils for the fragrance and personal care industry. Right now everything we do is very difficult. I won't go into any details. We just tried to get a tiny loan for some working capital, and we were offered a supposedly concessional loan at about 33 percent interest plus fees. This is by a USAID-funded concessional loan agency, so you can imagine what the normal credit situation is. We had a lot of other problems, which are quite revealing as well.

It says in the Afghanistan Compact that all those who agree to the Declaration are committed for five years and beyond. We have to really take that seriously. Attacking these problems of one of the poorest countries in the world in one of the most unstable regions of the world and making our effort there successful is going to take five years and more. It is going to take not a lot more troops, not a lot more money, compared to how much we are spending in Iraq, but it will take some care to be sure that it is spent well, and it will take more effort than this Administration has shown interest in taking for most of the past five years.

I would say now there is some change because of the increasing recognition, if unavowed, that Iraq is not likely to be a shining success, and there has to be some success. Certainly, when I testified before Congress last week, a number of people were saying—they put it in this kind of American-centered way, which I guess is appropriate for U.S. congressmen—that "we can't afford to lose this." Of course, Afghans can't afford to lose it either, nor can the United Nations and a lot of other countries that have invested the time, energy, and lives of their citizens in it.

I think this is a very good blueprint. It is in many ways a groundbreaking type of international agreement. Let's hope that the implementation will be up to the agreement.

Thank you.

Questions and Answers

JOANNE MYERS: Well, after listening to your presentation, I think I have to reassess my introduction, because I left out irreverent.

QUESTION: When the Taliban was still there we put up a big campaign because they were growing poppies. I understand before the Afghan war the Taliban stopped the growth of poppies, or eliminated it to a large extent, expecting something, and then it came back. Do you know anything about that? And what did they go into producing after they cut off the poppies?

BARNETT RUBIN: The Taliban captured control of Kabul in 1996. During the first Clinton Administration, there was some confusion in the State Department about what position to take about them, because people thought maybe it would bring some stability to the country after this period of warlordism. And they did kick out the warlords.

When Madeleine Albright became Secretary of State in 1997, the issue of their treatment of women became more prominent. But then, starting in August 1998, after the bombing of the U.S. embassies in Kenya and Tanzania, the issue of terrorism became the number one issue with respect to the Taliban, and they came under increasing pressure to somehow get rid of Osama bin Laden and the other people who at that time we called "the Arabs"—now we call them al Qaeda; we didn't know that term at that time, or at least I didn't know that term then—who were at that time under the patronage of the Taliban, although originally they came to Afghanistan under the patronage of other groups.

Now, as that program intensified, the Taliban were looking for something they could do to try to appeal more to the international community, something that was more consistent with their ideas. They hit upon the idea of banning narcotics, banning the growth of opium poppy.

They managed to do that very successfully, more successfully than this present government could, because, first of all, in Afghanistan there are, you might say, two different governmental systems: there is the national state,

and then there is the religious system. The national state controls the capital, the ministries, diplomacy, and so on, but it has no representatives in the villages; it only goes down to the district level. The religious networks go down to the village, because there is at least one mosque in every village, and those mullahs are linked by various mechanisms of communication. The Taliban regime was the first time there was a religious government in Afghanistan and, therefore, it was linked down to the village, so they had these networks of information from the villages.

Furthermore, of course, they were quite ruthless. Partly that means they had a government that Afghanistan could afford, because they could afford it. They really can't afford to give people long fair trials with lawyers and then put them in jails and feed them and clothe them well and so on, and conduct scientific investigations. They can afford to chop someone's hand off. So that's a system of justice which we maybe don't consider very just, but they had the means to implement it.

Actually, they were much more subtle than this, because they started in certain areas and they gave them money—basically they would tell whoever they appointed as head of that village, "Don't grow poppy. We're going to come back in two months. If we see it, we'll hang you." That was effective.

Now, you ask what else did they do. Nothing. The result was that a lot of people went to Pakistan, because it was also during a huge draught. So a lot of people became refugees. There was no alternative livelihood.

Then the Taliban turned around and said, "Well, now we did this. Our people are suffering. Help us." And we said, "Give us Osama bin Laden." So there was no meeting of the minds there. That is what happened.

However, at the same time bear in mind this is an economic activity. The rules of the market apply to it. If you decrease the supply, the price goes up. Therefore, the price went up. A number of things happened.

One is—I won't explain this in detail—farmers go into debt to grow poppy. The way the debt is structured, when the price goes up and they don't have the poppy, they are even more in debt. So somebody who borrowed when the price was $60 a kilogram ended up owing a certain amount of opium at $600 a kilogram. He didn't have the opium, so they turned it into money, so he had a debt twice as large as what he thought he would have to pay off.

Then 9/11 happened, and the United States put so much cash into the country to pay for the war that the exchange rate doubled in three months. That's how much cash it was compared to the size of the economy. That meant there was a huge flood of cash while these farmers were in debt. So the cash goes from the commanders to the money changers, who then lend it to the peasants to grow opium. That's how they invested it. So then it came back.

In addition to that, they did not outlaw trafficking, and there had been a huge bunch of bumper harvests, so there were huge inventories. It appears that the level of trafficking did not decline very much during the period that they banned the production of opium.

Now, that is by way of saying that the Taliban succeeded in banning the growth of opium, but the Taliban counter-narcotics policy is not a model for what we want to accomplish in Afghanistan.

QUESTION: Can you discuss briefly the role you think NGOs will play in the reconstruction efforts with respect to the new Compact? I am curious also if the U.S. provincial reconstruction teams will continue to do reconstructive work or if they will stick to security issues only.

BARNETT RUBIN: Let me just tell you a little story about how people perceive NGOs in Afghanistan. I once was talking to an Afghan commander. At that time, he was technically the brigadier in a certain garrison, but he was a guerrilla commander from his area. I asked him how people saw the U.S. military in eastern Afghanistan, where he was from. He said, "Well, they used to respect them." This will actually answer a couple of your questions. He said, "They used to respect them, but then they formed these PRTs [Provisional Reconstruction Teams], and now they come around to the villages, they ask a lot of questions, they promise people wells and so on, and then they never see them again." He said, "Now they're just like NGOs."

So as you see, NGOs are lower in esteem than the U.S. military. Now, I am not saying that it is justified, but that is the general perception.

There are a number of politicians who are making their career through demagogic denunciation of NGOs. There are a number of aspects of this, but probably the most important one is the question of aid effectiveness and the way that the aid system works in post-conflict operations and in emergencies.

As I mentioned, the most important task in Afghanistan is building a state that is accountable to people. The main function of a state is to provide services to people. The main way that a state is accountable for providing those services is through its national budget, which is passed by and examined by the parliament. The government reports to the parliament about public expenditure. That is the mechanism for accountability.

Now, how does public expenditure take place in Afghanistan? Aid donors develop their programs, perhaps in consultation with the Afghani government, usually with more and more consultation, and then they contract the implementation of those programs to NGOs or international organizations or private contractors.

Now, mostly it goes to international agencies and private contractors, not NGOs. The Louis Berger Company, which is not an NGO, but a private company, got a contract for $660 million to build roads in Afghanistan, and schools and other things. No NGO has a contract that size. So USAID, for instance, then pays Louis Berger to build a road, or it pays some NGO to build a school or something.

Then in the parliament—or before the parliament, somebody in the press—someone gets up and says, "We hear that there is $13 billion in aid for Afghanistan, but we don't see it. Where is it? Where's the accountability?" The government says, "We don't know," because it did not go through the government budget, it's in the USAID budget.

So basically what people see is that what they call NGOs, which is a lot more than just NGOs, are building up a parallel state system which is not accountable to them, which has a much higher salary structure.

And furthermore, of course, the first thing that NGOs do with their money, like anybody else—they're new to the country—is they have to rent offices; and then they see they are in terrible condition, so they have to renovate the offices; then they have to install computers, and there's no electricity, so they have to install generators; they need vehicles; then they have to hire drivers, who are usually engineering professors or something, who are paid ten times as much as drivers than as engineering professors; then they need to establish their bank accounts in Dubai; they have to get houses, they have to renovate the houses; they have to hire cooks, who are also engineers; and then they have to hire security; then they have to wait for their contracts to come through while they are getting paid, and so on; and then they have to go out and do a feasibility study; then they can't do the feasibility study because there is not enough security, and they have to hire more guards, and so on.

So what people see is there is this huge amount of money being spent, which is all wrapped up in our budget as aid we are giving to Afghanistan, and they don't see any results, except these people running around in white cars with guards, hiring all their engineering professors as cooks and drivers.

Meanwhile, they can't afford to live there anymore, because a house that used to rent for $100 a month is now renting for $10,000 a month in Kabul—I am not exaggerating. Now rents are coming down a bit. So it becomes unaffordable.

Plus, you can't get anywhere. All the poor people have to live further out, and they cannot get to their jobs anymore because there is so much traffic, with all these huge white cars, not to mention the military vehicles, and the roads that are blocked off in order to provide security to the Coalition, the Asian Development Bank, the United Nations, and so on.

So there is a huge amount of resentment which has built up around the operation of the aid system, which, for some reason that I don't quite understand, is focused on NGOs rather than on contractors, the Coalition, and so on, though to some extent on the others as well.

Now, the Compact addresses this through an Annex on Aid Effectiveness, which calls for providing more aid through the government budget. The Afghan treasury has greatly improved in the past few years, but still it is not in a condition where the United States—or even Great Britain, which is more adaptable on this score—is willing to put hundreds of millions of dollars directly into the Afghan treasury. So there is a trust fund run by the World Bank, which reimburses the Afghan government for eligible expenditures once it produces adequate documentation of those expenditures, which helps build the capacity of the Afghan government to do that, because it is the same type of knowledge it needs to be accountable to the parliament, to its own people, and so on.

Unfortunately, the United States, Japan, and Germany, which are three of the four highest bilateral donors—three of the five largest donors, counting the World Bank—are very reluctant to put money through the Afghan government budget. Of those three, the United States is more willing, I would say, than Japan and Germany. One of the things that the Compact does is ask them to move in that direction.

Now, that is the question of NGOs, that is to say implementation NGOs. There are other kinds of NGOs, like advocacy NGOs, but I don't think you were asking me about that.

The PRTs are provincial reconstruction teams. Afghanistan has thirty-four provinces. Originally they were supposed to be called joint regional teams, and they would have had eight of them to cover the eight regions of the country. The provinces are governed by governors appointed by the president, but the regions are dominated by warlords who are not appointed by the president. So the president wants provincial reconstruction teams, not joint regional teams. This has to do with issues about the structure of the Afghan state. There are now, I think,

twenty-two out of the thirty-four provinces that are covered.

The original idea of these provincial reconstruction teams was as follows. In 2002, the U.S. military, confronted by the refusal of the Defense Department in Washington to allow the expansion of the International Security Assistance Force (ISAF) to the provinces, and confronted by its inability to consolidate its military gains in the absence of adequate security for aid organizations to operate, decided that it would jump-start the reconstruction process by using military teams to provide assistance, which they then thought would generate security and enable others to come in.

Since that time, the model of the provincial reconstruction team, which is to say a primarily military unit of a few dozen people—or a couple of hundred people in the case of Germany—with some embedded civilian aid providers, has been adopted by other troop contributors as well, by both ISAF and the Coalition.

Through a long series of discussions that took place through a dialogue organized by UNAMA, the UN Assistance Mission in Afghanistan, among the Coalition, the Afghan government, NGOs, and so on—though some of the NGOs refused to participate in this dialogue that was supposed to help solve their problems—they eventually came up with a mission for the PRTs, which focused on extending the authority of the Afghan government through creating a secure and safe environment. Supposedly the PRTs are supposed to engage in reconstruction and development activities, primarily of the type that are not done by other actors, in particular, reconstructing government buildings, larger infrastructure, and so on. Now, that doesn't always happen, and the PRTs have a lot of autonomy to operate.

But I would say that the debate about PRTs now is not so much about the humanitarian space. PRTs are not engaging in humanitarian operations because Afghanistan is not an emergency situation. They are engaging in reconstruction and development assistance in support of the internationally recognized and supported government of Afghanistan. That is not something humanitarian agencies do, but it is a very legitimate thing to do. So agencies that want to participate in that must realize they are not doing humanitarian work and, therefore, they cannot apply humanitarian rules to it. Some organizations, like C.A.R.E., can work in both ways.

Médecins Sans Frontières does not work in both ways, though that's not the reason it left Afghanistan. It left Afghanistan because five of its people were murdered and nobody was arrested for it. But they have been arrested in the last couple of weeks. I don't know exactly the back-story on that.

The issue now about PRTs is: Are foreign military officers really the best people to help extend the authority of the central government? What do they know about building up provincial governments in Afghanistan? They are actually very smart, practical-minded people, not like defense planners in the Pentagon, but some of the problems with aid effectiveness are very much true of their assistance as well.

Especially now that there are elected provincial councils in every province of Afghanistan, they are going to want to know where the provincial money is going. So again, they have to build in more Afghan ownership, more accountability, and more consultation.

QUESTION: You characterized Iran and Pakistan as the two major neighbors—I think you used the word "major"—and among the lesser neighbors was Central Asia. I have read some fascinating material by Sadig Rasheed about Central Asia, the "stans" there—Uzbekistan, Tajikistan, Kazakhstan—about the production of opium and the extensive smuggling that goes on there. What I'm interested to know is, if in fact those countries are so productive in opium, whether this has created tensions with Afghanistan, who is also smuggling and producing, or has it created more of a relationship of cooperation between them?

BARNETT RUBIN: First, I wasn't very clear about that issue of greater and lesser neighbors. I don't really mean that in some existential sense. But for Afghanistan economically, Iran and Pakistan are its outlet to the sea, and therefore their international markets, and therefore those are the most important neighbors for it, and also the most densely populated areas of Afghanistan, and its major cities are primarily along those borders.

Now, very little opium is grown in Central Asia, and very little opium is now grown in Pakistan or Iran. To some extent, we have seen a little remigration of production into Baluchistanin Pakistan, where there is now an insurgency.

Central Asia's role in the opium trade is primarily, almost entirely, one of trafficking. The international heroin trade is structured differently from the international cocaine trade, which is better known in this country. The international cocaine trade is characterized by a high degree of vertical integration, and it is controlled by a small number of cartels based in the producing countries that control the production of the raw material, its transformation into high-value product, its export, and its marketing, right down to the retail level. That is vertical integration.

The heroin market is not vertically integrated. It is a much more competitive market, both in the production of opium poppy and in the marketing structures. There are much lower barriers to entry. We do not see the kind of

militarized cartels that exist in the cocaine market.

The Afghan groups are involved basically only up to the border. Now, one thing that has happened, in particular in the past few years, for a variety of reasons, is that Afghanistan has become more of a producer of heroin and morphine—that is, more of the refining of the drug is done inside Afghanistan than across the border. Again, that is because of Afghanistan's greatest comparative advantage, which is in the production of illegality and insecurity; therefore, it is cheaper to have a heroin laboratory in Afghanistan than in any of the neighboring countries. So they are getting somewhat more value out of the trade. Nonetheless, across the border it is turned over to others.

Now, within Central Asia you have what is commonly called the "Russian mafia," but would be more called accurately the "Eurasian mafia," which actually reaches directly into Afghanistan. They have been flying planes in there for years. They were selling arms to the Northern Alliance, and the Northern Alliance was paying for them with drugs and emeralds, and other things for years. Those ties have continued, as the former commanders have become political figures and so on.

And, of course, the mafia in Central Asia, like in Afghanistan, very heavily penetrates the governments. I don't know this myself, but some of my colleagues who are experts on Central Asia believe that the main opium-smuggling organization in Uzbekistan is the Ministry of the Interior, and similarly in Kyrgyzstan.

I was at a UN-organized conference in Dushanbe recently about narcotics and terrorism in Central Asia. Never mind what the conference was about. Anyway, when we got to the part about organized crime, we got a very good prosecutor who talked about how to fight organized crime. I said, "It was very interesting that in your talk about organized crime you never mentioned anything about who the criminals are. When we talk about organized crime in the United States, we may not have evidence that will stand up in court, but we have a pretty good idea who are the main crime families and who are the leaders of it and something about how they are structured, even if we don't have enough to arrest them."

But he would not say anything about who they are. It was clear why he wouldn't, because it is the government, and it is high officials of the government. So, in a sense, they are spinning their wheels, because they are not really authorized to arrest their bosses.

What this ultimately points to, in my opinion, jokes aside, is that the major unintended consequences of the international legal regime for narcotics, which is probably the criminalization of narcotics, is one of the main causes of armed conflict and corruption in the world today. We could de-fund a lot of warlordism, insecurity, criminality, and so on by taking a medical approach toward drug addiction rather than a criminal approach toward it. However, this is not a very useful thing to raise in Washington at the moment.

QUESTION: I used to be the UN representative for Médecins Sans Frontières (MSF), Doctors Without Borders. I didn't appreciate some of the comments you made on the NGOs. I would like to mention that NGOs have different mandates; they have different ethics and goals. Myself, I must say I was in Afghanistan very briefly in June 2000 and in June 2001. Actually, I did a lot of advocacy in June 2001.

Regarding the real estate in Kabul, it was not because of the NGOs, but actually because of all the people coming from the World Bank and the UN. They were the ones actually who inflated our salaries. I had a big fight with the UN Representative in Kabul, and I spoke to the donors back in New York, and I was explaining that for one month of MSF expenses for one of our programs we could pay for our new rent in Kabul. We were against that. We were losing our national staff, including doctors, who were going to be a secretary or driver for the UN, not working for us.

BARNETT RUBIN: Well, as I said, the NGOs were being made a target for something which was primarily caused by the contractors and international agencies and the general international presence, not the NGOs, who were actually receiving less of the aid money than the international agencies and the private contractors. I don't disagree with you. That's actually what I said. I thought you were going to raise the other issue, which is the issue about humanitarianism.

Of course, at the time you were there, in June 2000 and June 2001, it was a humanitarian operation. In fact, there were strict rules against cooperating with the government. Now the situation has changed. Of course, some NGOs operate only in a humanitarian environment; some operate in a humanitarian and a development environment. In the development environment you do cooperate with the government, and to some extent funding is to support the government's policies.

Now, as far as the justice situation is concerned, there are several issues. First, there is justice for past crimes, and then there is the current system of justice.

Well, first of all, the formal justice system in Afghanistan—and here, I guess, it's not radically different from a lot of other countries, but it is just at one end of the continuum—had never handled more than a fraction of the actual

disputes in that country. We have arguments with each other all the time in the United States, but we don't take them all to court. If they escalate to a certain point, then we do take it to court. So, in a sense, the whole formal legal system is an appeals mechanism for social relations. But in their case it is a very much higher level of appeal, because there are more structured unofficial methods of dispute resolution based on customary law.

Then there is a kind of gray area, which is informal Sharia courts, which have been recognized by the state at times but which are not set up by the state. It's not clear whether to look at those as formal or informal mechanisms.

Now, what has happened in the past twenty-some years is that the formal justice system, such as it was, has been very badly damaged. It has always been predominantly an Islamic system and the judicial officers were predominantly Ulamah—that is, members of the learned clergy. The government had to some extent trained over several decades—I wouldn't call them secular—officials in the area of state and administrative law as well, giving the judiciary a more mixed character. That element of the judiciary has pretty much fled.

And also, the quality of the learned clergy has tremendously declined with the destruction of the educational system, and also with, I would say, a general reaction that took place in the clergy against their country being attacked and their being kind of driven into a corner. I'm sure you can imagine the type of reaction that would take place.

Finally, of course, the system has become incredibly corrupted and justice is for sale. A friend of mine went through this. I won't go through the whole detail, but she was finally told that she had to pay $10,000 to someone who was working for one of the judges of the supreme court in order to get her husband out of prison. She said, "But you know he's not guilty." He said, "Of course we know he's not guilty. That's why we're only charging you $10,000. It would be much more if he were guilty." She was supposed to buy a Landcruiser too, in addition to the $10,000. That is the way the justice system is operating there at the moment.

Now, this is not something for which there is a quick solution, because it takes a long time to produce judges. And not only that, they don't know what the law is. They don't have copies of the codes of law. There have been a series of successive governments that have introduced whole new systems of law, and new laws. They don't have copies of them. They are not sure which of them apply. There is tremendous legal confusion.

The result is that relatively uneducated clergy apply whatever they understand to be Islamic law, and then whatever they do apply they can't enforce anyway. So that is the situation of justice.

This has become now a major bottleneck in every area of work in the country. In security, as I mentioned, you cannot arrest drug traffickers and try them. Friends of mine were robbed in broad daylight right around the corner from the Ministry of the Interior, and all they did was arrest the people who worked in the office and intimidate them. It is a huge obstacle for business; there is no way to guarantee contracts or agreements. There is no security of land title; there is not a clear land title in the whole country, which is one of the major obstacles for investment.

And, of course, I mentioned the problem of transitional justice. They finally had a trial of one person, who probably was responsible for the torture and killing of thousands of people, but the trial was so bad that human rights organizations are asking that his conviction be voided.

So there is a problem for transitional justice that they have just started. But the justice part of it, trials and so on, is something that really the country does not have the capacity to undertake because, particularly if you are dealing with politically sensitive crimes, which are perceived very differently by elements of the population because of their ethnic or ideological affiliation, it is very important that the system of justice be highly credible and be seen to really be doing justice, and not meting out some politically motivated form of vengeance. But the justice institutions to do that simply do not exist.

Now, in the case of the five people who were killed from MSF, they actually knew who did it for quite some time. I don't understand why they were not arrested for such a long time. I believe they were arrestedvin the past month or so. Now that they are arrested, I don't know what th