

The Role of Citizen Involvement in Afghanistan's Municipal Governance Reform

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Johns Hopkins/SAIS 790.821

April 2009

### **Abstract**

The government of Afghanistan faces an ongoing crisis of legitimacy as it attempts to combat persistent insecurity and escalating citizen discontent with stronger and more effective subnational government. Municipalities provide a unique subnational context in which to focus on government legitimacy, accountability, and the interface between the government and its citizenry. This paper addresses two key areas of Afghan municipal reform: service provision for urban municipal residents, and the planned political structures for citizen involvement (elections for mayors and municipal councils). The context of these reforms, along with lessons learned from other developing countries, are used to underscore that reform in government structures and institutions alone will not necessarily ensure that good governance is provided to the people of Afghanistan. Municipal reforms should also seek to draw citizens into the process at all levels, enabling the new systems of government to be more locally accountable and accepted, thus furthering the Afghan government's subnational stability and legitimacy.

## **The Role of Citizen Involvement in Afghanistan's Municipal Governance Reform**

### **Introduction**

In recent years, policy recommendations regarding Afghanistan have increasingly centered on the need to combat the persistent insecurity and escalating citizen discontent in the provinces with stronger and more effective subnational, or local, government. The limitations of the current Afghan state, and its limited capacity to exert strong control or implement actions beyond its capital in Kabul are widely cited as one of the key causes of the most significant problems facing Afghanistan today. These range in scope from the resurgence of insurgent movements, to the rise of criminality and the illegal economy, to the persistence of dire living conditions and humanitarian crises for many segments of the population. While there has been significant investment and attention paid by the international community to reestablishing legitimate national systems of government in Afghanistan in the years following September 11, 2001, consideration of the subnational level has lagged far behind. To help address this discrepancy, the Independent Directorate for Local Governance (IDLG) was established by the Afghan government in 2007 to address many of the previous policy recommendations made by the international community and key scholars regarding subnational government. The IDLG's goals include establishing and strengthening institutions at the subnational level and an overall commitment to transparent, accountable, and participatory governance (IDLG, 2008).

The creation of the IDLG, and the subsequent renewed focus on the subnational level on the part of the Afghan government and its international donors, has been met with broad enthusiasm. Across military, development, academic, and government sectors there is wide consensus regarding the kinds of reforms, systems, and structures needed to

improve subnational governance. These include clarifying the relationships between subnational and national institutions, formalizing their respective levels of delegated authority and autonomy, and improving operational systems, resources, accountability, and human capacity throughout all levels of subnational government. The overall end goals for subnational government expressed by the Afghan government through the IDLG are clear, however there is far less consensus and clarity on the appropriate means by which to achieve those ends. Many of the end goals and recommendations for subnational government clearly outline the tangible, institutional systems and decision-making structures that need to be strengthened or established in Afghanistan. There is much less discussion, however, of how to support good governance, or the relationships between the state and society and of how the two spheres interact (Rakodi, 2001).

This paper aims to highlight that reform in *government* structures alone will not necessarily ensure that good *governance* is provided to the people of Afghanistan. One of the key variables in the success of local government reforms and good governance is the role of citizen involvement and participation. Involving those governed in the processes and decisions of government enables the state to be more effective and efficient as it tailors its institutions and programs to citizen needs. The two-way relationship that is built in the process also encourages citizens to align with their government to improve their quality of life and enables them to hold their leaders accountable in the reform process. In a post-conflict society in particular, civic participation is a vital element for local governments to incorporate as it has the potential to increase the government's legitimacy, efficiency, and accountability and therefore lead to good governance and a stronger state.

In order to examine the relationship between citizen involvement and local governance in Afghanistan more specifically, this paper will focus in on the level of the municipality. Following an overview of the current status of subnational reform and municipal governance, the paper will highlight specifically two areas frequently cited for reform within the municipal government system: service provision for urban municipal residents, and the planned political structures for citizen involvement (elections for mayors and municipal councils). For each of these two areas, the paper will outline the end goals for reform and current needed improvements. Then, based on comparisons with other developing countries and post-conflict environments, it will draw attention to the main potential risks involved for the government and for municipal residents themselves if the means by which these ends are pursued do not incorporate the input and participation of Afghanistan's urban residents. Finally, the paper will present for each sector some recommendations for the implementation of reforms and citizen involvement processes in order to enable good governance at the local level and increase the chances for success and stability of Afghan subnational government systems.

### **The Urgency of Legitimate Local Government**

The government of Afghanistan faces a crisis of legitimacy as it attempts to extend its sphere of influence beyond its capital in Kabul. Studies measuring the progress of Afghanistan in the years following 2001 have found that rather than increasing in capacity and legitimacy in the eyes of the population, the government is actually moving in the opposite direction. While progress has been made in building the human and institutional capacity of the central government, in many provincial areas

government capacity at the subnational level is decreasing due to insecurity, inadequate funding and a lack of trained personnel. To fill the void of formal government capacity and service delivery, local warlords and other power brokers have asserted stronger control and various forms of corruption have increased. As a result, the legitimacy of the government is decreasing as well and people's confidence in government is lower than it has been in previous years (Patel & Ross, 2007). More than any other factor, the status of local infrastructure and service delivery, which is primarily under the control of the subnational government, has had the most significant impact on people's attitudes towards the government (Asia Foundation, 2007). This echoes findings from other developing countries, where the quality of local governance, and in particular urban management and service delivery, can be seen to have a dramatic impact on the perceived legitimacy of that government. Where local government lacks political authority, or cannot deliver adequate services to its citizens, the overall legitimacy and authority of the government as a whole suffers (Abbott, 1996).

Combined with a post-conflict environment where insurgent groups, former commanders and warlords, political opposition groups, as well as regional state powers vie for influence and control, the legitimacy crisis of the Afghan government becomes particularly urgent. Without a strong local government that is seen as responsive to the needs of the people, there are many other factions who are all too willing to step in and fill the vacuum of power, potentially continuing the cycle of instability and insecurity. Brinkerhoff's (2005, p.5) research on rebuilding governance in post-conflict societies in particular highlights "expanding participation and inclusiveness, reducing inequities, creating accountability, combating corruption and introducing contestability (elections),"

as key steps to restoring government legitimacy. These elements speak more to rebuilding the relationship between the government and its citizens and improving the quality of governance provided, and each implies various forms of citizen participation and active dialogue with government.

In Afghanistan, however, even during more peaceful times prior to the recent decades of conflict, there is historically very little tradition of formal community participation in government. Formal and informal *shuras* (elder's councils) have existed for centuries and perform various administrative and conflict resolution functions. Yet formal community participation that extends to all citizens, including women and the poor, and that offers citizens the ability to be involved in national or local decision-making and planning has been virtually non-existent. Instead, the government has largely been seen as a one-way system, which draws resources from its traditionally rural citizens in the form of taxation and conscription for public works or military service (Boesen, 2004). More recently, this tradition is being challenged not only by donors and international community actors within Afghanistan, but by the Afghan people themselves. There is increasing evidence that the people of Afghanistan, many exposed to various forms of government and citizen involvement through more open media access and time spent living abroad, are now expressing a growing desire to participate more in their government, but are unclear as to the means and avenues open to them do to so (Patel & Ross, 2007).

## **Afghan Municipalities & Urban Local Governance**

Today, in the midst of immense pressure on the Afghan government to increase its legitimacy and reach at the subnational level, municipalities are poised to play a key role in this process. As subnational forms of government with the only constitutionally mandated elected government executives (mayors) aside from the Afghan President, and by their nature located in more condensed and urbanizing environments, municipalities provide a unique atmosphere in which to focus on the interface between the government and its citizenry. Municipalities could play a key role in improving the legitimacy of the Afghan government as they stand as an observable model and a “conducive environment for developing and demonstrating the strengths of democratic governance,” (Asia Foundation, 2007, p. 44).

While the majority of Afghanistan’s population still resides in rural areas, an ever-increasing percentage is living in urban municipalities. These towns and cities are unique, both in terms of their status and role within local government structures and policy, as well as in the social and economic impact they exert on the Afghans who reside there. There are currently an estimated 217 provincial and rural municipalities in Afghanistan with a population of over 5,000 people (World Bank, 2008, p. 44). These municipalities house, conservatively, between 20% and 30% of the population of Afghanistan, and many expect that this percentage is rapidly increasing. Of those Afghans who live in municipalities, approximately 70% of them are located in the six largest cities of Kabul, Kandahar, Herat, Mazar-i-Sharif, and Kunduz. Kabul has seen the most dramatic influx of residents in recent years with a population estimated to have almost doubled from approximately 2 million residents in 2001 to 3.5 million by 2004

(Beall & Esser, 2005, p. 7, 11). This urban population increase continues as returning refugees from abroad, frequently accustomed to city life and modern conveniences and with fewer rural land and property resources remaining to return to, resettle in municipalities even if those were not their original places of origin. Rural Afghans continue to migrate, or send individual family members, to Afghanistan's urban areas as well in hopes of more secure employment and cash income. Afghan municipalities, frequently areas of relative security in comparison to some rural districts, also continue to provide temporary shelter for Internally Displaced People (IDPs) who seek refuge due to conflict or other natural disasters (drought, etc.) in their home villages.

Afghanistan is a highly centralized unitary state, in which political power and decision-making ability largely rests in Kabul. Afghan municipalities, however, are notable exceptions to this rule and are the only subnational entities that have a constitutional mandate for democratically elected executives (mayors) and revenue and expenditure autonomy. While tax and fee rates are set in Kabul through the Ministry of Finance, municipalities are the only government entities which maintain the ability to keep and utilize their own revenue for further expenditures and service provision (Beall & Esser, 2005). This is in sharp contrast to provincial revenues, the main source of subnational revenue, which are mandated to be returned to the center of government in Kabul for subsequent redistribution through line ministries and various other provincial funding mechanisms. Municipalities are intended to be financially self-sustaining entities, governed by elected mayors and municipal councils. This system lays the groundwork for municipal government to play a key role in delivering services (sanitation, solid waste disposal, roads and infrastructure, etc.) and providing direct local

management of their own municipal and urban development. It also provides Afghan municipal residents with the unique opportunity to participate in a local democratic process to bring about changes in their own immediate municipal environment.

Similar to many other areas of Afghanistan's reconstruction and development, however, the full promise of municipal governance, and the various structures of government allowed by the constitutional and relevant legal frameworks have yet to be realized at the municipal level. While the constitution allows for mayoral and municipal council elections, to date those elections have not been held and mayors continue to be appointed by the central government in Kabul. Provincial Council elections were held in conjunction with parliamentary elections in 2005, but the timeline for municipal council elections remains unclear. Service delivery, under tremendous strain in the larger urban municipalities in particular, lags far behind actual need and remains a key cause of discontent among residents. In addition, municipalities remain a weaker partner among other larger and more powerful subnational actors. This is due in part to the lack of clear jurisdiction over many municipal functions, which can be claimed by a number of different line ministries in addition to the municipality, and exacerbated by various local and regional power dynamics. In the face of more powerful provincial line ministries and provincial governors who find it increasingly difficult to access revenue from the central government, mayors and municipality officials are often pressured to fund a variety of provincial activities and are unable to maintain exclusive control of their own revenues (World Bank, 2008, Evans & Osmani, 2005). In addition, municipalities face the same overall challenges that are typical of the Afghan civil service nationwide, namely low capacity, a chronic shortage of qualified human resources, and inadequate operational

systems, equipment, and infrastructure. The unique status and authority of municipal government in Afghanistan could lead them to play a considerable role in modeling effective subnational democratic governance, however this has yet to be realized given the challenges above and the fact that municipalities have received comparatively very little attention amid the wider subnational government reform programs (Asia Foundation, 2007).

### **Current Status of Municipal Reform**

Since the international community revived their formal assistance to the Afghan state following the overthrow of the Taliban regime in 2001, much has been written on the reforms needed for the development of a strong and legitimate Afghan government and civil service at both the national and subnational level. Initial recommendations centered on basic practical reforms to restart the mechanisms of government such as civil servant salaries, financial transfers, system standardization, and the need to rebuild or create anew infrastructure and operational resources for the new government (Evans, et. al., 2004). The majority of the earlier policy and implementation recommendations were targeted at the level of the central government and the various line ministries that make up the Afghan cabinet. Later case studies and assessment reports gradually began to address issues arising between the various branches of government itself, including their lack of communication and coordination with one another and the absence of clearly defined roles and responsibilities of both elected and appointed government entities (Lister, 2005). In general, there is wide consensus that this confusion regarding the structures and policy of subnational governance in Afghanistan results in poor

government performance and unclear, or often duplicated, roles and responsibilities at all levels: village, district, and provincial. These realities are true as well of Afghanistan's municipalities, which add to the confusion further by existing as a separately governed and uniquely independent system within its respective province.

In addition to the general recommendations for subnational governance, municipalities are also in need of additional reforms and development which will enable them to legitimize municipal management and improve the provision of services and collection of revenue in order to stand as financially autonomous, well governed entities. Indeed, several key areas of reform, such as land tenure and titling, municipal boundary delineation, and updating or revising municipal master plans contain elements unique to municipalities and which are vital to their ability to function and move ahead towards a fully functioning end state. Current assessments and recommendations for public administration reform in Afghanistan by the Asia Foundation (2007) and the World Bank (2008) have begun more recently to focus in on these unique needs of municipalities. The three overall priorities for municipal reform that emerge in these various studies are summarized as follows:

1. *Clarify the relationships, jurisdiction, and lines of accountability between municipal and central/provincial authorities.* This is particularly crucial in areas of current or potential overlap, such as the relationship between the currently established and elected Provincial Councils and the planned, but not yet established, elected Municipal Councils.

2. *Improve service delivery capacity and develop a comprehensive municipal finance framework.* This is key for effective financial management, use of municipal

revenue, and for supporting overall economic development in municipal areas. In addition, improving service delivery stands as a primary indicator for the population of the effectiveness and legitimacy of local government.

3. *Hold planned elections for mayor and municipal councils.* Moving ahead with the constitutionally mandated process will not only improve the legitimacy of local government officials, but also move towards making local government more accountable downward to its constituency of municipal residents.

In order for these reforms to be successful at building legitimacy and stronger relationships between the government and its citizens, however, they will need to take into account proper sequencing as well as how they involve municipal residents in government reform. While on the surface all three categories seem to easily result in clear positive developments and changes for the situation of municipalities as a whole, in the current context of Afghanistan they are each potentially also fraught with contradictions and potential pitfalls. The reforms in the area of service delivery and elections in particular have the potential to have a positive impact on the livability of municipalities for residents, yet they also have the ability to exacerbate the inequalities among rich and poor in Afghan society and serve to further favor the elite members of the community (Beall & Esser, 2005). Government reform in Afghanistan does not start with a blank slate, and in the current context, many Afghans start out with little trust in a government that is often seen as corrupt and self-serving. When considering reforms that will, if successful, further establish and broaden the capacity of this government at its most visible local level, it is therefore imperative to complement the focus on systems and structures with a focus on citizen participation and involvement. This participation

should seek to draw citizens into the reform process to ensure that the new systems of government are accountable and accepted, thus furthering the government's stability and legitimacy.

Of the three categories of municipal reforms summarized above, the second and third (service delivery and elections) focus most specifically on those categories of reform which have significant ability to impact citizens directly as well as harness the potential of citizen participation. For this reason, the remainder of this paper will focus on the reforms needed in these two areas, and for each topic highlight both the negative consequences of bypassing citizen involvement, and recommendations to better integrate this key element of governance reform.

### **Citizen Involvement in Service Delivery**

#### **Overview**

Municipalities in Afghanistan have been traditionally responsible for basic services and infrastructure within their boundaries. These typically include roads, drainage systems, solid waste collection and disposal, and sanitation. In addition, some municipalities work in conjunction with state utilities to provide services in areas such as water supply and electricity. The consistent population increases in towns and cities across the country continue to escalate the demands and pressures on municipal government services. In addition, the overall lack of financing, technical capacity and infrastructure, and adequate clarity of roles and responsibilities among subnational actors at regional, provincial, and municipal levels hinders service delivery even further. It is estimated that only around 10% of municipal residents nationwide have access to piped

water, and in Kabul only 20% of the population has access to municipal solid waste collection (World Bank, 2007, p. 21).

In recent years, particularly in Kabul where both the need and the capacity to deliver services is greatest, the municipal government's perspective on service delivery has been to reserve services for the established and planned areas of the city. The focus has often been to extend service delivery primarily to these better-established areas, and to exclude informal settlements so as to avoid creating incentives for informal settlers to remain (Esser, 2008). Informal settlements often contain higher percentages of rural, uneducated populations, recent returnees and IDPs. However most estimates concur that due to outdated and inadequate municipal master plans, over 50% of all Afghan municipal residents live in informal, unplanned areas. Improved and extended service delivery is needed throughout all of the municipalities, not only to improve the environmental health and wellbeing of residents, but to improve the revenue possibilities and the overall legitimacy of the government itself. The magnitude of the problem of municipal service delivery in Afghanistan is daunting, as are the various related problems that interconnect with it and upon which any solutions are dependent. However, in the face of these challenges, research on failed states and post-conflict settings continues to reinforce the primacy of service delivery in reestablishing a stable state. As Brinkerhoff (2005, p. 6) notes, this service remains urgent in a fragile state context in particular due to the fact that "citizens tend to withdraw support from governments that cannot or will not provide basic services and some level of economic opportunity."

## **Challenges to Service Delivery Reform**

Few question the need for improved government service delivery in Afghanistan's major municipal areas. Yet there is often little recommended regarding the means by which to improve such service delivery beyond the traditional donor-funded development solutions of providing funding for infrastructure and conducting capacity building and training for municipal officials. The stated aims and objectives of these programs clearly lead to an improved service delivery system. Yet as is the case with many donor funded relief and development programs in Afghanistan, successful implementation is often hindered by a lack of coordination of among the aid community and the government of Afghanistan in addition to problems with security, staffing, and adequate funding. Even when successfully implemented, there are a number of cross cutting challenges that such programs alone cannot address, as outlined below.

1- *Effective Ordering of Municipal Reforms.* Case studies from Brazil and Ecuador have shown that without tenure security and clear information on what services the municipality is expected to provide in their areas, residents are frequently unwilling to participate in service delivery processes and pay appropriate revenues (Lall, et. al., 2004). Residents across all economic levels are reluctant to invest their time, energy, and monetary resources in improvements or maintenance fees for systems that they may not be able to benefit from in the future if forced to leave the area due to a lack of legal tenure or property rights. In addition, revenue collection and service delivery expansion plans are nearly impossible without clear understandings of which services residents can expect to receive from their local government, and which residential areas fall under a particular local government's mandate (municipality, county, province, etc.).

For Afghanistan, there is a significant gap in recommendations which would offer tangible solutions to noted difficulties such as property and land tenure rights, and municipal and district boundary lines. Without addressing these issues as well, much of the traditional recommendations on improved service delivery cannot be readily implemented and needed reforms remain postponed, or implemented only in more enabling environments such as the older, more established and legally registered residential areas which already are better served. With the majority of urban residents in Afghanistan living in informal settlements, many of which are not currently included in the existing outdated municipal master plans or maps, legal land tenure is more the exception than the norm. In this context, even clarifying where the municipality should be planning on delivering services can rapidly become complex and politically charged, as was seen above when Kabul officials chose to use service delivery, or lack thereof, as a tool for other political purposes. Given Afghanistan's great need for additional services beyond what municipalities will realistically be able to assume responsibility for in the near future, many policy makers anticipate that community led schemes, civic participation and involvement alone can supplement government service provision in some areas. However without significant gains in boundary delineation and tenure rights first to help mobilize and motivate residents to be more active participants in their own long-term development, this may be far to high an expectation (Beall & Esser, 2005).

*2 – Differing Perspectives on Service Provision and Revenue.* Studies on service provision in developing countries have shown that often two very different perceptions of service delivery emerge from the community as opposed to the government officials and technical professionals hired to develop and deliver the services (Abbott, 1996). These

different perceptions, unless mitigated by improved citizen participation, can have dramatic impacts on the ability of governments to collect revenue from citizens, as well as the overall quality of the services provided. On the one hand, urban residents, or recipients of services, tend to evaluate the services and their worth based on the benefit to them, the quality of performance of the service delivered, and its usability and reliability (i.e. electricity which is available at prescribed times, reliable water provision). Residents, even in poorer areas, are then generally willing to pay for what services they actually receive in a convenient and usable manner. On the other hand, the view of governments and professional service providers tends to evaluate the service based on an official cost recovery paradigm. The funds spent by the government for the provision of services must be recovered and therefore the services must be paid for. The value of services is measured then not against usability, but against set technical standards for delivery, quality of materials, production rates, and so on. This discrepancy in perspective further divides the government from citizens and can open avenues for increased citizen frustration and antagonism against the government.

This problem is frequently exacerbated in developing countries where capacity building programs for the government, often funded by international donors, rely increasingly on outside technical professionals to make decisions and lead reform programs in areas such as solid waste management or water supply. As these additional actors are legitimate experts on their sectors, government officials often increasingly cede decision-making ability over to these technical professionals at the expense of local municipal councils and citizen bodies. The perspective of valuing services based on user convenience is therefore marginalized in favor of more technically efficient solutions

(Abbot, 1996). Case studies in South African townships have demonstrated that this can lead to a decrease in the credibility of the relevant political bodies (municipal councils, etc.), as they are perceived to have a decreasing role in service delivery as opposed to the technical experts. More significant still, the exclusion of community input and user convenience considerations were seen to result in service delivery systems that actually had a detrimental effect on the quality of life for residents: New formal water service delivery was inadequate to meet household needs, and residents were thus forced to return to their use of unsafe river water, new solid waste collection systems were not maintained and resulted in conditions that were more unsanitary than they were prior to the start of service delivery reform. The lack of citizen input into the process, and the subsequent placing of local needs behind technical or government priorities and planning is shown to have significant negative impact.

In the context of Afghanistan, where infrastructure for municipal service delivery lags far behind acceptable international standards, and where corruption is widespread, there is frequently great disparity between these two perspectives – what services the municipality feels it has delivered, and what benefits or services residents feel they have received. The causes of this discrepancy and possible measures to overcome it are especially crucial for municipal reformers in Afghanistan to recognize. Particularly since the overwhelming service delivery needs combined with significant lack of local technical capacity provides the context for similar outcomes to the countries cited above if technical experts alone are relied upon to manage and guide service delivery reforms without adequate citizen and government involvement.

3 – *Disproportionately benefiting the elite.* In theory, municipal service provision would be available to all residents equally, however in most developing countries there is great inequality regarding who is able to receive benefit from municipal services (Devas, 2001). One cause of this discrepancy is the fact that service delivery, by nature, focuses on certain elements and services such as waste management which disproportionately benefit the middle or upper classes more than the poor. While the poor may clearly see the value of waste management, they may not necessarily prioritize it as a primary need. Other traditional government services such as roads, drainage, and infrastructure improvements are also frequently a higher priority for governments to implement in formal, more established middle and upper class settlements. These areas hold a higher potential for productive revenue collection, and are often more stable and well planned, making the design and implementation of traditional service delivery systems much easier.

Revenue collection itself also impacts the poor more significantly than others, particularly when services are contracted out to private enterprises. While governments may maintain their responsibility to the poor despite a lack of revenue, private enterprises driven by profit are usually under no such obligation. Examples from developing nations show repeated drop offs in service delivery to poor neighborhoods following privatization or any contracting out of services that results in increased charges for services (Devas, 2001, Nunan & Satterthwaite, 2001). Utilizing private enterprise can enable governments to rapidly implement service delivery. However, if pricing and revenue collection policies and expectations are altered dramatically without the input of the residents, or parallel plans to enable service delivery to more vulnerable areas, the

negative impact on the poor can be seen not only in the lack of service delivery but in their attitudes toward the government as well.

These trends are now becoming more visible in Afghanistan as well, through programs aimed at improving, and in some cases privatizing, public utility provision. An example of this are programs aimed at privatizing the existing urban water supply departments through forming business units which are mandated to be self sustainable within three to five years based solely on their collected revenues (MoUD, 2009). While such reforms are not in and of themselves negative, a rapid push towards self sufficiency pressures the new private entities to focus primarily on areas of Afghan cities where infrastructure is already functioning and in place and in higher income neighborhoods where revenue is more easily collected. These reforms may result in disproportionate amounts of government services to the more privileged and elite members of society and further divide municipalities along socioeconomic lines. Unless service delivery reforms in Afghanistan are structured to counteract this tendency, ensure effective outreach to marginalized communities, and mobilize the poor to be more involved in processes that will ensure service delivery to their areas and assist the municipality in collecting revenue, further citizen discontent with the government will result among the most vulnerable members of the community.

### **Recommendations for Positive Impact**

Many of the potential difficulties noted above are likely to arise when municipal governance reform relies heavily on traditional forms of centralized control and technical assistance and does not adequately address the wider context or involve all levels of

citizens and residents. A number of recommendations for the future of Afghan municipal governance service delivery follow which attempt to prevent these trends, already evident in some developing countries, from spreading further in Afghanistan.

1 – *Establish a clear legal framework for Afghan municipalities within the subnational governance structure, which will allow service delivery programs to be designed and implemented at the local level.* The current confusion regarding the roles and responsibilities of the various Afghan subnational government actors has led to a situation in which municipal governments do not maintain control over all of the services on which their residents depend. Vital services such as water supply, electricity, policing, and education are controlled by a combination of central line ministries and municipal departments. Afghanistan remains a highly centralized state, and when control of service provision comes from the central level, both decision-making ability and accountability are removed from the local level. It is precisely at the local level, however, where real needs and opportunities related to service provision are best understood and where citizens have the most opportunity to hold their government accountable in visible and tangible ways (Devas, 2001). Clarification of the legal framework surrounding Afghan municipalities and clear understanding of this among both government and citizens alike will help enable more decentralized decision making and allow the Afghan government to involve not only its local government colleagues, but through them its citizens themselves in service delivery processes that can ensure more successful and effective results.

2 – *Involve municipal residents from all socioeconomic groups in service delivery planning and management to increase the government's legitimacy by improving its*

*ability to respond to local needs and improve downward accountability.* Current trends in governance development that advocate for more consultative and participatory processes are frequently cited in Afghanistan's government development plans. Significant planning and strategy documents such as the Afghanistan National Development Strategy (ANDS) itself have been developed through a variety of consultation mechanisms in order to gain input from different actors. The IDLG itself aspires to promote participatory governance throughout the subnational government system (IDLG, 2008). And yet as referenced above, the increasing trend to utilize both domestic and international technical experts and private enterprises to plan and deliver municipal services throughout Afghanistan runs the risk of moving the service delivery process further away from citizens, not closer to them. National examples of, and commitments to, consultative processes may help shape an overall awareness of the benefits of wider ownership in political and developmental processes. However, without further instruction in the means and mechanisms to ensure the input of the full spectrum of citizens, municipal level government officials are unlikely to be able to successfully pursue such activities.

Civic participation is admittedly a time-consuming and challenging process, particularly when taken to the level of decision making and planning for proposed service delivery and infrastructure needs. Yet the benefits to the Afghan government of such active civic participation can extend well beyond the initial rewards of more effective and efficient programming at the local level. In a context of increasing government corruption and a widening gap between rich and poor, the ability of all groups to input into and feel represented by service delivery plans can help combat corruption and the tendency of municipal governments to serve primarily the urban elite. In addition,

studies have shown that particularly in post-conflict environments, participation in local government acts as a powerful learning tool for citizens, building conflict resolution skills and demonstrating legitimate political processes (Brinkerhoff, 2005).

*3 – Support and incorporate existing community actions in the area of informal service delivery to supplement insufficient municipal capacity and draw those communities into stronger collaborative relationships with their local government.*

Through over 30 years of conflict and displacement, Afghans have learned to be resilient and self-sufficient in the face of a number of various government models. In recent years, in the face of non-existent or inadequate municipal services, many urban communities have, of their own accord or through the facilitation of various NGOs and civil society actors, developed their own informal service delivery systems. These range from simple street level waste collection systems to more complex shared generators for electricity supply for entire neighborhoods or bazaars.

A common assumption in the developing world, which is true to a large degree in Afghanistan as well, is that municipal or urban areas signify a destruction of many of the traditional cooperative problem solving methods of societies, as well as a weakening of rural and kinship-based social networks. However, more recent research shows that despite that disconnect, when urban residents are given a tangible objective to organize around which will provide measurable benefits for an individual or a family unit, creative solutions through active community mobilization are possible (Lall, et. al., 2004). Indeed, the more vulnerable the community, the more active a role its residents are likely to take in local politics and participatory solutions to residential problems (Harriss, 2005). One factor contributing to this is that in more informal, localized participatory service

delivery solutions, poor and vulnerable residents of a municipality can often contribute in ways other than cash payments for fees. While upper class and elite residents frequently prefer to pay funds for services, and therefore routinely plan and advise governments accordingly, the poor are much more willing to exchange material goods, labor, or time for service delivery. Incorporating citizen input from all sectors of society and utilizing the models of existing informal service delivery schemes in communities across Afghanistan would enable future service delivery plans by the government to more creatively address the needs of all municipal residents.

In light of the increasing service delivery needs in municipalities across the country, and the low capacity of Afghan municipal governments, taking advantage of these community actions provides a much-needed resource for the government to utilize. Such stand-alone or NGO supported systems currently highlight the government's inability to meet resident's needs, and can often push people further away from their local government and decrease civic responsibility (Beall & Esser, 2005). However when learned from and utilized, they can serve as crucial interfaces between the community and municipal government. While community action should not replace government service delivery, active partnerships in this area that share the resources of the municipality with the existing action and initiative of the community could better serve both groups and maximize limited resources. It would also serve to strengthen the relationship between residents and their government and allow the government to affirm and encourage further civic responsibility and ingenuity among its citizens.

## **Citizen Involvement in Elections and Formal Representative Systems**

### **Overview**

In addition to service delivery, the other main focus of much of the current recommendations for municipal reform is the electoral process and the formal mechanisms for citizen representation in government, namely the election of mayors and municipal councils. While the Afghan constitution and the legal framework that governs municipalities stipulate elected mayors and municipal councils, these elections have yet to take place. Instead, mayors are currently appointed by the central government in Kabul, often at the recommendation of provincial governors, local elders, or other local power brokers as opposed to based upon qualifications, skills, and community input. Municipal councils have not been formed, although some municipalities maintain various traditional *shuras* or remnants of municipal council systems from previous eras. The Kabul municipality, for example, maintains neighborhood or district representatives (*wakils*) who are appointed and paid by the municipality. These representatives may assist with administrative tasks such as birth and death registries or land registration, and help mediate local conflict resolution. However there is little, if any, connection between these *wakils* and the wider municipality development and planning systems and often such representatives are used solely by the municipality to mitigate the impact of plans or property allocations which may be perceived negatively by the population (World Bank, 2007).

The current municipal representation systems are further complicated by a lack of awareness of the various roles and responsibilities of the municipality. Citizens and government officials alike are unclear on which problems lie under the municipality's

jurisdiction and municipal offices are inundated with many petitions and requests from residents that fall well outside of their mandate. Stories abound of residents and *wakils* alike petitioning and paying fees to municipality officials for service delivery or other administrative services only to be met with long delays and little positive response. Most fees disappear due to corruption and residents never realize that the water or electricity services they are waiting for are in reality still largely central government functions as opposed to the municipalities they have appealed to (Beall & Esser, 2005).

This lack of political access and representation in municipalities across Afghanistan is a significant cause of the lack of legitimacy and accountability of the local government. Officials in municipalities across the country largely operate independently from any oversight or accountability mechanisms aside from those very rarely imposed by the central government (Asia Foundation, 2007). This is in sharp contrast to the traditional village-level *shura* systems active throughout Afghanistan's history, which are moderately representative and democratic in nature. In recent years, this tradition has influenced the incorporation of formal community participation mechanisms in national development programs throughout rural Afghanistan via the implementation of programs such as the National Solidarity Program (NSP) which functions by facilitating the establishment of democratically elected Community Development Councils (CDCs) in villages across the country. Other national Afghan government programs have worked to develop District Development Assemblies (DDAs) and Provincial Development Councils in addition to the formally elected Provincial Councils. These mechanisms have all served to increase the level of community participation and community input into the planning, policy, and decision-making issues that impact their local area. However with

the exception of a handful of CDCs in select urban areas, municipal residents have not yet been provided with the same opportunity to hold their leaders accountable or make their voices heard.

### **Challenges to Reform in Electoral and Representative Systems**

Given this context, mayoral and municipal council elections, tentatively slated to take place for the first time in 2010, will increase the role of municipal citizens in local governance as they are more able to select and hold accountable their local leadership. Jelani Popal, the director of the IDLG, has acknowledged the plans for future elected municipal government officials who “will represent the aspiration of their constituents in the local and urban governments...The key rule of these councils will be to hold respective administrations accountable on behalf of the people living in the jurisdictions,” (Popal, 2008, p. 92). However, as in the case of service delivery, there are a number of key difficulties outlined below that could arise in the reform process if the implementation of reforms does not consider the role of citizen involvement and the impact of reforms on the population itself.

*1 – Excluded Populations.* As was seen to be the case with service delivery, there are a number of other municipal reforms that must occur in the proper sequencing in order for elections to serve as meaningful democratic processes. Mayoral and municipal council elections will face many of the same challenges that have on occasion threatened the legitimacy of Afghan elections at the national level, such as the threat of violence and insecurity, logistical and capacity challenges, ensuring accessibility for women, and the potential for political intimidation and corruption. In addition there are a number of

challenges unique to the municipal environment that threaten to postpone elections even further or render them unable to truly become a democratic action for all residents. The same confusion surrounding property and land tenure rights, and municipal and district boundary lines that impacts service delivery also carries the potential to disrupt municipal elections. Without clear municipal and district boundary lines, as well as accurate census data, the government faces a significant challenge to determining who should be eligible to vote in municipal elections in the first place. There are then further debates regarding the location and size of districts and what relation population figures should have to the size of the proposed municipal councils. Added to that, without legal and valid property rights or proof of residency, determining exactly who resides in the boundaries once they are set remains a further challenge and one filled with politically charged complexities.

If elections and reform are pushed too rapidly from the center before such systems are worked through at the local level, it could encourage local government officials to rapidly create solutions to these problems that do not fully include all municipal residents. Those living in informal settlements in particular, many of which lie outside of municipal boundary lines, are at risk of being excluded from these formal representative processes and remaining in a position where they risk benefiting from neither municipal nor rural governance processes.

*2 – Disproportionately benefiting the elite.* Any election process, particularly in a developing post-conflict country such as Afghanistan, is vulnerable to being co-opted for personal or political gain. This is particularly of concern in the case of the new municipal councils, where not only the election process, but in many areas the existence of the council itself, will be new. While the structure of an elected municipal body, which

serves as a representation of the population itself, holds much promise for improving citizen participation in governance, this cannot be assumed to be the case. Creating a new Afghan government institution and electing the members of the council itself will not necessarily mean that its actions are more inclusive or representative. Instead, if not properly monitored and viewed within wider overall governance reform, councils could simply provide more political space for local elites to wield power over residents or gain individual favor from the municipality, provincial, or central governments (Hickey & Mohan, 2004).

Studies from other post-conflict countries, such as Sierra Leone and Cambodia have shown that without careful attention to the process of establishing local government representation, the newly created institutions can easily become mere tokens – having the guise of participatory governance but with little substance. Representative and participatory institutions are frequently lauded by the central government as well as donor and international actors as progress towards decentralization and yet may not be given real authority or delegated power at the local level to act on behalf of those they represent (Blunt & Turner, 2005). Outside actors remain generally more likely to interact with those formal institutions which are seen as being representative. But this attention runs the risk of further exacerbating the problem and excluding the wider population if those structures have been co-opted by elites who are not truly being representative back to their constituencies or who are utilizing their positions to intimidate or otherwise abuse their given status and power (Jackson, 2005).

*3 – Conflicting roles and responsibilities.* As evidenced in the wider Afghan subnational government system, there is a clear lack of understanding on a number of

levels regarding the role and function of various government institutions and how they should coordinate with one another. This is also the case for Afghan mayors and municipal councils in particular as they are newer arrivals to the composition of local governance and currently attempting to define their role in the midst of other local and provincial actors vying for resources and control. The Constitution and legal framework governing municipal and provincial councils is ambiguous and leaves a great deal of room for further development of policies and frameworks to outline the respective roles, responsibilities, and resources available to each (World Bank, 2008). Given the centralized tendency of Afghan government, however, without more clarity of the delegated authority and roles of mayors and municipal councils it is unlikely that they will be given enough responsibility or resources by the central government to be able to develop their capacity and provide tangible benefits to their constituents.

Research on decentralization in developing countries has shown that in order to be successful, new representative councils have need adequate power and resources delegated to them as well as means to ensure downward accountability to their constituents (Blunt & Turner, 2005). Without these resources and a clear commitment to decentralization at the center, mayors and municipal councils are in danger of remaining ineffective, even following the elections that are poised to solidify their authority. Afghan municipal councils in particular, an institution established to increase public participation in governance and therefore to increase the government's legitimacy in the eyes of the people – is in danger of being unable to deliver on its promise.

**Recommendations for Positive Impact**

To effectively counter the potential difficulties and hindrances to reform, the Afghan government will need to take active steps to not only create and establish the institutions needed to facilitate municipal citizen participation, but to ensure that both the people and the government are truly willing and able to utilize such systems. The recommendations that follow focus on the work needed in order to support active community participation in local governance beyond simply the process of voting itself.

1 – *Empower municipal officials and residents alike to be actively and purposefully involved in the electoral processes through improved advocacy, education and training.* For elections and the individual votes of the municipal population to be truly meaningful and effective, there must be wider understanding of the electoral processes and the eventual roles and responsibilities of the officials being elected. Early public education and awareness campaigns prior to the elections themselves can help ensure that citizens have the opportunity to select their choices for mayor and municipal council based at least in part on an understanding of what role those people will be expected to play in local government and what skills will be essential for success. Following on from there, such information campaigns could raise awareness on policy positions which are key issues in modern Afghan local governance and encourage citizens to begin evaluating their candidates on issues and moving away from strictly personality-based politics. This will also serve to widen the scope of those who may have an interest in running for municipal government positions beyond the current political elite and therefore assist in the larger process of diversifying and increasing the number of potential qualified candidates.

Increased understanding and awareness can also serve to increase the current local government's and citizen's abilities to input into the discussions surrounding the kind and type of elections that will become standard at the municipal level. In contrast to the national level electoral systems, which have been established and tested in the Presidential election of 2004 and Parliamentary elections of 2005, the process for municipal elections is still being developed. The ongoing discussions regarding the timing of municipal elections as well as the type of representation mandated will have strong implications on citizen involvement. In regards to timing, it may be feasible for municipal council elections to be modeled after the NSP's CDC election system as opposed to a nationwide election for all municipalities (Asia Foundation, 2007). This would imply that elections would be conducted after a period of training and facilitation, when each municipality was ready to do so, as has been the case with CDC elections in villages. The benefits of this approach would include a more active role for municipal residents as each election could be tailored to best fit with the timeline of other necessary reforms and each municipality would receive individual attention to best facilitate the ability of citizens to understand and engage in the process.

In terms of the type of representation selected for municipal councils, case studies from other developing nations have shown that for urban areas there are noteworthy differences between electoral systems such as proportional representation versus ward or district based majority systems (Devas, 2001). The former system is seen to result in more balanced representation across large areas. However the ward-based system has been shown to improve political access for the poor and vulnerable in particular as it gives them more of a direct link to a representative who is dependent on their specific

vote, and therefore often more connected with the community and attentive to their needs. The results of these discussions will have large implications on the municipal environment, however, such discussions are currently largely confined to the central government with the assistance of outside advisors. Increasing the awareness and education of current municipal government officials and residents to enable them to advocate for their preferences would give them an opportunity to potentially secure systems that are most beneficial to their needs and tailored to their specific municipal context.

*2 – Create forums and settings which provide the space for municipal government officials to involve citizens in ongoing participatory planning and problem solving activities.* While elections and the existence of representative municipal councils will be a major step in increasing the involvement of citizens in choosing their government officials, a further step is needed in order to facilitate their ongoing ability to provide input and feedback into the decisions that shape their daily lives. Frequently, the acknowledged disconnect among urban residents and the deterioration of traditional *shura* or local feedback mechanisms in urban areas are cited as causes for the lack of citizen involvement on municipal issues. However some assessments in Afghanistan have shown that contrary to lessening the people's will to participate, there may in fact be more willingness to engage with formal government systems and structures in urban areas precisely because residents now have fewer informal support structures available to them (Patel & Ross, 2007).

To date, however, there is little precedent for ongoing community forums or public spaces where Afghan municipal residents can be involved in their governance.

Recent initiatives by UN Habitat and other donors to develop and revise municipal development plans have included participatory workshops for a variety of stakeholders, including those from the private sector, civil society agencies, and other government departments. However these have been largely one-time events and rarely offer access for average citizens unless they are involved in NGOs or other civil society organizations. UN Habitat has also been involved in community forums in a few select Afghan cities off and on since the 1990s. These forums, based on the consultative *shura* tradition, were able to be inclusive of women and a wide variety of community residents and linked into a community board, which then addressed larger issues (Mumtoz & Noschis, 2004). The more modern rural CDCs are loosely based on this community forum experience, but have yet to be implemented widely in municipal areas. In addition there are numerous NGO sponsored participatory development, microfinance, and self-help groups in municipal areas that could serve as models to influence the discussion further. These NSP and NGO examples may easily include elements that could be refined and developed further into a structure that links in with the future municipal councils as a way to provide accessible community spaces for involvement that further enable council members to effectively interact with large and diverse urban populations.

Such new systems for citizen participation outside of the electoral and voting processes will only be successful if they also are developed in the context of a willing and supportive municipal government. Parallel training and advocacy programs for local government officials should highlight the benefits to the government of citizen input and insight into municipal service delivery and decision-making processes in a way that does not threaten or undermine the authority of elected officials. There are numerous

examples of successful outcomes in countries like Brazil, where participatory budgeting processes in municipalities resulted in not only benefits to citizens (such as reduced corruption, greater social equality, and increased spending allocations towards the priorities of the poor) but benefits to the local government as well in the form of increased efficiency and favor among their electorate (Hickey & Mohan, 2004). Such examples should be combined with successful Afghan models to help assure the government of the real benefits to themselves and to the state of increased community participation.

*3 – Continue to support the development of a strong civil society as a sustainable and locally owned mechanism to enable and facilitate greater civilian participation in local government.* The international community is currently actively involved in providing funding and technical assistance to aid in the development of subnational government in Afghanistan, and likely to remain so throughout the near future. However much of this assistance is allocated for direct government assistance, or to various contracts that focus on building the capacity of many of the new government institutions and officials as mentioned previously. While some support is channeled through NGOs and other civil society actors, this is largely centered on training and service delivery functions and there is comparatively little focus on specifically enabling civil society to take an active role in linking citizens with local government. In the urban or municipal context however, due to the sheer size and diversity of the population as compared to the village level, civil society often plays a key role in linking the community and its government (Abbott, 1996). It is unrealistic to assume that outside actors, or the municipal government, itself trying to develop and build its own capacity as well, can

sustain the momentum for involving citizens in government processes. Traditionally civil society has played key roles in governance by providing services, helping combat corruption and hold government accountable, and empowering and building the capacity of citizens to participate in governance at the local level (Kim, et. al., 2005). Civil society actors, including a wide variety of NGOs and various forms of trade and business unions, have been seen to also serve as effective liaisons who can both advocate and assist the government to be more responsive to its citizens, as well as impart skills to citizens to enable them to fully interact with their representatives.

Currently, while Afghanistan maintains a large number of registered and active NGOs and a growing number of human rights or business and trade focused civil society organizations, the vast majority remain focused on service delivery. Given the limited capacity of the Afghan government in the past to care and provide basic services for its citizens, Afghan and international civil society actors assumed significant roles in this area. This history, as well as the current insurgency and the associated increased risks to NGOs and civil society actors who are involved with government programs or perceived as supporting the Afghan government, tends to hinder the development of civil society's involvement in supporting good governance. In this context, ensuring that adequate support and facilitation can be given to developing those civil society agencies who are willing or already active in supporting participatory local governance is vital. This will in time help pave the way for a stronger Afghan civil society that can continue to assist both municipal residents and their elected officials in pursuing good governance and participatory government structures.

**Conclusion**

There is clearly a long and challenging road ahead as Afghanistan continues on a path towards stability and an effective, legitimate government. However, as this paper has shown, focusing solely on filling the gaps in the needed systems, structures, and capacity without incorporating more participatory government practices has the potential to make the journey even more difficult. Instead, there are some areas of reform, as in the case of municipal service delivery and public representative systems, which have a significant ability to harness the potential of citizen participation. This active civic involvement has the capability to not simply allow for the implementation of structural government reforms but to enable the government itself to be more effective, accountable, and just. As the government of Afghanistan incorporates the principles of participatory democracy into its governance, it has the opportunity to work to combine good governance with good development and increase its potential to form a legitimate government, which will serve to strengthen the state and aid in overall stability.

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