

Legitimacy and International Development in a Taliban-dominated Afghanistan

MARK S. COGAN
DON MCLAIN GILL

Legitimacy is an old concept in international relations—the origin of which has been explored by numerous scholars, from Jean-Jacque Rousseau to Robert Dahl.¹ Nation states navigate their existence by probing popular and external legitimacy, both of which are required to take part in the affairs of state. The denial of legitimacy, evidenced in Taiwan by mainland China, has been an active part of Beijing’s strategy at the United Nations,² which has had adverse effects on the island, measured in part by diminished international stature and a nagging security dilemma that has narrowed windows for diplomacy. Legitimacy in Afghanistan has been a concern for decades and is not necessarily grounded in the Weberian sense of the term. The West has had to come to terms with the traditions that legitimize rule in the country, especially when it is based on patriarchy, political kinship, family, and age.³

The inner workings of Western-backed governments had been sources of anxiety for many Afghans, particularly the ability of such mechanisms to generate legitimacy out of essential state functions, such as social service delivery or the conduction of elections. No more corrupt and bereft of both legitimacy and public faith were the August 2009 presidential elections, which resulted in a victory for the incumbent, Hamid Karzai, over his rival, Abdullah Abdullah. Security lapses, low enthusiasm, and poor voter education—as well as alleged ballot stuffing—marred the end result.⁴ The 2014 election did not augur well for a freer and fairer process, although a negotiated compromise after a lengthy recount created the National Unity Government of Pres. Ashraf Ghani and Chief Executive Officer Abdullah Abdullah.⁵

The work of United Nations agencies, nongovernmental organizations (NGO), and civil society groups assumed that both security and government legitimacy would be guaranteed or that the arduous process of development would continue unabated. Aside from the tens of thousands of international troops that were deployed to Afghanistan to maintain peace and security and reconstruct the country, billions were invested in the Afghan National Defense and Security Forces. While war costs exceeded \$2 trillion,⁶ approximately \$65 billion in aid was also provided

to Afghanistan, focusing on a range of objectives, from education, good governance, infrastructure, to agriculture. And while development assistance to Afghanistan had slowly declined after 2011,⁷ as donors fatigued or became weary with the prospect of continued Afghan dependence on external resources, there were some signs of progress, particularly in terms of the education of girls, greater participation for women in government, media development, and broader economic diversification and development.

All this changed when the Taliban quickly seized control of Afghanistan in August 2021. International development now operates in a fog, with line ministries under the control of what many deem to be an illegitimate government. While more than \$1.2 billion has been allocated for immediate humanitarian needs, the longer-term problem of engagement with the Taliban back in power in Afghanistan remains a lingering concern of the international community.⁸ This commentary explores the related issues of development in Afghanistan and the dangers of external partners granting varying degrees of legitimacy to the Taliban. In this article, we survey the current Afghan context and highlight the pitfalls of granting external legitimacy to the Taliban—a group still labeled as a terrorist organization by many governments—underline the importance of legitimacy in the context of development, and navigate options for the UN and other aid organizations still operating in Afghanistan.

Will the International Community Legitimize the Taliban?

In the aftermath of the Taliban's takeover of Afghanistan from the collapsed Ashraf Ghani government, Western countries and institutions have made some attempts to delegitimize and marginalize the new Taliban regime. The United States, upon leaving Afghanistan, immediately froze \$9.5 billion in Afghan central bank assets—funds that will now be unavailable to the Taliban, which remains on the US Treasury Department's designated sanctions list.⁹ The deprivation of funds also means that the Taliban will not have access to international financial institutions, an essential component of governance. In mid-August, the International Monetary Fund blocked access to more than \$460 million in reserve funds.¹⁰ Finally, the World Bank halted funding for several Afghanistan projects, directly citing the illegitimacy of Taliban rule, a departure from its history of funding more than \$5 billion in the country since 2002.¹¹ These developments are significant as they complicate efforts by the Taliban to gain popular and external forms of legitimacy.

Legitimacy and recognition serve as important factors for any government to operate independently within the confines of the state and participate in the international system. The recognition of a government allows for several important

benefits such as providing a basis for the acceptance of representatives as diplomats, the ability to enter into treaties, the reception of aid and development packages, and the access to state assets abroad. The Taliban is aware that without proper external legitimacy and recognition, it will not be able to maneuver effectively to win over the support of the Afghans or to craft or join cooperative arrangements with other states to address a wide array of issues in the defense, economic, and sociocultural realms. In keeping with these aims, the Taliban recently asked UN Secretary-General António Guterres to speak at the General Assembly, as well as expel Afghanistan's UN Ambassador Ghulam Isaczi in favor of the Taliban's choice, Mohammad Suhail Shaheen.¹² A seat at the UN would have significantly improved the Taliban's recognition deficit, also coupled with a series of recent promises that the Taliban would potentially moderate its behavior, from claims of establishing an inclusive government, respecting human rights—particularly for women—and preventing the country from becoming a haven for terrorism. In its pursuit of the UN seat, the Taliban demonstrated a modicum of restraint by maintaining security during their initial weeks in power.¹³

Yet the regime shown signs that it has begun to revert to its much more restrictive ideological approach, preventing women and girls from attending school or participating in the labor force.¹⁴ While the Taliban claims to have full control of Afghanistan and the support of Afghans, the reality is much more complex. Many Afghans have gone into hiding, as the Taliban continues to search and monitor individuals who supported American and international forces. In urban areas, Afghans fear losing development gains achieved over the past two decades. These factors also demonstrate the obstacles the Taliban will face in gaining a significant degree of international support and recognition. For example, it was assumed that Russia, China, Iran, and Pakistan would be overt in their recognition of the Taliban, but Moscow has expressed concern about the Taliban's promise to deliver a tolerant and sustainable government.

In September 2021, Russian Foreign Minister Sergei Lavrov highlighted that the interim government of the Taliban failed to reflect the “whole gamut of Afghan society.”¹⁵ Furthermore, Lavrov added that international recognition of the Taliban was not yet on the table. Iran, despite its willingness to enhance its economic engagements with Afghanistan, also expressed its displeasure due to the marginalization of the Shia Hazara community in the Taliban's power structure.¹⁶ This has also resulted in Tehran's wariness about how Taliban-led Afghanistan will turn out vis-à-vis the Shia community.

China initially extended support and accommodation for the Taliban. Chinese Foreign Minister Wang Yi hosted the Taliban in July 2021, while they were still gaining ground in the country. Yi called the Taliban a “pivotal force,”¹⁷ and later

Beijing offered \$31 million in humanitarian aid.¹⁸ However, China is also keenly aware of the strategic limitations in Afghanistan. While Beijing has expressed a long-term desire to incorporate Afghanistan into China's Belt and Road Initiative and monetize Afghanistan's untapped mineral wealth,¹⁹ Chinese leaders understand the security risk an unpredictable partner can pose on the Wakhan Border, in broader Central Asia, and in Xinjiang.

While Pakistan was among the first to recognize Taliban rule in 1996, the current situation is quite different as Islamabad copes with a faltering economy and record inflation. Moreover, Pakistan is highly dependent on the aid provided by states and international financial institutions.²⁰ It will be counterproductive for Islamabad to recognize the Taliban knowing the negative implication in which it can result. Within the domestic political realm, Pakistan's parties are also divided. While Islamic hardliners have shown their great support for the Taliban, secular parties have expressed discontent toward the Taliban's treatment of women and minorities.²¹ Worries brought by the possible proliferation of Tehrik-i-Taliban Pakistan's terror activities are also a cause of critical concern. These factors serve as immediate obstacles for Pakistan openly recognizing the Taliban.

How Does a Lack of Legitimacy Impact the Work of the United Nations in Afghanistan?

Prior to Taliban control, Afghanistan faced a myriad of development crises, from the onset of drought to the lingering effects of the COVID-19 pandemic.²² Under the Ghani government, approximately 40 percent of Afghanistan's gross domestic product (GDP) came from foreign aid.²³ In addition, 90 percent of Afghans were living on less than \$2 per day,²⁴ and, going into 2021, more than 18 million people were dependent on humanitarian assistance—nearly half the country's population.²⁵ As billions in national assets were frozen by the West, the question of legitimacy has a direct impact on humanitarian and development plans by international organizations like the UN working on the ground in Afghanistan. While the Taliban made attempts to reassure the international community of its intentions to create a more inclusive government, inaction has forced Guterres into appealing to partner countries to act on a "make or break moment"²⁶ for Afghanistan.

After the events of August 2021, the work of UN agencies in Afghanistan was upended,²⁷ as diplomats and practitioners worked against the pressures of security and a loss of operational control. In the weeks after the Taliban takeover, national staff exchanged correspondence with senior UN officials worried about the prospect of Taliban rule and their immediate security. Some national staff reported

being beaten and abused,²⁸ in stark contrast to written assurances by the Taliban that development and humanitarian workers would have safe passage and freedom of movement.²⁹

The lack of legitimacy in Afghanistan comes with international and regional pressure to avert a looming humanitarian crisis that would further destabilize the region. Regional powers China, Russia, and Pakistan have pressured the UN to send staff back to Afghanistan to mitigate the crisis.³⁰ However, senior UN officials such as Michelle Bachelet, the UN High Commissioner for Human Rights, expressed skepticism due to human rights concerns, recommending that an investigatory mechanism be incorporated to monitor developments in the country to ensure the safety of UN staff and civilians.³¹ These normative reservations further highlight the dilemma of granting legitimacy to the Taliban with few guarantees that its behavior will be moderated and the prospect of a country without the means to administer basic social services to its people. Regional states are more concerned about the possible spillover effects of a humanitarian crisis, which would worsen regional security and compromise their individual strategic interests.

In the Current Environment, How Can United Nations Agencies Operate and Remain Effective?

In evaluating the Afghan development landscape in the short to mid-term, UN agencies are already adapting their approach to current humanitarian and development crises. Responding to multiple challenges arising from the collapse of what the UN calls the “legitimate government” on 15 August, the UN created the Special Trust Fund for Afghanistan, which will be led by the United Nations Development Programme (UNDP).³² The new fund serves as an interagency mechanism that allows donors to channel resources to coordinate their support for an Area-Based Approach for Development Emergency Initiatives (ABADEI), a strategy to operationalize a humanitarian and development response in the ever-evolving Afghan context.

The difference between this approach and those of the past is that the Taliban is essentially left out of the decision-making process. Furthermore, the fund uses UNDP’s direct implementation modality, where the UN agency assumes the role of the implementing partner, and through direct contracting, works with third-party implementers such as NGOs, community groups, and private vendors. With the Special Trust Fund, the UN works at the local level in Afghanistan to provide essential services, boost community-based livelihoods, develop disaster and climate-resilient infrastructure, and foster social cohesion at the local level. Created in October 2021, Japan, along with Germany, was among the first interna-

tional partners to contribute to the Special Trust Fund, announcing a \$3 million grant for emergency agricultural initiatives.³³

As security forces evaporated during the Taliban's quick takeover of the country,³⁴ the future of capacity building and professionalization funds like the Law and Order Trust Fund for Afghanistan (LOFTA) seem in doubt. Often plagued by scandal,³⁵ LOFTA was established by UNDP in 2002 to provide support to the Ministry of Interior Affairs (MOIA) and the Ministry of Finance to establish, pay, and equip members of the Afghan National Police. With Sirajuddin Haqqani—a senior Taliban figure listed in the United States as a terrorist with a \$10-million bounty in exchange for his arrest³⁶—now firmly in control of the MOIA,³⁷ donors will be extremely reluctant to place monies in the hands of funds like LOFTA, which was nationally managed by the MOIA, even while still governed by UN financial rules.

The United Nations and other aid agencies might have some leverage over the Taliban in the short term, as social service delivery, even in a violent context, is critical to earning popular legitimacy. Still, the ability to deliver basic social services hinges on demonstrated capacity, expertise, and an adequate distribution of human and financial resources. With many female government and municipal employees being told to stay at home,³⁸ local ability to deliver essential services will be hamstrung. Many government workers with the capacity to assist the government in social service delivery have fled the country, while many government workers and teachers have not received pay.³⁹ With the flight of human capital and the neglect of existing workers, it will be difficult for the Taliban to demonstrate proficiency in governance.

In the short term, the international community—in concert with UN agencies—will need to engage with the Taliban to implement an immediate humanitarian response plan. A recent survey by the UN Office for the Coordination of Humanitarian Affairs showed that nearly 11 million people—or 35 percent of the population—face high levels of food insecurity as of May 2021. In one of four scenarios developed by the UNDP Afghanistan Country Office, if a high-intensity crisis persists, assuming trade with major partners is interrupted for two months, there would be a 12-percent decrease in real GDP or a 23-percentage point increase in poverty from 2020.⁴⁰

As the Taliban continues to consolidate power in Afghanistan, it is inevitable that states and institutions will have to engage with it to provide Afghans access to humanitarian assistance. However, it must be noted that engagement merely reflects an understanding of power, but not legitimacy. Accordingly, engaging with the Taliban should be limited to area-specific objectives, while incorporating a series of well-defined conditions—including the close monitoring of development workers,

religious minority groups, marginalized communities, and human rights defenders. The advantage of this temporary leverage could push the Taliban toward moderation, which could include greater political participation, from regular citizen input to a distant goal of holding free and fair national elections. ☪

Mark S. Cogan

Mr. Cogan is an Associate Professor of Peace and Conflict Studies at Kansai Gaidai University, based in Osaka Prefecture, Japan. He specializes in peacebuilding, human rights, democratization, and social movements, particularly in Thailand and Cambodia. His research focuses on Southeast Asia, particularly on authoritarian regimes in Thailand and Cambodia, with an emphasis on foreign policy, bilateral and multilateral relations, and joint security cooperation. Mark's previous journal articles have examined Thailand's nuanced relationships with the United States and China, the history of Thai social movements, and the dehumanization of political activists and opponents in contemporary Thai politics. His first book, co-edited with Dr. Hidekazu Sakai, entitled *Alternative Approaches to Peacebuilding: Theories and Case Studies*, will be published in early 2022 by Palgrave MacMillan.

Don McLain Gill

Mr. Gill is a resident fellow at the Manila-based International Development and Security Cooperation (IDSC) and the director for South and Southeast Asia at the Philippine–Middle East Studies Association (PMESA). He is also a geopolitical analyst and author who has written extensively on South Asian geopolitics and Indian foreign policy.

Notes

1. Jean-Jacques Rousseau, *Rousseau: The Social Contract and other later political writings*, ed. and trans. Victor Gourevitch (Cambridge, UK: Cambridge University Press, 2018); and Robert A. Dahl, *A preface to democratic theory* (vol. 10) (Chicago: University of Chicago Press, 1956).
2. Sigrid Winkler, "Taiwan's UN Dilemma: To Be or Not to Be," *Brookings*, 20 June 2012, <https://www.brookings.edu/>.
3. Richard Kraemer, "Towards state legitimacy in Afghanistan," *International Journal* 65, no. 3 (2010): 637–51. <http://www.jstor.org/>.
4. Helene Cooper and Jeff Zeleny, "Obama Warns Karzai to Focus on Tackling Corruption," *New York Times*, 2 October 2009, <https://www.nytimes.com/>.
5. Anna Larson and Noah Coburn, "Resources over Reform in Afghanistan: How Changes in the Political Economy Are Reshaping Local Politics," United States Institute of Peace, 2 February 2016, <https://www.usip.org/>.
6. "Human and Budgetary Costs to Date of the U.S. War in Afghanistan, 2001-2022 | Figures | Costs of War. (August 2021)," *The Costs of War*, 22 October 2021, <https://watson.brown.edu/>.
7. Net "official development assistance and official aid received (current US\$)—Afghanistan | Data," World Bank, n.d., <https://data.worldbank.org/>.
8. Jamey Keaten and Edith M. Lederer, "Donor's pledge \$1.2 billion in emergency funds for Afghans," *AP News*, 14 September 2021, <https://apnews.com/>.
9. Saleha Mohsin, "US freezes Afghan central bank's assets of \$9.5bn," *Al Jazeera*, 18 August 2021, <https://www.aljazeera.com/>.
10. Alan Rappeport, "The I.M.F. says it will block Afghanistan from getting \$460 million in reserve funds," *New York Times*, 18 August 2021, <https://www.nytimes.com/>.

11. Josh Zumbrun, "World Bank Freezes Aid to Afghanistan," *Wall Street Journal*, 24 August 2021, <https://www.wsj.com/>.
12. Wajahat Khan, Hiona Shiraiwa, and Kaori Yoshida, "Who's the Afghan rep? U.N. show-down faces Monday deadline," *Nikkei Asia*, 23 September 2021, <https://asia.nikkei.com/>.
13. "'Our priority is the return of security' to Afghanistan, says Taliban spokesman," *France 24*, 28 August 2021, <https://www.france24.com/>.
14. Emma Graham-Harrison, "Taliban ban girls from secondary education in Afghanistan," *The Guardian*, 17 September 2021, <https://www.theguardian.com/>.
15. "World Recognition of Taliban 'Not on Table,' Russia Says at UN," *VOA*, 25 September 2021, <https://www.voanews.com/>.
16. Antonio Giustozzi, "Russia and Iran: Disappointed Friends of the Taliban?" *RUSI*, 30 September 2021, <https://www.rusi.org/>.
17. Ananth Krishnan, "China Foreign Minister Wang Yi hosts Taliban, calls them 'pivotal force'," *The Hindu*, 28 July 2021, <https://www.thehindu.com/>.
18. "China offers \$31m in emergency aid to Afghanistan," *BBC News*, 9 September 2021, <https://www.bbc.com/>.
19. "China Eyes \$1 Trillion of Minerals with Risky Bet on Taliban," *Bloomberg*, 24 August 2021, <https://www.bloomberg.com/>.
20. "Pakistanis suffer under high inflation amid IMF negotiations," *Deutsche-Welle*, 22 October 2021, <https://www.dw.com/>.
21. "Pakistan's Islamic parties push for Taliban recognition in Afghanistan," *Deutsche-Welle*, 8 October 2021, <https://www.dw.com/>.
22. Stephanie Nebehay, "Drought leaves Afghans hungry as economic collapse looms—U.N.," *Reuters*, 2 September 2021, <https://www.reuters.com/>.
23. Ashitha Nagesh, "Afghanistan's economy in crisis after Taliban take-over," *BBC News*, 25 August 2021, <https://www.bbc.com/>.
24. Anisa Shaheed, "Ghani's Afghan Poverty Estimate 'Catastrophic': Analysts," *TOLOnews*, 20 July 2020, <https://tolonews.com/>.
25. "Afghanistan Humanitarian Response Plan 2018-2021 (January 2021 revision)—Afghanistan," *ReliefWeb*, 9 January 2021, <https://reliefweb.int/>.
26. "Afghanistan: World must act on 'make or break moment' – UN chief," *UN News*, 11 October 2021, <https://news.un.org/>.
27. Mark S. Cogan and Stephen Nagy, "Taliban rule deadly for development," *Bangkok Post*, 20 August 2021, <https://www.bangkokpost.com/>.
28. Ned Parker, Parniyan Zetaryalai, and Michelle Nichols, "Internal UN document says Taliban threatened, beat staff," *Reuters*, 26 August 2021, <https://www.reuters.com/>.
29. Patrick Wintour, "Taliban reassure UN over safety of humanitarian workers in Afghanistan," *The Guardian*, 13 September 2021, <https://www.theguardian.com/>.
30. Colum Lynch, Robbie Gramer, and Anna Weber, "U.N. Return to Afghanistan: 'This Is Completely Insane'," *Foreign Policy*, 3 September 2021, <https://foreignpolicy.com/>.
31. United Nations Office of the High Commissioner for Refugees, "Oral update on the situation of human rights in Afghanistan," 13 September 2021, <https://www.ohchr.org/>.
32. Multi-Partner Trust Fund Office, United Nations, "Trust Fund Factsheet—Afghanistan Special Trust Fund," October 2021, <https://mptf.undp.org/>.

33. UNDP, “Japan Allocates US\$ 3 Million to UNDP’s ‘ABADEI’ crisis response in Afghanistan,” 29 October 2021, <http://www.publicnow.com/>; and Ministry of Foreign Affairs of Japan, “Emergency Grant Aid for humanitarian assistance in Afghanistan and neighboring countries,” 26 October 2021, <https://www.mofa.go.jp/>.

34. Stephen Biddle and Yuri M. Zhukov, “Afghanistan’s security forces unraveled this month. What broke their seven-year stalemate with the Taliban?,” *Washington Post*, 31 August 2021, <https://www.washingtonpost.com/>.

35. William A. Byrd and Scott Smith, “Ghani, UNDP, and the NYT: Who Really ‘Overreached’ on Paying the Afghan Police?,” *Foreign Policy*, 2 February 2015, <https://foreignpolicy.com/>.

36. Agence France-Presse, “Senior Taliban leader, a US-wanted terrorist, praises suicide bombers,” *Times of Israel*, 19 October 2021, <https://www.timesofisrael.com/>.

37. “Hardliners get key posts in new Taliban government,” *BBC News*, 7 September 2021, <https://www.bbc.com/>.

38. “Afghanistan: Stay home, female Kabul government workers told,” *BBC News*, 19 September 2021, <https://www.bbc.com/>.

39. Shirshah Rasooli, “Govt Employees Face Closed Offices, Unpaid Wages,” *TOLONews*, 16 September 2021, <https://tolonews.com/>.

40. UNDP, “Economic Instability and Uncertainty in Afghanistan after August 15,” 2021, <https://www.undp.org/>.

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