Afghanistan Public Policy Research Organization

Rapid Research Report

Intangible Drivers of Systemic Corruption in Afghanistan

July 2020

Rapid Research Report

موسسه مطالعات عامه
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About Citizens' Forum Against Corruption (CFAC)
Citizens' Forum Against Corruption (CFAC) was established in late 2015 to build on the momentum to fight corruption in Afghanistan through a civil society driven initiative. CFAC act as a forum through which civil society organizations, businesses, international donors, and ordinary citizens could protect themselves on legal grounds against extortion by corrupt officials and demand legislative reform and other actions to curb corruption. To this end, CFAC has a mandate to:

- Identify the capacity needs of NGOs, private sector entities, and local and national authorities in conduct of good governance practices with a focus on anti-corruption, knowledge of the policy process, and legal literacy and awareness raising on the utilization of the existing legislation against corruption.
- Strengthen civil society's oversight of policy processes and government reforms on anti-corruption with a focus at the local level through needs-based capacity building interventions.
- Strengthen accountability, transparency, and thus legitimacy of local and national authorities through informed, pragmatic and constructive advocacy messaging by civil society (including the private sector) on anti-corruption, and adequate and accountable response to these messages from governmental authorities.

Activities of CFAC are conducted through the Anti-corruption Sub-committee of the National Advocacy Committee for Public Policy (NAC-PP). For more information on CFAC and NAC-PP, see: www.nac-pp.net

About APPRO
Afghanistan Public Policy Research Organization (APPRO) is an independent social research organization with a mandate to promote social and policy learning to benefit development and reconstruction efforts in Afghanistan and other less developed countries through conducting social scientific research and monitoring, evaluations, and training and mentoring. APPRO is registered with the Ministry of Economy in Afghanistan as a non-profit non-government organization and headquartered in Kabul, Afghanistan with offices in Mazar-e Sharif (north), Herat (west), Kandahar (south), Jalalabad (east), and Bamyan (center). APPRO is the founding member of APPRO-Europe, registered in Belgium.

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Background

Corruption in its various forms has been described as a behavioral consequence of power and greed in contexts of bad or inadequate governance, a key feature in conflict environments.[1] Corruption is usually "covert, repetitively opportunistic and powerfully reliant upon dominance and fear within unwritten and unspoken codes."[2] Prolonged conflict and lawlessness results in a general fear of authority and aversion to resist or confront abuse of power by formal officials and powerholders, including extortion and bribe taking.

Systemic Corruption is sustained by transactions at higher levels and among those with abundance of monetary resources. While no one at higher levels suffers a net loss, corruption has a tendency to "trickle down" and drain the much scarcer monetary resources of the poor and the defenseless. At the lower levels, petty corruption takes its toll on ordinary, poorer citizens – particularly those without connections who are continuously subjected to systematic abuse of authority by low ranking officials tasked with dispensing day-to-day services such as licensing, issuing permits, collecting taxes, and service provision in health, education and formal justice.

Four decades of conflict have left numerous, and poorly understood, psychological and mental scars on Afghans. An estimated two-thirds of Afghans suffer from various forms of mental disorder caused by conflict.[3] Traumatic experience in Afghanistan includes direct exposure to threats to life such as bombings during air strikes, terror attacks, shootouts between warring parties, and witnessing or hearing about the death of a family member or friend because of the conflict. A traumatized population sees authority as hostile, self-centered, unresponsive to ordinary people's needs, and unaccountable.

Abuse by all forms of authority over the years has instilled in ordinary citizens a general fear of and mistrust in authority. Most ordinary citizens consider themselves powerless and defenseless to confront authority.[4] The overwhelming majority of ordinary citizens tends to minimize interactions with formal officials and the powerful while abstaining from questioning authority.[5] Under these circumstances, abuses of authority such as demanding bribes become widely acceptable and accepted as the way things get done.

Corruption and corrupt and corruptive behavior are products of disorder, lawlessness and *ad hoc* authoritarianism, which form in individuals a pervasive fear of authority and thus a tendency to avoid

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[1] See, for example: APPRO (2017a). Re-conceptualizing Corruption In Afghanistan: An Institution of Bad Governance, available from: http://appro.org.af/publications/re-conceptualizing-corruption-in-afghanistan-an-institution-of-bad-governance/ and Lewis, J. (2017) 'Social impacts of corruption upon community resilience and poverty', *Jàmbá: Journal of Disaster Risk Studies* 99(1), available from: https://doi.org/10.4102/jamba.v9i1.391

[2] Lewis (2017).

[3] Watson Institute, Costs of War, available from: https://watson.brown.edu/costsofwar/costs/human/civilians/afghan

[4] Jewkes, R., J. Corboz, A. Gibbs (2018), Trauma exposure and IPV experienced by Afghan women: Analysis of the baseline of a randomised controlled trial, PLOS ONE, available from: https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0201974

[5] Ponce, Zeitzoff & Wantchekon .(2018). Are voters too afraid to tackle corruption? Survey and Experimental Evidence from Mexico, available from: http://omargarciaponce.com/wp-content/uploads/2018/05/DF_experiment.pdf

interactions with authority in the first place or submitting to authority when interaction is unavoidable – including requests for paying bribes – as a means not to become a target of authority's displeasure.

A study on forced labor camps of the former USSR finds that despite a disproportionately high percentage of the Gulag population being educated intellectuals, the Gulag system was highly corrupt, bribery was persistent, and inmates committed cheating and theft in general lawlessness. Those traumatized by various forms of violence in the Gulag system maintained general mistrust in others and acted dishonesty long after leaving Gulag life.[6]

Under bad governance, characterized by a weak or no rule of law and systemic impunity, corruption is initiated at higher levels but sustained at lower levels through petty corruption where everyone expects impunity for extorting the less well-to-do and the less powerful. The net result of systematic and systemic corruption is that the poor become poorer while the rich and powerful remain mostly unaffected.[7]

With systemic corruption emerges an unspoken acceptance among ordinary citizens of having to pay bribes to receive services. It becomes widely understood that resisting or contesting demands by corrupt officials for bribes is pointless and may result in retaliation. As a result, "traditionally ingrained corrupt practices may seem inseparable from social norms, [with] the introduction of new practices being seemingly 'next to impossible', however essential they may be for longer-term social development to succeed."[8]

The consequences of corruption are not merely financial. As an institution of bad governance, corruption creates its own social, economic and political structures that sustain it.[9] As such, formal efforts through legislation and policy, for example, are likely to be met with general passivity or resistance and thus failure in implementation. Several studies have shown that exposure to conflict over a long period and the resulting trauma are likely to continue long after conflict ends.[10]

Examining the links between conflict trauma, fear of authority, and systemic corruption is a two-part process. The first part should identify the links between conflict trauma and fear of authority. The second part should identify the degree to which fear of authority sustains systemic corruption.

Objective and Methodology

This research was undertaken to establish the degree to which conflict-induced trauma acts as a driver of corruption in various facets of life in Afghanistan.

Three factors pose constraints in data collection for research into these linkages. First, there is a general lack of research and data regarding the relationship between conflict trauma and corruption. Second,

[6] Ciravegna, L., G. Toews and P.L. Vezina (2016). Corruption: The long shadow of the Gulag, Taken from: https://lagv2017.sciencesconf.org/file/323591

[7] *Ibid.*

[8] *Ibid.*

[9] APPRO (2017a)

[10] Vitelli, R. (2013). When the Trauma Doesn't End, taken from: https://www.psychologytoday.com/us/blog/media-spotlight/201305/when-the-trauma-doesnt-end

the information available on the relationship between conflict trauma and fear of authority is scant. Third, there is general lack of willingness among ordinary people to admit to unknown individuals, i.e., researchers, that they personally pay bribes in return for service. This is likely due to fear of being exposed to revenge by corrupt officials and powerholders who may be exposed in comments or complaints by the victims.

Despite these limitations, interviews were held with key informants and focus group discussions were conducted with mobile street vendors, private transport vehicle operators, and small shop keepers in August and September 0f 2019 to collect data on linkages between conflict trauma, fear of authority, and endemic corruption.

The next section provides a summary of the main findings, followed by a conclusion and ways forward for researching impacts of conflict trauma on social behavior and implications for a better understanding of corruption in a conflict environment.

Findings

Attempts to collect data on the linkages between conflict trauma, fear of authority and corruption were frustrated by vagueness in the responses received from the key informants and focus group participants. In terms of service provision in the health, education and formal justice, the responses generally pointed to the prevalence of bribery in service provision but without references to fear of authority or conflict trauma. All respondents readily admit that receiving service in all three sectors is often intertwined with paying bribes or working through contacts.

The data collected from mobile street vendors and private transport operators were more revealing.

Mobile street vendors have some formally designated places for conducting their business. However, to secure a place on the street the vendors have to compete with one another and work through contacts, paying a daily fee / bribe to the local policemen, or both. Vendors typically pay a bribe ranging between 50 to 200 Afghanis per day to the local policemen.[11] Payment of bribes secures a place on the street and some degree of protection.[12]

The mobile street vendors who cannot afford or refuse to pay bribes are forced to move on constantly. On rare occasions when street vendors want to lodge a complaint with the police for harassment by local policemen, they are refused entry to the police station or detained if they persist. There are no known associations that represent the interests of mobile street vendors.

There are no designated places for private transport vehicle operators. Typically, they congregate at busy crossroads or roundabouts, adding to traffic jams in major arteries. Private transport operators have pay bribes to the Traffic Police for being able to remain stationary while loading customers. The bribes, weekly fees of 500 Afghanis, are collected on a weekly basis by beggars from the private transport vehicle operators on behalf of the local traffic policemen. Non-payment of the bribe results in fines being imposed by Traffic Police on the grounds that the vehicle is parked illegally or that the

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[11] FGD-M-KAB-SV-1, FGD-M-KAB-SV-2
[12] KI-M-KAB-SV-1, KI-M-KAB-SV-2, KI-M-KAB-SV-3, KI-M-KAB-SV-4

paperwork for the vehicle is not in order, sometimes resulting in the vehicle being seized unless the requested bribe is paid.[13]

It would be simplistic to attribute the willingness to pay bribes by street vendors, private transport vehicle operators, or shopkeepers to conflict trauma and fear of authority alone. The challenges faced by the vulnerable in systemic corruption have their roots in weak governance, manifested in dysfunctional infrastructure and social and political structures.

To illustrate, mobile street vendors have designated spaces from which they can operate but are deprived of this right by corrupt police and Traffic Officers or corrupt fellow street vendors who can pay higher bribes to deprive the less well to do street vendors of their right to a designated space. The law enforcers, i.e., the police and Traffic Officers, cannot be resorted to by street vendors who are prevented from exercising their right to a space.

The police and Traffic Officers are not challenged because it is common knowledge among the street vendors that these law enforcers are the perpetrators in collecting fees or bribes from the vendors. Fear of authority due to conflict trauma comes into play because of weak or no rule of law.

Arguably, with transparent and accountable rule of law, the street vendors and private transport operators deprived of their right to a space could complain and demand their right and ultimately attain their right. However, the common knowledge about the law enforcers being corrupt and capable of punishing complainants prevents the street vendors from lodging complaints. Throughout this process, a form of lethargy sets in based on the rationale that in disorder, one can never win in contesting those in power and that it is best to avoid all confrontation with authorities by either paying bribes or working through middlemen and facilitators.

Institutionalist Framing of Corruption

In previous research by APPRO a case is made for viewing endemic corruption as an institution of bad governance.[14] Among the findings from previous research, the following conclusions are relevant for an examination of the relationships between conflict trauma, fear of authority, and endemic corruption in Afghanistan:

Willingness to pay bribes is comparable in terms of being instituted to the predictable demand by corrupt officials for bribes.
Many citizens without power, connection, or patience give in to demands for bribes and thus contribute to sustaining corruption as a full, in equilibrium, state of affairs.
Citizens resisting demands for bribes or asking for their legitimate rights from authorities, risk intimidation and the threat of being penalized.
Methods of bribe transaction between citizens and corrupt authorities are widely known to both sides, requiring little or no effort by either side for the transaction to take place.

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[13] KI-M-KAB-VD-1, KI-M-KAB-VD-2, KI-M-KAB-VD-4, KI-M-KAB-VD-5
[14] APPRO (2017a)

The key operating term in bribe transaction is *joor amadan*, or coming to an arrangement by the two sides, a term widely used in corrupt practices in all sectors indicating a well-established pattern of behavior in transactions.

There is clear understanding among citizens that demands for bribes by corrupt officials should be accommodated without protest since any resistance may result in subsequent retaliatory action by the corrupt officials.

Most victims of extortion would be willing to report extortion but only on the condition that they are protected from subsequent persecution by corrupt officials.

Also, previous assessment of interventions to combat corruption in other contexts clearly shows that corruption cannot and must not be viewed as merely a technical problem that can be fixed by capacity building, support for infrastructure and equipment, or legislation. Fighting corruption has to be a multi-prong, multi-actor intervention, adequately resourced, and long term oriented. As such, fighting corruption necessitates a sea change, driven by technical intervention, ongoing dialogue, re-education aimed at cultural change, civil society push and participation, committed and responsive state authorities and, in the case of Afghanistan, committed international donors in action as well as words.[15]

In continuing research on corruption as an institution of bad governance, APPRO has found that obtaining data to examine the links between conflict trauma, fear of authority, and endemic corruption is difficult and points to the need for a different and institutionalist framing of corruption, particularly in relation to conflict and fear of authority.

In institutionalist terminology, an institution is defined as a structure or set of rules through which interactions and transactions occur. Corruption as an institution of (bad) governance is thus best understood as the end result of the interplay between conflict trauma and fear of authority.

All human behavior, including how one deals with corrupt and corruptive behavior of others, is socially constructed. Socially constructed modes of behavior are shaped by external factors such as persistent conflict that, over time, determine how members of the same community react to a phenomenon such as systemic corruption in the same predictable manner. Widely in use, these modes of behavior are tantamount to intangible structures through which social interactions, and transactions, occur and how community members cope and organize their day-to-day lives accordingly.

Research on tangible and intangible institutions as structures through which a community of interdependent actors governs itself, or is governed, points to one such type of structures as "behavioral." Behavioral institutions shape the actions and reactions of individuals primarily as a force of habit rather than rational reasoning based on notions of right or wrong.[16] Behavioral institutions are "both the internalized injunctions that people follow and the actions that others will take to enforce the injunctions or to protect people in the liberties and opportunities that institutions provide."[17] The evidence for the presence of such an institution is "the regularities of people's actions and their responses to questions about what they are doing."[18] As such, a behavioral institution is a "a mental construct" about how to come to terms with, and survive, in a corrupt system.[19]

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[15] Adapted from APPRO (2017a).
[16] Parto, S. (2005) Economic Activity and Institutions: Taking Stock, *Journal of Economic Studies*, (39:1) pp.1-32
[17] (Neale 1994, 404)
[18] (Neale 1994, 404)
[19] For a definition of corruption as a mental construct, see Neale (1987, 1184)

Behavioral institutions structure interactions and inter-relations: they enable individuals to understand what other individuals are doing, what they are likely to do, and what may and may not be done.[20] Put differently, institutions are identifiable social relations that frame the activities of production, consumption, and exchange, acting as a structure within which individual action in society takes place.[21]

Observation and characterization of behavioral institutions only allow operational recognition, not specific or tangible definition, of these institutions:

> Operational recognition of behavioral institutions can be informed by the following: "First, there are a number of *people doing.* Second, there are *rules* giving the activities repetition, stability, predictable order. Third, there are *folkviews, …* explaining or justifying the activities and the rules." "Doing" can be seen and thus identified; "rules" can be identified by "ordering the doings into repetitive event sequences"; and the "folkviews *justify* the activities or *explain* why they are going on, how they are related, what is important and what is unimportant in the patterns of regularity. Folkviews can be discovered by observation, but here the eye is a minor instrument and the ear is a major one."[22]

Key to studying behavioral institutions is, therefore, observing and hearing, much more than seeing or asking direct questions. Due to trauma-driven distrust in others, members of a traumatized population are unlikely to reveal information useful for identifying behavioral institutions in response to direct questions from people previously unknown to them.

Tackling Corruption Despite Intangibility

Endemic corruption in Afghanistan is an intuitively present phenomenon shaping social behavior, compelling observers to use such terms as "a culture of corruption" as an explanation for the failure of the bulk of the attempts to fight it.

As a structuring phenomenon, or institution, corruption is highly intangible and thus difficult to measure or speak to in concrete terms. Exposing corruption and the set of social behaviors that allude to it is thus the first task in research and activism in fighting corruption.

The widely and casually used term, *joor amadan* (translated as "coming to an arrangement"), needs to be critically examined and explained to those who use it as part of their vocabulary to conduct transactions, particularly transactions involving civilians and government officials. Similarly, citizens need to be sensitized to the over 30 terms and expressions used by officials to demand bribes for delivering public service.

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[20] (Neale 1994, 403)

[21] (Setterfield 1993, 756)

[22] (Neale 1987, 1183), cited in Parto (2005), Pages 20-21. According to Neale (1994: 403), "[f]olkviews explain or justify the rules to the people of a society, often explaining and justifying simultaneously. Folkviews include values, but equally they include the ideas that people have about the universe around them—physical, chemical and biological, as well as social; and the mystical and transcendent as well as the worldly… [Folkviews] also include all the organizing and directing ideas of a culture or subculture" (1994, 403).

Combating systemic corruption requires citizens viewing corruption as being against the greater good for themselves and others, morally unacceptable based on religious and other altruistic values, and legally punishable. In addition, individual citizens objecting to extortion by the officials and the powerful need to be protected.

Another major tool instrument for combatting corruption is educational curricula, particularly in early education. However, research conducted in 2017 clearly shows that anti-corruption is not explicitly referenced in the textbooks used in Islamic teaching for Grades 1-12.[23] There is one lesson in Grade 9, entitled *Prohibition of Bribery* which explains the holy prophet's narrative that "the briber and the bribee are both in hell fire". The during the lesson the teacher tasks the students to think and talk about what constitutes a gift and what constitutes a bribe, without providing a definitional distinction between the two. The purpose seems to be to reach a consensus on what is acceptable as a gift and when gift becomes a bribe.

Though limited to only Grade 9, fighting corruption through education will require anti-corruption teaching at all grades in primary and secondary school. Given the systemic nature of corruption in Afghanistan, anti-corruption teaching should also be instituted in post-secondary education as an integrated component of religious teaching.

While the anti-corruption approaches highlighted above will require substantial resources and time, there are a number of intermediate actions that could be taken by various actors as follows.

- Monitoring of public service delivery by community monitors.[24]
- Civil society outreach to trade associations and political parties to put anti-corruption on business and political agendas.[25]
- Anti-corruption open letters, petitions and demonstrations initiated by civils society to register concerns with government officials.[26]
- Delivering anticorruption messages through mosques during Friday prayers and denouncing corruption based on Islamic principles.[27]

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[23] APPRO (2017b). Education and Anti-corruption: A Case Study, available from: http://appro.org.af/publications/education-and-anti-corruption-a-case-study/

[24] KI-M-KAB-GO-2, KI-M-KAB-GO-4, KI-M-KAB-GO-5, KI-M-KAB-GO-6, FGD-M-KAB-VD-1, FGD-M-KAB-VD-3, KI-M-KAB-VD-5

[25] KI-M-KAB-SV-2, KI-M-KAB-SV-3, FGD-M-KAB-SV-1

[26] FGD-M-KAB-SK-3, KI-M-KAB-PSU-1, KI-M-KAB-PSU-2, KI-F-KAB-PSU-3, KI-F-KAB-PSU-4, KI-F-KAB-PSU-5, KI-F-KAB PSU-6, KI-M-KAB-PSU-8, KI-M-KAB-SV-3, KI-M-KAB-SV-4, KI-M-KAB-CSO-1, KI-F-KAB-CSO-2, KI-M-KAB-CSO-3, KI-M-KAB-CSO-4, KI-M-KAB-CSO-6, KI-F-KAB-CSO-7, KI-M-KAB-CSO-6

[27] KI-M-KAB-GO-1, KI-M-KAB-GO-2, KI-M-KAB-GO-3, KI-M-KAB-GO-4, KI-M-KAB-GO-5, FGD-M-KAB-SK-2 ‹FGD-M-KAB-SK-3, FGD-M-KAB-VD-1, FGD-M-KAB-VD-2, K KI-M-KAB-PSU-1, KI-M-KAB-PSU-2, KI-F-KAB-PSU-3, KI-F-KAB-PSU-4, KI-F-KAB-PSU-5, KI-M-KAB-PSU-8, KI-M-KAB-SV-1, KI-M-KAB-SV-2, KI-M-KAB-SV-3