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Analysis of Public Administrative Reforms: A Case in Afghanistan

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Abstract

During the era of transition until now, Afghanistan has been making steady progression in the form of growth. The Bonn Conference (2001) established in gesticulation a series of policy frameworks by introducing much operative civil service one of preferences of the Afghan government. The Afghan National Unity Government introduced reforms program so called "Realizing Self Reliance" in December 2014, as a result of Kabul and London Conferences upon Afghanistan by marking the commencement of "decade of transformation" (2014-2025). This study is qualitative in nature and the data were collected through secondary sources including various reports and newsletter from year 2002 to 2018 to attain the objective of this study. The current study reviews the local governance reforms in Afghanistan based on Afghan Government and international donors. This study highlights the reforms made by Independent Administrative Reforms and Civil Services Commission (IARCSC) and Independent Directorate of Local Governance. They have presented numerous reformed policies, programs, laws, regulations, and projects to address the issues in local since its inception. Priority Restructuring and Reform (PRR) program is one of them which was announced by IARCSC to backing more salaries for the crew of government, Sub--- National Governance Policy of IDLG sanctioned by the cabinet in 2010, primer of District Delivery Program (DDP) by IDLG, and the National Priority Program (NPP) for Local Governance and the NPP. These acts emphasize on refining local government in Afghanistan. The principal aim of NPP is to strengthen and promote leadership, institutional, organizational, administrative and individual capacities for governance at both central and local levels to enable service delivery, economic growth, justice, stabilization and security. These reforms will be applied by numerous government departments. The IARCSC grasps the central position in execution of NPP. The current study presents the short and long term policy recommendation at the district and provincial level to accomplish the goal of growth and development. This study is very significant for the Afghan government's official at central, provincial and district level as it provide the ways to overcome various issues which exist at local governance level.

Keywords: Public Administration, Reforms, Local Governance, Afghanistan

1. Introduction

The Afghan government with the collaboration of its allies, have sought several initiatives to bring reforms in civil sectors since 2001 to properly govern all the departments in Afghanistan. Spreading governance to regions peripheral provincial centres have been a stimulating exertion, requiring large human and financial resources. Feeble in human and financial resources, the newly established government was solely not capable to grasp out to masses

or to deliver elementary services at first. Therefore, an amalgam model of Afghanistan and transnational efforts were implemented (Saltmarshe & Medhi , 2011).

According to Nixon (2008) the international organizations have betrothed widely official and non-official mechanism of local governance system in Afghanistan. Nevertheless, the good intents and ample support on the ground from these organizations have been made to boost the political status quo. Such jumbo aids given by these international organizations have helped in the establishment of governance infrastructure but have glorified expectation too.

Since 2014, the imminent decline of global contribution in Afghanistan, presents challenges for prolonging government summons and services throughout Afghanistan. This study sought to discuss the imperious of performing further with scare properties in the scope of local governance. One fundamental postulation of study is that local governance systems is non-adequate presence in Afghanistan. Blends of official and non-official organizations run at the local level that is involved in delivery of fundamental services to the masses. This study delivers an outline of administrative reforms established since 2001 at local levels, and the challenges to spreading receptive governance at the local level. The study documents what kind of challenges might ascend at the local level as foreign aids stop and what kind of Public Administrative Reform (PAR) ingenuities at district level can retort to such challenges (Government of Afghanistan, 2003).

2. Objectives

The key aims of the current study are:

- i. To review the assistance made by donors across the world for bringing key policy reforms in public administration.
- ii. To review the initiative taken by Afghan government towards public administration reforms.
- iii. To provide suggestions in order to strengthen public administration reforms at Local level.

3. Methodology

The current study is qualitative in nature and based on secondary sources which rely on the studies conducted by earlier researchers, as well as various types of reports and newsletters from 2002 to 2018.

3.1 Overview of the Situation

The world has witnessed that more than three decades of war have dispensed severe shocks to the entire organizations and infrastructure in Afghanistan. With Afghanistan being twisted into wreckage, several of its capable people were killed or escaped as refugee. The transnational alliance intrusion of 2001 transported hope for Afghan nationals. A fresh government came into being and abundant was assumed from that. Though, its capability and capitals were scarce to fulfil the essential challenges ranging from provision of fundamental services to the masses of Afghanistan (GIROA, 2015).

Approximately around 11 years, the majority of rebuilding devotion was given to structuring capability and organizations at the principal level. Recently, the local government and administration were quite snubbed. And hitherto local administration is the first and sometimes the only point of contact between the majority of Afghan citizens and their government. The

necessity to improve local administration has been documented in several national documents, like Afghanistan National Development Strategy (ANDS), and the successive NPP. Still, their execution to date has not been operative (Government of Afghanistan, 2008).

During the early post-Taliban ages, ample consideration was given to rapid influence projects at sub-national level to recover structure for the delivery of fundamental services. This attempt was conducted largely by the donor agency via PRTs and other international NGOs. The ultimate mission of reforming and construction local administration was believed to be less significant to short term objectives of influential projects. In most of the projects, attention to participation and strengthening governance structures in the delivery of projects and services has been the exception rather than the rule, since both donors and government were striving to demonstrate a quick impact in a very difficult environment (Asia Foundation's Assessment, 2007)

However on one way, one of the US unit, the Provincial Reconstruction Team has been capable to deliver definite services and impart swift influential projects at a phase when Afghan government was not able to meet and execute. One of the international units of USAID, PRTs has occasionally performed similar structures, adversely influencing and destabilization courage in the country, which seems feeble by judging, exclusively in terms of funds. Therefore, President Karzai has constantly asked for PRT assignments government presence services in delivery. The Presidential decree 45, dated 26th July, 2012, has clearly assigned the Independent Directorate of Local Governance (IDLG), in assistance with other ministries, to toil on Provincial Reconstruction Team closure and assignment of activities.

According to Solotaroff, Hasihimi, & Olesen (2009) the good transfer of services and growth of local infrastructure, influence two main locations; sub---national governance and (b) public approaches toward government. It is generally acknowledged that "where the delivery of services is seen as the partial fulfilment of the government's promise to improve services, it had the effect of improving people's opinions of and support for the government". Though, still the local administration in Afghanistan is incapable to give specific elementary services to the masses. It is unproductive, contaminated with corruption and patronage. The main problem at a local level is corruption, followed by unemployment, non-availability of basic services like drinking water, electricity and infrastructure (Asia foundation, 2011). The incapability of local administration to resort to the masses fundamental requirements has a serious implication to the people's trust in the government.

3.2 Public Reforms in Afghanistan: Legal Framework for Administrative Reforms

The foundation for legal administrative reforms is taken from Article 50 of the Constitution. Certainly, the necessity to transform the administrative mechanism was obligatory after the ousting of the Taliban in 2001 and the establishment of a presidential form of government. The presidential ruling that recognized the Independent Administrative Reforms and Civil Services Commission (IARCSC), delivered the legal foundation through which reforms could be conducted within the present system of Afghanistan. According to a high-ranking official from the World Bank (2012) Public administration reforms in the new Afghan government commenced from the beginning and have had accomplishments and catastrophes. There have been restrictions in legal and structural areas. The civil service has come a long way from 2001 till date. The legislative structure was not vibrant in terms of reforms, but a descriptive legal framework is accessible now. The roles and activities of the civil service are vibrant, and a working system has been created.

The IARCSC was formed to perform many reforming activities related to management of civil service and administration. After the execution of the 2004 Constitution and the origin of the administrative mechanisms and the application of the Civil Service Law, there has been more debates on boosting the quality of civil service regulations to additionally support the public administrative system and to make it on par with the public administration standards of the world.

3.2 The Constitution

The centralized administrative mechanism in the Afghanistan is based on the subsequent 3 articles of constitution;

Article 36. “The administration of the Islamic Republic of Afghanistan, based on the units of the central government and local offices, shall be regulated according to the law. The central administration shall be divided into several administrative units, each headed by a Minister. The local administrative unit shall be a province. The number, area, divisions and related provincial organizations as well as number of offices shall be regulated on the basis of population, social and economic conditions, as well as geographical location.”

Article 37. “The government, in preserving the principles of centralism, shall transfer necessary powers, in accordance with the law, to local administrations in order to accelerate and improve economic, social as well as cultural matters, and foster people’s participation in developing national life.”

Article 50. “The state shall adopt necessary measures to create a healthy administration and realize reforms in the administrative system of the country. The administration shall perform its duties with complete neutrality and in compliance with the provisions of the laws. The citizens of Afghanistan shall have the right of access to information from state departments in accordance with the provisions of the law. This right shall have no limit except when harming rights of others as well as public security. The citizens of Afghanistan shall be recruited by the state on the basis of ability, without any discrimination, according to the provisions of the law.”

(Government of Afghanistan, 2015).

3.3 Local Governance System and Administrative Reforms: An Overview

The prevailing sub-national governance system is neither lucid nor functional. Relatively, sub-national governance in Afghanistan is nowadays consist of a variety of bodies with ill-defined roles and inadequate resources to deliver fundamental services, to encourage development, or ensuring security. The associations between organizations (comprising executive and representative entities like provincial council) at local levels are also blurred, as their associations with the federal government in Kabul.

At the beginning of post 2001, a considerable consideration was given to the federal administration. The newly-formed government of Afghanistan, with the backing of the transnational community, initiated steps to renovate the sub--nationwide governance. The foremost of these paces was the starter of Afghanistan Stabilization Program (ASP) under the Ministry of Interior (Mol). The main objective of ASP was to associate the central with all the provinces, the entire provinces with all districts and the entire districts with all villages across Afghanistan. The Mol, in---charge of local administration, established ASP with an ambitious agenda of infrastructural development, provincial block grants, and administrative reform of

provincial and district governors' offices. Though, ASP became primarily concentrated on structuring physical infrastructure for provincial and district offices. The constituent of administrative reforms was slightly deserted. ASP's key output was few constructions for District Governor's Offices (Government of Afghanistan, 2015).

The presence of government, nevertheless, was not sufficient to retort to the necessities and prospects of masses and for provision of services. Improved organizational, institutional and humanoid capability was mandatory at village, district and provincial in order to deliver fundamental services. Unfortunately, the government was lacking that. When government crew were existed at the district level, work ached from large centralization, little remuneration and lack of administrative procedures. The transnational organizations strived to replenish this gap by offering services to local masses.

To fill this gap in governance, the federal government established two more organizations: Independent Directorate of Local Governance (IDLG) and Independent Administrative Reforms and Civil Services Commission (IARCSC). IDLG and IARCSC have presented numerous reforms policies, programs, laws, regulations, and projects to address the issues in local government. Priority Restructuring and Reform (PRR) program is one of them, which was announced by IARCSC to support more salaries for government crews, Sub--- National Governance Policy of IDLG sanctioned by the cabinet in 2010, institutionalization of District Delivery Program (DDP) by IDLG, and the National Priority Program (NPP) for Local Governance, and the NPP. These programmes concentrated to improve local government and administration in Afghanistan. The prime aim of NPP is to "strengthen and promote leadership, institutional, organizational, administrative and individual capacities for governance at both central and local levels to enable service delivery, economic growth, justice, stabilization and security". These reforms will be applied by a number of departments of Afghan government, but the IARCSC grips the top in execution of NPP.

The formation of numerous semi-representative entities under the Ministry of Rural Rehabilitation and Development (MRRD) programs, like Community Development Councils (CDCs) under the National Solidarity Program (NSP), the District Development Assemblies (DDA), the Afghanistan Social Outreach Program (ASOP) under IDLG as a quasi-representative entity at district level have ominously altered the situation of local governance in Afghanistan.

Generally, such performances have been fruitful in transporting to local communities and new organizations that have the possibility to mend receptiveness and accountability of the government. The local administration is still not capable to deliver dynamic services to societies. Local government is mostly considered incompetent, corrupt and inept.

4. Emerging Challenges

Shurkin (2011) described that the enclosures of a number of international projects and institutions, poses four crucial challenges to the local government of Afghanistan:

- i. Evading the loss of well-being due to transition and withdrawal of international organization particularly PRT and the interrelated development projects;
- ii. Ascertaining the inevitable shrinkage in welfare and cope local, national, and international anticipations and the prospects of recipient disappointment;
- iii. Dealing with growing compression on local administration for superior and effective service provision; and
- iv. Making sure the least physical safety at local level after departure of international

organizations.

As stated previously, these international organizations have been involved for around a decade with official and non-official local governance structures. They have been imparting services and projects in entire sectors. Their role has been gigantic. Similarly, they have unconsciously glorified the expectation of local population. With 2014 imminent and the ruling, forty five of the President dated 26th July, 2012, most of the international organizations including PRT were required to shift their activities to the government of Afghanistan. This transition was a challenge and opportunity for the Afghan government. This is a challenge as there is the concern of cut services, projects and safety for local populaces; an opportunity for the government to spread its influence by imparting additional services straight to the populaces. It is extensively approved that local administration presently suffers the capability to deal with growing demand for service delivery. To meet the demands, it will necessitate the capacity, funds, and fundamental administrative reforms in the entire village, district and provincial level (Review of the Strategic Framework for Afghanistan, 2001).

Public Administration Reforms (PARs) are certainly not simply executed. PAR is challenging in the best of circumstances World Bank, 2008). In Afghanistan, where un-official power associations are sturdier than the official government mechanism and great portions of Afghanistan are unsafe, such reforms is an intimidating challenge indeed. Numerous upright laws and strategies have been set during last some years regarding PAR, but full application is yet to initiate at the local level. As experienced several times in Afghanistan, powerful actors may block reform to ensure that the public sector serves their or their supporters' interests, rather than public good. Abundant potential rents in the form of public money, contracts, jobs, etc. that political and administrative elites can directly control make the public sector particularly vulnerable to rent seeking behaviour". The reforms at public sector reforms are mostly challenging as they are altering the guidelines that regulate the distribution of these rents. To enable government to deliver services to its constituents at local level and to evade the hostile impacts of these challenges, subsequent intrusions and actions are recommended.

4.1 Short Term Policy Recommendations

At the windup of all transnational institutions across Afghanistan, it is worthy to:

Fully audit all the supporting documents of aids being given by the international organizations to subnational government bodies and local communities in every sector, covering the development projects, operational support, and technical help.

Ascertain the sorts of support that the government must and can reserve and its implication of budget.

Ascertain the properties for transition of these international organizations actions to the local government organizations.

Instil these international organization to complete their on-going projects before windup. As much as possible, the local government entities must be involved in carrying out this task. This cooperation will have two benefits; from one side it will leave a lasting positive impression of international community, and on other hand looking the government officials involved in imparting service will rally local assurance in the government.

Converse initially the dates of windup to Provincial Governor Offices (PGOs) and District Governor Offices (DGOs) and synchronize with IDLG and other related government

stakeholders.

Since the actions of the organizations cut cross various divisions, synchronization among numerous ministries for international organization is a gigantic challenge. A proper synchronization system is essential where each ministry and organization undertake their role and obligations in finishing and posting transition.

Converse the handover of the entire resources to the Afghan government and record all resources in the system of national procurement. Ministry of Finance (MoF) must perform this task in close coordination with the international organization.

In interim-between present and imminent end- shift the focus of international organizations from imparting services to development of the capacity of the officials of the government at district level. The capacity building should be in accordance with NPP 3, Sub-National Governance Policy, and the strategy of IARCSC.

4.2 Enabling Local Government

Build offices for DGOs in districts where needed and hence having the presence of government at districts physically.

Evaluate capability in preferred provinces and line up capacity building functions with the transition process. IDLG and IARCSC can initiate the lead in this course and recognize the capacity development needs of provinces undergoing transition. It is crucial, because after transition, government bodies are assumed to impart services to publics.

Carry out a quick overview and appraisal of districts that have seen conversion. This overview will make capable IDLG and IARCSC to recognize the gaps and to plan accordingly.

Detect the sanctioned hierarchy of the organization and replenished the positions at district levels. The excellence of crew, extremely imperative, should be enriched by motivation structures.

Give diminutive term incentives to the employees of the government for service in susceptible and uncertain districts. Due to insecure location and low salaries, government officials remain absent from the job. Such sort of short financial incentives will stimulate the employees to be present for their jobs.

The merit postponement based on the selection of DGs by IARCSC and IDLG. Hiring DGs to respective districts needs an in-depth scrutiny of the condition in that district. For example, a highly qualified individual without sufficient support from the local populaces in a district will be inept even though he is well-versed in his education. Districts must be classified based on certain conditions; instability of situations, possible fears, level of education and so on. Such data will assist the IARCSC and IDLG to hire the suitable individual to the right district.

Present a trial performance for an assessment system, end with punishment and reward. This practice must grow several times and be staged from the performance for an evaluation method.

Creating a “model province” and “model district.” Such model must be deployed as a standard for stage out.

Reforms and escalation of the capability of the justice can be measured at the sub-national level. Due to the ineffective delivery of justice system, individuals mostly move to the fierce but rapid and relatively reliable system of justice delivery utilized by anti-government rudiments.

Implement it in the short period though, this oversight must be founded on doctrines and not on personal interests, certainly an enormously tough job in the present socio-political environment.

4.3 Long Term Policy Recommendations

The long term policy recommendations include:

A sub national government law, sanctioned by the cabinet and presented in parliament, will help explain the role of these different organizations.

Introduce reforms related to legal and policy, revising the existing laws in regard to PAR and civil services. These alterations will significantly donate to institutionalization of mammoth government and administration.

Decentralize budgeting and planning at the provincial level to permit provincial administrations undertaken development decisions in accordance with local prerequisites. Presently, an overly centralized budget process deters application of Provincial Development Committees (PDCs) plans. MoF must carry a testing program for transporting provincial budgeting according to provincial plans. PDCs can perform a significant role in this regard.

Enhance the coordination amongst donor, PGOs and DGOs to make off budget expenses of donors in accordance with provincial and district plans. If conducted with the "Afghan first" style, this coordination will extremely rise the integrity of local government.

Strengthen the performance basis budget tactic at national and subnational level. According to this method, a line ministry or a provincial or district body of a line ministry will be essential to demonstrate accomplishments as cash disbursed.

Expand the development rate budget implementation. This rate, particularly in the development budget, is presently a main delinquent district provincial and central level.

Evading a one scope fit all resolution. Focus must be moved from reforms contents towards a broader concern that includes reform context and process.

Involve local stakeholders in PAR and hence, increase their proprietorship of the reforms agenda.

Launch independent lapse systems to make sure better performance by local administration. This could be independent regulators or quasi characteristic bodies.

5. Contribution of the Study and Future Recommendations

This is the first study in Afghanistan, highlighting the administrative reforms at local level as studies have been conducted in other developed and other developing nations. In future, studies may be conducted regarding the aggregate reforms in general as well the reforms made in each public sector.

6. Conclusion

The serious condition in Afghanistan averts the government from initiating reforms and transformation, as security emasculates the reforms primacies. However, greater than a decade of consecutive main administrative reforms programs at national and sub-national level, the transformations have been initiated by the different governmental and international donors (WorldBank, 2008).

The public sector as the perceptible and performing gizmo of the government, has to contribute towards the expansions of the excellent and trustworthiness of services to nations and business organization. Services like actions to alleviate poverty, fight corruption, develop standard of living, and boost private sector growth are decisive for the development of the nation itself. So, the whole government at central, provincial and district level must emphasis on CSR. A whole-of-government, logical, and viable policy structure and program are compulsory in this regard. Generally, a vibrant roadmap is desirable, as it is an indomitable strategy in terms of prioritizing the concerns to be documented and the resolutions to be executed constantly and steadily (Kabul Process, 2012).

The basic needs to accomplish this is an inclusive empathetic of CSR. Most significant are the extraordinary incentive, indisputable will, and obligation of the government, from the President down to the management and government servant. This necessitates the assiduous recruitment of capable and capable individual at each place and level. Besides, this it is necessary to have proper legal framework, structural and management concerns, capacity building and training, salaries and scaling mechanism, selection process, accountability and independent administrative reform and civil service commission. This study highlights the reforms made by IARCSC and IDLG. They have presented numerous reformspolicies, programs, laws, regulations, and projects to address the issues in local since its inception. PRR program are one of them which was announced by IARCSC to support more salaries for government crew, Sub National Governance Policy of IDLG sanctioned by the cabinet in 2010, introduction of DDP by IDLG, and the NPP for Local Governance, and the NPP.

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Appendix: I

Applicable regulatory documents in the civil service sector

Local name	Type of law	Function of the law
Qanoon	Law	Legislative document enforced by the President after the legislative process and parliamentary approval
Furmaan	Decree	Legislative document issued by the President
Tarzul-amal	Procedure	Regulatory document issued by individual ministries to manage their own specific process or function
Musaweda		Legal draft provided by the government
Hukum		Administrative order
Furmaan-e-Taqnini	Legislative decree	Legislative decrees are first approved by the President and Cabinet. The President has the sole authority to approve administrative decrees. The National Assembly then ratifies, modifies, or abrogates the laws and legislative decrees.
Muqarrara	Regulation	Regulations are adopted by the Cabinet, while different legislative documents such as rules, directives, and guidelines are passed by the individual ministers.



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