



**A STUDY OF CORRUPTION EFFECT ON AFGHANISTAN ‘S
GOVERNMENTAL INSTITUTIONS SINCE 2001**

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ABSTRACT

Corruption is defined as misuse of entrusted authority for private and personal gains. It occurs when the public officials misuse the trust placed or power given to them as public servant for financial or non-monetary gain. The problem of corruption in Afghanistan has been so wide spread since 2001 that the country is one of most corrupted one in world according Transparency International. The current research is a study about corruption in Afghanistan government, and the focus of the study is since 2001, when the Taliban were ousted and new government was established. The research study explains how significant the disease of the corruption is in Afghanistan. It also explains, in the first chapter, the methodology that is used for conducting the research. Secondary data is used, and gathered from books, NGOs and international organizations reports, articles, and journals. In the second chapter, corruption is conceptualized with definitions and its different forms. However, the following the chapters explains different prevalence types of corruption in Afghanistan. This illustrates the problem of corruption in educational sector, tax assessment and collection sector, public service provider institutions. In the next, the Afghanistan's government efforts to tackle corruption are explained, and the last chapter explains the effects corruption has had for the Afghanistan, and it provides recommendations for the Afghan government in curbing corruption.

Keywords: *Afghanistan, Corruption, Government, Institutions, Performance,*

INTRODUCTION

A major concern of donors, world leaders, and their citizens in helping developing countries is the poor performance of the public service. The concern is prominent in services delivery failure in developing countries despite having measures in place to tackle the challenge of inefficiency and capacity collapse. However, a significant factor in service delivery failure is corruption and practicing unethical actions (Peter Adoko, 2010).

A concerning issue with which almost all countries of the world are dealing with a larger or lesser extent is administrative corruption. However, it may differ in depth, extent, and type from a country to another country. Its effects may also vary according to the type of political, culture, economic structure and level of a nation's development. Corruption in public services; anyway, leads to decadence of the government institutions, pits the policies of a government against a nation, and undermine the government efficiency in conducting its duties and running courtiers' affairs.

Nye (2002) describes corruption as a behaviour by which employees deviate from formal duties and responsibilities of a public role because of private interests such as personal, close friends, private clique, or they may gain personal status, or violate rules in exchange of certain private benefits. It also may emerge in many different kinds, form which one popular is administrative corruption.

Corruption, as it has been defined as the abuse of public position for private or group benefits, is a critically concerning issue in Afghanistan. The long lasted war had almost destroyed all government infrastructures in Afghanistan. After 2001, new government system was established, in which administrative reform was a significant part. However, conducting these reforms, and dedicated budget have always been subjected to immense challenges and in some cases lead to wide spread corruptions. Based on the international assessment, Afghanistan has always fallen near the bottom of international measures and indexes of the corruption. Apart from the international index, there is widespread of public perception of corruption among civilians as well.

From both Afghan people and International community perspective, corruption has always been a growing concern. From civilians' perspective, corruption has been singled out as a problem, which has undermined government's credibility, and from perspective, Afghanistan has remained consistently as a most corrupted government in the world despite millions of fund in capacity building and wiping out corruption. Corruption is now considered as a factor

with significant effects state building, administrative performance, development, and private sector growth. Fighting with corruption has been a priority for the government of Afghanistan and international community.

In Afghanistan, long-term disturbance and conflict has left a very poor, unqualified, weak, and corrupted government institutions. These infamous and corrupted institutions have caused a great financial loss to the government, made a bad image of governance in international environment and lowered civilians trust to the government. There is a widespread perception among civilians that the government employees work in their interests and are not reliable, so people do not tend to refer their cases to government's institutions in most of cases. Bribery, misuse of position, embezzlement, political favoritism, nepotism, are among the most common corruption behaviors which affect organization's performance greatly, and the only facilitator is white-collar corruption.

The main focus of the research will be on:

- To study the prevalence corruption in Afghanistan government institutions.
- To study different kinds of corruption and their causes.
- To review the government measures for tackling corruption.
- To find the corruption affect government institutions and Afghanistan's civilians.

The current research, like some previous conducted researches, intends to scrutinize corruption, cause of corruption, and its impact on the organizations' performance.

METHODOLOGY

The current research is conducted on qualitative research method. The data for the current research are primary and secondary. The primary data is collected through government anti-corruption laws, regulations, policies and strategies in tackling corruption. The second data is collected through secondary data is collected from national and international annual surveys and reports, books, journals, articles, newspaper, academic papers, newspapers, and governmental data. Reports and surveys from national and international organizations consists an important part of the research. Content analysis is conducted by collecting secondary data from various different INGOs, (International Non-Governmental Organizations) and NGOs, (Non-Governmental Organizations) such as Transparency International, UNDP (United Nation Development Program), UN (United Nation), SIGAR (Special Inspector General for Afghanistan Reconstruction,) AREU (Afghanistan Research and Evaluation Unit), Asia Foundation, TI (Transparency International) annual reports and

surveys regarding the corruption and civilian's perception of government institutions reliability and efficiency.

LITERATURE ON CORRUPTION

Corruption has various different meaning to different people. In Realistic perspective, corruption pose a fundamental problem, and it is a big challenge to nature of politics. Corruption is also undermining the efforts to build and practice authority in the allocation of resources and ordering conflict. However, the realist recently has tried to describe a different form of “institutional” corruption. According to this perspective political corruption characterizes as the antithesis of good governance.

However, there are some other works that focused in the micro level of corruption, and it has drawn on new insights from psychology and experimental economics to analyze individual decisions and motivations to behave corruptly (Mark Philp and Elizabeth David-Barrett, 2015. P 388).

However, neoliberalism has been defined as a cure for corruption by IFIs, World Bank and the International Monetary Fund (IMF). These institutions have suggested some requirement for combating corruption such as the institutionalization of neoliberal policies, government transparency, and good governance. The World Bank (1997: 21-23), corruption combating policy suggest that in order to combat corruption a multi-Faced strategy needs be pursued that aims at “strengthening political accountability, enhancing state capacity, improving public sector management, improving civil society organizations, and increasing economic competition” (World Bank 2000a: 39). However, deregulation and the expansion of markets are defined as the best tools to attain these goals “,” (World Bank 2000b: 35). Therefore, it can be said that hence the standard neoliberal restructuring prescriptions for states.

Corruption attracted the attention of international institutions such as the IMF, World Bank, and OECD in the early 1990s though it had already become a central issue in many Southern countries as early as the 1980s. Even though neoliberals have long argued that the upsurge in corruption was not an outcome of their reforms, but rather a consequence of incomplete or unsuccessful implementation of policies by the “reforming” states (and mostly short-term), the World Bank had to accept in 2000 that redistributing of social assets, the simultaneous processes of developing a market economy and design of new political new institutions have provided a ground for corruption (World Bank 2000.p76). Neoliberals argue that the sources of corruption need to be investigated within the historical or cultural specificities of the

countries concerned. As the World Bank states that the causes of corruption have a root in a country's policies, bureaucratic traditions, political development, and social history, and corruption flourish when the government institutions are weak.

According to Pinar Bedirhanoglu (2016.p.75) the neoliberalism reforms policies in some countries has provided a ground for corruption. Even though neoliberals have long argued that the upsurge in corruption was not an outcome of their reforms, but rather a consequence of incomplete or unsuccessful implementation of policies by the "reforming" states (and mostly short-term).

In the political theory tradition, Dennis describe corruption as a disease of the body politics, but to know what is disease it must first be known what is health for the organism in question. In this case corruption is derivative concept as the metaphor illustrates. Meanwhile, if we consider the corruption as a disease in body of politic, it depends to what extend a state has a healthy political system. Surly, there is no doubt that officials in all of institutions, not just political actors, can be involved in corruption. Therefore, it is probably to be said that the corruption is considered as a disease for institutions of a state or individuals. It can be argued that what is considered as a typo or act of corruption in one institutions, it may not be the same as what counts as corruption of another type organization (Dennis F. Thompson, 2015. P. 38).

Definition and Types of Corruption

The term corruption come from the Latin verb rumpere, which means "to break" (Shah Anwar and Mark Sachter, 2004. P. 220). Transforming the meaning to ethics the term corruption means breaking certain code of conduct for personal gains of the culprit. According to Rose-Ackerman (1999.p21) corruption is defined as misusing of the public power for gaining personal benefits. In this context, the meaning gives a more relational meaning which occurs as an interface of the public and private individuals (Anwar Shah, 2007 P. 180). In another words, Nye (2002.p.62) explains corruption as behavior which is deviation from formal rules and duties of public role given to perpetrator for gaining personal benefits, close family, private clique, or status.

According to another definition from UN corruption is defined as misuse of entrusted authority for private and personal gains. Corruption occurs when the public officials misuse the trust placed or power given to them as public servant for financial or non-monetary gain (United Nation, 2004.p.28). In an organizational context, the term corruption is referred to

the way individuals, who are given power to act on behalf of an organization, misuse their authority for personal gains (Boris Begovic, 2005.p.78).

Corruption can take various forms which each having specific features. However, in any form it occurs there supposed to be legal or moral consequences for it. The term corruption is so wide that it is defined into different contexts such as legal corruption, political corruption, administrative corruption, or even cultural corruption and so on (Brian Loughman, 2012). Yet, sometimes the border between definition of any type of corruption so narrow that make impossible to be defined or separated from each other (John B. Kidd and Frank-Jürgen Richter, 2003).

Grand Corruption: Grand corruption is defined as a corruption in which senior officials of the government are involved. These senior can be from head of state, ministries, top executive managers. These senior official may come from a specific group and work in their own interests or interest of another group of businesspeople, politician, criminal elements rather than the public interest (Maureen Lewis, 2006).

Political Corruption: This type of corruption is referred to misuse of power by government officials for private benefits and gains. Political corruption occurs when an illegal act by official is performed under umbrella of law, and the action is directly related to the duties of perpetrator in the office. In another word, the perpetrator misuses the legitimate given for him/her for private gain. It can be carried out by diverting from formal duties or avoid performing duties in accordance to law (Dr. Ahmad M. Mashal, 2011. P. 77).

Administrative Corruption: The term administrative corruption is referred to intentional imposition of distortion in the prescribed implementation of existing laws, regulations, and rule in order to provide benefits whether for state, groups, individuals, or private organizations gains. It has been tried by experts to define corruptive behavior compatible to the organizations' principle (Parvaneh Mousavi and Masoud Pourkiani., 2013. P. 122).

Nepotism: it is referred to favoring family, relatives, and kinships occupying positions without their competencies. A corruptive action can be nepotism alone or combined by another form of corruption like bribery.

Patronage: This type of corruption is referred to favor supporters occupying positions. Patronage sometimes may be considered legitimate when newly elected government replaced some top officials with their new members in order to ease the process of implementing and fulfilling its policies more efficiently. But, it turns to corruption when the newly elected

officials are assigned without consideration of their competencies as a payment for the support or favor that these individuals did for the new government prior to the election (Vinay Bhargava, 2005.p.53).

Fraud and embezzlement: These forms of corruption are referred to exploitation of position by perpetrator in form of stealing, misconduct or another form. In embezzlement, financial benefit like property is taken by an entrusted employee, who has been official power (Toke S. Aidt, 2009.p.24). On the other hand, fraud means the use of fake and false documents or misleading information to seek private benefit by misusing the power. Since the aim of both fraud and embezzlement are private gain, both may lead to kind of stealing property or any financial objects.

Extortion: it is coercive force to induce individuals for cooperation and comply. This coercive force can be done in form of threats, violence, or the exposure of sensitive information that harm the victim in society or organization. In other form of corruption, public may be harmed in complete, while in extortion there is very real “victim” who is the person coerced for complying with the officials.

Cause of Corruption

Depending on the situation, time, individuals, organization, and many other factors, cause of corruption may vary for one another. International organizations combating corruption tried to define some specific factors causing corruption and draw characteristics of the most corruption inclined government and institutions with examples. Cause of corruption can be personal, cultural, institutional, and organizational, or a combination of all with lack of solid regulations or code of conduct to address it properly (Silverman, E. 1998). Cause of corruption can be either one or a combination of two or more of the following such as **A)** Personal greed **B)** Low ethical sensitivity **C)** Low salary scale **D)** Lack in awareness or denouncing behavior **E)** Lack of public Unity **F)** Lack of strong judicial system **G)** Lack of government transparency **H)** Lack of accountability

Losses from Corruption

The phenomenon of corruption has a direct relationship with rule of law, service delivery, economic and political development in a country. According to international transparency societies are affected by corruption in various ways. Corruption costs the people’s money, health, freedom and most severe form it cots civilians’ life. International Transparency

divides the cost of corruption in four main categories such as economic, political, social and environmental (Silverman, E. 1998.p.8).

Economically: corruption has a direct link to the economic development of in country. Corruption decreases and depletes national wealth of a country. When money goes to officials pockets rather than government treasuries due to corruption, government national treasuries decreases, and the governments face problems paying their costs.

Political: Corruption is eroding rule of law in a country, and it is an obstacle to democracy. In a corruptive environment where the government institutions are misused in favor of private, civilians lose their trust to government institutions, and that lead to losing institutions legitimacy, so the people are not interested to participate in their public affairs. Corruption makes a passive environment where the gap between the government and civilians is extremely large (UNDP, 2009).

Social: In a society where practicing corruption is common, the social fabrics of society is slowly corroded. A difference emerged between government staffs and civilians in the society. Since the government employees get rich due to corruption and government expenditure in welfare may decrease, civilians may feel it is their money goes to corruptive employees' pockets. Therefore, their social interactions with government official who live in their society alter in an improper way (Transparency International, 2016.p.86).

Environmental: losses from corruption are not limited to economic development and political, it also causes degradation of environment (Arnold J.Heidenheimer and Michael Johnston, 2012).

Combating Corruption

Like the complexity of the term corruption, combating with it is not an easy task, however, it is nationally and internationally required and followed by countries and international organizations.

Anti-corruption campaigns, which has attracted government and international organizations more than ever, are set of activities to tackle or uproot the phenomenon of corruption. The same as the corruption which may take many forms, anti-corruption strategies many also vary with their forms, scopes, and strategies (Ahmad M. Mashal, 2011.p.18). In order to have an effective anti-corruption campaign, the issues of governance and institutional which give rise to corruption should be addressed properly. Therefore, a multidimensional approach is

required. This approach may involve a wide set of activities from improvement of legal, judicial, and prosecution system. It also requires a greater voice and participation of civil society give civil society in government affairs; strengthening and professionalizing public sector management; enhancing the competitiveness of the private sector; and holding political leaders that are more accountable and responsible for their actions.

More practical national and international steps have been taken for curbing the corruption problem for the few decades (Toke S. Aidt, 2009. P. 120). In international context several organizations, UNDP, IMF, World Bank, OCED, Transparency International, have launched international anti-corruption programs for uprooting corruption particularly in developing countries.

Since every government may be dealing with a form of corruption that is different from another places or time, government sometimes different perception of corruption and discretions to address them. In many countries, Governments assign special investigator body and prosecution authorities, often known as ACA Anti-Corruption Agency, to address corruption. These organs may be subjected to a level of dependence from the government, regulations, and power, and be given level of authority to investigate corruption cases. Anti-corruption agencies are permanent agencies, unit, commission or department established by governments and empowered by authorities to address any form of defined corruption in the country. In order to have performance government these authorities may be granted a level independency. Anti-corruption agencies are considered as a strong weapon against corruption. Some anti-corruption agencies were successful in reliving corruption, while the others less so. In an extremes form is when the anti-corruption agencies are not assigned properly to address corruption, and they themselves are stuck in corruption. Therefore, it can be said that the just the establishment of an agency to fight corruption is not enough.

Corruption in Afghanistan

The definition of corruption in Afghanistan's context is not different from generally accepted definition of it. According to the definition of Afghanistan anti-corruption strategies, corruption is defined as "the abuse of public position for private gain". And, unfortunately, the problem of corruption is a significant and growing problem across Afghanistan. It undermines security, development, and state- and democracy-building objectives. Pervasive, entrenched, and systemic corruption is now at an unprecedented scope in the country's history.

The phenomenon of corruption is a significant problem in any State building policy and represents a major obstacle to its political, economic and social development of the country. However, in case of post-conflict countries like Afghanistan, this issue of corruption is even more crucial in the context of the recovery of the rule of law and government institutions. Therefore, the problem of corruption has been highlighted by many surveys and documents since 2001. Here in the following Afghanistan's country profile is first explained and followed by explaining different types of corruption in different government offices.

Afghanistan's Country Profile

Afghanistan is a mountainous country which is located in landlocked in central Asia. The country is divided into 34 provinces and 398 districts. The country was established, known as today Afghanistan, in 1747 by Ahmad Shah Abdali/Durani, who became the first king of Afghanistan. In 1919 the country achieved its independency from Britain and became a sovereign state (Barfield, 2010). The country has been in the middle of struggle from 1970s when the Soviet Union troops invaded the country. Since then the country has experienced several regimes and governments, and the last one was Taliban, who were ousted by U.S attack in form international coalition to Afghanistan.

As part of war on terror U.S attacked Taliban in Afghanistan because they gave safe heaven to Osama Bin Laden the leader Al-Qaeda group leader, which was behind the 9/11 attack. The U.S ousted Taliban and after the fall of the Taliban, the Bonn Conference in December 2001, established an interim government, Hamid Karzai was chosen as an interim president till presidential election was held in 2004. He took the presidential office in the following elections in 2004, 2009 and hold the power until end of 2014 (Stiftung, 2014). Even the intervention of U.S and NATO to failed in any qualitative transformation due to civil war atmosphere in Afghanistan (R. Kutay Karaca, 2011). In 2014 Hamid Karzai handed the power to the so called National Unity Government (NUG) formed by U.S meddling as a solution to disagreements on 2014 presidential election outcome. In U.S compromise to the election outcome disagreement, the presidency was given to Ashraf Ghani and a new position "Chief Executive Officer" was established and was given to his rival Dr. Abdullah Abdullah. The compromise shared the power between two candidates, and they divided ministries, provinces, and embassies among them. However, ministers were not introduced to national assemble for six months because of existence of disagreement between the two rivals. The appointment of many ministers have been based on political affiliation and not on

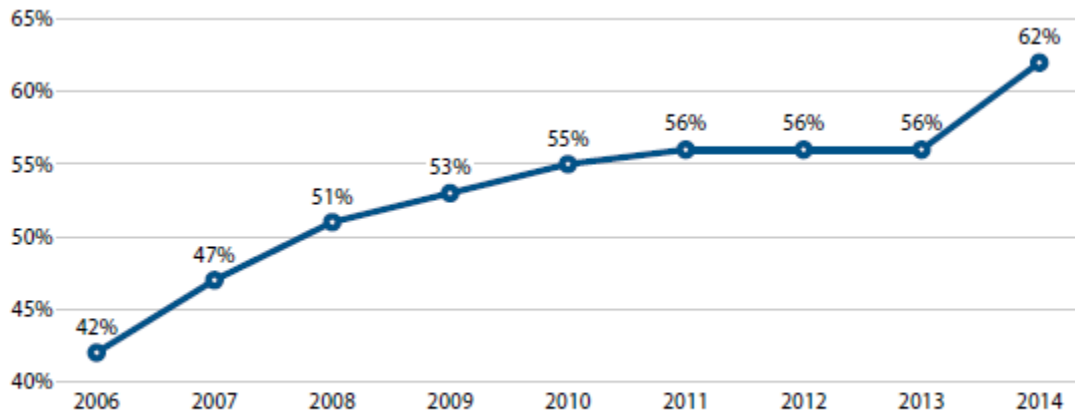
merit based or professionalism (Noorzai 2016). Surveys show the Afghans consider corruption as the third most important problem after security and war. According to 2014 SIGAR report, from two persons in Afghanistan one pays bribe to government for a service. Therefore, the government has taken some steps to tackle the problem by establishing institutions to fight with corruption. However, the anti-corruption policies and strategies of the government did not conclude to the expected result, and the country is still suffering from corrupted institutions and employees.

Prevalence of Corruption in Afghanistan

The definition of corruption in Afghanistan's context is not different from generally accepted definition of it. According to the definition of Afghanistan anti-corruption strategies, corruption is defined as "the abuse of public position for private gain". And, unfortunately, the problem of corruption is a significant and growing problem across Afghanistan. It undermines security, development, and state- and democracy-building objectives. Pervasive, entrenched, and systemic corruption is now at an unprecedented scope in the country's history. Corruption in Afghanistan exists in form of bribery, patronage, nepotism, political favoritism in most common types. A vast amount of foreign aids has flowed to Afghanistan since the 2001, but not only it didn't have the expected result but it also led to wide spread corruption. Most of fund were wasted because of bad management system, corruptive administrative, and ended up to the officials' pocket or enriched contractors. Afghans national are suffering from corrupted government offices and employees in their daily based activities. Corruption is wide spread in every sector of government and institutions such as executive, judiciary, education, health, tax collecting institutions like customs and so on. The surveys conducted by different national and international organizations (NGOs, and INGOs) have illustrated how malady corruption is spread in the country since 2001, and civilians are dealing with it in their daily base Corruption in is considered as a significant impediment to peace process, and people have lost their trusts in the government organizations. According to survey conducted by Asia foundation illustrate how the perception of Afghans' that corruption is daily problem for them increased over the years.

Figure 2.1: Daily corruption in Afghanistan

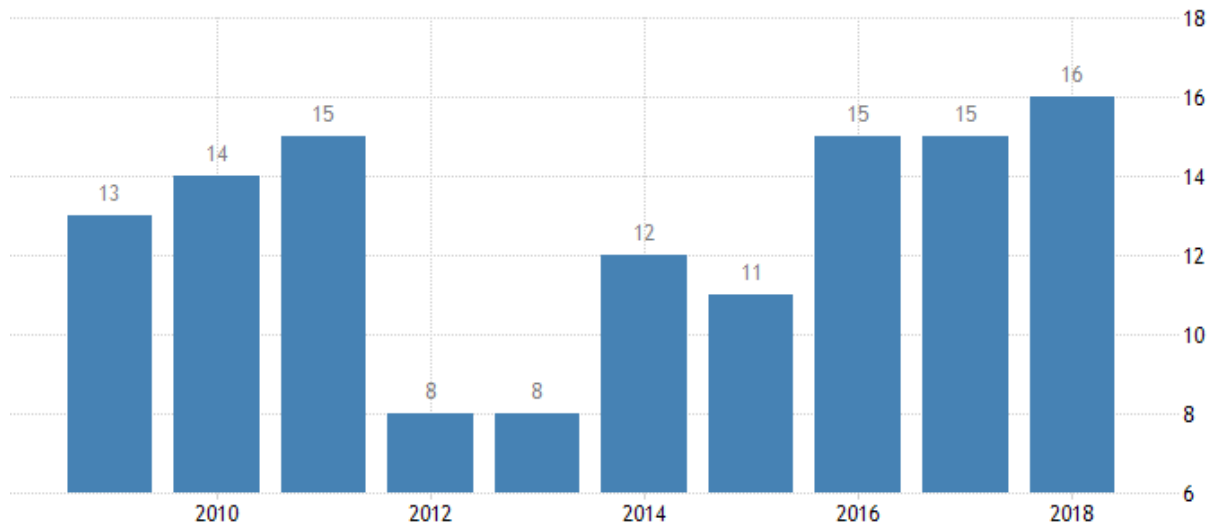
Percentage of respondents that believe corruption is a major problem in daily life



Source: Asia Foundation, "Afghanistan In 2014: A Survey of the Afghan People" (2014), available at <http://www.asiafoundation.org/resources/pdfs/AfghanistanIn2014final.pdf>.

According to International Transparency Corruption Perception Index (CPI) Afghanistan has 16 points of corruption out 100 and has the 172 ranking among 180 countries that have not had improvement in tackling corruption. However, by considering CPI reports from 2005 to 2018, Afghanistan has been among the most corrupted country in the world, and this is a clear indication of little improvement of tackling corruption, despite the fact that, in 2014, the new government (National Unity Government) promised to uproot and fight firmly against corruption.

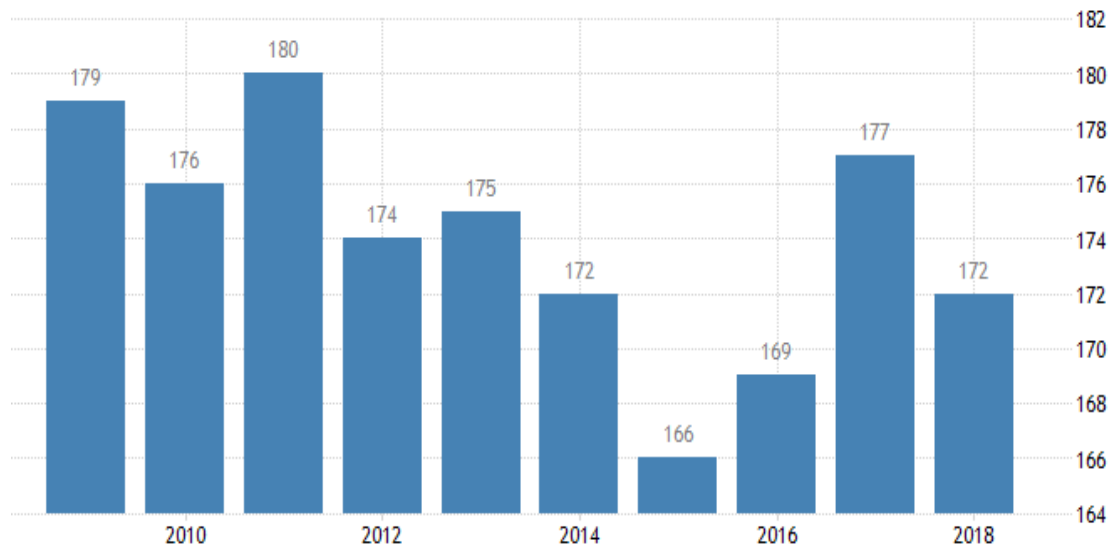
Figure 2.2: Afghanistan Corruption Index



Source: <https://tradingeconomics.com/afghanistan/corruption-index>

According to Transparency International Corruption Perceptions Index reported in 2018, out of 175 countries, Afghanistan is the 172 least corrupt nation in the world. According to the data from 2005 until 2018 corruption Rank in Afghanistan averaged 169.62. It has reached an all-time high of 180 in 2011 and a record low of 117 in 2005.

Figure 2.3: The prevalence of corruption in Afghanistan throughout ten years 2009-2018



Source: <https://tradingeconomics.com/afghanistan/corruption-rank>

Corruption of justice and judiciary system in Afghanistan is considered a cause that people turn to traditional system of justice. They have lost their trust to the government. Justice services are either expensive or corrupted. According to a survey, National Corruption Survey, conducted by Integrity Watch Afghanistan in 2018 about the Afghans' perception and experience of corruption, most of respondents said that the justice and education sectors to be the most corrupt. When the respondents were asked to name the most corrupted institution the largest proportion of respondents named the courts and judges, including courts in the provinces, Ministry of Education and the Attorney General's offices among the top three, by a significant margin. Corruption exists in every sector and administration like health, education, tax, security, services and so on, and it takes place in various types such as bribery, patronage, nepotism, embezzlement, using public properties for private gain, extortion, misuse of official power for personal benefits and etc.

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Corruption exists in every level of education in from the top level in Ministry of Education (MoE) and Ministry of Higher Education (MoHE). It illustrated two common practice of corruption in Afghanistan education. The first one that the teachers have to pay bribes to their superiors for receiving salaries, and second problem is the phenomenon of “ghost teachers”. However, “Ghost teachers” are used for those who do not come to work but who nonetheless receive a salary and this salary goes to the management and top official pockets.

Tax offices are key areas for different types of petty and predatory corruption in Afghanistan. This corruption involves two types of offices. One is non-government organizations (NGOs) and private sector entities, and the other one a range office that assess and collect taxes. Bribery is so common than firms and companies should pay the tariffs and taxes through brokers (kommishenkars), who have relation with customs’ employees. Positions in the customs are occupied in exchange for a fixed amount in period of time. In most cases, top officials try to appoint their close relatives, friends, or agents to different positions in customs in every province. They consider it as an opportunity to collect enough money and enrich their pockets so long as they have the position. Customs employees ignore the goods with tariffs from taxes or replace their tax amount with a cheap tariff. Corruption in tax offices are conducted through the process of tax assessment, payment, and collection through different government tax officies such as Small-sized Taxpayers’ Office (STO), to Medium-sized Taxpayers’ Office (MTO), and the Large-sized Taxpayers’ Office (LTO).

Furthermore, Corruption in public services has greatly undermined the government reliability and trustworthy in civilians’ perspectives. Civilians mostly in rural area avoid to take or have any government services, and they turn to Taliban as an alternative way. That’s why most Afghans’ in rural areas and villages do not have National ID card till their middle ages.

Enriching their own pockets or asking for favor, government employees in service providing institutions use different tactics when engaging in administrative corruption, among all of them the deliberate creation of difficulties or the use of delay tactics in order to request a bribe is the chief tactics used in daily behavior. It is common practice in the government institutions to ask for money from clients in order to provide any service for them. According to the Afghan’s perception of Corruption Survey conducted in 2018 respondents were asked about the attitudes of the government service providers in Afghanistan, respondents provided a clear image about how the government service provider delay the tasks in order to extract bribe for their clients. Before applying or going to a government office, Afghan civilians tend

to provide some money as cost of service which is paid as bribe, however, the name may change in some local context, or they may look for a connection to the government institution thought patronage.

In Security sector, from the two main institutions comparing to Afghan National Police, Afghan National Army don't have many opportunities to involve in corruption and bribery behavior has according to an article in Stars & Stripes. However, corruption exists in two bodies in different forms. Reports regarding Afghanistan National Army (ANA) shows a great amount of corruption in high level. Corruption in Afghanistan National Police (ANP) are considered notorious. Police forces are accused of soliciting money, bribery, and extortion particularly in rural areas. According to reports by Asia Foundation more than half of Afghan civilians who have dealt with police had to pay bribe.

It is considered as of reason that some people join Taliban insurgent group in order to protect themselves from police extortion, or they turn to Taliban for settling their dispute rather than Afghan law enforcement force because they believe that if they go to police they are asked to pay bribe or do a favor in order to get their dispute settled. According to Fox news report in (2014) \$300 million was systematically stolen Afghan officials from a UNDP trust fund used to pay police officers. As a result of the loss European Union donors also had to withheld about \$100 million in contributions to the fund owing due to concerns that they had from the fund's management in the country. In another report in (2015) stated that some police members, presumably in exchange for bribes, have informed the Taliban group from the Army and Police of impending operations.

Afghanistan's Anti-corruption strategies

The government of Afghanistan started taking measures to tackle this disease by establishing anti-corruption institutions and commissions, and regulating anti-corruption law, strategies, and regulation. One of these set of regulation is the United Nations Convention against Corruption (UNCAC) which has been signed and ratified by Afghanistan in 2008. Several anti-corruption bodies are operating in Afghanistan to tackle the problem, and according to recent studies there roughly 18 separate government bodies that are tasked in fighting against corruption. However, the existence of several anti-corruption institution has caused significant coordination problems. In the following pages, firstly, the Afghanistan's anti-corruption measures, among which establishment the High Office of the Oversight HOO is

the most important. Afghanistan's anti-corruption policies are can be traced in Civil Servant Anti-Corruption Policy, Asset Declarations, Codes of Conduct and Ethics, Transparency Initiatives and Administrative Process Simplification, Citizen Awareness & Charter, Detection of Corruption Cases, Documentation/Investigation of Corruption Cases.

The United Nation Convention Against Corruption (UNCAC): In order to fight against corruption, the government of Afghanistan in 20th of February 2004 signed the United Nation Convention against Corruption (UNCAC) and ratified it on 25th of August at the same year. The conventions are a range of regulations that should be implemented by the countries that signed it in accordance to their domestics' law and regulation for curbing and combating corruption. Afghanistan, which is one state party in this convention, has to implement these rules and regulations.

The High Office of Oversight (HOO): The High Office of Oversight and Anti-Corruption (HOOAC) was established in 2008 to supervise development of an anti-corruption plan and coordinate the fight against corruption. The President would appoint the Director General of the HOO. From the establishment High Office of the Oversight (HOO) was believed to be Afghanistan's anti-corruption independent UNCAC. The establishment of HOO is line with United Nations Convention against Corruption (UNCAC). According to HOO also known as HOOAC strategies plan, The HOO will be conducting three approach such as coordination, collaboration, and leadership in curbing corruption. However, it doesn't seek any seek control or command. The HOO was given authority and responsibility of the registration of the assets, and publication as and when required, of top government officials and staffs in annual basis. In 2010 it was also empowered conduct preliminary investigations of corruption complaints a three-year anti-corruption plan. However, the HOO suffered from lack of independency and weak legal framework, so the number of corruptive cases it could address are few.

Anti-Corruption Justice Center: Based on the decree of President Ashraf Ghani, the National Unity Government established the ACJC on June 30, 2016 in order to fight and tackle the problem of corruption in the country. It is consisted of its three own department such a Specialized Trial Court, Specialized Attorneys and Specialized Police for investigating addressing corruption issues and perpetrators. It is considered as an important step toward fighting the reign of corruption in Afghanistan, for preventing corruption and to prosecuting government servants accused of corruption by the justice. For curbing corruption

ACJC implemented a significant strategy that it will bring reforms in the judiciary branch. However, based in the previous experiences of anti-corruption strategies this time the ACJC should be provided with enough authority to execute its duty effectively, otherwise, it will also become ineffective as the previous attempts of the government to prevent corruption.

The High Consul for Rule of Law and Anti-corruption: A presidential decree by Ashraf Ghani issued in August 2016 for establishment of The High Council for Rule of Law and Anti-Corruption (High Council). As a part of National Peace and Development Framework (ANPDF) and the Effective Governance Program, it is one of the eight development councils. Different from other development councils, this High Council was codified in the Anti-Corruption Law. This progress in the new councils provides that the High Council's main goals are fighting against corruption, it also provided a coordination among relevant entities under the chairmanship of the president. However, between Sep 2018 and Feb 2019 the chairing of the High Councils meetings was delegated to the Second-Vice president.

The Anti-Corruption Strategies' Implementation and Revision: On the September 2017 the High Council adopted Afghanistan's National Strategy for Combatting Corruption (Anti-Corruption Strategy), to diagnose the problem and fight corruption effectively and obtain its objectives, but its implementation started on 9th December 2017. The goals for ANSCC were to first establishing monitoring and evaluation institutions in all ministries particularly those ministries which are more vulnerable to corruption, and report the issues directly to the High Council to reach president. The second objective was to restore the citizen's trust without which it was not feasible for the government to fight corruption and get rid of it. The third goal was privatization of some public institutions in order to increase their efficiency and wipe out corruption form them.

Legislative Reforms and new anti-corruption law: In Afghanistan the current legal framework has already provided a solid basis for advancing anti-corruption reforms. However, while preserving gains already made, the future initiatives should concentrate strategically fine-tuning it. For instance, on 14 February 2018 the new comprehensive Penal Code of Afghanistan entered into force, and along with it the country has met the UNCAC's obligations to criminalize all mandatory and some optional corruption offences under UNCAC. In 2018 and early 2019 in order to increase UNCAC compliance the legal reforms focused on improvements to procedural norms and institutional structures. The adoption of a dedicated Anti-Corruption Law in 2018 was a

key reform in anti-corruption law. Since September 2016, The MoJ's expert legislative working group, the CLRWG, had been working on this legislation. Through Presidential legislative decree the Anti-Corruption Law was enacted On 5 September 2018, and entered into force immediately upon adoption. On 11 October 2018, the Anti-Corruption Law was submitted to the National Assembly which may approve, revise or reject it, the National Assembly had not debated the law by May 2019. However, on 5th March 2019 The law was amended by Presidential legislative decree regarding the selection process of the Anti-Corruption commissioners.

Conclusion and Recommendations

The current research focuses on the corruption and the effect of this corruption on Afghanistan. It has long been debated that corruption occurs when there are opportunities for it. Massive international inflow of funds for the reconstruction of Afghanistan and the allocation of these funds without accountability and transparency were associated with promoting corruption in the country. Because of the corrupt behavior of all government branches, people have turned to informal settling of their dispute and avoiding going to government offices. In rural areas the problem is worse, people turn to insurgent groups like Taliban to settle their dispute or solve their problem if need do court procedure. This situation gives a sense of legitimacy to the Taliban. Along earlier explanation, according to survey conducted by Asia Foundation (2018) a record 70.6% of Afghans said corruption is a "major problem" in their daily life. Perceptions of corruption as a major problem in Afghanistan is to 81.5% in 2018. In another way, when the local people, in particular, have fear of police mis-judgement and extortion, and corrupt behavior, they turn to Taliban for settling their disputes. This gives more power and legitimacy to Taliban group. But why the government has failed to curb the corruption or has had very naive improvement for tackling it despite all international supports is a question that the research is seeking to find answer. During past decades a lot of fund from international organizations and other countries flowed to the country to state building project, capacity building, and anti-corruption projects. In most of cases the money went to pocket of a few people without having a significant effect on the issue. This increased the people's expectations and increased life expenses. Therefore, government position became a source of income for occupants. Candidates are in rivalry and in most cases buying a government position to start making money. Therefore, it can be said that it is individual corruption in Afghanistan. Its the behavior of employees that is corrupted

not institutional corruption. Institutions are made in the well of government and civilians and providing services, and even anti-corruption bodies have been established to eliminate the problem. . Most of corruption cases like Kabul Bank scandal were not investigated because of political favourisim and kinship. Most of corruption cases are not pursuit because of relationship, patronage, or bribery. Secondly, the investigation channel and judicial system must be developed to address corruption properly. Another significant element in eleminating corruption is participation of civilians and civil society. People should stand together against corruption and heple the government by reporting corrupt cases to the related bodies rather than ignoring it. In the community people should not respect the prepetrator of corruption because of their mony. Corrupted people should be scolded and thier corruptive action should be rejected in the society in order to stop them from doing so. Finally, Combating corruption in the judiciary branch, security sector and public procurement is very essential and has to be prioritized. The implementation of the law is the core principle of a country and a government cannot sustain legitimacy and political stability without rule of law.

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