

**Decentered Regulation and Fragile States (Hybrid Political Orders)
Relevance and Implications for
International Development Programming**

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Preamble

“Regulation” can take many forms. In the Yukon, a sparsely-populated territory in northern Canada where we lived for many years, there was an expression used when someone was heading out on a long drive from one small village to the next, which could be over a hundred miles away: “Stay between the ditches – and remember to keep the shiny bits up and the rubber bits down.” This was particularly important to keep in mind in winter, when temperatures could reach minus 45 degrees Celsius, and there were few other drivers on the road to provide help if needed. Staying between the ditches was a key feature of life in the Yukon, much as it is in societies the world over, and it isn’t always easy. It can be especially challenging in turbulent poorly-governed places like Afghanistan, where local and international actors are doing what they can to help the society stay between the ditches as it travels along its path through time.

Introduction

“Regulation” is a legal term used in public administration to describe how complex systems such as banks, industrial sectors or even whole populations “stay between the ditches” as they move through time. It is the subject of considerable interest to scholars who want to better understand what it is and how it works in a variety of contexts, and also to international development practitioners who want to help improve conditions in the societies they serve. To these ends, this paper explores some aspects of regulation in Afghanistan.

Much of the literature on regulation is based on analysis of conditions in western democratic industrialized societies where there are established patterns of organization in which the institutions of state play a major role in the management of the society’s operations. However, in the some 50 countries that have been described as “fragile” by the World Bank, OECD and others, the institutions of state have much less influence than in industrialized countries (World Bank, 2012; OECD, 2011). This is consistent with Douglass North’s contention that most so-called developing countries operate in a manner that is quite different than the relatively few modern democratic states – many of their governments do not have a monopoly on use of violence, and there often is a delicate balance maintained among powerful and potentially violent elites who control access to resources and interpret the law for their own benefit (North, 2009).

North contends that these fragile states are “limited access orders” that operate in a mode that pre-dates the existence of the relatively few open, participatory and democratic societies that

have emerged since about 1800, and that, “organizations outside the state ... enforce their own rules, since the state is struggling to enforce its own internal rules and has little credibility to do more (North, Wallis, Webb, & Weingast, 2007).” These governments function to some extent, but have difficulty maintaining order and providing adequate levels of services to their citizens.

Some analysts suggest that rather than considering such states as fragile – which focuses attention on their deficits when compared to industrialized democracies – it would be more accurate and useful to recognize the hybrid nature of their administrative systems, particularly when designing interventions to strengthen governance in these societies. These “hybrid political orders” combine elements from modern democratic systems with an array of traditional organizational practices, many of which pre-date the colonial era and often are not centred on the state (Boege, Brown, & Clements, 2009; Renders & Terlinden, 2010; Kraushaar & Lambach, 2009).

In such contexts questions arise as to how these non-state-centric hybrid administrative systems work, and to what extent the state has a regulatory role in their operations – and further, how to strengthen these systems so they better serve the public good. The concept of “decentred regulation” described by Julia Black and others (Black, 2002; Baldwin & Black, 2007) provides a few tools to analyze this issue. Black defines decentred regulatory regimes as “those in which the state is not the sole locus of authority, or indeed in which it plays no role at all (Black, 2007:1).” This is consistent with North’s analysis of the formal state as playing a relatively minor role in many societies.

This paper analyzes two non-state regulatory regimes in Afghanistan through the lens of decentred regulation theory and other frameworks. It also explores the relevance of the decentred regulation model itself in that context, and illustrates factors to consider in designing contextually-appropriate interventions in this area.

One case example is the centuries-old mechanism that regulates distribution of irrigation water, the institution of *mirabs* and their role in managing this scarce resource. This system has minimal interaction with the institutions of state. The other is the mechanism used in southern Afghanistan to mediate and resolve potentially lethal conflicts between powerful, well-armed groups in the society. This latter example has, interestingly, involved newly-created state-sponsored institutions – democratically-elected Provincial Councils – as agents in using traditional processes to resolve these conflicts. It is a clear example of a hybridized system, which in this case involves a complex traditional practice moving into a state-sponsored structure to address and impose regulation – using largely non-state mechanisms – on actors who otherwise could be the cause of serious social problems.

Description of two Afghan Regulatory Regimes

Mirabs and the Distribution of Irrigation Water

Water for irrigation is a scarce resource in much of Afghanistan, and the society has a long history of regulating its distribution in a manner that meets farmers’ needs. This system has been

the subject of several studies; (Peavey, 2011; Rassul, 2011; Ward, Saud, & Zaiee, 2012; Wegerich, 2009) among others. It is an important factor in the society, as some 40 per cent of the population has access to irrigated land, while only 12 per cent have access to rain-fed land (Rassul, 2011:4).

A literature review by Seth Peavey states that “the vast majority of Afghanistan’s irrigated water has been distributed by informal systems operated by a *mirab*, or ‘water master’, hired by local communities.” Despite decades of costly efforts by the state, supported by USAID and other donors, to introduce formal projects to improve irrigation capacity, informal irrigation methods continue to account for 90 per cent of the total irrigated area and for 99 per cent of the country’s irrigation systems (Peavey, 2011:1). This “informal” – or non-state-centric – system provides an example of decentred regulation in a hybrid political order.

A key element in the operation of this system is the selection of the *mirab* by the farmers in the irrigated area. In larger systems there may be several *mirabs*, each with responsibilities for canals in the network, some of which are upstream of others. In many cases a *mirab* from a downstream community is placed in charge of an upstream part of the network, to ensure that an equitable amount of water will reach downstream farmers. These *mirabs* are paid by the farmers in the areas they manage (Rassul 2011:4).

Although there are variations in different parts of the country, there are some common features in how the system operates. The farmers in an area often choose a person from a family of *mirabs*, a well-respected landless sharecropper with working knowledge of the system’s operations and maintenance who is elected by local landowners or their sharecropping representatives. Peavey describes the system as follows:

These *mirabs*... distribute water based on both the availability of water and a complex system of entitlements. While occasional laws and regulations on irrigation practices were passed by the government over the decades, *mirabs* tend to rely entirely on their own norms and traditions to oversee the distribution of water in a way that the surrounding communities deem to be fair and equitable. These systems are generally well-organized and have well-defined procedures for operation and maintenance despite receiving virtually no oversight or guidance from the government (Peavey 2011:2).

The government seems to have recognized this reality and in their 2004 draft Irrigation Policy stated that the existing *mirab* system would form the basis for its guidelines and regulations on water resource management (Peavey 2011:4). A traditional practice was being incorporated into the operations of the “formal” state.

A study of conflict associated with water distribution in one area produced interesting insights into part of how this regulatory regime works. In the past the *mirabs* regulated conflicts in the system on the basis of their knowledge of local water rights – they had the capacity to enforce these rights with the social pressures they commanded, and their accountability to the people they served. The system functioned well in large part because they were seen as virtuous men, and the desire to avoid overt violence served to maintain a degree of harmony. They also had

enforcement capacity – if needed they could call on the government (the police) to enforce their decisions, which usually involved levying fines on farmers who abused the system.

More recently, however, with the decline in the effectiveness of the police, the *mirabs* stopped receiving enforcement-related support from the government, with the result that farmers no longer took them seriously. To compound matters, the tradition of both upstream and downstream landlords electing a *mirab* from downstream was not accepted by upstream farmers, who elected their own *mirab* from their own community. In response, the downstream farmers also elected their own *mirab*. Both were former commanders. The upstream *mirab* took advantage of his position to provide plenty of water to his own fields which were green while others were almost bone dry.

This enraged the downstream farmers, who began preparing for a bloody conflict with the upstream landlords. Elders from both upstream and downstream communities persuaded them to stop, and they convened a traditional *shura*¹ during which they negotiated new election procedures in which either the upstream or downstream farmers would elect a *mirab* for the whole system, but he had to be from the other community. At the time of this study the *mirab* was from the upstream community, but he had been elected by downstream farmers, and the system seemed to be functioning well (Rassul, 2011:4,7-9)

The many regulation-related elements embedded in this scenario will be analyzed later in this paper, after the following description of conflict mediation and resolution in southern Afghanistan.

Provincial Councils, Mediation and Conflict Resolution in Southern Afghanistan

There are 34 provinces in Afghanistan, each with an elected Provincial Council (PC). Even though these PCs have limited authority and resources, they carry out a number of advocacy, monitoring and oversight functions as part of the country's administrative structure. In a recent meeting with the Chairman of the Kandahar Provincial Council (PC) there was discussion of the PC's role in mediation and conflict resolution – an activity that was not intended to be a central feature of their official duties, but which he estimated took up well over half their time (Noorzai, 2012). This was interesting, given that PCs are a new institution: they did not exist before they were first elected in 2005, and then were re-elected in 2009, with a 70 per cent change in membership. Their constituents clearly saw them as useful agencies to help resolve disputes, which was understandable, given the condition of the country's justice system, which was described in a recent Congressional Research Service report as follows:

Despite the international focus on the formal justice sector, some estimates say that 80% of cases are decided in the informal justice system. Many Afghans view the formal sector as riddled with corruption and unfairness, and continue to use local, informal mechanisms (*shuras*, *jirgas*) to adjudicate disputes—particularly with cases involving local property, familial or local disputes, or personal status issues. In the informal sector, Afghans can usually expect traditional practices of

¹ Large open and democratic community gatherings held in Islamic societies to resolve important matters.

dispute resolution to prevail, including the traditional Pashtun code of conduct known as *Pashtunwali*. (Katzman, 2012).

In Kandahar it seemed as if traditional mediation and conflict resolution issues that normally were taken to elders' *shuras* were being brought to the PC – perhaps because, as one District Governor said, “the general public basically has the opinion that tribal elders, district authorities and state justice sector actors are all corrupt and take bribes (USAID, 2011):2.” The PCs’ electoral process may have been seen as producing a less-corrupt body than the available alternatives. The PC Law stipulates that the Councils must meet once a month: the Kandahar PC was meeting twice a week, with one meeting reserved for interaction with the public and receiving requests for assistance.

The PC chairman described part of a recent mediation and conflict resolution process in which he and several other members were involved. This was in response to a request for assistance from a local businessman who asserted that another businessman had not paid him a considerable amount that he was owed. The situation was serious: the parties were on the brink of violent clashes that would have had profoundly negative effects on security in the city. He described how the PC handled this sort of issue.

Upon receiving a complaint, and doing a preliminary assessment to clarify some of the facts of the matter, the PC usually assembled a group of 10 - 15 mediators, influential members of the community who were likely to be seen as acceptable to both parties. The mediators then visited both parties to secure their approval to act in a mediation role. Both parties investigated the backgrounds of the members of the mediation team to ensure there would be no conflicts of interest, or members with troublesome backgrounds. Once the parties were satisfied with the character and impartiality of the mediators, they were asked to ratify their acceptability in writing.

The mediators then conducted a thorough study of the situation, and prepared a report of their findings, with a judgement on how the matter should be settled. Both parties were expected to agree to the terms of this settlement, which they ratified in writing. The mediators stamped this agreement, and took it to the courts, which accepted it as binding. Once the agreement had been reached and accepted by both parties, each side invited several hundred members of the other party’s family and kin group to a large dinner feast, during which they celebrated having reached a peaceful resolution to what otherwise might have unleashed considerable violence in the city. These events were described as filled with emotion and a lot of hugging and other indicators of appreciation of the significance of the agreement.

The agreement spelled out a number of consequences for either party if they failed to abide by the terms of the settlement, which were applied as deemed appropriate. These could include:

- The parties were told that if either were to break the agreement, the entire mediation group, with all their influence and resources (which could include large well-armed private militias) would side with the other party, and they threatened to attack the offending party to force him to comply.
- The matter could be taken to the court system – which was obliged to hear the case – and the offender would face the prospect of spending time in jail.

- A fine could be imposed, which could include the transfer of real estate, buildings, markets and residences owned by the offending party to the aggrieved party.
- The ultimate consequence was banishment from the region, which could include having the offender's property burned to the ground in the process.

There were clear “red lines” written into the agreement to which both parties agreed, transgression of which would trigger progressively harsher levels of retribution.

As with the previous example of the *mirabs* and distribution of irrigation water, this whole process had many regulatory elements, which will be analyzed in the next section of this paper.

Analysis of Afghan Regulatory Regimes

Black's discussion of decentred regulation can be used to analyze the regulation elements in these Afghan examples. The following excerpts from her work identify key elements in this analysis:

1. She describes regulation as follows: “the sustained and focused attempt to alter the behaviour of others according to defined standards or purposes with the intention of producing a broadly identified outcome or outcomes, which may involve mechanisms of standard-setting, information-gathering and behaviour-modification.” (Black, 2002:20).
2. She also raises the question of which values should be applied to decentred regulation, and states: “just how these values should be attained are the most troubling, and the least worked through, questions relating to the decentering analysis. (Black, 2002:22).”
3. A decentred conceptualization of regulation raises questions about where the forces of legitimacy, authority or power are located in society, and require answers as to what values regulation should be made subject to, and how, if those issues of power, authority and legitimacy are to be addressed. (Black, 2002:27)

Regulation concepts

The key components or concepts in Black's description of de-centred regulation can be listed as follows:

- Locus of Authority
- Standard-setting
- Information-gathering
- Behaviour-modification
- Values
- Legitimacy
- Power

An additional concept which is implied in her work is related to how the regulatory regime operates, its *process*.

The components of the regulatory regime in the two Afghan cases above are summarized in the following table.

Regulation concepts	<i>Mirab</i> Irrigation System	Kandahar Conflict Resolution
Locus of Authority	Various: the electorate – farmers and landowners, the police (formerly), elders, the community (through <i>shuras</i>)	Conflicting parties confer authority on mediator group, facilitated by credible Provincial Council
Standard-setting	Fair distribution of water based on criteria accepted by system users	Terms of resolved conflict as defined in mediator’s judgement, agreed by parties to the conflict
Information-gathering	System users observe inequitable distribution of water - transparency	Parties to the conflict assess suitability of mediators; mediators investigate the causes of conflict.
Behaviour-modification	Acceptance of <i>mirab</i> ’s decisions, preventing some farmers’ over-use of water	Terms of mediators’ judgement accepted by conflicting parties, ratified by large public gatherings on both sides.
Values	Farmers’ desire for equitable distribution of water, community’s desire to avoid bloody conflict (justice, harmony)	Desire for justice, harmony – avoidance of bloody conflict
Legitimacy	Election of well-respected knowledgeable virtuous person by system users – rooted in electorate/landowners, ratified by elders & <i>shuras</i> when needed	Elected Provincial Council seen as credible agent, mediator group ratified by parties to the conflict.
Power	Threat of violence, elders, <i>shuras</i> – the community	Range of penalties for non-compliance: threat of violence by mediators, referral to courts, fines, burning property, banishment – mediators define, community imposes
Process	Normally, by election of respected agent by entire constituency – if this breaks down, community elders and <i>shuras</i> consult and decide on course of action	Extensive consultations within PC and then mediator group, investigation, public report of findings and judgement, large community gathering to ratify decision

Interpretation – Chaos Theory, Anthropology, “Limited Access Orders” and Hybrid Systems

Understanding these regulatory process is helped through the use of four related analytical frameworks: Chaos Theory, anthropology, Douglass North’s “Limited and Open Access Orders.” And Boege’s hybrid political orders.

Chaos theory – self-organizing systems, bounded instability

When seen through the lens of Chaos Theory, the decentred regulation factors in the table above are essentially the characteristics of a complex self-organizing system that moves through time in a condition of bounded instability. It “stays between the ditches” – avoids exploding into bloody violence – by using its own problem-solving mechanisms, much as is described in Stacey’s

Managing the Unknowable and other similar works (Stacey, 1992; Wheatley, 1994; Kiel, 1994). This is similar to the concept of autopoiesis found in some of the regulation literature (Luisi, 2003; Maturana, 2002), but presented in a more concrete and relevant applied manner.

Shuras are an example of large-group multi-party consultative and decision-making processes that are consistent with the application of chaos theory to management and governance. In turbulent and unpredictable situations they enable groups (such as corporations and communities) to collectively determine what is important and what is required to move forward. These types of large collective decision-making processes are used in other “traditional” societies – the *durbar* in Ghana is one example (Ubink, 2008). Marvin Weisbord’s “Future Search” methodology is a relatively well-known equivalent in the west (Fowler, 1995). These consultations could include renegotiating values based on evolving requirements in the context, and the terms of a regulatory regime could be changed in such gatherings – these changes would be legitimized by the key stakeholders’ active participation in the process.

Anthropology - collectivist vs. individualist culture

The effectiveness of any regulatory regime is influenced by culture and the social and economic motivation systems of the key actors. Anthropologists see institutions as cultural artifacts, and their visible dimension as the tip of an iceberg of largely unconsciously-held rules and protocols that “drive from the depths” (Hall, 1968). The effectiveness of any compliance mechanism is influenced by this system. In the Kandahar example, the ultimate and harshest consequence for non-compliance – banishment – would likely have far stronger impact on members of a collectivist society than in a individualist society (Hofstede, 1991).

In most western individualist societies their members are relatively independent of their groups and are able to re-locate and re-establish their social and economic activities more readily than in societies where the need to maintain group membership plays a major role in the population’s behaviour. The threat of banishment would not carry as much weight in most western societies as in a collectivist society, and would not be as effective a regulatory device as it would be in a country like Afghanistan.

It is noteworthy that Black’s description of decentred regulation (Black, 2002) does not address the cultural dimension of such regimes and its impact on compliance.

Limited and Open Access Orders

The relative ease of mobility noted above is also a feature of the “Open Access Orders” described by Douglass North et al, where membership in an elite group is less important than in “Limited Access Orders” such as Afghanistan and other similar countries (North et al., 2007).

In limited access orders individuals are reliant on elite group membership for their social and economic well-being, and also for their identity in the broader society. In open access order societies, however, individuals are not as dependent on their membership in an elite group to gain access to the resources the society has to offer, and their identities are not as closely tied to group membership – they are likely to be linked to other rather impersonal factors such as their

education level or profession. In a limited access order, the threat of banishment would have a profound impact on all three factors – social, economic and identity – with a corresponding level of effect on individuals’ behaviour.

Another characteristic of limited access orders where the state does not have a monopoly on the means of violence, is the maintenance of a certain level of harmony among the various elite groups so the system avoids exploding into violence which would limit all groups’ access to the rents the society has to offer. In both cases cited above, the contending parties sought out and accepted the results of mediation and conflict resolution services – perhaps with differing degrees of willingness – to avoid a descent into mutually-debilitating violence.

This willingness of the parties to engage in, and accept the results of, contextually-appropriate mediation services so the society could continue to function is a key factor in understanding the effectiveness of decentred regulatory regimes in places like Afghanistan.

Hybrid Political Orders

This paper has focused on “traditional” administrative and conflict resolution mechanisms, which have been part of a society with a relatively new government – the state’s institutions played a relatively minor part in the workings of these systems. The current Afghan regime came into being following the ouster of the Taliban in 2001. Although it has many of the superficial appearances of a modern Westphalian-Weberian state, these institutional structures and behaviour patterns are like a thin veneer placed over a much deeper indigenously-defined administrative and political system (Tamas, 2009) and there is a constant interplay and adjustment process between the two.

Boege’s work on hybrid political orders can be used to analyze the blended nature of the country’s operations. He comments on the use of concepts such as “modern” and “traditional” – and says that “today’s world society is characterised by a contradictory and dialectic simultaneous coexistence of modern and traditional forms of socio-political life and, accordingly, by processes of adoption, assimilation, articulation and transformation (Boege, 2007):2 (footnote).

The two systems – “modern” and “traditional” – are in a constant state of mutual adjustment, and any well-intentioned intervention to improve governance in the country must be aware of both dimensions of how the society works.

Although decentred regulation theory provides openings for this hybrid administrative system, it appears to be silent on the details of how traditional policy, law and regulation processes interact with institutions of the “modern” state.

Relevance of Decentred Regulation Theory in Fragile (Hybrid) States

As noted elsewhere in this report, decentred regulation theory does indeed provide a space for analysis of a large part of the challenges in governance in places like Afghanistan – it is relevant, but incomplete.

Fragile state factors that do not appear to be overtly addressed in Black's writings include the fact the state does not have a monopoly on the means of violence, the role of culture, operations in blended state/non-state development contexts, and the size or scale of the social units involved.

A major factor in the many countries that Douglass North (2009) identified as "limited access orders" is that the state does not have a monopoly on the means of violence – its coercive enforcement ability is considerably more constrained than in the countries from which much of regulation theory has been derived. In a sense, this could make the decentred approach more relevant than a state-centric approach, but in a quite different manner than was probably intended in Black's work, which seems to be based on analysis of trends found in OECD member nations. In the many countries where the state's writ is weak, the alternative is a fragmented and balkanized regulatory regime that applies in different ways in the separate regions run by sub-groups of elites who do control violence, or a more distributed community-centred mechanism rooted in the underlying cultures and traditions of the people, such as the code of *Pashtunwali* that seems to exert its influence in much of southern and eastern Afghanistan, and also in the conflict-ridden ungovernable areas of Pakistan's NW Frontier (Rashid, 2011).

Also, Black's (2002) decentred regulation model appears to be silent on the powerful role of culture in shaping the motivations of local actors, and their likely responses to enforcement actions such as banishment – in most individualist western societies this threat would have little effect on compliance-related behaviour, but would have much greater effect in a collectivist society (Hofstede, 1991).

The decentred model does not overtly address situations in which both state-centric and non-state regulatory regimes overlap in addressing a single activity, such as when the court system was involved with non-state conflict resolution cases. While the decentred model would clearly apply in the parts of the process that had no linkage with the state, there could be ambiguity when the two regulatory regimes operated simultaneously.

There is an issue of size and scope of operations of a decentred regulatory regime. The relatively small scale of the social units involved in the two case examples in this paper made it possible for most of their members to be well known to each other. Hence, for example, the feasibility of contending parties checking the suitability of mediator group members in the early stages of a conflict resolution process. The decentred model appears to be designed for large-scale application, and there is no overt mention of the possibility of customizing it and adapting it to small-scale social units such as the population involved with an irrigation system in an Afghan river valley.

The latter two concerns are relatively minor and may be dispelled with further reading of Black's works, but the first two, on the state's lack of control over the means of violence and the link between culture and compliance-related behaviour, are significant.

Implications for International Development Governance Programming

International development initiatives are often accused of operating in an ethnocentric manner, in which large scale interventions designed by agencies such as the World Bank or USAID are seen as contextually inappropriate, a form of western imperialism that overrides and weakens rather than builds on and strengthens long-standing host country administrative practices – see, for example, (Easterly, 2006; Castillo, 2008) among others.

An article on hybrid political orders by Boege et al offers suggestions for improving the design of development efforts:

Instead of assuming that the complete adoption of Western state models is the most appropriate avenue for conflict prevention, security, development and good governance, we should focus more attention on models of governance that draw on the strengths of social order and resilience embedded in community life of the societies in question and work with the grain of actually existing institutions on the ground. (Boege et al., 2009).

This advice calls for considerable analysis of existing host country administrative practices, and incorporation of these patterns in the design of interventions to strengthen these systems. This would be particularly relevant in societies where the state does not control the means of violence and governance functions are distributed among an array of actors who operate outside the influence of the formal administration.

The services of an organizational anthropologist who knows where to look for effective governance related functions could contribute much to the conceptualization stage of project development. A thorough study of existing regulatory processes, whether they be associated with the state or with non-state entities, would increase the likelihood that project design would identify and build on the society's strengths.

At the same time as development initiatives strive to build on local patterns in a culturally-sensitive manner, there are indications that some imposition of foreign ways had positive effects. A senior officer in one of the government's ministries said recently that many Afghan government officials don't like to operate in the systematic manner found in a well-managed western organization, but that they should be pushed to adopt some of the procedures and methods from the west: "They are more effective than our ways," he said, "they are good for us to learn (Sibghat, 2012)."

Achieving a balance between these two sets of orientations is the essence of effective design of development initiatives in a hybrid political order. This includes identifying and strengthening host country regulatory processes that are consistent with international standards, and, where appropriate, applying the principles of the decentred regulation model proposed by Black and others to do so.

Conclusion

This paper has used decentred regulation theory and other frameworks to analyze two Afghan non-state regulatory systems – the *mirab* institution that manages distribution of irrigation water, and a traditional mediation and conflict resolution process in Kandahar. The relevance of decentred regulation theory itself was also assessed.

Analysis of the regulation-related components in these systems indicated that legitimacy and power rested primarily in the communities. The systems' values were indicated by the willingness of parties to the conflict to seek out means to resolve their disputes before they exploded into bloody violence, and compliance was ensured by community enforcement. In one case the threat of banishment for non-compliance was seen as the ultimate punishment, a threat that would be less effective as a deterrent in populations with individualist rather than collectivist cultures.

Decentred regulation theory was seen to be useful in analyzing the Afghan cases, but it was incomplete, particularly in addressing situations where the state does not control the means of violence, and where culture plays a major role in influencing individuals' compliance-related behaviors.

The analysis contributed to suggestions for contextually appropriate international development project design, incorporating elements from analysis of hybrid political orders which built upon existing strengths in the society rather than operating in an institutionally ethnocentric mode that is often a feature of international development project design. This study also illustrated that traditional conflict resolution mechanisms and regulatory regimes are complex and sophisticated community-based practices that play a significant role in maintaining order in Afghan society (and probably elsewhere as well) and care should be taken to avoid initiatives that inappropriately weaken these long-standing stabilization-related practices.

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