A volatile interaction between peacebuilding priorities: road infrastructure (re)construction and land rights in Afghanistan

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Abstract: The current approach to peacebuilding is to focus on the specific building blocks of the process. However, such attention and building blocks are to date largely isolated from each other in their planning, analysis, implementation and measures for success with regard to contributing to overall peace. While two of these, land rights and road infrastructure, are regarded separately as crucial to post-war recovery, their interaction has not yet been examined. This article looks at these two priorities for Afghanistan, and finds in their interaction a large and acute problem of land seizures which the government and the international community in-country are unable to manage. This land grabbing is a direct result of a context of pervasive corruption, ongoing conflict, a mistaken understanding of the nature of the benefits of road reconstruction, large-scale dislocation and widespread use of explosive devices. Such a pervasive problem sets back recovery, detracts from durable peace and fuels the insurgency.

Key words: Afghanistan, land tenure, road infrastructure, peacebuilding, war-torn, recovery

I Introduction

The international community’s understanding of war-affected societies and the ‘peace process’ has progressed significantly in recent years, particularly with the ongoing and pressing need for effective approaches to deal with unstable, failed, recovering, volatile and poorly governed states and their restive populations. As understanding grows with regard to how and why civil wars occur, end and often recur, efforts now need to progress beyond the pursuit of individual peacebuilding priorities as separate endeavours towards greater integration of these. Such a need comes with the realization that, (a) conflict-related settings are profoundly different than stable settings;
(b) peacebuilding priorities and their projects and policies, while derived and implemented separately and on their own merits, do in fact interact with each other on the ground in a largely unplanned and unexamined manner; (c) success in one priority of peacebuilding can cause problems in another; and (d) there can be unexpected and often volatile repercussions due to specific interactions between constituent parts of separate peacebuilding priorities. With the ‘lessons learned’ in peacebuilding now becoming more widely known, there emerges the opportunity to examine certain problematic interactions between specific priority areas in order to find ways to mitigate acutely negative outcomes at a minimum, and enhance the prospects for such interaction to contribute to durable peace more ideally.

While priority areas for peacebuilding can vary with the country and the conflict, two that are widely recognized as critically important are road infrastructure (re)construction, and the reconstitution of land and property rights systems. This article examines the highly problematic interaction between these two priorities for Afghanistan, focusing specifically on how the road (re)construction effort underway in the country intersects with the current land rights situation which the government, with assistance from the international community, is failing to stabilize.

The reconstruction of road infrastructure, and in many cases its construction for the first time in war-torn countries, is thought to contribute, on its own, to peacebuilding and post-war recovery in very substantial ways. Road (re)construction is intended to facilitate trade and economic linkages, facilitate access to schools, health clinics, courts and other services, boost agricultural yields, bring rural areas into commercial interaction with the marketplace, provide security to rural communities and contribute to the development of other sectors JICA, 2003, 2004, 2006; JSCE, 2002; USAID, 2006, 2009). The realization of these benefits are understood to be crucial to economic and livelihood recovery and development, and hence the presumed winning of hearts and minds in unstable and volatile socio-political settings (JICA, 2004; Meilahn, 2007; Mockaitis, 2003; USAID, 2009).

At the same time the reconstitution of land and property rights systems in conflict scenarios is fundamental for the return of dislocated populations, restitution, agricultural recovery and food security, broad economic recovery, dispute resolution and the ability to address volatile ethnic, tribal and religious claims and attachments to lands (for example, Bruch et al., 2009; Unruh, 2009). The reconstituted functioning land and property rights systems is also thought to resolve an array of political problems associated with areas claimed versus gained or lost in battle by different groups during a war (Andre, 2003; Banks, 2007; Unruh, 2003, 2004). Also, land rights problems are recognized as an important cause and catalyst for armed conflict (Bailliet, 2003; Barquero, 2004; Bruch et al., 2009; Cohen, 1993; Unruh, 2009). For example, issues of ethnic cleansing, evictions, retribution, inequality in land and property, legal pluralism that favours some sectors of society over others, legal systems that are non-inclusive or exploitive, and land-related grievances and animosities, are all significant contributors to conflict scenarios (Bruch et al., 2009; Cohen, 1993; DW, 2005; Unruh, 2004; Wiley, 2003).

However, these two priority areas of peacebuilding do not interact in analysis, policy, planning, programming, implementation or evaluation – and the Afghanistan case is particularly illustrative of this (JICA, 2003, 2004, 2006; JSCE, 2002; USAID, 2006, 2009). They do, however, interact quite robustly on the ground and among a recipient population in an unplanned and to date unexamined way, to produce very difficult outcomes, with some of these working significantly against peacebuilding. Such outcomes can be particularly problematic when their violent repercussions are seen as having a proximate
cause, and a military response is considered to be the only approach to their resolution.

Apart from the ease of planning and implementation based on convention, industry, international assistance and disciplinary boundaries, the primary reason for not examining the interaction between priority peacebuilding areas in conflict contexts has been the prevailing assumption that implementation of activities and projects within priority areas will affect society and produce outcomes similar to what would be expected in stable settings (JICA, 2006; MRRD/MPW, 2007; USAID, 2009). However, one of the primary lessons learned from a variety of peacebuilding experiences is that conflict-related settings are profoundly different in a wide variety of ways (Bruch et al., 2009; Goovaerts et al., 2007; Junne and Verkoren, 2005; UNEP, 2009). What such a difference means, however, to the interaction of specific peacebuilding priorities, is where much additional work is needed.

Subsequent to a description of the highly volatile interaction between road (re)construction and land rights in Afghanistan, the conflict-related contexts of these two peacebuilding priorities is examined, focusing on how they are very different than stable contexts and how they set the stage for pervasive land grabbing.

II Land grabbing: a volatile outcome of the road–land interaction

This article makes the argument that a primary effect of the interaction between road (re)construction and land tenure in the prevailing context in Afghanistan is a large surge in widespread land grabbing. At its most fundamental, the large increases in land values brought on by road (re)construction occurring within a context of a debilitated capacity and status of both customary and statutory tenure systems, increased ease of access to lands (via roads), flourishing corruption and the absence of many landowners, tenants and their relatives/heirs due to dislocation, is what drives this phenomenon. Land grabbing in Afghanistan is so acute that it is thought to constitute a significant conflict-related flashpoint, able to push the country into renewed civil unrest (Batson, 2008; IWPR, 2008), and even ‘decades of conflict’ (PakTribune, 2003). In Afghanistan land grabbing by powerful interests, including government officials, militia commanders (Sherin, 2009; Synovitz, 2003), former military commanders and members of parliament is pervasive, and firmly related to the large-scale problems of corruption and dislocation (Irvine, 2007). The range and complexity of land-grabbing cases in the country is large, lucrative, widely known and has a volatile history (Batson, 2008; Irvine, 2007; Rashid et al., 2010; Sherin, 2009).

Of particular importance in the road (re)construction effort is the 3,000 kilometre (km) ring road connecting Kabul, Herat, Kandahar and back to Kabul (Figure 1). When completed it is estimated that 60 per cent of Afghans (approximately 17 million people) will live within 50 km of this road (USAID, 2009). Its construction and connections to many areas of the hinterland, by provincial and feeder roads and bridges (MRRD/MPW, 2007), are being undertaken by a number of donors operating in different parts of the country. A large US endeavour is the construction of 715 km of the Northern Ring Road, which together with the rehabilitation of six provincial roads, and 0.4 km of bridges, is thought to benefit some 5.3 million people (USAID, 2009). However, of the nine provinces where the percentages of government-seized agricultural land are the highest (Reydon, 2007), all reside along the ring road. Six of these provinces have had between 80 and 90 per cent of the area subjected to land grabbing with the important provinces of: Helmand, 90 per cent; Nangarhar, 80 per cent; and Nimroz, 80 per cent. And three have had over 100 per cent of the land grabbed: Baghlan, 110 per cent; Kandahar, 111 per cent; and Logar, 190 per cent (Reydon, 2007), indicating that land is being grabbed, and then grabbed again, revealing the high likelihood of conflict between powerful
Figure 1  Road (re)construction in Afghanistan
Source: Asian Development Bank.
interests over land. In a number of areas of the country land seizures are thought to be organized and run by a ‘land mafia’ (Irvine, 2007; IWPR, 2008), with seized land being divided into smaller pieces, and then sold (Irvine, 2007).

The pervasiveness of land seizures in Afghanistan creates a number of economic, social and political instabilities (Reydon, 2007; Sherin, 2009). The economic development that is thought to follow road reconstruction is actually made more difficult by the illegal seizure of lands, including government-owned land upon which development projects are planned (Irvine, 2007). The recently enacted National Land Policy states, ‘land grabbing is one of the most problematic aspects of land management throughout the country’ (IRA, 2007). The policy notes that there is a lack of viable enforcement mechanisms, and that Afghans do not have any confidence in statutory courts to resolve land disputes. Aggravating this is the reality that government officials misuse the law to take control of public and private land (Bowman, 2010). And while the Karazi decree 377 makes land grabbing explicitly illegal, as does Article 285 of the Legal Code, legal redress is nearly impossible2 (InfoSud, 2009). There is pervasive distrust of corrupt authorities and courts, particularly involving regaining land ownership, which is a major problem for returning refugees and internally displaced persons (IDPs) (Olesen and Strand, 2005). Such corruption and distrust then strongly dissuades people from engaging any services connected with the state land tenure system (laws, titles, inheritance regulations and procedures, the official land market, the recording of transactions, surveying, demarcation, etc.). These are all seen as ways that the officialdom comes to know about the location, size and potential value of lands and properties, and importantly, which land can be most easily seized. In this regard increases in access to state services associated with road infrastructure (re)construction, also opens up access to lands for corrupt officials, thus working against peace and economic development. This then encourages a search by local inhabitants for alternatives to state institutions for forms of security of their lands which are able to resist or act against this latter form of access. The Taliban are only too eager to provide such an alternative, especially as this often involves violent actions against state actors and non-Taliban warlords. The Taliban also provide disgruntled and disenfranchised villagers with weapons so they are able to react to depredation by government (Sato, 2010). In fact the Taliban are using widespread discontent with the land grabbing problem specifically, as a recruiting tool, as resentment over the problem and desire for retribution and restitution of seized land and property grows (Bowman, 2010). This arguably contributes to the growing sympathy and support for the Taliban among the general population (Sato, 2010). Complicating this is the reality that elites and warlords will not easily be willing to give up land they have forcibly grabbed from the peasantry (McAuslan, 2009). In neighbouring Pakistan’s Swat Valley, the Taliban were able to gain control by explicitly taking advantage of land issues – landlessness, unresolved land disputes, land-related corruption – and the local population’s desire for an alternative to a corrupt, ineffective state (Perlez and Zubair, 2009).

A complicating factor is the recent discovery of very large valuable mineral deposits in the country (Risen, 2010; Rubin and Mashal, 2010). The additional road reconstruction, needed in order to facilitate mineral exploitation, will very likely result in additional seizures of land which are located both on top of mineral deposits, and along new roads leading to these. Such road construction will also likely encourage the suspicion that the foreigners building such roads are engaged in seizing land containing minerals (Nishimura, 2010) – a suspicion likely to be encouraged by the Taliban and by land seizures by powerful actors.

III The context problem
While it is appreciated among many in the international community concerned with
post-war recovery that the socio-political context in war-torn countries is very different than in stable settings, specifically how it is different, and what this different context means for approaches to certain peacebuilding priorities and their interactions, remains unexamined in a way that is relevant to policies and programming. This section describes the current conflict-related context in Afghanistan for the two peacebuilding priorities discussed here.

1 The road (re)construction context
Decades of war and neglect have reduced Afghanistan’s limited roads and bridges to nearly impassable conditions (Glasser, 2002). The (re)construction of roads is seen by international donors as a major component of peacebuilding in the country, with a large presumed role in winning over local populations (JICA, 2003, 2004, 2006; JSCE, 2002; USAID, 2006, 2009). Road (re)construction is the second largest absorber of aid money after security expenditures, and the largest component of Afghanistan’s economic reconstruction and development (for example, Delesgues, 2007; Olesen and Strand, 2005). One source puts the 2001–09 road rebuilding effort at US$ 3 billion (Smucker, 2009), while other sources note that the majority of the road projects in Afghanistan are being undertaken by the US and Japan, at a cost ‘several’ billion US dollars (JICA, 2003, 2004, 2006; JSCE, 2002; Schell, 2009; USAID, 2006, 2009). Security expenditures by contrast are estimated at US$ 65 billion in 2010 for the US alone (DSN, 2009). However, as Major-General Tucker, Deputy Chief of Staff for Operations of ISAF in Kabul, notes, ‘[s]ecurity in Afghanistan is ultimately defined by our ability to build and defend the ring road’ (Smucker, 2009). The current measures of success for road (re)construction are highly selective, easily measured and almost entirely logistical: reduced vehicle costs; lower transport costs, travel times and passenger fares; increases in the number of businesses; an increased volume of traffic; and additional freight moving along roadways (USAID, 2009), as well as the symbolic value of road (re)construction as evidence of how assistance is progressing (Delesgues, 2007).

While the benefits thought to be connected to road infrastructure construction are numerous, some analysts have expressed concern about the actual impact of (re)construction on local community livelihoods, security and society in Afghanistan. Of particular note is the involvement of the Taliban in road (re)construction in the form of demanding money from both the villages to be serviced by roads and construction firms, in exchange for not destroying roads as they are being rebuilt, or kidnapping workers and destroying equipment. The Taliban also receive money in exchange for guaranteeing the security of truck transportation on roads (Imbert, 2010). In this regard, the more reconstruction activity there is, the richer the Taliban and warlords become (Imbert, 2010). A recent report by the US House of Representatives notes that one tribal chief and his associates can make tens of thousands of dollars per year just escorting truck convoys along roadways (USHR, 2010).

In a review of the Japanese and American road (re)construction programmes, an understanding about any potential detrimental land rights or socio-political outcomes to peacebuilding was absent. For example, for the American infrastructure reconstruction effort a list of 23 Afghan laws thought to be relevant to road reconstruction were taken into account (USAID, 2009). Absent from this set of laws were the National Land Law; the Law on Land Management; the Environment Law; the Regulation on the Distribution of Land; Law of Land Survey, Verification and Registration; Law on Land Expropriation; Law on Acquisition and Sale of Land; Restitution; and the Law on Land Dispute Resolution among others; as well as a consideration of any form of customary land law or customary land tenure, which is how most people in the country access and claim land.
A more important concern in post-conflict road (re)construction, however, is the apparent disconnect between those in the international community who plan, fund and implement road projects, and who see straightforward benefits to economy and society being the direct result; versus local inhabitants on the ground who view such developments in the context of how local to national society currently functions, and which ongoing socio-political patterns will be enhanced or diminished. The former views benefits of road (re)construction based on generalized conventional understandings of how a market economy, access to services, rule of law, mobility and security operate in largely stable settings. The latter can view the same (re)construction in the context of who will control the roads and determine who can use them and for what purposes, increases in oppressive processes such as land grabbing, control over agricultural production, speculation, rent seeking, recruitment of indentured labour, and increased access to local villages and other rural areas by outsiders representing a variety of exploitive forces. Such forces include a corrupt government, the Taliban and the foreign troops who engage them. In fact from the foreign military viewpoint road (re)construction has this latter purpose as an explicit priority (Imbert, 2010; Rogers, 2010; USAID, 2009). Access to local populations is important to the Taliban because this is where most of their money is raised through a very wide variety of rackets, kidnappings and the smuggling of commodities extracted at the local level such as cedar wood and chro- mite ore (Imbert, 2010).

Presently roads are heavily targeted by the Taliban insurgents (Catarius, 2010). In the past year violence in the more peaceful north of the country ‘has escalated as the Taliban converge on roads that bring supplies from Central Asia to military bases in Afghanistan’ (Rahim, 2010). The Taliban’s use of roads has also allowed their forces to move faster and strike quicker (Nasuti, 2009). (Re)constructed roads are also attractive locations for the placement of numerous improvised explosive devices (IEDs) (Shah and Nordland, 2010); with the rise in incidents involving IEDs comprising a 94 per cent increase in the first six months of 2010, compared to the same period in 2009 (UNSC, 2010). With roads a magnet for the placement of IEDs, farmers are having great difficulty accessing their lands (Hutchinson, 2010). Meanwhile foreign military forces often create new ‘military roads’, frequently through farms and household compounds, because existing roads are so heavily mined (Shah and Nordland, 2010). Roads used for military operations and for extending the reach of government (priorities of the international community) (Rogers, 2010) then lead to large increases in security incidents (UNSC, 2010) and the associated civilian dislocations from lands and properties, thus severely aggravating the land tenure situation. As a local resident of Dara-e-Pachay in Kabul’s Paghman District noted, ‘foreign forces came to our village and said they want to asphalt the road but we said no. We know the road is good but we also know that an asphalted road brings ISAF patrols and with them comes suicide and roadside attacks’ (IRIN, 2010b). In Nuristan province road building is resisted because it is the defense strategy of many communities to remain isolated (Nasuti, 2009).

At times international forces are called upon by farming villages to destroy bridges used by insurgents (Hauslohner, 2010). The wide variety of national and international private security forces are known to treat the general citizenry in abusive ways, particularly on the country’s roads (Ahmad, 2010). The problem is so severe that President Karzai decreed in August of 2010 that all private security groups in the country were to disband, citing the need ‘to better provide security for the lives and property of citizens’ (Ahmad, 2010).

Also problematic is the donor assumption that road infrastructure will benefit all or most of society equally, thus the presumed connection to general population-wide economic development and access to services.
But conflict-related scenarios are very different than stable settings in this regard. Societies in or emerging from conflict are highly fractured, internally divisive, lack rule of law, are usually desperate and grievance-based, have a significant culture of impunity, and experience constant power struggles and their associated forms of subjugation and exploitation. The reality is that roadway (re)development will reside within this conflict context, where seeking advantage or protecting oneself (or one’s group) by any means in the absence of effective rule of law, or attempting to prevail over or resist other groups and/or sectors of society is the norm. This is very different than a stable society setting where effective rule of law facilitates a more equitable realization of benefits from road construction, along with protections from the potentially negative changes such construction can also bring.

The presumed ‘greater access to social services’ which is thought to be a direct outcome of road (re)construction is actually quite complicated. The central assumption is that such services would be provided by the state, local government, NGOs or internationally funded projects or programmes. And that provision of and access to such services by the general population would then contribute to increased well-being and hence durable peace. In a land tenure context these services would normally include institutions which provide protections and justice with regard to land conflicts, land grabbing, and restitution of lands and properties; as well as services for surveying, titling, land registration and the mechanisms for using land as forms of collateral. However, in a war-related context such service provision is in many instances non-existent, weak or highly corrupt – especially for land and property-related services, with Afghanistan a primary example. This is something that insurgent groups capitalize on with the insertion of their own services. Social service provision has become a primary way for insurgent groups to gain strength (Berman, 2010; Stern, 2010). This is why insurgents destroy development and reconstruction projects and target aid workers and state institutions, and promote their own hospitals, schools, courts and other service-providing institutions (Oppel, 2010; Stern, 2010), while at the same time intimidating and scaring local populations with attacks and killings for cooperating with government efforts (Hammond, 2010). When a local population’s only options for justice, security, employment, education and welfare are connected to an insurgent group, the latter is then much more able to recruit and assert other forms of control, including economic gain (Stern, 2010). Thus, the greater the insurgent monopoly over the normal functions of government, the greater control they have over their constituencies (Berman, 2010). As a result insurgent groups go to great lengths to establish and maintain their ‘social service-providing organizational base’ (Berman, 2010). To the extent that road (re)construction increases access to services, and these are provided and/or imposed by insurgents (and the Taliban is notable in this regard), the road (re)construction would act to detract from durable peace. Hayashi (2010) notes that road (re)construction allows the Taliban to move around more easily. And General McChrystal, former commander of all foreign forces in Afghanistan, noted that ‘in places they [the Taliban] control roads, collect revenues, and mete out swift justice’ (IRIN, 2010a). Even in government controlled cities, some inhabitants take advantage of improvements in access to travel to Taliban courts for justice, preferring these to the corrupt government alternative (Economist, 2010).

2 The land rights context

Long periods of contemporary armed conflict beginning with the Soviet occupation have profoundly altered the statutory and customary land tenure systems of Afghanistan. Today land tenure in the country is a confusing and highly divisive array of statutory, customary, ad hoc, Islamic and warlord tenure,
rife with problems and lacking in nationally legitimate, workable approaches (IWPR, 2008; Wiley, 2003). With the capture of the state by the Mujahidin in 1992 there began a period which continues today, of accelerated disarray in land tenure. Tenure security has plummeted, and extortion, asset stripping and land grabbing thrives as a wide variety of warlords, militias and other groups and powerful interests have emerged over time and seek to acquire lands (Wiley, 2003). Customary agreements and land documents have become meaningless, and the poor are unable to pay the necessary bribes to keep the militias away from their lands. As a result land issues are among the most problematic confronting the Afghanistan government (IWPR, 2008).

While the success of the current disarmament, demobilization and reintegration (DDR) effort in Afghanistan depends on agricultural lands (Sato, 2010), and the long-term stability of the country hinges on recovery and resilience at the local level (Rogers, 2010), rural and peri-urban lands are often invaded and degraded, and waves of land seizures have taken place as various individuals and groups have gained and lost power over time (Wiley, 2003), and land values have increased dramatically (for example, Batson, 2008; InfoSud, 2009; IRA, 2007; Irvine, 2007; IWPR, 2008; Maletta, 2007; Sherin, 2009; Synovitz, 2003). For Afghanistan in its current state, three issues in particular combine to create an exceedingly difficult land rights context within which to pursue road infrastructure (re)construction. These are population dislocation and return, widespread corruption, and landmines and their clearance.

The enormity of the dislocation and return problem in Afghanistan is difficult to adequately describe. While over 5 million refugees have returned to the country since 2002 (and attempted to re-access their lands and properties) in the world’s largest repatriation (USDS, 2010), as of 2009 there were still approximately 2.7 million refugees in Pakistan and Iran (Rehmani, 2009; UNHCR, 2009), and approximately 235,000 individuals internally dislocated (IRIN, 2009). At the same time new dislocations continue to occur due to ongoing insecurity and conflict between the Taliban and local populations (Hammond, 2010), and between the Taliban and national and international forces. Such massive population displacement results in large-scale abandonment of lands and properties by the original inhabitants; with the intent of the dislocates being that such abandonment is temporary and that at some point they will return to re-access their lands.

At the same time the pervasive corruption in Afghanistan is widely thought to be a significant factor hindering the country’s recovery, and is a primary point of contention between the government and the international community (for example, Gebauer and Volkery, 2010; UNODC, 2010). War-torn countries are generally the most corrupt, and Afghanistan ranks the lowest in the world in this regard, alongside Iraq and Somalia (BBC, 2009). One study notes that corruption in the country has doubled since 2007 (IW A, 2010). A recent UN report notes that 59 per cent of Afghan citizens indicate that corruption is the largest problem the country faces, even larger than security (UNODC, 2010). Afghans note that it is impossible to obtain a public service (including, presumably, land and property services) without paying a bribe (UNODC, 2010). And with corruption higher in rural areas (UNODC, 2010), this places legitimate, effective forms of rural land tenure in considerable jeopardy.

A recent study of corrupt practices in the country placed dealing with corruption in the land sector as one of its eight priority recommendations for the country (IWA, 2010). Land seizures and the associated evictions are a growing form of corruption, and the corruption money leaving Afghanistan is increasingly coming from land grabs (Bowman, 2010). Also, the threat of land seizure is often used as a means of extortion (World Bank et al., 2007). Especially relevant to land conflicts is that
sectorally, corruption is worst in the justice system, with the courts being particularly problematic (IWA, 2010), thereby dissuading local populations from using statutory courts to resolve land disputes. With corruption a direct cause of land conflicts at the local level, people are driven into the domain of the Taliban to seek recourse (Carlstrom, 2010; Giampaoli and Aggarwal, 2010). One study notes that the ‘[p]opular perception is that property rights are for sale by the government to insiders with influence’ (IWA, 2010).

The presence of landmines, IEDs and mine clearing activities in Afghanistan constitute a significant impact on the country’s land rights problems (Rashid et al., 2010). Afghanistan is the most mined country in the world (Okumura, 2010), and the mine clearance effort is quite large, with the country having the world’s largest and longest established mine action programme (LCMM, 2010; UNMAS, 2006). Some estimates put the number of landmines in the ground as high as 10 million (George, 2002). And the communities along the ring road have been highlighted as particularly at risk with regard to the impact of landmines (Villano, 2009). At the same time agricultural and grazing land accounted for 95 per cent of mined areas (ICBLM, 2010) including the most important agricultural and pastoral areas, along with water points and roads and access ways to these (Rashid et al., 2010). Once cleared of mines, lands will become available for use and reoccupation, theoretically by the owner or previous inhabitant. However, when cleared lands are in proximity to rehabilitated, existing or new roads they greatly increase in value, and the political and economic incentive to access them will also be greater. In Afghanistan both mine-related dislocation and post-clearance land (re)occupation can be extremely difficult in terms of their acutely negative effects on land rights and land disputes (Rashid et al., 2010). Rising land values increase the likelihood that cleared land will be grabbed by the powerful or rich, and the magnitude and severity of subsequent land disputes can hinder further clearance efforts and other forms of development (Rashid et al., 2010). There are cases in the country where the local community did not want their lands demined, for fear that it will be grabbed by outside powerful interests (Rashid et al., 2010). Thus, the connections between rural land rights, mine-related problems and land grabbing in proximity to the ring road where land mine vulnerability is particularly high, would seem to be significant. Similar relationships between land rights and landmines, including the role of roadways, have been reported in Cambodia (AusCare, 2008), Mozambique (Unruh et al., 2003), Bosnia (Vravić and Vukovic, 2010), South Sudan (McMichael and Massleberg, 2010), Sri Lanka (Fonseka, 2010) and Yemen (Thompson, 2010).

IV Conclusions
The current logic behind the (re)construction of road infrastructure, serving as a ‘bridge to peace’ in Afghanistan (USAID, 2009), views (re)construction as a causal driver of an array of benefits which are thought to directly contribute to economic development, peace and security for the general population. However, under conditions such as those experienced in Afghanistan, road infrastructure (re)development acts instead to set in motion a destabilizing set of land tenure processes for a significant percentage of the general population, while benefitting the well placed, wealthy and powerful, as well as the insurgents. While the provincial reconstruction teams (PRTs) put in place by the coalition forces are innovative in terms of their mandate for a combination of security and development, with only about 30 PRTs in the country and their capacity varied and low compared to the need, the task is well beyond what is being provided (Catarious, 2010). This is particularly the case because (at the time of writing) important forms of security are deteriorating significantly in a number of regions of the country (Hammond, 2010).
Outcomes to the interaction between road (re)construction and land tenure will be highly variable, especially at the local scale. While it will be possible to spot certain local positive effects, an important question is, what is the aggregate outcome of the interaction? In stable settings there are a set of ingredients in place that facilitate an aggregate positive or neutral interaction between these two fundamental components of society (for example, rule of law, security, viable and legitimate institutions, state legitimacy), as well as a set of ingredients that are not (insurgent war; sectarian, ethnic and civil strife; war involving foreign forces; warlord law, etc.). As such, it can be argued that the reason for negative aggregate outcomes is the presence or not of these two sets of ingredients, and not road (re)construction per se. However, given the existence of such a conflict context, and the difficulties in changing it into a stable context in anything less than the long term, an important question is, should road infrastructure (re)construction be undertaken in its present form while such a context is in place? And if not, how should the approach to road infrastructure be changed to more effectively fit within the prevailing context, so that the stated benefits do not accrue solely to a set of well-placed actors at the expense of a larger population who are unable to legally, institutionally and physically defend themselves, except by pursuing volatile alternatives.

An improved assessment of the actual impact of road (re)construction on unstable war-time settings would need to include a realistic examination and understanding of how (re)construction interacts with other aspects of peacebuilding under the prevailing conditions. This would include a realistic assessment of both positive results as well as detrimental outcomes, given the actual socio-political, economic and security conditions on the ground; as opposed to a listing of only presumed positive outcomes based on stable scenarios, which is presently the case. But unfortunately the different components of the peace process as currently derived and implemented are viewed as separate, individual activities able to generate benefits independently, regardless of the status and pace of other interacting components, and without taking into account the fundamentally different nature of unstable, war-torn settings. Certainly part of the reason for this separation is disciplinary (for example, civil engineering, versus political science, versus law), as well as the manner in which projects for reconstruction are derived, funded and operationalized. While it may seem self evident that conflict-related socio-political contexts are quite different than stable contexts, exactly how different components of peacebuilding interact on the ground is much less well known, and Afghanistan is a vivid example.

Notes

1. It is because of the benefits noted earlier, which are thought by some actors to be associated with road (re)construction, that land values are driven up making lands proximate to roads vulnerable to land grabbing.
2. Complaints to the Human Rights Commission regarding land grabs have doubled over the last two years (Bowman, 2010).
3. Ironside (2010) notes a similar relationship between new roads and land grabbing in Cambodia, where the formal court system involving land rights are also quite corrupt, distrusted and difficult to gain access to (also Chandet, 2010).
4. Delesgues (2007) comments on the enormity of the cost, the increases in insecurity that result, and on the benefits accrued to warlords and other well-positioned elites at the expense of local populations. MacDonald (2005) examines the wide variety of highly problematic issues connected to post-conflict infrastructure (re)development in a variety of countries including Afghanistan: corruption, problems with disenfranchised and marginalized groups, access to essential services, coordination, security and the aggravation or re-emergence of grievances and tensions. MacDonald (2005) finds further that ‘in most situations the triggers for conflict can be related to power and/or resources and, while the reconstruction phase provides opportunities to mitigate underlying tension, it is also possible to exacerbate them inadvertently’. At the same time Reydon (2007) notes that a primary reason for land grabbing in conflict scenarios is power.
5. The UN reports that civilian casualties in Afghanistan were up by 31 per cent and assassinations and executions up by over 90 per cent in the first half of 2010 (Hammond, 2010).

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