Lessons Learned from Afghanistan: The First Political Order

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The US military withdrawal process from Afghanistan brought politicized accusations of multiple foreign policy—military, intelligence, and diplomatic—miscommunications and misconceptions. Notably, however, critics (from Congressional members and oversight committees to members of the military, intelligence, and diplomatic communities) stop short of considering the drawdown a failure to implement domestic law—specifically, the Women, Peace and Security Act of 2017 (WPS Act) and the US Strategy on Women, Peace, and Security (WPS Strategy). This omission from the ongoing political debate demonstrates that—despite the United States in the late 2010s being “the first country in the world with a comprehensive law on WPS, and de facto, the first with a whole-of-government strategy that responds to such a domestic law”¹—its government and security communities have not yet fully integrated critical WPS concepts and theories or understood their practical applicability for US security and policy decisions.

This paper argues that the US failed to implement the WPS Act and offers a practical demonstration of how to analyze Afghanistan’s security situation from a WPS lens before making three policy arguments regarding what the United States can learn from this error. The goal is to demonstrate the feasibility and

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benefits of incorporating WPS analyses in national security considerations and to encourage the Biden administration, as well as national security professionals, to better incorporate WPS in future national security strategies and routine drawdown considerations.

**Failure to Implement the WPS Act**

The bipartisan WPS Act was signed into law by President Trump on October 6, 2017, after passing in the House and Senate without opposition. Building off the earlier National Action Plan on Women, Peace, and Security, the WPS Act makes it official US policy to “promote the meaningful participation of women in all aspects of overseas conflict prevention, management, and resolution, and post-conflict relief and recovery efforts.” It requires a government-wide strategy for advancing the main policies behind WPS research, and promotes the physical safety, economic security, and dignity of women and girls. It aims to advance gender equality and women’s empowerment outcomes, collect and analyze gender data to develop and enhance early warning systems of conflict and violence, and improve the meaningful participation of women in peace and security processes and decision-making institutions.

The WPS Strategy was finalized in June 2019 and builds upon the WPS Act. It requires the responsible departments and agencies to set “measurable goals, benchmarks, and timetables for their proposed WPS initiatives,” and report “demonstrable progress” toward three strategic objectives by 2023: promote US leadership advancing women’s participation in security decision-making processes; protect women and girls’ human rights and physical safety; and increase women’s empowerment, agency and equality. Despite the US drawdown from Afghanistan occurring post-WPS Act and Strategy and the drawdown being exactly the type of military process that “set[s] conditions for stability during post conflict and post-crisis efforts,” the WPS Act and Strategy were missing from high-level drawdown discussions.

This failure and its consequences are the fault of both political parties, regardless of whether the drawdown is viewed as a 10-year, 19-month, or 19-day process. President Biden’s government proclaims the importance of gender equality and human rights, yet it continued to argue until the last day of drawdown that the safest withdrawal for US troops from Afghanistan was a speedy one. This approach directly conflicted with the provisions of the WPS Act and Strategy by not taking into
consideration immediate threats to the safety, economic security, and dignity of women and girls in Afghanistan or the existing infrastructure that permitted them to meaningfully participate in civil society and post-conflict recovery.

President Trump fared no better. His administration was responsible for enacting the WPS Act and Strategy, yet it blatantly ignored the lack of meaningful participation Afghan women were permitted during the intra-Afghan dialogue and failed to incorporate any consideration of the WPS Act or Strategy into Taliban negotiations and the resulting terms of the February 29, 2020 peace agreement. Ignoring women’s exclusion and agreeing to a peace agreement that prioritized immediacy over US policies outlined in domestic law runs contrary to Congressional findings in the WPS Act and violates basic Constitutional principles that the president must faithfully execute acts of Congress; this is so even giving President Trump some leeway in foreign affairs authority.

Responsibility for the failure to implement the WPS Act and Strategy also lies within a massive security apparatus and community that continues to view women’s rights as ancillary, particularly in areas of responsibility known for frequent conflicts. The DoD’s objective to “ensure women and girls are safe and secure and that their human rights are protected, especially during conflict and crisis” and its June 2020 WPS Strategic Framework and Implementation plan would suggest the importance of the WPS Act. Disappointingly, however, the WPS Congressional Report from June 2021 (WPS Report) noted that “anecdotal evidence suggests that most DoD personnel are not aware of WPS, including how it relates to their work” and that “the vast majority of DoD personnel still lack a deep understanding of WPS principles and implementation requirements, and many lack even a basic knowledge” of either. Despite the establishment of several Gender Advisors (GENADS) and Gender Focal Points (GFPS), the report notes that a lack of funding, guidance, and data collection is hindering the implementation of WPS within the DoD.

To be fair, pursuant to the WPS Act, all four departments and agencies mandated by law to lead WPS efforts within the federal government have drafted and begun implementing WPS strategies. But these actions and positive WPS rhetoric have thus far failed to translate into meaningful departmental funding, analysis, and incorporation into departmental and agency decisions. In the WPS Report, USAID mentioned that events in Afghanistan threatened the last 20 years of progress made on women’s safety, empowerment, and participation and that there were “numerous reports of Afghan women activists, journalists, and health workers increasingly targeted in the early months of 2021.” US Chairman of the Joint Chiefs of Staff General Mark A. Milley testified that this intelligence was well known within the departments and agencies as far back as fall 2020, and a National Intelligence Council (NIC) memorandum from April 2021 confirmed that Afghan women’s progress was at risk if the coalition
withdrew. Knowing that the Taliban previously had “hit lists” for women with jobs when it took over Kunduz in 2015, it was probable the 75,693 Afghan women who received USAID training to “obtain jobs, advocate for gender equality and women’s rights, and exercise leadership in their communities” could be at risk.

Departmental and agency contingency plans to ensure the women’s continued safety, protection, and retention of the infrastructure that permitted them meaningful participation and equal access to justice, humanitarian assistance, and health care should have been made in fall 2020, when the intelligence was known under the Trump administration. At the latest, contingency plans should have been devised in spring 2021 during the comprehensive interagency review under the new Biden administration. But as the world witnessed, those contingency plans never manifested; contrary to the WPS Act and Strategy, mere evacuation was the contingency.

Postmortem on US Drawdown in Afghanistan

With bipartisan support, the House recently passed the National Defense Authorization Act for Fiscal Year 2022, which calls for an independent investigation of alleged failures in Afghanistan. However, here again there is high-level silence about the WPS Act and Strategy. The consequences of this are severe. Any future investigation that does not take into consideration the failure to implement US domestic law and strategy risks missing key analysis and a comprehensive understanding of what went wrong. As General Milley suggested in his testimony, key lessons must be learned regarding corruption in the Afghan government, mission creep from counterterrorism to nation-building, and the Afghan National Defense and Security Forces (ANDSF) collapse in 11 days after decades of training. However, without fully understanding the power of male dominance hierarchies, specifically male-bonded kin networks (tribes or clans), or how Afghanistan’s social structure predestines the state to political fragility and violent instability, any of these analyses will be incomplete.

WPS analyses are critical if policymakers and security professionals truly wish to understand why Afghanistan destabilized so quickly and what the United States should consider for future drawdowns. As professors Valerie M. Hudson, Donna Lee Bowen, and Perpetua Lynne Nielsen argue in their 2020 book, The First Political Order: How Sex Shapes Governance and
“If you wished to understand the political stability of a nation, including measures of state fragility, quality of governance, type of governance, and freedom of religion and corruption, you would derive greater explanatory power by looking at the subordination of women at the household level... than any of the other variables examined in the model, including ethno-religious fractionalization, urbanization, colonial history, civilization, terrain, and geographic borders.”

If policymakers and security professionals had integrated and implemented the WPS Act and Strategy during decisions regarding US involvement and drawdown in Afghanistan, it is likely that bipartisan Congressional calls for an independent commission would not be necessary. The United States had the tools it needed for an ethical drawdown that left Afghanistan more stable and resilient—it just failed to utilize them. Any serious drawdown postmortem that seeks to understand the ANDSF and former Central Afghanistan government's collapse must begin with a close look at the nature of Afghanistan's social structure and the level of subordination of Afghan women at the household level. Understanding how tribal structure increases corruption, decreases the rule of law, and leads to political instability is critical to understanding the actual strength and stability of the former Central Afghanistan government. Similarly, understanding how the sexual political order, what Hudson et al term “The First Political Order,” contributes to a variety of factors such as youth bulges and marriage market disruptions that increase demographic pressures and decrease security is critical to understanding why previous US efforts failed and whether the new Taliban government will be able to effectively establish and maintain a central governance system.

**Tribal Structure**

Afghanistan's society is organized in male dominance hierarchies, specifically male-bonded kin networks (tribes or clans). Tribal alliances have been deemed by many to be the most important political, social, and military structures in the country. As one former US Special Forces officer observed in a widely circulated report, “Every single Afghan is a part of a tribe and understands how the tribe operates and why. ... Above all, they are tribesmen first." This is significant because, according to Hudson et al, in patrilineal (meaning membership relates to, is based on, and descends through the paternal line) tribal societies, government positions are typically “used in a corrupt fashion to obtain additional assets for the clan and its members, and not to build up the broader society or the institutions of the state, generally speaking.” In fact, stripping or raiding the state of its assets by the leadership or dominant clan “is always the foundation of the economic system created in which patrilineal clans ... are powerful, and thus
corruption is not an aberration, but rather a built-in feature of the governance system." Additional features of patrilineal tribal societies include nepotism and patronage of those in kin and clan networks, distribution of favors along clan lines, and clans serving as alternatives to formal market institutions, judicial systems, and official bureaucracies.

This clan-based corruption existed in the former Afghan government, where permanent competition for power between and within different networks, often ethnically based, translated into little cooperation within and among Afghan institutions; frequent changes of key personnel; little interest in building up learning, capacity, or institutional memory; and few incentives for cooperation at the sub-national level. The dangerous effects of this pattern of clan-based corruption were noted in a 2010 Report of the US Senate Committee on Armed Services. That report relayed evidence that private security contractors operating in Afghanistan were “funneling US taxpayers’ dollars to Afghan warlords and strongmen linked to murder, kidnapping, bribery as well as Taliban and other anti-Coalition activities,” that resources were being squandered, and that there were “dangerous failures in contractor performance.”

Similarly, review analyses of international aid and developmental assistance projects identified weak institutional infrastructures and procedures, widespread corruption within the Afghan government, political instability, and insecurity as the most significant problems for developmental aid. Further review found that developmental interventions in sectors such as good governance, rule of law, and gender equality were rarely effective, and stabilization projects were mostly ineffective.

It is important to understand Afghanistan’s societal structure as a starting point, because in patrilineal tribal societies, the state’s official law will always be subservient to the rules governing group relations within the clan. This means that any formal “rule of law” will be weak because there is no equality under the law; a person’s rights and obligations are completely determined by their place within their kin group. As remarked by former US Army Special Forces officer Jim Gant, “The law, as we understand it in the West, is not the basis for tribal societies. ... the tribesman is less concerned about ‘country’—which for him is almost irrelevant—and more concerned about protecting the domain of his family, his customs, his tribal leadership, his warrior pride. ... The Pashtun tribes will fight any and all outsiders and

In patrilineal tribal societies, the state’s laws will always be subservient to the clan

about protecting the domain of his family, his customs, his tribal leadership, his warrior pride. ... The Pashtun tribes will fight any and all outsiders and
refuse to accept being ruled by a central government. ... Ask a Pashtun what comes first, Islam or Pashtunwali, and he will invariably answer, ‘Pashtunwali.’”

Evidence confirms that Afghans generally choose the laws of their clan over the laws of the state, particularly in rural areas. Child marriage remains a significant problem despite the former government mandating a minimum age of 16 for girls and 18 for boys. Child labor remained a mostly unchecked and unpunished problem of the former government, despite official labor laws banning the practice since 2007. Similarly, basic education through grade nine was compulsory under Afghan law after 2008, but the previous government did not sanction families who refused to educate their children. Additionally, the NIC estimated that “only 17 percent of rural girls attend[ed] secondary school, compared to 45 percent of their urban peers.”

The power of any government that attempts to rule the patrilineal tribes in Afghanistan will be measured by how well it is able to suppress clan feuding by allowing the tribes to have autonomy, and ruling indirectly through them, or by forcibly subjugating the tribes to the power of the state. Unfortunately, throughout Afghanistan’s history, attempting both of these no-win options has led to increased conflict and violence. While the former Central Afghan government struggled to address a lack of integrity within its police forces, eliminate nepotism and bribery within its own practices, and prevent Islamic militant reprisals, a Taliban-ruled government will likely fare no better. Male-bonded kin networks pervade, transform, and undermine the type and durability of any governance system and will ultimately determine the limits of the Taliban’s power as they did the governments before it.

Already, the Taliban has shown itself incapable of preventing Islamic militant reprisals by competing factions. Additionally, the Taliban has shown little desire to curb corruption within its own ranks, as the measures it has taken to respond to complaints about abuse at the local level have been limited in scope, have rarely affected senior officials or addressed serious abuses, and in many cases have resulted in retaliation for filing the complaint or merely offering criticism. Considering that a population’s perception of poor governmental performance in their lives is a condition for insurgency to grow, this is troublesome for any type of central governance in Afghanistan, including a theocracy or Islamic autocracy.

Patrilineal kin groups have additional drawbacks that predispose their members to violence and their nation states to instability. Research shows that male-bonded kin groups fissure quickly, easily, chronically, and violently. In these “honor/shame” cultures, young male tribal members clash frequently over issues of pride, status, or genealogy. In Afghanistan, former Major Gant said, “The Pashtun can go from brother to mortal enemy—in 60 seconds.” Phrased differently in an old Bedouin saying, “I against my
brothers. I and my brothers against my cousins. I and my brothers and my cousins against the world."

Additionally, international development aid provided since 2001 has had the effect of exacerbating intergroup tensions and attracting violence. Due to the corrupt nature of patrilineal kinship societies, whereby asset-stripping is viewed as a normal function of government and the right of leadership, any payout from aid creates opportunities for increased influence, which then fuels more corruption and impunity, further weakening any rule of law or governance system. Had the United States pursued a similar WPS analysis, it would have been aware of these linkages and strategically benefitted; it would have been better able to hedge the risk of governmental and ANDSF collapse.

**Demographic Insecurity**

Another important reason to begin a drawdown postmortem with an examination of Afghanistan’s societal structure is that patrilineal kin groups subordinate women, and empirical research has demonstrated that the belief that women are men’s inferiors is associated with greater hostility toward minority groups, as well as other nations, and is predictive of actual engagement in political violence for both individuals and organizations. Scholar Mary Caprioli and colleagues contend that states characterized by gender inequality and human rights abuses are more likely to be the aggressors of, use force first during, and engage in militarized and violent inter- and intrastate disputes. Therefore, understanding the level of “othering” and the violent, deep-seated, widespread, and normalized subordination of Afghan women is critical for full situational awareness regarding a breadth of issues in Afghanistan, such as the future security of minority groups (like the Hazaras), the formation of any US aid, diplomatic and assistance strategies post-drawdown, and even the possible future uses of abandoned US aircraft, armored vehicles, and electronic countermeasures gear, should vulnerabilities be detected.

The subordination of women at the household level by patrilineal male-bonded kinship networks has cascading side effects. As an example, in patrilineal kinship societies where women are subordinated, girls and women are not provided choices regarding the details or timing of their marriages. Decision-making for Afghan marriages is typically undertaken by the families, not the individuals, with the more senior male family members (not the grooms) having ultimate decision-making power. Afghan women do not have a choice in the details...
of their marriage, and the practices of baad (whereby an insulted tribe is gifted one or more unmarried girls, typically against her/their will, as compensation to settle a feud) and badal (an exchange of girls between two families for marriage), though illegal under Islamic law, are common. It is estimated that around 34 percent of women and 7 percent of men in Afghanistan aged 20 to 24 years old were married before the age of 18, and in some provinces, those estimates are more than 65 percent. As a consequence, societies with patrilineal kinship networks and the strong subordination of women experience increased child marriage and lower average ages of first births for mothers. These factors are correlated with increased fertility rates and “youth bulges.”

Youth bulges, particularly with a higher frequency of young males, are in turn statistically correlated with increased likelihood of more severe conflicts, domestic violence, and political instability due to many factors including higher unemployment, diminished future prospects, and restlessness of young males. This can be an even bigger problem because adult males ages 15 to 29 “express a significantly greater approval of extremist attitudes and readiness to violence and sacrifice, even when education and income levels are held constant,” and “justify political assassinations almost twice as often and support personal violence as a form of political action more than three times as often as the rest of the population.”

This is particularly dangerous when additional consequences of patrilineal male-bonded kinship groups manifest, such as abnormal sex ratios due to a societal preference for sons over daughters. Son preferences are high in patrilineal societies where there is patrilocality (a social system in which a married couple resides in the husband’s family home or community) and no pension system exists for the elderly. In those societies, patrilocality means that sons, and their wives who move into the family home, will care for the elderly as they age and sicken. Since they will be married off to service other families, daughters are therefore chronically devalued by society, which leads to practices such as female infanticide, sex-selective abortions, and higher malnutrition and death rates in female children. As a popular proverb reads, “Raising a daughter is like watering a plant in another man’s garden.”

In Afghanistan, around 62 percent of the population is younger than 25. The nation has the 15th highest birth rate in the world, and the mean age for an Afghan mother’s first birth is slightly more than 19 years old. Normal sex ratios of 1.05 males to females at birth are negatively impacted by high maternal mortality rates and son preferences, translating into an overall abnormal sex ratio. Afghanistan has about 320,000 fewer women than men aged 15–54. This is a problem because abnormal sex ratios in Afghanistan are climbing, not declining, and the forthcoming period of severe food insecurity post-drawdown will make these statistics worse since women are more likely to suffer from food insecurity.
than men. In sum, had the United States considered gendered characteristics of Afghanistan’s societal structure, the US would have better understood the significant demographic pressures on the former Central Afghan government and its systems which would have permitted the United States to strategize and operationalize a more ethical drawdown that provided greater human security and afforded the Taliban less influence to spin its own narrative.

Marriage Market Disruptions

Abnormal sex ratios can lead to increased violence and terrorism in a society, particularly when they lead to an imbalance in the number of women available to marry. Marriage market obstructions in patrilineal societies characterized by male-bonded kin networks correlate with societal destabilization, increases in violent crimes and property crime rates, and increases in young men joining insurgent or terrorist organizations. This is due to the significant societal importance of legitimate male heirs in patrilineal clans as well as the act of marriage signaling the achievement of adulthood in a male dominance hierarchy.

In Afghanistan, marriage market obstructions, such as the lack of available women to marry or government-imposed limits on bride price, have led to violence and contributed to tribal uprisings. Since unmarried adults in Afghanistan are forbidden from engaging in intimate relationships and experience social stigmas, marriage market obstructions are all the more serious as they can lead to anger and desperation. Marriage’s importance in Afghan society is so well understood by Islamist insurgency groups that clearing marriage market obstructions is a recruitment strategy. Osama Bin Laden himself took up the practice of gifting wives to insurgents as an expression of thanks for their efforts in plotting terrorist attacks. Islamic State Khorasan (ISIS-K), like other branches of ISIS, has been accused of actually kidnapping women and girls to force them to marry ISIS-K fighters in Afghanistan. In July 2021, reports circulated that the Taliban’s cultural commission had issued a sealed letter demanding Imams in Taliban-controlled provinces prepare lists of all unmarried and widowed women and girls ages 15 to 45 and called upon all families in Afghanistan to “gift” their daughters as wives to Taliban fighters as a reward for the men’s services against the Central Afghan government.

In brief, a WPS-postmortem, like any other lensed postmortem, cannot conclusively answer every question an independent investigation committee will have regarding drawdown, and similarly will not definitively cover every lesson that should be learned for future drawdowns. However, there can be no doubt that WPS significantly contributes to situational awareness or that increased data collection pertaining to WPS theories would benefit military, intelligence, and diplomatic operations. Similarly, applying a WPS analysis to Afghanistan
makes it clear how powerful a tool the WPS Act and Strategy should have and could have been when undergoing the comprehensive interagency review and formulating military advice, recommendations, plans, and contingencies regarding drawdown.

**Recommendations for Improvement**

The United States stands to learn from its failures and improve upon its WPS integration. Promoting WPS furthers US vital national interests while increasing global political stability; reducing the risk of threats; and enhancing the reputation, credibility, and soft power of the United States. Meeting US policy and legal obligations to promote and support WPS is not ancillary, it is integrally connected to strengthening critical international institutions, including the US alliance system, throughout the world; this section outlines three policy recommendations to consider before future US drawdowns and when contemplating future US aid and involvement.

**Jus Ex Bello and Jus Post Bello Post-WPS Act and Strategy**

US peacebuilding, just war, legal, security, conflict reconstruction, humanitarian, political science, ethics, feminist, and policy theorists must break out of their academic silos and jointly identify a detailed set of workable norms or rules that should be applicable at the end of an armed conflict in a post-WPS Act world. While establishing norms and a possible legal framework is understandably controversial, at a minimum, the concepts of *jus ex bello* or *jus terminatio* (justice of whether and how to end a war) and *jus post bellum* (justice after war), within the framework of the WPS Act, should be vigorously explored as the strategic benefits of doing so cannot be understated.

Providing US policymakers and national security leaders with a workable framework to ethically end wars in a manner consistent with the WPS Act is particularly important as the United States transitions security conversations away from counterterrorism to focus more on great power competition in Asia. As analysts Frank Hoffman and Andrew Orner wrote, “Throughout history, great powers have often competed by supporting proxy forces … [and] both China and Russia have a history of adopting indirect approaches and good reason to avoid competing with the United States in overt and direct military clashes.” Since it is both realistic and probable that the United States must prepare to successfully confront proxy forces working on behalf of rivals, very likely in areas of the world already plagued by intrastate conflict, it is especially important that the United States has realistic and articulated withdrawal and post-conflict policies that do not undermine or ignore the WPS Act and Strategy. This is certainly part
of the argument advanced by international security expert Valerie Hudson in her assertion that “US deterrence is built primarily on bluff, and we’ve shown it’s a good bet to call that bluff because the US steadfastly refuses to plan for deterrence failure under the strange notion that post-deterrence planning undermines deterrence.”

In July 2021, Professors Valerie Hudson and Rose McDermott argued that traditional US deterrence comes with a significant price tag measured in strategic loss and human insecurity. They argue that traditional US deterrence “has been conceived in ‘fight or flight’ terms” with the fight portion involving “looking very fierce, weapons in hand, prepared to meet any challenge in order to deter potential adversaries from attacking” and post-deterrence resembling the “flight” alternative. This is different from a “tend and befriend” threat response, which focuses on post-deterrence to “mitigate threat through de-escalation (‘befriend’), and seek[s] to bolster human security in situations of deterrence failure (‘tend’).” However, they assert that a “blended deterrence stance of “fight and befriend,” coupled with post-deterrence planning of “tend and flight” offers clear advantages over simple, conventionally masculinist “fight or flight,” particularly as US hegemony wanes and deterrence failures become more likely. One example of an advantage “fight and befriend” has over traditional deterrence is that if as much effort is invested in “befriending” through diplomacy, economic development, and aid as “fighting” then there will be greater interdependence among nations with less chance of hostilities breaking out. When this approach is coupled with strong “tend and flight” post-deterrence contingency planning, instead of the traditional mere “flight,” it provides greater human security and undermines the success of the opposing party’s aggression. In Afghanistan, “tend and flight” post-deterrence planning, which complies with the provisions of the WPS Act, would have made all the difference to current negative world perceptions regarding the US drawdown.

Certainly, had post-deterrence planning been made, when ISIS-K bombed the Hamid Karzai International Airport on August 26, 2021, and the Taliban officially breached the February 29, 2020 peace agreement by failing to prevent any group or individual in Afghanistan from threatening the security of the United States and its allies, the United States would have been prepared to make good on its promises to hold the Taliban accountable for the agreement despite drawing down. The United States would have had ready-to-implement plans, strategies, and public messaging for the press that would have made it clear that, given the Taliban’s breach, the United States needed additional
time to bolster human security in Kabul (“tend”) during and post-drawdown (“flight”). The United States could have used the extra time to process more visas, mitigate risks to the destruction of women and girls’ education and healthcare, help the World Food Programme of the United Nations buy and pre-position food before Afghanistan’s winter, and safely harbor and amplify the voices of scholars and Imams who believe that gender equality is an intrinsic part of the Islamic faith and use religious tenets to promote peacemaking and gender-sensitive readings of religious sources. Certainly, a drawdown following a “tend and flight” approach would not have looked like, as Hudson and McDermott wrote, the “predictable and lamentable post-deterrence scenario: the Americans flee and leave people—many people—to die.”

When President Biden asked the American people arguing against drawdown how many more American lives they would be willing to risk and when they would be ready to leave, he was asking, albeit hypothetically, for the American people to define what they believe constitutes appropriate norms for *jus ex bello* or *jus post bellum*. When Biden later mentioned that his military advisors convinced him a speedy withdrawal from Afghanistan was safest for US troops, he was providing the American public with a view of *jus ex bello* that ignored a critical concern of the need to end wars “in a manner that minimizes moral costs that arise in the process of ending [a war], especially the moral costs to civilians, the institutions of a just and peaceful social life, and the country’s natural resources and vital infrastructure.”

While full exploration of these concepts requires expertise beyond the scope of this article, and this author, for now the main point is that US academics and practitioners in multiple fields must work together to explore *jus ex bello* and *jus post bellum* and provide American policymakers and security leaders with a way to protect American vital interests and comply with the WPS Act when ending wars.

**Increased and Improved Federal Training on WPS**

This recommendation is neither new, nor original, yet it bears repeating: increased and improved training regarding WPS and how to conduct and implement WPS analyses in security decisions must be a funded priority of the federal government and entities within the US security, intelligence, and diplomatic communities if the United States wants improved drawdowns that do not tarnish its image within the global community. The WPS Act and Strategy give the United States a strategic foreign policy edge it can exploit, particularly due to China and Russia’s patriarchal and traditional views of women and refusal to understand important linkages between national stability and women’s empowerment, but only if US policymakers and leadership at all security-related

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organizations know about, understand, and commit to implement WPS. While increased and improved training on WPS sounds like a relatively simple goal to achieve given the WPS Act and Strategy’s mandates, this goal has proven surprisingly elusive thus far.

All US government institutions have struggled to integrate WPS into their ethos. However, the most significant roadblocks to advancing WPS appear to have emanated from the DoD or interagency rivalries, with the defense community perceived as the largest roadblock. Professor Joan Johnson-Freese of the US Naval War College’s scholarship has looked into the DoD’s hesitancy to mainstream WPS education within the core curriculum of professional military education. As of July 2021, she noted “it is still possible to graduate from a graduate-degree granting joint professional military education institution without ever hearing about WPS.” Surely, increased professional military education would help, since “you can’t implement what you don’t know.”

To be fair, several commands within the DoD, as well as the Defense Institute of International Legal Studies (DIILS), have taken it upon themselves to offer WPS training and tools. Additionally, there is a small but growing movement of WPS champions within the Pentagon. However, as Lieutenant Colonel Nalani Tyrrell of the US Army and Professor Johnson-Freese remark, the general view within the DoD persists that WPS “deals only with such women’s issues as education, health care, child care, and food security rather than hard security issues like war.” These misunderstandings will continue to hinder WPS progress until its education and training are mainstreamed into the core curricula of military education.

Limited funding and the lack of a hard mandate for gender analysis across the Pentagon’s work also pose structural problems to advancing WPS knowledge. While WPS finally became funded in the National Defense Authorization Act in 2019 and Congress increased its funding in 2021, WPS still only receives $8 million out of a $1.3 trillion defense budget. (While this may seem large, the military has spent 10 times that amount, $84 million annually, on erectile dysfunction drugs such as Viagra and Cialis.) Additionally, within DoD, data shows that “diversity practices and gender analysis do not get adopted from the bottom up.” It is key that the DoD’s most senior levels advance and mandate WPS analysis in order to have institutional buy-in.

In sum, WPS is about understanding how women’s agency impacts stability and security. To comply with the WPS Act and Strategy, whole-of-government knowledge and understanding of WPS must be achieved. To advance WPS understanding and implementation, and see it reflected in actual drawdown and military decision-making, the United States must move beyond WPS.
rhetoric and demonstrate a propensity toward action, particularly within the DoD. Increased and improved WPS training within the policymaking and security communities is essential in this regard.

**Strategic Use of Aid/Assistance to Collect Gender Data**

The third recommendation is for the United States to strategically push gendered data collection and WPS principles, within existing means of aid and assistance, in a manner that will not be challenged by major US rivals and adversaries. Gender-disaggregated data collection involves asking gender-targeted questions to have a more complete understanding about how men and women experience or are impacted by specific policies, societal roles, or responsibilities. Increased gendered data collection and analysis is mandated under the WPS Act because it can be used to develop and enhance early warning systems of conflict and violence while providing useful intelligence to US policymakers and security leaders. As an example, while understanding the number of cows owned by a household might provide information regarding that household’s level of wealth and social standing, understanding who within the household owns the cows provides additional understanding regarding the familial power structure, marriage practices, women’s agency and the position of women and girls in society, and possibly may even provide early warning signals regarding possible marriage market obstructions.

When devising gendered data collection schemes, it is important to understand access limitations as well as great power competition concerns, while remembering that the US government does not need to reinvent the wheel. For example, a good rule of thumb when trying to understand how the United States can provide aid and assistance consistent with the WPS Act and Strategy in patrilineal kinship societies, without being accused of imperialism or nation-building, is to think about what kind of aid and assistance bodies North Korea has allowed in. While this starting point might seem a bit extreme to some, understanding what could work in this context will provide the United States with a more realistic starting point that is less likely to provoke outrage and more likely to be successful. In this regard, the World Food Programme (WFP) stands out in stark contrast to many other aid organizations due to its overwhelming global acceptance. Its Gender Equality for Food Security Measure (GE4FS) that was jointly developed by the WFP and Gallup Inc with statistical contributions from the Food and Agricultural Organization, therefore stands out as a particularly useful tool the United States should immediately seek to expand.69
It is practicable for the United States to utilize its support of the WFP to increase gendered data collection. For more than two decades, the United States has been the number one donor to the WFP, surpassing others by hundreds of millions, and even billions, of dollars. It is strategic for the United States to push gendered data collection and WPS principles through the WFP because, as a UN entity, the WFP views gender equality and women’s empowerment as central to its mandate. Additionally, the WFP is one of the rare humanitarian organizations that has been permitted access by nearly all of the United States’ strategic competitors, political adversaries who promote deeply hostile rhetoric against the United States, and several states facing intrastate conflicts where the United States is contemplating drawdown such as Iraq and Syria. Even the Taliban has permitted the WFP to remain in Afghanistan, with the WFP-led United Nations Humanitarian Air Service quickly resuming flights to Kabul after the takeover.

The GE4FS is a particularly useful tool the United States should utilize because it is already developed and, pending local translation, can be implemented in any country, across populations aged 15 years and older. The GE4FS measures five dimensions of personal empowerment to quantitatively measure the relationship between a person’s experiences of gender in/equality and of food in/security. The GE4FS has already been administered within 17 countries during 2018–19, and the WFP wants to further expand the tool’s reach. The GE4FS has not yet been administered in Afghanistan, Iraq, or Syria, which offers the United States a unique opportunity to quickly expand the tool and gain more situational awareness based on WPS theories. Given the proliferation of cell phone accounts in Afghanistan—almost 27 million in 2020 according to the NIC—implementation of the survey could provide a significant amount of useful data regarding gendered decision-making abilities, freedom from violence, financial self-sufficiency, reproductive freedom, and unpaid labor to inform future US security, diplomatic, and intelligence strategies and also indirectly measure the Taliban’s level of influence.

In Afghanistan, a powerful method for advancing women’s empowerment pursuant to the WPS Act, while also expanding data collection possibilities, is for the United States to request increased feeding programs in schools, particularly girls’ schools. The WFP “has six decades of experience supporting school feeding and health initiatives and working with more than 100 countries to set up sustainable national school feeding programmes.” Requesting that food aid in Afghanistan and other areas of strategic interest be tied to school feeding programs supports education as well as the societal infrastructure that permits women’s meaningful participation and equal access to justice, humanitarian assistance, and health care. It exploits local frustration and desperation regarding food insecurity and adds pressure on the Taliban to reopen girls’ schools, even
secondary schools where the GE4FS could be administered to students ages 15 years and older without directly involving US personnel. The additional creation of a teachers’ family food program might also offer significant benefits to maintain education in areas where teachers, particularly female teachers, are otherwise no longer receiving salaries and many are losing the desire to teach.

The push for gendered data collection and WPS principles within existing means of aid and assistance offers the additional advantage of disrupting the cascading negative effects of patrilineal kinship groups without actually eliminating the groups themselves or necessitating a change to the society’s structure. Hudson et al have asserted that ending child marriage and increasing women’s property rights are two areas where policymakers may most effectively combat negative societal effects stemming from the subordination of women at the household level. Tying food aid to WFP-administered school feeding programs in patrilineal kinship societies helps combat child marriage by increasing girls’ worth while prolonging the amount of time and education they are able to receive before families feel pressured to marry them away. Increasing the WFP’s smallholder farmer support and resilience building trainings in a gender-sensitive way that aims to increase rural women’s property rights can be established alongside school feeding programs to equally increase stability.

In sum, solutions exist for the United States to comply with the WPS Act and increase gendered data collection, utilizing WPS theories, and empowering women and girls in a manner that does not lead to accusations of nation-building or imperialism. Within the WPS framework, the United States has the tools it needs to be more strategic and promote indigenous desire for change. However, the United States must realize that restructuring entire societies is pointless in a patrilineal kinship, if not in any, society; a better place to start is within existing means of aid and assistance already accepted by the local communities.

Begin at the Beginning: Implement the WPS Agenda

Independent reviews regarding US drawdown from Afghanistan must be supplemented with the investigation of multiple administrations’ failures to implement the WPS Act and Strategy in high-level security decisions. Both the signing of a peace agreement and finalizing of the drawdown—each without contingency plans for supporting the infrastructure that permitted Afghan women meaningful participation and equal access to justice,
humanitarian assistance, and health care—could and should be viewed as inconsistent with the Congressional findings of the WPS Act and contrary to the tenet that even Presidential foreign policy decisions must faithfully execute acts of Congress.

The WPS Act and Strategy are powerful tools that provide the United States with a strategic edge useful when formulating policy, military, diplomatic, and intelligence advice, recommendations, strategic plans, and contingency plans. In fact, understanding how WPS principles, theories, and gendered data impact US national interests such as protecting the homeland, ensuring allies’ survival and active cooperation, promoting democracy, and maintaining the viability of major global systems provides the United States with strategic advantages over rising rivals that refuse to accept the idea that the sexual political order is directly relevant to the global political order or national security. A number of methods exist for the United States to defend its vital national interests while also meeting US policy and legal obligations to promote and support WPS at the termination of or during a withdrawal from conflict. However, increased WPS education and training are needed for security practitioners to fully comprehend and exploit WPS analyses.

The United States must learn from its failure to implement and incorporate WPS in strategic decisions in Afghanistan in order to avoid future reputational damage; this is even more critical in a world defined by great power competition. It is a mark of shame that women’s empowerment in Afghanistan is now being reversed because WPS was not incorporated into drawdown considerations by the only country touting a comprehensive law and strategy for doing so. The United States can do better—in Afghanistan and next time, elsewhere.

Notes


21. Hudson et al., The First Political Order, 179, 180.

22. US Senate Committee on Armed Services, Inquiry into the Role and Oversight of Private Security Contractors in Afghanistan (Washington, DC: US Senate, September 2010),


28. NIC, Sense of the Community Memorandum, Afghanistan, 1.


30. Hudson et al., The First Political Order, 107-172.


33. Hudson et al., The First Political Order, 188–95.


35. Hudson et al., The First Political Order, 56.


37. Hudson et al., The First Political Order, 155.


41. Hudson et al., The First Political Order, 220–33.
43. Hudson et al., The First Political Order, 249.
44. Hudson et al., The First Political Order, 102.
47. Hudson et al., The First Political Order, 199–228.
48. Hudson et al., The First Political Order, 91; NIC, Sense of the Community Memorandum, Afghanistan, 2.
56. Hudson and McDermott, “Feminist Foreign Policy and Deterrence.”
We Talk About When We Talk About Gender (Hurlburt, Weingarten, & Souris 2018)

65. Tyrrell and Johnson-Freese, “Getting Serious about Women, Peace & Security.”
75. NIC, Sense of the Community Memorandum, Afghanistan, 2.
78. Hudson et al., The First Political Order, 349-51, 354-57.

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