



World Justice
Project

The Rule of Law in Afghanistan

x

Key Findings from the 2017 Extended
General Population Poll

2017

Acknowledgements

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About this Report

About this Report

Strengthening the rule of law is an important objective for citizens, governments, donors, and civil society organizations around the world. To be effective, however, strengthening the rule of law requires clarity about the fundamental features of the rule of law as well as an adequate basis for its evaluation and measurement. This report presents select findings from the World Justice Project's nationally representative General Population Poll, conducted in Afghanistan in August and September 2017.

The General Population Poll was conducted through face-to-face interviews in 3,773 urban and rural households distributed proportionally across the 34 provinces of Afghanistan. This poll was designed to capture data on the experiences and perceptions of ordinary people on a variety of themes related to the rule of law, including government accountability, bribery and corruption, crime, and access to justice.

Overall, this report represents the voices of over 3,700 people in Afghanistan and their experiences with the rule of law in their country.

The data derived from the General Population Poll are presented in this report as 10 thematic briefs, each one highlighting a different facet of the rule of law as it is experienced by the population in Afghanistan. These briefs touch upon issues of accountability, corruption, fundamental rights, crime, justice – criminal, civil, and informal – as well as gender. The thematic briefs are designed to call attention to Afghanistan's situation from a national perspective, while simultaneously illuminating key changes over time and comparisons to other South Asian countries, as well as the unique perspectives of various sub-populations of interest, such as women and respondents across the six regions of Afghanistan.

Executive Findings

- 01 Perceptions of Government Accountability:** There is a high perception of impunity in Afghanistan. Fewer than one in four Afghans (21%) think that a high-ranking government officer publicly proven to be embezzling government funds would be prosecuted and punished. At the national level there has been a slight increase in the number of respondents who believe an investigation would be opened without reaching a conclusion (50%). The perception of government accountability varies across Afghanistan, with the Southwest region having the most positive perception of accountability (36%) and the Northern region having the least positive perception (14%). Compared to peer countries in South Asia, perceptions of accountability in Afghanistan are equal to those in Pakistan (21%) and better than those in India (19%), but worse than those in Bangladesh (45%), Sri Lanka (31%), and Nepal (26%).
- 02 Corruption Across Institutions:** Afghans believe that a fair number of authorities are involved in corrupt practices. Judges and magistrates were identified as the most corrupt authorities by respondents (62%), with a moderate increase in perceived levels of corruption since 2013. Since 2013, perceptions of corruption have increased the most for national government officers, with nearly half of Afghans (49%) believing that most or all are involved in corrupt practices as compared to 34% in 2013.
- 03 Bribery Victimization:** Petty bribery is pervasive in Afghanistan. Half of the respondents polled have paid a bribe to process a government permit (50%) and more than one third have paid a bribe to receive assistance from the police (35%). Of all the services captured in the General Population Poll, Afghans pay bribes least often to receive medical attention from public hospitals (22%). Petty bribery varies greatly by region and by service, but on average, petty bribery is the least pervasive in the Southwest and in the Capital.
- 04 Fundamental Freedoms:** Afghans have moderate views on their fundamental freedoms. More than three quarters (77%) of respondents agree or strongly agree that people can join together to draw attention to an issue or sign a petition, and more than half (57%) agree or strongly agree that people are free to join any unforbidden political organization. Roughly two thirds believe that the media can express opinions against the government and that religious minorities are free to observe their holy days (68% and 69%, respectively). While Afghans' views on fundamental freedoms in the country have worsened since 2013, perceptions of religious freedoms have remained steady since 2016 and perceptions of political and media freedoms have improved in the last year.
- 05 Crime Victimization:** Households in Afghanistan experience high rates of crime. In the past three years, 19% of households have experienced a burglary, 14% a murder, and 12% an armed robbery. There are large differences in victimization rates across the six regions of Afghanistan, with the highest burglary (28%) and armed robbery (23%) rates reported in the Western region, and the highest murder rate (21%) reported in the Southwest region. Meanwhile, respondents in the Capital region reported the lowest rates of all three crimes, with 13% of households experiencing a burglary, 2% experiencing a murder, and 2% experiencing an armed robbery. At the national level, reported rates of murder and armed robbery have decreased since 2013, while there has been a slight increase in burglary rates.

06 Criminal Justice: Corruption is deemed to be a serious and growing problem for the criminal justice system in Afghanistan. Corruption was cited as the number one problem facing both investigative services and criminal courts in Afghanistan. Since 2013, Afghans' views on whether police act according to the law (71%) and whether they are punished if they violate the law (55%) have improved. Their views on whether police respect the basic rights of suspects (49%) and whether they are involved in corrupt practices (40%) have worsened since 2013, but have improved since 2016. As for perceptions of courts in Afghanistan, views on how often the courts guarantee everyone a fair trial (46%) have seen only minor changes in the last four years, while perceptions of corruption among judges and magistrates (62%) have worsened since 2013.

07 Access to Civil Justice: More than half of those surveyed (61%) experienced a legal problem in the last two years, with problems relating to land (27%), housing (24%), and family (22%) being among the most commonly reported disputes. Of those who experienced a legal problem, nearly one third (31%) reported that a party involved in the dispute resorted to violence and less than half (42%) turned to an authority or third party to adjudicate, mediate, or help resolve the problem. In terms of problem status, 62% reported that their legal problem is done while 38% reported that their legal problem was still ongoing. Afghans whose legal problem was not yet resolved reported lower levels of satisfaction with the resolution process as well as lower levels of legal capability, confidence, and access to expert help. Nearly half (49%) experienced a hardship as a result of their legal problem, with a relationship breakdown being the most common hardship reported.

08 Legal Awareness: Afghans have a moderate amount of legal knowledge. Out of 10 true or false statements about legal rights, the average respondent answered 6.5 correctly. The greatest percentage of respondents were able to correctly answer questions related to women's legal rights, with between 67% and 88% responding correctly depending on the question. The smallest percentage of respondents identified the correct answer for questions related to land rights, with between 31% and 80% responding correctly depending on the question. Women have slightly higher levels of legal awareness as compared to men, and higher levels of educational attainment also correlated with better legal knowledge.

09 Women in Afghan Society: There are minor differences in men and women's views regarding the rights of women when it comes to inheritance and divorce, but the perception gap grows for questions related to women's role in the community and household dynamics. For example, 57% of female respondents agreed that women should be able to work outside of the home, whereas only 42% of men shared this view. Similarly, 55% of women agreed that a man does not have the right to hit his wife and should be stopped, while only 44% of men agreed with this statement. When asked about legal identification and literacy, 96% of male respondents reported possessing a National ID card and 53% were able to read and write. For female respondents, only 54% possess a National ID card and 23% could read and write.

10 Trust in Afghanistan: Afghans have a high degree of trust in fellow citizens, with 80% reporting that they have a lot or some trust in other people living in Afghanistan. Across institutions, Afghans have the most trust in the police (65%) and the least trust in the courts (43%). Since 2013, there has been a moderate decline in respondents' reported level of trust in the courts.

section

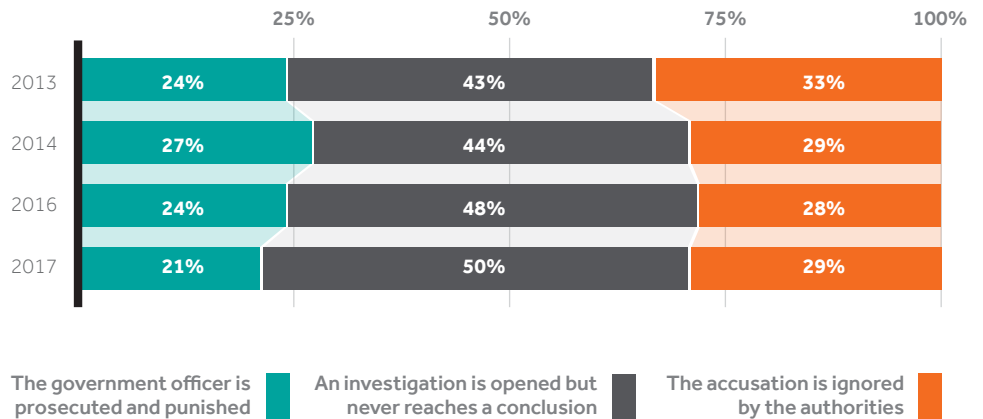
II

Thematic Breakdown

Perceptions of Government Accountability in Afghanistan

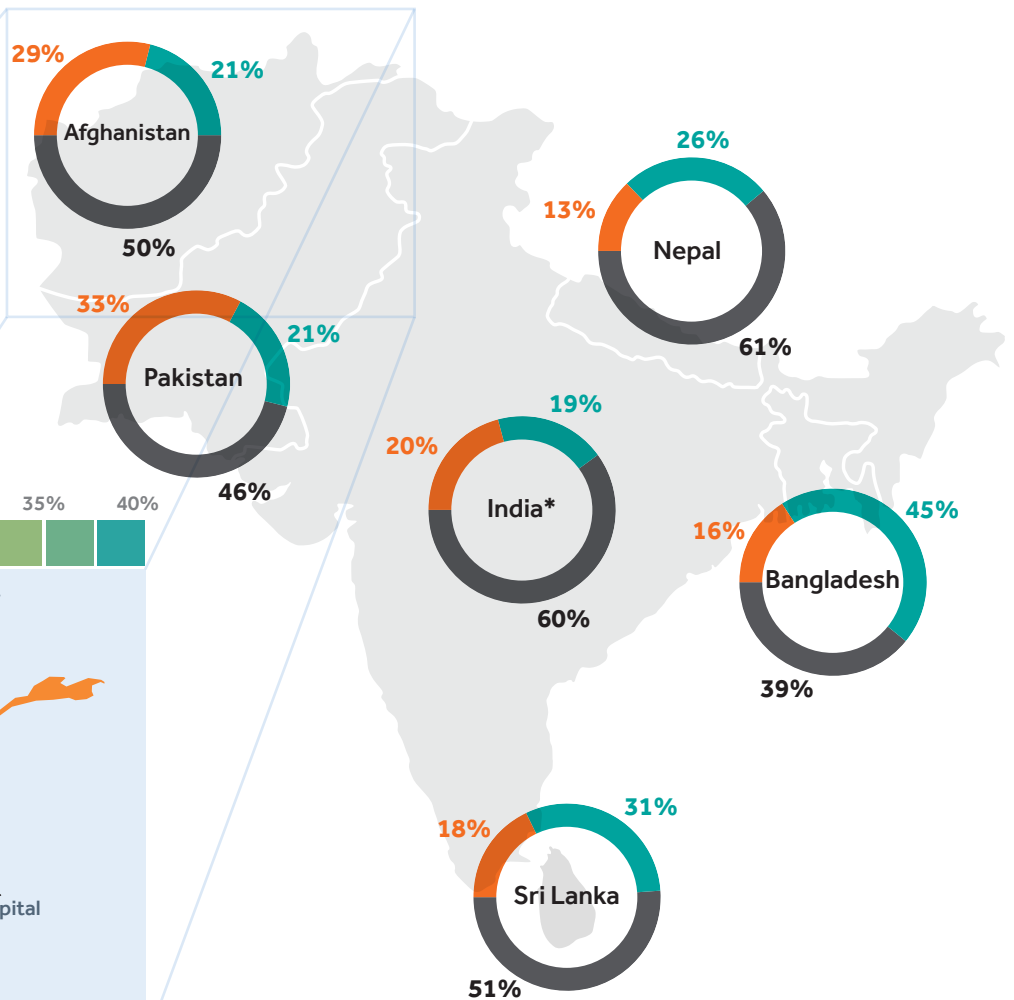
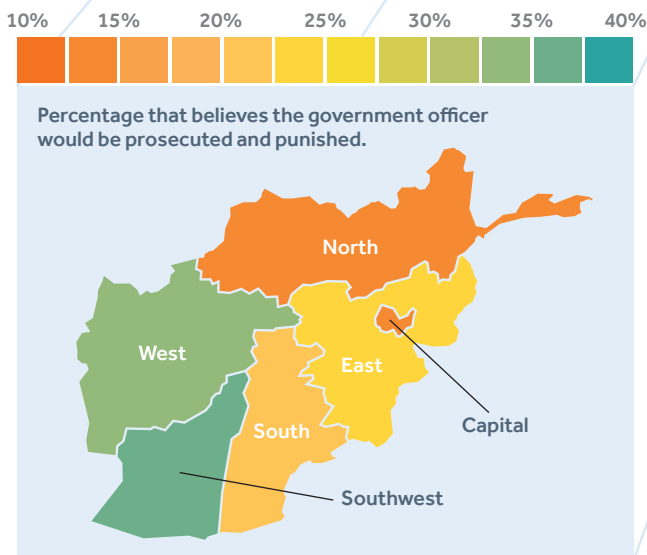
Most likely outcome if a high-ranking government officer is caught embezzling public funds.

National Perceptions



Perceptions in South Asia

Perceptions across Afghanistan



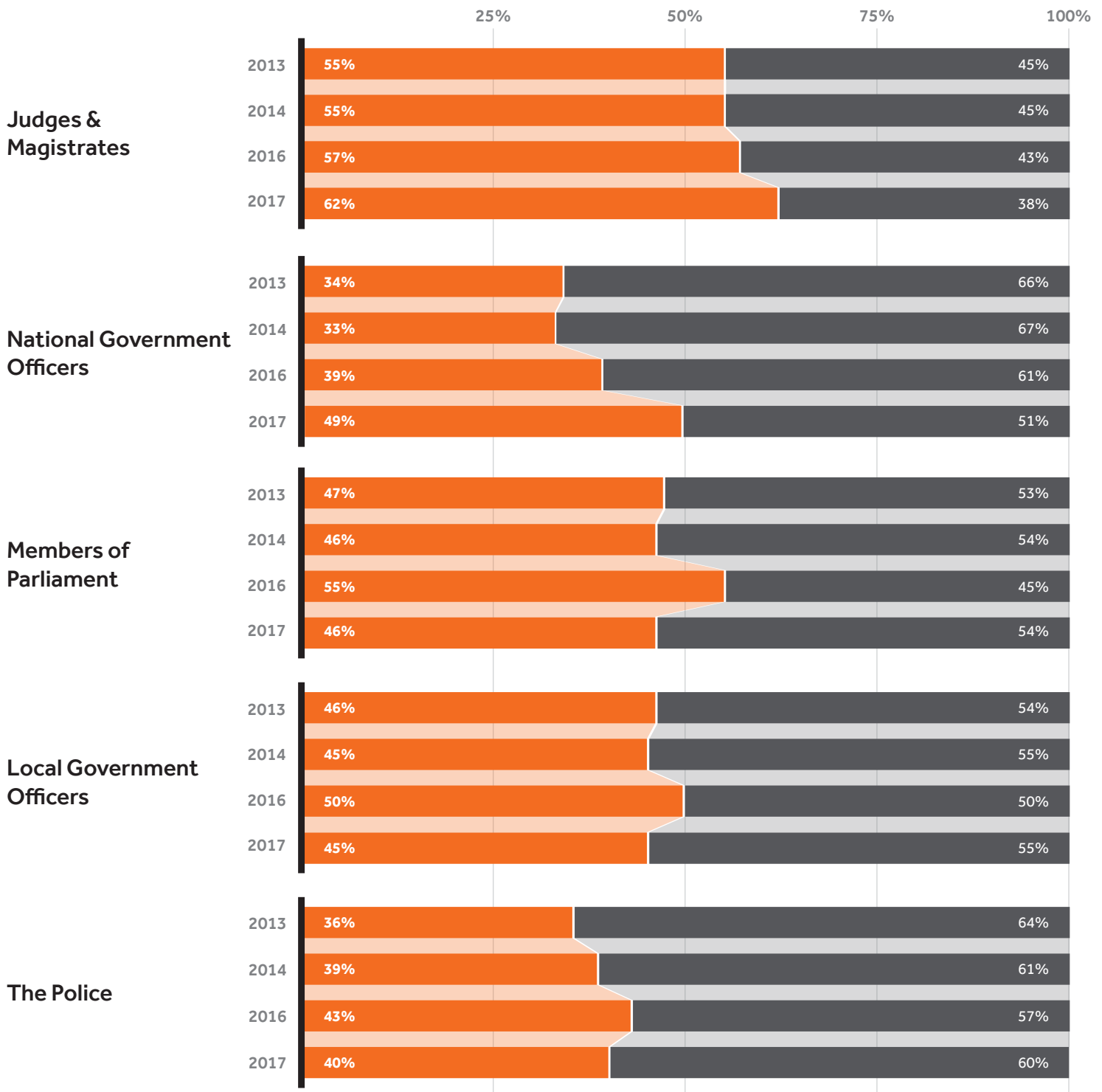
Source: WJP General Population Poll 2013, 2014, 2016 & 2017

*Percentages may not add to 100 due to rounding.

Corruption Across Institutions in Afghanistan

Perceptions about the number of authorities involved in corrupt practices.

All / Most Some / None



Source: WJP General Population Poll 2013, 2014, 2016 & 2017

Bribery Victimization in Afghanistan

Percentage of people who had to pay a bribe to...



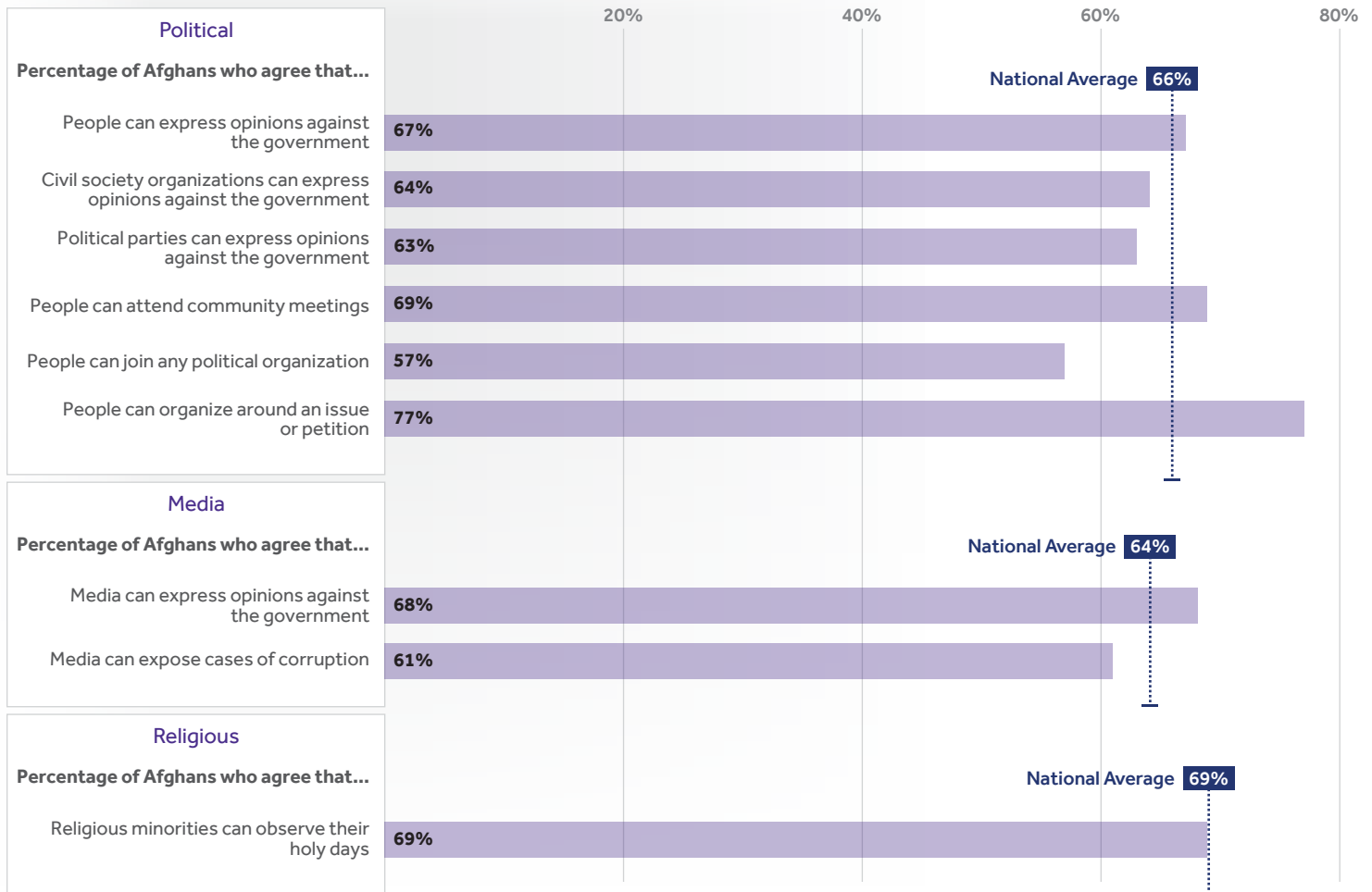
¹ Data for these categories of bribery victimization are from the WJP General Population Poll 2016. All other data are from WJP General Population Poll 2017.

* Insufficient number of observations

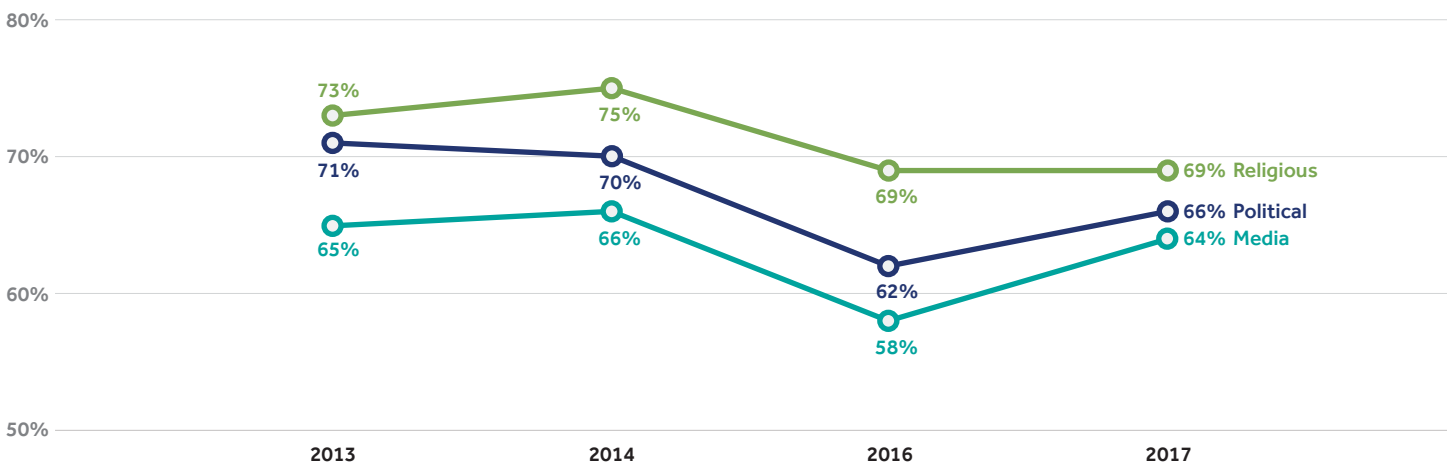
Fundamental Freedoms

Afghans' views on political, media, and religious freedoms in the country.

Breakdown of Fundamental Freedoms Questions



Average of Fundamental Freedoms Over Time

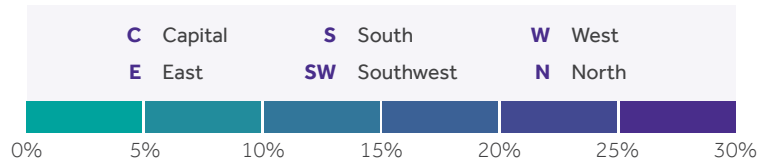


Source: WJP General Population Poll 2013, 2014, 2016 & 2017

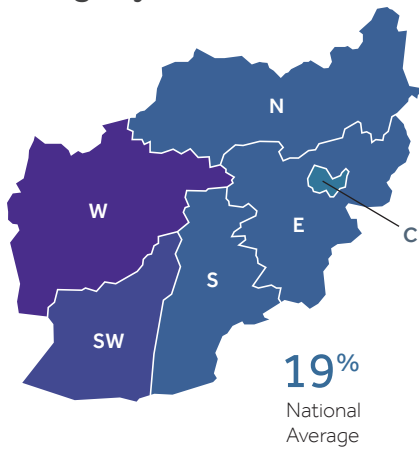
Crime Victimization in Afghanistan

Percentage of households that have been victims of burglary, armed robbery, or murder in the last three years.

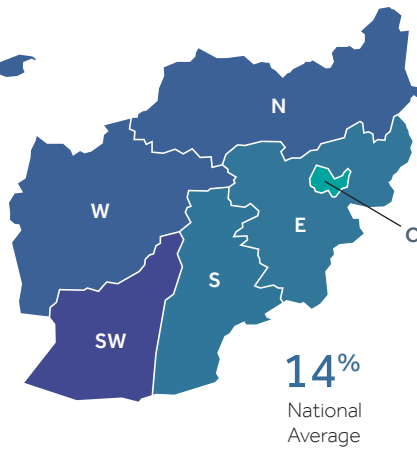
Crime Victimization By Region



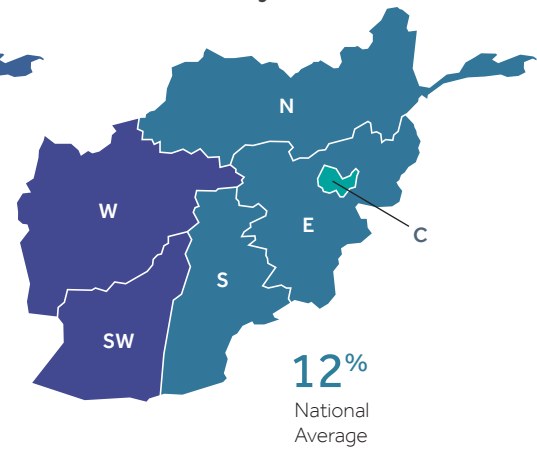
Burglary



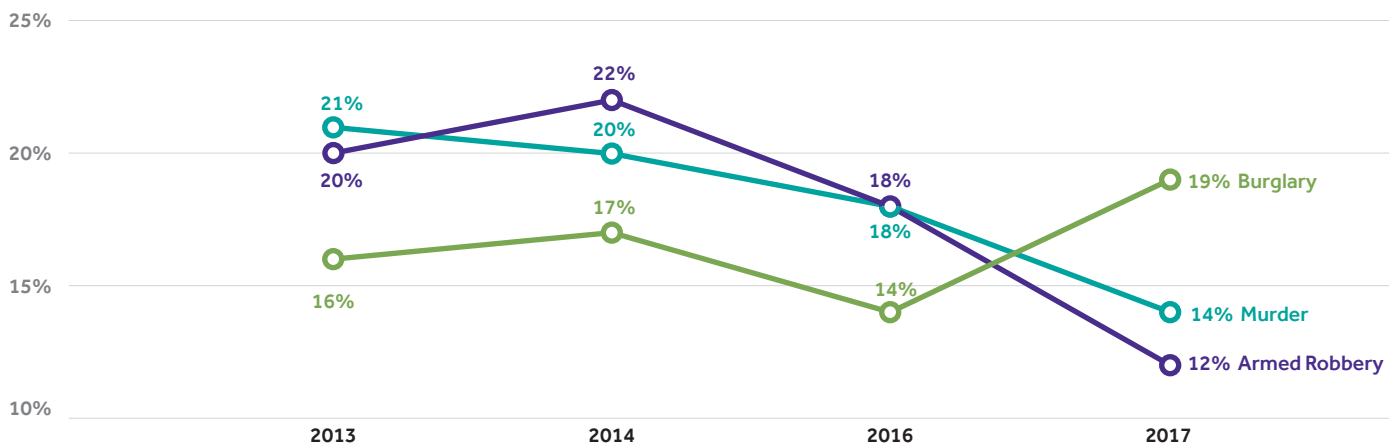
Murder



Armed Robbery



National Average Over Time

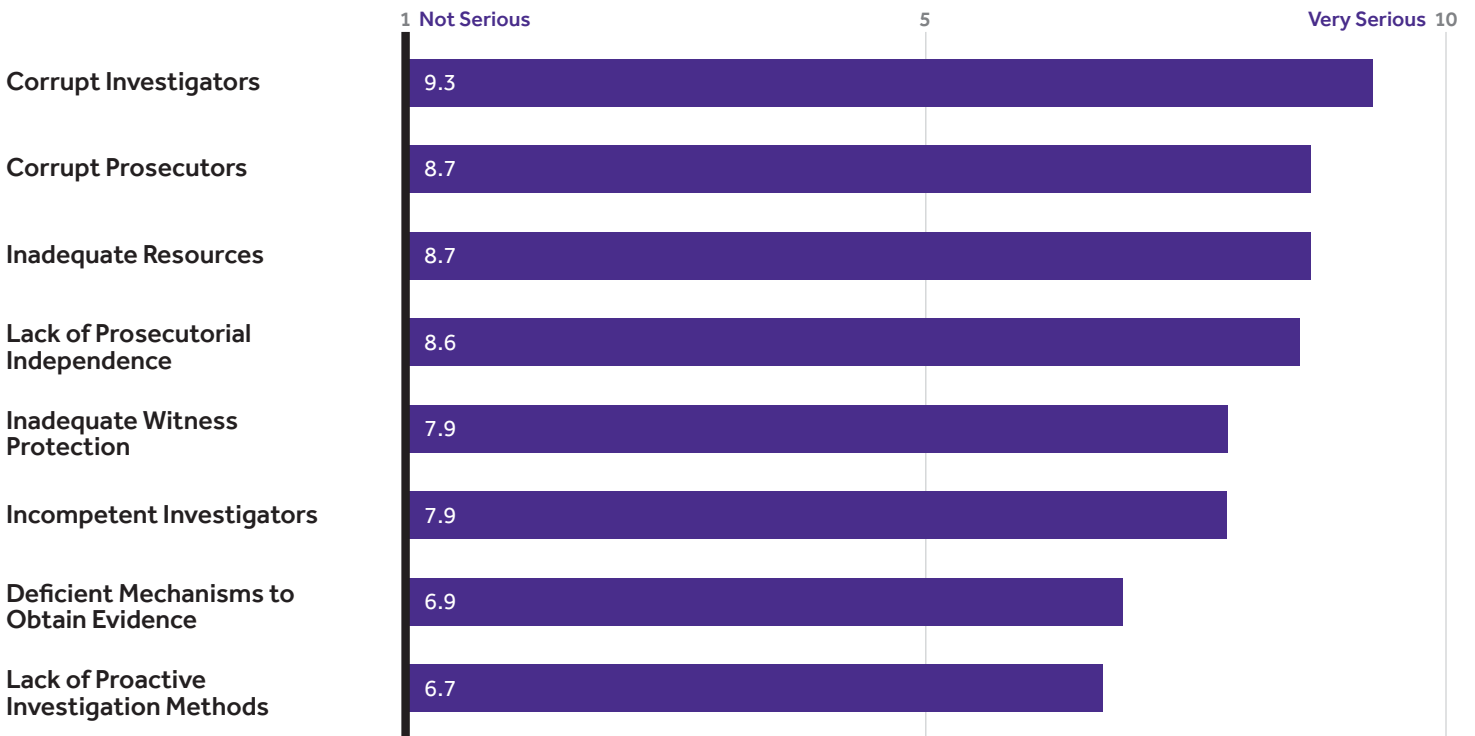


Source: WJP General Population Poll 2013, 2014, 2016 & 2017

Criminal Justice in Afghanistan

Problems of the Criminal Investigative Services

Problems faced by investigative services in Afghanistan rated on a scale of 1 to 10²

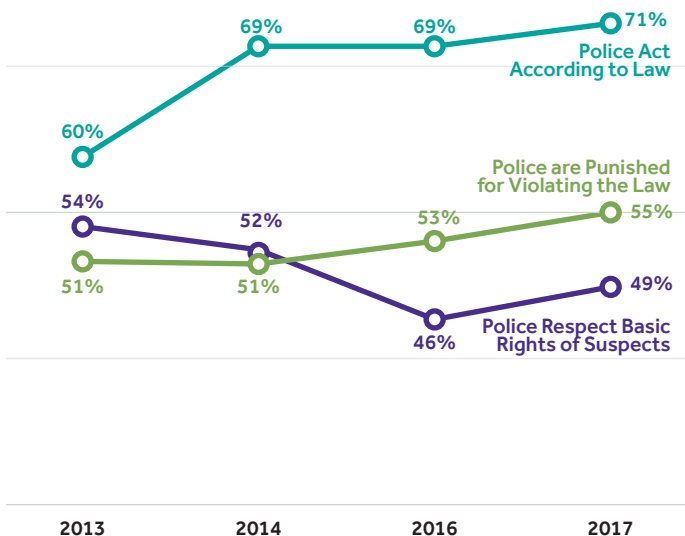


Perceptions of the Police

Accountability

Afghans' perceptions of police performance

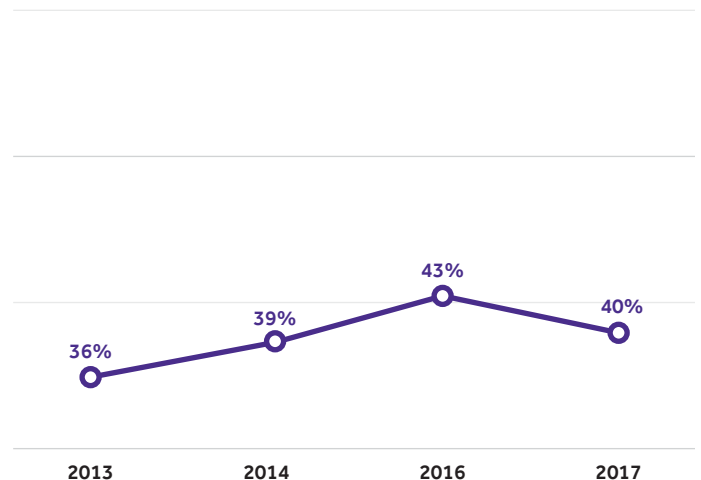
% Responding Always & Often



Corruption

Afghans' perceptions about the number of police officers involved in corrupt practices

% Responding Most & All



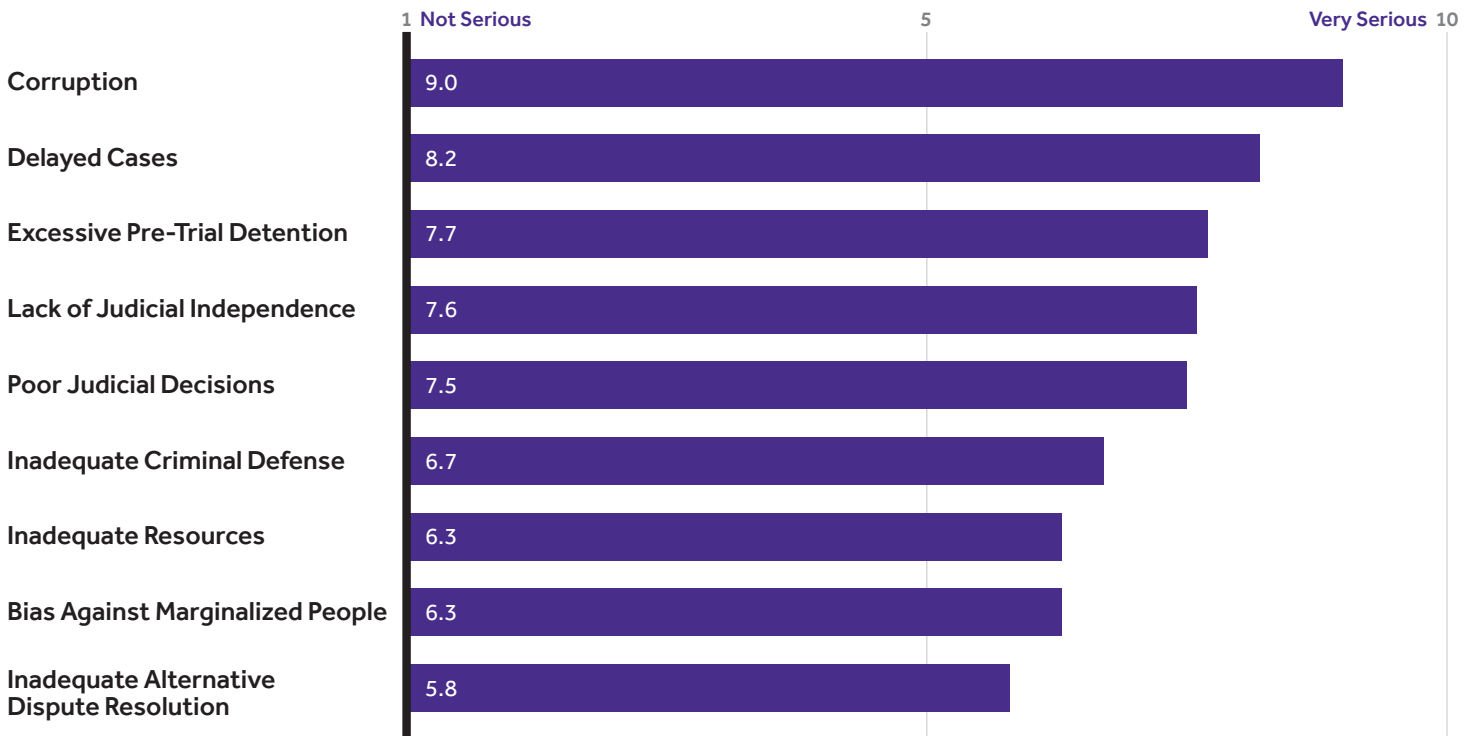
² Scores for problems of the criminal investigative services represent average responses from Afghan criminal justice experts surveyed for the WJP Rule of Law Index 2017-2018.

Perceptions data are from WJP General Population Poll 2013, 2014, 2016 & 2017.

Criminal Justice in Afghanistan

Problems Faced by Criminal Courts

Problems faced by criminal courts in Afghanistan rated on a scale of 1 to 10³

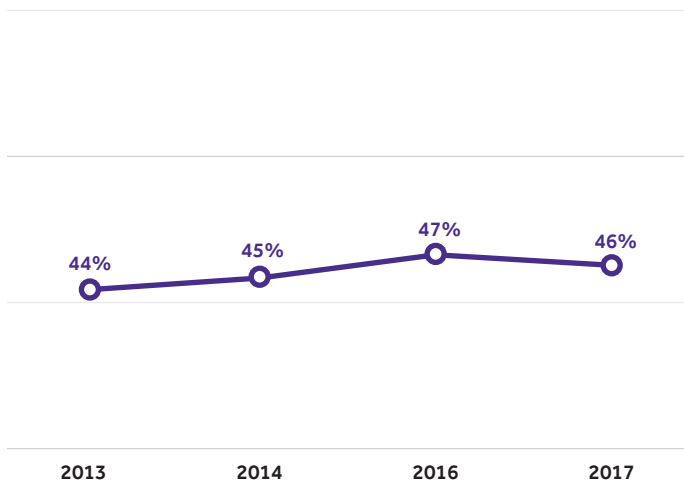


Perceptions of the Courts

Accountability

Afghans' perceptions of how often the courts guarantee everyone a fair trial

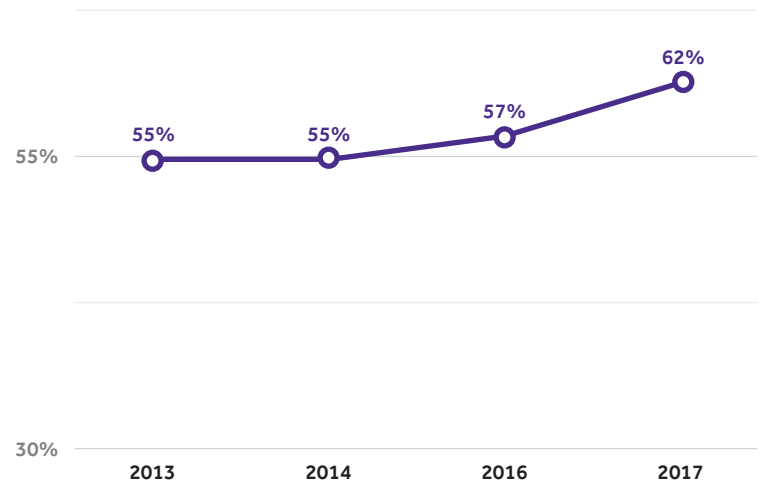
% Responding Always & Often



Corruption

Afghans' perceptions about the number of judges & magistrates involved in corrupt practices

% Responding Most & All

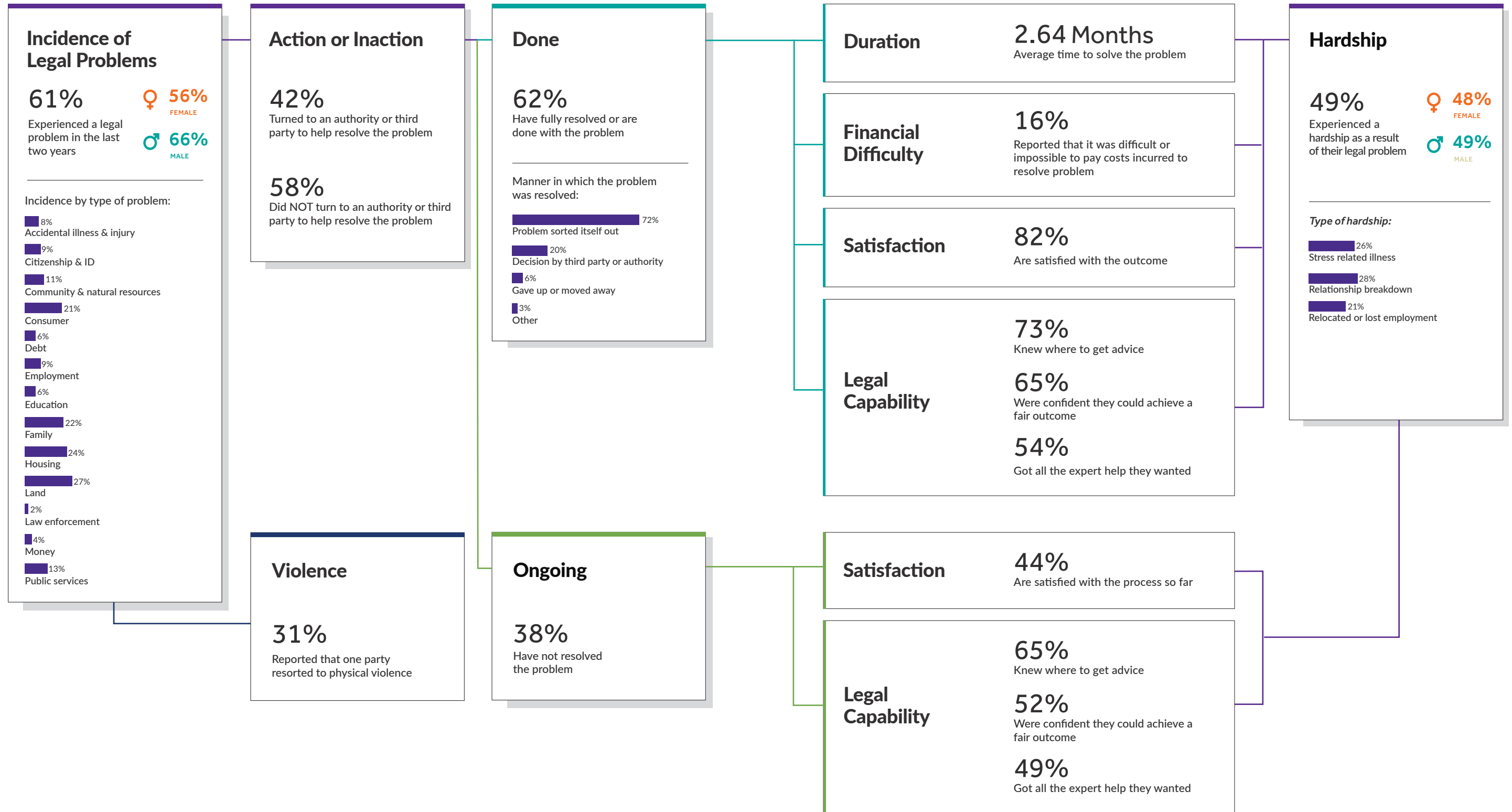


³ Scores for problems faced by the criminal courts represent average responses from Afghan criminal justice experts surveyed for the WJP Rule of Law Index 2017-2018.

Perceptions data are from WJP General Population Poll 2013, 2014, 2016 & 2017.

Access to Civil Justice in Afghanistan

Incidence of everyday legal problems, whether respondents take action to resolve these problems, and experiences with the resolution process.



Legal Awareness

Percentage of Afghans who responded correctly to true or false statements about their legal rights.

	National Average	Breakdown by Gender		Breakdown by Education			
		Men	Women	No Schooling	Primary Level	Secondary Level	University or Above
Due Process							
A suspect must be informed of the nature of the accusation immediately upon arrest. (TRUE)	72%	71%	73%	69%	75%	77%	81%
A poor person is entitled to free legal representation in criminal matters. (TRUE)	64%	65%	63%	62%	70%	66%	66%
A suspected criminal can be detained for as long as needed. (FALSE)	50%	47%	52%	50%	50%	49%	50%
Land Rights							
Citizens living on a piece of land for 10 years are entitled to receive a land certificate automatically. (FALSE)	70%	72%	69%	69%	78%	70%	76%
A person can use someone else's water supply without the owner's permission. (FALSE)	76%	77%	74%	73%	80%	79%	78%
Only the male head of household can be listed on a land certificate. (FALSE)	35%	35%	35%	36%	40%	31%	35%
Women's Rights							
The marriage of a girl whose age is less than 15 is allowed by law. (FALSE)	78%	76%	80%	77%	83%	76%	88%
A woman can obtain a divorce without the approval of her husband. (FALSE)	78%	79%	76%	77%	82%	75%	84%
Women can be exchanged as brides to settle unpaid debts. (FALSE)	83%	82%	83%	82%	82%	84%	88%
All citizens, men and women, have equal rights and duties before the law. (TRUE)	68%	67%	69%	67%	70%	68%	79%
Average Score Out of 10 questions	6.5 _{/10}	6.6 _{/10}	6.5 _{/10}	6.4 _{/10}	7.0 _{/10}	6.7 _{/10}	7.0 _{/10}

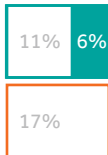
Women in Afghan Society

Difference in men and women's views, legal documentation, and literacy.

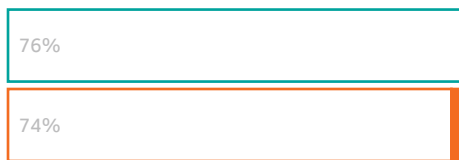
Views on Women's Role in Society

Inheritance

A A married daughter is not entitled to her father's estate because she is under the care of her husband

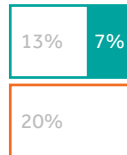


B All children are entitled to a portion of their parent's estate

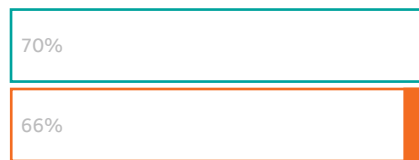


Divorce

A A woman should be able to divorce without the approval of her husband



B A woman should obtain the approval of her husband for divorce



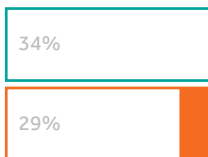
Key

Values based on percent that agreed with statement A or B

Men	Difference
Women	Difference

Domestic Violence

A A married man has the right to hit his wife if she misbehaves



B A married man does not have the right to hit his wife and should be stopped

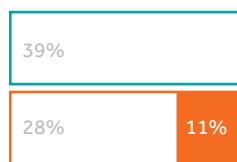


Employment

A A woman should be allowed to work outside the home

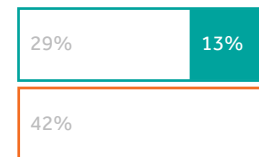


B A woman should not be allowed to work outside the home

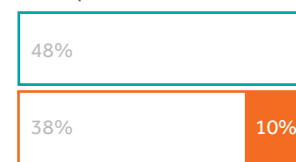


Dispute Resolution

A Women should engage in local dispute resolution



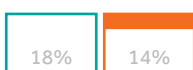
B Women should stay out of local dispute resolution



Legal Identity & Literacy

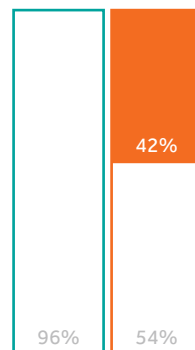
Birth Certificate

Has a birth certificate



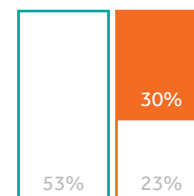
National ID

Has a current, unexpired National ID



Literacy

Can read and write



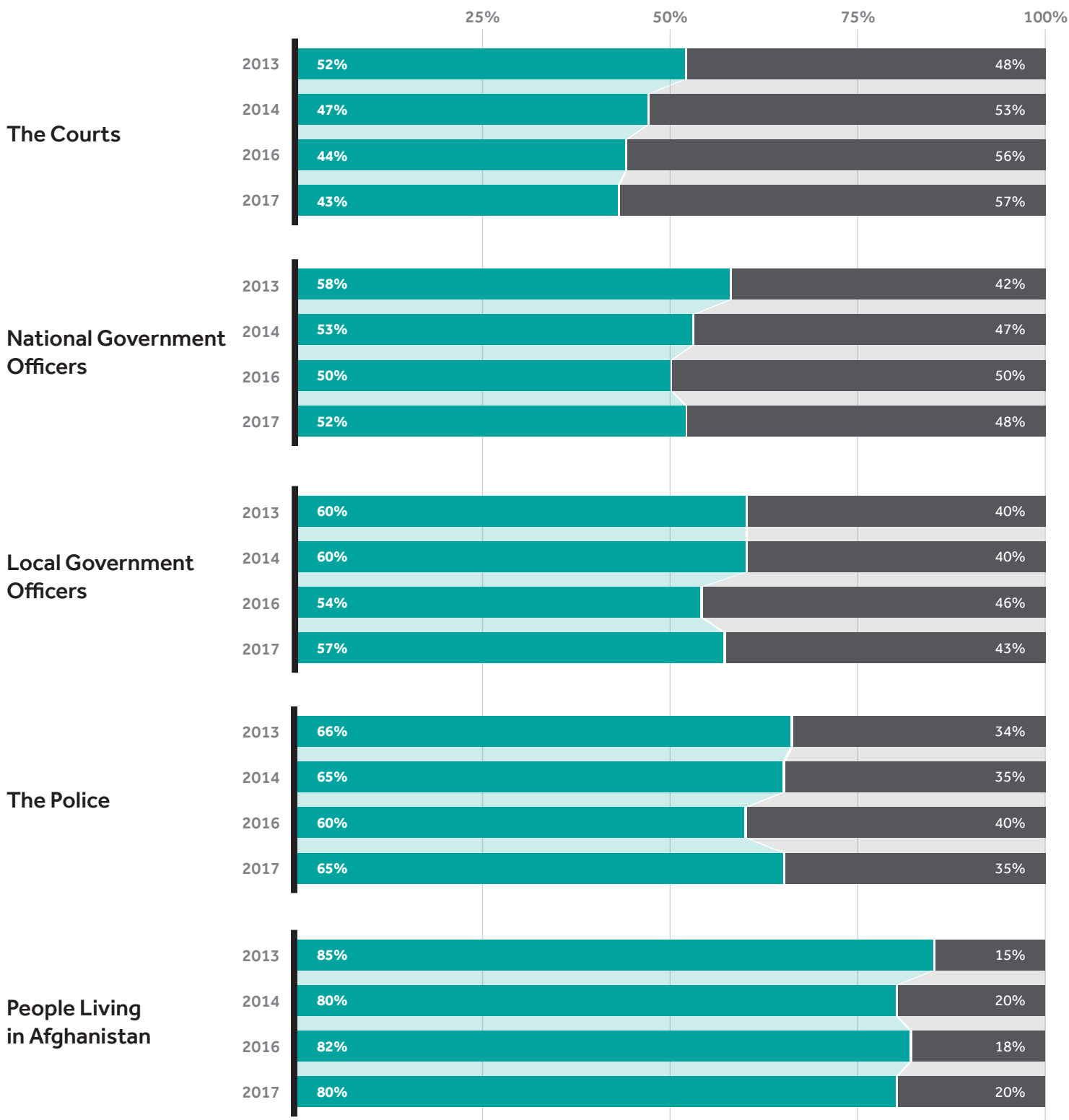
Source: WJP General Population Poll 2017

Trust in Afghanistan

How much trust do Afghans have in...

A lot / Some

Little / None



Source: WJP General Population Poll 2013, 2014, 2016 & 2017

section

III

Project Design

Extended General Population Poll Methodology

The General Population Poll in Afghanistan was conducted for the *World Justice Project Rule of Law Index®* with sampling, fieldwork, and data processing by D3 Systems and ACSOR Surveys based in McLean, Virginia and Kabul, Afghanistan respectively. D3 Systems and ACSOR Surveys administered the fieldwork from August 25th to September 8th, 2017. Fieldwork was conducted face-to-face, using a multi-stage random cluster sampling design. The target populations for this survey were Afghans, ages 18+, residing across all 34 provinces of Afghanistan, and Afghans living in the three main urban areas of Kabul, Kandahar, and Herat.

Sample Size & Sample Frame

The achieved sample size was 3,733 interviews distributed proportionally across all 34 provinces of Afghanistan, including a boosted sample of 992 interviews in the three main urban areas of Kabul, Kandahar, and Herat. The sampling frame was based on the 2010–2011 updated population figures from the Central Statistics Office (CSO) of Afghanistan. The sample was proportionally stratified by Province and Urban/Rural Status. The booster sample was stratified disproportionately to the three main urban areas to ensure a representative sample in these areas.

Descriptions of the Sample

Region: Interviews were conducted in the six regions of Afghanistan, with more interviews conducted in the East region (28%), the North region (23%), and the West region (17%).

Geography: 71% of respondents reside in rural areas, villages, and towns. 29% of respondents reside in metro areas or cities.

Ethnicity: Most respondents identified themselves as Tajik (34%), Pashtun (24%), or Afghan (20%).

Gender: 50% of respondents were male and 50% were female.

Education: Most respondents (60%) reported that they had received no formal education.

Income: Most respondents (76%) reported a monthly household income of 10,000 Afghanis or less.

In an attempt to address all relevant topics and to control the questionnaire length, the survey was split into two versions (Version A and Version B), and certain modules were administered in only one of the two versions. These modules include: perceptions of government accountability, fundamental rights, and legal awareness. The sample size for these modules is over 1,800 individuals, as opposed to the questions that were asked to the entire sample of 3,733 respondents. Aside from these modules, the questionnaires are identical. Both survey instruments can be found in the appendix to this report.

Sampling

For the main sample, districts were the primary sampling unit and were sampled using probability proportionate to size systematic sampling. In urban strata, nahia (neighborhoods) were the secondary sampling units and were sampled using a systematic simple random sample. In rural strata, villages were the secondary sampling units and were also sampled using a systematic simple random sample. For the booster sample, nahia (neighborhoods) were the primary sampling unit and were selected using systematic simple random sampling. Within the sampled nahia

or village, a systematic random route was performed to sample households and a Kish grid was used to sample respondents.

Accessibility at the district level was determined by ACSOR Surveys prior to fieldwork. Completely inaccessible districts were randomly replaced with accessible districts within the same strata, while female inaccessible districts were replaced by a male counterpart in the same primary sampling unit. Out of 382 sampling points, 47 villages were completely inaccessible due to Taliban control.

Sample Weights

Approximate sampling weights were applied to the final sample to account for rounding in the sampling, deletions due to quality control, and the booster sample.

Interviewing & Quality Control

A total of 305 interviewers worked on this project including 150 female interviewers. Each of the 34 provinces of Afghanistan had their own supervisory staff who were centrally trained in Kabul for this project. Interviews were conducted in five languages: Pashto, Dari, Uzbek, Balochi, and Turkmani.

A total of 15.2% of interviews were back-checked by the supervisory team in field. A total of 10% of questionnaires were selected for double-entry during data processing. After quality control, there were 87 questionnaires rejected from the final sample. A total of three contacts were attempted per respondent and 98.6% of completed interviews were completed on the first contact attempt. The average length of an interview was 45 minutes and ranged from 27 to 66 minutes.

section
IV

Appendix

Appendix

Survey Instruments & Database

The General Population Poll was designed to capture data on the experiences and perceptions of ordinary people on a variety of themes related to the rule of law, including government accountability, bribery and corruption, crime, and access to justice. The poll was conducted in August and September 2017 through face-to-face interviews in 3,773 urban and rural households distributed proportionally across the 34 provinces of Afghanistan.

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- [World Justice Project General Population Poll 2017 – Survey Instrument A](#)
- [World Justice Project General Population Poll 2017 – Survey Instrument B](#)
- [World Justice Project General Population Poll 2017 – Frequency Tables for Afghanistan](#)



**World Justice
Project**

About the World Justice Project

The World Justice Project® (WJP) is an independent, multidisciplinary organization working to advance the rule of law around the world. The WJP engages citizens and leaders from across the globe and from multiple work disciplines to advance the rule of law. Our work is founded on two premises: 1) the rule of law is the foundation of communities of peace, opportunity, and equity; and 2) multidisciplinary collaboration is the most effective way to advance the rule of law. Based on this, WJP's mutually-reinforcing lines of business – Research and Scholarship, the *WJP Rule of Law Index*®, and Engagement – employ a multi-disciplinary, multi-layered approach through original research and data, an active and global network, and practical, on-the-ground programs to advance the rule of law.