The Lawfare Podcast: After the Fall in Afghanistan

This is an automatically generated transcript of the live recording of the Lawfare Podcast that took place at 11:00am EST on Monday, August 16th, 2021. An edited version of the audio will be released on the Lawfare Podcast on August 17th, 2021. We are providing this as a resource in the interim, given the fast pace of events on the ground in Afghanistan.

[00:00:00] **Scott Anderson:** It positions the conversation going as soon as we can at the top of the week to try and help inform our readers and the general public and ourselves. About what to make of these developments. So we're incredibly lucky to have a trio. Fantastic experts here. As I mentioned, this is a live podcast recording.

So we may have a little bit of stage direction happening in the interim. So apologies for that. I do save the introductions to record separately after the fact. So we are going to get, jump right into the questions. Our three speakers I've linked to their biographies in the post for the website.

So you can find more information about them there. Otherwise we are just going to lump rump, excuse me. We are just going to jump in and get started. And that is an example of the things we will edit out for the podcast version, but that you are seeing live here with that. Let's get ready.

Everybody should get ready to record. And I should say by the way before we start, Jonathan is joining us in audio form only. And and is in transit somewhere. We're giving him a few minutes to get settled before we turn to him with some questions. So for over the last 48 hours, we have seen a really dramatic sequence of events taking place in Afghanistan. We have seen the Afghan government fall, the government that the United States, its NATO allies, a good part of the international community has been supporting for two decades that was intended to play a central role in the post withdrawal engagement, us engagement with Afghanistan as a vehicle for assistance for partnership.

W how, what led us here? Can you give us Laurel a sense of the big events over the last few days that led to the sudden collapse in this very different state of affairs that we are now facing in Afghanistan and Iraq.

[00:01:37] **Laurel Miller:** Thanks, Scott. And thanks for having me on the podcast. I think in terms of how we got here, you have to look at some longer term trajectories that have been observable in Afghanistan, by people who have been watching closely as well as the precipitating factors.

So it, in a way it [00:02:00] happened all, but what we've seen materialize in recent days has been happening in a slower motion over a long period of time, and then accelerated greatly in the recent days. And that is true on both sides of the equation here on the Taliban side, in terms of their strategy and their.

Comparative strengths and on the Afghan government side in terms of their weaknesses and what we saw happen in the last couple of weeks and in the final days of the regime of the Islamic Republic of Afghanistan was I think, much more a function of the collapse on the government side, then. Changes in the military equation on the on the Taliban side.

And we can get into some of the details, think about what the Taliban strategy has been over a long period of time. It's not as if something in the last few weeks, even with the U S military withdrawal greatly changed in terms of Afghan security force capabilities or Taliban. Fighting forces capabilities.

What changed was a collapse of the system on the Afghan government side at a collapse of confidence on the part of the security forces and political elements in the ability of the Afghan government to endure. In the absence of an on the ground American backing for the government. And some of the factors that we've seen contribute to the collapse are, rot within the [00:04:00] systems and in capabilities within the systems.

Lack of payment of fighters. Who's going to fight when they're not being paid in fed a we've seen on the political side. The longer-term trend of the now erstwhile Afghan government under president, Gany not reaching out to a, not building loyalty and commitment on the part of a wide array of Afghan political actors to his government is part of what contributed to the abandonment of his government for a long period of time.

You've seen those problems and you've seen. When th when threats from the Taliban insurgency have spiked, you've seen at certain moments rallying around the the government, even when there were political disagreements. We saw this as far back as 2015, the first time, the important city of Kunduz was overrun by the Taliban.

When there were political problems in disunity, even then, and the political elites, when they looked over the edge of the abyss, they stuck with the Afghan government, a government that the us and NATO was sticking with. And. By 2021, that wasn't the case anymore. So those are among some of the factors that contributed to collapse of confidence in the durability of the Afghan government and of it being worth it to stick with it.

And I'm sure that Medea and Jonathan will have further thoughts to add on this, how we got here. Question. And I guess the last thing I would say is, there's going to need to be a lot of retrospective analysis of this in the days, weeks, months, and years ahead, if there's going to be some lesson learning, particularly on the part of the foreign protagonists in this drama.

And so I just want to [00:06:00] say, I'm giving you these thoughts now, but I have enough humility to not think that anything I say at this moment, and this day is definitive in terms of this retrospective analysis.

[00:06:13] **Scott Anderson:** I think that's a good caveat for us all to have in this conversation and all the conversations we're having over the next few days, because there's a lot of learning to be done over what has happened.

Let me turn to you next. I don't want to spin off of one of the issues Laurel touched on, which is that over the last well, several weeks, really, but particularly over the last week, at

least at the way, it's been captured by the Western media lens, which admittedly I'm consuming a lot of this information through one of the most unanticipated and most influential trends.

At least from my non-expert eyes has seemed to be the somewhat exceptional ability of the Taliban through a degree of coercion intimidation, through a degree of negotiation, through a degree of co-optation to. Convince local political leaders men sometimes regional, a fairly high level political leaders military leaders, security force leaders, police force leaders to at least not oppose them to lay down arms and allow them to proceed to take over territory.

Sometimes by some reports in some areas largely in name only, not necessarily through the assertion of force, but just by the capitulation of those local authorities. And in some cases, even seeming to sign on, to participate in some, whatever comes next under the Taliban rule of whether a continuing role in the local government, what are the factors that are driving that?

What is the tool that the Taliban has to convince these people? Is it simply the intimidation factor or is there a degree of cooptation and broadening the tent that might indicate that the political movement that comes out of that Taliban's assertion may be a little more complicated and a little more diverse than it may seem at first.

[00:07:56] **Madiha Afzal:** Thanks God. That's a, that's an important question. What has [00:08:00] contributed to the surrender, the laying down of arms essentially without actually, fighting back. And I think Laurel addressed that bad question in terms of the collapse of will I think that came from the Afghan security forces.

And I think there's a broader sort of picture here than just the surrender rights, the fact that the surrender has occurred without without us support, if there had been continued us support my belief. Yeah. There would not have been a surrender in this manner. So the fact of the matter is that the sort of the quick pullout of the U S military withdrawal that happened over the summer, essentially deprived these Afghan security forces of intelligence support, air support, air force, support that they were so used to combined with the fact that there are ghost soldiers.

That means there are soldiers on the books that are know security forces on the books that don't actually exist on the ground combined with the fact that they haven't been paid. The Taliban has actually, there are reports that the Taliban was paying back. Stipends for food as they were surrendering and leaving.

So this goes to show the, the extent of the rot and the corruption within the Afghan government within the Chinese government and his military leaders, the failure to inspire the failure to lead that led to the sort of will collapsing in some sense, the us military presence in Afghanistan was propping up the security forces.

So I think that's a really important point. If I could just and we'll be learning more about, the deals that Galvan struck in local areas. But there is capitulation through intimidation in the sense that, if you don't we'll kill you.

And we have seen even a sort of security forces who have surrendered reports of them being killed. There is the [00:10:00] sense of why would I die for a government that does not care about me? Why don't I try to save my life? And basically walk away. I think, just looking back there are.

Sort of ways in which this withdrawal, if it were to happen, could have been done to mitigate some of these factors and we can talk about them more. But not pulling out the rug from under the security forces would have been my number one recommendation, hand, they were used to handholding and and needed that in order to fight the Taliban and they didn't have it.

[00:10:40] **Scott Anderson:** Jonathan, let me turn to you if that's okay, because that leads directly in the first question I want to bring to you because you and I had a conversation on Lawfare alive a few weeks ago, it followed up by a piece of yours on law fair that made the case that hasn't come true. And you were, I think to your credit, very honest about this and Twitter, which can be a difficult moment a Mia culpa moment that frankly, any analyst and I have had plenty of these myself, sometimes faces and the bravest and the right path is often to acknowledge I was wrong and made a mistake and try and figure out why and watching you do that has been a really educational experience, but that I want to bring out to the listener here.

You're you initially the expectation was the Afghan security forces would be able to hold out a bit longer, at least in urban areas and areas where they could fortify, where the air support in different resources would be able to make it hard for the Taliban. To amass the type of force necessary to break through those certifications.

But we didn't see at least the Afghan forces having the confidence that they would be able to do or at least it doesn't seem like that's the case. It wasn't just a lack of confidence. Was it a lack of cutoff of these sorts of resources? What was the combination here that seems to in your kind of ex-post assessment have led to the Afghan security forces being so less effective in retaining territory than many experts [00:12:00] outside the government.

And I suspect many experts inside the government expected from the outset.

[00:12:06] **Johnathan Schroden:** Sure. Yeah, no, that's, those are great questions. And let me start by thanking you for having me on, I think the listeners for being here today, I'll apologize in advance I'm on daddy duty today. And so I'm actually with the kids at the Aaron space annex museum.

So if you hear a little bit of city noise in the background, that's what's happening. And I apologize for that. But to your point, if this was if I was on TV, I would try and give you a sort of a pithy answer, but really I think for this audience it deserves a little bit more introspection than that.

The story is quite involved and, without giving the long gory history, I might rewind the clock just a little bit to set this up because what we saw clearly over the last couple of months was a series of dominoes falling, right? A serious domino effect, and it's worth taking a step back to ask when, when did that chain of dominoes falling.

And I would actually rewind the clock all the way to about 2006. And again, I'm not going to go through 14 years of history here, but, quickly, in, in 2006, when the Taliban really started to research regained strength in Afghanistan, after the, their initial defeat, the U S had at that point, still not created sufficient Afghan security forces both in number and with sort of the capability to stem that resurgence.

And so as it happened, the U S found itself on the back foot, playing catch up to this resurgent Taliban insurgency, and it really never got out of that mode over the last 15 years. Even during the surge, right? We put a lot of money and investment into the Afghan security forces.

We grew them to be a, a size of 300,000 or so. We gave them hundreds of, 160 odd aircraft and, tens of thousands of vehicles and whatnot, but it was all in this mode of trying to [00:14:00] catch up with the Taliban's resurgence. And what that meant practically was because we were fighting the Taliban, as we were trying to build the Afghan security forces to get to a point where they could take over the fight.

We were constantly in a mode of prioritizing operational necessity over long-term sustainability. And so what did that mean? That meant that when we felt, when we feel that a force of 300,000, the goal was to just get them in the field as quickly as you could. And they, weren't always very well-trained, they weren't always the best recruits, et cetera, et cetera.

But it was get as many bodies into the field as you can. And we'll worry about the quality of those. Forces later, similarly on the equipment side, get them as much hardware, military hardware, as you can as quickly as possible. And we'll worry about the sustainment of all of that. Whether they can actually operate it themselves, whether they can maintain it and sustain it over the long term.

We'll worry about all of that later. And that's been the mindset of the effort to develop the forces over the last 15 years. And so what did that ultimately lead to? It led to the sort of things that Medea described, where they have become the Afghan security forces had become incredibly dependent on the U S for air support or maintenance of their own aircraft, their armored vehicles for management of their personnel systems, for management of their pay system management of their logistics systems.

All of the back shop things that you need to have the institutional things it needed to have for a security force to be effective. Over the longer term simply weren't there. So what did that mean over the last couple of months? That meant when the Taliban started pushing in rural areas to take these rural districts, especially up in the north.

Initially there were efforts by the FDA and security forces in those areas, not all of them, but by a good number of these units [00:16:00] to try and defend the area. And what happened is they stood in, fought for a day, two days, sometimes longer, and they started to run out of ammunition and they started to run out of food.

They started to run out of water. They started to get overrun and it would call for airstrikes and they wouldn't come and they would call for reinforcements and they wouldn't come.

And so eventually they would turn and flee and word of that spread right to many other Afghan army and police units that, Hey, these, these guys tried to fight and they got nothing from cobble and many of them died in the process.

When it becomes, then if you're hearing that in other parts of the country and it now becomes your turn to stand and fight against that Taliban onslaught, and you're not convinced that you're going to get more ammo, food, water, airstrikes, reinforcements, why would you stand in flight? Unless you believed in your soul of souls, that the president of your country and the government was worth dying for.

And that's really the situation that we found, right? That sort of domino effect over the last two months many, the vast majority of Afghanistan security forces ultimately concluded that in their heart of hearts, the government wasn't worth dying for.

[00:17:16] **Scott Anderson:** Yeah. Let me follow up with you on that, Jonathan, because I think you're in a good position to, to tee up, I think is the question.

A lot of us are asking ourselves and a lot of people in government I suspect are asking ourselves as well, which is what is it? The Biden administration could have done differently. Even if we're taking the Biden, administration's commitment to withdrawal as static as that being the ultimate outcome.

Because I think there are a lot of people who may take serious issue with how the last few weeks have been handled by United government, but nonetheless agree with the overall objective of withdrawal. What were their opportunities in which the United States government could have fortified Afghan forces through [00:18:00] airstrikes that would've made a difference through consolidating some of these supply lines or was the reliance just to baked in.

To be able to adapt it, any sort of timeframe in the near term. And if you couldn't adapt it with the kind of broad nationwide reach that really the U S Afghan strategy had been by my understanding a fairly wide distribution of Afghan security forces could there have been, or should there have been a discussion about consolidating and centralizing the security forces who are available to be able to hold onto us slice of territory?

If not the whole scope of the country as would be ideal. Do you have a sense of that in, in, in the looking back that you've had the opportunity to do so far and Laura and muddy height, I'd welcome thoughts from you as well. After Jonathan.

[00:18:48] **Johnathan Schroden:** Sure. Yeah. And I'll try to be brief on this so we can let let the other guests weigh in as well.

Biden was in an extremely tough spot having, taking the presidency in January and immediately facing this deadline. In the U S Alabama agreement to withdraw by the start of March. And so I, I think he his announcement happened obviously, and they didn't have a lot of time to do the types of planning that you would need to do in order to implement that very effectively.

They didn't get much in the way. Okay.

From the Trump administration reports of the Trump and, meeting with them and giving them the information they needed in order to hit the ground running. So they were already a disadvantaged time-wise and in terms of how much information they were given by the previous administration.

But in terms of, what else might they have done differently? Laurel, for example, and Barney Miller and others published a few papers early on this year, that said, why not negotiate with the Taliban some amount of extended. Whether six months, eight months, try and give the administration some more time to get itself, sorted out, get his policy in place, and withdrawal responsibly. [00:20:00] And I supported that idea at the time. I thought it was a good idea in part, because it was clear that the defense department had done almost no planning to withdraw to zero in Afghanistan and to continue to do things like, support that getting air force with contractors, et cetera.

And so that would have afforded them more time. Had they done that instead, obviously the president announced we're going to get out, we're going to get out by September at the latest. And I don't think that either the white house didn't understand or it just wasn't conveyed to them that once that decision was made, that the us military was going to try to get out as quickly as it possibly can.

To minimize the window of vulnerability to its own forces, right? Given the fact that it was withdrawing under threat of fire. And I'm not sure that was fully appreciated by the white house. When that decision was announced,

[00:20:54] **Scott Anderson:** Laura, let me turn it to you. As Jonathan mentioned, some of your early commentary on that, and then Medea I'll come back to you as well for your thoughts.

[00:21:01] **Laurel Miller:** Yeah. I fought at the time at the beginning of the administration, as Jonathan just alluded to that it was pretty clear that a withdrawal a was going to happen and B wasn't sufficiently planned for and prepared, including in terms of discussions and negotiations with the the Afghan government, in order to, as Medea said earlier, try to mitigate some of the likely fallout of the withdrawal and leave them in the best position possible.

And that really, It was my primary reason for advocating for a six month negotiated delay in the withdrawal date. I think what you would have said publicly is that it was for purposes of trying to keep going with the peace process efforts. But really I thought the primary reason to do that was to prepare for withdrawal.[00:22:00]

It's, it seemed to me that president Biden's decision to withdraw was going to happen. And that anyone who had been listening to what he had been saying for many years knew that it was going to happen. I certainly. Credit the interest in having a genuine policy decision-making process to explore options.

But I, I felt that it would be better to have a very short policy process about whether to withdraw or not, and a longer policy process for how to withdraw given the inevitability of that decision. What's tricky about this in practice is to. Quietly make a firm decision and plan for it without people being too tall.

But that's what you're doing is difficult to do. But nevertheless, it's where I would have what I would have aimed to do more than appears to have been the case publicly and acknowledging that none of us have perfect insight by any means into what was going on. Internally within the government the date for withdrawal that was in the U S Taliban agreement.

The U S did unilaterally declare an extension anyway. So to suggest that you had to be overly hung up about the date that was in the agreement is I think Not accurate. And it was supposed to be all forces out by may one. And the administration said, yeah, no, all going to be out by September 11th.

And the Taliban, was annoyed and then went along with it. So that suggests to me that it was in fact feasible to try to work out some kind of delay. I just would've advocated working that out further in advance. So you could try to mitigate what we've seen happen to, to a greater degree.

[00:23:54] **Scott Anderson:** Yeah, I want to turn to you, but let me sharpen the question just a little bit on this, because I think if you follow Twitter, you [00:24:00] follow where these conversations are happening. You see this weird unity of views among some of the harshest critics of the Biden administration and some of their stride and defenders.

And the thing they both seem to agree on is that this was inevitable. This was what was going to happen with withdrawal at some point or another. The critics of the Biden ministration say, and that's why we should never withdrawn in the first place. The harshest credits the defenders, the Biden ministration, and say, this was inevitable is going to happen.

And we had to withdrawal and the United States can't stay in Afghanistan forever. Is that assumption credible? Is that something to be taken seriously? The realities that could have come from this policy decision? Is it just a matter of time back. But I think we should all acknowledge, coulda made a refer patient effort and other us priorities.

I don't think I do with that. Okay.

[00:24:59] **Johnathan Schroden:** Or was there,

[00:25:08] **Scott Anderson:** Nope, you're having trouble hearing. I moved here and I'm having trouble. You're on mute, I think.

[00:25:15] **Madiha Afzal:** Yeah. I, the last couple of sentences, I'm not sure Laurel, if you could hear, or Jonathan, I had troubles. I'm just

[00:25:23] **Laurel Miller:** wondering. Yeah, I couldn't I'm Scott and you might want, I thought maybe it was my video, clogging it up, but Scott, you might want to turn off your video temporarily

[00:25:31] **Scott Anderson:** to see if that does that sound better?

Yes.

[00:25:36] **Madiha Afzal:** Yes. Yes it does. I, it the last, I, I if you could perhaps repeat the last couple of parts of your question I, then I'm sure it will be better for the

[00:25:44] **Scott Anderson:** recording. Yeah, absolutely. Let me just do the whole thing. And thank you audience for bearing with us again, this is the joys of a live podcast recording.

But yeah, I want to turn to you on this question, but I want to sharpen it a little bit. I think we see a weird. [00:26:00] Intersection congruence between some of the views we are hearing from the harshest critics of the Biden administration and some of their most strident defenders. And the point both of those camps seem to be agreeing on is that.

What was happening, what has happened in Afghanistan was inevitable. The critics argue, and that's why withdrawal was never a good idea and should never know the first place and the proponents or the defenders of the Biden administration say, and that's why what's happening now, as tragic as it is, was unavoidable.

And it's not the Biden administration's fault. How credible are, is that assumption, is that assertion in your eyes? Was it just a matter of delaying the inevitable in terms of additional steps that could have been taken, which may have made a difference for evacuation efforts for certain other policy agendas, but wouldn't have changed the ultimate outcome on the ground in Afghanistan or is there a reason to think there really was a different political reality that could have come out of a decision to withdraw than what we're seeing now?

[00:27:04] **Madiha Afzal:** Sure. Let me unpack that a little bit. If I can, that's that's the irony of this. I think the way we have seen things unfold over this weekend. Was avoidable. If this had been done more deliberately, more carefully, more responsibly as the president promised, on the campaign trail, even as he promised that he would withdraw, he promised there would be a responsible withdrawal there, I've got us done is now getting engulfed in a humanitarian crisis.

I did not hear from the Biden administration. Any commitment to addressing that humanitarian crisis over the weekend. I didn't hear any wider message to Afghans beyond the people that who have helped the U S who are in line for special visas, and even they might not get them, they could have been evacuated.

They could have been flown out earlier, [00:28:00] there have been it, the Biden administration has been in power for almost seven months now. And that could have been done even because of withdrawal was anticipated. Th that those steps could have been taken. So there is a humanitarian aspect to this crisis that hasn't been addressed that certainly could have been addressed better.

So I don't think we would have seen the scenes of, the helicopters flying over Kabul. The people, the Afghans flooding the runway of a cobble airport. Trying to get a plane and you're

trying to latch onto a plane and the plane taking off around them. These are heartbreaking scenes and they really reflect, for what for oftentimes will be considered abandonment.

So I think so the one part of it is that this could have been handled better and it was not inevitable that this weekend would unfold this way. I think going back to this on a wider broader, longer term decision-making platform. I know Biden had no good choices.

When January 20th rolled around, there were no good choices. I think he had made it clear that he wanted to withdraw. Was always of the view and have argued this. And I'm sympathetic certainly to the other point of view that that we had to withdraw, but I was always of the view that we should withdraw only after a peace deal is reached.

And last fall, I argued that there were enough gray areas in the Doha deal to try to iron out a peace deal before we would true. And this spring I argued that we didn't. Need to withdraw unilaterally, given that the Taliban had not lived up to their commitments to cut ties with Al-Qaida.

So there were both those kinds of loopholes, if you will, in the door deal that we could have used. That being said, I think president Biden not only did not use them, he announced an unconditional withdrawal on April on April 12th, throwing [00:30:00] out even the, the measly conditionality that the Trump administration had put in into the deal.

I think that in some sense, really inevitably set the path to the fact that the Taliban wouldn't. Would not negotiate in good faith with the Kabul government, with the Ronny government. And that's what we saw. And in some sense, a military takeover at that point whether through a protracted civil war, if the Afghan forces had fought back or, just in the way it's happened now with really abject surrender was inevitable.

But I think there were decisions made both from the Trump administration side and the Biden administration side that made those inevitable.

[00:30:47] **Laurel Miller:** Yeah. A comment following on from the very last point that Medea just made. I don't think it's correct to say that everything that we've seen happen in the recent days and weeks was, inexorably inevitable that an under any set of circumstances, this would have happened. The reality is more than that.

The set of circumstances became such that it became inevitable and this the circumstances related to American political, decision-making how the U S government works, how things have been handled over the last few years. The nature of the deal that was made between the U S and the Taliban in February, 2020 is one factor that I think contributed to the inevitability of the moment, because it was very much in the Taliban favor.

It gave them. They're a victory on their number one, objective, a commitment by the foreign forces to withdraw upfront before they made any concessions at all. Now that was a calculated risk that the us made in the hope that deal could then be converted into an opportunity for a real [00:32:00] Afghan peace process.

But that's not what materialized and that calculated risk was turned out to be a bad bet. The only other thing I would say on this is that, you do have to just consider the reality of how the us government works. And there are things that one can say should have, could have been done differently that just were never going to happen differently because of how U S political and policy decision-making works.

Even if we all. Hope and wish it might work better. Back during the second term of the Obama administration and towards the end of the administration, when I was at the state department working on among other things efforts to get a peace process in Afghanistan, going my number one reason for believing very strongly that should have been a higher priority for the U S was because even then I believe that one day Washington was gonna wake up and just want to wash its hands of Afghanistan.

And, at a political level, people would look at each other and say, what are we still doing there? You could argue that's right. Wrong, whatever. But I just, to me, that seemed inevitable and because of that, and because it would be much better to have left with a peace agreement intact and because.

Negotiating some kind of peace agreement was going to take a long time. Under any circumstances. I thought we should have been much more serious about it, six, seven years ago then then we were at the time and by the time the Trump administration rolled around and midway through decided and conveyed publicly how strongly they wanted to get out.

There was just no deal you were ever going to make in those circumstances that wasn't going to hasten the day that we've now seen pass.[00:34:00]

[00:34:02] **Scott Anderson:** I want to move to begin to look forward shortly, but before we do, I want to come to one last question for you, Jonathan. In this vein on this question of alternative paths that might've been taken another perspective we are seeing from very expert voices is the view that there was a relatively stable status quo early on when the Biden administration came in or approximate to it in terms of a relatively low us troop commitment that would, was able to stabilize the situation, not just true commitment, but also other resources.

But I know that the argument you've engaged with online and I want to turn it over to you to your perspective as to whether that's accurate.

[00:34:43] **Johnathan Schroden:** Sorry you broke up on me just at the very end there. Could you just repeat the

[00:34:47] **Scott Anderson:** question? Sorry. Yeah, let me rephrase that again. Jonathan, let me turn to you with one last aspect of this online.

I know you've engaged with an argument that we have seen from some fairly notable figures arguing that in fact, the Biten ministration inherited a pretty stable

critique of idea of withdrawal altogether. What is your reaction to that? Cause I know you've engaged in this argument and Laurel muddy, Hyde, welcome thoughts from you as well.

[00:35:32] **Johnathan Schroden:** Yeah, sure. No, I appreciate the question. Those arguments with a lot of which were advanced, even in advance, ahead of the president's decision to withdraw when there was robust argument amongst, think tanks and foreign policy types as to what we should do.

The argument to stay usually revolved around two factors, which you mentioned. One was the idea of costs that the U S had found itself in a place where, [00:36:00] we were quote unquote only spending somewhere in the vicinity of 20 to $30 billion a year on Afghanistan. And, we hadn't had a U S casualty in a well over a year.

And so the idea was that the costs quote-unquote were relatively low. And the second was the second idea was that it was a stable and. In which us could maintain 2,500 or, some smallish, thousands of troops and that those troops could continue to do counter terrorism activities from there to keep a lid on the likes of Al Qaeda and ISIS, and do a little bit of training on the side, perhaps.

And that was the view

in dollars is a rounding error in the department of defense budget as a U S taxpayer. I still find that an offensive notion that we're just throwing, 20 or $30 billion numbers around like that's junk chain. That is a sizeable amount of money that the us could do a lot with when purpose towards other things.

So there are, there are opportunity costs with respect to this, but it also, I think the more important point is it blatantly ignores the costs that were being paid by the Afghan people. When they say things like the us hadn't suffered a casualty in over a year, sure.

That's true. It's also a function of us Taliban agreement and I'll maybe I'll leave it to Laurel or Medea to explain that part of it. But on the Afghan side, thousands of Afghans were being killed every year for the last, how many years in this situation. And had we studied who, even if it was a stable environment, I'll get that in a second.

The price that would have been paid by Afghans would have continually been thousands of dead Afghans year in and year out in perpetuity. And I personally [00:38:00] find that, an affront I own, I don't see that as quote unquote, low. So that's the first thing on the stable environment piece, I would say, right?

The people who make that argument are generally speaking. People who didn't fall Afghanistan beyond the sort of macro headline level since 2015. And what they'll argue is, oh we've had troops there at this low level since 2015, and we've been able to do presumably what we wanted to be able to do.

So it's fine. We could have continued to do that again in perpetuity, but the reality is if you look at micro levels, the Taliban had been making steady gains, especially in rural areas encroaching on capturing more districts encroaching on the district centers of others steadily since 2015.

And even before Biden's announcement. Earlier this year, I was asked to give a brief to a government audience and I sat down and did an assessment of how many provincial capitals had the Taliban already effectively surround. This was like a general. And the answer was 12 or 15, nearly half a third to a half of the country's provincial capitals were already effectively surrounded by the Taliban at that time.

So the idea that you could keep some smallish thousand number of troops in Afghanistan, as a sort of imperpetuity stable environment, again was just fallacious. It was not a or fictitious. It was not a stable environment. It was a tactically eroding one. And it has been for some time,

[00:39:34] **Scott Anderson:** Laurel and Medea.

Do you have anything to add to that? And particularly just on the general ideas of it was the status quo that, that existed prior to the decision withdrawal, was that something sustainable or something close to sustainable? Or was it something that inevitably we w was not going to be able to lead to a more positive outcome?

[00:39:56] **Laurel Miller:** I can jump in on that and Medea may have thoughts as well, but, I [00:40:00] think what what Jonathan has described as not a steady state situation and eroded, but rather an eroding situation in terms of the military situation was also paralleled on the political side. And I think what you had seen on the political side, Not a self-sustaining arrangement in terms of confidence of political actors in the leadership of the Afghan government and the survivability of the Afghan government in the absence of direct presence.

And that degree of support from its from its main patron, the United States now, it has to be said, I think what the administration was leaning on was the idea that they were continuing to promise, to provide support for the Afghan government monetary support and some continued.

Training support and other forms of materials support for the Afghan security forces. And I think the hope had been that would be the counter to the concerns about the survivability of the Afghan government, but that turned out to be a false hope or at least one that didn't match the reality.

I would just add to this and it's something Jonathan who's written about. It might have something to add to as well. I think there's been an exaggerated reliance on the part of. Us government thinkers and even some thinkers and analysts outside of government on the fact that after the Soviet withdrawal from Afghanistan, the Naji Bula regime, the, that was then governing the country hung on for and that was a client of the Soviet union.

For those of you [00:42:00] who are too young to remember some of this survived for another three years while the Soviet union still existed and was providing financial support. And it was only after that financial support was cut off as the Soviet union disintegrated that the nodule originally. Failed and, some people have drawn too simplistic in my view.

A conclusion from that, which is so long as the U S government keeps the spigot of dollars open, the Ghani government would survive. I think there were a lot of reasons to question that comparison and and we've seen it now that, just keeping the money flowing wasn't enough.

[00:42:56] **Johnathan Schroden:** Yeah. Sorry. Just a very brief point on that. And I'll highlight, I wrote a paper in the diplomat on this specific point and just two quick things, I would point out one is. When the Soviets withdrew, they had a very well crafted and very well synchronized whole of government plan for what they wanted to do with respect to Afghanistan after their withdrawal, that was worked out well in advance of their withdrawal.

And it was a very good again and well synchronized plan. The second thing is they had a client in Naji Bulla right, whose goals were the survival of himself and his regime, which were exactly the same goals as the Soviet. So they had almost a hundred percent alignment of patron and client goals in that relationship.

The U S as it withdrew here had neither of those things. We did not have any semblance of a plan, really much less one that was, synchronized across the interagency. And the second is president Ghani. His goals were definitely not a hundred percent align with the U S his goals in a post withdrawal violation.[00:44:00]

[00:44:03] **Scott Anderson:** All right. I want to shift and begin to talk about what comes next. Oh, sorry. Oh please. Yeah, go ahead.

[00:44:09] **Madiha Afzal:** Yeah. Just one thing to add based on, what Laurel and Jonathan have said. I think, I'm sympathetic certainly to the argument that this was not sustainable in the longer term.

But in the, and as Jonathan said, it was an eroding situation. I think my only point and I made this earlier as well, my view was that there was a way probably not an easy one perhaps to make it sustainable in the short to medium term. So that. The Afghan government, the erstwhile off government now, and the Taliban could iron out a peace deal.

Trump made that, the Doha deal made that very difficult. But there was potentially a way given that the Taliban weren't meeting their conditions to try to make our presence there, the leverage upon which the the Afghan government and the Taliban would agree on a peace deal.

And then we could leave things could have unraveled after that peace deal too. But at least we would have left with with a peace deal rather than this military victory of the Taliban.

[00:45:34] **Scott Anderson:** The state for the time being w what can you tell us about that? Taliban movement that has come into power. How much does it look like the Taliban movement that controlled the good chunk of the country and the 1990s? Are there differences? Have they departed and are there other factions and political interests and groups in play, or seem likely to come into play either in opposition to the Taliban or cooperation with them that are going to [00:46:00] shape the political outcome?

And one particular question I think is going to weigh heavily in the minds of a lot of people that I particularly want to put to you in evaluating. This is, the big exchange, the big focus that the United States has gotten out of this. The one thing that a lot of people still hang your hat on is the commitment that the Afghanistan will not be used as the base for national terrorism moving forward as it was in the 1990s.

How credible is that commitment? How credibly can the Taliban or whatever political mechanistic political institution that comes neck stick. Commitment or do they have the infrastructural control and ability to project force necessary to enforce something like that? Or is it this point really?

Is it more of a measure of good faith?

[00:46:45] **Madiha Afzal:** Sure. I, I think there's still quite a bit that is uncertain. The caveat here is that I'll answer with what we do know, given that it's nature and the political savvy that it's presenting to the outside world this Taliban is different in that way from the Taliban of, that, that rule of God Hassan from 96 to 2001. They can make promises. They're able to communicate with Western journalists, with foreign governments, they struck a deal with the United States.

And they're talking a good talk, but talk is cheap. And so what we see on the ground so far gives no indication that they will be any different from the Taliban of the 1990s in the areas that they've taken over, they're preventing women from going to work.

They're preventing girls from going to school. They're behaving in exactly the same way as they did in the 1980s. [00:48:00] In the in the in Cabo, there, there early reports coming out that they are going around people's houses and taking away musical instruments. There's, this is all a repeat of the 1990s where they are different, as I said before is in how they've been able to communicate to the outside world.

But all of this, we'll wait to see if any of that translates into any changes on the ground, but right now I would not trust the Taliban on, how they are going to rule over Afghans, the human rights that they're going to provide. I wouldn't trust them on anything.

And I would go back to the way I would. I, my bet is that they'll go back to the way that they were in the nineties. The one thing I to, to your question about, them guaranteeing to the outside world, that they're not going to let Afghanistan. To be used as a base for launching terror attacks.

That's, in some sense, their big promise to the outside world to China, to the U S and others. And I honestly don't believe that given sort of their ideological stance that they will be able to follow through on that promise. They can't guarantee it. And and I honestly, I would be very surprised if they are able to follow through on that, but I think jihadist groups across the board and certainly Al-Qaida will be emboldened under the Taliban.

[00:49:20] **Scott Anderson:** Laurel, let me turn to you with the next phase of this, which is that if we can't be confident that Afghanistan is going to stick to its commitments or some of its rhetoric probably the Taliban is stick to it's finished so much rhetoric about human rights

humanitarian issues or the most fundamental underlying commitment at least from a us official policy perspective of not providing a Haven for terrorism.

What are the points of leverage the United States still has in play or the international community? European allies, a lot of the post withdrawal planning was premised on the assumption that there would still be local partners and [00:50:00] a robust frankly diplomatic presence that would be able to provide a vehicle for aid assistance and other mechanisms.

Obviously, all of that seems to be off the table. If there's any diplomatic use dramatic presence seems like it to be extremely slim. So what are the remaining sources of leverage available to other parties in the international community? Who've got an interest in how things play out next in Afghan.

[00:50:24] **Laurel Miller:** Yeah. I think the greatest leverage is in the hands of the regional powers, Pakistan, Iran, China, Russia, to a lesser extent the central Asian states because those are the governments that first of all had the greatest interest in the situation in Afghanistan still. And also, I think that's really at this stage, the primary audience that the Taliban has in mind for its foreign policy.

So for the us part, I think it's a question of working, with and through as it can, those regional powers to try to exercise some influence over how the Taliban governance in Afghanistan. The, I think the Taliban have been smart enough to appreciate that. In their foreign policy, that it's unlikely that in power, although they would like to still have development assistance, that they're really going to be able to govern in a way that that attracts that assistance from European powers at least, and maybe the U S as well, excuse me.

And I do think that it's nearly impossible.

Is from, is for security [00:52:00] institutions and security forces. And the Taliban's not going to want that. So that's off the table already. The U S has leaned in recent weeks and months, very heavily on this idea that the potential for the Taliban to gain legitimacy and attract financial assistance is significant leverage over them.

But I think. The U S has leaned on that just because that's what it had to offer as a carrot and the stick. Not because that was ever going to be particularly effective. And now we're in a context where it's really not going to be effective because there is no other power. They are the defacto power.

They have come to power in a way where there's no competition left standing for them. And it's unquestionable to me that that the regional governments are going to recognize them as the legitimate enough power in Afghanistan.

Because it doesn't have that partner in Afghanistan over which it had the most influence. The U S influence is going to be, have to be exerted in cooperation with the regional powers. And that's very difficult to do when you're talking about Iran, China, Russia, and Pakistan, as the key regional powers.

[00:53:40] **Scott Anderson:** We're a little past time, but I want to turn to you Jonathan with one closing question, which is another part of the original plan for the post withdrawal scenario in Afghanistan for the United States was the ability to maintain some sort of over the horizon military capability. In the event, you did see an Al Qaeda [00:54:00] resurgence potentially for other purposes as well, but we haven't really seen to my knowledge, at least efforts to negotiate another regional base for aircraft and for other us operations. Having any success so far, obviously it doesn't seem likely that there's going to be any military us military presence in Afghanistan. Right now it's boiled down to Kabul international airport which the military is trying to maintain control over for the purpose of evacuation of us allied personnel, some Afghan partners.

But not as many as perhaps would like to be pulled out. It depends on how long they can maintain that control and how long the Taliban seems amenable to it. What are the options left militarily for the United States? Obviously the United States did project force into the Afghanistan in the 1990s through rocket attacks and sort of other measures and may have different capabilities now.

But are we much more limited for this because of the challenging neighborhood and the inability to secure an alternative place to house our military presence in the room.

[00:55:02] **Johnathan Schroden:** Yeah. You're right. It did seem like there were some engagements by the Biden ministration with regional countries, where there were a bunch of meetings with central Asian state leaders, et cetera.

And while they never said it out loud, it seemed like they were testing the waters of the potential of U S military counter-terrorism presence there. And none of those efforts appeared to come to fruition. So you're at a position now where obviously the U S can't have a military footprint in Afghanistan.

The best it's going to be able to do is to have that over the horizon capability, which it has stated is in cutter these days. They've stood up and over the horizon CTE command there that, that will extensively have the, what assets the us military can afford to dedicate to that type of mission will be operated from.

The real question is intelligence though, right? It's one thing to have airplanes and drones stationed, if even [00:56:00] as far away as cutter, they could still range Afghanistan, assuming Pakistan allows them to overfly its airspace, but you need to know where to strike. Now you need to have intelligence on where the terrorist groups are, where they're operating, and not the type of, while they were there two days ago type of intelligence, but you need the intelligence of they're going to be there tomorrow at this particular time.

So you could get an air asset overhead. That's very hard to do if you don't have a presence in country. And with the us now evacuating its embassy, it looks like we're going to have, zero presence in country. That effectively turns up a Stan into an Intel, a bit of an intelligence black hole.

The best you can do is then look at it from satellites and that type of thing. So while it seems unlikely, the U S military. We'll be able to get a presence in a neighboring country. I would

expect the U S now to try and see if it could get some type of intelligence presence, either in the moral regions of Pakistan or perhaps in Tajikistan or Rebecca Stan.

Get close enough that you might be able to do some amount of intelligence collection to aid to this over the horizon counter-terrorism platform that the us has established. And if it can't do that, it's going to be really difficult to monitor what happens with the likes of LA Vida going forward.

[00:57:21] **Scott Anderson:** We will have to leave the conversation there, Laurel, Jonathan Medea. Thank you very much for joining us here today on the Lawfare podcast.

[00:57:30] **Laurel Miller:** Thanks for having me.

[00:57:32] **Madiha Afzal:** Thanks everyone.

[00:57:34] **Johnathan Schroden:** Yes, thank you very much.