Politics in Post-Taliban Afghanistan: An Assessment

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Abstract

The Afghan war is far from over. With the political process that began in December 2001 having completed three years, it is pertinent to revisit and examine the course of the post-Taliban Afghan politics. Afghanistan's attempt to move towards peace and democracy has been perilous and remains so. The ouster of the Taliban[1] and subsequent signing of the Bonn Agreement[2] at the end of 2001 marked yet another turning point in the long-drawn Afghan conundrum. The tragic events of 9/11, which led to the consequential Operation Enduring Freedom (OEF) by the United States, not only displaced the Taliban, but also re-engaged the US in Afghanistan leading a 'coalition of the willing'. The political revival of the mujahideen*, who have come to play a dominant role in the post-Taliban politics, and the reworking of the US-*mujahideen *synergy, a prominent aspect of the US' anti-Soviet game plan in Afghanistan during the Cold War era, are other remarkable features. Having elected a president, Afghanistan is gearing up for a wider electoral exercise – parliamentary and local elections are due in September 2005. The paper suggests that in the backdrop of rising violence, socio-political polarisation, scarcity of funds, booming poppy production, warlordism and inadequate logistics, the elections alone will not serve the objectives of the Bonn process. In the absence of effective institutions of governance and the attention deficit of the international community, Afghanistan will continue to be at odds with the Bonn-mandated political and economic reforms being attempted there.*

Background - The Forgotten Civil War

The Afghan civil war has passed through several phases. The end of the Cold War, with the disintegration of the Soviet Union in 1991, has had far-reaching consequences for the Afghan war. The signing of the Geneva Accord in 1989 led to the abandonment of Afghanistan by the international community. It undeniably

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pushed the war into oblivion. The Najibullah Government, which survived on Soviet support, could not withstand the *mujahideen* onslaught and was ousted in April 1992. Afghanistan soon plunged into an endless cycle of factional violence with various *mujahideen* groups scrambling for power. The simultaneous emergence of five independent Central Asian Republics (CARs), presumed to be floating on large reserves of hydrocarbons, increased the geo-strategic value of Afghanistan as a potent transit route to the ports on the Arabian Sea and the Persian Gulf. Pakistan, a frontline ally of the US in its campaign against Soviet expansion in the region, was left to pursue its geo-political ambitions in Afghanistan. Pakistan's continued involvement invited the attention of other neighbouring countries like Russia, Iran, India and the CARs.

Though attempts were made from time to time to arrive at some kind of political arrangement, whereby the interests of all the major *mujahideen* factions could be accommodated, stability continued to elude Afghanistan owing to dissensions among them. The Peshawar-based seven-party *mujahideen* alliance, *Ittehad-e-Islami Afghan Mujahideen* or the Islamic Union of Afghan Mujahideen (IUAM), repeatedly failed in forming a broad-based interim government.[3] Lack of cohesion and political consensus among the disparate members of the IUAM rendered all attempts for a negotiated settlement ineffective. Various attempts were made by Pakistan and Iran, as also the United Nations (UN) and the Organisation of the Islamic Conference (OIC), to make the warring factions reach a compromise. Nevertheless, the inter-*mujahideen* rivalry for political supremacy continued to devastate Afghanistan until the arrival of the hitherto unknown Taliban in the latter half of 1994.

The Taliban emerged as yet another remarkable actor on the much embattled political stage of Afghanistan. Their rise in the Afghan body politic was phenomenal. Looked on as a solution to the faction-ridden Afghan polity by some, they were an outcast for many; a potential destabilising factor in the neighbouring countries, who have always been wary of the spill-over of the Afghan conflict into their territories. It was said that the Taliban's anomalous interpretation of Islam and the way they went about capturing power could serve as a role model for other aspiring Islamists.[4] The Taliban, a radical Sunni Pashtun movement with *Deobandi* orientation, was largely sustained with Pakistan's military support, Saudi Arabia's financial backing, and US' planning. Known more for their extreme interpretation of Islam and social decrees, particularly those relating to women, the Taliban were nonetheless able to impart a semblance of law and order. However, their uncompromising attitude towards non-Pashtuns and extreme intolerance towards

Afghanistan's traditional diversity further perpetuated the ethnic cleavages in Afghan society and made them unpopular with the international community.

Lack of international recognition and legitimacy was always an unsettling issue with the Taliban leadership. Their intimacy with Osama bin Laden, held responsible by the US for masterminding terror operations, including the attacks on the World Trade Center and Pentagon, proved fatal. The Taliban's lack of political vision and governing skills was more than evident as they failed in developing critical institutions. Coupled with this, the creeping differences between the Kandahar *shura* and Kabul *shura* (former dominated by the Kandahari or Durrani Pashtuns from the south, and the latter by Ghilzay Pashtuns from the east), with hardly any non-Pashtun representation, were a limiting factor in transforming them into a pan-Afghan political force. The international community too failed to engage them with political tact and diplomacy so as to moderate their harsh policies, and instead took to penalising mechanisms like sanctions, isolating them further. It was aptly remarked by Ahmed Rashid that "…the Taliban are also Afghans, who are masters of *bazaari* politics and economics and know a good deal when they see one. Unfortunately, thus far, no one has shown them an offer they cannot refuse."[5]

Afghanistan Re-Focussed: The Bonn Agreement

The fall of the Taliban was as meteoric as their rise. It culminated with a heavy air offensive by the US on their mainly southern and eastern strongholds, and a ground offensive led by the Northern Alliance (NA)[6] from the north. When the OEF was launched on October 7, 2001, the Taliban were controlling most of Afghanistan (except Takhar and Badakhshan Provinces in the northeast which were controlled by the Tajiks), with most of the *mujahideen* leaders and commanders either having sought refuge in neighbouring countries or on the run (see Appendix-1). The sole exception being the Tajik leader, Ahmed Shah Masud, whom neither the Soviets nor the Taliban could dislodge from his stronghold in the Panjshir Valley, until his assassination by Arab suicide bombers two days before 9/11.

Following the fall of the Taliban regime by mid-November, negotiations began among various Afghan groups under UN auspices on November 27, 2001, in Bonn. After nine days of controversial parleys, four Afghan groups finally signed the Bonn Agreement on December 5, 2001 on provisional arrangements until the institutions of governance were established.[7] The Agreement set a timeline of two-and-a-half years for the task to be accomplished. It was a comprehensive document, "*determined to end the tragic conflict in Afghanistan and promote*

national reconciliation, lasting peace, stability and respect for human rights in the country."[8]

Under the provisions of the Agreement, Hamid Karzai was appointed on December 22, 2001, as the head of the Afghan Interim Authority (AIA) for six months. He organised the Emergency *Loya Jirga* in accordance with the Agreement in June 2002, where he was elected as Chairman of the Afghan Transitional Authority (ATA) for a period of two years, i.e., till June 2004. The Agreement enunciated the task of creating institutions like the judiciary, the army and the police force, the constitutional commission, the election commission, banking, the drug enforcement directorate and an independent human rights commission. It also enshrined provisions for disarmament and demobilisation of militias, drafting of a new constitution, fighting terrorism, drugs and organised crime, repatriation and resettlement of refugees, and other related subjects. The entire process was supposed to culminate with the "establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government", elected through a free and fair exercise of electoral rights by the people of Afghanistan.

However, Hamid Karzai and his Western-backers had their task cut out given the fragility of the Bonn Agreement and the fractious nature of the Afghan polity. The divide in the Afghan polity along the lines of ethnicity, tribe and language was reflected all through the negotiations in Bonn. The scramble for a greater share in the post-Taliban set-up was evident among various Afghan groups, each of which had their own set of competing agendas. The external powers involved too tried to influence the course of events by directly or indirectly lobbying for their proxy's inclusion. Various *mujahideen* factions expressed their reservations *vis-à-vis* the Bonn Agreement, with lack of representation and partisan distribution of portfolios being a crucial issue all through. Haji Abdul Qadir, one of the few Pashtun members of the NA, staged a walkout at the Bonn Conference over the issue of lack of Pashtun representation in the new set-up. Similarly, Karim Khalili, a prominent Hazara leader of the NA, demanded greater representation for the Hazaras and the Uzbeks.[9] The continuing Tajik domination over Kabul, first from 1992-96 and then since December 2001, was resented by the non-Tajik constituents of the provisional governments. Pashtuns have a strong sense of political alienation from Kabul, having dominated Afghan politics for about two-and-a half centuries. The younger and dynamic Panjshiri Tajik trio of Yunus Qanooni, Mohammad Qasim Fahim and Abdullah Abdullah, all of whom held senior positions in the provisional governments, were an eyesore to the older Pashtun *mujahideen* leadership. Disruptive tendencies within the Karzai-led AIA and ATA often came to the fore.

The murder of Abdur Rahman, Minister of Civil Aviation in the AIA in February 2002 at Kabul airport,[10] and the assassination of Vice-President Abdul Qadir in July 2002,[11] were gruesome reminders. Karzai himself had accused a group of top officials in the defence, intelligence and justice ministries for planning Abdur Rahman's murder.[12]

Revival of *Mujahideen* Dominance

Mujahideen politics, institutionalised over the years, has been an abiding factor in Afghan polity. Except for a brief interregnum during the Taliban rule, when most of them were on the run, the *mujahideen* commanders (often also referred to as warlords)[13] have shown a strong survival instinct. Their return to the Afghan political stage, along with their whole gamut of old ideological differences and interest disparities, bears testimony to their position in the country's polity. Involvement of external powers, both regional and extra-regional, also played an important role in reinforcing the position of various *mujahideen* factions in the Afghan socio-political structure, which in turn played proxy to their patron's Afghan agenda.

The personalised nature of Afghan society, which manifests in every relational aspect of life, be it politics, society or economy, also played a crucial role in evolving and sustaining the institution of warlordism. These personalised networks, based on loyalty to primordial identities, accruing out of tribal, ethnic, religious and linguistic distinctiveness of the various communities that form the Afghan ethnic mosaic, have for long resisted any outside interference and subjugation, whether from Kabul or from external powers. Loyalty and obedience to the tribal and ethnic leadership by co-ethnics is supposed to be traditionally unquestionable. Leadership also draws its authority from control over resources and its distribution, which enables it to develop patronage relations, further sustaining the leadership. This also explains the political nature of the Afghan state, which for centuries has been one with a weak centre and powerful provinces. The absence of effective state institutions in the provinces added further credibility and strength to such personalised networks in Afghan society and polity. This is where one can locate the position of *mujahideen* warlords in the present socio-political setup of Afghanistan.

Reworking US-*Mujahideen* Synergy

The network established by Pakistan in the 1980s with various *mujahideen* factions leading the anti-Soviet resistance, particularly the Pashtun *mujahideen*, had then facilitated US' involvement in the Afghan civil war. The same

US-*mujahideen* nexus *sans* Pakistan was reworked in the post-Taliban set-up as well. The reliance of US on the NA, after an initial reluctance, in dislodging the Taliban from Kabul made it clear that former *mujahideen* remain indispensable to the furtherance of American agenda in Afghanistan. The difference being that unlike in the 1980s when the US relied more on the Pashtun factions, with Pakistan playing the conduit, this time the US had to court the various factions of the NA, which is predominantly non-Pashtun. Immediately after the removal of the Taliban, prominent *mujahideen* leaders with whom Pakistan and the US had worked and dealt with earlier were invited for negotiations in Bonn in November 2001 to decide the future of Afghanistan. In fact, the Afghan Military Force (AMF), which along with the 18,000 US-led coalition forces has been tracking down the 'remnants' of the Taliban and the Al Qaida, comprises of the militia of various *mujahideen* warlords. This dependence of the coalition force on the AMF has made it even more difficult to demobilise and disarm the militia. The disbandment of thousands of irregular armed mercenaries is crucial for extending Kabul's authority to the provinces. Until then, these multiple centres of power will continue to undermine Kabul's authority.

On its part, the US was quick to realise the potential of the *mujahideen* leaders, whose power rested on a personalised network and patronage connections. During the 1980s, the convergence of interests of both the *mujahideen* and the US in opposing the Soviet presence and removing the Soviet-backed communist government in Kabul, led to a gradual synergy between them. Barnett R. Rubin, in one of his recent articles, aptly brought out this aspect of Afghan politics:

> …there is an interrelationship between the patronage connections in Afghanistan (which are partly based on so-called tribalism or clan relations, which themselves are not static but are constantly re-formed in various ways) and the international system. The patronage relations have become internationalised because resources are imported into the networks through global and transnational political, military, and economic networks. We should not think that Afghanistan is backward or pre-modern. No, Afghanistan is part of the process of globalisation. But it is the other side of globalisation.[14]

Post-Taliban, in the absence of any common enemy to unite against, and given the scramble for influence over resource-rich Central Asia and the ensuing oil politics and pipeline diplomacy in the region, the US is more likely to engage various *mujahideen* factions with the ultimate objective of stabilising Afghanistan and planting a strong pro-US regime in Kabul. In the process, the US runs the risk of getting caught in inter-*mujahideen* conflict, which it has so far largely been able

to keep away from. The varying dependence of the US over various *mujahideen* factions in pursuance of their Afghan agenda, and the nature of their interaction and relationship, will largely impact the course of politics in Afghanistan.

The Constitutional *Loya Jirga* and the New Constitution[15]

A landmark event in the ongoing peace process was the drafting of a new Constitution and its subsequent ratification by the 502-member Constitutional *Loya Jirga*. The *Jirga*, which started on December 14, 2003, and initially slated to be over in 10 days, went on for 22 days until January 4, 2004. The entire deliberation brought out the fractious nature of Afghan society and polity. The long-standing divide between Pashtun factions and the NA overshadowed the basic objectives and spirit of the *Jirga*. There were occasions when the proceedings were nearly derailed due to seemingly irreconcilable differences between the US-backed Karzai, his western-educated advisors and the Pashtun delegates on the one hand, and the Tajik and Uzbek delegates from the north on the other. Consensus appeared to be most elusive with deadlock setting in on various crucial issues, such as, the nature of the Afghan state, the form of government, status and role of Islam, centre-province relations, question of double citizenship, status of women and minorities, human rights and the language issue. The *Jirga* struggled for a workable consensus amidst conflicting interests and competing agendas of the delegates, representing diverse factions and political voices from across Afghanistan.

In the end, much of the differences on issues of vital concern were 'settled' and not 'resolved', largely through hectic behind-the-scenes negotiations, rather than debate and consensus. *Human Rights Watch* reported that US officials met with factional leaders, including Abdul Rashid Dostum and Abdurrab Rasul Sayyaf, to negotiate their support for the draft Constitution.[16] The involvement of UN and US mediators in brokering deals among quarrelling factions is a known fact. Zalmay Khalilzad, the former US ambassador to Afghanistan, and Lakhdar Brahimi, the former UN special envoy, apparently played key roles in enabling the opposing factions reach a compromise on what appeared to be irreconcilable differences between them.

It will not be wrong to say that the new Constitution is more of a 'compromise document', which tries to pacify and accommodate the interests of all political and ethnic factions. However, whatever might have been the points of disagreement over the Constitution as also the ensuing amendments, its basic content and tenor has been retained. Overall, it is a progressive document, which enshrines a presidential form of government with a bicameral legislature, *Meshrano Jirga*

(House of Elders) and *Wolesi Jirga* (House of Commons). The 162-Article Constitution contains more than 40 changes from the original draft. Some of the important amendments made in the draft Constitution, which have far reaching consequences, are:

- *Presidential Powers – Demand for Greater Power Division*

The strongest opposition to a strong centralised presidential form of government with overriding powers over the bicameral legislature came from the mainly non-Pashtun delegates. Fearing presidential authoritarianism and marginalisation of minority ethnic groups in the power structure, they demanded further decentralisation of presidential powers by way of giving greater power to the parliament, which would serve as a check and balance mechanism. They also called for greater devolution of powers to the provinces to check any undue concentration of power at the Centre and the resultant imbalance in the Centre-Province relationship. While they strongly favoured a parliamentary system with president and prime minister sharing power, the controversial removal of the provision for a prime minister from the draft Constitution before it was released for public debate denied them this opportunity. The mainly Pashtun supporters of a strong centralised Afghan state, with the president having wide powers, opposed any decentralisation of the powers of the centre and the president, citing it as a necessity in the absence of political parties, critical institutional structures, and above all, to deal with warlords and factional commanders. Hamid Karzai too had made it clear that he would not stand for the presidential election if there was any marked dilution of presidential powers.

However, a compromise was reached between the opposing groups by making certain amendments in the powers of the president – making the president more accountable to the nation and the parliament. Thus, as was outlined in the draft Constitution, the president would have no sweeping powers over the appointment of the attorney-general, ministers, governors, members of the Supreme Court, governor of the central bank, head of the national security directorate and other such senior positions. The president's office would have to seek prior approval of the parliament before making appointments to such posts, and also for setting national policy or undertaking administrative reforms.

In an effort to broaden the scope of ethnic representation at the higher executive level, two vice-presidents were to be elected instead of one. Also, it was left to the *Wolesi Jirga* to decide on the controversial question of whether people with dual citizenship could hold governmental positions. Accordingly, the lower house now

has the right to confirm or reject the nomination of ministers with dual citizenship.[17] Some of the members of the Karzai-led ATA possessed dual citizenship.

- *Status and Role of Islam*

The status and role of Islam in the new Constitution and its place in the state structure generated lot of debate even before the *Jirga* was convened. Islamic hardliners, wary of reduced authority in the new political structure, demanded greater Islamic content in the Constitution. To allay their fears, Article 3 of the draft Constitution was amended. While it initially said: "In Afghanistan, no law can be contrary to the sacred religion of Islam and the values of this Constitution", after amendment it read: "In Afghanistan, no law can be contrary to the beliefs and provisions of the sacred religion of Islam."[18] Some analysts feel that this amended language leaves enough room for anomalous interpretations of Islamic tenets and traditions, which could have a significant bearing on human rights in general and rights of women and minorities in particular.

The idea of constituting a higher council or *Diwan-e-Ali* to supervise the implementation and interpretation of the Constitution, and to oversee the activities of the government along the lines of the Guardian Council in Iran, was rejected. However, buckling under the pressure of the Islamic hardliners, the 'Jihadi' rallying cry of the *mujahideen*, "*Allah-o-Akbar*", was put into the national anthem.

- *Status of Women, Minorities and Human Rights in the Constitution*

In complete contrast to the Taliban's infamous social decrees barring women from all public affairs, women's representation and participation in the *Jirga* was encouraging. Women delegates from different parts of the country, numbering about a hundred, forcefully demanded changes in the draft. Chairperson Sibghatullah Mojadeddi had to reluctantly concede to their demand for appointing at least one woman deputy chairperson of the total four. It was due to their hectic lobbying that the Constitution defines the term 'Afghan citizen' as including all citizens of Afghanistan, whether man or woman, who have equal rights and duties before the law.[19]

It was again due to their persuasion that the representation of women in the legislature was augmented. It was agreed that at least two women, instead of one as mentioned in the original draft, would be elected from each province to the *Wolesi Jirga*.[20] Thus, women would hold at least 64 of the 250 seats in the *Wolesi Jirga*, or more than 25 per cent, which is more than in most Western democracies.[21] With regard to the religious freedom of minorities, the final draft declares, with an added emphasis, that religious minorities "are free to exercise their faith", and

perform their religious rites, "within the limits of law." On the issue of official recognition of ethnic minorities, Article 4 of the final draft clearly mentions the names of 14 ethnic groups as comprising the nation of Afghanistan.[22]

- *Language Issue:*

The original draft declared Pashto to be the national language of Afghanistan. Delegates belonging to minority ethnic groups, particularly the *Farsiwans* and the Uzbeks took exception to this. They strongly demanded that their languages be given status equal to that of Pashto. This led to a heated debate on the issue of national language and the official status of minority languages.[23]

Under a compromise reached, the final draft does not name any language as the national language of Afghanistan. However, the national anthem, which will mention the name of all 14 ethnic groups, will be in Pashto. In addition to Pashto and Dari, six additional languages – Uzbek, Turkmen, Baluchi, Pashai, Nuristani and Pamiri – were made the third official language in regions where a majority of the population speaks them.[24]

Such contentious issues raised at the Constitutional *Loya Jirga* not only highlighted the simmering discontent in Afghanistan's social and political life, but also underlined the potential causes of future conflict. Also, there was certain scepticism over the way the Constitution was rushed through; there were reports about political intimidation and vote-buying, and the credentials of many of the delegates were questionable. Besides, the influence of the *mujahideen* warlords was an anticipated fact.[25] In the absence of law-enforcement agencies and a well-organised independent judiciary, the implementation aspect of the Constitution remains questionable. It is equally difficult to say as to what extent the Constitution will serve as a guiding principle for the ongoing political process.

The Elections

The Bonn timeline was to end in June 2004, prior to which the national elections were to be held in Afghanistan, with the draft Constitution having been ratified in January 2004. But due to the deteriorating security situation and incomplete voter registration, elections were postponed to September 2004. However, on July 9, 2004, in contravention of the new Constitution, which sought simultaneous presidential and parliamentary elections,[26] the Joint Electoral Management Body (JEMB) of Afghanistan declared that presidential election would be held on October 9, 2004, while the parliamentary elections would be held no sooner than April

2005 (to be held now on September 18, 2005, being postponed yet again, for the third time, in March 2005).

Presidential Election: Why in October?

Given the delicate nature of the political process and the fractious nature of the Afghan polity, Hamid Karzai and his Western-backers, particularly the US and the UN, were very keen on holding presidential election as early as possible. Despite inadequate voter registration in the southern provinces, home to potential pro-Karzai Pashtun constituencies, the election date was set for October 9, 2004. This gave rise to the question as to why only the presidential election in October?

The answer lay in the need for legitimising and stabilising Karzai's position as head of state in the Afghan political structure, lest more alternative candidates or potential alliances emerge, eroding his credibility and potential share of vote. Also, October was chosen as the presidential election could not have been held thereafter until April 2005 due to *Ramzaan* in November and the approaching winter. Already 17 candidates, apart from Karzai, were in the fray.[27] With different factions of the NA fielding their own candidates, it would have been increasingly difficult for Karzai to consolidate his support among the minority ethnic groups, who together form a substantial chunk of the Afghan population. His ATA was being increasingly seen as weak and ineffective, as even after three years it had failed to control violence, revive the economy and accelerate the pace of the reconstruction and rehabilitation process. It is also notable that throughout Karzai was unable to extend his authority beyond Kabul. With no significant local support base, Karzai's dependency on the West was in stark contrast to the *mujahideen* warlords who commanded enormous resources and influence in their independent power bases.

Another important argument given for holding presidential election at the earliest possible was the need to preserve the credibility of the Bonn process. The UN had already declared that it would prefer an 'imperfect' election in Afghanistan, rather than let the Bonn process be questioned or wrecked.[28] It was strongly believed by the pro-Karzai forces that an early presidential election was crucial in reinforcing his political legitimacy and credibility, both in the eyes of the Afghans and the international community. It was also viewed that a democratically elected government in Kabul would keep international donors and investors engaged in Afghanistan.

Against this, some Afghan leaders, including a number of presidential candidates, contended that the elections were being hastily arranged more for the sake of a

foreign government than for any concern for the Afghans. The timing of the October election was largely seen in the light of the US presidential election in November 2004. There was a perception that the Afghan presidential election was more a part of the Bush Administration's electoral agenda. In fact, many saw the twice postponement of presidential election as a blow to President Bush's election campaign.[29] Those opposed to early elections were largely of the opinion that building institutions and stabilising the country should be the greater priority. Abdullah Abdullah, foreign minister in the ATA and an important Tajik leader, expressively stated, "A preferable situation might have been if we had a five-year term for the government, so we could create institutions and [do] the basic work".[30] Ahmad Shah Ahmadzai, a Pashtun presidential candidate, accusing Bush of hastily pushing for the presidential election, said, "The situation for election is not suitable. This is not the right time. They should postpone it until next year. We are sacrificing our elections for the November election in America - otherwise there is no reason to have our election in such a hurry."[31] However, Karzai's supporters strongly felt that for a long time to come there could be no perfect time or conditions for elections in a country devastated by decades of civil strife. They argued that however flawed the election might be, it would still strengthen Kabul's position and accord it the necessary political legitimacy to deal with the challenges of state-building.

Much of the argument against the October presidential election was based on the worsening security situation across the country, lack of critical institutional structures, shortage of trained electoral manpower and funds, overarching influence of warlords, unfinished disarmament programme, and repatriation and rehabilitation of refugees. The paper now examines the challenges that the ATA and the international community faced in the run-up to the presidential election.

- Security Concerns: Security concerns have been a major impediment in evolving peace and stability in the country. In fact, the security situation in Afghanistan has worsened since 2002. The 18,000 US-led coalition troops are facing a greater challenge from the Taliban-Al Qaida-Hekmatyar combine, who have declared a 'jihad' against foreign troops and the US-backed government in Kabul. They have been able to re-organise themselves, as their assaults are better coordinated and bold. A top UN official declared in October 2003 that the Taliban were capturing areas in southern and south-eastern border districts. The Under-Secretary General for Peacekeeping Operations, Jean Marie Guehenno, in a regular briefing to the Security Council, said that, "In several border districts (near Kandahar and Paktika), the Taliban have been able to establish *de facto* control over district

administration".[32] There were also reports that the Taliban were controlling eight of 11 districts in Zabul, a province in south-eastern Afghanistan.[33]

Since May-June 2004, the violence, which was earlier largely confined to south and south-east, moved into the relatively peaceful northern provinces.[34] The killing of five staff members of *Medecins Sans Frontieres* in Badghis Province on June 2[35] and of 11 Chinese working on a World Bank-funded road project in Kunduz on June 10,[36] were grave pointers to expanded areas of militant activity. An increasingly concerted effort was being made by various militant groups, especially the Taliban and their allies, to disrupt and derail the election process. There were numerous instances of attacks on election offices and workers across the country, including in Kabul.[37] In a gruesome incident of voter intimidation, the Taliban executed 16 Afghans for registering to vote and carrying election identity cards in Urozgan Province on August 25.[38] On August 29, in one of the deadliest attacks in Kabul since September 2002 (when 26 civilians were killed in a car bombing), at least 12 people, including a few Americans, were killed in a truck bomb blast. The attack had a symbolic value as it took place close to the office of the US security contract firm, DynCorp Inc., which provides security to Hamid Karzai, and is assisting in training the Afghan police. The firm was contracted by the State Department to provide bodyguards for the President after the assassination of Vice-President Abdul Qadir in July 2002, prior to which Karzai had Afghan security.[39] The Taliban claimed responsibility for the blast.[40] They had also launched a leaflet campaign exhorting people against participating in the elections and threatened to kill anyone found supporting the government or the coalition troops.[41]

- Karzai's Shrunken Authority: Even after three years in power, Karzai's authority remained precariously confined to Kabul, as the rest of the country reeled under warlordism, widening ethnic tensions, increasing militant attacks, growing poppy production and widespread corruption. Local warlords and commanders often openly challenged the authority of provincial governors and other Kabul-appointees. There were cases where provincial governors had to flee for their lives in the face of violent opposition from local or regional strongman.[42]

Due to the deteriorating security situation, especially in the southern and south-eastern provinces, and keeping in view his limited authority, Karzai, with full backing of the US, had been making overtures to the 'moderate' Taliban and Hekmatyar's *Hizb-e-Islami*.[43] As part of the changed political tactics to deal with violence, Karzai and the US invited them to participate in the election process.[44] They had also been working on an amnesty scheme for them.[45] In addition, realising the centrality of warlords in the present Afghan polity, Karzai had reportedly sought their cooperation and support for his presidential candidature.[46] This is reflective

of the fact that warlords continue to dominate the Afghan political spectrum and undermine Kabul's authority in the provinces.

In the absence of effective law enforcement agencies, especially the Afghan National Army (ANA) and the national police force, it was increasingly difficult for Kabul to extend its authority to the provinces. The ANA, which was formed in mid-2002, is yet to evolve as a strong and an effective force. It has been regularly facing the problem of desertion.[47] The faltering security situation had adversely impacted the voter registration process, as much of the southern and south-eastern provinces remained inaccessible to election officials.

Even the UN-Japan run *Disarmament, Demobilisation and Rehabilitation Programme* (DDR), which initially planned to demobilise and disarm around an estimated 100,000 militias (the UN substantially altered the estimates, which was reduced after 2002 to 50,000-60,000) across the country in two-three years, and merge them into the upcoming national army and police force, remained ineffective. The success of the DDR programme is crucial in diluting the power of the warlords and in de-weaponising the country. Due to the lack of trust among themselves, and collectively, in the ATA, most of the warlords openly refused to surrender their heavy weaponry or disband their militia. It is noteworthy that some of the *mujahideen*, who were ministers in the ATA, maintained some of the largest militia in the country. Similarly, the *Provincial Reconstruction Teams* (PRTs) or armed units of civil-military administration, created under the provisions of the Bonn Agreement with the objective of bolstering Karzai's authority in the provinces, had not been able to do much. Due to the prevailing insecurity and lack of logistics, the PRTs remained largely confined to the relatively peaceful northern and western provinces, and were yet to be effective in most parts of volatile south and south-eastern provinces.

- NATO-led ISAF – Limited Peacekeeping: The NATO, which took over the command of the International Security Assistance Force (ISAF) in August 2003 and was unanimously mandated on October 13 the same year by the UN Security Council to expand beyond Kabul, remained beset with severe financial and logistical shortcomings. Not many NATO countries came forward to reinforce the ISAF with fresh supplies of troops and other necessary logistics to enable it to expand its scope of operations beyond Kabul. In fact, the NATO Secretary-General Jaap de Hoop Scheffer, on the eve of the NATO Summit at Istanbul on June 28-29, 2004, lamented the yawning gap between political decisions and commitment of resources for operations by the member-states. Scheffer, describing the attitude of member-states as "simply intolerable", urged them to commit the

necessary resources to existing NATO operations, especially in Afghanistan.[48] NATO's commitment towards PRTs also remained limited to remote and relatively peaceful areas of northern Afghanistan, like Kunduz, Faizabad, Mazar-e-Sharif and Maimana.

• Growing Drug Menace: The spurt in Taliban activism and revival of *mujahideen* dominance coincided with the poppy boom in Afghanistan over the last three years (see Appendix-2). Afghanistan remains the world's largest opium producer, providing almost 87 per cent of the world's illicit opium production in 2004, up from 76 per cent the previous year. The link between warlords, local commanders, poppy cultivators and heroin traders is abiding and runs deep. Many of the warlords, who finance their militia through drug money and encourage farmers to produce poppy, held senior positions in the government. Could this be a restraining factor in eradicating poppy production in Afghanistan? Is it due to Karzai's and West's dependency on warlords in keeping the political process going, that little could be done against the drug menace? Certainly, there is a (compulsive?) paradox in US' twin objectives of counter-terrorism and counter-narcotics in Afghanistan. The key question is whether the US-led coalition is in a position to spare more troops and logistics to open a large-scale front against the drug menace in Afghanistan? The US-led coalition and the international community have been in a dilemma with regard to cracking down on narcotics, lest it divert troops engaged in counter-terrorism or provoke rebellion among the warlords. Also, the reluctance of the Afghan farmers to grow wheat and other food crops in the absence of subsidies and cash incentives remained a worrying factor.

Except for the year 2001, when production crashed to a mere 185 metric tonnes from 3,276 metric tonnes the previous year due to a strict ban imposed by the Taliban, poppy production in Afghanistan has been one of the highest in the world since the 1990s. According to the Afghanistan Opium Survey 2004, opium production rose from 3,600 metric tonnes in 2003 to 4,200 metric tonnes in 2004, an increase of 17 per cent. The total area under poppy cultivation also went up from 28 provinces in 2003 to all the provinces in 2004, registering a record increase of 64 per cent, from 80,000 hectares in 2003 to 131,000 hectares in 2004. Helmand, Nangarhar and Badakhshan Provinces continue to lead the tally. According to the report, the drug trade in 2004 reaped $2.8 billion, up more than 20 per cent from the previous year. This is an estimated 60 per cent of Afghanistan's 2003 Gross Domestic Product (GDP), at US $4.6 billion.[49]

• Shortage of Funds: Apart from serious security challenges, the election officials also had to struggle against severe shortage of funds. According to the UN, Afghanistan urgently needed $101 million for conducting the elections. Of

this only $70 million was pledged by the donor countries, leading to a shortfall of $31 million. The estimated immediate need was for $87 million to provide for voting screens, ballot papers and to hire and train Afghan election personnel.[50] Similarly, at the Berlin Donors Conference held from March 31 to April 1, 2004, the international community could pledge only $8.2 billion over the next three years, far short of the $27.6 billion sought by the Karzai Government and the UN over the next seven years for rebuilding the country in their joint report called *Securing Afghanistan's Future*.[51]

- Where were the Political Parties? Where indeed were the political parties with a well-defined agenda and vision for the future of Afghanistan? Most of them were either offshoots of some *mujahideen* party or had the support of one or the other factions. It is noteworthy that Article 35 of the new Constitution clearly states that the citizens of Afghanistan have the right to form political parties provided the "organisational structure and financial sources of the party are made public"; "the party does not have military or paramilitary aims and structures", and that the "party is not affiliated to foreign political parties or sources". It further states, "Formation and functioning of a party based on ethnicity, language, Islamic school of thought (*mazhab-e-fiqhi*) and region shall not be permissible".[52] Now if any one of these clauses was put to application then most of the political formations in Afghanistan would not have qualified to be registered as political parties. However, adherence to the said article and many other such articles in the new Constitution, have little conformity with the present state of affairs in the country.

With most of the programmes and provisions enshrined in the Bonn Agreement running behind schedule or not faring well, it is difficult to say as to what extent the presidential election met its objectives. Has the presidential election brought about the much-needed legitimacy to the government in Kabul? In all likelihood, the status of the elected Karzai Government does not seem to be much different from the previous ATA. As of now, the president has sweeping powers until the parliament is elected. This will not be acceptable to the warlords for a long time.

President-Elect and the New Cabinet [53]

The October presidential election marked the end of the phase of provisional governments as envisaged in the Bonn Agreement. The final results of the election announced on November 3, 2004, by the JEMB declared Hamid Karzai as the elected President of Afghanistan. Karzai secured 55.4 per cent of the total votes, distantly followed by the Tajik candidate Yunus Qanooni (16.3 per cent), Hazara candidate Mohammad Mohaqiq (11.7 per cent) and the Uzbek candidate Abdul

Rashid Dostum (10.3 per cent) as second, third and fourth, respectively.[54] The pattern of voting made it amply clear that the election was fought along the much-anticipated ethnic lines. In fact, the ethno-political polarisation was complete in the run-up to the presidential election.

The dominance of the *mujahideen* warlords in the election is amplified by the fact that all the candidates who made it to the top four, except Karzai, command several militia units or had the support of one or the other *mujahideen* factions. It is noteworthy that Karzai in the run-up to the election had referred to the warlords as the greatest threat to Afghanistan and had promised not to work with them if elected. However, despite all his political assertions, Karzai had a tough time in announcing his cabinet. He had to negotiate with his strongest presidential rival Yunus Qanooni, whom he had offered the post of defence minister.[55] Qanooni refused to participate in the government and instead decided to form his own political party.[56]

Karzai and his backers are well aware of the fact that without reaching a compromise with minority ethnic factions, Kabul would not be able to extend its authority in the north.

On December 23, 2004, President Karzai finally announced his 27-member cabinet, low on the old *mujahideen* leadership and high on technically and professionally qualified people. However, the cabinet cannot be said to be free from the stranglehold of warlords, something not unexpected either in the given circumstances. Karzai has tried to strike a balance between the aspirations of the *mujahideen* leadership and the requirement of qualified people to carry forward the much-needed reforms.[57] The objective seems to be to keep the powerful *mujahideen* leaders out of the Kabul power structure by offering them posts in provinces or appointing them to inconsequential positions. However, keeping in view the forthcoming parliamentary and local elections in September 2005, the complexion of the cabinet is likely to change. That Karzai has kept doors open to the NA leadership, especially the Panjshiri faction, is an indication of the possible alliances that may emerge in the run-up to parliamentary elections. The recent appointment of Uzbek leader Dostum as chief-of-staff to the Commander-in-Chief of the Afghan armed forces,[58] and granting of lifetime special privileges to the leader of the Tajik militia, Mohammad Qasim Fahim, allowing him to retain his military rank of a Marshal throughout his life by the Karzai Government,[59] is a prelude to this. There is no doubt that the parliamentary elections would also be fought along ethnic lines, with several alliances, combinations and permutations emerging.

Assessment

With the Bonn Agreement's timeframe having ended in June 2004 and the presidential election over, the element of political uncertainty continues to shroud the future of Afghanistan. The key question is - has Bonn gone the same way as previous agreements and accords have? Has it been able to prompt any qualitative change in the Afghan polity? Afghanistan's strict tribal-ethnic character, which has long determined the nature and course of its polity, continues to be in play. The socio-political polarisation along ethnic, tribal, religious and linguistic lines, interspersed with involvement of regional and extra-regional powers, continues to lend complexity to the Afghan quagmire. The long-standing Pashtun-NA divide had been a constant source of dissension within the Karzai-led provisional authorities. It goes to the credit of Hamid Karzai and his Western-backers that they could largely keep the diverse constituents of the provisional governments together until the announcement of the presidential candidates.

If one looks at the political equation that emerged after Hamid Karzai refused to have Mohammad Qasim Fahim, his powerful Tajik defence minister, as his vice- presidential running mate, one finds a repeat of the old story. With Tajiks, Uzbeks and Hazaras having announced their separate presidential candidates, the Pashtun-NA or the Pashtun and non-Pashtun divide was complete. The NA, which has always been a loose confederate of minority ethnic groups from the north, too failed to announce a common presidential candidate. Yunus Qanooni, the former interior and education minister in the ATA, who enjoyed the backing of Mohammad Qasim Fahim and Foreign Minister Abdullah Abdullah, secured the support of the Tajiks. He was considered as Karzai's most serious contender. Uzbek commander Abdul Rashid Dostum, Karzai's former military adviser and representative in the north, claimed the support of Uzbek and Turkmen people. Similarly, Mohammad Mohaqiq, Karzai's former planning minister who commands several militia units, claimed Hazara support.

Hamid Karzai tried to divide the NA by naming late Ahmed Shah Masud's brother, Ahmed Zia Masud, and the prominent Hazara leader, Mohammad Karim Khalili, as his two running vice-presidential mates. Karzai could not have relied completely on his Pashtun constituency where he had a limited appeal due to intra-Pashtun divisions and support for the Taliban. Apart from this, due to regular Taliban offensive the voter registration in predominantly Pashtun southern and south-eastern provinces had been low. Karzai's attempt to break away from the hold of powerful *mujahideen* leaders and commanders, particularly Tajik, by sidelining them in the Kabul power structure has further polarised the politics along

ethnic lines. However, Karzai's greater political assertion won him the appreciation of Pashtuns in general, though they remain wary of his dependence on the West. Nevertheless, Karzai's centrality in the Bonn process remains steady. Despite his military and economic power not being even remotely proportional to the influence and resources commanded by the warlords, Karzai continues to be a link between the ongoing political process in Afghanistan and the international political system.

In the wake of the OEF, Pakistan once again proved itself indispensable to the US interests in the region. Making a politico-diplomatic somersault, it officially abandoned its absolute support to the Taliban movement, which it so carefully nurtured, in the larger interest of its long-term relationship with the US. Pakistan's *volte face* on its Afghan policy is clearly indicative of the fact that it seeks to remain central to the US in the region. Pakistan's interests and stakes in Afghanistan and Central Asia are high enough to override its support to the Taliban. It would prefer to be an active player in the region as an ally of US, than be relegated into redundancy.

At the same time, Pakistan wants to keep its advantage over Afghan politics by demanding the inclusion of the 'moderate' Taliban in the ongoing political process, to which both Karzai and the US have agreed. This is also a reminder of the fact that the Taliban, despite being ousted from power, remain a significant factor in Afghan politics. Their influence among Pashtuns, particularly in south and south-eastern Afghanistan, is still somewhat intact. They are leading typical Afghan style hit-and-run guerrilla warfare from mountains and caves, leaving coalition forces harassed and clueless about their whereabouts (something which the British India army experienced in the 19th century as did the Soviet army in the 1980s). In this regard, certain crucial questions arise. Are the Taliban struggling to have a share in the political set-up in Kabul? Should the Taliban be still seen as a monolithic entity leading a puritan Sunni Islamist movement, or should they be seen in the broader framework of Afghan polity, as one of the many factions in Afghanistan's *bazaari* politics? Do they in any way represent the prevailing frustration and sense of alienation among the Pashtuns? These are questions of great importance which need to be probed, for the Taliban too are Afghans, who probably represent a different strain of Afghan politics. So far as the Taliban's relationship with Al Qaida is concerned, it is cooperative in nature, but given the contrast in their geographical base and over-all political agenda, and the dynamics of the Afghan politics, it is possible that a section of the Taliban may enter into some kind of political arrangement with Kabul. Despite all attempts by the Al Qaida to integrate itself with the various Pashtun tribes straddling the Pak-Afghan border and the Islamist organisations in

the region, it is important to note that Al Qaida is essentially an Arab organisation, and hence a foreign force to an average Afghan.

The myriad hue of groups that signed the Bonn Agreement represented the various actors to be in the new political arrangement. What emerged clearly from the negotiations in Bonn was the centrality of the *mujahideen* in the post-Taliban political set-up. The continued dependency of the US-led coalition on the *mujahideen* warlords has largely been a restraining factor in realising most of the provisions and objectives of the Bonn Agreement. They have been a major hindrance to necessary political and constitutional reforms and building effective institutions of governance in the country. Militia forces of various commanders and warlords have been frequently at loggerheads, often leading to heavy casualties, both civilian and military. Inter-*mujahideen* rivalry has the potential to push back the country into civil war. US dependence on the *mujahideen* has further institutionalised the position and role of the latter in the current Afghan polity. In the given circumstances, any change in the role of the *mujahideen*, from military to civilian, seems remote. Removal of the self-styled 'Amir' and powerful governor of the western province of Herat, Mohammad Ismail Khan, and his induction later into Karzai's cabinet remains an exception. The highly centralised presidential form of government as envisaged in the new Constitution stands in sharp contrast to the current political realities in Afghanistan where provinces remain under the strong control of various factional and local commanders. This certainly does not augur well for the ongoing political process and the overall future of Afghanistan.

The Bonn process, which was supposed to have been an Afghan agenda guiding the course of state-building, is instead guided by the interests of the US and its allies both within and outside Afghanistan. With Bush's Iraq venture not faring well, and Osama bin Laden and Mullah Omar still elusive, holding of 'democratic' elections in Afghanistan was expected to give a boost to President Bush's image in the foreign policy domain and also reinforce the US-led 'war on terror'. At the same time, if the canvas of the Afghan conflict is widened, then its strong linkage with the larger game being played over Central Asia's vast and untapped energy resources and the politics of reconstruction cannot be missed. Nevertheless, it is still important to protect the results of the Bonn Agreement, for never before have the UN and the West been involved in such a big way in re-building Afghanistan. It was an agreement which for the first time envisaged the creation of viable institutions of governance in Afghanistan.

It is crucial for the future of Afghanistan that the establishment of modern political, legal, constitutional and economic institutions, congruent with the Afghan

environment, are placed high in the order of priority. Otherwise, it is unlikely that elections alone will go long to serve the ultimate objective of establishing Afghanistan as a modern democratic state. Disarmament and counter-narcotics programme will have to be equally prioritised to strengthen Kabul's position against the extra-constitutional authorities embedded in the provinces. The pace and tenor of the ongoing political process should not be held hostage to the personal agendas of countries involved in rebuilding Afghanistan. The international community largely led by the United Nations Assistance Mission in Afghanistan (UNAMA)[60] will have to be prepared for a long-term engagement in Afghanistan. Any stop-gap political arrangement or any short-term policy objective will not work. Instead, a sustained and a more international approach to state-building and conflict-resolution in Afghanistan is called for. Until then, Afghanistan will resist change.

Appendix -1

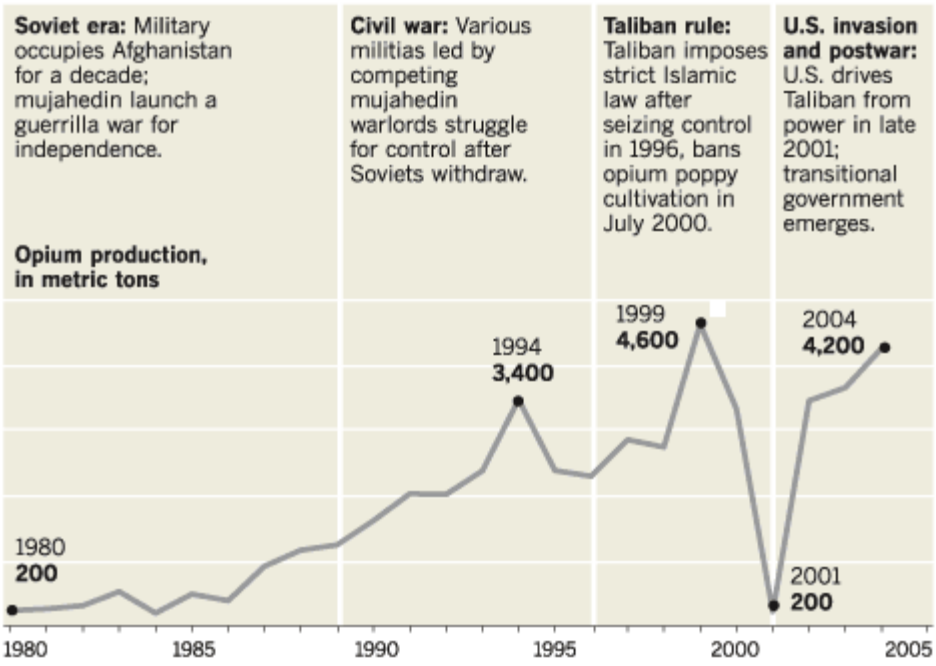
Areas Controlled by the Northern Alliance and the Taliban in 2001

Source: Stephen Tanner, *Afghanistan: A Military History from Alexander the Great to the Fall of the Taliban*, Da Capo Press, New York, 2002, p. 288.

The Growing Drug Menace in Afghanistan

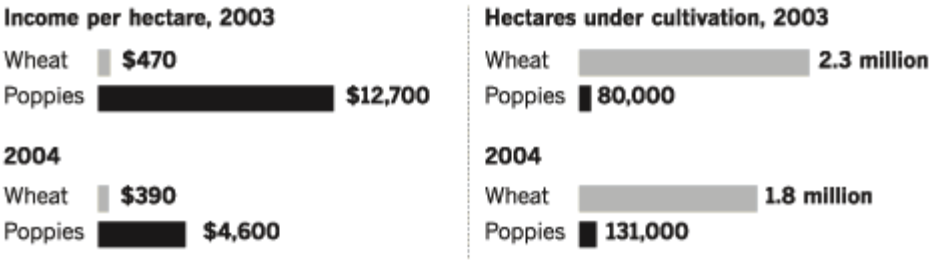
Except during a Taliban crackdown on growers, Afghanistan's opium production has generally trended upward, no matter who was running the country.

Politics and illicit drugs



The economic incentive

Despite a drop in 2004 in the income a farmer could expect from a hectare of poppies, the amount in U.S. dollars is still 12 times what a hectare of wheat would produce. (One hectare is equal to 2.47 acres.)



Source: Paul Watson, "The Lure of Opium Wealth is a Potent Force in Afghanistan", at www.latimes.com/news/nationworld/world/la-fg-drugs29may29,0,3324290.story?coll=la-home-headlines. (Accessed May 30, 2005)

References/End Notes

[1] Taliban is the Persian and Pashto plural of the Arabic word *talib*, meaning 'seeker of (religious) knowledge'. The Arabic plural is *talaba*.

[2] The Agreement is formally known as 'Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Governing Institutions'. The Agreement was signed on December 5, 2001, during the Bonn Conference. The text of the Agreement is available at http://www.uno.de/frieden/afghanistan/talks/agreement.htm

[3] In February 1989, the IUAM elected an interim government-in-exile, known as the Afghan Interim Administration (AIG), at Rawalpindi in Pakistan. In March, the AIG received a diplomatic boost when it was granted membership of the Organisation of the Islamic Conference. Nevertheless, the AIG was soon divided between the moderates and the radicals. In May 1991, the UN Secretary-General declared a five-point peace plan to end the Afghan crisis. The UN initiative was approved by the Afghan and Pakistani Governments but was rejected by the AIG. Then came the Peshawar Agreement in 1992, but it was again wrecked due to differences between the supposedly moderate Mojaddedi and the radical Hekmatyar. The extension of Rabbani's term by another two years in contravention of the Agreement further stoked the inter-*mujahideen* rivalry. Kabul was bombarded to no ends leading to massive displacement of population and heavy civilian casualties. In March 1993, negotiations were held again among various *mujahideen* factions, which led to signing of the Islamabad Peace Accord. It was officially approved and signed by Pakistan, Iran and Saudi Arabia. But it too was soon beset with internal dissensions. Dostum shifted his allegiance from Rabbani to his long-time Pashtun arch rival Hekmatyar, and the forces of the two made a common cause against President Rabbani and Commander Ahmed Shah Masud, both Tajiks. The violence soon engulfed the provinces resulting in heavy casualties and internal displacement of people in thousands.

[4] Ahmed Rashid, "The Taliban: Exporting Terrorism", *Foreign Affairs*, 78(6), November/December 1999, pp. 22-35.

[5] Ahmed Rashid, "Afghanistan: Ending the Policy Quagmire", *Journal of International Affairs*, 54 (2), Spring 2001, p. 410.

[6] Northern Alliance, a loose melange of ethnically and ideologically disparate, primarily non-Pashun *mujahideen* factions from the north, evolved out of the power struggle that ensued after the Soviet withdrawal. It first came into existence in 1992 to put up a united front against the communist Najibullah Government. The key leaders of the first Northern Alliance were Uzbek commander Abdul Rashid Dostum who had rebelled against the Najibullah Government, the Tajik leader Ahmed Shah Masoud, and the Iran-backed Afghan Shia confederacy, *Hizb-e-Wahadat-e-Islami-ye Afghanistan*. By 1993 it disintegrated due to a power contest between Masoud, Dostum and Hekmatyar. The Alliance was again resurrected in October 1996 after

the fall of Kabul to the Taliban in September. It again comprised of mainly Tajik, Uzbek and Hazara factions, represented by Burhanuddin Rabbani and Ahmed Shah Masoud, Abdul Rashid Dostum and Muhammad Karim Khalili respectively. Formally known as *Jabha-ye Muttahid-e-Islami-ye Milli bara-ye Nijat-e-Afghanistan* or the National Islamic United Front for the Salvation of Afghanistan, the Northern Alliance was the only organised resistance to the Taliban's march northwards towards Kabul and beyond, though it failed to effectively stop the Taliban from capturing most of northern Afghanistan, including its headquarters at Mazar-e-Sharif.

7 Apart from four Afghan groups, both from inside and outside Afghanistan, the UN was represented by Lakhdar Brahimi, the designate Special Representative of the UN Secretary-General for Afghanistan. The four Afghan groups were Northern Alliance, Peshawar Group, Rome Group and Cyprus Group.

8 Agreement on Provisional Arrangements in Afghanistan, no. 2, p. 1.

9 See "Leading Pashtun Quits Afghan Talks", at http://news.bbc.co.uk/1/hi/world/south_asia/1684933.stm

10 Ron Synovitz, "Afghanistan: Killing of Afghan Minister Heightens Government Tensions", at http://www.rferl.org/features/2002/02/15022002103412.asp

11 Ron Synovitz, "Afghanistan: Vice President of Transitional Authority Assassinated", at http://www.rferl.org/features/2002/07/08072002165156.asp

12 Ron Synovitz, "Afghanistan: Rift in Government Surfaces over Killing of Minister", at http://www.rferl.org/features/2002/02/21022002083405.asp

13 The terms warlord, militia commander, regional commander, factional commander, *mujahideen* commander and regional strongman are often used inter-changeably as there is no fixed term of address for the same. The United Nations prefers the term regional strongman.

14 Barnett R. Rubin, "(Re) Building Afghanistan: The Folly of Stateless Democracy", *Current History*, April 2004, p. 166.

15 See "The Constitution of Afghanistan", Unofficial Translation at http://www.swisspeace.org/uploads/ACSF/GeneralDocuments final%20new%20 Constitution.pdf

16 See the report by Human Rights Watch, "Constitutional Process Marred by Abuses", at http://www.hrw.org/english/docs/2004/01/07/afghan6914.htm

17 The Constitution of Afghanistan, no. 15, p. 15.

18 Ibid., p. 3.

19 Ibid., p. 5.

20 Ibid., p. 17.

21 Dan Morrison, "Afghans' First Stab at Democracy", *The Christian Science Monitor*, Internet edition, January 6, 2004.

22 The Constitution of Afghanistan, no. 15. According to Article 4, the nation of Afghanistan is comprised of the following ethnic groups: Pashtun, Tajik, Hazara,

Uzbek, Turkman, Baluch, Pashai, Nuristani, Aymaq, Arab, Kyrghyz, Qizilbash, Gujar, Brahui and others.

[23] It was reported that 231 delegates threatened to boycott the vote on the issue of national language and the official recognition of minority languages. The boycotters accounted for a little less than half of the total 502 delegates. See Danish Karokhel, "Against the Odds National Unity Prevails", at http://www.iwpr.net/index.pl?archive/arr/arr_200401_100_1_eng.txt

[24] The Constitution of Afghanistan, no. 15, p. 4.

[25] Among the ten committees, each comprising about 50 members, into which the total of 502 delegates to the Constitutional *Loya Jirga* were divided, to discuss various sets of articles, there were many former *mujahideen* leaders, religious figures and warlords. Burhanuddin Rabbani, Abdurrab Rasul Sayyaf, Ahmed Nabi Muhammadi (son of Maulvi Muhammad Nabi Muhammadi), Ustad Abdul Farid (former Prime Minister of Afghanistan representing Gulbuddin Hekmatyar in 1992) and Hashmat Ghani Ahmadzai (brother of former Finance Minister Ashraf Ghani) headed some of the committees.

[26] Article 160 of the Constitution clearly states that, "every effort shall be made to hold the first presidential election and the parliamentary election at the same time". See no. 15, p. 30.

[27] The eighteen presidential candidates were Abdul Latif Pidram, Hamid Karzai, Homayoon Shah Asifi, Mir Mohammad Mahfoz Nidaie, Mohammad Mohaqiq, Sayed Ishaq Gilani, Abdul Satar Sirat, Abdul Hafiz Mansoor, Ghulam Farooq Nijrabi, Ahmad Shah Ahmadzai, Abdul Hasib Aryan, Wakil Mangul, Abdul Hadi Khalilzai, Mohammad Ibrahim, Mohammad Yunus Qanooni, Masooda Jalal (the lone woman candidate), Sayed Abdul Hadi Dabir, and Abdul Rashid Dostum.

[28] "Afghan Elections: The Great Gamble", Briefing Paper, Afghanistan Research and Evaluation Unit, November 2003, at http://www.areu.org.pk p. 9.

[29] See Duncan Campbell, "Afghan Election Delay is New Blow for Bush Election Campaign", at http://www.guardian.co.uk/afghanistan/story/0,1284,1237030,00.html

[30] Keith B. Richburg, "Many Afghans Complain of Hastily Set Elections", at http://www.washingtonpost.com/wp-dyn/articles/A30746-2004Jul31.html

[31] Ibid.

[32] See "Taleban Retaking Land Says UN," at http://www.newsbbc.co.uk/southasia

[33] Kathy Gannon, "Afghanistan Unbound", *Foreign Affairs*, 83 (3), May-June 2004, p. 40.

[34] See "Violence Spreads Shadow Across Afghanistan Ahead of Elections", at http://www.channelnewsasia.com/stories/afp_asiapacific/view/89484/1/.html

[35] Carlotta Gall, "Five Aid Workers Shot to Death in an Ambush in Afghanistan", at http://www.nytimes.com/2004/06/03/internationalasia03afgh.html?ex=1087237873&ei=1&en=d6431bb62c54593a. Also see "MSF Suspends Work in Afghanistan", at http://news.bbc.co.uk/2/hi/south_asia/3773217.stm

[36] See "Mystery Surrounds Attack on Road Workers", at http://www.chinadaily.com.cn/english/doc/2004-06/13/content_338972.htm. Also see "Bodies of Chinese Workers Flown to Afghan Capital", at http://www.nytimes.com/reuters/international/international-china-afghan.html

[37] See "UN Election Office Near Kabul Attacked", at http://www.nytimes.com/reuters/international/international-afghan-un-attack.html

[38] See "Bodies of 16 Abductees Found in Southern Afghanistan", at http://paktribune.com/news/index.php?id=69323. Also see Noor Khan, "Taliban Strikes Again in Vote-Related Attack", at http://www.washingtonpost.com/wp-dyn/articles/A9726-2004Jun27.html

[39] See Pamela Constable, "Afghan Office of US Firm Hit by Bomb", at http://www.washingtonpost.com/wp-dyn/articles/A44361-2004Aug29.html . Also see Amy Waldman, "Security Tightened in Kabul After Bombing", at http://www.nytimes.com/2004/08/31/international/asia/31afghan.html

[40] See "Taliban Claim Responsibility for Kabul Carnage", at http://www.isn.ethz.ch/infoservice/secwatch/index.cfm?service=cwn&parent=news&menu=1#9547

[41] Carlotta Gall, "Taliban Using Violence to Deter Potential Afghan Voters", at http://www.nytimes.com/2004/02/18/international/asia/18CND-AFGHAN.html?

[42] In April 2004, the governor of north-western Faryab Province had to flee when Uzbek warlord Abdul Rashid Dostum captured the capital city of Maimana. Similarly, in June 2004, the governor of Ghor Province had to take refuge in neighbouring Herat when militia commander Abdul Salaam Khan stormed the capital city of Chaghcharan. See "Governor Flees Afghanistan Rebels", at http://news.bbc.co.uk/2/hi/south_asia/3818141.stm. In another such instance in June 2004, the alleged supporters of Dostum restrained the newly appointed governor of the northern province of Sar-e-Pul, Abdul Haq Shafaq, from taking office. He was forced to take refuge in neighbouring Mazar-e-Sharif. See "Stone-Throwing Afghans Stop Governor Taking Office", at http://paktribune.com/news/index.php?id=67739

[43] Victoria Burnett, "US Backs Afghan Proposal to Woo Taliban", at http://news.ft.com/servlet/ContentServer?pagename=FT.com/StoryFT/FullStory&c=StoryFT&cid=1075982412327&p=1012571727169

[44] See "Karzai: Some Taliban Welcome in Society", at http://www.nytimes.com/aponline/international/AP-Afghan-Talking-to-the-Taliban.html

[45] See "Afghanistan, US Working on Amnesty Scheme for Taliban", at http:/paktribune.com/news/index.php?id=62385

[46] Pamela Constable, "Karzai Attempts Diplomacy with Afghan Warlords", at http://www.washingtonpost.com/wp-dyn/articles/A37736-2004May18.html

[47] A UN agency report released in January 2004 reported that more than a quarter of the first batch of the 10,000 Afghan soldiers trained for the Afghan National Army have deserted the force since its inception in mid-2002. See "Thousands of Soldiers Forsake New Army" in UN OCHA IRIN, January 12, 2004, at http://www.irinnews.org/

report.asp?ReportID=38870&SelectRegion=Central Asia&SelectCountry=Afghanistan

[48] Paul Adams, "NATO Boss Pleads for Afghan Focus", at http://news.bbc.co.uk/2/hi/south_asia/3820979.stm. Also see Hikmet Cetin, "The Way Forward in Afghanistan" *NATO Review,* Istanbul Summit Special, May 2004, pp. 36-37; Rick Hillier, "Great Expectations" *NATO Review*, Istanbul Summit Special, May 2004, pp. 38-39; For more on NATO in Afghanistan, see www.nato.int/issues/afghanistan

[49] See Afghanistan Opium Survey 2004 released by the United Nations Office on Drugs and Crime and the Counter Narcotics Directorate of the Government of Afghanistan in November 2004, at http://www.unodc.org/pdf/afg/afghanistan_opium_survey_2004.pdf

[50] Gay Thomas, "Afghan Elections Face Cash Shortfall", at http://www.voanews.com/article.cfm?objectID=809805F6-C714-44FF-8DC53D008D2EBF99.

[51] Bushra Asif, "Afghanistan: One Step Forward, Two Steps Back", at http://www.fpif.org/commentary/2004/0404afghanistan.html. The final version of the report itself, updated till March 18, 2004, can be accessed at http://www.af/resources/mof/recosting/SECURING%20AFGHNAISTANS%20FUTURE.pdf

[52] The Constitution of Afghanistan, no. 15, p. 7.

[53] A list of President Hamid Karzai's new cabinet ministers along with their brief biographies can be seen at http://www.institute-for-afghan-studies.org. Also, at http://home.no.net/dawatnet/new%20cabinet.htm; http://bglatzer.de/aga/files/adminlist.htm

[54] The final results of the 2004 Afghan Presidential Election can be seen at http://www.elections-afghanistan.org.af/Election%20Results%20Website/english/english.htm

[55] Amin Tarzi, "Afghan President Faces Challenges in Forming Cabinet", *RFE/RL Afghanistan Report,* 3 (45), December 23, 2004, at http://www.rferl.org/reports/afghan-report/2004/12/45-231204.asp

[56] Tajik leader Yunus Qanooni founded a new political party called *Hizb-e-Afghanistan Naween* or the New Afghanistan Party towards the end of December 2004. See Victoria Burnett, "Karzai's Closest Rival to Launch Political Party in Afghanistan", at http://news.ft.com/cms/s/c833590e-57ab-11d9-a8db-00000e2511c8.html

[57] Vishal Chandra, "Warlords and Karzai's Balancing Act", *Strategic Analysis*, 29 (1), January-March 2005, pp. 155-161.

[58] Golnaz Esfandiari, "Powerful Commander Gets High-Ranking Military Post", *RFE/RL Afghanistan Report*, 4 (8) March 7, 2005, at http://www.rferl.org/reports/afghan-report/ ; Amin Tarzi, "Afghan President Appoints Northern Warlord as his Chief of Staff", at http://www.azadiradio.org/en/dailyreport/2005/03/02.asp

[59] See "Former Defense Minister Gets Special Privileges", at http://www.azadiradio.org/en/weeklyreport/2004/12/30.asp#241572

[60] UNAMA was established on March 28, 2002 through the UNSC Resolution 1401.

UNAMA's mandate includes promoting national reconciliation; fulfilling the tasks and responsibilities entrusted to the United Nations in the Bonn Agreement, including those related to human rights, the rule of law and gender issues; and managing all UN humanitarian, relief, recovery and reconstruction activities in Afghanistan in coordination with the Afghan Administration. There are 17 UN agencies in the country working together with their Afghan Government counterparts and with national and international NGO partners. All UN programmes lend support to the Afghan transition process and recognise the lead role played by the Afghan Administration. The Special Representative of the Secretary-General for Afghanistan (SRSG) leads UNAMA and has overall responsibility for all UN activities in the country. On February 11, 2004, Jean Arnault was appointed by the Secretary-General as his SRSG. Before Jean Arnault, the Secretary-General had reappointed Lakhdar Brahimi, as his SRSG on October 3, 2001. For further details visit http://www.unama-afg.org/about/overview.htm

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