



Overview:

A role for federalism in Afghanistan after the Taliban

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Afghanistan looks like a perfect candidate for federalism. Much in its history, geography and social composition suggests that the introduction of a federal form of government might be part of the cure for the country's ills, once the Taliban is removed from power and the moment has come for a new constitution.

The population of 26 million, scattered over a territory the size of Manitoba, is composed of several ethnic groups (Pashtoon, Tajik, Hazara, Uzbek and others), two main language communities (Dari or Afghan Persian and Pashtoo), and two branches of Islam (Sunni and Shi'a). While these elements of diversity create a range of communities with fierce local loyalties, there appears to be at the same time an enduring sense of Afghan identity. The attempt to exercise centralized power, usually associated with the Pashtoon ethnic community which forms about 38% of the population, has too often been experienced by other elements in Afghan society as a form of domination and exclusion, creating dissidence and resistance in response.

The combination of sentiments of national (Afghan) identity and powerful local loyalties, based on region, ethnicity, language and sectarian difference, establishes the socio-political conditions for a highly decentralized form of federal government. The idea of combining

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shared rule at the centre for some common purposes with self-rule in the regions for other purposes offers a possible means of accommodating the deep cleavages in a war-torn country, and releasing the national and local energies that will be required to re-build Afghan society, once the current troubles are brought to an end.

Good in theory, but in practice...?

As students of a neighbouring federation, India, have noted, federalism can be an effective instrument for the management of ethnic and other cleavages. It disperses conflict by shifting it to state and local levels; it generates conflict *within* ethnic groups, as



different factions battle for control of sub-national governments; it can foster cooperation across ethnic lines, as groups of sub-national provinces or states form coalitions to demand, support or oppose policies formulated at the centre; and, finally, it can free up the creative energies of local communities which possess control over their own educational systems, social services and regional bureaucracies.¹

This sounds great in theory, but will it work in practice?

Having a well-designed federal constitution that neatly defines the role of central and regional governments is all very well, but, if the will to live together and to make the system work is absent, the best constitutional document in the world will not stop the descent into chaos and civil war. This points to the need to establish sufficient trust among the warring parties that a new system, to which they consent, can operate successfully. To achieve that, and to arrive at the 'federal moment', a number of pre-conditions are required.

A few pre-conditions

First: making peace. No progress towards constitutional government can be made so long as war and violence continue to plague the land. The current international intervention makes the achievement of this first step at least a possibility.

Second: international support. There will need to be strong, sustained international support for the peace process and for the construction of a constitutional regime. If the great powers or the neighbouring states in the region prefer a warring to a peaceful Afghanistan, no significant reform is possible.

A massive aid operation will be necessary in the coming months simply to provide for the basic requirements of life. An international

presence will be needed to give whatever constitutional arrangements are constructed a chance to survive and prosper.

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peace-keeping force will be needed to hold the situation until domestic forces of reform can begin to assume control. Strong, sensitive assistance in the design of new institutions will be essential if a definitive break with the recent unhappy past is to be achieved. Harvard lawyers may have written Japan’s democratic constitution in six days in 1946, but that won’t work here. Indeed, it seems unlikely that international support will be effective unless it heavily involves interested and concerned Arab countries.

Third: time. The Afghan people cannot effect a transformation in their circumstances overnight. They will need to create the time and space within which the beginnings of this transformation can occur. Current discussions about an interim government, possibly presided over by the former king, Mohammad Zahir Shah, point to this necessity. Beyond that, a continuing international

So, if...

- If the Taliban is removed and peace is achieved,
- If the warring parties in Afghanistan want to make a new start,
- If the international community supports Afghanistan effectively,
- If a credible interim government can be created,
- If it can begin a consensual process of constitution-making that involves the main interested parties,

Then the 'federal moment' may arrive, and federalism may play a critical role in the construction of a new constitutional order in Afghanistan. ☺

¹Donald Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985), pp. 597–613.