



Federations

What's new in federalism worldwide

special issue on afghanistan, october 2001

Federal options for Afghanistan

This publication is intended to be a contribution to a broad ranging discussion on governance options for Afghanistan. The Forum of Federations is an international organization that, among other things, acts as a clearinghouse on federalism. Naturally, we have a particular interest in the feasibility of federal options for Afghanistan. But we are not trying to prescribe a ready-made solution, federal or otherwise.

We have invited a group of authors with expertise in both Afghanistan and in governance to examine the question of "what next?" from a variety of points of view. They discuss the historic circumstances of Afghanistan, the supra-national situation, models of federalism that might apply, the pre-conditions for a valid democratization process, as well as the dangers of the federal model for Afghanistan.

Our purpose is to help lay the foundation for an international action plan following the end of hostilities. Our hope is that the articles in this issue will stimulate further discussions around the world—discussions that lead toward concrete actions to help foster a stable, democratic governing structure in Afghanistan.

Nazif Shahrani of Indiana University—who writes in this issue—said the following in the *New York Times* of 14 October 2001:

"The people of Afghanistan, after a century of misrule, are in desperate need of a way to govern themselves that will offer some defence against the abuses of power that have marked Afghan history."

He goes on to argue that we have to look beyond the option most frequently mentioned: "a centralized government controlled by an alliance of some combinations of ethnic groups." What is needed, Shahrani and others argue, is a constitutionally decentralized structure that will take into account the need for both local and ethnic autonomy, and a viable, functioning, central government.

The contributors to this special issue take up that challenge from a variety of points of view. They don't all agree with each other, and they bring very different professional and personal perspectives to the task. But they all try to address the difficult question to which the international community has yet to provide an answer:

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What do we do in Afghanistan after the shooting and bombings stop?

As the Forum's Ralph Lysyshyn and Paul Morton say in their article, "nation-building" has not been in vogue of late. Since the Somalia debacle of the 1990s there has been resistance to the idea that richer, more "established"

countries should invest blood and treasure in order to help construct peace and democracy in places torn by violence and civil strife. In recent years, many leaders in the West have emphasized that one must separate what is necessary to defend one's interests from what one does for altruistic reasons. And the subtext of that argument is that a rational, realistic foreign policy has limited room for altruistic gestures.

It's becoming an over-used cliché, but Sept. 11 may have changed all that. It now looks foolhardy to try to separate national security from development aid and programs to encourage good governance. Tony Blair is only one of many who have said that the world community won't make the same mistake in Afghanistan that it did after the Soviets left. Blair, Bush and other members of the coalition have effectively promised to stand by the people of Afghanistan—not only to re-build the country physically, but to work to ensure its long-term political stability.

We're bringing out this special issue of *Federations* now, while the bombs are still falling, to push that effort forward. (6)

—the editors

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700-325 Dalhousie, Ottawa, Ontario K1N 7G2 Canada
Tel.: (613) 244-3360 Fax: (613) 244-3372
forum@forumfed.org www.forumfed.org

Editor: Karl Nerenberg Associate Editors: John Ihnat, Marie Desjardins

Editorial / Administrative Assistant: Rita Champagne Special Project Editor: Christie E. Dennison

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The Forum of Federations, an international network, seeks to strengthen democratic governance by promoting dialogue on and understanding of the values, practices, principles, and possibilities of federalism.

In this issue

Overview: A role for federalism in Afghanistan after the Taliban *By David Cameron*

Federalism may provide helpful tools for managing the political and ethno-linguistic complexities of a post-conflict Afghanistan. But critical preconditions must be present on the ground if a new constitution and new institutions are to have real meaning for the people of this war-ravaged land.

History, culture and ethnicity in Afghanistan *By Seddiq Weera and Alison Roberts Miculan*

For centuries, Afghanistan has been the chessboard for other countries' geopolitical games. The powers vying for control over Afghanistan have also been mirrored by political fractionalism inside the country. And Afghanistan is already a complex constellation of ethno-linguistic and cultural groups.

Not "Who?" but "How?": Governing Afghanistan after the conflict *By M. Nazif Shahrani*

Much of the talk about a new government for Afghanistan has centred on the idea of a "quick fix"—a new regime that would bring together representatives of the country's disparate elements. But at this stage it would be more productive to focus on how to organize a stable government rather than who should participate in a new regime.

A federal arrangement for Afghanistan *By Reeta Chowdhari Tremblay*

Western federalism, for the most part, is based on territory and the main dynamic occurs between two levels of government. But to be effective, an Afghan federalism would have to be both a territorial and multicultural project, addressing the need for cultural representation. As well, it should look at Afghanistan's traditional political forms to revive a local level of governance.

Federalism in Afghanistan: A recipe for disintegration *By Omar Zakhilwal*

This argument against a federal model for Afghanistan predicts that it would merely exacerbate warlordism, the power of personal fiefdoms, and foreign interference.

The regional and international context: Are peace and cooperation possible? *By Amir Hassanpour*

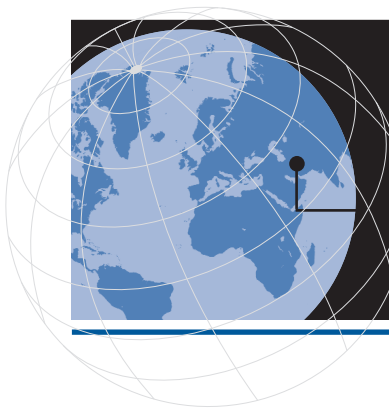
The countries surrounding Afghanistan—as well as the global players—each have had a hand in its continuing history of war and misery. Reconciling these conflicting interests may be a tall order. Is there a way to achieve some degree of regional non-interference that could pave the way for more substantial supranational arrangements?

The future: A responsible role for the international community *By Ralph Lysyshyn and Paul Morton*

A democratic, representative government in Afghanistan may one day choose to adopt some form of federal model. But what practical steps can the international community take to assist the Afghans in their decision-making process? There is a role for federal countries to play now as Afghanistan, and the world, begin to look beyond the current crisis to a future less marred by war and violence.

Contributors to this Issue

David Cameron is a professor in the Department of political science at the University of Toronto and former Special Constitutional Advisor to the Premier of Ontario. **Seddiq Weera** is leading a peace education project on Afghanistan under the auspices of the Centre for Peace Studies at McMaster University in Canada. He is the founding co-chair of the Canadian Coalition for Afghan Peace and Development. **Alison Roberts Miculan** works on the peace education project on Afghanistan at the Centre for Peace Studies, McMaster University. **M. Nazif Shahrani** is professor of Anthropology and Central Asian and Middle Eastern Studies, as well as Chairman of the Department of Near Eastern Languages and Cultures, at Indiana University, USA. **Reeta Chowdhari Tremblay** is Chair of the Department of political science at Concordia University in Montreal. **Omar Zakhilwal** is a professor of economics at Carleton University in Ottawa, a Senior Research Economist with Statistics Canada, and a member of the Managing Board of the Institute for Afghan Studies. **Amir Hassanpour** is an associate professor in the Department of Near and Middle Eastern Civilizations at the University of Toronto. **Ralph Lysyshyn** and **Paul Morton** are staff members at the Forum of Federations. The Forum of Federations would also like to thank **Rex Brynen** for his assistance.



Overview:

A role for federalism in Afghanistan after the Taliban

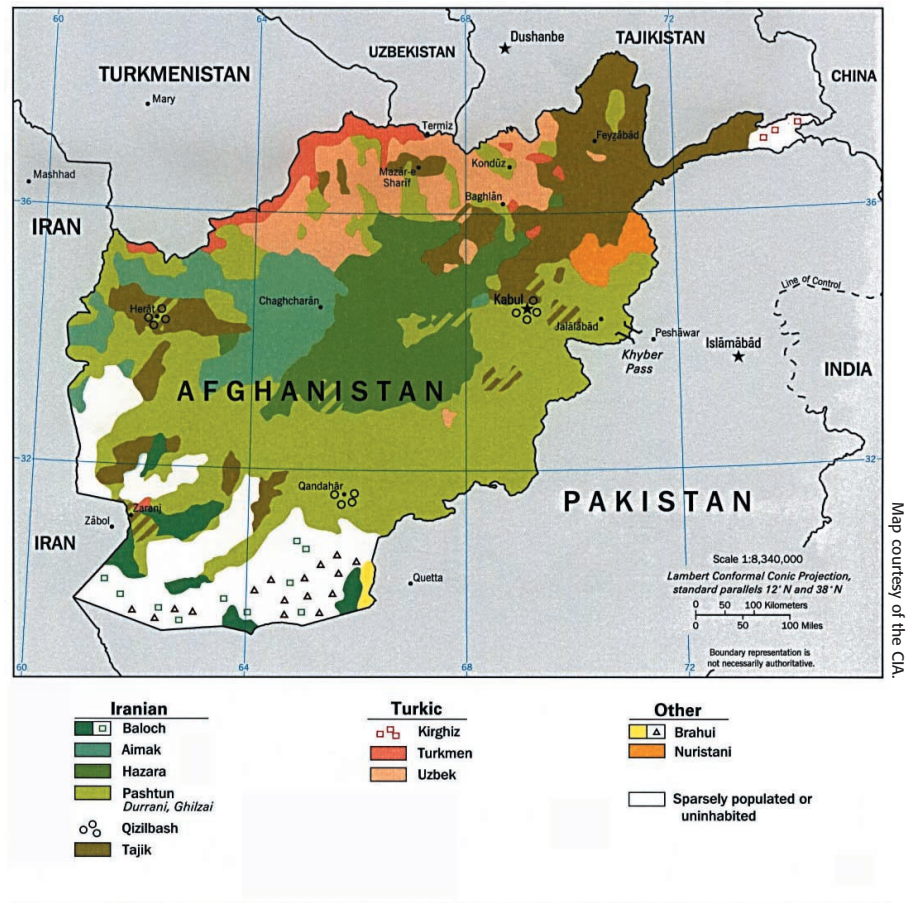
BY DAVID CAMERON

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

Ethnolinguistic Groups In Afghanistan



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.

"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."

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.



History, culture and ethnicity in Afghanistan

BY *SEDDIQ WEERA AND ALISON ROBERTS MICULAN*

History

Afghanistan, during the last 200 years, has been the stage for conflicts between many powerful countries: first, between the British Empire and Russia, subsequently between US-led NATO forces and the Soviet Union, and recently among coalitions of countries that intertwined themselves with Afghan groups divided along ethnic lines.

In 1775, British companies began to colonize India. Thirty-two years later, in 1807, France's Napoleon and Russia's Alexander I signed a treaty to join forces in a bid to take India away from the British colonists. While the treaty did not result in an actual military coalition, it did highlight the tension among Britain, Russia and France as they competed to control land and further their economic interests in and around Afghanistan.

In 1837, a Russia confident of its military might continued its expansionism by attacking Afghanistan's western province of Herat. In response, the British in India planned an invasion of Afghanistan. This first military encounter between the Afghan people and British troops lasted three years, from 1839 to 1842, and cost the British the total loss of their troops. Only one wounded medical doctor made it back to India.

Almost three decades later, in 1869, Russia conquered several Central Asian territories and again arrived at Afghanistan's border. The British regrouped and began invading Afghanistan in 1878. The invasion attempt lasted one year less than the first attack. This time, having learned from the first Anglo-Afghan war, some of the British troops made it out of Afghanistan's mountains alive.

The third military encounter between Afghan warriors and British troops took place in 1919. The British relented and recognized Afghanistan as an independent country. Russia also recognized Afghanistan, but it took the United States another 15 years to do so.

From 1929 to 1953, Afghanistan remained a buffer state between East and West while it attempted to maintain a traditional society that was only gradually inclined toward Westernization. By 1953, the Soviet military and economic influence in Afghanistan was on the rise.

Balance between the influence of the Soviet Union and the Western countries in Afghanistan was seen to be disrupted when the Republic of Afghanistan began to increase business relationships with the Western world in 1977. To subvert Western influence, the Soviets backed a military coup in 1978 that brought the communist People's Democratic Party of Afghanistan to power.

From 1979 to 1989, Afghans fought and ultimately defeated the Soviet Red Army with military and political support from the U.S., Arab and European countries, as well as China (filtered through neighbouring Pakistan). Those 10 years of fierce war left one million Afghans and 15,000 Russians dead.

Two years later, the Soviet system toppled, followed by the collapse of the Afghan communist government in 1992.

With the communist government gone, Afghans were left with a completely destroyed infrastructure, 10 million landmines planted throughout the land—and still no right to exercise their free will to choose a government.

Afghanistan again became a battleground divided by more than 10 warring groups, each struggling for military victory. Nearby countries such as Pakistan, India, Russia, Iran, Tajikistan and Turkey continued to supply weapons and ammunition to warring groups in an attempt to install a government of their choice.

By the spring of 1992, it was hoped that power sharing between the parties of Rabani-Masood (a friend of Russia, Iran and India) and Hekmatyar (leader of the HIA and a close friend of Pakistan) would take place. That hope, however, never materialized and the struggle for military victory continued.

Because the emergent Rabani-Masood government in Afghanistan was a close friend of the enemies and competitors of Pakistan, Pakistan increased its supply of weapons and resources to HIA with the aim of toppling the government.

In 1994, Burahanuddin Rabani was the president of the Islamic State of Afghanistan, which was in fact a coalition of three parties: 1) his own party, the ISA; 2) the Party of Unity for the Liberation of Afghanistan; and 3) the former communist group the National Islamic Movement of Afghanistan (NIMA). During the course of fighting between 1992 and 1994, NIMA once switched sides and fought against Rabani's government.

With growing interest in the oil resources of the Caspian Sea, Afghanistan emerged as a strategic gateway once again—this time not to India but to Central Asia. Continued war and abuse of power by warring commanders coincided with a lack of

law and order as well as a state of total moral, social, political, economic and military chaos.

The Taliban, a group of hard-line Islamic clerics, emerged as a reaction to the chaos—or, according to some analysts, as a result of a deal among Pakistan, the United Arab Emirates, Saudi Arabia, Turkmenistan and the U.S.A.

In 1994, while it did not seem likely that Hekmatyar would be successful in dislodging Rabani's government from Kabul, Pakistan, afraid of an anti-Pakistani government in Afghanistan, came up with a plan to create and/or to support the Taliban.

The Taliban concept was sold to the US because of that faction's aim of collecting weapons from extremist Islamic groups and facilitating the extension of an oil pipeline from Turkmenistan through Afghanistan to Pakistan. On a national level, Afghans who were tired of the state of total chaos did not resist the mission of the Taliban to bring law and order and to collect arms.

The Taliban take-over of Kabul in 1996 as well as Mazaar-e-Sharif in 1997 and again in 1998 was warning enough for India, Iran, Russia, Tajikistan—and even Turkey—to step up their support for the toppled Rabani government and to prevent the establishment of a pro-Pakistan, pro-Arab, purely Sunni government in Afghanistan.

In the midst of the current crisis, Pakistan is again worried about the establishment of an anti-Pakistani government in Afghanistan through a Northern Alliance military take-over—which could happen if the Northern Alliance takes advantage of the US-UK military attacks on Afghanistan. While Iran, India and Russia are excited about a possible shift of power in Afghanistan, Pakistan is trying to use political, diplomatic and military means to ensure what it sees as an adequate share of pro-Pakistani Pashtoons in the future government of Afghanistan.

Though there is no question that the current threat of global terrorism must be addressed, the current Afghan proxy war demonstrates a lost opportunity for preventive diplomacy and the potential for further and more serious unrest. Competition among neighbouring and regional countries makes the likelihood of civil war in Afghanistan, partition of Afghanistan or Pakistan, or the collapse of Pakistan, much greater.

Unless intensive diplomacy is put in place to transform current competition among the neighbours of Afghanistan into mutual understanding and regional cooperation, the vicious cycle of governance from the outside will continue to jeopardize any effort for a sustainable peace in Afghanistan and, for that matter, stability in the region.

Culture

While inter- and intra-tribal relationships may have changed over the centuries, codes of honour have remained strong among most Afghans. Towering pride and glory are attached to sacrifice and bravery demonstrated while protecting religion, people, land, and sovereignty. Even though levels of dedication to such beliefs vary considerably across the people in times of peace, they become heightened exponentially in the face of threat.

Afghanistan's military history also has been shaped by its terrain. The natural topography has forced invasions by troops in single-file, the cutting off of supply routes, and the inability of artillery to keep up with infantry. These factors have proved disastrous militarily, not only at the time of the Anglo-Afghan war, but a century later during the Soviet conflict as well.

The very fact that invaders and colonists have been unable to settle in Afghanistan may have contributed to the sustainability and strength of Afghan culture and traditions. In addition, the clan and tribal systems have made the mobilization of Afghans easy and

efficient, particularly in cases of national emergencies. Mobilization is further facilitated by a traditional mechanism called the Grand Assembly or Loya Jirga where the tribal leaders and chiefs make decisions that are supported by their village or tribesmen.

Most Afghans have strong religious beliefs. Almost all are Muslim, with a Sunni majority. Shiites represent the second largest group, and there is a minority of Ismaelites and Ahl-Hadees. Religion has been a key factor in uniting diverse Afghans and motivating them to defend against invaders. It should be mentioned that small groups of Afghans follow Hinduism and Sikhism and an even smaller number follow Judaism.

Ethnicity

Afghans live in clans and tribes. Their ethnicities include: Pashtoon, Tajik, Hazara, Uzbek, Turkmen, Baluch, Nooristani, Qezil-bash, Pasha-Ee and Aimaq. Historically, complaints about incidents against certain ethnic groups and claims of injustices have created tension and, from time to time, hostilities and acts of revenge within Afghanistan.

For example, non-Pashtoons argue that the Pashtoon Royal family's monopoly over political power for some 250 years constitutes "national oppression." Pashtoons on the other hand, complain that the monopoly of Dari as the official language and the language of instruction (in educational institutions) for the same number of years or even longer represents "cultural oppression."

Ethnic and religious divisions became deeper as crimes were committed in the cities of Kabul in 1993 and 1995 (Sunnis against Shiites), Mazaar-e-Sharief in 1997 and 1998 (Tajik against Pashtoon and then Pashtoon against Tajik and Hazara) and Bamian (Sunni Pashtoon against Shiites). Even though the degrees of ethnic hatred and prejudice vary across the nation, it is obvious that the general public is less affected than are politically motivated Afghans. ☺



Not “Who?” but “How?”: Governing Afghanistan after the conflict

BY M. NAZIF SHAHRANI

The peoples of Afghanistan are one of the poorest nations on earth, victimized by over a century of misrule and nearly a quarter of a century of imposed wars, topped by the repression of the Taliban and their global terrorist allies. They are ready for, and in need of, a fundamental change in their system of governance. The terror attacks of September 11 on the U.S., allegedly carried out by Bin Laden's Al Qaeda terrorist organization hiding in Taliban-controlled Afghanistan, have not only unexpectedly exposed the tragic fate of the peoples of Afghanistan to the world, but have also raised the hopes of bringing an end to their nightmare.

The current war being fought by the United States and her allies against the terrorist forces of Bin Laden in Afghanistan cannot be won without careful planning for a just and democratic governance structure in the beleaguered country. In searching for alternatives to the Taliban, the question being asked is: who should rule in Afghanistan after the Taliban? “The usual suspects” named recently are the ex-King Muhammad Zahir Shah, the alleged Pashtoon ethnic “majority”, the opposition Northern Alliance, the leaders of the former mujahedin, a coalition of the representatives of all ethnic groups, or a vaguely defined “broad-based” government.

The ISI, Pakistan's military intelligence service and the creators of the Taliban, apparently insist on the inclusion of “moderate” Taliban among the future rulers of the country. Proposing a centralized government is being legitimized by referring to the so-called “traditional” Afghan Grand Assembly (or *Loya Jirga* in Pashtoo). But the painful lesson of Afghanistan's history has been that strong centralized government in any form will only lead to hegemony by one group, whether ethnic, linguistic, or religious, and abuse by the ruling group

at the expense of justice for all citizens of Afghanistan. The promise of enduring peace and just governance in a post-Taliban Afghanistan does not lie in a single person, party, tribe, clan, or ethnic group—or a combination of these, no matter how broadly based.

Afghanistan as a multi-ethnic nation was cobbled together as a buffer state in late 19th Century by British India and tsarist Russia. Its first modern ruler, Amir Abdur Rahman Khan (r. 1880-1901), was hand-picked by the British from among the princelings of a warring Pashtoon clan.

“At this critical moment in its history, what Afghanistan needs the most is what the United States already has—the federal model of decentralized government with a strong national constitution.”

A lasting contribution?

The question is not “Who should govern in Afghanistan?” but “How should Afghanistan govern itself?” A U.S.-led political and military coalition is poised to set in motion profound changes in Afghanistan. At this critical moment in its history, what Afghanistan needs the most is what the United States already has—the federal model of decentralized government with a strong national constitution. Indeed, this could be the longest-lasting contribution the United States and her anti-terrorism international coalition could make in Afghanistan today, and in fighting the root cause of global terrorism forever.

In return for giving up control of the country's foreign affairs to Britain, he received arms and money to conquer and subjugate the myriad of ethnolinguistic groups. Infamous for his cruelty and dubbed the “Iron Amir” by his colonial masters, he established a firm foundation for an oppressive, corrupt, centralized system of “internal colonialism” directed against some Pashtoon tribes and the non-Pashtoon ethnic groups.

A brief experiment with constitutional monarchy from 1965 to 1973 was aborted by a palace coup, followed by the Soviet-inspired Communist regime in 1978 which plunged the country into an abyss of continuous proxy wars. These culminated in the rise of the Taliban and Afghanistan's regrettable prominence in the arena of global terrorism.

Echoes of the 19th Century in the Taliban regime

Sadly, the historical tendency to monopolize centralized authority is a part of Afghan political culture, and the Mujahedin parties who came to power in Kabul in 1992 insisted on re-imposing a strong centralized authority (the familiar model of the old monarchy) over the periphery. The aims of the Taliban under Mullah Muhammad Omar, the self-proclaimed Amir al Mu'mineen (Commander of the Faithful) and their strategy of terror are similar to those of the British-installed "Iron Amir": the military conquest and re-subjugation of all the self-governing non-Pashtoon territories.

The similarities between the bloody events of the late 19th and the last decade of the 20th Century have another significant dimension—the use of extremist Islam as a justification for terrorizing the regime's assumed enemies into submission. What is novel in the Taliban's effort is their alliance with international terrorism. The old monarchy and Taliban regimes also share the common myth, first fabricated by British India, that the Pashtoon have the exclusive right to rule in Afghanistan. This myth, which is uttered approvingly by Pakistani generals and politicians alike, has brought Afghanistan to the brink of total disaster and, if not shattered, will continue to threaten the future viability of a peaceful Afghanistan.

Nepotism, cronyism and internal colonialism

It is for this reason that priority should not be given to the question of who will rule Afghanistan. Instead, we must ask how should a post-Taliban Afghanistan be governed? Any attempt to re-impose a strong centralized regime controlled by a single family, clan, tribe, or ethnic group, whether Pashtoon or non-Pashtoon, must be and will be strongly resisted. Strong, centralized regimes in multi-ethnic societies such as Afghanistan tend to breed nepotism, cronyism, and internal colonialism by the ruling clique.

Instead, the international community should encourage and empower a government that builds on and recognizes the crucial role of the self-governing local communities that emerged in the period of anti-Soviet jihad during the 1980s. They should encourage a government which accepts the principles of community self-governance at the

The makeup of the transitional government is critical to the success of such a plan. While the ex-King Muhammad Zahir Shah can and should play a role in such a transitional government, every effort must be made to keep his old corrupt cronies from infiltrating the post-Taliban government. Care must also be taken

"The painful lesson of Afghanistan's history has been that strong centralized government in any form will only lead to hegemony by one group, whether ethnic, linguistic, or religious, and abuse by the ruling group at the expense of justice for all citizens of Afghanistan."

village, subdistrict, district, and provincial levels, and is committed to the formation of a broad-based federal structure that reflects the ethnic composition of Afghan society as a whole.

The local autonomy and political integrity of every segment of Afghanistan's ethnic and sectarian social mosaic must be guaranteed by a new national constitution and a decentralized federal governance structure. Only then will it be possible for the peoples of Afghanistan to begin rebuilding their shattered communities and regain their self-confidence in a democratic, multinational Afghanistan.

Rebuilding an appropriate governance structure for Afghanistan will require time, patience, and an honest and dedicated transitional government. It will also require the supervision of a UN-mandated international peacekeeping force in Afghanistan.

to keep the many corrupt and abusive elements of the myriad of warring parties and of the previous Communist regime from re-entering post-Taliban governing structures.

The task is daunting, but the reward—liberation of the peoples of Afghanistan from the reign of terror—will be worth it. More importantly, if the United States and her international coalition partners can help Afghans set up a just governance structure with care and compassion, they will set a new precedent for combating the conditions that give rise to global terrorism. 6

A version of this article was published as an Op-Ed piece in the *New York Times*, Sunday, October 14, 2001.



A federal arrangement for Afghanistan

BY REETA CHOWDHARI TREMBLAY

Federalism just might be the most suitable arrangement for Afghanistan. But federalism needs to take a particular shape in this country. It will not do simply to emulate the traditions and conventions of Western federal systems.

The Western discourse on federalism has been traditionally formulated within the framework of center-state relations, focusing on centralization and decentralization. In the case of Afghanistan, we need to make a departure and view federalism as both a *territorial* and *non-territorial* project. As a territorial project, federalism addresses the fragile equilibrium to be maintained between indestructible union and indestructible units. As a non-territorial project, federalism is directed to the issues of cultural representation and identity in a multicultural society.

Afghanistan's cultural diversity

Afghanistan is one of the poorest countries in the world and its population is divided, often sharply, along ethnic, linguistic and even religious lines. The population of Afghanistan (including some 5 million refugees now living in neighbouring countries, primarily Pakistan and Iran) is roughly 25 million, occupying a landlocked territory slightly smaller than Texas.

The largest group is the Pashtoos, who make up about 40% of the population, speak Pashtoo (which is related to but quite distinct from Persian), live in eastern and southern Afghanistan, and are further divided into a patchwork of tribes and clans. The second largest group (comprising about one-third of the population) is the Tadjik, who speak Persian. They are native to the valleys and mountains north and north-east of Kabul, and are ethnically akin to the Tadjiks of Central Asia. The remote massif of central

Afghanistan is home to the Hazaras (comprising 8%-9% of the Afghan population) who speak a version of Persian called Hazaragi. The last major group, of about the same size, are the Uzbek, who speak Uzbeki. There are over a dozen other ethnic and linguistic minorities.

"The major challenge which federalism in Afghanistan will have to face will be to balance the territorial with the non-territorial requirements of the Afghan multicultural, multi-tribal nation."

Socio-economic differences between the majority Pashtoos and other tribal groups have been less significant than the ethnic, cultural and political distinctions between them. Pashtoon relations with non-Pashtoos are defined by rules proscribing inter-marriage, by differences of language, sometimes by religion, and by economic exchanges that usually denote the Pashtoos' superior status. Pashtoos have long been the dominant political community. During King Zahir Shah's regime, the top governmental positions remained monopolised by the elite upper class, mostly of Pashtoon nationality.

Islam in Afghanistan embraces a wide range of beliefs. The major ethnic groups are predominately Sunni, with the exception of the Hazara who are Shiite, but a significant number of Afghans are followers of the Sufi tradition, an Islamic tradition that fosters values of tolerance

and peaceful co-existence with other religions. The wahabi tradition has only recently been imported from Saudi Arabia and the Taliban, who received their Islamic training in the refugee camps of Pakistan, are the followers of the intolerant wahabi tradition.

New institutions, new structures

Several of the international players have suggested that one of the ways to revive democracy and to arrive at consensus towards institution-building is for the former king, Zahir Shah, to call together the Grand Assembly or *Loya Jirga*, which is made up of traditional tribal leaders, intellectuals and bureaucrats. The task of the *Loya Jirga* would be to formulate a democratic constitution creating structures of equitable representation and governance.

The Afghan state is not as archaic as we might be led to believe from reports we read in the media, although the modern Afghan state did suffer tremendous shocks during the Soviet and post-Soviet occupations. The king, Amanullah Khan, laid the foundations of a modern nation-state in 1919. The first constitution was promulgated in 1923. It provided freedom for the practice of religious rituals to the Shiite minority and enshrined other minority rights. Amanullah Khan's government undertook various social and economic reforms, including land reform and the restructuring of a tax system.

There followed a period of intermittent turbulence and regimes. For example, General Nadir, who took power after King Habibullah's execution in 1930, called a *Loya Jirga* to endorse a new constitution. The *Loya Jirga* also confirmed him as a king, declared Islam as a state religion, and endorsed the king's personalized power.

In 1933, under King Mohammad Zahir Shah, the state modernized its bureaucracy (which had significantly expanded), its army and its police force. Education was vigorously promoted.

In 1963, King Zahir democratized the constitution, barring the members of the royal family from participation in the government. The new constitution accorded Persian, the language of large minorities, an equal status to Pashtoo. It also allowed the establishment of political parties. During 1963-1973, four prime ministers were appointed and in 1973, Afghanistan was proclaimed a republic. The new government included women and minorities. In order to respond to the demands of the minorities, the state appointed two members of the Hazara community and one from the Uzbek community to the ministerial portfolios of planning, mines and commerce.

Beginning in the early 1950s, Koranic education complemented government-sponsored Western-style education. By the late 1960s, education accounted for some 20% of total government spending. The university was co-educational. Both women and minorities took advantage of the educational system, which had been largely responsible for furthering their demand for the inclusion of minorities in the government.

Although religion was a compulsory subject in government schools, most of the reading material emphasized modern aspects of life. Amongst the traditional schools, Sufism was widely studied.

Federalism with a new twist: a viable option

As a beginning of a solution to the current crisis in Afghanistan, King Zahir Shah could indeed rely upon the earlier democratic constitutional tradition to invoke a new constitution. However, this time, more serious attention must be given to the structures of representation and governance. *Multicultural federalism*, as a territorial and non-territorial project, stands out as the most suitable potential structure for Afghanistan.

One of the tasks of multicultural federalism is to provide cultural recognition of various groups and to ensure that minority groups who differ from the dominant regional norms are not left powerless and marginalized.

The major challenge which federalism in Afghanistan will have to face will be to balance the territorial with the non-territorial requirements of the Afghan multicultural, multi-tribal nation. Given Afghanistan's cultural diversity and social pluralism, the federal system will have to struggle constantly if it is to reconcile the claims of *equal citizenship* with *group* identities and interests.

Even in the West, it is only recently that people have begun to explore the issues of citizenship, cultural pluralism and a multicultural "political community."

It might be a good idea to look at examples set by federations that have tried to address the issues *both of territorial and non-territorial* representation. In India, for instance, it was a major preoccupation of the Constituent Assembly to tackle this question. And, lately, multicultural Western societies have begun to grapple with it.

Historically, the Indian constitution-makers were not only sensitive to group identities but were also innovative in generating a difficult and challenging non-traditional discussion of "political community."

Relying on indigenous Hindu traditions, emphasizing collective identities such as family, caste and tribe, and borrowing from 'imported' liberal theory revolving around the concept of individualism, the founding fathers of the Indian state attempted to balance constitutionally the contradictory principles of *equal* citizenship with *collective* rights.

India also sought to balance secularism with religious community rights, fundamental equality for all citizens with preferential privileges for backward classes/castes, and an official language with the protection of minority linguistic rights.

A reconciliation of the territorial with the non-territorial approach is undoubtedly more challenging than the simple Western federal model (based on territorially distinct provinces or states). But this is the best hope for a nation such as Afghanistan, sharply divided by religious, linguistic and tribal loyalties.

The traditional concept of federalism defines two levels of government: one central/federal and the other a set of regional governments. It does not give constitutional recognition to

local government. However, recently there has been an increased recognition of the notion that local governments can also provide democratic representation, particularly of minorities and women. In Afghanistan, where there are strong traditions of local autonomy, a federal structure will have to involve three layers of government—central, regional and local—each with its areas of autonomous jurisdiction.

It is precisely at the local level that one can take advantage of traditional Afghan structures. These structures can be emptied of much of their original meaning (they were often based on hereditary chieftainships, for instance) and be "filled" with the new "content" of:

- equal representation,
- democratic rights,
- and freedom of contestation and participation.

Once again, India is a very good example.

In 1992, the Indian Parliament provided a constitutional base to local government by constitutionally recognizing the Panchayats: the traditional local organizations. The Panchayats became the third tier of government, with 29 local powers and the compulsory representation of women and tribal populations by at least one third of the Panchayat.

Such an emphasis on local self-government and decentralization of power is directly linked to the realization of two fundamental goals: 1) ensuring effective governance and equitable political representation through the institution of federalism; and 2) resolving the dilemma of simultaneously pursuing the goals of economic growth and social justice.

Mobilizing a society without developing appropriate institutions can lead to political decay. One must see to it that not only is democracy introduced into Afghanistan, but also that institutions are brought in to inculcate and foster a culture of tolerance, trust and cooperation. And these institutions must be based on indigenous traditions and respect for the diverse ethnic communities. ⑥



Federalism in Afghanistan: A recipe for disintegration

BY OMAR ZAKHILWAL

As the U.S. and British forces continue to strike at the Taliban and the hideouts of the suspected terrorist mastermind Osama bin Laden in Afghanistan, many Afghan and non-Afghan observers look at it as an endgame for the hard-line Taliban regime and are already looking ahead.

The US and its allies initially maintained that their current involvement in Afghanistan was to cripple the terrorist networks in that country and not to get engaged in "state building". However, they have now realised that the former cannot be achieved without first doing the latter. High ranking US and EU officials have recently been actively engaged in consultations with their allies and the players in the region about the formation of a post-Taliban government for Afghanistan.

Although there is no shortage of proposals for such a government, there is little consensus on what type of government could bring about a lasting peace and stability in Afghanistan. Of the many proposals put forward so far, a high ranking State Department official recently pointed out that an effective government for Afghanistan would be a loose federation:

"As we have studied the situation, the Afghan experience seems to show that when the government is roughly a loose federation, it seems to work, with a very high degree of local autonomy", said Richard Armitage, US Deputy Secretary of State.

While most Afghans would appreciate and welcome any active positive involvement of the international community to help them have a government that can restore peace

and stability in their war-shattered country, they are sceptical of any mechanism the Afghans are not party to, and is imposed on them. The very crisis that has been looming in Afghanistan

Federalism: an unnecessary option

Those who propose federalism as a preferred option for governance in

"Many who know the ground reality in Afghanistan would agree that federalism is not only unnecessary under the circumstances, but it also would serve as a recipe for deeper divisions among diverse ethnic groups in Afghanistan and would lead to a subsequent disintegration of the country."

for years is a direct result of government formulas imposed from the outside and foreigners' unwelcome interventions. A government that comes about due to consultations with others to the exclusion of Afghans negates—as they have many times over the past two and a half decades—the very basic rights of Afghans to self-determination.

As far as federalism goes, it is not a governance option for Afghanistan. Many who know the ground reality in Afghanistan would agree that federalism is not only unnecessary under the circumstances, but it also would serve as a recipe for deeper divisions among diverse ethnic groups in Afghanistan and would lead to a subsequent disintegration of the country.

Afghanistan often cite "grievances among minorities" over their marginalisation by previous governments as a reason for change. However, they fail to explain why a unitary system—of the type we used to have—couldn't be improved upon to take care of the inclusion of all ethnic groups in the governance of Afghanistan. The truth remains that of the many factors that can be listed as possible causes of the on-going crisis in Afghanistan, grievances from different ethnic groups in Afghanistan over the type of government we used to have is not one of them.

This is not to claim that the governance system that used to exist in Afghanistan

was free of faults—in fact, no such government exists in any part of the world. However, given the complex cultural, historical, demographic and geographic realities of Afghanistan, it was a government that could be built upon and a government that certainly was superior to a federalist system. A change in the system just for the sake of change is not necessary and, in fact, is meaningless unless there are valid reasons to believe that it is necessary.

The root causes of the current abject state of Afghanistan have always been foreign interventions.

First, it was the Soviet invasion of Afghanistan, and then the neighbouring countries continuously pursuing their various self-interests in Afghanistan at the expense of peace and stability there. The ongoing war in Afghanistan would be better described as a proxy war by neighbours, rather than as a civil war, as it is termed by most foreign observers. Some foreign experts who threw in the ethnic factor in their mix of causes for the Afghan crisis are mistaken at best.

Most such analysis is based on the observed fact that the current warring factions in Afghanistan are formed around ethnic and regional lines. For example, the Taliban are predominantly Pashtoons from the South and East, while the Northern Alliance derives its military manpower from the Tajeks, Uzbeks and Hazaras of Northern and Central Afghanistan. All factions are extremely ethnocentric, with each having committed serious war crimes against the people of rival ethnic groups on numerous occasions throughout the internal war. This, in turn, is translated into evidence of grievances that existed among ethnic groups because some (majorities) in previous governments marginalized others (minorities).

Such analyses, however, fail to take into account that each warring faction in Afghanistan is hated by the ethnic group it supposedly represents as much as people of rival groups hate it.

“Though ethnically diverse, politically and socially Afghans have mingled into one distinct entity: “Afghan”. It is this distinction—as Afghans—that has enabled them to remain living in one integral country.”

In addition, unlike often suggested, the various ethnic groups such as Pashtoons, Tajeks, Uzbeks, Hazaras, Turkmens, Baluchs, Nooristanis and others have evolved—even during the past two and half decades of war—into a mix of Afghans with common culture, psychology and ethos. For example, Pashtoons from the Eastern part of Afghanistan have more in common with and therefore bond with Uzbeks from the North of Afghanistan better than they would with the Pashtoons of Pakistan.

Though ethnically diverse, politically and socially Afghans have mingled into one distinct entity: “Afghan”. It is this distinction—as Afghans—that has enabled them to remain living in one integral country despite the fact that over the years, numerous attempts have been made both by neighbouring countries, such as Iran and Russia, and some warring factions at the behest of their foreign masters, to disintegrate Afghanistan under the guise of federalism.

Warlordism, personal fiefdoms and foreign interference

If one looks at the history of the unitary system in Afghanistan, one will find that it was compelled by the very things that a federation would lead to in a country like Afghanistan.

Federalism is an advanced system of a democratic government that allows citizens to be part of the democratic

process and decision-making in all levels of government. However, in a country like Afghanistan, where illiteracy is abundant, the economy is in shambles and land and other natural resources are not evenly distributed across the country, federalism would lead to warlordism, personal fiefdoms, no respect for the central government and a continuation of internal war—this time over who gets what.

It might also further the chances of neighbouring countries interfering in the affairs of Afghanistan more effectively and may eventually prove to be a recipe for a permanent division of Afghanistan along ethnic and linguistic lines.

It is no wonder why the two warring factions that have called for a federalist system in Afghanistan—the Iran backed Hezb-i-Wahdat of Khalili, and the Uzbekistan- and Russian-backed Junbish-i-Mili of General Dostam—are also the ones that have already drawn maps of their independent countries within Afghanistan. They have guessed quite accurately, perhaps, through a careful search of their political dictionaries, that the word that would bring them steps closer to their ultimate goal is “federalism”. If only their respective ethnic groups supported their desires, Afghanistan would now already be divided.

It cannot be emphasised enough that a government able to bring a lasting peace and stability to Afghanistan has to be representative of all ethnic groups. It cannot be manipulated by one group at the expense of others, but rather must allow every ethnic group to have a fair share of say in the day-to-day affairs of their country. It must give every citizen a sense of belonging to the government and to the country, regardless of his or her ethnic and linguistic background. I see no reason why a unitary system won't be able to have such characteristics. ⑥



The regional and international context: Are peace and cooperation possible?

BY *AMIR HASSANPOUR*

In its origins, the Taliban regime was not, simply, a product of the internal dynamics of Afghan society—or, to be more exact, *societies*. It emerged in the course of the conflictual interactions of numerous local, national, regional, and international powers that converged and diverged incessantly. The United States, Britain, Russia, Pakistan, Iran, Saudi Arabia, the United Arab Emirates and Central Asian states have all intervened in the formation of the post-Soviet structure of power.

The Taliban regime was concocted by the interstate system as much as it is nurtured by numerous non-state actors, both domestic and foreign. If the assumption of power by Khomeini in Iran inspired Islamic fundamentalists everywhere to vie for state power, the rise of the Taliban to statehood unleashed waves of warriors to fight for setting up an Islamic empire. Just as “Western imperialism” cannot survive without international markets, so Islamic theocracies cannot thrive without an empire of their own.

In both cases, we are dealing with supranational forces that have failed to secure prosperity, freedom and peace for a region that is rich in human and natural resources. Can there be an alternative, supranational regime that would promote coexistence in a context where state sovereignty is regularly violated by local, regional and world powers? If the interests of the neighbouring states are tied to who rules in Afghanistan, can there be a division of labour based on mutual recognition and non-interference?

A modern crisis in governance

Many observers of the globalizing world have noted in recent years that the modernist, Western tradition of sovereignty, which confers on the state the exclusive right to exercise power

“The peoples of the region are fed up with despotism, both Islamic and secular, and with the wars and massacres that inevitably accompany various forms of despotism.”

within its borders, is passé. States no longer have the capacity to govern in a centralized manner. Whether wanted or not, a division of labour is emerging in which supra- and sub-national entities exercise a great deal of power.¹

This “crisis of governance” has materialized in Afghanistan, where the Taliban have unleashed a medieval regime of terror against women and everyone else. If it is true that Osama bin Laden is the perpetrator of the September 11 mass murder, there is little doubt that he has also trained and exported fundamentalist terrorists to Iraqi

Kurdistan, where they have occupied a number of villages, murdered many militias of the local Kurdish government, and declared an Islamic emirate of the Taliban type. How did the New World Order produce this regime? It is often claimed that Nazism and its Holocaust were products of modernity; if this is the case, the Taliban’s Islamic emirate is a product of the interlocking of pre-modern, modern, and post-modern interests, and its reign of terror erodes all such borders.

Reconciling conflicting interests

Considerations of the future of Afghanistan and its peoples, who have been brutalized for two decades, should begin with a simple question: Will the United States, Britain, Russia, India, China, Pakistan, Iran, Saudi Arabia, the United Arab Emirates and Central Asian states leave the people of Afghanistan alone? Will they let the diverse population of the country freely elect a democratic government? I believe that the answer is simply “No!” These interests are too deep-rooted to be over-looked. Governance in Afghanistan is no longer regarded as an internal affair. At the same time, it is obvious that installing a puppet regime with one or more regional or international overlords will not lead to peace and prosperity. Turning Afghanistan from a hotbed of mischief into a sovereign state whose peoples can get on with their lives depends on a crucial change in the politics of the interested parties.

Afghanistan is part of a number of interlocking geostrategic regions and cultural areas. It is part of or, rather, at the

¹According to one observer, “the facts of sovereignty and territoriality as described by international law, then are becoming transnational fictions. As the proliferating sub/supranational nuclei of decentralized power now author(ize) contra-governmentalistic law-unmaking and law-breaking within uncertain territories, each sovereign finds itself on its own territory challenged from within and without...”; these divisive forces range from constructive “global environmentalism” to destructive “religious fundamentalism.” Timothy Luke, “Reconsidering nationality and sovereignty in the New World Order,” *Political Crossroads*, 1997, Vol. 5, Nos. 1-2, page 8.

margins of fuzzy regions such as Central Asia, the Middle East, and South Asia.

Since 1978, it has been part of a "war zone." This zone, the contemporary world's largest and most active, extends from Kashmir, Afghanistan, and Pakistan in the East to Sudan and Cyprus in the West. The people there have suffered from intermittent war, invasion, genocide, and ethnic cleansing; a partial list includes internal and external wars involving Kashmir, Pakistan and India; Iraq and Iran; Armenia and Azerbaijan; Chechnya-Russia; Israel-Palestine-Lebanon-Syria; Iraq and Kuwait; Turkey, Iran, Iraq and the Kurds; Turkey and Syria; Turkey and Iraq; Sudan; and, the potentially explosive Turkey and Cyprus.

Within this zone, there has been a sub- "zone of genocide," in which the Armenians, Assyrians and Kurds were subjected to several campaigns of extinction and ethnic cleansing in the Ottoman Empire and Iraq.²

It is difficult to reconcile the conflicting interests that Western powers and the states of the region pursue in Afghanistan. It may be more realistic, instead, if they accept and safeguard the neutrality of a democratic state in Afghanistan, which in turn does not allow its territory or citizens to be dragged into war, terrorism, and conspiracy. This looks like a "buffer state," a role that Afghanistan seems to have played for a few decades in the aftermath of the rise of Soviet power in Central Asia in the wake of WWI. It is a return to the past, a rosy picture drawn in the more simple bi-polar world that is gone.

Security in a supranational arrangement?

The sheer force of necessity may make the idea of a buffer state practical. This is not, however, a lasting alternative. The

"war zone" is not local or regional. The United States is a major participant, now leading the second major operation of the post-Cold War period in the zone. Equally serious is the threat of nuclear war between India and Pakistan.

Fear of war and serious upheaval may not deter the military option, as it could not in 20th Century Europe.

A more viable alternative may be to work toward a suprapstate or supranational

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arrangement that addresses the most immediate, minimal requirement: non-interference and non-aggression.

One could, in fact, contemplate future steps towards a confederation of states that move from peaceful coexistence to cooperation in education, health, environment, technology, economic development, and other areas. While there has been no lack of regional organizations (to name only a few, the Gulf Cooperation Council, Black Sea Economic Cooperation Project, OPEC),

they have not led to anything similar to the European Common Market of the 1960s, which in its evolution, has turned into much more than economic integration, today's European Union.

Surely, there are no social, political and economic foundations for a radical rupture in the "statist paradigm" of the Near East, Middle East and Central Asia. Even in developed Western Europe, the formation of the European Union has spanned a half-century period.

However, the pace of change in governance is unprecedented. Less than twenty years after it came to power in the wake of the most popular revolution of the last century, the Islamic regime of Iran is eroding within itself. It has been seriously challenged by women, students, workers, peasants and other dissident groups. The very idea of theocracy has been challenged by Islamists, who call for the separation of state and religion.

In this unstable world, the idea of "confederal arrangements" or "confederal governance" is gaining ground.³ The success of such arrangements in the region will depend on democratisation within each country. The peoples of the region are fed up with neo-colonialism and with despotism, both Islamic and secular, and with the wars and massacres that inevitably accompany both.

Afghanistan bears witness to the enormity of this tragedy. There is every indication that they will be losers again. They are denied the opportunity to benefit from two centuries of democratic development in the world. ☺

²The concept "zone of genocide" is used by Mark Levene, "Creating a modern 'zone of genocide': The impact of nation- and state-formation on Eastern Anatolia, 1878-1923," *Holocaust and Genocide Studies*, Vol. 12, No. 3, 1998, pp. 393-433.

³See, for instance, Daniel Elazar, *Constitutionalizing Globalization: the Postmodern Revival of Confederal Arrangements*. Lanham, and New York, Rowman & Littlefield Publishers, Inc., 1998; Frederick Lister, *The European Union, the United Nations, and the Revival of Confederal Governance*. Westport, Greenwood Press, 1996.



The future: A responsible role for the international community

BY RALPH LYSYSHYN AND PAUL MORTON

The imminent removal of the Taliban regime raises the issue of what Afghanistan's government will look like after the military actions.

Not only will Afghanistan's physical infrastructure need to be rebuilt, but also its structures and mechanisms of government. Given the governance void and the level of social and political dislocation, this rebuilding must go beyond simply putting a government in place, and extend to helping create an entire political system that reflects both the values and practices of democracy and good governance.

The international community must become involved in the initial stages—and stay involved until a system of governance that responds to the needs of Afghans is firmly implanted. This means elections—and probably more than one series of them.

After a period in which “nation-building” in far away places had, too often, come to be regarded as irrelevant to national interests, governments have now promised that the current intervention in Afghanistan will not repeat the errors of past campaigns. Most recently, Britain's Foreign Secretary Jack Straw outlined the commitment of the international community regarding the future governance of Afghanistan by stating four principles:

First, that the future of Afghanistan must be placed in the hands of the people of Afghanistan; second, that we need a global coalition to help rebuild Afghanistan; third, that the United Nations take the lead in the political process; and fourth, that the requisite resources and political will are there to finish the job.

While it might be possible to quibble over the details, the first and fourth of these principles seem beyond question and the second and third of them are

very sound policy. If the cycle of military intervention and civil war is to be broken, now is the time to explore the options for international assistance in reconstructing effective and representative government in Afghanistan. The global coalition must be created and begin its practical work immediately.

Given the number of actors that hold a stake in the future government of Afghanistan, it is clear that an effective dialogue among, and not merely acknowledgement of, these actors is needed to explore and decide on a course of action. It is in this capacity—by bringing these actors together and assisting them in their negotiation—that the international community will play a valuable role. If a decentralized or federal structure is a viable option in this process, and several have argued that it is, then federal countries should provide leadership in facilitating that dialogue.

This being said, it remains to be seen what specifically the international community can offer in the area of governance assistance. That is, what are the options for an effective governance assistance programme in Afghanistan? Whatever strategy is chosen it must have the dual purpose of supporting the necessary political dialogue and of offering technical assistance in the implementation of decisions that arise from the dialogue.

Learning from past efforts

Solutions on a larger scale could involve a direct UN interim government, such as the UN Transitional Administration of Cambodia (UNTAC) following the 1991 Paris Treaty.

The intuitive appeal of this approach is that a relatively large international presence would counteract the inevitable power vacuum that would come in the

wake of the military campaign.

The process would likely involve the progression from military to non-military intervention, potentially with the use of a peacekeeping force. This would require an extremely high level of international commitment.

Another appealing aspect of the UNTAC model is that while it buys time for decisions to be taken and procedures to be developed, it avoids putting the government of Afghanistan in the hands of an interested party or group which might find it in its immediate interests to avoid further political evolution. Under this latter scenario, in a few years' time the international community is likely to find itself faced once again with a fractured country and a government that supports international terrorism while terrorizing its own population.

The clearly agreed-upon interim nature of a regime built on the UNTAC model would also provide urgency and targets for the nation-building process that could help avoid the sense of a completely open-ended process that has in the past so badly discredited “nation building” as an international activity. Having said this, even once it turns over power to an Afghan administration, the international community along with the interim administration and its support mechanisms will need to remain engaged in Afghanistan much longer than it did in Cambodia.

As an alternative to this kind of direct foreign administration, assistance could also involve a Dayton Accord-type of externally brokered negotiation process.

With the possible exception of the Soviet Union in the 1980s, the influence of foreign governments in Afghanistan, both militarily and otherwise, has mostly been by way of indirect support to the various actors in the country. While in the

past this was usually in the destructive form of covert military support, it is conceivable that external assistance could take the form of overseeing a negotiated arrangement among the various stakeholders in Afghanistan. This might lessen the need for a heavy foreign presence, while assisting in the negotiation of a peace treaty and a constitutional framework.

However, in a country as splintered as Afghanistan, a Dayton Accord-type process might be better envisaged as a means of ensuring that an interim period of government is brought to an end on schedule.

Local ownership, international support

As noted at the outset, whatever form international involvement in Afghanistan takes, the underlying imperative will be to incorporate the element of sustainability into the arrangement. Sustainability in this case must imply local ownership, and not an indefinite foreign presence.

More than merely a sunset clause, this means that the content of the international assistance program itself must be designed to develop Afghanistan's capacity to govern itself, and not merely to shore up an interim regime.

But this can only emerge if the specific socio-political landscape is taken into account. The centralization/decentralization element is key to this. Rex Brynen, professor of political science at McGill University, points to the fact that government in Afghanistan has been fairly decentralized, most recently under the Taliban. While this is largely by virtue of the lack of sovereign control in many areas, it does contribute to the existing culture of government, such as it is.

There is no workable constitutional precedent in Afghanistan, but there are patterns of governance in place. If a constitutional process is to succeed, to sustain itself, it must recognize this fact.

It is clear enough that any new constitutional arrangement must achieve a relative balance of power, a *de jure* recognition of power sharing. But the process itself must also recognize the informal, or *de facto* decentralization

already present. In other words, the formal process must build upon the informal structures in place.

In this task, the international community is in a position to provide support through its programme of governance assistance. Before a constructive dialogue can be had among the concerned parties, a common frame of reference is needed, an outline of the different options. Past models of governance in Afghanistan are insufficient based as they are on warlords and undemocratic rule. The international community must help build this common frame of reference.

"Through a consultative process, practitioners and academics from various backgrounds in federal systems, focused on the task of relating federal experiences from their countries to the choices that Afghanistan will face, could provide a valuable tool for Afghan state builders."

One means of doing this, which takes into account the apparent need for a model that acknowledges the country's regional and ethnic diversity, could involve providing the parties with a detailed account of the various federal models, providing both a general background on federal structures—with the opportunities and challenges they bring—as well as relating these possible models to the Afghan context.

A role for "the federal world"

Here is where federal countries have a comparative advantage in presenting various options for decentralized structures of government. Through a consultative process, practitioners and academics from various backgrounds in federal systems, focused on the task of relating federal experiences from their countries to the choices that Afghanistan will face, could provide a valuable tool for Afghan state builders. Albeit in a very different environment, a similar process

was used in the creation of the new South African constitution.

In doing this it is important to acknowledge that abstract models or even existing practical ones cannot be imported and grafted onto the Afghan state. The task would be to transform the experience of international practitioners into a meaningful resource for the state-building process in Afghanistan. This kind of assistance would form the basis for the first phase of an assistance strategy—to provide a detailed background on existing options for federal or decentralized government.

Only once Afghan practitioners have decided upon the outline of the basic structure of government would a second phase for international assistance be feasible. While those rebuilding the country will need their own sense of how an Afghan state will look, they will also require the technical skills of governing a country. Once again, those countries with a federal structure of government would have a valuable knowledge base about governing in a decentralized system.

The task of applying this knowledge to the Afghan context, however, would require a programme mandated to transfer this knowledge and transform it into practical assistance. The first phase of developing options would turn into more specific assistance on a technical level. Once again, this is an area in which practitioners and experts from around the world could play an important role. And again the assistance must be substantive, substantial, and enduring.

The most recent attention to Afghanistan has been described as the next chapter in the Great Game. The removal of the current government, while inevitable, must be the beginning rather than the end of this commitment.

It is clear that in the days after the military campaign immediate humanitarian concerns will be of the highest importance. Looking not too much further down the road, though, it would be in the interests of Afghans, as well as our own interests, to examine carefully the role the international community could play in building a system of effective, representative government in Afghanistan. ⑥