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Editors
Anna Larson and Alexander Ramsbotham

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Incremental peace in Afghanistan

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Cover photo: No matter how high the mountain, there will always be a way up. (Dari proverb) View of a village in Nuristan province, Afghanistan // © MohibNoor/iStock

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Acronyms

ACJC – Anti-Corruption Justice Centre
ADR – Alternative dispute resolution
AIBA – Afghanistan Independent Bar Association
AIHRC – Afghanistan Independent Human Rights Commission
ANA – Afghan National Army
ANP – Afghan National Police
ANSF – Afghan National Security Forces
BAAG – British & Irish Agencies Afghanistan Group
BRI – Belt and Road Initiative
CDC – Community Development Council
DDA – District Development Assembly
DDR – Disarmament, Demobilisation and Reintegration
HIG – Hezb-i Islami-ye Gulbuddin
HRSU – Human Rights Support Unit
HRU – Human Rights Unit
IEC – Independent Electoral Commission
INLTC – Independent National Legal Training Centre
ISAF – International Security Assistance Force
ISI – Inter-Services Intelligence
ISK – Islamic State of Khorasan
KHAD – State Intelligence Agency – Khadamat-e Aetla'at-e Dawlati
MoJ – Ministry of Justice
MoWA – Ministry of Women's Affairs
NATO – North Atlantic Treaty Organisation
NDS – National Directorate of Security
NRP – National Reconciliation Policy
NUG – National Unity Government
OEF – Operation Enduring Freedom
PDPA – People's Democratic Party of Afghanistan
PRT – Provincial Reconstruction Team
SERC – Special Electoral Reform Commission
SNTV – Single Non-Transferable Vote
SSR – Security Sector Reform
UN5PPP – UN five-Point Peace Plan
UNDP – United Nations Development Programme
USIP – United States Institute of Peace
USV – Upper Sangin Valley

Foreword

Mohammad Kareem Khalili

His Excellency Mohammad Kareem Khalili is Chair of the High Peace Council of Afghanistan, having previously served as Vice-President of Afghanistan from 2002–14 during both the Interim Administration and then under elected President Hamid Karzai.

Mohammad Kareem Khalili.

The country known as 'Afghanistan' has been burning in the fire of war and violence for nearly forty years now. These destructive wars have inflicted all kinds of injury on every aspect of the country. From the widespread and largescale slaughter of our people, to the destruction of housing and economic infrastructure, to the degrading of the natural environment, to the traumatised psychology of the war-affected. From the violation of the rights and freedoms of women and children, to the crumbling of the rule of law. And from the emergence of all kinds of negative phenomena in the domain of social relations, to the damage to the nation's cultural life. These are all consequences which the continuous wars have inflicted on the people of Afghanistan. Therefore, to extricate the country from this horrendous, bitter state requires a transformational approach. This approach is peace and understanding! Only peace offers a sustainable and fundamental solution to the Afghan crisis.

The necessity of achieving peace is one issue on which there is no difference of opinion. Over the past ten months the Afghanistan High Peace Council has conducted broad-based consultations about peace across the political spectrum and at all levels of society. These consultations have involved national figures, the leaders of political parties, religious scholars, civil society activists, women's rights defenders, media figures and people from other parts of Afghan society. The point on which all of these figures reached a consensus was the necessity of achieving peace in Afghanistan. They all emphasised the point that any solution to the problems of Afghanistan depends upon peace and understanding.

Of course, questions remain as to the conditions under which peace can be achieved. But despite these questions, Afghanistan's political class is confident that peace offers the best way to escape the current crisis without precipitating a new one.

Undoubtedly, peace in Afghanistan is intimately linked to international peace. The problem of conflict in Afghanistan is a manifestation of contemporary global conflict. Therefore, progress towards peace in Afghanistan will not just save the residents of this country from the evils of war, it will also contribute to the solution of a global problem. Accordingly, while the peace process in Afghanistan is Afghan-led and Afghan-owned, it requires the clear and committed support from the countries of the region and at the international level.

In 2001, the international community achieved a rare unity of action with regard to Afghanistan. It was thus able to transform positively the lives of millions of our people and turn a new page in the life of the country. That page is titled 'peace' and 'an end to war'.

I want to express my appreciation for the unstinting efforts of the international community and the international partners of Afghanistan in the quest for peace. I am hopeful that this cooperation will reach even higher levels and become stronger and more effective.

The peace process faces multiple challenges. These challenges are not restricted to the practical domain.

Indeed, we must also continue our work in the theoretical and conceptual domain. On the other hand, we already know that peace is not just a political phenomenon and does not merely imply an absence of war. Peace spans social, cultural, legal, psychological and economic dimensions. We can only talk of peace having taken hold in a society when the members of that society properly comprehend the nature of peace, when peace is accorded due respect as a universal human-social value and when the structures required to facilitate and strengthen peace have been duly established.

The compilation of this volume required the dedication of a team of intellectuals, possessed of profound knowledge of Afghan affairs with a deep familiarity and a determination to elucidate the Afghan issue for today's audience. I am grateful for the efforts of the contributors, who have approached the issue of peace in Afghanistan in such a scholarly and professional manner. Such endeavours are required to facilitate the peace process, to nurture new perspectives, broaden our horizons and stimulate our people towards fresh political and practical initiatives.

I am pleased that the peace process in Afghanistan, which since 2010 has been headed by the High Peace Council, has achieved important and promising results. Now this process is following a clear road map. Furthermore, structures and institutions have been established at the national and provincial level, which are competent to cooperate with national and international forces and ensure that the pursuit of peace is a fundamental approach and permanent obligation.

The compilation and publication of this significant volume can build upon the successes and achievements of the peace process. It can help to attract the international attention to this important process, which we so clearly require.

With hope for the realisation of a sustainable peace in Afghanistan.

Introduction

Progressive peace for Afghanistan

Anna Larson and Alexander Ramsbotham – with thanks to Professor Michael Semple for substantive input, insights and ideas.

Dr Anna Larson is Senior Teaching Fellow in Development Studies at the School of Oriental and African Studies, University of London, and before this worked as a researcher in Afghanistan. She has been writing on politics, democratisation and peace in Afghanistan since 2005, is co-author with Noah Coburn of *Derailing Democracy in Afghanistan: Elections in an Unstable Political Landscape* (Columbia, 2014), and holds a PhD in post-war recovery from the University of York.

Alexander Ramsbotham is Director of Accord and Series Editor at Conciliation Resources.

ABSTRACT

***Accord* editors Anna Larson and Alexander Ramsbotham introduce the publication, explaining its rationale, focus areas and structure.** They identify the need for a radical change in approach to move beyond peace rhetoric in Afghanistan through a progressive, step-by-step process towards political settlement, which builds stability, confidence and legitimacy over time. This would pursue two phased objectives: first, short-term – to reduce violence which inevitably involves a central role for the conflict parties, principally the Taliban and the Afghan government; and second, long-term – to achieve a more broadly inclusive social contract representative of all Afghans which is only achievable with involvement and ultimately endorsement across Afghan society.

This *Accord* is structured in three main sections. Contributors span a range of perspectives and insights of Afghan and international men and women from academia, the military, government, armed opposition and civil society, many with direct experience of conflict and peace in Afghanistan.

Section 1 looks back to historical lessons of conflict and peacemaking to understand how departures from established, violent political paths might be possible. Sections 2 and 3 look forward to possibilities for peaceful transition in the future, with Section 2 considering priorities for peace initiatives and Section 3 examining options for institutional change. In conclusion, the editors draw lessons from these different contributions and put forward recommendations for policymakers and peace practitioners.

Afghanistan faces two possible futures: an indefinite continuation of violent conflict, or incremental progress towards sustainable peace. Drivers of both scenarios are documented in the contributions to this *Accord* publication. Drivers of conflict include a well-established war economy, which fuels and funds violence. Both main parties to the war – the Taliban and the Afghan government – remain determined to fight on and have secured sufficient external backing to do so. Underlying the violence are persistent political disputes over how power is shared and how future reforms are configured. Potential drivers of peace include war fatigue among the Afghan actors, significant overlap between visions of a future Afghanistan espoused by many in the Taliban movement and pro-government Afghans, plus continued international interest in achieving peace. Virtually all parties acknowledge that war can only end through a negotiated settlement. There is no military solution.

President Ashraf Ghani's February 2018 offer to the Taliban of a political process provided a stark illustration of the dilemma inherent in Afghanistan's current position. Contributions to this *Accord* by different Taliban caucuses document that the idea of achieving some form of political status without either surrendering or rejecting their identity as Taliban has some resonance within the movement. But publicly the Taliban leadership has been sceptical of the proposal, and violent attacks continue. Pro-government Afghans are also split. Interest in seeing an end to fighting is offset by resistance to sharing political space or fear of compromises on human rights that a peace settlement with the Taliban is perceived to imply.

The way forward from rhetorical offers to actual engagement in dialogue and a reduction in violence has so far been elusive. Indeed, a persistent theme of the Afghan conflict is the glaring gap between words and actions – with both sides talking peace while intent on waging war. The resultant violent stasis has again intensified with the 2018 Taliban spring offensive, while the Afghan government and its international coalition partners remain committed to increasing military pressure on the insurgency.

Incremental peace

In order to move beyond the peace rhetoric a radical change in approach is needed. An incremental, step-by-step process towards political settlement offers a potentially more effective way forward, which builds stability, confidence and legitimacy in phases over time. This must pursue two objectives. First is the short-term objective of achieving a reduction in violence which inevitably involves a central role for the conflict parties, principally the Taliban and the Afghan government. And second is the long-term objective of achieving a more broadly inclusive social contract representative of all Afghans which is only achievable with involvement and ultimately endorsement across Afghan society.

Short- and long-term objectives are distinct but also interdependent. Creating conditions in which Afghans can renew their social contract first requires a reduction of violence. As Michael Semple describes in this publication, an incremental approach in which agreement is phased would allow for confidence-building over time to increase the parties' willingness to consider more ambitious measures or embrace compromise. The cessation of violence would represent the single most important action to build confidence and help launch dialogue on core substantive issues. Such an approach recognises the importance of rebuilding relationships between the parties in expanding the possibility of agreement. Rather than involving a single text such as the 2001 Bonn Accords, an incremental peace in Afghanistan might consist of a series of agreements sequenced from easy to hard, with agreed reforms and confidence-building connecting the parallel short- and long-term tracks over a period of years.

But initiatives to reduce violence must be linked to a more transformative agenda in order to broaden their legitimacy and appeal. The terms on which de-escalation measures are agreed should not close down space for more inclusive transition and institutional reform subsequently. Heela Najibullah in this publication describes a multilayered approach to negotiating with armed opposition groups in Afghanistan in the late 1980s which combined practical efforts to establish local non-aggression or peace protocol pacts with a pragmatic political strategy to build domestic support and international legitimacy. International actors can play a role to help ensure that progress in violence reduction includes commitments to an inclusive settlement in the longer term. Ed Hadley and Chris Kolenda in this publication lay out some options for international support for a phased and multi-level political process in Afghanistan.

Evidence from past peace processes in Afghanistan and elsewhere shows that settlements agreed among battlefield elites do not inevitably progress to address the root causes of the conflict, which can contribute to a return to violence. Christine Bell et al. writing in 2017 assert that the success of peace agreements to resolve immediate violence has not been matched by longer-term commitments to broader reform such as relating to tackling gender exclusion. In fact, peace agreements have tended to lead to uncertain and often impermanent peace and political stalemate. Astri Suhrke in this publication describes how the Afghan armed factions represented in

the 2001 Bonn talks were able to establish themselves in positions of power and how such privileging of 'warlords' with records of serious human rights abuses led to the securitisation of the post-Bonn new order that blocked the advancement of stability and justice.

Sustainable progress towards peace also requires balancing centre–periphery or national–sub-national priorities for reconciliation. M. Nazif Shahrani in this publication explains how many non-Pashtun communities in northern Afghanistan see the war not between the government and the armed opposition, but between 'included' Pashtuns and 'excluded' non-Pashtuns. Factionalisation within the Taliban, alienation of many Taliban caucuses from the central leadership and increasing internal frustration with the armed campaign further suggest the potential of more localised peacemaking options – for example engaging responsive Taliban regional groups and local governance structures in joint violence reduction initiatives.

Previous sub-national peace efforts in Afghanistan have shown early signs of success but have ultimately been undermined by active resistance from the centre. Julius Cavendish in this publication describes how local peace settlements agreed in Helmand in 2006 and 2010 were effective in realising short-term reductions in violence as well as some level of renegotiation of the local social contract. But the fact that the settlements were established outside any national peace framework meant that not only did national authorities fail to follow through on locally-agreed commitments, but state institutions like the National Directorate of Security actively opposed efforts to implement them. All these local settlements ultimately collapsed. Local peacemaking in Afghanistan has also fallen foul of resistance by Taliban central leadership. For example, government reconciliation and reintegration programmes that effectively sought to 'buy-off' local Taliban fighters on terms akin to capitulation were seen as a threat by central leadership and failed to gain significant traction.

Practical steps

An incremental approach to peace in Afghanistan could start locally, reducing violence from the ground up. This responds to the fractured nature of the insurgency and the high levels of violence in Afghanistan, as well as the inclination towards de-escalation demonstrated by some Taliban caucuses, as described in this publication. It can also build on momentum of the recent groundswell of pro-peace local activism such as the Helmand Peace March Initiative. Practical steps could include reciprocal measures for de-escalation towards ceasefire, locally-agreed provisional peace zones in which the terms of a more permanent ceasefire can be renegotiated, tangible dividends and guarantees to convince local armed

Box 1: Peace and elections

Translating peace rhetoric into concrete gains for both short-term violence reduction and a longer-term renegotiation of the social contract will require strategic navigation of the existing political landscape – ensuring, for example, that potential spoilers within and outside the Afghan government do not have the opportunity to derail progress towards either. The forthcoming electoral cycle, with parliamentary polls scheduled for October 2018 and presidential elections in 2019, presents a key moment for such disruption by these spoilers – by preventing participation, thus undermining government legitimacy; or by manipulating the electoral process towards the further entrenchment of their own interests.

While it may be too late to incorporate elections formally into any national-level peace process, it will be important to mitigate the efforts of spoilers as far as possible. One way in which to do this in the short term would be to use parliamentary and then presidential elections as pilot opportunities for commitments towards the de-escalation of violence in certain designated areas, alongside greater international commitments towards candidate vetting, electoral monitoring and fraud prevention. These measures would represent active steps on the part of the Afghan government and international partners towards filling the substantial trust deficit that exists between Afghan citizens and the institutions and donors that orchestrate elections.

In the longer term, following the presidential poll in 2019, the newly-elected president and international partners should commit to establishing a high-level consultative group on political reform, to be tasked with conducting nationwide consultations about the overhaul of the political system.

Commitment towards this kind of reform will be necessary to help substantiate President Ghani's offer to consider the Taliban a legitimate political actor. At present within the National Unity Government there is little space for formal political opposition – and as both Thomas Barfield and Amin Tarzi note in their *Accord* contributions, this has been the case historically also. If the Taliban are expected to see this offer as one worth taking up, the political system must allow for political actors of different ideological persuasions to have influence in government.

groups to engage in the absence of a broader Taliban commitment, or regionally tailored strategies to tackle local war economies – such as those relating to resource extraction and livelihoods.

Longer-term commitments to developing a more broadly inclusive social contract also need to make discernible progress on key issues such as relating to justice or women's political participation. Practical steps could include: developing a high level independent consultative group on political reform and renewal of the social contract, in which women's involvement is central; launching a National Peace Dialogue to address root causes of the conflict, involving consultations with communities; and establishing a Peace and Security Commission of senior national and international men and women members charged with ensuring that security sector reform efforts reinforce the peace process.

Support for President Ghani's February 2018 offer of a political process with the Taliban can help sustain momentum towards short- and long-term objectives for example by mitigating resistance from central leadership to local peacemaking. This also provides a policy platform for international engagement with a nationally-owned Afghan peace framework. Practical steps could include: international affirmation of President Ghani's offer to boost its credibility, accountability and resourcing; engaging branches of the central Taliban leadership in political dialogue and discussion of security assurances; supporting intra-Taliban dialogue to broaden cross-movement consensus on de-escalation and potential areas for mutual accommodation; exploring options for third-party mediation, such as identifying an appropriate mediator or establishing principles for talks; and developing tailored peace support structures such as a hybrid International Contact Group that includes both state and non-state actors as a way to link mediation tracks.

The incremental approach advocated here describes components of a domestic Afghan peace process. But violent conflict in Afghanistan has clear regional and global dimensions that need to be addressed head on. Diplomatic support for an Afghan peace process is key to coordinate external involvement, but more direct interventions are also likely to be necessary, such as efforts to isolate different Taliban caucuses' reliance on external regional economic and political support. The various practical steps for progressive political settlement in Afghanistan introduced here are developed in more detail in this publication's concluding chapter.

Structure of the publication

In order to provide a solid analytical foundation for practical peace options in Afghanistan, this *Accord* publication is structured in three main sections. Contributors to these sections span a range of perspectives, experiences and insights. They comprise Afghan and international men and women, many of whom have direct experience of conflict and peace in Afghanistan – from academia, the military, government, armed opposition and civil society. The breadth of contributors covers a diversity of views of how to move forward with Afghanistan's transition from war. What unites them is their commitment to see change come about and their suggestions for how this might happen – distinct as each of these may be.

> **"An incremental, step-by-step process towards political settlement offers a potentially more effective way forward, which builds stability, confidence and legitimacy in phases over time."**

Section 1 looks back to historical lessons of conflict and peacemaking to understand how departures from established, conflictual political paths might be possible. Afghanistan's history contains important insights into factors influencing the country's potential transition from war today. These include how regional and broader international interests in Afghanistan's stability have prolonged violent conflict, how political legitimacy has been secured by different leaders at different times, and how opposition to these leaders has been excluded – pushed to the fringes or into exile, and thereby potentially into violence. Themes explored in Section 1 include a history of political opposition in Afghanistan, lessons from the Bonn process, transformative politics in 20th century Afghanistan, experiences of the National Reconciliation Policy in the late 1980s and early 1990s, a Taliban history of war and peace in Afghanistan, and a non-Pashtun perspective of political violence in northern Afghanistan.

Sections 2 and 3 explore possibilities for peaceful transition looking ahead. Section 2 looks at priorities for peace initiatives, which can represent critical junctures towards a different political future. Peace initiatives need to be carefully planned and managed to seize opportunities appropriately, accommodating different constituencies – armed and unarmed – with an interest in

Box 2: Armed groups and peace in Afghanistan

This publication focuses on possibilities for a peace process between the Afghan government and the Taliban insurgency as the protagonists of the armed conflict in the country. But several armed groups are active in Afghanistan alongside the Taliban, while the Taliban itself comprises a number of sub-groups with varying levels of allegiance to the central leadership.

Antonio Giustozzi in a 2017 report describes how the organisation of the Taliban has become increasingly fragmented since 2007, as the original political leadership of the Quetta Shura has struggled to maintain control over various regional commands. The Quetta Shura has also been beset by internal power struggles and factionalisation. Ongoing fragmentation has meant that different Taliban *Shuras* began to develop along comparatively distinct trajectories, with varying degrees of militarism, internal cohesion or attitudes to reconciliation with Kabul.

Michael Semple and Theo Farrell also writing in 2017 go further, describing the Taliban movement as being 'in disarray', with several factions vying for power, varying levels of morale, alienation of many Taliban from their leadership and growing internal disaffection over the armed campaign. Aspects of these analyses are echoed in the perspectives of different Taliban caucuses presented in this *Accord*.

Islamic State in Khorasan (ISK) province is perhaps the most notorious armed group currently operating in Afghanistan. Islamic State (IS or *Daesh*) announced the establishment of ISK in 2015. Felix Kuehn in this publication describes how ISK grew out of growing friction among different *jihadi* and other militant groups. It has now developed into a significant rival of the Taliban, which has found itself in open conflict with ISK – although there are also instances of local collaboration between the two.

Devastating suicide bomb attacks in Kabul in early 2018 demonstrated the intent of ISK to derail democratic progress in Afghanistan and dissuade Afghans from participating. The level of indiscrimination of ISK violence holds some niche appeal among the most extreme elements of the Afghan insurgency and the fact that it can still inflict such damage on soft but prominent targets like voter registration centres means that ISK maintains serious capacity to spoil peace efforts. A May 2018 report by the United States Institute for Peace (USIP) listed three ways in which ISK could disrupt any peace process in Afghanistan: by attacking sensitive targets; by fuelling ethno-sectarian tension; and by presenting themselves as more committed to jihad than the Taliban.

While atrocities claimed by ISK show the group's capacity to cause harm and grab headlines, most commentators still question the level of threat that it poses to the Afghan government. Thomas Ruttig of the Afghan Analysts Network in an April 2018 interview with Himal stressed that ISK is strategically insignificant, confined to localised areas of particular Afghan districts primarily in Nangarhar in the east. Small groups that have declared their affiliation to ISK elsewhere in the country lack serious means or influence.

Many ISK are former Taliban who use the 'fear factor' of ISK affiliation opportunistically. But Ruttig's analysis stresses that ISK failed to exploit the opportunity to recruit large numbers of disgruntled Taliban following the movement's split after the announcement of the death of its founder Mullah Omar in 2015. Deep ideological and religious gaps exist between the two groups, and many of even the most ardent Taliban dissidents in 2015 refused to join ISK. ISK's lack of strategic strength means that they do not currently feature in any plans for peace talks.

USIP has suggested that the same dynamics that make ISK a potential spoiler may also provide common cause for the main conflict parties to support a peace process, as the Afghan and US governments and the Taliban have all have invested human and other resources in fighting ISK. Meanwhile, part of any de-escalation process with the Taliban will involve the movement verifiably dissociating itself from ISK and other armed groups opposed to a political process.

their evolution and outcomes. The global political climate and the regional landscape have both shifted recently for Afghanistan. The economy is growing and the broad consensus on the military stalemate between the Taliban and the government places emphasis on talks towards a new political settlement. But discussions of peace initiatives for Afghanistan have tended to lack practical detail, and topics covered under Section 2 look to flesh some of this out. The topics include: elements of a political settlement – priorities for peaceful progress; women's participation; perspectives on peace options presented by different Taliban caucuses and by its Political Office in Qatar; integrating military and political strategies; brokering local political settlements; lessons of local peacebuilding; and options for international support for a peace process.

Section 3 examines options for institutional change. Space exists in Afghanistan to diverge from past political patterns and choose new trajectories. For example, reformulating Afghanistan's political structure to facilitate broader inclusion and accommodate opposition

non-violently might offer a way to support sustainable stability and insulate Afghanistan against regional political change or interference. Forthcoming elections present opportunities in this regard – elections, while deeply flawed in Afghanistan, remain popular with the general public. Reform before the coming cycle is not likely, but a large-scale overhaul of the political system is overdue and a consultative process to initiate this could bolster the legitimacy of a newly-elected president. Section 3 covers themes of: inclusive politics as a path to peace; local perspectives on peace and elections from four provinces; reflections on peace and transition by significant Afghan figures; theses on peacemaking in Afghanistan; human rights, security and Afghanistan's peace process; and institutionalising inclusive and sustainable justice.

In conclusion, the editors draw lessons from these different contributions and put forward recommendations for policymakers and peace practitioners, fleshing out practical options for a progressive approach to peace in Afghanistan. More detailed descriptions of sub-themes, contributors and articles are provided at the start of each section.

Section 1
Looking back

Lessons for peace from Afghanistan's past

Section 1 of the publication explores lessons of conflict and peacemaking from Afghanistan's past as a way to better understand how departures from established, conflictual political paths might be possible today.

Afghanistan today differs significantly from many of the scenarios described in the different historical periods covered in this section. But there are nonetheless common themes that are as important today as they were previously. These themes contribute valuable insights into ways in which both an initial de-escalation of violence and a revised social contract might be reached – and how the derailment of either might be avoided.

Key *substantive* themes include how regional and broader international interests in Afghanistan's stability have prolonged violent conflict, how political legitimacy has been secured by different leaders at different times, and how opposition to these leaders has been excluded – pushed to the fringes or into exile, and thereby potentially into violence. Key *process* themes include the importance of establishing trust through active, tangible measures, the critical need to allow time for results to become apparent, the importance of broad-based consensus that reaches beyond elite settlement and the prioritisation of Afghan over external interests.

Opening Section 1, **Professor Thomas Barfield explores how the lack of space for peaceful dissent has fomented violent resistance in Afghanistan**. Afghan political culture has developed a highly centralised structure in which power is concentrated in an individual ruler, constraining scope for political opposition – although local power-holders have sought de facto ways to resist central authority. Effective reconciliation requires strengthening governance and creating a political system that can accommodate dissidents peacefully. Devolving power to Afghanistan's regions could alleviate pressure on the centre. But decentralisation has proved politically challenging in practice, not least in the context of the ongoing insurgency in Afghanistan today, and would still leave the core conflict challenge of how to introduce effective opposition politics.

Recent political transition in Afghanistan has largely been shaped by the 2001 Bonn Agreement. **Dr Astri Suhrke reviews lessons from the Bonn process**, describing how post-9/11 core interests of the United States at Bonn in denying Afghanistan as a base for terrorism trumped political objectives to agree a functioning political system. Demilitarising Northern Alliance militias, justice or human rights were not priorities. While Bonn's iterative transitional framework included steps to broaden inclusion over time, armed factions represented at the talks have since entrenched themselves in power. Taliban were excluded from Bonn and subsequent opportunities to accommodate amenable Taliban were rejected. A central lesson is that prioritising Afghan over external interests is key to a peaceful and sustainable future.

Interest in political reform is not new in Afghanistan. **Dr Amin Tarzi provides unique insights into modernisation initiatives from the early 20th century led by Mahmud Tarzi**. Key factors undermining Mahmud Tarzi's reform agenda included: 1) imported reformist ideologies that were alien to most Afghans; 2) failure to engage influential landed tribal leaders or clergy with authority and legitimacy; and 3) limited influence of Tarzi's royal patron to impose changes domestically or garner support

externally. Some key impediments to change from the Tarzi era are still undermining modernisation today, in particular the inability of the government to promote reforms among rural populations and the fact that transformational politics are largely seen as an external agenda.

A similarly exceptional insider view is provided by **Heela Najibullah, who examines the fate of the Afghan National Reconciliation Policy (NRP)** – launched by President Najibullah in the mid-1980s as the Soviet withdrawal from Afghanistan approached. The NRP sought to negotiate an end to conflict with the *mujahidin* and to establish terms for a comprehensive political settlement. It combined traditional Afghan socio-political practices for consultation and decision-making with a pragmatic political strategy designed to build domestic support and international legitimacy. The collapse of geopolitical strategic interest in Afghanistan at the end of the Cold War meant that vital international support to the NRP programme dwindled, fatally undermining it. Today, there is (some) international support for reconciliation in Afghanistan, but the domestic political will to take a reconciliation process forward is lacking.

Misconceptions of the Taliban have complicated efforts to end the war in Afghanistan. **Felix Kuehn considers how better knowledge of the ways in which the Taliban functions can inform more effective peace policy**.

While the Taliban comprises distinct groups with different views on national and international policy, the core message of the central leadership has wide societal resonance: Afghanistan needs to return to law and order and the Taliban are here to dispense security and justice based on Islam. The movement's resurgence in the 2000s has mirrored their initial rise to power, facilitated by widespread public discontent with the new government. The Taliban's narrative of the conflict in Afghanistan is not an alternative history, but rather a missing piece of the larger puzzle of how to administer the country peacefully.

Ending this section **Professor M. Nazif Shahrani discusses non-Pashtun views of conflict and peace in northern Afghanistan**. Many non-Pashtun communities in the north see the war differently – not between the Afghan government and armed opposition, but between 'included' Pashtuns and 'excluded' non-Pashtuns. This outlook reflects broader ethnic divisions and centre–periphery splits derived from entrenched perceptions of a prolonged, Pashtun-led project of 'Afghanisation' to centralise power in Kabul. Western efforts to support the government are understood within the same worldview. A priority for effective transition from this perspective is to revise commitments to centralised authority enshrined in the 2004 constitution in favour of devolved decision-making to regional institutions.

Afghanistan's political history

Prospects for peaceful opposition

Professor Thomas Barfield

Professor Thomas Barfield is a social anthropologist who conducted extensive ethnographic fieldwork among pastoral nomads in pre-war northern Afghanistan during the mid-1970s. He later taught at Wellesley, Harvard and Boston universities and is the author of several books on Afghanistan, Central Asia, China and anthropology. Since 2001 his research has focused on economic and political development in Afghanistan, particularly on law, government organisation and development issues. In 2006, he was awarded a Guggenheim Fellowship to complete *Afghanistan: A cultural and political history* (Princeton University Press, 2010). He has been President of the American Institute for Afghanistan Studies since 2005.

ABSTRACT

What does Afghanistan's political history reveal about possible pathways to a more peaceful future, such as the creation of space for non-violent political opposition?

The lack of legitimate space for dissent has been a persistent driver of violent resistance in Afghanistan. A predominant political culture has evolved of power concentrated centrally in a single ruler who sets policy and distributes resources leaving no room for non-violent opposition.

Leaders have struggled to exert authority nationwide, however, and in practice have had to accommodate regional rivals through de facto provincial autonomy to avoid insurrection. Tackling conflict today requires both strengthening existing governance structures and creating a political system that can incorporate insurgents peacefully. Regional devolution of power could alleviate pressure on the centre, but would still leave the core problem of how to introduce effective opposition politics.

An emerging political dynamic with potential to break this enduring deadlock may be found in Afghanistan's growing young population, who increasingly see political participation as a right rather than a privilege and are making demands for more meaningful representation.

Afghanistan's history has produced a deeply entrenched political culture that affects its future development. Its most striking feature is a longstanding court heritage of power focused on a single ruler who sets policy and distributes resources, and whose approval is sought by all those in government. Those outside government are deemed rebels intent not on changing the ruler's mind, but on replacing him with a choice of their own. Max Weber's view of such systems as patrimonial and unstable – liable to palace revolts, coups and rebellions as the only practical means of voicing dissent – accords with the experience of Afghanistan, which since 1747 has seen only two peaceful transfers of power: in 1901 when Amir Habibullah Khan inherited the throne; and in 2014 when Ashraf Ghani succeeded Hamid Karzai.

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Despite a democratic constitution approved in 2004, the idea of a loyal opposition or a division of power within the government has yet to emerge. Titles may change – Shah, Amir, President, Commissar, Commander of the Faithful. But once in power no ruler in Afghanistan has failed to act like an autocrat and since 1919 almost all have been assassinated or driven into exile. This zero-sum political game, however, has often been leavened by de facto autonomy in many of the country's regions. Although rulers might proclaim their absolute authority, in practice they have had to reach compromises with potential opponents to avoid rebellions. The international community, by focusing on the outward structures of government, has failed to resolve this problem because it has privileged process over outcomes. Afghans, by contrast, have generally been more interested in outcomes than what brought them about.

Monarchal mindset

From the foundation of the Durrani Empire in 1747, out of which the modern state of Afghanistan emerged, the rulers of the state were all members of a royal dynastic line. While rival lineages often fought with one another in civil wars over succession, only those whose claims to power were monarchal were considered the legitimate rulers of the state. Even after non-royal insurgent leaders drove the British out of Afghanistan during the two Anglo-Afghan Wars (1838–42 and 1878–80), they ceded power back to the Durrani dynastic line when those wars ended. However, until the late 19th century such rulers in Kabul were forced to grant considerable autonomy to Afghanistan's regions, which had their own indigenous elites. Nor did any government at that time have direct control over the many subsistence farmers who lived in the mountains or the migratory pastoralists who moved seasonally both across Afghanistan and beyond its borders. While such rural people accepted the suzerainty of a state based in Kabul, they had little interaction with its officials and paid taxes only under duress.

The monarchal form of government reached its high point during the late 19th century under Abdur Rahman Khan (r. 1880–1901). In a series of bloody wars, he created a highly centralised national state that did away with local autonomy. Decisions were made exclusively by a small elite centred around the Amir's court. Although Abdur Rahman's successors took his highly centralised government as their model, they proved less successful in maintaining its level of control. In 1929 King Amanullah was overthrown after attempting to collect higher taxes and impose progressive social reforms. He was replaced by a more conservative rival, Nadir Shah, who himself was assassinated in 1933. For the next forty years, Afghanistan was under the rule of his son, Zahir Shah, but for three decades his uncles and cousin Daud Khan held the real levers of power.

In 1964 Zahir Shah attempted break their grip by approving a more democratic constitution that explicitly excluded members of the royal family (except himself) from participating in government. Daud Khan eventually responded by overthrowing the monarchy in 1973 and declaring himself president of a republic. What all these regimes had in common was their continuing dependence on the descendants of the elite created during Abdur Rahman's reign to staff the highest positions. While 20th century rulers periodically sought to widen participation in government, both the 1923 and 1964 constitutions preserved the paramount position of the monarch, and neither ceded real power to those who might challenge them.

Throughout this period, particularly in rural areas, ordinary people treated the absence of popular participation in government as normative. Rulers had subjects and they were them. Rural residents never questioned the legitimacy of the centuries-old monarchy even when they revolted against a particular ruler and might even succeed in ousting him. Someone had to be in charge and a monarchy had filled this structural role for 230 years by the time Daud Khan abolished it.

However, the legitimacy of the monarchy and its competence to lead a modern Afghanistan was challenged by the emergence of a new educated class in Kabul. Growing rapidly during the 1960s, but still only a tiny part

Residents of Kabul amid the destruction caused by Afghanistan's civil war, 2002. © UN Photo/Eskinder Debebe

of the total population, this group was highly critical of the country's slow economic and political development. They also chafed at the limited prospects for their own advancement in a system that valued connections over competence. While many younger Afghans who have experienced decades of war now romanticise Zahir Shah's reign as a 'Golden Age', it was not seen as such at the time. After Daud's coup, no royalist demonstrators appeared in the streets of Kabul or Kandahar to demand the return of their king. Indeed, from the perspective of people in the countryside, there was little difference between being ruled by a king or a president since both were members of the same extended family.

Beneath the surface, however, the abolition of the monarchy did have broader repercussions. Observing how easily Daud Khan had disposed of the king, Afghanistan's communists, some of whom had assisted him, plotted their own successful coup in 1978 in which they murdered Daud and declared a socialist republic. Although the People's Democratic Party of Afghanistan (PDPA) was quite small and internally divided, it announced sweeping plans for radical social and economic reforms throughout the country. Seeing itself as a vanguard socialist movement, the PDPA assumed it could forcibly impose its will and policies on the countryside just as the Soviet Union had done in Central Asia during the 1920s. That threat and the secular government's seeming rejection of Islam induced many communities to take up arms against the regime in Kabul. Unlike previous rebellions that rejected only the authority of particular rulers, this insurgency viewed both the PDPA leadership and its governing ideology as illegitimate.

In less than a year, a relatively disorganised opposition put the PDPA in such peril that the Soviet Union invaded in December 1978 to oust its leaders, roll back its most radical policies, and put its own appointees in charge. This stabilised the government in Kabul but at the cost of Soviet occupation. Its counterinsurgency strategy was grounded in the belief that an ever-higher level of state violence would bring non-state actors to heel. Before the Soviet Union abandoned this policy by withdrawing the last of its troops in 1989, the war would kill a million Afghans and induce four million people to flee as refugees to neighbouring Iran and Pakistan.

External dependence: regime and rebellion

The Soviet invasion was only the latest stark reminder that Afghanistan's stability, or even very existence, depended on the policies of more powerful neighbouring states. In the 19th century the British had invaded Afghanistan twice but withdrew both times, leaving its territory to serve as an autonomous buffer state under the control of a ruler that Britain chose. To secure Afghanistan's borders, the British forced Iran to abandon its claims to Herat in the west and got Russia to accept a border in the north that gave Afghanistan sovereignty over the Turkistan plain and the mountainous region of Badakhshan to its east. The British were less generous south of the Hindu Kush where they imposed the Durand Line in 1893, severing India's north-west frontier territories from Afghanistan, after previously having annexed the Khyber Pass and Peshawar.

Throughout this period the British controlled Afghanistan's foreign relations and supplied its rulers with money and arms. The ability of rulers in Kabul to exert their

government's authority countrywide was made possible by this aid and their authority relied more on coercion than consultation. When King Amanullah declared Afghanistan's full independence in 1919, the British ended their subsidies and proved less cooperative about shipping arms to his government. Lack of these financial resources and weapons destabilised Amanullah's government and helped hasten its collapse when faced with revolts in 1929. In the 1930s Afghanistan's new monarchs restored more cooperative ties with British India and began to reach out to the wider world for aid. After World War II they focused on exploiting the Cold War rivalry between the United States and the Soviet Union to provide the loans and grants needed to finance Afghanistan's development from the early 1950s until 1979.

Playing off rival international powers for subsidies and military aid has a long tradition in Afghanistan, and this continues into the present. It is fraught with risk because internal political factions can use similar networks to mount coups or insurgencies when regimes exclude them from government. The PDPA knew that if it could seize power then the Soviet Union would have to back it up, despite Moscow's longstanding support for the traditional governments in Kabul that dated back to 1919. Similarly, Islamist groups seeking to overthrow Daud Khan's government turned to Pakistan for support and refuge. Governments in Kabul had been hostile to Pakistan ever since it came into existence in 1947 when the British withdrew from greater India. Pakistan returned the animosity by funding Islamist factions within Afghanistan and giving them sanctuary when their revolts failed.

Still, until 1979, foreign invasions of Afghanistan and its own internal rebellions had been of rather short duration and affected only a few regions in the country. Peace had been restored after periods of turmoil by bringing back the structures of the old monarchal regimes with new leaders at the top. Because such Kabul governments had a monopoly on foreign assistance they could successfully suppress further internal dissent by those who lacked comparable resources. Opponents were forced either to reconcile with the new order or to go into exile because Afghanistan's domestic economy was too weak to finance an insurgency without external patronage. Despite complaints of government abuse and mismanagement, Afghanistan experienced a half-century of domestic stability between 1929 and 1978. This pattern was broken by the Soviet invasion. The consequences of that war are still playing out four decades later.

The Soviets might have been correct in assuming they could wipe out a domestic insurgency in Afghanistan – if, that is, it had remained purely domestic. But given its Cold War rivalry with the US, insurgents fighting the Soviet army and the PDPA government were eventually able to draw on billions of dollars in aid provided by the US to counter it and establish safe havens in Pakistan. This flow of money and weapons was augmented by Saudi Arabia, which viewed the insurgency as a jihad and was keen to support the most conservative Sunni Islamist factions in the resistance.

Pakistan insisted on controlling the distribution of all funds and arms delivered to the Afghan resistance. It gave the bulk to its own Afghan clients, almost exclusively Islamist and predominately Pashtun parties, at the expense of other factions even when they were doing more of the fighting inside Afghanistan or had a stronger popular base. Fearful that, when the conflict ended, Afghans might prefer a return to the conservative structure of the pre-war monarchies or something similar, Pakistan worked tirelessly to marginalise the influence of Afghan nationalists and royalists. Without much forethought, the US gave Pakistan a free hand and had little direct contact with the Afghan resistance. It only wanted to see the Soviet Union suffer a defeat in Afghanistan and took little interest what might come afterward. Pakistan exploited this indifference to lay the groundwork for its own plan to turn Afghanistan into a client state after the Soviets withdrew in 1989. This proved easier for Pakistan to imagine than achieve.

Civil war: regional resurgence and the rise and fall of the Taliban

As long as the PDPA continued to receive weapons and supplies from the Soviet Union, it was surprisingly resilient. Soviet-backed efforts after 1989 to create a coalition government in which the *mujahidin* factions would have an equal or superior role came to nothing, in large part because of Pakistani opposition and disbelief by the Reagan administration in Washington that such a thing was possible. When the PDPA regime finally disintegrated in April 1992, following the dissolution of the Soviet Union that ended its external support, Afghanistan fell into civil war. In the absence of a negotiated international agreement, the victorious *mujahidin* parties immediately began to fight among themselves for the prize of ruling Kabul.

Each faction attempted to bolster its strength by recruiting allies among country's regional militia commanders, mostly along regional and ethnic lines. These regional commanders were independent agents who traded their support for subsidies and arms – a process begun during the final years of the PDPA. Prone to switch sides for personal advantage, they all sought to preserve the de facto regional governance that had emerged during the Soviet war and then expanded during the civil war. To a degree not seen since their suppression by Abdur Rahman

Khan, Afghanistan's distinct regions and their cities once again became political power centres. Commanders here were not about to cede influence to a central government in Kabul that lacked its own national army and had no international patron to finance it.

The lack of big power interest in Afghanistan after the collapse of the Soviet Union opened the door to neighbouring actors seeking to achieve their own political ends. Pakistan supported its mostly Pashtun Islamist clients. Their mostly non-Pashtun opponents turned to Iran, India and even Russia for support. None of these had the resources or will to finance a whole country but they could pay enough to keep their opposing factions in the fight. Cities such as Herat in the west and Mazar-i Sharif in the north maintained relatively stable governments, while others such as Kandahar in the south fell victim to *mujahidin* factions that committed abuses that local officials were powerless to curb. Kabul, which was unscarred when the PDPA fell, soon suffered so much shelling and factional fighting within the city that the capital was left a shell of its former self.

Beginning in 1994, the clerically led Taliban movement took advantage of anarchy in the south to establish itself and, backed by Pakistan, expand into other parts of the country. In September 1996, the Taliban swept into Kabul and over the next five years came to rule over most of Afghanistan. However, the legitimacy of the Taliban government was never accepted internationally and its policies were particularly unpopular in Afghanistan's cities. The Taliban might have been capable of bringing a draconian order to the territories they occupied but proved incapable of much governance beyond that. The outside world largely ignored what happened in Afghanistan during this period, assuming that events there had no wider significance. This attitude changed dramatically in September 2001 when the Taliban's Arab Islamist allies, al-Qaeda, based in Afghanistan and led by Osama bin Laden, masterminded terrorist attacks on New York and Washington. International attention returned to Afghanistan with a vengeance. In alliance with anti-Taliban factions inside the country, the US routed the Taliban in less than ten weeks. A new chapter had opened in Afghanistan's political history.

Following the collapse of the Taliban in 2001, the international community sought to restore order to Afghanistan by rebuilding its central state structure. In one sense, they followed an old pattern: international actors anointed the new Afghan leader and financed his government. Keen not to be seen as colonial overlords, however, they sought to ratify the choice of Hamid Karzai as leader by assembling a *Loya Jirga* (a national assembly of selected notables) to give its consent. While touted as a 'traditional' means to choose Afghan leaders, its use in this way had little precedence except for it being asked to approve the choice of Karzai unanimously without being offered any alternatives. It was also a consultation of the victors that excluded the defeated Taliban. Many of the Taliban's former leaders were keen to participate in the new government in 2002 but were left out of the process, laying the groundwork for a reborn Taliban insurgency that would grow in strength over the following years.

In 2004 a new constitution was adopted that created a parliament and, for the first time in Afghan history, made the top position of president subject to election. But rather than design a structure of government to meet Afghanistan's 21st century needs, the drafters of the 2004 constitution chose to copy almost all the elements of Zahir Shah's 1964 constitution, establishing a highly centralised administration in which the president held almost unlimited executive power. In addition, while Afghans might now elect the president, members of parliament and provincial councils, the governors and sub-provincial administrators with the greatest impact on people's daily lives all remained presidential appointees who owed no accountability to the people they governed. Given the almost kingly powers wielded by the Afghan presidency, the ever-higher levels of fraud that accompanied each succeeding election to that office has endangered its legitimacy. While the current president, Ashraf Ghani, believes that such a centralised system as Afghanistan's only path to stability, others see it as the government's greatest vulnerability.

Conclusions

Afghanistan now sits at a critical juncture. It needs to strengthen its existing government while creating a political structure that could accommodate the peaceful participation of those who have taken up arms against it. Both could be better accomplished by devolving power regionally so that control of the national government becomes less of a zero-sum game.

However, the larger structural problem would remain of how to introduce effective opposition politics as a counterweight to the historically authoritarian instincts of whoever is the head of the Afghan government. This system has deep roots and has developed in the context where only a small elite has had exclusive control over government institutions. But political culture is not static and Afghanistan now has a young population who see participation in government as a right and not as a privilege that can be revoked at will. The past may explain how Afghanistan got to where it is now, but does not determine what it will become in the future.

Lessons from Bonn

Victors' peace?

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ABSTRACT

What do experiences from the 2001 Bonn process reveal about priorities for peace talks today – for example relating to ownership, participation, power-sharing and the sequencing of inclusion?

The Bonn Agreement has set the tone and trajectory for much of Afghanistan's political transition since 2001. The parameters of the Bonn talks were largely determined by the US' overriding post-9/11 concern of denying Afghan territory to terrorists – al-Qaeda and their Taliban hosts. The political logic of the Bonn process, to negotiate a stable polity, was subordinate to the military, to remove the terrorist threat. A key condition was the exclusion of the Taliban, assuming (wrongly) the movement's categorical battlefield defeat.

Demilitarising Northern Alliance militias, justice or human rights were not priorities. Bonn's iterative transitional framework included steps to broaden inclusion over time – from an interim authority, through a constitutional assembly to popular elections. But post-Bonn opportunities to accommodate amenable Taliban were rejected, and factions that were represented in Bonn have entrenched themselves in power.

Future peace talks with the Taliban will need to decide between narrow power-sharing like Bonn or incorporating wider rights and principles. Bonn's incremental approach to broadening inclusion could work but could also again leave the door open to factional elite capture. A central lesson from Bonn is that prioritising Afghan over external interests is key to a peaceful and sustainable future.

The US invasion of Afghanistan in October 2001 left little space for constructing a framework for the kind of war-to-peace transitions that by then had become a model for UN-supported peace agreements: a political settlement between the protagonists and demobilisation and reintegration of their armies. The Bonn Agreement belongs to a different category. It was not a peace agreement but a statement about the structure of the post-war order, shaped by the military-political logic of total victory and written by the US and its allies as they were driving the Taliban from power. The agreement was a clever diplomatic improvisation. Yet it showed that even a brilliant operation can leave the patient dying.

9/11

In November 2001, when 25 Afghan delegations, UN advisors and a large number of foreign diplomats assembled just outside Bonn, the defining feature of the international context was the dominant role of the US. The Bush administration viewed the 9/11 attacks on New York and Washington as part of a wider onslaught on US global interests and indeed the entire Western civilisation. It is symptomatic that the first issue the administration discussed when deliberating a strategy of response was whether to counter-attack in Afghanistan first, or target Iraq as well.

From the outset, then, the US government saw the war in Afghanistan as one of several fronts in what it called a Global War on Terror. Four US military operations were launched in the immediate aftermath of 9/11 – in Afghanistan, but also in the Philippines, Georgia and Djibouti. All were called Operation Enduring Freedom (OEF).

Washington's wider counter-terrorist strategy meant that the Bonn conference was primarily framed as an instrument in a globalised war, rather than as a path towards peace in Afghanistan per se. This had several important consequences for the delegates assembled for the talks outside Bonn.

First, busy preparing for a global war, the Bush Administration turned the task of negotiating a political settlement over to the UN. Keeping the UN 'out front' avoided a visible 'Made in America' stamp on the outcome, as Richard Haass, then Director of Policy Planning at the US State Department later said – as reported by *Frontline* in 2002. The US still had a sufficiently large number of officials at the conference to ensure that US interests were properly taken into account.

Second, and possibly most important for Afghanistan's future, an implicit US condition was that Taliban would not participate in the talks. President Bush had already on the evening of 9/11, in a speech to the nation, conflated 'terrorists' and 'the nations that harbour them', and vowed to pursue both with the full military might of the US. Military planning and revenge were the order of the day, not negotiating with the Taliban. The chief UN negotiator, Lakhdar Brahimi, seemed to recognise this reality when asked about Afghan representation a few months later. As he explained in a 4 May 2002 interview with *Frontline*: 'The Taliban had gone, and were not a possible partner.'

Third, and contrary to Brahimi's claim at the time, the Taliban and 'foreign fighters' operating under the al-Qaeda label were not in fact 'gone'. US forces and the anti-Taliban Northern Alliance militias launched major offensives against the Taliban throughout October and November 2001. Kabul fell on November 13, two weeks before the conference started, but the initial phase of the US-led military campaign continued with intense, offensive operations against Taliban and al-Qaeda targets until the end of the year and well into 2002. Military considerations were thus paramount on the US side in the run-up to the Bonn conference as well during the meeting itself.

Priorities for parley

The continuing military campaign shaped the Bush Administration's thinking about specific issues to be addressed in the agreement. Most important from a long-term perspective was the failure of the conference to address the question of disarming and demobilising Northern Alliance militias. As allies of the US with operational capacity on the ground, they were regarded by Washington as essential military assets and pillars of the post-war order. In practical terms, moreover, there were no forces on the ground to carry out demobilisation, which the Afghan armed factions themselves opposed. The final agreement called only for all armed forces and groups to be placed under the command of the Interim Afghan Authority established by the agreement. There were no provisions for the other aspects of security sector reform.

The US military also opposed an international peacekeeping force with a wide geographic mandate as it feared this might interfere with OEF operations against al-Qaeda and the Taliban. This suited the Afghan armed factions represented at Bonn perfectly, as they did not want an international force presence that might curtail their power. As a result, the agreement's provision for an International Security Assistance Force (ISAF) confined its deployment to Kabul. The provision was later amended in 2003 to permit ISAF to operate throughout Afghanistan.

Overall, the agreement bears the imprint of the Bush Administration's views on the nature of the post-war order. Its perspective was short-term and minimalist,

defining political order as an arrangement that would facilitate the final phase of US-led military operations, and as having a central government sufficiently stable and effective to prevent 'terrorists' from re-establishing themselves. More specifically, that meant a 'broad-based government', understood as initially comprising the factions represented in Bonn, and proper representation of the Pashtun, who were the largest single ethnic group and traditionally formed the governing elite. Hence, Hamid Karzai was quickly endorsed as interim leader. He came from a prominent Pashtun family that had spent many years in exile, was considered politically 'moderate' in questions of religion and politics, and – not having a large armed following of his own – was not considered a formidable rival by the Tajik, Uzbek and Hazara factions that made up the Northern Alliance. Transitional justice mechanisms to ensure accountability for past war crimes and human rights abuses were not on the agenda as this would have implicated Afghan leaders who now were US allies in the transition and the construction of the post-war order.

> **"Even though this was not a conventional peace agreement between belligerents, who often take months or years to hammer out compromises, the speed was remarkable."**

US views found strong echoes among many of the Afghans and state delegates to Bonn. To be sure, there were differences. Apportioning ministries in the post-war administration among the Afghan factions was extremely difficult and almost derailed the process. Representatives from Afghan civil society, who had been excluded from the conference and relegated to their own 'parallel event' at a nearby venue with no formal access to the principal meeting, claimed their absence reinforced the illiberal directions of the emerging agreement, as described by Florian Krampe in 2013.

The question of how to structure political representation in a post-Taliban order was of course fundamental. Brahimi played a central role in designing the solution, based on an iterative structure that did not lock in the initial power-sharing agreed to in Bonn, but had a timetable for progressively wider elections and mechanisms to establish representative institutions. In principle, this broadened the competition for power beyond the narrow circle of Afghans assembled at the conference.

Negotiating process

Brahimi had returned to work for the UN on Afghanistan as Special Representative of the Secretary-General on 3 October, just a few days before the US started the bombing campaign. He immediately set about canvassing views among state parties and Afghans concerned – except the Taliban. Less than two months later, on 27 November, the conference opened, and only nine days after that, the agreement was signed. In the annals of peacemaking, it was a formidable feat of diplomacy. Even though this was not a conventional peace agreement between belligerents, who often take months or years to hammer out compromises, the speed was remarkable. Speed, it was also clear, went against Brahimi's instincts. As he later said, 'We were rushing in all directions … I was the one who had to say "please, not too fast … go slow if you want to go fast".'

Why the speed? There was a race between military and the political logics. As the Northern Alliance militias raced towards Kabul in the second week of November, the US Secretary of State Colin Powell was calling for 'speed, speed, speed' to get negotiations going. The Northern Alliance, he feared, might take control of the capital before the other Afghan factions and the international parties concerned had even sat down to discuss the practicalities of establishing a central government and possibly an international peacekeeping force to help secure Kabul. There was also concern that Northern Alliance militias might engage in ethnically targeted massacres in the capital.

In formal terms, only the four Afghan factions represented at the conference were parties to the negotiations – the Northern Alliance and factions organised around exiles based in respectively Rome (with ties to the ex-King), Cyprus (with ties to Iran) and Peshawar (predominantly Pashtun based). Brahimi had insisted and the Security Council concurred that Afghanistan was not to be a UN quasi-trusteeship as in East Timor or Kosovo. The Afghans needed take the lead in the talks – at least formally. Official representatives of other nations were only observers to the conference; they were excluded from the formal sessions among the Afghans that only Brahimi and his advisors attended. The final agreement thus was signed only by Afghans and witnessed by Brahimi. Matters dealing with the role of the UN and ISAF were addressed in appendices and appeared as requests from the Afghan Interim Authority established by the agreement.

Brahimi scripted this structure and directed the talks. By dividing the Afghan and the foreign state delegates organisationally, he created a separate space for a relatively small number of Afghans to find common

ground. Afghans and international observers mingled freely and frequently in the corridors, but the formal division gave some power to Brahimi to choreograph the international influence and lessen the complicating presence of external rivalries and patronage ties. Although the regional and international context had become relatively conducive to cooperation – Pakistan was 'on board' thanks to coercive US diplomacy, and even the US and Iran recognised common interests – many among the Afghans and the state observers had interests to promote and favours to call.

This did not prevent Brahimi from calling in external state support when needed, as he did at critical junctures. Iran, the UK and Russia were extremely helpful, he later said. The US was in this respect by far his most important asset by virtue of its military position in Afghanistan and consequent leverage on the Afghans. One episode is illustrative. When talks seemed to break up disagreement regarding the division of ministries and a key Northern Alliance delegate threatened to leave, Washington's advice to ambassador James Dobbins working the conference corridors was clear: 'Do not let them break up. Lock them up if you have to … [O]nce you get the frogs in a wheelbarrow, you don't let them get out' (*Frontline* June 2002). When the still-titular Afghan President Burhanuddin Rabbani, sitting in Kabul, became an obstacle, the US made him reassess by firing a rocket next to his home.

The iterative framework, with a two-year tight schedule of transitional steps from an interim authority to the convening of a constitutional assembly, pointed the way towards popularly elected government. Arguably, this made it easier to forge agreement on division of power in phase one, as opportunities for accessing power among those who lost out early in the transition beckoned in later phases. The agreement itself conveyed this point; it was a short, essentially skeletal outline of structures and an inclusive list of broad political and social norms. Constitutional design, such as a unitary versus a decentralised state structure, was not discussed but left for the constitutional process as designated in the two-year transitional timeline.

Brahimi's skills as negotiator and authority were both formal and authentically steeped in deep knowledge of the region, including previous service as UN Special Representative for Afghanistan in the 1990s. Returning to the job in early October 2001, he worked according to a three-pronged strategy: 1) develop consensus among non-Taliban Afghan factions; 2) obtain agreement principles of the transition among Afghanistan's neighbours and the major powers, the '6+2' (China, Iran, Pakistan, Tajikistan and Turkmenistan, plus the US and Russia), and other states concerned; and 3) prevent the political transition from being overtaken by developments on the ground – as discussed in my 2011 book, *When more is less: the international project in Afghanistan*. It was a rough plan in a scene with multiple actors and limited space for manoeuvring, and when time was short. By his own description, it was an improvisation. Though stressing the need for preparation ('make sure you've done the ground work, so that when you call them in, you have a chance of getting somewhere'), improvisation is essential ('it is "navigation by sight" … just open your eyes and see where the wind will take you').

Two months later, the Bonn Agreement was signed. Four years later, the political transition had been implemented, a constitution had been promulgated, and popular elections had been held for a president (2004) and a parliament (2005). Yet the vulnerability that Brahimi had reflected upon during the conference had come to pass: 'Any grain of sand can stop our machine … this is Afghanistan. There is a sandstorm.'

Conclusions – whose peace?

Two principal consequences of the agreement are not in dispute. First, excluding Taliban set the stage for renewed war. Not being treated as a legitimate party, and hunted by OEF forces and their Afghan allies, the Taliban had few options. They could place themselves at the mercy of local rivals empowered by the US, or hope for assistance in Pakistan to organise armed resistance. By 2003, they were showing signs of a comeback, and by mid-decade the insurgency was under way. Brahimi now reassessed. Not inviting the Taliban to Bonn was 'our original sin' that critically undermined the post-war order, he said in 2006, as recounted in Ahmed Rashid's 2008 book, *Descent into Chaos*. Second, the Afghan factions represented in Bonn established themselves securely in positions of power for years to come. Privileging 'warlords' with records of serious human rights abuses, including war crimes, in order to secure military gains in the US-defined 'war on terror' led to a securitisation of the new order that blocked the development of stability, justice and peace.

Yet both consequences were only in a superficial sense a result of the Bonn Agreement. They flowed more directly from the political and military logic of the US-led 'war on terror'. That logic dictated the invasion of Afghanistan, a strategy of militarily defeating the Taliban and al-Qaeda, and – over time – produced an escalating armed conflict and a political economy of war that benefited local allies of the US military. The Bonn Agreement was more a reflection than a cause of this dynamic.

Future peace talks in Afghanistan will similarly reflect the prevailing political realities. Hence, drawing lessons from Bonn is difficult. As Brahimi observed – negotiating is in good part navigating by sight. We do know, though, that future talks probably will involve the Taliban. If these take place under conditions of a military stalemate, the divisions are likely to be deeper, the dilemmas sharper and the outlines of compromises more difficult to accept than at Bonn. The range of views on political, social and economic rights will be wider. In this situation, one key issue will be whether to aim for a narrow power-sharing agreement (like Bonn), or adopt a structure based on a wider set of rights and principles for the post-war order. A comprehensive, rights-based peace agreement may be more difficult to conclude, or – if on the table – take the form of a broad, consensual statement without implementing clauses. Yet a growing international consensus, affirmed in several recent UN based documents, holds that rights-based peace agreements are more sustainable than narrow deals, even if the latter bring ceasefires and an end the immediate violence.

The iterative structure for a transition adopted in Bonn may be well suited to handle a negotiating situation with strongly conflicting interests. But the downsides must also be recognised. Particular factions may capture power at an early stage, aborting the transitional dynamic, and difficult issues may be postponed, left to generate renewed conflict at a later date.

Skilful mediation at the Bonn conference contained two strategic elements. Organisationally, the chief negotiator created a separate space for the Afghans to find a common ground, although linked to external mechanisms of coercive diplomacy. Creating and using such a space effectively to forge an agreement rested on a fair degree of common interest among key external and internal actors: first, among the major powers concerned (US, Russia and Iran) with at least coerced cooperation from Pakistan; and second, among the Afghans at the conference, who were at least united in their opposition to a common enemy. Neither condition is likely to figure in negotiations between Afghan political elites and the Taliban at the present time.

More fundamentally, the hegemonic position of the US in 2001 meant that US policy in effect defined the chief parameters of a common strategy. This enabled Brahimi to cobble together an agreement in a matter of weeks. US policy in Afghanistan, however, was not primarily designed to establish peace in Afghanistan, but to strengthen US national security. In a deeply ironic sense, the result was to undermine the spirit of the Bonn Agreement and the new order it promised. Perhaps the main lesson from Bonn is that a sustainable peace agreement must give primacy to Afghanistan rather than the broader interests of outside powers. At a minimum, the key objective must be to end the armed conflict and construct a framework that will encourage the Afghans and their foreign supporters to pursue their interests through means other than collective political violence.

Transformative politics in 20th century Afghanistan

Lessons for today

Dr Amin Tarzi

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ABSTRACT

What lessons for political transition in Afghanistan today can be learned from Mahmud Tarzi's efforts to reform Afghan politics in the early 20th century – such as on engaging key domestic constituencies to establish an-Afghan owned agenda for change?

Mahmud Tarzi looked to introduce progressive ideas drawn from his travels in the Middle East. But progress in realising his ambitions was hampered by a dearth of receptive constituencies in Afghanistan, such as activist civil servants, students or disgruntled military.

Support for Tarzi's programme was restricted to a few returnee exiles, Kabul-based intelligentsia and dissenting officials, leaving him over-reliant on his proximity to the crown. Tarzi's modernising vision combined an exclusive, Pashtun-centred nationalism with a multinational state and a progressive approach to science and technology – as well as to Islam, which placed him in direct opposition with the Afghan clergy.

A number of key factors undermined prospects for Tarzi's agenda: 1) imported reformist ideologies that were alien to most Afghans; 2) failure to engage either influential landed tribal leaders or clergy with authority to legitimate the reform agenda; and 3) Tarzi's royal patron lacking either the domestic power to impose changes or the foreign diplomacy to secure external support, and further failing to reconcile internal rifts between progressive and conservative camps within his court.

Notwithstanding fundamental differences between Afghanistan today and a century ago, some core blockages to modernisation have persisted – in particular the inability of the government to promote reforms among rural populations combined with the fact that transformational politics are largely seen as an external agenda. Unless these are addressed, modernisation will continue to struggle.

Political transformation in Afghanistan at the start of the 20th century, largely driven by the modernist ambitions of Mahmud Tarzi, is illustrative of opportunities and challenges facing reform initiatives today. The political dynamics of negotiating change within the rise of statism and central decision-making provide important comparisons for the political environment in contemporary Afghanistan and offer insights into prospects for negotiating change looking ahead.

Beginnings

The birth of the modern Afghan state under Abdur Rahman Khan (1880–1901) saw the central government come to exercise a near-monopoly over the use of violence. Territorial boundaries were defined and internationally recognised. The Amir, delegating his foreign policy to British India, freed himself from outside threats while receiving funds and expertise to engage in a hitherto unprecedented programme of centralisation and unification of a state system. He transformed his country through the use of incentives, intimidation, forced mass migrations and multiple internal wars of intense brutality, and his surprisingly loyal military imposed his vision of a state on his subjects.

By 1892, Abdur Rahman had pacified and brought his country under the direct rule of the centralised authority and organised an extensive bureaucracy on an unparalleled scale based on the person of the Amir. Part of his legacy remains the lack of space or structure for political debate and discussion. By design, ultimate authority rested in him and so he felt no need to establish a constitutional basis for his governance. Through conquests and Islamification, Abdur Rahman built Afghanistan as a state in which Pashtuns exercised exclusive authority and strict interpretation of Sunni Islam became the sole law of the land. This did not make for a cohesive state, however. To echo the 19th century Italian statesman Massimo d'Azeglio, while Afghanistan was made as a country, the Afghans were yet to be fashioned as a people.

Abdur Rahman's policies and programmes did lead to a smooth and pre-planned transfer of power – a rarity in Afghanistan – to his son, Habib Allah (r. 1901–19). The new Amir had been groomed as an heir apparent and had a relatively good level of education. From the beginning of his rule, Habib Allah sought to heal some of the wounds left by his father. He allowed and encouraged the return of some exiled members of his own Muhammadzai clan, including Mahmud Tarzi who had lived in Ottoman Damascus. Tarzi brought with him progressive political ideas and was able to persuade the Amir to consider certain changes, spearheading guarded and gradual policies of transformative nation-building. In 1904 the Amir set up the first public college in Afghanistan, Habibyah, employing local as well as Indian Muslim and Ottoman teachers. It was at this school that the ideas of political transformation and constitutionalism came about and were propagated.

However, the first movement to transform Afghanistan into a more representative and inclusive political system was crushed before it became operational. Either the Amir had informants within the group or there were opportunists who told the Amir that the first constitutional movement's ultimate aims would lead to his own removal from power. Habib Allah ordered the execution of many of the constitutionalists and imprisoned others. A few, including Tarzi's nephew, were released. Later, learning from the failures of this movement, Tarzi began his programme of transformation by forming a group known as the Young Afghans, which disseminated its ideas of independence, nationalism, progress and women's rights through its newspaper, *Siraj al-akhbar*, published fortnightly under Tarzi's editorship from 1911–18. However, he refrained from direct criticism of the monarchy.

While the ideology for Tarzi's quest to reform Afghanistan was drawn from 19th century European experience, his blueprint was initially based on the Young Turks era of 1908–18. However, unlike the Ottoman situation, Afghanistan lacked viable constituencies to take his ideas forward, such as a significant core of activist civil servants and students or any type of a coalition of disenchanted military officers. Indeed, Afghanistan had no formal schools and the military was largely apolitical. The prime movers behind Tarzi's reform movement were the returnee exiles and a very small Kabul-based group of intellectuals as well as disenchanted and ambitious senior officials and members of the Amir's household. A key for Tarzi's successful programmatic debut was his access to the Amir, which was solidified through the marriage of two his daughters to Habib Allah's eldest and third sons. These sons convinced their father that the reforms were a safeguard rather than a threat to the monarchy.

Tarzi and his associates wanted to create an exclusive nationalism in Afghanistan with the Pashtuns at the centre, Pashtu as the national language and Persian (later Dari) as the official language – in order to allow access to a broader set of scientific and historical literature with cogency beyond the borders of the country. This also afforded validity to Tarzi himself who, while being a Pashtun from Kandahar, spoke primarily in Persian. In fact, the majority of the Afghan political elite going back to the foundational periods of the country in the mid-18th century used Persian as their main language and had designated it as their country's lingua franca. By selecting Persian as Afghanistan's official

language, Tarzi intended to allay non-Pashtuns' fears that they would become second-class citizens.

The Afghanistan envisaged by Tarzi and his associates, while Pashtun in nature and thus separate and exclusive from Iran, was to be a multinational state with a progressive outlook on science and technology. This placed Tarzi in direct opposition with the Afghan clergy. Regarding Islam as a religion that supports human progress, Tarzi viewed his country's religious elite with extreme suspicion and as a major impediment to the country's progress and the emancipation of the masses from ignorance and misogyny. His policies promoted Islamic revivalism, echoing his mentor Sayyid Jamal al-Din al-Afghani (d. 1897). Tarzi's lifelong quest was to modernise Afghanistan within the context of progressive and inclusive Islam – a goal which he and his associates never achieved and one that still is at the heart of the current fight for the country's future.

Blockages

King Amanullah (r.1919–29) is widely known as Afghanistan's reformist monarch. As a boy, he was Tarzi's protégé and would in 1913 marry Tarzi's daughter Soraya, before becoming king in 1919 after the assassination of his father. Amanullah's transformational initiatives ultimately failed, however, and, in retrospect, there were six main reasons for this.

First, the ideologies espoused by the reformists, a number whom had returned from exile or were foreigners, represented a thought process alien to most Afghan citizens. Afghanistan entered the 20th century with no secular schools, a very small group of intellectuals centred mainly in the capital, and no newspapers. It had very limited contact with the outside world and lacked internal communication routes to connect the various parts of the country resulting in extreme xenophobia. This disconnect was never rectified despite Amanullah changing his proposed constitution – the reform process's centerpiece of inclusivity and progressivism – twice before it was promulgated.

The final version of the constitution, which entered into force in 1925, was much more restrictive than the first draft in 1921, especially in matters dealing with the role of religion in society. This initial draft can be regarded as the most progressive non-communist fundamental law ever envisioned for the country. Attempts to implement the 1925 constitution and other regulatory proclamations without addressing these disconnects fuelled the rebellions that resulted in the ousting of Amanullah in 1929. The hesitation of successive Afghan leaders to introduce political reforms that deal with religious and social issues has been in a large measure due to the disastrous end to Amanullah's reign. Looking at Afghanistan's last attempt to write a constitution after the collapse of the Taliban, the expediency of having a strong presidency and disallowing any possibility of reviving the monarchy led to a constitution that was developed with little participation by the Afghan people. Article 3 of the 2004 constitution further means that the majority of freedoms enshrined in the document can be voided technically – as many have been in practice.

Second, the reformists failed to include landed tribal leaders among their ranks. These men could have persuaded their peers to accept the voluntary yielding of some of their immediate privileges to the state for the collective betterment of society and their own long-term prosperity. The absence of the tribal leadership also meant there was no voice for the concerns of that group, a group that had immense influence on public opinion throughout the country – including, critically, in rural Afghanistan – and strong connections to the clergy. In his last work, written during his second exile (1929–33), Tarzi identified the landed tribal elite as one of three reasons for the failure of his experiment.

Third, efforts at reform could not reconcile resistance from the clergy, which in Afghanistan has traditionally been used to legitimise power, be it governmental or within tribal systems. The only time that the clergy saw an active challenge to this status quo was during Abdur Rahman's reign when the Amir tried to regulate their profession, forcing them to become state functionaries. Nevertheless, as part of his statist policies, the Amir used the clergy to further reinforce the notion that Afghanistan was the domain of Pashtuns and that the Sunni Hanafi rite was the only legitimate form of state religion. Habib Allah relaxed his father's restrictions on the clergy's position, leading to the strengthening of their political role in defining the nature of the Afghan state as conservative and Sunni, and with Pashtun primacy.

With Amanullah's attempts to introduce reforms, the clergy, sensing a diminishing of their own privileges and those of their allies within the tribal leadership, became the most vehement voice against both the reforms and reformers, including the king and his father-in-law. In fact, during the uprising in eastern Afghanistan, one of the rebel demands to end their rebellion was the ousting of Mahmud Tarzi and his family from Afghanistan. Unsurprisingly, Tarzi blamed the ignorance and regressiveness of the clergy as another reason for the failure of his reforms. More recently, since the Soviet invasion of Afghanistan and the ensuing wars, the clergy has re-emerged as a political force, with the main armed opponents of the current Afghan political arrangement identifying as students of religious seminaries.

Fourth, unlike Tarzi's hero Mustafa Kamal Atatürk, who founded Turkey's republic, the Afghan king had lost a monopoly over the use of violent force previously held by Abdur Rahman – and with it the ability and legitimacy needed to enforce his rules. So when he tried to introduce reforms that directly challenged privileges and prerogatives of the tribal chiefs and the clergy, he failed. Looking back, Amanullah had a relatively cohesive plan of action; he just lacked the enforcing mechanisms to safeguard his reforms from the backlash they met. Today, the military is arguably much stronger and more nationally representative than at any other time in Afghan history. The National Defence and Security Forces are fighting internal enemies whose stated goals include the reversal of social and institutional progress made since 2001. The military is not the vehicle to transform Afghanistan's politics, however. The problem lies within the executive authority, which is divided and weak.

> **"The main challenge for Mahmud Tarzi and his associates stemmed from the Afghan socio-economic system's inability to absorb the reforms and the government's inability to enforce them or withstand the backlash they caused."**

Fifth, Amanullah lacked the diplomatic nuance to appreciate the geopolitical situation of his country – in particular the continuing presence of the British in India. This author's grandfather served as Amanullah's personal secretary during the 1927–28 voyage that took the monarch to a dozen Asian and European countries. He recounted how dismissive the king was towards any suggestions from Britain. For example, in response to a British request to relax his country's entente with the Soviet Union, the infuriated king went out of his way to antagonise the British further.

Modern Afghan historiography generally tends to place the main blame for the failure of Afghanistan's reforms and political transformation squarely on British polices. However, Amanullah would have given his plans a much better chance of success had he not opposed the British so vehemently. In retrospect, his military could also have benefited from British support. Mahmud Tarzi, who was not a supporter of Amanullah's trip, did, however, share his father-in-law's distaste of the British. For Tarzi, the combination of conservative tribal elite in symbiotic relationship with a regressive clergy backed by British anti-Amanullah polices were the principal reasons for the failure of the transformational reforms that he and his associates had envisaged at the beginning of the 20th century.

The sixth element contributing to the failure was the interfamilial and interpersonal rivalries within his government. As king, Amanullah was unable or unwilling to put a stop to the internal rifts among his closest advisors. There were two camps. The pro-reform camp led by Tarzi looked to the nascent Turkish Republic for inspiration and support. Unfortunately for them, Turkey had very little tangible assistance to offer. The more conservative camp, led by Muhammad Nadir (later Nadir Shah) found support among the tribal leaders, the clergy and the British – Tarzi's three prime culprits in the failure of his plans. The Nadir camp found more fertile ground on which to promote its platform and was able to squash the reform effort. In the end it was able to insert itself into power to perpetuate its conservative agenda and undermine further attempts at reform until the mid-1960s. In contemporary Afghanistan, the current elite camps, while not having direct familial relations, have links to various *mujahidin* groups, former communist cadres or ethnic groupings. If these are not harnessed and directed towards a common cause, they can become a major source of national discord and a magnet for foreign influencers to further their interests in Afghanistan or to use Afghanistan as a proxy battlefield.

Lessons for today

There is exactly a century between the start of the two transformational periods in Afghanistan's modern history – Habib Allah's ascension to amirship in 1901 and the fall of the Taliban in 2001. Both transformational periods began after the country had experienced draconian and divisive political climates. There is a clear limit to comparison between the two eras. In 1901, the country had been pacified by the central government, the transition of power was orderly and there was no direct foreign meddling. In 2001, the country was in the midst of a civil war and its transition came about by force, executed through direct and full foreign involvement. Despite temporal and circumstantial differences, however, the transformational period in early 20th century can provide valuable lessons for the current one.

The early 20th century reformers in Afghanistan achieved a number of their goals and failed in others. But in retrospect, they managed to set up the rudimentary elements of transformative politics for future generations. They succeeded in achieving Afghanistan's full independence in 1919. They were able to introduce a national historical narrative – albeit not fully inclusive of all

segments of the country's population. They began debating issues dealing with ethnic, religious and linguistic identities of their country's diverse population. They helped introduce basic semi-secular education and tried to introduce rudimentary rights for women and religious minorities under the law. The list of specific transformative reforms was long and ranged from defining who was an Afghan citizen to regulating marriage age.

The main challenge for Mahmud Tarzi and his associates stemmed from the Afghan socio-economic system's inability to absorb the reforms and the government's inability to enforce them or withstand the backlash they caused. Unlike its neighbours, India and Iran, Afghanistan did not have a civil society or intellectual base beyond the small elite mainly centred in Kabul. For the majority of the masses who were either illiterate or semi-literate, the transformative message was either absent or incomprehensible, or was delivered via the two classes that stood to lose most from it — the tribal leaders and the clergy.

The post-2001 experience has revived some of the same social fissures that haunted the country a century ago. Despite improvements in literacy and means of information dissemination, the capacity of the rural population to absorb the transformational goals remains limited. This challenge is compounded by an array of factors that did not exist a century ago – foremost among them the notion that foreigners are the drivers of transformational politics. The early reformers were creating Afghanistan's historical narrative. Today, there are several disconnected trends to deconstruct the very concept of the country. The fact that these trends, ranging from the status of Pashtuns in Pakistan to the universality of the label 'Afghan', are debated within a political climate conditioned by an ethnically based governance structure imposed by foreigners only exacerbates the situation. Deconstruction is needed but incorporating the lessons from past experiences.

Before attempts are made to take down the existing narratives, brave undertakings should be made to chart a vision for Afghanistan's future without discarding the realities of the past or those of today, as uncomfortable as they may be. Mahmud Tarzi's dream was to help build an independent, progressive and self-reliant Afghanistan that could be an engine in moving the Islamic world forward into the 20th century. The Afghanistan of 21st century, while endowed with selfless defenders and dynamic youth, is sadly nowhere close to the dream of its son, who now is resting on a hill in Istanbul yearning for the winds of change to come from his homeland.

President Najibullah and the National Reconciliation Policy

Objectives, operations and obstacles

Heela Najibullah

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ABSTRACT

What lessons can be learned from the Afghan National Reconciliation Policy (NRP) in the 1980s and 90s – about how to negotiate with armed groups, and how to balance local, national and international interests to sustain focus on building an inclusive political settlement?

President Najibullah's government launched the NRP in the mid-1980s as the Soviet Union was looking to draw down its presence in Afghanistan. The NRP sought to negotiate an end to conflict with the *mujahidin* and to establish terms for a comprehensive political settlement. It combined traditional Afghan socio-political practices for consultation and decision-making with a pragmatic political strategy designed to build both domestic support and international legitimacy.

The NRP had a multilayered approach to negotiating with opposition groups. Dialogue looked to establish local non-aggression or peace protocol pacts. These would be discussed at district level, and then village and tribal elders would be brought in to facilitate implementation. Talks took place directly and through the United Nations.

The biggest obstacle faced by the NPC was time. As the Cold War wound down, Afghanistan's reliance on external assistance meant that the collapse of geopolitical strategic interest to support the Afghan government's NRP programme fatally undermined its chances of success. Today Kabul has international support – although this is dwindling. But it lacks the internal political will to take a reconciliation process forward.

The National Reconciliation Policy (NRP) of the People's Democratic Party of Afghanistan (PDPA) government sought, among other things, to negotiate an end to the civil war with *mujahidin* armed groups. It was developed at a pivotal moment of the Cold War in the mid-1980s when the demise of the Soviet Union was already looming. As the *mujahidin* threatened the stability of the Soviet-backed government in Kabul, President Mikhail Gorbachev's *glasnost* reforms meant that the presence of Soviet troops in Afghanistan was increasingly being questioned in Moscow. And this in turn encouraged pro-independence PDPA members to become more vocal.

The socio-political circumstances in Afghanistan around the end of the Cold War and today are very different. By 1986, Afghanistan had endured seven years of violence, framed by proxy war between the two superpowers. Contemporary Afghanistan has been traumatised by four decades of fighting and the number of stakeholders has multiplied. The country's socio-economic and political structures have been ravaged, gender-based violence and discrimination has worsened and levels of education and healthcare have declined drastically. Party politics have been superseded by tribal or ethnic politics, and since 2002 the Afghan government has had to rebuild its military institutions from scratch.

Some parallels between the period around the end of the Cold War and today can be drawn, however. As then, the Afghan government today is standing on shaky ground, challenged every day by armed opposition groups, many of which still operate as proxies. The country is still not economically self-sufficient and remains reliant on external assistance, with insecurity the main driver of economic regression. Notwithstanding the differences between the two eras, the experiences of the NRP can shed light on some of the modalities of pursuing reconciliation today.

National Reconciliation Policy: objectives and methods

The NRP had its roots in traditional Afghan socio-cultural practices such as *tiga* (putting down a stone to mark the end of the conflict and a deposit to guarantee the next steps are negotiated), *nanawati* (seeking shelter – even if your enemy comes to your home, you host them), and *Loya Jirga* (a council with a participatory structure where people get together to resolve contentious issues and reach decisions of importance). But its policy framework was a well-thought-out, modern political strategy with clear objectives. These included:

» the withdrawal of soviet troops
» an end to conflict with the *mujahidin*, who could then take part in political processes in order to facilitate multi-party democracy – when the PDPA came to power in 1978 it had refused participation of other political parties
» developing a renewed constitutional basis for the government, to gain domestic support and international legitimacy.

In 1986, the PDPA leadership changed and Najibullah was appointed head of the party. The party initiated a consultative process to define the NRP and the terms of its implementation before it was endorsed in a *Loya Jirga* in 1987. The *Loya Jirga* introduced a number of changes. These included constitutional reform, whereby the country reverted back to its pre-1978 name (Republic of Afghanistan) prior to the PDPA takeover; Islam being cited as the national religion, although the country also sought to maintain its secular values; the PDPA changing its name to the *Watan* Party to try to open up membership to 'non-hizbis' (non-PDPA members); and efforts being made to try to separate the party from the government – which was driven by the administration's desire to stop being referred to as a 'regime' by the international community.

Ahead of the 1987 *Loya Jirga*, the government launched a consultation process both within the party and with selected representatives of the Afghan people, which was intended to develop a shared definition of reconciliation and to flesh out some of the detail of NRP implementation. Deliberations went on for more than a year. PDPA cadres engaged in internal debate on priorities for reform, while village elders, tribal leaders and communities in government-controlled areas were consulted on their demands and preferences.

The party leadership made the NRP its core strategy, bringing influential Afghans from outside the party into government positions and creating a National Reconciliation Commission (NRC). The NRC was a serious effort by the government to demonstrate its intent to implement the NRP. Its independence was key to its legitimacy. NRC Chair Abdul Rahim Hatif had been a non-PDPA member of the *Ulusi Jirga* (House of Representatives) for Kandahar City during the reign of King Zahir Shah (1933–73). NRC district-level leaders were selected locally and were non-PDPA. Nor were they affiliated with the *mujahidin* but were intended to be neutral. The government sought out influential individuals with broad local approval – although as the NRP progressed and deals were made with local *mujahidin* commanders, so the process became increasingly permeated by official security personnel.

The main tasks of the Commission included the following:

» to build trust and demonstrate that the government was inclusive and committed to the national reconciliation process, and that the NRC was independent

» offering specific posts in government to the opposition as well as allowing opposition groups to exercise their political rights within the country
» discussing possibilities for a coalition government with the opposition
» announcing a unilateral ceasefire.

NRP efforts to end the conflict also engaged with UN initiatives. These included UN-led diplomacy mandated by the Security Council to mediate between different external stakeholders – regional countries, the Soviet Union and the United States. These occurred within the framework of the objectives of the 1988 Geneva Accords to oversee Soviet withdrawal from Afghanistan. The NRP also connected with efforts of UN agencies to facilitate the voluntary return of refugees, and with the UN Secretary-General's 1991 Five-Point Peace Plan (UN 5PPP), which was intended to serve as the basis for a comprehensive political settlement in Afghanistan. The UN 5PPP evolved after the Soviet withdrawal from Afghanistan and amid informal discussions with the UN over the viability of an interim government followed by free elections. President Najibullah had also explored whether the UN could deploy peacekeeping forces to avoid a power vacuum and related violence, but it was felt that that the Security Council would not back this. Finally, the NRP included President Najibullah's offer to resign – as demanded by the opposition and suggested by the UN in order to implement the UN 5PPP and to clear a path for a democratic electoral process.

Negotiations

The NRP had a multilayered approach to negotiating with the opposition. Within Afghanistan, the effectiveness of the government apparatus was key in negotiating with local commanders and fighters. Talks were aimed at establishing non-aggression or peace protocol pacts with the government. The conditions of the pacts would then be discussed with the NRC at district level. At this point, village and tribal elders would be involved to support local fighters' integration back into the community, giving consent to local commanders to take charge of the security of their communities where requested and supporting ex-fighters to find alternative livelihoods.

The government approached opposition leaders both directly and through the UN. Political negotiations with opposition leaders based in Pakistan or Iran took place clandestinely in third countries. These were undertaken by the government independently through its own network and not through the UN. By contrast, the Afghan government pursued regional and international dialogue with countries involved in the Afghan conflict rigorously through the UN. Such negotiations had led to the Geneva Accords and the UN 5PPP.

Objectives for the negotiations leading to the Geneva Accords were determined by the superpowers, which were guarantors of the agreement. They were focused exclusively on facilitating the withdrawal of Soviet troops with international legal approval and political endorsement. The Geneva Accords did not put in place an internationally binding framework for a long-term political solution in Afghanistan. Once the Soviet Union withdrew, both Afghanistan and Pakistan reported breach of the agreement to the UN but the guarantors were no longer focused on Af-Pak issues. This led the Secretary-General to propose the UN 5PPP, to engage regional states that had not been involved in the Geneva process and to expand the terms of the dialogue to include modalities for a political settlement.

“Within Afghanistan, the effectiveness of the government apparatus was key in negotiating with local commanders and fighters.”

By 1991, however, the world had witnessed fall of the Berlin wall and the collapse of the Soviet bloc. As a result, for the US as the only remaining superpower and its allies on the Security Council the success of the UN 5PPP was no longer relevant. Rather, the priority was to change the communist regime in Kabul. At the time, the Afghan government was making progress with negotiations domestically through the NRP. But it was unable to gain international support for the domestic momentum it had built up, and the internal process remained vulnerable to the conflicting interests of the external players that were active in the Afghan conflict.

There were two parallel processes at the onset of the UN 5PPP: one overt, comprising the UN's efforts to find a political solution in Afghanistan; and one covert, comprising national intelligence agencies involved in pursuing their interests and making deals behind the scenes. These clandestine negotiations effectively provided a back channel for the conflicting interests of different stakeholders to undermine the Afghan peace process. This reflects Barnett Rubin's observation in his book *The Search for Peace in Afghanistan*, that the inability to find a durable solution in Afghanistan is as much a failure of the international system as of the Afghan state. The former Head of National Directorate of Security in Afghanistan (2004–10), Amrullah Saleh, confirmed in an interview with the author that understanding how to build regional and global consensus is the missing piece that Afghans have been searching for to achieve sustainable peace.

President Najibullah stressed in a letter to his family in 1995 the importance of reaching a common denominator among all stakeholders to the Afghan conflict in order to end violence:

> *Afghanistan has multiple governments now, each created by different regional powers. Even Kabul is divided into little kingdoms … unless and until all the actors [regional and global powers] agree to sit at one table, leave their differences aside to reach a genuine consensus on non-interference in Afghanistan and abide to their agreement, the conflict will go on.*

Obstacles

Some of the main obstacles to the realisation of the NRP stemmed from mistrust of the intentions of Najibullah and his government by both the public and key regional and global 'spoilers'. For example, his previous position as head of the Afghan intelligence agency (KHAD) and his membership of PDPA more broadly was constantly manipulated in Cold War propaganda. The withdrawal of Soviet troops was the focus of superpower bargaining over Afghanistan, rather than a political solution to the Afghan crisis. Neighbouring countries questioned the legitimacy of the Afghan government or its potential to survive the withdrawal of the Soviet troops. There was also direct hostility after the Soviet withdrawal, for example in 1989 when *mujahidin* factions based in Peshawar backed by the Pakistani Inter-Services Intelligence (ISI) attacked Jalalabad in a bid to see faction leader Gulbuddin Hekmatyar installed as leader of Afghanistan. Najibullah's refusal to grant amnesty to Soviets accused of war crimes turned a page in Kabul's relations with Moscow (the 'Afghan-Soviet Friendship').

Negotiations were more difficult with opposition leaders who were resident in foreign countries such as Pakistan, Iran and Italy. For example, King Zahir Shah was dissuaded from coming to Afghanistan despite very constructive negotiations under the Rome process – perhaps the most prominent of a number of independent peace efforts that were initiated by Afghans in exile, funded by the Italian government with indirect support from the US. Moderate, pro-reconciliation *mujahidin* factions in Pakistan were threatened by Islamabad with expulsion. The Afghan government sought to respond through transparency, communicating to the Afghan people its position in terms of implementing the NRP and what kind of obstacles it was facing.

But the biggest hurdle was time. The Najibullah government did not have luxury of the years that peace and reconciliation processes necessarily take, as it faced advancing isolation by its international partners combined with increasing economic difficulties. The Afghan government then, as now, was constantly firefighting crises at the expense of realising its long-term vision for reconciliation and social change. Particularly vulnerable to the compressed timeframe were the government's ambitions to engage communities in the NRP.

Logo of the Afghan National Reconciliation Policy. © Heela Najibullah

A key lesson of NRP is that the local and national process must be linked to each other, and both levels need to be connected to external partners. For example, few representatives of communities or civil society from inside Afghanistan had opportunities to advocate their interests to external stakeholders. Instead, externally backed political opposition groups were able to consistently assert their demands through their foreign patrons – such as Germany promoting Sibghatullah Mojaddedi and his faction, Pakistan promoting Gulbuddin Hekmatyar, and Saudi Arabia Abdul Rasul Sayyaf.

Conclusion: prospects for reconciliation and social healing

Reconciliation is a highly political term in Afghanistan. It is viewed as top-down, initiated by the Afghan government, as was the case both in 1986, and in 2010 when President Karzai called a 'National Consultative Peace Jirga', reaching out to 'upset brothers' within the Taliban, who in fact declined the invitation to attend. A 'middle-out' approach to reconciliation can be more effective and can be achieved when government leaders are prepared to engage sincerely and strategically in a peace and reconciliation process that acknowledges socio-cultural, socio-economic and political factors.

Remembering again my father's quote that Kabul is divided into little kingdoms, the question arises whether political class in Afghanistan is sufficiently mature to place national interest above access to power and money. Lessons from the 1980s and 1990s suggest that a key constituent of the political class at that time was genuine in its intention to find a political solution to the challenges Afghans faced and were not mere proxies of others. This is why today political figures such as Najibullah are remembered more respectfully because he and other members of his party were true to the stated ambitions of the NRP. They tried against the odds to find a political solution for Afghanistan

within an agreed international framework and supported by the UN, and there was a serious effort to make the NRP inclusive, consultative and focused on people.

A peace process in Afghanistan today needs to balance efforts to build internal and external consensus. This requires international partners to support internal processes that can look beyond elites to engage communities in dialogue, transitional justice and truth seeking. In the 1980s, the Afghan government's economic dependence on the Soviet Union compromised the peace process. In the 1990s, neither post-Soviet Russia nor the US were interested in helping to find a political solution in Afghanistan – despite proclamations to the contrary, as well as Moscow installing the Rabbani government and providing support to some political parties. This was exemplified by Russia pushing to replace Najibullah ahead of the UN 5-PPP implementation. Afghanistan's fledgling democracy is still heavily reliant on aid, and so Kabul's capacity to sustain peace and reconciliation is similarly reliant on external support.

What worked in the NRP of 1980s was the fact that the process was transparent and sincere, with clear vision, objectives and mechanisms. Political will existed internally that allowed the *Watan* Party leadership to pursue peace in the aftermath of the Cold War and amid international isolation. However, the collapse of geopolitical strategic interest in Afghanistan also fatally undermined the NRP's chances of success. Today, the situation is almost reversed. The current Afghan government has the international political and financial interest and investment to be able to pursue peace, at least in principle. But it lacks the internal political will, strategy and understanding of reconciliation to take a process forward. The primary void compromising progress towards a viable reconciliation process lies in the lack of commitment of the national leadership and its lack of understanding of what reconciliation might entail, despite the fact that the current Afghan circumstances indicate the urgent need for change.

Taliban history of war and peace in Afghanistan

Felix Kuehn

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ABSTRACT

What does conflict in Afghanistan look like to the Taliban and how can greater knowledge of how the movement functions inform better peace policy?

Misconceptions of the Taliban have complicated efforts to end the war in Afghanistan. A key example is the extent to which the movement represents the grievances of a significant section of Afghan society.

The Taliban are not unified. From inception the movement has included distinct groups with different views on national and international policy. But the core message of the central leadership has resonated widely: Afghanistan needs to return to law and order, and the Taliban are here to dispense security and justice based on Islam. The Taliban's military conquest of Afghanistan has reflected their core belief that holding a monopoly of power is a precondition for the formation of a viable Afghan state.

The movement sees itself as inclusive – not aligned with any group nor based on ethnicity or a political programme but following Islam alone. The Taliban's resurgence in the 2000s mirrored their initial rise to power, facilitated by widespread public discontent with the new government. They see themselves and the US as the real stakeholders in the conflict and so likewise in any reconciliation process.

The Taliban are perhaps less exceptional in Afghanistan than many people would prefer to believe, as they express a much broader discontent that is anchored in local conflict. The Taliban's narrative of the conflict in Afghanistan is not an alternative history, but rather a missing piece of the larger puzzle of how to administer the country peacefully.

Former Taliban fighters line up to hand over their rifles to the Government of the Islamic Republic of Afghanistan during a reintegration ceremony at the provincial governor's compound May 28, 2012 in Ghor, Afghanistan. © DOD Photo / Alamy Stock Photo

The history of the Taliban remains a phenomenon. Not because it is impossible to explain who they are, why they started or why they were so successful. But because politically motivated alternative narratives have proven even more durable than the group itself. There are fundamental misconceptions about what the Taliban were and are, and what they were not and are not, which complicate efforts to end the war. While the Taliban leadership is made up of distinct groups and individuals, the movement from in the 1990s through to today remains an expression of the sentiment of a significant section of Afghan society. There are many Taliban versions of the past. For all the distortion and propaganda these contain, much is to be learnt from the Taliban's understanding of the Afghan crisis.

Beginnings

> *The Religion of Allah is being stepped on, the people are openly displaying evil, the People of [Islam] are hiding their Religion, and the evil ones have taken control of the whole area; they steal the people's money, they attack their honour on the main street, they kill people and put them against the rocks on the side of the road, and the cars pass by and see the dead body on the side of the road, and no one dares to bury him [...].*

Mullah Omar was addressing the first group of religious students in Panjwayi, describing the situation all around Kandahar in 1994. After the Afghan *mujahidin* had successfully driven out the Soviet forces and the government it had left behind in Kabul, Afghanistan descended into war with itself. Mullah Omar – and many others – believed that 'control was in the hands of the corrupt and wicked ones'. For much of the Taliban leadership, the men who would follow Mullah Omar, it was clear that the civil war had been fuelled by outside interference, and that the victory of the jihad had been spoiled by the selfishness of the *mujahidin* commanders who were fighting each other in a struggle for power.

But the crisis was more than just a few *mujahidin* commanders and their foreign supporters; the Taliban saw that the Afghan people had lost their way. They had been hiding their religion, which had allowed the chaos and anarchy to take hold as the loosely affiliated networks of local *mujahidin* disintegrated and the commanders turned on communities. A Taliban op-ed from mid-1995, some seven months after the movement had started, is illustrative: 'We all witnessed what happened when there was no shari'a law in the country. The last few years are a good example of the disaster a society faces without a strict code or law.'

There are differing views on matters of national and international policy within the Taliban, and to think of the movement as one group is misleading. Even in their earliest incarnation there were distinct Taliban groups. Nevertheless, the core Taliban message resonated widely – that Afghanistan needed to return to law and order and that they had come to provide security and justice on the basis of Islam.

For the Taliban, their early success was not built on their superior military might but was an expression of the widespread discontent and desperation about the steadily deteriorating situation. As Mullah Omar explained in

1995: 'We asked the religious scholars for their advice and received a shari'a-based decree from them. In the light of this decree from our religious scholars, we started our armed resistance to the corrupt regime in Kabul. We started this movement for the protection of the faith and the implementation of the shari'a law and the safeguarding of our sovereignty.'

After their momentous success in taking Kandahar province, the Taliban's growing momentum soon convinced them to turn their sights nationwide. While they only established an official government after the fall of Kabul in 1996, by spring 1995 they had already transformed themselves from a loosely structured network of separate groups. They organised as the *mujahidin* groups of the 1980s had, developing their capabilities to raise finance, fight and negotiate. Within four months of starting they had not only managed to expand their reach to within a few kilometres of Kabul, but had also established committees and departments that, however poorly they performed in practice, were meant to fulfil government functions of international diplomacy, healthcare and economic development – alongside the movement's core goals of providing security and justice.

National conquest: 'peace, justice, security and Islam'

The Taliban's primary objectives were informed by what they considered to be the precondition for the formation of a viable Afghan state, ie holding the monopoly of power. While they expanded their territory and ranks mostly through incorporation and negotiation, the Taliban's understanding was that as long as the option to fight existed then there would be fighting, or Afghanistan as a whole would fracture. As Mullah Ghaus, the Taliban's first acting minister of foreign affairs, would explain, 'the Taliban are facing opponents [...] who want to increase their military advantage through war. There are too many arms in Afghanistan; the war would not end until they were disarmed. [The] Taliban would continue to fight until all Afghans were disarmed and the country secure.'

To much of the outside world, this seemed to be little more than the Taliban requiring all other Afghan factions to lay down arms and surrender. The Taliban's point of view, however, was markedly different. In contrast to how they were perceived externally as well as by some other Afghan factions, the Taliban did not consider themselves to be party to the civil war of the early 1990s. They had come to end the civil war and so were a group apart. This mission, according to the Taliban, was not about excluding people. Quite the opposite. As they often claimed, they were not aligned with any group, were not based on ethnicity or a political programme, but were following Islam alone. Islam would provide the framework on which others should be operating. From this perspective, the central goal of an Islamic government based on shari'a could not seriously be disputed since this had been what all Afghan *mujahidin* had fought and died for in the jihad against Soviet forces. As Mullah Omar stated in the summer of 1995, which must have been confusing to the outside world at the time: 'the Islamic movement of the Taliban was trying its best and making all sorts of possible efforts to prevent any potential conflict in the country.' Much of what the Taliban actually did, however, was reactive. They were making things up as they went. The overall goals they propagated – peace, justice, security and Islam – resonated widely. But they were also loosely defined and the details were often discussed as issues arose.

In September 1996, the Taliban took Kabul. Mullah Omar announced that 'After this, a pure Islamic government will rule over Afghanistan.' The Taliban would go on to form a government – which meant for the most part reopening previous ministries and encouraging people to return to their workplace. But at the time of Mullah Omar's statement, the Taliban did not rule Afghanistan. The ministers that were appointed then were 'acting': theirs was a transitional government, and Afghanistan's future was to be decided once the war had ended. Meanwhile, the Taliban would focus on their main mission of preventing a return to chaos and harvesting the fruits of the hard-won jihad.

Kabul, long the motor of innovation and modernity in Afghanistan, seemed for much of the Taliban to be the epicentre of what had gone wrong. After all, it had been in the capital that unhealthy ideologies such as Communism and Muslim-Brotherhood-inspired Islamism had seeped into society. To this end the *Amr bil Ma'rouf*, better known as the Ministry for Vice and Virtue, was created soon after Kabul fell – having previously been established only as a department. In line with some of the core tenets of the Hanafi school of jurisprudence, much of the Taliban leadership believed that shari'a was meant to create a society that allowed people to be good. The mixture of rural village culture and religious education that formed the socio-educational background of many senior Taliban leaders had created a highly ritualistic and outward-oriented religious understanding: if something could corrupt people, it should not be allowed.

Between 1996 and the end of their Emirate in early 2002, the Taliban continued to try and redress the core issues they considered to be the reason for the Afghan crisis. While they did engage in various negotiation tracks to try to end the war with the opposition, none yielded any results. The Taliban saw the opposition as untrustworthy and so the war

continued, as opposition forces either consolidated around Ahmed Shah Massoud or fled the country. The problems the Taliban faced while trying to institute a functioning government and state were the same that many aspiring administrations had encountered before: establishing both authority over a fiercely independent population and a monopoly of violence within the country's sovereign borders.

It was arguably their understanding of the underlying causes of the Afghan crisis and the solutions to these that separated them from previous rulers. Rather than orientating themselves towards Western countries promoting modernisation or following foreign ideologies, the Taliban brought with them a mixture of rural Pashtun customs and religious education that informed what they thought needed to be changed, mostly in urban centres. A closer look at how they ruled in much of Afghanistan showed that in practical matters of governance, in particular the rural hinterlands, more often than not they relied on similar arrangements to those that had allowed other governments before them to rule – at least nominally.

Fall from power and insurgency

The Taliban's international relations soon came to be dominated by links with Osama bin Laden and other foreign nationals accused of involvement in terrorism. The list of concerns of the international community, and particularly of the US, had been growing since the Taliban emerged in Kandahar: from opium production, to the treatment of the population and especially women and girls, and then to bin Laden and terrorists. The US and Saudi Arabia had been first to protest about bin Laden, but his presence in Afghanistan soon started to dominate much of the Taliban's interaction with the world.

From the Taliban's perspective there seemed little difference between meeting a US diplomat or a representative of the UN. The US was, in their words, 'finding [...] excuses against the Emirate and the top one is the presence of Arab *mujahid*, Osama bin Laden. [...] even if Osama got out of Afghanistan, they would still not formally recognise the Islamic Emirate and neither would Osama's departure put an end to their pretexts.' Diplomatic efforts bore little fruit. Bin Laden continued to threaten the US and other nations and was held responsible for the 1998 bombings of two US embassies in East Africa.

The US retaliated with cruise missile strikes and later imposed sanctions on the Taliban aimed at forcing them to hand over Bin Laden. UN sanctions soon followed, which, to the Taliban, only confirmed the UN as little more than another US tool. To this day, much of the Taliban leadership not only maintains strong doubts as to bin Laden's involvement in the 1998 bombings but also about the September 11 attacks three years later. Still, many among the Taliban leadership feared that Afghanistan would pay the price for the attack, and searched for a peaceful solution. Many wanted bin Laden gone. However, even after an *Ulema* conference in Kabul had advised that bin Laden should be asked to leave, Mullah Omar made it clear he would not expel him.

> **"The former warlords and parties to the civil war of the 1990s won positions in the new administration, using their recently acquired power to enrich themselves and their supporters."**

The US, meanwhile, was mobilising rapidly in response to 9/11. The Bush doctrine held that the US 'will make no distinction between those who planned these acts and those who harbour them'. Operation Enduring Freedom launched in October 2001 saw the US use small teams of special forces alongside Afghan opposition groups – who were familiar faces to the Taliban. In north Afghanistan the US built up the loosely affiliated groups of the Northern Alliance, almost all of whom had been part of the civil war of the early 1990s. These included General Mohammed Fahim, who had been the intelligence officer of Ahmed Shah Massoud; Ismail Khan, who had carved out his own fiefdom in western Afghanistan; and the Uzbek commander Abdul Rashid Dostum, who was notorious for switching allegiance. In the south, Gul Agha Shirzai, the same man the Taliban had expelled from Kandahar in 1994, mobilised men in Pakistan and marched towards Kandahar supported by US air power.

The Taliban's defeat by the US and the return to power of their old foes came as a shock. Overwhelming US airpower had been decisive. But the social contract of the Islamic Emirate had begun to dissolve well before then, as the popular support the Taliban had once garnered had long started to dwindle in the light of new laws and policies enforced by their government. In power, the Taliban's relationship with the rural communities rehashed the same struggle faced by all central authorities before them – to develop a working relationship with the peripheries. In particular, rural tribal communities were opposed to growing interference in their local affairs by the Taliban government in Kabul. The opium ban that the Taliban enforced especially soured the relationship with many rural farming communities by eroding their livelihoods. Following the swift demise of the Emirate, the shell-shocked Taliban retreated, many returning to their home

villages and mosques and madrasas, others fleeing across the border to Pakistan.

In the first couple of years after the end of the Emirate it seemed that the Taliban were indeed a spent force. Many members of the senior leadership contemplated joining the new political paradigm in Kabul or returning to their previous lives before the movement. But it seemed that there was no safe space for them for them to demobilise. The US continued to pursue its war on terror, while Washington's Afghan allies used their newfound support to settle old scores. The former warlords and parties to the civil war of the 1990s won positions in the new administration, using their recently acquired power to enrich themselves and their supporters. People who had previously been close to the Taliban, or who were branded as having been close, found themselves targeted.

The return of the Taliban as a potent insurgent movement would take a few years. Much like their first rise to power in the 1990s, their resurgence was facilitated by widespread public discontent with the new government – the interim council headed by Hamid Karzai, and then his administration. As before, the new mobilisation comprised a conglomeration of local conflicts brought together under one umbrella by former Taliban leaders. Much time and effort was invested in creating a coherent organisation that would work within the Taliban's framework. The leadership circulated several rulebooks outlining rules and responsibilities to be followed, the so-called *Layeha*. The Taliban established a shadow government that looked to feed off the failings of the corrupt government in Kabul and the cultural ignorance of the foreign forces.

Reconciliation?

The Taliban questioned the Kabul government's credibility and legitimacy, seeing it as both installed and controlled by a foreign power. This is why the Taliban saw themselves and the US as the real stakeholders in the growing conflict in Afghanistan – and hence in any reconciliation process towards a political settlement. Their statement regarding the 2009 election is illustrative:

> *Our people surely remember that the Islamic Emirate always maintained that the real decision about the results of elections is made in Washington. The elections are held to throw dust in the eyes of people and hide their colonialist agenda under the cloud of elections.*

The at times seemingly contradictory position of the US towards the insurgency further complicated things. For example, under the Barrack Obama administration, while Secretary of State Hillary Clinton endorsed the idea of talks between the government in Kabul and the Taliban, President Obama announced a troop surge. Post-surge efforts at reconciliation seemed to the Taliban little more than an offer of amnesty in response to their capitulation. As a Taliban statement at the time reveals,

> *contrarily, the Pentagon is at present making preparation for new military operations in Helmand province, south Afghanistan. Similarly, they put forward conditions, which are tantamount to escalating the war rather than ending it. For example, they want the mujahedeen to lay down arms, accept the constitution and renounce violence. Nobody can call this reconciliation.*

Around the time of the surge, President Karzai was calling for the Taliban to lay down their arms and join him. His government established the High Peace Council (HPC) in 2010, tasked with bringing about a reconciliation process, facilitating talks or in any other way supporting an end to the conflict. The Taliban saw the HPC as little more than another organ that worked under the command of the foreign forces. Mawlawi Kabir, a member of the Taliban's central council, explained a few months after the HPC was founded that '[the] peace council is a one-sided entity, having been established to protect their unilateral goals and interests. The council consists of people who practically support the Americans, though they claim being jihadic figures and leaders. But by siding with the American invaders, they had forfeited their credibility.'

Negotiation has only made sense to the Taliban with people they see as holding real power – ie the US. In June 2012 the Taliban announced that they were 'ready to open a political office abroad to reach a peaceful solution of the Afghan issue and understanding with the US'. Over the next year, the Taliban would repeat that it was the 'US which is the true independent counterpart to the Taliban. [...] The Americans have been utilising the Karzai administration as a tool for prolonging their occupation.' A year later the Taliban opened a political office in Qatar, intended as a major milestone in advancing a political process.

The opening of the Qatar office turned into a diplomatic disaster, however, with Taliban representatives speaking in front of the official flag of the Islamic Emirate. President Karzai, who had been negotiating a bilateral security agreement with the US, called off the negotiations and announced that the HPC would not join talks in Qatar as long as the peace process was not Afghan-led. This came as a surprise to the Taliban who in a statement claimed not only that designating the office as an official agency of the Islamic Emirate had been agreed upon beforehand, but that they would maintain their commitment to using the

office as a vehicle to talk with representatives of dozens of countries and members of the HPC. Karzai's outrage over the flag seemed another excuse to end the talks before they had started in earnest.

Despite the breakdown of official contact, the US and the Taliban in 2014 agreed on a prisoner swap. Five Taliban prisoners were released from Guantanamo prison in exchange for Bowe Bergdahl, a US army soldier who had been taken captive by the Taliban in Afghanistan in 2009. But while some hoped that the exchange would result in more talks, little has materialised since. Looking at the official communications of the Taliban, little seems to have changed over the past eight years. In their eyes: Afghanistan continues to be occupied by foreign forces; the US determined the outcome of the disputed 2014 election by negotiating the formation of the Nation Unity Government; new President Ashraf Ghani signed the bilateral security agreement with the US that allowed American troops to stay in the country; and Abdullah Abdullah became Afghanistan's first chief executive. The Taliban saw these changes as more of the same – an illegitimate and corrupt government propped up by the US and others.

In a statement commemorating the 15-year anniversary of Operation Enduring Freedom, the Taliban questioned the foreigners' achievement in relation to their stated goals: to make Afghanistan self-sufficient; to end narcotic production and trade; to form a government according to the will of the Afghan nation; and to establish peace, stability and security in the country. The Taliban stressed that, in fact, in the 15 years of US occupation much had got worse: Afghanistan remained one of the poorest countries in the world; drug production was at a record high; the government in Kabul seemed one of the most corrupt in the world, 'run by thieves and gangs of evil'; and security and justice were non-existent.

Conclusion

In 2015 it was revealed that Mullah Omar, the founder and leader of the Taliban, had died two years earlier. A small group of Taliban leaders had pretended he was still alive and had ruled in his stead. The news of his death saw Mullah Mansour become leader, but the accompanying leadership struggle meant that the enduring differences between the various Taliban networks now began to develop cracks and then the first signs of actual ruptures. A year later, Mullah Rasool announced the first splinter group. Mansour managed to consolidate his hold over the wider movement and introduced significant innovations, even suggesting that he was not ruling out a political solution to the Afghan conflict. But the US assassinated him in May 2016. Mawlawi Haibatullah Akhundzada became the next Amir of the Taliban. Meanwhile, the Islamic State, having achieved international notoriety Iraq and Syria, had started to branch out. The formation of the Islamic State in the Khorasan (ISK) in eastern Afghanistan was announced in 2015. Arguably an outcome of increased internal strife among different jihadi and other militant groups, ISK grew into a formidable foe of the Taliban, which soon found itself in open conflict with the newly formed group.

The Taliban today draw parallels with the situation in the early 1990s when Afghanistan descended into civil war. They see many of the same people in powerful positions around the country, as well as a comparable local security situation and similarly unacceptable behaviour by security forces. The Taliban's narrative of Afghanistan's history casts them in the role of righteous victims. In many ways the Taliban are less exceptional in Afghanistan than many would like them to be. Many of their messages echo the grievances of a significant section of Afghan society, and they remain the expression of a much broader discontent that is anchored in local conflict. No group can survive in Afghanistan without local support, support which can never be won by fear alone. This reality is abundantly clear from the failure of every Afghan government to extend its reach into the hinterlands. And it shows that the Taliban's narrative of the conflict in Afghanistan is not an alternative version of Afghanistan's history, but rather a missing piece of the larger puzzle of how to administer the country peacefully – a piece that remains ignored by much of the West.

Conflict and peace in Afghanistan

A northern, non-Pashtun perspective

Professor M. Nazif Shahrani

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ABSTRACT

Many non-Pashtun communities in northern Afghanistan see the continuing conflict in the country as between 'included' Pashtuns and 'excluded' non-Pashtuns. How can a better appreciation of this perspective inform more effective peace policies?

This article discusses non-Pashtun views of on conflict and peace in northern Afghanistan. Many non-Pashtun communities in the north perceive the current war not as between the Afghan government and an armed opposition, but between Pashtuns and non-Pashtuns. Such an outlook reflects broader ethnic divisions and centre–periphery splits derived from entrenched perceptions of a prolonged, Pashtun-led project of 'Afghanisation' to centralise power in Kabul. Western efforts to support the government in Kabul are understood within the same worldview.

If strategies to address violence in Afghanistan are to gain sustainable traction, they need to acknowledge and account for northern resistance to Pashtun influence and its association with both Kabul and external intervention. A priority from this perspective is to revise commitments to centralised authority enshrined in the 2004 constitution in favour of devolved decision-making to regional institutions.

In November 2017, Hezb-i Islami leader Gulbuddin Hekmatyar declared to his party convention in Kabul that the current war was not 'between the armed opposition and the government', but between Pashtun and non-Pashtun *qawmuna* (ethno-linguistic groups). A month later Atta Muhammad Nur, Governor of the northern Balkh Province and Executive Director of the Tajik Jamiat-e Islami party, defiantly refused his attempted dismissal by Ashraf Ghani, accusing the President of an attempted power grab.

> **"Non-Pashtun grievances among northern Afghans have fuelled rising violence in the region."**

These events are symptomatic of deeper divisions between Pashtuns and non-Pashtuns, and between Kabul and the north. Such splits derive from what many northern, non-Pashtun Afghans perceive as a centralised, Pashtun-led national project of 'Afghanisation' – a legacy of much older processes of state-building by Pashtun rulers with support from foreign colonial powers dating back to the 1880s. The US-NATO intervention from 2001 and support for central government in Kabul has fed into these dynamics. Non-Pashtun grievances among northern Afghans have fuelled rising violence in the region. They need to be acknowledged and accommodated in efforts to promote peace and political reform in Afghanistan. This article discusses northern, non-Pashtun perspectives on conflict and peace in Afghanistan.

Afghanisation

The roots of Pashtun-led Afghanisation can be traced to the Durrani Pashtun Empire (1747–1880), which pursued predatory policies of waging war against weakened Turkic empires in northern Afghanistan. British weapons, political support and annual cash subsidies underwrote the reign of the 'Iron Amir' Abdur Rahman Khan (r. 1880–1901), during which the official boundaries of Afghanistan were established. Abdur Rahman's association with the British undermined his anti-colonial credentials, which encouraged northern communities to reject his rule. Many rebellions broke out in the north in the early 1880s, which Abdur Rahman suppressed through direct force and through administrative, linguistic and cultural violence.

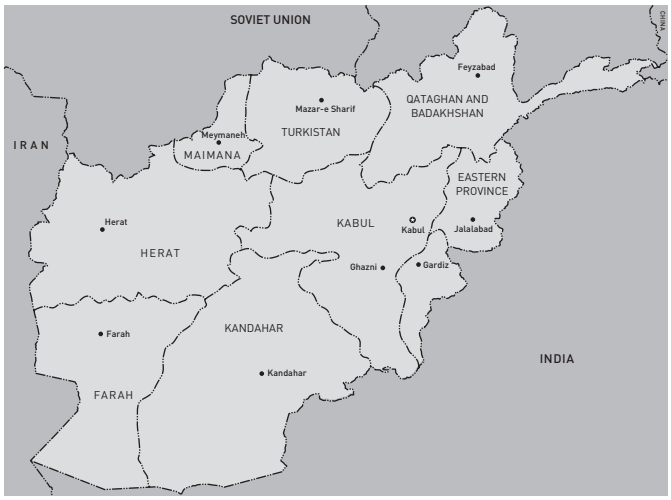
Abdur Rahman's mistrust of northern, non-Pashtun communities drove his policy of Pashtun-centred Afghanisation. Communities of Pashtuns were moved from the south, especially to the north-western regions of the old Turkistan province – today's Faryab, Jawzjan, Balkh, Saripul and Samangan provinces. Thousands of Abdur Rahman's Durrani Pashtun *maldar* (mobile herder) supporters were relocated from Kandahar to Turkistan, Qataghan and Badakhshan, where they were awarded prime pasture and farmland. He also forcibly moved many Ghilzai Pashtun Kuchi nomadic herders and farmers from the Eastern province of Mashreqi who had rebelled against him.

King Amanullah (r. 1919–1929), the grandson of Amir Abdur Rahman, reclaimed the country's independence from the British Raj in 1919. But he paid a great cost in terms of lost subsidies, which hamstrung his ability to implement his reformist projects. A civil war ultimately forced the king's abdication in 1929. Amanullah and his father-in-law, Mahmood Tarzi, were the architects of Pashtun-centred Afghan nationalism. They initiated demographic and cultural hegemony in Turkistan, Qataghan and Badakhshan.

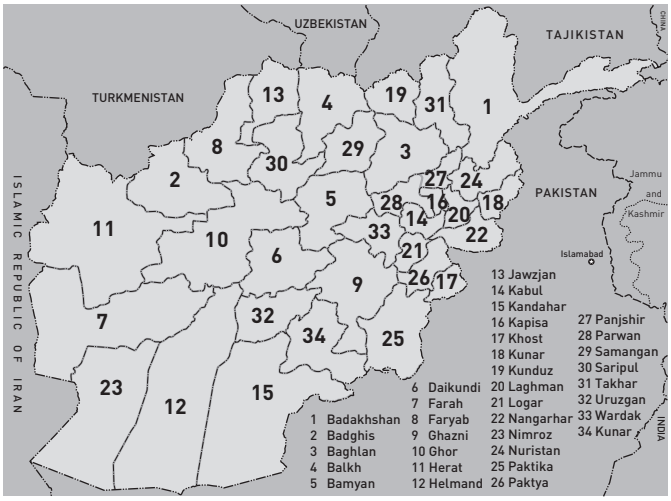
The peoples of these regions were systematically disarmed in 1921, while in 1923 Amanullah's government issued its *Nizamnamayee Naqileen ba Samti Qataghan* edict. This provided for Pashtuns from across the country to resettle in Qataghan province, offering eight *jeribs* (half an acre) or four acres of irrigated land for every male and female member of the family above seven years of age for a nominal fee along with preferential tax benefits. This process continued through the 1930s to the 1950s, under the direction of Wazir Gul Mohammad Khan Momand as Minister of Interior and roving special envoy of the state in the north. He is credited with the destruction of non-Pashtun historic monuments and historical manuscripts, and with changing local vernacular names.

The most significant 'administrative violence' against the peoples of northern Afghanistan was perpetrated by the 1964 liberal constitution, which, ironically, was modified to become the new post-Taliban Constitution of Afghanistan in 2004. In the eyes of many non-Pashtuns in northern Afghanistan, the drafters of the 1964 constitution deployed something akin to Joseph Stalin's infamous 'Nationalities Policies'. The Afghan provinces of Turkistan, Qataghan and Badakhshan were divided into nine new administrative units, Faryab, Jawzjan, Saripul, Balkh, Samangan, Kunduz, Baghlan, Takhar and Badakhshan, effectively destroying common Turkistani and Qataghani identities. Up to the 1978 Communist coup, programmes of Afghanisation continued with large numbers of southern Pashtuns being resettled across northern provinces (*Naqileen*). In the 1990s, these resettled Pashtun 'pockets' in the north became the backbone of Taliban support in re-conquering the region.

The decline of central government control in peripheral parts of the country during the 1980s left Pashtun



Afghanistan, major and minor provinces before 1964.



Afghanistan – provinces in 2016.

communities in the north vulnerable to revenge by local Uzbek, Turkmen, Aimaq and Tajik communities when they became armed and organised as jihadi groups to resist Soviet occupation. Many *Naqileen* left for the safety of Pakistan. The larger Pashtun enclaves in Kunduz, Baghlan and Balkh provinces, however, organised and armed themselves with help from Pakistan-based jihadi parties, both to resist the Communists and to protect their own communities against threats from non-Pashtuns. Land in parts of Takhar and Badakhshan provinces that had been left behind by Pashtuns who resettled was appropriated by their Tajik and Uzbek neighbours.

Following the re-conquest of the north by the Taliban after 1997, Pashtun refugees returned from Pakistan, along with new Taliban soldiers from the south and from Pakistan. The non-Pashtuns who fiercely resisted the Taliban re-conquest of their territories, which they had liberated from the Soviets and Kabul regimes, were also subjected to violent reprisals. The Taliban, however, had collaborators and sympathisers among local mullahs trained in Pakistani madrasas. This ultimately created tensions within the non-Pashtun communities. The Taliban's initial routing from Mazar-i Sharif and subsequent triumphant recapture of the city also resulted in mutual acts of revenge, especially among the Hazaras, further aggravating tension in northern and central Afghanistan.

US-NATO intervention

After 9/11, key commanders of the anti-Taliban Northern Alliance were invited to partner with US and NATO forces to dislodge the Taliban. They were handsomely rewarded in cash and were also well represented at the 2001 Bonn Conference, in Hamid Karzai's Interim and Transitional Administrations and in his first term as President (2002–09). The majority were Panjshiris, with a small number from northern Afghanistan in more marginal and symbolic positions. But Uzbeks and Tajiks were systematically sidelined during Karzai's first term, while some key leaders were assassinated, including former President Burhanuddin Rabbani.

Subsequently, most of the US reconstruction funds have been invested in eastern, southern and south-western provinces where the Taliban are prevalent, with little in the relatively peaceful north. There has also been comparatively less provision of security in the north by the government and its NATO and non-NATO allies. Their belief that the Taliban threat could not grow to include the non-Pashtuns has proved wrong, however. Neglect of the north, combined with rampant corruption, graft and ethnic infighting within the state administration, has resulted in reduced opportunities, breeding distrust and anger especially among non-Pashtun youths.

This challenging environment left young men in northern provinces with limited choices. Many from impoverished rural villages went to Pakistan to study in Deobandi madrasas. Others left for Iran as (unwanted) migrant labour, or joined the Afghan army or police in proportionately large numbers compared with other parts of the country. Based on the author's long-term observations in Badakhshan, most recently in July 2017, such conditions have created ideal grounds for Taliban and also *Daesh* (Islamic State in Khorasan – ISK) to recruit disgruntled non-Pashtuns by appealing to their sense of Islamic justice.

Often, for northern non-Pashtun populations, the past has seemed to repeat itself. Similar to the 1921 disarmament initiatives in Qataghan and Badakhshan, non-Pashtuns in the north have been asked to surrender their heavy weapons as part of disarmament, demobilisation and reintegration programmes. Also reflecting Amanullah's Naqileen programme of 1923, the Taliban and post-Taliban governments facilitated the return of larger numbers of Pashtuns to the north, among them many Taliban fighters.

Pashtun maldar camping near Lake Shiwa, Badakhshan, summer 2009.
© Nazif Shahrani

Pashtun refugee resettlement programmes since 2002, combined with poverty and increased tensions between Pashtuns and non-Pashtuns, are viewed by many locals in the north as the visible consequences of outside interventions by the US and its allies. A detailed 2010 study by the Afghan Analysts Network, *The insurgents of the Afghan north*, stressed that terrorist violence in the north was confined to Taliban attacks launched from the safety of 'Pashtun pockets', primarily in Kunduz and Baghlan provinces.

Rising violence in the north

The Taliban have exploited evolving circumstances in northern Afghanistan to their advantage. President Karzai, like the Iron Amir and Wazir Gul Mohammad Momand, saw resettled Pashtuns in the north as local allies for his government and was reluctant to confront them. Local non-Pashtuns came to believe that governors in Kunduz and Baghlan provinces appointed by Karzai and later Ghani were protecting the Taliban and their supporters. Such policies have increased tensions within the government between Pashtun and non-Pashtun officials, such as Governor Atta and other northern leaders who now accuse Kabul of complacency about instability in the north. Events like Atta's dismissal or the defamation and exile of General Abdul Rashid Dostum have helped to widen the trust gap between Kabul and the greater north.

The persistent undermining of the social contract between Afghan governments and their *ru'aya* (subjects) has a long history. To avoid contact with alien, oppressive and corrupt officials, people in the north have relied on their mosque-based communities of trust to resolve their conflicts, instead of taking them to the government. These parallel power structures have shielded communities from predatory government agents and have served them well after repeated failures of the state since the 1980s. Such kin- and shari'a-based social units are the most valuable, often democratic local institutions for maintaining order and stability – not only in the north but nationally. Indeed, the Taliban have used them for administering justice to their own political advantage.

These same local communities of trust in the north also played crucial roles during the successful anti-Communist jihad of the 1980s, and then in the anti-Taliban resistance of the 1990s. The political economy of Pakistan-based jihadi political organisations sponsored by the Inter-Services Intelligence (ISI), however, intentionally created ethnic fissures among resistance groups. Pakistan did not support the formation of Uzbek or Turkmen-led jihadi resistance movements, permitting only one Tajik-led organisation – the Jamiat-e Islami of Burhanuddin Rabbani, a native of Badakhshan.

Pakistan's policy has had very negative consequences in the north. ISI funding enabled Pashtun-led jihadi organisations such as Hekmatyar's Hezb-i Islami and Abdur Rabb Rasul Sayyaf's Itihad-i Islami to sponsor disgruntled Tajik and Uzbek fronts, in order to rival Jamiat-e Islami throughout greater northern Afghanistan. Turf wars between Hezb-i Islami and Jamiat-e Islami commanders have led to violent conflict with tragic consequences and to lasting tensions. Also, in the absence of external Muslim patrons supporting Uzbek-led Islamic jihadi fronts, some Uzbek leaders such as Rashid Dostum had previously joined the Communist militia to protect their own communities, adding to new conflicts within the Uzbek and Turkmen communities. Today, the Taliban and the Kabul regime alike exploit such these societal fissures in the north.

During the Taliban's triumphant re-conquest of much of the north (1997–2001), in addition to their natural partners in the Pashtun pockets, they also found allies among mullahs and madrasa students. The Afghan Analysts Network 2010 report stated that an estimated 70 per cent of mullahs and over 90 per cent of madrasa teachers in the north had been trained in Pakistan. A number served in or collaborated with the Taliban administration. After the US and NATO intervention of 2001 and especially since 2009, the Taliban have been successful in mobilising young Uzbek, Turkmen, Aimaq and some Tajik mullahs to join their ranks in a number of provinces, especially in Takhar and Badakhshan in the north-east and Faryab and Jawzjan in the north-west. The credibility of Kabul's international patrons among the peoples of northern Afghanistan has also been dwindling, while the diminished circumstances of especially youths in rural mountainous and less accessible districts has made them attractive targets for both Taliban and ISK recruitment.

The Taliban have changed their earlier tactics, now looking beyond reliance on ethnic Pashtuns and instead pitching an Islamic message to question the legitimacy

of 'corrupt', puppet regimes in Kabul and their Western 'infidel' patrons. They have succeeded in garnering support among disenfranchised and marginalised young Pakistani-trained mullahs and madrasa students, and since 2009 in organising non-Pashtuns to form local Taliban fronts in remote parts of Badakhshan, Takhar, Faryab and Jawzjan provinces. The Taliban have integrated Uzbek, Turkmen, Aimaq and Tajiks within their ranks, appointing them to command local units and also to serve in their shadow government.

Today, foreign fighters have relocated from Pakistan to Badakhshan and Faryab provinces, including members of the Islamic Movement of Uzbekistan, Tajik, Chechen and other jihadis. The Taliban has been recruiting non-Pashtuns, substantiating government claims that the violence in Afghanistan is not an exclusively Pashtun phenomenon. At the same time, Pashtun Taliban fighters from Pakistan and southern Afghanistan have also moved to Turkistan, Qataghan and Badakhshan – thereby appearing to continue the long-term project of Pashtun-centred Afghanisation in the north. For some non-Pasthuns in northern Afghanistan, this process has, intentionally or not, progressed in conjunction with coalition forces. So what are the options to address such challenges?

Conclusion: constitutional conflict resolution?

The project of Pashtun-centred Afghanisation is the product of Afghanistan's problematic political culture, based on prevailing ideals of highly centralised authority, reliance on kinship and tribe, and instrumental abuses of Islam by powerful, foreign-backed elites. These ideals and practices have been inscribed and justified in all national constitutions since 1923, and affirmed most recently by the 2004 post-Taliban constitution. Addressing them requires appropriate constitutional amendments. These are unlikely to be volunteered by Pashtun powerholders without active external encouragement, however.

The 2004 constitution, like all previous constitutions, denies local Afghans the ability to elect their own governors, mayors and district officers, or to recruit their own professional administrators. The principles of community self-governance that could transform the peoples of Afghanistan from being subjects (*ru'aya*) to empowered citizens (*shahrwand*) has not been prioritised. Recruiting civil servants with local accountability, for example vetted by local *shuras* (elected councils) or committees of peers, can reduce pervasive nepotism and corruption, dilute identity politics and bridge the trust gap between state and society. Indeed, having elected governors could ameliorate the current crisis in Balkh province with Governor Nur.

The existing constitutional provision giving Afghan presidents seemingly royal powers to appoint and remove all government officials, especially at the municipal, district and provincial levels, should not be condoned. If the international community's desire is to enhance long-term security and stability in Afghanistan, it must overtly advocate appropriate amendments to the constitution. In its current form, it is part of the problem – exacerbating conflict and ethnic division.

Section 2
Looking forward

Peace initiatives

Section 2 of this publication looks at priorities for peace initiatives in Afghanistan, which can represent critical junctures to move away from violence and towards a different political future.

Peace initiatives need to be carefully planned and managed to seize opportunities appropriately and engage different constituencies – armed and unarmed – with an interest in their evolution and outcomes. The global political climate and the regional landscape have both shifted recently for Afghanistan. The economy is growing and the broad consensus on the military stalemate between the Taliban and the government places emphasis on talks towards a new political settlement.

Discussions of peace initiatives for Afghanistan have tended to lack practical detail, however. Themes covered in Section 2 look to flesh some of this out. These include: elements of a political settlement – priorities for peaceful progress; women's participation; perspectives on peace options presented by different Taliban caucuses and by its Political Office in Qatar; integrating military and political strategies; brokering local political settlements; lessons of local peacebuilding; and options for international support for a political process..

Agreeing a new social contract is key to peace in Afghanistan. Michael Semple examines the fundamental issues that need to be addressed and the prospects for these being renegotiated successfully as part of a peace settlement. Fundamental issues include, among others: security, respect and basic needs for combatants and victims; property, economic rights and the illicit economy; the structure of government and consolidation of electoral democracy; and ethnicity, social inclusion and equality of opportunity. Impediments to progress include a severe lack of trust in formal processes and agreements, and the dual system of governance in Afghanistan – with the government running the main population centres and the Taliban much of the countryside. A single, comprehensive peace agreement to agree a new social contract is unlikely. A more viable alternative would involve an incremental, phased approach that builds confidence over time. Early agreement on a pause in the fighting is the best way to facilitate a sustained process of dialogue and reform.

Leaders of five Taliban caucuses provide their perspectives on possibilities for a peaceful political future for Afghanistan, in conversation for *Accord* with Anna Larson. Groups are roughly differentiated by region but are otherwise anonymous. All groups currently self-identify as Taliban and belong to the central Taliban movement, although some have expressed the desire to become autonomous from it. Conversations occurred in person in early 2018 at an undisclosed location outside of Afghanistan as part of wider talks with a group of high-level actors representing several countries, including Afghanistan and the United States, about the de-escalation of violence and potential for reconciliation with the Afghan government. Taliban representatives were senior commanders or influential local leaders. Topics include what the Taliban are struggling for, caucuses' relationship with the 'main Taliban', political vision for Afghanistan, possibilities for agreement with the government, and democracy and Islam. Views between the caucuses differ, but an attempt has been made to summarise common positions in the statements.

Debate around women's role in peace processes is especially intense in Afghanistan. **Sippi Azarbaijani-**

Moghaddam asks how Afghan women can achieve positive results from peace talks with the Taliban. Women were largely excluded from the Bonn process, but have since made significant gains in rights and political participation. But opportunities for women remain limited and women's rights defenders are wary that negotiations with the Taliban will lead to further losses. Women already make key contributions to local peace initiatives, however, and the possibility now exists for women to engage in and affect the course of a national peace process. Afghan women encompass a spectrum of interests. Many from rural communities see ending violence rather than gender equality as the priority. Reaching out to different female and male constituencies is key to building broad support for women's issues. Constructive progress will require Kabul-based women's activists acknowledging signs of change among the Taliban and engaging in dialogue with them to explore potential areas of mutual interest and accommodation.

Ambassador Douglas Lute reflects on how US political and military strategies could be integrated to support a peaceful political settlement in Afghanistan. Contrasting interpretations of stabilisation led to a flawed US strategy to degrade Taliban and build Afghan capacity to use force. The efficacy of the 2009 military surge was undermined by deploying troops to the wrong areas for the wrong reasons, and by a lack of complementary political action. Decision-making at key moments of political-military tension was often driven by US domestic political priorities. Inconsistency was exemplified by the killing of Taliban leader Akhtar Mohammad Mansoor in 2016, rather than seeing him as a potential interlocutor in dialogue. Ultimately, the US leadership struggled to make an explicit statement that the primary means to be used in Afghanistan were political, not military, and that the military was required to support political action.

The Taliban's Political Office in Qatar has a potentially significant role to play in any peace process in Afghanistan. **Spokesman for the Taliban Political Office, M. Suhail Shaheen, provides a statement for *Accord* on the Office's perspective on pathways towards a political solution to violent conflict in Afghanistan** – for a negotiated end to the violence and inclusive governance. The statement discusses prospects for negotiation as the best means to end the war in Afghanistan and resolve issues peacefully, and addresses key challenges such as foreign occupation and different frameworks for dialogue with both Washington and Kabul.

Julius Cavendish draws lessons for future peacemaking in Afghanistan from local settlements negotiated in Helmand Province in 2006 and 2010. These show that even in the midst of very violent conflict, peace is possible in Afghanistan. The peace deals in Musa Qala and Sangin districts ultimately collapsed. But some common factors that facilitated their short-lived success offer practical lessons for the future, in particular: identifying legitimate brokers; empowering local communities; honouring commitments; coordinating military and political strategies; and acknowledging the limits of central government support. These local examples offer further insights for national-level settlements – that there are opportunities to shift perceptions of the conflict sufficiently to widen political commitment for reconciliation, and to build popular appetite to negotiate a revised and more inclusive social contract.

Jawed Nader and Fleur Roberts provide further insights into the potential of local peacebuilding to contribute to inclusive peace in Afghanistan. Local peace councils have played essential roles in resolving disputes and supporting justice, working with traditional *jirgas* and *shuras* to fill gaps in the formal justice architecture. Religious actors' influence also has a key function to mediate local conflicts. Neither of these institutions should be idealised. But linking up with NGOs in joint peace initiatives has brought mutual benefits, for example in enhancing women's involvement, and has helped to multiply gains in preventing local violence. Community-based peace initiatives can help connect local agency to formal peace structures and processes – for example local peace councils sharing conflict analysis and mitigation planning with provincial and high peace councils. This would also help to ground national peace architecture, which at present is widely perceived as remote and ineffective.

A political solution to the armed conflict between the Afghan government and the Taliban must be Afghan-led. But international support is essential to build momentum and resilience. **Ed Hadley and Chris Kolenda explore how international partners can provide effective support for a political process in Afghanistan.** There is a compelling moral and practical case to convince Western allies to use their collective leverage to persuade conflict parties to engage in talks. A viable approach must acknowledge the multi-tiered realities of the war, operating nationally, bilaterally and regionally, and also the incremental political logic of conflict resolution, working through a step-by-step process from informal dialogue and confidence-building, to military de-escalation and formal negotiations. Lessons from past peacemaking efforts stress the need for: 1) a peace *process* necessitating a long-term commitment; 2) strategic prioritisation, to coordinate activities towards a common political goal; and 3) third-party facilitation, excluding external states currently operating in Afghanistan.

Elusive settlement in Afghanistan

Ten priorities for peaceful progress

Professor Michael Semple

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ABSTRACT

Agreeing a new social contract is key to peace in Afghanistan. What are the priority issues that need to be addressed and what are the prospects for renegotiating these as part of a peace settlement?

Ten priority issues include: the preservation of national unity and Afghan identity; international military forces; security, respect and basic needs for combatants and people affected by conflict; state-citizen relations and the role and privileges of elites; inclusive security reform; property, economic rights and the illicit economy; structure of government and consolidation of electoral democracy; promoting Islam and religious freedom; judiciary and legal system; and ethnicity, social inclusion and equality of opportunity.

Fundamental challenges to renegotiating a renewed social contract in practice include a severe lack of trust in formal processes and agreements, a prevalent perception that national institutions are corrupt and partisan, and the dual system of governance in Afghanistan – with the government running the main population centres and the Taliban much of the countryside. A single, comprehensive peace agreement to agree a new social contract is unlikely to be achievable in Afghanistan. A more viable alternative model would involve an incremental, phased approach that builds confidence over time.

A dialogue-driven programme of implemented reforms and carefully nurtured cooperative relations has potential to address the root causes of the conflict. The best way to shape the conditions conducive to such a sustained process of dialogue and reform would be to agree a pause in the fighting early on. Conflict parties wishing to participate in such a sustained peace process would need first to sign up to the suspension of violence.

Introduction

One powerful way of explaining the persistence of violent conflict in Afghanistan is the break down in the social contract, which was precipitated by the two coups of the 1970s – led by Daud Khan in 1973 and the 1978 Saur Revolution. Ostensibly the forty years of war since 1978 have been driven by contested ideological transformations of the state, by Communists and Taliban, and by the resistance to foreign intervention.

But with the disappearance of the *ancien regime*, Afghans have also contested their place in society. Ethno-linguistic groups, rural and urban communities, and clerical networks have all aligned themselves in the conflict as a way of staking a claim to elevated status in the eventual new Afghanistan. Therefore, achieving a lasting peace may depend upon Afghans agreeing a renewed social contract which locates every citizen relative to the state and the rest of society. Such a renegotiated social contract would require addressing fundamental issues which have been ignored in previous attempted settlements.

There are formidable challenges inherent in attempting to resolve the core contested issues. First, there is a major trust challenge. Successive peace and power-sharing agreements in Afghanistan have been 'honoured in the breach'. The tradition of unwritten rules and informal agreements poses a challenge to the transparency of any settlement process. Parties to the agreement could reasonably ask whether there is some informal agreement which contradicts the terms they have just agreed.

National institutions are routinely criticised as partial, corrupt or ineffective and the prestige of the international community has been damaged by persistence of conflict and instability despite an intervention. This means that any proposal to establish new institutions as part of a settlement risks lacking credibility. Existing state institutions have been under permanent reform for a period of nearly twenty years, which means that further promises to reform deserve a degree of scepticism.

A dual system of governance is in effect operating in the country, with the Afghan government running the main population centres, while the Taliban operate their Islamic Emirate in much of the rural hinterland. Thinking about a settlement usually starts from the assumption that the Taliban will accept and be absorbed into the Kabul-based state. However, the Taliban have yet to be persuaded to go along with this. The parties take their positions informed by an idealised self-image and a vilified image of the other side.

Even the question of which parties should get a seat at the table for negotiating the settlement is complex. The Taliban are the main armed opposition. But most of the grievances they articulate against the Kabul government are owned by others. A settlement of the big social and economic issues could not meaningfully be attempted among the fighting groups. Rather, it would require broader participation of political stakeholders, alongside the representatives of the combatants.

Thought about a settlement in Afghanistan has been shaped by exercises such as the Bonn Agreement, in which negotiating parties held time-limited talks and produced a compact written agreement. However, alternative models may be better suited to pursuit of agreement on the underlying conflict issues. An incremental approach in which agreement was phased would allow for confidence-building measures over time to increase the parties' willingness to consider ambitious measures or embrace compromise. Such an approach would recognise the importance of rebuilding relationships between the parties in expanding the possibility of agreement.

Ideally, the ending or reduction of violence, through some version of an interim ceasefire, would be agreed at an early stage. The pausing of violence would represent the single most important confidence-building measure to help launch dialogue on the core issues. Rather than involving a single text, such as the Bonn Agreement, an incremental peace in Afghanistan might consist of a series of agreements, sequenced from easy to hard, with agreed reforms and confidence-building running in parallel, over a period of years.

We can identify some of the substantive issues which would have to be addressed by any broad settlement which attempted a lasting end to the conflict. Some of these could be addressed early as confidence building-measures, while others would be more appropriately addressed in a final settlement. Significantly, the vast majority of issues which can be expected to be addressed in a settlement process are issues among Afghans. International interest is confined to a small subset of issues, such as counter-terrorism, and to the general concern that there should be a lasting agreement.

The observations below represent the issues which we can anticipate Afghans will bring to the peace agenda. Reaching a lasting settlement on a broad agenda would be challenging. However, a well-handled settlement process should generate benefits from the outset. The fact that the Taliban and other Afghan parties were engaged in a dialogue aimed at reaching a settlement should undermine the case for political violence long before that settlement is finalised. Significant to achieving progress towards peace is to identify potential areas for positive-

sum outcomes on respective issues as bases for dialogue and accommodation.

1. Preservation of national unity and Afghan identity

Reaffirmation of commitment to the Afghan national state and its territorial integrity could be an important part of a new social contract. Afghans often express concern that the conflict undermines sovereignty. Therefore, agreement to preserve Afghanistan as a single political entity, with Kabul as its capital, in which all citizens of the country's multiple ethnic groups have a stake and accept state authority, would be an appropriate way of symbolising the conclusion of the conflict and a starting point for building a broader settlement. Agreement on principles of national unity should be attainable because, in the Afghan political tradition, major players have to protect themselves from being anti-national.

Key practical measures which could give expression to an agreement on national unity concern the national army and police. These are the institutions, visible to all citizens, which most readily symbolise the state. From the perspective of preserving national unity, rather than the more narrowly-focused security sector reform it would be important to win the confidence of all parts of Afghan society in the army and police, to allow members of their communities to enlist. Another sovereignty-related issue which could be tackled incrementally is that of facilitation of the accelerated return of refugees, in particular from Pakistan.

More ambitious measures could be put on the agenda, such as reverting to the historic Afghan institution of a non-executive head of state, whose office is designed to symbolise and actively nurture national unity – a revered figure, above the fray of divisive power politics. Perhaps the most ambitious national unity issue is that of the Durand Line. The informal consensus has long been that it would be politically impossible for any Afghan government to confirm that Afghanistan recognises the Durand Line as the frontier with Pakistan. However, it is not inconceivable that Afghans could eventually build a consensus in favour of ending this irritant with Pakistan as part of the price for a lasting end to conflict.

2. International military forces

Ostensibly the Taliban's principal *cause de guerre* throughout their post-2001 insurgency has been withdrawal of international military forces and they have previously criticised peace offers from the Afghan government for the lack of reference to the fate of these forces. However, this Taliban claim to be fighting against foreign forces obscures the extent of consensus on the future of such intervention. Basically, the international troop presence is a temporary phenomenon irrelevant to the eventual Afghan social contract.

Insofar as there are real differences about the international forces, these concern the timing and sequencing of eventual withdrawal. As long as the Taliban are determined to sustain the conflict, they can be expected to demand, but never obtain, a withdrawal timetable for international troops. But if the Taliban were to prioritise participation in a national dialogue process, backed up by a ceasefire, they could reasonably expect some form of statement of principles around conditions-based withdrawal.

The winding down of international combat operations andeventual withdrawal of combat forces would shift from being a precondition of talks (the original Taliban position) to being an outcome of the stability generated by peacemaking. International military forces have long posed a dilemma for the Afghan parties associated with the Kabul government. The international and specifically United States presence has been a sine qua non for survival. But within Afghan political culture, any association with such forces invites the accusation of compromising on Afghan sovereignty.

Therefore, Taliban and Kabul actors alike could be expected to appeal to their constituencies by agreeing symbolic clauses asserting that the presence of international forces was subject to sovereign Afghan decisions and calling for an early withdrawal of combat forces. But shared interest in self-preservation among all Afghan parties to a deal may make them flexible on timetable and even the possibility of residual presence and military assistance. The irony is that the US could end up being more eager to end its military presence than some of its erstwhile adversaries who have long demanded a pull-out.

3. Security, respect and basic needs for combatants and people affected by conflict

The Taliban leadership has generally taken the position that their combatants are selfless and that the issue of their welfare is not a central war objective. However, away from the rhetoric Taliban representatives have repeatedly explained the importance of ensuring that their cadres win credible guarantees of security and non-persecution, a respectable status and some hope of a livelihood if they are to be expected to back any settlement. Their ambitions go well beyond a simple reintegration package, with its focus on individual material well-being. Taliban basically hope that their living fighters will be honoured as having defended Islam and their fallen should be considered martyrs. Given the way that both sides have demonised

each other, a settlement would require a formula of mutual respect for the ex-combatants and fallen.

There is ample scope for incremental measures to assure ex-combatant status and rights in advance of a general settlement. The Kabul authorities have experience of materially-oriented reintegration schemes. Domestically, these have not been particularly controversial because they do not seem to threaten any vital interest. But they have typically been poorly targeted and subject to misappropriation. For reintegration measures to help keep the Taliban ranks in line during progress towards a general settlement, reintegration would have to managed to benefit bona-fide ex-combatants, rather than those administering the programme. Who controls the patronage power inherent in a resource-intensive reintegration scheme should be addressed explicitly rather than left to default. Taliban can be expected to focus on the issue of prisoners. A phased and possibly conditional programme of releases would be an entirely appropriate early measure in a settlement process, with the advantage that the parties could agree to limit the facility to those militants whose groups were practically cooperating in the reduction of violence.

Reconciling the different parties' narrative around the conflict and protecting the ex-combatants from being dishonoured or harassed by security agencies would require more delicate compromise than material reintegration. The eventual compromise narrative might acknowledge the sacrifices of all Afghans who fought for an idea of the religion and the nation. Any such agreement, in addition to reconciling the adversarial portrayals of the combatants, would have to address the issues of victim rights. The Taliban's involvement in mass-casualty attacks renders it all the more challenging for any negotiating party to concede the kind of respectability which they crave. This underlines the importance of sequencing. A decisive Taliban role in ending political violence would be the most effective way in which the movement could strengthen its fighters' case for moral rehabilitation.

4. State-citizen relations and the role and privileges of elites

Although rarely acknowledged explicitly, Afghanistan has experienced its own version of the global anti-elite insurgent sentiment. One explanation of the willingness of the latest generation of fighters to sacrifice themselves is as a protest against the sense of powerlessness and alienation from the elites of Kabul and the armed opposition alike. In their origins, the Taliban tapped into this sentiment as their movement's base of support in the madrasas was socially marginalised. The Taliban consciously cultivated an austere, Spartan image, juxtaposed to the luxury and ostentation of Afghan urban elite culture. Under US protection, since 2002, Afghanistan's political and economic elite has massively enriched itself. It has taken ostentatious consumption to unprecedented levels and competed over the trappings of power, such as aggressive security escorts.

If the elites were to get an opportunity to negotiate a settlement, it would be prudent for them to include on the agenda provisions to curtail some elite privileges, rebalance state-citizen relations and counter the inevitable criticisms that the settlement is just another elite deal. Drafters would be challenged to find measures to create an impression of an 'Afghanistan fit for heroes' – one offering a stake to the socially marginalised who have joined the successive armed groups. Relatively uncomplicated measures could include the development of codes of conduct for public representatives and, in parallel, a decentralised ombudsman system, holding public officials and representatives to account for their dealings with citizens. The latter could potentially capture and redirect some of the spirit of the old Taliban idea of moral police. This time they would encourage correct behaviour in the elites rather than the populace.

5. Inclusive security reform

Security sector reform (SSR) has been pursued in one form or another in Afghanistan since 2002. However, a new political settlement would require another round and would involve a significantly different political calculus from the SSR undertaken after the Bonn Agreement. In the first place, few parts of the Taliban military could be merged with the regular state forces. Despite the effective guerrilla and terrorist campaign which they have waged, most of the Taliban forces will be uninterested in integrating into regular units and would prefer either to operate as militia, if they can, or to disband. However, as security forces are perceived as both a source of patronage and a guarantor of political position, Taliban could be expected to seek ways of inserting some of their supporters into security forces' hierarchies.

Meanwhile, as the conflict winds down a radical downsizing of security forces is likely to accompany the settlement. Kabul-aligned parties would most likely try to resist this as a curtailment of their access to patronage. This impending loss of patronage would ensure that any mediator trying to broker an agreement on SSR would find the challenge of getting the Kabul-aligned parties on board as daunting as that of agreeing the Taliban's path to disbandment.

The Taliban could be expected to delay disbandment as long as possible as a way of hedging, but only as long as they are able to access resources to hold their forces together. Meanwhile, the most serious discussion would be over control of the security apparatus as Taliban would

start from the assumption that hostile, anti-Taliban elements were well-ensconced in the intelligence service and apt to use their institutions to target then, even after a settlement. The interests of a durable settlement would require some effective safeguard against such action.

6. Property, economic rights and the illicit economy

All parties to the conflict have pursued economic objectives but have rarely declared them candidly. The conflict economy, especially the narcotics trade and illicit mining, has been fundamental to sustaining the fighting. The restricted access to the benefits of post-2002 economic growth has also contributed to popular grievances and sense of exclusion, and popular support for the insurgency. For the settlement to contribute to a lasting peace it should contain strong economic clauses which facilitate the transition from the conflict economy and create a sense of a popular peace dividend.

However, securing agreement on progressive economic causes will be complicated by the fact that key figures on both Taliban and pro-government sides, whose participation is important to the viability of any agreement, have a stake in the conflict economy. For easily attainable measures, there is ample scope for declarations of intent and principles around the transition from the war economy. For example, plans to keep roads open and free of illegal taxation and to re-centralise the revenue would be popular.

Land in both rural and urban areas has become a key factor in the conflict economy. Power-brokers exploit their position to conduct major land-grabs and cash in on the chaos in ownership rights resulting from four decades of conflict. The Islamic Emirate authorities are deeply involved in land ownership issues. In southern Afghanistan they have been embroiled in what amounts to a land reform to privatise state land, and have seemed heedless of the historical irony that the 1978 Communist land reform helped trigger the conflict.

A settlement could obtain some popular appeal by pledging to restore merit in land tenure. This could be operationalised by halting land grabs, restoring stolen land and ensuring that any new land grants went to the deserving. A settlement could usefully include another overhaul of the cadastre, updated property registration and a transparent way of adjudicating disputes.

The peace dividend would be most attainable from expanded public infrastructure investment and employment growth in fields such as minerals development. The Afghan government already has a vision for economic development but the violence has limited opportunities to realise it. The challenge in building a settlement would be to accelerate projects in response to reduction in violence and thus create a sense of momentum.

Looted wealth could reasonably be put on the agenda because of the widely-held perception that since 2001 the Kabul elites have abused their power to grab contracts and accumulate assets. The elites of Kabul and Quetta alike can be expected to try and protect their gains as they have repeatedly done in the face of public scandals such as the failure of Kabul Bank. However, an astute mediator or even a Taliban delegation could push for some form of commitment to recover illegally acquired assets, perhaps complemented by a conditional amnesty.

The opium economy and trafficking present a classic dilemma, given that both the Taliban leadership and elements of the Kabul government are deeply involved. The Afghan parties could be expected to make some declarations of intent to wind down the narcotics economy while avoiding binding commitments. However, here too an ambitious mediator could canvass innovative options such as temporary amnesties for the proceeds of organised crime, or pledging to devote the proceeds from any clampdown on organised crime to fund popular welfare activities.

7. Structure of government and consolidation of electoral democracy

The nature of the political system is a fundamental issue on which the Taliban and representatives of the Kabul government have adopted opposite public positions. The Taliban leadership have called for replacing electoral democracy with a '*shura* system'. The Afghan President's offer to the Taliban has been to let them become a political actor and participate in the existing Kabul-based system, implying acceptance of electoral democracy. Any compromise would require some major reverses of positions.

The implication of the Taliban position is that they would re-impose their old Islamic Emirate idea, perhaps granting other parties some right to participate in a consultative council as implied by their adoption of the term '*shura* system'. However, few in the Taliban movement seriously believe that they have any prospect of imposing such a settlement because no other political grouping would accept the authority of a Taliban Amir. On the other hand, Afghan democracy since the Bonn Agreement has been deeply flawed. Nevertheless, no viable alternative to electoral democracy is available to address Afghanistan's requirements for peaceful political succession, the allocation of shares of representation and power and conferring a popular mandate.

Interim measures which the parties could adopt could provide for non-elected presence for the Taliban in political structures, a move designed to give them a visible stake in the system. There are multiple options, including co-option into the Senate, establishment of purpose-built bodies, such as a *jihadi ulema* advisory council and incorporation into the higher judiciary and judicial administration. This co-option route for the Taliban is important because, with conditions normalising and violence falling, they are unlikely to have much success in electoral politics.

Confidence in the electoral system is important for all Afghan parties, probably more so for the Kabul-linked parties than for the Taliban. Implementing credible reforms has proved a lot more difficult than agreeing to do so. However, a reduction in the level of violence would remove one of the key barriers to implementing integrity measures and broadening participation in the elections. Thus, the first bargain around the political system would entail sufficient symbolic affirmation of the system's Islamic credentials to allow the Taliban to endorse the role of elections and unlock progress towards full implementation of electoral reforms. Parties with a popular base would be free to contest elections while the Taliban's stake in the state would be secure independent of the electoral contest.

On the basic structure of government, it remains unclear whether agreement will be attainable. The challenge is exemplified by the failure of the National Unity Government to introduce the constitutional reforms which it had pledged in order to formalise the position of Chief Executive. There is a credible case that Afghan pluralism would be best served by an empowered executive requiring a majority from the parliament. However, agreement on rebalancing power between the President and parliament has been elusive. This is because there is a strong political tradition (to which the Taliban probably subscribe also) of asserting the indivisibility of power and the need to concentrate power in the presidency.

8. Promoting Islam and religious freedom

The Taliban say that they are committed to imposing an Islamic system of governance. However, it is far from clear what substantive changes they envisage. The other Afghan parties point to the Movement's 1996 to 2001 track record to warn of authoritarianism under the guise of Islamisation. However, the Taliban commitment to Islamisation is organic rather than merely rhetorical. Fighters still believe that their role is to Islamise a system which is tainted by corruption and westernisation. The Afghan government's position, apparently shared by most Kabul-linked groupings, is that the political system is already appropriately Islamic and that any political agreement must safeguard the fundamental freedoms in the constitution.

The place of Islam in the state is one of those areas where the sides have asserted their differences. However, as in the case of national sovereignty, progress to a settlement can be achieved by refocusing on the areas of possible consensus. The parties could seek additional symbolic ways of signifying the Islamic character of the state, similar to the way in which the 2002 *Loya Jirga* adopted the name Islamic Republic.

“There is a credible case that Afghan pluralism would be best served by an empowered executive requiring a majority from the parliament. However, agreement on rebalancing power between the President and parliament has been elusive.”

Not only the Taliban, but much of the population which identifies as religious has been alienated from the post-Bonn state by aggressively disrespectful security personnel and officials, and prejudice against cultural symbols such as the beards and turbans favoured by Pashtun men in the Taliban's heartland. At the most basic level the grievance is that if you are dressed like a rural Pashtun you are apt to be hassled at check posts and more likely to be singled out for arbitrary detention. The Taliban have successfully conflated such prejudice with un-Islamic behaviour and mobilised to defend Islam. Dialogue among the parties could seek concrete measures to combat prejudice and promote 'parity of esteem'.

A further way for the Taliban to maintain their commitment to Islamisation and contribute to a progressive settlement would be to redirect their critique of the current state of affairs from the constitutional order to actual practices in governance and judiciary. In this way, the Taliban could position themselves as reformers and update the narrative for their supporters – the supremacy of Islam requires the implementation of the constitution, which is already rooted in the *Shariat*, not the overhaul of that constitution. The Taliban could guide their cadre to focus on the pursuit of security, justice and prosperity as the essence of Islamic wellbeing. Likewise, drafters of a settlement could focus on measures to promote the 'Islamic good-life' where public positions already overlap, such as commitment to universal education access.

9. Judiciary and legal system

The judiciary is highly contested in Afghanistan and

exemplifies the problem of dualism. De facto, Afghanistan now hosts two judicial systems, one answerable to a Supreme Court in Kabul and the other answerable to a group of clerics based in a madrasa in Quetta. Both sides project idealised versions of their judiciary. The state judiciary is meant to be law-based, accountable and adapted to the modern economy, while the Taliban portray their judiciary as *Shariat*-based, incorruptible and capable of delivering 'speedy justice'. The reality of both systems departs from these ideals. Corruption has become endemic in both judiciaries and the Taliban stand accused of arbitrary judgments and lack of independence from their armed forces.

The Taliban approach to the judiciary in a settlement is likely to focus as much on the question of who controls the judicial and legal system as on the guiding principles used by the judges. To have popular legitimacy, the settlement would have to reunify the national judiciary and address chronic problems of integrity and timeliness. One approach to integrating the lower judiciary and coping with Taliban demands to accommodate their cadre would be to establish a *Shariat*-based small claims court which could adjudicate many of the cases that people already voluntarily take to the Taliban. However, some of the politically contentious issues around the judiciary in the settlement would be control over judicial appointments, the jurisdiction over land and property and overcoming barriers to entry for qualified Taliban jurists seeking to join the state judiciary.

10. Ethnicity, social inclusion and equality of opportunity

Provisions to reinforce a sense of inclusion for all social groups will be a critical part of any enduring settlement. But they can also be anticipated to be one of the areas presenting formidable challenges in agreeing the settlement. There is a gulf between rhetoric and practice with regard to the role of ethnicity in public life. And contemporary Afghan political discourse consists of a range of contradictory narratives of exclusion and entitlement.

Pashtuns as a whole, western Pashtuns, eastern Pashtuns, Hazaras, Tajiks, Uzbeks and many others have portrayed themselves as suffering from exclusion from state power and subject to multiple forms of discrimination. Notably, there is a similarity in narratives of grievances against both the Kabul-based system of government and the Taliban's Islamic Emirate. This suggests that Afghans' sense that their group is excluded is rooted in well-established social practices rather than just some remediable flaw in the constitution.

A Lebanese-style explicit sectarian carve-up of key state positions between the ethnic groups would probably be neither agreeable (because of disputed ethnic percentages and reluctance to acknowledge ethnicity as an issue) nor helpful (because fragmented politics in the ethnic groups means there is rarely agreement on who is qualified to represent them). Despite these limitations, some of the informal rules governing post-2001 Afghan political practice, such as the practice of presidential candidates choosing running mates of different ethnicities, have been reminiscent of the Lebanese confessional pattern.

A maximalist approach on promoting ethnic inclusion would include structural reforms to guarantee broad ethnic participation in national government, decentralisation measures to shift power and resources to the provinces (because the national ethnic minorities are concentrated in particular provinces) and equal opportunities measures to restrict the scope for ethnically based patronage. A more minimalist approach could include affirmation measures, such as establishment of councils to document and promote the social and economic inclusion of their respective ethnic group. A possible radical option would be to revert to a non-executive head of state to symbolise and maintain national unity, with an executive prime minister elected from the national parliament.

It is difficult to envisage any simple political or institutional formula which would be likely both to command enough support to be included in an agreement and to be efficacious enough to create a sense of progress towards inclusion. However, the national leadership in their handling of practical politics and key appointments have an opportunity to pursue an inclusive or exclusive approach, thus contributing the sense of whether or not all groups feel included in the state.

Conclusion

The dilemma at the heart of peacemaking in Afghanistan is that there is a formidable agenda of potential core issues to be addressed but the lack confidence between the parties renders it difficult to reach agreement on even the most straightforward of issues. However, an Afghan settlement need not consist of a single comprehensive document, signed off by all parties. Rather, a settlement could consist of a series of interim and incremental agreements, reforms and joint actions, cumulatively contributing to confidence and improvement of conditions on the ground, probably over a period of years.

No single signed document of aspirations and commitments will suffice to end the Afghan conflict. However, a dialogue-driven programme of implemented reforms and carefully nurtured cooperative relations has potential to address the issues which have long driven the conflict. A progressive approach to settlement thus builds upon reforms rather than compromising on them,

as sometimes warned of in Afghan political discourse. But the optimal way to shape the conditions conducive to such a sustained process of dialogue and reform would be to agree a pause in the fighting in the early stage of the process. The entrance ticket for conflicting parties to participate in such a sustained peace process would require them to sign up to the suspension of violence.

Possibilities for a peaceful political future: perspectives of leaders of five Taliban caucuses

ABSTRACT

The following are transcribed responses from the representatives of five Taliban caucuses, in conversation with Anna Larson. Groups are roughly differentiated from one another here by the geographical region in which they operate but names and other identifying statements have been removed in order to preserve anonymity. All groups currently self-identify as Taliban and belong to the central Taliban movement, but some have expressed the desire to become autonomous from it.

These conversations occurred in person over the course of several days in spring 2018 at an undisclosed location outside of Afghanistan, to which the five caucuses concerned had travelled in order to begin talks with a group of high-level actors representing several countries, including Afghanistan and the United States, about the de-escalation of violence and potential for reconciliation with the Afghan government.

Representatives of the caucuses are senior commanders or leaders influential in their respective locations. Views expressed reflect those of the individuals concerned and are not necessarily representative of their respective caucuses. While views between caucuses differ, an attempt has been made to summarise common positions in the statements that follow the transcripts.

Group 1 –North

All three representatives in this group are high-level military commanders with field experience and religious training.

Origins and objectives

Representative A: I am a madrasa graduate at Mufti level. I was a member of the first Taliban and I am a member of the current Taliban movement. For two years I was in charge of the Taliban's foreign affairs, so in charge of the foreign fighters. I was also in charge of the charity collections commission. I had good relationships with businessmen in other countries who donated to this cause.

We were taking care of the needy families of the [Taliban] *mujahidin*. My influence in the community grew this way. But as the northern Taliban started to be excluded from the current Taliban councils [the Quetta and Peshawar Shuras] I have been fighting for the rights of the northern Taliban. These channels for influence have been getting smaller and smaller and so that is why I have been considering involvement in peace initiatives. Grassroots influence exists. If the government stands by its word, I am confident we can achieve our goals.

Relationship with the 'main Taliban'

Representatives A, B and C: We have been marginalised by the main Taliban. We were a part of the founding of the original movement and we have suffered a lot for this movement. But now only a small group of Zadranis and Kandaharis control the movement. If a war continues for more than 10 years then either side's chances of winning diminish and it becomes something other than a war. We will not be able to provide services for people. Because of this and the marginalisation from power we are not able to solve people's problems.

The Quetta and Peshawar Shuras only appoint Kandaharis and Zadranis as leaders, even in our area, and not us, so we don't have the power in our area to serve people. These other leaders control us. There are a couple of senior ranking [members of our ethnic group] in the Peshawar Shura but even they don't have authority there. We do not even have a shadow governor [from our ethnic group].

Main blockages to ending violence in Afghanistan and how these might be overcome

Representative A: The main blockage is foreign occupation which violates the rights of Afghans. Unlawful killings, imprisonments, murders of people under the name of Taliban. Defamation of the Holy Qur'an. Not observing the religious values of our people. Widespread corruption within the government, the mafia, the patronage system. The government does not meet the actual demands of the people.

We feel the responsibility on our shoulders to remove these obstacles. Foreigners come and go. The actual victims are the Afghans. That is why we have started a process of

helping our own people and separating ourselves from the Taliban movement, to work responsibly to end this killing. We are ready to do our part.

Political vision for Afghanistan

Representative A: At the moment I see the situation as very critical. Not only war between the government and the Taliban but war within the government itself. We wish for honest foreign support for a clean, just and inclusive future government which can open its heart and can go to the Taliban with an open heart. Foreigners must stop their interference.

We believe in a just and transparent election where every vote counts – all members' votes count. And such a democratic government could get elders speaking to the Taliban. We support an election if the government is representative of all the people.

Representative B: The main problem is the lack of culture – lack of religious culture and secular culture. If someone is well-cultured they do not kill people. Westerners could have invested in improving our culture but they did not. If someone has religious or secular culture they can solve their problems through logic. Before I did my studies I was a hardliner. But as I started to learn about different perspectives and points of view I understood the real meaning of religion. We need religion and culture. Religion alone may not be able to solve our problems. A terrorist is a hardliner who does not use logic or thinking to solve differences.

Before, our people were not represented, we didn't have a 'listening ear'. But then we connected with [this initiative towards talks] and we were able to express our lack of representation. This was a way that we could start to represent our community.

Implications of early talks and a possible agreement between the government and the Taliban caucuses

Representative B: Assuming that an agreement happens, we would reduce the threat level towards the Afghan government – eg towards police and the National Directorate of Security, etc – in [the six north and north-eastern provinces in which we have influence]. This is a real process. We will be able to deliver real results, we are not faking them. We wouldn't have bothered to come here if we couldn't deliver.

Representative C: My political vision is that the conflict stops, that slowly, slowly the fighting comes to an end. That a government is created that is Islamic with a popular base, that it is inclusive and participatory, including all ethnic groups.

Relationships between leaders and people in my area are close but we want to make them closer. There have been some issues between leaders and their people, and this is the case with Taliban and non-Taliban leaders. Through our involvement with the peace process we will invite people to participate, and we will try to solidify some of the fractures in the community. We want to make relations closer. We also want the participation of our community in the political process, in elections, government and parliament, inclusion in structures such as ministries, in military and political decision-making.

The process is not over. We are not sure of the outcome yet. The result will become clear at some point, and then there is the question of whether it is implemented.

Recently there has been a de-escalation of violence in the Taliban movement and this has led to high expectations about peace from my people. We are hoping to emerge on the political scene as an organised group. These meetings have helped us to develop in this way.

Group 2 – West/north-west

Representative D in this group does not self-identify as part of the Taliban but as an influential local figure has been working with Taliban commanders and other armed groups local to the west/north-west of Afghanistan and at this meeting acted as a representative on their behalf. Representative E is a Taliban field commander from the north-west.

Motivation

Representative D: Our collective area of influence is largely [in north-western provinces]. The main problem for us is Pashtuns' lack of civil rights. Not even one per cent is respected. There are certain case by case examples where Provincial Reconstruction Teams may have helped the area but nothing from the government. In Badghis and Faryab we have 70 per cent Pashtuns. In Faryab even the Uzbeks accept that Pashtuns are 35 per cent of the population. Historically we have been victimised under different names – in [Uzbek commander Ahmed Rashid] Dostum's time, for example. If this political marginalisation continues it will not help the peace process. In the parliament there are four representatives from Badghis, and all of them are Sunni Hazaras, who are Jamiat-affiliated [Jamiat-e Islami] and who all come from Qala-e Naw.

Ten years ago a survey was conducted and it confirmed that Qala-e Naw has 10,000 people, but that [another] district with a 100 per cent Pashtun population has 120,000 people. In the Provincial Council it is the same story: there is just not enough representation. One solution might be to add administrative units, ie more districts. One reason why the

government is not able to bring peace in these areas is the imbalance of ethnic tensions. Armed groups (Taliban and others) then use the opportunity to mobilise in the spaces where the government, whose representatives are from a different ethnic group, have no authority. For example the distance between Bala-e Muqab and Qala-e Naw is about 100 kilometres. But there is no administrative district there.

What the Taliban are struggling for

Representative D: My friend here [Representative E] is a commander in [X] province. We want to end the war, to bring peace, and we want to maintain that peace. We have already spoken with our people on the ground. There are three groups of Taliban. The first group want to continue fighting, the second group weigh up the advantages and disadvantages of fighting, and the third group want peace. We are working with the second and third groups. The first group are afraid for their own safety. We want our civil rights, we want jobs to be created so that people don't have to go to Iran for work, we want more schools, education. And we can have mullahs teaching in our schools. [Talibs in all three groups] often say that they want a shari'a government but I believe that this is more about maintaining a consistent image than their knowledge of the actual substance of shari'a.

The current laws, if implemented correctly, can reflect shari'a already. I strongly believe is it possible to keep the current constitution. The Taliban are motivated from outside to fight, but we can give them a new motivation to re-orient themselves. The puzzle is that, Taliban, government, international actors all want peace, so why is it not happening? Investment in the peace process is not even one per cent of the investment in war. If we have a clear vision then it is possible.

Political system that can best sustain peace

Representative D: Civil and political rights and rights of representation are crucial. Any system that helps to maintain this is important. Jobs and lack of discrimination in my province are the most important things. We need strong international support. The two groups of Taliban that are amenable to talks – we have to find out their problems and solve them.

Representative D: The Taliban are influenced by Pakistan and Iran. Pakistan does not want peace in Afghanistan. It is two-faced. The Taliban in our area need independence from outside actors and others; 90 per cent of the Taliban in Badghis is not happy with the control of the Kandarhari Taliban over the whole movement. 10–15 commanders in our area were picked by the Quetta Shura but they have no social base. If this process is successful they could easily be removed or asked to surrender.

Ideal relationship with central government

Representative D: The relationship that is natural between a government and its nation or population is ideal. We are not a group that wants to create trouble for the government. We don't want to blow up roads or bridges (or only as a last resort). But the government should be able to listen to us and find out the problems in the area and come to us with an open mind.

> **"When I was in Guantanamo an American showed me a picture of his family, and said – this is my daughter, my son – do you understand what family is? They had this idea of us as if we were not human."**

For example, regarding the political rights of being represented. The current voting system is flawed – those who get the most votes win, whether the votes are genuine or not. In Ghazni for example, there could be several ways of conducting elections in insecure areas, where seats are saved and then voting can take place later. I believe that one way to cut the influence of Pakistan is to find the Taliban and speak with them, to influence them and bring them to our side. We should also have a plan to collect weapons without going through the local police, who just sell them back again. The Taliban in our area are held captive by the Kandaharis.

Group 3 – Quetta

Representative F is an influential figure within the Quetta Shura.

Origins of the Taliban

Representative F: The Taliban was created in 1994 and its purpose was to prevent the old *mujahidin* from taking advantage of the people. Mullah Omar and some friends sat together in Maiwand district and decided to start a movement against these people. At first, they sent some messages to commanders in Kandahar to ask them to join them. Some agreed, some didn't, and we defeated those who didn't in a short battle. There were two big commanders, Mullah Naqib (Jamiat) and Haji Qateb. Naqib joined but Haji Qateb didn't. We defeated him and took over all of Kandahar.

Then the movement split, one half going to Zabul and the other to Helmand. Mullah Omar was selected as leader and from this time on the Taliban officially became a movement. When the Taliban went to Zabul, most of the

commanders from the three surrounding provinces came to our side. In Helmand all except Mullah Rafa came to our side. We sent him messages three times but still he refused and then we defeated him. Eventually the whole province came to our side. Then Farah and Nimroz. The problem was that Ismail Khan was hard to defeat. We tried hard to convince him without conflict. When we were near to Kabul, [Jamiat commander Ahmed Shah] Massoud came to meet us and we agreed to defeat [Hezb-i Islami leader Gulbuddin] Hekmatyar together, but when we did this Massoud reneged on his promise of supporting us. Then we set up a government in Kabul with ministers and an administration, etc.

Taliban objectives today

Representative F: We are responding to cruelty. America brought down our government. Some organisations portray us as abnormal people who don't know about human rights, women's rights etc. There was a lot of pressure on us in 2001 from the US side and they removed our government. Just before this we had a meeting with US government representatives when we said we would give them Osama bin Laden and work on women's rights, etc, whatever they wanted, but they didn't listen to us. Now they are aware of us as humans.

When I was in Guantanamo an American showed me a picture of his family, and said – this is my daughter, my son – do you understand what family is? They had this idea of us as if we were not human. At that time, the media was a big problem for us, it was portraying us very badly. But we did understand human and civil rights then. It is our right to be in Afghanistan, this is our country.

The Taliban were very good people. When Mullah Omar gave the instruction to ban poppy, it was stopped. The crime rate was very low. I believe about 80 per cent of people were on our side. When we were in Kabul some politicians and ordinary people visited me in my office and I asked them about the Taliban. They said we had two faces, one was good, in stopping crime etc, and the other was bad, with the treatment of women and stopping music, etc. It wasn't the time then to focus on women's rights – it was a very difficult time in Afghanistan. If women dressed as you are dressed we didn't have any problem with that at all. We just told them to dress according to shari'a. If we had stayed in power we would have moved to an Iranian style of government with girls at school, at university, working. When the international community came to Afghanistan they put criminals in power and we must stand against them. If we compare [senior Taliban commander] Mullah Dadullah and Dostum, both killed lots of people but Dostum is now the Vice President and Mullah Dadullah is dead.

We didn't have any connection with al-Qaeda. Osama was invited by the *mujahidin*, not by the Taliban. In the Taliban period, [Saudi Prince] Turki al-Faisal came to Afghanistan to ask for Osama and Mullah Omar said that he would give him to him if he came with a delegation of *ulema*, but not unless he did. Turki al-Faisal said he would go ahead and just take him anyway, and Mullah Omar told him to go away and never come back, because it was his responsibility as a Muslim not to undermine his hospitality to Osama as a guest of the country.

Vision for an ideal Afghanistan

Representative F: Afghan people must decide about their own future. The government must be moderate. People support the Taliban, we have captured 70 per cent of the land. People want us to capture their areas. The international community must help us to do something to make the situation become normal, because they were the ones who removed our government in the first place.

We will have a government – not by elections, because elections are not according to shari'a laws, but by selecting members from councils. Elections and shari'a are two different things. In Islamic law we can have one representative per province, for example, but not every individual voting. We know the people want elections but if I say that we are OK with elections then this could cause a problem. If the government has elections, it will probably be only in big cities because in 70 per cent of the provincial areas it is impossible to conduct them. Anyway, this [forthcoming] election will be corrupt. If the international community had sent clever people to us when we were in power to explain these things and to explain our situation to the world then we probably wouldn't be in this situation now.

It is very difficult to talk at this point about what the structure of the government might look like. There are lots of parties in Afghanistan. Many times it has been suggested that we are given a few ministries, but how would we work alongside these other criminals? We need a very strong president with no one else, not shared out by tribe, etc. I know that this is impossible now, but maybe it would happen if the Taliban took over again. The old *mujahidin* have sold our country. We need justice – why did these people kill so many people? Why are they so corrupt? We would like to be friends with the foreigners but it has to be according to some rules, respecting our national sovereignty, and recognising us as Muslims.

I have known [High Peace Council Chair] Ustad Khalili for a long time. Right now I can see that Khalili has very good ideas about peace with the Taliban. In all the speeches he has made, he has sent very good messages and he has helped to bring many Taliban to the side of peace (although

not to the government). In a short time he has had lots of achievements in peace. Lots of Taliban leaders would like to talk to him about peace.

Group 4 – South-east

Representative G is a senior member of an armed opposition group that has links to the Taliban in south-eastern Afghanistan.

Origins, objectives and operations

Representative G: Our district is bigger than other districts. At the moment it is one district but in Daud's [Khan] time it was three districts. Our leaders are active in these areas. We are [xx group] and our leader died in the *mujahidin* time. His sons are now in the group's leadership. The US says we are connected with al-Qaeda but this is not true. In the *mujahidin* times the *mujahidin* said we were connected to the US and Europe but this is also not true. Our activities are normal and we don't understand why we are labelled in this way.

We started to fight after the US invasion but this was just in defence – we were not attacking them. We tried very hard and met with [the organisers of this initiative] back in 2002 but we didn't find any good solution. We are not the followers of fighting. We want to continue towards peace – we are not against democracy, it is not against Islam. We have three clinics and we have female doctors too. No one can control local security as well as we can. There is a dam being built in one of our districts and we have 60 people providing security for that project. No engineer has died or been kidnapped. We are supporting them. Police are in their jobs, we are supporting them also.

In this area in the last 15 months there have only been nine attacks on the checkpoints and only four of them were caused by us – the others were Haqqanis and other foreign fighters. No one will find anything in our history that connects us to suicide bombers. In our mountain areas there are foreign fighters – Chechen, Punjabi, etc – and we try to stop them as far as possible but we cannot do this all the time. We do not allow them to come to the villages or the mosques. Foreign fighters have a lot of money and weapons but still we try to stop them. We have no funds from opium. The Peshawar Shura is supporting the Haqqanis but it is not supporting us. This is our story.

Relationship with Peshawar and Quetta Shuras

Representative G: Peshawar and Quetta Shuras do not support us because we don't want them in our area, we don't want the Pakistani influence. There is a road that goes through north and south Waziristan and the Taliban come through there. The Kandaharis do not want us in power. But they are not all equal in the Peshawar Shura/Quetta Shura either, there are some problems. The Haqqanis, Mansour group, others – they are all separate. These groups have connections with foreign powers.

The situation in Afghanistan is like a triangle: there are foreign fighters, Afghan fighters, and then the Afghan government and people. We need to work with all three to achieve peace. We also would welcome talks on Islamic law. Tackling the foreign fights is difficult because these other countries don't want to stop them. The international community should find a way to stop them. It is not about shooting the leaders of the Taliban, but stopping the foreign fighters. Only [US President] Trump can do this. The other two sides of the triangle belong to Afghans to sort out.

Political system that can best support peace and inclusive representation

Representative G: This question belongs to the government. We have our own vision, we just want a long period of peace through Islam. We have human rights and women's rights. We are not like other extreme countries. We want a moderate way forward, with women's rights and respect for women. We want a government that respects these and respects all Afghans, not just one group.

The central government can't solve its own problems within itself so how can it solve those in our district? The government is corrupt. In this present government, the only good achievement has been education. If the government doesn't respect people's rights, then it will fail like in Syria, Libya or Iraq. If there was no Taliban then in this case the young boys would rise up against the government to make a new movement.

The international community doesn't want to change the present government. If there is a democracy then they should listen to the people. We are not against independent elections. The main problem is corruption. We are electing people who don't understand the law. No elections would be better than a corrupt election. Foreigners wanted this kind of election. 70 per cent of the country belongs to the Taliban and so we can only have elections in government areas anyway. Most of Afghanistan belongs to the Taliban. The international community didn't tell the truth to people. Not all the Taliban are good people – they have thieves and killers as well.

If the government does not apply the constitution themselves then how can they apply it to others? In Afghanistan there are three kinds of people – religious contractors, political contractors and nation contractors. They are all making money. It would be better to shoot

all of these people than keep losing 150 young men every day.

At the time of the Bonn Conference there was no corruption, no insecurity – the international community have made all these things. Ghani was in America at this time. Why didn't the international community think harder about these things at the time? The US has promised peace, security, construction – but where are they? Why did they say they were leaving in 2014? Pakistan cannot do anything without information from the US and UK. It can't keep fighting if it is not supported from outside.

Implications [of these initial talks] and a possible agreement with the government

Representative G: I do not think these talks will be successful, but [Chair of the High Peace Council] Ustad Khalili continues to say good things. We should keep the leaders where they are, government ones in government areas and Talib ones in Talib areas, but we should not label them like this. Only a ceasefire will help but even this will be very difficult to maintain, because they will keep bombing and they will say it is to target Daesh [Islamic State in Khorasan], but the Taliban will say they have broken the ceasefire. We would need a third party to protect the ceasefire, maybe ICRC [International Committee of the Red Cross].

Group 5 – South

Representative H is a high-level member of the Peshawar Shura and was a former minister during the Taliban government in the 1990s. Representative I is a Taliban field commander in the south of Afghanistan.

Main objectives

Representative H: We want to stop the war, this is our main aim. Secondly, we want to have democratic rules but not forgetting Islam. Maybe you have heard that the Taliban is against women's rights but you should come to my home in [x province] and see my family. You should see how we are at home.

Democracy and Islam

Representative H: The US came to Afghanistan and have provided a bad explanation and demonstration of democracy. Some people think democracy is to own your own life, to have your own culture and your own religion. But Islam and democracy are two words with one meaning. We have rules for people that are Islamic and with these comes democracy. On Facebook, when the US does something bad, the Taliban write 'This is Democracy'. If we used Islamic rules instead of democracy this would be useful in Afghanistan. There is something wrong between the West and Islamic countries: their TV shows bad things about each other.

Relationship between leaders and people in the south, and nationally

Representative H: We don't have any democracy in [my province] because the relationship between officials and people is very bad. For example, people must wait months to see officials and when they finally get there they say, oh, no, he is too busy. The government is doing very bad things, for example going backwards in a one-way street just because they are a governor or something. When businessmen come across the border corrupt officials take customs money from them at checkpoints. In this regard there is a very big difference between government and Taliban areas. In government areas every car is stopped for money, but not in our areas.

The Taliban governor in [my province] works very hard, people can see him, anyone can see him after waiting only one hour. He makes decisions for the people very quickly. It is not the same in the government areas. In the 2014 elections the government said 'look, we had a free and fair election, and everyone voted' but ballots were stuffed and very few people went. No one gave people the right to vote. When [the former head of the Provincial Council] was alive, he made the decisions about who won the elections. Even the support of tribal leaders didn't help to change these decisions.

I am not a Mufti [an expert on Islamic law] but in my experience there are two ways that electing leaders can work. When a country is peaceful, and people believe in the leadership, then it is possible for them to help choose. But when the country is experiencing difficult times and conflict then it is better for a small group to choose the leadership.

In [former president] Najib's time I wasn't in [my province]. In the Taliban time my province and Kabul were very close because Kandahar was the centre of the country. In Karzai's time there were close relations with Kabul. Right now there are bad relations between my province and Kabul because the government does not get on with the chief of police.

It is better if the central government divide resources between the provinces, according to their size, and make decisions about how that money is spent. Then every Afghan has the same rights. During the *mujahidin* time commanders just collected money and spent it on themselves.

Decision-making within the Taliban movement

Representative H: There are two types of decisions. Some are taken in the Quetta Shura and are passed down to commanders. Others are made inside Afghanistan, eg about attacks and money. 70 per cent of Taliban

commanders are living in Afghanistan now. Most of the Taliban would like to be far away from Pakistani decisions, but they have their own problems, they can't come to Afghanistan. If the international community helps to pressurise Pakistan then they can solve all their problems with the Afghan Taliban. It was the Pakistanis who killed [former Taliban leader] Mansour. They gave the information on where he was to the Americans.

Afghanistan's relationship with its neighbours

Representative H: If in the future the Afghan people want good relations with their neighbours then we must first remove the foreign troops, and then Afghanistan can sort out these relationships on its own, with an independent government. At the moment we [the Taliban] must take help from both sides (Pakistan and Iran) and this is the main source of the problem. Afghans in their nature do not like foreigners to intervene, and not just the West – they don't like neighbours or Islamic countries intervening either.

Political arrangements that might help prevent fighting between different groups within Afghanistan

Representative H: If the foreigners withdraw their forces, this would help towards preventing war. If the Taliban were completely in power then there is no way that a civil war would happen. For a long time we have all followed the orders of the leadership. All the Taliban think that they would keep Afghanistan's strong army and police, unlike the *mujahidin* who took the tanks and weapons for themselves individually. At the beginning it was very bad because the internationals made friends with the wrong Afghans.

The Taliban is ready to accept changes, although on women's rights they need to be within Islamic rules. We are not against women's education, we want this and we want to allow them to do other things also. When we were in power we ran two courses for women, one was in nursing. I have travelled to a lot of other countries. When I was a minister I visited many countries and told them that we want to be friends with them, but they did not accept this.

Representative I: Sometimes we attack checkpoints and the government forces are just selling weapons there. The government chief of district for our area never comes to the district, he just sits in [the provincial centre] and gets a government salary. Government forces have no morals. A few weeks ago we attacked a government checkpoint – there were eight people there. We finished the attack in 10 minutes, but just down the road there were loads of government forces who didn't come to help them. They have no morals. Recently on the battlefield a Talib soldier died and his friends came and took his body away and gave him a proper burial. A government solider also died and his colleagues came, one took his gun, the other took his mobile phone, and they just left his body there.

The following statements summarise common positions that were held by all groups

1. Above all, it is critical to end the needless killing of Afghans. We want to work towards the establishment of peace in our country.

2. We want to see Afghan sovereignty restored, and the political and military interference of foreign powers removed or significantly reduced. Nevertheless we welcome interactions with foreign countries that are conducted between equal sovereign nations. Within this, foreign aid and reconstruction is also welcomed, provided that it conforms to Afghan priorities and needs.

3. We envision a moderate Islamic government for Afghanistan, and one in which corruption and the abuse of power at all levels are eliminated.

4. We want to see justice applied to all people, no matter their rank, and no matter their background.

5. We want to see a government that is representative of all Afghans and we are interested to explore different ideas about how this representation might be achieved.

6. We agree that all citizens, men and women, deserve the opportunity to access services and education.

7. We place paramount importance on the relationships between local communities and their leaders, and wish to see this relationship strengthened, while also recognising the importance of connections between these leaders and central government. We believe that local leaders should be enabled to provide assistance, protection, services and time to their communities.

Escaping the ghosts of the past

Women's participation in peace talks in Afghanistan

Sippi Azarbaijani-Moghaddam

Sippi Azarbaijani-Moghaddam is a social scientist and consultant currently working on Somalia. She is a part-time PhD candidate at the University of St Andrews researching Taliban identity. She has worked and travelled extensively in Afghanistan since 1995 and has worked with a range of international and national organisations including the European Union, the World Bank, the UK Department for International Development, the United Nations, the International Committee of the Red Cross and the NATO International Security Assistance Force. She holds a BA in Persian and Old Iranian from the University of Oxford, a Masters in Rural Development Sociology from the University of Birmingham and a diploma in anthropology from the University of Aberdeen.

ABSTRACT

How can Afghan women achieve positive results from peace talks with the Taliban?

Women were largely excluded from the Bonn process. Since then, they have made significant gains in rights and political participation. But despite Afghanistan adopting in 2015 a National Action Plan on United Nations Security Council Resolution 1325, opportunities for women remain limited. And women's rights defenders are wary that negotiations with the Taliban will lead to further losses, given the movement's record and reputation.

But women already make key contributions to local peace initiatives, and the possibility now exists to engage proactively to affect the course of a national peace process. Afghan women encompass a spectrum of interests. Many from rural communities see ending violence as the priority over the sorts of rights that are their urban counterparts' prime concern.

Reaching out to different female and male constituencies is key to building broad support for women's issues. Constructive progress will require acknowledging signs of change among the Taliban and engaging in dialogue with them to explore potential areas of mutual interest and accommodation.

Sima Wali (l) und Rona Mansuri (r) attend a meeting with women's rights representatives during the Afghanistan summit in Koenigswinter near Bonn, November 2001. Members of four different ethnic groups with the exclusion of the Taliban took part in the talks. © dpa picture alliance / Alamy Stock Photo.

The level of violence in Afghanistan appears to grow year by year with more egregious and heinous terrorist attacks claimed by the Taliban, Islamic State and on occasion other armed opposition groups. Donor interest in Afghanistan has been waning, including in providing support to sectors focusing on women and girls. This contrasts starkly with the autumn of 2001, when the issue of Afghan women was high on international military, political and humanitarian agendas, and advocacy groups spearheaded by the Feminist Majority Foundation were highlighting that women were victims of 'gender apartheid' in Afghanistan.

But not long after the 2001 Bonn conference, many international women's rights activists discovered to their dismay what many Afghan women already feared: discrimination faced by Afghan women did not simply evaporate with the removal of the Taliban. The Taliban were just one more manifestation of the structural discrimination, exclusion and inequality that had evolved in Afghanistan over hundreds of years.

The post-Taliban trajectory of women's rights in Afghanistan highlights potential pitfalls for women's presence and power in peace talks with the insurgency today, and the need for careful consideration and preparation by those involved with the women, peace and security agenda. Afghan women activists' perceptions of peace talks are largely negative, clouded by experiences of the past and now dominated by fears of exclusion, tokenism and loss of rights. High on the list of questions is whether a predominantly male-run process will result in leaders seeing fit to capitulate to Taliban demands for political, legislative and social changes which will be detrimental to women. But talks can present positive opportunities for women to engage in negotiations proactively, to reinforce and even extend the gains achieved since 2001. Meanwhile for many rural Afghan women, ending violence caused by the conflict is the priority.

Bonn process

When the UN Special Representative of the Secretary-General for Afghanistan, Lakhdar Brahimi, was deep in informal and formal deliberations preparing for talks in Bonn, one of the key questions under debate was whether to include women. Fresh from Afghanistan in October 2001, I attended several meetings at the offices of various UN agencies in New York, where opinions were frequently aired that Afghan women were clueless about politics and would take up seats around the negotiating table unnecessarily. This at a time when women's rights activists were hailing the success of the UN Security Council unanimously adopting Resolution 1325 on women, peace and security.

As I explained one evening at the offices of then UNIFEM to a group of aggressive male journalists, not all Afghan women were the benighted victims of the Taliban that the press had been portraying for many years; there were professional Afghan women who had served in government as well as committed women's civil society groups. But my words were met with astonishment and incredulity. It was clear that 'gender apartheid' was not confined to Afghanistan.

But a historic moment had arrived for Afghan women and, witnessed by international bodies, their inclusion in national processes would soon be enshrined in a number of key national documents, for example the signing of

the Convention Eliminating All Forms of Discrimination Against Women (CEDAW), the new Constitution of 2004, and later, the National Action Plan for the Women of Afghanistan (NAPWA). Other determined individuals and pressure groups continued working behind the scenes. The result was three female delegates attending the UN-sponsored meeting in Germany which led to the Bonn Agreement, the fundamental document for the formation of a new Afghan government after the fall of the Taliban. The female delegates were Sima Wali and Rona Mansuri, members of the self-styled 'Rome process for peace' led by former king Zahir Shah, and Amena Safi Afzali, who attended as a full delegate for the Northern Alliance. Fatima Gailani was advising the predominantly Pashtun Peshawar Group, representing a previous peace process. There were some positive signs from the process. Sima Wali called for the creation of a Ministry of Women's Affairs. An Independent Human Rights Commission was also set up, to be headed by women's rights activist Dr Sima Samar.

Since then there has been more progress on women's equality and Afghan women have been catapulted into public and political life. Women now have a significant presence in both houses of parliament, ministries, local government, the diplomatic service and the High Peace Council. In June 2015 a National Action Plan on UNSCR 1325 was approved. The text of this document is rather telling of the effective cap on women's advancement, however. It indicates that, 14 years after the fall of the Taliban and after millions of dollars of targeted programming, women are still in need of various types of support in order to participate in political and public life; it also recognises women's status as a social and economic minority and the importance of developing a robust implementation framework to support women's active participation in society.

Ensuring women's participation in peace talks today

Women's rights defenders in Afghanistan are justifiably distrustful of peace and reconciliation processes focused on the Taliban, which translates into a combative and suspicious attitude accompanied by hostile pronouncements. While such friction is understandable, shifting to a more proactive stance would facilitate more interesting and productive outcomes.

In a violent society, where security forces are stretched to keep the population safe and political assassinations are frequent, women are rightly still wary of conservative elements in formal and informal political spheres who oppose their presence and participation in politics and public life. Even with a president who is a self-proclaimed advocate of women's rights, Afghan women still very much feel at the mercy of the funding vagaries and political whims of both the international community and Afghan political elites. Moreover, there is confusion about the role of women in peace and reconciliation processes – from local to national level. Women's actions and achievements in the High Peace Council and other bodies tend to be less public, leading to perceptions that women's roles can be dismissed as symbolic or limited. As a woman member of the HPC told me in February 2018, women's contributions are often belittled and their very presence can be challenged if they 'push too hard'.

> **"Women leaders and groups need to initiate a process to conduct nationwide consultations with enough women to construct a valid, coherent and representative message on peace."**

While peace talks with the Taliban present challenges for women's rights defenders, they may also provide opportunities. The assumption that women's involvement in a peace process presents some form of panacea to violent conflict requires scrutiny. But there is no valid argument against women's presence, as women's participation and voice are important factors for gender equality in political representation and are national goals in most countries. Demands from women's rights defenders and strong statements from President Ghani reinforce the need for women's participation in talks. After so much work on women's issues in Afghanistan, women still do not see many national allies and remain suspicious of external advocates who claim to support their cause *in absentia*.

There is a perception among women in Afghanistan that the gains they have made are not important for the men who will engage in talks – but this assumption may not serve Afghan women well. There is almost a sense that if a small group of women is not present, nobody else will lobby for their rights and they will be forgotten. If this is the case then women have to focus on alliance-building with men, to be confident that women's issues are represented and supported by both male and female actors in any peace process.

Representation – which women?

Women's participation intersects with debates around representation and identity. Which women would be the most appropriate or acceptable candidates to represent Afghan

women and which demographics need to be represented to ensure an adequate sense of ownership? Women leaders and groups need to initiate a process to conduct nationwide consultations with enough women to construct a valid, coherent and representative message on peace.

Issues of Muslim identity and levels of conservatism may also come into play. There has been an untested assumption that all Afghan women would unquestioningly rally around a rights-based agenda. Since the rise of the Taliban there has been a perception, again unproven, that Afghan men are for the most part conservative while the majority of women espouse modernity and a polity based on international human rights. Like Afghan men, however, women's Muslim identities also reflect a broad spectrum, from religious extremism to modern or more secular leanings. The prospect of the presence of the Taliban in the Afghan government is worrying for some people precisely because of their ideologies around women. This is why representation needs to be balanced, and not skewed towards either end of the spectrum of Muslim identity. Such issues should be considered and addressed now in order to create a united front. The alternative might be that women's ability to represent effectively is challenged, leading to their presence and voice being stymied at a critical moment.

It is not just Muslim identity which fragments attempts by women to create a coherent movement. Taking a more pragmatic view, most Afghan women live in provinces and rural locations. They feel the war acutely and may be more threatened by violence on their doorsteps than by the potential rollback of rights that many do not currently enjoy or even know about. Rural women in Afghanistan today bear the brunt of war, experiencing forced displacement, insecurity, food shortages and decreased access to healthcare and basic education for their children. They may also have lost menfolk and access to livelihoods. Such women may have different priorities to the minority who currently defend women's rights in very different milieus. The composition of representative groups of women should take such differences in priorities into consideration.

Furthermore, some women currently self-identify as potential victims or pawns in the post-Bonn political process. Their narrative is one of grievance about lack of power, access, voice and control. For the past 16 years, women's rights defenders have assumed that all parts of the Taliban movement see them as enemies, even though these women have never been combatants and have for the most part have never identified themselves as members either of the Northern Alliance factions or of the Afghan National Army. They have not taken any action to test their hypothesis of being the Taliban's enemy, but have consistently used this perspective to highlight the grave dangers they face.

By convincing themselves that the Taliban are at war with them, women's rights defenders are potentially missing an opportunity to place themselves in a unique position in the vanguard of a peace process and even to begin discussions ahead of any formal negotiations. This could even afford them room to manoeuvre in terms of tackling the Taliban on their stance on issues of importance to both sides. The Afghan Public Policy Research Organisation stated in 2015 that during informal talks between representatives of the Taliban and the Afghan government in Oslo earlier that year, diplomatic and political cadres of the Taliban had reportedly been showing a more positive attitude towards female interlocutors, and also that some senior Taliban were now at least talking openly about women's political rights.

Negotiating women's rights with the Taliban

A key question is what demands and priorities would women actually take to the peace table? There is currently no clear narrative from Afghan women on a peace process with the Taliban. Discussions have consistently centred around: fear of betrayal by male politicians; fear of loss of what has been achieved on behalf of women, particularly provisions for the basic rights of women in the constitution; and fear of a reversal of some rights which were returned to women after the fall of the Taliban.

There is also often an assertion that gains from a peace process absent of women would not be sustainable. But it is not clear how women's participation would guarantee sustainability if women participants are in any case disempowered and must be granted space and permission to engage in the first place. This comes across as fearful and anxious rather than a proactive approach to entering the peace marketplace and seeing what is on offer. On the other hand, proactive approaches to peacebuilding on a small scale and at a local level have been fruitful, as a woman activist working with local *shuras* to reduce civilian casualties recently told me.

Many would argue that women's rights defenders and the Taliban have nothing to discuss. But attitudes among some Taliban leaders have been changing in relation to some issues affecting women, although as the Afghanistan Public Policy Research Organisation reported in 2015, such shifts in opinion among some Taliban leaders are not highly publicised:

'The Taliban leadership and the *Ulema* associated with it believe that they have gone as far as possible in nuancing their positions on women's rights and education without completely alienating their ranks and file, whose views

about women and education are typically much more restrictive than the more progressive elements in the leadership. However, the Taliban have not been very effective or proactive in communicating their more moderate positions and are probably waiting for talks to begin before going more public with them.'

Despite the lack of publicity, this does show movement in the right direction. Women's rights defenders, however, remain rooted in grievances of the past. They neither invite the Taliban to engage on the issues that the movement seems to be willing to give ground on, nor challenge the Taliban to a dialogue on more contentious subjects.

Safeguarding education, employment and health offer potentially productive entry points for women advocates and activists to talk to the Taliban. Provision of basic services has always been a practical and constructive point for engaging the Taliban on women's issues. During Taliban rule, women working in the health sector were often exempted from bans on employment and in spite of myriad accounts of the ban on education, the Taliban turned a blind eye to home schools and even the construction of girls' schools in certain provinces.

Interactions with Taliban pre-2001 revealed in some areas they gave limited access to education and health services for women, although escalations in fighting resulted in marked downturns in access to such services. The Taliban have also held *shuras* on access to education for women, with discussions centring around the hijab, segregation of the sexes, the role of Islamic education and topics suitable for women. There are also potential points of engagement on legal issues. The Taliban have been known to forcibly return inheritance shares to women when these were wrongfully allocated to male relatives as a result of pressure from traditional elders. There are other legal issues where the Taliban's approach has more in common with the aspirations of activists than supporters of *Pashtunwali* (Pashtun traditional ethical code).

Conclusion: pathways to meaningful participation

Afghan women's groups currently lack a clear narrative and a representative movement with sufficient influence to sustain itself. Without addressing this deficit, women's presence in any peace process may not lead to concrete gains or be able to resist the reversal of achievements from the past decade. Women's rights defenders may need to update their agenda and keep up to speed with Taliban policies and shifts in their stated identities and narratives. Coming largely from an urban, educated background, women's rights defenders may find that continuing to hold fast to a possibly outdated view of the Taliban as yet another group standing between them and their rights is not constructive, and will not help them to achieve their objectives.

Discussions on a range of issues with certain elements within the Taliban may well be possible. But they need to be mediated with sensitivity. The Taliban will be wary of anything which affects their identity. Mishandled engagement with them may lead to a negative change in the internal dynamics of the movement as well as relations with external actors, including jihadist sympathisers and funders.

The issue of representation also needs to be tackled, with any peace process on the horizon providing an opportunity for women's rights defenders to consult with the parts of the population they claim to represent, and to build the constituency to provide the popular support they currently lack. President Ghani's support for women's participation in peacebuilding efforts and negotiations should give women activists the impetus they need to engage, and to ramp up their efforts in formal and informal processes. Extreme diplomacy will be required in approaching the Taliban. But assuming that the movement has not changed its stance on women since Bonn is a pathway to an opportunity lost.

Integrating a military and peace strategy for Afghanistan: Making ends, ways and means meet

Reflections by Ambassador Douglas Lute

Ambassador Douglas Lute is the former United States Permanent Representative to the North Atlantic Council, NATO's standing political body. In 2010 he retired from active duty in the Army as a Lieutenant General after 35 years of service. In 2007 President George W. Bush named him as Assistant to the President and Deputy National Security Advisor to coordinate the wars in Iraq and Afghanistan, serving a total of six years in the White House. General Lute holds degrees from the United States Military Academy at West Point and from the Kennedy School of Government at Harvard University.

ABSTRACT

How can political and military strategies be integrated to support a peaceful political settlement in Afghanistan?

This article considers the challenges of managing the contribution of the United States military to an integrated strategy. It is primarily informed by Lieutenant General Lute's experience of the Obama administrations (2009–17), drawn from a conversation with Michael Semple in early 2018.

Contrasting interpretations of stabilisation led to a flawed strategy: degrading the Taliban's military capability while building the capacity of the Afghan National Security Forces (ANSF). This strategic equation was based on inaccurate analysis of both variables – the Taliban and the ANSF. The efficacy of the 2009 US military surge was undermined by deploying troops to the wrong areas for the wrong reasons, and by a lack of complementary political action. Decision-making at key moments of political-military tension was often driven by US domestic political priorities.

Inconsistency was exemplified by the killing of Taliban leader Akhtar Mohammad Mansour in 2016, rather than seeing him as a potential interlocutor in dialogue. President Obama made some specific commitments to advance a political solution, for example facilitating the opening of the Taliban Political Commission in Qatar. But following the killing of Osama bin Laden in 2011, it was increasingly hard for him to prioritise political action.

Ends, ways and means

The early years of the Barrack Obama presidency provide an example of the challenge of delivering an integrated strategy. Everyone agreed that there was no purely military solution to the problems in Afghanistan. But the US military continued to act as if there were. The administration said the right things, in terms of talking up the need for political action. But it proved difficult to match that rhetoric with the action on the ground.

Fundamentally, the administration failed to align the essential elements of strategy – ends, ways and means. We were locked into a debate about the contribution of the competing 'ways' – diplomatic and political versus military. The problem was that the debate about the end state was not adequately resolved. In retrospect, the problem with the early Obama era strategy in Afghanistan was that the different US actors were inadequately aligned with regard to the ends we were trying to achieve. This left the military free to interpret the ends so as to justify the ways and means they intended to employ – an intensified military campaign. So, we ended up with the military going one direction, while the diplomats pursued regional diplomacy and the aid workers did their own thing.

If I had a chance to do it over again, I would spend more time on ensuring that we really had pinned down what it was that we were trying to achieve. We could have then worked through the ways and means of the military and political actors, ensuring that they were in fact aligned and mutually supportive. That would have allowed us to counter the classic bureaucratic tendency for every actor to prioritise their own effort.

The objective as formulated by the first Obama administration boiled down to the achievement of an Afghanistan sufficiently stable that it could no longer be a base for international terrorism. The US internal statements of the objectives we were pursuing in the years

after 2009 were deliberately and increasingly narrowly focused. This formula was a reaction to the way that in the preceding years the US had signed up to overly ambitious ends. By 2007, President George W. Bush had been talking in terms of achieving a flourishing market economy and equality for all citizens.

> **"If I had a chance to do it over again, I would spend more time on ensuring that we really had pinned down what it was that we were trying to achieve."**

But even when you shift to a more limited formula of achieving a stable Afghanistan with no room for international terrorism, you still have to unpick it and say what you mean, because the formula is open to different interpretations. And in a sense, to achieve clarity on the ends you have to specify which ways and means are to be prioritised. It would have made sense for us to state explicitly that the primary means we were going to use were political, not military, and that the military was required to support political action.

There are many ways in which the military can support political action. For example, it could have been directed to reduce levels of violence in specified areas, to contribute to confidence-building and diplomacy. The military could support the work of establishing contact between Taliban leaders and the US or the Afghan government. Alternatively, in its work to develop the Afghan National Army (ANA) and Afghan National Police (ANP), the military could have been tasked to promote forces that were representative of the population in the areas in which they operated. This would have addressed the problem of an army that recruited personnel from northern and eastern Afghanistan and sent them to fight in the south. Similarly, the military effort could have supported diplomacy by prioritising efforts to reduce corruption in contracts. In reality, we prioritised none of these things and left the military to do what it does best: delivering violence. It was as if we read the foreword to Clausewitz but did not bother to finish the book.

To understand why US strategy in Afghanistan played out in the way that it did, you have to refer to our domestic politics. In the first place, the incoming Obama Administration was primarily focused on salvaging the US economy. The free hand that was given to the military also reflected the bureaucratic alignment of the Defense and State Departments. Admiral Mike Mullen, General David Petraeus and Secretary of State Hillary Clinton joined forces to support an approach that gave primacy to military action.

Then there was the personality factor. Special Representative Richard Holbrooke was the person most clearly charged with championing a holistic political-led approach. But for some reason his personality generated 'antibodies' and he was unable to assemble enough support within the administration to give him a chance of bringing the military into line. And in Kabul, the larger-than-life generals, McChrystal and Petraeus, simply overwhelmed our ambassadors. Finally, there was the issue of the most basic ways and means – resources. The military had at its disposal resources that just dwarfed anything the diplomats had access to.

What the military read into the commitment to stabilise Afghanistan

The military identified the Taliban as the main factor destabilising Afghanistan. They therefore read the commitment to stabilise Afghanistan as carte blanche for pursuing defeat of the Taliban. In the strategy debate, we pushed back against the notion of defeat. Instead we all settled on the strategic idea that the Taliban had to be degraded while we built up the Afghan National Security Forces (ANSF). The idea was that you would reach a moment where the threat posed by the Taliban was reduced to a level which was within the capability of the ANSF. This strategic equation was based on a flawed analysis of both variables, the ANSF and the Taliban.

Taliban

The military seemed never to appreciate that the Taliban were embedded in the social fabric of rural Afghanistan. They were inherently not a force which was external to the areas where it fought and indeed, in some places in the south and east, they barely even had a defined force structure distinct from the civilian population. In such parts of the country, by taking on a commitment to fight the Taliban, you were essentially lumbered with fighting against the Pashtun population.

The military's troubled effort to downgrade the Taliban became entangled with the debate over the insurgents' 'safe haven' in Pakistan. In effect, the more difficult we found it to degrade the Taliban, the more we felt that we needed to blame the Pakistan safe haven, far more than was ever justified by the evidence. The majority of Taliban fighters fought within walking distance of their own homes. This meant that, although the Taliban seniors tended to base themselves in Pakistan, the men who did the fighting were mainly based in Afghanistan. A sort of mythology grew up around the Taliban hordes crossing over the border from Pakistan seasonally. But we never saw

Portrait of Ambassador Douglas Lute. © U.S. State Department

them. Because there was no such mass migration – the relationship between the safe haven and the battlefield was more nuanced. To understand how the Taliban exploited Pakistan, you really have to understand who they are and why they fight. You have to go beyond the myths of the Taliban as a force external to Afghanistan.

Afghan National Security Forces

On the other side of the equation was the ANSF. We were to aim for that tipping point where ANSF capability exceeded that of the Taliban. But we unintentionally created hurdles in the process. We were late in joining the effort to build the security forces. Then we followed a dead end on the police. We made the classic mistake of imagining that the police would develop as a force in our image. More generally, we seriously over-estimated the human resources which would be available to the security forces. We allowed ourselves to be rushed and therefore accepted major flaws in the ANSF that we were building. Under-performing ANA leadership were tolerated rather than being replaced. We failed to take a stand on corruption in the Afghan military.

Then we allowed ourselves to get trapped in a production-line version of building a military. Everything was measured in terms of numbers of inputs and outputs, rather than quality. The training mission reported on how many guns had been delivered and how many battalions formed. You pay a price when you focus on quantity and discount quality. The most telling statistic regarding the ANA was their attrition rate, which hovered around 30 per cent, including both outright desertion and people marked down as Absent Without Leave. It is impossible to bring an army up to its full planned strength if you are having to replace nearly a third of the personnel annually before you progress. The constant leakage weakens leadership, renders it impossible to build unit cohesion and obliges you to focus on the most elementary unit capabilities. Thus, both sides of our equation for the military component of strategy, the degrade side and the enabling of the ANSF, were seriously flawed.

There was an analytical element to the flaws in the military component of the strategy. We never developed adequate understanding of either the enemy or our Afghan allies. This ignorance hampered our ability to adapt over time. The one-year tours of duty were a compounding factor. The whole US army took one-year courses on Afghanistan. Even personnel with multiple tours of duty never went back to the same area or role, where they might have acquired some experience. So, everyone was perpetually locked into lesson 1-0-1.

Extent to which the efficacy of the military surge was undermined by the lack of complementary political action

The nature of the mistakes in the execution of the military surge in 2009 is professionally embarrassing. For starters, the US army should never have gone to Helmand. This was a basic mistake. Firstly, we had limited resources and the president had laid it out that we were not going to stay forever. The prevailing doctrine was clear: hold, build, transfer. It made no sense to go somewhere of secondary importance first. We launched our military effort in a province which was of secondary importance and which was home to only three per cent of the country's population. It was difficult for the US to claim to be acting to protect the population when it devoted maximum military resources to somewhere which accounted for so few people. We talked a good game but acted as if we were really there to fight the Taliban rather than protect civilians. There would have been a case for prioritising Kandahar, on the basis of the province's political importance and its greater population size. Exotic places like Musa Qala and Marja were more appropriate as subjects for National Geographic features rather than as the focus of US army operations.

The most plausible explanations as to why US military deployment went counter to the imperatives of the broader strategy were partly historic and partly tactical. In the earliest days of the intervention in Afghanistan, US Marines had operated in Camp Rhino and other bases around the South. That was because initially they operated from the north Arabian Gulf and their operating range did not stretch any further than southern Afghanistan. When it was time for the Marines to return to Afghanistan as the leading part of the surge, they went to the places they were familiar with. More importantly, as the Marines planned their share of the surge, they needed a part of the theatre where they could carve out the bureaucratic isolation to run their war on their own. The Marines operate with their own resources and brought their own chain of command, reporting to

a two-star general in Central Command, not to Stanley McChrystal, the Commander of US Forces in Afghanistan. Helmand was the least crowded part of the theatre, where they could run their own show.

If we want positive examples of the military contributing to an integrated approach, we probably have to look at the best Provincial Reconstruction Teams (PRTs). There were examples of PRTs which operated as planned, as fundamentally integrated civil-military teams. In the best PRTs, there was a real synergy. They worked best where the PRT did not have to compete with a heavy military presence. The other example of a significant military contribution to the overall strategy was in force development, in particular the work to develop Afghan commando units. In this initiative, we succeeded in addressing the human capital problem by skimming off the best people from the regular military units. We also deployed the best-suited US unit for the job, the Green Berets [Special Forces], and kept them assigned to the mission over the years, long enough to achieve a result.

Interplay with US domestic politics

You again have to consider domestic political compunctions if you want to understand the decision-making at key moments of tension between the political and military elements of the strategy. The killing of the Taliban leader Akhtar Mohammad Mansour in a drone strike provides a classic example. [*Note, at the time of the killing of Mansour in 2016, General Lute was assigned to NATO headquarters and therefore he was not directly a privy to the decision-making*]. There was a potential dilemma – do you treat Mansour as the head of a militant organisation against which you are fighting and thus kill him when you get a chance, or do you treat him as a potential interlocutor in dialogue and thus keep him alive?

From the outside, it looked as if the US finally got an opportunity to kill him with minimal physical or diplomatic collateral damage, and so they authorised the shot. Probably there was no one even there to champion the diplomatic path. The problem was that the narrative, as it had been developed up to that moment, had not adequately played up the possibility of leading through political action. The US had never adequately prioritised the political effort of engaging with the Taliban. This made it impossible for the President just to 'pass' on the shot. The President was already labelled as the man who traded 'five for one' with regard to the Guantanamo prisoners released in exchange for Private Bowe Bergdahl. He could not afford to add to that reputation by getting labelled as the man who passed up the shot at the Taliban leader. The existing narrative described American success in terms of numbers of Taliban leaders killed. Therefore, authorising the strike against Mansour was going to play out much better in the media and Congress than passing on the shot in the name of hope for future political cooperation.

When the President backs the ends, ways and means

When you look at the outcome from the years that the US under President Obama remained engaged in Afghanistan, you can clearly see the price that you pay when you fail to align fully ends, ways and means. Obama originally got elected on the basis that Afghanistan was the good war, in contrast to Iraq, the bad war. But, more generally, everyone knew that Obama was committed to winding down US overseas military adventures. He stated that his objective in the region was to disrupt Osama bin Laden. But that meant that, come 2011, and the killing of Osama, it became even harder for Obama to explain that he wanted to prioritise political action.

Nevertheless, it is important to acknowledge some of the specific ways in which direct interventions by the president helped strengthen the political elements of the US approach to the war. In his dealing with both Afghan president Hamid Karzai and Pakistan, he was consistently clear that he was in favour of a politically led approach. Even in his 2009 West Point speech, in which he outlined his strategy on Afghanistan and Pakistan, he deliberately included a line which communicated that there was an opening for the Taliban to become part of a political process. The president intervened directly to help bring about the first meeting between the US and then Taliban political representative Tayyab Agha. He then helped make it possible for Qatar to host the Taliban Political Commission. He clinched the agreement in a meeting with the Qatari Amir and he persuaded Hamid Karzai to go along with it.

Once the five Guantanamo prisoners were transferred to Qatar, things became messier, because there was a concerted effort to portray Bergdahl as a traitor. Despite that controversy, it is possible that the parking of the five Taliban leaders in Qatar may turn out to have been one of the important political investments made by the US towards achieving a peaceful outcome in Afghanistan. After all, these influential Taliban have lived peacefully since their release, with perhaps a better quality of life than has been available to any other Taliban leaders. If they do end up playing a role in promoting a political settlement in Afghanistan, it will have been made possible because, in this case, the US military and civilian institutions prioritised a political approach and cooperated on ways and means, as directed by the national leadership.

Peaceful solution to the Afghan issue

Statement by the Taliban Political Office in Qatar

M. Suhail Shaheen

Suhail Shaheen was educated at Kabul University and is a fluent English speaker and prolific writer. He edited the English-language, state-owned *Kabul Times* during the Islamic Emirate of Afghanistan, before being appointed Deputy Ambassador at the Afghan Embassy in Pakistan. He now serves as spokesman for the Taliban Political Office in Qatar.

ABSTRACT

What pathways does the Taliban's Political Office in Qatar see towards a political solution to violent conflict in Afghanistan?

M. Suhail Shaheen, Spokesman for the Political Office of the Islamic Emirate of Afghanistan, puts forward a Taliban perspective on prospects for a negotiated end to the violence and inclusive governance.

For the last 16 years, a relentless war has been going on in Afghanistan instigated by America, under a pretext in which the Afghans were not involved. Even so, no accepted and impartial entity has conducted an investigation regarding the war as yet. But consequently, it is the Afghans who have been the victims in terms of human lives and resources.

This meaningless war should come to an end. However, the plausible question arises, how? In our view, as the war is currently in full swing in Afghanistan and the country is practically occupied, there is a need for measures which will catapult the country out of the prevailing war and pave the way for the establishment of a future system of government reflecting the Islamic and national aspirations of the people of Afghanistan.

However, the main obstacle in this regard is the existence of the occupation. If the occupation ends, then the Islamic Emirate believes in the political resolution of issues. This is to put an end to the fighting once and for all and bring about an inclusive Islamic system representing all Afghans, in which none will feel marginalised or deprived. To achieve this, there is need for a period of restoration of security so that the Afghan nation may take a breath of relief, and Afghans can consider the pattern of an Islamic *Shura* system – a comprehensive framework that is the outcome of the sacrifices of the past four decades and that reflects their aspirations. Furthermore, all factors that have led to the current war situation and sufferings should be stopped.

Occupation is the cause and the war is the effect. When the cause ends, or there is a guarantee to end it, the effect of the military operations will itself come to an end.

We want termination of the occupation as soon as possible. But this depends to a great extent on the USA: how soon it can stop the war and let peace and stability return to Afghanistan. Similarly, it is pity that the current regime has been established at the behest of foreigners and based on racial cliques and factions. It doesn't represent all of the people; merit has not been taken into account as a criterion for inclusion in the government, but rather vested interests have played a crucial role. That is why

the Afghans do not feel a sense of being independent or that the regime is their own. So, the occupation needs to be replaced by independence – an independent Afghan inclusive government should come into being in place of the current regime, or at least guarantees that such a system will be established. Then Afghans will both feel independent and view the regime as their own.

In a nutshell, we believe negotiation is the best way to resolve the Afghan issue because it is through this process that we can resolve the issues without bloodshed. This has periodically been emphasised and elucidated in the official statements and annual Eid messages of our leadership.

It is also a reality that in the circumstances of occupation, the USA is the main party to the conflict. The key to the solution of the issue lies in the hand of the main party. But, this doesn't mean the Kabul Administration is not a party to the conflict. It is a party. However, we want to talk with the American side on some main issues and talk with Kabul about government formation. No question, they are Afghans and a party to the imbroglio. Furthermore, the Kabul Administration has not announced openly that they have the power to decide about or implement withdrawal of foreign troops or can give a guarantee as to their withdrawal. That is why not to discuss with them some main issues like the occupation which is not in the ambit of their authority and could not lead to any result, because we think they are not able to independently take a decision about the foreign forces' withdrawal. Of course, as Afghans, it is their right to be heard and their views taken into account and have participation in the service of the country as well as in the government.

So any ice-thawing initiative in Afghanistan depends on the USA to a great extent. If America changes its current posture of warfare, the war situation on the ground will change simultaneously. Afghans will find an opportunity to sit around a table and resolve their problems and start a peaceful life. The withdrawal of foreign troops is a 'spinal cord' for solving the problem. Conversely, the longer the occupation continues, the longer the war will prolong. That is why we can say both the intensification of the war and its de-escalation are linked with the occupation.

To resolve the Afghan issue through peaceful means, it is also necessary to create a conducive atmosphere of confidence, ie removal of the blacklist, opening of the office and exchange of prisoners. All these provide scaffolding for negotiation and help both sides to gain trust in the tangibility of negotiation.

"Once this preliminary phase is surpassed, it will open a new vista for a peaceful solution and turn the long-cherished dream of peace into a reality."

Regional countries too can play a role in this regard, including international organisations like the United Nations and the Organisation of Islamic Conference. However, it is a fact that currently the American policy is a main obstacle, decoupling us from the peace process. The US raises the slogan of a peaceful solution on the one hand but has in practice embarked on a military approach on the other, bringing new units of troops and tranches of weapons to Afghanistan from Iraq and other countries. Their President still openly says 'we do not want to have peace talks with the Taliban'. Such a contradictory approach intentionally plays havoc with the lofty aim of peace. Still more, the US regularly bombs and carries out night raids and claims that they want to bring Taliban to the negotiation table through pressure. In practice, all these actions provoke reactions, leading to intensification and prolongation of the war. This is a repeated, empty 'panacea' tested over the past one-and-a-half decades, which has utterly failed.

It will be appropriate for America to spend the money on peace and rehabilitation which it is now spending on war. As a pragmatic gesture, it should announce an end to occupation or give a date of withdrawal, then bring all their security concerns and other matters of interests to the table for discussion. The Islamic Emirate is ready to listen to their concerns and demands and discuss with them all. However, the Americans should also admit the legitimate rights of the Afghan Muslim people. Once this preliminary phase is surpassed, it will open a new vista for a peaceful solution and turn the long-cherished dream of peace into a reality. We hope this to happen at the earliest, for a peaceful and prosperous tomorrow for Afghanistan.

Brokering local settlements in Helmand

Practical insights for inclusion

Julius Cavendish

Julius Cavendish lived in Afghanistan between 2008 and 2011, reporting for a range of titles including *Time*, the *Independent*, *Christian Science Monitor*, the *Times*, and *The National*. He interviewed many of the protagonists of the Sangin peace accords and wrote a detailed account of the saga for the Afghanistan Analysts Network. He now lives in London.

ABSTRACT

What lessons can be drawn from local settlements negotiated in Helmand Province for future peacemaking in Afghanistan – locally and nationally?

Experiences of sub-state settlements agreed in Helmand province in 2006 and 2010 have shown that even in the midst of very violent conflict, peace is possible in Afghanistan – and that local populations are prepared to take calculated risks to make it happen.

Examples of peacemaking from Musa Qala and Sangin districts offer practical insights into the mechanisms, brokers and strategic imperatives required to reach accommodations that can reduce violence and facilitate inclusion. All three case studies featured in this article ultimately collapsed.

But some common factors underpinned their short-lived success, which offer valuable, practical lessons for local peacemaking, in particular: identifying legitimate brokers; empowering local communities; honouring commitments; coordinating military and political strategies; and acknowledging the limits of central government support.

The case studies offer further insights for national-level settlements – that there are opportunities to shift perceptions of the conflict sufficiently to widen political commitment for reconciliation, and to build popular appetite to negotiate a revised and more inclusive social contract.

Local settlements struck in Helmand province – in Musa Qala district in 2006 and twice in neighbouring Sangin district in 2010 – provide concrete examples of the specific, practical mechanisms through which peace initiatives can be pursued in Afghanistan. While each of these accords ultimately collapsed, their temporary success provides valuable insights into the mechanisms and brokers, and the strategic imperatives necessary to forge future settlements.

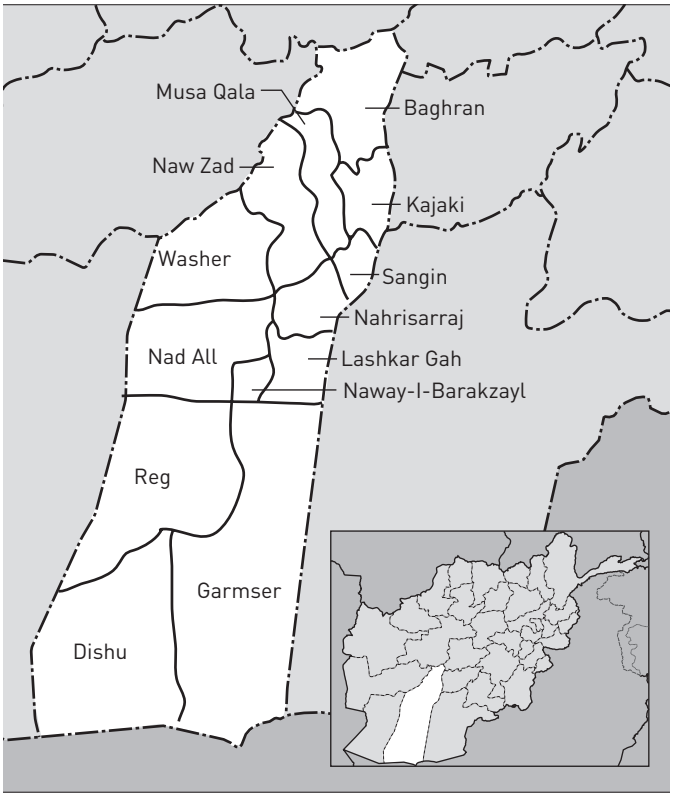
They highlight the readiness of different populations to take calculated risks in support of a revised, more inclusive social contract when government good faith and capacity are felt to exist. And while each of the three accords hinged on the successful identification and exploitation of local particularities, they also serve as useful case studies of some of the dynamics that any national-level settlement will inevitably have to grapple with.

Musa Qala accord

In 2006, Musa Qala was the site of increasingly violent confrontation between the Taliban and the International Security Assistance Force (ISAF) – a conflict that overlaid a separate, albeit connected, struggle between the two predominant sub-groups in the area: the Hassanzai and Pirzai branches of the Alizai tribe. Predatory behaviour through the early 2000s by Musa Qala's Hassanzai district governor and associated commanders, who commandeered heroin-trafficking routes and extorted taxes from the local population, helped to tip victimised, frequently Pirzai, tribesmen into common purpose with the Taliban insurgency.

That September, however, a representative jirga of tribal elders in Musa Qala struck a 14-point written agreement with Helmand's provincial government, as described by Michael Semple, the European Union diplomat who helped broker the accord, in his 2010 report, *Reconciliation in Afghanistan*. Among other things, the deal provided that the Jirga would:

» support the district administration, which would fly the Afghan flag
» nominate 50 men to be recruited into the Afghanistan National Auxiliary Police to maintain security in the district centre, and that only these police would be allowed to bear arms in the district centre
» along with the district administration, protect NGOs and civilian departments working in the district and assure the safe transit of national and international military forces
» guarantee that the district centre would not be used for military operations against other areas



Helmand Province.

» supervise the collection of local revenue, propose spending plans to the provincial government, and help keep district schools open.

As Semple notes: 'The unwritten clause of the accord was that its provisions would apply within a five-kilometre radius of the district centre'. Although the public narrative of the events that led to this agreement is sparse, it is understood that local elders held talks with local Taliban commanders, who saw benefits to alleviating the threat of serious conflict and agreed to call off attacks within the five-kilometre zone.

Although initially successful, by early 2007 the accord had begun to disintegrate, stymied by criticism from spoilers in Kabul, the appointment of a less sympathetic provincial governor, and the failure by the government to deliver development and security support. In February, an ISAF air strike killed a local Taliban commander outside the five-kilometre zone. While this strike did not breach the letter of the accord, by killing one of the commanders involved in maintaining it, ISAF destroyed a major incentive to uphold the agreement. Taliban fighters subsequently re-entered and occupied the district centre, and were only expelled by a major coalition (ie ISAF-Afghan) operation in December. Nonetheless, the Musa Qala accord had, for a brief moment, shown that engagement between the provincial administration and local tribes could extricate a population centre from the surrounding conflict.

View over Sangin district centre and the Helmand River, 2011. © Julius Cavendish

Sangin accords

In neighbouring Sangin district, tribes of the Upper Sangin Valley (USV) twice struck deals with the local government, pledging loyalty in return for a revised social contract. First, in May 2010, leaders of armed groups nominally aligned with the Taliban-led insurgency offered to reconcile with the government, pledging their full cooperation. In a letter addressed to local government officials, eight prominent commanders invited ISAF and Afghan forces to move freely in the USV and to build patrol bases in their lands. They asked that the government provide small-scale development assistance to help local communities, and promised both their acceptance of government authority and an end of hostilities between local fighters and the coalition.

The same USV leaders also agreed to help remove all improvised explosive devices and to encourage local men to join the local police, while requesting protection from reprisals by the Taliban leadership. An integral part of the dynamic was the accord's anticipation of a revised, more inclusive social contract – one that addressed local needs in return for political reconciliation. This was in contrast to a prevailing situation through the early and middle parts of the decade when a narrow, predatory elite monopolised economic rents and engaged in abusive behaviour, spurring resentment.

In the weeks after USV leaders offered this deal, insurgent attacks on British and Afghan forces fell by 80 per cent. Nonetheless, despite the clear potential that the accord provided as a strategic victory, the British Provincial Reconstruction Team (PRT) in the provincial capital of Lashkar Gah evinced little interest in it. According to British civilians supporting the Sangin district governor, the coalition's focus on central Helmand that summer, a decision to hand over responsibility for Sangin to US forces, and previous US criticisms over the Musa Qala accord, led PRT officials to deliberately drag their feet. And without PRT backing there was little prospect of delivering the development support the USV leaders had requested. The opportunity lapsed, therefore, with USV leaders and local government officials losing credibility in the process. In August, a drone strike targeting a local commander helped seal the accord's demise.

In the autumn of 2010, however, the Sangin district governor and his British advisors began cultivating a local Sufi leader called Agha Badar, who was highly regarded by the USV communities, and who subsequently agreed to support efforts to revive a reconciliation agreement. A number of factors helped breathe new life into the political outreach, including Badar's involvement, the good reputation of the recently appointed district governor and continued local antipathy towards the Taliban supreme leadership. A new accord was finally reached between USV commanders and the Afghan provincial government in December 2010, and witnessed by US Marine Corps and PRT representatives.

The deal stipulated that:

» local commanders and coalition forces in the USV would cease hostilities

» USV commanders and their communities would acknowledge government authority in their lands
» USV communities would, with coalition support, resist any intrusions by external Taliban fighters
» Afghan and international forces could establish joint patrol bases along the route of the main road through the USV, on which coalition forces would have complete freedom of movement
» Afghan government officials helping to deliver public works would have access throughout the USV
» USV leaders would send representatives to sit on a district *shura*, or council.

Side negotiations also saw Afghan officials promise to start project delivery immediately, while local commanders pledged to direct fighters under their command to volunteer for the local police. The deal was less inclusive, in terms of the USV communities committed to it, than the earlier accord, with Norzai tribesmen as well as Popalzai and Ishaqzai groups around Jushalay, Mian Rud and Mazak peeling away. Nonetheless, it provided a framework for reconciliation and continued engagement between local tribes and the Afghan government.

Following the pattern established earlier in the year, however, failure to deliver on the project by the government and its international partners soon undermined the agreement. USV leaders struggled to retain credibility with their communities as none of the small, low-cost infrastructure projects that had been planned in negotiations actually materialised, such as repairs to irrigation canals. At the same time, the US forces now responsible for security in Sangin repeatedly destabilised the deal, confronting USV communities in a clear violation of the spirit and at times the letter of the accord. Indeed, hostility among some senior US commanders towards any accommodation with local fighters led one British official to suggest that the US Marine Corps leadership in Helmand 'could not identify a peaceful solution, developed by civilians, as a victory'. Meanwhile, government and coalition support for a local police force, formed from reconciled fighters, never happened. Before long, external fighters sent by the Taliban leadership found that they could intimidate USV leaders with impunity. Agha Badar was shot and wounded by the Taliban, and later imprisoned by US forces. By late summer 2011 the deal had collapsed.

Lessons from the accords

Despite the ultimate failures of all three accords, each was briefly successful, dramatically reducing violence and showing that even in remote corners of rural southern Afghanistan, Taliban supremacy is no foregone conclusion. They also point to several simple yet critical lessons that have relevance far beyond the narrow context of northern Helmand.

Recognise that good brokers can play essential roles in peace mediation but have ambiguous identities. By definition, the best intermediaries have sets of contacts and a pattern of movement that can make them appear suspicious from a counterterrorism perspective. Their value as brokers is linked directly to their access to and influence over significant figures on opposing sides of a conflict. In the Musa Qala instance, elders on the tribal jirga were able to parlay their influence over local Taliban fighters into a settlement. In Sangin, the district governor, district elders, and later Agha Badar, played a key role in negotiations, with Badar ferrying letters between parties. In August 2011, however, Agha Badar was arrested by US forces and detained for almost two years on account of his association with insurgent leaders – the very quality that made him such an effective go-between. Depth of local knowledge and suppleness of thought are crucial attributes for any international actor seeking to decide whether or not to back a potential broker. Equally important is the calibre of that actor's Afghan advisors.

The Sangin examples showcase how the outcome of negotiations can hinge on the personal characteristics of key brokers. It was the appointment of a new district governor to Sangin in March 2010 that made both Sangin accords feasible. Unlike his predecessors, Muhammed Sharif became a trusted figurehead able to bridge tribal divides on the strength of his personal integrity. Following his appointment, USV leaders sought to meet with him, and the subsequent small-scale delivery of projects (pre-2011) were agreed in face-to-face meetings between community leaders and the district governor. The role of Sharif's British advisors, Phil Weatherill and John McCarthy, as well as that of another British civilian, Andy Corcoran, were also critical, with their deep well of detailed knowledge and diplomatic savvy helping to side-line spoilers who might otherwise have been able to undercut the second accord.

Empower local communities. The foundation of the three accords outlined above was the establishment of a revised social contract between local tribes and provincial government. It is a testament to the absence of the government in any meaningful form that these revised contracts amounted to little more than a basic form of engagement, in which the provincial government provided a modicum of basic services and security support in return for political allegiance. The contracts were notable as much for what they prevented as for what they provided, namely freedom from the predatory behaviour of discredited local elites.

Honour commitments punctually. The Afghan government and its international partners should recognise that streamlined delivery mechanisms that bypass the capacity issues faced by the Afghan government as well as the bureaucracy of the international development apparatus should be established before the conclusion of any future deal. Arguably the biggest failure by the Afghan government and its coalition partners in both Musa Qala and Sangin was their inability to deliver tangible benefits to the local communities engaged in the accords.

Semple has observed of the Musa Qala deal: 'The Afghan government and international support structures are too chronically cumbersome to deliver quick impact projects or capacity-building assistance to a challenging environment like Musa Qala … Projects remained bogged down in bureaucratic delays and support to the auxiliary police was inflexible … Whereas there was a need to enhance the prestige of the tribesmen working with the accord, the handling of the follow-up by the government and international community seemed calculated to undermine them.'

> **"Projects remained bogged down in bureaucratic delays and support to the auxiliary police was inflexible."**

Much the same could be said of the two Sangin accords. While uncoordinated military action – a drone strike first, and later the arrest of a key intermediary – may have signalled the end of both the Sangin accords, it was the failure of the PRT and the provincial government to uphold the government's side of the deals that ultimately undermined them. Although the small, quick, cheap rural infrastructure projects promised to local communities under the terms of the accords wore the veneer of development work, their primary function was actually to consolidate the grassroots political outreach that had led to the accords in the first place. Delivered through the district government, they were intended to demonstrate government credibility, force USV leaders to engage with the district governor, burnish the prestige of the USV commanders who had switched allegiance to the government, and highlight the inability of the Taliban to deliver anything similar. Quick delivery was essential. Other considerations, such as quality of workmanship, or strict observance of administrative process, were not.

Yet, as had been the case in Musa Qala, cumbersome bureaucracy and a lack of strategic purpose across a multitude of Afghan and international agencies stalled project delivery entirely. Until 2010, a degree of flexible, easily accessible funding had been available to the Sangin district governor through the UK Stabilisation Aid Fund. This relatively agile mechanism had allowed the British advisors supporting the district government to respond to emerging opportunities for political stabilisation without delay. From 2011, however, a change in the resourcing model and a series of sweeping cuts, with no compensatory mechanism put in place, starved the local government of funding at an acutely sensitive political moment.

Coordinate military and political activities. Throughout late 2010, military operations in Sangin frequently damaged reconciliation attempts, sometimes at critical junctures, despite the supposed primacy of political objectives. These included:

- an August 2010 drone strike against a reconcilable USV commander – who survived, and subsequently informed district officials that the attempt against him marked the end of the first Sangin accord
- constant operations by US military forces in late 2010 despite a central government edict banning such activity
- a November 2010 drone strike that killed Sangin's shadow governor – who was widely viewed as reconcilable, who was aiding negotiations towards the second accord, and whose death had the effect of driving several constituencies away from the accord, when previously they had been prepared to back it.

This fundamental disconnect between Afghan and British officials pursuing a political deal on the one hand, and US warfighters on the other, was also evident in the contrasting narratives with which each described the second Sangin accord. Senior US commanders framed the deal as a surrender by Taliban-aligned fighters to the coalition rather than a compromise with honour – a depiction that many USV fighters found both insulting and inaccurate. At the same time, US commanders insisted on 'testing the deal', sometimes by contravening its terms: on one occasion by driving the length of the USV, and then shooting dead an irate but unarmed villager; by establishing patrol bases in territory well away from the main road; and by entering local compounds without Afghan forces in tandem.

Where political and military action was coordinated, however, as it had been in the build-up to the first Sangin accord, the results were effective. Most notably, the exercise of 'heroic restraint' by British forces through the first half of 2010 was viewed positively by local communities, and contrasted sharply with abusive behaviour by out-of-area Taliban personnel, whose actions

bred resentment and eventually led them to be perceived as occupiers – precisely as the district governor and his advisors intended. Meanwhile, military strikes against irreconcilable USV fighters strengthened the position of more amenable elements of the local insurgency.

Be realistic about central government support. Even when it is politically willing, the Afghan government's capacity to deliver is constrained. In Musa Qala, a lack of will was compounded by concerted efforts to undermine the accord by elements of central government. During the winter of 2006–07, the accord was the subject of an inaccurate, hostile briefing by the National Directorate of Security (NDS), which portrayed it as an affront to Afghan sovereignty that had turned Musa Qala into an insurgent haven. Divorced though this portrayal was from reality, the effect of the negative briefing was to undermine political support among senior Afghans and internationals, helping to doom any efforts to deliver the development programming or police training mandated in the accord.

While the Sangin accords never faced the same level of NDS hostility, they still lacked the benefit of genuine central government support. Line ministries failed to view the region as a strategic priority, maintaining few officials and police in the districts and neglecting to pay salaries – and so communicating a tone of general indifference. Meanwhile, the Afghan security apparatus sought to project government authority through local security forces, such as the Afghan National Army, rather than the revised social contract envisioned in the accords. What political support existed was largely ineffectual: for example, President Hamid Karzai's edict against military operations in the USV in late 2010 was routinely flouted by US forces.

Recognise that local deals can nonetheless pave the way for a national settlement. For all their local particularities, district- and even sub-district-level settlements have the potential to create space for political settlements elsewhere. This is most evident in the way that over time different communities in Sangin expressed their support for the accords, showing a widespread and popular appetite for the revised social contract on offer. This was provided that the Afghan government and its international partners could demonstrate credibility and good faith through the delivery of development and security support. Furthermore, successful local deals have the potential to alter not just local realities but broader perceptions of the conflict, opening up more political space for deals elsewhere. And finally, with the long-term success of local deals ultimately requiring national backing, obtaining this degree of political commitment in and of itself sets the stage for reconciliation on a grander scale.

Inclusive local peacebuilding in Afghanistan

Lessons from practice

Jawed Nader and Fleur Roberts

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Fleur Roberts is a British & Irish Agencies Afghanistan Group trustee and has worked with civil society in Afghanistan since 2011. She has had a particular focus on working with local civil society to test and deliver locally led approaches to support sustainable development. She holds an MA in International Development from the University of Auckland.

ABSTRACT

How have local peacebuilding initiatives contributed to inclusive peace in Afghanistan?

Local peace councils have played essential roles in resolving disputes and supporting justice, working with traditional *jirgas* and *shuras* to fill gaps in the formal justice architecture. Religious actors' influence also has a key function to mediate local conflicts. Neither of these institutions should be idealised and both bring challenges, such as relating to representation, gender, conservatism and clientalism. But linking up with NGOs in joint peace initiatives has brought mutual benefits, for example in enhancing women's involvement, and has helped to multiply gains in preventing local violence.

A question remains over the implications for peace beyond the local level. Community-based mechanisms used effectively can help link local agency to formal peace structures and processes – for example local peace councils sharing conflict analysis and mitigation planning with provincial and high peace councils. As well as providing a significant practical resource, such initiatives would also help to ground the national peace architecture, which at present is widely perceived as remote and ineffective.

Graffiti in Kabul by Afghan activist group Art Lords, saying: *Tan-e maihan ba marham ehtiaj ast* – The country's wounds need a cure. © Najeebullah Azad

Many Afghan and international non-governmental organisations (NGOs) have been engaging in peacebuilding initiatives in Afghanistan since the mid-1990s. A number of different approaches have been supported by NGOs and by civil society more widely to promote peace in response to multi-faceted and persistent drivers of conflict. This article draws on research by the British and Irish Agencies Afghanistan Group (BAAG) in 2017, which aimed to document examples of community and civil society-led peacebuilding initiatives. The research involved a desk study and 15 semi-structured interviews with employees of a number of international NGOs (INGOs) and Afghan NGOs (ANGOs) operating in Afghanistan.

Why look at the local level given the dominance and persistence of political conflict between armed opposition groups, namely the Taliban and Islamic State in Khorasan (ISK), and the Government of Afghanistan and its allies? The NGOs interviewed stressed that a conventional political settlement will not on its own secure long-term peace in Afghanistan. The country's deteriorating situation shows that existing top-down approaches are insufficient. Some feel there has been a disproportionate focus on macro-level measures, compared with limited support for Afghan grassroots to address local drivers of instability.

The causes and effects of insecurity in Afghanistan vary greatly and measures to address it need to be multi-faceted to respond to drivers of conflict at all levels. Local tensions and disputes break down social cohesion and can compound the authority of criminal and armed opposition groups. Equally, disenfranchisement and perceptions of unfairness in society – relating to governance, the justice system and socio-economic structures – can also drive support for the insurgency.

Mechanisms to facilitate peacebuilding at the grassroots range from broader development initiatives to more specific peace interventions such as peace education and awareness raising, supporting UN Security Council Resolution 1325 on women, peace and security, engaging with religious scholars (*ulema*) and other leaders, and strengthening local dispute resolution mechanisms. Local initiatives occur across the country but are much less prevalent in areas that are too insecure. This article focuses primarily on efforts to enhance dispute resolution at the local level, in particular at two specific examples and how such initiatives relate to the broader armed conflict.

Local peace councils

Participants in the research noted that trust in formal justice mechanisms is poor. The majority of people, particularly in rural areas, more frequently refer to traditional and informal mechanisms such as *shuras* and *jirgas*, which consequently resolve a greater number of disputes than formal mechanisms – from local land disputes to small-scale armed conflicts.

But despite their prevalence and impact, respondents noted that community-based mechanisms are not without their challenges. They can be unrepresentative and influenced by ingrained and partisan power dynamics, resulting in decisions that sustain power imbalances disproportionately in favour of elites, and that disadvantage the most vulnerable and reinforce harmful practices such as *baad* – the custom of settlement or compensation whereby a

female from the guilty party's family is given to the victim's family as a servant or a bride. Also, *shuras* and *jirgas* often focus on community harmony, which is generally achieved by arriving at a settlement, and not necessarily on providing justice to the affected individuals. This can limit meaningful transformation of conflicts, allowing discontent to fester.

The NGOs interviewed indicated that while some organisations have worked to strengthen existing *shuras* and *jirgas*, many have focused on supporting the establishment of new, more inclusive community-based mechanisms. The most common approach has been to set up village- and district-level peace committees and councils (henceforth peace councils), and a number have been initiated across multiple provinces.

The inclusivity of the councils – ensuring representation of all facets of society – is prioritised to ensure more equitable outcomes. A multi-step consultation and selection process is usually undertaken with various groups within the community to scrutinise and cross-check information about prospective members. Extensive meetings are held between the NGO and the local community to agree on the best approach and composition. In some cases, involving *ulema* in the peace councils has helped to improve inclusivity, especially in terms of women's participation. For example, one Afghan NGO's work with *ulema* in nine communities in north-eastern Afghanistan has resulted in the *ulema* championing women's social participation. This has helped to convince other community leaders such as *maliks*, *khans*, landlords and other powerful figures to accept a greater role for women in local committees, which in turn has had a positive impact in ensuring greater gender justice in the councils' decisions.

Peace councils have been supported to analyse the drivers of conflicts that are impacting their community, and to work to address these underlying drivers and to play a mediation role. Examples of common disputes addressed include conflicts over resources or domestic disputes. Some of the peace councils have also attempted to help alleviate conflicts involving political parties, militias and major ethnic groups. Their existence has helped to improve community resilience in the wake of political tension resulting from elections or political processes elsewhere in the country or seasonal tensions between nomadic groups and settlers.

An external assessment was conducted by Thousand Plateaus Consultancy Services of one peace council project led by an INGO jointly with six ANGOs in eight districts across four regions of Afghanistan. The evaluation confirmed that the peace councils in question have been successful in preventing and resolving a number of community-based conflicts. As a result of the project, decreases in reported disputes were recorded as follows:

» water disputes – 29 per cent
» legal disputes – 19 per cent
» poverty and unemployment-related disputes – 27 per cent
» conflicts stemming from disputants' different religious beliefs and practices – 5 per cent
» conflicts over customs or traditional practices in target communities – 15 per cent.

The long-term sustainability of the peace councils is yet to be fully established. Moreover, attributing impact is complicated as their success in a given area depends on several factors including security, social cohesion within the particular community, the nature, size and history of disputes, and the community's attitudes towards traditional dispute resolution mechanisms. Equally, while the verdicts of the councils are non-binding, if the affected parties are limited in their capacity to access the formal justice sector – whether because of money, gender or geography – then there may be little recourse for appeal, as is the case with traditional *shuras* and *jirgas*.

Efforts have been made to give more weight to the traditional dispute resolution mechanisms by formalising them or improving their linkages with state institutions. For example, the Afghan government is considering the viability of bringing these mechanisms under the Community Development Councils (CDCs). However, the CDCs already have a range of responsibilities beyond their role of implementing rural development projects. Adding a dispute resolution function could potentially create tensions between CDCs' various roles, while such integration could also impact on the inclusive composition of the peace councils.

The NGOs interviewed stressed the value of considering the relative strength of the peace councils as informal independent bodies, and what might be lost if they are formalised. Nonetheless, viable options for linking the councils with the formal sector should be explored further as a way of providing them with on-going support and facilitating their role as key agents in the process of conflict transformation, providing they respect existing institutions' strengths and customs.

Working with religious actors

Religious leaders and scholars hold considerable influence over public opinion. Estimated at around about 170,000 individuals, religious leaders comprise graduates of religious schools and universities from both Sunni and

Shia jurisprudences – primarily men but also a few women. Unlike politicians, they are not elected and derive their authority from the study of Islam, operating as religio-political actors. Most hold conservative views and exert influence over social and political processes.

Nevertheless, peacebuilding projects that have acknowledged their role and have engaged them in projects from the outset have had some success in building support for more inclusive conflict resolution. For example, some cases have demonstrated that obtaining the support of religious leaders can create more space for women's social participation, but only if the leaders in question are open to this outcome and are approached in a way that raises their own awareness about the importance of women's rights and women's empowerment.

An example of an initiative that has achieved positive results for peacebuilding is one in which two INGOs and an ANGO work with religious leaders in all 34 provinces to help them contribute more effectively to sustainable peace. The initiative recognised that religious actors play a critical role in mediating local conflicts, and are often preferred over official judicial systems. However, as their work is mostly focused on preaching, teaching and advising on religious obligations, their conflict resolution potential is largely under-used and abilities underdeveloped.

The initiative set out to develop the skills of 414 religious actors, including 98 women, who were members of the nationwide Religious Actors for Peace network. The aim was to strengthen their reach and effectiveness in resolving family, community and provincial-level conflicts by providing training and mentoring in dispute resolution approaches. The initiative also linked these actors to national peace structures in order to capitalise on their potential to mediate and foster peace across the country, and to include their voice in national-level peace processes.

An external evaluation of the project found that a key strength was the support it gave to help religious actors work together to explore different interpretations of the Qur'an in relation to peacebuilding and conflict resolution. According to the evaluation, the methods used resulted in increased knowledge, capacity and motivation to mediate conflicts. They also positively changed the way in which the religious actors work in their communities by fostering participation and non-violent approaches that help to mediate, rather than perpetuate, root causes of local conflicts. Religious scholars were taught practical and conflict-sensitive ways of analysing disputes. These have made them more conscious of their own limitations as peace actors but have also given them more effective tools to resolve disputes sustainably. In a few cases, the religious leaders successfully engaged in dialogue with local opposition groups.

> **"Successes were achieved by using an educational approach that was both experiential and participatory, which changed the way religious scholars interacted with people to resolve disputes."**

The initiative has empowered participants to be active peace agents. Successes were achieved by using an educational approach that was both experiential and participatory, which changed the way religious scholars interacted with people to resolve disputes. The evaluation found that while these methods were different from the religious actors' usual practice of taking authoritative decisions and making judgements on people's behalf, they helped to promote active learning, critical thinking, participation and ownership among participants.

The religious scholars reported that they changed their approach towards more inclusive processes in which they listened to people and sought their perspectives in the suggested solutions, which made their mediation more acceptable. The initiative also fostered a network among the different scholars, which according to the evaluation was critical in enabling them to access support and share ideas, challenges and learning. Meeting in person and regularly exchanging views, through phone and social media, created more harmony and openness among network members and helped to counter stereotypes about scholars of other jurisprudences.

These findings provide important lessons for other initiatives aiming to promote more inclusive conflict resolution approaches with religious actors. But there are associated risks. First, the risks to *ulema* need to be carefully assessed. While *ulema* enjoy high degrees of trust and respect among the Taliban and other armed actors, evidence has shown that armed opposition groups keep a close eye on *ulema* who speak against their political views and have, in some cases, threatened or assassinated them. Clearly, protection and Do No Harm principles need to be carefully factored into programme planning.

A key challenge for the initiative described above was that it was able to achieve the aim of linking the network of religious actors to official peace structures. The role of *ulema* in national and regional-level peace structures is

still ambiguous and there are varying views on what role, if any, they should have in peace processes.

Conclusion: implications for inclusivity

While assessments of local peace initiatives show positive results for conflict mediation and resolution at the local level, what, if any, are the implications for conflict and peace more broadly in Afghanistan? In many cases, there has not been a direct link between local initiatives and formal processes – although there are some examples of councils and religious actors engaging in dialogue with armed groups. So, what relevance do they have? It is the view of the authors, and many of those interviewed, that such initiatives *are* important in facilitating peace. Formal peace processes need to enable genuine participation from civil society, including religious actors and peace councils, which our research suggests is fundamental in supporting broader inclusivity.

There are multiple drivers of insecurity in Afghanistan, so the response needs to be a multi-faceted. Mechanisms that help to prevent violence – of any type – are important in creating stability. Strengthening community-based conflict mitigation and resolution mechanisms is an important approach in addressing localised drivers of conflict and is particularly important where formal rule of law and governance structures are weak or inaccessible.

Complementing this should be a range of approaches that help to build wider stability at the community level and beyond. For example, unemployment and lack of economic opportunities were cited in the research as key drivers to conflict at meso- and micro-levels. Peacebuilding projects that reduce poverty and improve livelihood prospects, and even bring warring communities together over joint economic endeavours, can be effective as they tackle this driver in a visible way.

If used effectively, community-based mechanisms can also provide pathways for community voices to feed into formal peace structures and processes. For example, community peace councils throughout the country have engaged in conflict analysis and mitigation planning with their communities. This adds up to a wealth of information that could inform analysis and planning of provincial and high peace councils. The research suggested that government peace structures are perceived as remote and ineffective, which undermines their legitimacy and capacity to deliver. While being careful to not undermine the factors that have made community peace mechanisms effective, much more consideration needs to be given to whether strengthening linkages between informal and formal peace and justice structures could help make the peace process more inclusive.

An inclusive peace process for Afghanistan must find ways to involve all affected groups, including the most marginalised. For example, Afghanistan's population involves a complex ethnic composition at the national level and a complex tribal composition at the local level. An inclusive peace process needs to accommodate both the ethnic and tribal dimensions of conflict. At the local level, NGOs have had success with adopting a conflict-sensitive approach, which tries to ensure that all relevant stakeholders in a community are consulted and involved, including in relation to tribal affiliation. Particularly in the case of peace councils, this approach has helped to minimise potential errors or omissions that might result in ostracising particular groups, especially the most vulnerable and least influential.

Inclusive peace efforts will also need to take into account the changing role of Afghan women in various sectors. At the local level, gender perceptions can be very varied and certain male leaders might find the way some NGOs approach gender intimidating or incompatible. The research found good examples of NGOs that have had success moving away from narrow interpretations of a gender approach. These have taken into account the needs of men and boys, and have worked with male leaders more subtly and implicitly on gender justice matters. Dialogue on inclusive peace at the macro level could draw lessons from local practice. While national and local peace processes operate on vastly different scales, local-level approaches have the potential to provide useful insights on inclusivity.

The importance of multi-track processes to building sustainable peace is widely recognised. But this recognition is not matched by concrete support. Political peace processes need to be broadened and much more attention needs to be paid to the contribution of communities. The powerful examples of peace practice presented here show how civil society initiatives have helped to strengthen conflict resolution mechanisms at the local level in Afghanistan. Tapping into this resource can enhance and harness local capacity to promote a more inclusive and sustainable peace process.

Political process in Afghanistan

What role for international partners?

Ed Hadley and Christopher D. Kolenda

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ABSTRACT

How can international partners provide effective support for a political process in Afghanistan?

A political solution to the armed conflict between the Afghan government and the Taliban must be Afghan-led. But international support is essential to build momentum and resilience.

There is a compelling moral and practical case to convince Western allies to work collaboratively and strategically, using their collective leverage to persuade conflict parties to engage in talks. A viable approach must acknowledge the multi-tiered realities of the war, operating nationally, bilaterally and regionally, and also the incremental political logic of conflict resolution, working through a step-by-step process from informal dialogue and confidence-building, to military de-escalation and formal negotiations.

Lessons from past peacemaking efforts stress the need for: 1) a peace process necessitating a long-term commitment; 2) strategic prioritisation, to coordinate activities towards a common political goal; and 3) third-party facilitation, excluding external states currently operating in Afghanistan.

US soldiers investigate an insurgent fighting position overlooking routes used by locals as well as the US and Afghan Security Forces through the inhabited valleys of Paktya Province, 2008. © ZUMA Press, Inc. / Alamy Stock Photo

Afghanistan's war, past and present, is multi-tiered. Myriad local and sub-national conflicts sit within and shape a national confrontation, which itself sits within and is shaped by a complex interplay of cross-border, regional and international tensions, conflicts, relationships and interests. While it is of course primarily an Afghan war, regional and international actors are central to its continuation and, therefore, its eventual resolution.

Officials and non-governmental actors in Washington, London and other capitals have attempted various initiatives to bring the belligerents into a political process, including bilateral and multilateral talks, Track 2 conferences, combatant reintegration programmes and economic inducements. But in the absence of an agreed and coordinated vision and public narrative, divergent interests and spoiler actions have undermined such efforts.

Recent signs of movement towards political dialogue, stimulated by President Ashraf Ghani's February 2018 offer of peace talks with the Taliban, are encouraging. But history shows that even the most promising political process can be derailed, not least in its nascent stages. Progress needs to be nurtured, to build momentum and resilience to withstand shocks. What, then, are the options for effective international support for a peace process in Afghanistan? A way forward is to develop a coherent and incremental approach that responds to the multi-layered realities of the conflict.

Obstacles

The challenge of finding a political solution to Afghanistan's war has been compounded by a lack of clear analysis of the conflict problem to be addressed, and by often competing policy imperatives. In the West, and especially in the US, there has been a tendency to blur the Taliban movement and its erstwhile al-Qaeda allies, which are linked but distinct, making the argument for political engagement and dialogue harder to win.

This conceptual challenge has also fed into the wider tension between the counter-terrorist policy of Western states and their concurrent interest in starting a political process, resulting in conflicting priorities. The perceived emphasis on military force and operations, for instance, has created the impression that peace is not a priority. The abortive June 2013 opening of a Taliban 'political office' in Doha, on the other hand, generated cynicism about political outreach, damaged US-Afghan relations, and undermined negotiations over the proposed Bilateral Security Agreement to allow US and international troops to remain in Afghanistan beyond 2014.

Further complicating support for a political process with the Taliban are legitimate questions about whether it would involve compromises on some of the advances achieved in Afghanistan since 2001 on human rights, education, elections and the constitution. Moreover, there are concerns about the political cohesion of the Taliban and the credibility of its more moderate wing – which comprises mainly former Taliban officials and diplomats, many of whom are based in Doha. Would engaging or even reaching an agreement with the Taliban result in any tangible outcomes?

These complexities and ambiguities continue to cause great uncertainty about the prospects for any political process, including among Taliban leaders. Many of them interpret calls for a process as little more than a demand that they capitulate. This is despite the fact that the Afghan and US governments have continually stressed since 2011 that their three 'red lines' – that the Taliban

cut ties with al-Qaeda, renounce violence and support the Afghan constitution – were end-conditions rather than pre-conditions for negotiation.

Making the case

Political dialogue between the Taliban and Kabul faces resistance from many quarters inside and outside Afghanistan. Establishing a compelling case is key to build and sustain support. US President Donald Trump's revised Afghan strategy announced in August 2017 does not rule out a more assertive international effort to drive a political process forward. But his one-line reference to a possible 'political settlement that includes elements of the Taliban in Afghanistan' suggests there is work to be done to convince the President and his National Security Council to commit.

Despite the complex challenges, some things are clear. Decisive military victory is highly unlikely. State-building initiatives will prove reversible in the absence of an eventual settlement. The human and financial cost of the war is vast. Tens of thousands of Afghan civilians have been killed or wounded. In the first five months of 2017 alone, Afghan security forces reportedly suffered 2,531 killed and 4,238 wounded. Over 3,500 international troops have lost their lives. The US has spent over $800 billion since 2001. Without a credible political process, President Trump could yet enter the 2020 US election having spent another $100 billion, and likely having lost more service members, with no appreciable change in the strategic situation.

There is a clear and obvious moral argument to be made. But to win over sceptics it also needs to be articulated in more hard-headed terms. It should be framed so as to make clear that the best way to ensure an eventual transition out of Afghanistan and a reduction in the enormous bill for the local security forces will be a political process that tackles the root causes of the interconnected conflicts described above – and does so in a way that respects the service and sacrifice of Afghans as well as of international troops. A strong case can also be made for political intervention on the basis that the Afghan war is now highly internationalised. The conflict plays into wider tensions between India and Pakistan, Iran and Saudi Arabia, India and China, and the US and Russia, among others. The risks of broader instability are high, and the impact that this could have on Western security interests are considerable.

Looking forward, the literature tells us that a peace process is likely to gain momentum when a 'mutually hurting stalemate' exists. This requires three conditions. First, that the conflict is deadlocked. Second, that the parties to the conflict recognise this to be the case. This occurs when the actors perceive that the likely costs of attempting further military gains exceed the benefits. Perception that an outright military victory is unlikely is not sufficient – actors will use military operations to increase their leverage, too. Only when this becomes too costly will they begin to seek alternatives. Third, the actors must believe that a viable alternative path exists to achieve their core interests. An alternative path only becomes viable when sufficient confidence exists that the other party (or parties) can make and keep credible commitments. This step alone could take years to unfold. There is no reason to wait for some magic moment of insight to strike the actors. There is a critical requirement to act now.

Although many voices on the side of the Afghan government and Taliban recognise – even if only privately – that there is no military solution to the conflict, both sides still believe they can still advance their negotiating leverage through military action and battlefield gains. The 'uplift' of US forces announced in August 2017 has clearly given the Afghan government new hope of forcing the Taliban to sue for peace. For their part, the Taliban are likely to exercise patience to see how intense this latest military push will be. Meanwhile, they are likely to continue seeking territorial gains and to secure a major population centre, such as Kunduz or Lashkar Gah.

Political process in practice: steps and levels

To build on positive signs of headway towards a political process, an expanded international initiative to support dialogue should proceed along interrelated and phased steps. These would need to function on multiple levels to be effective, matching the multi-tiered nature of the conflict. The steps begin with dialogue and confidence-building measures. This foundational first step is key to progress in current conditions and so is the focus of attention here. Advancement on step one facilitates movement on steps two and three: limitations on military activities leading to a general ceasefire; and finally more formal negotiations.

The three levels correspond to the dimensions of the conflict where international facilitators can make a reasonable difference: first, regional – Afghanistan's neighbours plus India, China, Russia, and also the US; second, bilateral – Afghanistan and Pakistan; and third, national – the Afghan government and the Taliban. Given the complex and dynamic nature of the conflict, a third-party facilitator would be well placed to ensure efforts are coordinated and mutually reinforcing – as discussed in more detail below. Critically, international actors must avoid poorly coordinated and overly high-profile 'rushes to failure' – such as the attempted opening of the Taliban's Doha 'office' in 2013 – that have undermined earlier efforts.

Step one would need international engagement at all three levels to find agreeable confidence-building measures in order to establish the credibility of all parties to deliver tangible progress. Confidence-building measures, if carefully crafted, can begin while the conflict is ongoing and accelerate both the recognition of stalemate and a viable alternative path. Measures in step one could include cooperation on polio vaccines, for which there is some precedent, or on reducing civilian harm. A gradual intensification and constant evaluation of confidence-building measures would reduce the risk of ceding political and military advantage or creating unrealistic expectations. Starting small and building toward more significant measures has the potential to create important momentum and credibility, and offers a practical, low-risk, high-payoff way forward.

A subsequent advance within step one would be to seek agreement on broad-brush principles on which further dialogue could be built. There is arguably already a basis for this. International actors, the Afghan government and the Taliban leadership are all under some bottom-up public pressure to bring greater stability to Afghanistan; all three want to see foreign fighters withdrawn from Afghanistan, whether Arabs or Americans; and all three are committed to seeing corruption reduced and governance practised in light of Afghan tradition and Islamic values. All international players can also agree, at least rhetorically, that it is in their interests to see a sovereign, stable and neutral Afghanistan – even if the more difficult issues of distribution of political power and any long-term international troop presence would need to be considered later in the process.

Step one could also include a well-coordinated and clearly supported dialogue process at Tracks 2 (unofficial) and 1.5 (quasi-official), undertaken 'quietly' with minimal media coverage. This could help generate momentum at the national level. The Track 2 event held in Chantilly in France in 2012, which was attended by members of the Taliban leadership, caused tensions in Kabul. But it also exposed some Taliban leaders to other contrasting Afghan voices and gave the movement's more pragmatic figures a status and platform they otherwise lacked.

These initiatives are not without risk. But both the Afghan government and the Taliban will need to see something positive 'on the table' if they are to be able to sell any form of engagement to their sceptical constituencies. In support of the Afghan government's successful negotiation of Gulbuddin Hekmatyar's return to Kabul and culmination of his faction's insurgency, the international community was able to lift sanctions on members of the armed group. This showed that international partners can react quickly and constructively when required, and how quickly the policy edifice seemingly preventing progress can be undone. The Hekmatyar deal is no template for negotiations with the much larger and more powerful Taliban movement – but it shows what can be achieved with enough resolve.

International actors also need to seek bottom-up opportunities to support progress on dialogue at the national level. Efforts to reform local government and local High Peace Council structures have been important and need to continue. But to complement these, a potentially effective innovation around step one would be for international actors to dedicate more effort to understand and collectively tailor their support for local level peace initiatives. Insurgents and officials have found accommodations locally in the past that have genuinely reduced levels of violence [see article on Brokering local settlements, p. 74].

Given the reduced international footprint in Afghanistan today, mobilising adequate and effective support for local initiatives would be no mean feat. One way forward would be to consider 'trial de-escalation zones' at a sub-provincial level, perhaps leading to local ceasefires. Afghan government engagement could be monitored and constructively supported. Positive popular pressure for peace generated by such initiatives could be channelled upwards to both the insurgent and government leaderships.

Building momentum: international leverage

The US and its allies have a number of points of leverage over the key actors. Together, they have potential to bring their considerable diplomatic and political authority to bear in an effort to cajole, persuade and engage all parties, and help establish conditions in which a political process might grow.

On the Taliban side, there is evidence that the movement's leadership recognise that they do need to engage the US and wider international community politically, for example their agreement to establish and maintain their Doha 'office'. Taliban leaders recall the heavy cost of their isolation when in power and there have been signs that the more politically savvy among them know that if the movement is to survive into the long term, it must evolve into a position whereby it can benefit from the enduring support that Afghanistan needs to recover.

More generally, the movement's leaders continue to seek the international recognition and respect they believe their movement deserves, given what they see as its central role in rescuing Afghanistan from the horrors of the civil war in the 1990s. As such, despite the understandable frustrations, there remains continued practical and

symbolic utility in the Taliban's 'office' in Doha remaining open, as a future channel for contact and dialogue, and a platform and outlet for the movement's more pragmatic leaders. Closing the political office, as some have suggested, sends a powerful statement to the Taliban that nothing is to be gained from pursuing peace.

With regard to the Afghan government and the wider array of powerful political players in Afghanistan currently, the US and its allies could do more to leverage the extraordinary levels of assistance that they continue to provide to ensure that there is an unrelenting focus on getting a political process under way. The US and its international partners have a reasonable right to insist that the Afghan government supports plausible opportunities to bring the conflict to a durable peace.

Shared objectives with regard to peace are especially important given the risk that misaligned interests and objectives between Western states and their allies have damaged peace initiatives in relation to past conflicts. There is a significant risk of this happening in Afghanistan today with the 2019 Afghan presidential elections looming, as candidates may seek advantage in undermining any nascent political process initiatives.

In the final reckoning, there can only be an 'Afghan-led' political solution to the national dimension of the Afghan conflict, a point all international actors have recognised in recent years. Evidence from across the world suggests that the capacity of external actors to 'screwdriver' a deal is very limited, and would only result in further instability in the long term.

But that does not mean international actors are discounted. Steps one (dialogue and confidence building), two (reductions in military activities) and three (formal talks) will all require international support in some form to get traction. There is a need to ensure that an Afghan-led process does not become one that excuses international actors from taking action, or provides an opportunity to those in Afghanistan and the region who do not see it as in their interests that a political process progresses.

International third-party facilitation

Any renewed international effort, especially of the kind involving regional diplomacy, will require strong political leadership. The investment in human resources and the injection of political capital must be commensurate with the task at hand. A third-party facilitator – UN or independent – would, we believe, be very well placed to begin to develop the foundations across the three levels of engagement described above for a credible peace process to begin.

It would of course be critical to build a respected and expert team to support facilitation, which would need to be empowered to bring together the various key actors. Such a team could build up slowly and, if appropriate, draw in other international actors and allies, whether from other Muslim states or organisations, or from countries that have gone through similar multi-decade processes, such as Colombia or the Philippines. Any third-party team would also need to be able to draw on the diplomatic, conflict resolution and mediation human resources and expertise required to take such a complex political process forward. Some of that skill base and experience may be best drawn from the NGO and peacebuilding community, where they have made important contributions to peace efforts such as in the Philippines or Nepal.

> **"Closing the political office, as some have suggested, sends a powerful statement to the Taliban that nothing is to be gained from pursuing peace."**

Lessons identified – and learned?

The costs of continued conflict in Afghanistan are huge. While vital to the overall effort, the military campaign alone will not bring stability, and nor will state-building efforts prove sustainable for as long as their fundamental legitimacy is disputed by an armed element of the Afghan population. We have argued here that an internationally supported peace process is the best way to ensure the gains made since 2001 are sustained.

The challenges to taking forward an Afghan political process are undoubtedly enormous. The exclusivity of Afghanistan's current political settlement will need to be carefully recalibrated and the Taliban and their national and regional supporters, who believe themselves to have been excluded since 2001, will need to be brought back into the political fold.

As noted, any progress towards a recalibrated Afghan and regional political settlement will require difficult choices and compromises, and potentially significant trade-offs on contentious indigenous and international issues. At the same time, there is a need to avoid too much discussion of end states. While a set of underlying shared principles may provide a helpful basis for dialogue, it will be impossible to forecast the precise outlines of a future settlement now, and attempts to do so will only serve as poison pills.

If a renewed commitment to peace in Afghanistan is made, international policymakers must reflect on the following lessons identified from other conflicts, and develop their strategy around them.

Recognise the need for a peace *process*. The nature of the Afghan conflict suggests that there will probably not be a clear moment at which peace is 'achieved'. The step-by-step process outlined above holds far more realistic prospects of sustainable progress towards reductions in violence over the next several years than well-intentioned efforts to broker national-level ceasefires and one-off peace deals. International actors will need to make a long-term commitment. Following 40 years of war, it may take almost as long to achieve a more equitable and stable political settlement.

Avoid a rush to failure, while recognising that the longer international engagement in a political process is put off, the harder it will become to get going. The Afghan war economy is already powerful, the leverage of international actors is diminishing and the insurgency shows signs of becoming more fragmented and radical. But the short-term viability and impact of each step of the peace process needs to be considered carefully.

Establish third-party facilitation infrastructure and processes that can devote full-time attention to the challenges outlined here. International states currently operating in Afghanistan need to recognise that despite laudable efforts to broker peace, they can never act as 'honest brokers'. An expert mediation support team could help bring together key actors, where appropriate engaging international partners from other Muslim states or organisations, countries with practical past experience of peace processes, or civil society expertise.

Prioritise the political process ruthlessly. Minimise the unintended consequences of other strands of activity and synchronise interventions towards a common political goal, while acknowledging that policy and strategy tensions will always exist.

Section 3
Looking forward

Institutional change

Potential space exists in Afghanistan to diverge from past political patterns and choose new paths forward. For example, reformulating Afghanistan's political system to facilitate broader inclusion and accommodate opposition non-violently might offer a way to support sustainable stability and insulate Afghanistan against regional political change or interference.

Elections in 2018 and 2019 present opportunities in this regard – elections, while deeply flawed in Afghanistan, remain popular with the general public. While reform before the coming cycle is not likely, a large-scale overhaul of the political system is overdue and a consultative process to initiate this could bolster the legitimacy of a newly elected president.

Section 3 of this publication explores options for institutional change, and scope for renegotiating reform in the context of a peace process. Themes explored in this section include inclusive politics as a path to peace; local perspectives on peace and democracy from four provinces; reflections on peace and transition by significant Afghan figures; theses on peacemaking in Afghanistan; human rights, security and Afghanistan's peace process; and institutionalising inclusive and sustainable justice.

Scott Worden opens Section 3 by asking what sort of political system can enhance inclusion in Afghanistan – to convince the Taliban to participate and compete for power peacefully, and current power-holders to let them in. Options for institutional reform present dilemmas between a presidential or parliamentary system and how to promote a more party-oriented electoral arrangement that can encourage greater accountability but discourage further ethnic mobilisation and division. Supporting more democratic local governance may be one way to enhance representation, and presidential elections in 2019 are an opportunity for the international community to mediate electoral reform. Some forms of indirect voting may offer possibilities to enhance regional balance and moderate extreme influences in the electorate. Peace talks with the Taliban present another opening to broker change, which would necessitate re-examining the fundamental structures of government and creating space for bargaining over how to administer authority.

Interspersed through Section 3 are **interviews with community members across different rural districts in Afghanistan** between November 2017 and March 2018 – in Herat Province in the west, Nangarhar Province in the east, Balkh Province in the north and Ghazni Province in the south-east. Interviewees discuss their views on elections, peace and reconciliation. Respondents' ages and ethnic groups vary, as do their levels of literacy. Data were collected as part of a larger research project funded by the UK's Foreign and Commonwealth Office.

Dr Habiba Sarabi, Deputy Chair of the High Peace Council in Afghanistan, discusses some of her thoughts on elections and peace in Afghanistan, from a conversation with Anna Larson in November 2017. She describes frustrations with the pace of electoral reform. Voter registration at polling centres will facilitate a more effective ballot and strong civil society monitoring could play an important role. Fresh leadership and a new strategy in the High Peace Council have meant that motivation to work for peace is high, especially among

women on it. Afghan women have two central roles to advance peace: observing political negotiations to ensure achievements are not lost; and at grassroots level, to play a social role to convince male members of families and communities not to fight. A voluntary network has been established for women to contribute to peacebuilding in this way. All Afghan leaders are men; the majority of candidates in elections will be men. International partners can help by focusing on women's participation.

In conversation with *Accord*, former speaker of parliament **Younus Qanooni discusses institutional changes needed to support sustainable peace in Afghanistan and how such changes might be achieved**. Mr Qanooni stresses that force should be aimed at convincing the Taliban to negotiate. Efforts to reintegrate Taliban fighters outside a political settlement will continue to fail as reconciliation requires serious concessions from both sides. Elections present a dilemma for peace: the government will not negotiate before elections; but afterwards the Taliban will not engage with a government that claims a mandate without their involvement. A solution is to let the Taliban play a part in elections. A change to a parliamentary political system with strong parties would enable representative politics that can break down tribal or ethnic mobilisation. A step towards this is to have a prime minister as head of the executive, a speaker of parliament heading the legislature and a chief justice heading the judiciary.

Professor Barnett R. Rubin explores possibilities for negotiating a mutually acceptable end-state in Afghanistan given the multiplicity of domestic and foreign interests involved. The Afghan state relies on external revenue, but conflicting foreign interests mean that assistance is variously perceived as partial and destabilising. The withdrawal of foreign troops risks state collapse. But the possibility of permanent foreign military presence risks provoking regional backlash. Within Afghanistan, political legitimacy is contested: Pashtuns see themselves as a dispossessed majority; tribal legitimacy is dwindling; and Islamic legitimacy is overlaid with identity politics linked to different solidarity groups. Combatants have largely rejected possibilities for peacemaking to deliver mutual gains, and so have looked to military ascendancy as a way to strengthen their bargaining positions. However, no party has been able to establish sufficiently strong status to guarantee success in negotiation, so the temptation to postpone talks indefinitely has prevailed.

The failure of the Bonn Agreement to make significant commitments to human rights is often cited as a major factor undermining peace and stability in Afghanistan today. **Patricia Gossman examines the human rights priorities for a future peace settlement for Afghanistan and the prospects for negotiating these effectively.** Three deeply contested issues are critical to negotiating human rights in a future peace settlement: 1) demilitarisation – agreeing terms to demilitarise armed groups, including establishing an oversight body and securing international backing for sanctions against violators; 2) women's rights – addressing concerns over the potential negative impact of a settlement on women's rights; and 3) transitional justice – addressing the legacy of massive human rights violations and war crimes in order to avoid the persistence of abuses. Negotiating progress on transitional justice will not be easy. Acknowledging the truth about past atrocities may offer a viable entry point for meaningful progress for reconciliation.

In conversation with *Accord*, leader of the Hezb-i Islami political party and former *mujahidin* armed group **Gulbuddin Hekmatyar discusses his views on war, peace and transition in Afghanistan**. Mr Hekmatyar states that the lack of official Taliban endorsement of peace negotiations obscures the reality that a majority within the movement want to see an end to the war. Meanwhile, a ceasefire is not possible unless it is preceded by a peace agreement. Power-sharing in Afghanistan has failed because the groups involved accept neither each other nor the concept of power-sharing per se. Different islands of power have consequently emerged at district, provincial and ministerial level which disregard central government. Forthcoming elections present an opportunity to advance government reform.

Despite significant strides forward, Afghanistan's formal justice system still struggles to deliver an accessible and inclusive service nationwide, beset by widespread corruption and neglect especially in rural areas. **Ali Wardak asks who is best placed to provide justice effectively and equitably to the breadth of Afghan society.** Informal institutions are the primary justice provider for many communities, resolving disputes through *jirgas*, *shuras* and *ulema* where the formal sector is absent, exclusive or mistrusted. But traditional bodies also bring challenges, from gender exclusion to human rights violations and illicit practices. Taliban justice is also a significant feature of the informal sphere. A hybrid system that draws on formal and informal institutions can offer a way forward, linked by new institutions that prioritise human rights and women's rights.

Inclusive politics as a path to peace

Scott Worden

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ABSTRACT

What sort of political system can enhance inclusion in Afghanistan – to convince the Taliban to participate and compete for power peacefully, and current power-holders to let them in?

The insurgency is fuelled by persistent political disputes over how power is distributed and the pace of modernisation. Achieving peace will need to tackle both of these challenges.

But options for institutional reform present dilemmas, between: 1) a presidential or parliamentary system – which alternately risk being resolute but dictatorial, or more pluralist but indecisive; and 2) how to promote a more party-oriented electoral system that can encourage greater accountability but discourage further ethnic mobilisation and division.

Supporting more democratic local governance may be one way to enhance representation, and presidential elections in 2019 are an opportunity for the international community to mediate electoral reform. Some forms of indirect voting, tapping into traditional Afghan governance systems, may offer possibilities to enhance regional balance and moderate extreme influences in the electorate.

Peace talks with the Taliban present another opening to broker change. While there is resistance to negotiating with the insurgency, a political settlement remains the only viable way to end the conflict. A core grievance for the Taliban has been their exclusion from the post-Bonn transition. A peace process would necessitate re-examining the fundamental structures of government and creating space for bargaining over how to administer authority.

At its core, the Taliban insurgency in Afghanistan is sustained by two longstanding political disputes: how power is distributed, and at what pace the country should modernise. It is further strengthened by international support from Pakistan and religious extremism. Even before the Taliban, power-sharing and progressive reforms have been the source of violent conflict in Afghanistan – from the communist Saur Revolution of 1978 to the early 1990s civil war. Peace with the Taliban will need to address political power-sharing while at the same time grappling with divisive issues surrounding the country's modernisation – including the rights of women, the role of foreigners and a constitutional rule of law. Structural reforms to Afghanistan's governance institutions can help tackle these twin challenges of reducing the strength of the insurgency and providing a shorter path to peace.

Agreeing on an approach to political inclusion is made more difficult by Afghanistan's stagnant economy, growing population and increasing ethnic tensions. It is much easier to share an expanding pie than a shrinking one. Afghanistan's major ethnic and political factions increasingly view any peace process as a zero-sum game versus their rivals: a prevailing attitude of '*I* support peace, but *they* should give up power to accommodate the Taliban' is part of the current stalemate dynamic.

Members of the largely non-Pashtun former Northern Alliance often act as if the Taliban is a 'Pashtun problem' that communities in the south and east should deal with by giving up some of their political and economic capital to the Taliban as a price for ending the war. Some Pashtuns, on the other hand, seem to view their political strength as having been unfairly diminished by an insurgency fought largely in Pashtun areas, such that peace should rebalance Pashtun influence in the government once citizens in insurgent areas can more fully and freely participate in political life. Meanwhile, the Taliban have expressed no interest in negotiating roles within the current constitutional system but rather want to see the whole system of government renegotiated from scratch – with them having significant influence over the outcome.

A further obstacle to political accommodation is the erosion of trust among different political factions who seek assurances that they will be included in key governance decisions even if they are not in control. Potential losers fear the outcomes of the current 'winner take all' system. As a result, the National Unity Government (NUG) agreement that was brokered by the US and the UN in the aftermath of the disputed 2014 presidential election results called for the runner-up, Abdullah Abdullah, to have 'parity' in apportioning appointments to key government leadership positions. It also called for jointly negotiated election reforms that would give political parties greater influence, and for a Constitutional *Loya Jirga* – a national conference capable of amending the constitution – to decide whether the president's powers should be shared with a newly created post of prime minister. These reform demands reflected the concern on the part of largely non-Pashtun political groups for a guaranteed allocation of political power, even if one of their affiliates is not elected president.

For a variety of reasons, however, none of the major provisions of the unity government agreement have been enacted, apart from appointments to key ministries. Recommendations from the Special Election Reform Commission created by the agreement have only been partly decided, parliamentary and district council elections are delayed, and no Constitutional *Loya Jirga* has been held. This stalemate leaves factions on each side of the current NUG blaming the other for blocking implementation and greatly increases the difficulty of coming to new agreements over power-sharing and political inclusion. This has two negative outcomes: it increases political divisions that the Taliban has exploited to expand its territory, and it blocks reforms that could create more opportunities for Taliban factions to enter the political process. Continuing on the current path is a recipe for more divisive politics that plays into the Taliban's hands and reduces the government's territorial control.

Political exclusion: the cardinal sin

As bad as endless debates among divergent political factions in Afghanistan are for efficient governance, the consequences of political exclusion are arguably worse. Ethnic and regional tensions, exacerbated by contrasting liberal versus conservative visions of governance, ensure constant turmoil in the political arena. On the other hand, violence frequently ensues whenever groups are excluded from the political mix.

The Taliban insurgency since the 2001 Bonn Agreement began in earnest only after attempts by more moderate former Taliban leaders to reconcile with the new government were rebuffed and the Taliban played no role in forming the constitution or participating in early elections. Later, the 2014 election crisis entered critical mode when President-elect Ashraf Ghani declared that all sitting governors would be dismissed as soon as he took office. This led Governor Atta Muhammad Nur in Balkh Province to threaten to form a 'parallel' government, which carried the implicit threat of civil war. Most recently, the Islamic State has been able to gain a foothold in Afghanistan when disgruntled factions within the Taliban or under-funded warlord militias decide that switching allegiances would enable greater recognition or resources.

For many, giving in to secessionist demands is equivalent to capitulating to blackmail, and those left out of a political process in Afghanistan are in fact often behaving irresponsibly or illegally. But, for a variety of reasons, the Afghan state has yet to build up the political, military or legal strength to impose its will over major factions that are willing to fight to gain a decision-making role in the political system. The way forward is to find mechanisms that can include everyone and still manage conflict in a way that does not produce total gridlock.

Rather than continuing to concentrate political power at the centre, other options should be considered to deconcentrate power to provinces, but in a way that still maintains national cohesion and adheres to the principles of the constitution. Expanding political participation and decision making so that fewer groups have political grievances against the central government could create a broader landscape for political compromise. This might slow the ideal path of reforms but would reduce conflict and violence in the process. Increasing local political autonomy could also benefit the peace process. If Taliban factions join local political processes, it would weaken the movement's overall fighting strength. But even if the Taliban choose not to participate, a deconcentration of political power that better addresses the demands of political inclusion by non-Taliban factions will remove grievances that the Taliban have exploited to gain support and control territory.

Democracy without the Taliban?

The Bonn Agreement in 2001 was a momentous political milestone for Afghanistan and its successful implementation between 2002 and 2005 was a signature achievement. The agreement established an interim administration led by Hamid Karzai, an anti-Taliban Pashtun, with an ethnically and politically diverse interim cabinet that consisted of many Northern Alliance factional leaders. It also laid out a framework for establishing a constitution, a democratic system of government and respect for international human rights norms as the foundation of the state. The 2004 Constitutional *Loya Jirga*, which was attended by delegates selected in a democratic process, affirmed the Bonn Agreement's democratic governance framework. It also established a highly centralised presidential system of government, with a directly elected president having vast powers of appointment – of one-third of the members of the upper legislature, of all provincial governors, of cabinet ministers and deputy ministers, and of district officials.

The main missing ingredient from the Bonn process – comprising the Bonn Agreement, the Constitutional *Loya Jirga* and the first presidential and parliamentary elections through 2005 – was the Taliban. This was for good reasons at the time: the Taliban had harboured Osama bin Laden while he planned and conducted the 9/11 attacks and refused to turn him over to US or to international authorities after bin Laden's role in the attacks was clear. In addition, the Taliban had ruled much of Afghanistan since 1996 with extreme contempt for women's rights and human rights, committing massacres against rival Afghan groups and destroying cultural heritage such as the Bamiyan Buddhas. The Taliban were culpable for terrorist acts and were reviled by many Afghans as persecutors and murderers. This made it politically very difficult to give them a seat at the negotiating table for a debate over the future of Afghanistan.

Nevertheless, the complete exclusion of the Taliban from the political and constitutional process, and the largely rural, largely Pashtun populations the Taliban derive support from and claim to represent, has come to be seen as a significant flaw in the Bonn framework and as a source of continuing instability. As Lakhdar Brahimi, the UN special envoy who convened the Bonn Conference, described in a 2008 *Washington Post* article, 'I regret bitterly not having advocated even more forcefully' after Bonn 'to reach out to those members of the Taliban potentially willing to join the political process'. Steve Coll's new history of the post-Bonn Afghan conflict, *Directorate S: The CIA and America's Secret Wars in Afghanistan and Pakistan*, has a revealing description of Taliban overtures to the US to surrender on favourable terms in 2002 before the Constitutional *Loya Jirga* was announced. And President Karzai, who has an ambivalent relationship with the Taliban, struck a surprisingly conciliatory note in a speech just after his re-election in 2009, to 'call on our Taliban brothers to come home and embrace their land'.

President or parliament?

One of the most significant debates among the delegates at the Constitutional *Loya Jirga* was whether a presidential or parliamentary system of government was most relevant for Afghanistan. A presidential system was most analogous to the constitutional monarchy that was established by the 1964 constitution, the starting point for the new document. A strong presidential system was also better suited for quick executive actions deemed necessary to jump-start reconstruction in a country devastated by war. It was attractive to the interim government, led by Hamid Karzai, who, as the presumed president-to-be, had strong incentives to give maximum power to the new post. Moreover, a parliamentary system would empower political parties that tended to be ethnically divisive, led by the same warlords who were largely responsible for tearing the country apart over the previous decades.

On the other hand, putting such vast powers of patronage into the hands of a single chief executive was a significant risk in a country where the central government historically had few resources to exercise its writ beyond a handful of urban centres. Afghanistan has also suffered from recurrent tensions between centrist reformers and rural conservatives who neither asked for nor received significant services from the state and who have fiercely defended their local autonomy. A president who could choose representatives down to the local level would have to constantly perform a precarious political balancing act to appoint people with both loyalty to the state and local legitimacy. A parliamentary system would theoretically extend power to different regional and political groups, diversifying accountability beyond the presidential palace. A parliamentary system risks political gridlock but might insulate against an ill-advised or incapable president making sweeping decisions that alienate key constituencies.

The debate between presidential and parliamentary systems of governance re-emerged in the aftermath of the 2014 presidential elections when Ashraf Ghani, a Pashtun candidate running as an independent, won a controversial victory over Abdullah Abdullah, a member of the Jamiat-e Islami party that had its main support base among Tajiks in the north. There were widespread indications of fraud across the country during the election and the core of the Northern Alliance threatened to form a 'parallel government' if the results were not reviewed.

This led to a political crisis that the US and UN mediated, forging the NUG Agreement. According to the deal, the presidency would go to whoever received the most votes after a complete audit of the election results. The runner-up would be a Chief Executive Officer, who would have a prominent role in government decision-making, including 'parity' of appointments to national positions. The agreement also called for a Constitutional *Loya Jirga* within two years to ratify whether such a CEO position, or 'executive prime minister', should be enshrined into the constitution. An internationally supervised audit of the votes found 11 per cent of the ballots cast were invalid, but also confirmed that Ghani won a clear majority.

Four years later, the Constitutional *Loya Jirga* has not been held. But the demands by prominent Northern Alliance members for a system of government that more resembles parliamentary democracy remain strong. One reason appears to stem from doubt that the current electoral and constitutional system would enable a non-Pashtun to be elected president, combined with a belief that when not in power they will be denied what they consider to be a fair share of presidential patronage. Having a prime minister and president, with explicit shared duties of governance, would be one way to protect against exclusion. The Taliban have not engaged in the discussion over systems of government. But a parliamentary system may hold advantages for them because while they are not likely to win a national election, having a small voting bloc in parliament could provide influence over choosing a prime minister or in deciding national legislation.

Of course, there is no way to guarantee winning a majority coalition – or holding a swing vote – in parliament. The size of the population is unclear and a cause of great political tension. An effort to issue new biometric national identity cards to prevent fraud has been delayed by a controversy over the degree to which ethnicity should be recorded. Moreover, the current presidential electoral system undermines political parties and incentivises leading candidates to run as individuals rather than representing political party members. Changing the system of governance without significant electoral reform is a gamble with unpredictable odds.

Promoting political parties

The current voting system – the Single Non-Transferrable Vote (SNTV) – works on the basis one single vote per person, for one candidate within a multi-member district. The number of candidates per electoral district (a province) depends on its rough population size (Nimroz has two seats, Balkh has 11, Nangarhar has 15, Kabul has 33 and so on). Any number of candidates may stand for election – and in each election hundreds have done so in most provinces. What this means, however, is that a great many votes are cast but few of these end up being for winning candidates. Those who win do so with relatively few votes and the margins of victory are exceedingly slim. Among the current 33 members of parliament from Kabul Province, for example, the most popular member received 16,500 votes, with a majority of members receiving fewer than 4,000 votes. Overall, the total parliamentary delegation in Kabul received approximately 100,000 out of 480,000 total votes cast – a 'waste' of more than 75% of constituents' votes. Voters' ability to hold their elected representatives to account is thereby greatly reduced.

The SNTV system also reduces the strength of political parties because it is difficult to apportion votes to different candidates from the same party within a multi-member district. If a party fields only one popular candidate in a constituency, it may receive a large number of votes but win only one seat. But if a party fields several popular candidates and the vote is split among them, it could win no seats because popular candidates running as independents could take all the top spots. Overall, independent candidates who get support from targeted vote blocs within

a province, including warlords who attract voters either through intimidation or corrupt patronage, tend to do better. As elected officials, they are not beholden to a party.

Almost everyone agrees that eliminating SNTV is key to improving both elections and the function of parliament – except for sitting members already elected under SNTV. But there are strong disagreements over what to replace SNTV with. Like with the debate over presidential versus parliamentary democracy, this has ethnic dimensions that has led to political gridlock and the perpetuation of a highly undesirable status quo. The Special Electoral Reform Commission (SERC) in December 2015 recommended a change to the electoral system under its mandate from the NUG agreement. During the commission's deliberations, some members favoured a proportional representation system that would have voters choose a political party on the ballot, which would include a slate of candidates running under that party's banner. Then the number of candidates who actually won a seat would be determined in proportion to the number of votes cast for each party. This system would greatly enhance the influence of political parties on the electoral system and elevate the importance of party platforms.

Other members favoured a change from the current multi-member districts to single-member districts, in which the seat goes to whoever gets most votes, whether they choose to affiliate with a party or not in a 'first past the post' arrangement. This system was used to elect members of parliament under the 1964 constitution. It would have the important benefit of ameliorating a problem in large or ethnically divided provinces where security and access to the ballot determines who gets elected more than the strength of a candidate's campaign. In the ethnically diverse Ghazni province, for example, in 2010 all 11 members of the province's parliamentary delegation were Hazara because security was greater in Hazara areas and turnout was low in others. If single member districts are drawn carefully, representation can be more evenly distributed because even insecure districts would be guaranteed a seat whether one person or 100,000 people come out to vote. If district boundaries are unfairly gerrymandered, however, a change to single member districts could embed polarising tensions into the electoral system, with destabilising results. With trust at such low levels in Afghan politics, it is difficult to see how a nationwide process of drawing electoral district boundaries can be conducted quickly or quietly.

The debate over a change of electoral systems ended with no result. The SERC ultimately recommended a hybrid system in which some seats in multi-member districts would be reserved for political parties, and others for independent candidates. The parliament ultimately failed to pass new legislation to move away from SNTV. President Ghani passed a decree empowering the Independent Election Commission (IEC) to study the issue further, whereby the IEC recommended reducing the size of the constituencies. To date, the cabinet has failed to act on this. In March 2018 a coalition of 20 political parties, including major parties with different ethnic compositions, sent an open letter to the IEC calling for a switch before the next elections to a hybrid representation system as recommended by the SERC. This fraught debate demonstrates that even though almost everyone agrees that the current electoral system is undesirable, the political stakes are too high to agree on fundamental reforms.

> **"Overall, independent candidates who get support from targeted vote blocs within a province, including warlords who attract voters either through intimidation or corrupt patronage, tend to do better."**

All politics is local

The 2004 constitution calls for direct elections for the lower house of the Afghan parliament (*Wolesi Jirga*), provincial councils, district councils, village councils and mayors of the major municipalities. The *Wolesi Jirga* has 249 members who are directly elected from multi-member provincial constituencies. The 102-member upper house (*Meshrano Jirga*) is composed of one representative per province elected from among the provincial councils, and one per province from the province's district councils, with a third appointed directly by the president. So far, however, district council elections, village council elections and mayoral elections have not been held. The last parliamentary election was in 2010, meaning that the current parliament has overstayed its five-year constitutional term by four years and counting.

There is often a debate in democratic transitions about whether it is best to have local or national elections first. Not much time was spent on this question in Afghanistan, where the international community wanted to maintain a light footprint and establish Afghan sovereignty as quickly as possible. The Bonn Agreement called for presidential and parliamentary elections within two and a half years, whereby the transitional government would become fully sovereign. As it happened, parliamentary elections were delayed by a year for logistical reasons,

Afghan citizens go to the polls to exercise their constitutional right to vote in presidential and provincial council elections. © UN Photo/Tim Page

and presidential elections were prioritised and held in 2004. Focusing on the presidency made sense in a country where most infrastructure was undeveloped or destroyed, massive amounts of reconstruction assistance needed to be managed from a central location, and international relations were a critical part of stability and development.

De-prioritising local elections increased the risk of alienation of rural constituencies from the government, however, particularly in a system with few checks on presidential appointments to local positions. Holding local elections could have increased the legitimacy of local leaders and introduced some local accountability if government officials were ineffective or corrupt and would have increased understanding of the democratic and electoral process among citizens who had had little experience with it over the past decades. A 2015 impact evaluation of the Afghanistan National Solidarity Programme, which facilitated local development projects based on locally elected Community Development Councils (CDCs), found that where CDC elections were held, voter participation in the 2010 parliamentary elections increased. In fact, local communities had traditions of quasi-democratic self-rule in the form of local (usually all-male) councils (*shuras*) that would discuss and decide certain justice and governance issues.

Those who favour a strong central government with nationally focused elections note that warlords or corrupt actors would have an advantage in local elections and would pervert the system. This is likely true in the short term, although less so in safe, pluralistic communities, including many urban ones. On the other hand, holding large and confusing national elections has enabled wholesale fraud in several of the past ballots, which favours corrupt and powerful actors with less accountability to constituents.

Tellingly, once the Taliban insurgency reached a critical mass in 2008, many plans for stabilisation called for the establishment of community councils to address local grievances as a key to reducing violence. These tended to be ad hoc, however, and actually establishing the constitutionally elected village and district councils was never seriously considered. As discussion turns to ways that the Taliban can be fragmented and reconciled with the government, local elections emerge as a potential way to enable local political diversity without changing the overall reform direction of the country. Creating or re-empowering local governance bodies could be a useful first inroad for the Taliban into power, without forcing out a body of incumbents.

Limits of direct democracy

In mandating the *Wolesi Jirga*, provincial council, mayoral, district council and village council elections, the 2004 Constitution states that the polls must be 'free, secret, universal, and direct' (emphasis added). The word 'direct' is standard parlance for election systems and was used for local and parliamentary elections in the 1964 Constitution as well. It means that individual citizens must cast their vote for the candidate or party that is running for a designated seat and not for a representative or elector who will ultimately decide on who fills the seat.

The US system for electing the president is indirect because it relies on an Electoral College to cast the final votes for the president. US voters in fact are choosing 'electors' at the ballot box who have indicated their candidate preference. The number of electors each state has is proportional to national population. It is the electors who actually cast the deciding votes for the president weeks after the national vote is held. This system was designed to give states of differing sizes a proportionate say in who becomes president. Electors also have the ability to vote against a candidate they believe represents a grave mistake for the country (depending on state law). An indirect election can therefore be used to ensure balance of regional influence and moderate extreme influences in an electorate.

Afghanistan has a long tradition of indirect democracy that has facilitated both national and local governance. *Shuras* and *jirgas* provide a form of local indirect democracy, with leaders chosen on the basis of seniority and judgment to represent the views of a community and make decisions on their behalf. Since 2001, there is anecdotal evidence that indirect elections for positions outside the constitutional requirement of direct voting have been more inclusive and less controversial. Most prominently, delegates to the Emergency *Loya Jirga* and the Constitutional *Loya Jirga* in 2002 and 2003 respectively, used indirect election methods. In the Emergency *Loya Jirga*, members of designated districts selected 20–30 representatives who then gathered to cast secret ballots for the specific delegates who would attend *Loya Jirga* itself. In the Constitutional *Loya Jirga* selection process, a caucus system was used whereby designated constituencies gathered and chose delegates based on a more traditional consensus-based process than strict voting procedures.

At the local level, CDCs are elected as part of a World Bank-sponsored national development programme. The rules call for secret and direct elections, in which women are required to participate. A mid-term evaluation of the National Solidarity Programme in 2006 found that the resulting councils were largely seen as representative, but that it was doubtful the direct and secret balloting procedure was used in many cases. Also, elections for temporary district councils undertaken as part of stabilsation programmes used indirect methods. The District Development Assemblies (DDAs) were chosen in a two-tier process by which selected community leaders from around a district gathered to vote secretly for a DDA, which helped to assign priorities and make decisions on the distribution of development programmes within the district.

There are definite downsides to indirect elections. They dilute citizens' voting rights and are subject to elite capture. Without fair administration, minority groups can be excluded. But indirect elections can be a way to mitigate the distortion of regular voting rights through insecurity, disenfranchisement and corruption of the voting system itself. In the cases cited above, indirect election processes were employed as pragmatic shortcuts to get around either logistical difficulties of full voter registration and voter education or alternative problems of exclusive elite capture that would not fairly represent the interests of a larger polity. They arguably enabled balancing of political interests in ways that were quicker and more efficient than a more thorough process of civic education about election systems and the development of credible institutions to operate checks and balances within the legal and political system.

While citizens' understanding of elections and democratic governance principles has increased since these indirect election systems were developed, security conditions have deteriorated dramatically and trust in electoral authorities has declined. It may therefore be reasonable to continue to consider indirect electoral mechanisms to get avoid results that are perceived as exclusive or inequitable, particularly at local levels. If, like in the Emergency *Loya Jirga*, citizens give their proxies to genuinely respected community leaders, then it may be easier to select more representative leadership than has been the case in opaque and corrupt direct election processes. In the event of an eventual Taliban deal, indirect elections may more easily allow for reconciled Taliban to join local politics.

At the national level, use of an Electoral College system in Afghanistan would help to ensure that in presidential elections each province would have a guaranteed share of influence based on its population. This would address the current disparities in voter access across the country, where voters in insecure areas cannot get to the polls and in conservative areas where women face greater barriers to voting. The practical effect would be to increase the influence of provinces like Helmand and Zabul, which have historically low turnouts that leave its voters with little say in the outcome of Presidential elections. It would also reduce pressure to stuff ballots in insecure areas to compensate for perceived disenfranchisement, thereby increasing overall perceptions of electoral integrity. Such a system depends on having an accurate and accepted census, however, which has been an impossible task since the Bonn Agreement.

Pathways to inclusive politics: Afghan-owned, Afghan-led?

Once the first Afghan Parliament was inaugurated in November 2005, the UN role in sharing administrative duties ended and the Afghan government became officially fully sovereign. Since then, the international

community and the Afghan government have had a complex relationship whereby international donors provide essential assistance and policy advice to pursue their own interests while also trying to respect Afghan sovereignty and allow for Afghans, who know their country best, to develop effective solutions to security, political, and development problems. The challenges of this convoluted relationship have led to the mantra that Afghan elections and the peace process must be 'Afghan-owned and Afghan-led'.

This ambition holds true from a moral and a legal perspective. But the frequent use of the phrase masks the fact that the international community, including neighbours outside the Western donor community, has enormous influence over political arrangements in Afghanistan. International assistance is vital to funding and maintaining the state. And, tellingly, at times of deep political or security crisis, the international community, led by the US, NATO and the UN, has intervened to mediate a solution to a crisis. The forming of the NUG in the wake of the controversial 2014 elections is just the latest example.

The international community is therefore both a safety net to avoid political and security disasters, but also bears some responsibility for tipping the scales in one direction or another to resolve crises in ways that serve Western security interests but may destabilise Afghan politics. At the same time, the international community's ability to use its leverage is constrained by the fact that if substantial international assistance is withdrawn from Afghanistan, the state is likely to collapse and the core goal of the international community to prevent safe havens for transnational terrorists will not be met. Afghan political leaders, and the Taliban, know this and a fragile balance of power is somewhat maintained but with a steep cost in violence and instability. Afghanistan's neighbours are also wary of the chaos that could escape Afghanistan's borders in the event of state collapse, and Pakistan in particular fears having a government in Kabul that would act too favourably toward India. Therefore, countries in the region have also intervened significantly in Afghanistan's internal politics by supporting proxies that serve foreign interests but keep the situation unstable.

Amid this complex dynamic, international leadership can help navigate a way out of the current stalemated political dynamic if it is applied in a coordinated and strategic way. If recent history is a guide, it will otherwise take a destabilising crisis for the international community to act. International actors should first acknowledge that there are flaws in the current political architecture and give cautious support to political reform processes conducted according to shared principles that Afghan actors agree upon – including ideally the Taliban. Such principles might include: the status quo is divisive and destabilising; meaningful inclusion of all non-violent political and ethnic factions is essential; and changes to the current system must be consensual and in accordance with the law. Then international actors could play a mediating role to facilitate a consensus view on the process by which political reform could be achieved.

In many ways, the NUG Agreement provides an initial blueprint for political reform negotiations – notwithstanding the severe challenges this power-sharing arrangement has experienced in practice. Finding a way to diversify the powers of the presidency among different groups is a key demand. Devolving some power to the provinces will reduce central government control but may buy political stability. The fact that negotiations over the removal of Governor Atta centred around the core demands of Chief Executive Officer Abdullah in the NUG Agreement discussions, including a shift toward a parliamentary system of government, indicate the former Northern Alliance's underlying demand for more effective power-sharing among regional and ethnic groups is not going away. Although in the end the crisis was resolved by negotiating a few presidentially appointed positions, the fundamental instability of the system remains unchanged: without addressing the system anyone with power can stall political progress for months to get patronage concessions.

Some important changes can be taken by executive action – although those are most susceptible to change and trust levels in the durability of executive action are low. One opportunity would be to support the formation of a commission to formulate amendments to the constitution that was called for in the NUG Agreement. This need not lead to a *Loya Jirga* right away but could help to define the terms of more inclusive power-sharing arrangements.

To achieve more lasting change there would need to be fundamental revisions of the law and the constitution. However, these are nearly impossible for the Afghan political actors to achieve in the current heightened state of tension.

The first and greatest opportunity is to facilitate political accommodation is around the 2019 presidential elections. The international community has been very wary of intervening directly in the electoral reform debate because of the sensitivities around international interventions to resolve crises after both the 2009 and the 2014 presidential elections. The Afghan government has made it clear that electoral reform is solely a national issue. On the other hand, from an international perspective the failure of electoral reform has led to political gridlock that affects international security interests. While different factions within the Afghan government have argued over their roles

in decision-making, the Taliban have gained territory and an increasing number of international terrorist groups have found a foothold in Afghanistan. More active international mediation of the political differences that have blocked progress on electoral reform could help to break an important logjam and enable a more credible election process in 2019.

Another – likely later – opportunity to advance reforms that would bring about more inclusive governance lies in the conduct of a peace process with the Taliban. No one has wanted to re-do the Bonn process or open the constitution to major reforms because of fear that human rights, women's rights and democratic principles might be set back. But after a decade of deteriorating status quo, one wonders when the slow, steady decline of stability will slip below the worst-case scenario outcome of major reforms and it will seem like the risk is worth taking. Apart from the presence of international forces on Afghan soil, the Taliban's biggest grievance appears to be their exclusion from the Bonn Agreement and the 2004 Constitutional *Loya Jirga*. It is likely that a peace process would force a re-examination of the fundamental structures of government and create space for new deals to emerge.

Any significant change to the political system or the constitution must take the negative lessons of political exclusion into account. The more major the reform, the more important it is to attempt to include Taliban representatives – as well as the major non-Taliban ethnic and political factions – in the process. Given the instability of the status quo, there is a need to make progress on reforms without waiting for an uncertain peace process. But even without Taliban participation, reforms should aim to create more space at local level for the Taliban and non-violent opposition groups to have a greater and safer space in the Afghan political process. The 2019 presidential elections, preceded by President Ghani's peace offer to the Taliban extended during the March 2018 Kabul Conference, creates a fluid situation that can be unstable, but also an opportunity to make progress on greater political inclusion.

Local perspectives on peace and elections Herat Province, western Afghanistan

Interviews conducted by Abdul Hadi Sadat, a researcher with over 15 years of experience in qualitative social research with organisations including the Afghanistan Research and Evaluation Unit (AREU), the Center for Policy and Human Development (CPHD) and Creative Associates International. He has a degree injournalism from Kabul University.

ABSTRACT

The following statements are taken from longer interviews with community members across two different rural districts in Herat in western Afghanistan between November 2017 and March 2018. Interviewees were asked about their views on elections, peace and reconciliation. Respondents' ages and ethnic groups vary, as do their levels of literacy. Data were collected by Abdul Hadi Sadat as part of a larger research project funded by the UK's Foreign and Commonwealth Office.

Female worker with the Ministry for Rural Rehabilitation and Development

Reconciliation with the Taliban will impact everyone's life, especially women and shiite minority communities. The Taliban are the delegation [proxies] of Pakistani intelligence services – suicide bombers and killers of our people. There should not be any reconciliation with them because those who kill us and destroy our infrastructure are not one of us. They are the slaves of the Pakistani ISI [Inter-Services Intelligence] with their outdated ideology and their barbaric actions.

We live in a traditional community. Our people follow the village leader and if the government needs to solve a problem at the village level it asks for the elders' support. Our villagers respect their elders and follow their orders and advice to resolve disputes. Elders inform villagers about the election and other issues. We have very active elders who could facilitate reconciliation with Taliban in regards to the election. Both sides in any reconciliation or peace process need to have some flexibility during negotiations in order for the process to be successful. But as far as I know the Taliban do not believe in negotiation and reconciliation.

The International community should not forget why they are in Afghanistan. Negotiation with the Taliban shows the weakness of ISAF [International Security Assistance Force] and NATO in fighting against the common enemies of humanity like the Taliban and Daesh [Islamic State in Khorasan – ISK]. The international community should rather equip and train our national police and national army to fight against our enemies instead of trying to strike a deal with them. Reconciliation means that the Taliban is very powerful and the government does not have the ability to fight against them.

Female teacher

I am not very optimistic about reconciliation with Taliban – they are the most ignorant human beings on the earth. They should be destroyed rather than wasting money on reconciliation or peace! They don't believe in peace. The government should put more resources into military operations against insurgents. At the same time the international community can talk with insurgents to persuade them to allow people to participate in the election. But I do not think that Taliban will allow this and will try to disturb the election.

The leadership of Taliban will not accept negotiation over the parliamentary election but if the government and international community try to talk with local commanders of Taliban then maybe it will be possible. But I am not sure because ... they do not believe in logic or reason, they just use their power against the government.

Community elders can encourage ordinary people in their community. But in last 40 years there has been no impartial elder throughout the province. Some elders support [former governor of Herat] Ismail Khan, so this group is well-mobilised and they have money and power. Now sometimes the public does not trust them because they will only work for you if you pay them money.

Male shopkeeper

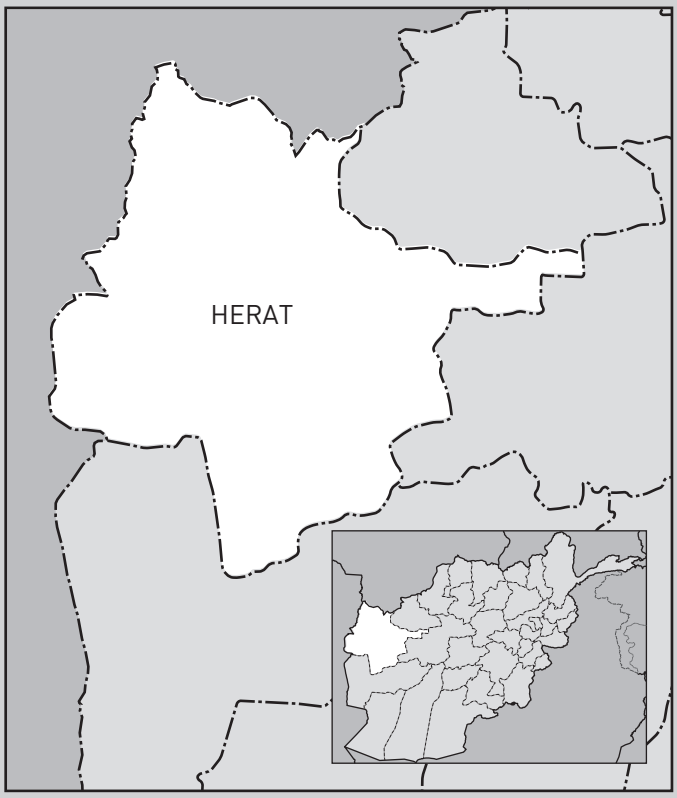
Local influential individuals will directly try to influence the election process in our community and use their power for their own candidates! Elders will pave the way for fraud because the elders who have relationships with insurgent groups will support their desired candidates and the candidates who do not have these relationships will lose. And insurgent activities are a big challenge ahead of the election. The government should control insurgent activities.

The Taliban and the government are both sides of one coin. They're financed from one source. If you still believe that the Taliban are funded by ordinary people through such religious rules and regulations such as Oshr (charitable land tax) and Zakat (alms) then you are deluded. Attempting reconciliation with the Taliban and other insurgent groups will pave the way for wide-ranging fraud in the election. I do not agree with reconciliation with the Taliban.

We live in a traditional community. In such a community elders have their influence but this is a very dangerous game. Insurgents are not only one group: they are divided into different groups. If the elders reconcile with one group this may not be acceptable for other groups. It is better for the government to continue its operations in order to control insurgent activities. Community elders are good for exchanging messages between the government and insurgents. But I do not believe that the insurgents will allow the IEC [Independent Electoral Commission] to hold elections in their areas because they are fighting to sabotage the national process. The insurgents want to show themselves as powerful and undermine the credibility of the government.

Male elder

Without international involvement the government is not capable of holding elections. Peace and reconciliation are also not possible without the technical and financial support of internationals. I remember a month ago President Ghani announced that the government would not be alive without international support. But I believe we need to solve the issue of peace in the region because some countries in the region support the Taliban in Afghanistan for their own benefit. This issue needs to be solved with governments, not with a group of people who don't know why they are fighting.



Herat Province, Afghanistan.

Male doctor

I don't think anything will change after the upcoming elections because parliament and the elections cannot solve the current problems. These are systematic and in order to find a solution we need to start to educate a generation. Positive change cannot be brought about with the current education system and politicians. The current system teaches our children materialism not spiritualism.

The elections don't solve the problem but they help us to practice democracy for good deeds. I will go to voting centres and I will vote for the right person, for the person who is willing to work to bring about the required change into our education system.

I know some areas of the country are in the control of insurgent groups [Taliban and ISK] but this doesn't mean that we cannot hold the elections – although there will be some problems. The government should prove its presence and politics should progress. Because if the government delays the election it means that the insurgents are very powerful and gives the impression they can hinder the government's political progress.

On elections and peace

Dr Habiba Sarabi

Dr Habiba Sarabi is Deputy Chair of the High Peace Council and Adviser to the Chief Executive Officer of Afghanistan on Women and Youth affairs. She was appointed as Governor of Bamiyan Province by President Hamid Karzai in 2005 – the first Afghan woman to become a governor of any province in the country. She previously served as Minister of Women's Affairs as well as Minister of Culture and Education. Dr Sarabi has been instrumental in promoting women's rights and representation and environment issues.

ABSTRACT

Dr Habiba Sarabi, Deputy Chair of the High Peace Council in Afghanistan, discusses some of her thoughts on elections and peace in Afghanistan. These are taken from a conversation with Anna Larson in November 2017.

Dr Sarabi describes frustrations with the pace of electoral reform. Voter registration at polling centres will facilitate a more effective ballot and strong civil society monitoring could play an important role.

Fresh leadership and a new strategy in the High Peace Council (HPC) have meant that motivation to work for peace is high, especially among women on it. Afghan women have two central roles to advance peace: observing political negotiations to ensure achievements are not lost; and at grassroots level, to play a social role to convince male members of families and communities not to fight. A voluntary network has been established for women to contribute to peacebuilding in this way. All Afghan leaders are men; the majority of candidates in elections will be men. International partners can help by focusing on women's participation.

Preparations for elections

Reforms have been delayed and we are not satisfied with this. The Special Electoral Commission (SERC) took a lot of time, and the people are not satisfied with its outcome. They appointed new commissioners but people were not happy, they were not capable people. Also it is not only about expertise, but about commitment and management. There has been so much doubt about the date, and the time for preparation before then – this is an example of elections not being managed in the correct way. The procurement process itself has been controversial. And now, the initially specified date of 8 July is no longer possible. If it is delayed [to October 2018], then I think that would be best – but holding parliamentary and presidential elections together would be a disaster.

Single Member Districts are the government's way of manipulating MPs and a way to have control over the whole process. It is better that people stand for whichever district they choose to stand for.

Voter registration at the polling centres will help a lot technically. We should also have a strong monitoring team from civil society who should check all the lists. At this point we cannot use modern technology to do this. But we need to lock all the doors against fraud that we can. In the counting process each team should go to each polling centre and take photos of the initial results. While international observers cannot go to each polling centre they can still help by putting pressure on the government to collate photos of each results list.

Bad elections will result in security deteriorating. And if we have bad governance, then there will be a bad election. We will have a problem if the result of the election is not satisfactory for everyone. Fraud will create further conflict among the people.

Progress towards peace

Fortunately, with our new leadership in the High Peace Council (HPC) and new strategy we have a lot of motivation to work now, especially women on the HPC. We have been meeting with different *mujahidin* leaders across the country. Afghan women can have two roles in peace. In political negotiations they can play a big role, they can observe to see what is going on in the negotiations and

make sure that our achievements are not lost. At the grassroots level they can play a social role, convincing male members of their families and communities not to fight. We have started a voluntary network for women to contribute to peacebuilding in this way.

The majority of the HPC are tribal elders and they don't believe in women's rights. They look at me very strangely. The total number of HPC delegates is 63 and of these 12 are women. It is very difficult and sometimes they do not listen to us. It is difficult but it is not impossible. The big challenge is their mentality, even from the leadership's perspective.

The Taliban are very conservative, but it depends. According to my knowledge, from the MPs' meeting with the Taliban in Oslo, at the beginning the Taliban covered their faces as they didn't want to see women, but at the end of the meeting they were talking to them. Their statements have become less opposed to our government's ideology.

No matter how high the mountain, there will always be a way up! *(Dari proverb – Koh harche beland basha, sir khud, yak ra darad)*

A group of us recently made a visit to Moscow and we disagreed with each other on the subject of a *Loya Jirga* as part of a peace process. I think it is not a good idea to go backwards. A *Loya Jirga* is an old method, an old system and an old ideology. People who are in power will bring their own people and the poor will be excluded.

We cannot fix a date or time for peace. There should be a balance in our approach, and the military can help with this balance. If President Trump's strategy can push supporters of the Taliban to stop fighting then maybe we can see a way forward.

Habiba Sarabi, Deputy Chairperson of Afghanistan's High Peace Council, briefs the Security Council meeting on the situation in her country in March 2018. © UN Photo/Loey Felipe

We will need consultative groups for the victims of war. Although some people think it is better to ignore these things and move forward.

If international partners can focus on women's participation, this would be good. All our leaders are men, most of our candidates will be men. The international community can help in this regard.

Local perspectives on peace and elections Nangarhar Province, eastern Afghanistan

Interviews conducted by Abdul Hadi Sadat, a researcher with over 15 years of experience in qualitative social research with organisations including the Afghanistan Research and Evaluation Unit (AREU), the Center for Policy and Human Development (CPHD) and Creative Associates International. He has a degree injournalism from Kabul University.

ABSTRACT

The following statements are taken from longer interviews with community members across two different districts in Nangarhar Province in eastern Afghanistan, one semi-urban and one rural, between November 2017 and March 2018, in which they were asked questions about their views on elections, peace and reconciliation. Respondents' ages and ethnic groups vary. Data were collected by Abdul Hadi Sadat as part of a larger research project funded by the UK's Foreign and Commonwealth Office.

Male driver

Security is very bad here. And in fact it is not only the Taliban who have deteriorated security. Illegal armed persons and groups are also one of the main cause of insecurity in our community, involved in different illegal activities. These are the guys who are involved in killing, assassinations, robberies and theft. Most of the time the Taliban are accused for the wrongdoings of such armed groups, which I don't think is fair.

I am not a supporter of the Taliban: their hands are also red with the blood of innocent Afghans. Most of time we see that the Taliban claim responsibility of attacks in which civilians lose their lives. However in my point of view the illegal armed groups which are mostly run by previous warlords and drug dealers are more dangerous than the Taliban.

I wish we had only one president. The international community really upset us by creating that two-headed government. The so-called National Unity Government is so unpleasant and unproductive. Reconciliation with Taliban in relation to the election is impossible because now the Taliban are in power in many districts. If the international community honestly wants to end this tragedy it is possible, but without the international community it is impossible. In the past the Taliban was not as strong as it is now. You know many people are taking their disputes for resolution to the Taliban. How it is possible that they will allow people to participate in the election?

International involvement is really needed in elections. With the help of internationals at least we have fifty per cent good elections. However this percentage will come down to less than ten per cent if we don't have the support and involvement of the international community. As long as the war criminals and drug dealers exist in our government we will need the support of the internationals.

Male undergraduate student

Take a look of the current war in Afghanistan. Security is gradually becoming more disruptive every year. It is all because of the wrong individuals in power. The Taliban and some other insurgent groups are also human. They have families to support. They also want to live a peaceful life. They are tired of fighting. But looking at the corrupt government and then war criminals around it, those insurgents would rather fight than join a corrupt government.

Every single member of my community has experienced some sort of insurgent activity. I don't think there could be anyone who has not experienced insurgent activities so far. Bomb blasts, assassinations, kidnapping, suicide attacks on officials and their supporters usually happen here. I think elections cannot have any considerable effects on security. Improvements to the economy can have some impressive effect on security, but not elections.

Insurgents are not the product of Afghanistan. They are trained, organised, equipped and directed from outside. It is up to the international community whether or not they want

to suppress insurgents. If international community want they can have insurgents stop fighting in Afghanistan by bringing pressure on their supporters in the region.

One of the important goals of the insurgents is to sabotage the coming election to show themselves powerful. Currently our country's economy is directly under the shadow of insecurity. Security is more important than the election. First the government should have control over the province and districts.

Male elder

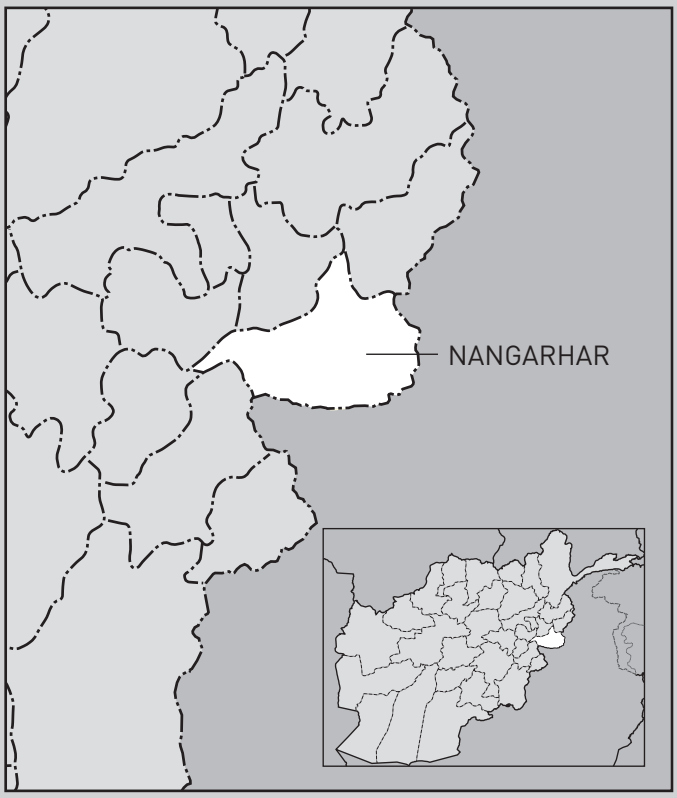
We have experienced a lot of insurgent activity in our area. But you know it is not fair to blame only the Taliban and some other insurgent groups. Most of our officials are also not less than insurgents. On one side insurgents kill civilians by blasting bombs and suicide attacks in the city. Then on the other side our government kills civilians in bombardments and night operations. If insurgents make money through drugs and kidnapping then our officials make money by taking bribes and other corruptions. So both the government and insurgents have so many things in common.

I never hear about reconciliation with Taliban. Normally I just hear about how they are continuing their fighting. Even now the Taliban have extended their influence to the other districts as well. During the past election the Taliban were not as powerful as now. During the past election all people together participated in the election for a better future but until now we have not seen its impact.

Male labourer

There are a lot of insurgent activities taking place undercover in our area. Suicide bombers, kidnapping and target killings are occurring so often here. Such activities barely hurt official people. Mostly only innocent Afghans get killed and injured. As the results of blasts mainly only civilian properties are damaged and destroyed. Recently my friend's taxi was destroyed in a bomb blast. The insurgents had attached a magnetic bomb to a fuel tanker. When it went off my friend's taxi which he had parked on the roadside was caught in the flames of the explosion. The taxi was his only source of income. Many people like my friend have suffered from the insurgents' activities here. And even now we don't know how much longer it will take before we can live in a peaceful environment.

I believe if true and transparent elections take place then truly reliable and trustworthy representatives will come into power. The old fraudulent and criminal ones will not be able to get important seats in government. Then it is clear that elections can eventually have positive effects on security.



Map of Nangarhar Province, Afghanistan.

Most of the current leadership and members of the national reconciliation programme were involved in fighting with the Taliban in the past. They have a long history of hostilities. That is also one of the reasons that why the Taliban are unwilling to solve their problems with the government by negotiations.

Male farmer

The government's night attacks and operations have alienated people from the government, and so they settle their disputes with the help of insurgents. If you refer your issue to the Taliban they solve it in a short period of time, while it takes months or sometimes years to get the same issue solved in government courts. The government should be careful not to destroy everything like the Taliban does because people expect their government to protect them, not to exacerbate the problem or war. If the government took more care during night raids the elections would take place safely.

I was disappointed by the last election but this does not mean that I will not participate in the next one. But I want to vote for an honest person who has served us, and to support the peace process in order to bring peace to our area. I will not vote for those who have no commitment to the people and country. Because we are villagers we do not have another way without elections. I will encourage all people to vote and support the election.

Male farmer

Community elders have influence in our district but now the situation has totally changed. In the past the elders had

the same influence in all villages but now it is different in different villages. The two insurgent groups are different from each other. Daesh (Islamic State in Khorasan) kill elders in areas they control and do not have any respect for the elders. The Taliban is better than Daesh because the Taliban at least respect elders and do not kill them. But the community leaders do not have effective roles among Taliban. So the community elders do not have the same role as they had in the past.

Male former driver – unemployed

If we look at our economy we will see that the Afghan government has gained some significant achievements in the last three years in spite of the problems. For example the project of the Salma water dam was successfully accomplished. The dam will not only help in irrigation but will also provide electricity to surrounding areas. Chabahar international port was opened in Iran, which will work as a bridge between India and Afghanistan.

Despite these achievements, terrorist groups like Daesh have unleashed merciless attacks against ordinary Afghans and their government. Wherever that group has reached it has started killing innocent Afghans and has destroyed their homes.

In the previous election some community elders walked to some closed villages and they motivated other people to participate. Two days before the election our village elder came to me and he asked me, 'are you aware about the polling station?' I told him no so he told me the polling station is in [X] village and that I should go there and use my vote for Ghani. I asked him why Ghani, and he told me because he is not involved in fraud, corruption and killing of innocent people. I accepted his idea and also I discussed the election with my wife. She works for one of the NGOs [non-governmental organisations] so she knows better than me. She also recommended that I vote for Ghani.

Security was not that good at the time but it was better than now. Now the security is getting worse day-by-day and some new insurgents have emerged in our province. Especially in some districts like Pachiragam, Ghanikhil, Haskamena, Shinwari, Khogyani and some others. People hope that government will control the security situation.

Illiteracy has created real problems for us. It is hard for a woman to go outside of her house for work. If our people were educated then they would know about the equal rights of men and women and we wouldn't have as many problems that we have now. Bomb blasts, suicide attacks and many more activities are usually carried out by uneducated people. It is hard for an illiterate person to find work and therefore they become the prey of insurgents. Insurgents use such illiterate people for terrorist activities in return for a little bit of money.

"Illiteracy has created real problems for us. It is hard for a woman to go outside of her house for work. If our people were educated then they would know about the equal rights of men and women and we wouldn't have as many problems that we have now."

If transparent elections happen and a good government comes into being it will have good outcomes. If the government honestly works to eliminate illiteracy from the country then I hope one day will come when we will have a peaceful country and good economy like other countries. I think community leaders and some other influential individuals should work on the district level to motivate insurgents to hold peace talks with the local officials. Once that link is created then it will help peace talks on the high level too.

The deal that took place between Ashraf Ghani and Abdullah Abdullah [in 2014] was a huge mistake. Reconciliation with Taliban is not easy. The government together with the international community should keep regular contact with Taliban leaders to convince them to allow people to vote in elections and to convince the Taliban to nominate themselves for the parliamentary election. Today the Taliban are controlling a large number of districts. If the Taliban does not reconcile or does not allow the people to participate in the coming election, the number of voters will be very low.

Views on conflict, peace, democracy and political reform in Afghanistan

Younus Qanooni

Younus Qanooni joined Ahmad Shah Massoud's *mujahidin* based in his native Panjshir Valley following the Soviet invasion of Afghanistan. He was involved in establishing the Northern Alliance and served as Interior Minister in Burhanuddin Rabbani's government. He was chief negotiator for the Northern Alliance delegation to the Bonn conference. Mr Qanooni was minister in the post-Bonn Interim Administration and Education Minister in the Afghan Transitional Administration (established in June 2002), and was a security advisor to interim President Hamid Karzai. He is a former Vice President of Afghanistan and Speaker of the Afghan parliament (*Wolesi Jirga*), and is currently leader of the *Afghanistan e Naween* (New Afghanistan) political party.

The interview was conducted for *Accord* by Zahid ur Rehman, who has Masters degrees in Political Science from Peshawar University and in Peace and Conflict Studies from the National Defence University, Islamabad, Pakistan. He is conducting post-graduate research on the wartime experience of Afghan nomad tribes.

ABSTRACT

What institutional changes are needed to establish sustainable peace in Afghanistan, and how might such changes be achieved?

In conversation with *Accord*, former speaker of parliament Younus Qanooni outlines his perspectives on the causes of violence in Afghanistan, priorities for dialogue to negotiate potential ways forward, challenges of sequencing peace talks and elections, and longer term options for political reform.

The dilemma of whether to prioritise a military or political solution to the conflict can be resolved by pursuing both together – but with clearly defined mutual objectives. Force should be aimed at convincing the Taliban to negotiate. Efforts to reintegrate Taliban fighters outside a political settlement will continue to fail. The emphasis needs to be on reconciliation, which demands serious concessions from both sides.

Elections present another dilemma for peace: the government will not negotiate before elections; but afterwards the Taliban will not engage with a government that claims a mandate without their involvement. A solution is to let the Taliban play a part in the elections which would create conditions for a ceasefire and a nationwide process.

Afghanistan lacks the necessary institutions to support the existing presidential system. A parliamentary system with strong parties would enable representative politics that can break down tribal or ethnic mobilisation. A step towards this is to have a prime minister as head of the executive, a speaker of parliament heading the legislature branch and a chief justice heading the judiciary. The president can bring these three branches together within a balanced system.

Causes of violent conflict in Afghanistan

Our strategy for achieving peace must be related to our understanding of the root causes of the conflict in Afghanistan. Experience and facts show that the roots are mainly external as four decades of conflict have been imposed on Afghanistan on the basis of strategies which Afghans had no hand in designing.

The common thread between the 19th century wars with the British, the Soviet invasion and the current conflict is that they have all been imposed on Afghans. Peace depends on us understanding and addressing these external conflict drivers. Over the past two decades of our war with the Taliban, the creation of the Taliban movement and their mission in Afghanistan have been an expression of Pakistan's Afghan strategy. Pakistan, with whom we share a long border, is the neighbour with most influence in Afghanistan.

Pakistan has helped to prolong the conflict in Afghanistan because, unfortunately, one of the four pillars of that country's national security doctrine is the notion that there must be a pro-Islamabad government in Kabul.

Younus Qanooni in the Polish Senate, 2008. © Michał Koziczynski

Experience since 1947 shows that Pakistan has experimented with three versions of its strategy in Afghanistan. In one variant Pakistan has tried to construct an Afghan government to its own liking. In another, it has tried to infiltrate the existing government, hoping to determine that government's foreign policy. In the third, it has tried to destabilise the sitting government in Kabul.

If you look back to the periods of Zahir Shah and Daud Khan and at all the governments since then, during each period you will find that Pakistan applied one of the three variants of this strategy. But in the Taliban period, the Pakistan strategy reached the pinnacle of its success. In those years, the Pakistanis were able to fashion a government according to their plan. Therefore, if the Pakistanis today are supporting a return to power for the Taliban, it is to regain this position of ultimate influence and as part of their strategy against India. This strategy has economic, political and military components.

However, one key feature of the Pakistani strategy is that they always rely on internal partners to implement it. Although the roots of the conflict in Afghanistan are external, there is an important role for domestic actors in facilitating the execution of the strategy which sustains that conflict. Pakistan has deliberately avoided deploying its own army to fight in Afghanistan. Instead it relies on Afghan forces, which it has helped to create and through which it achieves a military, economic and political presence in Afghanistan. And if any one of the Pakistani tools should fail, it will rapidly produce another. If we succeeded in persuading the Taliban to abandon the fight, I have little doubt that Pakistan would prepare another force to take forward the conflict.

Achieving peace in Afghanistan

If we are to progress towards peace, we shall require tough negotiations with countries of the region, including Pakistan. We should be prepared to put on the table all the legitimate demands that countries of the region and Pakistan have of Afghanistan. We should face the fact that there are legitimate demands which a country can make of its neighbour. Pakistan has a right to demand that it should face no threat to its security from Afghanistan. But equally we have the right to demand the same of Pakistan. We should address the issues affecting all states which have had a role in the Afghan conflict in this spirit, through fair and transparent negotiations. Our citizens would never accept conceding any illegitimate interest. However, they will have no objection to conceding legitimate interests and we should seek to reach agreement on this basis.

The other strand to pursuing peace in Afghanistan concerns the establishment of a strong government. But not the strength that comes from military force. Rather, a government which is strong because of its popular support among Afghans on one hand, and its good relations with the international community on the other. It will require far-reaching changes for a government in Afghanistan to become strong in this sense. But this is necessary to create the conditions for economic, political, social and cultural progress. As part of the process, we must build leadership capacity within government and its institutions. If our government has genuine popular support, it will be able to resist every form of foreign interference. Unfortunately, Afghanistan has always had either weak or failing governments. Nowadays Afghanistan has a failing government. Under Karzai, the government was just weak. Nowadays the government is failing – it has lost its central authority and capacity to operate.

In summary, there are two main strands to the strategy required to achieve peace in Afghanistan. Strand one involves defeating the strategy of those external players who try to impose a war on us. The second strand involves the establishment of a genuinely popular and strong government.

Experience shows that even while the US had a heavy military footprint in Afghanistan, it was not possible to achieve a military solution to the problems of Afghanistan. Today, we can be even more certain that it is not possible to achieve a military solution. Therefore, irrespective of whether we happen to support or oppose the Taliban, let us accept that they are a part of the political reality.

The solution is neither fighting nor negotiations. The solution is negotiations alongside the fighting. But negotiations and war-fighting must both have clearly

defined objectives. The main purpose of our war-fighting should be to convince the Taliban that negotiations are the only way out. Unfortunately, up to now the government has focused on achieving the reintegration of the Taliban fighters. But this is a futile effort; under no circumstances will the Taliban settle for reintegration. To get the Taliban on board, the government has to be prepared to embrace the idea of reconciliation. But reconciliation has to be carefully defined. The reconciliation which the Taliban are prepared to accept is entirely different from the reintegration which the government has hitherto had in mind. This leaves us with a challenge.

Winning the Taliban over to participation in a peace process will require them to shift a long way from their current position. For the moment, the Taliban work on the assumption that this is a weak government, only propped up by the Americans and bound to collapse if the Americans withdraw. The reasons that we are at an impasse with regard to negotiations include the differences of vision of what the negotiations are leading to and the fact that the Taliban seek to externalise the process. Because they consider the government dependent on the US, they demand that they should negotiate with the US.

I have worked on several formulas to get around this impasse. Peace has a price, just as war has, and we have experience of both. The government of Afghanistan should be prepared to make a sacrifice for peace. If the government of Afghanistan finds itself in a position where it must choose between peace and staying in power it should choose peace.

Sequencing elections

The link to the Kabul political timetable presents another challenge. The trouble is that negotiations are difficult whether before or after elections. Before the elections, the government is not prepared to negotiate. After the elections, the Taliban will not be prepared to surrender to a government which claims a mandate without the Taliban. The challenge for us is how to rework the relationship between elections and negotiations to create an opportunity.

Let the Taliban play a part in the elections. For the Taliban to reach agreement with the current administration, they would have to accept the legitimacy of a government they have dismissed as a puppet, which in Afghan terms would be a massive climb-down. The Taliban insist that there must be a difference between them and Gulbuddin Hekmatyar.

When Gulbuddin surrendered to the government, there was a strong reason for doing so. He had no military force left. All the rest of his Hezb-i Islami movement was already a part of the official system and only he and his family were left outside. The agreement with the government provided a respectable way for him to come in from the cold. In contrast, the Taliban have their military force, their leadership and membership intact. Therefore, we should think of ways for those Taliban who want peace to participate in the 2019 elections. If the Taliban, rather than surrendering to the government, play a role in helping to establish the government, they can reconcile with their Afghan pride intact.

My proposal is this – first of all the government should prepare itself to pay the price of peace. Then the government should bless the continuation of Track 2 talks with the Taliban. The government of Afghanistan remains the official authority. But they should create the space for Track 2 to proceed. In the course of Track 2 we can raise the issue of the elections and seek the involvement of the Taliban. Then we can establish a broad-based platform, including the Taliban.

The current president of Afghanistan might choose to be part of that team or he might choose to stay out. He can make a new bid for power, or he can decide not to. But if we go ahead with the talks we can convince the Taliban that the elections are a process which they can be a part of. Then we can talk of a ceasefire. Eventually, when the Taliban join the government they can tell their supporters that they brought this process about.

A Taliban agreement to participate in elections would create the conditions for a ceasefire and a nationwide process. We would have to form a broad-based national team. We could address the issue of reform to the constitution and structure of government. We formulate a government taking into account the participation and representation of all the peoples of Afghanistan. This is how we can attain real peace and stability.

Political reforms required for peace

As Afghans we are under no obligation to implement any one model of government. Afghanistan is a complex country with diversity of ethnicity, language, religion and sect. This is one of the strengths of the country. We need to find a system which offers expression to this diversity. All the peoples of Afghanistan should see themselves with a stake in that system. All the political parties of Afghanistan, through democratic channels, should gain a stake in that system. Power should be obtained and exercised through legitimate mechanisms.

The current mixed political system, a watered-down version of the American system, has not worked. The

presidential system has worked in America because it is combined with a federal system. Authorities are allocated between the federating units, there is a fully functional constitution and the units have their own budgets. We introduced the American presidential system without the accompanying institutions. We need a system which gives expression to the ethnic and social diversity of this country, which is why I have concluded that a parliamentary system is required.

We have experienced ethnic confrontation. Let there instead be ideological contests. Let us have a system with strong political parties. Healthy politics is only possible when national parties take hold. People need political vehicles to represent them and to help them in reaching their objectives, gaining the kind of services they require from their government. Those vehicles should be political rather than tribal or ethnic. This political development will maintain our national unity. If people do not have access to political parties and civil society organisations, they inevitably lean on their tribe, language group and religion. Instead of taking Afghanistan forward, such politics can take it backward. Afghanistan remains a country where individuals count for more than institutions.

We need to change the structure of power. The current structure encourages ethno-linguistic confrontation and this weakens us nationally. We need a process of transition towards a parliamentary system. From the outset, we can transfer some of the presidential powers to the parliament and other organs. This will enable the government to retain the support of the population. I am not talking about a federal system. But, at least the people of each province should be able to choose their own wali.

Think of Kandahar. The economic situation does not permit all decisions to be taken by direct election. But there are ways of allowing participation in a decision. So the people of Kandahar can call a consultative assembly to choose, say, five acceptable candidates to send to the president. Their candidates may include people from Kandahar or from elsewhere. When the president picks one of these people as wali, he can count on the support of the people of Kandahar who have proposed the wali.

In the meantime, until we reach the stage of a fully fledged parliamentary system, we should at least have a prime minister heading the executive branch. We do not need to repeat the failed experiment of having a 'chief executive'. This was set up to fail. Rather, we should have a prime minister heading the executive branch, a speaker of the parliament heading the legislative branch and a chief justice heading up the judicial branch. Then the president can be the overall leader, bringing these three branches together within a balanced system.

We had a bitter experience of the current system during the Karzai period, when I was the speaker of the parliament. Because we did not have a prime minister, whenever there was a confrontation between the legislature and the executive, it was the president who represented the executive and found himself in confrontation with parliament, even being defeated by parliament on various issues.

It would have been better if we had had someone else – a prime minister to represent the executive. That prime minister would then have been answerable both to the parliament and to the president. If we had had that structure I am confident that it would have resulted in a government more inclined to deliver necessary services and security to the Afghan people.

Therefore I believe that we should transition towards a parliamentary system, with the parties put in place. Even if the same position remains nominally presidential, there should be a prime minister as the second person in power, with a defined allocation of power between the president and the prime minister. This will ensure accountability and will reinforce our national unity and solidarity.

Local perspectives on peace and elections Balkh Province, northern Afghanistan

Interviews conducted by Abdul Hadi Sadat, a researcher with over 15 years of experience in qualitative social research with organisations including the Afghanistan Research and Evaluation Unit (AREU), the Center for Policy and Human Development (CPHD) and Creative Associates International. He has a degree injournalism from Kabul University.

ABSTRACT

The following statements are taken from longer interviews with community members across two different rural districts in Balkh Province in northern Afghanistan, between November 2017 and March 2018, in which they were asked questions about their views on elections, peace and reconciliation. Respondents' ages and ethnic groups vary. Data were collected by Abdul Hadi Sadat as part of a larger research project funded by the UK's Foreign and Commonwealth Office.

Female teacher

The current political situation is unpredictable and it is very difficult to imagine that the government and the opposition parties will compromise over power! The government is blamed for its misuse of power. But I think the internationals are playing a two-faced role in the political instability of the country – they provide financial support to both the government and the opposition bodies at the same time. We in northern Afghanistan are very concerned about our future. The insurgents will take advantage of the disputes between the Balkh governor and the government and will influence the communities and local government.

The community elders have a very prominent role at the local level, in some cases they can take relatively successful steps in solving social and conflicts resolution. We live in a traditional community and the elders' role is vital. I remember during the past election elders motivated people to go to the polling stations. Before the 2014 election the district IEC [Independent Election Commission] branch invited elders to the office, and the IEC motivated them to support the election and to motivate villagers to participate in the election.

Female community mobiliser

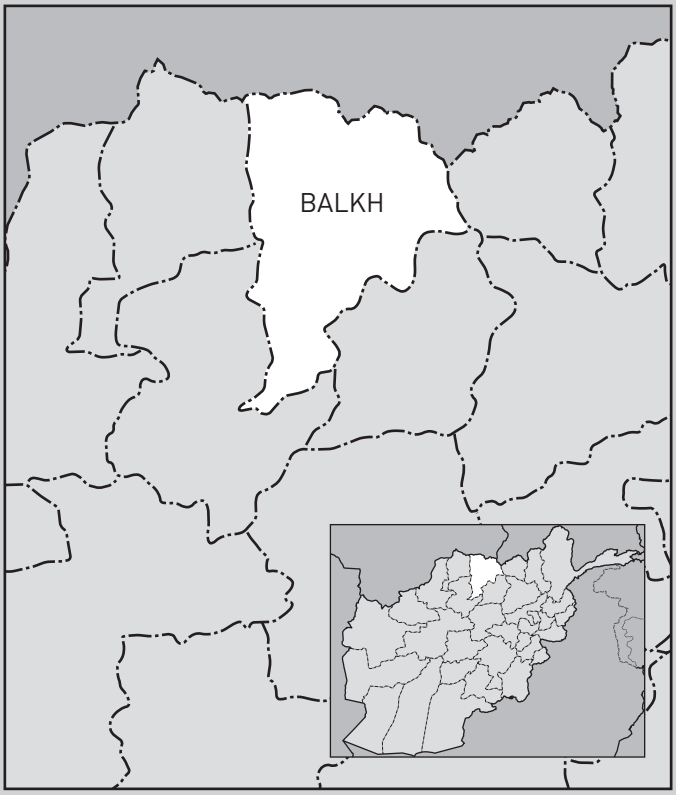
It won't be an inclusive election at all since the government does not have control of almost 35 per cent of the country. If the election is held on the announced date in such a bad security situation, do you think the people who are living under the control of Taliban will be able to vote? Those people also have a right to have access polling stations. Before the election the government and political parties should first think about the security and how to put into practice a proper electoral system.

The international community and donors follow their own interests in Afghanistan. If their interests do not match ours then the situation gets even worse. Do you think that the Taliban has the power and ability to launch suicide attacks on secure locations on their own? It seems that some internal and external people are involved. It would be wise to come to an agreement with the international community on mutual interests.

Community elders are the most useless class in our society. They are the closed-minded, illiterate, corrupt people. There is no chance they can make any difference. They have influence in the community, but reconciliation is a national level issue. As our country has experienced 40 years of war, I do not think that there are any impartial elders in the community. If the elders can do anything regarding the election, maybe they can inform insurgents to allow voters to vote for their desired candidates.

Female trainer

We have influential elders throughout the district but in fact the elders also belong to one of the parties. Some elders are supported by Muhammad Atta Nur, some others are following the government. So independent elders are very few and they do not have power. As I am among the community, I see that the Jamiat[-e Islami] party is not willing to reconcile with the Taliban and other insurgents. This is really important not only for the parliamentary election but for the long term. Our people need a durable solution and peace.



Map of Balkh Province, Afghanistan.

Female nurse

Peace talks should be started with our neighbouring countries like Pakistan and Iran – not with a puppet group of people who don't know anything and don't have any clear goals or objectives. This issue should be solved through regional cooperation.

Also reconciliation in relation to the election is possible with the honest support of the international community. The international community has influence over the Taliban and other insurgent groups. The public has been always supportive of these kinds of processes. They have always played a positive role and again people will contribute to the upcoming elections in order to practice democracy in the country. The people of our country are compelled to vote because they do not have another way.

Our community is safe and there are no insurgent activities but in the rest of the Afghanistan everyday people are dying. I think this will be ended by casting votes and practising democracy and choosing the best possible candidates as representatives of our communities – to further represent us and fulfil our needs and fight for the problems that our community is faced with. Physically our village is safe but our district is located in the border of [an insecure] province. Sometimes the insurgents are coming to the border villages. Recently we received news that people across district should take care because the Daesh [Islamic State in Khorasan] group has become active in the northern provinces.

The elections are possible! But there are some conditions. There should be the best possible reforms brought to the election commissions – they should be committed to the national interest of the country. Then they can contribute to the elections and we can practice democracy. People who live in insecure areas I know will be deprived of the franchise of their votes in the election. We have no choice but we should have the election in the coming year.

Male teacher

We need two types of reconciliation, long term and short term. In the long term Afghans need peace and stability. This would benefit both sides – insurgents and government. For 40 years we have been dying, so for how long will this continue? And we can have short-term reconciliation, where community leaders can really play a very important role. If the government supports community leaders they can contact insurgents and ask them to allow the election.

People think that the election is a welfare programme, but actually it is a political process. If the insurgents allow the election maybe they will ask for some privileges, and this will not be good for the legitimacy of the government.

Theses on peacemaking in Afghanistan

Professor Barnett R. Rubin

This contribution draws on a commentary by Professor Rubin published by War on the Rocks in spring 2018: https://warontherocks.com/

Professor Barnett R. Rubin is a Senior Fellow and Associate Director of Center on International Cooperation, where he directs the Afghanistan Pakistan Regional Program. From April 2009 to October 2013, Professor Rubin was the Senior Adviser to the Special Representative for Afghanistan and Pakistan in the US Department of State. In November–December 2001 he served as special advisor to the UN Special Representative of the Secretary General for Afghanistan, during the negotiations that produced the Bonn Agreement. He subsequently advised the United Nations Assistance Mission in Afghanistan on the drafting of the constitution of Afghanistan, the Afghanistan Compact, and the Afghanistan National Development Strategy. Professor Rubin received a PhD and MA from the University of Chicago.

ABSTRACT

What are the possibilities for negotiating a mutually acceptable end-state in Afghanistan among the multiplicity of domestic and foreign interests involved?

Challenges to stability in Afghanistan start from disagreement over delineation of the territory's boundaries. The Afghan state is reliant on external revenue to survive, but conflicting foreign interests mean that the provision of assistance is not seen as an objective public good but rather as partial and destabilising. While the withdrawal of foreign troops brings with it the threat of state collapse, at the same time the possibility of permanent foreign military presence risks provoking regional backlash.

Within Afghanistan, political legitimacy is contested: Pashtuns see themselves as a dispossessed majority; tribal legitimacy is dwindling; and Islamic legitimacy is overlaid with identity politics linked to different solidarity groups.

Combatants have largely rejected possibilities for peacemaking to deliver mutual gains through a win-win outcome, and so have sought to establish their military ascendancy in order to strengthen their bargaining positions. However, no party has been able to establish a sufficiently strong and sustainable status to guarantee success in negotiation, so the temptation to postpone talks indefinitely has prevailed.

The philosophers have only interpreted the world in various ways; the point is to change it

Karl Marx, *Theses on Feuerbach*

Either he's dead or my watch has stopped!

Groucho Marx, *A Day at the Races*

Great powers currently articulate two interests that justify the allocation of resources to the stabilisation of Afghanistan:

1. Preventing international terrorist groups from establishing secure bases there.

2. Promoting the economic rise of continental and South Asia driven by the growth of China and India: 1) at least, by preventing instability in Afghanistan from threatening investments in the surrounding areas; and 2) at best, by integrating Afghanistan into those economic networks.

The most effective way to realise both of these objectives is building and sustaining an effective state in Afghanistan, which begs the questions of who is to do it and who is to pay for it?

Principles of stabilisation

The international community defines Afghanistan as the territory within the boundaries demarcated by the British and Russian empires, including through the Treaty of Gandamak of 1879 and the Durand Treaty of 1893, and as ratified in the Anglo-Russian Agreement of 1901. But no Afghan government has accepted these boundaries as legitimate since the partition of India and the creation of Pakistan in 1947.

No ruler or government has been able to build and sustain a state within this territory solely on the basis of domestic resources. This territory has been ruled in one of three ways:

1. By empires based outside Afghanistan, which transferred resources to a local administration that lacked sovereignty – Mughals, Safavids, Shaybanids and British India.

2. By empires based in Afghanistan that extracted resources from other areas by conquest (Durranis).

3. By financial or direct military assistance from one or several foreign powers to an internationally recognised, juridically sovereign state in Afghanistan.

In principle Afghanistan could sustain a stable state funded primarily by domestic revenue if its economy produced a surplus sufficient to finance a security establishment capable of withstanding external threats, and a government and administration with sufficient legitimacy and capacity to control internal threats.

External priorities: whose stability?

Under present economic and political realities, establishing even an unstable state in Afghanistan requires the involvement of foreign powers as aid donors and direct security providers.

Changing that economic reality in a landlocked state requires economic cooperation with Afghanistan's neighbours. Such cooperation is possible only if the political reality changes.

The presence of foreign donors or security providers, as well as economic cooperation with one or more neighbours, has the potential to threaten other powers. While the stabilisation of Afghanistan is a partial public good for the international community, the political and military means to establish such stability may pose a threat by providing a base for forces perceived as hostile. This is an example of the general phenomenon of rent seeking in the provision of public goods. Both the Soviet and US governments believed they intended to stabilise Afghanistan, but their rivals and adversaries perceived their efforts as more or less threatening, even when, as is currently the case, those neighbours also benefit from the limits to instability imposed by the American presence.

Given Afghanistan's economic and demographic profile – a population that is both poor and young – as well as its linguistic, religious, ethnic, and economic links to the populations of the neighbouring countries, virtually any neighbour of Afghanistan has the capacity to destabilise the country by offering selective benefits to client groups. Most cultivate such clients to one extent or another to hedge against consolidation of stability by a power they perceive as posing a long-term threat.

Therefore, the stabilisation of Afghanistan through any combination of a foreign military presence or assistance, foreign economic assistance, or economic development requires that no neighbour of Afghanistan perceives the constellation of forces there as hostile. In the current case, Russia, Iran, Pakistan and China all want the US to stay for now but oppose an indefinite presence, which might be used against them.

Regional connectivity

The growth of China and India has led to the rapid development of connectivity projects in the regions around Afghanistan. Linking Afghanistan to these networks is the

sole way to reduce dependence on foreign assistance in favour of economic development. Connectivity, however, like stabilisation, produces partial public goods that can disproportionately benefit the producer.

China claims that the Belt and Road Initiative (BRI), including the China-Pakistan Economic Corridor, aims at win-win cooperation for all. India and the United States, however see it as a predatory power grab and are sponsoring separate connectivity projects while contemplating alternative alliances to balance emerging China. This response threatens a new Cold War in Asia, with China and Pakistan opposing India, the US, Japan and Australia, as the Trump National Security Strategy advocates.

Regional cooperation that will help stabilise Afghanistan would require a truce between BRI and US-India projects such as the quadrilateral framework with Japan and Australia and the India-Iran-Afghanistan-Japan project to develop the Iranian port of Chabahar. Afghanistan could constitute one of the links between the two networks. Conflicts between the sponsors of the two networks would threaten Afghanistan's connection to international markets.

Foreign troops

Stabilisation of Afghanistan would also require either the withdrawal of all foreign troops, as the Taliban demands, or agreement by all relevant powers to the terms of reference of a foreign military presence that poses a threat to no one. Withdrawal presents the threat of collapse, while permanent bases stimulate regional backlash.

Among the proposals to resolve this dilemma have been: Russia's proposal to neutralise Afghanistan; China's suggestion to replace NATO'S Operation Resolute Support with a UN peacekeeping force mandated by the Security Council; Pakistan's proposal to limit or eliminate the Indian presence and partially integrate the Afghan and Pakistan security forces through joint training; and the US plan to implement its Bilateral Security Agreement with Afghanistan in such a way as to induce all neighbouring states to bandwagon with the Americans, rather than balancing against it. None of these options seem desirable or feasible at present, but all try to solve the security dilemma presented by the presence of foreign military forces.

Internal legitimacy: whose peace?

Domestic legitimacy faces a difficult conundrum. Pashtuns generally consider Afghanistan to be their state, founded and ruled by Pashtun tribes under a variety of legitimation formulas. As they do not accept the legitimacy of the loss of Afghan territory in 1893, they also do not accept the legitimacy of Pashtuns being outnumbered by others in their own state; if all 'Afghans' were ruled by their rightful state, Pashtuns would be a decisive majority.

> **"The state lacks any institutional way to determine the electoral outcome in a manner credible to the bulk of the population. Hence every election is contested."**

Tribal legitimacy, as in the days of Saddozai or Muhammadzai rule, has lost normative appeal domestically and internationally, though it continues to structure the actions of groups seeking power, as it has since the time of the 14th century Arab philosopher Ibn Khaldun. Islamic legitimacy is essential for any government, but there is little support for clerical rule, which can never be rule by an abstract *ulema*, but must always be rule by a particular solidarity group of *ulema*. Such groups, like the Taliban, may claim religious legitimacy but like other aspiring elites use foreign and domestic patronage and ethnic appeals to operate.

Democracy

The election of a president by direct universal suffrage attempts to arbitrate that choice of a ruler through a neutral process, but, in the absence of agreed demographic data or an administration with a minimum of impartiality, ballot box stuffing becomes an imperative. The state lacks any institutional way to determine the electoral outcome in a manner credible to the bulk of the population. Hence every election is contested.

Democracy based on one person, one vote has some normative appeal but is nearly impossible to implement in a manner acceptable for all, since how many people are eligible to vote and the accuracy of the vote count are both contested. The 2001 Bonn Agreement, the 2004 constitution, and the National Unity Government (2014–) all tried to resolve this dilemma of legitimacy one way or another, but those agreements are eroding rapidly.

Possibilities for peacemaking

The credibility of any negotiation is undermined by the difficulty of defining or even imagining an end state that would meet the minimal needs and demands of such a large number of actors – the US, Pakistan, Iran, Russia, China, India, Afghan urban westernised elites, Pashtun nationalists, Afghan Islamists, and non-Pashtun ethnic

leaders, for starters. Each actor tends to believe that its adversaries have no feasible proposal and are merely using talks to buy time. The temptation is to imagine that one's adversary is a phantom totally controlled by a foreign power with which one can negotiate.

Given the dependence of all Afghan actors on external assistance, it is impossible for them to reach agreement if their patrons oppose it. Therefore, the starting point must be to build sufficient international consensus as a basis for any negotiation and devise a mechanism to make a credible commitment to sustain the state into the future.

The Afghan government approach of relying on US power to force change on its neighbours risks a backlash from the Pakistan-Russia-Iran-China alignment. The Moscow format aims at creating a regional consensus that has the disadvantage of being led by Russia, whose bilateral relations with the US make it unacceptable to the biggest actor on the scene. China's approach of simultaneously trying to work out from Afghanistan-Pakistan relations and seeking universal buy-in to the BRI, in particular by India, clashes with the US National Security Strategy.

The main combatants in the conflict do not see any possibility of joint gains from a win-win outcome. Hence they insist on bargaining only from a position of strength. But no position can be strong and permanent enough to guarantee success in negotiation, so the temptation to postpone indefinitely nearly always wins out. Irrational optimism is the common delusion of combatants, for which non-combatants pay a disproportionate price.

Local perspectives on peace and elections Ghazni Province, south-eastern Afghanistan

Interviews conducted by Abdul Hadi Sadat, a researcher with over 15 years of experience in qualitative social research with organisations including the Afghanistan Research and Evaluation Unit (AREU), the Center for Policy and Human Development (CPHD) and Creative Associates International. He has a degree injournalism from Kabul University.

ABSTRACT

The following statements are taken from longer interviews with community members across two different rural districts in Ghazni Province in south-eastern Afghanistan between November 2017 and March 2018. Interviewees were asked questions about their views on elections, peace and reconciliation. Respondents' ages and ethnic groups vary, as do their levels of literacy. Data were collected by Abdul Hadi Sadat as part of a larger research project funded by the UK's Foreign and Commonwealth Office.

Female NGO employee

Government officials and the IEC [Independent Election Commission] are not capable of talking with the Taliban regarding the election, but community representatives can convince them not to do anything to disrupt the election and even encourage them to participate in the election process.

Female youth, unemployed

I don't know for sure whether the Taliban will allow elections to take place here or not, but in those villages where the security is low the Taliban will not let the people go to the polling centre. In the past election there was a rumour that the Taliban had warned the people that if they vote and get ink on their fingers they will cut their fingers off, but I didn't see anything like that in this village or district.

The election process is quite different in Kabul than in our district. People in Kabul can freely go out and vote for their desired candidates and I don't think that they vote more than once. But in this district people will feel worried on the way to polling centres and if they find opportunities then they vote more than three or four times. Most of the candidates force the people to vote for them here, but I don't think that people experience such things in Kabul.

I don't think that the Taliban will sit around the reconciliation or peace table, they will not reconcile with government. But in this district people say that if the election candidates are educated, honest and hardworking enough then the neighboring districts where the Taliban rule will reconcile with them, because they also want their districts to be improved.

I think the international organisations' involvement is very vital and they have an important role in elections, but I don't think they will have an important role in reconciliation with the Taliban because they themselves do not want Afghanistan to be in peace. If they wanted this we would have better life. They have the power to force the Taliban to reconcile with Afghanistan government.

Male village elder

For decades we have been experiencing war so all people are very tired with fighting, killing and bombing. We all have families and children. And our children have a future: our people do not want war, we all want safety and security that is why all people broadly participated in the elections in the past. As far as I know the Taliban are also residents of the district. They have children and maybe they are also tired of war and they will allow people to participate in the election.

I can say that the district centre was very safe in 2013–14 but after the election security deteriorated and the insurgents speedily extended their control to other areas. Maybe that was the impact of internal challenges within the government. If the government resolved their internal problems I am sure the insurgent activities would decrease.

In our village there is a checkpoint and military forces govern, but we don't feel secure. Because every day we experience war and conflict our people do not have a chance to go about their daily activities and they do not feel safe.

During this year we experienced a lot of clashes. The Taliban attacked the checkpoints in our village and other

Old Ghazni City, Ghazni Province, Afghanistan, 2010. © US Air Force

villages several times. Once about 300 Talibs attacked the checkpoints which caused a lot of injuries and deaths for both sides, for the Taliban and military forces.

Most of the villages are under the Taliban control and they ask for taxes from all the villagers where the Pashtuns or Hazaras live. They ask people to pay taxes from their fields, gardens and water pumps, and no one is able to prevent them from this action, not even the government. The truth is we have just a symbolic government. Most of the provinces are under the control of the Taliban and the government authorities cannot go there.

Most people take their disputes to the Taliban and they solve the cases very quickly without bribes or corruption. The people who have cases or serious problems or even problems to do with fields, lands or gardens take their cases to the Taliban and after some investigation the Taliban solve them very soon. A few cases which need recording are issued to the governmental officials, but that costs a lot and takes a lot of time.

Male farmer

My brother, have a look. Foreigners occupy our country. Some elders who have job in government say 'oh the government are really serving the people'. But it is exactly not true. Elders of both sides are just looking to their own benefit. Elders do not have ability to reconcile between Taliban and government. It is the job of government to resolve big [national level conflict] problems but the elders can resolve disputes between two families or two people. And right now, most of the people at the local level take their disputes to the Taliban because they are very serious.

We don't have any expectation of the government because the it has lost its credibility and cannot do anything for us. We cannot solve even a small conflict or case through government. It takes years and and creates a lot of other problems. Government officials ask for money for even a small work. If you have money or influence with the government your work is done on the spot. They turn or change the right to wrong and wrong to right. How should we believe and trust the government?

Male civil society activist

The election process is different in Kabul than here, a distant rural district. People in Kabul will participate in polling centres without any worries, but most of the people in the remote villages here feel afraid of participating. Reconciliation with Taliban is a waste of time. The Taliban do what they want and everyone knows that they do not have the power to rule the country or send candidates to stand in the election process. Since people do not permit the

Taliban to interrupt the election process, especially those candidates who have great popular influence, the election might go ahead. But there could be some challenges like transferring ballot boxes from one place to another.

The government and the IEC [Independent Electoral Commission] lack credibility and prestige because they do not stand by their words. And all previous candidates who nominated themselves in presidential, parliamentary or provincial council elections and won a seat didn't do or act what they had shouted or promised to people. They just wanted to win the seat and work for their own benefits and forgot the people who voted for them.

But I am positive about elections. I participated in the past elections and will participate in the coming election too, because I hope the next candidates learn from the past and work for the people. I think that especially the provincial council candidates do not know about their responsibilities.

Even though most people in the community do not think that their votes directly affect the elected candidate, they still hope things will change. People we have talked to on social activities say that they are still hopeful. Most of the people want the government and candidates to provide good living conditions and job opportunities, especially for youths.

Map of Ghazni Province, Afghanistan.

Human rights, security and Afghanistan's peace process

The justice–stability nexus

Patricia Gossman

Patricia Gossman is senior researcher on Afghanistan for Human Rights Watch. Prior to joining HRW, she was Director of the Afghanistan Program at the International Center for Transitional Justice on Afghanistan, and was the founder and director of the Afghanistan Justice Project, an Open Society Institute-funded project to document war crimes committed during the Afghan conflict, 1978–2001. She was Senior Researcher for South Asia at HRW in the 1990s, covering not only Afghanistan, but India, Pakistan and Nepal. She received her doctorate in South Asian Studies from the University of Chicago and is widely published on human rights issues in the region.

ABSTRACT

What are the human rights priorities for a peace settlement for Afghanistan, and what are the prospects for negotiating these effectively?

Three deeply contested issues are critical to negotiating human rights in a future peace settlement.

1. Demilitarisation: agreeing terms to demilitarise armed groups, including establishing an oversight body and securing international backing for sanctions against violators. Demobilisation provisions in the 2001 Bonn Agreement were weak. Subsequent initiatives to integrate former fighters into formal security institutions have been decidedly patchy and many militias continue to play a role in violent conflict today.

2. Women's rights: addressing concerns over the potential negative impact of a settlement on women's rights. Post-2001 gains for women's participation have been hard won and remain fragile. Gender-based fears over negative consequences of concessions made in a peace deal, such as through revision of the constitution and other legal safeguards, have been exacerbated by the lack of women in the Kabul Process.

3. Transitional justice: addressing the legacy of massive human rights violations and war crimes is key to avoid the persistence of abuses. Recent history does not augur well, such as the 2008 blanket amnesty for war crimes. While negotiating progress on transitional justice will not be easy, Afghanistan today shows the costs of failure. Acknowledging the truth about past atrocities may offer a viable entry point for meaningful progress for reconciliation.

Most peace accords include measures that reflect basic human rights principles: to reform or restructure security institutions; to enact legislative and policy changes to address inequities that fuel conflict; and to acknowledge past abuses. But while some agreements have included explicit human rights language, such as commitments in Northern Ireland's Good Friday Agreement to address discrimination and provide for more equitable representation, few have called for specific measures to implement human rights reforms in their final texts.

How could human rights feature in negotiations toward a settlement among the relevant parties to the conflict in Afghanistan? Three contested areas are critical: disarming militias and reform of the security forces; women's rights; and the role of truth and accountability in addressing past war crimes and human rights abuses.

Negotiating rights in Afghanistan

Afghanistan has been at war for 40 years. During this time every party to the conflict has been responsible for a range of human rights abuses and violations of the laws of war. Many Afghans, including refugees and the larger Afghan diaspora, consider themselves victims of a conflict that has consumed generations. While Afghanistan has seen a number of efforts to negotiate peace, human rights concerns, including addressing grievances that have motivated fighters to take up arms, have not played much of a role in any of them.

The talks that culminated in the 1988 Geneva Accords, the agreement under which the Soviet Union withdrew from Afghanistan, did not mention human rights except to affirm the right of Afghan refugees to return. There was no effort to reform security institutions and no provision to account for war crimes by any party to the conflict. Through the 1990s, international efforts to bring warring Afghan factions to the table amounted to little, while foreign support for the belligerents by Afghanistan's neighbours and other powers continued.

The purpose of the December 2001 Bonn Conference, organised under UN auspices, was to broker a power-sharing arrangement among the major Afghan anti-Taliban armed factions, principally those known as the Northern Alliance, and determine the composition of an interim government, a roadmap for drafting a new constitution, and a timetable for holding elections.

The Bonn Agreement said little on human rights. Despite widespread condemnation of the Taliban for their treatment of women, the agreement said only that women should be represented in government and participate in planned political processes. In the absence of explicit demands by any political group at the conference with respect to past crimes, there was no impetus to pursue transitional justice. In closed sessions, former *mujahidin* leaders vehemently rejected a proposal to prohibit an amnesty for serious war crimes. Barnett Rubin noted in 2003 that during closed sessions negotiators had discussed such a proposal, but it caused a serious rift when some faction leaders suggested that the motive behind it was to dishonour and disarm the *mujahidin*.

Nor did the Bonn Agreement address the question of how to demobilise various militias, or vet them for any future role in the security forces. In the end, the agreement included only some very basic requirements on human rights, including establishing a national human rights monitoring body and pledging that the government would abide by the provisions of international human rights instruments to which Afghanistan was a party.

It was not a surprise that the Bonn negotiations failed to address contentious issues surrounding rights, disarmament and accountability. The Afghan factions represented there were concerned with the allocation of power. They had no interest in pursuing questions that could undermine that power and cost them the support of their men. There was no Afghan civil society at the talks to push for such measures and no international presence to enforce them.

The US sought an agreement among the main anti-Taliban groups that would allow it to continue the fight against al-Qaeda and the Taliban, and the UN and other international participants feared pursuing issues that could spark confrontation among the Afghan factions. The Taliban were not present at Bonn, and were not party to the bargain on which the post-2001 Afghan state was built. Thus, many of the conflict dynamics that had characterised the war for years prior to Bonn have since continued to undermine efforts toward peacemaking. If serious negotiations were to get under way, they would need to address these contested issues, including the legacy of the post-2001 transition and the security structure it created.

Demilitarising militias

Disarmament, demobilisation and reintegration (DDR) of former combatants is crucial for post-conflict stability and human rights protection. But representatives at the Bonn Conference were reluctant to press for this, fearing that pursuing disarmament could drive some Afghan factions from the table. The Bonn Agreement's provisions on disarmament were weak, calling only for the reintegration of the *mujahidin* into the new Afghan security forces. Article V.1 states that 'all *mujahidin*, Afghan armed forces and armed groups in the country shall come under the command and control of the Interim Authority, and be

Afghan women take part in a protest against violence towards women outside the Ministry of Women Affairs in Kabul in February, 2014.
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reorganized according to the requirements of the new Afghan security and armed forces'. Annex III calls for 'the United Nations and the international community ... to assist in the reintegration of the *mujahidin*'.

While incorporating former combatants into a country's security institutions can make DDR palatable to former commanders, if done selectively or without concern for human rights it can also undermine efforts to establish the rule of law. The International Crisis Group in 2010 described how in Afghanistan DDR did not formally get under way until well after the Ministry of Defence had already incorporated many of the militias allied with the Tajik Panjshiri Shura-e Nazar faction into the new Afghan National Army – and with them, their patronage networks.

There was no political will to carry out vetting of personnel on human rights grounds because those in positions of power had strong ties to those who would need to be vetted. Moreover, the US-led coalition was already arming and paying commanders from various militias to fight al-Qaeda and Taliban forces; many of these militias continue to play a role in the conflict today. As the dominant anti-Taliban elites competed for power and access to the vast influx of resources from the international reconstruction effort, the failure to build security institutions that were not tied to faction-based patronage systems fuelled corruption and fed grievances among groups who felt excluded from the new order.

Since 2001, accommodation of potential spoilers has remained the preferred approach to dealing with regional strongmen and other powerful figures. Years of talks concluded with a 2016 peace deal between Hezb-i Islami and the government. Interviews I undertook in 2017 revealed that all the group's commanders anticipated positions in the security forces or government, as had happened to Northern Alliance forces after 2001. But if there is a settlement with the Taliban, its leaders will not consent to having fighters either demobilised or absorbed into existing governmental security institutions. Instead, as Osman and Gopal described in 2016, they want a reconfiguring of the post-2001 political framework, which will prompt fierce resistance from those who have benefited most from it.

While Afghan government officials aligned with President Ashraf Ghani, along with most donors, welcomed the Hezb-i Islami deal as a positive step toward peace, some Afghan civil society groups raised concerns that accountability was not part of the negotiations. Protesters denounced the deal and the past crimes of Hezb-i Islami leader Gulbuddin Hekmatyar, though mostly on social media as many feared street protests could have sparked retaliation from Hekmatyar's supporters.

In Afghanistan, as in other conflicts, security and human rights are not separate but interdependent. Any future negotiation with the Taliban will need to address the same problem that the negotiators at Bonn ultimately evaded: what to do about the thousands of armed fighters loyal to powerful political figures, many of whom have known only war, and fear that they will lose out in any settlement? Interviews I undertook in Kunduz in 2015 support research findings of how fighters frequently cite the sacrifices they or their families have made, and abuses suffered by rival forces, as motives for continuing to fight. DDR alone, even if carried out impartially, cannot address this; it is possible that some kind of transitional justice process focused on truth and reparations could go some way toward doing so.

Given the failures of the post-Bonn attempt at DDR, it is also clear that any agreement needs to spell out the terms for demobilisation and identify a body acceptable to all parties to oversee it and prevent the capture of state security institutions by any one group. The post-2001 practice of accommodating potential spoilers imposed no sanctions for those who violated even the minimal constraints envisaged at Bonn, such as the prohibition against maintaining illegal militias. Any future agreement would require sufficient international backing to support sanctions, both political and economic, for those who violate its terms.

Women's rights

Armed conflict exacerbates gender inequalities. Before the war began in 1978, gender-based discrimination was deeply entrenched in Afghanistan's socially conservative culture. While women in urban areas had made some gains in legal status, education and employment, rural women were largely unaffected by these changes. Subsequently, decades of war and displacement have reversed even this limited progress, while further setbacks ensued under the Taliban. Since 2001, Afghan women have recouped some lost ground and now play an active role in government and civil society, although gender-based discrimination and violence remains pervasive.

As prospects for peace talks have fluctuated in recent years, many activists have focused on the impact that a peace agreement between the Afghan government and the Taliban might have for women's rights, particularly given that the gains made for women since 2001 are fragile and already at risk. Enshrining women's rights in the new Afghan state after 2001 was not a given even after the ousting of the Taliban government, however, as the process around the drafting of the 2004 constitution illustrated. As the International Crisis Group reported in 2013, an early draft made no mention of gender equality, the chair of the Constitutional *Loya Jirga* (Grand Assembly) having publicly advised female members that under God, they were not equal citizens. Afghan human rights activist Masuda Sultan has described how, under pressure from international advisers who linked continued financial support for the government on a constitutional provision guaranteeing equal rights for women, the drafting committee amended Article 22 on the equal rights of citizens to include the phrase 'whether man or woman'.

The same conservative forces have re-emerged during parliamentary debates over legislation on women's rights, including the Elimination of Violence Against Women law. As detailed by the Afghan Analysts Network in 2017, this law has yet to be passed by the parliament, despite having previously been approved through a presidential decree by President Karzai in 2009. Some lawmakers have argued for repeal of the law, calling for elimination of the minimum marriage age for girls, abolition of shelters and ending criminal penalties for rape. Protecting women's rights remains an uphill battle in Afghanistan, even without a deal with the Taliban.

But the on-again-off-again attempts at talks with the Taliban have intensified fears among Afghan activists that women stand to lose even more ground if a deal were to include revising the constitution or scaling back other laws and programmes protecting women's rights. Women have been all but absent from many meetings held under the government's official peace programme, the Kabul Process, while a long-promised plan by the Afghan government to implement UN Security Council Resolution 1325, which calls for women's equal participation in issues surrounding peace and security, has yet to materialise, adding to those fears.

Huge gaps remain. While Taliban representatives have reportedly signalled support for education for boys and girls at all levels, if segregated by gender, the content of the curriculum remains a contested area. In practice some local-level Taliban commanders have blocked girls from studying – as have some ostensibly pro-government militias, as reported by Afghan Analysts Network in 2013. Taliban interlocutors have also indicated an evolving stance on women's employment, but one that does not permit women to hold the highest political or judicial offices. These limitations should prove an obstacle to any serious negotiations.

More worryingly, Taliban spokesmen who have participated in unofficial talks openly acknowledge that they may not speak for their commanders on the ground, and that the Taliban political leadership could abandon even this limited flexibility on women's rights in order to get buy-in from the rank and file. This could prove an insurmountable obstacle unless simultaneous efforts to address the grievances that have driven many to fight complement the negotiations. But as happened during the 2003-04 constitutional debate, protecting women's rights in any peace process will require a commitment by the participants not to weaken existing constitutional guarantees for women's rights, including on the part of any international guarantors. In recent years international actors in Afghanistan have not consistently defended women's rights.

Transitional justice

Transitional justice refers to a range of responses to massive human rights violations and war crimes, including recognising suffering and loss through truth-seeking,

holding perpetrators accountable through retributive and restorative justice measures, and reforming justice institutions. The goal is to avoid a return to conflict and the abuses of the past. To be successful, the impetus for transitional justice must come from the victims of human rights violations. Initiating a transitional justice process solely from the outside, without commitment from those in the country who have suffered, is unlikely to succeed. In Afghanistan, transitional justice in any form, including truth-seeking as well as any other form of accountability, has been a casualty of both the stability-first approach taken since 2001, and of the fragmented society.

The Bonn Agreement mandated the Afghanistan Independent Human Rights Commission (AIHRC) to investigate human rights violations, past and present. Working in an environment in which many of those responsible for past abuses were in power, the commission has proceeded cautiously. In 2005 it published a report noting that most people surveyed considered themselves 'direct victims' of human rights violations during the war. As a next step, in consultation with the UN, the rights commission developed an action plan outlining a series of steps, from documentation through judicial reform. President Karzai signed the plan in December 2006. In response, the Afghan parliament passed a blanket amnesty for 'all political factions and hostile parties' involved in the war before December 2001, as well as those still in opposition, including the Taliban, so long as they joined the reconciliation process and respected the constitution. The amnesty became law in December 2008, amended to permit individual claims as stipulated in Islamic law, according to which only victims and relatives can absolve an individual.

The next blow occurred in December 2011 when President Karzai dismissed three prominent AIHRC commissioners who had spearheaded a massive documentation effort to map the major human rights violations of the war between 1978 and 2001. The contents of the Conflict Mapping Report worried powerful former Northern Alliance figures in Kabul. It has never been published. Political leaders, both Afghan and foreign, have cited the danger of instability as a reason not to publish it. Despite the threat of a possible investigation by the International Criminal Court, the Afghan government has not prosecuted serious offenders, from prominent strongmen, to generals and other powerful figures.

Divisions within Afghan society have further complicated progress. There is little common ground between those who have suffered losses from insurgent attacks and those who have experienced abuses by government forces or their allies. Moreover, many Afghans, frustrated with deteriorating security and economic hardship, are drawn to the ethnic politics that defined the war in the past, and defend leaders from their own group even when they are accused of abuses. The Ghani government's deal with Hezb-i Islami, a Pashtun faction, exacerbated ethnic tensions that had surfaced prominently during the 2014 presidential election, now marked by demands for greater power from regional strongmen who assert that they are defending ethnic minority rights. Competing narratives are a common feature of civil conflicts, particularly those in which the fault-lines divide ethnic identity groups, and further stymie attempts to seek justice.

"As researchers gathered testimony about incidents spanning nearly 25 years, some discovered for the first time that their compatriots in other districts and provinces had suffered the same atrocities as their own families had."

Conclusion: acknowledgement and truth

There will never be a way to definitively remedy the profound social upheaval brought about by many years of war in Afghanistan. While a peace settlement should prohibit any amnesties for grave international crimes, it is also clear that after 40 years of war, the cycles of violence and retribution run too deep to be resolved solely through traditional justice systems. However, in various studies carried out by Afghan and international organisations surveying Afghan views on the conflict, one common theme emerges as a minimum requirement for a functioning polity: the need for acknowledgement and truth about what has happened. In interviews I have done with victims of both insurgent bombings and coalition airstrikes, the (predominantly poor) survivors have told me they want acknowledgement by those who had caused their suffering, and they want material help, something reparations could potentially help address.

The experience of those who worked on the unpublished AIHRC Conflict Mapping Report provides further evidence of the importance of acknowledgment, and a way to make Afghans aware of a shared history beyond what their own community, tribe or ethnic group has suffered. As researchers gathered testimony about incidents spanning nearly 25 years, some discovered for the first time that their compatriots in other districts and provinces had suffered the same atrocities as their own families had.

The research was revelatory for everyone involved, and underscored the critical significance of getting beyond an 'us-versus-them' approach to understanding Afghanistan's post-1978 history.

Nor should rights and stabilisation be seen as contradictory. To paraphrase the seminal work on Argentina by Juan Mendez, the former UN special rapporteur, a society's effort to pursue accountability for past crimes deserves support. While there may be necessary limitations on the scope of prosecutions, there should be no such limits on the search for truth. The very process of seeking the truth can have a powerful stabilising effect; by preserving a collective memory of what has happened, a people can forge a new awareness of the value of human rights.

On war, peace and transition

Gulbuddin Hekmatyar

Gulbuddin Hekmatyar is the leader of the Hezb-i Islami political party and former mujahidin armed group. He was prime minister during the 1990s before the Taliban takeover of Kabul. After the Taliban's fall in 2001 he was involved in an armed campaign against the Afghanistan government and the international coalition. He signed a peace deal with the Afghanistan government in 2016 enabling his return to Afghanistan after almost 20 years in exile.

The interview was conducted by Zahid ur Rehman, who has Masters degrees in Political Science from Peshawar University and in Peace and Conflict Studies from the National Defence University, Islamabad, Pakistan. He is conducting post-graduate research on the wartime experience of Afghan nomad tribes.

ABSTRACT

Gulbuddin Hekmatyar describes some of his perspectives on war, peace and political transition in Afghanistan, drawn from a conversation with *Accord* in April 2018.

Mr Hekmatyar states that the lack of official Taliban endorsement of peace negotiations obscures the reality that a majority within the movement want to see an end to the war. Meanwhile, a ceasefire is not possible unless it is preceded by a peace agreement. Power-sharing in Afghanistan has failed because the groups involved accept neither each other nor the concept of power-sharing per se. Different 'islands of power' have consequently emerged at district, provincial and ministerial level which disregard central government. Forthcoming elections present an opportunity to advance government reform.

The factors which have driven the conflict in Afghanistan and which can bring about peace are equally clear. The war was forced on us by the Russians. They bequeathed it to NATO, which has propped up the same forces that the Soviets relied on. The war will end when foreign interference ceases and Afghans are given a chance to find an Afghan solution to their problems. No imposed solution will work in Afghanistan and peace cannot come about through an externally driven strategy. My plan is that negotiations should take place between Afghans without any international mediation.

We shall have to accept some facts about ourselves. Some groups during their period in power have entrenched themselves in the districts and provinces, even in the capital and the ministries. These groups are determined to use government resources – tanks, cannons and aeroplanes – to protect their positions against their political rivals and other ethnicities.

The successive stages of the war have turned Afghanistan into a country of refugees. Around eight million of our people currently live in Pakistan, Iran and other countries. Some of our people have been able to return, particularly to the south and the east. But refugees have not been able to return to northern Afghanistan.

Over time, there has been a shift in the balance of the population in the north because people have been forced to migrate from there to the south, to Herat, Kandahar, Kabul, Nangarhar and other provinces. The war will continue as long as this situation prevails. Indeed, it has potential to get even worse. If all these people who have been driven off their land start to take revenge, they can easily become a force.

These refugees should be allowed to return to their home areas and establish zones of peace there. These areas should be demilitarised, with no presence for government, opposition or foreign forces. The leaders of the armed opposition should then be allowed to return to these areas along with their families and live with security. These leaders do not feel secure staying in either Iran or Pakistan. And the opposition should be allowed to establish an office in Kabul. This is how peace can come to Afghanistan, if the foreigners allow the Afghans to get on with solving the problem.

Parties' propensity for a ceasefire and a peace process

The armed opposition includes two types of group. The first type is those who have been forced to take up arms by rivals who have abused government power to oppress them and obliged them to defend themselves. Dealing with this first group is relatively straightforward as long as the government adopts an inclusive approach and is prepared to listen to facts. It should be prepared to treat the Taliban in the peace zone with respect and guarantee the security of their life and property.

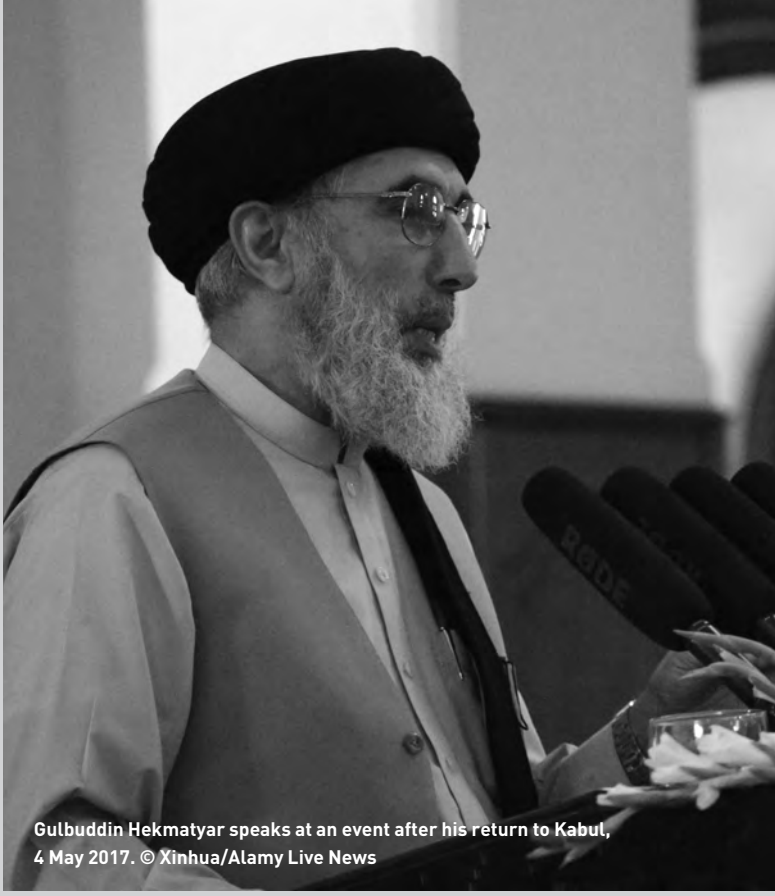
The second group within the armed opposition is those men who have become professional fighters, who have been employed from outside and who perceive their own benefit in the continuation of the war. It is more difficult to convince these men. However, I am confident that with a solution to the problems of the first group it will become much easier to deal with the professional fighters.

So far we have seen no official indication from the Taliban that they endorse the idea of negotiations or peace. There has been nothing of the sort from their office in Qatar. However, the reality is that a majority within the Taliban want to see an end to the war. If only a way can be found to bring them into the country I am confident that they will embrace the peace process.

The government has changed its position and has outlined it new proposals for peace both in the Kabul Process and the Tashkent conference. The foreigners have also started to talk about these issues and have given indications that they may be ready to accept the start of intra-Afghan negotiations. But the Taliban want to negotiate with the Americans.

The Taliban ought to have taken the position that the foreigners should cut their interference both in politics and in the war. They should have insisted that negotiations among Afghans go ahead without foreign interference. Instead they continue to insist that they will not negotiate with the government and insist on negotiating with the Americans.

It is impossible to move to a ceasefire without it being preceded by a peace agreement. Therefore, what is needed is a general plan for peace, which can be negotiated. When agreement is reached on this general plan, which can include a ceasefire as part of the over-all package, then we can proceed to ceasefire implementation. Without such agreement having been reached, it is unrealistic to expect either the Taliban or the government to jump directly to a ceasefire. On the other hand, once we have agreement through negotiations on a general peace deal, then it will be possible to move to a ceasefire.



Gulbuddin Hekmatyar speaks at an event after his return to Kabul, 4 May 2017. © Xinhua/Alamy Live News

The first necessity is to create appropriate conditions for all the parties involved in the government and the armed opposition to come together under one roof, evaluate the Afghan situation with patience and start negotiations. I have tried. I came to Kabul in the hope that I would be able to gather all parties, including those of the right and the left, *mujahidin* and non-*mujahidin*, and those who had a greater or lesser role in the war of the past 40 years. Regrettably only a few parties accepted my plan and I had no reply at all from those aligned with foreigners.

I have now convinced a few of the parties that we should have a joint sitting. I hope that even if we cannot reach agreement on the overriding national issues, we should be able to agree on ensuring that the forthcoming elections are held transparently and on time, so that we can finally put in place an effective parliament. I hope that we shall also agree that such elections must be the only way to achieve power. We must agree that from now on it is unacceptable to use force, whether through a coup d'etat, rebellion, tanks and fighter planes, or foreign backers. We must enter into an accepted covenant with the nation and people. This is what I am working on for now.

Political reforms needed for permanent peace

This government has failed because it is based on the idea of sharing power, but sharing power between groups which accept neither each other nor the concept of power-sharing. Therefore, different islands of power have emerged at district, provincial and ministerial level which do not obey the rest of the government. Instead each belongs to its own party.

Ministers lose a vote of confidence, but there is no one to remove them from their jobs. Provincial governors defy the central government but the government cannot remove them for fear of provoking a revolt. It is the same for the customs and borders. The customs are controlled by the same group of people and the government is not able to gain control of the border so as to centralise the revenue under government control.

We should turn the forthcoming elections into an opportunity to achieve the necessary reforms in the government. I am confident that if we can hold free and transparent elections, we shall elect a strong parliament which will be capable of bringing appropriate reform in the government and in the system itself and in bringing about peace.

Afghanistan has its own capabilities and peculiarities. Afghanistan requires a strong central government. We are different from other countries in many respects. We lack a strong army and a stable system of government, in the absence of which either a federal system or a parliamentary system would have many adverse consequences – ultimately risking the partition of the country and insecurity. We require a powerful president who is elected and who is supported by a majority of the nation. We also require a powerful political party as no individual can really govern a country like Afghanistan. In Afghanistan authority is very important. You saw what happened in the last elections. One side accepted the results and the other did not. But there was no authority powerful enough to announce and enforce those results. We knew who had won because they had received the majority of votes. But instead, US Secretary of State John Kerry divided the government between the two sides.

It is dangerous for the management of the country's affairs to be in the hands of a few people. But in parliament we have 250 members. Buying them, even at a low price, is not particularly difficult. Just imagine the prospect of them taking important decisions, like a security cooperation treaty or even the selection of a president. If you have a rich enemy, you are essentially giving them control of the fate of the country because they can buy the 250 MPs. It would be particularly dangerous to hand over something like the selection of the president to people who can be bought like this.

Taliban governance

The Taliban have declared that they want a system based on *shuras* [elected councils]. The problem with such *shuras* is that anyone can convene them anywhere and choose their *Amir ul Momineen* ('leader of the faithful'). Historical experience shows that authoritarian leaders favour such *shuras*. This has been a recurrent theme in our history, where a ruler gathers his hand-picked men, labels them as a *Loya Jirga* and gets them to make whatever decision he wants.

The Afghan people have never decided to hold a *Loya Jirga* and have never managed to use one to elect a popular leader. People referring to the *Loya Jirga* which elected Ahmad Shah Durrani should look at the context. Ahmad Shah baba was an officer in the imperial army of Nader Shah. After Nader Shah was killed, Ahmad Shah used a large force to capture Kandahar by coercion. It was only after he was in military in control of Kandahar that he sensed the need for legitimacy and then organised a *Loya Jirga* to validate his coronation. Zahir Shah, Daud Khan, Babrak Karmal, Najib Habibullah and Ustad Rabbani all filled *Jirgas* with supporters. The rulers were able to manipulate these gatherings to obtain any decision they wanted. It did not even cost much to buy the members of the these *Jirgas*. A turban usually sufficed.

Not one of the four rightly guided Caliphs was chosen behind closed doors. On the contrary, every one of them was chosen in a meeting out in the open. This is why I insist that even mentioning a *Loya Jirga* or a Taliban-style *shura* of the righteous has no basis in the *shari'a*. This idea of the *shura* of the righteous was commonly used in the time of the Abbasid Caliphate. It had no occurrence in the early years of Islam, before that. The idea of the *shura* of the righteous was simply invented by the powerful for their own ends. All the Muslims of a country should be involved in electing its president.

Addressing the war economy

Regrettably it is true that a number of Afghans have benefitted from the war to build luxurious palaces, enjoy the good life, grab and accumulate assets in banks at home and abroad, and exercise unimaginable power. Their number is not that large. Over the past few years in the order of two million *jeribs* [half acres] of government and private land have been grabbed by these power-brokers.

People who before the start of the war had a salary of Afs. 2,000 (USD $30) now have accumulated $2 billion of assets. A whole class of conflict entrepreneurs has been imposed on Afghans as rulers. They have acquired their wealth by grabbing land, looting banks and the money market, even kidnapping businessmen for ransom. These people want to see the war continue and are happy to sabotage any effort for peace. Even today foreign forces support these people, although they are well aware of what the power-brokers have gained from the war. The American generals also profit from the war.

The domestic and foreign thieves cooperate closely. These people fear that an end to the war would mean

financial loss and lead to them being brought to court. The nation wants exactly that, and I agree. Illegally grabbed assets should be taken back as a lesson for others. If we manage to end the war these people cannot stay on in the country as they have many enemies. They only stay for the moment because they are protected by the foreigners' planes. If it is decided that the foreign forces are leaving you will see that these people flee even faster than the foreigners.

Foreign forces

The Taliban's first demand is that they should be able to negotiate with the Americans directly. Their second demand is that the Americans should restore the same Taliban government which they previously toppled. It is far less clear what the Taliban's current position with regard to the withdrawal of foreign troops.

Conducting propaganda about troop withdrawal is one thing but dealings behind the scenes are entirely different. We do not know what the real position of the Taliban is on troop withdrawal. My advice to the Taliban would be to get into negotiations and demand an appropriate timetable for withdrawal. This is the approach which I followed in Hizb-i Islami's negotiations with the government. I demanded that there be a sensible and transparent withdrawal timetable. This is recorded in our agreement.

With regard to the Taliban's demand for restoration of their government, I advise them that it is far more important for them to convince the Afghan people that they are interested in peace rather than insisting on the restoration of a long-toppled government.

International support for a ceasefire and permanent peace

The unfortunate truth is that many countries have transferred their political and military rivalries to Afghanistan. There are several national intelligence agencies backing up the warring parties. My request to those countries is that they should not bring their rivalries to Afghanistan. This applies to India and Pakistan, to Iran and the Arab countries and to Russia and the Americans.

The Americans did not have any rival for their mission in Afghanistan until about 2013. Initially the Pakistanis, Russians and Iranians all refrained from opposition and even cooperated in various ways. NATO logistics passed through Pakistan and Russia. Even Iran, which for years had referred to US as Great Satan, cooperated practically with the Americans in Afghanistan. Initially when the Americans intervened, the Iranians ordered the Shia parties to cooperate, ejecting them from Iran and closing their offices. But now Iran, Russia, China and even Pakistan have joined the front competing with the US. This has rendered the situation in Afghanistan far more complex than it was before. Let us see whether the opposition front manages to take their rivalry somewhere else and let Afghans get on with solving their problems.

Institutionalising inclusive and sustainable justice in Afghanistan

Hybrid possibilities

Ali Wardak

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From September 2006 to October 2008 he worked for the United Nations Development Programme in Kabul, and co-authored the 2007 Afghanistan Human Development Report. He is graduate in law and jurisprudence from Kabul University and obtained his PhD degree from the Faculty of Law, University of Edinburgh.

ABSTRACT

Who is best placed to provide justice effectively and equitably to the breadth of Afghan society?

State and non-state justice providers are both part of the problem and potentially part of the solution. Despite significant strides being made in Afghanistan's formal justice system, it still struggles to deliver an accessible and inclusive service. Widespread corruption and neglect especially in rural areas are among the most serious contemporary challenges.

Informal institutions are the primary justice provider for many communities, resolving disputes through *jirgas*, *shuras* and *ulema* where the formal sector is absent, exclusive or mistrusted. But traditional bodies also bring challenges, from poor record-keeping to gender exclusion, human rights violations and illicit practices. Taliban justice is also a significant feature of the informal sphere.

A hybrid system that draws on formal and informal institutions can offer a way forward, linked by new institutions that prioritise human and women's rights. A sophisticated hybrid model has previously been developed but has experienced resistance from existing justice institutions. More recently there has been renewed interest in it from the Ministry of Justice and elsewhere.

Justice in Afghanistan has made significant progress since the 2001 Bonn Agreement. But despite advances, the state justice system continues to face major challenges to deliver accessible, transparent and sustainable justice to all Afghans. As reported by the Special Investigator for Afghanistan in 2015, in spite of US expenditure of well over $1 billion to 2015, Afghanistan's justice sector still struggles to deliver effective and sustainable justice.

The Bonn Agreement set out the terms for the foundation of a Judicial Reform Commission. But when the Commission was established in early 2002, it comprised mainly retired Afghan officials who had returned from long periods of exile and were not familiar either with modern practice or the new legally pluralistic environment. Existing justice institutions prior to Bonn had also been damaged by successive wars since the Soviet invasion, while multiple regimes had introduced new, often inconsistent laws, procedures and practices. The most serious challenges to justice in Afghanistan today are endemic corruption and neglect of rural areas, where the bulk of the population lives.

A potential way forward that remains under-explored relates to engaging non-state justice providers. Until 2009, international efforts largely ignored non-state justice providers, despite the fact that many were popularly perceived as more legitimate than the state's justice system and, in fact, were the main source of dispute resolution for most Afghans. After 2009, international aid agencies began to develop some interest in non-state and traditional justice providers, despite opposition from the Afghan state and the Afghanistan Independent Human Rights Commission (AIHRC). But international support has still allocated only a small fraction of its budget to non-state justice.

Any new political settlement to end the war in Afghanistan needs to acknowledge the breadth of relevant justice institutions – state and non-state – and acknowledge their functions in supporting sustainable peace. Key to developing an equitable justice system is to engage Afghan capacity in women's and human rights. Experiences in advancing a 'hybrid model' for justice in Afghanistan since 2009 point to viable ways forward.

Achievements since Bonn

Internationally sponsored judicial reform since Bonn has supported the development of technical capacity of justice personnel, and thousands of judges, prosecutors, police officers, prison wardens and officials at the Ministry of Justice (MoJ) have been trained. The quality of professional legal education inside Afghanistan has expanded exponentially, with 17 state universities and 96 private institutes of higher education now providing legal training through law or shari'a faculties.

Alongside the expansion of the MoJ's General Directorate of *Taqneen* (Legislation), many existing laws have been amended and new laws enacted. A new, unified criminal code was officially introduced in November 2017, which updates relevant legislation including those relating to the elimination of violence against women, anticorruption, anti-money-laundering, anti-human-trafficking and counter-terrorism. Judicial case management and administration of justice have improved through extensive technical training as well as internal reforms, including new procedures with regard to coordination between the Supreme Court, the Attorney General's Office, the MoJ and the Afghan National Police.

Justice institutions in many regional and provincial centres have been equipped with modern facilities to enhance accessibility of substantive legal material. Institutional support has been developed through a number of channels, including the Independent National Legal Training Centre (INLTC) in Kabul, Afghanistan's Anti-Corruption Justice Centre (ACJC), specialist courts and prosecution offices, the Afghanistan Independent Bar Association (AIBA), legal aid department, and the Human Rights Support Unit (HRSU) at the Ministry of Justice. Many more female judges, prosecutors and police officers have been hired. Local awareness of women's rights has been raised in many areas, for example reflected in increased rejection of the practice of *baad* among Afghan ordinary people, as reported by the Asia Foundation in 2017. *Baad* refers to the practice whereby the family of a murderer offer women in marriage in compensation to the family of the victim.

Key obstacles: corruption and rural neglect

Corruption

Widespread corruption in Afghanistan's justice institutions is closely connected to the post-Taliban political structure, which has relied heavily on pro-government – or more accurately 'anti-Taliban' – warlords to maintain order at both local and regional level, as reported by Jones in 2010. Warlords-turned politicians have staffed important political, security and justice positions with their own factional followers, building networks of endemic corruption, bribery, nepotism and clientelism. Respondents to an *Integrity Watch Afghanistan* study in 2016 named 'courts, municipalities and prosecution offices' as the three most corrupt Afghan institutions.

Judicial corruption has had huge negative implications for trust in the state justice system. Most Afghans look to non-state justice institutions, including in some areas to the Taliban's parallel judiciary. Despite recent efforts to designate some apparently more impartial senior appointees, Houlihan and Spencer have reported that the Ministry of Interior remains largely administered by former Northern Alliance affiliates. The National Directorate

of Security maintains similar links, while other justice sector institutions are mainly divided between political affiliates of the President and the Chief Executive. Efforts to coordinate different components of the justice system have not been effective, reflecting the lack of a coherent vision for fundamental structural reform of the of Afghanistan's justice sector as a whole.

Rural neglect

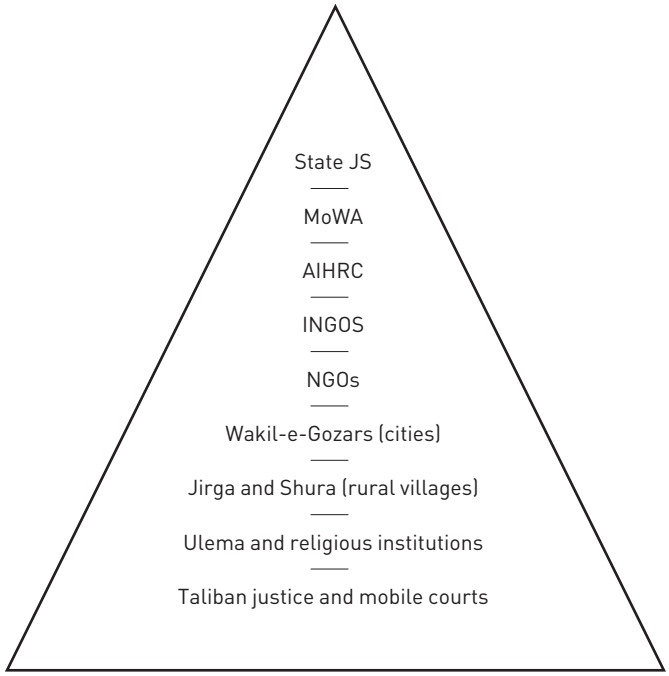
State justice institutions in rural areas have received scant attention compared with Kabul and other urban and provincial centres. Significant increases in the number of female judges have been largely restricted to Kabul (90 per cent), with the remaining 10 per cent in only four additional provinces, according to Madzarevic and Rao in 2014. Newly established institutions to support the justice sector similarly lack reach throughout Afghanistan, such as INLTC, AIBA and HRSU. Houlihan and Spencer in 2017 pointed out that the Juvenile Appeal Court, High Anti-Corruption Court, the Serious Crimes Court, and all eight chambers of the Supreme Court are situated in Kabul. State justice in rural Afghanistan further remains largely male-dominated, inaccessible and ill-equipped. For example, AIBA under-resourcing means it has struggled to provide assistance to rural litigants.

Rural insecurity has hampered judicial reform – although the inability of the state to provide effective and transparent local justice is itself a prime cause of insecurity. Furthermore, according to Swenson in 2017, the relationship between justice and insecurity in rural areas has been further complicated by the fact that international investment in non-state traditional justice since 2009–10 has been framed as a component of US-led counterinsurgency efforts. Also, paramilitary policing has been prioritised over community policing, undermining not only the professionalism and transparency of Afghanistan's justice system, but also local perceptions that justice is for ordinary people's welfare.

Filling the local vacuum: multiple justice providers

The space left behind by gaps in the state justice system at local level is filled by a multiplicity of non-state justice providers. This includes in some parts of the country, according to Giustozzi, Franco and and Baczko, the Taliban's parallel judiciary. Field research over the past 15 years by the author and others has shown that the most prevalent non-state institutions for local dispute resolution are the traditional village *jirga* (circle) or *shura* (council). Primarily civil but also criminal local cases are addressed through *speengiri* or *rishsafidan* (greybeards) with a reputation for wisdom, piety, honesty, and local knowledge and dispute resolution expertise. However, recent field research by the author has revealed various other non-state justice providers. The 'continuum' of justice providers in Afghanistan is illustrated in Figure 1 below:

Figure 1: Continuum of official, semi-official, unofficial and anti-state justice providers in Afghanistan



Source: Wardak (2019–forthcoming). Justice providers cited above include: State Justice System; Ministry of Women Affairs (MoWA); Afghanistan Independent Human Rights Commission (AIHRC); International NGOs; National NGOs; wakil-e-gozars (local representatives) in urban areas; jirga/shura in both rural and urban areas; religious educational institutions, and individual members of ulema (Islamic religious scholars/jurists); and the Taliban's judiciary. The various justice providers illustrated in figure 1 are ranked according their level of proximity to the state – from the most official, through official, semi-official and unofficial to anti-state justice structures.

Research indicates that non-state justice providers (especially *jirgas* and *shuras*) are perceived as more accessible, more legitimate, more effective, less corrupt, more trusted, and speedier in resolving disputes than the Afghan state courts. However, Stahlmann has also stressed that *jirga* and *shura* exclude women, do not officially record their decisions, sometimes violate Afghan law and human rights, and can be influenced by warlords. Nevertheless, notwithstanding challenges associated with non-state justice providers, until recently few concrete efforts have been made to use their positive potential as complementary elements of the state justice system.

Institutionalising a hybrid model for justice

Customary dispute resolution in civil and commercial disputes is recognised by Afghanistan's Civil Code (1976). Article Two states that: 'When there is no provision in the law or in the fundamental principles of the *Hanafi* jurisprudence of Islamic shari'a, the court shall issue a ruling in accordance with general custom, provided that

the custom is not contradictory to the provisions of this law and to the principles of justice.' Various other Afghan laws include provisions on informal mediation between litigants. But customary adjudication is not recognised as legally binding unless cases are initially registered officially. And research by the author to be published in 2019 has shown that despite some pragmatic interaction between formal and informal justice providers, most criminal and civil disputes are dealt with outside the state justice system.

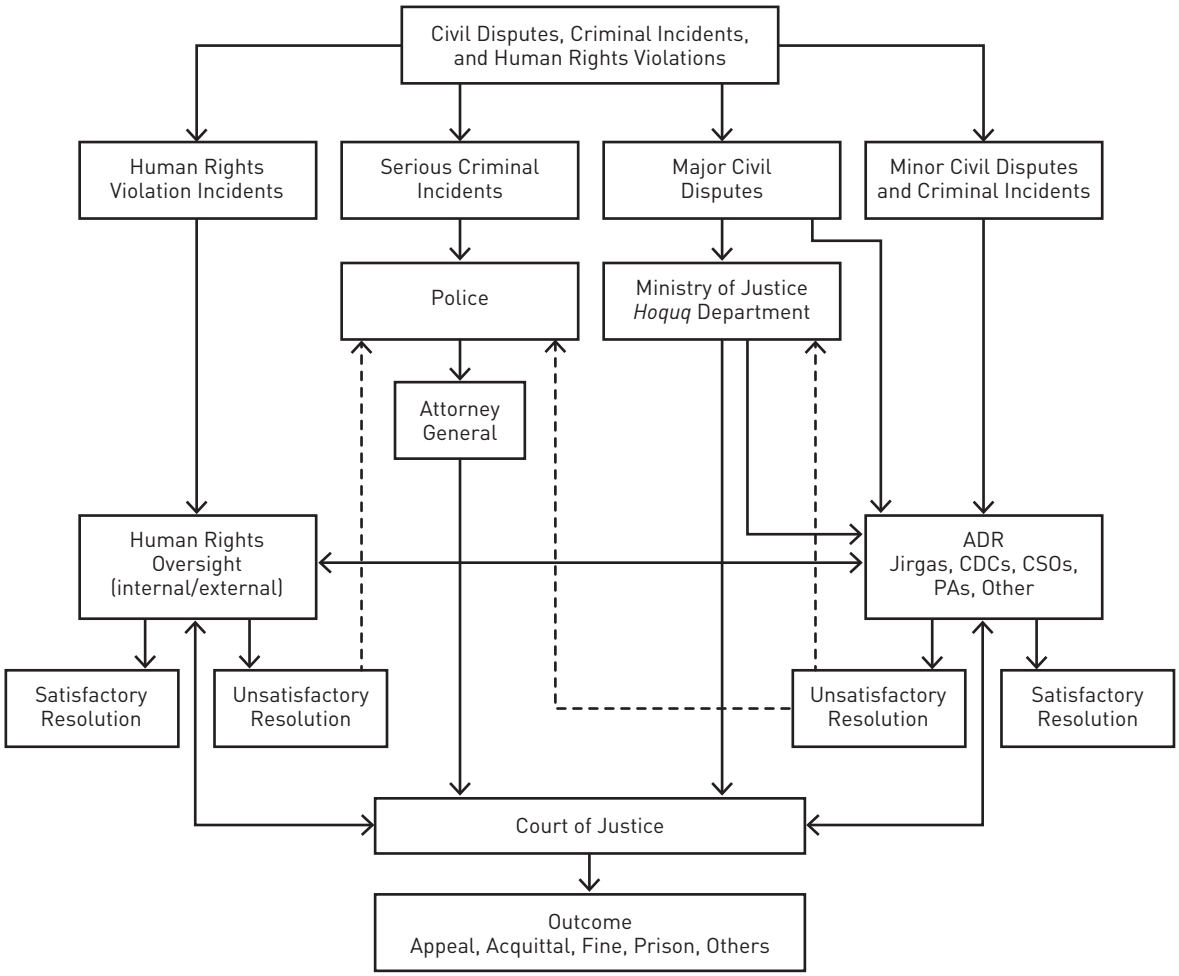
How the hybrid model works

The author along with others developed a *hybrid model of the justice system in Afghanistan*, which was advocated in 2007 in the Afghanistan Human Development Report of the United Nations Development Programme (UNDP). This model proposed a coherent framework for complementary institutional links between the existing state justice system, various non-state justice providers, and women's and human rights institutions – as Figure 2 illustrates.

The hybrid model advocates alternative dispute resolution (ADR) and human rights units functioning alongside the state justice system. ADR Units would provide disputants with help and advice to select an existing non-state justice institution appropriate to deal with their case. Disputants would be free to select any appropriate mechanism, excluding in current circumstances Taliban justice as 'anti-state' and opposed to interaction with official institutions. ADR mechanisms would handle minor criminal offenses and civil cases, offering disputants the choice to refer to the nearest state court. Serious criminal cases would fall exclusively under the remit of the state justice system.

The proposed Human Rights Unit (HRU) would be mandated to monitor and approve ADR decisions in order to ensure consistency with human rights principles. The HRU would be further empowered to examine issues relating to domestic violence, past human rights abuses and war crimes. ADR decisions would also need to be endorsed by the nearest primary justice institution – a court or relevant rights (*hoquq*) department. This is to ensure that ADR decisions do not violate Afghanistan's law or the fundamental principles of shari'a.

Figure 2: Hybrid model of the justice system in Afghanistan



Source: Afghanistan Human Development Report (2007)

Alli Wardak interviewing elders in Eastern Afghanistan, 2014. © Ali Wardak

Interactions between state and non-state justice institutions can occur through formal correspondence, physical participation or other appropriate ways. Decisions reached would be officially registered as legally binding. However as Figure 2 illustrates, ADR decisions that failed to be endorsed by either the HRU or the relevant state court, or that were rejected by at least one disputant, would need to be revised or referred to the state justice system for processing and adjudication. In this way, the hybrid framework proposes both a collaborative dialogue between various state and non-state justice providers and local rights organisations, and the empowerment of women through raising awareness of their rights and supporting spaces for contestation.

> **"This situation has created a justice vacuum that is filled by multiple non-state justice providers, including the Taliban judiciary."**

How the hybrid model has progressed

The UNDP Report was rejected by Afghanistan's Supreme Court in 2007. Senior judges saw it as a threat to their authority, and its recommendations as a potential avenue to divert international aid away from the state. Still, the report's hybrid model nevertheless stimulated debate and practical interest in operationalising some of its recommendations. Some international organisations strongly supported the Report, including the Norwegian Refugee Council (NRC) and some other national and international actors, as reported by the NRC in 2007.

The idea of the hybrid model also began to get some traction within the Afghan state, although progress has been slow and strenuous. Recommendations of the hybrid model were strongly reflected in the 2009 *National Policy on the Relationship between the Formal Justice System and Dispute Resolution Councils*, drafted by the Ministry of Justice in conjunction with the United States Institute for Peace. The policy was not officially endorsed and various international organisations resorted to programmes focused on other initiatives such as training traditional local mediators, raising legal awareness, promoting women's rights and coordination between state and the state justice systems.

The MoJ revisited the hybrid model's recommendations in 2010, producing a draft *Law on Dispute Resolution Shuras and Jirgas*. The AIHRC, MoWA and other powerful officials rejected the inclusion of minor criminal offenses in the draft law, however, and it was withdrawn from Afghanistan's Council of Minister's meeting in 2010. In 2015–16, the Afghan government, with the support of UNDP, produced a new draft *Law on Conciliation Jirgas in Civil Disputes*. This was forwarded by the MoJ to the Council of Ministers in 2016, which has now approved the draft following minor (but unwarranted) amendments proposed by the government's Legislation Committee.

The new law is useful. But because it focuses exclusively on civil matters, it only partly represents the hybrid model. Full implementation of logic of the hybrid model can link all justice providers illustrated in Figure 1, and thereby provide inclusive, sustainable and restorative justice to all citizens. In time, this may also include some of the

Taliban's parallel justice mechanisms. It is hard to imagine linking Taliban justice to Afghan state justice institutions while the war continues. However, in practice Taliban justice already has links with *jirga*, *shura* and *ulema* based structures of local dispute resolution in specific ways and contexts. Capitalising on these local links may provide for a potential peacemaking mechanism between the Afghan State and the Taliban. More broadly, as the justice vacuum is most acutely felt at the local level, institutionalising links between male-dominated *jirgas* and *shuras*, religious institutions, women's and human rights organisations, and state justice institutions could provide more accessible, transparent, fairer and humane justice to all.

Conclusion

International investments in Afghanistan's post-Taliban state justice institutions over the past 16 years, have resulted in the (re)building of a functioning modern justice system, including reconstruction of justice infrastructure, creation of new justice institutions, enactment of new laws and reform of existing ones, capacity development, equipping justice institutions with modern facilities and emphasising women's rights. However, overemphasis on quick fixes, prioritisation of urban centres, the use of justice institutions in counter-insurgency efforts and the failure to understand or engage with the multiplicity of justice providers have undermined fundamental structural reform. All this has resulted in a justice system that is less accessible and more corrupt, and that lacks full capacity to address the complex new justice needs of the Afghan people. This situation has created a justice vacuum that is filled by multiple non-state justice providers, including the Taliban judiciary.

In its aim to provide accessible, sustainable and inclusive justice to all Afghans, the hybrid model offers a coherent framework for institutional links between the official state justice system, semi-official and unofficial local justice providers, as well as existing bodies promoting human and women's rights. By interlinking composite capacities, the model not only has the potential to extend justice to all Afghans but also promises greater transparency by empowering the HRU as a check and balance on rights abuses by both courts and *jirgas*, which in turn would offer checks and balances on one another. This is enhanced by the fact that women would be in the majority in the composition of the HRU. Indeed, research reveals that selective implantation of elements of the hybrid model by NGOs has resulted in the reduction of *baad* in Afghanistan.

Due to initial opposition from the state and the AIHRC, translating the hybrid model into policy has taken over a decade. However, in collaboration with UNDP and the MoJ, the author's recent field research on exploring applicability of the model to civil disputes has facilitated a new draft law on *Conciliation Jirgas in Civil Disputes* in Afghanistan. There is more work to be done to realise fuller implementation of the hybrid model. However, this cannot be fully achieved in isolation from achieving inclusive and sustainable peace. Justice and peace are inextricably linked in war-torn Afghanistan and require a multifaceted response. As local traditional dispute resolution mechanisms place strong emphasis on restoring community harmony, dignity and relationships between parties, the hybrid model can support social reconciliation and inclusive peacemaking among warring parties across the country.

Conclusion

Incremental peace in practice

Anna Larson and Alexander Ramsbotham – with thanks for substantive input and ideas from Professor Michael Semple

It is not possible in 2018 to talk to any Afghan who does not have direct personal experience of loss of life or livelihood as a result of violent conflict. Limbs blown off, children murdered, maimed or orphaned, elders decapitated, people raped, sons kidnapped, women abused, families separated, shops obliterated, schools reduced to rubble: pervasive, intense and violent suffering has devastated a nation. Afghanistan is not a 'safe country' to live in or return to, nor is it in any kind of post-conflict phase. It is embroiled in a network of wars that have become intractably interlinked.

But the contributions to this *Accord* publication clearly demonstrate that Afghanistan is not consigned to an inevitably violent future. Rather, there are two potential routes ahead: a continuation of this violence (the 'path of least resistance') or steps toward an incremental peace. Strong drivers continue to push in the direction of conflict. But new conditions like President Ghani's February 2018 peace offer to the Taliban and intense conflict fatigue on both sides suggest an alternate course is possible. Achieving such a shift would require a conscious choice by the major parties to the conflict and their supporters to claim responsibility and take tangible action.

Rhetoric to reality

Moving beyond the peace rhetoric means acknowledging certain – sometimes uncomfortable – truths. First, the weaknesses *and* strengths demonstrated by both the Taliban and the Afghan government. The Taliban have established a reputation for efficient dispute resolution and for their stance against corruption, but their use of violent force to impose control of territory and their lack of unity undermine their wider credibility. The Afghan government has recently made some gains in terms of its macro-economic development strategy and has maintained a functioning state that has seen a peaceful, if problematic, transfer of power in 2014. But all state institutions are subject to endemic corruption, unemployment levels are soaring and the war economy continues to serve the interests of many government officials.

Second, common interests are discernible between the two major parties to the conflict, and between them and the Afghan people. These include the end to the needless killing of Afghans and the establishment of an Afghan administration that is representative and insulated against the interference of outside powers. Additionally, statements by leaders of Taliban groups in this publication summarise some common positions on key issues among the armed opposition – from the realisation of a moderate Islamic government free of corruption and the abuse of power, to achieving justice for all citizens, no matter their rank or background.

Third, offsetting common interests are tensions between the parties that need to be identified, acknowledged and worked through systematically. Examples include the absence of trust in formal agreements or settlements, how to reintegrate former anti-government commanders into crowded and contested security sector, how to address issues of immunity from prosecution without sidelining justice, and how to ensure that women's position vis-à-vis the state is insulated and enhanced.

The fate of Afghan women's involvement in the country's transition out of war is illustrative of the challenges of breaking out of the current violent scenario. Despite significant gains in rights and political participation, opportunities for women are still limited and many remain wary of the consequences of a political process with the Taliban. Challenges are not restricted to involvement with the armed opposition, however. Dr Habiba Sarabi asserts in this publication that most High Peace Council members are men who do not listen to its female representatives nor support women's rights. Still, new leadership and strategy have recently reinvigorated the HPC, especially for women. Afghan women have two key roles in peacemaking – at the political level to ensure

achievements are not lost, and at grassroots level to convince male family and community members not to fight. Dr Harabi refers to a Dari proverb: 'No matter how high the mountain, there will always be a way up'! [*Koh harche beland basha, sir khud, yak ra darad*]

Incentivising incrementalism

To begin tackling some of the critical underlying issues that will transform Afghanistan's future in the longer-term, lessons from the analysis and experiences documented in this *Accord* suggest that an immediate reduction of violence is a necessary precursor. Only after the establishment of a credible ceasefire can divisive root causes of conflict be dealt with in a systematic manner that facilitates broad participation. This provides the rationale for an incremental approach to peace, based on two sets of phased objectives: first, short-term, involving an initial end to violent hostilities; and second, long-term, involving the renegotiation of a social contract inclusive of all Afghans.

Realising a progressive approach to peace in Afghanistan requires a radical strategic shift which, to progress, must overcome policy inertia or resistance. This shift is radical on four counts. First, prioritising de-escalation of violence bucks the prevalent policy orthodoxy of maintaining military pressure as the key enabler for change – to deliver either the disintegration of the Taliban or Track 1 talks towards a grand peace bargain with the Afghan government. Such policy is based on a flawed analysis of key variables: the vulnerability of the Taliban to fatal fragmentation; the preparedness of the Taliban central leadership to enter into substantive dialogue with the government; or the capacity of the Kabul authorities and their international partners to cohere a systematic political process.

Second, Afghan and international partners need to better align strategies ('ends, ways and means') towards a mutual goal of political settlement. This requires strategic coordination among but also within individual entities – neither of which has proved easy to date. Lt-General Douglas Lute in this publication describes how the United States leadership has struggled to establish the primacy of a political process to achieve peace in Afghanistan and the role of the military to support political action. Strategic inconsistency was exemplified by the killing of Taliban leader Akhtar Mohammad Mansoor in 2016, rather than seeing him as a potential interlocutor in dialogue. Looking ahead, Afghan and foreign peace partners can organise policies around President Ghani's peace offer. Identifiable, concrete steps towards a practicable de-escalation process as outlined below offer milestones for detailed planning.

Third, an incremental approach inherently implies a long-term strategy planned over years and not months. Such an approach involves committing to a peace process that will ultimately outlast the political terms of western governments' direct interest and investment in Afghanistan. But along the way it could also offer value for money – as well as for human and reputational resources – and accumulate peace dividends for Afghans and for international partners over time. De-escalation could provide both direct short-term security benefits as well as longer-term investment in confidence-building. Gradual transition to a political process would enable international and Afghan partners to progressively re-orient military resources to more cost-effective political and diplomatic engagement, thereby providing a credible pathway to drawdown.

Fourth, effective progress needs to combine local- and national-level initiatives. The insurgency exists on many levels. Felix Kuehn in this publication describes how the Taliban are not unified but include distinct groups with different policy perspectives. Still the main message of the central leadership that the Taliban can deliver a return to law and order based on Islam has broad resonance across the movement. While local peacemaking initiatives have enjoyed some partial success in recent years, as Julius Cavendish points out in this publication they have struggled to survive without national backing. Many locally agreed settlements in Afghanistan are also informal, and as Michael Semple asserts in this publication, the tradition of 'unwritten rules' in Afghanistan threatens the transparency of any formal settlement process as parties to any agreement could question whether some existing unofficial arrangement contradicts the terms they have just signed up to. An incremental peace in Afghanistan does not necessarily imply a single document like the Bonn Accords, but might more feasibly comprise a series of agreements sequenced from easy to hard and from local to national over a period of years, and including agreed reforms and confidence-building running in parallel.

Incremental peace in practice

How then might a progressive peace in Afghanistan be put into action? Ultimately a peace process must be Afghan-led. Suggestions below for practical steps forward therefore describe ways in which international actors could work with the government of Afghanistan, organised into short- and long-term objectives of reducing violence and renegotiating an inclusive social contract.

Short-term objectives: reducing violence

Reorient strategy to prioritise the reduction of violence as a necessary precursor to create the conditions in

which underlying political issues can be addressed. The persistence of the violence in Afghanistan, sustained by the thriving war economy and both sides' demonisation of each other, precludes a meaningful political process. Concrete progress towards violence reduction can build momentum and confidence among the various parties to the conflict. A phased approach could explicitly align with, build upon and affirm President Ghani's peace offer that the government of Afghanistan will deal with the Taliban movement as a political actor once it goes on ceasefire. This provides a viable platform around which to coordinate support for an Afghan-led peace programme. International support can add credibility, accountability and resources to President Ghani's proposal and help it to withstand resistance and shocks. International actors in discussion with the President could elaborate criteria that a ceasefire or de-escalation of violence needs to meet before it is considered credible.

Agree a joint commitment by North Atlantic Treat Organisation command and the leadership of the Afghan National Defence and Security Forces to reciprocate any credible Taliban ceasefire or de-escalation steps. This could help convince the Taliban of the reliability and breadth of commitment to de-escalation and provide a basis for joint planning for preparatory measures, and support and coordination mechanisms. Implementation measures could include conditional prisoner release, temporary de-listing of sanctioned Taliban and safe-conduct or security guarantees. Implementation support mechanisms could include an international working group led by an agreed third party to develop lists of potential prisoners for prioritised release and conditions for negotiations on temporary de-listing. Potential rewards and wider benefits of ending violence would then need to be communicated between the parties through existing channels and public diplomacy.

Support the establishment of locally agreed peace zones. These could set up temporary and territorially delimited cessations of hostilities while the terms of a more permanent ceasefire could be renegotiated and the zone potentially expanded, providing a 'ground up' foundation for de-escalation. Implementation measures that can incentivise participation could include compensating local groups that agree to de-escalate violence in the absence of a broader Taliban commitment – recognising the connections between local and national peace processes. This would include providing protection for participating local groups and leaders in the provinces against any retaliation from potential spoilers in the area covered, including from local authorities and government-affiliated strongmen with personal agendas. Parallel progress towards reducing violence at a national level could help protect local initiatives from centralised spoiling tactics.

Progressively isolate Taliban groups' reliance on regional economic and political support. There is significant political will among Taliban groups to relinquish ties to their supporters in their respective cross-border regions. This could be capitalised upon through the development of a set of potential inducements for those groups committing to lay down arms that include not only the provision of livelihood alternatives but also local prestige and respect through the upholding of Taliban positions of influence in the community.

Increase support and resources for intra-Taliban dialogue in order to broaden cross-movement consensus to commit to de-escalate violence and explore key areas for mutual accommodation. This could be facilitated at the sub-national level by High Peace Council representatives in coordination with respected local interlocutors, bringing together for example neighbouring regional groups of Taliban towards a series of bilateral agreements.

Establish a *hybrid* International Contact Group to support emerging Track 1 peace talks comprising state *and* non-state membership to bridge gaps between short- and long-term peace objectives. A hybrid group could help to link mediation tracks, providing both international political leverage to support and advise the parties and a channel to connect negotiations to different communities. It can achieve this dual function through its composite membership. It can also provide technical support to advise on substantive agenda items.

Overcoming impediments to implementation

De-escalation requires a number of facilitative measures to overcome implementation challenges. These include building broader support for the violence reduction process among actors invested in the status quo or fearful of potentially detrimental change. Also, defining what is meant by 'political actor' in relation to President Ghani's peace offer and how this may affect attitudes – of the Taliban and other political actors – to the de-escalation process. Moreover, identifying means through which Taliban operations might be visibly separated from those of Islamic State of Khorasan or other insurgent groups that do not intend to commit to de-escalation and that still may pose a credible threat to international security.

In addition, it will be necessary to develop protection measures for senior members of the Taliban movement who may be vulnerable to retaliation by hardliners for their cooperation in advancing the peace process. Further, in order to secure sustainable commitment to any peace process at the local level it will be important to develop alternatives to the Taliban's regional political and economic support that are persuasive enough to incentivise total

or partial shifts away from reliance on regional funding. And there remains the challenge of building Taliban trust in the High Peace Council or other government-affiliated interlocutors and being able to deliver on supporting financially and with security provisions any agreements that are reached between groups.

De-escalation measures also need to navigate forthcoming elections in Afghanistan. It is in the Afghan government's interest to ensure that as much of the country as possible is able to participate in both parliamentary and presidential polls, but facilitating Afghan rural communities' involvement could also bolster the Taliban's local popularity. While Taliban groups control a significant proportion of the country, this is not a relative measure of their local popular support once levels of violence decrease. Taliban leaders need to consider other ways in which they might bolster their peacetime legitimacy. International donors could help, meanwhile, by making solid political and resource commitments to candidate vetting, providing technical and political support to speed up the vote-counting process and a clear statement of non-intervention after the presidential results are released.

Long-term objectives: renegotiating the social contract

Securing a ceasefire requires parallel efforts to facilitate agreement on an inclusive social contract representative of all Afghans. In this regard, international actors should support the government of Afghanistan to prioritise the following four tasks:

Develop a high-level independent consultative group on political reform and renewal of the social contract. There is an urgent need to begin reassessing the fundamental character and role of the Afghan state – not least because its current failings and loopholes are central drivers of violent conflict. It is imperative that the government of Afghanistan, with the support of its international partners, commits to an overhaul of the existing political system. A high-level consultative group made up of senior Afghan women and men policymakers could provide advice, facilitate relationships and gather inputs from across Afghan society and external experts on priorities for inclusive change, including on controversial issues such as decentralisation, gender equality, and a revision of the electoral system and the criminalised economy.

Launch a National Peace Dialogue to address the root causes of the conflict, providing opportunities for transitional justice measures and building on proposals developed in the high-level consultative group. This would see the proposals discussed by communities across Afghanistan and responses gathered and compiled into a Peace Strategy. At this point, the consultative group would take on the role of developing a series of recommendations to the Afghan government for how the Strategy might be implemented.

Establish a Peace and Security Commission comprising senior-level national and international male and female membership, charged with ensuring that Security Sector Reform efforts reinforce the peace process. This commission should develop measures for enhancing the confidence of former combatants and the wider populace in the security forces, as well as developing mechanisms for selective integration of former insurgents. It should monitor the compliance of security forces with the spirit of a peace process and any re-profiling of the forces necessary to maintain broad confidence.

Commit to large-scale economic reform including the enhanced monitoring of customs, prevention of land-grabbing and reduction of parliamentary privileges. Rather than function as a symbolic or dramatic gesture based on imprisoning high-profile individuals, this should involve innovative technical and institutional reform measures that disrupt corrupt practices. Future punitive measures could include public threats of international sanctions against individuals who continue to orchestrate corrupt activities that extract state resources for personal gain.

Overcoming impediments to implementation

Longer-term measures also come with interrelated implementation challenges. First is the need to ensure the independence of the consultative group and publicly communicate its commitment to impartiality and transformative change, while also establishing its influence to effect reform – for example though the credibility of its membership, the authority of its mandate and the legitimacy of its methodology to consult widely. Second, it is imperative to offer the Afghan people the opportunity to voice and document key grievances that have resulted from Afghanistan's protracted conflict. Third, technical innovations need to be developed within economic reform programmes that are implementable with limited resources but also sophisticated enough to withstand efforts to undermine them.

Rebuilding relationships

While renegotiating a new social contract is key to sustainable peace in Afghanistan, prospects for agreeing a comprehensive peace settlement are blocked for the foreseeable future. Lack of confidence among the parties is the main impediment to progress on even the most straightforward negotiable issues, driven in the first instance by the persistent violence affecting many parts of the country. Confidence is further compromised by chronic lack of trust in formal processes and agreements, by the prevalent perception that national institutions are

corrupt and partisan, and by the dual system of governance in Afghanistan – with the government running the main population centres and the Taliban much of the countryside.

An incremental approach as recommended here that builds security, confidence and inclusion over time presents a more viable alternative model to break out of Afghanistan's predicament. This would be likely to involve a phased set of agreements towards a more inclusive settlement, rather than looking to land a 'grand bargain' from the outset. It would aim to gradually build the parties' confidence and willingness to consider ambitious measures or embrace compromise, recognising the importance of rebuilding relationships between the parties in expanding the possibility of agreement.

A phased programme of implemented reforms and cooperative relations cultivated through dialogue has potential to address the issues that have underpinned violent conflict in Afghanistan for decades. A progressive approach to settlement could build on reforms rather than compromising on them. An early suspension in fighting could help create an enabling environment conducive to such a sustained process of dialogue and reform. A sincerity test for armed groups looking to join a non-violent political process would be their preparedness to sign up to the suspension of violence. Until now, any 'peace process' in Afghanistan has lacked both the strategic ambition and coordinated political will to take appropriate action. There is scope for a sustained and resolute move towards incremental peace that could, over a period of years, repair and renew the relationship between Afghanistan and its people

Chronology

1747

Ahmed Shah Durrani unites Pashtun tribes to found the Durrani empire, which will come to be seen as the root of the modern state of Afghanistan. At its peak it covers modern-day Afghanistan and parts of Pakistan, India, Iran and Turkmenistan.

1838–42

Britain invades and restores the deposed Shah Shujah Durrani. He is assassinated in 1842 and British and Indian troops are driven from Kabul.

1878–80

Britain wins the Second Anglo-Afghan War. It withdraws its troops but retains control of Afghanistan's foreign affairs.

1880s–90s

Abdur Rahman Khan, a despotic and state-building Amir, pursues an 'Afghanisation' involving the persecution of non-Sunni Muslims and moving Pashtuns to the north. In 1893 he is forced by Britain to accept the Durand Line, which runs through Pashtun areas of what is now Afghanistan and Pakistan.

1919

Amir Amanullah Khan declares independence from Britain.

1920s

Amanullah introduces extensive social reforms but domestic unrest, coupled with a lack of British support, sees him exiled to Europe in 1929.

1933

Zahir Shah is crowned. The last king of Afghanistan, he will reign until 1973.

1953

Mohammed Daud, a cousin of Zahir, becomes prime minister. He introduces social reforms but curtails opposition to the monarchy within parliament.

1963–64

Daud is forced to resign and a constitutional monarchy is introduced. Country-wide parliamentary elections take place for the first time.

1973

Daud overthrows the monarchy in a bloodless coup and declares a republic.

1978

Daud and his family are killed in a pro-Soviet military coup which its supporters call the Saur ('April') Revolution. The People's Democratic Party of Afghanistan (PDPA) takes power. Socialist reforms provoke opposition, especially from Islamic conservatives, and *mujahidin* groups begin to mobilise in exile against the new regime.

1979–80

With large parts of the country in open rebellion, the Soviet Union invades in support of the communist government in 1979 and installs Babrak Karmal as ruler in 1980. In response, the US, Pakistan, Iran and Saudi Arabia provide more support to the *mujahidin*.

1986–87

Karmal is replaced as leader by head of the state security agency, Najibullah Ahmadzai. Najibullah attempts a National Reconciliation with *mujahidin* militias that would lead to a coalition government, but the programme fails.

1988–89

Afghanistan, USSR, the US and Pakistan sign the Geneva Accords in April 1988, based on principles of non-interference, and the Soviet Union begins pulling out troops. The last troops leave in 1989 but fighting continues as the *mujahidin* groups try to overthrow the Najibullah government.

1992

Najibullah resigns and the PDPA government collapses in April. Forces led by Jamiat-e Islami's Ahmed Shah Massoud and Uzbek commander Abdul Rashid Dostum take Kabul. The Peshawar Accord attempts to establish an interim government, installing Sibghatullah Mojadidi as president for three months, followed by Jamiat leader Burhanuddin Rabbani for a further three. The Peshawar Accord also provides for a national *shura* in 1992 in which an 18-month government would be selected, ahead of planned elections. Hezb-i Islami leader Gulbuddin Hekmatyar refuses to sign and his attacks on government forces and incursion into Kabul, alongside Rabbani's hold on power beyond his assigned three-month period, mark the beginning of a civil war.

1993

The Islamabad Accord temporarily ends the fighting in March as Hekmatyar accepts the role of prime minister, but the conflict soon resumes.

1994

Hekmatyar and Dostum mount attacks on Kabul and Massoud's territory in the north-east in January. They are fought back. Meanwhile the Taliban emerges in the south.

1995

The Taliban begin shelling Kabul. They are defeated by Massoud but begin a new offensive later in the year with Pakistani and Saudi backing.

1996

The Taliban takes Kabul in September. Massoud retreats to the north from where he leads the Northern Alliance resistance to the Taliban. The Taliban establishes the Islamic Emirate of Afghanistan with Mullah Mohammed Omar as its leader. Only Pakistan, Saudi Arabia and the United Arab Emirates recognise Taliban rule.

1998

The US launches strikes against the suspected Afghanistan bases of Osama bin Laden, the al-Qaeda leader behind bombings of US embassies in East Africa.

1999–2000

In October 1999 the UN imposes sanctions on the Taliban intended to force them to hand over bin Laden, strengthening its sanctions regime again in December 2000.

2001

September: Northern Alliance leader Massoud is assassinated days before al-Qaeda kills thousands in the '9/11' attacks on the US.

October: The US invades Afghanistan. The Taliban loses all its strongholds within approximately six weeks and its leaders flee to Pakistan.

November: Kabul falls to the US-backed Northern Alliance. The Bonn Conference gets under way to plan political transition and post-war reconstruction.

December: Hamid Karzai is appointed to head the Afghan Interim Authority, which is otherwise dominated by Northern Alliance figures.

2002

January: The International Security Assistance Force (ISAF) deploys its first troops in order to provide security in and around Kabul.

March: The UN mission in Afghanistan (UNAMA) is established.

June: The *Emergency Loya Jirga* elects Karzai head of state.

2003

August: NATO assumes command of ISAF and control of security in Kabul.

October: The Security Council expands ISAF's mandate to the whole country.

2004

January: The *Constitutional Loya Jirga*, having convened in Kabul since December 2003, adopts a new Constitution, a modified version of the 1964 Constitution with a strong presidency.

November: Karzai wins the nation's first presidential elections with 55 per cent of the vote.

2005

May: Karzai and US President George W. Bush declare a United States–Afghanistan Strategic Partnership.

September: In the first parliamentary elections held in three decades, winners include former warlords, former politicians, teachers, doctors and civil society activists. Parliament opens in December.

2006

July: Fighting intensifies, especially in the south, amid a broader picture of Taliban insurgency against the US-backed Karzai administration.

October: The transfer to NATO of responsibility for security across the whole of Afghanistan is completed.

2007

August: A Joint Declaration is made by Pak-Afghan Joint Peace Jirga condemns terrorism and calls for further dialogue and reconciliation.

2008

August: 58 are killed in a suicide bomb attack on the Indian Embassy in Kabul, the first major terrorist attack on the capital. The Taliban denies responsibility but are widely blamed.

September: President Bush deploys an extra 4,500 US troops in what he calls a 'quiet surge'.

December: Legislation providing amnesty to all those involved in crimes in previous wars passes into law. Human rights advocates later criticise it for failing international human rights obligations.

2009

October: Presidential elections see Karzai ahead but without the majority needed to claim the presidency outright. Shortly after a visit from US Senator John Kerry, second-placed Abdullah Abdullah pulls out before the runoff and Karzai is declared president for a second term.

December: US President Barack Obama expands US troop numbers to over 100,000 but announces the US will begin withdrawing its forces by July 2011. NATO forces surge to over 40,000.

2010

June: The National Consultative Peace Jirga, attended by 1,600 delegates, sets out a framework for 'talks with the disaffected' and recommends the creation of a High Peace Council. The Taliban and Gulbuddin's Hezb-i faction reject the process and do not attend the *Jirga*.

September: Parliamentary elections are again marred by Taliban attacks and accusations of fraud. Results take three months to be completely finalised and even then are subject to a Special Court set up by Karzai, which will eventually order the replacement of 62 sitting MPs on the grounds that their campaigns were fraudulent. This is rejected by the IEC but eventually nine MPs are replaced. Disputes between the parliament and president cause months of legislative deadlock and delay.

November: NATO agrees to hand control of security to Afghan forces by the end of 2014.

December: By the end of the year, coalition forces have suffered over 700 casualties, the most of the campaign.

2011

May: Osama bin Laden is killed by US forces in Pakistan. The Taliban's spring offensive sees the most civilian casualties since 2001.

June: Stating that US goals have largely been achieved, President Obama announces substantial withdrawals of US troops before the end of 2012.

November: At a *Loya Jirga* Karzai wins approval to negotiate a 10-year military partnership with the US.

September: Rabbani is assassinated along with four other members of the Afghan High Peace Council.

December: Pakistan boycotts the Bonn II Conference after a NATO airstrike kills Pakistani soldiers.

2012

January: The Taliban agree to open a political office in Dubai as a move towards peace talks. They eventually open one in Doha, Qatar, after reportedly rejecting UAE's conditions for hosting them.

February: Around 30 people are killed in protests about alleged destruction of copies of the Qur'an at the US airbase in Bagram.

March: The Taliban suspends preliminary talks with the US about opening a political office and conducting a prisoner swap, accusing the US of breaking promises.

May: Arsala Rahmani of the HPC is shot dead in Kabul. The Taliban deny responsibility despite admitting they are targeting HPC members.

NATO announces plans to withdraw by the end of 2014.

June: The Kyoto meeting is the first major international meeting on Afghanistan attended by a high-ranking Taliban member.

July: Pakistan and Afghanistan agree to form a joint peace commission involving HPC members on the Afghan side and tribal leaders on the Pakistan side.

The Tokyo donor conference pledges $16 billion in civilian aid before the end of 2016.

August: The US disciplines six troops for destroying copies of the Qur'an and three for desecrating the bodies of dead Taliban. There are no criminal prosecutions.

December: The Foundation for Strategic Research, a French think tank, organises a Track 2 meeting between the AHPC, members of the Taliban, Hezb-i Islami and civil society groups in Chantilly, France.

2013

February: Karzai and Pakistan President Asif Ali Zardari agree to reach an Afghan peace deal within six months.

June: The Taliban office in Doha, Qatar, is opened. The announcement that the US will hold direct talks with the Taliban angers President Karzai, who suspends security talks with the US. Disputes about the office's flag and plaque lead to it being closed shortly after its opening.

The Afghan army takes command from military and security operations from NATO forces.

2014

April: The presidential election sees neither frontrunner achieving a majority large enough to win and goes to a second round between Ashraf Ghani and Abdullah Abdullah (in June).

July: Electoral officials order a recount of the runoff vote. A two-month audit of election results begins following a US-mediated deal to break the impasse.

September: After a long dispute over the results is not resolved by the audit, the candidates sign a power-sharing agreement: Ghani becomes president and Abdullah chief executive officer.

October: The US and UK end their combat operations in Afghanistan.

December: NATO formally ends its combat mission in Afghanistan. Violence continues across the country. UNAMA figures show the year is the deadliest for civilians since it began counting in 2009, with over 3,700 civilians killed.

2015

January: NATO begins its non-combat follow-on mission, Resolute Support.

May: Talks are held in Qatar between Taliban representatives and Afghan officials, organised by Pugwash, an international non-governmental network. Another round of talks is held in January 2016.

July: The Taliban admits that Mullah Omar died several years ago. Mullah Mansour is announced as leader.

Meeting between government and Taliban near Islamabad in the Murree process.

September: The Taliban briefly captures the city of Kunduz, signalling its recent resurgence. By the end of the year it controls more territory than any time since 2001.

October: President Obama announces 8,900 US troops will remain in Afghanistan until the end of 2016. Previously, all but 1,000 were due to leave.

November: A Taliban splinter group announces Mullah Mohammed Rasool as its leader.

December: NATO extends its mission by a year to the end of 2016.

2016

May: Taliban leader Mansour is killed by a US drone in Pakistan. Mullah Mawlawi Hibatullah Akhundzada assumes the leadership.

July: US President Barack Obama says 8,400 US troops will remain in the country because of the 'precarious' security situation.

September: A deal, years in the making, is reached between government and Hekmatyar's Hezb-i Islami faction, giving him immunity from prosecution. He returns to Kabul the following May.

2017

June: The 'Kabul Process' begins as President Ghani attempts to take back the initiative in trying to engage the Taliban in dialogue.

August: US President Donald Trump announces more troops to fight the Taliban.

2018

January: 103 people are killed in a bomb attack in Kabul. The Taliban claims responsibility.

February: At the latest Kabul Process meeting, Ghani invites the Taliban to peace talks, offering a pact to recognise them as a legitimate party in negotiations, amnesty. The Taliban gives no formal response.

April: Amid continued atrocities, peace protests from victims' relatives and peace activists in Helmand spread to 16 provinces. The Helmand Peace March demands that all warring parties join the peace process.

Glossary

Baad

A practice whereby the family of a murderer offers as compensation to the victim's family a female family member for marriage or domestic servitude.

Bonn process

Process of post-war reconstruction started at the Bonn conference of 2001.

Durand Line

A line imposed by the British in 1893 dividing Afghan and British-Indian territory. It ran through the middle of Pashtun-speaking areas and has been the cause of disputes between Afghanistan and Pakistan since the latter's creation in 1947.

Loya Jirga

Meaning 'grand assembly' in Pashto, *Loya Jirgas* are gatherings of notables to discuss issues of national importance have been used in Afghanistan since the 18th century. An Emergency *Loya Jirga* was called in June–July 2002 to select the transitional government, and a Constitutional *Loya Jirga* gathered in December 2003 to consider the proposed new constitution. Later *Loya Jirgas* were called by Hamid Karzai to discuss the Taliban insurgency and the continued presence of US forces.

Jirga

A traditional assembly to make decisions by consensus, and primarily to settle disputes.

Mujahidin

Arabic term meaning those engaged in jihad ('struggle'). As a modern phenomenon, it is associated with armed struggle in various parts of the world, where local and/or international non-state armed groups wage war under the banner of Islam. Afghanistan is one of the most notable examples: in this case, various loosely aligned groups fought the Soviet-backed government in the 1980s with US, Pakistani and Saudi support.

Naqileen

Pashtun migrants, transported to resettle in other parts of the country deemed underpopulated and to extend the reach of Pashtun rulers.

Pashtunwali

Unwritten Pashtun traditional ethical code, especially strong in rural areas. It encompasses ideas around hospitality, forgiveness, justice, revenge, honour, faith, among other things.

Shura

Arabic for 'consultation', a *shura* is a council convened to discuss particular issues.

Ulema

Religious scholars.

Profiles

These profiles are not intended as an exhaustive list but rather reference material on a selection of political actors and government institutions.

Key institutions

The first government after the US-led invasion was the **Afghan Interim Authority** agreed at the Bonn Conference in December 2001. Although led by an ethnic Pashtun, Hamid Karzai, it was largely dominated by ethnic Tajiks of the Northern Alliance (or United Front), a front of mainly ethnic Tajiks and Hazaras that had formed the main resistance to Taliban rule. The aim of the July 2002 Loya Jirga was to correct this and balance demands. However, many in Pashtun areas felt marginalised.

The Interim Authority was replaced by the **Transitional Authority**, of which Karzai was elected president by the Loya Jirga. Karzai later won national elections for the presidency in 2004 and 2009.

After the 2014 presidential elections, a **National Unity Government** was formed after a US-brokered deal between the disputed winner Ashraf Ghani, who was named president, and his opponent Abdullah Abdullah, given the new post of chief executive.

The commission responsible for administering and supervising elections, the **Independent Election Commission** has been embroiled in controversy as a result of Afghanistan's consistently disputed elections. Since 2014 the government has increasingly looked towards the **Special Electoral Reform Commission**. The reform process SERC was meant to lead has been severely hindered, however, and few changes have been made go the electoral system.

The **Afghan National Security Forces** comprise the army and air force, the national and local police, and the intelligence agency, the National Directorate of Security. The Afghan National Army (ANA) was formed in 2003 from various militias that had fought the Taliban. Much of its training has been has been provided by NATO and ISAF. It currently has around 175,000 soldiers. Since 2001 international actors have been heavily involved in training the Afghan National Police.

The **Afghan High Peace Council** (HPC) was formed in 2010 to initiate peace talks with the Taliban. Comprising 70 members, Burhanuddin Rabbani was appointed to lead it. He was assassinated by suicide bombers in September 2011. The current head is **Abdul Karim Khalili**, who was a Vice-President under Karzai and leader of the Hizb-i Wahdat, a mainly Hazara and Shia group formed in 1989. The Taliban, which seeks talks with US rather than the Afghan government, has portrayed the HPC as an organ of foreign forces.

Political parties and armed groups

Many of today's political parties were once armed groups and military factions, notably the main *mujahidin* groups (the 'Peshawar Seven' and 'Tehran Eight'), who built on their clearly identified leaders and local legitimacy to become parties. As institutions, however, Afghan parties have relatively limited political traction, with many electoral candidates not declaring a party allegiance at all.

Jamiat-e Islami

The oldest Muslim party in Afghanistan is Jamiat-e Islami, formed in the 1960s. Many members are ethnic Tajiks from the north or west. It was led from 1968 to 2011 by Burhanuddin Rabbani and it became one of the most significant groups in the *mujahidin*. After the fall of the communist government, civil war broke out as Jamiat fought Hezb-i Islami, Hezb-i Wahdat, and Abdul Rashid Dostum's Junbish. It retained control of Kabul despite heavy bombardment but was eventually driven from Kabul in 1996 by the Taliban, and subsequently fought the Taliban as part of the Northern Alliance.

Hezb-i Islami

Formed by Gulbuddin Hekmatyar in 1976 as a breakaway from the more moderate Jamiat, Hezb-i Islami is overwhelmingly Ghilzai Pashtun. It split in two in 1979: Mulavi Younas Khalis forming his own faction (Hezb-i Islami Khalis), with Gulbuddin's faction sometimes known as Hezb-i Islami-ye Gulbuddin (HIG). Both factions formed part of the Peshawar Seven. Hezb-i became one of the *mujahidin* groups most favoured by CIA in the 1980s and HIG received support from Pakistan and for a time from the Saudis. Heavily involved in the civil war of the 1990s, it lost crucial Pakistani support as the Inter-Services Intelligence (ISI) turned to the Taliban to restore order. Many Hezb-i fighters also joined the Taliban or al-Qaeda. After the US-led invasion of 2001, Hekmatyar aligned his group with the Taliban and carried out attacks against coalition forces. In 2016 the group signed a deal with the government that ended its insurgency in exchange for recognition and the lifting of international sanctions on Hekmatyar.

Itihad-i Islami

Itihad-i Islami ('Islamic Union'), was another Pashtun *mujahidin* group that formed part of the Peshawar Seven. Founded in the early 1980s by Abdur Rabb Rasul Sayyaf, it received some support from Saudis. It converted to a political party, the Islamic Dawah Organisation of Afghanistan, in 2005.

The Taliban

The Taliban, from the Pashto word for 'students', emerged in 1994 as a small band of fighters led by Mullah Mohammed Omar. The group attracted largely young men from Pashtun southern and eastern areas educated in madrasas in Pakistan. Responding to the chaos of the civil war era, the Taliban's leaders wanted to re-establish shari'a law in Afghanistan. Opinions vary as to the extent of the role of Pakistan's ISI in the Taliban's emergence, but its support helped the Taliban grow rapidly in military strength. The Taliban effectively seized control of the country when it took Kabul in September 1996, and for several years continued to fight the Northern Alliance with Pakistani support.

Taliban rule reflected its hard-line interpretation of Islam and its government was treated as a pariah by most countries. International ire focused on its record of brutal punishments, include stoning and amputations, its hosting al-Qaeda leader Osama bin Laden, which drew a range of US and UN sanctions, and its demolition of an ancient heritage site, the Bamiyan Buddhas.

The Taliban collapsed within weeks in the face of the US invasion in 2001, with some of its leaders fleeing to Pakistan, especially the city of Quetta, where they formed the **Quetta Shura**, a council of leaders of the Afghan Taliban. There are nebulous links between the Quetta Shura, the various networks of Afghan Taliban, and the separate Pakistani Taliban (Tehrik-i Taliban).

The Afghan Taliban began to re-emerge as an insurgent force in the years after 2001. Taliban influence gradually spread from its base in the south-east close to Pakistan's borders to the central and eastern provinces. Northern Taliban networks grew from around 2008 as the Taliban sought to expand and appointed more non-Pashtuns into positions of power.

After the announcement in 2015 of the death two years previously of Mullah Omar and the succession of Mullah Akhtar Mohammad Mansour, longstanding differences between Taliban networks began to reveal cracks in the movement. In late 2015 Mullah Mohammed Rasool formed a splinter group, the High Council of the Afghanistan Islamic Emirate, and allied with some other Taliban factions against Mansour's main group. Mansour's group consolidated its control though some factional fighting has continued in places since. Mawlawi Hibatullah Akhundzada assumed leadership after Mansour was killed by a US drone strike in May 2016.

The main Taliban demand has been the departure of all foreign troops. It has offered to engage in talks with the US but not the Afghan government. A 'political office' was opened in Doha in 2013. Though it later closed, it has carried on working unofficially.

Haqqani network

One of CIA's favoured groups in the anti-Soviet fighting of the 1980s, the Haqqani network became closely affiliated with Taliban after the newer group took Kabul in 1996. After the Taliban's fall, the Haqqani leaders fled to the Pakistan border regions and remain based in North Warizistan. It is known as one of the most feared insurgent groups and was among the first to systematically use suicide bombers. The network has also been closely intertwined with al-Qaeda, and Jalaluddin was the first to bring Osama bin Laden to Afghanistan. Pakistan's ISI has long been accused of links to the network but Pakistan officially banned the group in 2015 as part of its anti-terrorist National Action Plan. It has been on the US list of foreign terrorist organisations since 2012.

The group is led by the Haqqani family: until around 2014 by Jalaluddin Haqqani and since then by his son Sirajuddin. Both have been members of the Taliban's council, the Quetta Shura, and Sirajuddin is a deputy leader of the Taliban. The Taliban have in the past denied the group is distinct.

The US reportedly reached out to explore their willingness to negotiate in 2011: there was a meeting between a US official and Ibrahim Haqqani, Jalaluddin's brother, brokered by the ISI, but it did not yield results.

Al-Qaeda

A Salafist jihadist network founded in the late 1980s by Osama bin Laden, a Saudi who fought with the *mujahidin* against the Soviets. Returning to Saudi Arabia after the war, bin Laden clashed with the Saudi regime over the presence of US troops in the country and was forced into exile in Sudan, where he set up training bases and advocated attacks on the US and its allies. Expelled from Sudan in 1996, he returned to Afghanistan, working closely with the Taliban in its campaign to control the country. Unlike the Taliban, however, al-Qaeda's focus was global jihad and it was responsible for the bomb attacks on US embassies in East Africa in 1998, the bombing of a USS Cole in 2000, and the attack on the United States of 11 September 2001. The Taliban's refusal to hand over bin Laden in the wake of this event prompted the US-led invasion of 2001. Al-Qaeda camps were destroyed but the organisation persisted – less as a coherent group but a vast network of insurgent groups in many parts of the world. Bin Laden was assassinated by US special forces in Pakistan in 2011, replaced as leader by Egyptian Ayman al-Zawahiri. Al-Qaeda has sustained a small but significant presence in Afghanistan, surviving through close links to other militant networks.

Islamic State

IS, or the more derogatory Arabic acronym Daesh, is a Salafi jihadist group that emerged as an al-Qaeda-aligned group in Iraq and gained global prominence for the rapid military gains it made in Iraq and Syria from around 2014. Around the same time there were the first signs its black flag in some areas of Afghanistan, though this represented less an expansion from Syria than appeals from jihadist splinters in Afghanistan, especially among some militants settled in Nangarhar associated with the Tehrik-i-Taliban. In January 2015, the main IS body in Raqqa acknowledged this by announcing expansion into 'Khorasan', an old geographical term it uses to describe an amalgamation of regions in modern-day Iran, Afghanistan and Pakistan, without recognising those nation states, and the term Islamic State of Khorasan (ISK) emerged.

The rise of ISK is a direct challenge to the Taliban's monopoly on jihadist insurgency. ISK profited initially from splits in the Taliban and more especially the TTP. Many of ISK's early affiliates were eliminated as the Taliban sought to suppress it, but it did succeed in taking control of a large part of Nangarhar province. The Taliban has publicly warned IS against extremism and splitting the *mujahidin*. The US has attempted to 'decapitate' the group through drone strikes against its leaders, a number of whom have died, but ISK has established itself through significant urban terrorist attacks such as a suicide attack in July 2016 that killed 80 people in Kabul. Perhaps more significant than its insurgent capability is its anti-Shia sectarianism and the danger that it introduces the sort of Sunni-Shia conflict seen in parts of the Arab world and Pakistan, although this generally has little public traction in Afghanistan.

Tehrik-i-Taliban

The Tehrik-i-Taliban (TTP) is an umbrella organisation for militant groups in Pakistan's north-western tribal areas on the border with Afghanistan. Though predominantly Pashtun and opposed to international forces in Afghanistan, it is not formally connected with the Afghan Taliban and is mainly concerned with fighting the state in Pakistan. It has become increasingly fragmented in recent years.

International

Pakistan

Pakistan has had intimate and difficult relations with Afghanistan since the former's creation in 1947, driven partly by border disputes, which persist today, and partly by fears around Afghanistan's close relationship with India. Pakistan has hosted many Afghans in its religious seminaries and madrases and has supported various insurgent groups over the decades, most notably since its Inter-Services Intelligence (ISI) heavily became involved in Afghanistan since the 1970s. Along with the US, Pakistan provided support and safe havens to the *mujahidin* in their conflict with the Soviet occupiers. Pakistan continued to support the *mujahidin* after 1988's Geneva accords, despite the agreement's stated aim of promoting non-interference. When the *mujahidin* factions began fighting each other in the early 1990s Pakistan supported Hekmatyar and Dostum against the Rabbani government. Later it focused its support on the Afghan Taliban, which and supported it with funding, training, diplomatic assistance, becoming one of only three countries to recognise the legitimacy of Taliban rule after 1996. After the '9/11' attacks on the US, Pakistan claimed to have stopped support for the Taliban and put its weight behind the Bonn process, but it is widely believed to have continued to provide refuge and assistance to the Taliban, the Haqqani network and al-Qaeda. The Afghan government has repeatedly claimed that the major need for peace is not between Kabul and the Taliban, but Kabul and Islamabad, with President Ghani claiming that Pakistan has effectively waged war on Afghanistan since 2001. Pakistan's relations with the Taliban have been strained at times and the Taliban has resisted Pakistan's attempts in recent years to assume a mediation role. Pakistan's goal is thought to now be less a Taliban government than one that eventually includes the Taliban as a counterweight to Indian influence.

Russia

Afghanistan has been of strategic interest to Russia since at least the 19th century when it engaged in a rivalry with the British Empire for influence in central Asia known as the 'Great Game'. In the 20th century Afghanistan became a factor in the Cold War. Under Mohammed Daud's premiership, Afghanistan wavered between dependence on the Soviet Union and non-alignment. When the socialist regime that toppled Daud in 1978 came under threat, the USSR invaded 1979. In nine-year conflict, an estimated one million civilians were killed and the Soviet Union lost 14,500 troops. Faced with the high human, economic and diplomatic cost of the occupation, the Soviets began looking for an exit strategy. Moreover, under Mikhail Gorbachev, leader from 1985, Soviet foreign policy became less confrontational with the West and China on many fronts, Afghanistan included. Soviet troop withdrawal was announced in 1987 and completed in 1989. It was conducted largely peacefully following ceasefires reached with *mujahidin* commanders, with some exceptions. Moscow continued to support the Najibullah government in Kabul until the collapse of the Soviet Union in late 1991.

With the rise of the Taliban, which had links to Chechen rebels, Russia lent support to the Northern Alliance and has been generally supportive of the Afghan government since the Taliban's fall in 2001. As Russia's relations with the West have deteriorated in the 2010s, Russia has been seen to take a more assertive diplomatic role in Afghanistan. In 2016–17 Russia held talks about the conflict first with Pakistan and China, then with the Afghan government, Iran and India, in which the US declined to participate. In January 2018 Russia offered to host talks between the Afghan government and the Taliban. In April, US officials accused Russia of arming the Taliban. Russia denies this but with the emergence of Islamic State, Russia may see the Taliban as an ally against one of Russia's top enemies in the Syrian conflict.

United States

Afghanistan first became strategically important to the US during the Cold War, as the US tried to sway the Afghans away from Soviet influence with mixed results. US relations with Kabul collapsed after the 1978 Saur revolution and the Soviet invasion of the following year. The US focused its diplomatic efforts on forcing Soviet withdrawal while also channelling funds estimated to amount to $3 billion to various *mujahidin* opposition groups being supported by the Pakistan intelligence services. After the rise of the Taliban in 1996, US and Pakistani interests diverged sharply. With the Taliban hosting Osama bin Laden's al-Qaeda, the US bombed targets in Afghanistan in 1998. Then, following the '9/11' attacks on the US and the Taliban's refusal to hand bin Laden over, President George W. Bush ordered the invasion of Afghanistan in October 2001, which the US led in coalition with the UK and Canada and later more than 40 countries.

The Taliban government collapsed but it would lead a renewed insurgency that steadily gained strength over the remainder of Bush's time in office. The March 2003 US-led invasion of Iraq marked a critical shift in US priorities, which arguably paved the way for a Taliban revival. While handing over the primary security responsibility to the

NATO-led ISAF, US troop levels remained around 30,000 for much of Bush administration.

With the Taliban increasing in strength, President Barack Obama (2009–17) pursued both military victory and talks with the Taliban. By August 2010, 100,000 US troops were on the ground. In June 2011, shortly after US special forces had killed bin Laden, Obama announced a timetable for drawdown with security to be handed to Afghan authorities in 2014. The Obama administration explored the possibility of talks with the Taliban and were supportive of the group's establishment of a political office in Doha. Relations with President Karzai's government, however, were poor. Karzai, angered by the suggestion the US may talk directly to the Taliban, refused to sign a long-term security deal with the US. The agreement was finally signed when President Ghani took power in 2014.

Troop numbers, down to under 10,000 at the end of the Obama administration, have increased again under President Donald Trump, who in 2017 scrapped deadlines for withdrawal.

India

India has been a close ally of Afghan governments except during the Taliban era. Unlike most Asian countries, India recognised the Soviet-backed People's Democratic Republic. After the Taliban's rise, it provided support to the Northern Alliance, and after the Taliban's fall became the largest regional provider of humanitarian and reconstruction support. This closeness was underlined by the strategic agreement of October 2011 to increase security and development cooperation, coming amid Afghanistan's deteriorating relations with Pakistan.

China

In comparison to other regional powers, China has long appeared relatively uninterested in Afghanistan and has exerted little political influence, despite its economic strength and interests in the country, and the role it could potentially play in rebuilding. In recent years it has shown an increased willingness to be involved in political efforts to transition away from war, proposing a peace and reconciliation forum in 2014 and receiving a visit from the Taliban political office the same year.

Iran

With deep historical ties, in modern times Iran's relations with Afghanistan have been difficult. Iran provided support to the *mujahidin* in the Soviet era and to the Northern Alliance during the Taliban era. Since the Karzai administration, relations have been strained by the Afghan government's closeness to the US. The emergence of Islamic State in Afghanistan with its sectarian agenda has made Iran more amenable to working with the Taliban.

United Kingdom

Britain was closely involved in the emergence of modern Afghanistan through a series of Anglo-Afghan wars between 1839 and 1919 as it sought to consolidate its imperial interests in the subcontinent and counter Russian influence in Central Asia.

In 2001 British troops took part in the US-led invasion before becoming part of the International Security Assistance Force in 2002. British forces moved into Helmand province in 2006 as it came increasingly under renewed Taliban influence. Task Force Helmand was eventually wound up in 2014, ending the UK's combat mission. Some troops remain for training and advice.

UNAMA

Established in March 2002, the United Nations Mission in Afghanistan is 'to support the people and government of Afghanistan in achieving peace and stability, in line with the rights and obligations enshrined in the Afghan constitution'. Its mandate is reviewed annually. **Tadamichi Yamamoto** was appointed as the Secretary-General's Special Representative for Afghanistan and Head of UNAMA in June 2016.

International Security Assistance Force

The UN-mandated international security mission in Afghanistan, 2001–14. It was established in 2001 by UN Security Council Resolution 1386 under Chapter VII of the UN Charter, initially only to secure area around Kabul, with leadership rotating between countries on a six-monthly basis. NATO assumed leadership of the mission in August 2003 and in October 2003 ISAF's mandate was expanded to the whole of Afghanistan. Its presence extended gradually as it took over security responsibilities from the US-led coalition. Its expansion to the north was completed in 2004, and to the west, south and finally the east in 2006.

All NATO countries contributed troops, as well as a number of other countries. NATO's Riga Summit of 2006 saw rising tensions over NATO's role in Afghanistan. Some countries insisted on restrictions on how their troops could be deployed ('national caveats'), some of which they relented on, although many continued to refuse to have their troops deployed in the more dangerous southern provinces.

Operation Resolute Support

Operation Resolute Support is the follow-on non-combat mission to ISAF. Its purpose is to provide training and support to Afghan security services and government.

Operation Enduring Freedom

The US Operation Enduring Freedom encompasses US counter-terrorism operations in several countries, but the most notable operation bearing the name is the joint US, UK and Afghan combat mission in Afghanistan starting October 2001. The NATO-led ISAF mission, to which the US also contributed militarily, increasingly took the lead in combat operations from 2006, although US forces continued operations under OEF in several parts of the country. President Barack Obama announced the end of OEF-Afghanistan in December 2014. It was succeeded by Operation Freedom's Sentinel, which continues to build the capacity of the Afghan armed forces and assist the NATO-led Operation Resolute Support.

Key texts

1988

Geneva Accords, 14 April
A set of agreements between Afghanistan and Pakistan with the United States and Soviet Union as guarantors and based on principles of non-interference.

1992

Peshawar Accord, 24 April
Agreement between the *mujahidin* groups on establishing a new government and naming Burhanuddin Rabbani as interim president.

1993

Afghan Peace Accord ['Islamabad Accord'], 7 March
A power-sharing agreement between the *mujahidin* groups bringing Gulbuddin Hekmatyar into government, facilitated by Pakistan.

1999

Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan, 19 July
Declaration by the 'Six plus two' group (China, Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan, plus Russia and the US) urging Afghan parties to pursue political negotiations and its willingness to promote direct talks.

2001

Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions ['Bonn Agreement'], 5 December
Establishes an Interim Authority to serve until the creation the following year of a Transitional Authority.

2002

Communiqué of the International Conference on Reconstruction Assistance to Afghanistan (Tokyo Conference), 22 January
The international community commits to assisting Afghanistan's reconstruction.

Kabul Declaration of Good Neighbourly Relations, 24 December
The Transitional Authority and the governments of the six neighbours reaffirm their commitment to constructive and supportive bilateral relations.

2004

Berlin Declaration, 1 April
The international community reaffirms its commitment to transition started under the Bonn Agreement.

2006

Afghanistan Compact Building on Success (London Conference), 1 February
The Afghan government and international community establish a framework for cooperation for the following five years.

2007

Rome Conference on Justice and Rule of Law in Afghanistan, 3 July
Donors confirm the commitment to reforming justice and rule of law sectors, making new pledges.

Joint Declaration adopted by Pak-Afghan Joint Peace Jirga, 12 August
The declaration of a gathering of over 700 politicians, tribal leaders and members of civil society called by the presidents of both countries. It condemns terrorism and calls for further dialogue and reconciliation.

2008

Declaration of the International Conference in Support of Afghanistan (Paris Conference), 12 June
Reaffirming the Afghanistan Compact and committing to work for the Afghanistan National Development Strategy.

2009

Declaration of the Special Conference on Afghanistan Convened under the Auspices of the Shanghai Cooperation Organization (Moscow Declaration), 27 March
Declaration on Afghanistan by the members of the Shanghai Cooperation Organization (Russia, China, Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan).

Statement of the International Conference on Afghanistan (Hague Conference), 31 March
The Afghan government and international community re-commit themselves to priorities established in previous conferences.

2010

Communiqué of the Conference on Afghan Leadership, Regional Cooperation, International Partnership (London Conference Communique), 28 January
The Afghan government and international community set out targets and timetables for military and civilian transitions in Afghanistan.

The Resolution Adopted at the Conclusion of the National Consultative Peace Jirga, 6 June
Sets out a framework and mechanisms for 'talks with the disaffected', calling for the international community to remove opposition figures from the blacklist and to guarantee the safety of those engaging in peace talks. Recommends the creation of a peace council.

Renewed Commitment by the Afghan Government to the Afghan People and the International Community to Afghanistan (Kabul Conference Communique), 22 July
Launches the Kabul Process, through which Afghanistan seeks to take the lead in international efforts to secure the country's future.

2011

Istanbul Process on Regional Security and Cooperation for a Secure and Stable Afghanistan, 2 November
Launched the Istanbul Process as a grouping of countries cooperating on Afghanistan including Turkey, Russia, Pakistan, China, India, Iran and a number of Central Asian and Middle Eastern countries.

Conclusions of the Conference on Afghanistan and the International Community: From Transition to the Transformation Decade (Bonn Conference), 5 December
The international community affirms support for Afghanistan for another decade.

2012

Tokyo Declaration Partnership for Self-Reliance in Afghanistan from Transition to Transformation (Tokyo Conference), 8 July
Established the Tokyo Mutual Accountability Framework, or 'Tokyo Framework' setting out a 'new reinvigorated development partnership between the Afghanistan Government and the International Community'.

2014

'Bilateral Security Agreement' (Security and Defense Cooperation Agreement between The Islamic Republic of Afghanistan and the United States of America), 30 September
Agreement between the Afghan and US governments on the terms of security cooperation, allowing US troops to stay in Afghanistan beyond 2014.

Agreement between the North Atlantic Treaty Organization and the Islamic Republic of Afghanistan on the status of NATO forces and NATO personnel conducting mutually agreed NATO-led activities in Afghanistan, 30 September

Agreement between the Two Campaign Teams Regarding the Structure of the National Unity Government, 21 September
Agreement between Ashraf Ghani and Abdullah Abdullah on a National Unity Government to break the deadlock over the presidential election results.

2016

Agreement between the Government of the Islamic Republic of Afghanistan and and Hezb-i Islami of Afghanistan led by Gulbuddin Hekmatyar, 21 September
Agreement allowing Hekmatyar to return to Afghanistan and recognising his faction as a political party.

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The Accord series

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Insight

INSIGHT ISSUE 3 (2016)

Accord Insight 3 examines practical approaches and challenges to reconciliation in peace processes. Case studies from the Georgian-Abkhaz conflict, Colombia, Mindanao (Philippines) and Northern Ireland offer insights from initiatives to transform relationships horizontally, among communities, and vertically, between society and the state, in societies with different histories of violence and at very different stages on the conflict spectrum.

INSIGHT ISSUE 2 (2015)

Local engagement with armed groups

This second Accord Insight publication looks at the interactions between armed groups and local populations. Case studies from Colombia, northern Uganda, Syria and Northern Ireland document the experiences of communities who have organised to influence the behaviour of armed groups – often in advance of more formal negotiations and in situations of intense violence and embedded conflict.

INSIGHT ISSUE 1 (2013)

Women building peace

Most peace agreements do not address the specific concerns of women, and women are still excluded from political processes. The first Accord Insight presents nine articles and new analysis drawn from the Accord series from 1998 to 2010, which examine the roles women have played in addressing violence and building peace – from Bougainville and Sierra Leone to Aceh and Northern Ireland.

Accord

ISSUE 26 (2017)

Two steps forward, one step back: The Nepal peace process

Accord 26 includes over 30 articles and interviews from Nepali and international experts focusing on the progress of inclusion and the function of power, and how peace and political negotiations in various forms and forums have facilitated transition from negative to positive peace.

ISSUE 25 (2014)

Legitimacy and peace processes: from coercion to consent

Accord 25 focuses on the practical ways that legitimacy can contribute to building more sustainable peace: national dialogue; constitutional reform; local governance; and transforming coercive actors. It looks at 15 country case studies, including the Philippines, Syria, Afghanistan, the Basque Country, Somaliland, Yemen and Burma.

ISSUE 24 (2012)

Reconciliation, reform and resilience: positive peace for Lebanon

Accord 24 includes more than 30 articles and interviews on peacebuilding in Lebanon: from diverse perspectives and from inside and outside the country. Together they show that the Lebanese are not passive victims of a violent fate determined beyond their country's borders. Many are actively pursuing opportunities for change.

ISSUE 23 (2012)

Consolidating peace: Liberia and Sierra Leone

A decade after the official end of wars in Liberia and Sierra Leone, Accord 23 draws on respective societies' experiences and insights to ask what headway has been made to consolidate peace, what challenges lie ahead and what lessons can be learnt. It argues that policy needs to focus on people, on repairing relationships and promoting inclusion, and that traditional mechanisms can play a crucial role.

ISSUE 22 (2011)

Paix sans frontières: building peace across borders

War does not respect political or territorial boundaries. This twenty-second Accord publication, looks at how peacebuilding strategies and capacity can 'think outside the state': *beyond* it, through regional engagement, and *below* it, through cross-border community or trade networks.

ISSUE 21 (2010)

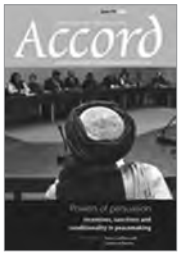
Whose peace is it anyway? Connecting Somali and international peacemaking

Accord 21 contains over 30 articles including interviews with Somali elders and senior diplomats with the African Union, the UN and IGAD, and contributions from Somali and international peacemaking practitioners, academics, involved parties, civil society and women's organisations.

ISSUE 20 (2008)

Reconfiguring politics: the Indonesia-Aceh peace process

In 2005, the Indonesian government and the Free Aceh Movement (GAM) agreed a settlement ending 30 years of armed conflict. Accord 20 explores how that agreement was reached and subsequent challenges to its implementation.



ISSUE 19 (2008)

Powers of persuasion: incentives, sanctions and conditionality in peacemaking

International policymakers frequently use incentives, sanctions and conditionality as tools to influence intra-state conflicts. Using a range of case studies, Accord 19 asks whether and how these tools can constructively influence conflict parties' engagement in peacemaking initiatives.

ISSUE 18 (2006)

Peace by piece: addressing Sudan's conflicts

This Accord publication reviews the peace process that led to the 2005 Comprehensive Peace Agreement in Sudan. It also explores questions that remain to be tackled, arguing that future Sudanese initiatives must be more inclusive and better coordinated.

ISSUE 17 (2005)

The limits of leadership elites and societies in the Nagorny Karabakh peace process

Since the 1994 ceasefire, the conflict between Azerbaijan and Armenia over Nagorny Karabakh has remained deadlocked. Accord 17 explores the dynamics of polarisation, the obstacles to a sustainable agreement and the challenge of overcoming resistance to compromise.

ISSUE 16 (2005)

Choosing to engage: armed groups and peace processes

Non-state armed groups, key actors in many internal armed conflicts, have participated in peace processes across the world. Accord 16 draws on these experiences to explore the case for engaging with armed groups, and the different options, roles and challenges for such engagement.

ISSUE 15 (2004)

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The Luena Memorandum of 2002 brought an end to Angola's 27-year civil war. Accord 15 reviews the history of peacemaking efforts in Angola, and analyses challenges that remain if the absence of violence is to develop into a sustainable and just peace.

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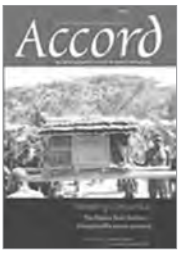
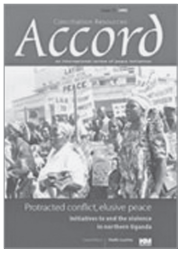
This first thematic Accord publication documents mechanisms for public participation in peacemaking. It features extended studies looking at how people were empowered to participate in political processes in Guatemala, Mali and South Africa. It also contains shorter pieces from Colombia, Northern Ireland and the Philippines.



ISSUE 12 (2002)

Weaving consensus: the Papua New Guinea – Bougainville peace process

This Accord publication documents efforts leading to the Bougainville Peace Agreement of 2001. It describes an indigenous process that drew on the strengths of Melanesian traditions, as well as innovative roles played by international third parties.



ISSUE 11 (2002)

Protracted conflict, elusive peace: initiatives to end the violence in northern Uganda

While a meaningful peace process in northern Uganda remains elusive, Accord 11 documents significant peacemaking initiatives undertaken by internal and external actors and analyses their impact on the dynamics of the conflict.

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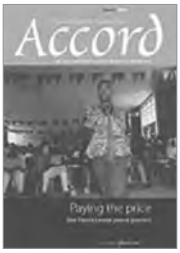
This publication describes the aspirations of the parties to the conflict in Tajikistan. It documents the negotiation process leading to the General Agreement of June 1997, looking at the role of the international community, led by the UN, and of local civil society.



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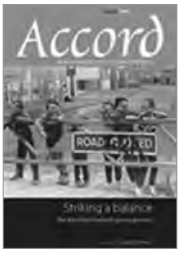
Paying the price: the Sierra Leone peace process

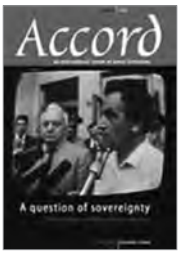
The Lomé Peace Agreement of July 1999 sought to bring an end to armed conflict in Sierra Leone: one of the most brutal civil wars of recent times. Accord 9 explores the Lomé process and earlier attempts to resolve the conflict, and draws lessons for Sierra Leone's transition.



ISSUE 8 (1999)

Striking a balance: the Northern Ireland peace process

This publication examines the factors that led to the negotiations resulting in the 1998 *Belfast Agreement*. It describes the complex underlying forces and the development of an environment for peace. (2003: Supplement Issue – see online index)



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This publication explores the background and issues at the heart of the Georgia-Abkhazia conflict, providing a unique insight into a political stalemate and pointing towards possible avenues out of deadlock.

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The GRP-MNLF 1996 Peace Agreement was a milestone, as all previous peacemaking attempts over 24 years had failed. Accord 6 analyses elements of peacemaking in Mindanao and examines the challenges of implementation. (2003: Supplement Issue – see online index)

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