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Decentralization and Solving the Dilemma of Power in Afghanistan

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Introduction

Afghanistan is an extreme example of divided societies. It is divided along ethnic, language, tribal, and religious lines. Ethnicity and language are the strongest dividing factors in Afghanistan. Afghanistan has many ethnicities, but the largest four have struggled to monopolize power: Pashtun, Tajik, Uzbek and Hazarah. A population census was never attempted in Afghanistan so the exact percentage of each ethnic group remains unknown. Afghanistan has also experienced a long history of ethnic oppression and ethnic cleansing since Abd ul-Rahman Khan. Abd ul-Rahman Khan was the first Afghan ruler to establish a strong centralized government, and he used British money and artilleries against ethnic groups. He used a coercive ethnic manipulation policy and manipulated the ethnic structure of Afghanistan by moving Pashtuns from the south to the north and distributing the lands and properties of the indigenous inhabitants of the north and northwest (i.e., Tajiks, Uzbeks, Turkmens, Hazarahs and Aimaqs) to the colonist Pashtuns.[i] The indigenous people were forced to leave their land and properties and move to the foothills of Badghis, Ghur and the Tir Band-I Turkistan, the hinterland of Herat and the *dasht* around Balkh, Pul-i Khumri and Qataghan. Other tribes left the country altogether and fled to Russian territory, into Persian Khurasan or British India. Pashtun colonists were supported by the government and local people were forced to build homes for the colonists. Resistance against colonists were suppressed by the government.[ii]

Abd ul-Rahman Khan run harsh and brutal campaigns against Hazarajat and northern Afghanistan. His policies cultivated ethnic division between Pashtuns and non-Pashtuns. Amir's ethnic and coercive policies were followed more or less by subsequent rulers until now. His son Habibullah Khan was a moderate man, but Amanullah Khan followed ethnic policy more softly than his grandfather. The Musahiban family (1929-1978) too, except during the decade of democracy of King Zahir (1964-1973), used the same coercive policies against non-Pashtuns. In all periods people had no freedom and the regimes were brutally oppressive especially towards other ethnicities. In some ways, Pashtuns who disobeyed rule of the monarchs faced the same situation as other ethnicities, but their persecution was never due to their ethnicity, while non-Pashtuns were brutally oppressed because of their ethnicity even if they obeyed the rule of the monarchs or rulers.

Ethnic oppression and cleansing policy of former rulers made the country more fragmented, and it lasted for several decades until now. Even the Mujahideen parties, which apparently fought for the sake of Allah, were influenced by this chronic disease as well and ethnic division was the key factor in civil war of 1990s between Mujahideen rival factions. Later in 1994 when the Taliban was created, they followed the same policies. Although new changes after 9/11 2001 and the Bonn Accord was one of the critical turning points in the modern political history of Afghanistan, Afghani leaders had not used this extraordinary opportunity to establish political institutions that could ensure national unity, peace, stability, justice, and equal participation for all segments of the society. Instead, they advocated and fought for political institutions that could guarantee their own or their ethnic interests.

The 2004 Constitution, under the pressure of the Americans and the U.N provided political principles like centralization, presidentialism, single non-transferable voting (SNTV), which are destructive in pluralist societies. These wrong political principles were considered key factors in the failure of democracy and the takeover of power by Taliban, alongside other factors, in 2021.

Taliban 2.0 have revived their 1990s style of governance and have brought no changes. They have no constitution and believe that election and other values such as human rights, including women rights of education and work are anti-Islam. Despite frequent requests by international the community, Muslim world governments and religious organizations, the Taliban have taken no step towards making a broad-based and constitutional-based government in which all ethnic groups and segments of the society are included and women, as half of the society, are treated well, with their human rights and dignity respected.

In this article I am arguing that Afghanistan needs a broad-based government and that all segments of the society, including the Taliban, should be part of that. A participatory and constitutional government can ensure the rights of all segments of society and lead the Taliban towards moderation. This broad-based government should take form in two levels: national level and subnational level power-sharing. Thus, I suggest decentralization as a means of solving the dilemma of power and ensuring participation of all segments of society in power. The history of Afghanistan proved that rule of one segment or one ethnic group cannot ensure stability, peace, progress and justice in society.

Currently, the Taliban rule the country without participation of all ethnic groups or all segments of the society. They do not represent all groups from the Pashtun society as well. Educated and elites of Pashtuns are also sidelined by Taliban. The Taliban represent only those who have been in their team and fought with them during their rebellions from the mid-1990s until now. Before I discuss on decentralization and its role in a participatory government, I am going to shed light on the Taliban movement, their ideology and perspectives about the society, law and governance in Afghanistan.

Taliban

Before I discuss my opinions about a political settlement for Afghanistan. I consider it necessary to have a look on Taliban and how Taliban 2.0 is different from Taliban 1.0? Is there any change on Taliban's policies and views on broad-based government and election, ensuring justice, human rights and their policies towards women, and so on?

Afghanistan has played key role as a catalyst in ending the Cold War and the fall of communism, but the U.S. and other supporters of jihad left Afghans alone and made no effective collaboration in designing a better future for the poorest and most war-torn nation of the world. Pakistan wanted to have its protégé government in Afghanistan and selected Hikmatyar as the protector of its interests among Jihadi leaders. After the takeover of Kabul by the Mujahideen, Pakistan wholeheartedly supported Hikmatyar to take power in Kabul, but he failed to do so. Disappointed, Pakistan created Taliban to take power in Afghanistan. Thus, the birth of Taliban was not natural but artificial, created, funded, trained and equipped by intelligence agencies of the foreign countries, including Pakistan, the support of Saudi Arabia and even tacit support of the U.S. was with them.[iii]

Without foreign supporters they were not able to take even one city. When they took control of cities like Kandahar, Jalalabad, and even Kabul, they bribed local commanders to not fight against them. Only in Kandahar they paid for local commanders $1.5 million to not resist them.[iv] Pakistan supported them with manpower and more than ten thousand Pakistanis were fighting alongside Taliban.[v] It means that Taliban do not represent the culture and society of Afghanistan and they have been working for the interests of foreigners. They do not value the progress of Afghan society and bringing justice and national unity in this country.

Senior leadership of Taliban 1.0 were uneducated, unexperienced and incompetent in government, politics and the leadership of the country.[vi] Unlike the mujahideen leaders, Taliban leaders had no modern education, and they were from the very poor families.[vii]

Leadership of Taliban 2.0, except their supreme leader Mullah Hibatullah, is almost the same as of Taliban 1.0, and there is a very small change in their leadership. Mullah Hassan, Mullah Muttaqi, Mullah Brother, Mullah Abas Stanikzai, Mullah Hassan, Mawlawi Abdul Kabir, Mullah Hanafi, Mullah Khairullah KhairKhah and other senior Taliban are still alive, and they occupied key ministries of the government. After the collapse of their regime, the leadership of Taliban was intact, escaped to Pakistan and rearranged themselves. They were welcomed by their former allies. Their senior leaders were welcomed by the ISI, the government of the North-West Frontier Province and Baluchistan.[viii]

Mullah Hibatullah like Mullah Omer has no formal or secular education, and he is also as traditional as Mullah Omer was. During more than two and half years, he has proved that his policies, especially about broad-based and gender-sensitive government, has not changed and he is stubborn as Mullah Omer was and he will not give up to the pressure of International Community on the issues of women rights, inclusion of all ethnics in the power, and application of restrictive religious norms.

Like Mullah Omer, he counts Afghanistan a separate part of the Muslim World. He has his own interpretation, and no other interpretation of Muslim world is acceptable for him. There is no distinction among Taliban leaders in terms of moderate or extremists. With no difference, all of them are extremists. Some argue that Taliban can be divided into extremists and moderates and their moderate elements are tolerating human rights, inclusive government and so on, but the reality is that all Taliban, with no exception, follow the same ideology, composed of extreme form of Deobandi and Pashtunwali. This extreme ideology does not produce moderate man. In some ways, Taliban followed more Pashtunwali, a social code of Pashtun tribes, rather than Islam. All Pashtun tribes with less or more extent follow Pashtunwali. Taliban 1.0 tried to implement Pashtunwali-Sharia law on other ethnic groups (non-Pashtuns), but they opposed it. Thus, efforts to engage with Taliban 1.0 by international community to convince Taliban to allow education for women were fruitless.[ix] It is true with Taliban 2.0 as well.

In Pashtun living areas of the south, women are traditionally secluded from the society, and girls were not allowed to go to the school, and culturally it was a shame for the families who have sent their daughters to the school.[x]

In Pashtun living communities of the south it is a form of modesty for women to stay at home and not go outside of the house even for the purpose of education.[xi] Taliban have arrested, tortured and even killed hundreds of women since their takeover of Kabul and do not allow them to study and work. Rights of education and work as primary human rights of women are totally violated by Taliban. They ignored continuing international community statements and requests to moderate their discriminatory policies against women and other ethnic groups.

Taliban 1.0 had not embraced intellectuals and educated people and considered them as spawn of the Western or Soviet style of educational system.[xii] Taliban 2.0 is the exact version of Taliban 1.0 in terms of embracing intellectuals. They do not trust educated people and have fired hundreds of bureaucrats and experts from the government and replaced them with their incompetent fellows. They arrested many experts and officials from the former government and forced them to leave their job and leave the country.

Leader of Taliban were 'all from the poorest, most conservative and least literate southern Pashtun provinces of Afghanistan'. Women in villages of Taliban leaders had not gone to school, had no work or education, were completely covered and were disappeared from society. The leaders of Taliban transferred this culture and wanted to apply it across Afghanistan. All Afghans, even all Pashtuns, do not bear such traditions. Non-Pashtuns encouraged women education, some provinces like Herat have a glorious and long history of women education. Even under the Mujahideen government, women were allowed to study and work.[xiii] Taliban 1.0 were ruthless and believed that their interpretation is the right interpretation of Islam.[xiv] Taliban 2.0 have the same stance about rights of education and work for women. Their leaders' statements reflect that they never left their discriminatory policies against women. They have always attributed their harsh policies against women to Afghan traditions and Islam, but the reality is that all Afghans do not have the same perspective about women. Today, even Pashtuns who live in the cities do not accept the harsh policies of Taliban against women.

The criminal justice system under the Taliban was also a mixture of traditional Islamic court system and Pashtunwali. They applied classic Islamic punishments like hudud, qisas and tazir with very extreme forms.[xv] Taliban 2.0 currently apply classic Islamic punishment without due process of law. They implement stoning, lashing, cutting hands and feet, and slaughtering criminals. They have no concerns about the consequences of implementing their harsh rules and punishments.

Islam in Afghanistan historically was tolerant to other religions and Islamic sects. Muslim *ulema* never pushed followers of other religions to convert to Islam. Until civil war in the 1990s Jews, Sikhs and Hindus were playing a tremendous role in business and controlled money. After the civil war and birth of Taliban 1.0, the soul of tolerance and unity was destroyed and Islam, which acted as a significant uniting tool, was used by extremists as a weapon of terror, massacre, hate, discrimination against women, ethnic cleansing and persecution.[xvi]

Taliban have a dark and sad history of fascism and ethnic cleansing in their background. Like former Afghan rulers (1880-1978), Taliban 1.0 intensely deepened ethnic fragmentation by secluding other ethnics from power; running massacres in Mazar-i-Sharif and Bamiyan in 1998, forced exodus of Shamali plains' residents and burning their crops, gardens and houses. In both massacres (Mazar-i-Sharif and Bamiyan), 8000 innocent civilians were killed and thousands of people were relocated as part of their ethnic cleansing agenda.[xvii] Taliban 2.0 have the same approach against other ethnicities. In terms of ethnic and religious tolerance, Taliban are the same as before. They apply discriminatory policies against other ethnic groups and there is no place for other ethnicities in Taliban government. They have some unknown, incompetent, and figurehead ministers from Uzbek and Tajiks, but they are also Talib and do not represent the people.

Taliban fired bureaucrats and employees of the government who were from other ethnicities. Even in educational institutions, they have appointed from their own ethnicity. Almost all governors of 34 provinces are Pashtun Talibs and mostly Kandahari, even in the non-Pashtun provinces of north and west, the governors are Pashtun Talibs. In addition, authentic reports from Kabul to Badakhshan show that they apply backbreaking taxes on businesses and even those poor people who sell goods on the streets have to leave their business and jobs in order to replace them with local Taliban foes. They apply discriminatory economic and tax policies on entrepreneurs against other ethnicities, make them leave their investment and extend poverty among other ethnics. Taliban have discrimination against Shias as well and announced Shia fiqh void and put restrictions on their religious rites and practices.

In order to indoctrinate young generation with their extreme ideology, Taliban have established hundreds of madrassas, and they teach the same curriculum that has been used in Deobandi madrassas in Pakistan. In their madrassas Taliban teach extremist Islamic Jihadi thought, which is inconsistent and unfriendly with the 21st century order. The U.S. and its western allies may think that what happens in Afghanistan has no effect on them, but they do not think that these extremists will make many challenges for the world one day. Benon Sevan asserted that he asked the Americans to not fund extremists like Hikmatyar, leader of Hizb-i-Islami of Afghanistan during Jihad, but the U.S ambassador to Islamabad replied to him that Hikmatyar kills more Soviets. He said: I told him if they kill the Soviets today, they will kill you tomorrow. He says: Osama Bin Laden was an ally of the U.S. during the Afghan jihad, but he made 9/11.[1] Taliban have kept their relations with other cross border extremist groups from Central Asia, Pakistan, and Arabs. They will not break their ties with other radical groups.

Bonn Agreement and the 2004 Constitution

After 9/11, the Bonn conference was one of the significant opportunities for Afghans to architect the future of their country and end long lasting conflicts, but they made some mistakes, which furthered problems, leading to the failure of state-building and democracy. The Bonn Accords had not dealt with peace, which is one of the significant prerequisites for democratization[xviii], instead they provided for political settlement that provided only for democratic development and institutions building. It did not include all parties of the conflict and the Taliban, as the main party of the conflict who lost their government, was absent in the Bonn Conference. It would have been better to have the Taliban, at least some moderate members of them, to join the negotiations in Bonn. Another problem of the Bonn Agreement is that it had not solved the problem of ethnic division.[xix]

Even the 2004 Constitution missed the opportunity to provide working political institutions in a divided society by ensuring national unity and decreasing ethnic fragmentation. The new constitution in 2004 was a continuation of King Zahir's 1964 constitution, with the difference that in the former constitution there was a king, but in the latter there is a president. Despite strong disagreement of non-Pashtun representatives, Karzai and Pashtun representatives, with the support of the United States and UN officials, could bring a strong centralized presidential system, which is harmful in divided and fragmented societies.[xx] The UN and the U.S. ignored the context of Afghanistan, although understanding the local context in its historical, cultural, political, and sociological dimensions is important for state building in post-conflict countries.[xxi]

[1] Benon Sevan, the UN Secretary General's especial representative for Afghanistan peace in 1990s, interview with DW Dari, available at: https://www.youtube.com/watch?v=QgSl5yhKU54

Historically, the main cause of failure of state-building in Afghanistan was inappropriate political regimes alongside socio-cultural, ethno-linguistic and religious sectarianism in Afghanistan. Political regimes with highly centralized power and their discriminatory and oppressive policies and cruel deeds towards non-Pashtun ethnics was a great hindrance to state-building in Afghanistan.[xxii]

Decentralization

I have shed light on Taliban, their leadership, ideology, ethnic and gender policies, and their interpretation of Islam. Based on the above explanation, it is evident that the leadership of Taliban do not want to run the country based on democracy, human rights and participation of all ethnic groups in power. It is evident that supporting a peace deal among Afghani factions, power-sharing and promoting democratic values looks necessary. Elections, forming a broad-based gender-sensitive government, and the adoption of a constitution are the only ways to moderate Taliban, bring peace and justice in the country, and end the conflicts. These goals cannot be achieved without the strong support of te international community, especially the U.S. and the UN.

It is evident that state-building in pluralistic societies, which have experienced chronic cleavage, is extremely problematic.[xxiii] Democracy does not guarantee solving the problem of division decisively, but at least it can minimize and manage it through accurate institution building. Power sharing in national and subnational levels and electoral system engineering are among the most crucial political institutions that we need to consider in divided societies. Based on a broad literature survey and experiences of divided societies, and my understanding from the complexity of the Afghan society, I propose power sharing in both central and peripheral levels alongside other political institutional reform in Afghanistan. Power sharing in the national arena can be ensured through a semi-presidential system, and at the local level through the decentralization of power. In this article, I focus more specifically on decentralization and its role on solving the dilemma of power in Afghanistan and ending conflict. Power sharing is the most civilized method of solving the problem in divided societies.[xxiv]

Ted Robert Gurr in his famous book ‘Minorities at Risk: A global View of Ethnopolitical Conflicts’ explains how different tools solve the dilemma of ethnopolitical conflicts, concluding that settling ethnopolitical conflicts can be achieved through a “combination of the policies and institutions of autonomy and power sharing.[xxv] Lijphart (2004) argues that two key points are important in successful democratization of divided societies: (i) power sharing: great participation of all segments of the society in decision making, especially at executive level; (ii) and group autonomy, especially in the areas of culture and education.[xxvi]

Decentralization as a way of power-sharing at the sub-national level is an institutional arrangement that can manage the problem of multi-ethnic societies. In a decentralized system of government ethnic groups can have some kind of self-governance in their territories, and the right of participation in central institutions of central government. Centralized system of government does not work in divided societies. Today, there are a few politically centralized countries around the world[xxvii] and centralized governments have failed in many parts of the globe and widely lost their legitimacy.[xxviii] In deeply divided societies, centralization increases ethnic conflicts, insecurity, and even tendencies to secession, while, decentralization is the essential instrument for managing and decreasing conflict in deeply divided societies.[xxix] Federalism and decentralization act as a useful tool of decreasing ethnic conflict and secessionism through giving cultural autonomy and self-governance to the regions.[xxx] Decentralization in highly centralized Bolivia was considered as a key remedy for the problem of diversity and weak national identity and as a key response to prevent secession.[xxxi] The success of decentralization depends on its institutional design under the right conditions.[xxxii]

I propose decentralization under a unitary state without adding the name of federalism on it because of some reasons. First, decentralization does not always happen in a federal system. It happens in a unitary system too. A federation can be hugely centralized and a unitary can be decentralized. The architecture of a unitary country does not prevent it from taking a decentralized form of the government and decentralization is very common among unitary states without changing their identity from a formally unitary to a formally federal state.[xxxiii] The difference between decentralization in a federal system and a unitary system is that the subnational governments are more powerful in a federal state in comparison to the subnational government in a unitary state.[xxxiv]

There are many examples of decentralization under unitary states. Even countries like the UK and France, as the prototypes of unitary states, have a sufficient level of devolution of power to the peripheries.[xxxv] Under unitary systems, decentralization's goals are achievable. For example, in a unitary system through accurate institutional architecture such as constitutional recognition and protection of minorities identities and rights, guaranteeing representation rights for minorities and fair distribution of the resources and jobs throughout the country, it is easy to achieve decentralization goals. [xxxvi]

Colombia as a unitary state is a successful example of decentralization and decentralization in Colombia had successful policy outcomes in the area of education, literacy, health and public services, but it had weakness in bringing peace.[xxxvii] Bolivia is another example, but extreme example, of decentralization in a unitary state in the world. [xxxviii] and decentralization in Bolivia resulted in big and unprecedented achievements.[xxxix] Or, Scandinavian unitary regimes have given their sub-levels great levels of powers including taxation and sub-national levels exercise many responsibilities.[xl]

Second, I do not use the term of federalism for decentralization in Afghanistan because of the sensitivity of the term federalism, especially among Pashtuns. Sometimes the fear of secession in federal states is exaggerated and used as a propaganda tool against federalism by extremist groups who do not want federalism and they assert that federalism is a first step towards secession and they try to avert it through creating mistrust among the people.[xli] Even if the fear of secession is objective, it can be avoided through some constitutional mechanisms. For example, the central government should have final authority over the powers of the regions as central government practiced this power in Sri Lanka and Spain without missing cooperation with territories. Another way to avoid secession: territorial autonomy should be provided for all territories not only for separatist territories. Sri Lanka has offered development councils for all regions and Spain has given regional government for all parts of the country.[xlii] In addition, countries also can raise cost the of secession by providing opportunities for separatist groups outside of their own territories. Pakistan provided opportunities in the army, border agencies, and militia for Pathans and Pashtuns in order to mitigate secession sentiments.[xliii]

Brancati (2006) in his studies of a statistical analysis of thirty democracies from 1985 to 2000 concluded that 'decentralization is ... in fact is a useful mechanism in reducing both ethnic conflict and secessionism. According to statistical analysis, decentralized systems of government are less likely to experience intercommunal conflict and anti-regime rebellion than centralized systems of government'.[xliv] In a country like Afghanistan, it is amazing that the tendency towards secession has always been absent. Even during the 1990s, despite existence of sharp ethnic and sectarian division and a long history of ethnocratic oppressive regimes in Afghanistan, none of the Afghan ethnic groups struggled for secession. The U.N. mission Mahmud Mestiri traveled to different parties of Afghanistan and several countries in the region and beyond to receive opinions and proposal of Afghans about peace and ending conflict in Afghanistan. He received more than 300 hundred proposal in his fact finding tour form different Afghan factions and groups, but none of them suggested secession as a solution for ending conflict and solving the dilemma of power in Afghanistan.[xlv] In addition, very recently I have met leaders of key Afghan parties like Hizb-i-Wahdat, Junbish Milli, Jamiat-i-Islami, Hizb-i-Islami and other factions in Ankara and Istanbul and I have raised the question of secession to hear their opinion and views. They all had consensus that secession is not the solution for Afghanistan and none of them stand for secession.

I suggest decentralization because it is instrumental to decrease ethnic fragmentation and involves all ethnicities to the power. In plural societies like Afghanistan, decentralization enables ethnic groups who have control over their regions to defend themselves against discriminatory policies of the center and they can exemplify collaboration and compromise among minorities in their regions.[xlvi] Decentralization blocks a hostile and repressive dominant central government from imposing conflict and violence on minority groups. Even in situation where there is conflict among regions, the central government can play a mediating and preventing role in avoiding proliferation of conflict and ethnic strife in the regions.[xlvii] In addition, decentralization through distribution of the power to many tiers gives an opportunity to different groups to be involved in the politics. In decentralization "the winner takes all" game is not implemented. If a group loses in national race, it cannot be sidelined or secluded from the politics, it has an opportunity to mobilize itself for a regional race and have a share in power.[xlviii]

Conclusion

Afghans have suffered long-standing ethnic oppression and exclusion of ethnicities from power by rulers since 1880, leading to longstanding ethnic fragmentation and internal conflicts. Currently, the Taliban also monopolized power, and avoided forming an inclusive and gender-sensitive government. They sidelined other ethnic groups and apply ethnic cleansing in Afghanistan. They apply extreme policies and interpretation of Islam and Pashtunwali and seclude women from the society. They educate a new generation of Islamic jihadists who are a great threat to the world. In order to control the extreme policies of Taliban and moderate them, and end to ethnic fragmentation and conflict, power-sharing is seen as instrumental.

Power-sharing in both national and sub-national level through decentralization. It is evident that decentralization cannot necessarily eliminate conflicts in divided societies due to the existence of competing groups, instead it can provide architecture in which diversity is expressed and satisfy diverse ethnic groups, which share a common territory for a long time.[xlix] In addition, under a decentralized system of government, each province will have its cultural autonomy and people of sub-national territories can choose to have either modern or traditional way of life and Taliban or other groups cannot impose their own ideology and methods of life to other ethnic groups.

International Community, especially superpowers like the U.S. the EU and other major regional powers can play blatant role in supporting peace deal and bringing Taliban to the table of negotiation and designing a democratic and election-based government for Afghanistan. Through a democratic constitution, power-sharing and election Taliban can be changed to moderate group. If the world does not pay attention to Taliban, they continue their discriminatory oppressive policies against women and other ethnic groups and they spread their extreme ideology in the region and threat peace and security of the world.

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[xlix] Gagnon, A. (1993). The Political uses of federalism. In M. Burgess & A. Gagnon (Eds.), *Comparative federalism and federation: Competing traditions and future directions* (pp. 15–39). University of Toronto Press., p. 24