The dynamics of regime transition in Afghanistan

WILLIAM MALEY

Afghanistan is in the midst of a remarkable process of political transition. This transition is one of unusual complexity when compared to most of the cases which make up what Samuel Huntington has called the ‘Third Wave’ of democratization. As a result of the traumas of the last two decades, Afghanistan faces simultaneous crises of institutional decomposition and elite fragmentation—crises of state collapse—each of which inhibits the easy resolution of the other. Crises can supply opportunities as well as anguish. ‘What infant democracy requires’, wrote Dankwart A. Rustow in 1970, ‘is not lukewarm struggle but a hot family feud’. With large sections of the Afghan capital reduced to mounds of rubble, it would take a brave commentator to paint Afghanistan either as an infant democracy or as on a path of democratization. However, by examining the specific character of Afghanistan’s crises, it is possible to develop a better sense of the trajectory of Afghan political development.

In this article, I argue that one of Afghanistan’s greatest difficulties is to execute the complementary tasks of institutionalizing politics and uniting the national elite. It is the latter challenge which hitherto has dominated the stormy politics of post-Communist Afghanistan, but the former poses just as great a long-term problem. Without progress towards the development of legitimate national institutions, changes in the composition of the Afghan government—whether as a result of bargaining between Afghan parties or orchestration by the United Nations—will leave Afghanistan in at best a fragile political equilibrium and exposed to the ruthless ambitions of ruthless neighbours. The article is divided into five sections. The first outlines the specific form of Afghanistan’s institutional and elite crises, and how they arose. The second offers some theoretical perspectives on how such crises can be addressed. The third discusses some of the problems of addressing elite fragmentation in the Afghan context, and the fourth examines issues of institutional design. The conclusion briefly suggests why there are grounds for pessimism about Afghanistan’s prospects.

The roots of crisis

It is many years since Afghanistan has had a fully legitimate national government. In putting forward this claim I am not making a moral judgement, but...
rather an assessment of the bases upon which Afghan governments have depended for their survival. A legitimate government is one which enjoys a high level of generalised normative support. This entails more than mere compliance, which can be procured by coercive threats or delivered in exchange for some good, but which because of its conditional character does not provide the robust foundation for regime survival which legitimacy supplies, and can be quite expensive to extract. A legitimate government need not enjoy the active endorsement of all groups in society, but it must enjoy at least some active backing, and provoke no more than passive dissatisfaction on the part of the remainder of the mass population. It is worth noting that even before the advent of Communist rule the reservoirs of governmental legitimacy in Afghanistan were not deep. While the Mohammadzai king Zahir Shah—who ruled from November 1933 until his ill-fated cousin Mohammad Daoud overthrew him in July 1973—could claim a certain degree of traditional legitimacy, he was careful not to put it to the test through challenges to the core interests of Afghanistan’s micro-societies. The widespread opposition, following the April 1978 coup, to the Marxist regimes of Nur Mohammad Taraki and Hafizullah Amin (1978–1979) which contributed in large part to the Soviet decision to invade Afghanistan in December 1979; the dependence of the Karmal regime (1979–1986) on Soviet military backing for its survival in the face of Mujahideen resistance; and the predictable collapse of Najibullah’s regime (1986–1992) within weeks of its loss of Soviet financial backing, all highlight the dependence of Afghanistan’s Communist regimes on non-legitimate forms of domination. Since the collapse of Communist rule, there has been no single authority whose writ holds sway throughout the country.

It is also many years since Afghanistan has had a unified national elite. National elites consist of competitors for control of the central government, and should be distinguished from local elites which have no aspiration to exercise nationwide power. The perils of disunified elites have recently been graphically painted by Burton et al., and their analysis is worth quoting at some length, since Afghanistan appears to supply a paradigmatic case of the phenomenon to which they seek to draw attention:

Communication and influence networks do not cross factional lines in any large way, and factions disagree on the rules of political conduct and the worth of existing political institutions. Accordingly, they distrust one another deeply; they perceive political outcomes in ‘politics as war’ or zero-sum terms; and they engage in unrestricted, often violent struggles for dominance. These features make regimes in countries with disunified elites fundamentally unstable, no matter whether they are authoritarian or formally democratic. Lacking the communication and influence networks that might give them a satisfactory amount of access to government decision making and disagreeing on the rules of the game and the worth of existing institutions, most factions in a disunified elite see the existing regime as the vehicle by which a dominant faction promotes its interests. To protect and promote their own interests, therefore, they must destroy or cripple the regime and elites who operate it. Irregular and forcible power seizures, attempted seizures, or a widespread expectation that such seizures may occur are thus a by-product of elite disunity.
Given the high level of sociocultural differentiation in Afghanistan, elite disunity was a likely consequence of even the mild modernization experienced in the 1950s and 1960s, and the opening of the political system from 1964 under the rubric of ‘New Democracy’ exacerbated rather than mitigated the problem. The roots of elite disunity were multifarious—reflecting social structure, the appearance of opportunities to mobilize the population of Kabul for different political purposes, and the crystallization of different ideological positions in a time of intellectual ferment—but the consequences were straightforward and catastrophic. The coup of April 1978 was fundamentally the product of the emergence of severe division within the national elite, and elite disunity has poisoned Afghan politics to this very day.

If Afghanistan were enmeshed only in a governmental crisis of legitimacy and elite fragmentation, it would not differ markedly from a number of other Third World countries which have accomplished the transition to a more democratic order. However, Afghanistan additionally faces a complex institutional crisis resulting from both the disguised but profound decay of the state in the aftermath of the 1978 coup, and from the effects of war on Afghan society. The power of some traditionally legitimate institutions has been undermined; new institutions vary greatly in the degrees to which they can command normative support. The consequence has been a destructuring of the political process at numerous levels. Institutions provide the context of political struggle, and institutional stability is almost always a prerequisite for stable politics. The state—viewed as ‘a complex set of institutional arrangements for rule’ which ‘reserves to itself the business of rule over a territorially bounded society’—is perhaps the most important political institution in all modern polities, and one the disintegration of which in Afghanistan has important implications for the prospects for political order. As an autonomously effective institution the Afghan state largely collapsed in the aftermath of the Soviet invasion. It lacked both secure revenue sources and cohesive bureaucratic agencies. The extent of this collapse was disguised by Soviet subventions, but once these ceased to arrive, the crisis of the state came to a head: the state simply did not have the key capacities of a state noted by Joel S. Migdal, namely ‘to penetrate society, regulate social relationships, extract resources, and appropriate or use resources in determined ways’.

Unlike many revolutionaries, the Afghan Mujahideen acquired a wretched heritage, and any Afghan government will be forced to live with this legacy for years to come. However, Afghanistan’s institutional crisis runs somewhat deeper than a mere crisis of state cohesion. The wages of war created new social roles which intruded on the authority of existing traditional power holders: the role of Mujahideen commander (qamandan) was the most important example. More importantly, war created new institutional forms, augmenting and in some spheres replacing traditional leaderships.

First, political parties (tanzimat) played a prominent role within the Afghan resistance. While bearing little resemblance organizationally to parties of the kind found in Western countries, they differed widely from each other in both ideology and operation. A number, including the Hezb-i Islami of Gulbuddin
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Hekmatyar, the Ittehad-i Islami of Abdul Rabb al-Rasul Sayyaf, and (initially) the Iranian-backed Hezb-i Wahdat to a considerable degree mirrored the agendas of foreign patrons, whose support ensured that they would not simply fade away.17

Second, as Gilles Dorronsoro has noted, the political landscape was changed by the appearance of ‘embryonic regional states in Herat and in the zone controlled by [Ahmad Shah] Massoud in the northeast’,18 with the latter predating even the collapse of the Communist regime. Massoud, perhaps the best-known Mujahideen commander, built an organization which left traditional structures in place at the primary, village level, but injected a new form of military organization at a higher level which constituted a power base from which to engage in national political activity.19

Third, insofar as the uncompromising, anti-modernist, fundamentalist Taliban—an overwhelmingly Sunni, Pushtun force which seized the cities of Kandahar in 1994, Herat in 1995, and finally Jalalabad and Kabul in 1996, comprising not only Islamic students, but also ‘communists ... who have abandoned their old ideas’, as well as ‘supporters from the era of Zahir Shah’20—are ‘partially institutionalized, value oriented and anti-systemic in their form and symbolism’,21 they ostensibly resemble a social movement in the sociological sense of the term, which again is a novel development in Afghan politics. This could lead one to doubt their durability as a political force, and Sidney Tarrow’s recent comments on the dynamics of social movements are pertinent: ‘Internally, a good part of the power of movements comes from the fact that they activate people over whom they have no control. This power is a virtue because it allows movements to mount collective actions without possessing the resources that would be necessary to internalize a support base. But the autonomy of their supporters also disperses the movement’s power, encourages factionalism and leaves it open to defection, competition and repression’.22 If the Taliban remain a united force, it will not be simply because they reflect the aspiration for order on the part of non-elite Pushtuns who were long the victims of repression by Pushtun qamandanan, but because they are organizationally a creation of the Pakistani military, whose involvement in the Taliban push to seize the Afghan capital was clearly established by the capture by the Taliban’s opponents of numerous Pakistani prisoners;23 and because they enjoy a degree of support from some US circles by virtue of their perceived hostility to Washington’s regional opponent—Iran.24

For three reasons, the emergence of these new institutional forms has not in itself solved Afghanistan’s institutional crisis. First, they have not succeeded in stabilizing relations between each other: they do not constitute a system of institutions which could provide a stable framework for the practice of politics. Second, they have not yet established that they are functional. It is not sufficient for stable politics that a country be endowed with institutions. What is essential is that its institutions be able to assist the resolution of a society’s problems by either facilitating or constraining the actions of other political actors, including external forces with a disposition to meddle in the country’s affairs. Especially
when a country’s geopolitical position is as unfavourable as that of contemporary Afghanistan—sandwiched between regional powers with very different interests—its problems of institutional functionality are likely to be acute and intractable. Third, normative support for some of the new institutions has eroded considerably in recent times: the *tanzimat* come immediately to mind, but the *Taliban* may also be vulnerable in this respect, as their heavy reliance on coercion to maintain control in the persophone cities of Herat and Kabul makes clear. That said, it is still possible that Afghanistan’s governmental and institutional crises will be resolved. In the following remarks I examine some theoretical perspectives on how this might happen.

**Theoretical perspectives on political reconstruction**

Political theory offers no easy solutions to the problem of governmental illegitimacy. While ‘state’ and ‘government’ are conceptually distinct, the issue of governmental legitimacy is tied to the legitimacy of the state, since a government comprises those who exercise custody over the state’s nominal instrumentalities. Where the state is illegitimate, the government is likely to be so as well. Thus, the emergence of a legitimate government is intimately linked to the resolution of crises of institutional identity and authority, a matter to which I will return shortly. However, even where the state is legitimate, the government need not be, and it may be necessary for the government to employ diverse strategies of legitimation if it is not to be overthrown. Weber highlighted traditional, charismatic, and legal-rational bases for legitimate domination, and other scholars have pointed to the potential importance of teleological, paternalistic, and nationalistic factors. What strategies will work depends very much on the distinct attributes of the society in which they are deployed.

The problem of elite fragmentation can be resolved in a number of different ways. Higley and Burton have outlined two possible forms of elite transformation. The first is elite convergence, which comes about in two steps. ‘In step one’, they argue, ‘some of the warring factions enter into sustained, peaceful collaboration in electoral politics in order to mobilize a reliable electoral majority, win elections repeatedly, and thereby protect their interests by dominating government executive power. In step two, the major hostile factions opposing this coalition eventually tire of losing elections and, seeing no other way to gain government power (for example, through a coup), gradually abandon their distinct ideological and policy stances and adopt essentially those of the winning coalition’. The second is elite settlement. Elite settlements are ‘relatively rare events in which warring national elite factions suddenly and deliberately reorganize their relations by negotiating compromises on their most basic disagreements’. They tend to occur in response to two developments: ‘recent elite experience of costly, but also essentially inconclusive conflict’, and ‘the occurrence of a major crisis which provokes elite action’. They differ from the intergroup pacts which have been widely discussed in democratic transition
literature in that they are more inclusive. To these two forms of elite transformation I would add a third, namely elite restructuring, in which the employment of force produces a beneficial change in the composition of the national elite, either through the elimination of parties or a fundamental change in the nature of their power. On occasion elites may contain forces which through a craving for power simply refuse to cooperate with others. The elimination or reconstitution of such recalcitrant forces from a national elite can either leave a single unified elite in place, or pave the way for an elite settlement between the forces which remain on the scene once the initial task of elite restructuring is accomplished. While the short-term costs of elite restructuring can be very high, sometimes a national elite is simply too deeply divided for any other path to a unified elite to be taken.

At this point, it is worth noting also that elite transformations can be facilitated by external developments and agents. Diplomacy may help overcome the cognitive barriers to an elite settlement by providing a neutral venue in which parties can meet or a neutral channel through which they can communicate. Such diplomatic interventions must, however, be executed with the greatest of care, for the mere appearance on the scene of a 'peacemaker' can affect the bargaining tactics of the parties, and on occasion induce them to adopt more intransigent positions. Even the peacemaker's selection of parties with whom to deal may be an explosive issue. Military intervention or assistance may aid the process of elite restructuring, but unless it is massive, it will do so only if, to quote Richard Betts, 'the intervenor takes sides, tips the local balance of power, and helps one of the rivals to win—that is, if it is not impartial'.

It is also possible to resolve crises of institutional disintegration. One way of doing this is through the design and installation of new institutions, usually as a result of bargaining between important power holders. Most exercises in constitution-making fall into this category. Nevertheless, institutions designed in this way need not necessarily take root. They may lack the features of revisability, robustness, sensitivity to motivational complexity, and variability which Goodin has persuasively argued are desirable if institutions are to prove effective. Furthermore, Harry Eckstein has argued that 'a government will tend to be stable if its authority pattern is congruent with the other authority patterns of the society of which it is a part', and this proposition can easily be extended to cover political institutions. However, the character of institutions is not exclusively determined by culture: institutions are shaped by attitudes, but attitudes can change in the light of an institution's performance. Potentially as important a determinant of whether institutions will flourish or wither is the availability of resources to fuel their operation. Institutions which are under-resourced may well take on a predatory character, as those managing them seek to maximize their personal gains in anticipation of the institution's demise. A high level of institutionalization, defined by one scholar as 'the process by which organizations and procedures acquire value and stability', and by another in terms of 'the extent to which institutions are truly “alive”', is above all achieved as different parties accept that it is in their interests to respect an
institution given that others are doing so. Because of the time that this takes, institutional crises are not solved overnight.

The new institutions whose emergence and consolidation solve an institutional crisis need not be exclusively those of the state. As James Rosenau has recently argued, 'it is possible to conceive of governance without government—of regulatory mechanisms in a sphere of activity which function effectively even though they are not endowed with formal authority'. This may seem improbable in the modern world, but as a detailed study has recently highlighted, the world contains many 'quasi-states' which combine a high degree of juridical sovereignty with a low degree of positive sovereignty. In such states, institutions of governance are an indispensable source of order. Governance of its very nature is legitimate, and this is why it may provide a firmer basis for the restoration of social harmony than specifically crafted bodies. On the other hand, stable, legitimate institutions are not necessarily democratic ones. It is easy to forget how historically atypical democratic regimes have been. Thomas Hobbes's famous defence of the state as a source of security reminds one that in some circumstances the bulk of a population may regard freedom and the right to political participation as secondary rather than primary values. People choose from what seem to them to be realistic options, and there is no certainty that liberal democracy will be part of the available menu.

**Stabilizing the Afghan political elite**

Afghanistan's dilemmas of elite fragmentation will not be easy to resolve. Elite convergences occur once the polity is sufficiently stable to allow electoral politics, and are premised on a degree of political development which is simply not present in Afghanistan. Elite settlements, on the other hand, have been the principal objective not only of international mediators but also of the Afghan parties themselves. Afghanistan's experience with attempted elite settlements in recent years has not been promising.

Despite the serious divisions between the parties of the Afghan resistance, numerous attempts were made at different times to stitch them together, most notoriously in the so-called 'Afghan Interim Government' established at the instigation of the Pakistan Inter-Services Intelligence Directorate (ISI) in Rawalpindi in 1989. This amounted to little more than a name on a piece of paper, and proved a positive embarrassment to its Pakistani backers once Hekmatyar withdrew in late 1989 following the murder by a Hezb-i Islami commander of a number of commanders linked to Massoud. With the collapse of the Communist regime, a further attempt at an elite settlement became a matter of urgency. The result was the Peshawar Accord of 24 April 1992, which established two executive organs with ill-defined spheres of responsibility, an Interim Islamic Council and a Leadership Council, headed respectively by Professor Sebghatullah Mojadiddi, leader of the Jabha-i Milli Nijat and Professor Burhanuddin Rabbani, leader of the Jamiat-i Islami, who served in turn as the first two presidents of post-Communist Afghanistan. These again existed
mainly on paper, and in no sense mapped the power realities in the country, in which survivors from the wreckage of the Communist regime had sought to ally themselves with various Mujahideen groups and other forces had emerged, notably the former militia leader Abdul Rashid Dostam in north-eastern Afghanistan whose defection to Massoud had been a trigger of Najibullah's fall.\textsuperscript{44} The more serious flaw of the Peshawar Accord, however, was that it was premised on a degree of goodwill which simply was not present, something which became clear when Hekmatyar's forces, protesting the presence of Dostam's forces in Kabul, began to rocket the capital. In April 1992, Hekmatyar's spokesman candidly remarked that 'Hekmatyar can't agree to anything that includes Ahmad Shah Masoud'.\textsuperscript{45} This simple reality lay at the heart of Kabul's suffering in the years which followed.

As an elite settlement, the Peshawar Accord had clearly failed, and on 7 March 1993, a new agreement was signed in the Pakistan capital between the warring Afghan groups, variously designated the 'Islamabad' or 'Mecca' Accord.\textsuperscript{46} This agreement was every bit as defective as its predecessor.\textsuperscript{47} It ambiguously provided that the Prime Minister should form the Cabinet in consultation with the President, and guaranteed that this would be a point of contention by designating Rabbani as President and Hekmatyar or his representative as Prime Minister. Hekmatyar resolutely refused to move to Kabul, and Hezb-i Islami rocket attacks continued, even after an agreement in Jalalabad removed Massoud as 'Defence Minister' and nominally put the ministry under collegial control, which of course had no effect whatsoever on its operations. The Islamabad Accord was dead even before Hekmatyar publicly tore it up by mounting a coup attempt, in the name of a Coordination Council (\textit{Shura-i Hamahangi}) uniting him with Dostam and Mojadiddi, on 1 January 1994. A distinct air of surrealism thereafter surrounded both the occasional calls of Saudi and Pakistani politicians for the Afghan parties to adhere to the Accord, and UN suggestions that Rabbani should resign because his term of office, as defined by the Islamabad Accord, had expired.

On 13–14 February 1995, as Taliban forces drew near to Kabul, Hekmatyar and his staff fled from Charasiab to Sorabi. This was depicted by the Hezb-i Islami spokesman as a tactical manoeuvre to expose Kabul to attack by Taliban forces, but the disordered state of his abandoned headquarters suggested otherwise, as did the disappearance from the airwaves for some weeks of the party's radio station.\textsuperscript{48} Given that the Hezb-i Islami's strength came from its ability to threaten Kabul rather than from a strong mass support base, its expulsion from the vicinity of the capital involved a major erosion of its power, and amounted to a significant elite restructuring. A further shift in the correlation of forces came on 13 March 1995 with the suspicious deaths in Taliban custody of Abdul Ali Mazari, leader of a pro-Iranian faction of the Hezb-i Wahdat, along with nine members of his party's central committee. The Taliban were also driven south, creating both a respite from military struggle in the capital, and a window of opportunity for meaningful negotiations; but the Taliban, under no significant pressure from the international community, returned within a matter of months,
took up Hekmatyar's policy of rocketing Kabul, and succeeded in capturing the eastern city of Herat, hitherto an oasis of stability. It was in these circumstances of stalemate that in May 1996 an agreement was reached between Rabbani and Hekmatyar at Mahipar, providing once again for Hekmatyar to become Prime Minister, an office he duly assumed on 26 June. The attractiveness of the agreement for Hekmatyar was that it rescued him from the political oblivion to which he had been consigned by his loss of heavy weapons. The attractiveness of the agreement for Rabbani was that it brought a prominent Pashtun into a government in which Pashtuns were not otherwise strongly represented, embarrassed the Taliban's Pakistani backers in the short-run, and somewhat improved road access to Kabul for vehicles bringing food supplies. The attractiveness of the agreement for ordinary Afghans could best be described as somewhat elusive, given that Rabbani had once described Hekmatyar as 'a dangerous terrorist who should be expelled from Afghanistan', and that much of Kabul had been reduced to rubble in order to prevent him from gaining power.

The dangers which it held for Rabbani became clear within four months. Not only did the return of Hekmatyar tarnish the legitimacy of the Rabbani government within Kabul but, more importantly, it broke the impasse in Pakistani policy, which had to a degree been paralyzed by conflict over whether it was better to support Hekmatyar or the Taliban. The all-out support which the Taliban thereafter received proved the crucial factor in explaining their ability to overwhelm Kabul in September 1996, an endeavour in which they had previously proved unsuccessful. This did not, however, mark the comprehensive elite restructuring for which the Taliban's backers doubtless hoped. First, the success of Rabbani's commander Massoud in extracting the bulk of his forces from Kabul before the Taliban entered the city meant that the Rabbani government, although deprived of the symbolic advantage of occupying the capital, was not obliterated, which allowed it in turn to retain other symbolic indicia of statehood, such as Afghanistan's seat at the United Nations. Second, the Taliban's brutal treatment of Kabul residents, and women in particular, was carried out under the eyes of many foreign witnesses, whose testimony created such a backlash that no foreign government was prepared to accord the Taliban diplomatic recognition. Third, the execution of former President Najibullah, whose battered corpse was put on display in central Kabul within hours of the Taliban's arrival, killed off the prospect of any immediate elite settlement between the Taliban and former Communist militia leader Abdul Rashid Dostam, who remained in secure control of the city of Mazar-i-Sharif, and within a short time struck an agreement with Rabbani to oppose the Taliban's claims.

The United Nations, it should be noted, has for years been involved in attempts to facilitate elite settlements in Afghanistan, but with no success. The UN Secretary-General's 1991 plan for a political settlement in Afghanistan, incorporating a proposal for the transfer of power to a 'credible and impartial transition mechanism', failed in part because the cessation of Soviet aid to Kabul
produced a sudden shift in the correlation of forces and reduced the incentive for the more powerful Mujahideen groups to compromise with Najibullah’s regime. Had the UN responded somewhat more ruthlessly to Najibullah’s loss of elite status, it would not, to quote Barnett Rubin, have found itself “in the awkward situation of granting asylum in his own country to a deposed head of state accused of serious human rights violations.” Managing relations with morally unattractive parties is an enduring problem of peacemaking diplomacy. While the negotiator seeking to facilitate an elite settlement may need to win a degree of confidence from such parties if progress is to be made, the negotiator who becomes committed to the survival of a party has gone too far: for good reasons, Count Folke Bernadotte dealt with Himmler in the last days of World War Two, but he rightly did not accord the SS Chief asylum in the Swedish consulate from which he operated.

At the same time, it is vital that a peacemaker does not adopt too grand a view of what he can reasonably achieve. In December 1993, the UN General Assembly requested the Secretary-General to despatch a special mission to Afghanistan. That mission, led by Ambassador Mahmoud Mestiri, issued a thoughtful progress report on 1 July 1994, and subsequently continued its mediation efforts. Unfortunately, the UN then moved too far, too fast. In November 1994, the President of the UN Security Council issued a statement welcoming “the acceptance by the warring parties and other Afghan representatives of a step-by-step process of national reconciliation through the establishment of a fully representative and broad-based Authoritative Council which would: (i) negotiate and oversee a cease-fire, (ii) establish a national security force to collect and safeguard heavy weapons and provide for security throughout the country, and (iii) form a transitional government to lay the groundwork for a democratically chosen government, possibly utilizing traditional decision-making structures such as a “Grand Assembly”.” This plan gave rise to many unanswered questions, and was rapidly overtaken by the ejection of the Hezb-i Islami and Taliban forces from the Kabul area in March 1995. This created a small window of opportunity for a settlement formalizing the control by different forces of the territories which they then occupied; but rather than exploiting it, Mestiri responded to the failure of the new UN plan with a number of ill-considered attacks on the Rabbani government, and finally resigned his position in May 1996, to be succeeded by Dr Norbert Holl of the German Foreign Ministry. By the time Holl took up his position, the window of opportunity for a settlement had closed. These developments illustrate a very important point: that political developments may create a need for more forceful steps than mediation if escalated conflict is to be avoided, or change the kind of mediation that is required. The UN Special Mission, and the UN more generally, proved capable neither of engaging the Taliban in a meaningful negotiating process, nor of recognizing that Pakistan’s heavy involvement in supporting the Taliban was likely to prove gravely destabilizing of regional power balances, and therefore required a display of determination to bring it under control.
Restructuring the Afghan state

The plotting of a route by which to escape from Afghanistan’s institutional crisis is a somewhat neglected area of discussion. There is a real danger that new institutions set up in Afghanistan will simply mask a deeper structure of repressive power which in turn fuels social antagonisms and prompts renewed disorder. Should the Taliban prevail, a monocratic, even totalitarian, regime is almost certain to result, headed by the Taliban’s founder, Mullah Mohammad Omar, whom his followers now describe as ‘His Eminence Amir al-Momineen’, a title which leaves no room for separation of powers and personal freedom. Even if other forces ultimately prevail, repression may lurk just below a seemingly polyarchical surface; there is some evidence that this has happened in Cambodia, a country with a tortured history in some ways similar to that of Afghanistan. However, it is by now widely appreciated that different institutional structures have different effects on the interests and behaviour of political actors, and can significantly affect the durability of an elite settlement, which almost always involves some determination either about the institutions which should provide the venue for politics in the future, or about the way in which such institutions should be chosen. Afghanistan is now richly supplied with institutions of governance, and it would be a mistake not to use these as the building blocks of a future political order. The most obvious are jirgahs and shuras associated with particular tribal or territorial communities, which in many cases are legitimate agents of local administration, and could provide the basis for future federal government. However, such institutions can be exploited only if they are integrated into a higher level of political institutions, and it is at the higher level that serious decisions must be made as to which institutional forms to adopt. At the national level, and looking beyond present options to the longer run, the principal options are monarchical, presidential, and parliamentary systems.

Monarchy was Afghanistan’s system of rule for centuries, and its appeal is that a restoration of monarchy might be able to tap residual elements of traditional legitimacy. Absolute until comparatively recently, it took a quasi-constitutional form during the era of ‘New Democracy’ from 1964 to 1973, which included relatively free parliamentary elections in 1965 and 1969. Those who recall this last period as an age of stability and progress might welcome the return to the throne of Zahir Shah. However, since Zahir Shah is now more than 80 years old, a restored monarchical system could be expected to face an arduous test within a relatively short space of time, of the kind which is looming in Cambodia—namely a succession crisis. Furthermore, while the return of monarchy has played a central role in a number of transitions from autocracy, in the long run there are grave dangers associated with systems which depend upon the emergence of ‘Great Leaders’. Those which allow ordinary people to rule well have more to commend them. In this context, it is notable that Zahir Shah, who has opponents as well as supporters, has not himself directly endorsed the return of a monarchical system, but instead has argued for an Emergency...
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Loya Jirgah (Grand Assembly) to ‘elect a Head of State and ratify a provisional government proposed by this Head of State to govern Afghanistan until United Nations supervised elections can be held to choose a new Afghan Government’. Whether one sees this as a statesmanlike or as a self-serving proposal depends very much on one’s broader view of the former monarch and his long reign, but it is certainly a question about which Afghans could be expected to hold a range of opinions. The proposal also embodies what many would see as a highly optimistic assumption, namely that elections on their own can do much to solve problems of elite division, institutional decomposition, and a devastated civic culture. While some Taliban supporters appear to have believed that the Taliban would simply pave the way for Zahir Shah’s return, this seems decreasingly likely, and so does the restoration of a monarchical system of any kind.

Presidential systems come in many different forms, but by definition feature a Head of State who does not depend upon the approval of an elected legislature to remain in office, and who heads the executive government. Where the President must work with a powerful government and cannot ensure that it is of his own political complexion, the system is best labelled ‘semi-presidential’ or ‘premier-presidential’: France is the most obvious example. Among the Afghan tanzimat, it is all but taken for granted that Afghanistan must have a president, but with the benefit of a comparative perspective, there are good reasons to be wary of presidential systems. The Islamabad Accords reflected the incoherence for which ‘premier-presidentialism’ has so often been criticized. ‘Cohabitation’ has proved exacting even in France; to expect a fragile Afghan system to survive a bout of cohabitation is quite unrealistic. Pure presidential systems have just as chequered a history, and apart from the United States of America it is difficult to think of one which has proved stable in the long run. The core difficulty with presidential systems is that at the apex of the political system they allow for only one winner. The losers in a weakly institutionalized presidential system are quite likely to resort to extra-constitutional means in order to secure a slice of power.

In societies marked by deep, politicized social cleavages—for example of an ethnic, linguistic, or religious-sectarian character—allegations that a president is favouring those who have a similar background are almost unavoidable, since ‘ethnic entrepreneurs’ can use such charges to mobilize their own supporters even if the charges are completely without foundation. In such cases, the road from pure presidentialism to autocracy is unfortunately quite short.

Parliamentary systems, in which a government survives on the basis of the confidence of the legislature, perhaps deserve more attention than they have hitherto received as models for Afghanistan to adopt. The Afghan Constitution of 1964, legitimated by a Loya Jirgah, came close to establishing a parliamentary system, but failed because it did not make the executive responsible to the legislature. The strength of a fairly-constituted parliamentary system is that it provides ‘constitutional means for removing deadlocked or inefficient governments’. It allows a much wider range of groups to have some access to some political power. In certain ways, a parliamentary system resembles a Loya
Jirgah, but involves continuous rather than occasional sittings. Yet the strength of parliamentary systems—that they can act as a brake upon personal ambition—is also their weakness at the moment when institutions are being devised, for it is the ambitious who select institutions and they are unlikely to choose ones which limit their opportunities. Parliamentary systems tend to be the product of organic growth rather than of conscious choice. It should also be noted that while the view that the Afghan conflict is ethnic in character is a superficial one, parliamentary systems can be made compatible at least to some extent—for example through the establishment of a bicameral legislature—with consociational devices designed to moderate ethnic antagonisms. The principal elements of consociationalism are government by a grand coalition of the political leaders of all significant segments of society; mutual veto as a protection of vital minority interests; proportionality as the principal standard of political representation, civil service appointments and allocation of public funds; and a high degree of autonomy for each segment to run its own affairs. The emphasis which consociationalism attaches to consensus is more in tune with traditional patterns of governance in Afghanistan than is a Western model of political choice which provides for general elections to select a particular elite to serve as the government. As part of a national parliament, a house in which diverse social interests could exercise a right of veto would go some way towards alleviating suspicions of Kabul.

The reconstitution of the Afghan state requires above all else the development of a monopoly of the means of violence. As Weber argued, the ‘claim of the modern state to monopolize the use of force is as essential to it as its character of compulsory jurisdiction and of continuous operation’. This will not be obtained overnight, and nor will it extend to all armaments, but until the phenomenon of well-equipped armies confronting each other from territorial strongholds is eliminated, the state will be nominal rather than substantive in character. The Taliban approach of occupying territory and disarming (and in some cases, expelling) the other occupants is unlikely to prove effective, because the antagonisms which such an approach creates simply prompts the disarmed to seek new weapons from other sources. Schemes for the purchase by the state of heavy weapons have been mooted, and deserve serious consideration, but it is not clear how they would be funded. There is much to be said for taking a grassroots approach, and integrating the disarmament and demobilization processes with reconstruction of particular localities, so that those who relinquish their arms are supplied with sustainable livelihoods rather than a one-off cash payment. This, however, is far easier said than done. Governments can fund their activities with taxation, borrowings, subventions, the proceeds of asset sales, or inflation. The last of these has been the dominant mode of funding in recent years in Afghanistan, and it is hardly sustainable in the long run. Without the redevelopment of a better fiscal base for the state, institutional stability will be difficult to obtain. It is none the less an issue to be confronted with a degree of caution. The prospects of rentier income from a mooted Turkmenistan–Pakistan gas pipeline may seem extremely alluring, but a sudden flow of
resources to the Afghan state could add still more fuel to conflict between aspirants to national leadership. Yet on the other hand, without some initial flow of resources to add to state capacities, the state will be in no position to redevelop the ability to collect taxes, and may even be tempted to follow its opponents into large-scale opium cultivation as a way of obtaining revenue.

Given the misery of the last few years, any government in Kabul which can deliver a reasonable degree of security is likely to receive a reasonable degree of normative support in the short term. In the longer term, however, it may need to have surer foundations for its legitimacy. The classic Weberian bases of legitimation may not be those which most appeal to a future Afghan government: the monarchical tradition is anathema to Islamist parties, charisma is difficult to exercise across ethnolinguistic boundaries, and a bureaucratic polity will long be only a dream. Islam could provide a basis for teleological legitimation, but in the light of the ferocious conflict between avowedly Islamic groups since 1992, politicized Islam may well evoke a cynical rather than supportive response. For this reason, one should not discount the possibility that Afghan nationalism will be used as a legitimation strategy. The UN Special Mission concluded in 1994 that ‘the people widely identify themselves, first and foremost, as Afghans and Muslims’ and want ‘to ensure the territorial sovereignty of Afghanistan’. The implications of this conclusion are considerable. Relations between the Rabbani government in Afghanistan and the government of Benazir Bhutto in Pakistan were always poor, in part because the promotion of Hekmatyar’s *Hezb-i Islami* and the *Taliban* by different Pakistani forces prompted popular resentment in Kabul, but also because the Afghan government came to recognize that ‘Afghan’ nationalism, used to mobilize the population against an external enemy, could actually hinder the development of ‘ethnic’ nationalism, which could spark schisms between different elements of the Afghan population. Moves by a future Afghan government to revive the Pushtunistan dispute are therefore a real possibility, irrespective of whether it is Pushtun or non-Pushtun forces which are dominant in Kabul. When the Owl of Minerva finally spreads her wings, Pakistani support of the *Taliban* may be seen as perilously short-sighted. That said, however, it is by no means certain that nationalism would prove effective in legitimating the state. David Edwards has recently argued that ‘although most Afghans hold to some notion of shared identity with one another, that identity is articulated horizontally between individuals, tribes, and regions rather than vertically between the state and its citizens’. If this is the case, it may prove easier to legitimate particular actions than particular actors.

**Conclusion**

This article has covered a great deal of territory, something which reflects yet again the complexity of the dynamics of regime transition in Afghanistan. These complexities rightly incline one to a pessimistic view of Afghanistan’s prospects. Afghanistan is one of the most savagely traumatized countries in the world.
and deserves far more support from the wider world than it has received. While the Mestiri mission reported in 1994 that 'most of the country, at least two-thirds, was at peace', the thrust of the Taliban into areas of limited Pashtun presence has driven Afghanistan to the brink of mass ethnic conflict, and it is thanks to the Afghan private sector and the international community, rather than Afghan political actors, that two million refugees have returned without famine occurring.

'"Afghanistan', wrote René Dollot in 1937, 'is the Switzerland of Asia'. Writing today, he would be unlikely to draw the same conclusion. Nor would many Swiss. With its population dispersed, its economy severely damaged, its territory littered with antipersonnel mines, and its political system wrecked, Afghanistan no longer bears any obvious resemblance to the integrated neutral state to which Dollot chose to compare it. Yet the analogy does serve to remind us that distinctive patterns of political order can emerge in unlikely environments. Afghanistan, like Switzerland, has a history of weak central government and strong societies. The Swiss have proved that a viable, if unusual, state can be built on such foundations, and that such a state may be capable of surviving in the face of even the most adverse geopolitical complications. The Afghans may one day succeed in doing the same. But at present, the prospects do not appear at all bright.

Notes and references
5. For a categorization of different regime types according to their characteristic mixtures of compliance and support, see Richard Rose, 'Dynamic tendencies in the authority of regimes', *World Politics*, Vol 21, No 4, 1969, pp 602–628.


29. Ibid, p 298.


74. This formulation derives from Joseph A. Schumpeter, Capitalism, Socialism and Democracy (London: George Allen & Unwin, 1976), p 269.


