International Journal of Central Asian Studies Volume 19. 2015

Post-Civil War Democratization: Afghanistan

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Abstract: Following a decade of democratization in Afghanistan, the process confronts many serious questions such as: is Afghanistan actually being democratized? And to what extent it is possible to democratize a post-civil war country? The literature of post-Taliban democratization doesn't provide any clear answer to these questions. Most of the writings either provide a chronology of events or narrow analyses which neither identify Afghanistan as a post-civil war case nor describe all the major dimensions and conditions of post-civil war democratization. This paper examines the post-Taliban democratization of Afghanistan within the framework of "post-civil war democratization" theory. Drawing on this theoretical framework, the level of success and failure of democratization in the post-Taliban Afghanistan is measured through evaluating the level of development in five major sectors; namely, state-building, welfare, rule of law, political regime and political community. Development in these sectors should address the root causes of civil war and deal with the post-war circumstances.

Keywords: Civil War, Democracy, Afghanistan, Post-Civil War Democratization, Taliban, the Northern Alliance

Introduction

Following the fall of the Taliban in late 2001, the international community planed a stabilization and democratization program for post-Taliban Afghanistan. The primary strategy was based on a "quick recovery" and "quick exit". Overall, democratization of Afghanistan was extended for more than one decade, and the international community has committed to another decade of "non-military" involvement. By spending about $33 billion during the first decade or the decade of "transition" (2002-2014) the international community implemented various development and stabilization projects all over the country.

Compared to 2001, the country is relatively developed, but overall the transition to a democratic regime plan has entirely failed. The major research institutions frequently rank Afghanistan as an authoritarian regime and a failed state and in the last seven years the country has undergone a downward trend in democratic performance and good.[1]

Following the decade of "transition" and in the eve of the decade of "transformation" (2014-2024),[2] the post-Taliban democratization confronts many serious questions such as: is Afghanistan actually being democratized? To what extent it is possible to democratize a post-civil war country such as Afghanistan?

The literature of post-Taliban democratization doesn't provide any clear answer to these questions. Many Afghan and international scholars have provided different analyses, but all fail to address the issue within a specific and appropriate theoretical framework. The existing literature mostly focuses separately on narrow issues such as elections, state building, civil freedoms and good governance, but this does not offer a clear description of what post-Taliban Afghanistan has been, what challenges democratization has confronted and what have been the requirements for a comprehensive democratization in Afghanistan.

Most of the writings either provide a chronology of events or narrow analyses which neither identify Afghanistan as a post-civil war case nor describe all the major dimensions and conditions of post-civil war democratization (Nixon & Ponzio, 2007; Astri, 2008). To be fair, the literature of post-Taliban democratization offers general and in some cases media level information, but it fails to adopt a broad perspective; comprehensive analysis and a theoretical context.

Considering the problem, this paper specifically examines Afghanistan as a post-civil war country and analyses post-Taliban democratization within the framework of "post-civil war democratization" (PCWD) theory. Although, examining the case of Afghanistan within the framework of PCWD provides a theoretical framework for research, the literature on this topic demonstrates that there is no universal agreement on the characteristics, requirements, conditions and consequences of democratization in the aftermath of a civil war. Some scholars call the post-civil war democratization a window of opportunity for democratic change (Grimm, 2008, p. 526), while many others describe the post-civil war environment inhospitable to the transition toward democracy (Joshi, 2010, p. 826). Some other scholars also argue that the consolidation of a full-fledged democratic political system in a war-torn country receiving external support is highly unlikely (Hippler, 2008, p. 551).

Nevertheless, most of the scholars agree that a successful democratization requires diagnosing the causes and effects of a civil war and addressing them through post war recovery projects. Therefore, examining the dynamics of war in Afghanistan I measure the level of success and failure of democratization in post-Taliban Afghanistan through evaluating the level of development in five major sectors: state-building, welfare, rule of law, political regime and political community (see. Grimm, 2008, p. 539).

Development in these sectors should deal with the post-war circumstances and address the root causes of civil war. In this context I evaluate the level of progress in five major sectors in Afghanistan during the past decade, and analyse to what extent those progresses resolved the root causes of war and recovered from the post conflict circumstances.

Post-Civil War Democratization as a Theoretical Context

Examining post-civil war democratization (PCWD) requires characterizing the civil war itself and its differences with other types of conflict. For describing civil war, because of its wide usage in the literature, I mainly rely on the Resort to Arms by Melvin Small and J. David Singer (1982). In this seminal study, they define a civil war as "any armed conflict that involves (a) military action internal to the metropole of the state system member, (b) the active participation of the national government, and (c) effective resistance by both sides (Small & Singer, 1982, p. 210).

The main distinction drawn between civil (internal or intrastate war) and interstate war is the internality of the war to the territory of a sovereign state and the participation of the government as a combatant. Civil war is further distinguished from other forms of internal armed conflict by the requirement that state violence should be sustained and reciprocated and that the war exceeds a certain threshold of deaths (typically more than 1,000) during each year of the war (Sambanis, 2004, p. 816).

Drawing on this definition, Afghanistan disintegrated into a civil in 1978 which continued with different features until 2001. The causes of civil war from 1978 to 1987 were ideological disputes between Islam and Communism. But from 1987 to 2001 it was ethnic-based cleavages which were heavily financed by Afghanistan’s neighbouring countries, particularly Pakistan, Saudi Arabia and Iran. The ethnic-based conflict of

(1987-2001) can be classified into the time following categories and time periods: the Mujahidin groups against the Kabul communist regime and against one another (1978-1996) and the Northern Alliance against the Taliban (1996-2001). The last phase of the Afghan civil war (1996-2001) ended by the US-led international coalition forces following the terrorist attacks in New York and Washington DC in September 2001.

During more than two decades of civil war, the Afghan parties, exploiting ethnic and religious identities to achieve political power and economic resources, fragmented the Afghan nation into different ethno-religious factions and destroyed the central government. Therefore, the post-civil war democratization, in addition to develop the democratic institutions, must have addressed the major causes of war and dealt with unfavorable socio-economic conditions, statelessness, nation failure and lack of societal trust.

Concerning the correlation between the civil war and democracy, a growing body of empirical and theoretical work indicates that democratization often occurs in the aftermath of civil war. But less work has examined why some states emerging from internal conflict take significant strides toward democracy, while others do not. Why, for example, did Mozambique, Nicaragua, El Salvador and Peru become more democratic after their civil wars ended, while Angola, Sierra Leone and Sri Lanka did not? The quantitative studies present various results achieved from democratization following civil wars. For instance, Wantchekon and Neeman (2002) state that 40% of civil wars are followed by democratization (Wantchekon & Neeman, 2002, p. 2). And Fortna and Huang conclude that 35-70% of civil wars are followed by some democratization, and 30-65% are not (Fortna & Huang, 2009, p.2).

These data only describe the possibility of moving from war to democracy, but do not address the question as to why some countries that have recently experienced civil war democratize while others do not. Therefore, by merely relying on such quantitative and comparative

studies, we cannot analyse the post war democratization process and its consequences in cases like Afghanistan, where a specific result is not achieved, the challenges are not clearly diagnosed and the threats to democracy are growing. While taking into account the reasons for success and failure, this paper addresses this question by examining both the civil war itself and the democracy building process following the civil war.

To be clear, by PCWD this research applies only to the contemporary PCWDs in the aftermath of the Cold War, in which an external democratizing force is involved (Grimm, 2008, p. 526). Therefore the classic cases such as the partial democratization of Switzerland after the Sonderbund civil war of 1848 and the democratic transition of the United States in the aftermath of the 1861-1865 civil war which lack external involvement are not the subject of this study.

Taking this differentiation into account, the post-Cold War experiences specifically indicates that the failure and success of PCWD depends on internal conditions of a post-civil war society and how external forces deal with these conditions. More specifically, a successful transition to democracy requires a comprehensive strategy based on development of five major sectors; namely, state-building; welfare; the rule of law; the political regime and the political community (Grimm, 2008, p. 539). The level of progress in the five named sectors can serve as an indication of the level of success and failure of democratization in a postwar country.

State-Building

To build a functioning state, reforms must achieve the physical protection of all citizens and the establishment of a legitimate monopoly of force. Further important steps are the demobilization, disarmament and reintegration (DDR) of combatants and the rebuilding and training of

police and military forces to achieve a stable and secure environment for further transition to democracy (Grimm, 2008, p. 539).

Obviously, the functioning of the monopoly of force and the guarantee of security do not only depend on the mere physical establishment of police, military troops, police offices and military camps, but also on the formal institutionalization of an effective bureaucracy which increases both the accountability and capacities of the government. The state-building process in Afghanistan started with the Bonn Conference held in Bonn, Germany, on November 27, 2001. The conference, organized and supervised by the UN, consisted of representatives from four parties; the Northern Alliance and three exiled Afghan political groups. The three exiled groups: the Rome group, loyal to former King, Mohammad Zahir Shah; The Peshawar group, a group of mostly Pahtun exiles based in Pakistan; and the Cyprus group, a mixture of factions with close ties to Iran were not strong enough to balance the power of the Northern Alliance either inside Afghanistan or in the conference, meaning that the conference was entirely dominated by the Northern Alliance (Donini, et al. 2004, p. 46). At the end of the conference, the Afghan representatives, under the supervision of the UN and US, signed The Bonn Agreements, which laid out a road map for Afghanistan's political transition to a democratic rule.

The Bonn Agreements, in their first phase, formulated the creation of an interim authority with a life span of only six months, and the representatives of the conference selected Hamid Karzai as the chairman of the interim administration. According to the Bonn Agreements, an independent commission was responsible for organizing an "emergency Loya Jirga" or a Great Council of Afghan Elders,[3] which would decide about a transitional government for another two years. The Bonn Agreement explicitly asked the Afghan Transitional Administration to 'lead Afghanistan until such time as a fully representative government can be elected through free and fair elections

to be held no longer than two years from the date of the convening of the Emergency Loya Jirga' (Chopra & Hohe, 2004, p. 294).

The Bonn Agreements also provided for the drafting of a new constitution to be approved by a constitutional assembly or a constitutional Loya Jirga (Arjomand, 2004-5, p. 943). According to the agreements, the new constitution would provide a legal framework for subsequent developments. In general, the post-Taliban state-building process was intended to be the engine for: (1) security arrangements and stabilization of the country and (2) reconstruction and formation of the state organs.

Security Arrangements

The 'war on terror' in Afghanistan had resulted in the victory of the Northern Alliance, a heterogeneous mix of Tajik, Hazara and Uzbek warlords and commanders with their estimated 200,000 militiamen on the ground (Donini, et al. 2004, p. 53). Therefore the security arrangements had to include both the Disarmament, Demobilization and Reintegration (DDR) of these armed men and the establishment of a new 'Afghan national security forces' (ANSF). The DDR as a part of the security sector reform strategy was notably unsuccessful. The original DDR plan announced in early 2003 was to disarm and reintegrate an estimated 100,000 Afghan militia men-half of the actual militants on the ground- prior to the elections originally scheduled for June 2004. By June 2004 however, the number of disarmed had just exceeded 10,000, and the target figure of disarming 100,000 was subsequently reduced to 40,000 (Lister & Wlider, 2005, pp. 39-48).

Failure in disarming the expected number of armed men before the elections resulted in the influence of ethnic based armed groups in presidential and subsequently parliamentary elections, causing the domination of the warlords and ethnic militia commanders in the newly

established Afghan parliament and consequently in Afghan political arena.

A large number of warlords and others involved in organized crime as well as human rights violations during the civil war were elected as MPs in 2005 and 2010 parliamentary elections. According to the Afghan Independent Human Rights Commission, 80 percent of victorious candidates of the 2005 election had links to militia groups who forced the people in their regions to vote for them[4].

Overall the DDR ended in July 2005 and led to the demobilization of only 62,376 armed men and the collection of 57,629 weapons.[5] There were still an estimated 130,000 armed men in Afghanistan which severely biased the transition process in favour of the commanders and militia leaders who were mostly linked with the Northern Alliance.[6] Following the unsuccessful DDR program, it was soon recognized that further demobilization efforts were needed.

The Disbanding of Illegal Armed Groups (DIAG) programme was designed to follow DDR and to target the groups that had not complied with DDR or fallen through the cracks, as well as other illegal armed groups. It began in late 2005 and by December 2008 the programme had reportedly disbanded 382 illegal armed groups and collected 42,369 weapons.[7] Most of the newly demobilized came from Northern Alliance areas,[8] but still there were thousands of illegal uncollected weapons and hundreds of armed groups all over the country.

Simultaneously with the DDR and DIAG, the international community opened the project of establishing the new ANSF. During the Interim and Transitional Administrations (2002-2004) the composition of the army and police was ethnically biased in favour of the Tajik ruled Northern Alliance. The Pashtuns, who had traditionally dominated the army, were sensitive not only to indications of domination of the new army by Tajiks, but also to appointing the Tajik warlord General Qasim Fahim as the defense minister.

Therefore, following the presidential election of 2004 the elected government of Karzai attempted to increase the number of Pashtun personnel in the army. The main object of this tactic was to break the momentum of the Northern Alliance through appointing Pashtun Generals to high ranking positions in the army and police. The policy resulted to more ethnicization of the security forces, causing the reaction of all ethnic groups to secure a space for themselves in the ANSFs.

On the other hand the security building program in Afghanistan has been a quantity-based program in which the quality of the newly established ANSF has been a secondary object. Although, the number of ANSF has gradually increased (ultimately to 350,000) the quality and sustainability of it is always a matter of debate.

The Afghan security forces currently cost $4 billion per year whereas the country is only able to provide $500 million to its security sector.[9] The influence of the ethnic leaders in both army and police is another challenge threatening the sustainability of the ANSFs. The Afghan Army and Police are not depoliticized and are clearly divided among the ethnic parties. The Generals and commanders loyal to the ethnic-based parties entirely dominate the security sectors. In such situation, if the pressure by the Taliban as well as the intervention of the regional powers grows, the risk of the security sector's collapse and its fragmentation among the ethnic parties increases.

Institutionalization of the State Organs

The post-Taliban state-building in terms of institutionalization and creation of the state organs including legislative, executive and judiciary institutions was initially successful. But following the decades of war and statelessness the legitimacy of these institutions was the main concern of a large majority of Afghans.

The Bonn Agreements recognized only a free and fair election as the valid means of legitimizing the new regime. So, according to Afghanistan's new constitution, the only source of legitimacy is democratic elections. Although, following the two years of transitional government, both parliamentary and presidential elections took place, still the question is that, did elections provide a powerful legitimacy to the newly established Afghan state? More than 75 percent of registered Afghans voted in the first presidential poll of 2004, contested by 17 candidates, monitored by the Joint Electoral Management Body (JEMB),[10] in which Karzai won 55 percent of the vote and the overall results were broadly accepted both by Afghans and by the international community.[11] Although, a group of opposition candidates initially contested the result, they agreed to respect the findings of a panel established to investigate these complaints.[12]

Despite this relatively acceptable presidential election, the subsequent elections, due to widespread fraud, military influence, insecurity and ethnic based voting could not provide broader-based and national legitimacy for the Afghan state. In the 2005 legislative elections, the voting process itself was marred by what the JEMB termed "serious localized fraud."[13] The local militia groups intervened in the process, forcing people to vote for the local commanders and warlords. Consequently the warlords, war criminals and human rights abusers entered the parliament, which severely undermined the legitimacy of the Afghan legislature in the eyes of the Afghan citizens and the international community.

The 2009 presidential election was also undermined by fraud and manipulation during the voter registration process, low voter turnout, a compromised electoral management body, and insecurity in most of the country. Karzai initially emerged as the outright winner with more than 50 percent of the vote, but confirmation of large-scale fraud significantly reduced his total, necessitating a November runoff against his main

opponent, former foreign minister Abdullah Abdullah. However, Abdullah, a Northern Alliance political leader, withdrew before the vote could be held, arguing that the flaws in the electoral system had not been adequately addressed, and Karzai was declared the winner.[14]

Lingering doubts about the Karzai administration's legitimacy, combined with the continued deterioration in security, posed a major challenge to the central and provincial governments as they struggled to control areas under their jurisdiction, deliver basic services, and engage in vital reconstruction efforts. The country's institutional integrity was dealt another blow when the September 2010 parliamentary elections proved to be deeply flawed. Voter turnout remained low, largely because of intimidation and violence by insurgents, who killed over 30 people on election-day. At least 1,000 electoral workers were accused of perpetrating fraud, and the electoral commission declared that it had discovered misplaced ballots from over 500 polling stations.[15]

In addition to weak legitimacy, the new government of Afghanistan has failed to build up capacity in order to increase ability to deliver basic services, which ideally would have reinforced the relationship between the people and the government. Lack of transparency and growing corruption and nepotism has also impaired the capacity building and undermined the accountability of the Afghan state. Corruption, nepotism, and cronyism are rampant at all levels, and woefully inadequate salaries encourage corrupt behavior by public employees. According to Transparency International, Afghanistan's transparency and governance has regressed for the last seven years. For instance, Afghanistan was ranked 117 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index, while it was ranked 175 out of 177 countries in 2013.[16]

Consequently, despite achievements in establishing the state organs, weak legitimacy, lack of accountability, low capacity and weak bureaucracy, and failure in establishing a sustainable security sector

characterize Afghanistan as a failed state. In surveys conducted by the main international research centers, ranking the level of *stateness* in the global system, despite the ten years of state-building efforts, Afghanistan continuously received the title of a failed state. The Fund for Peace[17] in its 2013 report, ranked Afghanistan in the top ten on the Failed States Index for the past eight years[18] and the Center for Systemic Peace ranked Afghanistan as an extremely fragile state in 2011.[19]

Welfare

Societies that experienced war and military intervention are often characterized by economic decay, by high rates of socio-economic disparity and unequal distribution of economic welfare, as well as a parallel economy of illegal activities like drug-, weapon-, and human trafficking (Grimm, 2008, p. 539; Nitzschke & Studdard, 2005, p. 222).

Beyond humanitarian first aid during and immediately after war, economic reconstruction entails the reconstruction of infrastructure and production facilities, the return and reintegration of refugees, and the building of a tax system. Furthermore, economic development requires the general advancement of education in order to improve the population's literacy rates and to educate skilled workers, executives, and specialists (Grimm, 2008, p. 539). Finally it should address the poverty and social inequalities by promotion of gainful employment and an appropriate economic system (Ali & Matthews, 2004, pp 394-421).

In Afghanistan social welfare before and after the war has traditionally been based on agricultural economy. According to the World Bank reports, agriculture is by far the largest sector, involving approximately 70 percent of Afghans.[20] So development of a strong and dynamic agriculture sector could stimulate rural development and improve the quality of future growth. But according to reports in 2011,

less than half of available water in Afghanistan is used and only one-third of the 7.5 million hectares available for agriculture are irrigated.[21]

The reconstruction of agricultural infrastructures, on the other hand, depends critically on the provision of low-cost supply-chain services – particularly transportation, logistics, electricity and irrigation – none of which are currently available in the required quantity or quality.[22] Examples of relatively successful development can be seen mostly in the telecommunications, education and health sectors.[23]

Afghanistan has also built a relatively centralized tax system and revenue collection continues growing strongly by over 20 percent per year. The 2010/11 fiscal year closed with collections at an all-time high of US$ 1.7 billion (10 percent of GDP). This is remarkable, as revenue collection stood at a meager 3 percent of GDP before 2002. [24] But since operating expenditures are growing faster than revenues, the Afghan budget continues to rely heavily on external financing.[25] Therefore as soon as the external aid stops the Afghan economic and welfare sector will confront severe risks. Although Afghanistan's newly discovered sector of mining remains an important source of revenue and employment for the future development, large investments ($6-$15billion) are needed in the coming years to exploit the sector's potential.[26] Investment in the mining sector will largely depend on developments in the security sector, and on providing good governance, which is challenged by growing insurgency and corruption.

Eventually, estimates indicate that 36 percent of the Afghan population is unable to meet their minimum basic needs[27] and 35 percent of the population is unemployed.[28] The gap between rich and poor as a consequence of increasing illegal economy and political corruption, which bias the access to national resources and international aid in favour of specific elite groups and local warlords, keeps growing. Simultaneous to growing socio-economic inequality, the illegal economy of drug has increased significantly. Estimates by UNODC suggest that

the farm gate value of opium has reached $1.4 billion in 2011 (8% of GDP),[29] mostly financing the insurgents and the corrupt regional power-brokers.

Rule of Law

The rule of law provides the fundamentals for the protection of individual, civil and political rights, the checks and balances for a fair and legitimate decision-making process, and the judicial limitations on executive and legislative power. As a result, a stable rule of law system offers a mechanism for resolving conflicts through fair trials and the guarantee of individual and minority rights (Grimm, 2008, p. 541). According to the World Justice Project[30] the rule of law refers to a rules-based system in which the following four universal principles are upheld:

- The government and its officials and agents are accountable under the law.
- The laws are clear, publicized, stable, and fair, and protect fundamental rights, including the security of persons and property.
- The process by which the laws are enacted, administered, and enforced is accessible, fair, and efficient.
- Access to justice is provided by competent, independent, and ethical adjudicators, attorneys or representatives, and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.[31]

Considering the principles, the rule of law in Afghanistan, confronts four major challenges as follows (Grono, 2011):

Political Challenge: Many Afghan power holders – from President Karzai downwards – benefit from a patronage based system. It enables them to buy and maintain loyalty. Corruption is an integral part of such a system. So, implementing proper rule of law reforms, including the establishment of an effective justice sector, is an existential threat to the interests of those who benefit from patronage. Those reforms that constrain the freedom of power-holders to dispense patronage have strongly been resisted, as we have seen with some of the high-level anti-corruption efforts in past years. Reforms that challenge the centre – such as a more independent Supreme Court - have been fiercely opposed (Grono, 2011, para. 5).

Accountability Challenge: Failure in challenging the culture of high-level impunity in Afghanistan has severely undermined all other rule of law efforts. Afghans see that today's reality is not much different from that of the last 30 years, as powerful men with guns continue to rule (Gronot, 2011, para. 5). This reality will not change until some of those responsible for the worst abuses against the Afghan people are prosecuted.

Despite the fact that for decades many Afghans have been victims of large-scale war crimes, crimes against humanity, and other human rights violations, many of these violations have gone unaddressed. In 2005, the Afghan government adopted an Action Plan for Transitional Justice, calling for investigation of past crimes, recognition of victims' suffering, and accountability of perpetrators.[32]

But as a reaction to the Transitional Justice Plan, a "National Amnesty Law" called "The National Stability and Reconciliation Law" was passed by the Afghan parliament in 2007 by a coalition of powerful warlords and their supporters, mostly involved in war crimes, which gives immunity for the war criminals and individuals responsible for large-scale human rights abuses in the preceding decades. The amnesty

law states that all those who were engaged in armed conflict before the formation of the Interim Administration in Afghanistan in December 2001 shall "*enjoy all their legal rights and shall not be prosecuted.*"[33] It shows that there is no prospect of the government providing high-level justice. The Karzai regime consistently opted for expediency over principle when it comes to accountability, most notably with the amnesty law.

Constitutional Challenge: The strong presidential system adopted under the 2004 constitution has exacerbated the weakness of judicial institutions. The lack of a clearly defined arbiter of the constitution has undercut the authority of the Supreme Court and transformed the court into a puppet of the President. He has adeptly exploited the Court's relative weakness to blunt challenges from rivals and circumscribe the powers of other branches of government. The president has often turned to the court to settle political disputes, substantially weakening perceptions of its independence. For instance, he successfully used the Supreme Court to block parliament's efforts to override presidential vetoes and assert its powers (Grono, 2011, para. 14).

Access Challenge: The majority of Afghans still have little or no access to judicial institutions. Many courts are inoperable and those that do function are understaffed. Corruption in the judiciary is extensive, and judges and lawyers are often subject to threats from local leaders or armed groups. Traditional justice remains the main recourse for the population, particularly in rural areas.

Consequently, an estimated 80 percent of all criminal and civil disputes in Afghanistan are resolved outside the formal legal system through various community forums known as *shuras*, *jirgas*, and *jalasas*.[34] Disputants often prefer to have their cases resolved by

community dispute resolution mechanisms that are popularly viewed by most Afghans as more accessible and less costly than government courts.[35]

Political Regime

In post-war societies, democracy requires the willingness and ability of all relevant actors to play the democratic game according to new rules without relapsing into violence (Rothchild & Roeder, 2005).

Achieving democratic behaviour in a political process requires drafting a constitution guaranteeing the civil liberties and political rights of the citizens. It also requires democratic elections (Grimm, 2008, p. 541), and democratic parties, or at least political groups that are eligible and willing, to accept an open democratic competition Gershman, 2004, pp. 27-35; Grimm, 2008, p. 541). Beyond political competition, a democratic political regime requires a plural media system that can inform the public of decisions and also report on failures in the different sectors of reform and provide a platform for general debate (Kumar, 2004, p. 652; Grimm, 2008, p. 541).

In post-Taliban Afghanistan a new constitution which assures the civil liberties and political rights of the citizens was initially adopted. But the main problem in establishing a democratic political regime in Afghanistan was that the post-Taliban process failed to develop a representative party system. Such a failure marginalized the political parties from Afghanistan's political arena.

The adoption of the single-non-transferable-vote system (SNTVS) in 2005 and 2013 Electoral Laws[36] can be seen as a disadvantage for new political parties and for developing a representative party system. According to the new law, the parties lack a formal role within the legislature, which further weakens their ability to contribute to

stable political, policymaking, and legislative processes (Nixon & Ponzio, 2011, pp. 29, 30).

The (SNTVS) allows voters to cast a single vote for multi-member constituencies on a ballot that lists candidates and not party affiliation. The choice of SNTV has created a weak party system and weak and fragmented parliament that have been struggling to assert themselves vis-a`-vis the presidency (Nixon & Ponzio, 2011, pp. 29, 30). On the other hand, lack of a strong party system has popularized the ethnic based voting idea among the people, strengthening the traditional ethnic based *Mojahidin* parties whose priority is not democracy, but maintaining their power.

Concerning the media, dozens of private radio stations, newspapers and several private television channels, some harshly criticizing the government and other power brokers, were established and are currently in operation. Media diversity and freedom are markedly higher in Kabul than elsewhere in the country, as some local power brokers display limited tolerance for independent media in their areas.[37]

Despite the tremendous media development in the last ten years, the 'Freedom of Press Index' shows the Afghan media in a 'difficult situation.'[38]

Political Community

Building a political community or moving from a war-torn society to a political and civil society is the most complicated and difficult part of the PCWD process. This is because the process should deal with trust-building and nation-building which, in a war-torn society, are long-term processes traversing several generations. It entails not only agreement on national symbols like the flag or anthem, but also the definition of who can become a citizen, who is allowed to vote, and who can be elected (Grimm, 2008, p. 542).

Building a political community, in general, requires conflict resolution, building of trust and nation-building.

Conflict Resolution: The post-Taliban conflict resolution agenda is mainly based on an ethnic power-sharing democratic model. In other words, both external and domestic actors have been trying to address the 'Afghan ethnic divide' as a root cause of the Afghan civil war through building an ethnic power-sharing democracy. However, the main problem in this model is that it usually strengthens ethnic differences by focusing on them. As Horowitz (1985) argues, if parties are organized along ethnic lines then voters will vote for the party that represents their group, regardless of the individuals running for office. The results of power-sharing democracy are an ethnic based system, strengthening the ethnic based parties by marginalizing of civil society and other alternative political institutions (Horowitz, 1985).

The current political landscape of Afghanistan indicates that power-sharing based on ethnicity has strengthened ethnic diversions in the political culture of the country. The result is that ethnic-based parties, which are highly prone to conflict and mostly at odds with democracy, dominate the country's political system.

Building of trust and nation-building: In an ethnically divided post-civil war country without an inclusive nation-building agenda it is almost impossible to create trust among the ethnic groups who fought against one another for decades.

In the post-Taliban Afghanistan, the ethnic power-sharing democracy was not only adopted as the means of conflict resolution, but also as a model of nation-building. Although this model has decreased the degree of ethnic conflict in the short term, the centrality of ethnicity in nation-building has severely encouraged the ethnicization of politics

and provoked intense power struggles among the ethnic groups for state resources.

As a result of this process, in Afghanistan today the ethnic divide is increasing, ethnopolitics is on the rise, and both a literature of hate and demagogic politicians are gaining traction. Ethnicisation of political communication can be clearly seen through the speeches of politicians, intellectuals and opinion leaders who talk of ethnic politics openly when addressing audiences made up of their kin, but resort to vague rhetoric while on the national stage (Salih, 2012, para. 1).

All major Afghan parties enjoy a merely ethnic legitimacy and most use ethnicity as an instrument of access to power and resources. This means that nation-building and the fostering of national trust are failing. This shows that the attempt to transition from an ethnic community to civil life and consequently to a political community in Afghanistan has been entirely unsuccessful during the past decade.

Analysis and Conclusion

Examining the defective and uncoordinated reforms in all five sectors of democratization in Afghanistan, indicates that the process was entirely unsuccessful.

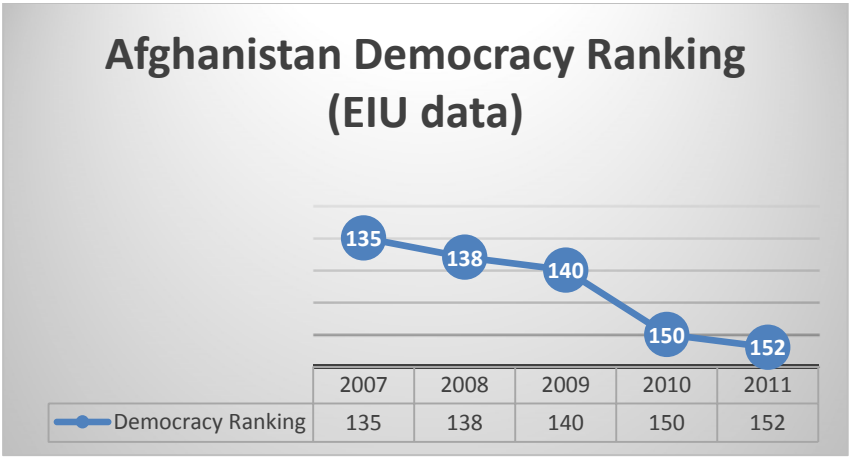
The major progress has taken place in state building, particular, institutionalization of state structures. Although the basics for a rule of law system, such as a democratic constitution and a formal judicial system have been established, the rule of law confronts serious challenges. In the welfare sector, regardless of partial development in the areas of education, health and communication, inequality and poverty as the main challenge to stability are not addressed and the main infrastructures are not constructed. Moreover, political regime and political community building have entirely failed by adopting

inappropriate strategies, causing the ethnicization of the political process and the failure of nation-building.

Consequently, the social cleavages as the source of potential conflict have widened in the past ten years; the ethnic parties, mostly engaged in civil war, are more empowered; and the violence and extremism as a result of inappropriate security strategies keep growing.

The data provided by the two major international research centers (The Economist Intelligence Unit and the Freedom House), despite their different approaches in measuring democracy, produce a similar result regarding Afghanistan: according to the data, Afghanistan ranks as an authoritarian regime.

The Economist Intelligence Unit (EIU)'s democracy index which measures democracy based on five criteria (electoral process and pluralism; civil liberties; the functioning of government; political participation; and political culture) ranks Afghanistan as an authoritarian regime constantly in five years from 2007 to 2011. In addition to being an authoritarian regime, the situation in Afghanistan has not improved, and the EIU's data show that the country experiences a downward trend arrow in the five years.[39]



Also Freedom House (FH), measuring the electoral democracy based on civil liberties and political rights, has ranked Afghanistan in 2013 as a "non-free" country. According to the FH statistics Afghanistan receives a downward trend arrow since 2009 as a result of fraudulent presidential and parliamentary elections, a worsening security situation which impeded the ability of civil society and humanitarian organizations to operate freely throughout the country, corruption, violence, lack of good governance and rule of law.[40]

The result obtained from the FH data, in general, indicates that following the end of civil war Afghanistan failed to establish a democratic regime. However, it shows some progress toward an electoral democracy in the early years of democratization, particularly between 2005 and 2008.[41]

From a comparative perspective, research in post-war countries show that the successful post-civil war democracies such as Namibia, Mozambique and El Salvador emerged within the five years following the end of war and generally and uninterruptedly progressed towards a liberal democracy. [42] On the other hand, the failed cases of Angola and Democratic Republic of Congo remained non-free and authoritarian following the civil war.[43]

Nevertheless, democratization in Afghanistan doesn't show clear similarities with either of these categories: Afghanistan has neither moved as consistently toward ranking as a liberal democracy as the first category nor has it continuously ranked as a non-free and authoritarian regime following the end of war as the second category.

On the other hand the international engagement in Afghanistan is different than its engagement in other countries. According to the international community's commitments, the democratization of Afghanistan will continue for one more decade, which is called the decade of transformation (2014-2024). The international engagement in other countries previously mentioned was neither this long (two decades)

nor as broadly based (more than 70 countries and international organizations are involved in Afghanistan). Also the cause of international engagement (war on terror) makes the case of Afghanistan quite exceptional. Therefore we cannot assess Afghanistan's democratization based on a comparison with other cases. Afghanistan failed to promote democracy in the first decade, but examining the possibility of further progress toward democracy in this country, particularly, in the second decade or the decade of "transformation" requires further and more detailed case study.

It is clear that the first phase of democratization in Afghanistan (2002-2014) has entirely failed; Afghanistan remains a failed democracy and consequently an authoritarian regime. A successful democratization particularly in the upcoming decade of transformation (2014-2024), following the withdrawal of international troops, will depend on proper development again in the five main sectors previously discussed, and on diagnosing the new challenges and conditions, and dealing with them appropriately.

For the international community it will be very important to revise the strategies and policies that have proven harmful for democracy. For instance, supporting the ethnic politics and the ethnic parties as a method of conflict resolution is not the way to democratize Afghanistan. Although the ethnic politics has largely evolved from indigenous conditions, the external democracy promoters have been largely apathetic toward the ethnic based parties and ethnic politics, and even in some cases supporting them during the past decade.

Overall, the possibility of further progress toward democracy, in addition to the international community's strategic revision, depends on the political goals and demands of the main players in Afghan political arena. These players will be involved in all dimensions of development and democratization, and their positions will lead the process in all possible scenarios.

[1] For democracy index see Freedom House, Annual Reports/Afghanistan 2002-2013 Annual Reports, New York. Also the Economist Intelligence Unit, Index of Democracy, 2007-2011 Annual Reports, London, UK. For State Failure see Fund For Peace, Country Data and Trends/Afghanistan 2014, Washington, D.C.; also see Center for Systemic Peace, Global Report 2014 (VA, USA).

[2] The NATO member states, in a summit on Afghanistan, the Chicago Summit, May 2012, called the years between 2002-2012 the decade of 'transition' and the 2014-2024 the decade of transformation

[3] Loya Jirga is a traditional institution in Afghanistan in which the elders from all over the country gather in one place (usually the capital) making decisions about the national issues. The concept is largely used in Afghanistan political and legal terminology. According to the new Afghan constitution the Loyy Jirga consists of the members of the Afghan parliament, heads of provincial and district councils, and the members of the Supreme Court. The members of the Afghan cabinet can also participate as spectators but canot vote. The Loya Jirga before the establishment of the new constitution was not institutionalized; therefore the Constitutional Loya Jirga of 2003 was traditionally organised and it was consisted of Afghan elders and tribal leaders from all provinces. For 'democratic' nature of the Constitutional Loya Jirga and the constitutional developments in Afghanistan, see S. A. Arjomand, (2004–5), 'Constitutional Developments in Afghanistan: A Comparative and Historical Perspective', *53 Drake Law Review, p. 943*.

[4] See Freedom House, 2006, Annual Report/Afghanistan, para. 9

[5] Ibid, para. 8; see also Small Arms Survey, 2009, 'DDR in Afghanistan' Chapter 9, Summery, para. 5. UNDDR.

[6] Freedom House 2006, Annual Report/Afghanistan, para. 26

[7] See Small Arms Survey (2009), 'DDR in Afghanistan' Chap. 9 Summery, para. 8. UNDDR.

[8] See Freedom House, 2010, Annual Report/Afghanistan, para, 23

[9] See BBC Persian 16/05/2012, President Karzai's Quote. Retrieved from http://www.bbc.co.uk/persian/afghanistan/2012/05/120516_zh_anan_afghan_germany_agreement.shtml

[10] JEMB was joint Afghan–UN body established to oversee the 2004 electoral process

[11] Freedom House, 2005, Annual Report/Afghanistan, para. 8

[12] Ibid, 2006, para. 8

[13] Ibid, para. 9

[14] Ibid, 2010, para. 9

[15] Ibid, 2011, para. 9

[16] Transparency International, Corruption Perceptions Index/Afghanistan. See Reports from 2005 to 2013

[17] Fund For Peace is a Washington D.C.-based non-profit research organization

[18] See Fund For Peace, 2011, Country Profile Series/Afghanistan, Washington D.C. Retrieved from http://www.fundforpeace.org/global/states/ccppr11af-countryprofile-afghanistan-11t.pdf

[19] Center for Systemic Peace, 2011, Global Report, pp. 5, 11. VA, USA.

[20] See The World Bank, Oct. 2013, *Afghanistan Economic Update.* Report. Retrieved from http://documents.worldbank.org/

[21] Ibid

[22] Ibid

[23] Ibid

[24] Ibid

[25] Ibid

[26] Ibid. Also for more details see Mehran Emadi, 2012, "The Key to the Solution of Afghanistan's Crisis is Under the Ground", *BBC Persian, 2012/06/12*. Retrieved from http://www.bbc.co.uk/persian/afghanistan/2012/06/120609_mar_china_afg_ties.shtml

[27] See The World Bank, Oct. 2013, *Afghanistan Economic Update*. For details about poverty in Afghanistan see Afghanistan Ministry of Economy, 2010, "*Poverty Status in Afghanistan, 2010.*"

[28] See CIA World Factbook. Retrieved from https://www.cia.gov/library/publications/the-world-factbook/geos/af.html

[29] The World Bank, Oct. 2013, *Afghanistan Economic Update.*

[30] A Washington Based non-profit organization, measuring and publishing the rule of law index in international system annually. Retrieved from http://worldjusticeproject.org

[31] See the Rule of Law Index 2011, The World Justice Project, Washington D.C. available at: http://worldjusticeproject.org

[32] See the United States Institute of Peace. 2012. *Rule of Law in Afghanistan*. http://www.usip.org/programs/projects/rulelaw-afghanistan

[33] See Human Rights Watch reprot. 2010. *Afghanistan: Repeal Amnesty Law*. Retrieved from http://www.hrw.org/news/2010/03/10/afghanistan-repeal-amnesty-law

[34] see the United States Institute of Peace Report, 2012, *Rule of Law in Afghanistan*. Retrieved from http://www.usip.org/programs/projects/rulelaw-afghanistan

[35] Ibid

[36] Afghanistan Official Gazette, 2011, *Afghanistan Election Law*, S/No. 1112, Aug. 2013, Kabul.

[37] Freedom House, 2011 Annual Report/Afghanistan

[38] 'World Press Freedom Index, 2010,' Retrieved from http://chartsbin.com/view/1329

[39] See the Economist Intelligence Unit, Index of Democracy, 2007-2011. Retrieved from www.eiu.com

[40] For details see Freedom House Annual Reports/Afghanistan from 2001 to 2013

[41] Ibid.

[42] See Freedom House, *Freedom in the World Country Ratings*, Freedom Indexes from 1976 to 2013.

[43] Ibid.

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Received 6 Jan 2015, Screened 24 Oct 2015, Accepted 18 Nov 2015