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## *New Strategy for Afghanistan? Political Reform – First!*

By Piotr Krawczyk

### The case for systemic political reform

The manipulated presidential election of August 2009 has provided new rationale for increasingly negative assessments of the situation in Afghanistan. The Afghans' growing mistrust of the authorities and the administration looms, alongside the insurgents' activities, as the country's gravest problem. The sources of the state's illness include not only the dismal economy and a lack of security, but a dysfunctional political system divorced from the country's social realities. The system breeds corruption and conflicts and obstructs the discharge of the state's fundamental functions. It follows that much of Afghanistan's instability has internal political roots which, unless removed, will render enduring improvement of the country's situation impossible.

The presidential system, which under current conditions vests the entirety of Afghan executive power in the head of state, excludes many important ethnic, religious and tribal groups from political life. This undermines the central authorities and adds to the dysfunction of the Afghan state. The system of clientist dependencies on which Hamid Karzai has built his presidency is responsible for the corruption and nepotism which further stifle the effectiveness of the state administration. For these reasons, only the replacement of the presidential system with a parliamentary-cabinet one will provide for greater policy inclusiveness, curtail the patrimonial model of Afghan statehood, and contribute to the long-term stability of the country's political situation.

The need to develop a new Afghan strategy has long been in evidence, yet in practice the country's internal political situation and the role of its current state system have hardly been addressed in the debates conducted on this subject to date. In a U.S. strategy unveiled in March 2009, the political question was given marginal treatment limited to a thesis on the desirability of talks with a faction of the armed opposition. In contrast, in an assessment on Afghanistan prepared in August by General Stanley McChrystal, Chief Commander of ISAF and U.S. Forces Afghanistan, the credibility and efficiency of the Afghan administration figure prominently. According to the NATO commander, waging effective counterinsurgency operations will be impossible unless partnered by the Afghan state. General McChrystal discussed at length the local institutions, the judiciary, and the necessity to curb damaging practices by the administration, including corruption. Yet the document he submitted lacks an in-depth reflection on the undesirable direction of central-level political processes (including the exclusion of numerous ethnicities and religious groups from the political process) which have resulted in the limited effectiveness of the state, a proliferation of corruption, and a growing climate of distrust between the rulers and the nation.

Yet efforts confined to building individual institutions such as law enforcement and security forces, or improving the performance of local administration, will not stabilize Afghanistan. The malfunctioning of the state apparatus at the local level is largely a result of the crisis of state authority at the highest levels. In addition, tensions have been exacerbated by the recent presidential election, which has highlighted the urgent need for deep systemic and political reforms.

The U.S.'s new thinking about Afghanistan, as presented in the March strategy and in General McChrystal's assessment, is largely derived from the positive experiences of U.S. efforts in Iraq since 2007. Iraq's relatively stable political scene and a political system aligned with the local realities both contributed to the success of the American plan to reduce the U.S. military presence in that country.

With the top state offices (president, prime minister, head of parliament) distributed among representatives of different ethnic and religious groups, and with a balance among them ensured, a political structure emerged to support the rebuilding of state institutions and facilitate the assimilation of some of the insurgents into state structures. Iraq's stable political pattern translated into improved efficiency of the state. Given certain points of similarity between Iraq's and Afghanistan's socio-political structures, it might be worthwhile to consider the pros and cons of emulating some of the Iraq policy experiences in Afghanistan.

It will not suffice that institutions be built by the U.S. and NATO, nor that aid funds be increased. The Afghan executive branch must regain credibility and the capacity to govern effectively on both the central and local levels. Any state institution built with the international community's assistance, even if efficient to start with, is bound to incrementally degenerate if it functions in an exclusive, corruption-ridden political environment immune from public oversight. As for aid money, it will be wasted. A premature handover of full responsibility to the Afghans while the present state system remains in place would produce nothing but negative results. The inherent risks of the Afghan-created system were highlighted by the latest election. No Afghan exit strategy will be practicable until the emergence of autonomous state institutions whose actions will not breed social discontent, that food for rebellion.

The strategy for Afghanistan should be urgently complemented by political and systemic dimensions developed jointly with the broadest possible spectrum of Afghan political forces. Many Afghans feel the need for change. This goal of broader representation should be one of the priorities of any Afghan policy. In the Afghan context, exclusion leads to even further destabilization, just as it precludes the forging of compromises that are essential to efficient governance and, by the same token, to sovereign control of a territory inhabited by a society that is multi-ethnic, multi-religious and strongly divided politically.

## Political sources of crisis

In the wake of the December 2001 conference in Bonn there emerged a broad platform of political forces that, after the fall of the Taliban regime, had divided power among themselves. The political compromise reached by the Northern Alliance's Tajiks, Khazars, Uzbeks and anti-Taliban Pashtuns ensured an inclusive balance of power in the new order. Consequently, in the early years following the toppling of the Taliban, Afghanistan enjoyed political stability and the new regime was seen as credible by a large proportion of Afghan society. The compromise system enabled co-governance by major political groups, yet it was never institutionalized. The Afghan Constitution, adopted under the influence of the U.S., is based on the presidential system which, unfortunately, has encouraged a clannish and, in the Afghan context, exclusive political process. The result is a growing number of political groups secluded from governance. This political practice has established a dominant presidential power centre. Since 2005, Hamid Karzai has been ridding himself of his erstwhile allies, coming to rely more and more on the Pashtuns, upsetting the previously established balance among major ethnic and religious groups.

In recent years the president and his entourage have effectively undermined the opposition using state institutions, public money and private resources. After ousting his former allies from the government, the president succeeded in marginalizing the parliament which for some time had been an opposition center. He also succeeded in breaking up the main opposition grouping, the National Front. At present, the president's power is neither overseen effectively by the legislative branch, nor balanced by the judiciary or by other political institutions or organizations. In an Afghan society that is deeply divided, this is an exceptionally dangerous imbalance.

Yet the gravest threat to Afghanistan arises not so much from Karzai's omnipotence as from the vulnerability created by his government's lack of diversity. The president's dominance is founded on the fragmentation and impotence of his opponents rather than on the strength that comes from having a broad political base. Karzai is the strongest among the weak. A similar distribution of power in a tribal structure would entail less risk, but in this case the weakness of Karzai's clan translates into the weakness of the executive branch of the Afghan state. The president is aware that he will retain his hold on power only as long as his adversaries remain divided and unorganized. This is why, in order to prevent the emergence of a genuine opposition force, Karzai's activities focus largely on playing games with political parties and their leaders. Karzai's divide and rule strategy has fostered rifts not only among the different ethnicities, but also within them. This creation and exploitation of divisions

within Afghan society is exceptionally dangerous and bound to destabilize the country. The president's stance on disputes between the Hazars and the Pashtun nomads (kuchi), or the Karzai-encouraged conflict of Uzbek community leaders (Akbar Bay, Rashid Dostum) are cases in point.

The presidential system enshrined in the Constitution became the foundation on which the patrimonial model of the present presidency has evolved. Governance in Afghanistan increasingly relies on the personal relationships of the president and members of his entourage, on the one hand, and state officials, private entrepreneurs and the criminal community, on the other. The evolution of patrimonial links based on personal relationships—both within Afghan power structures and among countries in the region—is quite natural, but typically the inherent risk of such a mode of operation is offset by the consolidated and strong position of tribal, religious, political or local groups. Not so in Afghanistan, where no such equilibrium exists. During the recent three decades of conflicts and social and political change, the traditional structures were largely broken up and new ones, such as political parties, are still too frail to support this burden.

The patrimonial system of rule based on personal relationships makes the process of power succession a grave danger. Without Karzai, the existing power structure would have collapsed. The spoils derived from this mode of operating are substantial enough to induce the presidential camp to tamper with voting results or to extend the president's term. Unless political changes are effected in the next several years, the monopolization of power will grow more complete and President Karzai might display more and more authoritarian aspirations. The consolidation of power will then take precedence over sustaining a political equilibrium, implementing necessary reforms, and operating an efficient and competent state.

## New system for Afghanistan

Reforming a political system and its scene is a complex and long-term project. Yet, unless this challenge is addressed in Afghanistan, the present political system will very likely put the brakes on the country's development, generating new problems for the functioning of the state and the society. While an attempt at reform might add to the turmoil, leaving things as they are would be even more dangerous. It can be expected that efforts to overhaul the state will inspire disenchanted Afghans with a new optimism similar to that which arose immediately after the overthrow of the Taliban.

The reform of Afghanistan's political system should bring about a better alignment between the intricate ethnic, religious and political structures of the society. A situation must be created where major groups can participate in governance by means of more pluralist, constitutionally authorized institutions designed according to a checks-and-balances system. The present presidential system should be replaced with a parliamentary-cabinet one that will bring in its wake better conditions for the functioning of political parties, a model that will enable ruling coalitions to be formed in an efficient way.

With the office of prime minister created, the president's overall position weakened (while some prerogatives of the office are preserved), and the role of the parliament and the political parties fortified, conditions will arise for a more balanced division of power among Afghanistan's major ethnic groups. The allocation of responsibilities between the president and the prime minister could further improve the efficiency of the state's performance.

In Afghanistan's socio-political reality, the office of president would presumably go to a Pashtun. The head of state should retain special oversight of defense, security and foreign policy. To this end, the president could be vested with powers to appoint the defense, foreign affairs and interior ministers. The president should also have the power to veto Acts of parliament. A strong—but not dominant—president would establish a balance among the head of state, the prime minister and the parliament.

The prime minister, leading the work of the government, should be responsible for administrative and economic issues. With a parliamentary majority required for the forming and functioning of cabinets, an inclusive government would be ensured. In the current Afghan context, winning a parliamentary majority would necessitate a coalition of parties representing different ethnic, religious and political groups.

Ethnic groups in the northern part of the country have the best chance of building a coalition. A coalition of Tajiks, Uzbeks (with the participation of Hazars) and some Pashtuns would provide the government with a stable support base. In this scenario, the head of government would be a Northerner. With a Pashtun president representing the South and a prime minister from the North, the

populations of both regions would be certain to feel they are represented at the highest level of government, thus dissolving many tensions.

A genuine interdependence between the legislative and the executive branch would have yet another desirable effect. As the Afghan legal system and the courts are exceptionally weak, the executive is practically free from oversight by the judiciary, making parliament-ensured political supervision of even greater importance.

The parliamentary-cabinet system cannot function without a strong and efficient parliament. At this point in Afghanistan the position of the parliament is very weak, a state only partly attributable to the Constitution. For the greater part this is a result of the parliament's fragmentation which reveals the absence of conditions enabling political parties to function in the parliament. Unless its role in political life is reinforced, the parliamentary-cabinet system will be generating numerous problems in Afghanistan. Without political parties, the formation of a parliamentary majority and, therefore, of a government will be practically impossible.

Political parties can impart new momentum to the Afghan parliament, but for them to play a meaningful role in the work of the national assembly electoral law must be changed. Elections to the Afghan parliament are held on the basis of a single non-transferable vote (SNTV), practically eliminating the effectiveness of political parties while facilitating the corruption of candidates by those in charge of the election process. A parliament so divided, without an internal organization, is hardly equipped to play a significant role in political life. This is why the majority electoral system should be replaced with a proportional system with a percentage-based electoral entry threshold, or by a hybrid, proportional/majority model. The important thing is to design the proportional electoral model to ensure that the parliament is not unduly divided and therefore capable of forming coalitions. On the other hand, electoral law should ensure that the parliament is representative, with room in it for representatives of different groups. Percentage-based electoral entry thresholds for parties and coalitions of parties, set up such that political organizations with above-threshold voting scores could enter the parliament, would successfully prevent an excessive fragmentation of the parliament.

As Afghanistan's party system is built, consideration should be given to the question of financing political factions. Without money, parties will be susceptible to corruption, the influence of businesses, and to the largesse of neighboring countries anxious to use them in furthering their own interests. For this reason, the political parties in Afghanistan should be financed through the state budget.

Central reforms unavoidably raise the matter of local reforms. Unless the functioning of central authorities is improved, local-level changes will not make things better in the provinces. Poor performance of local authorities is largely due to the malfunctioning of the central authorities and to the exportation of political conflicts from the capital to the provinces.

At the level of the provinces, there should be more balance between the governor as a representative of the central government and as a representative of the local community. To transfer more power to local elected authorities, such as the Province Councils or the County Councils, would certainly be a step in the right direction. The Province Councils should be equipped with concrete tools to oversee the governor's performance, e.g., via the power to approve the provincial budget. On the other hand, ideas advanced now and then that the governor should be elected in provincial universal elections are too far-fetched. Too much autonomy for the local authorities could put at risk the territorial and political integrity of Afghanistan as a whole.

The reform of the system would also come to bear on the possibility of dialogue with the armed opposition. Unless the position of the authorities in Kabul is strengthened, launching talks with the Taliban will be an exercise in futility. The Taliban have been playing off the political chaos in the capital to further their ends. On the other hand, with the political system reformed and the Constitution amended to strengthen the state, conditions will arise that will draw a portion of the armed opposition into the mainstream of Afghan politics. Moreover, by allowing for some of their demands to be met in a new draft Constitution, the insurgents would develop a stronger identification with the new order.

## New system for Afghanistan

While the Afghans feel the need for change, the political situation prevailing in the country offers them no prospect of change. For necessary reforms to be introduced, support and an impulse from without are required.

The U.S.'s consecutive Afghan strategy proposals lack a political dimension. The European Union states could, by way of a joint project, round out American initiatives by contributing a draft of systemic reforms. Those EU members which, upon shedding Communism, set out to profoundly reform the state could make a particularly important contribution. The transformation experiences of such countries as Poland could help avoid many mistakes as Afghan projects are carried out. Another advantage of having post-communist EU states, such as Poland or the Czech Republic, lead an initiative to reform the political system in Afghanistan is that these countries have no record of colonialism and are perceived by the Afghans, who are aware of Eastern Europe's subjugation by the USSR, as more akin to themselves and devoid of imperial aspirations.

After the 2009 rigged election in Afghanistan, Germany and Britain came up with the concept of an international conference on the future of Afghanistan. Yet neither London, associated as it is with its colonial past, nor the logistically difficult Kabul would be the proper venue. Warsaw, currently marking the 20th anniversary of its own systemic political transformation, could prove to be a suitable place for the leaders of major Afghan political forces to meet and set the agenda for the introduction of systemic political reform in Afghanistan.

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