THE POST 9/11 DEMOCRATIZATION IN AFGHANISTAN: CHALLENGES AND EXPECTATIONS

AHMAD SHAH AZAMI
Metropolitan University Prague, Czech Republic
Vinohradska 159 A, 100 00, Praha 10, Prague, Czech Republic
Email: ahmad.s.azami@gmail.com
DOI: http://doi.org/10.33642/ijbass.v1n1p3

Abstract:

Following the US led invasion of the country in late 2001 and the fall of the Taliban regime, a new process of democratization started based on the Bonn Agreement -a draft under the umbrella of United Nations which gave a road map to Afghans and the international community for a transition to a successful democracy and stability in Afghanistan. The presidential, parliamentary and provincial councils' elections were held. Another important achievement in the country is the standardization of the human rights, especially women rights through establishing an independent commission of human rights. Now there are dozens of female MPs and women candidates stood in the race to be the president of the country.

Although efforts are underway for democracy to work in Afghanistan, there are a number of challenges and obstacles. People's expectations have not been met and the country still faces insecurity, intimidation, corruption, violation of rights, and warlordism. The paper outlines democratic achievement in the country in post-Taliban Afghanistan and discusses challenges and factors that threaten the nascent democracy.

Keywords: Afghanistan, Democracy, Democratization, Security

1. Introduction:

A. Historical Background

Historians and political scientists have variously described Afghanistan as a land bridge, the roof of the world, the door of India (Sub-Continent), the silk route, the eastern door of the Islamic world, the hub of civilizations, a highway for the international commerce and some have given it the title of the heart of Asia. Due to its geo-strategic significance, Afghanistan has frequently been a battlefield for major powers and a variety of invaders. In the course of history, the country has paid a very heavy price for its sensitive geography and location.

The contemporary history of Afghanistan shows that it has been at the center of various internal and external encounters and upheavals. In 1973, while King Zahir was on a trip to Italy, his cousin and former prime minister (1953 to 1963), Muhammad Daud Khan, came out of retirement and took the government in a bloodless coup (Tanner, 2002: 229). Daud put an end to the monarchy in Afghanistan by establishing a republic system. However, after five years of his Presidency, on April 27, 1978, a picked force of Afghan armored units surrounded the presidential palace in Kabul. By the dawn of the next day, he and all his family were dead. The Marxist military officers immediately handed power to the Soviet backed Peoples Democratic Party of Afghanistan (PDPA) which proclaimed the Democratic Republic of Afghanistan (DRA). Noor Muhammad Tarakai (the head of the Khalq faction of PDPA) became the President. On

September 14, his deputy, Hafizullah Amin, declared himself the new president after killing Tarakai (Tanner, 2002: 230-231).

On December 27, 1979 Soviet troops invaded Afghanistan, killed Amin and installed Babrak Karmal, leader of the Parcham faction of PDPA, as the new ruler. But anti-regime resistance intensified with various Mujahideen groups fighting the Soviet forces and the communist regime. Among others, US, Pakistan, China, Iran and Saudi Arabia supplied money and arms to the Mujahideen guerrilla fighters who were resisting the Soviet occupation. In 1986, Babrak Karmal was replaced by Najibullah as the new head of the Soviet-backed regime in Kabul. The resistance continued and eventually the Soviet troops left the country in 1988. However, the Najibullah's regime backed by the Russians managed to stay in power for another three years until the Mujahideen took over in April 1992. But soon a bloody war started between different Mujahideen factions and the country was again in chaos. In 1994, the Pakistan backed Taliban Movement emerged in the south of the country and captured the capital, Kabul in September 1996 while introducing a hard-line version of Islamic *sharia*. In October 2001, the US led forces launched strikes against the Taliban regime in Afghanistan who refused to hand over Osama bin Laden, that it held responsible for the September 11 attacks in New York and Washington. Around the same time, different Afghan groups took part in a UN sponsored conference in Bonn, Germany, and agreed on a road map on December 5, 2001 to establish democratic intuitions in Afghanistan starting with the formation of an interim government with Hamid Karzai as its head.

B. Major Constitutional and Democratic Developments in Afghanistan

The first constitution of Afghanistan was promulgated in July 1923 by King Amanullah Khan which guaranteed the freedom of political, economic and social activities and a parliament was established in the country (Zarmalwal, 2004: 91). King Amanullah also introduced a number of liberal reforms including giving more rights to women. The move was criticized by some religious elements and the unrest began which forced the king to abdicate and go into exile.

In September 1930, General Muhammad Nadir Khan summoned a *Loya Jirga* of nearly three hundred notables which confirmed him as the new king of Afghanistan. He promulgated a new constitution in 1931 which was based on the Hanafi School of Sunni Islam and local customs but was inspired by the Turkish, Iranian, French and the 1923 Afghan constitution of the former King, Amanullah (Dupree, 2005: 463-464).

On October 1, 1964, a new constitution was signed by the next King, Muhammad Zahir Shah, after it was discussed and drafted in a Loya Jirga comprising of 452 delegates from all over the country (Dupree, 2005: 586).

The real process of democratization in Afghanistan started under a constitutional monarchy with the implementation of 1964 Constitution and lasted for almost 10 years. A number of Afghans, especially the youth and the literate people welcomed the new era of democracy. Independent and free newspapers and magazines were published and the state was composed of three pillars, i.e. executive, legislature and judiciary. In addition, a number of political parties were formed and parliamentary elections took place in the same decade. Later, Sardar Muhammad Daud seized power in a palace coup by overthrowing his cousin and the king of Afghanistan, Muhammad Zahir Shah, and put an end to the monarchy in Afghanistan. Another constitution was written in Daud's presidency in 1976. After the soviet backed Peoples Democratic

Party of Afghanistan (PDPA) gained power in 1978, parliamentary elections were held in 1980s but couldn't gain the popular support as the country was at war and a large segment of the society considered their reforms to be against religion and the Afghan traditions. The communist regime also wrote its constitution in 1987.

However, following the US led invasion of Afghanistan and the formation of a new government based on the Bonn Agreement, the Constitutional *Loya Jirga* (Grand Council) which comprised 502 Afghan elders and local dignitaries met for three weeks in Kabul and approved the final draft of the Constitution on January 4, 2004. The Constitution was formally ratified by President Hamid Karzai at a ceremony in Kabul on January 26, 2004. The 2004 Constitution is mostly based on the 1964 constitution and consists of 12 titles and 160 articles.

2. Democracy and Democratization in Afghanistan

Democracy in general is a form of government where there is "rule of the people, by the people and for the people". It was the Greeks who coined the term *democracy*, or *demokratia*, from the Greek words *demos*, the people, and *kratos*, to rule (Dahl, 2000:11). Although Greece is known as the early home of democracy, the current democracies are far more different from the early ones. Democracies have various types and definitions but there are some common grounds that make a state or government democratic.

For people in the West, democracy means "liberal democracy"; a political system marked not only by free and fair elections but also by the rule of law, separation of powers, and the protection of basic liberties of speech, assembly, religion, and the right to own property (Zakaria, 2003: 17). A number of scholars are of the view that fair and free elections are the minimal requirement for a democracy. Governments have to go beyond this to guarantee political, social, economic and religious rights if they consider themselves as democracies; otherwise there will be democracy but not liberty. Zakaria has used the term of "illiberal democracy" for the states holding only elections but not giving due rights to citizens (Zakaria, 2003: 17).

On the other hand, Robert A. Dahl has described five standards for a democratic process-effective participation, equality in voting, gaining enlightened understanding, exercising final control over the agenda, and inclusion of adults. As a result, he adds that democracy can produce a number of desirable consequences such as peace keeping, prosperity, avoiding tyranny, essential rights, general freedom, self determination, moral autonomy, human development, protecting essential personal interests and political equality (Dahl, 2000: 37-45).

In modern democracies, all these features exist in one or another shape. The new Constitution of Afghanistan (2004) also includes these features. Article six of the 2004 Constitution states that "the state shall be obligated to create a prosperous and progressive society based on social justice, preservation of human dignity, protection of human rights, realization of democracy, attainment of national unity as well as equality between all peoples and tribes and balance development of all areas of the country" (Constitution of Afghanistan, 2004: 2). In addition, Article 33 states that "the citizens of Afghanistan shall have the right to elect and be elected. The conditions of exercising this right shall be regulated by law" (Constitution of Afghanistan, 2004: 9). However, a successful democratization requires the implementation of these principles. As Charles Tilly notes, no democracy can work if the state lacks the capacity to supervise democratic decision making and put its results into practice (Tilly, 2007:15). Based on the 2001 Bonn Agreement, a new process of democratization started in Afghanistan with the support of international

community. Bonn Agreement was a draft under the umbrella of United Nations which gave a road map to Afghanistan and its international partners for a functional democracy and stability in Afghanistan. According to the Agreement, Hamid Karzai was sworn in as head of a 30-member interim power-sharing government on December 22, 2001 while the first ever presidential elections in the history of Afghanistan were held on October 9, 2004 in which Hamid Karzai was elected for a term of five years. The very next year, on September 18, 2005, parliamentary elections were held for *Wolesi Jirga* (House of the People) or the Lower House and Provincial Councils. After the completion of first 5year-tenure of Afghan Presidency and Parliament, elections were held again in 2009 and 2010 respectively.

Democratization of Afghanistan continues and the process has a degree of success. Presidential, parliamentary and provincial council elections as well the ratification of a new constitution which guarantees the rule of law, forms the basis for the development of Afghan democracy, is big step forward. One of the most significant achievements of the government is the standardization of the human rights, especially women rights through establishing an independent commission of human rights. Now there are dozens of female MPS and women candidates stood in the race to be the president of the country.

3. Challenges to the Democratization in Afghanistan

The democratization efforts in Post-Taliban Afghanistan, supported by the international community are rooted in the hope that stability and positive political change could prove an antidote to radicalization and militancy. The US and its coalition partners went to Afghanistan with the determination to transform Afghanistan based on a liberal-democratic and prevent it from becoming a safe haven for terrorists. In the beginning, there was a strong optimism amongst the Afghans that their war-torn country will soon enter a political and economic stability and that they will have an opportunity to live and work in a peaceful environment. Although progress has been made in several fields including the reconstruction infrastructure, education, health, communications, and the formation of the Afghan national security forces, majority of Afghans and the democratization process itself still face a number of challenges.

The Economist Intelligence Unit Democracy Index 2011 shows a decline in the state of democracy in Afghanistan. The report has based its overall Democracy Index on five categories: electoral process and pluralism; civil liberties; the functioning of government; political participation; and political culture. Countries are placed within one of four types of regimes: full democracies; flawed democracies; hybrid regimes; and authoritarian regimes. Afghanistan stands 152nd out of 167 on the rank with 2.48 score out of 10 and falls in the category of authoritarian regimes (The Economist, 2011: 1-8). Another democracy-monitoring organization, Freedom House, annually ranks countries of the world on political rights and civil liberties where “1” represents the most free while “7” represents the least free rating. In 2012, Freedom House ranked Afghanistan as “Not Free” country with a rating of “6” in political rights and civil liberties categories. The survey points to a decline in rating or status of Afghanistan since the previous survey (Freedom House, 2012: 14).

Some of the challenges that democracy face in Afghanistan are as under.

A. Lack of Security and Stability

Generally most of the third wave or new democracies, such as Afghanistan, suffer from poor. However, the biggest hurdle in the way of a smooth and successful democratization in Afghanistan is insecurity and the

continuity of war. According to a 2011 survey by the Asia Foundation, lack of security is the biggest problem of Afghans. The Survey shows that nearly half of the respondents (46%) say that things in the country are moving in the right direction while 35% say things are moving in the wrong direction – an increase of 8% compared to 2010. The main reason for people's optimism is reconstruction/rebuilding (40%). At the same time, insecurity is the top reason for pessimism, cited by 45% of the respondents who say the country is moving in the wrong direction. This is followed by corruption (16%), bad governance (15%) and unemployment (13%) (The Asia Foundation, 2011: 3).

More than ten years after the US led intervention in Afghanistan and the presence of tens of thousands of US led NATO forces, as well as more than three hundred Afghan security forces (A to Z Guide, 2012: 6-7) insecurity is still the biggest problem Afghanistan faces. The war and insecurity has a very negative impact on ordinary Afghans and eroded their hope in a stable and prosperous future. Some Afghan businessmen have already shifted their wealth to Dubai ahead of the pull out of the international forces from Afghanistan at the end of 2014 (Reuters, 2012).

Meanwhile, the 2012 UNAMA (United Nations Assistance Missions in Afghanistan) Report says that civilian casualties increased in 2011 as compared to previous years. Some 3021 civilians were killed in 2011 with anti-Government Elements causing 2,332 (77%) conflict-related deaths of Afghan civilians in 2011, up14% from 2010. 410 (14%) civilian deaths resulted from the operations of Pro-Government Forces, down 4% from 2010. A further 279 civilian deaths, or nine percent of the total, could not be attributed to a particular party to the conflict (UNAMA, 2012: 1-2).

On September 20, 2012, while briefing the UN Security Council in New York, Ján Kubiš, the Special Representative of the Secretary-General for Afghanistan, highlighted that the country is in fragile security situation. He stressed that the ultimate condition for a stable Afghanistan is a "successful Afghan-led and Afghan-owned political transition" (UNAMA/SC, 2012).

The Afghan government itself considers insecurity as its biggest challenge. The rising threat is diverting the Afghan government's attention away from a variety of pressing needs, including institutional reforms and investment (Constable, 2007: 84). In peaceful conditions, Afghan government could have done a lot more for the social and economic development of the people. Most of the human and financial resources of the government are spent in the security sector.

B. Corruption, Unemployment and Poverty

Corruption, Unemployment and poverty are also major obstacles for the successful democratization of Afghanistan. The Afghan President, Hamid Karzai, has admitted that there is corruption in the Afghan government and has expressed his commitment to eradicate it. However, the ongoing corruption has also eroded public's trust on the government institutions and thus defamed the democracy and democratic institutions in the eyes of many Afghans. Some international donors have already threatened that unless the Afghan government tackles corruption, they won't give more financial assistance. The 2011 Corruption Perceptions Index by the Transparency International shows that the vast majority of the 183 countries and territories assessed score below five on a scale of 0 (highly corrupt) to 10 (very clean.). Afghanistan stands 180th on the rank having scale of 1.5 only (Transparency International, 2011). Democratic theory and historical experience suggest that differential level of economic development has a big impact on democratic outcomes. A high level of corruption and non-accountability are among the main obstacles for the economic

growth and development in a country and negatively impact the process of democratization. In addition, unemployment is pushing a number of youth towards the Taliban. On the other hand, opium cultivation and drug trafficking in Afghanistan also affect the national economic development. According to the UN's Afghanistan Opium Survey, Afghanistan produces some 90 per cent of the world's illicit opiates (UNODC, 2011: 1) Domestic drug dealers and their protectors are part of powerful interest groups that can challenge the stability, disrupt law and order and spread anarchy in the country. Democracy can't be built on a drug-based economy. It is also seen that a large amount of the drug money goes to the pockets of warlords and anti-government militant groups such as the Taliban.

C. Ethnic Diversity

Democratization is considered more complicated in a multi-ethnic state where each one is cautious about their share. Afghanistan's multiplicity of ethnic identities and linguistic divisions makes forging a national democracy a particular challenge (Barry & Greene, 2009: 25). There are some 14 ethnic groups in the country with Pashtuns the major ethnic group followed by Tajiks, Hazaras and Uzbeks. In order to address their concerns all major languages spoken in the country were declared as official languages in their own territories. A new national anthem was also produced in which all major ethnic groups were mentioned by name. Hamid Karzai is a Pashtun who holds the office of the president while the two vice presidents are from Tajik and Hazara ethnicities. Still all ethnic groups have their own grievances and don't seem to be satisfied with what they have.

D. Misinterpretation of Democracy

A number of Afghans think that democracy is an externally imposed liberal and non-Islamic phenomenon. Some of them view some elements of the current process of democratization similar to the reforms imposed after the 1978 communist coup by the Soviet backed regime. They consider democracy as an alien concept which poses a danger not only to their religious beliefs but also to their traditions and cultural values. They think that democracy will bring vulgarity to the society as they consider it as a limitless freedom for citizens including women. Democratization has become best global practice for international state building interventions, and yet in Afghanistan, democracy now carries negative connotations for many people (Larson, 2011:11).

4. Remedies and Expectations for Democratization in Afghanistan

There is still space for the development of democracy in Afghanistan. Democracy can flourish in peace; therefore, a renewed focus on peace building is urgently needed. The Afghan government and its international partners must ensure that the country is stable and peaceful and take serious and effective steps to counter the negative influence of regional and international actors that support insurgency and militancy. In the meantime, serious efforts aimed at a political settlement with the armed opponents of the Afghan government are needed. Afghan government institutions need to be seen fair and just and in the service of the people. In addition, foreigners including the US led NATO forces should respect local culture and traditions. Although, the international community has billions of dollars on Afghanistan's reconstruction, a long term financial assistance and security guarantees are needed by the international community. Foreign funds can boost the government duress; they can also be used to strengthen the young and fragile democratic institutions (Moravchik, 1991:72-73). Economic development can be more effective if there is a strict check

and balance on all foreign aids and the funds allocated on various developmental projects. Everyone involved must be made accountable and corrupt officials have to face justice. Until the local populations are on board, democratization and reconstruction are stalled (Holohan, 2005: 177). The locals need to see the benefit of the economic aid. All this will portray a positive image of democracy. Honest and impartial judiciary guarantees civil rights of the people which lead to the democratic values.

The problem of ethnic diversity can be solved through fairness and finding common grounds and shared interests. The establishment of a country wide national security forces and a representative bureaucracy will further unify the country. People need to be educated in democratic principles and democracy should be localized by making it relevant to the daily lives of the people and compatible with Islamic and Afghan traditional frame work. The concepts of Consultation (*shura*), Consensus of the community (*ijma*), reinterpretation (*ijtihad*), and legal principles such as the public welfare (*maslaha*)-are needed to be explained to promote the concept of democracy (Esposito, 2004: 96-97). It should be told to the general public that, as Mark Tessler notes, "Islam is not incompatible with democracy and does not discourage the emergence of attitudes favorable to democracy" (Tessler, 2002:13).

The institutions of "Assembly Democracy" existed around 2500 BC in the Middle East, Greece and Rome, and Afghanistan's traditional *Jirga* is the best example of it in the contemporary history (Keane, 2009:XV). Lessons from local Afghan culture and traditions will also prove helpful as they contain a lot of aspects of democracy. Afghanistan has a long history of *Jirgas* (Elders' Councils) and *Loya Jirgas* (Grand Councils) which have democratically resolved a number of issues. The first ever *Jirga* in the contemporary history of Afghanistan was held in 1709 in Kokaran, Kandahar where the tribal elders nominated Mirwise Khan as their chief (Farahi, 2002: 73). A historical *Loya Jirga*, where the founder of the modern Afghanistan, Ahmad Shah Durrani, was elected as the King and leader, was held in 1747 in Kandahar (Dupree, 2005: 332-333). Later on, a number of *Loya Jirgas* were held in Afghanistan which included the two in 1915 and 1941 where the Afghan delegates made the decision that Afghanistan remain non aligned in the first and second world wars. In additions to the bi-cameral parliament, *Loya Jirgas* still remain part of the Afghan tradition, which are held when the government and the people need a wider consultation on a major issue. Education and public awareness forms the foundations for a strong and stable democratic system. A balanced educational curriculum will reduce ethnic, territorial and linguistic hatreds and prejudices and will result in the revival of national pride and a strong sense of a common national identity (Qazi, 2005:75). In addition, political parties need to be organized on democratic and pluralistic principles.

5. Conclusion

The Afghan President, Hamid Karzai, while addressing on the inauguration of new parliament in June 2011 said, that "many of today's strong democracies have gone through very critical stages. While being attentive of the people's aspirations, Afghanistan too needs to learn and integrate democracy as a reality. By going to the polls despite all the threats and intimidations, Afghans, both men and women have demonstrated their desire for democracy" (Karzai, 2011). Afghanistan has made a lot of progress in the decade following the fall of Taliban. Successful presidential, parliamentary and provincial councils' elections were held. Afghanistan now has a democratic Constitution and a parliament representing people from different ethnic and ideological backgrounds. Development has taken place in the social sector and civil society is flourished. However, insecurity and an active insurgency are the biggest challenges the country and its fragile institutions face. In addition, bad governance, corruption and the lack of rule of law are other challenges which resulted in the erosion of public's trust in the system and democratic institutions.

References

1. Atayee, Muhammad Ibrahim (2004). An Overview of the Contemporary History of Afghanistan. [From Pashto Language] Peshawar: Maiwand Publishing Company.

2. Barry, Charles L. and Greene, Samuel R. (2009). What Democracy for Afghanistan?. Washington: National Defense University.

3. Constable, Pamela (2007). A wake-up Call in Afghanistan. *Journal of Democracy*. Vol. 18, No. 2, pp. 84-98
4. Dahl, Robert A. (2000). On Democracy. New Haven: Yale University Press.

5. Dupree, Louise (2005). Afghanistan. Karachi: Oxford University Press.

6. El Fadl, Khaled Abou, Esposito John L., et al (2004). Islam and the Challenge of Democracy. New Jersey: Princeton University Press.

7. Farahi, Abdul Ghafar (2002). The Era of Democracy and Republic in Afghanistan 1963-1978. [From Pashto Language] Peshawar: Danish Publishing Company.

8. Freedom House (2012), Freedom in the World 2012. New York.

9. Holohan, Anne (2005). Networks of Democracy: Lessons from Kosovo for Afghanistan, Iraq, and Beyond. Stanford California: Stanford University Press.

10. Karzai, Hamid (2011) Inauguration of New Parliament in Kabul Jun 29, 2011. Kabul. [Online] Available: http://president.gov.af/Content/Media/Documents/StatementbyPresidentKarzaiattheInaugurationofNewParliament_Jun_29_201118102011930514535533325325.pdf (September 15, 2012)

11. Kean, John (2009). The Life and Death of Democracy. New York: W.W. Norton and Company.

12. Larson, Anna (2011). Deconstructing Democracy in Afghanistan. Kabul: Afghanistan Research and Evaluation Unit.

13. Moravchik, Joshua (1991). Exporting Democracy. Washington DC: Publisher for the American Enterprise Institute.

14. Qazi, Gul Rahman (2005). Ethnic Fault Lines in Afghanistan and the Challenge of National Unity. In The Challenge of Rebuilding Afghanistan. (pp. 73-87) Karachi: University of Karachi.

15. Reuters (2012). Afghans seek shelter in Dubai ahead of pullout, Dubai/Kabul. [Online] Available: http://www.reuters.com/article/2012/09/12/us-afghanistan-dubai-idUSBRE88B1IZ20120912 (September 20, 2012)

16. The Asia Foundation (2011). Afghanistan in 2011: A Survey of the Afghan People. Kabul.

17. Tanner, Stephen (2002). Afghanistan: A Military history from Alexander the Great to the Fall of the Taliban. Karachi: Oxford University Press.

18. Tessler, Mark (2002). Do Islamic Orientations Influence Attitudes Toward Democracy in the Arab World? Evidence from Egypt, Jordan, Morocco, and Algeria. [Online] Available: http://www.worldvaluessurvey.org/wvs/articles/folder_published/publication_516/files/5_TessIslamDem_2.pdf (September 19, 2012)

19. The A to Z Guide to Afghanistan Assistance (2012). Afghanistan Research and Evaluation Unit. Kabul.

20. The Constitution of Afghanistan (2004). Kabul: Islamic State of Afghanistan Constitutional Commission Secretariat.

21. The Economist Intelligence Unit (2011). Democracy Index 2011: Democracy Under Stress. New York.

22. Tilly, Charles (2007). Democracy. New York: Cambridge University Press

23. Transparency International (2011). Corruption Perceptions Index 2011. Berlin. [Online] Available: http://cpi.transparency.org/cpi2011/results/ (September 9, 2012)

24. UNAMA (2012), Afghanistan Annual Report 2011: Protection of Civilians in Armed Conflict, Kabul.

25. UNAMA (2012), In Security Council, Top UN Envoy Warns of Fragile Security in Afghanistan. [Online]Available: http://unama.unmissions.org/Default.aspx?tabid=12254&ctl=Details&mid=15756&Itemid=35736&language=en-US (September 24, 2012)

26. UNODC, MCR (2011). Afghanistan: Opium Survey 2011. Kabul

27. Zakaria, Fareed (2003). The Future of Freedom: Illiberal Democracy at Home and Abroad. New York: W. W. Norton & Company.

28. Zarmalwal, Ghulam Muhammad (2004). Afghanistan until the last Afghan. [From Pashto Language] Peshawar. Danish Publishing Company