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The Failure of Airborne Democracy

The Bonn Agreement and Afghanistan's Stagnating Democratisation

When Afghan delegations, representatives of the UN and interested governments met in Bonn in late November 2001 to determine Afghanistan's future, the participants acknowledged 'the right of the people of Afghanistan to freely determine their own political future in accordance with the principles of Islam, *democracy, pluralism* and social justice' (emphasis added).¹ The Bonn Agreement on Afghanistan² and follow-up accords provided for a number of key prerequisites for an open electoral process and the establishment of democratic institutions. This included a census and voter registration, the disbandment of militias, the reintegration of its members into new armed forces, and the provision of justice, particularly with regard to war crimes and human rights abuses.

This was based on the assumption that – following their bad experiences with a series of un- or even anti-democratic regimes, including those of the Soviet-supported leftist People's Democratic Party of Afghanistan (PDPA), the Mujahedin and Taliban from 1978 to 2001 – Afghans would finally be prepared to embrace a democratic form of government.

Indeed, this author's experience while working in Kabul during the final 18 months of Taliban rule in

2000–01 seem to support this idea: many conversations in the Afghan capital and beyond reflected the desire of Afghans of different walks of life to determine for themselves their own political future. Apart from the underground activists,³ this desire was expressed by shopkeepers, tailors, taxi drivers and young unemployed Afghans, most of whom did not belong to the educated, urban 'elite' with whom many in the West exclusively associate a desire for a democratic way of governing Afghanistan.⁴ (I concede that a number of shopkeepers and taxi drivers were intellectuals without appropriate jobs.) It also turned out that, during the early post-Taliban period during the preparations for the Emergency Loya Jirga (ELJ) in mid-2002, Afghans were not unfamiliar with democratic procedures, of course Afghan style, through tribal and community-based mechanisms like jirgas and

¹ Find the full text at <http://www.afghangovernment.com/AfghanAgreementBonn.htm>.

² The full name is the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions.

³ In spring 2000, the author clandestinely met representatives of about a dozen underground groups and parties in secret locations in Kabul. See also: Thomas Ruttig, 'Afghanistan's Democrats: From underground into marginalisation' in *Afghanistan 1979-2009: In the Grip of Conflict* e-book (Washington, Middle East Institute 2009).

⁴ The argument that democratic aspirations are limited to 'small urban circles' is often fielded by those who believe – or have believed from the start – that a democratisation of Afghanistan was overambitious and that it should not have been attempted in the first place.

shuras, but also Western style,⁵ and were keen to break the spell of the warlords.

It was also clear that Afghanistan could start its development towards a pluralistic democratic political system only when the Bonn Agreement was fully implemented. But it was not.

A census never took place. Voter registration was done in a way that allowed manipulation and fraud during both elections cycles of 2004 and 2005 and particularly 2009 and 2010. The Disarmament, Demobilisation and Reintegration (DDR) process harvested mainly the low hanging fruit, i.e., it left the most powerful militias virtually untouched. They were protected by their former chiefs-turned-politicians. Northern Alliance (NA) leader Muhammad Qasem Fahim, then as defence minister, kept intact units loyal to him and protected weapons depots. Current Vice President Abdul Karim Khalili even heads the government's Commission on the Disbandment of Illegal Armed Groups (DIAG), while his own militia still keeps weapons that were handed to them by US troops in late 2001.

In 2006, the UN still spoke of 1,200 to 2,000 illegal armed groups with 120–200,000 members and more than 3.5 million arms throughout Afghanistan.⁶ Nevertheless, the DDR programme was declared successful and closed but was immediately replaced by the Disbandment of Illegal Armed Groups programme (DIAG). During the following ten months, Illegal Armed Groups (IAGs) were disbanded in three districts only, with 5,000 weapons submitted. During its second phase, by October 2007, less than 1,000 weapons were handed in.⁷ Since then, the pace has not picked up considerably. In 2010, a total of 71 IAGs

⁵ When the author, as a UN official, helped to organise the election of representatives for the 2002 ELJ, community leaders in Tagab district (Kapisa province) told him that his presentation of electoral procedures were not necessary because 'we have TV and know how this works' and the only requirement was the UN people monitoring the ballot box.

⁶ Muhammad Massum Stanakzai, then deputy head of the Afghan government's Commission for Disarmament and Reintegration (since 2007), during a meeting with diplomats on 4 April 2007 in Kabul; Ahmad Khalid Mowahid, 'Most irresponsible armed groups yet to surrender arms', *Pajhwok Afghan News* 11 October 2007.

⁷ In 2011, in the rather peripheral province of Ghor, there still were more than 150 IAGs, according to the *Scotsman* (17 August 2011). See www.thescotsman.scotsman.com/news/Motorbike-bandits-of-Jam-A.6819981.jp. In 2006, in Kunduz, the author saw IAGs with 'no arms' included in compliance lists.

were disbanded, 7,929 weapons collected, and 12 districts declared 'DIAG compliant'.⁸

The Bonn conference itself already had substantial democratic deficits. First, only four groups – and mainly those involved in the civil war – were allowed to participate; the NA as one of the two major civil war parties (the other party, the Taliban, was excluded) and two groups sponsored by neighbouring Pakistan and Iran. This projected the impression that only those ready to use violence to further their political aims were granted a place at the table. Even the fourth delegation, the Rome group that consisted of followers of the former king of Afghanistan and was considered to be politically more liberal, fielded some commanders. A fifth delegation with representatives from the pro-democratic underground and exile groups was, although officially invited, excluded on the day before the conference was opened.

Secondly, the chairman of the future Afghan Interim Administration had already been handpicked abroad and confirmed by the key delegation, that of the NA (led by Yunus Qanuni), which already controlled Kabul and large parts of the country. An internal pre-vote in the second-most powerful delegation, the Rome group, for its candidate for this position went against Karzai; the delegation was forced to repeat the vote under pressure from the US and the UN.

Also, the pledge that the Bonn participants 'withdraw all military units from Kabul and other urban centers or other areas in which the UN mandated force is deployed' never materialised. That gave the NA a key advantage – which was reflected in the Bonn decision to award it with most key positions in the new administration: NA politicians took the ministries for defence, foreign affairs and interior and headed the intelligence service, as well as the quasi-prime ministerial Office for Administrative Affairs. This raised suspicions among Pashtuns about a 'Northern domination'.

Such democratic deficits – or better manipulations, mainly by the US but not resisted by other governments – continued to taint the post-Bonn political process during its far-from-perfect implementation.

It started with the 'big tent' approach during the 2002 Emergency Loya Jirga (ELJ), developed by

⁸ UN Development Programme: Disbandment of Illegal Armed Groups (DIAG) Annual Project Report 2010, see www.undp.org.af/Projects/Report2011/diag/2011-03-21-%20Annual%20Progress%20Report%20of%20DIAG.pdf.

then US Special Representative Zalmay Khalilzad.⁹ This approach foresaw to integrate all the faction leaders into the new political set-up, so that they would not disturb it from outside – as Hekmatyar’s Hezb-e Islami and the Taliban later started to do.

Before the ELJ, Khalilzad arm-twisted the former king out of the race for the position of Afghanistan’s head of state. Former King Mohammad Zaher had returned and declared he would serve his people if they wished but as an ‘ordinary citizen’, not a monarch. Many Pashtun delegates had already signed a petition in his favour. But the US envoy, after postponing the ELJ opening for three days for ‘technical’ reasons, went public in a press conference to declare that the former king had renounced his candidacy in Hamed Karzai’s favour. The next day, a spokesman for the former king confirmed this position, with Mohammad Zaher sitting next to him stony-faced and not saying a word. (It was a clear sign of disagreement, but why he did not object remains unclear; perhaps he did not want to be seen as putting the process in trouble.) Again, pro-Zaher delegates circulated lists with signatures supporting him as an alternative candidate, but they were persuaded to give up, reportedly with a mixture of threats and financial incentives.

At that point, even the UN started breaking the agreed-upon rules for the Loya Jirga. First, provincial governors and police chiefs, who were blocked from running as ELJ representatives in the provinces where they held office (most did not want to resign as required), were allowed in through the backdoor. In a joint effort, Khalilzad, Karzai and the head of the UN’s Afghanistan mission pressured the Independent Loya Jirga Commission until it agreed to allow the interim president to appoint 50 additional ELJ members. I still remember the disbelief in the eyes of the Afghan commissioners who asked: ‘How can you, the UN, do this to us? We thought you were on our side!’ (I also thought that.) When the governors got into the ELJ anyway, they immediately started intimidating delegates in the dormitories where they were accommodated according to province. What they told them was basically, ‘Sure you can make use of your democratic rights of free speech to vote. But don’t forget that you have to

return home after the Loya Jirga.’ The UN also did not prevent the Afghan intelligence service – still NA-dominated – from taking over security in the ELJ tent. The delegates understood.

Also the physical set-up of the Loya Jirga showed what the real intentions were. While the 1,500 delegates held their public debates in the big tent, in front of the TV cameras that broadcast live, decisions were actually made in a second, small tent adjacent to the main one, with restricted access. There, Khalilzad and Lakhdar Brahimi, the UN boss, arm-twisted those who still did not want to vote for Karzai and struck other deals. It was in this tent that the West started losing the hearts and minds of Afghans who had trusted it or, more precisely, the Afghans’ conviction that the West had come to make Afghanistan a democratic country.

Eighteen months later, Khalilzad made sure during the Constitutional Loya Jirga that a presidential system was adopted, although a minority of the candidates (45 per cent) strongly objected. The stalemate was broken by a separate meeting of all Pashtun delegates where they were sworn in on this course, regardless of their otherwise political conviction – a move that re-ethnicised Afghan politics and created the mistrust now still prevalent amongst the non-Pashtuns. This ‘victory’ was achieved at the cost of a constitution that looks progressive on the surface but which, in fact, is full of loopholes and unregulated questions. These have come back to haunt the country following the 2010 parliamentary elections with an institutional crisis that, in effect, has strengthened the executive and further undermined the legislative. At the CLJ, Khalilzad and Karzai also prevented the establishment of an independent constitutional court that could have been an impartial arbiter for such internal political conflict.

These events were followed by a chain reaction. With the money brought in by the US Special Forces teams immediately after the start of the invasion on 7 October 2001, the warlords bought back the lost weapons and rehired their former fighters. (Many warlords had been kicked out of the country by the Taliban before, much to the joy of the population, or had been fighting an almost lost battle in some mountain valleys.) This gave them the power to reoccupy the areas they had controlled before the Taliban disarmed them. From there, they captured the parliament and most of the provincial councils in the 2005 elections, during which many Afghans asked how

⁹ Khalilzad was never able to dispel the impression that he wanted to become Afghanistan’s president himself (he was born in the country). In early 2009, offices had opened to support his campaign. The author talked to people engaged in the campaign who projected the impression that they were sure Khalilzad was serious.

they could vote freely ‘with a gun held to my head’. In many areas, local opinion leaders or competing candidates received house visits from local armed men prior to the poll, threatening them and offering them ‘the choice’ between a Quran and a gun; sometimes the Quran was replaced by money.

Re-empowered militarily and politically, the warlords expanded their realm into the economy. The 2001 start capital, delivered by CIA teams to finance the warlords anti-Taleban offensive, was topped up considerably by the resources channelled into their still existing militias, declared illegal by law but surviving in the official armed forces or otherwise, sometimes as security companies. They now provided auxiliary forces for combating the revived insurgency. This allowed their leaders to take over surviving or newly emerging sectors of the economy: import monopolies, mining, privatising what was left of the manufacturing industry, and the real estate and the banking sectors. The drug economy, initially the largest sector by far, was replaced by the mega-contracts for military supplies and protection as well as for infrastructure projects. The access to this new milking cow was facilitated by their political positions and the use of mock ‘NGOs’ and construction and trucking companies, often owned by relatives. The seats in Parliament also brought political prestige and impunity.

In the 2004 presidential election, the West still made sure that its candidate Karzai would win. When he failed to secure 50 per cent of the votes, the coalition of the major defeated candidates was arm-twisted to relinquish a second round of voting. Afghans were not unaware of those manipulations, and this contributed to the drop in participation in the 2005 parliamentary elections from 70 (in 2004) to 50 per cent of the electorate. The Law on Political Parties was delayed until it was too late for parties to field their own presidential candidates. For the 2005 elections, party lists were ruled out and the Single-Non-Transferable Vote (SNTV) was chosen as the electoral system that favoured the better-organised warlord parties. In the newly elected parliament, factions based on political parties were not allowed. This was followed by a marginalisation of parliament itself that was either circumvented or manipulated by the presidential apparatus (and often also by the post-NA opposition). Civil society was also marginalised and political activity at universities and schools disallowed.

Human rights and civil liberties are granted by Afghan law, but they often are not worth the

paper they have been printed on. Suraya Sobhrang, the almost-minister for women’s affairs, voted down by a conservative Wolesi Jirga majority in 2006, summarised the achievements of post-IEA Afghanistan:

The government is weak, corruption increases, warlords and commanders are at the top of the state, the culture of impunity continues to exist – parliament even passed a self-amnesty – and nothing happens to judicially tackle the violence of the regimes of the past. And because there is neither security nor governmental authority outside of Kabul, many people do not attend school there anymore, women and child trafficking as well as under-age marriages flourish, sexual harassment reaches new high watermarks, and the numbers of self-immolations and suicides increase. The future looks particularly dark. In such conditions, women’s rights also suffer. Yes, we have laws, but often they exist on paper only and are not implemented.¹⁰

Instead of putting Afghanistan on the way towards more democracy, the warlords – now referring to themselves as ‘Jihadi leaders’ – were allowed to take over not only the ‘new’ democratic institutions but virtually everything else that mattered in the country. Today they constitute the inner circle of advisors for an over-centralised presidential system and, because of their religious self-legitimation, are difficult to challenge politically. They simply have put themselves above the law. The president, who still ran and won on a reformist agenda in 2004, and his camp more and more morphed into just another politico-military faction with all its features, including semi-legal armed groups and participation in the illicit economy. In its ranks, late Ahmad Wali Karzai’s take on elections and democracy gained the upper hand: ‘The people do not like change,’ he said. ‘They think, the President is alive, and everything is fine. Why have an election?’¹¹ The president himself has resorted to a religiously charged language of late, during the parliamentary crisis, to assert the supremacy of the executive over the legislative.¹²

¹⁰ Thomas Ruttig, ‘Women’s Rights after 2001: Progress, but Much of It on Paper Only’, AAN blog, posted 5 October 2011, available at www.aan-afghanistan.org/index.asp?id=2114.

¹¹ WikiLeaks, Title: O9KABUL3068, 3 October 2009 by Aftenposten.no.

¹² Martine van Bijlert, ‘How to Read the Presidential Ruling’, AAN blog, posted 11 August 2011, available at www.aan-afghanistan.org/index.asp?id=2009.

But the failure of democratisation in Afghanistan is not a problem of incompatibility of democracy and Afghans (or Muslims) in general. Neither has 'Islam', or the warlords, cut off the start in this direction, but rather the misguided policy of the West, in particular its choice of allies. Western governments did not trust the democratic hopes and aspirations of many ordinary Afghans and showed themselves unable and unwilling to step beyond their anti-Taleban alliance and to broaden the base of the new Afghan institutions beyond their factions. Although the term 'broad-based government' was often used in UN resolutions and repeated in Bonn,¹³ it mainly referred to factional participation (called 'ethnic', as if the armed factions represented the democratic will of 'their' particular ethnic groups). As a result, the West preferred to integrate war criminals and human rights abusers into the new system, polluting and de-legitimising it from the inside from the very beginning.

Shackled by these strategic decisions, Western governments were also no longer able to push for a full implementation of the Bonn Agreement but were being led into compromise after compromise with the allied warlords. Consequently, they pushed Karzai into a coalition with these same warlords. And this has shifted the balance (that had still been rather open by mid-2002) to the detriment of democratic actors and institutions, as it had been the case in Mubarak's Egypt or Ben Ali's Tunisia.

Today, the coalition of the old warlords and the newcomer faction around Karzai constitute Afghanistan's neo-oligarchy that is not interested in democratic institutions, procedures and democratically minded people or in a change of the status quo, politically and economically. In contrast, this coalition rather sees them as a threat to its own precarious rule.

Simply put, democratisation (or its blockade) became a matter of power and sticking to it.

Confronted with this chain reaction of corruption, predatory and ineffective governance, the loss of the initial trust amongst the majority of the population, the growing insurgency, and the US-led intervention becoming more and more counterinsurgency-centred, Western governments have completely lost sight of their initial aim of democratising Afghanistan. Now they are 'de-emphasising democracy-building',¹⁴ pushed by the desire to just bring the Afghanistan 'mission' to an end. Statements like that of President George Bush in 2006, while visiting Afghanistan for the first time, that Afghanistan's democracy was 'inspiring others, and that inspiration will cause others to demand their freedom' sound ridiculous today – and point to what little understanding this US administration had about democracy.¹⁵

Even more worrying is that Afghans' perceptions of democracy have turned from hopeful to cynical. This is the real defeat the West is suffering in Afghanistan. It will take decades for this scar to disappear and may be paid for with many Afghans turning to a more conservative, anti-Western and even xenophobic worldview. The increased use of words like *kafer* (unbeliever) for foreigners, much beyond the Taleban sympathisers, is only one sign of this.

The fear as articulated in late 2001 by a pro-democratic politician has come true: 'Communism has failed us. Islam has failed us. What will happen if democracy also fails us?'¹⁶ Or, as another Afghan interlocutor once told the author: 'You can't drop democracy from a B-52.' Bush's airborne democratisation has failed, and Obama was already too deep in the quagmire to be able to turn it around again.

¹³ Bonn's 'interim arrangements' were 'intended as a first step toward the establishment of a broad-based, gender-sensitive, multi-ethnic and fully representative government'.

¹⁴ 'Pentagon Study: Change Course in Afghanistan', msnbc.com, 3 February 2009, available at www.msnbc.msn.com/id/29002019/ns/world_news-south_and_central_asia/t/pentagon-study-change-course-afghanistan.

¹⁵ Steven Donald Smith, 'Bush in Kabul: Afghanistan's Democracy Inspirational', US Department of Defense, 1 March 2006, available at www.defense.gov/news/newsarticle.aspx?id=15307. This was in the time when President Bush promoted the 'Broader Middle East and North Africa Initiative' as a 'forward strategy of freedom' for said region.

¹⁶ Author's meeting in Kabul, late 2011.

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ABOUT THIS CHAPTER

This chapter is part of a larger volume called *Snapshots of an Intervention: The Unlearned Lessons of Afghanistan's Decade of Assistance (2001–2011)*, edited by Martine van Bijlert and Sari Kouvo. The volume is a collection of 26 short case studies by analysts and practitioners, each with long histories in the country, who were closely involved in the programmes they describe. The contributions present rare and detailed insights into the complexity of the intervention and, in many cases, the widely shared failure to learn necessary lessons and to adapt to realities as they were encountered.

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