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AFGHANISTAN

Military occupation, violence and ethnocracy
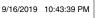
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The 2001 invasion, occupation and subsequent anti-Taliban war have created a strong pressure to ethnocratic rule in Afghanistan. The logic of alliance-building and counterinsurgency after the invasion forced a heavy reliance on ethnically defined militia groups. Yet, ethnocracy, defined as rule by the dominant ethnic group, albeit in alliance with subordinates, does not align well with Afghan political traditions. The identity of the Afghan state has historically centred on an interaction among regional or tribal solidarity, nationalism and Islam, rather than ethnicity per se. This essay discusses the interaction among these forms of solidarity in Afghan history. It offers a brief history of ethno-national politics in the country and discusses other forms of socio-political solidarity centred on clientelism and kinship networks. It outlines the ethnicisation of elite politics during the occupation, as the military alliance introduced an informal model of inter-ethnic power-sharing into the workings of the Afghan state. In its final sections, the essay assesses post-occupation political dynamics beyond ethnicisation. It argues that pressure for inter-ethnic bargaining and for non-ethnic political contention appears to be strengthening in the context of a would-be pluralist state, as defined by the 2004 Afghan Constitution, and with the formal end of US occupation. The essay ends by assessing possibilities for ethno-political de-alignment, for enabling political contention within a broadly nationalist and Islamic political field, enabling a sustained de-escalation in political violence.

Afghanistan and empire

Whilst never colonised, Afghanistan is an artefact of imperial rivalry. This is a critical factor in understanding its prospects. In the first instance, imperial power defined its territory. With the British failure to incorporate Afghanistan by invasion, the eastern border of Afghanistan defined the limit of the British Empire in the nineteenth

century. British efforts focused on delimiting the state through territorial acquisition. The eventual loss of eastern territory from Afghanistan to British India was defined in a one-page document in 1893 that established the "Durand line" (Biswas 2013). Nineteenth-century British-Russian rivalry was mirrored in the 1970s and 1980s with the Pakistan-US alliance against the Soviet-backed Afghan government. A Soviet military guarantee for the Afghan government in 1978 enabled the US to lure the Soviets "into the Afghan trap", to "give the USSR its Vietnam war", as Zbigniew Brzezinski, President Carter's National Security advisor, put it (Gibbs 2000). The effect of this was to create a decade-long civil war in which the US armed and funded warlords and Islamists (which later rebounded on the US with the formation of Al Qaeda) would come to dominate. The assumption that foreign policy manipulations could only have consequences for the people living in those contexts was rudely shattered. The ensuing war on terror very clearly demonstrated the extent to which the US and its allies were threatened by Al Qaeda insurgency (Goodman 2013). The UN-sanctioned goal of rooting out governments hosting Al Qaeda or groups deemed to be its associates was interpreted by the US as a green light to invade Taliban-held Afghanistan and led to a more than decade-long US occupation of the country (Williamson 2001). This brought the US and its allies into new state-building roles in Afghanistan, and the country has remained highly internationalised.

Again, the future of Afghanistan sits at the centre of a global empire – its future circumscribed by external forces. Not least among these is Pakistan, which was rehabilitated as a US partner in the war on the Taliban; concerns about military dictatorship and nuclear proliferation were set aside, and even ongoing collaboration between elements of the Pakistani state and the Taliban was overlooked. In the process, a neighbouring country that has a strong interest in a weakened Afghan state has gained an important role in influencing the future of the country (Fair and Gregory 2013; Maley 2016). Pakistan, in fact, may exercise a veto power on state stability in Afghanistan. Since 2005, these issues have been brought into sharp focus with the growing power of the Taliban, which has repositioned itself as a national liberation movement at war with the occupying forces and their appointees (Kamel 2015). Reflecting this, the Afghan government opened negotiations with the Taliban for the transition to US withdrawal in 2014. A key element of this was the recognition of *de facto* Taliban control over large segments of the country. The Taliban continues to strengthen its hand by alternating between political violence and negotiations, and this has persisted since the 2014 US withdrawal, partly driven by external interests (Maley 2016).

A brief ethno-political history

Modern Afghanistan emerged under the Persian Empire in the mid-eighteenth century, with Kabul as its capital since 1775. Internal conflict among the ruling tribal elites culminated in the rise of Dost Muhammad Khan, a tribal leader, who

gained control as Amir (prince) in 1826. Dost Muhammad's descendants then ruled the country for the next 150 years (Axworthy 2009; Barfield 2010). During the nineteenth century, Afghanistan became a competing ground for geopolitical influence between the British and Russian empires (Fremont-Barnes 2014). Russia invaded large parts of Central Asia, including the northern parts of Afghanistan, seeking access to the Indian Ocean (Tripodi 2010). Trying to insulate colonial India, British troops invaded Afghanistan in 1839 and were defeated, withdrawing in 1842. With Russian advances into Central Asia, the Afghan Amir signed a friendship treaty with the Russians, precipitating a second British invasion in 1878. Afghanistan became a protectorate of the British Empire in 1880 under a treaty assigning control of the country's external relations to the British, and later, in 1893, the Amir recognised the "Durand Line" which consigned half of the country's territory, and half of its Pashtun population, to British India, rendering Afghanistan landlocked (Balachandar 2012).

In the early twentieth century, Afghanistan embarked on its own national development program. In 1919, the Amir precipitated the third Anglo–Afghan War, which ended Afghanistan's protectorate status, allowing the country to become fully independent. The constitution was drawn up in 1923, based on the French model, and the Amir (now King Amanullah Khan), sought to westernise the country, including the adoption of a European dress code. The Islamic authorities opposed the new dispensation and in 1929 overthrew the king with the help of the army (and supported by the British) (Hiro 1995). Within that year, a new king was installed, Nadir Shah, and the country was renamed the Islamic state of Afghanistan. The king was assassinated in 1933 and his son, Zahir Shah, ruled until 1973. In these 40 years of political stability (1933–1973), Afghanistan experienced some degree of modernisation, emerging as a constitutional monarchy under its 1964 Constitution, although the country remained one of the world's least developed. Geopolitically, during World War II, Afghanistan was neutral, and in the Cold War it was closely aligned with the Soviet Union. At the same time, the United States developed close military ties with Pakistan.

In 1973, a former prime minister, Daoud Khan, staged a successful coup against Zahir Shah, installing a republican administration while the king was in Italy (remarkably, the king was to return to the country to legitimise the transition of power after the US invasion in 2002 and died in 2007). Daoud Khan was then himself ousted in 1978 in a military coup led by the Marxist-Leninist People's Democratic Party of Afghanistan (PDPA) (Rubin 1995; Dimitrakis 2013). Divisions in the PDPA started to emerge, and fearing the collapse of the regime, the Soviet Union signed a treaty of friendship with the government in 1978, guaranteeing military assistance in the event of a threat to the country's territorial integrity (Krivosheev 1997). The regime became further factionalised and was threatened by hostile forces internally and on the Pakistani border (Khan 2011). The Soviet state bolstered the regime, and at the end of 1979, several thousand troops were sent as direct military "assistance" and a new, more pro-Soviet president, Babrak Karmal, was installed (Hassan 1995).

The Soviet-backed regime sought to align socialism with Islamic social justice, using Russian financial aid. However, the presence of more than 120,000 Russian troops in Afghanistan inflamed nationalistic sentiments, and forceful resistance was unified into the Afghan Mujahideen (Holy Warriors), backed by the Pakistan state. The ensuing nationalist war displaced more than six million Afghans into surrounding countries. From 1985, under Mikhail Gorbachev, the Soviets encouraged power sharing with the Mujahideen and in 1986 installed Muhammad Najibullah as PDPA president to negotiate a truce and enable Soviet forces to withdraw, which they did in 1989 (Kaplan 2001). The constitution was revised in 1990 to remove references to communism, re-founding Afghanistan as a "unitary and Islamic state", and Najibullah remained in power until 1992 when Russian aid ceased. His execution in 1996, after four years of civil war, announced the arrival of the Taliban regime. During this period, ethnic violence became increasingly prevalent in a transition from ideological politics to identity politics linked to militarisation (Sharma 2017). Militarised ethnic blocs, headed by warlord elites, came to dominate the political landscape during the Taliban period, and after.

The meaning of ethnicity in Afghanistan

Historically, the Afghan polity has oscillated across combinations of nationalism and Islam, with institutions variously centred on monarchical, democratic and theocratic power. Political violence has, though, become more linked to ethnicity since the Soviet withdrawal. The concept of ethnicity in Dari, the dominant Afghan language, is most closely expressed in the term *Qawm*, which refers to a group of people who have a common ancestry, common language and culture, and a shared history and heritage. However, in Afghanistan, more markedly than in many other places, the meaning of ethnicity is blurred and shaped by other forms of identification. As Schetter observes, through the nineteenth century, "identities [were] derived from tribal origin, religious or sectarian belonging, social status and profession", noting these "societal boundaries and group formation altered in place and time" (Schetter 2005a, 5). Despite strong cross-border ethnic links, for instance for Pashtuns into Pakistan, for Tajiks in Tajikistan and Uzbeks with Uzbekistan, there has been no serious movement for secession or irredentism in Afghanistan (unlike in other postcolonial contexts) (Adeney 2008). Regional powers have intervened to support ethnicised proxies, Pakistan for Pashtuns, Iran for Hazarras and Tajiks, but this has not translated into an irredentist political project. Afghan nationalism, in this respect, is dominant.

Civil conflicts, including state violence and nationalist insurgencies, have been the main source of political violence, not ethnic conflict. These conflicts have hollowed out national elites: the Soviet invasion in 1979, with the subsequent civil war and eventual installation of the Taliban in 1996, saw an exodus especially of urban middle classes into neighbouring refugee camps in Iran and Pakistan; four million people returned after the 2001 invasion, but, as noted, under occupation the country's elites failed to generate economic autonomy and instead became increasingly

orientated to international aid flows. As the security situation deteriorated from 2005, the exodus began again, increasing numbers to three million in Pakistan alone (which announced mass forced repatriation in 2016; Admadi and Lakhani 2016). During these periods of conflict, everyday structures of kinship and clientelism had been central: "informal social security systems have been of critical importance in Afghanistan" (Schütte 2009, 479). Family and kinship is the major means of support in times of crisis and offers a foundational form of identity, linked with regional and tribal affiliations. In a country where civil society and the state are weak, kinship governs the individual's life and activities (Wimmer and Schetter 2003). In Afghanistan, when people refer to their family, they generally mean their extended family, often across a kin-based network with several hundred members, linked through strong social and economic bonds (Tapper 1991). Kinship links with wider clientelist structures. These have their origins in the originally feudal system of *Arbab wa Rayat* (client and patron). In this system, family or tribal leaders, landholders or employers, provide protection for the individuals that depend on them. Such protection creates an obligation for the Rayat or client, who must show their absolute loyalty to the *Arbab* (patron) when required. There are also more informal structures of community duty for the well-off. In most neighbourhoods, there are individuals who support their locality, as part of their religious observance. Under the name of *Khairat or baraie Khada* (charity in the name of God, or because of God), respected and wealthy members of a locality devote an amount of their daily income to the poorer members of their neighbourhood.

With the breakdown of state authority and civil conflict since 1979, dependence on these systems of mutual obligation has spread, so that many Afghans are now somehow connected by a powerful patron. Sharan argues these relations "characterise the daily politics of contemporary Afghanistan . . . in which selective benefits are distributed to individuals or groups in exchange for loyalty or political support"; they then "link factional elites and their regional–ethnic or tribal clients to the state" (Sharan 2011, 1119). He characterises the post-invasion political settlement as centring on the accommodation and legitimation of ethno–regional elites, producing a heightened ethnicisation of politics. In the context of on-going military conflict, kinship, clan membership, tribal relations, religious obligation, local codes of honour and customary means of conflict resolution have become more important. As Schetter argues, "[t]he permanent conditions of war since 1979 did not impair the significance of family, but the increased insecurity strengthened the role of kinship and clientelism. Distrust grew to such an extent that clientelism spread to almost every sphere of the Afghan society" (2005a, 10). In the cities, informal sources of social obligation have been weaker, especially amongst those internally displaced by conflict, leaving "a deep sense of insecurity for the urban poor", and approximately 80 per cent of the urban population relying on informal sources of livelihood and shelter (Schütte 2009, 479). Informal clientelism as a social practice is distinct from state corruption, which is extensive and has deeply corrosive effects (Braithwaite and Wardak 2013). Rangelov and Theros found that the "system of governance gives rise to an acute sense of injustice among ordinary Afghans, as they

witness the contrast between their own deprivation and daily struggle for survival, and the growing wealth of a privileged group of officials and power brokers" (Rangelov and Theros 2012, 236). State security is contracted to foreign security companies, which employ local sub-contractors, often former Mujahideen commanders and warlords, who have the power to enforce bribery. Funds are routinely exported: in 2011, US$ 4.6 billion of declared funds left Afghanistan via Kabul airport, an amount equivalent to the country's entire state budget for that year (Rangelov and Theros 2012; Shahrani 2015).

Another consequence of the decades-long internal conflict is the emergence of strong informal justice systems. This "legal pluralism" reflects the lack of trust in an often-corrupted state, or simply the absence of state authority (Wimpelmann 2013). The rule of law established post-2001 has been set up in combination with tribal and Islamic sources of legal authority. More or less institutionalised, informal justice varies across regions and population groups. Afghan Pashtuns, for instance, live under three regimes – Afghan law, the tribal rule of Pashtun Wali and the Islamic Sharia – with community judges arguing all three are compatible. Often considered the ideal type of informal justice is the image of the *Jirga*. *Jirga* is a Pashto word for a purpose-specific gathering of entrusted men tasked to make a decision or resolve a dispute. Through discussion, the representatives agree upon a settlement to restore honour, to which the parties are expected to adhere; women rarely participate and may themselves become part of the compensation package, a practice called *baad*. Since 2001, various efforts at reforming and formalising these "hybrid" arrangements have not been successful, forcing a continued pragmatic use of informal structures in the context of the on-going Taliban insurgency (Wimpelmann 2013).

Occupation, warlordism and ethnocracy

When global and regional powers intervene in Afghanistan, they have invariably assumed the existence of ethnic division. One example is Tomsen's account of US diplomacy in the region, which highlights great power manipulations in the country; in doing so, it exposes assumptions about ethnic rivalry, especially in the immediate post-communist civil war (Tomsen 2011). Intervention, whether to favour one ethnic group over another, or to 'manage' inter-ethnic relations, pre-empts the possibility of other foundations for political solidarity, be they tribal, religious, regional or national. External observers often assume that ethnic groups have a clear and distinct identity and read local conflicts as ethnic disputes. One journalist recently replicated the recurrent claim about Afghans, that "historically when they haven't been united fighting outsiders, they've been fighting each other" (Campbell 2013). Certainly, political institutions are dominated by Pashtuns. Under the British Empire, Pashtun elites were favoured as a bulwark against Russian influence: "Pashtuns were privileged in all areas and dominated the military; Tajiks were left with the economic sector and the educational institutions, whereas the Hazaras were marginalised in general" (Schetter 2005a, 7). Political power since the eighteenth century has almost exclusively been held by Pashtuns, and the creation of a Pashtun

state extending into Pakistan has been pursued by the leadership, for instance, under Prime Minister Sardar Muhammad Daoud Khan, in the years between 1953 and 1963. Reflecting these legacies, political conflict is often attributed to Pashtun domination and assumes primordial ethnic identification. Such accounts then drive policy, especially in relation to state-building efforts by the Soviet Union after 1979, and later under the US from 2001.

Consecutive Soviet-aligned governments in Kabul had warned people of foreigners' plans to divide the country on ethnic lines. There was some degree of truth in this as both Iran and Pakistan had an interest in ethnicising the war and funded ethnic proxies to achieve this (Pstrusinska 1990). Iran supported mainly Hazaras, based on their religious connection, and the Tajiks because of their language and cultural connection; Pakistan supported Pashtun groups because of their shared Pashtun heritage. Warlords themselves, seeing no other basis for their legitimacy, would assert ethnic leadership to convince foreign donors they had a broad constituency within Afghanistan. The Soviet Union labelled the rebel groups as the agents of foreign countries aiming to divide Afghanistan on ethnic lines. Once again, there was some truth in this as many of the so-called Mujahideen were in close association with foreign funders. With the Soviet invasion, fear of ethnic conflict was commonplace: the regime attempted to de-ethnicise the state, but Pashtun elites persisted (Roy 1986). The collapse of the PDPA regime from 1992 led to civil war, but it was not a war among ethnic groups, rather between rival warlords and their respective militias (Giustozzi 2012). During the civil war, thousands of people lost their lives, but ethnic groups kept relative peace with one another. The main ethnic victim of the civil war was the Hazara Shia minority, although anti-Hazara attacks also reflected religious sectarianism. Post-1996, the Taliban regime was Pashtun-led and systematically repressed Shia Muslims and in particular the Hazaras in a number of cities in Afghanistan, on a sectarian basis. With the collapse of the Taliban government and the US war in Afghanistan in October 2001, there was once again speculation over the possibility of ethnic war. Yet, since 2001, there has been relatively little in the way of ethnic conflict, especially given the scale of dislocation and conflict in the country. Ethnic displacement that had occurred in northern Afghanistan under the Taliban, in favour of Pashtuns, was reversed, with the expulsion of an estimated 20,000 Pashtuns from 2001 (Schetter 2005b). Another exception concerns a number of clashes between the nomadic Pashtun tribes and Hazaras around Bamyan, reflecting intensified competition between the groups for access to water and land, and a range of sectarian anti-Hazara attacks, including by Taliban militants on Hazara refugees in Pakistan. The relative absence of ethnic conflict post-2001 contrasts with the ethnicisation of state power. Following the US invasion, the new architects of the state sought to unify the polity and publicly downplayed ethnic division. The international community, the United Nations and supporting NGOs sought to ensure that all ethnic groups would have a role in the political and social life of the country (Wafayezade 2015, 15). In practice, though, state power was used to translate the power of contending militias into modes of ethnic leverage: power blocs were de-militarised, but also ethnicised. As Schetter argues, "every Afghan was

assigned to a certain ethnic affiliation: the 'Uzbek Dostum', the 'Pashtun Karzai', the 'Tajik Rabbani' or the 'Pashtun Zahir Shah'" (Schetter 2005a, 10).

UNSC Resolution 1378, adopted on November 14, 2001, had defined the framework for the post-Taliban administration, giving "strong support" for a government that was "broad- based, multi-ethnic and fully representative of all the Afghan people" (UN 2001). Afghan allies of the US met at the International Conference on Afghanistan in Bonn on December 5, 2001, selecting Hamid Karzai to head the Afghan Interim Authority. The conference drew up an "Agreement on Provisional Arrangements" which stated the interim administration had to have "due regard to the ethnic, geographic and religious composition of Afghanistan". Reflecting this, Karzai's cabinet was informally a form of power-sharing, composed of eleven Pashtuns, eight Tajiks, five Hazaras, three Uzbeks and two members of other ethnic groups. Once installed in government as legitimate rulers, these ethnomilitary leaders then positioned themselves as ethnic representatives, with a call on government posts (Mukhopadhyay 2014). As outlined by Ali, the breakdown was as follows: "Ahmad Shah Massoud's and Burhanuddin Rabbani's Northern Alliance became today's Jamiat-e- Islami, a primarily Tajik organisation. Uzbeks organised under Rashid Dostum's Junbesh-e-Milli. Abdul Ali Mazari's followers were now under the Hazara Hezb-e-Wahdat. And Pashtuns followed Gulbuddin Hekmatyar's Hezb-e-Islami. . . . The Mujahidin, the resistance who fought against the communist government, was fractioned into groups aligned to ethnicity as well. For instance, mainly Tajiks followed Ahmad Shah Massoud, Hazaras were led by Abdul Ali Mazari, Uzbeks and Turkmens were behind Abdul Rashid Dostum, and Pashtuns were with Gulbuddin Hekmatyar" (Ali 2015, 10). There was no necessary public support for these political blocs: many Afghans actively opposed the leadership of these organisations. For example, in 2003, Hezb-i-Islami was banned as a terrorist organisation by the UN, and Gulbuddin Hekmatyar, dubbed the "butcher of Kabul" for his actions during the civil war, was barred from entry into Afghanistan. His accord with the Afghan government in 2016 led to his attempted rehabilitation, but there is little evidence of public support for him, amongst Pashtuns or non-Pashtuns (Rasmussen 2016).

Islam, Afghan nationalism and the constitution

The 2001 Bonn meeting, which defined the framework for the post-invasion polity, was heavily influenced by would-be ethnic leaders who (ironically) stressed the need to prevent ethnic conflict in the country. A prominent role in all peace negotiations was granted to these leaders, who then built an ethnic oligarchy within the structure of the state, sharing government positions among them while selling other lucrative positions within government departments to clients. This informal ethnic power-sharing structure was entrenched in the new state but is viewed with disdain by the wider public, which is generally excluded from its material benefits. The informal elite accommodation was a legacy of alliance-building under the US occupation and contrasted with the formal constitutional arrangement post-2004.

The formal constitution was promulgated at a national deliberative conference, a *Loya Jurga*, held in Afghanistan in late 2003, and explicitly sought to institutionalise nationally shared foundations for solidarity beyond ethnic loyalty. In the first instance, the constitution was grounded in religious solidarity as the key foundation for political solidarity. It centralised power in an "Islamic Republic, independent, unitary and indivisible state" (A.1) and defined a civic Islamic political culture, embedded in non-authoritarian models of Islam, allowing for religious freedom for other religions as well as across Islamic traditions: Shia, Sunni, Sufi.

The constitution expressed a mode of an inclusive political Islam in contrast with a doctrinaire political Islam, in non-civic mode, where one interpretation of religious culture is asserted above others. The constitution grounds its legal authority in Islam – it is only sovereign insofar as it is compatible with Islam. It was declared in the year 1382 on the Islamic calendar and names Afghanistan as an Islamic republic, requiring all law to conform to Islamic "tenets and provisions". The constitution asserts a version of Sharia law (religious law) that is compatible with human rights norms: provisions for the supreme court state that ordinarily it acts in "pursuance of Hanafi jurisprudence, and, within the limits set by this Constitution" (Article 130). Hanafi is a School of Sunni law practiced in much of Central Asia where law is interpreted by both secular and religious authorities (Warren 2013). Reflecting this, the six members of the supreme court are appointed by elected politicians (named by the president, endorsed by parliament), not by the religious orders.

Legal pluralism is accommodated, with the courts required to "apply Shia jurisprudence in cases involving personal matters of followers of the Shia sect in accordance with the provisions of the law" (Article 131). The framework for education exemplifies the model, in requiring a "unified educational curricula based on the tenets of the sacred religion of Islam", along with "curricula for schools on the basis of existing Islamic sects in Afghanistan" (Article 45). Freedom of religion is asserted within this framework, with Article 2 stating the "followers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rituals": with the "bounds of the law" defined by Islam, religious freedom rests on respect for Islam. As such, political parties may only be established that do not "contravene the Holy religion of Islam" (Article 35).

There is support for ethnic diversity, but tribalism and sectarianism are outlawed. While centralising power, the 2004 Constitution recognised Afghanistan as a multi-ethnic country (Article 4). At the same time, it explicitly forbids tribalism and sectarianism, stating the "formation and operation of a party on the basis of tribalism, parochialism, language, as well as religious sectarianism shall not be permitted" (Article 35). Ministers were not to "use their positions for linguistic, sectarian, tribal, religious or partisan purposes" (A80). With the state defined as impartial, the constitution recognises ethnic identities, at Article 4 stating "[t]he nation of Afghanistan shall be comprised of Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujur, Brahwui and other tribes".

Article 6 then recognises the equal status of "all ethnic groups and tribes". This is reflected in language policy which institutionalises Pashto and Dari as first and second languages and any local language as the third language (Article 16). The national anthem "shall be in Pashto with the mention of 'God is Great' as well as the names of the major ethnic groups of Afghanistan" (Article 20). This recognition of local languages and tribal affiliations was, interestingly, one of the most contentious issues at the constitutional *Loya Jirga*, precipitating a walk-out by 40 per cent of the delegates (Adeney 2008).

Despite recognition of ethnic diversity, there is no entrenched requirement for regional autonomy. A structure of provincial district and municipal councils is established, only with devolution of power as required (Article 137). Since 2004, provincial councils have been constituted and have sought increased powers and resources, though they remain relatively weak and exist at the behest of the central state (Adeney 2008). They may, though, develop to displace centre-peripheral tensions from ethnicised competition for central resources into regionally grounded aspirations and priorities. These local versions of the state offer the possibility of cultural provincialism, local democracy and hence legitimation, in the exercise of devolved local powers within a unitary state. In practice, however, and reflecting the military occupation, effective power has remained centralised in the presidency.

Beyond religion and ethno-regional identification, the constitution also vests its authority in national political solidarity. Here, the foundation for solidarity is the state itself, legitimised as an expression of the Afghan nation. Legitimacy may be claimed in terms of a value commitment, vested in human rights norms and national citizenship, and in terms of representation as expressed in elected national assemblies and the elected presidency. In terms of representation, the 2004 Constitution vests considerable power in the directly elected president, who selects two vice-presidents, appoints ministers, defines policy and appoints provincial governors. It also establishes a directly elected lower house "of the people". The parliamentary electoral system is majoritarian, with more than one candidate per constituency, elected under the Single Non-Transferable Vote system. In addition, an upper house "of elders" is constituted from provincial and district councils, with a third of its membership appointed by the presidency. The lower house holds the legislative power; the upper house takes a more advisory role. Judicial authority is vested in an independent supreme court, which is responsible for enforcing constitutional protections for the citizenry. The court is to entrench human rights, non-discrimination and civil and political freedoms, qualified by undefined "duties", and by a broader "public interest" (Articles 22; 23; 24). National identification is bolstered by a development mandate, with some guarantee of social security. At Article 6, the state is committed "to create a prosperous and progressive society based on social justice, preservation of human dignity, protection of human rights, realisation of democracy, attainment of national unity as well as equality between all peoples and tribes and balance development of all areas of the country". Health and education is a special focus, with a commitment to "free preventative healthcare and treatment of diseases" (Article 52) and for the provision of "educational institutes

free of charge by the state" (Article 43). Beyond this there is some declaratory commitment to help develop industries and agriculture (Article 17).

Set against this, some key clauses seem more directed at the interests of the occupiers than at the impoverished population. Under Article 10, the constitution requires the state to "encourage, protect as well as ensure the safety of capital investment and private enterprises in accordance with the provisions of the law and market economy". This neoliberal constraint on policy is bolstered by Article 11, which imposes a requirement that the central bank be independent and Article 40 which protects property from confiscation. Under Article 41, foreign ownership of immovable property is not permitted, but leasing "for the purpose of capital investment" is. And perhaps most importantly, security crises can trump the constitution, with the president, as head of state, explicitly vested with a specially defined power to declare a "state of emergency" where "protection of independence and national life become impossible through the channels specified in this Constitution" (A143).

Overall, the 2004 Constitution clearly seeks to define and entrench cross-national solidarities, whether Islamic or nationalist, recognising local, tribal and ethnic identification within the framework of the state. Ethnicity is subsumed into the national structure and outlawed as a basis for political mobilisation. On this basis, the country has so far embarked on three electoral cycles, with elections in 2004, 2009 and 2014. The outcomes of these elections in terms of de-ethnicisation are hotly debated.
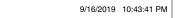
Democracy and ethnic de-alignment?

The role of the central state mapped out in the 2004 Constitution is one of managing and correlating ethnic identifications. As noted, in the context of the Taliban insurgency, pragmatic alliance-building led to informal power-sharing structures for rule. As with power-sharing arrangements more generally, these informal arrangements have had the potential to ethnicise the state as an ethnocracy, institutionalising what may be more fluid identifications (Lijphart 1977). As noted, the 2004 Constitution is explicitly aimed at overcoming ethnic division and preventing ethnocracy, and articulates an amalgam of Islamic and national solidarity to achieve this. Arguably, the implementation of the constitution could open up new possibilities for cross-ethnic bargaining and allow the creation of new forms of non-ethnicised, national-level political antagonism.

A strong narrative of de-ethnicisation, as reflected in voting patterns, is widely claimed. The majoritarian electoral system is said to encourage cross-ethnic alliance-building in the presidential election given that the dominant Pashtun group only claims at most 40 per cent of the national electorate. Nonetheless, ethnicisation in the 2004 presidential election was extensive. This serves as a baseline, directly reflecting the initial ethnicisation of formal inter-party politics. In 2004, the overwhelming majority of voters cast their vote for a co-ethnic candidate: 95 per cent of Pashtuns voted for Karzai, 90 per cent of Uzbeks for Dostum and 80 per cent Hazaras for Mohaqiq; there was a similar ethnicisation in the 2005 parliamentary

election. Giustozzi argues that the main drivers for this were the absence of ideological disputation in the country's first election since the Taliban regime, along with weak class formation, low state capacity and the impact of external influences (2015). The relative lack of political antagonism in the context of the Taliban insurgency may have been a contributing factor.

The 2009 election was seriously corrupted by the incumbent president, with about a fifth of the votes invalidated. The 2014 presidential election was also extensively corrupted, requiring a full recount. Yet, it is also seen as signalling a new departure, as Mobasher notes, "the scale of cross-ethnic voting in the Afghan election of 2014 was extraordinary" (2016, 369). In this context, inter-ethnic bargains appeared to unravel in a wider context of political contention. Elections have "not followed the neat simplistic ethnic logic of the kind often projected as the eternal fact of Afghan social political life" (Sharma 2017, 151). Rather, they have a life of their own, shaped by a wide range of contingent, non-ethnicised matters. For Sharma, ethnicity is seen as a changing resource, with post-2001 demands for ethnic parity positioned as a political manoeuvre. Certainly, ethnicity has become more salient in elite bargaining but at the same time, Islam and the idea of the nation have strengthened as identifiers. The result is a potentially complementary set of national, ethno-regional and religious solidarities, producing an amalgam, a co-national ethno-religious identification allowing a sustainable process of de-escalation in political violence.

Conclusions

In 2010, the US Defence Secretary and the US Brigadier General in Afghanistan debated their reliance on what they termed "thugocracy" in Afghanistan as a necessary evil in their struggle against Taliban-style "theocracy" (quoted in Shahrani 2015, 296). One question that arises in the context of the 2014 election and the 2015 US military withdrawal is whether that US-sponsored "thugocracy" is now in transition to "ethnocracy" or "democracy". The signals are mixed, but there is certainly evidence of a changing political landscape. One key factor, as argued here, is the relative weakness of ethnic identification in Afghan society, both historically and currently. Non-ethnic and localised affiliations appear to have gained greater social importance in the context of on-going civil conflict. In contrast, ethnic identification is more confined to elite-level bargaining, where it serves as a proxy for military rivalry. At the same time, the constitution and growing autonomy following the US withdrawal appears in some respects to have facilitated cross-ethnic bargaining, disrupting bloc formation. As inter-elite rivalry gives way to strategic alliance-building, we can expect stronger cross-ethnic ideological engagement, especially on national development concerns relating to gender and poverty. From this perspective, Afghan politics may be moving into a post-ethnocratic phase and towards the form of Islamic democracy envisaged under the constitution.

Afghanistan's long history of inter-ethnic relations, overlaid with religious and national solidarities, and hinging on local-level loyalties and obligations, has not

readily embraced ethnicised politics. Despite the ethnicisation of militias and elites, and a history riven with social dislocation and conflict, the country has not, as a rule, experienced ethnic conflict on the scale common in parallel contexts. The long period of externally funded warlordism, civil war and then occupation instituted a model of inter-ethnic and ethnocratic rule; yet, this appears to have been only weakly entrenched in Afghan society. The logic of US occupation, of sustaining a military alliance against an increasingly nationalist Taliban insurgency, underpinned the continued ethnicisation of politics. As argued here, there is some evidence that this model of political rule may be receding with the end of the occupation and the return of political independence. This suggests a strong relationship between occupation and ethnocracy, potentially relevant to other contexts.

Certainly, wider research points to the corrupting effect of military occupation, especially in undermining prospects for strengthened identification with national-level elites (Braithwaite and Wardak 2013). With the end of occupation, there are signs of a revival of a national-level political culture. Against this, there are inherent dangers of ethnic hegemony in the centralised winner-takes-all model, as reflected in the electoral system and the presidential structure. But there is always a risk of ethno-regionalist alienation, as Adeney points out, arguing for much stronger guarantees of multi-ethnic power-sharing (2008). This approach assumes (and, we would argue, imputes) abiding ethnic identification and may have the effect of institutionalising inter-ethnic rivalry. The informal elite model of ethnic-military accommodation established in 2001 may be now in the process of being superseded by new forms of political bargaining and national-level contention. In this context, new political blocs may emerge, grounded in the deep structural stratification of Afghan society, claiming the capacity to displace the militarised ethnocracy of the occupation period. As the Afghan people gain greater control of their political destiny, after decades of occupation and militarisation, there appears to be a new dynamism.

Acknowledgement

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