

AN OUTSIDE – THE - BOX LOOK AT AFGHANISTAN



Ethnic Mosaic of South Central Asia (for details see P. 20 and last paragraph on P. 19)

NEW IDEAS FOR LASTING PEACE AND STABILITY

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A. Executive Summary

The situation in Afghanistan is deteriorating rapidly and the probability of any improvement in the near future is very slim. Moreover, the implementation of the current strategy is at best a “band aid” solution that will not provide long term peace and stability in Afghanistan and the region. The reason for this situation is that the basic principles of the strategy and the mindset behind it deal only with the outward symptoms of the problem and do not factor in many core issues. The assumption in this document is that these problems are either not understood sufficiently or ignored completely. In either case the outcome is the same, which are the current stalemate, more misery and suffering for the people of Afghanistan.

For the success of any strategy, it is required to correctly identify the problems before moving forward. In the context of Afghanistan, success means lasting peace, stability, reconciliation, justice and coming together for the common good, and to achieve that with less damage, less loss of life and less misery. It does not mean the defeat of one group or another, but rather to create conditions for the people to transition from conflict to peace. The solutions should be proposed after the identification of problems.

Problem identification - Some of the core issues are as follows:

1. The current strategy is not based on winning the hearts and minds of the people, which is so fundamental to bringing peace and stability. It is grounded in arrogance, condescension, (and as perceived by many) punishment, and revenge.
2. In Afghanistan as well as in the rest of the Muslim world at large, there is no formal separation between the state and religion. State institutions and the religion of Islam are inseparably intertwined. This fundamental fact has been ignored in dealing with Afghanistan, its people and its institutions.
3. The Afghan Code commonly referred to as Pashtoonwali is ignored and is not given the consideration that is proportional to its strength in the Afghan society. Specifically those elements of the Code that deal with conflict resolution that have successfully regulated the affairs of the community for centuries and millennia.
4. The primary unit in the Afghan society (especially in predominantly Pashtoon areas) is not the individual person, but is the family and lineage (Plareena).
5. There is demographic imbalance in the strategy for the benefit of certain sectors of the Afghan Society based on ethnicity, region, level of education and gender. Such favouritism is not conducive to reconciliation, which is basic to long term peace and stability. In reality, it widens the existing seams and fissures in the society and impedes progress.
6. The issue of refugees, especially the internally displaced people (IDP's), is not addressed. It is ironic that most of the IDP's are from areas where there is relative peace and security and yet they are camped in areas which are considered as war zones.

7. The Afghan people have been through a lot of suffering in the past 3 decades and they have many physical and emotional scars as individuals and as families. There is a lot of anger and hurt in the society that need to be addressed appropriately in order for any progress to be made. Yet the current mindset does not give priority to this basic need which is at the foundation of the hierarchy of needs, and should be addressed first. This issue requires a bottom up approach while the strategy operates in a top down mode and deals with high level improvements in state institutions ignores the base level needs, assuming they either do not exist or will go away.
8. Radical and extremist ideologies are alien to the Afghan culture and are not acceptable to the people, especially if they are imported from abroad, irrespective of the origin. Afghans are xenophobic and generally do not trust outsiders and their motives. However, when anger, hurt feelings and humiliation perpetuates in a society, it becomes a fertile ground for extremism, and some people do go over the edge and embrace it.
9. Al-Qa'eda and other extremist elements from the fringes of political Islam have been more successful than the government and their foreign allies in manipulating this anger and advancing their agenda. They are more knowledgeable than their adversaries about the Afghan Code and how to utilize it to their advantage.

An Alternative Solution

It is clear that the above factors have not been taken into consideration in formulating the solutions and strategy for the situation, and that explains the failure of the past seven years and waste of tremendous resources. On the other hand, if there is genuine intention and interest in bringing lasting peace and stability to Afghanistan and the region, it is never too late to take these basic facts into consideration and factor them into any proposed solutions for success. If there indeed is such a willingness and determination, then the following suggestions and ideas should be given serious consideration. Any solution that is based on these ideas will be successful and will result in lasting peace and stability:

1. In order to adequately address the anger of the Afghan population, the Afghan State assumes collective responsibility (on behalf of the state, political parties, militias and paramilitary groups involved in the war, and all the individuals and groups who have been accused of alleged atrocities) for the damage and suffering of the past three decades. It formally and publically apologizes to the people of Afghanistan and, using the tools within the Afghan Code, promises to compensate the people and take remedial and mitigating actions.
2. The State recalls a Loya Jirga that adequately represents the entire spectrum of the Afghan Society, and is genuinely empowered to establish the modalities and terms for the apology and compensations and to address all the issues stated above in hierarchical steps leading to general amnesty, declaration of country wide ceasefire and the process of reconciliation.
3. The Loya Jirga asks the International community to help Afghanistan politically, financially and materially to overcome the obstacles in the process of reconciliation.

4. The Afghan State renegotiates with UN, Coalition, NATO and the Islamic Conference, the terms of reference for foreign forces that are presently deployed to Afghanistan, and the timelines of their replacement by peace keepers from those Muslim countries that are not involved in the Afghan conflict.
5. The Loya Jirga discusses and agrees upon necessary solutions to the issues of refugees, IDP's, narcotics, ethnic grievances and trust building. It requests the help of the international community and regional countries if deemed necessary.
6. The Loya Jirga discusses and agrees upon Afghanistan's relationships with neighbouring countries and the role it will play in the region and in the community of nations.

Consequences of this alternative

All of this can be achieved using the greatly neglected conflict resolution tools that are already existing within the Afghan Code and have been proven in practice for thousands of years. Implementing this proposal will be the most effective way of reaching the declared objectives of all those who want to help Afghanistan to overcome its current challenges:

1. It will provide an outlet for the accumulated anger of the Afghan people and will kick start the healing process that is a pre-requisite for any solution.
2. It will provide the necessary funds and resources to those who actually need them most. These resources will go directly to the people at the village level which suffer from extreme poverty and unemployment, who are most vulnerable to recruitment by the extremists.
3. It will be a significant economic stimulus for the rural economy and will create employment and job opportunities in the areas where most needed and desirable. It will empower the population and counter the negative effects (victimhood and dependence mindset) promoted by the current humanitarian aid programs.
4. When the people at the village level have jobs and see real hope for a better future, they will not be forced to take desperate actions. The pool will dry up for those extremists who are fishing for recruitment to their radical causes and the population will not be susceptible to outside manipulation.
5. It will provide a viable exit strategy for the Coalition and NATO forces from the Afghan quagmire.
6. It will reduce the trust deficit between the Government and its allies one side and the population on the other.
7. In the long run this alternative is more cost effective and economical for all parties resulting in greatly reduced casualties and loss of life.
8. It will create many opportunities for the future to build upon the good will that will be created.

These are just a just a few, but worthwhile, benefits of this alternative and should be seriously considered for implementation.

B. An Overview

The Bonn Agreement of 2001 starts with the following statements:

“The participants in the UN Talks on Afghanistan,

In the presence of the Special Representative of the Secretary-General for Afghanistan,

Determined to end the tragic conflict in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights in the country,

Reaffirming the independence, national sovereignty and territorial integrity of Afghanistan,

Acknowledging 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,”

If we are to assess the current situation in Afghanistan, we have no choice but to say that the plan has indeed failed and the prospects of success are not very good. The “conflict” is still raging. Little is being done to actively “promote national reconciliation”. “Lasting peace” is as elusive as ever. “Stability” is non-existent. And if we read the reports of credible international human rights organizations “respect for human rights” has been deteriorating.

Afghanistan has become a patient on the operating table, with a host of doctors performing surgical operations on different body parts without much respect for what the patient needs. Afghanistan wants true independence, national sovereignty, territorial integrity, national unity and no outside interference.

It is clear that the objectives of the **Bonn Agreement** have not been achieved because the mechanism which was agreed to in haste was flawed. The Bonn Conference was convened based on King Zahir Shah’s 3-point proposal of 1990’s that called for a cessation of war, creation of an interim government and holding of elections, all of which would gain legitimacy through the convening of the Loya Jirga. But in the Bonn proceedings the substance of that proposal was ignored, or sabotaged as some critics say. Only the form of the proposal was followed, and the participants were only able to come up with some “quick fix” and “band aid” solutions that dealt with the outward symptoms of the problems.

The results of the Bonn conference may be justified due to the tremendous pressure and circumstances of the time, but the subsequent **Afghanistan Compact** of 2006, which was agreed to by the Afghan Government and the international community, should have dealt more thoroughly with the root problems of the conflict. Unfortunately, it also deals with the symptoms and addresses very few issues that are fundamental to the concerns of the majority of Afghan citizens. Most of the action items are focused on the interests of the donor community and the optics of their respective societies. For example, **the promotion of national reconciliation**, which is one of the main objectives of the Bonn Agreement and so fundamental to the success of peace process in Afghanistan and stability in the region, is not even mentioned in the Compact.

This is where the seed of the current failure is planted. By 2006, there was plenty of time to go back to the fundamentals, assess all aspects of the conflict, and come up with more workable ideas. The constraint here was not time or lack thereof. Yet the necessity of such an assessment, of great importance to the stability of Afghanistan, was ignored. The reason is the prevailing mindset and the non-critical acceptance of certain assumptions, which are discussed in the following pages. These assumptions through which the Afghan conflict is defined have been accepted at face value and their validity has not been questioned. This is the cause of the failure; both on the military front and the civilian reconstruction and institutional development front.

Now that the international community and Afghan government have realized that the current strategy is not working, fingers of blame are pointing in all directions, even though the responsibility for this debacle is collective and should be shared by all the players both International and Afghan. There activities and discussions around the world to find out what went wrong, where the blame lies, and how to salvage the situation. The change of administration in the United States and its willingness to listen to new ideas has given a positive impetus to this evaluation. However, the nature of this evaluation shows that the basic assumptions behind the conflict remain the same. Even though the consultations were extensive, some important players such as the government and people of Afghanistan were not seriously consulted. As a result, new ideas for identifying the core issue did not emerge, and the old ones were repackaged into a revised strategy. As such, most of the emphasis is on the interest of the Coalition and NATO rather than dealing with the core problems of Afghan society or the region.

Once again, the new strategy, which is based on the old assumptions, deals with the symptoms of the problems and do not go deeper into the core issues. Putting more resources into the “band aid” solution may have positive short term effects, but will not solve the issues, or result in lasting peace and stability.

As a matter of fact some elements of this strategy will create a dangerous situation that may threaten the very existence of Afghanistan and its territorial integrity. Bypassing the central government and dealing directly with the provinces is a recipe for disaster. The side effect of this well meaning policy will be encouraging regional fiefdoms, more disparity and favouritism between ethnic groups and regions, which will widen the already existing fissures in the Afghan society and aggravate the situation even more. This policy may even be challenged as being against Article One of the Afghan Constitution.

In this document, I am proposing a different approach to deal with the situation. In this approach the core problems of the Afghan conflict are identified and solutions are proposed. It challenges the prevailing assumptions and mindset, and looks at the conflict from outside-the-box. If there is indeed a genuine interest and willingness to bring lasting peace and stability to Afghanistan and the region, and if there is willingness to listen to new ideas with an open mind and understand an alternative point of view, then I strongly recommend that the ideas contained in this document be given serious attention.

C. Assumptions, Assessments, and Perceptions

There are several factors and realities that have been consciously or subconsciously ignored both by the Afghan leaders and their international allies. These factors are fundamental to dealing with Afghanistan, the current conflict there, and the entire region. Here are the seven most important ones:

1. The relationship of State and Religion in the Muslim world

In Europe and the western world there is a formal separation between the state and the church that came about after the French Revolution. As a result the society accepted that religion and religious beliefs are personal issues and separate from the institutions of state. The state lost its divine nature and became an expression of the will of its citizens. As such the state and other social institutions became grounded in secularism and all the laws and regulations resulting from them also became secular in nature. That included both the Common Law and Civil Law and societies accepted that crime and sin are two separate issues.

While these separations are taken for granted in the West, in the Muslim World (with the exception of Turkey) such a formal separation has never occurred. State and religious entities are inseparably intertwined. In many societies sin and crime are not distinguishable from each other. The basic governing regulation of a Muslim society is the Shari'ah Code by which all must abide. That is why all regulations and laws in Muslim societies should be based on Shari'ah or must be compatible with it.

The Shari'ah Code mentioned here, does not refer to the narrow interpretation of Shari'ah by the extremist fringe groups and propagated by the media in the west. It refers to that Code which has been in force for ages and has been regulating the affairs of the main stream Muslim societies for centuries. The Urf aspect of this Code has many similarities to the western Common Law. The legal community accepts the validity of the three basic laws (Common, Civil and Shari'ah) and recognizes the contribution of Shari'ah Code to the profession. It is the imposition on Muslim societies, of some international regulations and norms (that are based in secularism) which sometimes become political and are blown out of proportion by partisan interest Groups. It is important to be cognizant of this fact when inviting extremely conservative societies to modernity. Most of the time imposing a different value system on a society will backfire and will become a problem rather than a solution.

In the case of Afghanistan, let us look at some of the issues that complicate the situation.

The Bonn Agreement clearly states: “Acknowledging 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,”

Article One of the Afghan Constitution states: “Afghanistan shall be an **Islamic Republic**, independent, unitary and indivisible state.”

Article Three of the Afghan Constitution states: “No law shall contravene the tenets and provisions of the **holy religion of Islam** in Afghanistan.”

Article 1 of Principles of Cooperation in the Afghanistan Compact states: “1. Respect the pluralistic culture, values and history of Afghanistan, **based on Islam;**”

Here are three documents that regulate the relationship of the Afghan Government with the international community. All three are endorsed by both sides and all three recognize the supremacy of Islam in regulating social and political issues. All three implicitly accept the non-separation of state and religion in Afghan Society. And yet when any regulations come out of this set-up, and do not conform to tenets of secularism; there is an outcry in the West and they demand the Afghan government to comply with their value system even if it is in violation of the Afghan Constitution.

It seems that either the international community is either consciously setting the government for failure, is unaware of what they have already agreed to by endorsing the above documents, or is not ready to face the consequences of that endorsement. Then there are many in Afghanistan and elsewhere who believe that such endorsement by the West is grounded in hypocrisy, is void of genuine respect for Islam and its Codes, and lacks appreciation of the differences between different cultures and civilizations.

I strongly believe this has become a big obstacle in reaching out to the majority of people in Afghanistan and also in the Muslim world. In the Afghan context there is an additional complication which is related to the existence of the unwritten Code of the Afghans generally known as Pashto or Pashtoonwali (See item 3 below). This Code is much older than Islamic Shari’ah and has prevailed in the society for thousands of years. In any dealings with Afghanistan, it cannot be ignored. Unfortunately both the Afghan Government and their international allies have done so, while their adversaries are successfully utilizing it to benefit from.

2. The Role of the Individual, the Family and the Clan in Afghan Culture

Here again in the western societies and even in Islam the primary unit of society is the individual. In Islamic world this includes both men and women each with distinct rights and obligations which have been enforced for over thirteen centuries. By comparison, in North America, until the 20th century it was the man. A woman was not recognized as a person until a few decades ago. It was only in the last century that society recognized woman as a person with legal rights and obligations.

While this recognition is now taken for granted in the West, in the Afghan society, especially in the rural Pashtoon dominated areas where the Afghan Code is more strictly applied, the primary unit of the society is not the individual (neither man nor woman). It is the family and lineage (plareena). The rights of the family and the lineage supersede those of the individuals whether men or women. Understanding this fact is essential to dealing with situations that involve these people. Not recognizing this fact, considering it archaic, and ignoring it in any solution to the problems, is bound to create confusion, resentment, complications, and will alienate large section of the population. It is important to note that most of the educated elite in Afghanistan are also either ignorant of this fact or are consciously neglecting it in the hope that it will somehow go away. In the current conflict this fact has not been given the importance that it deserves. This is why the situation is hardly conducive to winning the hearts and minds of the people, which is a prerequisite to establishing trust and creating peace and stability.

3. The Afghan Code (Pashto or Pashtoonwali)

Long before the Afghan people embraced Islam, the society and social interactions of the Afghans were regulated by an unwritten code called Pashtoonwali or simply Pashto which most probably is older than the Babylonian laws of Hammurabi. As a matter of fact the word Pashto has two distinct meanings - one being the language of the Pashtoons, and the other referring to the rules, customs and regulations dominant in the Pashtoon society or social behaviour and interactions expected of the Pashtoons. This unwritten code is transmitted from generation to generation and has survived all kinds of wars, natural calamities, atrocities and occupations.

It has regulated the affairs of the Pashtoons for thousands of years and in the past two centuries of other communities in Afghanistan as well. It is important to point out that even though this code was developed and preserved through the ages by the Pashtoon tribes, it can now be safely called as the Afghan Code or Afghanwali. Many of the components of this code already existed in the culture of other ethnic communities in Afghanistan. Others have been adopted through shared history and osmosis. This Code is entrenched so deeply in the Pashtoon culture and psyche that since they embraced Islam and adopted Shari'ah, the code has prevailed whenever a discrepancy has surfaced between the two.

The Afghan Code has an elaborate system of tools for conflict resolution. It has been tested time and again and is accepted by the people. Some elements of this code in no particular order are mentioned here. The Tools dealing with conflicts are identified with number [1] and those that are fuelling the conflicts out of negligence or the perception that they have been violated are identified with number [2]:

- Mailmastia (Hospitality)
- **Jirga** (Council of the Elders – On the national level it is called Loya Jirga) [1]
- **Nanawatay** (Apology and its acceptance, Asylum seeking and giving) [1,2]
- **Ghairat** (Honour, manliness, dignity) [2]
- **Badal** (Exchange, compensation, restitution, when a Jirga intervenes; revenge, vendetta, in the absence of Jirga) [1, 2]
- **Reshtia** (Honesty, Integrity) [2]
- **Paakky aw Effat** (Piety and chastity) [2]
- **Rogha** (Reconciliation and its terms determined by a Jirga of the Elders) [1]
- **Teega or Teezha** (A truce declared by the elders in a Jirga after conditions for Rogha – Reconciliation have been agreed upon) [1]
- **Oreband** (Ceasefire declared by the elders during the Jirga Session and before the terms of Rogha have been agreed upon) [1]
- **Naagha** (Penalty for those who violate the decision of the Jirga or the rules of the Teega) [1]
- **Toora** (Swordsmanship) [2]
- **Nang auw Naamos** (Honour of the Family)[2]
- Daarah (Surprise attack)
- **Ghazaa** (Battle against the enemy)[2]
- Lashkar (Tribal mobilization for jihad or defence)
- Chigha (Call for mobilization in case of imminent danger)
- **Mulatar** (Support, showing of solidarity) [1, 2]
- **Gundei** (Literally means partisanship) [2]
- Tor (Accusation or charge of offending the honour of a family or person)
- **Buramta** (Ransom in case of dispute) [1]

- **Badragga** (Safe escort from the area of danger) [1]
- Ashar (Volunteer Help)
- Merata (Ending of male progeny of a person)
- Hamsaya (security offered to people of other tribes or clans residing in a tribal territory)
- **Etebar** (Trust) [1, 2]
- Amanat (keeping something in trust)

It is very important to know and correctly apply this Code for winning the hearts and minds of these people. It is evident that in this respect, Al-Qa'eda and their allies are more skilled and knowledgeable than the Coalition / NATO, their cultural interpreters, advisors and local allies.

4. The Afghan Demography

In relation to the peace process, the makeup of the Afghan population influences the conflict in two distinct ways:

a) The Living and Educational Standards

According to the UN statistics only 28 % of the population is now literate. Thirty years ago when the current conflict started this group was even smaller – roughly around 15% mostly living in urban centres. This means that the vast majority of the population is illiterate and spread in the rural Afghanistan. The disparity between these two groups is so wide that they do not really mix or understand each other's needs and aspirations.

When reviewing the history of Afghanistan for the past 100 years, we see that all the reforms that have been introduced by the government have been supported by the intelligentsia and the educated elite. Looking at the common characteristics of these reforms, the following points become clear:

- All the reforms were conceived by the educated, urban minority who were acquainted with outside world but mostly ignorant of, or ignoring the conservatism of rural Afghanistan.
- All the reform movements were well-intentioned, they nevertheless considered only the interest of the small minority from where they originated and did not account for the interests of the majority, and their program did not resonate with the vast majority of the population.
- Most of the reforms did not include gradual changes in local customs, traditions, and prevailing codes. They were attempts to import ideas and institutions from abroad and transplant them in an extremely unfavourable environment. Even today, similar reforms are looked upon with suspicion by ordinary people who comprise the vast majority whether literate or not.
- Most of the reforms were top-down movements and the Afghan society has proven time and again that it does not willingly accept a top down approach to change.

These are some of the reasons why all of them failed. It is reasonable to deduce that if the current reforms are not producing the expected results, it is because they are not much different from the previous ones. The conclusion is that, any change or development in the Afghan society should benefit the majority of the population, and that is possible only by means of a bottom-up approach that has a much wider reach than the current one. It should directly and positively impact the livelihood of ordinary citizens. Only then, the

majority of the population will be ready to embrace it. Currently only about 5% of the population have pocketed enormous amount of wealth from the development program while the majority lives in abject poverty.

My findings indicate that it is a very small interest group among the elite that has been retained to advise the international community in how to deal with the situation in Afghanistan. And yet based on history and past results this group is as much unfamiliar with the Afghan society as the international community itself. That is why their advice should be taken with a grain of salt. There is a strong perception among many people that some interest groups in this category are using the international community to advance their own agenda. Both the government and their international allies need to be aware.

b) The Ethnic Makeup

This issue is an unfortunate factor in the current conflict. When listening to the self appointed representatives of each ethnic group, they grossly exaggerate the percentage and numerical strength of their respective communities. If we would accept their claims and add the percentages, Afghanistan would have a population of well over 130%. The fact is that there has never been an official unbiased census that is accepted by all groups. As such, there is a lot of room for disputes and wrangling over the proportional power sharing arrangements. Most Afghans consider this very unfortunate because government and civil service positions should be assigned to the individuals based on their competence, service to the people and loyalty to the country. It should not be based on their ethnicity.

That being said, ethnicity is a factor in today's Afghanistan especially among the power elite. Therefore, a more rational way has to be found to accommodate the various ethnic groups and their claim of numerical strength in the socio-political structure of the country. My research has shown that in the absence of a formal census, the most concrete and valid demonstration of the Afghan ethnic make-up was provided during the 2004 elections when every prominent ethnic group had a candidate for the position of President. Considering that most of the voting went along ethnic lines, the results give us a realistic and statistically accurate picture of the ethnic composition. If we accept the accuracy of the results, then we get the following picture:

- Hamid Karzai (Pashtoon) vote 55.4%
- Yunus Qanuni (Tajik / Aimaq) vote 16.3%
- Ustad M. Mohaqiq (Hazara) vote 11.6%
- A. Rashid Dostam (Uzbek / Turkman) vote 10.0%

In spite of the claims that many people in the south of the country, belonging to the Pashtoon ethnicity, could not register for voting due to the security situation there and may still dispute the accuracy, these figures are still be the most valid and verifiable statistics available.

In sharp contrast to the above, the CIA's online Factbook on Afghanistan shows a completely different picture: "Pashtun 42%, Tajik 27%, Hazara 9%, Uzbek 9%, Aimak 4%, Turkmen 3%, Baloch 2%, other 4%"

See: <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html>

If the ethnic makeup should play a role in public policy formulation of the Afghan Government or of the International Community in relation to Afghanistan, then such a policy should be based on objective facts rather than unsubstantiated estimates and claims. Otherwise such a policy will further alienate large sections of the Afghan Society and increase resentment against the international community. Any favouritism for one group over another will be harmful to global efforts for rebuilding Afghanistan. Every effort has to be made to help national unity among the Afghans and any action that is detrimental to the long term stability of the region should be avoided.

The issue of ethnic composition and balance becomes of particular importance when we look at the Afghanistan Compact which governs the current relationship between Afghanistan and the international community. Annex I of this Compact deals with Security and the composition of the National Army and Police Force. Following are excerpts from the Compact related to this issue:

“Afghan National Army

By end-2010: A nationally respected, professional, **ethnically balanced** Afghan National Army will be fully established that is democratically accountable, organized, trained and equipped to meet the security needs of the country and increasingly funded from Government revenue, commensurate with the nation's economic capacity; the international community will continue to support Afghanistan in expanding the ANA towards the ceiling of 70,000 personnel articulated in the Bonn talks; and the pace of expansion is to be adjusted on the basis of periodic joint quality assessments by the Afghan Government and the international community against agreed criteria which take into account prevailing conditions.

Afghan National and Border Police

By end-2010, a fully constituted, professional, functional and **ethnically balanced** Afghan National Police and Afghan Border Police with a combined force of up to 62,000 will be able to meet the security needs of the country effectively and will be increasingly fiscally sustainable.”

My personal assessment is that the issue of ethnicity has been blown out of proportion by a small group of intelligentsia since the communist takeover of 1978, and is still alive among this minority group. Ordinary citizens of Afghanistan are more concerned about how to feed their families and how to address and redress the suffering and harm that has been inflicted on them. Nevertheless, the issue needs to be addressed carefully, especially when dealing with such important national institutions as the army and police. These institutions should be built in such a way as to create trust between state and citizens, and to advance long term stability in the country.

As a first step, there needs to be a realistic assessment of the relative numerical strength of each group. Then the grievances of each group should be addressed in such a way that none of the ethnic groups feel that they are at a disadvantage. If any arrangement or compromises are needed for this purpose, It should be agreed upon in the Loya Jirga.

5. Conduct of the War and Reconstruction / Development

History has shown time and again that in an asymmetrical conflict, all the battles are won by those with superior fire power and military might, but that has rarely resulted in winning the war. **The war is always won by that party which wins the hearts and minds of the people.** The current situation in Afghanistan indicates that in this area the Afghan Government and its international allies have failed miserably. In order to win the hearts and minds of the people, one has to understand what is in those hearts and minds and how those feelings and thoughts manifest themselves in physical and material world. The physical manifestation of these thoughts and feelings are the symptoms.

History has also shown that in the last century all the wars in asymmetrical conflicts have been won by those who had neither the superior fire power nor the advanced technology. Those who knew or spent time to understand the hearts and minds of the people, worked with them in collaboration and respect, and came up with scenarios that resonated with their deepest concerns. Those with superior firepower and military might habitually ignored this fact, either out of arrogance or ignorance. They dealt largely with the symptoms, which is why they lost the wars, even though they won most of the battles. From Algeria vs. France, to India vs. Britain, to Vietnam vs. USA, and to Afghanistan vs. USSR, these are just a few examples from which lessons must be learned.

In this kind of conflict, perception is reality, and there are now strong perceptions among the people whose hearts and minds are to be won. And these perceptions do not bode well for the Afghan Government and their international allies. Once again in case of Afghanistan, this basic fact is being ignored. All the proposed solutions deal with the manifest symptoms rather than the underlying root causes. In many instances they are deliberately designed to change the hearts and minds of the people rather than win them. Most of these solutions are grounded in condescension, arrogance and ignorance rather in respect, collaboration and understanding.

The main reason that the Afghan government and its international partners are not succeeding in bringing stability to Afghanistan is that the strategy, which has been implemented so far, deals only with the symptoms of the underlying problems. The results of the past seven years, both on the military as well as the reconstruction and development fronts show that the underlying problems have not even been identified correctly. Until there is a fundamental paradigm shift in this area, it will not matter how many times the situation is assessed and reassessed; the result will have the same flaws. To bring about the required paradigm shift, we need to think outside the box. The current mindset will not lead us to identifying the problems correctly.

6. Issues of the Mind

So what is in the hearts and minds of ordinary Afghans, and how can these issues be addressed? What do Afghans think after they wake up and offer their dawn prayer every morning? What do they feel? What is it that they spend most of their mental and emotional energy on? What social traditions, taboos, obligations, and codes of honour drive their behaviours and interactions? Once we identify these thoughts and feelings

and once we understand them, then we can come up with solutions to address them. And when they are addressed adequately and resolved, the symptoms and side effects will be taken care of by themselves.

My findings and my understanding are that if we exclude the 15 to 20 % educated, westernized minority, Afghans do not care for:

- The nature of the prevailing world order.
- The existence of democracy or lack thereof in Afghanistan
- The ethnicity of the President or ministers are and to which regions they come from
- The UN and Human Rights charter and what is in it for them
- Pluralism and transparency in governance etc. etc.

These are good bonuses to have and luxuries to enjoy. They are not considered their primary needs and these are not issues that preoccupy their thoughts and feelings. Most of Afghans do not even care for these ideas at this time, because they are further up in their hierarchy of needs.

What preoccupies the thoughts of Afghans, and what their silent conversations are, can be summarized as:

- How to feed their children and families next day, next week, next month etc.
- How to protect themselves and their families from surprise searches and visits by aliens and strangers; from the powerful, the commanders, the warlords and the government functionaries
- How to protect themselves from being bombarded from the air and ground
- How to protect themselves from being accused of being a terrorist or a spy or the Enemy

If anyone can address these issues and solve them, they will definitely win over the minds of the Afghans.

7. Issues of the Heart:

On the Emotional level, winning the hearts of Afghans is even more challenging for the government and its international allies. Afghans have a very high degree of mistrust towards outsiders and those locals who support them. Some people have termed it as akin to xenophobia. Perhaps the treatment of Afghans by the British and the Russians during the Great Game of colonialism has strengthened this fear of outsiders. The Actions of some NGO's (attempting to convert and proselytize), and some actions of the Coalition and NATO forces (forced entry into people's homes, burning of dead bodies, death of hundreds if not thousands of civilians, ignorance of the kinship in Afghan culture and disregard to local customs, to mention a few) have further alienated the people. The international community has far fewer friends in Afghanistan now than it had in 2002 and the number is diminishing by the day.

A Strategic Error or a Deliberate Taunt

Afghans from all walks of life have a great emotional attachment to the 1880 battle of Maiwand between British occupation troops and Afghan resistance. Afghan Historians and poets have made the heroes of this battle into legendary figures. Yet it is surprising that of all forty two countries with troops in Afghanistan, it was considered wise and appropriate to deploy British and Canadian troops (both being under the command of the Queen) to Kandahar and Helmand, where Maiwand is located. It is not conceivable to say

that this was done out of ignorance. That is why there is a strong perception that the motivation was revenge and humiliation. Whatever the reason, it is hard to see how such an act will make friends and win the hearts and minds of the people.

Emotional issues, especially those related to personal and family honour, are more complex in the Afghan society and are governed by the unwritten Afghan Code. If such issues of honour are not addressed properly and in accordance with the Code, they have the potential to mushroom into a major crisis and the repercussions could last for generations. This is especially so in southern parts of Afghanistan where the population strongly adheres to this Code.

So what are the personal and family related emotional issues that preoccupy the ordinary people? My understanding is the following:

- Grief for loss of a loved one - Offended honour and obligation to rectify
- Humiliation that they have been forced to accept handouts and acquiesce to forced searches of their homes
- Injustice that no one is addressing their grievances
- Betrayal - they feel that they were let down and misled by those they trusted and befriended
- Disempowerment – they feel powerless to change the course of event and determine their destiny.
- Abandonment – that they and the whole country were abandoned by the world after the sacrifices they offered to defeat the USSR.
- In short they feel HURT and ANGRY.

And when people are hurt and angry, they can do a lot of damage to themselves and to others, unless that anger is dissipated or channelled in a positive direction, and unless the hurt is healed.

“Hurt people hurt people” as the saying goes. After the tragic events of September 11, the people of the United States were terribly hurt and became very angry. Many people even in the US now believe that this anger manifested in ways that made a lot of damage to the United States of America as well as many places elsewhere in the world. The same understanding has to be applied to the Afghan situation. The people in Afghanistan are no different in this respect and their anger has also manifested in many harmful ways when looked at in hindsight including those who in desperation join extremist groups and commit violence.

Because of the complex nature of the conflict in the past three decades, every armed group has harmed some people in one way or another and has contributed to the collective anger in the society. Since this anger is directed at all the political parties and armed groups including the mujahedin, and all of them are directly or indirectly represented in the current state structure and institutions, the Afghan State can and should address this matter by applying the appropriate tools in the Afghan Code and deal with it in such a way that will kick start the healing process and promote peace and stability. Otherwise the conflict will perpetuate and will make the population even angrier. The consequences of such anger could be more miseries and unexpected disaster for all involved.

D. The Alternative Solution

Now that we have identified some key elements and core issues in the Afghan conflict, it becomes obvious why most of the solutions that have been proposed so far, with deploying enormous amounts of resources and man power, have failed, and success is still as elusive as ever. They deal mainly with the symptoms and do not address these core issues.

An Alternative solution does exist but requires genuine interest and willingness on the part of the international community and their Afghan allies to accept it. It requires the desire for peace and to respect and appreciate Afghans as a people with a unique culture, traditions and codes of honour. It is based on mutual understanding and the principle of win /win. It uses the tools that are entrenched in the Afghan Code such as Jirga (Council of Elders), Oreband (Ceasefire), Nanawaty (Apology), Badal (Compensation , Restitution, and Exchange), Teega (Truce), Rogha (Reconciliation) and Naagha (Penalty). Using these and other elements of the Afghan code that form the social value system of the society, all the underlying roots of the conflict can be addressed sequentially, and resolved in such a way that will resonate with the ordinary people, and will be acceptable to them.

The process of healing the hurt, dissipating the anger and addressing the grievances is proposed as follows:

- The Afghan State assumes responsibility for the damage and harm done to individuals and families since 1978 and apologises for it in a Loya Jirga.
- The Loya Jirga determines that the State is to compensate every family and individual for the damage and suffering and establishes the modalities for how the compensations is to be determined and administered.
- The Loya Jirga agrees upon what percentage of the compensation is to be received directly by the affected family or individual and what percentage of their portion of the compensation is to be donated for public use in their village or town. (For example, 50% is given directly to the affected people, 25 percent for education and 25% for public development)
- The Loya Jirga and the Afghan State requests the international community and the Donor Countries to help in funding the deal, from the money that they would otherwise be spending for military operations.
- The Loya Jirga establishes an independent commission to collect, compile, and verify statistics related to the number of people who have been killed and injured since the communist takeover of 1978. This will be done in collaboration with ICRC, the Red Crescent Society and other humanitarian organizations and service providers who have maintained statistics over the years.

- The Loya Jirga establishes a commission for Truth and Reconciliation, to investigate and find the truth about all the reported killings and atrocities, and to recommend ways for preventing such events in the future.
- The Loya Jirga declares a general pardon on behalf of the population (Haq-ul-Abd) when compensations are paid out.
- The Loya Jirga adopts a resolution declaring Afghanistan a neutral state that will not pose any danger to neighbouring countries and will advise the State to devise policies for Afghanistan to play a role in South Central Asia, similar to that of Switzerland in Europe.
- The Loya Jirga determines time lines for the withdrawal of Coalition and NATO forces and asks the Islamic Conference member countries to provide peace keeping forces under the auspices of the United Nations. Suggested countries will be Malaysia, Indonesia, Bangladesh, Egypt, Algeria and Morocco – countries that are geographically distant from Afghanistan and do not have direct interest in the country. (Such forces will be more acceptable to the people and will eliminate any reason to fight against their presence as a religious obligation.)
- The Loya Jirga discusses and decides upon the status of Internally Displaced People (IDP's) and how to create conditions for their safe return.
- The Loya Jirga, in consultation with the affected people, studies the status of the Kuchis (those with nomadic way of living) in Afghanistan and determines if these people want to continue their present way of life or prefer to transition to a settled way of life. The Jirga can then devise a plan for the preferred option in such a way that does not lead to future conflicts.

The following entities should be given observer status at the Loya Jirga:

- Representatives of the United Nation
- Tribal elders and representative from the other side of the Durand Line.
- Representatives of all six neighbouring countries
- Representatives of all permanent members of UN Security Council
- Representatives of NATO and Coalition countries
- Representatives of Donor Countries
- Representatives of the Shanghai Cooperation Organization (SCO)
- Representatives of the Arab League
- Representatives of the Islamic Conference
- Representatives of the European Union

- Representatives of India, Malaysia, Indonesia, Bangladesh, Morocco, Algeria and Egypt
- Representatives of the provincial assemblies from Baluchistan and NWFP.

This will insure that any dialogue and consultations that are required between the Afghan people and the above entities can take place at short notice, and that various interests can be taken into consideration.

The ideal timelines for such a Jirga will be as follows:

- The current elections scheduled for August 20th are to be brought forward to August 1.
- Results of the elections are to be declared by Aug 5
- Loya Jirga is to be convened on Aug 8, inaugurated by President Karzai where the new President (if other than him) is sworn in; and the transfer of power is to take place at the floor of the Jirga.
- The Jirga is to remain in session until all issues related to reconciliation and Truce are resolved and agreed upon.
- Irrespective of the duration of the Jirga Session, a country wide ceasefire is to be declared by August 22nd coinciding with the arrival of the holy month of Ramadan.
- During the month of Ramadan negotiations are to continue in order to consolidate the ceasefire and make into a permanent truce, resulting in the formation of a national unity government that will include the widest possible political, ethnic, tribal and sectarian interests.
- If logistically this timeline is unworkable, than the government is to declare a ceasefire for the month of Ramadan and convene the Loya Jirga immediately after Eid-el-Fitr.

E. Narcotics and the “Narco-State”

As Richard Holbrooke stated a few days ago, the current anti narcotic policy is useless and a waste of money and other resources. The 19 % reduction in the production is not proportionate to the amount of ill-will that has been created and the suffering that has been caused to the farmers. At the same time, the entire international anti-narcotic policy is focused on the supply side without adequate resources expended to reduce the demand. Such a one sided approach is bound to fail and at best will only shift the supply source form one geographic location to another. When there is demand for a product, the supply will be found and even invented if need be. Necessity is the mother of invention.

The amount of money spent in fighting the drug trade can be utilized more effectively with an alternative policy of reaching out to the farmers (and eliminating the middlemen). In Afghanistan such an approach will

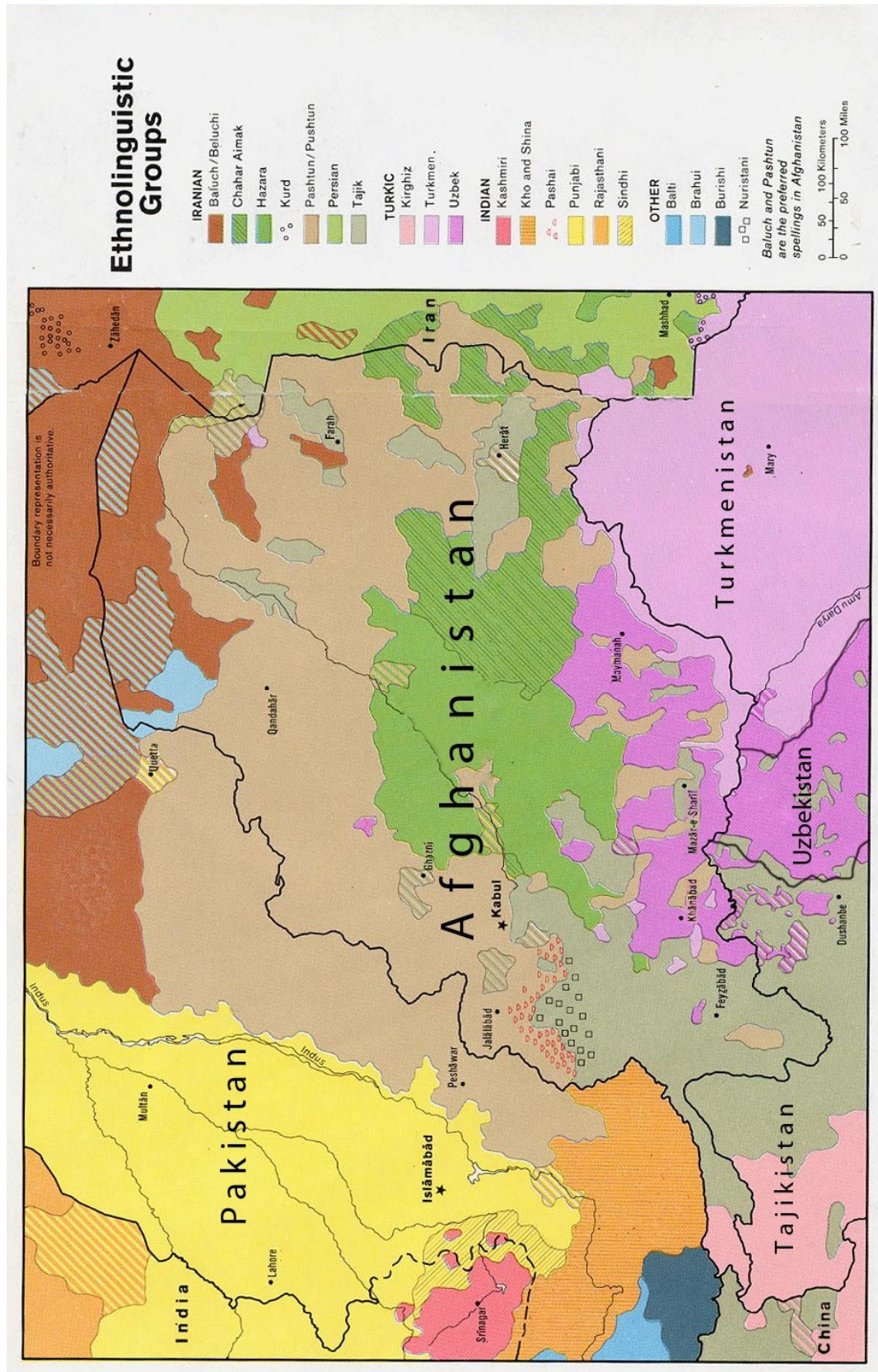
be to create a country wide business entity (similar to the Wheat Board in Canada) that is supported and initially funded by the international community whose job will be to approach the farmers and agree on a program that will eliminate poppy growing and opium production gradually in a period of four years:

- In year one – the year the of program implementation, the Poppy Board will purchase directly from the farmers, the entire crop at a fixed price that is slightly higher than the offer of the middlemen. In return the farmers will make a commitment to grow an alternative crop on 25 % of the land for the coming year.
- In year two, the Poppy Board will purchase again at a pre-agreed fixed price the poppy crops after verifying that the farmers have complied with the commitments of the year before. This year the farmers will make a commitment to reduce poppy growing to 50 % of the land and use the rest for alternative crops.
- In year 3, poppy production will be reduced by $\frac{1}{2}$ and purchased by the Poppy Board with a farmers' commitment to grow alternative crop for another 25 % of the land leaving only 25 % of the land for year 4.
- In year four, the last year of the program, the Poppy Board will purchase for the last time the poppy crops from the farmers. Any farmer who is caught growing illegal crops in year 5 will face severe punishment.

This plan can also be endorsed by the Loya Jirga and monitored by the independent commission that is set up to monitor and audit the implementation of the Jirga decisions. The Poppy Board in turn will sell the opium to the international pharmaceutical companies for legal drug production. If it is found that there is a continuing legal market demand for opium, then the Poppy Board could selectively authorize and monitor poppy growth for this purpose beyond its 4-year mandate.

The success and effectiveness of such a program on the international scene will also depend on the efforts that will go into reducing the demand in the developed world for substance abuse. Otherwise, the supply to the market will shift from Afghanistan to some other country around the world.

The map in the following page illustrates the rich Ethnic Mosaic, of Afghanistan and Vicinity, of people living side by side and in mixed communities for centuries facing invasions, military adventures and geopolitical storms together under one common umbrella or another. There is no doubt in my mind that they will weather this storm as well. The map is rotated to symbolize an outside-the box look at the country and region.



G. About the Author:



Ahmad-Shah Duranai-Khan (Ahmad Duranai for short) was born in the Sayed Karam District of Paktia province in southern Afghanistan. Before completing his primary education, his parents moved to the north of the country where he completed his intermediate school. In 1965 he joined the Afghan Institute of Technology in Kabul where he studied electrical technology.

In 1968, he enrolled in the School of Engineering at Kabul University and was awarded a scholarship to study in the American University of Beirut where he received a bachelor degree in Architecture and an MBA. Due the war in both Afghanistan and Lebanon, Ahmad eventually applied to immigrate to Canada.

In Canada Ahmad continued as a community activist and has held several volunteer positions, among them as president of the Council of Afghan Associations in Canada, vice president of the Afghan Association of Ontario as well as a Board member and advisor to several non-profit organizations in Toronto.

Professionally he is a Registered Architect and has worked with several international firms as team leader on many projects in Canada, the United States and the Middle East. He is also a Certified Breakthrough Coach and in 2008 founded Duranet Enterprises Inc. that provides coaching and training seminars to individuals and organizations; and promotes worldwide abundance through leadership and personal growth.

Ahmad has carried out extensive research on Afghanistan in the past 10 years and is in the process of writing a book that explores the current situation in Afghanistan and the failure of the various reform movements of the 20th century that has culminated in the current tragedy. As the publication date of the book is still several months or even a year away, it was decided to prepare a summary of the findings as a separate document for consideration by the numerous parties to the conflict. His findings point to the fact that the dispute resolution mechanism enshrined in the Afghan Code and the vernacular approach, that is proposed here, is a sure way out of the current stalemate and will definitely lead to lasting peace and stability in the region. Unfortunately this mechanism which will save many lives on both sides of the conflict has so far been neglected and never considered very seriously.

Ahmad has seen the success of applying the Afghan code personally when his father as an elder in the Sayed Karam district attended numerous Jirgas and resolved local disputes as well as when he was in north of the country and in Panjsher valley when he would ask local elders to gather and resolve disputes.

Ahmad is a dual Afghan / Canadian Citizen and is living with his wife Karimah and two sons Assadullah and Bashir in the Greater Toronto area. If you would like find out more about the details of the book and its related research and findings or about this document, he can be contacted at asdk@sympatico.ca .