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Afghanistan

Negotiations with the Taliban

Analysis of the post-2001 negotiation process through the application of the path dependency theory



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Abstract

Through the application of the path dependency theory it is tried to analyze why the negotiations between the Afghan government and the Taliban leadership have not proven to be successful since the US invasion in late 2001. It is argued that the problems prevailing in Afghanistan with regard to peace and stability through a negotiated settlement with the Taliban are deeply rooted in history. As a result, decisions that have been taken in the past may increasingly amount to an imperative for the future course of action. This path dependency theory rightly points out to look at the causes for the failing as embedded in history. The aim of this study is to obtain a better understanding of the idea of 'talking to the Taliban' and to explain why it has not yet yielded much in the way of tangible political success.

1 Introduction

For almost fifteen years, since the US invasion in Afghanistan in late 2001, the international community has been engaged in Afghanistan to support the country's political, social, and economic reconstruction, as well as to oppose the return to power of the Taliban. Despite the fact that there have been many socio-economic improvements in Afghanistan since 2001, the resurgence of the Taliban across much of the country underscores that they are undeniably a force in Afghan society. On September 28th 2015, the Taliban seized Kunduz city, which is the fifth-largest city of the country. In seizing Kunduz, the Taliban achieved a key stated objective in their 2015 campaign: to capture a provincial capital (Farrel & Semple, 2016: 77).

Many policy-makers and scholars observed that from a PR-standpoint, the take-over of Kunduz city by the Taliban was a significant victory. The strategic reality of the Afghan war, however, is stalemate (Farrell & Semple, 2016: 79). Neither side can win. Scholars have argued that the Afghan National Security Forces (ANSF) is incapable of securing the country or wiping out the insurgency, especially without foreign aid. The Taliban can also not win back Afghanistan through the force of arms alone (idem). Afghan leaders and the international community have thus realized that the war in Afghanistan may rather have a political solution instead of a military one (Biddle, 2013). This creates a very simple but compelling logic for peace talks, as it is the only way to end the war.

In the past decade there have been a number of initiatives by the Afghan government to reach out to the Taliban (e.g. Abbas, 2014; Biddle, 2013; Gunaratna and Woodall, 2015). The willingness to talk to the Taliban has arisen from the recognition that a purely military solution in Afghanistan is unachievable, the acceptance that the Taliban are a significant power broker in Afghanistan, and the desire to stabilize the country. To date, efforts to talk to the Taliban have been a failure. This despite the involvement of Pakistan, United States, and China, who have formed a Quadrilateral Coordination Group (QCG) to prepare the grounds for peace talks between the Afghan government and the Taliban leadership.

By using the theory of path dependency as the analytical framework I will analyze why the negotiations with the Taliban since 2001 have not been successful. The path dependency theory can help shed light on the past decisions, and is especially applicable in this case as it argues that history matters. The main aim of this theory is to understand past developments that have led to the present situation, and why it is so hard to deviate from the chosen path.

1.1 Research Aims & Relevance

The aim of this study is to obtain a better understanding of the idea of ‘talking to the Taliban’ and to explain why it has not yet yielded much in the way of tangible political success. Examining this process can be the first step towards a better understanding of the complex conflict in Afghanistan, and subsequently lead or contribute to the design of improved policies and solutions for the future of Afghanistan.

It is important to note that there is a wide range of literature available on the post-2001 Afghan conflict. A large part of this literature is devoted to the negotiation process with the Taliban, but topics mostly cover question of why talking might be beneficial, who should be engaged, and how talks might be handled. Little has been written however on why and for what reasons the talks have failed to deliver a positive outcome. The limited scholarly work that is available on this topic is mostly outdated. Furthermore, the scholarly work that is available is not based on in-depth understandings of the history of Afghanistan. Also, the dynamics of the conflict in Afghanistan and the different actors involved is changing day by day and becoming more complex. All these developments make it critical to provide a coherent and complete overview of the negotiation process and analyze why the talks have not yet yielded in the way of political success. Therefore, this thesis will compensate for the lack of a comprehensible, complete, and up-to-date analysis of the negotiation process with the Taliban in Afghanistan.

1.2 Research Question

While post-2001 Afghanistan has been known as one of the countries with the most international presence to rebuild the country and provide security, the conflict still continues and the only possible solution to end the conflict is perhaps to reach a peace settlement with the Taliban, as the Taliban are posing the biggest threat to Afghanistan’s security and stability. To reach the research objective outline above, the following research question is identified: **Why have the negotiations between the Afghan government and the Taliban not led to a positive political outcome?**

A positive outcome would mean a negotiated settlement between the Afghan government and the Taliban, which will lead to a low or no risk of terrorist attacks and subsequently a significant improvement of the security situation in the country. This would mean for the Taliban accepting the Afghan Constitution, refraining from violent attacks, and joining the political process in Afghanistan.

1.3 Thesis Outline

To identify the factors that are responsible for the unsuccessful negotiation between the Afghan government and the Taliban, firstly, *Chapter 2* will briefly sketch the context of the conflict in Afghanistan. This will be followed by a theoretical framework and literature review in *Chapter 3*, which will explain the path dependency theory and how this theory fits within the scope and aim of this thesis. In *Chapter 4*, the choices for the research design will be elaborated, which will include a section on the approach, case selection, and data collection.

Chapters 5 will be the analysis section of this research. In this chapter I will discuss how the policies and decisions in the past (since 2001) have led to current developments. This section will be touching upon the wrong policies by both the Afghan government and the international community, and how these past policies and decisions have negatively influenced the peace process in Afghanistan. The path dependency theory will be used to describe this process.

In *Chapter 6*, the main findings of this study as well as the answer to the research question will be presented. This chapter will also discuss the limitations of this study, and propose recommendations for future research.

2 Context

Afghanistan is a country with a tumultuous and sad history. Throughout its history, Afghanistan, or the region of contemporary Afghanistan, has been a battlefield. The country has witnessed a series of complex and multifaceted civil wars and several external interventions (Vogelsang, 2002: 34). Modern day Afghanistan was created by Ahmad Shah Durrani in 1747. Almost a century later, Afghanistan was the battleground of the Great Game, which was a period of contest over the domination of Central Asia and Afghanistan between Tsarist Russia and Britain Empire (Vogelsang, 2002). During this great power rivalry, three Afghan-Anglo wars followed, which eventually led to the independence of Afghanistan in 1919 by the Rawalpindi Treaty (Roy, 2015).

The Afghan society is a society that is divided into different ethnicities, tribes, clans, and families. There are approximately twenty-one different ethnicities in Afghanistan (Roy, 2015). The cultural and physical geography of Afghanistan makes it harder to categorize the population into the different groups. This is mainly because of its mountainous backbone that is inhabited by different religious, linguistic, and tribal minorities, but also because of the decades of war that caused large migration flows. For this reason, accurate numbers of the ethnic and tribal composition are difficult to determine (Rippenburg 2005). Nevertheless an estimation of the four largest minority groups is as follows; *Pashtuns* 37%, *Tajiks* 29%, *Hazaras* 20% and the *Uzbeks* 6% (Rippenburg, 2005: 37).

From 1919 till 1973, Afghanistan was a monarchy under *Pasthun* rule. It was in 1973 that Daoud Khan overthrew King Zahir Shah and established the Republic of Afghanistan. Only a few years later, in 1978, Daoud was also overthrown by communist factions (Tarzi, 1991). The threat of tribal, ethnic and religious groups towards the newly installed communist regime led to the Soviet invasion of Afghanistan in 1979 (Barfield, 2012). The Soviet backed communist regimes faced a strong guerrilla-war of different *Mujahedeen* factions. These factions received both money and weapons from the US, Saudi-Arabia and Pakistan (Coll, 2004). In 1989 the Soviets were forced to leave Afghanistan, but it had led to the killing and disappearing of thousands of Afghans, devastated industry, infrastructure and agriculture, and millions of refugees (Hussain, 2005).

The years that followed are characterized by a period of domestic violence between the different *Mujahedeen* militia's, outbreak of a civil war, which was followed by the take-over of the country by the Taliban in 1996 (Hussain, 2005). Afghanistan was a country forgotten

by the international community, isolated and excluded, and had become a safe-haven for Osama bin Laden's Al-Qaida (Rashid, 2010). Immediately after the terrorist attacks of September 11, 2001, the Bush administration started Operation Enduring Freedom to defeat Al-Qaida and Taliban, which led to the fall of the Taliban in late 2001 (idem).

The fall of the Taliban raised high hopes among the population in the beginning, and an estimated two million refugees returned back to their country (Their, 2004: 40). Disappointment took over shortly after the high expectations. Economic developments and progress was hardly visible, the central government in Kabul lacked legitimacy and authority, corruption in the government was widespread, and many former-warlords were incorporated in the government (Roy, 2015). Furthermore, the Taliban resurgence a few years later after the invasion led to a very insecure and unstable situation with many suicide attacks.

The Afghan government has tried over the past decade to reach out to the Taliban. This is often referred to as the reconciliation process with the Taliban leadership (mid- and low level Taliban fighters are being integrated into society through several programs too). Reconciliation is a concept that was widely used in local and national politics throughout the Afghan history (Sempler 2009, 13). This rhetoric of official state policy found its way into the Afghan political jargon in 1986, when late president Mohammad Najibullah launched his *Ashti-e Melli*, meaning national reconciliation (Qassem 2014, 479). Najibullah tried to end the Afghan conflict of violence between the different ethnic *Mujahedeen* factions through a state-run reconciliation program which proposed power-sharing incentives to these factions that were fighting against the communist troops in the country and subsequently the Soviet-backed Afghan regime (idem: 480).

In post-Taliban Afghanistan the notion of reconciliation became again a national official strategy in 2010, when Karzai was re-elected (Chandra, 2011: 840). Post-Taliban Afghanistan is characterized by many efforts with regard to negotiations with the Taliban in order to bring peace and stability to the country. The National Unity Government has also given negotiations with the Taliban high priority. Nevertheless, as the threat of the Taliban has continued to plague Afghanistan's security over the years, the security is especially increasingly deteriorating over the past year. In January 2016 a US government report concluded that 'the country is more dangerous than a year ago', as the insurgents are gaining more strength and 'control more territory than at any other time since 2001' (Washington Times, 2016).

3 Literature study

Since the US invasion in late-2001 in Afghanistan, there has been a wide range of scholars and experts that have written about the conflict in this country, and also more specific about the Taliban insurgency. There is broad range of views and perceptions on how the Taliban pose a threat to the security in this country, how and why they became so strong after they were defeated in 2001, how they should be defeated, and how Afghanistan can be transformed into a peaceful country. Most of this work however neglects the notion of history in today's developments Afghanistan. A Pakistani ex-diplomat in Afghanistan, Iftikhar Murshed, has argued that 'The history of Afghanistan overshadows its current and future development' (2006: 16). In order to describe how the history in Afghanistan has influenced and will continue to influence the course of political events, the path dependency theory will shortly be explained and argued why the application of this theory is important to examine to negotiations between the Afghan government and the Taliban. Next, I will discuss what negotiation with terrorist groups entails and what the key factors are that determine the degree of success.

3.1 Path dependency theory

The path dependency theory will serve as the analytical framework. The concept of path dependency first emerged during the 1980s as a form of inquiry that was mainly applied to the field of economics (Pierson, 2002: 251). Over the years this theory gained more prominence and is also applied in other areas of social and political sciences. Political processes are therefore often referred to as being path dependent. Because of its extensive usage in the different fields, there is no single definition and it is often interpreted to suit or be in line with the area that is under focus. This means that clear definitions are rare. In the broad version of defining this concept, it refers to the causal relevance of preceding stages in a temporal sequence (Pierson, 2000: 252). Sewell describes this as 'what happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time' (1996: 262). In practice, this notion implies that history matters.

The path dependency theory rests on the famous notion of 'history matters'. This implies that former realities will affect the present and future choices. Bo Strath says in this regard that 'The path is laid down toward the past, so we unavoidably need historical orientation in order to reflect on why and how we came to where we are' (2009: 19). In addition, linking path dependency to this idea, the author asserts 'The term path dependency would function better in a retrospective exercise where the aim is to better understand the developments that led up

to the present situation' (idem: 24). Furthermore, as has been put forward by Pierson, 'History leaves an indelible mark that cannot be overlooked or erased' (2002: 253). Pierson continues and adds that placing politics in time and focusing on moving pictures instead of snapshots greatly enhances our comprehension of complex social dynamics (idem). Too often, decisions regarding a given circumstance or situation are taken without taking into account their history and the implications that come as a result.

The second important notion is the notion of 'increasing returns'. Levi argues in this regard that 'once a country or region has started down a track, the costs of reversal are very high' (1997: 28). In addition, Levi states that instead of a 'path', a better metaphor would be a 'tree'. 'From the same trunk, there are many different branches and smaller branches'. This concept actually relies on the notion that a preceding step in a particular direction induces further movement in the same direction (idem: 29). In this 'increasing returns' process, the probability of further steps along the same path increases with each move down that path. In addition, the increasing returns argument also implies that institutions structure and channel their behavioral standards and activities along certain established paths, which are the result of choices made and decisions taken in the past. When these are reinforced over time, the established patterns or 'initial conditions' are 'locked in' and institutionalized. For this reason they cannot easily be deviated from as it would entail high costs, showing the importance and influence of the past on the emergence of a particular path. Pierson states that a 'chosen path cannot be replaced but can be modified' (2002: 252).

The increasing returns argument is also based on timing and sequence, meaning that the same event may have a different effect depending on when in a sequence of events it occurs (Collier and Collier, 1991: 683). The same observation was made by Tilly, in which he stated that 'when things happen in a sequence affects how they happen' (1984: 14). More concretely, the necessary conditions for current outcomes occurred in the past. This way, the study is the critical juncture or the triggering events, which sets developments along a particular path, and the mechanisms of reproduction along this path (Pierson 2000, 263). More specifically, the notion of increasing returns refers to a self-reinforcing process with a spiral form of dynamics that is beyond the control of the individual actor and may eventually lead to a "lock-in" (David, 1985) or "inflexibility" (Arthur, 1989). When a lock-in occurs, other alternatives are not feasible anymore.

The authors Sydow, Scryoug and Koch (2006: 5) have argued that path dependency is a dynamic theory which implies that it is a process with different phases. The first phase is ‘initial point’, in which choices are still unconstrained. Once a decision has been made, dynamic self-reinforcing processes may be set into motion, which can thus lead to deterministic patterns. In other words, adoption of particular institutions, policies, and strategies take place in this stage, which then becomes this pattern (idem: 6). This moment of setting the path dependency into motion can according to Collier and Collier (1991) be seen as a critical juncture, which is characterized by the adoption of particular arrangements between two or more alternatives. These are critical because once an option has been selected, it becomes increasingly difficult to return to the initial point where still multiple alternative choices were available (Mahoney 2000: 513).

The second phase is the intermediary phase, in which options are limited but choices are still possible among selected options. In this phase, a causal pattern evolves ‘that tracks a particular type of behavior building on social mechanisms by which the pattern is likely to be reproduced over a certain period of time’ (Sydow, Scryoug and Koch, 2006: 10). The increasing returns takes place in this stage, which means that by repetitive reference to one option or some certain options a pattern will be built up, or in other words, a path emerges in this phase that makes the whole process irreversible (idem: 9). The final phase is marked by a lock-in. While in phase two the process is essentially constrained, choices are still possible in contrast to phase three, in which alternatives are no longer at hand. It is important to note that in this stage reference to the initial choices is very costly and strategically not possible. It is however possible to break from the established path and create a new path. This is referred to as the un-locking phase which will provide a new initial point. While this process is not easy, it is possible if there are major events happening (e.g. regime change) (idem: 30).

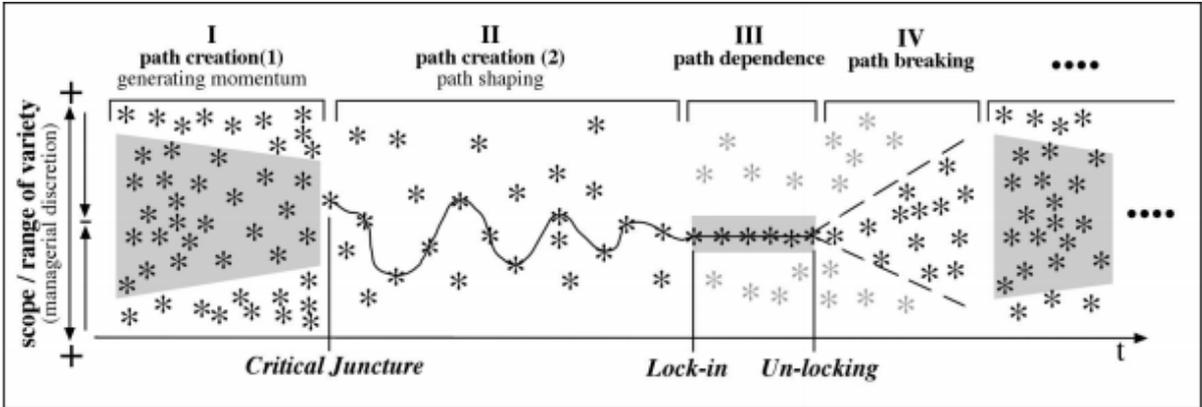


Fig 1: The phases in the constitution of a path and path dependency (Sydow, Scryoug and Koch, 2006: 32).

3.2 Negotiations with terrorists

Negotiating with terrorists, especially in a democracy, is often perceived as being political suicide and the topic is still very controversial. Nevertheless, governments and their populations face the reality that groups engaging in violent attacks against innocent civilians can only be stopped through talks. Under certain circumstances, as has been analyzed by many scholars, counterterrorism approaches such as military repression, policing, infiltration, targeted killings, arrests, or marginalization may either not work or not be sufficient (Maddisson, 2016; Powell, 2015). In some cases, these approaches may even worsen the problem (Cronin, 2010: 2). Furthermore, the violence that may be necessary to defeat the terrorist groups may be so violent that many innocents are killed and state becomes more destabilized (idem). For this reason, governments often enter talks with terrorists if the goal is to end terrorist attacks.

Terrorist is a concept with varying definitions. Here the word terrorist is used for non-state armed groups that enjoy significant political support and that deliberately use the tactic of terror by attacking civilian as well as military targets to advance their political aims (Powell, 2015: 10). Powell (2010) argues that terrorism is a component in almost all insurgencies, and insurgent objectives are the desire to change the status quo through subversion and violence. This aim lies behind almost all terrorism. Definitions on insurgency vary, but have many characteristics in common. Here, the definition by Cronin is used, which defines insurgency as ‘an armed conflict that pits the government and national army of an internationally recognized state against one or more armed opposition groups able to mount effective resistance against the state’ (2014: 43).

Negotiations between states and terrorist groups are however historically rare (Cronin, 2010: 3). Cronin’s multiyear research on how terrorism ends (2006 and 2010) shows that terrorists do not negotiate at all. Only 18 percent of the groups in Cronin’s research (457 groups in total) have entered talks with the government. Often, when governments do engage in talks, they almost always leave it for far too late (Powell, 2015: 3). While the notion of ‘talking with terrorists’ is something of the last decades, there is a wide range of literature on this topic. Some talks succeeded, such as the ones in El Salvador, South Africa, Mozambique and Aceh in Indonesia. There are also cases of unsuccessful talks, such the ones in Sri Lanka, Columbia, and Angola, and there are cases in between such as the ETA in Spain and Maoists in Nepal. Analysis of these cases shows however that there is a remarkable pattern to what works and what does not.

The likelihood of success for negotiations depends on a set of key factors (Cronin, 2006; Cronin, 2010; Powell, 2015). First is political stalemate, which is the acceptance and realization of both sides that further violence is counterproductive. Negotiations will also be easier to occur in situations in which the terrorist groups perceive themselves to be losing the conflict. If a group perceives themselves on the winning side or they have popular support, they will not easily engage in talks or be willing to compromise. Researchers have also observed that negotiations most frequently succeed if the terrorist groups express concrete demands. Governments cannot negotiate over demands they can neither understand nor satisfy, and whether that goal is shared among all members of the group (idem).

Strong leadership is another key factor that determines the possibility of success during negotiations. Talks will be more promising when there are strong leaders on both sides that are able to mobilize support for the alternatives to violent behavior. Cronin states that talks become more difficult as the leader changes (2010: 5). She continues and states that if the group survives the transition, the leadership change may result in a more diffuse organization that is more difficult to parley with, as different parts may have different aims (idem).

Factions or splintering might make the violence worse, as it is not clear who to negotiate with and who the leader is. When groups splinter, the smaller splinter groups become often more violent than the parent organization, as they feel they have to demonstrate their existence and signal their dissent (Powell, 2015). Others argue however that dividing groups can also be beneficial for negotiations, as it isolates and strangles the most radical factions. The role of third-party states neighboring or having interests in the conflict to be ended is also crucial, as they can act as mediator or outside guarantors. If the third party is however not benefitted by the ending of the conflict for strategic or political motives, they will function as spoilers (Cronin, 2006; Cronin, 2010). The latter will negatively influence the process.

4 Research Design

In this section, I will specify my case selection, and the approach to analyze my data. I will argue that a process-tracing method is most suitable to analyze the sequence of events over time, and the causal relations within this single-case study. I will also discuss my approach to come to an answer for the research question, which is by using the path dependency theory. In this section I will also briefly touch upon methods for data collection, and I will discuss the limitations of this design and approach.

4.1 Framework of Analysis

Bearing in mind the discussion above, this thesis will evaluate the negotiation process between the Afghan government and the Taliban since 2001 with the help of the path dependency theory. Since 2001 there have been efforts to bring Taliban to the negotiation table and reach a negotiated peace settlement for the ending of the insurgency in Afghanistan. The terms often used with regard to talking or reaching out to the Taliban are integration, reconciliation and negotiation. The notion of integration mostly applies to low-level Taliban-fighters that should be integrated into society if they are willing to renounce violence. Reconciliation is often used to refer to reaching out to the Taliban leadership. Negotiation and reconciliation both refer to a dialogue between two or more parties to reach a beneficial outcome for all parties. Given the scope and limitations of this study, the focus will only be on the talks with the Taliban leadership, also referred to as the *Shura Quetta*.

The negotiation process with the Taliban since 2001 will mainly be analyzed by using the different phases of the path dependency theory. The negotiation process starting from the 2001 Bonn Conference till 2005 will be the ‘initial point’ of the path dependency theory. In this phase it will be analyzed how the choices made and decisions taken in this phase negatively influenced the negotiation process. The process from 2006 till 2008 will be marked as the intermediary phase. This section will look at the possibility of reversing the choices made in the previous phase, and whether this happened or not. The third and last phase of path dependency theory is ‘lock-in’, which is applicable to the period from 2009 till 2014.

The period from 2015 onwards can perhaps be marked as breaking loose from the path as was set out in 2001, also referred to as the creating of a new path or un-locking phase. By looking at dynamics such as the nature of the terrorist demands, whether the terrorists are on the winning or losing side, fragmentation within the group, the death of the leader, and involvement of third parties, I will analyze to what extent the post-2014 process will be able to break from the created path.

4.2 Case Selection

In order to understand what the reasons are for the unsuccessful negotiation process between the Afghan government and the Taliban, this research is exploratory. Exploratory research is especially important in this case given the lack of available literature on why and how the negotiations have not yet led to a successful outcome. Exploratory design allows gaining more understanding in this topic as it will provide significant insight into this specific situation. With regard to case selection, it is chosen for the process tracing method to guide the case selection. Process tracing in social sciences is defined by its aim to trace causal mechanisms (Bennet, 2008; Checkel, 2008; George and Bennet, 2005). A causal mechanism is defined as a complex system that produces an outcome by the interaction of a number of parts. The study of causal mechanisms is important as it allows the researcher to make within-case inferences about the causal process that leads to the outcome (George and Bennet, 2005). This method is especially useful given the analysis of the negotiation process with the Taliban by using the path dependency theory, as the different decisions and choices over the years are connected with one another.

4.3 Data Gathering

With regard to data collection, this study draws on secondary sources, bringing together insights on the conflict in Afghanistan from different backgrounds and fields. A wide range of literature on terrorism and negotiations with terrorists has been used. Also an extensive amount of literature has been used on the Afghan conflict. In addition to work by western scholars, *Pashto* and *Dari* sources have been used to develop a more profound understanding of the situation in Afghanistan, as well as to understand why the negotiations with the Taliban have not been successful. This includes information from official government sources, Taliban statements and Afghan news media.

5 Path-Dependency and Negotiations with the Taliban

In this chapter I will analyze how the two important notions of the path dependency theory, which are the ‘history matters’ argument and the argument of increasing returns’ can explain the failure of the negotiation process in Afghanistan. I will examine the different phases of talking with the Taliban, starting by the Bonn 2001 Conference till the end of 2014, which marks the withdraw of the ISAF troops. I will focus on how the decisions and policies taken during these years have influenced the course of the developments with regard to negotiations with the Taliban in Afghanistan. The negotiations with the Taliban can easily be divided in different phases. The first phase is from 2001 till 2005, which is marked as a period of missed opportunities and can be seen as the initial phase of the path dependency theory. The second phase can be seen as the second or intermediary phase of the path dependency and is linked with resurgence of the Taliban in Afghanistan and a growing momentum for negotiations. The third phase is ‘lock-in’, which is from 2009 till the end of 2014, marking a period of desperation, failed efforts, and a deteriorating security situation. I will also discuss the period from 2015 till present, and analyze if it is possible to break or un-lock for the established path and create a new path.

5.1 Missed opportunities (2001-2005)

The initial phase of the path dependency theory is a situation in which choices are still unconstrained. As the path dependency suggests, in this stage the path is created for the future. With regard to the post-Taliban reconstructing in Afghanistan, an inclusive and efficient path had to be created in this stage. Unfortunately, the choices and decisions made during the Bonn Conference of 2001 and the few years that followed, the created path was neither inclusive nor efficient with regard to peace and stability in Afghanistan.

First of all, as many policy makers and scholars have agreed, the Bonn Conference of 2001 may have looked like a peace accord between the different (ethnic) parties, but in reality it was an externally-led process which included some handpicked stakeholders (Goodhand and Sedra, 2009: 82; Barfield, 2010; Hanifi, 2004). It can even be argued that the Bonn was an urgent setting instead of peace talks, as not all parties were included. While peace-settlements need to address and include both the causes and consequences of conflicts, this was not the case during the Bonn Conference. The Bonn Agreement failed to address the power uncertainties that were in place, and its outcome did not reflect de facto power relations within the country (Qassemi, 2014). For example, important neighbors Iran and Pakistan were relatively sidelined, the *Pashtuns* felt marginalized, and avoidance of aspects such as past

human rights violations and war crimes undermined the legitimacy of the government for many Afghans. A large segment of the population viewed the government as serving external interest rather than the interests of the Afghan people (Semple and Goodhand, 2009: 82).

With regard to negotiations with the Taliban, the role and influence of the US on the course of events in this first phase was significant. During the Bonn Conference, the Taliban were excluded, despite the fact that many Taliban leaders were willing to join the process. Former Taliban ambassador to Islamabad, Mullah Abdul Salam Zaeef, said ‘the door was wide open for talks and negotiations; there was a way that would have spared many lives’ (Van Linschoten and Kuehn, 2010: 239). Nevertheless, The US was not willing to negotiate with the Taliban. After all, negotiating with the enemy in wartime would violate the American ‘way of war’ (Chandra, 2011: 841). It has been noted that Karzai had offered protection to Mullah Omar and amnesty to the common Taliban, if they would renounce violence (Chandra: 2011: 841). The US, and especially US Defense Secretary Donald Rumsfeld, warned Kabul several times to not make such deals with the Taliban, otherwise the US would withdraw support for the interim government (Johnson and Mason, 2007: 71).

In addition to the exclusion of the Taliban from the political process, many other mistakes have been made that have led to the resurgence of the Taliban in later years. First of all, as the Afghan government lacked the capacity to provide security, the US force level was also very low, which increased the security vacuum in especially rural Afghanistan even more. The number of soldiers per capita in the country was less than it had been in any state-building effort since World War II (Dobbins et. al, 2005). In early 2002 ISAF consisted of 5,000 troops to help secure Kabul. Another 5,000 soldiers, under Combined Forces Command-Afghanistan conducted combat operations throughout the rest of the country (O’Hanlon and Albuquerque, 2005). The US and its allies had adopted a light foot-print approach as they wanted to prevent large-scale resistance of troops like the Soviets had encountered, and they believed that small ground troops and strong airpower would be sufficient to ensure security (Hersh, 2004:51).

Another major mistake made in these first and influential years was that most of the donor countries did not fulfill their commitments as promised Jalali, 2006). The weak financial and military commitment by donor countries had led to a fragile country with high levels of corruption and high rates of opium production by mainly local warlords. In addition to this, the US also provided assistance to local warlords, which further undermined governance and weakened the ability of the Afghan state to establish law and order (Jalali, 2006: 5). This

included funding non-state militias to fight the Taliban. As stated by Buffaloe, 'warlord militia forces led every mounted patrol in most major operations, as they knew the ground better and could more easily spot something that was out of place or suspicious' (2004:12). In some regions these warlord militias had established significant political and fiscal autonomy, and controlled military and civil administration (Sedra, 2002). The US assistance for warlords weakened the central government's authority (Jones, 2008: 26).

From 2003 onwards, as the US was also preoccupied with the Iraq, the sporadic attacks by the Taliban began. ISAF troops, aid workers, government employees and also the Afghan population became a target (Chandra, 2011: 847). In 2004 the insurgency intensified and the Taliban turned to more asymmetrical fighting and terror strategies such as for example road-side bombs and suicide attacks (Crews & Tarzi, 2009: 78). Given the lack of security and presence of police and army in especially the Southern provinces, the Taliban were back in control of entire districts by the end of 2005 (Jones 2009, 94). According to Rashid, 'Afghanistan has always been the other war under the Bush administration, starved of resources, attention, and troops in favor of Iraq' (2010: 333). As the Taliban took control over more and more areas in the South, they formed a shadow government which was ruled through local political councils (Rashid, 2010: 225). In addition, it was increasingly getting harder for the ISAF forces to trace and kill the insurgents as the Taliban had professionalized their forces.

In conclusion, the Bonn Conference of 2001 and the years that followed till 2005 was the right initial phase to develop an inclusive and efficient path for post-Taliban Afghanistan. During these first years after the US invasion, many issues had to be decided and were decided. This included the type of regime, the new leader, agreement with foreign allies, the right policies to fight the insurgency, and most importantly the status of the Taliban. According to the path dependency theory, the choices in this initial phase were not constrained, and there were many possible choices to make. The policies and decisions taken in this phase were however decisive, and set the path that followed. The concept of increasing returns is applicable here as it implies that the increase of a particular variable leads to a further increase of this very variable. In this specific case, the exclusion of the Taliban during the Bonn Conference, the light-footprint policy of the international community, the shift of focus to Iraq in 2003, aiding and strengthening of warlords, among others, have set the path for the unsuccessful and failing negotiating efforts with the Taliban.

5.2 Insurgency and growing momentum for negotiations (2006-2008)

The choices that were made during the initial phase led to a full-blown insurgency in 2006. During this period, the insurgency affiliated attacks rose by 400 percent and the number of deaths due to these attacks rose by more than 800 percent (Jones, 2008: 7). The second phase of the path dependency theory is the intermediary phase, in which options are limited but choices are still possible among selected options. The increasing returns takes place in this stage, which means that by repetitive reference to one option or some certain options a pattern will be built up, or in other words, if it is continued on the same path as the initial phase, the whole process will be irreversible. This exactly happened as the Taliban insurgency was growing stronger and the security in the country was deteriorating. While in this phase there still was an opportunity to create a new, more stable path, and thus correct the mistakes from the initial phase, this did not happen.

In order to restore the light footprint policy of the previous phase, different military operations were deployed and the NATO forces extended their operation to southern Afghanistan in order to fight the Taliban (Rashid 2009, 230). These different military operations turned the local population even more against the presence of the ISAF troops, given the fact that many innocent Afghans were killed by the international troops. This made the counter-insurgency efforts more difficult and counterproductive (Crews & Tarzi 2009, 88).

In the meantime, the government in Kabul had renewed its efforts to reach out to the Taliban leadership, if they were willing to give up violence and accept the Afghan constitution. In an interview with the *Der Spiegel* in 2007, Karzai expressed his willingness to embrace Mullah Omar and Gulbuddin Hekmatyar. He did add however that ‘it is the Afghan people who should decide on the atrocities committed by the Taliban against the Afghan people’ (Der Spiegel, 2007). Efforts and support for negotiations with the Taliban came also from the Upper House of Afghanistan, the *Meshrano Jirga*, which passed a bill asking the Afghan government to initiate direct talks with the Taliban (New York Times, 2007).

It was not only the Afghan government that reached out to the Taliban, but many donor countries were also known to have negotiated with the Taliban in the provinces their troops were deployed. This caused a friction in the relationship between Kabul and the international forces, mainly the British (Qassem, 2014: 845). It had become public that the British had negotiated with the Taliban in the Helmand province. Karzai was quick to respond that Helmand was part of the country which had suffered after the arrival of the British forces, and

that Karzai's government was fully in charge of the province (idem). Shortly after, the governor of Helmand proposed negotiations with Taliban on behalf of the central government (idem: 847). Not much later, however, reports began pouring in of Canadian and Dutch commanders that too had been negotiating with the local Taliban. This tactic of negotiating while keeping the military pressure on senior Taliban commanders largely contributed to the re-shaping of Western discourse (US not included) on ways and means of stabilizing the country (Chandra, 2011: 173)

Despite the fact that there was more momentum to talk with the Taliban, the talks could have not been successful given the lack of coordination among the different parties that pursued negotiations with the Taliban. The Brits, Canadians, and the Dutch had reached the realization that negotiation with the Taliban was necessary in order for their military operations to be successful. These negotiations however, were not coordinated with the Afghan government. This lack of coordination caused the talks to be counterproductive. In addition, these talks could not have been very successful as negotiation with the Taliban was still not an official policy that was backed by the US, the major donor in both money and personnel in Afghanistan (Chandra, 2011; Qassem, 2014). The lack of coordination between the allies caused more division on the rules of engagement.

Furthermore, an opportunity was missed in the first phase, the Taliban had gained more momentum and strength and were less eager to negotiate with the 'infidels' who were threatening the traditional and Islamic way of life in Afghanistan (Liebl, 2007: 389). In addition, as stated by Smith, the Taliban were especially gaining more ground and becoming more popular in the south because of the immorality and western way of life that the US-led invasion has brought to Afghanistan (Smith, 2009: 208). To summarize, in this intermediary phase of path dependency, agendas were repeated. Despite the enhancing of the number of troops and more willingness to negotiate in this phase, no sincere efforts were made to modify or improve the path that was created in the first phase.

5.3 Desperation and failed efforts (2009 – 2014)

The third of path dependency is lock-in. While in the previous phase the process was essentially constrained, choices were still possible in contrast to this last phase, in which alternatives are no longer at hand. With regard to Afghanistan and negotiations with the Taliban, the official policy by both the Afghan government and the US was to reach out to the Taliban and include them in the political process. Both the Afghan government and population had lost their confidence in the international community's engagement in Afghanistan to dismantle terror and defeat the Taliban (Chandra, 2009: 843). Therefore, president Karzai adopted a different policy by reproaching the Taliban. However, the significance of the events, decisions, and policies that were made in the past two phases, weighted heavily on this period of desperation.

Karzai's efforts to bring the Taliban to the negotiation table consisted of bringing together handpicked delegates from all over the country that would give the government a strong mandate to talks with the Taliban. In 2010 Karzai introduced the Afghanistan Peace and Reintegration Program (APRP) and the High Peace Council was established, which would open and lead the dialogues with the Taliban (Chandra, 2011: 843). After the assassination of Burhanuddin Rabbani by the Taliban, the Chairman of the High Peace Council, hopes for reconciliation flourished. Nevertheless, Karzai stated that indeed this was a tragic loss, but it would not imply the end of continuation of the efforts to bring peace in Afghanistan (BBC News, 2011). While the negotiations were taken more serious than ever at this time, the assassinations of Rabbani damaged the optimism on the ground for peace.

For the United States, talking with the Taliban became official policy in 2009, after President Obama took office. Since then, the official US policy in Afghanistan and Pakistan was in line with the Afghan government's efforts to open the doors of negotiation to the Taliban who were willing to abandon violence and respect the human rights of their fellow citizens (Semper, 2009:21). This policy was also in line with the US strategy of troop withdrawal that would begin mid-2011 and end by the end of 2014. The decision to pull out troops out of Afghanistan was perceived as leaving the mission incomplete. It is argued that withdrawal of troops meant the weakening of international commitments to Afghanistan, and negotiation with the Taliban at the costs of justice, democracy, women rights, and other democratic principles (Chandra, 2011; Qassem, 2014). Furthermore, many have argued that the Afghan security forces were not ready to take the full responsibility for securing the country.

From 2010 till 2012, the US held intermittent meetings with the Taliban Political Commission. It is said that Mullah Omar had authorized this commission to carry out outreach domestically and internationally. The talks were suspended by the Taliban by the end of 2012 because of atrocities committed by the US army in Afghanistan (Qassem, 2014: 373). When the Taliban opened their office in Qatar in 2012, it seemed to be a promising year, but this too failed to deliver its promised outcome (The Guardian, 2012).

The Taliban's position with regard to negotiations was quite diffuse and strategic as they were aware of their strengthened position and the desperation of the US and allies. With the opening of their office in Qatar they stated that their goal is not to go back to the former Taliban Administration, but to form a new government, which includes all the different ethnic groups (Waldman, 2012: 84). Nevertheless, they have taken advantage of their position to negotiate by securing the release of their prisoners, obtaining international legitimacy, expanding their propaganda and gaining more popular support within the tribal areas of the South. In addition, there is also some evidence that the Taliban have tried to take advantage of the government's peace policies to target key state officials, infiltrate in the security forces and undermine the perception of security by symbolic actions.

In this phase, which is the lock-in phase of the path dependency, it can be concluded that on the same path was continued, as it was very hard to deviate from the created path despite many efforts. Continuation down the same path is typical in this final stage of the path dependency theory. The international engagement had been undermanned, under-resourced and under-funded. The decisions and choices of the past had led to a strong Taliban, lack of trust and confidence in the international community and the government, and the realization that the war was not going to be won militarily. While the US rejected talks with the Taliban for years with the belief that the Taliban could be defeated, they now favored a political solution. The problem however here is that at this stage of the conflict, enmity and distrust between the parties involved was deep-rooted. There was however a realization that repeatedly the same mistakes had been made, and it was time to break the established path and create a new route ahead.

5.4 The creation of a new path? (2015 – present)

With the handover of the security responsibility to the Afghan government, and the inauguration of the National Unity Government through a brokered deal between President Ghani and Abdullah Abdullah, there was optimism that it could be broken from the previous path and a new route ahead could be created towards peace and stability. The start of 2015 was promising and many thought a new initial point had arrived, with many new choices to be made and decisions that had to be taken. In this year the Afghan National Security Forces had the sole responsibility for securing the country, the new government was installed, and there was renewed hope and optimism that this new government was competent enough to move the country in the right direction. Furthermore, the Afghan population was more united than ever. Ethnic and sectarian divides seemed to have transcended.

Furthermore, the conflict in Afghanistan could be seen as a hurting stalemate, with no side having the possibility of winning the war. As argued earlier, this was one of the main conditions for successful negotiations. Given this compelling situation, many were positive as they believed that only peace is the equilibrium from which both sides can equally benefit. With this notion in mind, President Ghani reached out to Pakistan to improve the conditions between the two countries, mainly because of Pakistan's influence on the Afghan Taliban (Destradi, 2015). President Ghani made many concessions, but in return, Ghani wanted to have equal concessions from the Pakistani establishment. This included Pakistan's effort to pressure the Taliban to negotiate directly with the Afghan government (idem). However, the *Quetta Shura* avoided and delayed Pakistan's request, and instead announced their largest spring offensive ever on April 2015, and Pakistan did not show any opposition (BBC, 2015).

Given the frustration among the Afghan government, Pakistan's Prime Minister Nawaz Sharif and Army Chief General Raheel Sharif went to Kabul in May to halt the deteriorating relations between the two countries. This eventually led the ISI (Pakistan's Inter-Service Intelligence) flying out three former Taliban members to Urumqi, China in May 2015. The three figures all served as ministers during the Taliban regime in Afghanistan from 1996 till 2001, but they had no current relation or influence to the Taliban Political Commission. The Taliban leadership was quick to reject the meeting as they posted an official statement on their website, announcing that the *Quetta Shura* had not given the permission for the talks (Daily Times, 2016).

Pakistan's pressured on the Taliban leadership based in Pakistan continued and eventually this led to former Taliban's deputy leader, Mullah Akhtar Mohammad Mansour, to authorize senior Taliban leaders to meet with an official Afghan delegation on July 7th 2015 in Murree, Pakistan (BBC, 2015). This meeting was chaired by Pakistani diplomats, high-ranked observers from ISI, and also observers from the US and China were present (idem). While the UN, China and US described the meeting as a breakthrough, the Taliban Commission's spokesperson said that the Taliban delegates had participated as hostages of Pakistan (BBC, 2015). This was followed by an article published on the Taliban website, which stated that 'When the dust settles, the much hailed talks between the Taliban officials and Ghani-administration officials in Islamabad will be revealed as nothing more than Pakistan delivering a few individuals from the Islamic Emirate to speak in their personal capacity' (Shahamat, 2015). After Mullah Omar's death announcement in July 2015, the talks were postponed by the Taliban leadership.

On the 23th of May 2016, Taliban's second leader, Mullah Akhtar Mohammad Mansour was also killed by an US airstrike in Pakistan. President Obama said in this regard that Mansour's death 'marks an important milestone in our longstanding effort to bring peace and prosperity to Afghanistan' (CNN, 2016). US Secretary of State, John Kerry, said that 'Mansour was directly opposed to peace negotiations' (CNN, 2016). Only a day after Mullah Mansour's death, the Taliban Political Committee met and appointed Mavlavi Haibatullah Akhundzada as the new successor. According to Afghanistan's First Vice President General Dostum, the newly appointed leader Haibatullah Akhundzada is only a symbolic leader (Khaama Press, 2016). According to Dostum, Taliban's Deputy Minister Sirajuddin Haqqani is the key player in the ongoing violence within Afghanistan, together with Pakistan's ISI (idem).

Prospects for future talks with the new leader are not expected to happen in the short time. This mainly as some Taliban leaders are not willing to talk anymore after Mansour's death. The last direct talks between the Afghan government and the Taliban leadership was in July 2015, which were then postponed given Mullah Omar's death announcement, and subsequently Taliban's refusal to take part in negotiations if they had set out were not met. These conditions were the exit of the foreign troops, lifting curbs on Taliban leaders, and the release of Taliban fighters from prisons (Daily News, 2016; Shahamat, 2016).

For a long time since the 2001 US invasion, the Taliban fighters did remain unified and loyal to Mullah Omar. However, in July 2015, both Taliban statements and reports from the Afghan

government issued that Taliban's leader died of natural causes in 2013 (BBC, 2015). The Afghan Taliban confirmed to covering up Mullah Omar's death, in order to remain the group unified. The fear of the Taliban falling apart after Mullah Omar's death proved not to be an illusion. While Mullah Mohammad Mansour is elected as the new leader, he was certainly not unanimously chosen (BBC, 2015). Strong leadership on both sides can also help with bringing negotiations to a more peaceful end. Late Taliban leader Mullah Omar was perceived as a strong leader and was able to unify the Taliban with the same aim. With his death, and the friction and splintering among the group, the question remains to what extent a new leader will have the same authority to speak for and represent the whole group.

In conclusion, while 2015 could be a new initial point and there was a possibility to break from the established path, unfortunately till date this has not happened. One of the main conditions for talks to succeed is the realization that both sides cannot win the war. While the Afghan government is aware of this aspect, the question is to what extent the Taliban perceives it the same way. Since 2001 they have grown in both numbers and means. It is often said that the Taliban are relatively in a better position (O'Hanlon, 2009; Qassem, 2014; Van Der Lijn, 2013). They can wait out the International troops operating in Afghanistan, so why would they make any concessions? And so far, as the conditions they have set are not met, which mainly include the exit of the foreign troops, they have not been willing to sincerely negotiate.

Factionalism and splintering makes it often difficult to negotiate, as there is not one party anymore that is posing a threat, but different parties with different aims and goals. There is a group of 'moderate' Taliban who is willing to negotiate and join the system. Others, the hardliners, are opposed to any form of negotiation when there is any presence of the US troops in the country. In addition to these, many former Taliban leaders have embraced the flag of the Islamic State (IS) and a new group is created known ISIS Wilayat Khorasan (Byrne et al., 2016).

Another major factor for negotiations to succeed, as has been put forward by Cronin, is the involvement of a third party. Pakistan and the US have been important actors in the negotiation process, but recently also China have become a facilitator. While these parties can be very beneficial and act as mediators, they can also sometimes act as a spoiler if the outcome is not in their favor. This has especially been the case with Pakistan's involvement.

6 Conclusion & Discussion

Almost fifteen years after the US invasion in late 2001, Afghanistan is still a fragile state and the conflict with the Taliban and other insurgency groups is stronger and more devastating than ever. For more than a decade however, it is tried to reach out to the Taliban by the Afghan government and the international community in order to come to a negotiated peace settlement and thus end the conflict. Till date, these efforts have however not produced the desired outcome. Given this puzzling outcome, this study aimed to obtain a better understanding of the negotiation process with the Taliban since 2001. More specifically, this study aimed to analyze how the decisions and choices made in the first years after the 2001 invasion have led to a very unsuccessful negotiation process, with severe consequence. With the help of the path dependency theory it is tried to shed light on the past failures and, where possible, provide guidance for future reform.

The path dependency theory as the analytical framework to approach the research question is especially chosen given the important notion of history in this case. This is mainly as the problems prevailing in Afghanistan with regard to peace and stability through a negotiated settlement with the Taliban are deeply rooted in history. In addition, this approach is beneficial as the theory also implies that once a state adopts a particular path or course of action in its decisions and policies, deviating from that path is close to impossible since the costs of reversal are very high. This theory rightly points out to look at the causes for the failing of the negotiation process as embedded in history, and allows examining how one event has led to another one.

The negotiation process with the Taliban since 2001 is mainly analyzed by using the different phases of the path dependency theory. The negotiation process starting from the 2001 Bonn Conference till 2005 is marked the 'initial point' of the path dependency theory. In this phase it is analyzed how the choices made and decisions taken in this phase negatively influenced future process. The process from 2006 till 2008 is marked as the intermediary phase. This section has looked at the possibility of reversing the choices made in the previous phase. The third and last phase of path dependency theory is 'lock-in', which is applied to the period from 2009 till 2014. The last phase is from 2015 onwards, which may be a phase of creating a new path.

Findings from the analysis of the initial phase show that in this phase there were many possibilities and choices available in order to develop an inclusive and efficient path for post-

Taliban Afghanistan. The initial phase is a situation in which choices are still unconstrained. As the path dependency suggests, in this stage the path is created for the future. During these first years after the US invasion, many issues had to be decided and were decided. This included the type of regime, the new leader, agreement with foreign allies, the right policies to fight the insurgency, and most importantly the status of the Taliban. The policies and decisions taken in this phase were however decisive, and set the path that followed. In this specific case, the exclusion of the Taliban during the Bonn Conference, the light-footprint policy of the international community, the shift of focus to Iraq in 2003, aiding and strengthening of warlords, among others, have set the path for the unsuccessful and failing negotiating efforts with the Taliban.

The intermediary phase of the process shows that it was continued on the same path as the initial phase, leading to the whole process being irreversible. This exactly happened as the Taliban insurgency was growing stronger and the security in the country was deteriorating. While in this phase there still was an opportunity to create a new, more stable path, and thus correct the mistakes from the initial phase, this did not happen, despite some efforts by both the international community and the Afghan government. In this intermediary phase of path dependency, agendas were repeated. Despite the enhancing of the number of troops and more willingness to negotiate in this phase, no sincere efforts were made to modify or improve the path that was created in the first phase.

Findings from analyzing the third phase illustrate the significance of the events, decisions, and policies that were made in the past two phases, weighted heavily on this period of desperation. Despite many efforts, such as having an official policy to talk to the Taliban, increasing of the numbers of international troops, and the realization that the war could not be won militarily, it can be concluded that it was continued down the same path. Deviating from the established path was not an option anymore. There was however a realization that it was time to break the established path and create a new route ahead.

The period from 2015 onwards, with the inauguration of the new government, there was renewed hope and optimism that indeed a new path could be created. 2015 was a new initial point. Unfortunately, the optimism and hope of a year ago has seemed to flourish. Many other problems arose, mainly caused by the announcement of Mullah Omar's death in July 2015. Fragmentation within the Taliban, the existence of factions and threat of splintering, and the lack of a strong leader have not benefitted the negotiation process. Furthermore, while it has

been argued that the Afghan conflict is stalemate, it is unknown if the Taliban leadership perceives it the same way. Also, Pakistan has often been referred to as a spoiler given their influence on the Taliban leadership. In addition, the fragmentation of the Taliban may at the moment be one of the biggest challenges for the Afghan government, which reduces the possibility to initiate and carry forward peace negotiations. As the traditional cohesion of the Taliban has collapsed, the identification of interlocutors with whom dialogue can be initiated also disappears.

Regrettably, this thesis also suffers from a number of limitations. First, this research is primarily based on secondary literature. A more profound understanding of the subject would require interviews with scholars, experts or policy makers in the field to grasp the complexities better. Furthermore, case-centric research makes it hard to produce knowledge that can be generalized across many cases, which limits this research's external validity. Also given the limited scope and time, the history prior to 2001 could not have been taken into consideration. Despite these limitations, the results confirm that indeed history rightly points out to look at the causes for the failing as embedded in history. As a result, the decisions taken in the past have increasingly amount to an imp imperative for the future course of action.

Future research is necessary in order to specify what factors are necessary to establish a new path. The situation in Afghanistan is extremely complex, and many aspects are interconnected with one another. It is very tempting to see Afghanistan as a lost cause, but such a conclusion oversimplifies the more complex reality. The Afghan transition was not doomed from the outset, but it suffered a severe loss of momentum due to many decisions taken and choices made in the initial phase. In order for Afghanistan to escape its current reality, it is important that newer paths are devised and policies are implemented in order to transform the dysfunctional institutions into functional ones. At the moment the biggest influence on the negotiation process comes perhaps from Pakistan, who is trying to secure its position if the Taliban do come back to power.

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