

# Afghanistan's loya jirga: a cynical exercise in neo-colonialism

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In the 19th century, the European colonial powers that carved up the world between them devised all manner of ruses to disguise their despotic control over countries, resources and peoples. The British in particular became masters at bribing or bullying local rulers, playing on ethnic and religious divisions and exploiting indigenous customs and rituals to achieve their own ends.

The script for the *loya jirga* or grand council being convened next month in Afghanistan reads like a page taken straight out of records of the Colonial Office in London. In the name of “peace” and “democracy,” a meeting of some 1,501 delegates will gather together in a pageant presided over by the former Afghan king Zahir Shah to decide on a transitional government and to establish the mechanisms for a new constitution. There will no doubt be plenty of local colour and fine-sounding speeches. But none of it will alter the fact that the country's future will be decided not in Kabul but in the capitals of the major powers, above all in Washington.

Even on the face of it, the process is fraudulent. The proposal for a *loya jirga* was part of arrangements drawn up by UN officials, approved by the UN Security Council and then presented to a conference of hand-picked Afghan delegates brought together in Bonn last December following the collapse of the Taliban regime. All that was left for the Bonn gathering to do was to rubberstamp the plans and haggle over the positions. The top job in the interim administration went to Hamid Karzai whose main qualification was backing from the US.

The *loya jirga* itself has a very chequered history. An article in the *New York Times*, citing the comments of Barnett Rubin, a US specialist on Afghan affairs, described the institution as a “pseudotradition” connected only loosely to the Pashtun tribal assemblies or *jirgas* that began in the 18th century. “Throughout history, the *jirgas* or *loya jirgas* have almost always been convened to provide legitimacy for royalists or other groups that had seized or held power by force,” it explained.

It is no different today. Delegates to the *loya jirga* will not be elected directly, through a secret ballot. Rather local meetings are being convened throughout the country under the auspices of Special Independent Commission for Convening of the Emergency Loya Jirga to select representatives who will then meet at a regional level to decide on delegates.

The regional delegates will, however, only comprise 1,051 of the 1,501 assembly members. The remaining 450 will be appointees—representatives of “civil society institutions, credible individuals, religious scholars, intellectuals, women's organisations, traders and religious minorities”—who will be either chosen directly by the commission or endorsed after selection by bodies like the chambers of commerce. Nomads, refugees and displaced persons will also be allocated delegates.

The process is open to manipulation at every level, above all by the Special Independent Commission that comprises 21 lawyers, doctors and professionals, all selected by the UN. The commission, which is supervised by a team of UN advisers, sets the rules, oversees every stage

of the selection and retains an effective veto over the delegates. It has established a number of “regional observation centres” that will adjudicate disputes, decide procedures and whose word is final. If these regional bodies judge that no election is possible, they will simply appoint delegates.

The candidates are compelled to sign an affidavit declaring that they have no links to terrorist groups and are not involved in “the spreading and smuggling of narcotics, abuse of human rights, war crimes, plunder of public property, smuggling of archeological and cultural heritage” and have not been “directly or indirectly involved in the murder of innocent people”. If these criteria were applied with any seriousness then the Karzai administration itself would be severely denuded of personnel—all of its factions have blood on their hands as do the warlords and militia leaders that rule the roost across Afghanistan. The proviso is simply a convenient means of screening out delegates not favoured by the interim government, the UN and major powers.

The vast bulk of the Afghan population is prevented from attending the *loya jirga* by the seemingly innocuous provision that delegates must be able to read and write one of the country's official languages. According to the most recent estimates of adult literacy produced by the United Nations Educational, Scientific and Cultural Organisation UNESCO, only 47 percent of men and 15 percent of women would qualify. Since that estimate, in 1995, illiteracy rates have worsened, particularly for girls who were barred from attending school under the Taliban.

A number of reports indicate the character of the selection process at the local level that began in mid-April. At Mardyan in northern Afghanistan, about a thousand people gathered to choose district delegates. UN special envoy to Afghanistan, Lakhdar Brahimi, flew in by helicopter and piously told his audience that the “long night of conflict” was coming to an end.

Alongside Brahimi stood General Abdul Rashid Dostum, the regional Uzbek strongman, notorious for his brutality and human rights abuses. Soldiers armed with Kalashnikovs and grenade launchers lined the roads into the village. Dostum's picture was prominent everywhere. Asked why Dostum was permitted to play such a prominent role in the day's events, UN spokesman Manoel de Almeida e Silva blandly declared: “It's very important that the authorities here are publicly supporting the process.”

“Election according to local custom” means that the conservative tribal leaders are predominantly selected. For the most part women have been excluded from the gatherings called to select local representatives—of the 4,618 local delegates so far nominated to attend regional meetings, only 42 are women. “It's free. The men can choose the best person,” Saleh Maqsood, a clan elder told the press at Mardyan. But he was a candidate and indicated with a nod and a wink that he knew in advance that he would win.

Tomas Ruttij, a senior UN adviser in Kabul, bluntly told the *Washington Post* last weekend: “I'm quite pessimistic. About 70 to 80 percent of the country is in the control of the [militia] commanders, most of the country has not been disarmed, and there is a lot of interference going on. If we

get 20 to 30 percent good representatives, that will be something, but there will be no great leap to democracy.”

When this elaborate charade is concluded, the 1,501 delegates will gather in Kabul for a week between June 10-16. Even if the *loya jirga* met continuously around the clock, each of those present would have just less than seven minutes each to say their piece. Of course, the entire affair will be just as stage-managed as the process to select delegates. Its main purpose will be to put the seal of approval on a set of propositions drawn up elsewhere.

The absurdity of the event is highlighted by the fact that the former monarch Zahir Shah has been called on to open proceedings. The last *loya jirga* that he attended was in 1964. It was held to approve the country’s first constitution—a series of limited democratic reforms drawn up in response to the growing unpopularity of the royal family and its wielding of absolute power. While it allowed for national elections for the first time, it maintained a ban on the formation of political parties and permitted the king to retain the power to partially appoint the upper house. In 1973, amid a deepening economic and social crisis, Zahir Shah was ousted by his cousin Mohammad Daoud Khan.

The 87-year-old Zahir Shah, who lived in pampered exile in Italy for nearly three decades, returned to Afghanistan last month. The former king is being hailed as a symbol of national unity capable of ending the chaos caused by warring religious, ethnic and tribal groups and militia. In fact, the opposite could rapidly turn out to be the case. The monarchy has its roots in the tribal leadership among the country’s Pashtun majority in the south. As such, Zahir Shah is regarded with deep suspicion not only among Tajiks, Uzbeks, Hazaras and other smaller northern ethnic groups, but also among Pashtun tribal rivals to the royal Durrani clan and Islamic fundamentalist groups hostile to the Pashtun nobility. Significantly, within days of his return, British military officials in Kabul were warning of a plot to assassinate the king.

In the midst of the political chaos in Afghanistan, it is the US that holds the whip hand. The government of Hamid Karzai is itself riven with factional rivalries and its grip does not extend much beyond Kabul. All of the other major cities—Herat, Kandahar, Jalalabad and Mazar-e-Sharif—are under the domination of regional warlords whose allegiance to Karzai is only based on his ability to act as a funnel for international funds. Outside the cities, in the towns and villages, the situation is even more anarchic with local militia leaders and tribal chiefs battling for control.

The interim leader’s brother Ahmed Wali Karzai told the *Washington Post* in early April: “Right now we have no money and no army—that’s the main problem. Once we have a military controlled by the central government, then there will be no foreign interference and no warlords, and the government can control the whole country.” But the attempt to form a national security force runs into the same factional rivalries. It starts at the top: the key Defence and Interior Ministries are at present controlled by Tajiks from the Northern Alliance, which is regarded with deep suspicion by southern Pashtuns.

As the *Washington Post* noted: “[T]he United States—which strongly backs Karzai’s government and which has stationed small batches of regular and Special Forces troops in key areas around the country—is the glue holding Afghanistan together, according to many Afghan leaders and foreign observers. If US forces were to withdraw, they say, many areas would likely erupt in fighting.” The converse is also true. In the absence of any coherent opposing force, the US military has the run of the country and is able to dictate political terms.

The US commander in Afghanistan, General Franklin “Buster” Hagenbeck, recently put down the law to a local militia leader, Padshah Khan Zadran involved in fighting with his Karzai-backed rival, Hakim Taniwal, around the eastern town of Gardez. While acknowledging that Khan had previously worked alongside US forces, Hagenbeck made clear that he would not hesitate to use “appropriate military support” to help

prop up Karzai’s administration and deal with his opponents.

All the delegates to next month’s *loya jirga* are well aware that the US can make or break not only local warlords but also the administration itself. As well as its military firepower, Washington can also use its economic muscle to determine who holds power in Kabul and what decisions are taken. After two decades of civil war, the country, including its agriculture and limited industry, is in ruins and the government is completely dependent on international aid.

Much of the money promised has not been forthcoming, effectively reducing Kabul to begging for funds. UN official Oliver Ulich told the press: “The funding situation is looking quite bleak.” Not only are Afghan receipts “nowhere near” to the \$1.8 billion promised by international donors, but hundreds of millions more are needed to deal with the immediate crisis. The World Food Program has received less than half of the \$285 million it needs to feed nearly 10 million Afghans until the July harvest, said spokeswoman Abigail Spring, who warned: “Without further contributions, our food pipeline could break as early as May.”

These severe shortages add to the pressure on the *loya jirga* to approve a transitional administration that is viewed with favour by the major powers. A senior US official bluntly told the *Washington Post* that the Bush administration wants Karzai to emerge as “the key figure” from the gathering, whether head of state or prime minister. He described the session as “essentially a referendum” on Karzai’s six months in office and Afghanistan’s new political direction.

In other words, even before the selection of delegates is completed, the results of the *loya jirga* have already been laid out. It will be a completely orchestrated affair designed to mask the fact that the administration in Kabul only governs at the pleasure of the major powers, the US in particular. Any dissident delegates who manage to evade the elaborate screening process will soon find themselves subject to behind-the-scenes economic, and if need be, military bullying.

The form may have changed with time but the methods of double-dealing, bribery and physical violence are identical to those of the British Raj, and serve a similar purpose.



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