

Afghanistan's *loya jirga* fails to provide even the illusion of democracy

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Afghanistan's *loya jirga* or grand tribal assembly, which wound up on June 19, has proved to be a dismal failure for its organisers. It was not so much that the nine-day gathering of 1,600 delegates did not complete the formal tasks allotted at the UN-organised conference on Afghanistan in Bonn last December. These arrangements were always going to be decided behind the scenes by the chief powerbrokers in Afghanistan—the US and other major powers—in league with their local political servants.

What failed was the attempt to dress up the whole affair as the birth of democracy in Afghanistan. From the outset the gathering was riven with deep-seated ethnic and religious rivalries as well as the competing interests of regional warlords, militia commanders and tribal chiefs. The heavy hand of foreign “observers,” most obviously that of US special representative to Afghanistan Zalmay Khalilzad, made its presence felt throughout the proceedings.

In fact, the opening of the *loya jirga* was delayed for a day until June 11 while Khalilzad, with the help of other foreign envoys, pressured the former king Mohammed Zahir Shah and former president Burhanuddin Rabbani into ending any challenge to US favourite Hamid Karzai for the post of head of state. [See: “US bullying and threats at Afghanistan's *loya jirga*”]

Even among the carefully-screened delegates to the *loya jirga* there was considerable criticism of the anti-democratic character of procedures, their manipulation by foreign observers, and the oppressive presence of regional warlords and plainclothes intelligence officials. On June 17, more than half the delegates stormed out, frustrated at the lack of substance in the discussion, critical of “foreign influence” and angry over threats and intimidation.

One delegate, Mullah Abdul Karim, told the press: “Governors and officials are telling people what to say in their speeches. I myself have been threatened into supporting Karzai and my first candidate was the former king. This is a *loya jirga* in name only.” Another delegate, Sayed Nimatullah, declared: “There's no point in hanging around listening to boring speeches so we're leaving.” He warned that fresh factional fighting would erupt unless the meeting addressed key issues, such as the establishment of a new parliament.

At the close of business on June 19, no agreement had been reached on the format of a parliament, the means for establishing it, or even the make-up of a group delegated to make a decision as to whether a parliament would have legislative powers or be advisory only. On this, as on other matters, considerable powers have been left in the hands of Karzai, who is himself dependent on the political and economic support of the major powers and thus at their beck and call.

The conflicts at the *loya jirga* are the product of more than two decades of civil war. All of the current leaders and groups trace their

origins to the rightwing, CIA-funded Mujaheddin militia that fought the Soviet-backed regimes in Kabul in the 1980s. Following the withdrawal of Soviet troops in 1989 and the fall of the Najibullah administration in 1992, Afghanistan descended into chaos as competing militia groups vied for power. Backed by Pakistan, the Taliban emerged in the mid-1990s in the south and east, home to the country's Pashtun majority, in response to the reigning anarchy and also to the perceived domination of the Kabul administration by minority ethnic groups from the north—Tajiks, Uzbeks and Hazaras.

The basic cleavage remains. By backing the Northern Alliance to overthrow the Taliban, the US greatly strengthened the position of non-Pashtuns and exacerbated the frictions. Karzai, who had close connections with the CIA in the 1980s, is an ethnic Pashtun. But the Bonn conference installed three Northern Alliance leaders, Yunus Qanooni, Abdullah and General Qassim Fahim—all Tajiks from the same Panjshir Valley—into the key ministries of interior, foreign affairs and defence, respectively.

At the *loya jirga*, various Pashtun leaders insisted on greater representation. Those who backed the former king, also a Pashtun, as head of state were critical of Karzai's closeness to the Northern Alliance. Karzai was appointed as interim leader at Bonn but his own base of support is limited. Outside Kabul, he relies on warlords and militia commanders, some of whom have had themselves appointed as regional governors.

These ingredients all made for a volatile political mixture when it came to choosing a new transitional cabinet.

Karzai tried to avoid putting his choices before the *loya jirga*, fearful that he could be overruled if there were an open debate. As the backroom haggling between various powerbrokers continued, Karzai's senior adviser Ashraf Ghani declared on June 17 that the choice of cabinet was “not a simple process,” then added: “There will not be a vote.”

In a bid to quell the resulting criticism, US envoy Khalilzad intervened publicly for a second time, stating that the Bonn agreement required a vote and the “international community” would demand it. “Whoever said the approval of the *loya jirga* is not needed has spoken mistakenly. On that, we are perfectly clear,” he said. Having been rapped over the knuckles by Washington, Karzai dutifully fell into line but insisted that he had to have more time. The *loya jirga* was suspended again.

Finally late on June 19, as he was being sworn in as transitional head of state, Karzai made his much-awaited announcement. It was little more than a token gesture—14 of approximately 25 ministers as well as three vice-presidents and the country's chief justice were presented to the *loya jirga* for approval. There was no debate or

formal vote.

As the *Washington Post* correspondent described proceedings, “Karzai asked for a quick show of hands after announcing his cabinet appointments to the 1,600 gathered delegates and then continued speaking, almost without a pause. Afterward, several delegates said they were disappointed and frustrated that they had not been allowed to approve or reject candidates.”

One delegate, Mansour Farhang, who heads the national television station, told the newspaper: “The cabinet itself was not as important as the manner in which it was made. The [*loya jirga*] should have been able to vote on it. Now, power has been distributed to powerful people who will name their supporters to the ministries. No one will be able to challenge them, and the country will be divided.”

Karzai retained Foreign Minister Abdullah and Defence Minister Fahim in their positions, and further bolstered Fahim by making him one of the country’s three vice-presidents. The others are Haji Abdul Qadir, Pashtun governor of Nangarhar province and Karim Khalili, an ethnic Hazara leader, both of whom command their own militias.

Two other powerful warlords—Uzbek leader Abdul Rashid Dostum and Herat governor Ismail Khan—were also reportedly asked to become vice-presidents. Apparently Karzai was seeking to weaken the grip of powerful regional leaders by offering them posts in Kabul. Dostum and Khan declined, however, well aware that they are able to wield considerable political clout from Mazar-e-Sharif and Herat, which they rule as personal fiefdoms controlling everything from the police to taxes and border tariffs.

In a bid to pacify Pashtun leaders, Karzai appointed Taj Mohamad Wardak as the interior minister in place of Younis Qanooni. The 80-year-old Wardak returned from Los Angeles this year and, as Paktia provincial governor, has been engaged in ongoing fighting with a local rival for the post, Padshah Khan Zadran. Wardak, an ethnic Pashtun, will now preside over a police force drawn largely from militia loyal to the Northern Alliance and Qanooni. Concerned at possible conflicts, Karzai offered Qanooni the post of education minister, which he declined, and has now created a position of special security adviser for him.

Other major appointments included Ashraf Ghani, Karzai’s senior adviser and former World Bank official, as Finance Minister. The chief justice is a conservative Islamic cleric, Sheikh Hadi Shinwari, who has stated that the country should adopt a reactionary system of Sharia law. Many of the remaining positions have been filled by those installed in the previous interim administration by the Bonn conference.

The new cabinet has already been subject to criticism. Outgoing finance minister Hedayat Amin Arsala declared: “It is not a good idea to bring commanders to these positions, because the idea that they will come to Kabul and lose power outside is not the case... It gives the impression to the people that the warlords are running things.” Others have been sharply critical of the entire *loya jirga*.

Writing in the *Washington Post*, Omar Zakhilwal, an economics lecturer and *loya jirga* member, commented: “We came from all parts of the country to claim our freedom and democracy. Instead, we are being met with systematic threats and intimidation aimed at undermining our free choice. We came strengthened by international declarations on human rights, but now are facing international complicity in the denial of our rights.... We came to inaugurate an inclusive and professional transitional government, but instead are being compelled to rubberstamp the Bonn agreement’s unjust power-sharing arrangements...”

loya jirga is “being treated as a ratification of backroom political deals... On the first day of the *loya jirga*, we were filled with hope and enthusiasm. Most of us stayed up past midnight in spirited debates about the country’s future. By the third day, a palpable demoralisation had set in. Our time is being wasted on trivial procedural matters. We feel manipulated and harassed. Our historic responsibility to the Afghan nation is becoming a charade.”

Zakhilwal, a supporter of the former king, certainly has his own axe to grind. But his remarks reflect a broader sentiment not only among delegates but also among the ordinary working people that the whole affair was a fraud. Zakhilwal himself cited the comments of a Kabul taxi driver, who, when asked about the *loya jirga*, pointed to Kabul’s ruined landscape and commented: “The same people who destroyed these buildings are sitting in the front row of the *loya jirga*.”

There has been little in the international media claiming a triumph of democratic values in Afghanistan. One feeble attempt in the *New York Times*, entitled “Picking up the story where it left off,” tried to present the *loya jirga*, for all its obvious weaknesses, as reknitting the Afghan nation after 23 years of Soviet occupation and then civil war. “For many, the nation’s narrative has at last gotten back on track. This *loya jirga* has served as a catharsis, for it was a longtime goal of many who supported the resistance to the Soviet occupation and were then horrified to watch the Afghan factions fight among themselves so savagely,” it enthusiastically declared.

However, any serious examination of the history of the *loya jirga* reveals it to be an undemocratic institution, which has been used by the monarchy and then, after the king’s ousting in 1973, by successive leaders to justify their rule. Far from representing the aspirations of ordinary people, these gatherings have always been heavily weighted towards conservative Islamic clerics, tribal leaders, state bureaucrats and the military leadership.

The last *loya jirga* was organised by the Soviet-backed leader Najibullah in 1987 to push through constitutional changes aimed at appealing to Islamic leaders in a bid to undermine support for the CIA-backed Mujaheddin militia. At the time, the Mujaheddin leaders issued a statement from the Pakistani city of Peshawar denouncing the gathering as “a meaningless puppet show staged by the Soviet Union for the benefit of foreign audiences”.

While those pulling the strings in the latest *loya jirga* may be different, the purpose is the same—to provide, however ineffectually, a thin veneer of legitimacy to a regime in Kabul that is in no way representative of the interests of the vast majority of the Afghan population.



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