

today. Karzai's interim Cabinet is loaded with Northern Alliance leaders, many of them warlords. In addition, the United States and the United Nations are keen to show the world that they are managing the Afghan scene well. They point out that the Taliban have been removed, that al-Qaeda and Osama bin Laden are on the run, and that Afghans are receptive of the new arrangement brought forth by the United States. Kalilzad and Brahimi saw that an open brawl at the Loya Jirga, between Pashtuns and minorities, would badly tarnish Washington's image.

The objective, then, was to persuade Zahir Shah to give up his immediate ambitions. That achieved, Rabbani was less of a problem to the appointment of Karzai, a Pashtun, as the head of the transition government. But some problems got worse. While the appointment of Karzai gave the Pashtuns rightful representation at the top, what happens to the Cabinet? Rabbani and the rest of the Northern Alliance made it clear that they gave up the top post so that the key ministerial positions, such as Defense, Foreign, and Interior, would remain—as they have been—with the Northern Alliance leaders. Although there are reports that General Fahim is willing to give up his Defense Minister's job, it is not clear what he wants in return.

During the Loya Jirga, a large number of Pashtun delegates complained that the Northern Alliance leaders were twisting their arms to follow the line laid down by the Khalilzad-Brahimi-Karzai trio. Karzai, in order to appease the

Pashtuns, in his inauguration speech, spoke of removing the "warlordism" from Afghanistan. But he knows that the Khalilzad-Brahimi duo does not want General Fahim and General Dostum out of the Cabinet. If these two are pushed out because they are warlords, one can be sure another ethnic war in Afghanistan will start.

The problems multiplied, because the key ministerial positions, and elections to the Parliament, require endorsement of the Loya Jirga delegates. Over Parliament, there exists a gulf of difference between the Pashtuns and the non-Pashtuns. While the Northern Alliance pushed for an equal representation from each province, the Pashtuns demanded equal representation by district or by population. Either of the last two formulations will see a much larger number of Pashtuns in the Parliament.

The result was failure. Karzai even tried to push through the concept that he would pick the Cabinet with no Loya Jirga endorsement required. This created clashes within the Council, and Khalilzad quickly renounced Karzai's views, making clear that the major Cabinet ministers do require endorsement of the assembly. Even Zahir Shah has positioned himself away from Karzai now, and his men were telling the Loya Jirga that he will make efforts later to take over the Afghan leadership. Rabbani, the other heavyweight, has made no conciliatory gesture. It is likely that Karzai will have to depend more on the "foreigners" to run Afghanistan during the next 18 months. That could mean serious trouble.

The Loya Jirga's History

The Pashto phrase *loya jirga* means "grand council," a centuries-old institution similar to the Islamic *shura*, or consultative assembly. The Loya Jirga is an Afghan tradition with an august, but vague history, arising from the tribal word *jirga*, or *shura*. *Shura*, from the Arabic *mashwara* ("to discuss") is best translated from contemporary Dari (the language spoken in Kabul) as a council or committee, while *jirga* derives from the Turkish for "circle." In some Islamic religious thought, the *shura* is considered the ideal model for governance, and many Islamic governments have used the nomenclature for a variety of institutions. Thus, *shura* and *jirga*, concepts as old as Islam itself, carry meanings and associations for most of Afghanistan's inhabitants.

The Loya Jirga is intended to be a national manifestation of community decision-making. It was first employed at the birth of modern Afghanistan, in 1747, when a tribal Loya Jirga in Kandahar selected Ahmad Shah Durrani to rule over the lands newly wrested from the Safavid Empire

to the west, and the Moghul Empire to the east. Since then, a Loya Jirga had been held, on average, every 20 years, to confirm the succession of monarchs, to pass constitutions, and to approve government policy—for example, neutrality during World Wars I and II.

The Loya Jirga held in 1964 approved a reformist constitution, supported by Zahir Shah, then Afghanistan's monarch. This increased popular sovereignty and civil rights, and reduced the role of the monarch and the royal family in the everyday workings of government.

In the present, emergency Loya Jirga, about 1,500 delegates from all over Afghanistan have taken part in Kabul. More than 1,000 were elected in a two-stage process. Each district elected 20 people, who then held a secret ballot to select one to represent the whole district. Each of the country's 362 districts has at least one seat, with further seats allotted for every 22,000 people.

No group is excluded from the assembly, but anyone alleged to have committed acts of terrorism or suspected of involvement in drugs, human rights abuses, war crimes, plunder, or theft of public property, is barred from attending. A total of 160 seats have been given to women, the first Loya Jirga where women have been represented.