



Flash to the Past: Power play before the 2002 Emergency Loya Jirga

Author : Thomas Ruttig

Published: 27 April 2012

Downloaded: 25 April 2019

Download URL:

<https://www.afghanistan-analysts.org/wp-admin/post.php>



Ten years ago, Afghans were preparing for the Emergency Loya Jirga (ELJ) with high hopes. The chairman of its preparatory commission had dubbed it the 'Peace and Democracy Loya Jirga'(1), reflecting the aspirations of a majority of Afghans. But the country was already in the grips of political posturing. There were attempts to prevent the former King from returning, and the mujahedin of the Northern Alliance were claiming an almost monopolistic role in the political process, a discussion that is a live issue in Afghanistan once again. Thomas Ruttig, a Senior Analyst at AAN who had helped to organise the ELJ, looks back to some of the events in spring 2002 and how they are still playing out today.

With the tenth anniversary of the June 2002 Emergency Loya Jirga (ELJ), and annual Mujahedin Day 2012 on 27 April(2), approaching, the struggle for the domination over the political discourse in Afghanistan has geared up again. This includes a discussion about the results of the international conference in Bonn in November/December 2001 that aimed at establishing inclusive political institutions, culminating in elections scheduled for 2004 - the so-called Bonn process. At the same time, this current discussion can also be taken as an early precursor for the upcoming presidential election. This election is scheduled for 2014 according to the constitution, but of late there has been a discussion – triggered by an answer of President



Hamed Karzai at a press conference – about [holding them in 2013](#) already.

The tone was set by Ahmad Zia Massud, leader of [the opposition National Front](#), who had served as Karzai's First Vice President from 2004 to 2009, when he [spoke at a large public gathering](#) with some 2,000 participants on Friday, last week, that actually was a book reading competition. There he claimed in a speech that the forces that had resisted the Taliban had been deceived at the first Bonn conference in 2001 and that a 'puppet government' had been imposed on Afghans. In a personal attack on Karzai he added that '[t]hose in government now once served as the Taliban's representatives and had close relations with them. Therefore, they call the Taliban brothers, despite the fact that they are shedding the blood of Afghans on a daily basis'. And he criticised some of 'our jihadi leaders' for 'supporting the mistakes and wrong policies of the incumbent regime'.(3)

His narrative is neither new, nor particularly convincing. Nevertheless, it should be taken as what it is: as part of a power struggle. Massud might well turn out to be the, or one, of the main contenders against [an expected Karzai-supported candidate](#) in the next election.

In fact, the leadership of the Northern Alliance (NA), or United Front(4), as it prefers to be called - and particularly that of its Panjsheri, or *Shura-ye Nazar*, core – managed to establish almost monopolistic power in the post-Taliban Afghanistan, employing its claim that it was the only pre-9/11 military adversary of the Taliban and al-Qaeda inside Afghanistan (although there were also exiled and non-armed, underground groups.) Moreover, the NA's former cold war allies in Washington rediscovered them after the events of 9/11(5) and gave them huge military and political support during the change of regime.

At the 2001 Bonn conference, Washington helped the Northern Alliance leaders scoop up almost all key posts in the new administration: the ministries of defence (General - now Marshal - Qasem Fahim, who also served as deputy chairman of the interim administration), interior (Yunos Qanuni) and foreign affairs (Dr Abdullah) as well as the heads of intelligence (Eng. Aref Sarwari) and the Office for Administrative Affairs, a kind of prime ministerial office, without a prime minister (Muhammad Yusof Etebar) plus several other ministries, including justice, planning, rural development and communications, 16 out of 30 in all).(6) Even Karzai had been the NA proposal for interim head of state in Bonn, not the one of the Rome group of which his assassinated father, and then he, has been a member; this group actually favoured someone else initially and had to be arm-twisted, by the US and UN representatives there, to change its mind. The role of the mujahedin was also verbally recognised in the Bonn Agreement, despite [accusations of widespread past human rights abuses](#).(7)

But when some Pashtun leaders started complaining about Northern Alliance dominance, and the Taliban insurgency started to reassert itself, the US-led international community reconsidered and tried to re-balance the distribution of top posts. The NA came under pressure to relinquish at least some posts in favour of Pashtuns at the upcoming Emergency Loya Jirga. Finally, it was Qanuni only, who had to move. But he was made minister of education, instead, which allowed him to turn the teachers of the country into an election mobilisation machinery in



favour of the NA. He also did not give up his post without resistance: his successor, Taj Muhammad Wardak, was blocked from entering his new office for several days by pro-Qanuni officers; later, a compromise was reached, by establishing marital ties between the Qanuni and Wardak families, among other things. Fahim held his post until late 2004 when he miscalculated, hoping he would be Karzai's running mate in the first presidential elections. Karzai dropped him in favour of Zia Massud.

The Northern Alliance felt even more threatened by the [disarmament, demobilization and reintegration \(DDR\) programme](#) that aimed at creating regular armed forces and could have undermined its very firepower. This firepower was based on control over mujahedin units that had been the forces of the former Islamic State of Afghanistan (which ruled from Kabul in 1992-1996 and then nominally from Faizabad, Badakhshan until 2001). Many of these units dispersed after the Taleban took Kabul in 1996 and during their subsequent march northward, but many were remobilised and rearmed during the post-9/11 fight against the Taleban regime and put under the control of the NA-led defence and interior ministries.

This control made the Northern Alliance superior to any other Afghan force at that point - as long as it was able to rely on the factional loyalty of these fighters. Particularly with Fahim controlling the defence ministry, the NA was able to actively undercut the DDR programme. The army corps in the region around Kabul were the last ones to be DDR-ed, and many of their weapons depots in the Panjshir valley have not been touched to the day. (Even in the early days of DDR, shots were fired at UN inspectors who tried to approach those depots.)

There were other symbolic steps with which the Northern Alliance showed its political superiority. During the inauguration of the interim authority in Kabul in December 2001, the national anthem of the Islamic State of Afghanistan, the mujahedin's short-lived statehood (1992-1996, then in the northeast until 2001), was played and a large picture of slain mujahedin leader Ahmad Shah Massud was displayed.(8)

On 27 April 2002, that year's Mujahedin Day, which commemorated the tenth anniversary since their takeover of Kabul after the fall of the Najibullah regime, Ahmad Shah Massud was declared a 'national hero'. This happened during a [large military parade](#) attended by the interim head of state, Hamed Karzai, Defence Minister Fahim - who had been newly promoted to Marshal by Karzai, previous day by Karzai - and other leaders of the NA and ISAF representatives.(9)

As Citha Maaß pointed out [in a paper in 2002 already](#) (which proved highly prophetic in a number of predictions of things that could go wrong in Afghanistan), not only the Panjshiris led by Fahim meanwhile demonstrated their power during this event but also Abdul Rabb Rassul Sayyaf, the leader of the only faction (Ittehad) that had remained, at that point(10), as a close ally of them. He would use that power later at the Emergency Loya Jirga where he would go to the podium (together with Ayatollah Mohseni) and make the assembly adopt the additional title 'Islamic' for the new Afghanistan Transitional Administration, against what had been stipulated in Bonn.(11)



Some other measures were less symbolic and rather confrontational. There was the campaign in the Jamiati press to discredit Afghan returnees from exile in the West, some of whom had been appointed ministers. These included Hedayat Amin Arsala at finance, Muhammad Amin Farhang at reconstruction, Khaleq Fazl at public works, Makhdum Rahin at information and culture and Sharif Faez at higher education. They were accused of having lived a life of luxury abroad, while the mujahedin were sacrificing their lives in the mountains. In one article they were labelled 'dog washers', a huge insult among Muslims, apparently on the basis of one case in which an exiled Afghan had earned his money by running a dog parlour in the US. That word stuck and was widely used. (The *Economist* later [wrongly attributed](#) its first use to Mulla Omar.)

The second campaign was to stop the former and widely popular King Muhammad Zahir(12) from coming back to the country. Zahir, who had been living in Rome since he was toppled in 1973, had been tasked by the Bonn conference with inaugurating the ELJ.(13) But most of the mujahedin leaders were against a return of Zahir (as were Pakistan and Iran) because they feared a re-establishment of the monarchy.(14) This was not fully without reason: although the former King had repeatedly ruled this out, some in his entourage were hoping – and possibly pushing - for exactly that, as a result of a vote by the expected Pashtun majority at the Jirga. The Afghan minister for frontier and tribal affairs, Amanullah Džadran, from the very royalist southeast of the country, has publicly [stated a few days before](#) the Loya Jirga that Zahir Shah would be chosen as the next head of state there. The former King himself had sent mixed messages immediately before and after his return. While he stated that, 'I'm a patriot who does his duty. I will carry out any role or mission the people of Afghanistan wish to bestow on me,' in an interview on 18 April ([quoted here](#)), he also said [four days later](#) that 'I have not come to try and restore the monarchy'.

The Northern Alliance particularly feared the political ambitions of Prince Mustapha, Zahir's oldest grandson (who surprisingly, some years later, [temporarily became their ally](#)), and reportedly had even threatened a direct military takeover if Zahir would bring him along. Already in November 2001, Herat's governor, Ismail Khan, had a meeting of Zahir's supporters [violently dispersed](#). The US indirectly, but unmistakably, supported the mujahedin position by [rejecting any responsibility](#) for Zahir's security upon his return, dropping this duty on his former hosts, the Italians; they were initially unprepared for this. By this time, Karzai was being protected by US marines.

After Zahir's trip back had been [postponed several times](#) within around a month, the former king [finally returned to Kabul](#) on 18 April 2002. Late Ustad Rabbani and Sayyaf did not go to welcome him. And the coincidence of power failures at crucial moments in the former king's homecoming led many to suspect that NA leaders wanted to keep him quiet: when Zahir arrived at the airport, power was cut strategically and the live media coverage broke down – a fact that was [not noticed even by the BBC](#) that reported on that day that '[i]n a sign of political sensitivities surrounding his return, there was no announcement of [the return] on [Afghan] radio or television'. The power was again switched off for Zahir some weeks later, exactly when he was about to start his speech at the Emergency Loya Jirga in June. The power ministry had



been in the hand of Northern Alliance supporters as well.

Immediately before the Loya Jirga, the US, in the person of its special envoy, Zalmay Khalilzad, managed to prevent a Pashtun push for Zaher Shah and to sideline the former king politically for good. According to the 2011 book of Peter Tomsen (15), a former US special ambassador to the Afghan mujahedin (during the last period of the Taleban regime), Khalilzad got wind of a meeting of 900 King supporters among the 1,500 ELJ delegates on 10 June, the day before the ELJ was to be opened. He had the start of the ELJ postponed for a couple of days 'for technical reasons', pressured the King's supporters into giving up in Karzai's favour and went on to break the news himself. (Khalilzad has [denied that he used any pressure](#) immediately after the events.) As an [eyewitness journalist reported](#), Khalilzad told reporters late on June 10 'outside the American embassy':

'The former King is not a candidate for any position in the transition government. Moreover there is no basis to the suggestion that he is against a Karzai candidacy.'

This was only confirmed by the former King on the following day (16) when he held a press conference but had the statement read by a spokesman, while sitting stony-faced on the podium and leaving without taking any questions – a fact seen by many Afghans then as a sign of his disagreement. The statement read:

'There has been contradictory information about my political position in the media and I need to clarify that. Unfortunately that information confused the public mind. As I have always mentioned I don't have any interest in reviving the monarchy system or being a candidate for any position at the Emergency Loya Jirga. My soul is suffering for my people.'

Muhammad Zaher, already in his eighties and not very ambitious himself, settled with the symbolic title of the *Baba-ye Millat* (Father of the Nation). A [last-minute petition of ELJ members](#) did not change his mind, and attempts to find an alternative candidate failed.(17) What exactly made the former King and his supporters withdraw his never declared candidacy has never been fully established. Most likely he saw the price of a confrontation with Karzai, the US favourite, as too high, in a period where optimism about a stable future for Afghanistan still prevailed. He did not want to be seen as the one who spoiled that chance because of personal ambition. A close advisor of the former King told me that in those days the US did not trust that Zaher, when back at the top of the country, would be a reliable ally because he had demanded a stop of the US bombing campaign in the country early on.(18)

Karzai and the mujahedin leaders, then still allies, had won the battle for political power against the only contender who would have had a chance to beat him in a free election at the jirga. Karzai was elected interim leader there and the mujahedin leaders retained almost all of their cabinet seats. Two years later, things were already changing. The former Northern Alliance went into the 2004 election with several candidates and was split between Karzai and opposition supporters. Dostum, Mohaqqueq and Qanuni ran against Karzai, but mainly to assert their respective ethnic support, while Zia Massud, supported by the Jamiat leader, Ustad



Rabbani, was Karzai's running mate. Fahim, who had then been dropped by Karzai, supported Qanuni. The Massud brothers challenged Qanuni's right to run as representative of their joint 'opposition' *Nohzat-e Melli* (National Movement).

Today, most of the former Northern Alliance and some mujahedin leaders are part of the [neo-oligarchy](#) that currently rules Afghanistan. They control the key political and military as well as important economic positions. (And most other business cannot survive without their protection.) Although politically split between a pro-Karzai and an opposition camp, with a very permeable division line between the two, they are united by common interests: joint economic engagement, shared positions of power and the will to maintain this status quo. This does not exclude, however, attempts to broaden one's own portion of influence at the cost of other 'allies'. In this context, it will be interesting to see whether the different former Northern Alliance factions, and how many of them, will continue to march separately and whether they finally can strike jointly.

(1) Ismail Qasemyar, today member of the High Peace Council, in an interview with [Reuters](#).

(2) Reportedly, the public event at the traditional place, on the broad avenue in front of Kabul's Idgah Mosque, was just cancelled for security reasons. That was the place where the PDPA governments held their rallies, and the mujahedin their 2002 military parade mentioned later in the text.

(3) Karzai had been offered the post of Taleban representative in the 1990s but declined it. Zia Massud had also enlisted international support for his position. On the same day, his National Front and a group of US congress members [issued a joint statement](#) on amending the presidential system. The head of this group, Dana Rohrabacher (Rep), has again been in the headlines this year, most recently for [being refused a visa](#) to visit Afghanistan.

(4) Officially, official the alliance was called United Islamic Front for the Salvation of Afghanistan (UIFSA). Northern Alliance was shorthand in the west (that's why I continue to use it), because most of the *tanzims*(organisations) united in it recruited most of their followers among the 'northern' ethnic groups, Tajiks, Uzbeks and Hazara. (As usual, things are much more complicated.) When fighting against the Taleban, UIFSA comprised of Jamiat-e Islami (Rabbani/Massud), Jombesh (Dostum), Wahdat (Khalili and Mohaqqueq but not Akbari), Harakat (Anwari), ANLF (Mujaddedi) and even a splinter faction of Hezb-e Islami (led by Wahidullah Sabawun.) The Jalalabad shura (led by Haji Qadir) – itself a multi-tanzim set-up - was kind of associated with it. At the Bonn conference in 2001, they formed a joint delegation but because some of the dealing was about cabinet posts, every faction negotiated mainly for itself. Shura-ye Nazar, a commander council founded and led by Ahmad Shah Massud, was technically part of Jamiat but had a strong life of its own.

(5) The west had supported the mujahedin, some of whose organisations would later become the Northern Alliance, during the proxy war against the PDPA regime and the Soviet occupiers (1978-2001). The western interest waned quickly after the Soviets withdrew and especially after



the fall of the Najibullah regime in 1992. Only after the events of 9/11, did they start to support and arm anti-Taliban factions massively again. The Panjshiri group mainly consisted of Fahim, Qanuni and Dr Abdullah, as well as the surviving Massud brothers.

(6) This includes all of Jamiat, Hezb-e Wahdat, Harakat and Jombesh members.

(7) From the preamble of [the Bonn Agreement](#): ‘... Expressing their appreciation to the Afghan mujahidin who, over the years, have defended the independence, territorial integrity and national unity of the country and have played a major role in the struggle against terrorism and oppression, and whose sacrifice has now made them both heroes of jihad and champions of peace, stability and reconstruction of their beloved homeland, Afghanistan’.

(8) Both – the playing of the anthem and the display of the Massud picture - were apparently done unilaterally, by the pro-NA organisers of the event because some irritation among even high-ranking non-NA participants was clearly visible when it happened. The hymn was later replaced by a newly written one; junctions in Kabul were named after other killed mujahedin leaders, like Abdul Haq Square and Haji Qadir Square, similar to the earlier Ahmad Shah Massud Square.

(9) The article found under this link is a stub only. The full version is in my archive though.

(10) The relations with Wahdat, particularly, had deteriorated after Fahim’s Shura-ye Nazar troops had taken Kabul immediately before the Bonn conference and massed fighters west of the capital. Things between both factions were fairly uneasy for a long time.

(11) The only delegate who openly objected was Gul Agha Sherzoy who shouted that Afghanistan was so obviously an Islamic country that this step was superfluous. (At the Constitutional Loya Jirga almost one third of the delegates filed a petition to adopt ‘Republic of Afghanistan’, without ‘Islamic’, as the official name of the country, but their proposal was rejected by the chairman, [Hazrat Sebghatullah Mujaddedi](#), as un-Islamic.

(12) His popularity had already been proven in the previous year by a steep rise of the value of the Afghani after Muhammad Zaher had been interviewed on the Afghan service of the BBC and rumours about his return started spreading. AAN’s Kate Clark, then for the BBC, reported on 24 September 2001:

‘CUE: The national currency of Afghanistan, the Afghani, has strengthened - after losing ten per cent of its value in the initial aftermath of the attacks on America [on 9/11] and the talk of a military reprisal against Afghanistan where Washington’s chief suspect, Osama Bin Laden, is living under the protection of the ruling Taliban. Money changers in Kabul said the currency had rallied after the exiled former King of Afghanistan, Zaher Shah made a rare public statement on radio. He said that efforts were underway with international support to resolve the crisis and spoke of the possibility of holding a loya jirga - a gathering of tribal and ethnic leaders, intellectuals and clerics - which could usher in a legitimate government. The BBC Afghanistan



correspondent, *Kate Clark*, reports:

The rise in value - or more usually the fall - of the national currency, the Afghani, is one of the more accurate barometers of people's hopes and fears in Afghanistan - a country where there are no opinion polls. Initially, there was strong downward pressure on the currency caused by fear of American air attacks. But the Afghani is now rallying. Partly, the sealing of Afghanistan's borders means that new, inflation-causing money printed by the opposition is not getting to Taliban-controlled areas. But money changers also point to people's hopes that limited and focused military action would be followed by the return of the former king of Afghanistan, Zahr Shah. He may have been in exile in Rome since 1973. He may be in his late eighties and, most people agree, he was never a very effective ruler. But Zahr Shah was the last legitimate leader of Afghanistan and symbolises an era of peace and stability.'

(13) Recognising that the roadmap of the Bonn Process was based on an earlier peace plan of the Rome group that had been adopted - and adapted - by the UN.

(14) There were older conflicts, of course. The Islamists of the 1960s, and later mujahedin, were accusing the King that he opened the doors for the Soviets and sent officers and students there for training. (This had to do with the earlier US rejection to aid Afghanistan's military unless the country joined the anti-Soviet Bagdad Pact, later CENTO, which would have violated Afghanistan's state doctrine of neutrality.) And they accused him of not having spoken out loud enough against the Soviet occupation. And they held the grudge against him that he still turned out far more popular than all the mujahedin leaders together. David B. Edwards, in his 2002 book *Before Taliban: Genealogies of the Afghan Jihad* ([e-book here](#)) describes a poll of the Peshawar-based Afghan Information Center that was led by Sayyed Bahauddin Majruh (who was murdered later, purportedly by *Hezb-e Islami*):

'To gauge the level of support for the former king, Majrooh devoted the bulk of the following issue of the bulletin to a survey of Afghan refugees, which asked the question "Who would you like to be the national leader of Afghanistan?" The data-collection team put together by Majrooh contacted more than two thousand respondents in 106 of 249 camps, representing twenty-three of the twenty-eight provinces, the eight major ethnic groups, and all seven political parties. The result was that 72 percent of respondents wanted Zahir Shah as the national leader of Afghanistan. Only nine of the two thousand people surveyed, or 0.45 percent, wanted one of the leaders of the resistance parties in Peshawar, and a mere 12.5 percent indicated that they would like to see the establishment of "a pure Islamic state."

(15) Peter Tomsen, *The Wars of Afghanistan: Messianic Terrorism, Tribal Conflicts, and the Failures of Great Powers*, pp. 641-2.

(16) That is at least what I remember. Most press reports say that both press conferences were held on the same day. But then a number of reports in those very hectic days were inaccurate or incomplete (see the power cuts during the ex-King's appearances).



(17) I saw the petition passed around by delegates at the ELJ venue and witnessed how candidates first agreed to run, then withdrew again, due to disunity and, possibly, more pressure (and money, as some jirga delegates said).

(18) Most of this is not traceable on the internet anymore. This incriminating quote can be found [in the archive of Italian daily La Stampa](#) according to which, he had called the US military campaign in Afghanistan 'a stupid and useless war, and it would be better to stop it immediately'. This quote was also [picked up by the New York Times](#) (8 March 2002). According to the following [wikileaks US Embassy Rome cable](#), Zaher's office has denied that he ever said this (or gave an interview to *La Stampa* for that matter):

REF: ROME 1207

1. THE OFFICE OF FORMER AFGHAN KING ZAHIR SHAH RELEASED THE FOLLOWING STATEMENTS TO THE PRESS ON MARCH 8, DESPITE THE DATE OF MARCH 7 THAT APPEARS ON THE STATEMENTS THEMSELVES.

[...]

ROME, MARCH 7, 2002

THE SECRETARIAT OF HIS MAJESTY MOHAMMED ZAHER THE FORMER KING OF AFGHANISTAN INFORMS CONCERNED AUTHORITIES AND THE MASS MEDIA THAT REMARKS ATTRIBUTED ON MARCH 7, 2002 EDITION TO THE PERSON OF THE FORMER KING BY THE NEWSPAPER "LA STAMPA" ARE COMPLETELY ERRONEOUS AND HIGHLY MISLEADING.

HIS MAJESTY THE FORMER KING OF AFGHANISTAN HAD, AT NO TIME, GRANTED OR CONCEDED AN INTERVIEW WITH THE ABOVE-MENTIONED NEWSPAPER.

HIS MAJESTY THE FORMER KING OF AFGHANISTAN HAS BEEN FROM THE BEGINNING, COMMITTED TO THE INTERNATIONAL COMMUNITY'S COMMON AND UNITED STRUGGLE AGAINST TERRORISM IN ALL ITS FORMS AND MANIFESTATIONS.

END.

(SEAL OF "SECRETARIAT OF HIS MAJESTY ZAHER SHAH")

The Loya Jirga consisted of 1500 representatives, elected or appointed from 32 provinces, and debated the political future of Afghanistan over a seven-day period. The Karzai government is supposed to rule Afghanistan through 2003. Provincial councils are indeed elected per the constitution and appoint a member to the Meshrano Jirga, but under a decree signed by President Karzai in 2005, their powers are mostly advisory. The result is a complete lack of official mechanisms for governmental accountability at the provincial, district, or municipal level; citizens simply have no recourse if local officials are corrupt or fail to deliver. Pukhtoon Jirga is one example of the presence and viability of traditional institutions, which was most recently realized in the aftermath of September 11, when the term "Loya Jirga" was repeatedly heard through the media. Why is Jirga important to the Pukhtoos? What are the tasks and responsibilities of the Jirga? Why, when and how does a Jirga succeed or fail? The present political arrangement in Afghanistan came about after the international community called Jirga members to a meeting in Bonn. The institution of Jirga is the oldest and the most dominant component of the Pukhtoon culture. The Loya Jirga is a centuries-old institution that has been convened at times of national crisis or to settle national issues. Historically, it has been used to approve a new constitution, declare war, choose a new king, or to make sweeping social or political reforms. How much power does it have? According to the Afghan Constitution, a Loya Jirga is considered the "highest expression" of the Afghan people. But it is not an official decision-making body. Its decisions are not legally binding and any verdict it hands out must be approved by the two houses of the Afghan parliament and ... In the past few gatherings, each district in the country votes for one person to represent them. Further seats are allocated for every 20,000 residents.