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THE NEW PARLIAMENT: AN AFGHAN WAY TO DEMOCRACY

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Five years after the fall of the Taleban regime, the final step towards a real democracy, as provided for in the Bonn accords, has finally been taken. Not only is the Afghan parliament in place but it has begun to establish its own rules and structure and to exercise its powers by passing a motion of confidence in President Hamid Karzai's government. This was its first important institutional appointment in the new balance of powers in the Islamic republic of Afghanistan.

In this essay we'll take a look at who sits in Parliament, who holds the key positions, how Parliament is structured in terms of the presidencies of the two Houses and the commissions. We will also look at the political and ethnic alliances as well as the influence of Islamic conservatism.

The Afghan parliament is in its infancy but already certain underlying tendencies which need to be carefully monitored by the international community are emerging. Undoubtedly it is still unclear as to whether the Afghan assembly, which was elected thanks to the presence of thirty thousand foreign troops from the USA and Nato (including Italy), will be hostile or not towards the West.

It is probably too early to answer this question but our analysis will provide a sense of how things stand today now that the first step in the long journey towards Afghan democracy has been taken.

The Afghan Parliament

On the 4 January 2004, the year 1382 according to the Muslim calendar, former president Sibghatullah Mojaddedi called the vote on the constitution in Afghan style: "I invite you to stand as a sign of approval of the new constitution". Not everyone stood but a clear majority approved a document written to bring to a close a quarter of a century of invasions, civil wars, and fundamentalist obscurantism that almost destroyed the country¹.

The fifth chapter of the new constitution, composed of 29 articles, provides for the establishment of a two chamber system that was agreed by a vast political majority.

The National Assembly consists of two Houses: the House of representatives (Wolesi Jirga) or the Lower House, and the House of Elders (Meshrano Jirga) or Upper House (Senate).

The House of representatives is elected through the direct vote of the people while the House of Elders consists of 102 members, 30% of them are appointed directly by the president, the remainder 68 are elected by the provincial councils. Article 84 of the constitution outlines the complex system for nominations to the Elders' Chamber. The

¹ The afghan constitution between hope and fear - CeMiss Quarterly, March 2004.

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head of state appoints one-third of the members for a period of five years" "from among experts and experienced personalities – including two representatives from the disabled and impaired and two representatives from the Kuchis (a nomad tribe). 50% of those nominated by the president must be women"².

The House of representatives or House of the People, is the more representative and stronger branch of Parliament. It is a 249-seat body, elected every five years. 68 seats are set aside for women in keeping with the national constitution. The People's chamber, with the support of one tenth of its members, can interrogate a minister and vote a motion of no-confidence in him.

The National assembly has the power to ratify, modify, annul laws or decrees. For laws to be valid, they must be voted by both Houses and approved by the president. Should the president not agree to what the national assembly approves, Article 94 of the constitution states that he "can send the document back with justifiable reasons to the Wolesi Jirga within fifteen days of its submission".

The National assembly provides a much-needed constitutional check on the executive headed by President Hamid Karzai that has held power for three and a half years, without any parliamentary control, under interim and transitional arrangements. It should also offer a national forum to a wide range of decision makers. While Karzai won a clear majority in the 2004 October presidential poll, a truly representative body is vital in a country still emerging from years of turmoil caused and exacerbated by ethnic, sectarian and regional divides³.

The parliamentary elections

On 18 September 2005, around six million Afghans voted in the parliamentary and local elections, about 50% of all registered voters. This was a historical occasion especially when one considers that the last elected Parliament dates back to the times of Zahir Shah's nineteen sixties constitutional monarchy.

5,800 candidates ran for the 650 seats available in the national assembly and in the provincial councils. Despite some vote rigging, intimidation from the warlords, and sporadic Taleban violence, the election was a success in Afghan terms. The turnout was down from the presidential elections of a year earlier but the participation and the political passion shown by the candidates was a positive novelty in a country that is slowly attempting to follow the path of democracy.

Parliament is quite fragmented as a result of a debatable electoral law and because of the make-up of Afghan society following a quarter of a century of wars. Later in this essay, we will look in greater detail at the ethnic, political, and religious divisions that are emerging among the major players in Parliament. In this chapter we will limit ourselves to a general view of the composition of the National assembly.

² Afghan constitution.

³ Afghanistan elections: endgame or new Beginning? – Asia Report n. 101 – July 2005.

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Wolesi Jirga⁴: About 45 percent of the Wolesi Jirga are Pashtuns, 22 percent are Tajik, 15 percent are Hazara, and 8 percent are Uzbek. Setting aside ethnicity, there are four broad and sometimes overlapping groups: 1) former Mujaheddin commanders (or political figures with prominent Jihadi background), including about 40 members of Hizb e Islami who are attempting to distance themselves from party leader and anti-government fugitive Gulbuddin Hekmatyar⁵; 2) independents and technocrats with no party affiliation and no association with the Mujaheddin (this category includes the majority of the 68 women filling slots allocated by the constitution and some wealthy businessmen who scored extremely well in the elections); 3) former leftists, including communists; 4) few former Taleban with little chance to orientate the parliamentary debate⁶.

Support or opposition is most likely to depend not on issues-unlike in a western democracy, candidates did not campaign with platforms-but on ethnicity, personalities, and alliances designed to stake out personal power bases. A good number of Karzai's fellow Pashtuns are likely to support him based on tribal allegiance as will some Mujaheddin for tactical reasons. Since the opposition is not ideologically driven, it is fluid and subject to being co-opted by Karzai who can offer prerequisites such as government positions.

Some parliamentarians who were fired by Karzai from the government or resigned and are now intending to oppose him⁷.

Two potentially divisive issues are religion and war crimes. Some of the Mujaheddin, including supporters of Karzai, are religiously conservative, and may try to insert religion into the national debate. On the other side are most of the women parliamentarians and the left-leaning intellectuals and technocrats who are secularly oriented. Also, a number of the former Mujaheddin commanders are alleged to have committed atrocities, some against each other, and this could become the subject of fractious debate. Another potential issue is international presence, particularly U.S., in Afghanistan. While some representatives have articulated a desire to see foreign forces leave Afghanistan, at present the prevailing view appears to be that an international presence is necessary for the foreseeable future for security reasons.

Meshrano Jirga⁸: The Meshrano Jirga's functions are basically limited to consultation. If it approves legislation passed by the Wolesi Jirga, the legislation becomes law; in the

4 Report from the office of Mr Francesc Vendrell, European Union special representative (EUSR) – Kabul, January 2006.

5 Hekmatyar recently announced an alliance with Al Qaeda

6 Some of the most famous former Talebans, such as the head of the religious police, mulawi Qalamudin and the Foreign Affairs minister mulawi Wakil Ahmad Motawakil, who accepted Karzai's amnesty, failed miserably to be elected. Another former Taleban, mullah Abdul Salam "Rocketi", who owes his nickname to his ability to launch rockets, along with several others from the student warrior regime, succeeded in getting elected.

7 The performance of Ramazan Bashedoust, a populist outsider who won 30,749 votes, was another surprise. He returned from exile in France and became a minister only to be removed by Karzai because of his attacks against corruption and the use of international aid by humanitarian organisations.

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absence of Meshrano Jirga approval, the Wolesi Jirga still has the power to enact the legislation. Because of the relative lack of power of the Meshrano Jirga, influential leaders seeking to become part of the National assembly opted to seek positions in the Wolesi Jirga.

Out of the 68 members elected by provincial councils, six are women. President Karzai's 34 appointments include, according to the constitution, 17 women, two representatives of the nomadic Kuchis, and two representatives from the two million-large disabled community. Pashtuns represent over 25 percent of the Meshrano Jirga. In addition to appointing Pashtuns, Takiks, Hazaras, and Uzbeks, Karzai appointed representatives from minority ethnic groups not represented within the elected members. In general, the appointments are an eclectic mix of Mujaheddin, democrats and intellectuals, especially women, former communist, and unknowns (especially the female appointees).

The surprising role of women

The constitution states that 68 of the 249 members elected to the Lower House and 25% of the places in the provincial councils who later elect a part of the Senate must be women. 12% of all parliamentary candidates were women and some, like Malalai Joya, who did get elected, have been described as Afghanistan's first feminists. This woman's rights activist takes her name from a famous heroine from the wars against the British. She became famous for denouncing professor Sayaf as an integralist warlord in the 2003 Loya Jirga which went on to approve the constitution. Today, she sits in Parliament along with Sayaf.

Another interesting case happened in Herat the western capital on the border with Iran. Fauzia Gailani, who chose aeroplanes, symbols of modernity and freedom, as her electoral symbols, topped the poll with 16,885 preferences. In the province of Lowgar, a Pashtun stronghold near Kabul, Noor Ziah Charkhi, a brave liberal candidate was beaten by a handful of votes by another woman, Shakila Hashemi, who supports the wearing of the burqa and is considered a supporter of integralism⁹.

Besides this, the fact that 41% of all voters in the 18 September election were women is an important sign of their desire for democracy. In two provinces they equalled or outvoted the men: in the new province of Daikundi, where they represented 50% and in Farah, which elected the feminist Malalai Joya, with 51% of the voters. These figures are even more interesting if we consider that Daikundi is located between the provinces of Uruzgan and Ghazni, which are dominated by ultra-conservative Pashtun tribes and infiltrated with Talebans.

Evidence of women's participation in the elections could be seen before the vote took place. The electoral registration of women in the provinces of Helmand and Uruzgan, Taleban strongholds, rose respectively by 23 and 35%. In a district of Ghazni, a hotspot

⁸ Report from the office of Mr Francesc Vendrell, European Union special representative (EUSR) – Kabul, January 2006.

⁹ Osservatorio strategico – CeMiss October 2005.

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near the Pakistani border, not one single woman was registered to vote in the presidential elections in 2005. 13,000 were registered for the parliamentary elections.

The election of the presidents

Following a lengthy series of mutual accusations of electoral fraud, appeals and then check carried out by the UNAMA¹⁰, the Afghan parliament had its inaugural sitting on 19 December 2005. In the three months since this first sitting, Parliament has been occupied with defining its own rules, internal structures and in voting on the Karzai government's confidence vote.

The first serious political battle was over the election of the presidents of both Houses. The aging Sibghatullah Mojaddidi, who was the first transitory president from April to July 1992, following the fall of the Communist regime, was elected in the Meshrano Jirga on 20 December. Leader of the Mujaheddin during the 1980's Soviet invasion, he was also the key figure in the National salvation front of Afghanistan (Jabha ye Nejat e Melli ye Afghanistan) which broke up with the civil war in the nineties and the Taleban rise to power. Mojaddidi returned to Kabul from exile in Europe following the collapse of Mullah Mohammed Omar's regime. A close friend and ally of Karzai he presided over the Loya Jirga which conferred interim presidential powers on Karzai up to the 2004 election and which ratified the Afghan constitution¹¹. Mojaddidi also performs the delicate role of president of the Commission for national reconciliation which has to deal with the Taleban commanders who want to give up their arms in exchange for an amnesty.

His election as Senate president took place without much fuss but on 12 March last, Mojaddidi was slightly wounded in a suicide bomb attack in Kabul which aimed to kill him¹². He roundly condemned the Pakistani military services (Isi) for their role in the attack¹³.

The most decisive battle took place over the election of Yunes Qanooni as president of the Wolesi Jirga, the Lower House on 21 December. He is the *eminence grise* of the Tajik ethnic group and political heir to Commander Ahmad Shah Massoud who was killed in an Al Qaeda kamikaze attack two days before September 11. One of the more popular

10 United Nations Assistance Mission in Afghanistan, UN vote organising agency.

11 Saggio sui partiti – CeMiss, October 2004.

12 Osservatorio strategico – CeMiss, March 2006.

13 In a press conference following the attack, Mojaddidi claimed: "We have intelligence information that some individuals entered Afghanistan in order to kill me and were willing to use any means to do so. Our number one enemy today is the Isi which is behind this type of attack. This accusation provoked a strong denial from the Islamabad government, who even went so far as to obstruct the Afghan television signal in Pakistan as a retaliation for the broadcasting of Mojaddidi's press conference.

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opposition leaders, he is held in high regard by the western embassies for his political savvy and his efforts to push forward a national plan despite ethnic divisions.

"Born into an educated family, Qanooni studied Islamic law at Kabul University before joining Massoud in the Panjsher valley, where he moved up from the post of clerk to the general's liaison in Peshawar with responsibility for obtaining money, weapons and ammunition"¹⁴. Formerly a prominent member of Jamiat e Islami, Qanooni helped to found Nuzhat e Milli, the national movement with another Massoud brother, Ahmed Wali, the long time ambassador in London. "Qanooni commands substantial support in the Panjsher valley and several important military leaders, such as Marshall Mohammed Fahim (now a senator), Mohammed Atta of Balkh, General Daoud (the anti-drugs head) Haji Halmas and commander Amanullah of the Shomali plain"¹⁵. Qanooni has also established relations with tribal leaders in the south and southwest, traditionally Pashtun areas. His wife is a Pashtun. A convinced supporter of a parliamentary republic, he was promised the prime minister's position by Karzai but the post was never created. He came second in the 2004 presidential elections, a good way behind Karzai.

Qanooni gained revenge with his election as parliamentary president, winning 122 votes against the 117 of his opponent professor Sayaf, who was supported by Karzai¹⁶. What was interesting about his close-run victory is that it was made possible the votes of the former Afghan president, Bhuranuddin Rabbani, who belongs to the same ethnic group, and is a former ally of Sayaf and Karzai. The Hazara Shias, on the other hand, were split between Ustad Mohaqiq, who had controversially supported the Sayaf candidacy and Mustafa Kazmi and others who had supported Qanooni.

The tables were again turned in the successive elections for the vice presidents of the Lower House. Positions were attributed on clear ethnic lines. With the election of Arif Nurzai from Kandahar as acting speaker, the Pashtun's won the most sought after position. The Uzbeks named Rahman Oghly from the Faryab province as vice president. The two remaining vice presidencies went to the Tajiks, Saleh Mohammad Saljoqi from Herat and Fawzia Kofi, a women's rights heroine from the Badakhshan province. The Tajik and Uzbek vice presidents are moderate but the real losers were the Hazara Shias. The leaders, Mohaqiq and Kazmi, who were split between Qanooni and Sayaf, both stood for the first deputy post, but Arif Nurzai's Pashtun support proved more solid, leaving the Hazaras and Shias with no representation¹⁷.

The major players

In this chapter we'll take a brief look at the major players (apart from Qanooni, whom we have already discussed) in the Wolesi Jirga, the most important and political of the two

¹⁴ Italian Foreign Affairs Ministry – Rome 2004.

¹⁵ Ibidem.

¹⁶ Osservatorio strategico – CeMiss, January 2006.

¹⁷ Confidential report for the western embassies – Kabul, January 2006.

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Houses, mindful that the legislature has just begun and the parliamentarians themselves still have to learn about how the mechanisms of democracy work. **Abdulrab Rasoul Sayaf** – Pashun, originally from the Paghman district, Sayaf led the Islamic Union for the Freedom of Afghanistan (Ittehad e Islami Bara ye Azadi ye Afghanistan) the old Mujaheddin party which dates back to the times of the war against the Soviets¹⁸. Few know that he was also cousin of the former president Hafizullah Amin, who ruled during the Communist period and was known as the Afghan “Pol Pot”. He is professor of Islamic theology having studied in Kabul, Egypt and in Saudi Arabia. During the Jihad against the Red Army, the Saudis financed him with 25 millions dollars per year.

After the success of Mujaheddin in 1992 he has played a very mysterious role in the government. He had always been close to Hekmatyar while also a good friend of Massoud and he lived in Kabul. Sayaf was even the central figure in the conflicts between Massoud and Ali Mazari, the historical leader of Hazara.

When the Taleban came to power, he fled to Panjsher valley, stronghold of Massoud, number one enemy of the student warriors, and later he went to Tajikistan¹⁹.

With the fall of the Talebans, he came back to play a central political role in Kabul and was considered one of the hawks in the so-called Jihadist faction of Islamic conservatism and of the Afghan warlords. Under the influence by Wahabism, he adopted ever more radical Islamic positions²⁰.

He became an ally in the constitutional Loya Jirga with former president Rabbani and really helped Karzai in the ratification of constitution, always operating within the strictly Islamic vision of the new Afghan state. His external support for the president guaranteed him sufficient power to be able to influence important nominations, such as those to the supreme court which must be ratified by Parliament. In the assembly, not only he was Karzai’s candidate against Qanooni for the presidency, but now given that his alliance with Rabbani is finished, he is seen as the key Jihadist representative.

Burhanuddin Rabbani - Rabbani was born in 1940 into a family of small landowners in Badakhshan, the Sufist-influenced Tajik province. He began his studies at a government Madrasa, continued in Ankara and graduated from the Al Azhar University in Cairo. He wrote widely and began a translation of the philosophy of Sayed Qotb, the ideologue of the Muslim brotherhood. He is the founder of the Jamiat e islami (Islamic Society), of the most important Soviet resistance parties. When the Mujaheddin conquered Kabul he became the second president of Afghanistan²¹.

Massoud was the most famous Jamiat commander and he always placed the party leader in his shadow. When the Talebans were in power, however, Rabbani continued to be seen as the legitimate president by the international community.

18 Saggio sui partiti – CeMiss, October 2004.

19 Sources in Kabul.

20 La crisi afghana: un cammino verso la democrazia? Degree thesis – Università di Trieste, years 2003-2004.

21 Ibidem

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Following the fall of the Talebans, he tried to be reconfirmed as president but Karzai's star was rising and Rabbani had no choice but to ally himself with the new Afghan head of state. He continued to support Karzai in return for underhand political favours but they fell out over the nomination for president of the Parliament. The President's support for Sayaf during the speaker elections left several parliamentarians bitter and distrustful of the President's motives – and Rabbani in particular, who until very late in the process had been led to believe that he was Karzai's preferred candidate was particularly upset. Although he mainly blamed "forces around the President" of trying to manipulate the outcome of the elections, it is clear that he will now be harbouring a long-term grudge against President Karzai²².

Rabbani further expressed great concern over the attempts to divide the Parliament along ethnic lines. Although he had initially envisaged himself the leader of a parliamentary majority, he has now decided to settle for the leadership of one of several like-minded parliamentary political groups. It is yet unclear how the merging of Qanooni's Afghanistan e Naween party and Rabbani's Jamiat e Islami will play out and whether this will lead to a political faction with a certain level of coherence. A congress of the combined parties will decide in the near future whether the merging will lead to changes in the party's constitution, leadership structure and name.

Mohammed Mohaqeq – Hazara commander who sullied his reputation in 1992 with his involvement in crime in the Karte e Say district of Kabul, ally with Dostum in the Mujaheddin civil war, he is the most interesting leader, from the political point of view, of the Shia minority. He came third, behind Karzai and Qanooni, in the 2004 presidential election, winning the attention of the international observers. "He had consistent financial resources, partly alimented by Iran, the Hazara's traditional sponsor, and a large military force, although this latter goes against the decree eliminating warlords from the election"²³.

As we have seen, Mohaqeq surprising sided with Sayaf in the fight for the presidency of the Lower House, even though Sayaf is held responsible for the massacre of the Hazara in Kabul during the civil war in the nineties.

Most interestingly, Mohaqeq made it clear that the alliance in the speaker elections was part of a concerted strategy, rather than a once off stance. He explained that he had resolved to position himself and his faction as supporters of the government, in an alliance between the Pashtuns and the Hazaras. He represented this as a viable political strategy for an ethnic minority, proposing that the Hazaras should recognise that the Pashtuns, as the largest group in Afghanistan, were its natural leaders, in the hope of thus receiving a fairer deal as a minority group.

Short term reasons propelling Mohaqeq to this political realignment included the experience of multiple political confrontations between Tajiks and Hazaras in mixed provinces, in which he felt that the Tajik leadership played an uncompromising role. The

22 Report from the office of Mr Francese Vendrell, European Union special representative (EUSR) – Kabul, January 2006.

23 Italian Foreign Affairs Ministry – Rome 2004.

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confrontation which most influenced Mohaqeq's decision was the killing of his MP in Mazar, Ashraf Ramazan, shortly after the elections.

However, he found himself in an extremely isolated position in the immediate aftermath of the Speaker elections, when he was widely portrayed as having betrayed his community by supporting a faction leader directly responsible for war crimes against the Hazaras.

In addition, his revised assessment of his strength in the Wolesi Jirga is that he has eight core supporters - members elected on his party ticket whom he considers reliable - and twelve members whose candidacy he supported, but upon whose support he cannot rely. This is not enough to constitute a parliamentary political group. He feels deeply frustrated that, with the highest personal vote of any elected member (over 50,000 votes) he finds himself on a par with minor figures, who were elected with as few as 1,500 votes.

Mohaqeq has concluded that Hazaras have experienced a higher degree of cooperation in areas where they live jointly with Pashtuns²⁴.

Abdul Rashid Dostum – "I will never submit myself to a government that does not drink whiskey and listens to music"²⁵. This is one of the most famous phrases uttered by General Abdul Rashid Dostum, the Afghan warlord from Northern Afghanistan who, over the past 25 years has fought on all sides, sometimes losing but always somehow managing to retake power. A cruel and astute master of duplicity, he has been able to attract the support of the cut-throats of the Uzbek ethnic group to which he also belongs, through his use of the carrot of generosity and the stick of exemplary punishments.

In the last war against the Talebans, with the support of Americans, Dostum conquered Mazar e Sharif.

He held an honorary position in the Government before the election and he was not candidate for the Parliament, but he is leader of Junbesh Party. Junbesh can count on 25/30 elected MPs in the Wolesi Jirga and is likely to pursue a rather homogenous political agenda. For now Dostum backs Karzai but will seek recompense in return for his support.

The emerging figures

Former communist: Mohammed Gulabzoi - One of the founders of Khalq faction of the Communist party in Afghanistan, he is from the Khost province and was a member of the central committee during the communist regime of Taraki until president Karmal was installed in Kabul by the Soviets following their 1979 invasion.

One of the most loyal supporters of the Russians and a very prominent player during the communist revolution, Gulabzoi has served in major posts such as the ministry of the

24 Report from the office of Mr Francisc Vendrell, European Union special representative (EUSR) – Kabul, February 2006.

25 La crisi afghana: un cammino verso la democrazia? Degree thesis – Università di Trieste, years 2003-2004.

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Interior, the ministry of telecommunications and in the vital position of Afghan ambassador in Moscow.

After the fall of communists he fled to Moscow and lived there until the fall of the Talebans. He then came back to Afghanistan during Karzai's government, started to campaign in Khost province and was elected to Parliament, even though he has been denounced for serious human right's violations.

Previously accused of being a prominent Kgb agent in Afghanistan, now as a parliamentarian he is lining up himself with the Pashtun on nationalist lines.

Noor ul Haq Olomi – Former general Noor ul Haq Olomi is the founder of the National united party (Hezb e Muttahed e Melli) which was founded in Kabul in 2003. Its still unachieved aim is “to bring together all (or at least many) of those groups and factions whose members were former Pdpa²⁶ members”²⁷. Originally from Kandahar, he belongs to the Olomi tribe was part of the Parcham faction of the Afghan Communist party which opposed to Khalq di Gulabzoi's group.

This career military was trained both in the United States and in the Soviet Union and he speaks fluent English and Russian. His Elder brother was one of the powerful generals in Najibullah's²⁸ government and was assassinated under the Mujaheddin.

Pro Karzai: Abdul Qayum Karzai – He is the Afghan president's older brother and head of the Pashtun Ahmadzai tribe. He has been accused by his rivals of being involved in drugs trafficking. At the beginning he seemed to be an active MP, but now he is rarely present, possibly because of health problems. He has been treated for his heart problems in the Usa²⁹.

Zalmai Mojaddedi - Former commander in the Badakhshan province and former head of presidential security, he is Tajik and the leading figure to oppose Rabbani in the north. A new face on the Afghan political scene, he is one of Karzai's firmest supporters.

The women: Safia Sediqi - She was citizen of Canada and has a doctorate in law. He ran a legal advice bureau in Canada for afghan women and now calls herself an activist for women's rights. She is from the Nangharhar province, ethnically Pashtun, a close ally of Karzai, but a feminist at the same time.

She is the most active Pashtun women in the Parliament and is going to form a political group mainly consist of Pashtuns who are loyal to Karzai and pro-West.

Fawzia Kofi - She is from Badakhshan province and her father served as a senator during king Zahir Shah's reign. She has a masters in the Dari Language and political science, and has worked for UN agencies in Badakhshan. Now she is a smooth operator in Parliament and has the backing of both Rabbani and Zalmai Mojaddedi.

²⁶ Popular Democratic party of Afghanistan in power during the Communist regime.

²⁷ Italian Foreign Affairs Ministry, – Rome 2004.

²⁸ The last communist president of Afghanistan. He was killed in 1996 by the Talebans.

²⁹ Sources in Kabul.

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Malalai Joya - A feminist nicknamed “super liberal” from the Farah Province, she is linked to the Rawa political group³⁰. Though still young she has too experience of working with the UN. When she was a representative of the Farah province in the Loya Jirga she directly accused Sayaf and the Mujaheddin commanders of mass killings of Kabul citizens during civil war. Joya called them evil and criminals of war. She continues her fight today against the warlords in Parliament despite the huge difficulties she faces as a woman.

Behind the scenes: Saleh Regestani – He was a young boy when he joined forces with Massoud during the Jihad against the Soviets. A Tajik from the the Panjsher valley, he served as Massoud’s military attaché in Russia during the Taleban regime. Regestani was behind all the Northern Alliance’s arms deal until 2002³¹. An ally of Rabbani, he has always played a very silent role in the political agenda of the country although he continues to carry great influence.

The commissions

Following the elections of the presidents of both Houses of Parliament, the political agenda moved on to the nomination and makeup of the Lower House commissions. On February of this year Parliament should establish 18 commissions to function in different fields and to observe and monitor governmental affairs.

The Pashtuns have managed to secure the chairmanships of half of the committees (9 out of 18), while the non-Pashtuns have another nine (3 Tajiks, 2 Hazaras, 1 Uzbek, 1 Turkmen and 1 Shia-Seyyed faction). Women have been elected to the chairs of three committees - Women, Health and Disabled -, eight vice-chairmanships (Communications, Natural Resources, Religious Affairs, Implementation of Laws, and Parliamentary Privileges, in addition to Women, Health and Disabled) and nine Secretary Positions. Four Committees, though, have no female members. They are Internal Security, National Defence, Counter-Narcotics and, for some reason, the Complaints Committee, which unlike the other three, is not largely made up of commanders or former commanders³².

However it seems that the newly unified Jamiat (Qanooni/Rabbani) and the rival Sayaf will each be able to count with the support of around five chairpersons. A moderate bloc

30 Rawa is a branch of Shola-e-Jawid party of pure Maoist origins. Following the Soviet invasion and the elimination of most of the leaders who opposed Russian communism, the movement changed its policies and formed links with the United States. Now it can be defined as an anti-Islamic party.

31 The political-military formation, dominated by the Tajiks, which conquered Kabul in 2001, with the help of the Americans. Having held key government posts for years now the men of the Northern Alliance find themselves substituted by Pashtuns. However, in the field of security they continue to occupy key positions.

32 Report from the office of Mr Francesc Vendrell, European Union special representative (EUSR) – Kabul, February 2006.

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could possibly rely on the support of one or two, provided that it manages to present itself as a credible and effective force - which will be quite a challenge.

Four of the committee chairmen can be considered conservative Islamics likely to pursue political agendas running counter to the reform programme in their respective sectors. These are professor Sayaf in Foreign Affairs, professor Rabbani in Legislative Affairs, Mullah Taj Mohammad Mujahed in Counter-Narcotics and Khaled Farooqi in Communications and Urban Development. The Jihadi conservative faction in Parliament has additionally managed to secure a strong presence in the three main security-related committees, i.e. Internal Security, Defence and Counter-Narcotics, as well as in the Legislative Committee, while many of the clerics have gravitated towards Religious and Cultural Affairs.

The moderate reformers can count on some commission presidents such Daoud Sultanzoi (Economic Affairs), Ibrahim Qasemi (Complaints), Saima Khogyani (Women's Affairs), Faizullah Zeki (Natural Resources), Alemi Balkhi (Justice) and Kabir Ranjbar (Implementation of Laws).

Clearly the most important parliamentary commissions are controlled by Islamic conservatives or by former or current Mujaheddin commanders or more generally by the Jihad faction in parliament. In addition, the more important leaders have shared between them the presidencies of the crucial commissions, at which we will now take a look.

International Affairs (20 members): This is one of the most sought after commissions as can be seen in the Sayaf's desire to hold the presidency in order to rebuild his image before the international community. An European ambassador had broken off relations with him because of his Jihad, anti-Western positions but now it will be impossible to avoid him in his new role as president of the Foreign affairs commission.

Qanooni later lamented that none of the three or four former professional diplomats had made it into the Foreign affairs commission, which now seems set to be dominated by Sayaf. It is unclear to what extent his deputy Shaker Kargar and Secretary Hawa Alem Nooristani - both competent non-Jihadi moderates - will be able to counterbalance his influence. The other members are an interesting mix, including Ahmad Behzad from Herat (journalist, moderate), Mohammad Daoud Kalekani from Kabul (former Sayaf commander), Khodanazar Sarmachar from Nimruz (former communist governor) and Seyyed Ishaq Gailani from Paktika (former Presidential candidate, moderate, nephew of Pir Gailani one of the historical leaders of the anti-Soviet resistance, closely linked to pro-monarchy supporters)³³.

Internal Affairs (20 members): Another prized commission because it controls the country's security forces. The chairman is Zalmai Mojaddedi, Badakhshan MP, Tajik, former commander, former head of Presidential security, pro-government.

Despite women holding a quarter of the Wolesi Jirga seats, both women candidates for the important Interior Committee were defeated, which thus consists only of men largely drawn from the group of commander MPs.

33 Ibidem

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Some of these commander MPs are still considered to have armed groups, including Dr Ibrahim from Ghor, Haji Almas from Parwan, Padchah Khan Zadran from Paktia, former Taliban commander Mullah Abdul Salam Roketi. Other members include Mohammed Gulabzoi from Khost (former communist Interior Minister) and Jamil Karzai from Kabul (the President's young nephew)³⁴.

Defence and National Integrity (20 members): Another contested commission to which no women were elected. The president is the former communist army general Olomi (a Pashtun from Kandahar), who is only formally non-aligned, while the overwhelming majority of the members are former Jihadi commanders. Among them are general Qasemi from Ghazni, Fakouri Beheshti from Bamyan (son of Ayatollah Beheshti), Abdulkhaleq from Uruzgan, Ahmad Hussein Sangardost from Wardak and Hussein Fahimi from Sarepol³⁵.

The defence commission must oversee, among other crucial things, the constitution and training of the members Ana, the new multiethnic Afghan army which is being formed slowly and with great difficulty.

Counter-Narcotics (10 members): Most members of the committee, unsurprisingly, come from the main poppy growing areas. The committee is also overwhelmingly Pashtun (8 out of 10).

With the current chair and deputy it is unlikely that they will make any significant contribution to the counter-narcotics efforts. The chair is Mullah Taj Mohammad, a Pashtun and former commander, who is probably still armed and an Jihadi activist. His deputy is another Pashtun, Mirwais Yassini, the controversial former Counter-Narcotics director³⁶.

Other members include Qayum Karzai (the President's brother) and several former Jihadi commanders. Needless to say no woman has been appointed to this commission which must tackle the problem of opium production³⁷ and the heroin trafficking, one of the most serious threats to stability in Afghanistan.

Legislative Affairs (14 members): This commission is headed by the Jamiat leader and former President Burhanuddin Rabbani, who until his election as president of the Wolesi Jirga was an external supporter of the government. Now he's on the side of opposition and joined forces with Qanooni. All members, with the exception of two, have a Jihadi background. Some of the better known members include Hazrat Ali from Nangarhar (a notorious former corps commander) and Qazi Nazir Ahmad from Herat (a hard-line

34 Ibidem

35 Ibidem

36 Ibidem

37 The executive director of Unodc (United Nation Office for Drug Control and Crime Prevention), Antonio Maria Costa, declared that in 2005 Afghanistan produced 4,519 tons of opium, a fall of 2% compared to the previous year. So it remains the largest opium exporter, producing some 87% of the world's total. The slightly positive aspect is the the spread of the cultivations in certain areas was reduced by 21% per cento, but the overall production remains high.

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associate of Ismail Khan³⁸, initially excluded for links with armed groups). The committee has only one female member.

The commission seats have been divided up ethnically and in this case the Pasthuns have been left out. Rabbani is Tajik but his vice Seyyed Mohammad Ali Jawid is a Shia while the secretary to the president, Mowlawi Abdulkhabir, is a Uzbek and member of Dostum's Jumbesh party³⁹.

Religious and Cultural Affairs, Education and Higher Education (12 members): This committee which tellingly combines religious and cultural affairs with education is headed by Hazara leader and former Jihadi commander Mohammad Mohaqeq, who is likely to pursue a somewhat moderate line. As we saw with regard to the election of the Lower House, Mohaqeq left the opposition and offered his support to the government in return for an agreement with the Pasthun block.

Many of the committee members have a background in either education or in religious studies, a feature, this, which is not common to all the commissions. Four of the twelve members are women including the Uzbek vice president Asefa Shadab, MP from the Faryab province. She is linked to the Jumbesh party⁴⁰.

Justice, Judiciary, Administrative Reform, and Anti-corruption (12 members): Another commission with a delicate role to play. Alemi Balkhi, a moderate Mujahed with an interest in human rights and legal issues, is president. He is likely to pursue a pro-reform agenda. His deputy and secretary are also considered moderates, while the other members have mixed backgrounds (moderate/conservative, Jihadi/non-Jihadi), such as Qazi Habibullah Ramin from Baghlan (former judge), Mawlawi Abdullah from Badghis (a former Taleban commander) and Mawlawi Atefullah Ludin from Nangarhar (a moderate former Hezb-e Islami commander)⁴¹.

Finance and Budget (15 members): The head, Alhaj Bidar Zazai, a Pasthun, is a former director of the Development Bank with a Jihadi background. He is pro-government. His deputy, the Uzbek Haji Mohammad Yusuf Ghaznafar, is a former leftist connected to Jumbesh. Both he and the secretary are well educated and moderate. Other members have a more mixed background and include Khyal Mohammad Husseini from Ghazni (former Jihadi and Taleban commander, and former Zabul governor), former communist Babrak Shinwari from Nangarhar, Shinkai Zahin Kurkheil (Ngo director and daughter of a famous commander) and Rais Abdul Baqi from Takhar (an alleged drug smuggler)⁴².

Monitoring and Implementation of Laws (12 members): The committee is headed by Dr Ranjbar, a respected and competent former leftist who has been active within civil

38 The minister for energy, a former warlord with support from Iran and a major player in the Herat province.

39 Report from the office of Mr Francesc Vendrell, European Union special representative (EUSR) – Kabul, February 2006.

40 Ibidem

41 Ibidem

42 Ibidem

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society and is a lawyer by profession. The majority of the other members can be considered moderates while half of its members are women, including the deputy and the secretary. Prominent members include Mir Ahmad Joyenda from Kabul (a civil society activist), Mohammad Hashem Watanwal (a former PDPA Central Committee member) and Seyyed Mansour Naderi from Baghlan (a traditional Ismaili leader)⁴³.

Communication, Urban Development, Water, Power, Municipal Affairs (20 members): The chair of this committee, Khaled Farooqi, has no relevant technical knowledge. This is in contrast to several of the members, who include a former mayor (Haji Aziz Alrahman from Nangarhar), engineers (such as Abbas from Kabul and Khyal Mohammad from Ghazni), traders, teachers and civil servants. Despite having no technical qualifications, Farooqi, an MP from the Paktika province, won the presidency thanks to lobbying efforts by former members of Hezb e Islami of which he is a leader having been one of Gulbuddin Hekmatyar's former senior commanders.

Women's Affairs, Civil Society and Human Rights (10 members): The Women's Affairs committee has only female members, illustrating again how women's rights are largely seen as a matter of concern for women only. Given the make-up of the group, there is a risk that the committee will limit itself to pursuing a largely activist gender agenda, while leaving aside opportunities for advocacy on matters relating to political and civil rights. The members include high profile female delegates such as Shukria Barakzai from Kabul.

Saima Khogyani, a Nangarhar MP, Pashtun and non-aligned moderate holds the presidency. Her vice president is Shahgul Rezaee, who was elected in Ghazni, and is a pro Mohaqeq Hazara. The commission secretary is Qudria Yazdanparast from Kabul, an ethnic Tajik and a follower of Rabbani⁴⁴.

Although the men relegated the women to this sort of "indian reserve" there was still a careful dividing up of positions on ethnic and political grounds.

The confidence vote for Karzai's government⁴⁵

For the first time since the 2001 fall of the talebans, Afghanistan has put the balance of powers of the new democratic institutions to the test. On 20 April last, Parliament ratified the nominations of 20 of the 25 members of President Karzai's cabinet. This was a success for the executive whose key ministers passed the vote even if five were not approved in a vote which showed the predominance of the Jihad current in Parliament or better that of the radical Islamic former Mujaheddin commanders from the time of the war against the Soviets in the eighties.

Zarar Ahmad Muqbal was confirmed as Interior minister. He had taken on that role temporarily followed the resignation last September of Ali Ahmad Jalali, because of the

43 Ibidem

44 Ibidem

45 Osservatorio strategico – CeMiss April, 2006.

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involvement of senior government officials in narco-trafficking. At one point it look as if Karzai was about to nominate Amrullah Saleh, director of the national intelligence agency, in his place. A Tajik from the Panjsher valley, he learned his trade in the shadow of commander Ahmad Shah Massoud, who was killed by Al Qaeda two days before September 11. His nomination would have won the favour of the president of the Parliament, Qanooni, who is Massoud's political heir, but not of the Pashun majority. Muqbal, in any case, is also a Tajik from the Parwan province.

The old Northern Alliance, which defeated the Talebans thanks to the American B52s, lost one of its last remaining representatives in the government, the foreign minister Abdullah Abdullah, who was replaced by Rangeen Dadfar Spanta. Spanta, whose appointment was approved by Parliament, is also a Tajik, but he comes from Herat, the western capital of Afghanistan, near Iran. For many years he lived abroad, above all in Germany where he was a member of the Green party. On his return home, he became an international policy advisor to Karzai before being promoted to foreign minister. Pashun defence minister Abdul Rahim Wardak, who is close to the Americans, also won his vote of confidence as did his fellow Pashun, Anwar ul Haq Ahadi, who takes over the finance portfolio.

The individual ministers were "examined" by the parliamentary commissions and then the deputies gave their "free, direct and secret" vote on each one of them in order to avoid a block confidence vote for the whole government which might have led to its failing to win the vote. In this way it was possible to block certain nominations without bringing down the whole government.

The five ministers who failed to win the vote of Parliament were those proposed for the portfolios of the economy, culture and information, equal opportunities, transport and commerce. The toughest blow for Karzai was the rejection of one of his loyalist supporters, Mir Mohammed Amin Farhang, as economy minister, a vital position. The parliamentarians accused him of not having worked well over the past year in the economy position and, more so, over the previous three years as Minister for reconstruction.

The Jihadist influence was heavily felt in the rejection of the culture and information minister, Sayed Makhdum Raheen, who was not forgiven for having allowed the broadcasting on Afghan television of absolutely innocent films, which were considered offensive by the chaste Islamic sentiments of the conservatives.

The rejection of the only woman minister, Suraya Raheem Sabarnag, who had been nominated to take the Equal opportunenees portfolio, was another bad sign. She did later, however, to win the confidence of the parliamentary conservatives.

The former foreign minister, Mohammed Haider Reza, did not win the Commerce portfolio while Gul Hussein Ahmadi, a former diplomat, likewise was rejected for the transport ministry.

In addition, the ministers for Communications, Urban development and for refugees all failed to win more than 50% of the vote so their nominations will have to be ratified again.

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What all this really means is that Parliament wanted to show its power over the government by vetoing certain ministers while at the same time not put the executive at risk or the stability of the country in danger. This is the first episode in what will be an ongoing struggle between Qanooni's vision of a parliamentary Afghan republic and Karzai's presidential model.

Debate in the House

The sittings of the Lower House, especially if Qanooni is absent and his vice presides, are still chaotic because of the indiscipline of the parliamentarians who have no idea of the rules.

However, Parliament is still fresh and only got down to real work with the confidence votes on the individual members of Karzai's government so it is still too early to give a definitive opinion. In the chapter we will look at some of the debates which have taken place and which are significant points to help understand Afghan democracy.

One of the several somewhat chaotic discussions was on whether female MPs should be accompanied by a mahram (male relative) while travelling. This was an obligatory practice for women leaving their homes during the Taleban period. The issue was ultimately referred to the Administrative committee meaning that, for the moment, the matter has been kept out of the moral realm and has been reduced to questions relating to logistical organisation and financial reimbursement. The outcome could however have been quite different, seriously hampering the freedom of movement and freedom of choice of the female delegates. In this respect professor Sayaf's role is interesting. In the discussion on the mahram issue he took a moderate position, enabling a pragmatic outcome, which, without his acceptance, would have been difficult to achieve⁴⁶.

Another discussion on a proper response to the issue of the Danish cartoons - depicting a satirical image of the prophet Mohammed and prompting outrage among Muslims all over the world provoked the first takbirs ("Allah or Akbar" – Good is great) in Parliament. On Qanooni's proposal, a group of around ten delegates, including the main Jihadi leaders and conservative clerics, left the meeting to draft a statement expressing the Parliament's disapproval over the issue. More radical proposals, including severing diplomatic relations with Denmark and issuing a death sentence, did not garner much support. However, the tone of the discussion illustrated the difficulties moderates face in finding their voice and counterbalancing the more extremist tendencies in Parliament, for fear of being branded non-believers⁴⁷.

Parliament also intervened forcefully during the Abdul Rahman case. This Afghan, who converted to Christianity, was condemned to death for apostasy before his case was

46 Report from the office of Mr Francisc Vendrell, European Union Special Representative (EUSR) – Kabul, February 2006.

47 Ibidem

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annulled because of procedural errors. In the end, Rahman was free and went to Italy as a political refugee at the end of March.

The transfer to Italy was organised quickly and in great secret but when news began to circulate an emergency sitting of the Afghan parliament was held to condemn his being freed. "In order to block his flight from – read the Parliament motion made public by president Qanooni – his departure must be blocked". According to the motion, the members of Parliament wanted to "stop Rahman from leaving Afghanistan. He cannot be authorised to leave the country" but he was already on a plane heading towards Italy.

The parliamentarian Safia Seddiqi underlined that "many deputies repeated that Rahman should be executed because according to our religion he cannot be allowed to stay alive". Parliament ordered the convocation of the president of the Supreme Court and the Interior minister so it could demand explanations of the annulment of the case and of the convert's "escape". This move was not simply the result of Islamic fervour but was a sign of the power struggle being fought in Kabul. Parliament was preparing to vote on the confidence motions for Karzai's government and his political rival, Qanooni, made the most of the Rahman case to win over the Islamic radicals who had not supported his nomination⁴⁸.

In the meantime, several civil society groups have come together and established a platform, called the Coordination Office for Civil Organisations, which aims to support and lobby Parliament on issues relating to human rights and reform.

This is potentially an important step forward, as Afghan civil society so far has had considerable difficulty in asserting itself on such issues, having been largely busy with fundraising, project implementation and network building⁴⁹.

The parliamentary groups

Because of the electoral law which effectively "prevented" parties from existing and the laborious formation of the commissions which reflect the major groups, the issue of Parliament groups has been postponed. In addition, the postponement of formal registration until the Persian New Year on Nowroz (21 March) enables members to maintain a high degree of ambiguity as to which group they will join thus encouraging numerous competing claims on who will opt for each group⁵⁰.

The formation of the parliamentary groups has a clear and obvious political connotation when compared to the institutional role of the commissions and so it is a delicate moment of choice for the deputies and senators who are used to changing sides or to keeping a foot in several camps in order to obtain the highest payoffs in terms of influence and power.

48 Il Giornale – 30 March 2006.

49 Report from the office of Mr Francesc Vendrell, European Union Special Representative (EUSR) – Kabul, February 2006.

50 Ibidem – Kabul, March 2006.

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In the Meshrano Jirga, the less influential Upper House, the parliamentary groups were officially established on 25 March, while in the Lower House, the Wolesi Jirga, sides are being taken but the groups are still being formed. According to the department of foreign relations of the Lower House these groups would be formally established after the parliamentary confidence vote for Karzai's cabinet⁵¹, which took place on 20 April.

A decision has been taken to set a minimum number of 21 members in order to register a parliamentary political group instead of the 30 originally proposed, so as to accommodate the smaller factions.

Wolesi Jirga: Professor Sayaf, the notorious Jihadist and conservative muslim, Zalmai Mojadidi, Tajik, former head of presidential security, Safia Sediqi, pasthun, women's activist and pro-westerner, and Mohaqeq, former Jihad commander leader of Hazara, are the prominent faces behind a pro-Karzai alliance. The president has a relative majority in the Lower House but it is possible that there will be two parliamentary groups on his side. In addition to the more Jihadist (Sayaf), there will be another more modernist and reformist group, with several contenders to lead it. Qayom Karzai, the Elder brother of the President, and some parliamentarians associated with the pro-Karzai Majmooh-i-Milli movement are trying to woo the moderates into a broadly pro-government moderate group. Several parliamentarians report having been lobbied by the Republican Institute⁵² to form a similar formation⁵³.

The failure of moderates to make obvious progress towards organising themselves is a matter of concern. A lack of consensus between a handful of aspirants to the leadership of the moderate-reformist tendency in the Parliament, fear of the power of the Jihadis and the dilemma of how much independence from the Karzai administration they should assert, have so far paralysed them as a political force.

Pasthun hardliners belonging Afghan Milat party will probably established a parliamentary group.

Rabbani is emerging as the dominant figure on the opposition side. His party, Jamiat, now seems set to form the largest group. Although Qanooni must at least formally remain above politics in his position as president of the assembly, the MPs who support him will all join the Jamiat group. Other important figures working towards the formation of this group with Rabbani include Fawzia Kofi, a women's rights heroine and the figure behind the old Northern Alliance, Saleh Regestani. The problem is that the group risks being completely dominated and made up of Tajiks while Qanooni's middle and long term goal

51 Ibidem.

52 The International Republican Institute, or IRI, is a Washington DC-based political organization in the United States. Officially it is "a no profit, non-partisan organization which advances freedom and democracy worldwide by developing political parties, civic institution, open elections, good governance and the rule of law". The IRI is loosely affiliated with the Republican Party and works closely with other rightist think tanks and foreign policy groups. The majority of its funding comes from the United States federal government.

53 Report from the office of Mr Francesc Vendrell, European Union Special Representative (EUSR) – Kabul, March 2006.

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is to create a wider, truly national base which includes other ethnic groups and involves some Pashtun factions who do not warm to Karzai.

The former communists, on the other hand, seem divided between those who oppose Karzai, such as the moderate reforming parliamentarian, Ranjbar, and former generals such as Olomi, who was part of the Parcham faction in the Popular Afghan democratic party (Pdpa) during the time of the Soviets. On the other side are the former militants of the Khalq faction, such as Gulabzoi, who supports the Pashtun nationalist Milat party⁵⁴.

Others to watch include the parliamentarians who have been identified as former members of the Hezb e Islami and seem convinced that they will be able to form their own group. Although various other factions claim they will win the backing of the predominantly Pashtun Hezb e Islami (former Gulbuddin Hekmatyar), the main Hezb e Islami leader Khalid Farooqi has clearly stated his intention to gather former Hezb members into a separate group (under another name)⁵⁵.

Despite the tendency to form groups on ethnic lines, the Uzbeks, who already have their own party (Jumbesh), are also trying to broaden out and become a multi-ethnic formation broadly favouring decentralisation⁵⁶.

Meshrano Jirga⁵⁷: As we have seen, the formation of political groups in the Upper House of Parliament was successfully concluded on 25 March 2006. Eight parliamentary groups were formed in the Senate. One of the most important is Hamnazar (Alliance), It mainly consists of pro-Karzai MPs, who are Western sympathizers. The group numbers some thirty parliamentarians and is led by Amin Zai. A doctor by profession, he is closely allied with Karzai who strongly supported him for this position⁵⁸. Haji Gani, Solh Awaran (Bringer of peace) group leader and Haji Solaiman who leads the Himayat Az Hoqoq Mardom (Defender of people's right), are the new faces and although their groups are small they seem to favour Karzai.

Two partially reformist groups are also critical of the government: they are Misaq Mili (National justice) and Paim Solh (Message of Peace). Misaq Mili is led by one of the Senate's most active members, Astad Farid. In 1992, he was Gulbuddin Hekmatyar's candidate for prime minister and held that position for four and a half months when Rabbani was president before the country precipitated into civil war.

Istiqlal (Independent) is a group of anti-government, Islamic extremist MPs, who are drawn from various provinces, such as Helmand, Zabul and Uruzghan, where Taleban guerrilla war continues.

But the most important group in opposition to the pro-Karzai Hamnazar is Sidaqat (Trust). Its only limit is that it is almost exclusively composed of Tajiks. Haji Faqir

54 Ibidem – April 2006.

55 Ibidem – Kabul, March 2006.

56 Ibidem

57 Sources in Kabul.

58 Report from the office of Mr Francesc Vendrell, European Union Special Representative (EUSR) – Kabul, April 2006.

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Mohammad leads the group but the real political soul of the opposition is the engineer, Aref Sarwari, former commander of Rabbani's Jamiat and former head of Afghan intelligence after the fall of the Talebans until the government came to be dominated by the Northern Alliance. It should be noted that Faqir Mohammad maintained good ties with the Talebans in the last years of Massoud's resistance but now has an iron pact with Aref. Mohammed Fahim, the Afghan marshal and Karzai's former Defence minister, is another *eminence grise* of Sidaqat in Parliament. When Massoud was killed by terrorists he took his place and conquered Kabul with the help of the Americans. Very much a fallen star, Fahim has serious heart and diabetes problems and only occasionally attends the sittings of the Meshrano Jirga, but still he enjoys a close relationship with Aref and supports the Tajik opposition group⁵⁹.

Conclusions

The real political challenge facing the newly born democracy begins in 2006. The new Parliament reflects the contradictions within Afghan society. It is made up of warlords, former communists, former Talebans, the Mujaheddin who now are part of the opposition, hardline Islamists, but also a consistent group of women in a country where the Burqa remains the norm.

Parliament not only has the power to introduce motions of no-confidence in the ministers, but as the final institutional element provided for by the Bonn accords in the context of a balance of power, will keep President Karzai's executive under close scrutiny.

Despite the chaos which has often marred the first sittings of Parliament, the new assembly could work as a "decompression" chamber for the live tensions in the country. Deep down the Afghans love to trade for bargains. It is important, however, not to break certain limits in the political trading between the factions or between parliament and the executive. Such battles in the past have led to stalemate and to civil war.

In the next five years, the Afghan parliamentarians face a serious reality check. If they are able to develop Parliament's institutional powers, the country will not slip back into the darkness of war but will continue to proceed along the path of a difficult, Afghan-style democracy, but still a representative democracy based on the balance of powers. As Qanooni told this writer, Afghan democracy, after the dark Taleban years, is still too young to take giant steps and so only the next Parliament will be elected with a normal party system and only then will it be possible to reform the country. He is referring to the deep disagreement over whether the country should have a presidential republic, such as Karzai wished, or a strong prime minister as Qanooni desires.

Of central importance will be the stance adopted by the Afghan Islamic parliament with regard to the West and the presence of the international troops, who have guaranteed the security needed to allow the birth of the new institutions. The prevalence of the former

59 Ibidem

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Mujaheddin and of the Jihad faction which overshadows the moderate and reformist presence, as well as the positions taken with regard to delicate questions to do with Islam, such as the case of the Christian conversion of Afghan Abdul Rahman, do not bode well. One should, however, remember that the Afghans, even at their most conservative and radical, are also pragmatists. They will demand convictions, call for the death penalty for converts and seek the withdrawal of foreign troops but at the time they are realists who know that the apostate Abdul Rahman is already safe as a political refugee in Italy. For propaganda purposes, some parliamentarians will call for the withdrawal of the international troops at public meetings in the mosques but privately they admit that the presence of Nato and the Americans is necessary if the country is to remain stable and the re-explosion of armed battles fought on ethnic, tribal and political grounds is to be avoided. No parliamentary group would dream now of proposing a motion calling for the withdrawal of the multinational troops. It will be useful to involve western parliaments in exchanges and institutional visits with the Afghan assembly as well as to reinforce the international aid programme which provides for the training of parliamentary officials. Italy has already begun to train the first parliament officials from Kabul. Allowing the Afghan parliament to be influenced only by foreign Muslim assemblies, such as those in Pakistan and Iran, or by the rather undemocratic institutions to be found in most Arab countries, would be a big mistake. The new institutions, such as the Parliament, are holding the complex Afghan mosaic together and as such they represent a success brought about by the international intervention in Afghanistan, the final objective of which is to enable this unfortunate country on the crossroads of Asia to make its own way on the long, difficult road to democracy.