6. **AD HOC DEMOCRACY:**
**TROUBLED WATERS TOO DEEP, BRIDGES TOO FEW**

*Introduction*

Crafting institutions is both rare and protracted even in advanced countries. For countries untutored in democracy, the generally Herculean task of constructing democratic constitutions became extra perilous for Afghanistan and Iraq without fully extinguishing cinders from recent clashes. Inter-ethnic dialogue and crossing religious barriers became tentative at best, stifling at worst. Completing the job in the tightest of time testifies to how sincerely and earnestly many Afghans and Iraqis wanted their countries to become normal—but also expose windows of vulnerabilities minority groups face or opportunities for *jihadist* groups to exploit to disrupt those efforts. Both Afghanistan and Iraq ultimately met their deadlines in fulfilling almost identical goals, though diverging spirits and methods produced different results in the immediate aftermath of the maiden democratic elections: cautious optimism in Afghanistan, increasing pessimism in Iraq. Exogenous threats pushed Iraq into the frying pan while Afghanistan’s struggle to stay out of one got off to a promising start.

Constitution-making did not create or provoke exogenous forces, but both became intertwined anyway. Afghanistan had six months from December 22 to convene an Emergency *Loya Jirga* (ELJ), which would then give the green signal to constitution-making; but Iraq, on the other hand, failed to meet the November 2003 deadline for developing a Transitional Administrative Law (TAL) by over the three months. What were the contentious issues? Five are listed in Table 6.1 for each country. A discussion about each leads to comparisons, contrasts, and conclusions.

**Afghanistan’s Road to First-base**

At stake for Afghanistan immediately after Bonn was to assure continuity in governance, a task necessitating Hamed Karzai to continue as head of the transitional government the ELJ would vote for after serving, for six months, as the interim government. Between December 22,
2001 and June 2002, a number of developments, listed in Table 6.1, suggested this would not be automatic.¹

Resurfacing Royalism

Afghanistan increasingly faced, throughout early 2002, not a desire for the return to pure monarchism, which was essentially buried at Bonn, but the adoption of some kind of a royalty-based variation. This sentiment was driven by at least three factors, the last two of them listed among the contentious issues in Table 6.1: (a) perception of Karzai as an ineffective leader; (b) mounting tensions between ethnic groups; and (c) jihadists responsible for ousting the Soviet Union thirsting for the restoration of the monarchy.

Karzai’s task was not easy, since balancing the ethnic groups was in itself a full-time job. Making decisions was stymied, often elicited discordant reactions from within his own administration, and added to a growing sense of state-wide uncertainty. He was not unpopular as a person, and many were beginning to openly discuss if working together with the king might even help stabilize decision-making. Pash-tuns were mostly in favor of the king as both the nominal and executive head of the country, but Tadjiks would accept him only in the capacity of ‘Father of the Nation,’ a position Karzai and outside inter-