

The Role of Loya Jirgah in the Politics of Afghanistan

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ABSTRACT:

This paper pursues the significance of the Loya Jirga in the construction political developments of Afghanistan. Loya jirga which literally means the Grand Council, has played a vital role in shaping the various dynasties in Afghanistan. The historical Loya Jirgas have brought almost a paradigm shifts in the socio-political scene of Afghans. This is an indigenous institution of electing leadership especially for the collective representation of the tribes as part of the confederacy. Historically Mirwais Khan Hottak a prominent Khilji Chieftain is known as the founder of Loya Jirga in 1708, which later regenerated a confidence in the Afghans to over through the domination of the Persian imperial dominion. The unification of tribes for countering their collective enemy at one hand emancipated and on the other hand its also provoke them to capture the major parts of Persian empire in which Asfahan is considerable. In the wake of the emergence of Durrani dynasty one can also see a prominent role of the Loya Jirga which resulted in making a consensus on Ahmed Khan later emerged as Ahmed Shah Duraani in 1747. This Paper is going to share details regarding the 14 different Loya Jirgas from 1709 to 1987. The series of these Jirgas are always called on the crucial circumstances and in most of the cases it has rendered fruits. The paper also contextualizes the role of Loya Jirga in the current political scenario of Afghanistan.

Historical back ground:

It was a Ghiljais Chieftain, Mir Wais, who laid the corner stone of first Truly Afghan Empire (1708). The Gilzai Empire did not endure (128-1730). It was followed by the Durrani Empire under Ahmad Shah the Sadozai. The Durrani Empire lasted till (1747-1817). But the Duranis are responsible for creating a modern multi-ethnic state, and they gave it

cohesion and stability which the region had never enjoyed before and it was peculiarly Afghan in character.

The Country and its limits

As in early

The territories which now fall under the name Afghanistan formed in old times as a part of what had been known in different ages as Bactria (Bactrian empire), Aryavarta of Khorasan. The last name had been given it by the Muslims. That extensive region consisted of:-

<u>Modern Name</u>	<u>Old Name</u>
1. Maimana and Mazar-I- Sharif	Bactria
2. Qataghan and Badakhshan	Tocharistan
3. Bokara and Samarkand	Soghd or Sughd
4. Khwarism
5. Herat	Aryana
6. Khorasan	Aplotia (Aperiea)
7. Karman	Karmania
8. Farah, Pust-I- Rud and Sistan	Sojistan or Sijistan
9. Kandahar	Arachosia and Zabulistan
10. Balochistan	Corichea or Critia
11. Sindh	Indus
12. Panjab	Zatkosh
13. Nooristan and Chitral	Bloroastan and
Kafiristan	Bolari

14. Simt -I- Junoobi (of the present Pactea or pakhtia
Afghanistan)
15. Peshawar, Swat and Kalam Gandhara
16. Hazarajat and Ghor Ghor

The people who inhabited this large area belonged from the earliest period known to History to one and the same stock, the Aryans whose various tribes descended from central Asia, crossed the Oxus and settled in the land lying South and South East of it, from where they gradually spread about, continued doing so in all direction. The word Afghanistan has been introduced in a much later period and its significance has been made by comparer Ahmad Shah Abdali. We may apply the name Afghanistan to signify the whole area viz, the middle portion of Arya inhabited lands situated between the Oxus and the Arabian Sea from north to south, and from west to east between the western half of Persia and the line drawn southward from the Pamirs right down to the sea coast (2). Coming to modern times we find that after the death of Nadir Shah of Persia, Ahmad Shah, and Abdul Afghan, arrested the independence of Kandhar against Persian dominance as Mir Wais had done a few years before him. The Emperor Ahmad Shahs Government was essentially an Afghan Government. Therefore the whole country included in his empire came to be known as Afghanistan (3).

Location:

Central Asia bounded by Russia (N) Iran (W), Pakistan (E) & China (Neo Land Locked)

Population:

14.2 Millions

Ethnic Groups:

47% Pashtoons, 30.7% Tajiks, 5% Uzbek Mangolian and others.

Capital:	Kabul
Land Area:	249,933 square miles
Land Boundaries:	3.424 miles
Official Language:	Pashto and Persian is the chief language

The Institute of the Jirgah and Afghan and Egalitarianism:

The most unique Political institute in which gives proof of Afghan egalitarianism is the Jirgah (among Pashtoons) Majlis, Jelas or Shoorā (among Tajiks and others). The Jirgah tribal council or elders constituted as sub-clan level and selected representatives compose it at the clan and later tribal level. Only in great national emergencies the Loya Jirgah assembles. The Jirgah is a very is a very potent body with its own protocol traditions and no one can muscle in individual decisions. If any one tries it will only lead to fatal consequence for his rash importunity. Jirgah decision can not be challenged. Among some tribes every member of the Clan is allowed to take part in the debate, and there can be long and dragging until a consensus is reached. The Afghans are most comfortable with a government which lays the least possible restrictions on their personal and collective freedom. No Afghan dictator or tyrant can survive the reaction of the Afghan people.

Afghan egalitarianism by no means implies that the people of Afghanistan revel in defiance of authority. Far from its elder are genuinely respected and the most influential men in the tribal hierarchies are generally “gray beards”. The experience of the elders is highly valued as community assets (5).

Historical Role of Loya Jirgah:

Loya Jirgah is an alternative of an elected Parliament, to maintain their social and Political relations among them. Jirgah system played great historical role in Afghans national interest. Jirgah is not related only with Pushtoon society although the other nationalists of the state like Uzbek, Tajik, Hazara, Baloch, Turkman are also adopted Jirgah system in their social and Political relations.

Mir Wais Khan Loya Jirgah:

In 1709 the Ghilzai rose under Mir Wais and slaughtered the hated Georgian and his garrison and take Kandhar from Persian Safavi Dynasty, and covered Loya Jirgah at Kandhar in which all the Afghan tribe. Chieftains Ullma (Religious scholars) were invited all tribes of Khaljis and Durrani were participated. After a long discussion the Mir Wais was chosen as first chief of the nation. Mir Wais died in 1715 and has in a outside Kandhar. He never proclaimed himself King but simply Wakil (Governor or regent) of Kandhar (7).

Ahmad Shah Durrani Loya Jirgah:

In 1747 A.D the nation of an autonomous state was prompted by the death of a famed Persian military General named Nadir Shah, who died en-route on return from northern India (Afghanistan) number of high ranking officer opted for independence, choosing a man known for his chivalry and courage in battlefields, Ahmad Shah (8) . At that time to elect the kind, Loya Jirgah of tribal chiefs were held at Mazar-e- Shar-e-Surkh in Kandhar in October 1747. After nine prolonged session the Jirgah endorsed the formation of a modern Afghanistan state and elected Ahmad Shah as the king (9).

Loya Jirgah of Amir Sher Ali Khan (1863-1865, 1868-1878):

In 1865 the amir sought the support of the tribal leadership. In his going on powers struggle with his brother, the king summoned 2,000 tribal representatives to consult with them. On the course of action he was adopted in his confrontation with the rebellious governor of Kandhar. His full brother Muhammad Amir Sher Ali Khan never gives up his title of Amir even when ousted from Kabul (10). The Loya Jirgah of 1865 supported the policy and efforts of Amir Sher Ali for its approval of nomination of his seven years old son Sardar Abdullah and it was a mistake committed by the Amir which was endorsed by the Jirgah, because his elder sons namely Yaqub and Ayub both capable and other never accepted Abdullah as the successor.

The Loya Jirgah of 1873:

On the question of Seistan boundary the Afghanistan and Iran, the British arbitrated in the matter proposed some proposal. Amir Shah Ali, conveyed a Jirgah in Kabul and asked its advice on the British proposals the British agent in Kabul attended the Jirgah and witnessed the discontent of the assembly over the Seistan question the Jirgah decided that the British represent five should not come to Kabul (11).

The Loya Jirgah of 1919:

When the Indian Muslim came to Kabul after the incident of Jalaniala Bagh and they inform the King Aman Ullah about the crudity of British or Indian. After the meeting with Indian delegation Aman Ullah Khan convene a Loya Jirgah. The participants of Jirgah were agreed to help then Indian Muslim.

The Loya Jirgah of 1922 & 1924:

On February 1922 the second Loya Jirgah convened by king Aman Ullah Khan at Jalal Abad for the approval of Constitution of the country. The delegates give approval after long discussion in 1924. The Loya Jirgah of 1924 was held in Salam Khana on July 15 and addressed by king Aman Ullah Khan. The participants were 1,052 in number.

The Loya Jirgah of 1928:

The Loya Jirgah of 1928 was held from 29 August to September 02. Jirgah was concluded in five sessions (12).

The Loya Jirgah of Nadir Khan 1930:

In September 1930 General Nadir Khan summoned a Loya Jirgah of 286 nobles, the assembly conformed him as King of Afghanistan announced and promised to more Afghanistan back into the mainstream of Hanafi Shari'a of Sunni Islam (13).

The Loya Jirgah of 1941:

The Loya Jirgah was held in Kabul during the Second World War (1935-1945) the Jirgah endorsed the following items on the agenda. Afghanistan is neutrality and policy of peace and co-existence of the government with its neighbors and other countries of the World.

The Loya Jirgah of 1949:

To quell disturbance in tribal agencies Pakistan Airforce was carrying out occasional air strike in the Pakistan tribal agencies. Pakistan air craft bombed in advertency on June 12 1949. The village Mughalgai 2,100 yard inside the border of Afghanistan. The Afghan government there after convinced a Loya Jirgah in July 26 1949.

The Loya Jirgah of 1955:

The Afghan Prime Minister Daud Khan in 1955 called a Loya Jirgah after the announcement of one unit plan by Pakistan. The Jirgah announced the support of Pashtunistan issue and demanded the Plebiscite in the Pashtaun areas of Pakistan.

The Loya Jirgah of 1964:

This Jirgah was held for the approval of new constitution of Afghanistan and the Jirgah approved the Constitution (14).

The Loya Jirgah of 1976:

President Daud called a Loya Jirgah in January 1976 under the President ship of Aziz Ullah Wasfi for the purpose of the new constitution and selecting the President of the state after having 24 sessions (15).

The Loya Jirgah of 1987:

Dr. Najeeb Ullah Khan called Loya Jirgah on November 29, 1987, the number of participant were 1500, nominated and elected, and 400 foreign guests including delegation from Pakistan. The Jirgah give the approval of constitution (16).

Loya Jirgah in Present Development:

The Loya Jirgah also playing its important role in Afghanistan after the Government of Taliban and after 9/11 incidents

The Tribes of Afghanistan do not present a corporate Political entity, yet tribalism serves as the blue print for Political alliances. Political entrepreneurs found kinship and tribal links most convenient as a basis for alliances or confederations in order to challenge even imperial powers and to secure areas of freedom and independence for their people.

The problem in this sort of a power play in the fact that the very tool which enabled some tribal leader to establish themselves at the head of powerful Political entities, also served to reinforce segmentary division. Tribal systems do not develop institutions based Political Power with in the tribes community interests are preserved through the community council called Jirgah (17).

Since the September 11, 2001 terrorist attacks on mainland USA, Islam and terrorism are spoken of in the same breath the negative dead of the overzealous, extremist individuals and groups is taken as the criterion of Muslim as a whole (18).

It was against such a socio- political situation in Afghanistan itself that the attacks of September 11, 2001, took place on main land USA, Implicating the Taliban as amongst the pure suspects.

The Boon Agreement and emergency Loya Jirgah:

The post 9/11 development ushered in a new phase of the Afghan dynamics on December 5, 2001, according to the agreement in Bonn. The participants agreed to the setting up of n interim administration to be presided over by a chairman, a special independent commission for the convening of the Emergency Loy Jirgah. The special independent commission was the final authority for determining the procedure for and the number of people, who would participate in Emergency Loya Jirgah as well as draft rules and procedures specifying (19).

The Loya Jirgah Process 10-16 June 2002:

On June 16, Hamid Karzai, was elected the president of the Transitional Authority and almost immediately plunged into the next critical stage. In a climate of tension of having to name his cabinet for the approval by the Loya Jirgah, as well as well oversee the formation of the National Assembly (20).

According to the Bonn agreement provided that once the transitional authority was established by the Emergency Loya Jirgah. The Interim Authority was ceased to exist the main task of the transition Authority was to convene to a constitutional Loya Jirgah.

The Loya Jirgah & Present Government:

The Bonn Agreement 2001 set out that free and fair election must be held within two years of establishment of the Loya Jirgah, The constitution ratified the government as an Islamic republic consisting of three branches of power Executive, Legislative and Judiciary.

Hamid Karzai, who was elected in October 2004, before the election, Karzai led the country after being chosen by delegates of the Bonn Conference, in 2001 to head an Interim government after the fall of the Taliban.

The current parliament was elected in 2005 among the elected officials were former mujahideen, tribal fighters, communists, reformists and Islamic fundamentalist. Surprisingly 28% of the delegates elected were women, 3% more than the 25% minimum guaranteed under the constitution national election were held on 9 October 2004. Over 10 million Afghans were registered to vote. Karzai won 55% of the vote. He was inaugurated as president on 7 December. It was the country's first national election since 1969, when parliamentary elections were last held. The major political time lines in the Bonn Process have been met. The

state bodies have all been assembled but little actual power shared for instance Provincial council was elected in 2005 but the law gives them few powers and no budget. The bicameral parliament is those yet the president has far greater powers than the legislature (21).

A new five year blue print for cooperation between the international community and the government of Afghanistan was launched at the London Conference on Afghanistan on 31 January – 1 February 2006 (22).

Conclusion:

If we analyze Afghan history, most of the great events, particularly the making of government and the announcement of wars of Independence, have been determined and happened because of Loya Jirgah. Even their empires in the subcontinent were established maintained and replaced through the Jirgah or smaller ones compounded of the tribe of the king and others allied tribes. This traditional political institution has been alive since the ancient period; afterwards it was further enriched and modified during Groco- Bactrian Period. It provides Afghan society a historical, social and political structure which has always helped Afghans deal with the situation of Anarchy, chaos and emergency. Many orientlists are of the opinion that Afghan society is an egalitarian and democratic society. Some of them are of the view that it is a kind of ordered anarchy. Of course Afghan society is one of the interesting cases for all curious and invests culture anthropologists of the world. Many of them have studied it both journalistically and through field studies and participant observation. On the one hand they have established glorious empires, while on the other hand they make sull the largest tribal nomadic, semi-nomadic society of the world. Historically

they are famous for anarchic and unruly nature. Many times they have fought fierce-wars against outsiders and of course among themselves. Their enmity and rivalry is also based on well established principles and culturally recognized norms and values. In other words they know how to fight and how to make peace. The institute of Loya Jirgah embodies their reality of Afghan society in its fabric history of Afghanistan.

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