

AFGHANISTAN

Loya Jirga: the only option

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AS the commission appointed by the United Nations to constitute a *Loya Jirga* (LJ) looks for the people to be appointed as its members, a question comes up: Is the tradition being invoked in an authentic manner or is it being harnessed to obtain the objectives identified by the international community?

Loya Jirga (Grand Council) will be assigned the job of proposing and installing a transitional government for the country for a period of eighteen months following the expiry of the interim leader Hamid Karzai's administration. An LJ composed of about 1,500 members chosen through a process of elections and nominations is expected to meet in June this year. Karzai's administration makes room for the new set-up on June 22.

All through the recorded history consultations among prominent citizens representing all shades of Afghan society have been a vital characteristic of Afghanistan. These assemblies, essentially based on the tribal system that has survived decades of foreign interference, invasions, inter-play of international powers and internal feuds are called *jirga*.

Jirgas of various levels for different purposes have been the source of strength of the Afghan society. They have kept small tribal components as independent entities and also united in the totality of the country. They have helped resolve inter tribal and intra-tribal differences, disputes and rivalries. LJ is the highest, most prestigious and time-honoured form of consultation and collective decision-making.

It is an historic institution that has served Afghanistan as its supreme unwritten law at crucial junctures; its decisions are binding on all citizens irrespective of sectarian affiliations, tribal affinities and ethnic and linguistic groupings.

There is no established record to show how and when the institution came into being and how its membership was determined. The system is presumed to be as old as tribalism itself. Consultation with the elders is an ancient tribal practice in Afghanistan. It evolved as a vital feature of society and provided a non-confrontational forum for expressing views and reaching decisions.

According to the UN Secretary General Kofi Annan, who, along with Karzai, announced the formation of a 21-member LJ commission, at a press conference in Kabul, its members were chosen from a "list of 300 nominations". The nominees were mostly 'strangers' for Karzai; he could only recognize four of the names', he told the journalists.

That may establish the Karzai administration's impartiality but LJC's authenticity was not enhanced by his non-partisan stance on its composition. The genuineness of its representative character could be under a cloud. The commission was set up under the terms of the Bonn accord in December last.

One of the first recorded *jirgas* appears to have been held in

1705 'to counter Iran's Safavi dynasty's rule in the western parts of the country and its campaign to extend its authority over the rest of Afghanistan'. It called for resistance against foreign rulers. Another *jirga* held in Kandahar in 1707 reinforced the earlier resolve, ended the Safavi domination, liberated the land and established an independent country.

Ahmed Shah Abdali was elected the first leader of an independent Afghanistan by the elders from all over the country in a *Loya Jirga* congregation at Sher-i-Surkh in Kandahar in 1747. The LJ members' support enabled him to found an integrated empire of Afghanistan. This assembly also coined the name, Afghanistan for the mountainous state north-west of Pakistan.

Another historic LJ held in 1841 in Kabul decided to end the rule of Shah Shuja and free Afghanistan of British presence; an 1879 LJ 'declared an uprising against the British at a time when some princes opposed it'. *Loya Jirga* formulated a neutral policy for Afghanistan during the two world wars. LJs approved the constitution of Afghanistan in their deliberations from 1922 to 1930.

The LJ was also responsible for forging military ties between Afghanistan and the Soviet Union by 'approving the acquisition of weapons from the Soviet Union' in 1955. The last two recorded LJs with established authenticity endorsed the new constitution of the country (1964) and declared Afghanistan a republic (1977).

Numerous attempts were made between 1977 and the present time to invoke this institution but they came to naught as influential groups, warlords and other elements tried to hijack the body by stacking it with their supporters. That undermined the credibility and the representative character of these LJs and got them rejected by the people.

These assemblies did not fulfil the agreed pre-conditions for calling an LJ which is regarded as different from any other *jirga*, besides other factors, in so far as it cannot be held 'anywhere, anytime and cannot be called by anyone'.

A leading Afghan intellectual, Dr. Syed Bahaudin Majrooh, says, "tradition has it that only a national government accepted by the people in an independent Afghanistan has the right to hold *Loya Jirga*". A *Loya Jirga*, he noted, must be "convened on the Afghan soil and only a national government accepted by the people in an independent Afghanistan has the right to hold it". Writing at a time when Dr. Najibullah was the President of Afghanistan, Dr. Majrooh stated: "A *Loya Jirga* can be called neither by the resistance parties nor by the regime of Najib. They do not have the authority (to hold *Loya Jirga*)". By this definition, an LJ called by a commission appointed by external elements becomes a dubious proposition. The legitimacy of a UN sponsored LJ could thus be questioned by some segments of Afghanistan's population.

The United Nations invoking LJ is not a flash of inspiration. The world body mulled over this possibility for over a decade. Indeed the UN's move to call an LJ could be viewed as a solution it envisaged at a stage when Afghanistan was neither a

country accused of harboring terrorists nor in any way did it pose a threat to any other country. Afghanistan was not till then an international issue of the kind it is now.

The then personal envoy of the UN for Afghanistan, Diego Cordovez proposed, as far back as in 1988, the formation of a *jirga* 'composed of mujahideen commanders fighting inside Afghanistan and the representatives of various social, intellectual, tribal and other segments of the country's populace'.

The last LJ was held in 1977. A lot of blood has flown down the mountains of Afghanistan since then- much of it drying on the very stones on which it was spilled; it would not wash away. That has left a trail of pain and, in the political contest, a harvest of acrimony in society.

Some of the problems confronting the LJC are:

1. In the intervening period of a quarter of a century, a new generation of Afghans has come up. Most of its members could be unfamiliar with the tradition of the LJ. Their reaction to the tradition is not known and hence not predictable.

2. There has been no census in the country for many years. That makes it difficult, indeed impossible to determine the ratio of ethnic, linguistic and sectarian groups. The issue of percentage of participants representing various segments has the potential for developing on contentious lines.

3. The members are to be selected from across Afghanistan. In a country still marked by unsettled conditions and the rule of warlords in many of its 32 provinces, it would not be easy for the commission to reach all parts of the country to select members of unchallenged credibility for the LJ because of law and order conditions.

4. The writ of the government in Kabul does not run much beyond the capital. That has bound the LJC to major cities thus far and chances of immediate improvement on the landscape appear negligible.

5. The US-led campaign against terror continues unabated in some provinces.

Convening an authentic LJ looks a formidable task under the present circumstances and composing it in accordance with the members of traditional vintage even more so. The importance of satisfying the sensitivities of the Afghans of all hues and allaying their apprehensions cannot be overstressed.

At the same time, it is to be conceded that if Afghanistan is to be born anew, it must rise from its debris, emerge from its own ashes. The tradition of the LJ has been rusted by disuse and distorted by misuse but it remains the only material available for creating a new Afghanistan. Although it is a tight-rope, perilous journey to sanity convening a *Loya Jirga* is the only option. It is an undertaking that should neither be avoided nor postponed.

This piece first appeared in the Dawn of Pakistan.

Bush's Afghan gamble



FOR A LONG time President Bush resisted engaging in the Middle East, fearing that a high-profile diplomatic intervention might fail and therefore hurt his credibility. Then the president realized that, for a global super-power, not having a policy is itself a policy; standing back may sometimes harm your credibility even more than wading in and falling short. Now the administration should grasp the same point on Afghanistan. There, the president has refused to back an international peacekeeping force that would extend beyond the capital, fearing that the peacekeepers might fail. As a result, Afghanistan risks a descent into chaos. The costs to Mr. Bush's credibility may be bigger than he becomes targets, and a U.N. employee has been murdered.

Warlords are fighting over parts of the country. The prospect of a revived heroin business increases the incentive for armed gangs to hang on to their weapons. The Bush administration has acknowledged that Afghanistan's instability is troubling. Defense Secretary Donald Rumsfeld has stated that, without security in the country, "there's not going to be a stable government. There's not going to be humanitarian assistance. Things aren't going to work." And yet Mr. Rumsfeld has resisted an expanded international peacekeeping effort that could deliver the security he regards as necessary, claiming that a new Afghan security force can do the job instead. But the

anyone to believe that he will succeed in replacing Saddam Hussein with a more palatable Iraqi government.

So far, however, it's not clear that post-Taliban Afghanistan is headed to a better future. The process of electing a national assembly began this week, and Afghanistan's exiled king is due to return from Italy tomorrow. But the past two weeks have brought an assassination attempt against the defense minister, an attack on the office of Kandahar's governor, the discovery of an apparent plot against peacekeeping forces in the capital, an ambush of American troops and a mortar attack on an air base used by American forces. In the northern city of Mazar-e Sharif, aid workers have become targets, and a U.N. employee has been murdered.

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JAPAN

Narita gets a shorter second runway

Monzurul Huq writes from Tokyo

JAPAN'S Narita International Airport serves as the main gateway to the land of the rising sun. Situated more than 60 kilometers from Tokyo, Narita handles over 25 million passengers every year. The airport went into operation in May 1978, and on 16th February 2001 it welcomed its 400th million passenger. Narita is now world's one of the most well known airports, ranking in line with New York JFK, London Heathrow and Singapore Changi. In terms of handling international passengers, Narita ranks eighth in the world, and in terms of international cargo volume; its world ranking is second after Hong Kong International. Within Japan Narita Airport's share of handling international passengers is well over 50 percent. Such facts and figures undoubtedly make the airport as the most important in the country and a smooth functioning of Narita International therefore considered vital.

Narita International has seen a continuous increase of both passenger and aircraft movements since its opening in 1978. In the year 2000, for example, aircraft movements in Narita registered a one percent year-on-year increase, whereas in passenger numbers the increase was seven percent. This ever-increasing load necessitated expansion of the airport in various ways. The airport started operating with a single terminal in 1978. A second terminal and a new control tower were added in early 1990s. In addition,

the cargo handling facilities of the airport were also periodically expanded to facilitate increasing loads of cargo passing through Narita. But one particular aspect of the airport that faced stumbling block in the expansion process was the runway facility.

Narita International's main runway started operating back in 1978. The 4,000 meter long runway still handles all incoming and outgoing flights that connects the airport with 86 overseas as well as some other domestic destinations. The increasing flight movements as well as time restriction that the airport is to comply with, has eventually made it clear that a single runway was not going to be considered enough in the near future if Narita intends to keep its leading position among airports all over the world. Presently Narita is not allowed to operate landing and take off functioning of the airport between 11 pm to 6 am as a measure of preventing noise pollution that would otherwise hamper the normal life of people living in adjacent areas. That reality prompted the airport authority to start negotiation with the local landowners in early 1990s for the acquisition of land needed to build a second runway.

Unlike Japan's some other important airports like Haneda or Kansai International, Narita is located not in a coastal area, but on land situated far from the sea. As a result, to build a new runway or expand other facilities of the airport would obviously demand acquisition of land adjacent to its present location. The Japanese government in 1993 pro-

claimed that there would be no forceful purchase of land in the future for the construction of any public project. This legal binding on part of the government effectively blocked Narita's bid to acquire land for the construction of a new runway through governmental decree or other forceful means.

The only option left was to negotiate with the owners of the land to sell their property to the airport authority. The national government and airport authority worked together to gain the support of the local population for the runway expansion project and to persuade landowners to negotiate sale of their properties needed for the construction of a new parallel runway.

The original plan for building a 2,500 meters runway was later modified to avoid the inconvenience arising from unavailability of needed land. According to the new plan the length of the runway was reduced to 2,180 meters from its original 2,500 meter length and it was also decided that the runway would be built approximately 800 meters further north from the site originally planned. The Ministry of Transport held a public hearing on October 18, 1999 to discuss the modification to the parallel runway construction program, where a majority expressed their support. Accordingly the ministry approved the changes and construction got underway on December 3 of the same year after a 6-year long partially failed negotiation.

The construction of the runway is now complete and it will start operating from the

morning of 18th April, earlier enough to handle the increased air traffic during the World Cup 2002. The shorter runway will not be able to accommodate larger aircrafts like Boeing 747s, but will be suitable for Boeing 767s or other mid-range aircrafts. The runway will also be able to handle around 65,000 aircraft movements a year, with a maximum capacity of 176 daily flights. Slot allocation for the new runway has already been undertaken. Most of the flights connecting East and Southeast Asian cities as well as Japanese airliners flying to domestic destinations are to use the new runway. This will also see for the first time the arrival at Narita of additional four Chinese and two Taiwanese airliners as well as the national carriers of Papua New Guinea and Mongolia.

The official documents of the Narita Airport Authority mention the new runway as an interim one. The administration has not deviated from the original plan for the 2,500-meter runway and is making every effort to overcome the stumbling block through dialogue with the remaining landowners. A closer look at the runway clearly shows few small houses that now stand right within the areas of the airport, not far at all from the place where roaring sound of more than a hundred flights a day is to become a regular feature from within a few days time.