

**Address to the
CLOSING SESSION OF THE CONSTITUTIONAL LOYA JIRGA
By His Excellency Hamid Karzai
President of the Transitional Islamic State of
Afghanistan
Sunday 4 January 2004 / 14 Jaddi 1382**

Authorised Translation from Dari and Pashto

Dear brothers and sisters, the representatives of the bereaved nation of Afghanistan;

Our esteemed spiritual elder, dear [Hazrat Sibghatullah] Mujaddadi sahib, who was my guide at the time of Jihad, and continues to date;

Respected Jihadi leaders;

Members of the Constitutional Commission;

My colleagues in the Cabinet;

Dear guests, members of the diplomatic corps
In the months prior to the inauguration of this Loya Jirga, many foreign friends, and sometimes my fellow Afghans, were expressing concerns about the challenges of holding such a Loya Jirga. "Will the elections of delegates be possible?", they used to ask. Will the delegates be able to arrive from all over the country? What will happen once the Loya Jirga convenes?

But I was always confident. I was confident that elections will happen, that the Jirga will be convened, and that it will be successful. I was confident because I never doubted the strength of the Afghan nation's determination, and its quest for achieving success, progress and prosperity. Today, praise be to God, we witness the achievement of a tremendous success by the Afghan nation, made possible through your hands, the true representatives of the nation. I never doubted this success, because I believed in our nation, and I believed in the

friendship of the international community, who are with us in building the Afghanistan of today, and tomorrow.

A few days before the start of the Loya Jirga, in one of my lunch-time meetings with groups of delegates, an elderly delegate from Paktia province, who I remember as limping and using crutches to stand up, made a very powerful remark:

"I have never been to school or university", he said, "nor do I intend to attend one in the future. I have not come here to ask you for school, or road, or hospital. I have come to Kabul to call on my fellow delegates at the Loya Jirga to take the true interests of the nation into account. I want to say to my fellow Afghans that, were we to act in the interest of national unity, all other things will follow. But if we strayed from the path of national unity, we will achieve nothing".

The words of that elder ring true today. Today, the representatives of the people ensured that, notwithstanding differences in political persuasion, differences in opinion, differences in regional and intellectual preferences, the ultimate interest of the Afghan nation prevails, and a constitution is delivered to the nation through your combined effort. The constitution, as it stands today, not only represents the deep aspiration of the nation, but also the diverse preferences of the people of Afghanistan.

Dear delegates,

Allow me to take a few minutes to tell you why, as an individual member of the Afghan nation, and as the President of this country, I have expressed my preference for a presidential system of government, while a parliamentary system, as an alternative, can also be said to serve the interest of democracy and people's choices.

But let me first say a few words about each of the two systems of government.

In a parliamentary system, people from all over the country elect delegates from among election contenders who are either fielded by different political parties, or stand as independent candidates. After elected candidates come to the parliament, the party with most seats form the government, and governments can enjoy both stability and continuity. The president in this system is a symbolic figurehead, appointed by the parliament, and does not interfere in government. The prime minister is the chief executive, and he can, if he thinks it is necessary, dissolve the parliament and go towards fresh elections.

Where any single party fails to obtain enough seats to form the government, two or more small parties or groups sit together, creating a coalition which then forms the government. I believe such a situation would be quite dangerous for Afghanistan in the present context where strong state institutions are absent. It bodes instability. This basically was the reason that I advocated for a presidential system. So what are the demands of a presidential system? In a presidential system the president is elected by the whole nation, through direct vote by the people. The people also elect the parliament through direct vote. So there is a president, and there is a parliament, one in-charge of the executive power, and the other of the legislative power; with a judiciary that is independent.

In the presidential system we have now adopted in the constitution, the president cannot dissolve the parliament. As long as there is the president, there is the parliament. If the president commits an erroneous act, the parliament alerts him or her to the error, and this helps the country to be stable, and the government to be sustainable. This is why I thought this was the best option. But it has other advantages too.

Of course the constitution is a document that can be amended. The constitution shall be respected. Its implementation is essential, and requires strong

determination by the nation. But the constitution is not the Quran. If five or ten years down the line we find that stability improves, proper political parties emerge, and we judge that a parliamentary system can function better, then a Loya Jirga can at a time of our choosing be convened to adopt a different system of government.

The other aim behind opting for a presidential system at present was the fear that, under a parliamentary system, the country may be divided among political parties which are formed along ethnic lines, or split into small parties, which are disposed to forming alliances and coalition along ethnic, sectarian or regional lines in order to be able govern. This would limit the possibility of the emergence of national, inclusive political parties.

In Britain, which is perhaps the most stable parliamentary system in the world, they have a queen who does not interfere in government, and a parliament which elects a prime minister from its midst. They have two strong parties, the Conservative Party and the Labour Party, either of which is capable of winning an election and forming a government that is stable throughout the five years of the parliamentary period.

In India, for as long as the Congress Party enjoyed an absolute majority support, they used to have stable governments. As the Congress gradually declined, and other parties rose to challenge it, India was delivered to coalition governments, each collapsing after another before completing even one year in office.

Italy, in the aftermath of the Second World War, until a few years ago, saw more than 45 governments. Thus, we thought that a presidential system was a better choice for Afghanistan in its present circumstances.

Dear brothers and sisters,

My vision for the future of Afghanistan is of a country with big political parties, where anyone aspiring to become the president will depend on all the people of Afghanistan, and strive to build an inclusive political party as a platform. A platform in which any individual, from whichever corner of the country he may happen to originate, can ascend to the top of the ladder. My vision is that in Afghanistan anyone aspiring to achieve the post of president will depend on his own persuasion, capacity and competence, and the backing of a national and inclusive political party, not on an ethnic group, a region, or affiliation with a minority or a majority.

Our vision for Afghanistan is of a country where people relate to each other through reason and shared ideas, convictions and behaviour, not through ethnic bonds, because this is not the way of building nations.

We want an Afghanistan where each member of the nation, regardless of which corner of the country they come from, have equal rights and economic opportunities, and are able – should they choose to – contend to become the president of the country.

I never want, neither do you – I am sure, that a person who belongs to the majority ethnic group necessarily becomes the president, and another belonging to the second largest ethnic group becomes the vice president, leaving the leftovers to the smaller ethnic groups. I do not want such an Afghanistan.

I want an Afghanistan where a poor boy from Yakawlang may rise to claim the chair of the president. I want an Afghanistan where a poor Baluchi from Nimroz may achieve the president's post. To speak more frankly, I do not want that the president will necessarily be expected to be a Pashtun, the vice-president a Tajik, with Hazara, Uzbek and so on following the line. No, this is not the Afghanistan I aspire to build. And if you do, I disagree with you.

I want an Afghanistan where the son of Kunduz goes to Nangarhar to run for the president; and in fact wins there because of his capacity, his competence, and because he has the legitimate backing of a party that is truly national in character.

One day I said to the respected Ustad, Ustad [former president Mr Burhanuddin] Rabbani: “go to Kandahar and campaign for yourself, and defeat me there, and know that I will defeat you in Badakhshan”.

This is my Afghanistan. And this is the kind of Afghanistan that I wish to attain. I want anyone who intends to be a candidate in the future to come forward with the goal of helping this country develop into a strong nation, a nation where citizens have equal rights and abide by the law.

I once told [vice president, Mr Karim] Khalili sahib that if he wants to succeed he should come out of Hazarajat, and speak to the rest of Afghanistan. I told [vice president Marshall Mohammad Qaseem] Fahim Khan to come out of Panjsher; don't sit there forever; go and show to the people of Afghanistan that you are better and more qualified than Karzai. Go and succeed, and defeat me.

This country needs political courage, not timidity, and certainly not political and ethnic conservatism. Today [The United States of] America is among the greatest countries of the planet. It provides help to all others in the world. Its helicopters often take us when we need to travel to inaugurate our roads. Why? Because America is a country where minorities and majorities do not exist, where ethnic divisions and interests do not exist. When you become American, then you are an American, full stop. You have rights, duties and obligations. In America, they have two major [political] parties there – the Republicans and the Democrats. They contend in elections, one becomes the president, the other gives consent. And they both sit in the parliament.

(Pashto)

Brothers, do you follow me? That is the kind of Afghanistan I want, nothing less.

(Dari)

One year ago on my visit to Kandahar, at the invitation of [the then Kandahar Governor] Gul Agha Sherzai, I was staying overnight in the old Governor House where two to three hundred people were staying. As we got up to go for the evening prayers, an elderly man came up to me and introduced himself. He then said: "I want to tell you that you will belong to us, only if you belong to the whole of Afghanistan first. Otherwise, you don't belong to us."

On another visit to Kandahar, a few minutes before I became the target of the assassination attempt, as we came out of kherqa-i-mubarak (holy cloak) shrine, I stood by to greet the women and children who had gathered near the shrine. A boy, who was eight or nine years old, came up hopping around and I heard him say: (Pashto) "You're the leader of Afghanistan, welcome to Kandahar". He did not say you are a Kandahari, so welcome to Kandahar.

Dear brothers and sisters,

We have to set our goals high.

[Another anecdote] Once in Badakhshan, on the road between Faizabad and Baharak, we alighted by the Khwaja Abdal-i-Wali shrine. There was a small wooden shack where an elderly man sat selling tiny melons among other things. The seller gave me a melon which I found very delicious, having been famished. I said to him, "may God make your shop as big as Afghanistan". He replied: "Don't pray like that, Sir. Pray that may God make Afghanistan good, and I will be good too". I think this man was a real Afghan, because he saw his prosperity embedded in that of Afghanistan.

Dear representatives of the people,

Today you proved that you want an Afghanistan that is free of discrimination.

This country has seen cruelty and injustice. Our past history is witness to injustice done to certain qawms (ethnic groups). Our recent history has seen a lot of injustice too. Foreigners have subjected our land to injustice. Invaders, with filthy collaborating hands from inside, have subjected this land to injustice. We have seen much, and we have grown more hard-bitten. We, therefore, see our own interest, and the interest of Afghanistan, best served in a society, and through a system, that is free of discrimination. We need a society where everyone, from a student of the elementary grade to the person who is the head of state, stand equal before the law. We want a society based on law. Today, we created a constitution in order to bring about a law-abiding society.

But is it enough to have a constitution? Certainly not? As [Mr Lakhdar] Brahimi sahib said, a constitution can be no more than a stack of papers. There has to exist a national will (irrada-i-millee) to put principles into practice. And there has to exist a national administration (iddara-i-millee) to ensure the implementation of the law.

I was following the proceedings of the Loya Jirga carefully – don't assume I didn't know what was going on around here. I know there were debates. There were debates about Muqawamat (Resistance), and there were debates about languages. Sometimes these debates were quite heated, sometimes less so. This is the character of democracy. Parliaments in other parts of the world also debate. They even fight, and throw chairs at each other. So there is nothing to worry about conflicting views and about debates. We, in this Loya Jirga of ours, proved to the world that, despite the thirty years of trouble and misfortune, we continue to be a decent, cultured and articulate nation. The world has in fact acknowledged that Afghans do listen, and do respect the expression of free will.

On Muqawamat, I remind those brothers of mine who have argued for it, (Pashto) that Muqawamat belongs to all Afghans. It is wrong for anyone, or any group, to claim privileges for something that belong to the whole nation, just as Jihad belonged to the nation as a whole.

I do not comment on what happened between the end of Jihad and the emergence of the Taliban. But after the arrival of what was essentially a foreign force concealed in the cloak of Taliban [meaning religious students], a plot against the country unfolded. Hostility crept from house to house, from brother to brother, from qawm to qawm. It was a plot against the whole of Afghanistan, spreading from one border to the other.

In the struggle that ensued, all Afghans took part, and all Afghans made sacrifices. In this struggle, Ahmad Shah Masood became a martyr – he who never abandoned the land a single day. He said he would never leave, even if he was left with one foot of territory – and he remained true to his word. This struggle took Haji Qadeer, who stood in the Muqawamat from the beginning. It took Haji Abdul Haq. It took my elderly father, who was martyred as he came out of the mosque in Quetta. It took Ghafar Akhundzada. It took Mazari.

And there are others who still live and are among us. Yar Mohammad Khan. The Governor of Uruzgan, Sher Mohammad Akhudzada. [Urban development minister] Gul Agha Sherzai sahib. The Governor of Nimroz, Karim Khan. The Governor of Farah. The Governor of Herat, Ismail Khan. [Vice president, Karim} Khalili sahib. [Agriculture minister, Sayed Hussain] Anwari sahib. [Commerce minister, Sayed Mustafa] Kazemi sahib. Juma Khan Hamdard. Mohammad Shah Kako. And others who may forgive me for not remembering their names. I myself struggled for the liberation of my homeland from terror and occupation from my abode in refuge.

My brothers and sisters

The constitution that comes out of this Loya Jirga belongs to all of us. It belongs to the nation of Afghanistan. As you sit in front of me today, no one among you is the winner, or the loser.

(Dari)The Loya Jirga which you attended, and the constitution which you ratified, mirror our nation. There is no winner-loser situation here. You are all winners today. Today success is the success of the Afghan nation. It is your success. The gains emanating from this will be shared by all.

[On another point] Kabul is the shared capital of all the people of Afghanistan. Some brothers have complained that when they arrive in Kabul, they face maltreatment. And they say the truth. This must change.

We also still have people who are internally displaced. There are our fellow Afghans who have been displaced from their homes in Mazar-i-Sharif, Faryab and Maimana, and many live without proper shelter in camps in Kandahar, and other places. General sahib [Abdul Rashid] Dostum and others have promised, and have just informed me, that after returning from this Loya Jirga, they will assist our displaced brothers and sisters to return to their homes.

Afghanistan is the shared home of its people.

Brothers and sisters,

As Mr Brahimi said very rightly, women have been part of Jihad and Muqawamat in Afghanistan. Most of the suffering and hardships of the Jihad and other periods have been borne by women, and they do have the right to be recognised for that.

I am happy today, as I am sure you are, that the women of Afghanistan, our sisters and mothers, will have 25 per cent of seats in the Wolesi Jirga (the lower house of the parliament) guaranteed to them. This is something good, and something that makes me happy. Then there is the election commission. If we succeeded to have an independent commission for elections in Afghanistan – as inshallah (God willing)

we will, this country will move on the path of freedom, democracy and proper elections. By an independent commission I mean a commission that ensures that, both during and between elections, governments cannot interfere with its work; a commission that is completely free and able to judge freely.

If we end up with a commission that is bogus and lacks independence, we will never achieve freedom. So it is up to you to be watchful, and ensure that neither this government, nor others in the future, infringe the independence of the election commission. One of the reasons that democracy has remained strong in India is the total independence of its election commission.

(Pashto)

Our new constitution also takes a democratic step that is not only unprecedented in the history of Afghanistan, but of the region as a whole. You were able to agree to give official status to all minority languages in Afghanistan, in order to enable the speakers of those languages to study in their mother tongues. This is quite an innovative step that has precedence only in societies that are strong and solid. In Norway, which is perhaps one of the world's richest nations, even a language that is spoken by 20 or 30 thousand people in a village or town is an official language and people can learn to read it and write in it.

It is a proud a powerful step today that you recognised the language of your Uzbek brothers as official. I am confident, and you can be witness to this, that this step will inshallah make Afghanistan a stronger and exemplary nation in the region. This step will further solidify the foundations of this nation and make us even prouder than we are.

I pray to God for a time when this nation will be able to speak to itself in all of its major languages. I have resolved to learn Uzbek language, and I will do it. I will tell them in their own language: (Uzbek)
“my fellow countrymen, I wish you well,

congratulations to you!”

It is good to be able to speak the language of one's fellow countrymen. It is gratifying for me to be able to switch between Farsi (Dari) and Pashto so fluently.

I will, if I can, learn Uzbek, Pashae and Baluchi.

Power in the world comes from unity and togetherness, not from disunity. And it demands courage. You had the courage and may God reward you for that.

Afghanistan has two major official languages, Pashto and Dari, which we have proudly spoken for centuries.

These two languages will be equally implemented as official medium in all state organizations. My office does this already. I speak and write in Dari, as I do in Pashto. Others will do the same.

Among the desires of the nation is the collection of weapons. For as long as there are weapons spread around, the nation will not enjoy security. This wish will be achieved.

We will remake the administration. We will get rid of corruption.

We will want an Afghanistan where no family suffers from hunger and poverty; an Afghanistan where every village and city will have roads, and electricity; an Afghanistan where women and elderly men are not forced to undertake arduous journeys to travel to a neighbouring country for treatment; an Afghanistan where people will not need to go abroad to find jobs, but where people from other countries will come to work; an Afghanistan that is governed by law, not guns and violence.

We want an Afghanistan where government is accountable to people; an Afghanistan where government is legitimate and chosen through the direct expression of the people's will. We want an Afghanistan whose flag is elevated in the world; an Afghanistan that has dignity and is respected by the outside world.

We want an Afghanistan where there is no injustice; an Afghanistan where laws can be implemented. We want an Afghanistan whose children will not have to go abroad to get a decent education; where others can expect to come and be educated in a decent manner. An Afghanistan whose treasury is respectable, and respected. This is the kind of Afghanistan that we want.

You have shown us today the way to such an Afghanistan. This constitution will be our guide. As a nation, we need to vow that we will follow the way. Take this sincere promise from me that, for as long as I am here as the President, and until there are elections that bring a new president, I will be obedient to the law, and obedient to the national desires. I will not bend or swerve, and if I did, you will, I expect, show me the door.

If today you have laid the foundation for this Afghanistan, then you deserve my congratulations.

(Dari)

His Excellency [chairman of the Loya Jirga], Hazrat sahib, and Mr Brahimi, thanked the respected delegates, the members of the constitutional commission, and all those who have collaborated with this effort, including the international community. I thank them all without needing to repeat the same list. However, if I may, I would like in a few words to say thank you to Hazrat sahib who chaired the Jirga with a lot of kind-heartedness and feelings for Afghanistan, which I know is so characteristic of him, just like a father; thank you to the constitutional commission; thanks to those who worked hard day and night to make this event possible; thanks to the international community for their support.

I had told Mr Brahimi that I would not let him leave Afghanistan, and that the Loya Jirga will not allow him to leave. But Mr Brahimi got the better of me earlier by announcing that he was indeed going to leave. We are not happy about his departure. He has been a real friend of Afghanistan. He has shown real feelings and shed tears for this country. We pray for

him. May God keep him healthy and safe. We will be happy if he chooses not to leave, but if he does, we will give him a medal to take away.
Good bye.