

In the Name of God, the Most Merciful, the Most Kind



May 02, 2017

Freedom of Expression

Freedom of expression is one of the basic rights of human beings and it should be guaranteed by all the societies and laws of the world. Human beings have thoughts and also means to share those thoughts to others; sometimes, these sharing may prove to be very important for the betterment and development of the society; therefore, they should not be shunned or controlled. Throughout their evolution, human beings have observed that the improvements and development that have been made, has had great dependence on the freedom of expression.

Had the great people, not shared their thoughts and feelings with others, so much evolution would not have been possible in human history. Therefore, the every sort of intention that may violate the rights of the human beings to express themselves must be discouraged.

It is also important to note that now the international law also protects the right of freedom of expression for all the human beings. Universal Declaration of Human Rights says, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The greatest virtue of human is wisdom and the greatest act of wisdom is to share knowledge through conversation. Conversation, in its passive form, is a thought, while in its active form it is a voice. As a matter of fact it is difficult to recognize the being of a human without his voice in the infinite expanse of the universe.

Our reach is to the extent where our voice can echo and without our voice we would disappear in the darkness of silence. So, it is important that we talk as long as we live.

The ones who do not have the opportunity to talk they feel that the unspoken words spread throughout their bodies like poison and snatch their happiness.

However, those people would be controversial who, themselves, would always talk but not allow others to do so. Their conversation would really hurt and would be an agony even if they talk about eternal bliss and peace.

It can be observed that the history has never witnessed a nation that might have acquired all the truth in the world; if such a miracle had happened the world would have been free of all sort of deprivations and sufferings. It is the reality of life that its truths are distributed among different times, places, languages and minds. It would be great if all the truths could be acquired from the old men who sit under the tree and tell different sorts of stories to the people; but the reality is different.

Therefore, everyone must be given a chance to speak their minds and let the words flow through their tongues and reach others, so that they can listen to them and analyze them; in this way the speaker would not feel that his words were not given the due respect. A very limited reservoir of knowledge has reached to us and if a major part of it remains untold and is victimized by silence, we would have a major loss - A loss that would be very difficult to compensate for. Here it is important to note that there are certain people, who, when talk, try to create conflicts and differences; however, it should not be forgotten that if such people remain silent, they would create even more divergences.

It is really important that human beings must keep the doors and windows of their inner selves open and let their expressions free like the winds in the deserts and the water flowing in the rivers. Indeed, the ones who speak are the real teachers and while those who are silent basically hide what they have. Therefore, it is necessary that the tradition and culture of speaking must be followed and pursued so as to spread what people know and let the listener judge as per his perceptions.

In our society, for many years there have been certain limitations which are imposed on the people and which hamper free thinking and free expression; however the people have not dared to stand against such limitations though these limitations influence them the most. Moreover, it can be observed that among the ruling elite there is a sort of reservation regarding freedom of expression and they try to practice it in some way or the other.

They try to impose limitations on freedom of expression through certain ways - they strive to generate social pressure and they even design laws to acquire their objective. This clearly shows that they are afraid of the realities and they are not confident enough to face them. However, the people have to understand that only a limited number of people have their self-centered incentives behind such controlled silence; therefore, such efforts should never be supported and people must make efforts to shatter all such chains that strive to chain their thoughts and their talks.



Hekmatyar in the Spotlight

By Hujjatullah Zia

Signing peace agreement with Afghan government, the head of Hezb-e-Islami Afghanistan (HIA) Gulbuddin Hekmatyar has entered the country. His return triggered mixed feelings among Afghan nation. The cyberspace is filled with his past and present practices. A number of Afghans condemn him for his active role in civil unrest and deem him a conservative ideologue. On the other hand, his loyalists welcome him with open arms and sparkling eyes. Perhaps the peace deal with HIA will be the only outcome of Afghanistan's High Peace Council (HPC) which is likely to be a pyrrhic victory since great sacrifices were made in this respect. Ghani's administration signed peace agreement with Hekmatyar in September 2016 and pardoned him for his involvement in deadly incidents. Subsequently, the UN removed his name from the sanctions on February 03, 2017 as a result of Afghanistan's urge.

The HIA vowed to respect the Afghan Constitution in exchanged for the government recognition of the group and support for the removal of United Nations and American sanctions against Hekmatyar. A group of activists staged a demonstration against the pardoning. Human Rights Watch called the deal "an affront to victims of grave abuses." A number of people, mainly women, view Hekmatyar a religious ideologue with parochial mindset and fear that their freedoms will be curtailed if he gets power in the government's body.

The head of Afghan Independent Human Rights Commission (AIHRC) Simar Samar said, "We don't want to lose the past years' achievements that we gained with lots of sacrifices; we don't want to lose them with the return of a person or a commander."

It reveals women's fear of losing their rights and liberty. It is an undeniable fact that Hekmatyar's involvement in civil unrest in 1990s resulted in indescribable destructions and fatalities. Moreover, his men also fought against Afghan government in post-Taliban Afghanistan. Picturing these views, one will feel a strong sense of fear and disappointment.

On the other hand, Afghan officials have welcomed his return with open arms and appreciated him for joining peace process. No wonder, Afghan High Peace Council (HPC) was established in 2010 to bring warring parties to negotiating table. All parties, including the Taliban's splinter group, refused to join peace process and intensified their attacks inflicting heavy casualties on Afghan soldiers and civilians. Neither Mullah Omar nor his successor held talks with Afghan government.

Likewise, Mullah Haibatullah, who has recently an-

nounced "Mansouri offensive", follows his predecessors' footsteps and kill Afghan people indiscriminately.

The Taliban also condemned Hekmatyar for joining peace process. In a video clip released by the Taliban, a high-ranking official from the Taliban's splinter group Mullah Manan says that the talks are mostly engineered by Pakistan and those who sit on the peace table are no more than political pawns. He says that an Afghan-led peace talks will be held on the condition that all foreign troops withdraw from the country.

However, Hekmatyar has urged the Taliban, in his speech, to stop violence and bloodshed and join peace process. He called the Taliban's war unsacred which has no religious legitimacy and lashed out against their recent attacks on unarmed soldiers who were offering prayer in a mosque in Mazar-e-Sharif.

Besides regretting women's absence in the welcoming ceremony in Nangarhar, Hekmatyar disapproved of women's negative role in media such as their half-naked presentation. He also criticized the national media for broadcasting serials which are against Islamic tenets. His words reflect two facts: first, he is no more against women's social and political life.

Perhaps, he has reconciled his parochial mindset with the evolution taken place in the post-Taliban Afghanistan or he simply intends to say that he will respect women's rights in the frame of Afghan Constitution as he committed so in peace agreement. Constitutionally, there is no discrimination between men and women and both will exercise their rights and liberty equally.

Second, his disapproval of anti-religious and anti-cultural values such as western serials shows his religious dilemma. The second fact does not bespeak of a radical view either. The broadcast of western serials have been constantly criticized by the clergy since they are against Islamic tenets and moral values of the society.

However, there are doubt and wonder if Hekmatyar has accepted the Afghan Constitution and all its contents. The Constitution respects the United Nations Charter as well as the Universal Declaration of Human Rights (UDHR) as it is stated in its preamble and article 7.

Hence, now one will doubt whether or not Hekmatyar reconciles his religious views with the secular issues of UN Charter and UDHR - this paradox lies in the Constitution, too. To sum up, Afghans fluctuate between fear and hope with the peace agreement and return of HIA's leader. Mixed feelings and anti and pro-slogans seem natural since every leader has their own opponents and proponents.

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Peace and Need for New Approach in Religious Knowledge

By Mohammad Eshaq Arifi

Peace, which is a serious need in Islamic world mainly in Afghanistan, is in need of the political evolution in educational system in elementary and higher levels. The dictation of peace-making mentality and peaceful life will promote peace-loving mindsets in all aspects of social life and ensure serenity of collective life. The higher level of education is supposed to create mentalities and ideas for organizing social orders and it is the most effective element that provides the sequence of fire-ceasefire theory and provides the ground for it.

Fire and ceasefire in Afghanistan have taken place mainly on the basis of religious tenets and theoretical preferences of sharia. In fact, there are irreligious tendencies behind the practical facts and these inclinations fan the flame and play a critical role in this regard.

However, justifying the fire and ceasefire and persuading the warring parties will be possible only through religious doctrines and sharia. Explaining the status of peace and peaceful life in sharia's theoretical doctrines and jurisprudence (Fiqh) bears strategic significance. In higher and academic levels, the exact approach of sharia and jurisprudence should be considered deeply and reviewed again to determine the border between war and peace.

This fact is necessary for finding out educational and religious supports for peace and institutionalizing it in different social fabric of society. The formal knowledge of jurisprudence (Fiqh - a field of study in Islamic sharia) has adopted an otherworldly approach towards war and peace and passes judgement over the human societies based on the same view.

In other words, the theological propositions, which determine man's position in the hereafter, is deeply imbedded in jurisprudence and deem the issues of hereafter as obligations for this world. The issues of polytheists, infidels and pagans will be judged in the hereafter. But this is a hot issue in jurisprudence and has stoked sectarian, tribal, racial, religious and political discriminations and tendencies through discriminatory interpretations, which originate from biased minds. This fact has led to violence in social relations.

The theological and otherworldly approach to jurisprudence might be one of the most serious and complicated issues throughout the Islamic history. Currently, it is believed that under the theoretical aegis of jurisprudence, thousands of thousands of people have lost their lives. The violence ushered in by fundamental groups around the globe, mainly in Islamic world, stems from the words and concepts of infidelity and polytheism and supported by theory of jurisprudence, which has resulted in deadly and bloody incidents.

That is to say, the fundamental rights of mankind such as peace, the right to life and liberty and human's dignity

have been considered alienable based on the mentioned views and approaches. Death, violence and dishonor are carried out as jurisprudential task-orientation. Moreover, the implementation of the jurisprudential tenets are carried out for the fear of hereafter.

Based on such approach, jurisprudence and the Islamic tenets are not approved for organizing social relations and peaceful life but for finding out an immunity from divine punishment and analyzing it from fatwa and legal tenets. The formal knowledge of jurisprudence has failed to reconcile the legal propositions of sharia with men's natural rights. It also failed to recognize mankind on the basis of being human and entitled them with peace, freedom, life and dignity regardless of theological categorization such as Moslem and infidel, monotheism and polytheism, Shiite and Sunni and so on.

The tendency of jurisprudence towards hereafter is the main reason that the otherworldly menace of sharia should be taken seriously.

As a result of this approach, the natural and divine rights of mankind, which are supposed to organize social life, have been neglected.

The legal principles and the principle of men's natural dignity are approved for peace and peaceful life regardless of theological categorization. Therefore, concealing this fact will lead to large-scale catastrophes and terror in Islamic world and peace will be a strange issue in the history of Moslems.

Considering the aforementioned issues, a deep and fundamental change needs to be done in educational systems and jurisprudence for supporting and prioritizing peace. All educational institutions in the field of religious knowledge should be equipped on the policy of "the principle of peace". Moreover, the worldly and otherworldly issues must be distinguished, the principle of peace and peaceful life in Islamic and non-Islamic societies should be prioritized. To put it another way, these issues must be debated logically and supported by strong theological reasons and right-centered life in all social fabric of society so as to ensure a promising life. The Afghan government will have to smooth the path in this regard and spend part of the budget in providing sustainable peace.

There are noteworthy resources and capacities in religious texts that one can gain peaceful legal and social system in case of changing the jurisprudential presumption and approaches. To sum up, a peaceful life is possible far from theological and ideological presumptions. So, a fundamental change is needed in higher level of education and knowledge of jurisprudence. The government should pay more serious attention to this fact.

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