

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



May 24, 2018

It is the Governed Who Shapes the States

In every state, there are two visible groups: the government and the subjects or the governed.

Much of the discussions pertaining to politics and society have been on how the governments should function and what characteristics they should have. While, there is a little discussion about how the governed should be and how they should behave and live in a state. This discussion is important because the current societies are different from the earlier ones to a large extent.

The earlier societies used to be based on monarchy, oligarchy, aristocracy or dictatorship; therefore, most of the authorities were with the government and they were rarely accountable to the governed. As a result, it was important to discuss the nature of the government and the governing individuals or the leaders. However, as the societies have evolved to democracies, they have experienced more participation of the governed in the matters of governance. They have more say in the formation of the government and they can, in certain ways, hold the government accountable for different policies and actions.

One of the best ways to influence the government is the process of election, which was not an option in monarchy, aristocracy or dictatorship. Through elections the governed can choose the leaders of their choice. Moreover, the modern societies have developed modern media that highlight the different actions and policies of the government and bring them into the attention of the masses; in certain cases, they even help in assessing those actions and policies. Meanwhile, the modern media, itself, is highly dependent on public opinion. It can shape or be shaped by views and thinking of the people. So, the thinking, feeling and emotions of the governed become very important.

Thus, it is important to have discussion on the governed, not only on the government, and what qualities and characteristics they should have so as to flourish a better society. There are certain important characteristics that must be there in them in this regard. Most importantly, the masses in a state must be educated and aware because both education and awareness would make them understand the society and their status, roles, rights and responsibilities in it. Though education is debatable, awareness is indispensable, as some would believe that formal education supported by the government may make the people more loyal to the government instead of making them independent individuals who would be able to analyze the government and its policies critically and have the capacity to bring about important changes in the society. Awareness is majorly based on experience and open-mindedness. Though it is very difficult to achieve awareness without education, it is not impossible.

The governed must also be vigilant and must have an active part in the affairs of the state. They must not be dumb and deaf subjects as in that way their rights would be easily violated. There are political scientists who believe that the rulers are basically the people who gain authority in order to defend their own interests. They are not always interested in what the common masses get; rather their attentions are diverted more towards their economic benefits. Therefore, the masses must be vigilant to identify the policies of the government that are not intended to bring prosperity to them. They have every right to fight for their rights politically and must make sure that their rights are not violated in any way. In that manner they would be able to stop the rulers from using the authority only for their personal benefits.

Political consciousness is another important quality that the masses must develop so as to comprehend the developments and the changes in the political system. Through such a consciousness they would also be able to gauge the policies of the government as per the political demands. Furthermore, they would gain the capacity of strengthening the political institutions and enrich the political culture with democratic and positive elements. They would, at the same time, be able to exert for positive political changes through their voting power, the tendency to change, participation in political affairs and, at most, through democratic demonstrations and protests.

Countries like Afghanistan would also require concentrating on the characteristics of the governed as well. Unfortunately, the common masses in Afghanistan have not been able to gain the attentions. They still lack basic requirements of life and suffer from lack of awareness and consciousness. Therefore, their roles are very limited in Afghan society and mostly the rulers rule the country as per their will. Even if the rulers have the policies that are detrimental for Afghan people and Afghan society and are contradictory to the wellbeing of the masses, they do not face much opposition as the masses are not able to identify them and insist on the changes through political means.



از کاهش سرمایه گذاری در کشور

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Harassment of Women, Hidden Violence in Afghanistan

By Fariha Easar

Sexual harassment of women in Afghanistan has always been a hidden challenge, but due to the traditional and patriarchal (man-led) structures of the Afghan community and the institutionalization of harassment, the women seal their mouths and silently tolerate the harassment. Revealing such cases and filing a formal petition is considered a disgrace (shame) and causes society to question the dignity and honor of women in Afghanistan.

Harassment of women is tolerated in society and the relevant authorities do not take such cases seriously which has created many challenges for women in Afghanistan including dispossession of individual liberties, violations of women's fundamental rights, abuse and rape of women.

One of the most common forms of harassment is catcalling women on the streets and bazar, which is an immediate violation of the dignity of women. If the men persist on doing this, it is the woman who loses her individual and social liberty including her mobility to leave the home. Inappropriate treatment and harassment have a profound psychological impact on women, not only making their work and presence in society challenging, but over time, it undermines their character, self-esteem and confidence in social activities. Harassment is a deplorable social action against women that is not limited to public places but includes work places, educational places, sports facilities and their own homes. A report published by the Women's Affairs Ministry in 2016 considers harassment of women as the third most important factor in women's under-representation in institutions. According to the report, most women do not dare to complain and prefer to remain silent when they are harassed, fearing the loss of their job or harm to their dignity. In a recent report published by the Women and Children Research Institute in 2015, 90% of interviewed women were harassed at least once in public, 87% were sexually harassed at work place and 91% experienced it in educational facilities. Similarly, a smaller research project conducted in the Daikondy Province by the Organization for the Development of Youth, shows that 85% of the 115 women interviewed suffered sexual harassment in their lives.

Sexual harassment of women in justice and judicial organizations is another serious concern of women's rights activists and officials in this sector. Latifah Sultan, the head of the Women's Rights office at the Afghanistan Independent Human Rights Commission, said in an interview: "The cases of harassment of women prisoners by judges, in Badambagh Women's Prison, have been registered with the AIHRC." Convicted women in an interview with the AWPR also stated that detainees were harassed by police officers and judicial authorities. Zahra (pseudonym), who was sentenced to 15 years' imprisonment and had been detained in the Badambagh Women's Prison, said: "On the way to the police station, police officers touched parts of my body in the car and when we reached the police station, one of the officers asked me to go to his room and I warned them that I would scream and shout if they tried to approach me. She continued that they were like hungry wolves, and I stayed up all night until they transferred me to Kabul police headquarters in the morning." Meanwhile, many attempts have been made to recruit female officers for the sake of women prisoners and suspects, but these attempts have been less impactful, because there are only a small number of female officers within the police force. In addition, female prisoners have no means to document the sexual abuse or raise evidence based complaints. As there is nobody to testify to the act of harassment.

The question is, are the actions that have been undertaken by the active governmental, national and international institutions in this sector able to solve the challenges of women who are struggling daily with persecution and harassment? It is obvious that the answer is

No. Although the current government's efforts to criminalize sexual harassment are promising, nevertheless, enforcement and the rule of law are a serious concern for the people of Afghanistan. The enforcement of the Law on Elimination of Violence against Women (EVAW) in 2009, Law on Anti-harassment of Women and Children in 2017 and the new penal code in 2018, are among the measures that could ensure the serious consideration of cases of sexual harassment of women to a certain extent in Afghanistan. The EVAW law is the first law to criminalize harassment of women, in Article 3 it defines the harassment of women as follows: "Use of any words or performance of any act that causes damage to personality, mind, or body of a woman." The perpetrator shall be sentenced to 3 up to 12 months of imprisonment in accordance with Article 30 of the same law, depending on the aggravation and mitigation degree of the offence.

Likewise, the Law on Anti-Sexual Harassment of Women and Children, in the 3 chapters and 29 articles (recently provided for adoption by the President) has defined sexual harassment in Article 3 as follows: "Harassment is physical contact, illicit demand, verbal and non-verbal molestation, or any activity that causes physical, psychological harm, and insulting human dignity of the woman and the child." According to the definition of harassment set forth in this law, sexual harassment is divided in three main categories: 1) physical persecution, defined as: "Touching the body of the woman and the child, deliberately, intended to slightly harm or damage the body of the woman and the child." 2) Verbal harassment defined as: "Using words, sentences, jokes and immoral humor and descriptions of the body, behavior or clothing and telephone interruptions that harm the woman's and the child's health and safety." 3) Non-verbal abuse defined as: "To display (exhibit) offensive images or offensive content in relation to sexual issues in the media and social networks or via emailing, photo shoot, publish, or broadcast the film of a woman or family, etc., by any means that causes damage to the personality of the woman and child and their mental health." Also, in accordance with Articles 17 and 18 of this Law, the victim of harassment herself or her relatives or her legal representative can file their complaints in writing to the Committee on Anti-harassment of Women and Children in the relevant institution or to the Offices, Police, and Courts, Provincial or Districts Councils or other authorities. In addition, the law foresees punishment for perpetrators of harassment in Articles 24 to 27. If the offense of harassment occurs in public places and premises, public transportation or any other place, the perpetrator will be fined from 5,000 to 10,000 Afghani. If the offense takes place at a work station, learning and educational center or health center, the perpetrator shall be sentenced to pay from 10,000 to 20,000 Afghani and shall be sentenced to three to six months' imprisonment, considering circumstances in aggravating condensation.

In terms of legislation, this law is not free from defects and in some cases it is at the expense of women, and also due to traditional structures and extremist mentalities, we are still facing many challenges in the implementation of the Law on Elimination of Violence Against Women. However, such laws can be a good valve of hope for the elimination of violence against women, especially the sexual harassment of women in Afghanistan.

The challenge is whether or not women will have adequate, or even any, access to these anti-harassment support systems and mechanisms because the relevant institutions failure to take these cases seriously and, in many instances, even harboring of hatred against the victims, may make the victims access to these services impossible.

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Criticisms over the Insecurity Upsurge

By Mohammad Zahir Akbari

Afghans are extremely tired and angry due to endless war and rising numbers of suicide bombings and attacks, especially in recent months. Successive attacks have been carried out targeting journalists, men, women children and dozens of security forces. In addition, 13 provinces are engulfed in fighting against terrorists sometimes winning and sometimes losing but never eventuates to a favorable result. When one interrogates from local people, then he would easily come to understand the depth of social dissatisfaction and gaps between government and people. However, it seems that no one is seriously propelled to double the efforts for putting an end to the decades-old war.

In addition, the frequent tragedies and death bodies which are broadcasted through mass media it can badly affect over the psychology of the people, especially the students, teachers and economic investors are severely disappointed to invest in Afghanistan. When there is a suicide attack the residents are largely following the news through TV or their hand set mobile while the children, teenagers, elders, women, girls and all witness insecurity and painful events which resulted to live in fear of the next attack. Students, teachers, investors and etc that are considered as a real capital of a society, are compelled to leave the country for the purpose of reaching a secure abode. Likewise, the social and economic institutions lose their concentration to perform their function properly.

Therefore, last Sunday, a number of Afghan angry senators burst into harsh criticism that the government have to cancel the Bilateral Security Agreement (BSA) with the United States, insisting that the deal has not been proved effective to ensure stability and prevent outside influences. Since launching their spring offensive so-called "Al-Khandaq Operation", the Taliban have increased scale of attacks across war-torn Afghanistan. The insurgent group has recently seized several districts in Baghlan, Badkshsh, Faryab and Ghazni provinces, following the new war season. Criticizing the U.S. over failure to cooperate and 'act timely' against the militants' attacks, mainly in the provincial capital of western Farah province that left scores killed and injured recently, the senators called Kabul-Washington security deal, which was signed the day after National Unity Government (NUG), is useless for Afghanistan.

Accordingly, they blamed government for inability against terrorist groups. "The government is not capable to ensure security; when they [the Taliban] have attacked Farah [City], Where were Americans? When the security forces were running away, they should have targeted them [the Taliban] by airstrikes. So, the security agreement with America should be canceled," said Senator Zalmai Zabuli. "The foreigners shouldn't be just watchful of the situation in Afghanistan. If they can't help, they should leave Afghanistan. What is the advantage of having their presence in the country," said Senator Mohammad Hanif Hanafi. The chairman of the Senate House (Meshrano Jirga), meanwhile, said

that the security officials should make clear the implementation of the security agreement with the U.S. and that thereafter; a decision should be taken over the issue.

The Upper House Chairman, Fazal Hadi Muslimyar, added the Senate had in-depth discussions regarding the recent developments in the country, including discussions regarding the impact of the US and NATO security pacts on security of the country. He said the Senate House decided to summon the top security officials to brief the lawmakers regarding the effect of the security pacts on the situation, including their benefits and losses. Muslimyar further added that the necessary decisions will be taken considering the situation if it was found that the security pacts have not proven useful for the country. According to Muslimyar, the Senate will urge the US and NATO to further strengthen the security and defense forces, specifically the Afghan Air Force, if the security officials provided positive feedback regarding the benefits of the pacts.

According to The security pacts with the United States and NATO, which were signed at the start of the government of national unity, they have to protect Afghanistan against any security threats may imposed by any countries. Some other members of Meshrano Jirga stressed that if the international community do not fulfill their commitments and does not prevent the influence of neighboring countries it will be difficult to maintain stability in the country.

However, according to the media reports, some 3,400 NATO troops and at least 2,300 of which were Americans have been killed in Afghanistan's war. Beside this, they claim that they have spent nearly one trillion dollar since 2001 covering both military civil section. But people of Afghanistan expect to see practical changes in the society and also in the battle field throughout the country. If they see true changes and firm will in the ground, they may entirely support from foreigner's presence as they did in 2001. Thus, NATO, European Union and USA unanimously supported president Ghani's political attempts when he offered "unconditional peace talks" to the Taliban, who was largely responsible for the deaths of NATO, Americans and Afghan troops. While according to UNAMA, Taliban and Takfiri group are also responsible for more than 65% of 28,000 civilians' victims have been killed and more than 50,000 injured since 2009. By and large, neither common people are satisfied with current warring situation and nor the elites. They believe that reconciliation with terrorist groups should be handled from the position of strength, and not from the position of appeasement and weakness. Experts believe, in addition to serious fight against terrorist, we need to fight against terrorism and the root cause of challenges in order to reach sustainable solution.

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