

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



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Why Republicanism Matters for Afghans

Afghan people during most part of the history of the country have been governed by dictators; a single ethnic group or family had absolute power and the majority of them had no say in the politics decision making processes. This means that the Ruler or King had complete control and the rights of the people were suppressed systematically. The leaders of dictatorships were usually backed by powerful groups of certain ethnic or religious groups. The dictator ensured the rights and interests of the certain ethnic or religious groups and they supported him unconditionally against other ethnic or religious groups. The ultimate result of these processes of governance was ethnic conflicts and suppressions, unequal distribution of opportunities and resources, military coups and sustainable political mistrust and instability in the country. Absolute poverty, low rate of literacy, poor health conditions, wide spread unemployment, weak economy were the main characteristics of Afghanistan. Even now, we just struggle to transfer from the socio and political structures of dictatorship system that has been the overarching tradition of government system in the country; indeed, Afghanistan has made efforts in some period of its history to overcome such suppression system, but neither such efforts have been sustained and nor they have succeeded due to the ethnic oriented government system that preferred one ethnic group on others.

However, the current generation of Afghans know what governance system can ensure the rights of all the ethnic and religious groups equally and how it can ensure a prosperous Afghan national. Afghan people have learned very well from the dark and unfair government system of the past. To be a kingdom or emirat means the same for Afghans. They have the same experience from the most Kings and Emirs like Abdur Rahman Khan and Mullah Omar. For instance, In order for a dictatorship to form, all opponents of the dictator ultimately need to be removed. It was what Abdur Rahman Khan and Mullah Omar did with many ethnic groups, especially ethnic cleansing of Hazaras. Under Kingdom of Ubdul Rahman and Emirat of Mullah Omar, many people were persecuted for reasons including their ethnic or religion status.

Republicanism As a sustainable solution to the Conflicts in Afghanistan

In general, republicanism refers to the ideology embraced by members of a republic, which is a form of representational government in which leaders are elected for a specific period by the preponderance of the citizenry, and laws are passed by these leaders for the benefit of the entire republic, rather than select members of a ruling class, or aristocracy. In a democratic system, men are all equal; equal they are also in despotic governments: in the former, because they are everything; in the latter, because they are nothing.

The US and Taliban Talks, fear of Compromising Democracy

When the first round of the US and Taliban talks started, many ordinary Afghan people feared that the US may compromise democracy for a peace deal with the Taliban. And most of the Afghan political elites played a very negative role in public awareness on the issues of the peace talks; they mostly reflected and highlighted what that Taliban said and rarely focused on what the US negotiators said or what issues were highlighted and were focused by the Afghan government. This approach, created a negative environment about the peace talks, return of the Taliban with the same ideology and political behavior. However, The Especial Envoy of the US, Khalilzad, clarified two issues very clearly that the deal was finalized and ready for the approval of President Trump and non-acceptance of the Emirat Government system by the US.

Afghan people have suffered nearly during the course of the history of Afghanistan from dictatorship systems. It does not matter what they named themselves, i.e. Kingdom or Emirat, but they suppressed equally the Afghans. As a result, this time the Afghans will defend the Republicanism by all forces they have. They will not allow the Taliban return and rule them under Emirat system that denies the ethnic and religious freedom of them. They will stand against the Emirat system as system of suppression of minority groups, especially the women, and they will ensure that the Republic system will remain in place to acknowledge that all Afghans, women and men, are equal members of the society.



Protecting Afghan Constitution is a National Obligation

By: Hujjatullah Zia

The Loya Jirga, held in post-Taliban Afghanistan to approve constitution, has been a controversial assembly since Afghan representatives from many walks of life - including religious scholars, Jihadi leaders, intellectuals, and women - participated.

Human rights discourse and sharia law have been debated hotly between conservatives and modernists in Loya Jirga. Some religious scholars sought to put their weight behind sharia law, however, it was not agreed upon. A number of individuals showed tendency towards democratic principles and equal rights for men and women.

US Special Envoy Zalmay Khalilzad, who was one of the participants in the Jirga, said in his book "The Envoy" that "we would end up with a system that accommodated sharia principles and also committed Afghanistan to international norms, principles, and laws regarding human rights. Even during the pre-war period, when Islamic fundamentalism was a far less influential force in the country, the Afghan legal system had been based on a mix of French law and principles from Hanafi school of Islamic jurisprudence."

To resolve the issue, Khalilzad added that Fazl Hadie Shinwari said that sharia principles would help guide the judiciary's decisions. "He clarified, however, that the new government would ensure basic liberties and that it would not condone stoning and other harsh punishments permitted under the Taliban." Subsequently, Afghan Constitution was approved recognizing both Islamic principles and the Universal Declaration of Human Rights (UDHR) and the United States Charter. It includes democratic principles and equal rights for men and women as Article 22 states, "Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. The citizens of Afghanistan, man and woman, have equal rights and duties before the law."

Besides adhering to the UDHR and UN Charter, Article three says, "No law shall contravene the tenets and provisions of the holy religion of Islam in Afghanistan."

Although supporting sharia law on the one hand, and adhering to UDHR and UN Charter on the other hand, is somehow contradictory, the current constitution is endorsed based on democratic principles and surpasses many constitutions in terms of being democratic in Islamic countries.

Now it is feared that with the return of Islamic Emirate after a peace deal signed between the Taliban leadership and the Afghan government, the Taliban will

seek to tailor the constitution based on their own parochial worldview.

Practicing upon fundamental ideology, the Taliban regime did not approve a constitution arguing that Qur'an, the Holy Book of Muslims, contained each and every issues and there was no need to a man-made law since God established law for His creatures. This argument was highly misleading. Even during the regime of King Amanullah Khan, when mullahs and conservatives revolted against his reform and modernist movement, a mullah held Qur'an in one hand and constitution in his other hand asking the masses which one they wanted. The masses, who were mostly illiterate and conservatives, had no choice other than insisting that they wanted the book of Allah, Qur'an. The Taliban thought the same way. They hardly ponder that with the emergence of modern world, people have many new requirements to be met by law.

It should be noted that Islamic laws are divisible into two distinct kinds: First, those laws and regulations pertaining to a section of beliefs and principles, which form human devotion and humility towards the Creator (in which there is not possibility of change).

It is true that human beings naturally prefer the new to the old, but this generalization cannot be applied to all situations and practices. As we can never say that since the well-known formula; two multiplied by two is equal to four, has been used by mankind for thousands of years, it has become obsolete and needs to be discarded.

Second, those laws and regulations which have temporal, regional or some other special aspects and change their form with variation in modes of living. This class of laws is alterable according to gradual cultural advancements and changes in social spheres. Thus, this kind of law needs revision with abolition of old custom and traditions.

With this in mind, constitution must be approved to meet the new requirements of human societies. It is highly difficult to imagine a country without having a constitution or civil and criminal laws.

Overall, Afghan constitution should be a "red line" for the government and the Taliban should not impose their mindset in the constitution, particularly regarding equal rights and obligations of men and women. Since the current constitution was approved in the presence of Afghan high-level clerics, both Shites and Sunnis, the Taliban have to reconcile their mindset with this and do not push for its amendment.

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Causes and Cures of Terrorism in Today's Context

By: Rajkumar Singh

In present context, globalisation has let loose the forces of uncivil society and accelerated the transnational flows of terrorism, human and drug trafficking, organised crime, piracy, and pandemic diseases. Terrorism continues to be generated by recurrent social crises, arising from the increasing fear of marginalisation of some sections of society caused by the indiscriminate spread of capitalism and the free economy, through much publicised globalisation which may be perceived another dimension of religious fanaticism. Despair caused by social marginalisation, economic deprivation, and political defeat is another cause of this modern phenomenon. When the situation is thus monopolised by global power, when one deals with this formidable condensation of all functions through technocratic machinery and absolute ideological hegemony, what other way is there than a terrorist reversal of the situation. It is the system itself that has created the objective conditions for this brutal distortion. By taking all the cards to itself it forces the other to change the rules of the game. And the new rules are ferocious, because the stakes are ferocious. The terrorist groups are not ordinary civilians or some misguided youth but the paramilitary organs of militant extremism such as LeT, Naxalites, and the like who believe in the culture of extreme violence and whose objective is destruction of the established social system and structures, that is, the whole way of life of free societies. This virus does not take long to infect homegrown products and soon enough local criminal gangs get drawn into the terrorist's web.

Combating today

Globalisation also cast a dark shadow on the governing pattern and civil society of the nation state system. The growth in transnational flows has not been matched by an equivalent growth in global governance mechanisms to regulate them. And yet the very nature of the structure of globalised network, which intertwine global actors and interests, ensures that no single power is able to maintain its position within the newly emerging global disorder without making compromises with other global players. The transfer of state functions to supranational forms of regional governance could enhance the capacity of individual states to combat uncivil society. The sharing of expertise, institutions, policy tools, personnel and other resources can go a long way in stemming the tide of unwanted activities. In this context justice is one of the strongest pillars for the Parliamentary democracy. Justice is truth in practice. Rule of law provides citizens a sense of protection and self-confidence. We should not forget that denial of justice breeds terrorism. It is not terrorist or terrorism who divided Ireland nor caused Israel-Palestinian problem. Terrorists did not separate India and Pakistan neither they carved out Bangladesh. As a result of the injustices and inequalities, a different kind of challenge is faced by countries of the world in general especially the developing and underdeveloped.

In combating terrorism three distinct functions are involved. They relate to pre-empting and preventing; containing and managing; and investigating and prosecuting. The fight against terror is larger and more complex than the challenge of dealing with terrorists. The former requires more of statesmanship and good governance. The latter demands legislative and administrative reforms to plug loopholes in criminal law and the criminal justice administration. In addition, timely, accurate intelligence and up-to-date databases on terrorist elements are essential to evolve strategies to counter terrorist activities. This requires multi-agency coordination and time-bound action which only an empowered central body with regional and local field officers with instant connectivity can accomplish. Similarly, a dedicated team of highly motivated, well-trained and fully professionalised officers supported by adequate resources, equipment and authority alone can take timely action to combat terror. In most of the cases of terrorism, regional cooperation can be an effective instrument for the suppression of terrorism. The external support is often found in every operation of terrorist acts in any part of the world whether in the context of interconnection between a group and its rival group, a group and its enemy state, or a state and its unfriendly state.

Precautions in dealing

In the age of global terror nations targeted by terrorist campaigns find themselves in a difficult situation: they feel tremendous pressure to respond in some way to respond terror attacks, but there is no obvious correct response. Passively absorbing continued attacks on civilian targets is not an attractive policy option, particularly in democracies where public dissatisfaction is a major input into government decision-making; but the alternatives to passive victimhood are often controversial, expensive, and inconvenient and sometimes ineffective as well. Governments in democracies have constantly to balance the citizens' right to live their lives in freedom, with minimum interference with their privacy from the security agencies, against their responsibility to protect their citizens from harm. In the fight against terrorism the strengths of a free society are also its weaknesses. Terrorists use the rights and liberties inherent in a democratic society to operate with comparative freedom and then use the democratic laws to circumvent or evade the consequences.

The countries of South Asia in general are facing the problem of terrorism and insurgency and the both required a different approach in handling. Terrorism needs a top-down approach while insurgency required a bottom-top approach. For an insurgent movement to flourish, it must have support of a segment of the population whereas terrorism can be effective with just a few sympathizers' and supporters amongst the population. In tackling an insurgency, it is a fight for the hearts and minds of the people and the people have to be addressed and won over. With terrorism, the leadership or perpetrators of terrorism need to be targeted. Insurgency usually has rural roots while terrorism has an urban bias. The most valuable sources against terrorism are human beings, long-term penetration agents, who will stay in place for a long period and work their way into positions where they can provide key intelligence. Thus human and technical intelligence taken together must be backed up by long-term investigation and assessment, to understand the terrorist organisation, its people, its plans and its methods.

Schools of thought on terrorism

The present thinking on terrorism can be divided into two schools of thought. One school of thought places the terrorist beyond the pale of civilized society and considers him anathema to civilisation and stigmatises him as a plain murderer who needs to be eliminated. The second school of thought encourages an in-depth study of, and a systematic approach to understand and eradicate, the reasons that bring about such upheavals. The rational political, social and economic aspirations of peoples which when frustrated continuously give rise to full blown terrorism of modern day, must be sifted out of the process of terroristic actions and looked at separately. Those political aspirations must be addressed honestly and seriously.

A State sponsoring terrorism or instigating violence in another country has long term strategic or political agendas and state-sponsored terrorism when used as a foreign policy tool translates into an unconventional war. Generally no-solid evidence and mercenaries instead of employing its own army or Special Forces. Determining the threat posed by international terrorism whether state-sponsored or otherwise is a difficult and complex task. This kind of terrorism has attained dangerous dimensions both in South and Central Asia. It constitutes a serious threat to regional and international stability. Therefore, terrorism is a phenomenon which must be condemned, fought, resisted, controlled and, eventually, eliminated at all levels-national regional and international. Conditions necessary for wiping out terrorism must, accordingly, be cultivated and strengthened nationally, regionally and internationally, and unilaterally, bilaterally or multilaterally. Terrorist acts confronted by a state cannot be eliminated by the affected states alone because of the international linkages of the terrorist groups. It is, therefore, clear that all the nations must form a common front to fight terrorism. If the much needed spirit of international cooperation in the required degree is not properly established, the world would become a dangerous place to live.

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