

Nushin Arbabzadah (UCLA): Afghan constitution puts media and Islam into conflict

By Edward Campbell

Missoula, April 22 (Al-Masakin)--The University of Montana kicked-off its 7th Annual Southwest and Central Asian Conference with a presentation by Nushin Arbabzadah of UCLA's International Institute. Ms. Arbabzadah praised the media, particularly the *Institute for War and Peace Reporting (IWPR)* and *Internews*, for spreading democracy and nation building, though she herself admitted she is afraid to read Taliban media website *Al-Emarah* out fear of being targeted by western powers.

Ms. Arbabzadah said, however, that the media is the only reconstruction project undertaken in Afghanistan which has been successful. Although Ms. Arbabzadah said that she does not believe that Islam and the principle of freedom of speech are locked in irreconcilable conflict, the phraseology of the Afghan Constitution which limits freedom of speech by the laws of Islam has created this conflict by its failure to clearly define where Islam stops and free speech begins. The constitution of Afghanistan stipulates that freedom of speech cannot contradict the laws of Islam without going into detail as to what the 'laws of Islam' are.

This failure to clearly define in the Afghan Constitution what in fact Islamic law is has resulted in what most Americans would believe to be unjust detentions for religious scholars and secular radicals alike under charges of blasphemy.

According to Ms. Arbabzadah that while statutory law in Afghanistan is frequently ignored or is unenforceable, the Afghan



regime has been compelled to aggressively pursue charges of blasphemy in order to prevent the Taliban from making political gains.

Ms. Arbabzadah mentioned several instances of the oppression of journalists including the 2005 murder of a female journalist for Afghanistan's *Tolo TV*. According to Ms. Arbabzadah at least three female reporters for *Tolo TV* have been murdered since 2001, none of the murders were investigated by the Afghan government. Ms. Arbabzadah said that among the most influential television stations in Afghanistan were *Noorin TV* which targets the youth with all of the things which annoy even American parents, 'fun and fashion,' and *Ariana TV* which has taken up a positive role through the dissemination a progressive views of Islam.

Arbabzadah on the other hand noted the shutdown of the Afghan newspaper *Payman Daily*, which took a scientific approach to theology, after it published an article which said something to the effect that the 'question of the afterlife is and unsolved mystery,' and that those who have claimed to know what the afterlife (Jannah جنة, which means 'paradise') is like do not know.

In addition to these unfortunate events, since 2001 Islamic scholar Ghaus Zalmay, along with his Imam, was jailed for 20 years for publishing a Dari translation of the Qur'an which failed to include its corresponding Arabic a yatun (آيات, verses) and for somewhat softening the a verse of the

Qur'an which claims other religions will be 'conquered' with the word 'persuaded.'

In addition to this tragedy of law, Shi'ite scholar Ali Mohaqeq was jailed for 6 months for claiming there is no punishment for those who repudiate their faith in Islam. Mr. Mohaqeq would have very like been sentenced to a much longer term had it not been for pressure emanating from Iran, where he was educated.

This year's Central and Southwest Asian conference was begun with an announcement by Professor Mehrdad Kia that the University of Montana has promulgated a new Major in Central and Southwest Asian studies, one of the very few in the United States, which is expected to bring not only a great amount of prestige to this once wild-backwater, but also an influx of world class talent in the field.

The conference will continue tomorrow with presentations on Tajikistan, Afghanistan, and Palestine. Kyrgyzstan, the Arabic language, and the conflict between Georgia and Russia will discussed on Friday.

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