LACK OF SPECIALIZATION IN THE PARLIAMENT AND ITS IMPACT ON THE SOCIETY IN AFGHANISTAN BEFORE TALIBAN COME INTO POWER ON AUGUST 15, 2021 (CAUSES AND EFFECTS)

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Abstract:

Afghanistan is a country with a long history and an ancient cultural history that suffers from deprivation in cultural, social and economic dimensions. Its historical experience is politically intertwined with a long-standing dictatorship and far removed from popular rule. The latest bitter experience of authoritarian rule is known as the domination of the Taliban ethnic sectarian system, but after the overthrow of the Taliban, a new trend emerged in which the slogans of popular participation, national sovereignty and democratic government were its main features. According to the indicators and criteria of democracy, some signs of democracy can be seen in the system of Afghanistan; Holding general elections related to the principle of the system, drafting the constitution, presidential elections and parliamentary elections have been important steps in establishing national sovereignty in Afghanistan. The relative degree of political freedom and the existence of multiple political parties are other realized aspects of democracy in Afghanistan. But the general weakness of social, cultural, economic, and educational conditions makes it difficult to establish a democratic system in Afghanistan. At the same time, persistent ethnic and political conflicts, a lack of expertise in parliament, and a lack of confidence in political stability, and a lack of comprehensive security, are Afghanistan's next problems. Serious public concern about the political independence of this country, inefficiency of the parliament, lack of specialization of the MPs, lawlessness, brain drain, It is a major threat to national sovereignty and political instability in Afghanistan. These issues, when considered in connection with the heavy and influential presence of Western countries, especially the USA, raise more ambiguity about the current and future political system of Afghanistan. Therefore, in this study, we examine the lack of professionalism of members of parliament and its impact on Afghanistan.

Keywords: *Political System, Political Instability, Professionalism, Specialization, Parliament, Lawlessness*

INTRODUCTION

The legislature or parliament is created as the highest legislative body in a country that reflects the demands of its people. By playing three basic tasks, they play an important role in the life of their nation. 1. The setting, modifying and repealing the rules 2. Representing the will and views of the people in all kinds of decision-making processes and 3. Investigate the performance of the executive branch to ensure that it is accountable to the people. Successful implementation of these three basic functions requires the establishment of an effective, efficient, and strong body.

In the absence of these conditions, the parliament will act to a lower level than the people's expectations and will not be effective in monitoring the performance of the executive branch. There is also the view that parliament fails in the absence of favourable conditions for social solidarity, lack of discipline, and constant pressure from the government to implement effective performance. Accordingly, the vision of a successful and effective parliament in Afghanistan does not seem promising. Afghanistan has a long history of dealing with government officials who have lost control of their power. The concept of segregation of powers and the establishment of an independent national parliament entered the Afghan constitution and the process of political development at the beginning of the twentieth century.

Now, in the 21st century, many parliaments are moving toward specialization. When there are more experts in parliament, social cohesion happens in the true sense of the word. In Afghanistan, it is customary for people to ask what important positions they have previously taken when choosing a person, which they think should be changed. The presence of experts in various fields means increasing the quality of legislation and supervision; This issue has faded in the country over the past few years. The problem of parliament arises from "ethnic structures" Afghanistan's parliamentary elections, which were expected to untie the knot, are becoming a problem in themselves. One of the most important factors is the lack of institutionalization of legal and democratic institutions. Given that Afghanistan has not been a civil and law-abiding country in the past, and especially during the last thirty years of turmoil, war, and crisis, unfortunately, none of the legal, judicial, and executive institutions have been institutionalized.

The problem of institutionalizing the law, which unfortunately has not yet happened in Afghanistan, and again behind this problem and a lower layer in Afghan society is something called ethnic structures. Many of the political upheavals are rooted in ethnic structures. People think that only through ethnic relations can their interests be secured. Thus, whether in their ordinary and important relations or when they are even elected and in power and reach very important institutions such as the parliament and even the presidency, they are still based on the act the same ethnocentrically. When they come to the parliament, they do not work according to the law and do not think that they are the people's representatives and they should try to ensure the interests of the people and implement the constitution. On the contrary, they try to gain their ethnic interests through this channel. When this is the case, ethnic conflicts will eventually ensue.

Literature Review

Afghanistan is a jirga country, this word has been the most widely used collective term in the history of Afghanistan. It is not clear exactly how the jirgas were formed, but in the last three centuries, all important events and new governments have come into being with the legitimacy of the jirgas. Runion, M. L. argued that the government of "Ahmad Shah Abdali", which is considered to be the beginning of a new era for Afghanistan, was legitimized after the fragmentation of Nader Afshar's empire, with a local parliament in Kandahar and with the presence of tribal elders (Runion, M. L. 2017). The Jirga is, in fact, a kind of Constituent Assembly. Roumina, E. argued After the adoption of the new constitution in 2003, Afghanistan a parliament with two houses (Wolesi Jirga and Meshrano Jirga) was revived. The parliament was supposed to represent the implementation of the democratic process in Afghanistan, the international community, the United Nations Office in Kabul, and the embassies of the powerful countries were all almost united to create, fund, and prepare for this process. Eventually, the parliament fell largely to jihadi leaders and their commanders and supporters (Roumina, E. 2016).

In 2010, the 16th term of the parliament began. A parliament that had become very skinny, in which TV stars, businessmen, and civil society activists rose to the feet of jihadi leaders and failed to elect one of these jihadi leaders. The dispute between the speakers of Pashto and Farsi reached its peak, and it was finally agreed that the speaker of parliament would be one of the two great tribes and that Mr. Ebrahimi, an Uzbek and a representative of Kunduz, would be elected president (Nijat, A. 2014). In 2018, with the expiration of the five-year legislative term, the government failed to hold parliamentary elections on time, which was extended for one year to three years. It was the only parliament that lasted more than three years, and at the same time, it was an influential parliament, some of whose members became local kings.

In Afghanistan, political formations and civil divisions emerged during the (Akhamanshi) period (545-33 BC) and in each province, there was a satrapy (governor) who independently managed the affairs of the province with one person. The political organization and civil divisions of the (Akhamanshi) in Afghanistan had the same effect as the Roman domination of France (Kakar, M. H. 2006). During the reign of "Euthydemos I", the most powerful king of western Greece in 227 BC, the governors of the country at that time were ruled by powerful governors. After (Kaneshka), the last Kushani king of Afghanistan was divided into small local emirates in the north and south of the Hindu Kush.

In the seventh and ninth centuries AD, in almost all Islamic countries, there was a group of people with a variety of organizations that can be considered as an organized party. The members of this group arose from the emptiness of society and were composed of the poor, the common people, and the passionate youth. This sect had adopted the name Ayar in Afghanistan. In the years 239 AD, the Saffari period was an administrative organization such as the Organization of Islamic and Arab countries. In short, in Afghanistan, before the preliminaries of constitutionalism, such as in Islamic and Eastern countries, religious rulings and laws, oral orders, royal decrees, customary laws and the tradition of society have always had the status of law (Lee, J. L. 2018). Throughout history, the idea and interaction of consultation have been promoted in Afghan society, and most of their contentious issues have been resolved through the Jirga. Local jirgas, in which all people participated, were convened in cases of water scarcity, grain shortages, and major ethnic issues, and were appointed to address individual problems. Another type of local jirga has taken action to end personal disputes such as war and legal disputes that have long been going on between individuals and large ethnic groups.

The Loya Jirgas; however, have largely mandated and to a large extent, endorsed what the rulers and their accomplices wanted. The role of the Loya Jirgas in some important cases has been a manifestation of Afghan democracy, and the West's best government for Afghanistan is the Loya Jirga. The emergency of Loya Jirga and the Loya Jirga of the adoption of the constitution in the early twenty-first century are examples of this. (Ehsan, M. 2017). The idea of a "National Council" parliament in the modern sense as an institutional institution emerged in Afghanistan at the beginning of the twentieth century, with the beginning of the reign of Amir Habibullah, especially the "Asian Awakening Process" Provided cultural, intellectual, political and social in the country. This time, inspired by the past and using the new conditions and contexts, Afghanistan once again, like its neighboring Islamic and Eastern countries, was on the path of movement and change, and the intellectual stagnation of several centuries was ended (Runion, M. L. 2017). In this conscious political movement and struggle, the idea of cultural-civilizational resurrection modernity, national independence, opposition to domestic tyranny and foreign colonialism, and national unity and solidarity was instigated.

After more than three decades of war, bloodshed, and destruction, the country has once again taken a step towards reconstruction with the help of the international community. One of the most effective and useful measures after the Bonn Agreement in Germany was the formation of the parliament, which after the adoption of the new constitution in 2003, parliamentary elections were held on September 17, 2005. At the inauguration ceremony of 351 elected and appointed members of parliament, they took an oath of allegiance to the great Qur'an, the constitution, and other laws in the country (Pasarlay, S., & Mallyar, Z. 2019).

In the parliamentary and provincial council elections in Afghanistan, which were held on September 18, 2005, 5800 candidates competed for 249 seats in the Wolesi Jirga and 420 seats in the provincial councils (Ghufran, N. 2006). According to the new constitution, the National Assembly of the Government of the Islamic Republic of Afghanistan, as the highest legislative body, is the manifestation of the will of its people and represents the people. Each member of the council, when voting, puts the public interest and the best interests of the Afghan people at the center of judgment.

The National Assembly consists of two houses, the Wolesi Jirga and the Meshrano Jirga. No one can be a member of both houses at the same time. The members of the Wolesi Jirga are elected by the people through free, general, secret, and direct elections. The number of members of the Wolesi Jirga in proportion to the population of each constituency is a maximum of two hundred and fifty people (Thier, J. A. 2006). A person who is elected as a member of the Meshrano Jirga loses her/his membership in the relevant council. A person who is nominated or appointed to the National Assembly, in addition to fulfilling the conditions of the electorate, has the following characteristics; Be a citizen of Afghanistan or have acquired the citizenship of the Government of Afghanistan at least ten years before the date of nomination or appointment; Has not been convicted by a court of committing crimes against humanity, crime or deprivation of civil rights; The members of the Wolesi Jirga have reached the age of twenty-five on the day of their candidacy and the members of the Meshrano Jirga have reached the age of thirty-five on the day of their candidacy or appointment.

Methodology

In this study, the reason and the impact behind the absence of Specialization in Parliament of Afghanistan will be explored by the researcher who is from Afghanistan and can comprehend the way of life, languages, authentic foundation, and society better than a specialist from outside Afghanistan. The researcher will be objective and take a gander at the point with the scholastic focal point in this way, to get reliable and right findings the researcher will use qualitative methodology. While, secondary resources from various imminent of writers, articles, reports from government, Journals, an examination from English assets will be used as well as from official languages of Afghanistan also.

Findings

1. Lack of Specialization in Parliament

According to national and foreign Scholars, some of the most important challenges facing the Afghan parliament include the existence of a divided parliament that stems from the electoral system; A vague legal framework that encompasses the duties and powers of parliament; The government's failure to hold parliamentary elections on time; Lack of accountability of the parliament to the people, the efforts of the executive branch to bypass the parliament and ignore its decisions, and the lack of personal and institutional capacity in the parliament (Pasarlay, S., & Mallyar, Z. 2019). These challenges have overshadowed the independence of parliament, damaged its credibility in the public mind, and had a negative impact on the performance of parliament over the past decade.

One of the biggest challenges in the Afghan parliament is the fragmentation and lack of common positions and frameworks of this institution. Since the first post-Taliban parliament was inaugurated in 2005, it has never functioned as a cohesive body. Instead, there are approximately 249 people and 249 different voices in parliament. The results of the three parliamentary elections show that candidates with different religious, ethnic, and political backgrounds have been elected to the Wolesi Jirga (Pasarlay, S., & Mallyar, Z. 2019). Although this diversity is not undesirable, the problem is that individuals with such diverse backgrounds have not been able to unite and form coalitions beyond their individual, religious or regional interests. Thus, the Wolesi Jirga is sometimes described as "a fragmented institution, and a place where multiple parties operate with a vague and often indistinguishable membership and framework." According to some estimates, 22 to 33 different political parties have representatives in parliament (Pasarlay, S., & Mallyar, Z. 2019).

The non-transferable single-vote electoral system has failed to create the desired kind of representation, leading to the formation of an incoherent and undisciplined parliament and failing to form a functioning political alliance that could be organized to hold the executive accountable. According to Mallyar, Z. This system prevented the creation of an organized parliament because candidates were not allowed to belong to political parties in parliamentary elections. As a result, a single non-transferable vote increased dispersion in parliament, leading to an unstable parliamentary election, with factional politics and irresponsible personalities, and never being able to gather under one banner of a single ideology and policy.

Looking at the performance of the last parliament, the question arises that what percentage of the MPs who entered the parliament to perform the task of legislating and monitoring the proper implementation of laws have been able to play their role in performing the intrinsic duties of representation? And, of course, what percentage of the delegates were indifferent to the performance of their duties? For effective rails and policies in the country, the presence of specialized representatives in the scientific dimension can certainly be effective and efficient. Moving within the defined frameworks of the system is another feature that can be effective in forming a capable and specialized parliament (Pasarlay, S., & Mallyar, Z. 2019). MPs can help the parliament if they prioritize the national interest. Experience has shown that whenever the MPs think of partisan interests, the people are

challenged and harmed. Therefore, if the majority of the parliament is made up of people who contribute to national authority and sovereignty, there will be a better success than a parliament that seeks the sovereignty and authority of the political currents.

Merit is a condition for appointing people to a position. Higher education and related work experience are the most important principles of meritocracy and professionalism. The requirement of higher education is based on the fact that theoretical knowledge helps people in the executive decision and related work experience adds to theoretical knowledge and gives people the ability to perform effectively (Roumina, E. 2016). In a meritocracy system, expertise and professionalism are the most important management criteria. Ethnic and partisan affiliations, economic status, and kinship are not the criteria for selection and appointment, but the prospect of executive performance and increasing productivity is the most important criterion for appointments and promotions.

1.1 The Need for Specialization in Afghanistan

In the current situation, the political, economic, and social situation in Afghanistan is more fragile than ever. Ethnic prejudice has reached its peak, poverty and unemployment have risen, and the gap between the government and the citizens has come to an end. On the other hand, insecurity is increasing not only in all parts of the country but also at close distances to the citadel. Citizens lack financial and personal security, and private investment is declining. Even though, the government has failed to implement national projects and is unable to provide the necessary services to citizens (Pasarlay, S., & Mallyar, Z. 2019). Unlike in other countries, the provision of public services and the non-implementation of national projects in Afghanistan are not due to lack of financial resources, but corruption, cannibalism, and lack of capacity in government offices are the most important factors holding back the implementation of these projects, no ministry or agency in Afghanistan has ever been able to spend its planned development budget due to a lack of funding.

Therefore, Most of Afghanistan's development budget is funded from external sources and is time-dependent. Donors have pledged a certain amount to rebuild Afghanistan, but if the government fails to spend the money on time, it is often refunded and spent in other countries in crisis or other cases (Adeney, K. 2008). With this in mind, implementing a meritocracy system is the only way out of the current challenge in Afghanistan. To ensure the security of citizens, eliminate unemployment and provide better services, providing a meritocracy system is a must.

1.2 The Basis of Specialization

People's social status is a combination of their intelligence and effort. Evetts, J. argues the social system is moving in a direction in which the masses of people, rulers, and elites are ousted from power who have distanced themselves from the feelings and needs of the people. Professionalism is a system in which managers and employees are selected because of their merit. Professionalism is the use of the moral energy of the elite and elite of society (Evetts, J. 2003). Since the category of specialization is closely related to the concept of elitism, it can be said that elitism and specialization both seek to leave matters to elite and prominent people. One of the characteristics of specialization at the national level is having a strategic mindset, avoiding cross-sectional and island thinking, and thinking and flowing the intellectual space at the decision-making levels. In fact, having knowledge and insight at every level is essential to working in a meritocracy system.

2. Causes of Lack of Specialization

There are many causes of lack of specialization in Afghanistan which the most important ones are the Educational System and Political Participation. The next section will be discussing more about the important factors of lack of specialization.

2.1 Educational System and Political Development

Paying attention to the role of educational systems in the occurrence of political and social developments has been among the issues that have occupied the minds of political science and education theorists since ancient times. Coleman, J. S. argues that the emergence of any political change in society requires the provision of prerequisites, the preparation, and components of which can be expected from the education of that society. Political transformation is inherently characterized by the emergence of those characteristics, including the missions of the educational system (Coleman, J. S. 2015).

According to Fägerlind, I., & Saha, L. J; Education, as the guardian of the political system and an effective factor in political development, has three functions; The main factor of political socialization of adolescents and youth in the national political culture, The effective factor in the selection and training of political elites and the main factor in Political cohesion and national political awareness (Fägerlind, I., & Saha, L. J. 2016). In this regard, researchers believe that the education system takes precedence over politics and political development. According to them, government or political policies or decisions are part of the education system and consider education as the basis of democracy and political development of the country.

The education system is the main tool for changing attitudes and transforming the social structure and determining new political patterns and can play an important role in developing and transferring skills related to political participation (Coleman, J. S. 2015). If the education system is based on respect for individual rights, the growth of individual differences, the organization of existing human development programs, and the promotion of individual and collective discipline, such an education system will automatically become a democratic political system.

Thus, a decentralized education system provides the skills and opportunities that are necessary for political participation and democracy. The school is responsible for teaching and transmitting values such as respect for others, respect for truth, justice, and human dignity to justify its existence and ensure the survival of society. Learning these values in school is not limited to social

and civic education programs (Coleman, J. S. 2015). Students learn these values from the school organization, teaching style, how the school is run, and its social space.

2.2 Problems of Education in Afghanistan

Education in Afghanistan is facing many problems and this problem has affected the behavior, speech, and actions of most people of this country. If the problems caused by education can be like how citizens interact with each other, the development process, ways of coping with the crisis, and so on. Easily understood, because education affects all institutions and systems of society and the development of countries in all dimensions requires attention to education (Abdulbaqi, M. 2009). All countries have the human and energy resources needed for development and progress; but what is necessary for this is a convergent mind for the prosperity and development of countries, which also lies in the elementary period. Prevention of some social harms should be formed in the elementary school to see the observance of rules and regulations, as well as the reduction of crime in society.

The purpose of education in Afghanistan is to raise a generation that is interested in their national identity, is aware of individual and public laws. it is proud of being a veteran in the culture, originality, and defense of its homeland knows life skills and social customs. How to live and especially how to know how to live together and in the face of problems, what he likes for himself, for others as well, and human beings are members of each other well, and always know the law and its implementation as the principle. Education in Afghanistan is facing a shortage of teachers on the one hand and an inadequate distribution of teachers on the other. Inadequate distribution of professors can be seen not only in schools but also in universities (Khwajamir, M. 2016).

There are also problems with the quality of education, and part of the weakness in the quality of education has to do with how teachers are recruited, trained, and retained. Most teachers have not received the necessary training for the teaching profession and have rarely revised their information, knowledge, and teaching methods during their service in the in-service classes. According to Coleman, J. S. Human capital is the most important asset of a nation, and everyone should enjoy equal opportunities for individual growth and prosperity, should not be backed by a small number of greenhouses, and a great deal of undiscovered talent is wasted on the crisis ship of ordinary schools, similar to this disorder (Coleman, J. S. 2015). In the education system for many schools in different provinces can be seen that no attention is paid to them. In contrast, most education departments focus on a handful of schools in city centers. This lack of attention at the macro level has caused the share of knowledge production in Afghan schools to be so low.

As a result, increasing attention to the type and expansion of education is an undeniable necessity, and insufficient attention to it will ultimately create many bottlenecks and problems for the economic and social growth and development of society. Must not forget that development in any society starts from a developed mind, and as long as the focus of resources and activities is not on educating people, one cannot expect to achieve sustainable development goals by spending huge amounts of money in other areas. Therefore, the responsible action of individuals and communities is all necessary to create the necessary platform to improve the state of education in the country (Khwajamir, M. 2016). It is hoped that in the not-too-distant future, teachers and students in this country will taste the fundamental change in the education system.

2.3 Political Participation

Participation in the modern world is necessary and inevitable; In such a way that even the most closed political systems in the world and the few totalitarian systems that continue to exist do not find themselves without the participation of their people, albeit formally, in various fields, especially political participation. Hence, in principle, participation and its importance for all societies and countries at various levels and forms are beyond doubt. As Nohlen points out, today democracy as a form of governance has taken on a global dimension, and it is clear that political participation in democracies is vital (Nohlen, D. 2005).

This has been accepted by all scholars, especially after the change of view of the way of governing in the twentieth century and the hegemony of democracy as a model of governance. This word has become extremely important, in a definition of political participation, McCloskey says: Political participation is the voluntary activity of members of society in electing governors, MPs participating directly or indirectly in policy-making (Nikpour, A., & Safaie Reyneh, M. 2019). Political participation is a behavior that influences the results and output of government decisions (McLeod, M. S. J. M. 2001).

It can be said that political participation is a combination of attributes that means people's involvement in political affairs, governance, and following the process of human socialization and interference in political management affairs. It is only through participation that political power is handed over peacefully, and the extent of a country's political development depends directly on this component (Wafayezade, M. Q. 2015).

2.3.1 The Structure of Afghanistan's Socio-Political Power

One of the fundamental and recurring challenges in Afghanistan is the instability of the political power structure. This has created many dangers for the country. Obstacles to establishing an efficient administrative structure for Afghanistan's reconstruction are a wide range of domestic and international factors. External barriers, foreign policy intentions in the reconstruction project, and the allocation of economic aid, along with a wide range of internal factors, have created grounds for instability in the political structure in Afghanistan. (Geller, A., & Alam, S. J. (2010). Although security has already been established with the help of external forces, this will not continue due to internal challenges.

Under the current circumstances, if Afghanistan achieves proper stability and balance, it is natural that it will be able to solve many of its political and structural problems. Although evidence shows that social components and geopolitical indicators, along with issues such as the role of interventionist forces in Afghanistan's domestic and foreign policy, can be considered among

the issues that reproduce the process of instability in the structure of Afghanistan's political power (Joya, O. 2011). Such a process makes it difficult for the government to control the social environment. The participation of regional countries in the security process in Afghanistan can be considered as an issue and component that increases structural instability. A country like Afghanistan has unpredictable internal conflicts and social risks. This is the cause of recurring and escalating crises.

2.3.2 Pluralism in The Political Structure of Afghanistan

The explanation of the democratic structure in Afghanistan begins with the value presupposition that ethnic pluralism in Afghanistan is not only a cause of divergence and a cause for successive crises but also carries the potential that can organic cohesion of Afghan society (Meininghaus, E. 2007). In other words, in a democratic structure, pluralism is itself a value but also a potential for getting rid of the same mechanical structures that can provide the grounds for the development of this country at an acceptable level. Building a republican government, in democratic terms, means giving in to a system in which sovereignty belongs unconditionally to the citizens. Emirati governments, oligarchy, and illegitimate systems are considered and rejected. This is also enshrined in the Afghan constitution. National sovereignty in Afghanistan belongs to the nation, which exercises it directly or through representatives.

2.3.3 Religion in The Political Structure of Afghanistan

Afghanistan is a traditional country in which religion has a fundamental and decisive role. Political jihad in Afghanistan is based on a religious component. This is emphasized in the social institutions and political structure of Afghanistan in the post-Taliban era (Rubin, B. R. 2004). The constitution was the first legal step to reform the institution of religion in Afghanistan and to change the perception and interpretation of religion in this country.

With the holding of the Loya Jirga, the constitution in which the representatives of the people were present, and the structure of the country was established, a pact was passed that between religion and democracy, with indicators based on international pacts, treaties, and conventions. Human rights and reconciliation were established and the possibility of their alignment was announced. The Afghan constitution states that while an Afghan can be religious, he or she can be a democrat and a party to an international treaty. According to this law, adherence to the International Covenant was never considered in conflict with religious doctrine but was considered a peaceful and equal relationship for them.

2.3.4 Parties in The Political Structure of Afghanistan

Although the formation of a political party is a difficult task in Afghan tribal society, in the political relations and developments of Afghanistan after the 1960s, the ground for political formation in the form of a political party has been provided. This is enshrined in the Afghan constitution (Larson, A. 2015). A political party within the meaning of this law [a law enacted by the Provisional Government] is an organized population of natural persons who, under the provisions of this law and the Articles of Association, work to achieve political goals at the national or local level (Levy, G. 2004). It was according to the law of the parties as well as the orders of Hamid Karzai that many of the agents of the previous parties began to repair and rebuild their party and ostensibly turned the military form of the party into a political one.

One of the new political issues that have arisen after the Bonn Agreement in 2001 and the formation of a new Afghan government by the US government in this multi-ethnic country is the phenomenon of partisanship (Larson, A. 2015). According to reports on the Online Afghanistan network, there are about eighty political parties registered in Afghanistan. This phenomenon in Afghanistan, like some other social and political categories, is a product of imported culture.

The interesting point in the establishment of some political parties in Afghanistan is that many of these political parties never have a party program and aspirations. The names, identities, and programs of some of these political parties do not originate from the culture, social, political, and economic relations of Afghanistan (Bezhan, F. 2013). Some political elites borrow the political agenda and form of their parties from the scientific category of external sociology, which has nothing to do with the culture of Afghan society. For this reason, the body politic never benefits from these parties and these parties have no connection with the lower classes of society. Declarations, reports, and resolutions are collections of remembrance of an old foreign political culture that is presented without regard to the heterogeneous conditions of Afghanistan.

3. Effects of Lack of Specialization

When there is no specialization or lack of it in the government or Parliament, the society will face problems. In this part we are going to discuss about three major issues which happens when the parliament or the government of Afghanistan face lack of specialization.

3.1 Political Instability in Afghanistan

Political stability is one of the most fundamental issues in the field of political science, international relations, and international security, with the spread of democracy and human rights and, by its nature, the introduction of the rules of the democratic game, as well as the introduction of modernization and development after World War II, political stability was centralized in Third World countries and intellectual and political elites presented different theories (Sky, E. 2007).

Afghanistan is a country that has experienced less political stability throughout history. With the end of World War II, two issues became of fundamental importance to Third World countries; the first was the issue of gaining independence. At the same time as gaining independence, the issue of modernization was also raised. Countries tried to achieve development through different

models (Saghafi-Ameri, N. 2011). Development in Afghanistan dates back to the time of the constitutionalists, the Marxists brought a new paradigm and failed. After that, the jihadists returned to the tradition and tried to present a new model of modernization, and in the end, they found no other stimulus for modernization other than violence. The Taliban, like the Mujahideen, used violence to its extreme to change the fabric of society, but in the end, they all failed.

Usually, in third world countries there are no political institutions that attract the political participation of the people, so modernization creates political instability by forming new forces and groups. Has there been a renewal of new forces and groups in Afghanistan that are causing political instability? As mentioned above, modernization in Afghanistan, although it has gone through different stages, each of them has failed. That is, they failed before it led to transformation and the formation of new forces. That is why this issue has not caused political instability (Saghafi-Ameri, N. 2011).

In Afghanistan, however, modernization has not caused political instability, but the lack of an institutionalized political institution (Parliament) has caused political instability because Afghanistan has multiple ethnic groups within it, and each group wants a share of power, it needs to have an institutional body that can share power between ethnic groups, but there was no political institution that could divide power according to the influence of ethnic groups, but the political institution monopolized power in a particular ethnic group. It goes without saying that in many cases political power was not only in the hands of a particular ethnic group, but in many cases, political power was in the hands of a small number of individuals. However, other ethnic groups are fighting for political power. Saghafi-Ameri, N. argues that; The lack of common rules of the game for political power has led to these violent struggles. Violent political struggles not only destroy political stability but also prolong the life of political instability (Saghafi-Ameri, N. 2011).

In Afghanistan, where the democratic system has not been established and common rules have not been defined, political actors undoubtedly resort to violence and use violence as the only means of gaining power. This is also due to the lack of an institutionalized parliament and political institutions. In Afghanistan, the lack of an institutionalized political institution has allowed violence to remain widespread in society and for anyone to use it in any way they wish.

Even though, the lack of an institutionalized parliament and political institutions leads to personal power. The personalization of power is political corruption, this has also led to political instability in Afghan society. Violence must be intensified because every person wants to gain political power through the means of violence, and besides them, there is a confrontation between people for political power. Ultimately, every person who gains political power makes the most personal use of power. This issue undoubtedly spreads corruption in society and eventually, political instability prevails in the society (Sahar, A., & Sahar, A. 2019). Therefore, society needs a strong political institution that can collect violence from the level of society and monopolize it. This political institution must also be able to define common rules by which actors seek to gain political power according to the same rules. This institution should have such power that it can punish political actors if they do not follow the rules.

3.2 Law-Breaking

The need for law is one of the necessities of human life; human freedom depends on obedience to the law; true freedom is where the law is. The development of society and the country is not possible except in the shadow of the law. In a society where the law does not prevail, that society suffers from chaos (Susan Farooqi, E. 2019). This is a feature of the law that applies equally to all, and no one in society is and should not be above the law. In the light of legalism, tribalism is marginalized and replaced by meritocracy in dismissals and appointments. The law helps to reduce corruption in society and to ensure justice and equality in policies and approaches. The law guarantees the sovereignty of the people and institutionalizes citizenship rights within the framework of modern political structures. The law brings security and the law gives hope to the people and paints a clear vision for the future for the citizens (Tamanaha, B. Z. 2001). In an atmosphere of lawlessness and chaos, despair overshadows people's lives and makes them disbelieve in the future.

One of the major challenges to establishing stability and security in the country is the uncertainty of the value and place of law in the conscience of individuals and the structure of society and politics. Although in appearance everyone is in favor of the rule of law and suffers from non-implementation of laws in the country, in reality, the main problem is that the law is not institutionalized and the rule of law is on the social character and management of the country (Susan Farooqi, E. 2019). Another important issue is law enforcement. Good law if not enforced; will not cure any pain of society. Therefore, if people want to have security and think about the progress and development of the country, must take the implementation of the law seriously, and the government, as the law enforcer, must fulfill its responsibility in this regard.

Regarding the causes and grounds of non-compliance with the law or evasion of the provisions of the law, it is said that the lack of adequate and effective supervision over the proper implementation of laws has an important role in the reprehensible phenomenon of law-breaking in society (Tamanaha, B. Z. 2001). According to studies on the phenomenon of law-breaking, people, regardless of the constitution and the ordinary, with special tools or tools with daring to cross the limits defined in the law. In general, it can be said that the phenomenon of law-breaking or passing the law has various reasons, all of which are not judicial and legal, some of which are purely economic or social, and political.

The spirit of breaking the law and not paying attention to it is unfortunately very high at different levels of society, from the family to the administration, and the upward trend of this audacity is born of various factors (Susan Farooqi, E. 2019). It is unfortunate to say that the political confrontations in the ugliest way possible by the trustees have not only caused them to perform their duties and commitments to their main responsibilities to some extent but also the increase and continuation of political clashes have led to the rule of law.

In order to fight against law-breaking, it seems that cultural, economic, and social reforms should correct the wrong path, try that professionalism should take the place of relationship governance, and that qualified people should have access to positions and responsibilities (Tamanaha, B. Z. 2001). In Afghanistan, there is of course the constitution and other laws that guarantee the rights of the people and define political authority and propose specific legal solutions to coercion and harassment. These rules may also have weaknesses, but the problem is that the same law is not fully implemented. One of the main problems of the Afghan people is the lack of implementation of laws by responsible institutions. Evading the law, or in other words, breaking the law has become a common behavior in government offices. As a result, corruption is rampant and cannibalism has become a culture, and insecurity is becoming more complex every day.

If the law has not created trust in Afghanistan, if it has not brought security, and if it has not been able to provide justice, it is because have difficulty enforcing the law. Law enforcement agencies do not take law enforcement seriously, and regulators have failed to perform their duties properly (Susan Farooqi, E. 2019). That is, in the vortex of lawlessness, society experiences all kinds of political, legal, and social unrest. The authority and legitimacy of the political system depend on the implementation of laws, a government that fails to implement the laws in society, its political legitimacy is questioned in public.

3.3 Brain Drain

Brain drain is a historical and international phenomenon; As some scholars believe, migration is intertwined with civilization, and civilizations are born of migration. If we want to go back in history for a moment and look at the different angles of migration and civilization, we will find that migration has been going on since the beginning of man (Shah, J. I. 2011). These migrations have been due to economic, security, political, social, cultural, and literary unrest. The world's greatest thinkers; Such as Prophets, Sufis, Poets, Writers, Scholars have migrated to overcome the current disorder and achieve the desired conditions of life (Rahimi, M. U. R. 2017). It can be said that the phenomenon of brain drain was not specific to Afghanistan; rather, all countries of the world are struggling with this problem.

Migration and brain drain have increased in different periods, especially during the rule of Mohammad Ashraf Ghani, the word "migration" has taken its upward trajectory and will inflict exactly these irreparable human and economic losses on a country called Afghanistan. Afghanistan is one of the countries with the highest level of immigration to neighboring countries and American and European countries.

In recent years, some high-ranking officials, including President Mohammad Ashraf Ghani, have claimed that the migration of Afghans, especially in recent years, was not out of compulsion, but out of passion. Although all asylum seekers reject this claim, many people would like to invest their capital, knowledge, ability, and expertise in an innovative project in their country to save themselves from unemployment and not to ruin their families. The activism of fundamentalist groups in the country exposed families and young people to serious and unbelievable dangers in the country and forced them to leave their homes. (Yazdi, H. 2008).

Unemployment, lack of security, cultural heterogeneity, lack of meritocracy, lack of a sustainable economy in the country; dependence on foreign and international aid, imbalance of wealth, ineffective educational methods in educational centers and universities, tyranny, inheritance of government seats, and work by political parties and leaders, and the despair of the people and youth for a better future are the main reasons for the brain drain from Afghanistan (Rahimi, M. U. R. 2017).

CONCLUSION

In contemporary political systems, the parliament or the legislature constitutes one of the three basic foundations of the political system. Since the political system of democracy has been considered the most desirable political system so far, which has valuable experiences in the field of political participation of the people and the provision of services and the establishment of a democratic system, in such a political system, Parliament is considered the beating heart and the criterion for measuring the democratic and popular nature of that political system. In other words, the nature of the political systems of each country and the legitimacy of each government depends on how the elections and the formation of the parliament of each country.

In a political society with an authoritarian rule and political structure, the creation of a parliament in the true sense of the word is a false claim; also, in a political society whose political sovereignty is based on the will of the people, the existence of a popular and legitimate parliament is considered to accelerate the rule of law and the high transparency and efficiency of the political system. Therefore, if there is an authoritarian regime in the authoritarian regimes called the parliament or the House of Representatives, that structure is a dependent institution and a false symbol of the illegitimate structure and cannot be used as the parliament or the House of Representatives. Parliament is the special representative of democratic systems, which represents the will of the people through active, free, and transparent political participation in the electoral process.

People are appointed to positions based on their merit. The most crucial principles of meritocracy are higher education and associated work experience. Higher education is required because theoretical knowledge aids in executive decision-making, and related work experience complements theoretical information and enhances people's capacity to execute effectively. Expertise and professionalism are the most crucial managerial qualities in a meritocracy system. The most significant factor for selection and appointment is the perspective of executive performance and growing production, not ethnic and partisan ties, economic standing, or kinship.

There is little doubt that meritocracy ensures departmental effectiveness, but putting such a structure in place is never easy. The fact that most members of the MPs have expertise or work experience in the government or perhaps in the sector is well seen as the reason for the deteriorating security situation, the lack of development budget, the widening gap between the government

and the citizens, and hundreds of other cases it hasn't been. These individuals may or may not have any experience or qualifications, but they are unquestionably not specialists in the sector to which they have been assigned. On the one hand, the unprofessionalism of the cabinet members has paralyzed the efficiency of the relevant department, and on the other hand, it has promoted corruption and ethnic and regional agenda. The continuation of this situation has pushed Afghanistan to the brink of collapse and has made the government more failing.

Afghanistan, as a geopolitical unit, has a history of having a parliament. Although the existence of parliament in the political structure of the country has not been so brilliant, at least in the political literature of the country is unprecedented. A brief look at the history of the parliament in the country indicates that this civil and modern institution, like many other modern and civil components and phenomena that have entered the country, has not been properly placed in its true place and status during the past years. For this reason, it has not had a proper and effective return. As it has been said, the existential philosophy of the parliament in every country and the political system indicates that the society and system are democratic; However, the previous regimes of the political system in the country were, unfortunately, undemocratic regimes. Therefore, if there was a structure called the parliament or a system called the separation of powers, it was often a formal structure and title, not real. For this reason, the method and system that was also called parliamentary elections in the country were formal and far from the criteria of being democratic.

The historical criticism that can be made of the existence of a structure called the parliament in the country in the first stage is that this institution did not have the necessary independence. The representatives who entered this parliament were not elected through the free and independent participation of the people. Most of those who entered the parliament had to pass through the filter of the rulers of the time and were trusted by them. Another issue that called into question the independence of parliament was the direct and indirect involvement of the executive branch in the legislature.

Another point that can be said about the positive functioning of the parliament is the structure of the parliament. Of course, the structure of the parliament as a whole has a defined framework, but in the quality and manner of it, members of parliament can play a major role. For instance, decision-making in administrative matters and the adoption of laws by deputies can have a very serious impact on the process and functioning of parliament. Although a parliament has a certain structure, no parliament can reach a joint decision until its members are in an organizational structure, and each of them does not have the necessary commitment and awareness of their role and position. Such a parliament cannot be expected to have a positive function in the position and structure of the political system if the parliament does not have the necessary dynamism and maturity in terms of structure and role of its members and is not able to act actively and seriously in the direction of various decisions. Or meet the expectations of society. For example, one of the structural features of parliament is the establishment of special commissions to oversee the performance of government. This issue is no less important than the adoption or revision of legislation.

To overcome this challenge, it is necessary to implement a meritocracy system and review the policy of appointment in government. It is better for the government to prioritize the interests of the people and to select qualified and experienced people to join the cabinet, and for the National Assembly to understand the responsibility of its conscience and faith, and to avoid voting for non-professionals. Otherwise, the continuation of this situation will have dire consequences for Afghanistan.

In a general analysis, the performance of the parliament or the House of Representatives has been questioned over the past few years. Based on the duties and powers of the deputies, unfortunately, the parliament of the country in recent years, although it should be a pioneer in legitimizing the government and society, in many cases, despite violations and non-compliance with national laws, have not even complied with internal rules. In assessing the needs and necessities of society, they often addressed marginal and, unfortunately, personal and factional issues. They were less likely to succeed in passing or revising the country's laws. For this reason, the parliament has faced many ups and downs over the past few years. Many believe that the parliament should be a legislative body, but the number of laws passed by parliament in recent years may be small. It has also failed to maintain its independence well in the face of manipulation by the executive branch. The poor performance of the parliament in passing or revising laws and overseeing the performance of the executive branch has led the executive branch and other branches to seek ways to dominate parliament in various ways, which have unfortunately been somewhat successful.

References

1. Abdulbaqi, M. (2009). Higher education in Afghanistan. *Policy perspectives*, 99-117.
2. Adeney, K. (2008). Constitutional Design and the Political Salience of ""Community"" Identity in Afghanistan: Prospects for the Emergence of Ethnic Conflicts in the Post-Taliban Era. *Asian Survey*, *48*(4), 535-557.
3. Bezhan, F. (2013). The emergence of political parties and political dynamics in Afghanistan, 1964–73. *Iranian studies*, *46*(6), 921-941.
4. Coleman, J. S. (2015). *Education and Political Development. (SPD-4), Volume 4* (Vol. 2271). Princeton University Press.
5. Ehsan, M. (2017). Ethnicity, Religion and Nationalism in Afghanistan. *Himalayan and Central Asian Studies*, *21*(2/3), 118.
6. Evetts, J. (2003). The sociological analysis of professionalism: Occupational change in the modern world. *International sociology*, *18*(2), 395-415.
7. Fägerlind, I., & Saha, L. J. (2016). *Education and national development: A comparative perspective*. Elsevier.
8. Geller, A., & Alam, S. J. (2010). A socio-political and-cultural model of the war in Afghanistan. *International Studies Review*, *12*(1), 8-30.
9. Ghufran, N. (2006). Afghanistan in 2005: the challenges of reconstruction. *Asian Survey*, *46*(1), 85-94.
10. Joya, O. (2011). Macroeconomic instability in Afghanistan: causes and solutions.
11. Kakar, M. H. (2006). *A political and diplomatic history of Afghanistan, 1863-1901*. Leiden: Brill.
12. Khwajamir, M. (2016). History and problems of education in Afghanistan. In *SHS Web of Conferences* (Vol. 26, p. 01124). EDP Sciences.
13. Larson, A. (2015). *Political parties in Afghanistan*. Universitäts-und Landesbibliothek Sachsen-Anhalt.
14. Lee, J. L. (2018). *Afghanistan: a history from 1260 to the present*. Reaktion Books.
15. Levy, G. (2004). A model of political parties. *Journal of Economic theory*, *115*(2), 250-277.
16. McLeod, M. S. J. M. (2001). Values, communication behavior, and political participation. *Political communication*, *18*(3), 273-300.
17. Meininghaus, E. (2007). *Legal pluralism in Afghanistan* (No. 72). ZEF Working Paper Series.
18. Nijat, A. (2014). Governance in Afghanistan. Kabul, Afghanistan: AREU.
19. Nikpour, A., & Safaie Reyneh, M. (2019). Analysis of Affecting Factors in the Spatial Pattern of Political Participation in City Council Elections (Case Study: Ghaemshahr). *Research Political Geography Quarterly*, *4*(1), 21-1.
20. Nohlen, D. (2005). Elections and Electoral Systems in the Americas. *Elections in the Americas A Data Handbook Volume 1: North America, Central America, and the Caribbean*, *1*, 1.
21. Pasarlay, S., & Mallyar, Z. (2019). The Afghan Parliament: Constitutional Mandate versus the Practice in the Post 2001 Context. *Afghanistan Research and Evaluation Unit*, *30*.
22. Rahimi, M. U. R. (2017). An Empirical Investigation of The Effects of Brain Drain on Developing Countries Since 21st Century (A CASE OF AFGHANISTAN).
23. Roumina, E. (2016). The Effect of Specialization on Local Government Functions. *Geographical Researches Quarterly Journal*, *31*(3), 43-55.
24. Rubin, B. R. (2004). Crafting a constitution for Afghanistan. *Journal of Democracy*, *15*(3), 5-19.
25. Runion, M. L. (2017). *The history of Afghanistan*. ABC-CLIO.
26. Saghafi-Ameri, N. (2011). *Prospects for peace and stability in Afghanistan* (pp. 1-14). SIPRI.
27. Sahar, A., & Sahar, A. (2019). Ethnic Politics and Political Violence in Post-2001 Afghanistan: The 2014 Presidential Election. *Terrorism and Political Violence*, 1-21.
28. Scully, M. A. (2015). Meritocracy. Wiley Encyclopedia of Management, 1-2.
29. Shah, J. I. (2011). Brain drain: Why people leave their motherland? (Implications for the developed and developing economies). *Journal of Managerial Sciences*, *1*, 63-74.
30. Sky, E. (2007). Increasing ISAF's impact on stability in Afghanistan. *Defense & Security Analysis*, *23*(1), 7-25.
31. Susan Farooqi, E. (2019). Misogyny and Lawlessness in Afghanistan: The Women's Fight for Equal Rights. *Journal of Civil Rights and Economic Development*, *32*(2), 3.
32. Tamanaha, B. Z. (2001). *A general jurisprudence of law and society*. Oxford University Press on Demand.
33. Thier, J. A. (2006). Making of a Constitution in Afghanistan, The. *NYL Sch. L. Rev.*, *51*, 557.
34. Wafayezade, M. Q. (2015). Ethnic Politics and Youth Political Participation in Afghanistan. Heinrich Böll Stiftung and Afghanistan Peace Initiatives, Berlin, September.
35. Yazdi, H. (2008). Education and literacy in Afghanistan: lessons of history and prospects for change. *Monitor: Journal of International Studies*, *14*(1), 30-50.