

Afghanistan's 1964's monarchy constitution

September 30, 2021

In news- The Taliban recently announced that they would temporarily adopt the 1964 constitution to rule Afghanistan but will eliminate it if there is anything that goes against Sharia law.

About 1964 Afghan constitution-

- **Mohammad Zahir Shah, the last king of Afghanistan,** commissioned for drafting the constitution.
- It has 11 chapters and 128 articles.
- The constitution was ratified in 1964 by a **Loya Jirga (grand assembly).**
- The constitution laid rules for a **centralised administration,** divided into a number of administrative units, headed by the ministers.
- The king, which might be applicable for Taliban supremo, held the supreme command of everything, from declaring war to signing international treaties.
 - It created **two houses of the Afghanistan Parliament,** among which the lower house members were to be elected.
 - The Cabinet was supposed to exercise the monarch's powers, while legislators were prohibited from holding ministerial posts.
- **Women had the right to vote.**
- The constitution also gave **freedom of religion** as it said non-Muslim citizens were free to perform their religious rituals as determined by the laws.
- The constitution said **education is the right of every**

Afghan and shall be provided free of charge.

- The constitution **was in force between 1964 and 1973**, which is often referred to as Afghanistan's golden age but was then annulled by a coup.
- After the US invasion in 2001, a new constitution was drafted, which the Taliban have rejected claiming that it has western influence.

Bonn Agreement

- It is officially the *Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions*.
- It was the initial series of agreements passed on December 5, 2001 and intended to re-create the State of Afghanistan following the U.S. invasion of Afghanistan in response to the September 11, 2001, terrorist attacks.
- In December 2001, 25 prominent Afghans met under UN auspices in Bonn, Germany, to decide on a plan for governing the country.
- Under the Bonn Agreement, the **Afghan Constitution Commission** was established to draft a new constitution in consultation with the public.
- It called for the use of the 1964 constitution as the basis for a new constitution.

2004 Constitution of Afghanistan-

- It is the supreme law of the Islamic Republic of Afghanistan, which served as the legal framework between the Afghan government and the Afghan citizens.
- It evolved out of the Afghan Constitution Commission mandated by the Bonn Agreement.
- The constitution was approved by the consensus in January 2004 after the 2003 loya jirga.
- It consisted of 162 articles and was **officially signed by Hamid Karzai** on January 26, 2004.

- It provided for an elected President and National Assembly.