

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



February 02, 2017

## Punishment Should Have a Corrective Approach

Crime is an evil against society for which the man is punished by the laws. It is generally believed that good and evil lie embedded together in human nature and it has been seen often in actual life that many good souls commit evil deeds simply because evil in them gets the upper hand over the good in them. The causes of human vices may be many. For example, some persons submit to pleasure while others cannot endure pain and a few others lack the strength of purpose or even prudence in the choice of actions.

It is generally believed that evil is always punished whether in the form of bodily sufferings or mental agonies or even in the form of complete ruin and death. But let us not forget that it is unjust to inflict punishment where law fails to weigh in the scales a person's criminality and the suffering he has already undergone for that. A punishment that is not aimed at reforming the offender would turn him a confirmed criminal. We cannot contradict that 'justice is a machine that when someone has once given it the starting push, rolls on of itself and the defaulter is ground to pieces under this machine for an act which at the worst was one of weakness.' So we must see how far and in what circumstances the accused is really guilty of an offence. There must be some flexibility in the law in which there is a scope for the psycho analysis of the convict. Unfortunately, there is no provision under the law to treat a prisoner of "weak character" as a patient rather than a criminal.

One of the greatest services that Islam has rendered to humanity is delivering it from the unnecessary and imaginary sin. Talking about man, the Qur'an says, "The nature of God in which He has made man". The Holy Prophet (PBUH) elucidated this in his famous saying that even child is born with natural endowments, which if kept pure and intact would lead him to Islam. No doubt, the difference in the lives of men arises from the balance of good and evil in their lives. But true repentance wipes away all sins.

It is very unfortunate that in our modern society, criminals are dealt or treated like dogs. Their power of resistance is broken by solitary confinement and unhealthy atmosphere, and naturally when they come out of the prison, they are quite unfit to cope with life. Their will-power is broken and they easily succumb to temptation. So it has become an established fact that solitary confinement instead of reforming the prisoner makes them desperate. A thoroughly disgraced convict feels extremely humiliated when he moves about in the society. Therefore, it is the basic need of the society to find out ways and means to rehabilitate such a person to an honorable place in the society so that he may become a useful citizen and show repentance over his past punishment.

Society uses punishment as a means of preventing its members from violating both its formal and its written laws, although its confidence in the effectiveness of this technique is not great. There is little enough justification for confidence, for time and again the threat of punishment has failed to keep the members of society in line.

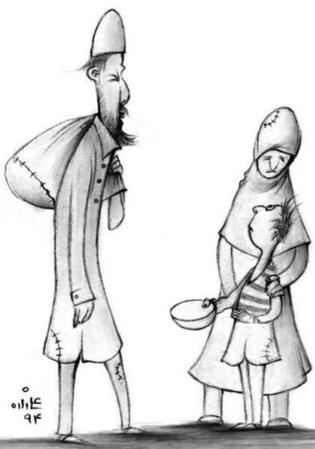
At numerous times, in the history of civilization, the punishments prescribed for various crimes have been most severe. Yet despite such inhuman penalties, transgression occurred.

Another and unfortunate characteristic of punishment is that often it tells the victims only what not to do but does not tell what to do. It does not build up by the process of reinforcement of a strong positive way of reacting. It builds up only an avoidance of a certain way of acting. These are some of the possible reasons why punishment may be ineffective. How then, may punishment operate when it is effective?

As we understand it today, punishment seems to operate in the same manner as the avoidance learning. Behaving in a certain fashion leads to painful consequences and we tend to move away from these painful consequences. At the same time, through a process like conditioning, the stimuli that have been associated with the painful consequences acquire the tendency to produce anxiety reactions.

Since we tend to escape from an environment that produces anxiety, we tend to make a different response than the one which has been associated with the pain of punishment. This punishment works not by weakening the original habit but by substituting a conflicting response to the same stimulus.

Different people employ different methods to prevent the reoccurrence of some action - which a person or a society disapproves of. For example, the dimension of parental behavior to the vigor of punishment varies from mild slaps to sound spankings and from deprivation of highly valued activities to deprivation of ones of minor worth in the offender's esteem. Some people employ words which employ to the child that his action has caused them to lose some of their affection for the offender. This technique has proved a very effective manner of control. However, we must keep in view that the object of punishment is to see that the offender realizes his mistake, crime or sin and in future avoids to indulge in such actions. So the approach should be basically a corrective one.



## What if Worse Comes to Worst?

By Muhammad Zahir Akbari

The public had a ball park estimate about the escalated militancy in Afghanistan. Insurgents continue inflicting casualties indiscriminately upon Afghan nation. The violation of human rights, mainly women and children's rights, prevails across the country. Mullah Haibatullah Akhundzada and the Taliban's de facto leaders seem highly resolute to intensify their attacks and there is no gleam of hope for peace. The recent militancy in southern Afghanistan reveals the Taliban's intension for war and violence. Afghan police and army units took over from NATO the task of providing security for the country in 2015. Their first year coincided with the Taliban capturing the regional capital of Kunduz in the north. According to the US government's Special Inspector General for Afghanistan Reconstruction (SIGAR), 6,785 Afghan soldiers and police were killed between January 1 and November 12. Another 11,777 were wounded. That was an increase of about 35 percent from all of 2015, when 5,000 members of the security forces were killed.

"In the first nine months of 2016, UNAMA documented 2,461 child casualties, a 15 percent increase on the same period in 2015. Ground engagements caused more than half of all child casualties in 2016," said the report blaming Taliban-led anti-government forces for causing 61 percent of all civilian casualties. It further added that air strikes by pro-government forces caused 72 per cent increase in civilian fatalities; one third was caused by the international military forces. The Taliban militants have ushered in heavy attacks in Helmand province. Reports say that fighting started on Monday and carried on for two days in Sangin district, an area where the armed group has made major gains over the past two years.

Afghan Officials said the Taliban dug the tunnels to the checkpoints from nearby houses, "a new tactic" to attack government positions. Inasmuch as the militants intensified their attacks, the US soldiers, reportedly, carried out 15 air raids which killed at least 20 and wounded 40 Taliban insurgents. Now that Barack Obama has left the White House after eight years of flip-flop on the longest war in America's history, Afghanistan continues to be in turmoil.

Despite paying a colossal cost in treasure and blood over the past decade and a half, Afghan nation still pays high sacrifice and suffer bitterly from violence and carnage. Obama's intentions have been good, but his policy was surrounded by perplexity all along the line - a drawdown of troops, jacking up deployment, arming the military with greater powers to hunt terrorists, ending the combat mission and then an abrupt return to the shifting battlefield. Granted, Al Qaeda suffered spectacular setbacks, notably the death

of Osama bin Laden and Mullah Akhtar Mansour, during the Obama presidency. But the terrorist outfit is once again regrouping and returning to Afghanistan.

Pakistan also comes under terrorist attacks every now and then and I have constantly written that Afghanistan and Pakistan are in the same boat. On January 21, a terrorist attack in Parachinar caused 25 deaths and injured 87 people. The Tehreek-e-Taliban Pakistan (TTP) claimed responsibility, saying that it was exacting revenge for the killing of Asif Chotu, a leader of the sectarian militia Lashkar-e-Jhangvi (LeJ). He was killed in an encounter on January 18 in Sheikhpura, Punjab. It is intriguing that the TTP believes that killing civilian serves as retribution for the State's action against the LeJ.

Now, Donald J Trump will have to deal with grim security challenges. In his inaugural ceremony, he said, "We will no longer accept politicians who are all talk and no action, constantly complaining but never doing anything about it." He further added, "The time for empty talk is over."

Now arrives the hour of action. Do not allow anyone to tell you that it cannot be done." He also claimed that he would eradicate the "Islamic terrorists" from the surface of earth which is a highly surprising claim that has been ever made just before he came to the real ground. He has started with banning visas to the US to nationals from seven countries: Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen, which are all Muslim-majority nations.

His start came under severe criticism from different parts of the world, including the US. Terrorism has turned into a global scourge, mainly with the establishment of self-styled "caliphate" in Iraq which is formed of radical militants carrying out terrorist attacks in many parts of the world and kill people on the grounds of their racial and religious backgrounds. Carrying out attacks in western countries, the Islamic State (IS) group has spread Islamophobia in the West. The IS group is also involved in militancy in Afghanistan and Pakistan. Its presence in the country will certainly deteriorate the security situation.

As a result, a number of people have been murdered mysteriously on the basis of their race and color, for which the Taliban did not claim responsibility. The public believed that the murderers belonged to the IS group.

Since the IS fighters are widely engaged in stoking sectarian violence, their presence behind the tragic incidents is a ball park estimate. Eradicating terrorists, be it the Taliban, IS, or any other armed militants, from the surface of earth, as Trump claimed, is an excellent idea, but the question is that how? Trump should be cautious enough not to back the wrong horse in such a critical time.

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## Glance at Critical Condition of Children

By Muhammad Zahir Akbari

After many years of war and severe poverty, combined with worsening migration crises, Afghanistan persists to be among the most dangerous places for children to be born! The longstanding conflict in Afghanistan is one of key factors which continue to expose its citizens, particularly children, to the worst living conditions and exposes them to harm. As children are one of the most vulnerable social class, they have always been the primary category victim by ongoing crises. According to some reports about 40% of children suffer from malnourishment whereas over than fifty percent of the country's population comprised of children; thus reportedly, a large number of them are subjected to violence, health and poor education. When the violence spreads, many people become displaced, while the most defenseless group of them would be children; According to expert, the running condition will worsen the atmosphere that would lead to the children to be more exposed to higher risk of abuse, exploitation and hunger. However, according to the Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), the number of street children has decreased in the country.

As Expressed by Afghanistan Independent Human Rights Commission (AIHRC), there are serious concerns about the lives of between 300,000 and 500,000 Afghan children employed as laborers or work on the streets. The AIHRC stated that the issue of child labor affects hundreds of thousands of children who are deprived of a formal education. "We have suggested the Afghan government increase the social security for supporting children," CEO of the AIHRC Musa Mahmoudi said. The Afghan government and international children rights groups have failed to address the plight of these children, the AIHRC said.

Also, the AIHRC for the southern region says that the number of children involved in manual labor has increased, with at least 20,000 working in Kandahar.

Ongoing fighting in Kandahar and Uruzgan provinces is said to be one of the main reasons behind the increase of the number of children employed as laborers. "Nearly 20,000 children are doing (manual) labor in the province, quoted from Fakhruddin Faiez, deputy head of AIHRC in Kandahar. Meanwhile, Kandahar local government says that they have started a range of programs to help poor families economically and that they should not send their children out to work.

"We have provided some facilities; if the families are helped, then their children won't have to work," quoted from Kandahar governor's spokesman, Samim Khpowlak. Reportedly, the continued intensifying and geographic spread of the conflict has prompted a 13% increase in the number of people in need of humanitarian assistance in 2017, now 9.3 million.

Unrelenting displacement and exposure to repetitive shocks continues to intensify humanitarian needs.

Afghanistan remains one of the most dangerous, and most violent, crisis ridden countries in the world. Households in Afghanistan face constant danger of conflict and natural disasters, often compelling them to flee their homes at a moment's notice. In 2016, all regions of the country have been touched

by the conflict. Violations of International Humanitarian Law (IHL) and Human Rights Law (HRL) occur regularly - including target killings, forced recruitment and attacks on health and education facilities. The 8,397 civilian casualties in the first nine months of 2016 are the highest recorded since 2009, and included a 15% increase in child casualties compared to 2015. In 2016 increasingly frequent ground engagements continued to be the main cause of civilian casualties, while also limiting freedom of movement for civilians and contaminating areas with explosive remnants of war (ERW) which disproportionately affect children. Health partners reported 57,346 weapon wounded cases between January and September alone, compared to 19,749 in 2011, representing almost a three-fold increase.

Therefore, the country is facing increasing numbers of people on the move. In 2016 the conflict has led to unprecedented levels of displacement, reaching half a million in November - the highest number recorded to date. On average, every day sees another 1,500 people forced to leave their homes, escaping violence. Over half a million displaced families are scattered across 34 different provinces - with approximately 20% extremely hard to reach in gradually expanding areas of nongovernment controlled territory. 56% of the displaced are children and face particular risk of abuse, and exploitation, as well as interrupted school attendance and harmful child labor.

Multiple forms of gender based violence (GBV), particularly early and forced marriage, domestic, psychological, and sexual abuse are reported, affecting individuals in hosting and displaced communities alike.

On the other hand, 2016 saw the unprecedented return of some 6/ 700,000 registered refugees and undocumented Afghans from Pakistan. For the majority, return is reluctant, and the experience often abrupt and distressing. Once here, they add to the ranks of internally displaced, as conflict and lost community networks prevent them returning to any ostensive place of origin. With no obvious prospects for an improved state of affairs, 2017 is likely to see at least 450,000 new IDPs and potentially as many as a million more Afghan returns from Pakistan and Iran. By and large, the long-lasting conflict continues to threaten the physical safety and health of Afghans, disproportionately so for women and children. Attacks against health facilities, patients, medical staff and vehicles, continue to disrupt and deprive people of life-saving treatment.

Four and a half million people live in conflict affected districts with extremely constrained access to health services. Maternal and child health remains dangerously overlooked. Rates of infant and maternal mortality remain among the highest in the world and severe acute malnutrition (SAM) has breached emergency thresholds in 20 of 34 provinces. Some 1.8 million people require treatment for acute malnutrition.

Simultaneous exposure to violence as well as high economic vulnerability means most households experience multiple and repetitive shocks within a year resulting in food insufficiency and adoption of negative, often harmful coping strategies which plunge families deeper into crisis.

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