

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



May 31, 2017

“A Justice Delayed is a Justice Denied”

Timely access to justice is one of the most important rights of the people in a state. If people do not have such an access to justice, crimes will thrive and even multiply. One of the main reasons for people's inability to have access to justice is the justice system itself. If there is no efficient justice system, providence of timely justice system is just a dream. Moreover, other evils like insecurity and corruption are also responsible for incapacitating the justice system to a great extent. Afghanistan is one of the countries where both the justice system and the social evils have limited the people's rightful access to justice.

Afghanistan's Attorney General Office (AGO) on Tuesday, May 30, highlighted in a statement the ongoing situation of crisis in the country has influenced people's access to justice to a great extent, and it has also deterred the prosecutors to serve in the districts that are influenced by insecurity. According to a statement by the spokesman of Ministry of Interior (MoI), at least 25 districts are such that the prosecutors face high security problems.

Such a situation is really threatening and it is bound to result in a gap, and that gap is mostly filled by informal justice systems or the ones that are supervised by Taliban.

In fact, Afghan justice system is not able to provide speedy justice in response to the different sorts of cases in different parts of country. The cases that are brought to the law enforcement agencies are not pursued with proper vigor and determination and the result is that the culprits easily get away with their crimes. If the culprits are caught on time and they are brought to justice this will give a very clear message and will enhance the confidence of the people on the justice system.

This can also be helpful in encouraging those victims who never go the law enforcement agencies to file their complaints against different types of crimes that are carried out against them. Nevertheless, their experiences have shown to them that their tribal norms and values and the draconian code of conduct that rule over their society stand more powerful than the hold of the justice that can be provided to them through the police or court of law.

One of the most basic demands of justice is that the people should be provided justice on time. It is believed that a justice delayed is a justice denied; therefore, the government machinery should be reliable and speedy enough to ensure such a justice. Moreover, it is also imperative that it should be easy for the victims to knock at the doors of the institutions that provide justice. If they feel comfortable and they are provided a welcoming attitude, they will rush to such institutions and will also develop a positive attitude towards government and its institutions.

Most of the victims have complaints that they are harassed by the authorities who are supposed to provide them justice. If they opt to go the police they have to face a discriminating attitude of the authorities in most of the cases. In many other cases, police does not have the required access and authority in many of the remote areas. Several times it has been observed that the victims who want to complain against any sort of violence or discrimination are silenced in different ways. This sort of inconvenience plays a major role in discouraging people to turn to police or court of law.

Same is the case with the role and presence of formal courts. Most of the remote districts have their own courts based on Jirga or Shariah. These sorts of courts do not necessarily follow the law as per the constitution of Afghanistan, or they do not consider it suitable for their tribal setup. Most of the cases of violence and crime that are pursued are because of the media and civil society.

Thus, it can be said without any hesitation that the institutional deficiencies have incapacitated the law to have its desired outcomes. And, this has resulted in continuation of incidents of violence and crime against the innocent people.

Such incidents will keep on occurring unless, the justice system, strengthened by strong and authoritative institutions, take tangible actions against the culprits. The criminals always take advantage of the justice system that is lethargic and an inefficient justice system would keep on creating more and more criminals.

Therefore, it is important for Afghan authorities to divert attention towards institution building for providence of justice to all the people of country, particularly women and children who are treated as a weaker strata.

If a justice system is not able to protect the most vulnerable and the weakest, it cannot be believed to be based on democracy or even on basic teachings of Islam.

Ramadan Conveys the Message of Humanity

By Hujjatullah Zia

In the Holy Month of Ramadan, Muslims will have to purify themselves through spiritual exercises which is not only abstaining from food and drink but any kinds of inhuman and immoral practices. This month tends to humanize the individual and collective life and reform people's misdeeds. All individuals are supposed to extend patience and cultivate love and brotherhood in the society.

Ramadan is the month of virtue and humanity. Muslim Ummah will have to practice religious tenets with purity and genuine intention. This month aims to revive virtue and moral values in case of being eroded and recover the spiritual health. It is said that praying is the food for soul and spirit. In other words, spiritual needs have to be satiated through worship, including praying, fasting, alms giving, charitable deeds, etc. One's soul will be blackened rusty as a result of repeated sins and misdeeds within a year.

This month provides us the opportunity to polish our souls via confessing our sins and repenting. Otherwise, remaining thirsty and hungry will be of no value at all. The philosophy behind remaining hungry and thirsty, according to clerics, is to feel the sufferings of the poor who undergo long time of hunger and thirst. A large number of people suffer from poverty around the globe, mainly in Afghanistan. For some, life is no more than a hell. For instance, there are countless of widows who lost their spouses in battles, terrorist attacks or suicide bombings, children have been orphaned or some were amputated in explosions in our country. Almost all poor families have their own tragic stories and were affected by decades of war and violence. So, the rich are supposed not to forget them.

The pressure by hunger and thirst in this month aims to shaken the conscience of the rich and provoke their sense of generosity so that they help the poor financially. In addition, we have to avoid any misdeeds, mainly violence in this month. That is to say, we should extend our sense of tolerance and acceptance. Muslim Ummah must respect people on the basis of being human regardless of their racial, religious, ethnic or linguistic differences. Intolerance and claiming superiority on the said grounds are against the Islamic tenets.

Currently, warring parties seek to spread Islamophobia around the world through attributing their harsh and violent practices to Islam. It is strongly believed that the militants who spill the blood of people, of any race and religion, have no knowledge

of Islamic tenets or religious values. They have either born in the hotbed of radicalism and their heads were planted by parochial mindsets or paid to fight under the mask of religion. For instance, the Taliban killed almost two dozens of people in the country in the first day of Holy Month of Ramadan. They murder both Muslim and non-Muslim indiscriminately.

It should be noted that the aforementioned facts are not only in the month of Ramadan but people are to be cautious of their acts every second. This month is intended to reform our acts and deeds for the entire year and humanize our characters for lifetime. If the individuals return to their misdeeds after the Holy Month of Ramadan, they were not believed to be blessed. When Muslims keep fast and repent their past misdeeds, they must continue strengthening their moral and religious characteristics forever. The message of Ramadan for warring parties is to, at least, humanize the war if not quit it. They must not kill the innocent civilians, especially women and children, the wounded in action, detainees or hostages. In another item, humanitarian law, which stems from religious guidelines, must be abided by. People's natural rights and dignity, bestowed by their Creator, must be protected under any circumstances. The radical groups are to minimize civilian casualties.

People are our "brethren in kind or religion" and we should treat one another with the spirit of brotherhood. Violating one's rights and dignity anytime, especially in this month, will not be forgiven. It goes without saying that religious tenets have strong impact on social and political life. One's beliefs will be revealed through their deeds in collective life. For example, if you think that people's life and liberty are to be protected and respected, you will not try to trample upon them. Thus, Ramadan has its effect on personal and social spheres of life.

In this month, we must free ourselves from all immoral characteristics such as greed, jealousy, lust, etc. and fill the vacuum in our soul with virtue. In brief, we are to satiate our spiritual desire via ethical and religious practices.

In this month, the soul and body are in strong conflict. Our bodies tempt us to succumb to evil acts, sexual orientation, and worldly charms. On the other hand, our souls seek to free us from all evils and push us to nurture our human characteristics: be kind, help the have-nots, respect people's fundamental rights, and so on. In short, Ramadan has two messages: cherish virtue and avoid vice.

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Stay the Course with Rouhani

By Robert Harvey

Hassan Rouhani has won re-election as Iran's president in a landslide, meaning that it is he who will be dealing with an antagonistic US President Donald Trump. What will their relationship mean for the 2015 international agreement that has, for now, frozen Iran's nuclear ambitions? The Iranian nuclear deal was the culmination of a decades-long pas de deux between the United States and post-revolutionary Iran – a push and pull, in which every step forward was seemingly followed by a step back. During US President Jimmy Carter's administration, when the Shah fell and the US embassy staff was held hostage for more than a year, the two sides were hopelessly divided.

Under US President Ronald Reagan and his vice president and successor, George H. W. Bush, the situation was complicated further by the Iran-Contra scandal, in which senior Reagan administration officials secretly facilitated the sale of arms to Iran between 1985 and 1987, despite an arms embargo. As a result, when the relatively moderate President Akbar Hashemi Rafsanjani took power in August 1989, ended Iran's war with Iraq, and put out feelers to the US, Bush's hands were tied. Rafsanjani eventually re-launched Iran's nuclear program, with recovery from the war with Iraq facilitating progress. But it was the hardline Ayatollah Ali Khamenei, who had succeeded Ayatollah Ruhollah Khomeini as Supreme Leader in June 1989, who steered the country in that direction, by plunging relations with the US into a near-total freeze. The efforts of President Bill Clinton's more pliable administration to bring about a thaw were repeatedly rebuffed.

Then the tables turned. When the moderate President Mohammad Khatami took office in 1997, it was the US that was headed in a more hardline direction. After the September 11, 2001, terrorist attacks on the US, President George W. Bush denounced Iran as part of what he called an "axis of evil." And yet, by invading Iraq in 2003, the US under Bush gave Iran its greatest historical opportunity for westward expansion. In 2005, the renewed dream of Iranian regional hegemony helped bring to power President Mahmoud Ahmadinejad, who pursued the nuclear program with vigor.

In 2013, Ahmadinejad was replaced by Rouhani. With President Barack Obama already in office in the US, conditions were ripe to take a few steps forward. After nearly two years of tortuous negotiations, the agreement to halt Iran's nuclear program, in exchange for the gradual lifting of economic sanctions, was concluded.

Opponents argued that the deal was technically flawed and would not actually prevent Iran from continuing to develop nuclear-weapons capabilities. But the International Atomic Energy Agency (IAEA) – the body empowered with verifying Iranian compliance – was convinced, and approved the deal. Nonetheless, Trump has vowed to scrap the deal, with his advisers citing the same arguments that emerged during the ratification process. But, with the exception of Israeli Prime Minister Binyamin Netanyahu's government and its supporters, virtually no one supports such a move.

In fact, the expectation that Iran will continue its march toward nuclear breakout ignores the entire logic and experience of nuclear non-proliferation. Even if IAEA inspectors – who

have proved remarkably effective and thorough so far – could be fooled, international pressure, if not a shared interest in a safer world, gives countries a powerful incentive not to try. Countries such as Germany or Japan have the financial and technical capabilities needed to acquire nuclear-weapons capabilities in a matter of months.

Dozens of others could get there within a few years. But countries from South Africa to Argentina and even Libya have indicated that they will not take that step, by signing the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). North Korea, which has so far refused to capitulate to international pressure, has paid a heavy price as global pariah, choked by economic sanctions.

For Iran, escaping economic sanctions – which are being eased only so long as it respects the deal – remains a potent motivation. Indeed, so far, Iran has kept its promises, though its leaders do have a tendency to push the limits, such as when it conducted a test of medium-range ballistic missiles in January.

Unilateral US abrogation of the agreement would not be easy. After all, the deal was the result of negotiations involving six major powers, including, unusually, China and Russia. France, Germany, and the United Kingdom – America's principal European allies, none of which is likely to re-impose sanctions without good reason – also participated. Even Saudi Arabia, representing other Arab countries, grudgingly approved. The US Congress, initially resistant, has largely come around.

Most of the world seems to recognize that this is one of those cases where the perfect is the enemy of the good. And make no mistake: the agreement is, on the whole, a good thing. Its collapse would trigger a nuclear arms race in the world's most unstable region.

Iran's bitterest regional enemy, Saudi Arabia, would move rapidly toward a nuclear capability, using abundant petrodollars and Pakistani knowhow. Others – Turkey, Kuwait, Egypt, and Algeria – would not be far behind. To bet that these countries, having acquired such weapons, would behave responsibly would be a high-risk gamble.

Compounding the threat posed by US withdrawal from the nuclear deal, Iran is currently beset by uncertainty. When Rafsanjani, the patriarch of Iran's moderate forces, died in January, his funeral was the occasion for one of the largest demonstrations in the Islamic Republic's history. With the elderly Khamenei suffering from cancer, the battle to choose a new supreme leader is not far off.

The current dominance of the moderate faction of Khatami and Rouhani remains precarious, and their many hardline rivals – including leaders of the Revolutionary Guards, the Quds Force, and the Iranian militias – are eager to secure power. With the economy already desperately weak, the resumption of sanctions could empower the extremists.

In short, the world cannot afford the breakdown of the Iran nuclear deal. If Trump attempts to resume America's pas de deux of the past with Iran, the result may be a dance of death. (Courtesy Project Syndicate)

Robert Harvey, a former member of the House of Commons Foreign Affairs Committee, is the author of *Global Disorder and A Few Bloody Noses: The Realities and Mythologies of the American Revolution*



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