

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

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The Ball is in WJ Court

The long-awaited and desperately needed cabinet has been announced by the Unity Government which is a pleasing indication for all the masses of the country. As has been repeatedly pointed out in these lines, the functioning of the unity government is no less than a miracle and the disagreement between the two stakeholders on the finalization of the names of nominees for the cabinet was quite natural and expected. The unity government got its birth from the circumstances and its existence is like a business partnership in which so many business points or factors have not been included and many more are unforeseen so there would definitely be such disagreements between the two parties. It is also a strange reality that a cabinet comprising of ministers from two different parties would be working together. However, the announcement of cabinet has brought an end to the political stalemate which was observed after the second round of presidential elections last year.

Yesterday, the cabinet was introduced to the lower house of the parliament or 'Wolesi Jirga' (WJ) from where they have to win the vote of confidence after which they will be introduced into the upper house of parliament. In this regard, an important responsibility lies on the shoulders of the house. It must be kept in mind that the house is in its last year of functioning and many accusations have been brought forward against a number of members of the house during their tenure in the office. They have been accused of accepting bribe, or considering political, ethnic or other discriminations while giving their vote or opinion for an issue. It is an important occasion that this house should prove all these accusations wrong by thoroughly checking the nominees of cabinet and performing their duties honestly and dutifully in this regard. If the house failed to perform its duties properly and inefficient and corrupt ministers were approved by the house, it would be a great treason against the trust of people with whose votes they reached to the house and got the unique opportunity to make legislation for broader interests of country. In the same way, the two heads of state should not allow the nominated ministers to get into direct connection with parliamentarians to persuade them illegally or unethically for their approval from the floor of the house.

Another important factor in this regard is the thorough checking of the nominated ministers. If these nominated ministers are not properly checked by the house, they may create so many problems for the country and people in future and would add to the miseries of this war-torn nation. There are so many negative reports against the nominated ministers in the media and social networking sites. A minister is said to be wanted by Interpol for corruption in a European country. Another minister is said to be younger than the age required for being a minister. Eleven ministers of the nominated cabinet have also been reported to be having dual nationalities. In the same way, the educational documents of a number of ministers are seen with suspicion. The said minister to be wanted by Interpol announced on Tuesday that it is due to the result of misinformation and part of the tactics of the corrupt officials of the said country. He announced to wait until he is cleared of the accusations. In the same way, the constitution requires that a candidate for a ministry should be of certain age below which he will not be able to become a minister. One of the ministers is reported to be below the required age and he has recently made some alterations in his age in his national identity card or tazkirah.

In the same way, the constitution requires that no minister should have dual nationality and no person with dual nationality is eligible to become a minister. There are reports that eleven members of the nominated cabinet have dual nationalities. Members of government with dual nationalities created so many problems in the past terms of ex-president Hamid Karzai as well. These ministers fled outside the country after the allegations of corruption and till today, government has failed to bring them back as they carry a passport of an influential country and their countries also back them for their own objectives. They have spent majority of their lives outside Afghanistan and it is very difficult for them to realize the actual conditions of people living in the country. Some of them never experienced the hardships faced by this nation in all the years followed after Russian invasion of 1979. As mentioned earlier, the concerned committees of the lower house of parliament should work to find out the reality behind these allegations and no parliamentarian should give vote to a nominee who has dual nationality. However, the educated and intellectual class of the country is also delighted with a fact that a number of ministers have been introduced to the house who are highly educated and have a very clean record of social service or personal honesty. It is the reason why, a number of tribal chiefs, jihadi leaders and elders of ethnic groups are not happy of these nominations as they always demanded share in government on the basis of their position and not any quality.

Keeping in mind the above factors, we are hopeful that we will be able to see a cabinet that would best serve the interests of the country and people.

Calamity of Corruption; To be Tackled Iron Handed

By Asmatyari

Whenever, I am entrusted with a position of authority, to use for a rightful purpose, I have to deem the time and capital lying to my utter capitulation, is purely public property. I must not forget being hired to carry out the assigned errands with a great sense of unaffectedness round the clock whilst prudently spending the public wealth, as per requirement and appropriately exercising the power according to subscription of rule of business. How long, it ought to be expected, the public officials execute their undertakings devoid of any misappropriation? Expecting such an ideal state, where everyone is found self motivated and divinely guided, executing their responsibilities, is a blatant falsehood.

We witness the misuse and abuse of power and position by our fellow citizens on daily accounts that earned fame but no one is prosecuted in the court of justice. History recorded multiple cases of wide spread corruptions, evading investigations; the culprits escape apprehension either by taking off to one of the far-off countries or seek general amnesty from an influential official. The public offices meant to serve the masses are turned into center of corrupt mafias, where legal undertakings find last priority while illegal earns foremost. The conscience of public officials earning multiple wages is never jolted whilst executing a wrong trade, receiving both pay and bribe. Consequently, a well-defined system of check and balance certainly, will do away our impasse.

The government is bound to set a transparent system of accountability and answerability, into practice that could chastise trouble-makers. As long as, a comprehensive regulatory mechanism, restraining the corrupt elements, isn't applied and implemented; the offices will never succeed producing the required result. Accordingly, the politicians, public officials and masses suffer irreparable loss.

Formerly, the unity government who assumed the offices had promised treating the corrupt elements, iron handed. Earlier, when the incumbent government announced their cabinet, it was expected all ministers would have a long tale selfless services to this piece of land and would take the country to riches and prominence.

Previously, President Ashraf Ghani nominated Mohammad Yaqub Haidari for the post of agriculture minister. However, it has emerged that he is on Interpol's most-wanted list for large-scale tax evasion and fraud. Interpol's website says Mr. Haidari is wanted in Estonia for tax evasion. He is also accused of fraud linked to currency conversions. According to Estonian media, Mr. Haidari was investigated for embezzlement and tax evasion from the time when he was director of dairy firm Rapla Dairy. The company went bankrupt in 2003.

Previously, a survey was conducted by TOLO news and ATR Consulting that reflected a declining graph of performance of National Unity Government. The percentage of Afghans 'very satisfied' with President Ashraf Ghani's performance in office has plummeted by 54 percent in his first 100 days, the survey read. Only 27.5 percent of Afghans identified as 'very satisfied' with Ghani's performance, marking a dramatic drop from the 59.9 percent who reported being 'very satisfied' after the president's first month in office.

Following, huge round of criticism over performance, President Ghani begin mainstreaming his governance. Earlier, a number of se-

nior officials of western Farah province upon accusation of inflicting a huge loss to the national exchequer were fired. The six officials sacked include acting Governor Mohammad Omar Sherzad, police chief Mohammad Razaq Yaqubi, provincial National Directorate of Security (NDS) head Najibullah, Customs Director Wakman Shagiwal and anti-corruption director. The reason unearthed subsequent to their dismissal stated the officials had been involved in allowing imports of fuel from Iran to Farah without paying taxes to the government, causing \$6.2m losses to the exchequer. To further investigate the accused officials had been introduced to the AGO and the Ministry of Interior had been ordered to ban their exit from the country. The president also ordered detaining oil importers Mohammad Sadiq, Lal Shah, Syed Shah and Ihsan for importing fuel from Iran without meeting the legal requirements. Some weeks back, President Ashraf Ghani sacked senior officials of western Herat province and introduced some of them to the AGO.

There are multiple incidences of frauds and irregularities and embezzlements that have occurred on this piece of land till date no culprit is punished and no impartial accountability is exercised. These initiatives mark a good sign, and timely judgment. Most of the time in all such cases the accused public official and institutions begin shifting responsibilities. Nominal commissions and committees are constituted to fix the responsibilities; at the end of day, nothing, with exception to wastage of public revenue crystallizes. It's high time we demonstrate commitment to rise to eminence by setting examples of admitting and fulfilling our collective responsibilities.

The misuse, exploitation and maltreatment of public property, assets and a position of authority for fulfillment of an individual's cravings than collective needs and requirements, is an act of daylight manipulation. Previously, a number of influential personalities involved in money embezzlement from public offices, heinous crime against citizens and power misuse were given amnesty without being subjected to strict measures entailing answerability. This attitude of previous government had discouraged new investments with remnants intended to downsizing and withdrawing a dire omen for progress of country needs immediate reversal by practical measures. This implies that the expanding role of government in development has placed the bureaucracy in a monopolistic position and has enhanced the opportunities for unlimited administrative misappropriation.

Putting an end to this very issue requires committed leadership, owing to take serious and long lasting decisions against the elimination of the prevalent corruption. Seemingly, the unity government is all-encompassing government that contains every section of Afghan society; nonetheless it's frequently subjected to prolonged suspension over making critical decisions on significant issues, as witnessed at present relative to distribution of ministries. In spite of unexpected delays in cabinet formation, an end to prevalent corruption will render one of the foremost challenges for both president and chief executive. However, accomplishment of significant tasks requires credible individuals hoisted for corresponding ministries, capable of ridding the departments out of calamities.

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Public and Private Spheres

By Hujjatullah Zia

I remember vividly when I was talking on the topic of elimination of violence against women, as a civic educator, in Nahor District of Ghazni province; a man was filled with a fury saying that I was invading the privacy of family issues. In spite of my selfless acts, the people were giving me the cold shoulder. Moreover, the officials, including the district governor, were treating me in frigid manner. They all believed that talking about the women rights in their traditional village - where maltreating women was rife - would rouse women to argue about their rights and resist against the patriarchy. They were willing to keep the women in the dark so as to exploit them better for longer period of time. Talking about the family issues was considered as violating the taboos.

Undeniably, in general terms, the law is divided into public and private parts. Private law involves interactions between private citizens, whereas public law involves interrelations between the state and the general population. The simple difference between public and private law is in those that each affects. Public law affects society as a whole, while private law affects individuals, families, business and small groups.

For instance, if you saw a man run from a convenience store with a few pilfered products under his arm, he is violating public law. He committed the crime of theft, and that affects everyone.

On the other hand, if your neighbor filed suit against you because your barbeque smoke travels to his yard, you may be violating private law. You infringed on your neighbor's right to the peaceful enjoyment of his property.

Essentially, the difference between public law and private law is whether the act or acts affect society as a whole or an issue between two or more people.

The man, who was among the audience, claimed that I was infringing on their privacy and treating women whether positively or negatively was none of my business. He believed that as an official employee, I had no right to advise people or talk about dos and don'ts. In all honesty, what I felt was that people feared if my words would change the attitudes of women's towards their spouses. Some were saying that I was throwing down the gauntlet and even the phlegmatic individuals reacted coldly so as to demoralize me in that field.

According to liberalists, there is a specific border between public and private spheres. They believe that the private sphere relates to a specific group of people such as family members and it is out of the realm of setting law by the government. Unlike the private sphere, the public sphere is within the realm of government and the officials can interfere in freely. However, it is believed that today the private sphere

has been changed greatly as to say that it is much restricted. Currently, since violence occurs repeatedly indoors among the family members, the family issues are no more private and the government has to be involved in the issues.

I believe that in our era, privacy is meaningless to a large extent. The government has to be involved in private issues. For instance, the government should immunize the citizens against the diseases through vaccinations; protect women and children against violence which takes place among the family members, etc. Hence, the private sphere has been restricted too much.

However, privacy or confidentiality is not totally removed from the people's life. According to the law, including Afghanistan law, the citizens' communications must be kept private and out of the realm of the government's interference. As a result, article 37 of Afghanistan Constitution states, "Freedom and confidentiality of correspondence, as well as communications of individuals, whether in the form of a letter or via telephone, telegraph, as well as other means, shall be secure from intrusion. The state shall not have the right to inspect personal correspondence and communications, unless authorized by provisions of the law." Moreover, in article 38 it is said, "Personal residences shall be immune from trespassing. No one, including the state, shall have the right to enter a personal residence or search it without the owner's permission or by order of an authoritative court, except in situations and methods delineated by law. In case of an evident crime, the responsible official shall enter or search a personal residence without prior court order. The aforementioned official, shall, after entrance or completion of search, obtain a court order within the time limit set by law."

So based on the Afghanistan Constitution, the right to privacy is not absolute. Since government provides services for the families, as vaccination, it can also interfere in the family issues in certain cases with the authorized provisions of the law.

One will justify the villagers who react strongly against the one who is overlooking their traditions. However, my case was not invading their privacy rather I was providing them with public awareness. My words were supported by the Islamic sharia and articles of the Afghanistan Constitution. I urged them to set the Holy Prophet (PBUH) as a role model in their life and learn how kindly he was treating women and how his morality was praiseworthy with his family members.

I do agree with that man that citizens have private and public spheres and the private sphere has to be respected however, I disagree that one can treat their family members with cruelty without any reactions from the government. In short, private life will be interfered in some certain cases and it has been too restricted in modern age.

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