

Najib Amin: Imprisonment and the Pertinent Laws in Afghanistan: A Focus on The History of Policharkhi Prison

This article explores the history of imprisonment and the pertinent legal frameworks guiding the practice of punishment in Afghanistan. It starts with a brief overview of the

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general history of prisons and maintains an account of laws and regulatory frameworks pertaining to imprisonment. Against the resulted contextual and legal framework, the article follows on to the history and objectives of Policharkhi prison as its case study. It maintains that after the independence (1919) and particularly with the fall of authoritarian regimes, there have been attempts to control a predominantly negative use and squalid conditions of prison institutions. The birth of Policharkhi prison, in a more recent history, was a step towards further improvements in prison conditions that could lead to a standardized system of imprisonment. However, in a politically turbulent context the expected improvements did not materialize. In a position of displaying some of the contextual factors that contributed to the failure, the article presents a detailed account of the Policharkhi prison during four different political regimes over the course of its history. The article concludes with a number of remarks on necessary changes required in the current system of imprisonment and at Policharkhi prison in particular.