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Forgotten promises in Afghanistan

The situation of women and their rights since the fall of the Taliban



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Listening to political analysts and officials of states involved in Afghanistan one will increasingly find statements about how conservative the Afghan society is, viewing all forms of modernity with deep suspicion. Subsequently this highlights the rationale behind the argument that cultural, social traditions, norms, and practices as well as the interpretation of Islam in Afghanistan are not overtly influenced by the Taliban or other religious extremist groups. Therefore, the failures in developing the country are also very much an indigenous problem that can be traced back to a prevalent high degree of conservatism that hampers progress and modernity; following this logic, the external actors should not be regarded as the sole scapegoat for failure.

This line of argument seems quite debatable and at best offers one facet of a complex, multi-layered scenario. It does not however reflect the real purpose standing behind this case. It seems rather that, besides the inability of US/NATO to defeat the Taliban militarily, it is more about concealing just another Afghan drama, the broken promise of the international community to grant the woman in Afghanistan their legitimate rights in order to improve the social and economic situation as well as their political role in the country. This has been gaining momentum since the 'liberation of women' from the 'gender apartheid' and the anti-female policy of the oppressive Taliban regime and the defence of women's rights was (officially) one of the primary motives behind the action in Afghanistan. In addition the legitimisation for the military intervention in Afghanistan by many governments, especially by the US, was based in part on the promise to improve the life of Afghan women. Having the heralding of the end of systematic exclusion of Afghan women during the first Bonn conference in 2001 in mind, apart from a brief hiatus of hope and enthusiasm for more gender equality after the ousting of the Taliban, the outlook and perspectives for women empowerment still looks ephemeral. Subsequently, the second Bonn conference in 2011 preferred to talk about strengthening civil society, trying to avoid 'inconvenient questions' regarding the current situation of women in Afghanistan. Unfortunately (or conveniently) the term civil society was kept quite vague, and it was also not really made clear which role women

should play within the process of developing Afghanistan's 'civil society'. Additionally there was no debate with non-partisan, legitimate Afghan women representatives like Dr. Massouda Jalal (former Minister of Woman Affairs 2004-2006 and the only female candidate in the 2004 presidential elections) on other pressing issues like the national reconciliation and peace negotiation with the Taliban and other militant fundamentalist groups following a strict anti-female approach. However, for a critical observer this was not really astonishing, having the 'Bonn II spirit' in mind - 'shirking and not shifting' responsibilities towards the Afghan authorities after one decade of miserable performance by the international assistance community in establishing a stable and secure country. One cannot help the feeling that focusing on ending the ISAF mission as soon as possible under enormous pressure limited the political will and clout to substantially improve the difficult and unbearable conditions the women in Afghanistan have to face on a daily basis.

Consequently, today one must state that most of the women in Afghanistan find themselves more or less in the same repressive situation as before the engagement of the international assistance community in their country. Besides some initial positive developments, at least on paper, in the sectors of education, political participation, health care and employment, not many aspects for most of the Afghan women and girls have improved. There is no doubt that the statistical success stories of governments and non-governmental organisation in order to justify their own aid programs in Afghanistan are being put under increasing scrutiny and challenged by the realities on the ground. For example the emphasis on the high enrolment of girls in schools or the guaranteed percentage of woman representatives in the parliament as indicators for an improvement of the situation of woman sounds like referring to an chameleon, which 'only changes its colour but never changes its skin'. This is because enrolment figures do not mention the number of girls that were forced out of education programs or confronted with an anti-female working environments leading to frustration, disillusion, and unwillingness to engage in public life. As a result, all the promising statistics are misleading, giving the false

impression that the life of women in Afghanistan is actually improving.

According to several observers and human rights organisations, women in Afghanistan continue to be among the worst off within and beyond South Asia, facing all kinds of atrocities and limitations. There is still an endemic violence against women in the public as well as the domestic sphere including physical, sexual or psychological atrocities including rape, kidnapping, public abuse, assaults, forced and

order to avoid punishment of an older relative of her family as well as larger or longer-lasting clashes between the conflicting communities. Many times, this practice ends with the death of the traded woman/girl or she gets forced into slavery and/or marriage. A similar abusive practice is baadal which consists of the exchange of daughters between two families for marriage. Due to the fact that it is based on mutual arrangement as well as commitments, if one in-law is treated badly, her exchanged counterpart will be

males. This is not only hampers women in contributing to the build-up of a functional and effective Afghan civil society, but also excludes them from political participation and economic resources like employment opportunities. Consequently, to survive socio-economically, the lifeline for many women is still formed by an absolute dependence on the support of their male dominated families and communities, which avoids any empowerment of their female members. Having this in mind, it is short-sighted just to state

guided by gender equality is under stress because of two basic phenomena. First, male dominated political and administrative circles, are interested in maintaining the patriarchal structures of Afghan society, deciding on state policy towards women. Second, each political move by the government to bring out reforms in order to establish gender equality was enforced by the international community and not based on a significant female lobby or a large scale social movement from within the country. Subsequently, the government did not invest a lot to enhance women participation in political decision-making.

In contrast, several reports state that women being engaged in political-administrative authorities in general and in the national parliament, provincial councils and district assemblies in particular are systematically threatened to keep a low profile. Instead of offering female politicians protection and room to manoeuvre in politics, the current government tries to appease conservative and religious extremist forces in the country in order to form alliances for maintaining power. In other words, despite existing constitutional directives, national laws, and several international commitments the current power oligarchy in Afghanistan does not mind to sacrifice legitimate rights of women for political and strategic purposes.

It also seems more and more obvious, that the process of reconciliation with the Taliban as well as the negotiations of power arrangement with warlords including local militias will not mark an exception to this. The fact that women are vastly outnumbered and out-ranked in the High Peace Council/HPC (currently only nine out of 70 members are women), an governmental authority set up to negotiate peace with the Taliban, can therefore be seen as an indicator of this. One must state that the Karzai government is continuing its policy of downgrading the influence of women within the peace process.

This is a dramatic setback for any achievements in the last decade. While observing the atrocities in currently Taliban controlled areas in Afghanistan, any reconciliation with these religious fanatics and their allies will be a return to the patterns of discrimination and misogyny continuing the destitution and exploitation of Afghan women.

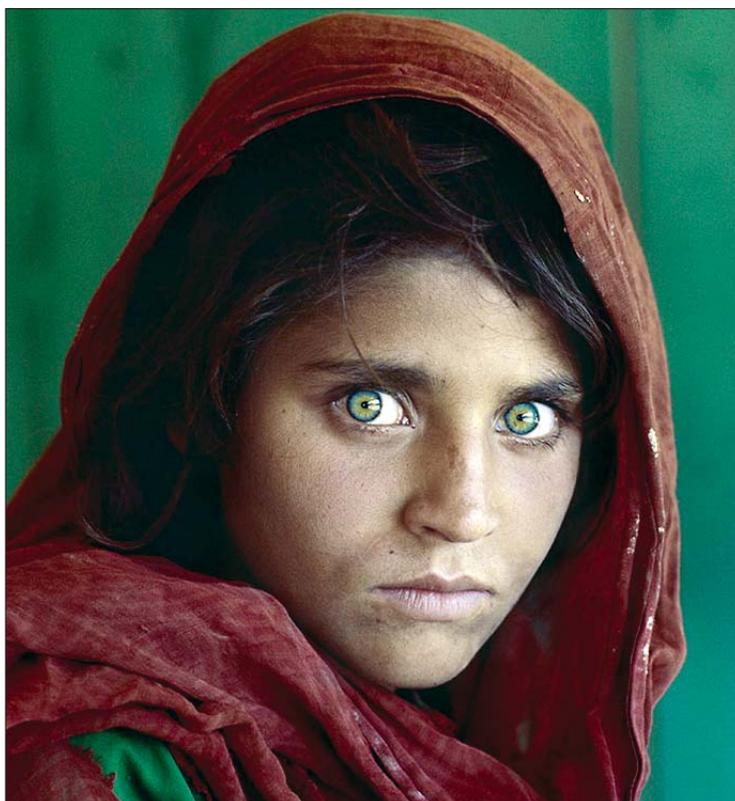
Another significant factor which does not allow women

to emerge and operate is the lack of access to the countries judicial institutions. In other words, on paper woman rights are granted but the female citizenry has no chance to enforce the respective laws.

Due to prejudicial attitudes, remarkable sexism, anti-female mind-sets of judges in combination with an extraordinary lack of professionalism of the police and prosecutors, women have to suffer from a dysfunctional criminal justice system. At the same time, the Karzai government does not show any political will to carry out necessary reforms within the judiciary to make fair treatment of women and gender equality possible. Instead, governmental officials have been allowing radical Islamic influence to grow within Afghanistan's judiciary (and other institutions too) in order to gain (electoral) support from the fundamentalists. In consequence, instead of helping to abolish or reduce the oppressive conditions and practices, the judiciary and respective law enforcing agencies are worsening the situation.

To sum up, there are no doubts that the legal and social status as well as the role in political processes of Afghan women has undergone tremendous changes during the different regimes in 'modern' Afghanistan. Nevertheless, various successful reform attempts in the past proved that an Afghan government with sufficient political will is capable of working towards improving the situation of its female citizenry. However, besides some half-hearted measures to please the donors but at the same time not overstepping boundaries set by conservatives and fundamentalists, the current government either lacks the volition or has no interest to implement gender equality. It is most pertinent to mention that this phenomenon is either backed or ignored by the international community. As a result, instead of having a democracy understood as 'government of the people, by the people, for the people' (Abraham Lincoln), President Karzai is establishing a truncated political system 'of the men, by the men, for the men', turning Afghanistan once again into one of the 'most dangerous places' for women in the world.

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THE 'LIBERATION OF WOMEN' FROM THE 'GENDER APARTHEID' AND THE ANTI-FEMALE POLICY OF THE OPPRESSIVE TALIBAN REGIME AND THE DEFENCE OF WOMEN'S RIGHTS WAS (OFFICIALLY) ONE OF THE PRIMARY MOTIVES BEHIND ACTION IN AFGHANISTAN

underage (child) marriage, forced prostitution, 'honour killings', restrictions on movement and freedom of expression. Additionally women have to suffer from traditional practices like baad and baadal which are not in line with the new Afghan constitution, national and international laws as well as respective commitments of the Karzai government.

Despite the fact that it is forbidden by the Afghan penal code, the traditional practice baad for solving conflicts between two parties is not only one of the most abusive, but also one of the most common and flourishing ones. Carried out usually by a local jirga (tribal assembly, gathering of elders), it is supposed to settle disputes by trading a girl as a compensation for a crime in

too. Besides the fact that it helps poorer families to arrange marriages for daughters by offering a chance to avoid dowry payments (mahr or mahriya), baadal heavily promotes violence against women and as such violates Afghan law.

Furthermore, women liberties are limited by several other strict rules of conduct. In this context, the notion of mahram, meaning that a woman cannot leave the house without a chaperone, which is commonly understood to be an approved male relative, gives us more food for thought. This is not only prevents women from taking part in social interaction outside the domestic sphere, engaging in social life it also enforces the treatment of woman as objects and personal possession of family

that these unfortunate conditions are due to the traditional, long-established cultural context of Afghan society that deeply determinates all spheres of community and individual life. In consequence, the state has only little space to manoeuvre to change the mindset of the people in order to abolish anti-female practices. This is not only a reactionary argument, but it also simply ignores the major problems of formulating and implementing a progressive woman policy in Afghanistan.

The examples mentioned above all point to an extraordinary ambiguity of President Karzai's approach towards the improvement of the situation of women and their rights. This ambiguity finds its expression in the following factors:

To begin with, each policy