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by Siegfried O. Wolf

The Situation of Women in Afghanistan after the End of the Karzai government

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Unlike the promises of the two Bonn conferences in 2001 and 2011, contemporary Afghanistan is a far cry from the stable country with a strengthened civil society that was envisaged to be (cf. FFO, 2011; Wolf, 2012). Looking at Afghanistan's political developments and the state of its economy, one will quickly arrive at a rather lowly conclusion: progress is not only 'moving at a slow pace' (BTI, 2012) but in some respects it even seems to turn worse (cf. BTI, 2014). The political standoff in the aftermath of the 2014 presidential elections seriously challenges the fragile political system and poses a threat towards the country's territorial integrity (cf. RFE, 7.8.2014; cf. Crilly, 2014a, 2014b).

Afghanistan's security and stability is put even more into question as international troops are planning to withdraw by the end of this year. In this context, former President Karzai's refusal to sign (despite the approval of a vast majority of the Loya Jirga) the final draft of the new US-Afghan Bilateral Security Agreement (BSA) casts a dark shadow over the rosy prospects that Bonn I and II pictured for Afghanistan (cf. Katzman, 2014). Consequently, the BSA has remained in such a 'precarious status' (cf. Panda, 2014) that it is strengthening the segments of the US security circles favouring a complete withdrawal. Taken the still relatively weak state of Afghanistan National Security Forces (ANSF) into account, the 'zero option' would most likely lead to a return of the Taliban.

In consequence, the country could once again turn into a safe haven for Islamic fundamentalist organisations (cf. Panda, 2014). There is a general agreement among observers, that only the so-called 'Resolute Support Mission (RSM)' will avoid a dramatic deterioration of the security situation (cf. Katzman, 2014). Such an RSM would take place beyond 2014 in order to continue mentoring and training the ANSF, to carry out limited combat operations (cf. Katzman, 2014), and to protect the government in Kabul as well as other significant facilities nationwide.

However, even assuming the BSA will be signed – which is most likely the case as it is supported by Kabul's leading political community (cf. Panda, 2014) – and the RSM is in place beyond 2014, there remains a potential for a significant deterioration in the level of the country's state of security (cf. Katzman, 2014). Despite all US/NATO optimism about the performance of the ANSF, severe threats remain that the next government will be not able to control the divergent ethnic and factional interests which could prompt the re-emergence and strengthening of regional power centres.

Furthermore, without the presence of international military, it will be much easier for the Taliban and other oppositional forces (especially local militias) to re-group and increase pressure on the ANSF. Substantial losses among Afghan armed forces would function as a catalyst for defection and disintegration through confrontation between different units ('green on green attacks'), which is an already known phenomenon within the country's security sector (cf. Leigh, 2010). Consequently, not only the few socio-economic and political gains which were achieved since the fall of the Taliban would be nullified but also the deconstructive forces of the past would return with full swing (cf. Wolf 2013a, 2013b, 2013c).

There is no doubt that such an unfortunate trajectory will happen at the expense of the country's civil society in general, and at the cost of women's rights in particular (cf. Freedom House, 2014). The controversies around the parliamentary ratification of the Elimination of Violence against Women law (EVAW) can be seen as an indication for the strong determination of reactionary, anti-modern, and anti-West forces to undermine any improvement of women's rights (cf. Wimpelmann, 2013).

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 (cf. Ruttig, 2014). 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 (cf. Laugh et. al, 2012; cf. HRRAC, 2010, FCO, 2014); 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 experience of the US/NATO inability to defeat the Taliban and other religious extremist forces militarily, it is more about concealing just another Afghan drama, the broken promise of the international community to grant the women 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 reasons to take action in Afghanistan (cf. FCO 2014; cf. Hasrat-Nazimi, 2014; cf. AI, 2011).

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 in mind the heralding of the end of systematic exclusion of Afghan women during the first Bonn conference in 2001, 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 (cf. Jalal, 2013). 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 (cf. Wolf, 2012).

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 Women 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 (cf. Vieira Da Cruz/Wolf, 2012). 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 (cf. Wolf, 2012). 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 (cf. Hasrat-Nazimi, 2014; cf. Al, 2014, 2011), 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 women 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 (cf. Freedom House, 2014; cf. Al, 2014, 2011). 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 underage (child) marriage, forced prostitution, 'honour killings', restrictions on movement and freedom of expression (cf. HRW, 2012; 2010; 2009; cf. Al, 2014, 2011). 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 (cf. HRW, 2012; 2009), but also one of the most common and flourishing ones. Carried out usually by a local *irga* (tribal assembly, gathering of elders), it is supposed to settle disputes by trading a girl as a compensation for a crime in 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 (cf. HRW, 2012; 2009). 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 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 (cf. HRW, 2012), gives us more food for thought. This not only prevents women from taking part in social interaction outside the domestic sphere, engaging in social life it also enforces the treatment of women as objects and personal possession of family males. This 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 (cf. Al, 2011). 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. Keeping this in mind, it is short-sighted just to state that these unfortunate conditions are due to the traditional, long-established cultural context of Afghan society that deeply determines all spheres of community and individual life. In consequence, the state has only a 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 former 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 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. The fact that the bill to prevent violence against women was pushed out of parliament into a committee for further scrutiny, the quota of seats for women on provincial councils was cut down from 25 to 20 per cent, and a proposal by the Ministry of Justice to reintroduce lapidation as a punishment for adultery – typically used against women (cf. Graham-Harrison, 2014; cf. Al, 2014) – must be seen as attempts to ensure the male dominance in Afghanistan politics. 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 (cf. Al, 2011). 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 outranked 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 (cf. Arghandiwal, 2012). One must state that the Karzai government was following a policy of downgrading the influence of women within the peace process. For example, National Action Plan for Women of Afghanistan (2008-2013) did indeed contain strong recommendations on advancing gender equality in government institutions, but most have remained unfulfilled by his administration (cf. Al, 2014). 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 women rights are granted but the female citizenry has no chance to enforce the respective laws. Due to prejudicial attitudes, marked 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 did not show any political will to carry out necessary reforms within the judiciary to make fair treatment of women and gender equality possible (cf. Graham-Harrison, 2014). 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. Consequently, instead of helping to abolish or reduce the oppressive conditions and practices, the judiciary and respective law enforcing agencies are worsening the situation. For example in November 2013, the Ministry of Justice and the Ministerial Committee of Sharia and Traditional Penalty and Investigating Crimes proposed more than 25 amendments to the country's penal code. The changes, if they had been approved, would have reinstated punishments which were enforced under Taliban rule (cf. Al, 2014).

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 political elite 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), former President Karzai established 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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