

**AFGHAN WOMEN AT THE CROSSROADS:
AGENTS OF PEACE—OR ITS VICTIMS?**

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A CENTURY FOUNDATION REPORT

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THE CENTURY FOUNDATION PROJECT ON AFGHANISTAN IN ITS REGIONAL AND MULTILATERAL DIMENSIONS

This paper is one of a series commissioned by The Century Foundation as part of its project on Afghanistan in its regional and multilateral dimensions. This initiative is examining ways in which the international community may take greater collective responsibility for effectively assisting Afghanistan's transition from a war-ridden failed state to a fragile but reasonably peaceful one. The program adds an internationalist and multilateral lens to the policy debate on Afghanistan both in the United States and globally, engaging the representatives of governments, international nongovernmental organizations, and the United Nations in the exploration of policy options toward Afghanistan and the other states in the region.

At the center of the project is a task force of American and international figures who have had significant governmental, nongovernmental, or UN experience in the region, co-chaired by Lakhdar Brahimi and Thomas Pickering, respectively former UN special representative for Afghanistan and former U.S. undersecretary of state for political affairs.

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“As for those who lead a righteous life, male or female, while believing, they enter Paradise; without the slightest injustice.”

—*Al Qur’an* [4:124]¹

“Religion does not require women to veil their hands, feet and faces or enjoin any special type of veil. Tribal custom must not impose itself on the free will of the individual.”

—Amanullah Khan, King of Afghanistan (1919–29)²

INTRODUCTION

Ten years ago, as the world was celebrating the arrival of the twenty-first century, the part that Afghanistan played in the global festival was to present a dark, backward look, as if to another century—and nowhere darker than for the half of Afghanistan’s people who are women. Ten years into the new century, Afghanistan has gone through another decade of upheaval, which has produced a mixed situation of progress and regress at the same time.

Afghanistan in the year 2000 was a country with the world’s largest number of displaced persons, its highest mortality rate, and its biggest production of opium. It was a country where more than half of its population was virtually invisible, totally ignored in its social, political, and economic spheres. By the year 2000, Afghanistan had suffered through two decades of war, and the slow, steady progress of earlier years was burnt to ashes in the flames of war of various types: the Soviet invasion in 1979, the civil war of the early 1990s, and then, in the mid-1990s, the emergence of a large group of armed men wearing as their uniform the traditional dress of southern Afghanistan and calling themselves the students of religious schools—the Taliban. These years of continuous conflict resulted in the devastation of Afghanistan and the destruction of its entire relative infrastructure—physical, administrative, as well as political.

We seek in this paper to explore how Afghanistan's women have sought to protect themselves and improve their situation during their country's upheavals over the past three decades, and how in coming years they can secure what they have won. In order to understand how the status of women has changed in that time, there is a need to understand their historical position throughout the twentieth century—in the decades of peace that preceded the destruction of war. Hence, this paper will begin with an overview of what Afghan women inherited over the past one hundred years, and how they have engaged at different layers of society through recent decades.

Following the overview of the position of women historically, the paper will present a comprehensive picture of their status—the changes, achievements, and challenges—over the past ten years. It also will explore what position women hold in today's Afghanistan, in the countryside as much as in the city, on the eve of a potential new compact for Afghan society that may resolve one conflict, but could give rise to another.

The paper will illustrate how the fundamentalist or conservative elements now resurgent in Afghan society aim to affect the current status of women and their future position. It also will describe the different strategies used by women in Afghanistan to make alliances at different levels to achieve their goals and defend their gains.

The paper will conclude by addressing the question of what position Afghanistan's women—including the ones residing in tradition-bound rural areas as well as those in an urban context—see for themselves, and what their expectations are of Afghan society and national actors as well as of their committed international supporters.

WOMEN IN THE PAST ONE HUNDRED YEARS

Often, the picture that the world sees of Afghanistan is of a country where, for centuries, women and girls have languished in medieval subservience, and only gained their rights, including the right to become educated, after the fall of Taliban in 2001. This image is a myth, as the facts in this chapter will make clear.

The first reforms in support of women had emerged back in the nineteenth century, when Amir Abdur Rahman Khan was ruling the country (1880–1901). He challenged the prevailing customs and traditions and took very strong steps toward what the Western world called modernization. Abdur Rahman ordered abolition of the tribal custom of forcing widows to marry their deceased husband's brother, raised the age of marriage, gave women the right to divorce under specified conditions, and allowed women to inherit property.³ Abdur Rahman's wife, Bobo Jan, was a liberal-minded woman who boldly challenged the conventions of her time; she was the first queen to appear in Western dress and wore no veil. She had a keen and open interest in politics, undertook delicate political missions between contending parties, and joined the amir on several missions to other countries. Although Abdur Rahman's reforms at the close of the nineteenth century did not affect the entire population, they were landmark first steps toward modernizing Afghanistan and improving the status of women.

The process of state formation and legal reform in Afghanistan that began during Abdur Rahman's reign continued under his son Habibullah Khan (reigned from 1901 till his assassination in 1919), and later under his grandson Amanullah Khan. Habibullah's most important contribution was to create more educational institutions, such as the Habibia High school for boys in 1903 and the Army Academy in 1909, bringing scholars from other countries to teach in colleges and schools, and also to encourage the Afghans abroad to return to Afghanistan. Among those persuaded to come back to Afghanistan was Alama Mahmood Beg Tarzi, a highly respected scholar influenced by modern interpretations of Islamic jurisprudence who argued for women as an asset to future generations and concluded that Islam did not deny them equal rights.⁴

Tarzi continued to influence the modernization of Afghanistan, as foreign minister, during the reign of Amanullah Khan, who launched transformative changes across various economic, political, and socio-cultural spheres that seemed dangerously radical to many conservatives: for instance, favoring Western dress, discouraging the veiling and seclusion of women, and the institution of radical reform in the military

structures through measures such as replacing old generals with youth. Amanullah had a vision in mind for Afghanistan, which he aimed to realize in a very rapid way. He supported free media and equal opportunities in education for girls and boys, adult literacy programs, and education for nomads. He took first steps toward modern taxation and banking systems. In the political arena, Amanullah established Afghanistan's first constitution in 1923; provided its first guarantees of civil rights (first by decree, and later constitutionally); established national registration and identity cards for the citizenry; ordained a legislative assembly; put in place a court system to enforce new secular penal, civil, and commercial codes; prohibited blood money; and abolished subsidies and privileges for tribal chiefs and the royal family.⁵

The women of Amanullah's family gave a public face to this modernizing spirit by taking part in public service. His sister Kobra established Anjuman-e-Himayat-e-Niswan (Organization for Women's Protection) in the early 1920s to encourage women to speak out on injustices and oppression against them. His wife and queen, Suraya—a daughter of Tarzi—founded the first magazine for women, *Ersbad-e-Niswan* (Guidance for Women). Under her influence, the royal government sent fifteen young women to Turkey for higher education in 1928, and the queen played an instrumental role in promoting women's participation in nation-building.⁶

Amanullah's rapid reforms provoked a bitter backlash among conservatives, including an insurrection in Khost in 1924 that he successfully suppressed, and then a wider revolt that forced his abdication in 1929. Conventional wisdom attributes his fall to his reforms, especially those aimed at liberalizing the status of women, which supposedly provoked furious tribal reactions and later his flight; however, these reforms in the social field were more likely incidental to his radical steps in transforming the national army, his playing off the new Soviet Union to Afghanistan's north against the British Raj in India to its south, and the fact that he challenged and defeated one of the most powerful empires of his time, forcing the British empire to surrender its control of Afghan foreign relations. Many Afghans saw that foreign hand in the reactionary insurrections that finally toppled Amanullah and sent him to thirty years of exile in Italy and Switzerland.

The civil war that followed King Amanullah's abdication and ended his modernization efforts was won by Mohammed Nadir, who obtained British backing via India to capture Kabul and install himself as king. Nadir promptly reversed most of the reforms that were carried out by Amanullah, and closely allied himself with conservative religious factions. Nadir Shah's priority was to maintain his control over the entire country, which he did in part by pressing Pashtun interests over Tajiks and other minorities; reform in the sociopolitical field was not on high on his agenda at all. His sole positive contribution to women's issues was limited to the opening of some schools, mainly in the cities, for girls. A teenage boy assassinated him at a high school graduation ceremony just four years after his seizure of power, and his son, Mohammad Zahir, himself just eighteen years of age, replaced him as Shah.

Zahir Shah's forty-year reign is remembered nostalgically today as a comparative golden era of peace and tranquility, though his was not an easy balancing act. From the start, the governing force behind the scene was the teenage king's uncles, who continued a much more cautious approach to modernization. Throughout the 1940s and 1950s, Afghanistan's steps towards modernization were slow and careful, avoiding the challenges to traditional attitudes that had been so provocative in the 1920s. As Barfield argues, the Musahiban strategy for bringing social change was rather to start from Kabul quietly and more importantly these changes happened after the regime spent thirty years in power.⁷ Schools, universities, and various public administration institutions were formed not only in the capital, but throughout the country. Women became doctors and nurses, and an increasing part of the labor force. Certainly, there were huge gaps and imbalances between rural and urban areas, though of course this urban-rural gap has never been limited to women or gender equality only.

In 1964, Afghanistan adopted its third constitution—in which women, for the first time in Afghan history, were encouraged to take part in the country's political and legislative institutions. All Afghans, including women, were assured the right to vote, to become members of parliament, and to take part in political decision-making. Additionally, the 1964 constitution was also unprecedented in allowing political movements to emerge and conduct their activities in an open way. As a

result, various types of political movements, mostly inspired by the international and regional movements, came into existence. Women became members of the parliament, judges, and lawyers, and many came to serve in various governmental positions in this period.

In 1973, Mohammad Daud Khan launched a *coup d'état* that overthrew his cousin, Zahir Shah, sending him into three decades of exile in Italy; but rather than make himself the king, Daud declared Afghanistan a republic, ushering in a period of rapid and increasingly radical social and political change. This was a time when women, often in the cities, played quite important roles in the various political movements that were starting to emerge around the country. Although women were not in high or leadership positions, political groups—whether oriented right, left, or center—all carried out activities with female activists, especially among youth and students. This was not only in Kabul, but in various other major provinces, too. The establishment of the Revolutionary Association of Afghan Women (RAWA) in 1977⁸ was a prime example of women's political and social activism of new Afghanistan republic.

Very limited information is available, and little sound research has been done, on the situation of women in rural areas of Afghanistan and how much Daud Khan's modernization plans and their overall progress reached rural population in those years. The traditional role that Afghan women played in the rural areas at the time included the production of rugs, making embroideries, and taking part in food processing (such as the production of a wide range of dried fruits). Despite the fact that women in the countryside at the time had important roles recognized in central government decrees, their access to benefits and money was always denied, as they were considered adjuncts of male-dominant families.

To summarize developments before the communist coup of 1978, then, it is clear that the notion of women's rights, encompassing social as well as political rights, has been an important part of the discourse about Afghanistan's modernization since the late nineteenth century. In the century between Abdur Rahman's accession to Daud Khan's overthrow (1881–1978), Afghanistan first was preoccupied with conflicts with encroaching global empires, and then with achieving a new status as an independent

state finally recognized by its neighbors in 1919. Even so, domestic reform gathered steam and inevitably encountered resistance; the balance between reforms in the laws, transforming traditional customs, and providing opportunities nationwide for the whole population, including women, has been challenging. Certainly, there was visceral resistance in highly conservative sectors of a patriarchal society to the fitful expansion of women's rights and protections, but counter to various claims about women's rights having been the major factor triggering the collapse of reformist regimes, we believe that other national as well as regional factors clearly played far stronger roles in inciting reactionary revolts than any king's educational and other reforms promoting equal rights for women and men.

Consequently, the reforms in various social and political spheres continued in the third quarter of the twentieth century, and by 1964, women made it into the political realm with constitutionally protected participation in the legislature. For the better part of a century, the approach to women's rights in the history of Afghanistan had, by and large, reflected a top-down orientation, starting from the king and his family and filtering, ever more faintly, to his subjects. Only in the new republican state were the reforms launched by the government a response to demands bubbling up from active civic networks—demands for services that could ensure that these reforms should now be irreversible, even if they may have varied from one to another part of the country.

THE POSITION OF AFGHAN WOMEN DURING CONFLICT, 1978 TO 2001: THE SOVIETS, THE MUJAHIDEEN, AND THE TALIBAN

The republic of Afghanistan under president Daud Khan never achieved stability, due to various internal as well as external factors. Over the course of four years, there were five prime ministers, and Daud's efforts to contain mounting political instability by reining in the country's increasingly active communist movements resulted in the "Saur Revolution," a palace coup by communist-led military units on April 28, 1978, that

killed Daud Khan and most of his family. With the installation of a communist regime led by Nur Muhammad Taraki, Afghanistan witnessed another period of upheaval in its history, a furious effort to transform the country by a top-down revolution. The coup produced a pro-Soviet regime whose extremism triggered a revolt within a year, and was followed by the fateful military invasion of Afghanistan by the Soviet Union on December 26, 1979.

The conspiratorial People's Democratic Party of Afghanistan (PDPA) that pulled off the coup against Daud started decreeing a wide range of reforms from the moment they took over the government. They changed Afghanistan's name from the Republic of Afghanistan to the Democratic Republic of Afghanistan, signaling their intent to communize the country. Once the PDPA seized power, it started implementing a radical socialist agenda, most notably promoting state atheism⁹—which naturally, in a country that was 99 percent Muslim, triggered a strong reaction. Not content with very radical measures such as demanding that men shave their beards and prohibiting women from wearing a Burqa, the PDPA government in its first year demanded closure of mosques and carried out socialist land reforms that literally confiscated the land of landlords. The government also issued decrees that made education for girls as well as boys compulsory, abolished bride price (which was and still is a common practice), and changed the minimum legal age of marriage for girls to sixteen.

The massive reforms of the PDPA regime were all directly supported by the Soviet Union and facilitated by Soviet advisers—which led the majority of the Afghan population to see the government in Kabul more as an agent of an alien outside power rather than as an internal grassroots movement. Most of their reforms provoked tremendous backlashes because they simply ignored and overlooked the context and reality of Afghan society—the Afghan people's deep cultural and religious sensitivities, the socioeconomic situation, as well as the existence of powerful traditional structures that had long been in place and that could not be easily demolished. Simmering discontent and outrage in the countryside exploded by early 1979 into revolts and uprisings against the communists in Kabul, and the PDPA's inability to control them resulted in the direct invasion of Afghanistan by the Soviet Union at the end of the

year. While the Soviet intervention did secure the cities for the PDPA government and its radical left program, the Afghan communists' loyalty to their Soviet protectors opened the door to various Islamic radical groups, which organized resistance factions and declared jihad against the communists, enlisting massive support from a foreign anti-Soviet coalition led by Pakistan, Saudi Arabia, and the United States. Eventually, the Soviet Union's direct occupation, as well as the massive radical reforms of their sponsored regime to "liberate" Afghan society from its "feudal" heritage, resulted in a catastrophic failure not only for the regime, but also for even moderate modernization. Gradually, the occupation resulted in the collapse of the entire Afghan political and administrative infrastructure.

Notwithstanding the awkwardness of seemingly having to depend on an alien occupation to safeguard their social gains, women under the Soviet-backed regime continued to serve as active participants in the workforce, primarily as teachers, doctors, and judges. There also were a few women appointed as Central Committee members of the PDPA, and one woman served as deputy head of state from 1980 to 1986.¹⁰ However, the role of women in the regime's main decision-making bodies was far more symbolic rather than real. For some women activists, the communist side at least challenged the stifling mentality of the average male Afghan living in rural Afghanistan, who was still not ready to accept the principles of equality—in terms of land reforms and beyond—that the PDPA had decreed and supposedly was committed to enforce. But for others, whatever credit the Afghan communists may have earned by their reforms ebbed once the Soviet Union invaded to prop up the tottering regime.

Many women responded patriotically to the Soviet invasion and aligned themselves with the resistance side. Afghan women played an important role in the political but more importantly in the social field against the Soviet occupiers. For instance, many girls from high schools and universities took part in demonstrations against the regime, and were put in prison as political prisoners for their anti-Soviet occupation actions. Many educated women joined the millions of refugees forced to leave the country, or they got involved in social work where possible within

Afghanistan. Women in rural Afghanistan played a crucial role by providing food and supporting the families of those who were fighting against the Soviet Union army on the fronts.

As over five million Afghans become refugees in neighboring countries, Afghan women played perhaps the most active role focusing on providing social services for the refugees, such as education, health care, and various other forms of humanitarian assistance. This was the beginning of Afghan women's involvement in grassroots organizing and leadership activities—far more than used to be the case back in the earlier reform periods. The challenges for women to take an active part even in providing such services were enormous, but even in the face of threats, many of them continued to support the refugee communities.

After the fall of the Soviet regime and the beginning of the civil war, most of Afghanistan's fundamental infrastructure started to collapse. The fighting mainly went on between various mujahideen factions, each of which claimed it deserved more power than others. As the infighting dragged on, massacres happened, and most of the major cities, especially Kabul, were almost entirely destroyed by bombings, shootings, and factional fighting. Although on the surface the Afghan civil war seemed simply to be fighting between various mujahideen and militia factions, various neighboring countries around the region had a big stake in the outcome and played significant roles in supporting different factions.

As in so many other wars, the Afghan people suffered worst from the conflict, not the outside sponsors, nor even the mujahideen factions. In particular, women and children became the major victims of the war, through human rights abuses, violence, direct indiscriminate attack against their neighborhoods, or losing family members and breadwinners in a male-dominated society. By the mid 1990s, the war in Afghanistan had caused over a million estimated deaths, to say nothing of gross human rights abuses and major destruction of the country's institutions and infrastructure.¹¹ During the civil war period, armed groups would use rape and sexual assault against women as a weapon to dishonor communities and weaken their position.¹² Imposing rules and regulations on women and on their access to mobility, jobs, and education became a

way for different warring factions to demonstrate power, a tactic that the Taliban used later on in a far more radical way.¹³ Although public services continued to function to some extent, women and girls increasingly felt it unsafe to attend schools and universities due to the ongoing civil war and lack of any security measures.

The chaotic situation in Afghanistan—a country on the brink of collapse due to war, a tremendous level of corruption, and systematic human rights abuses—opened the way for the Taliban to gain power. The Taliban are known worldwide nowadays for the extreme restrictions they imposed on women, but back in 1996, given Afghanistan's desperate circumstances, the promise of this new force to bring an end to instability, *Qomandan Salari* (warlordism) and *Pataksalari* (domination by checkpoint thugs), won them a warm welcome from a deeply discouraged population.¹⁴ Whatever the actual intention of the group was, it trumpeted one aim that was welcomed by many Afghans who were fed up with the warlords and their chronic infighting and corruption. As a result, they met little or no immediate resistance from local communities in many parts of Afghanistan. But the Taliban too had their major outside sponsors—the intelligence services of Pakistan most of all, as well as the two other states (Saudi Arabia and United Arab Emirates) that had officially recognized the new emirate together with Pakistan. Taliban-imposed restrictions on girls' education began from the day they took control of an area, offering as justification the "security and safety of the female population." Once they reached Kabul, their rules became far harsher, as they started to apply their rigid Shari'a interpretation and allowed Taliban militants on the streets to take the law into their own hands and publicly punish anyone deviating from their code.¹⁵ Their punishments included public lashing, amputation, stoning to death, and, of course, imprisonment for those that broke their rules. The Taliban's severe restrictions on women, particularly in the cities, became a strong means to create an atmosphere of pervasive fear and to ensure the dominance of their authoritarian regime in stark denial of people's basic freedoms. Although the Taliban in their period of control claimed that their entire system was simply a faithful application of pure Islamic Sharia, one could find contradictory acts by them in many cases.¹⁶

Another side of Afghanistan's reality under the Taliban was often invisible: what Afghan women were doing during that time. The Taliban gradually closed all kinds of possibilities for women to receive an education, carry out professional (or almost any other kind of) jobs, or even have access to very basic resources. What, then, were the women, most of whom by then were mothers with children, doing under such an oppressive regime? No one should imagine that all women were sitting at home passively acquiescing to the intimidation by bearded men, doing nothing to resist. Almost all Afghans were concerned about the future of their children, and this resulted in the spread of informal or home-based education. Women who had been educated as teachers or public service officers turned their houses into secret home-based literacy classes or home-based schools. From Herat to Nangarhar to Balkh, clandestine literacy classes were going on. By Taliban decree, such home schooling was forbidden, but local communities found ways to justify their girls' attending these invisible schools—mainly, to give them religious education. However, besides religious education, these girls also were receiving their first glimpse of a scientific education.

Between 1999 and 2001, I was personally involved in organizing some of these home-based literacy classes. As an unregistered organization, we did not have an office, nor did the Taliban know about the existence of our group, yet we managed to organize classes of ten women or girls on each street, and this was a model that was practiced in various provinces. The Taliban did not know of our illicit activity, and their vigilantes would react punitively if they found a group of more than three women even walking together in the streets. Therefore, women would walk in pairs, sometimes with their younger children, who would play outside and alert the indoor class if Taliban militants were approaching the house where the classes were being convened. Clandestine home-schooling was unmistakably one method of resistance pursued by Afghan women against the Taliban's restrictive rules—rules that, in the views of ordinary people, were a contradiction of the spirit and letter of Islam. Men in the local communities—not only in Kabul, but also in other provinces—played a crucial role in supporting this initiative. The classes in some cases even were held in rural villages, though in most cases they were organized in the urban parts of the country.

Consequently, over the course of just two decades, Afghan people in general and women in particular went through two ideologically radical extremes—one side trying to “liberate” and “free” them from their traditions by government decree, with the pendulum then swinging to the other extreme of imprisoning them in their houses and severely restricting their mobility. Both approaches have resulted in the formation of a new generation of Afghan women who are neither keen for a rapid liberalization that depends on outside sponsorship, nor acquiescent in simply following the Taliban’s restrictive rules. The years of war, from the anti-Soviet resistance through the civil war and Taliban offensives, also put the educated women of cities into situations where they became more connected with women in the rural areas, and the literal gap between the two has narrowed as a result.

AFGHAN WOMEN AT THE START OF THE TWENTY-FIRST CENTURY

After military intervention in Afghanistan by U.S. forces triggered the collapse of the Taliban regime, the United Nations convened a conference in Bonn, Germany, bringing together a number of leading Afghan figures and powerbrokers, people who were involved in political or especially in combat matters, to recreate the state of Afghanistan. The resulting Bonn Agreement in December 2001 opened a new phase in Afghan history. Women did participate in the Bonn Conference, but they were mostly the ones appointed by previous mujahideen groups, with some from the Afghan Diaspora community. Although various groups of the traumatized but re-emerging Afghan civil society were gathered on a side event to the Bonn Conference, there was no representation of civil society groups at the Bonn Conference.

For all its shortcomings, the Bonn Agreement turned out to have some very significant provisions on issues of women’s political participation, human rights, and transitional justice. For instance, it included the establishment of the Afghanistan Independent Human Rights Commission (AIHRC) and of state machinery—what became the Ministry of Women’s Affairs (MoWA)—to deal with huge imbalances in

the field of women's rights and their position in the society due to the restrictions and violations of their rights during the years of war. How effective these two institutions have been, and how both, especially the MoWA, have become part of the larger power-sharing business in the hand of a politically astute president over the past ten years, is a separate issue; for most Afghan women who work actively at the grassroots level, and for the NGO community more broadly, simply having such mechanisms at the national level is a major achievement. Unfortunately, their performance falls far short of their promise.

The AIHRC was expected to monitor the current human rights situation and also come up with an effective approach to deal with past war crimes. In reality, this institution has often been highly politicized, and it was never given enough power and authority to take independent action about ongoing human rights abuses, let alone confront the issues of past crimes.

As for the MoWA, it was expected to be the government machinery to "mainstream" gender equity across all agencies—in other words, to ensure that all services and supports reaching Afghan populations across the country do not discriminate against women but rather promote women's rights. Unfortunately, ten years after the Bonn Agreement, the top positions at the MoWA have not been filled by qualified women who have the professional capacity to carry out gender equity and policy advocacy tasks for MWA. Laws are solemnly made to protect women, ensure their rights, and enhance their political representation; but because the leadership does not have a strong background in working for women's issues, the this ministry so far has remained very weak in terms of achieving its goals. Meanwhile, the international organizations that aimed to provide "capacity building" and "technical support" were falling into their own inter-organizational politics, and have not done much good in helping this potentially important institution stand on its own feet.

One of the successes of the MoWA is its provincial departments, which in a number of places have proved more effective than the central offices in Kabul in advancing women's interests locally. Women who run these departments in different provinces have remarkable stories of how challenging it has been for them to start

their work, and how they have become a destination for women who have experienced domestic violence or for families who have had disputes among themselves. Often, the women at the provincial level mediate among the families and solve the conflicts. It is important to mention that institutions at subnational level as such are crucial mechanisms to be used for peace-building and reconciliation processes, given their expertise and daily experiences with conflict resolution.

In 2003–04, in accordance with the Bonn Agreement, the interim president, Hamid Karzai, established an independent Constitution Review Commission that drafted a proposed new constitution for presentation to, review by, and then approval of a *Loya Jirgah* (Grand Assembly) of elected people's representatives. At this drafting stage, the state minister and women's affairs minister jointly formed the Gender and Law Working Group (GLWG) with logistical support from the United Nations assistance mission in Afghanistan (UNAMA) and the UN Fund for Women (UNIFEM). The GLWG consisted of representatives from the Judicial Reform Commission, the Afghan Independent Human Rights Commission, the Supreme Court, the attorney general, the University Faculties of Law and *Shari'a*, and national women nongovernmental organizations—all Afghans, of course—as well as some international experts on gender and Islam. This group worked extensively on the draft and came up with specific recommendations for language in the constitution affirming equal rights of women and men, guaranteeing women's political participation, and acknowledging the state's obligations to implement various conventions and treaties that Afghanistan has signed or ratified.¹⁷

The women's rights and human rights groups mostly used this platform of the GLWG for putting together their demands, as it was an informal group. Although the group brought only secondary or mid-level experts on legal matters from different governmental institutions, the result of its joint work with women representatives from civil society was significant. Their joint initiative played an important role in ensuring that certain articles became part of the constitution, because the draft initially prepared by the drafting commission was very weak from a women's perspective. Afghan women from civil society circulated copies of this group's recommendations

during the orientation meetings of the *Loya Jirgah*. Some members of the group visited some of key and influential warlord members of the government, while others met various international actors they thought could influence the men running the jirgah, such as the UN representative (Lakhdar Brahimi), U.S. ambassador (Zalmay Khalilzad), and the EU representative (Francesc Vendrell), in order to secure their support and international pressure to guarantee these rights. As a result of Afghan women's advocacy with both the national and international actors, the 2004 constitution guarantees equal rights for women and men, establishes a 25 percent quota for women in the parliament, provincial councils, and district assemblies, and makes the state responsible to provide treaty reports on the treaties and conventions that it has signed.¹⁸

The changes in the system that followed the ouster of the Taliban opened unprecedented opportunities for women to get back into public life. With a massive aid flow and availability of financial opportunities, hundreds of nongovernmental organizations mushroomed all around Afghanistan. The motivation for all these NGOs varied; some showed a fierce dedication to support change, others were mainly looking for, or responding to, economic opportunities. Women's organizations in the post-2001 context may be divided into several categories:

- Women's groups and individuals who were active informally during the Taliban period, providing basic services such as health care, literacy education, and income-generating opportunities; these now have formed officially recognized organizations.
- Women-led NGOs that had their headquarters or base in refugee communities in Pakistan and that have returned after the ouster of the emirate to re-establish their organizations officially in Afghanistan.
- Women-led Peace Councils and Community Development Councils (CDCs), and women Shuras at village level. These are mostly active in formal terms in

the post-2001 context at most levels. Although there is debate as to what extent CDCs could be considered independent from the government, the fact that they are voluntary, nonpaid, and democratically elected institutions puts them into a civil society category.

- International organizations providing services for women also have arrived in great numbers in Afghanistan. Some of these organizations have played an important role in creating different opportunities in rural Afghanistan, but it must be said that others seem to be there mainly to pursue funding opportunities.¹⁹
- Some Afghan women who had been living abroad, mainly in Europe or the United States, have returned to Afghanistan since 2001 to focus mostly on providing business opportunities and job creation for women.

In summary, the civil society in the context of women in Afghanistan refers to all those organizations, community councils, and groups that are led by women. Most of the services these organizations provide are non-profit, except in the last category, in which the profit motive is supposed to jump-start the economy and get Afghan women a share of the country's incipient business wealth.

These organizations and activists have continued their efforts for legal reform at the civil society level. It is evident, of course, that reforming the laws in favor of women's rights is only one part of the larger challenge of achieving respect for women's rights from Afghan men in day-to-day life. The other parts of this larger challenge include assuring access for women to institutions of justice and monitoring the extent to which the laws already on the books are being implemented. For Afghan women, this area of legal reform has long been a priority, given the fact that there has been very limited legal protection for women in the judiciary field; achieving assent on paper to their equal status is the unavoidable first step for pushing a patriarchal society to change its behavior in real life. One example in this field is the Elimination

of Violence against Women Law, which was approved only by presidential decree as a result of several months of efforts by women legal experts. This law is now being applied in courts all over the country.²⁰

The first presidential and parliamentary elections, held respectively in 2004 and 2005, demonstrated that the Afghan people, and particularly women, are in favor of a peaceful transition of power and of democratically elected governments, rather than the “politics” of armed militias. However, the largest challenge, especially in the parliamentary elections, was the fact that the warlords and associated traditional power elites still command organizational influence and the ability to lead blocs of voters. This has made it very difficult for independent candidates committed to a public agenda to get past candidates chosen by these elites and win election to parliament by different means. Several candidates who were known as respected and influential individuals and who were not liked by warlords, either were threatened with death or killed outright. Thanks to the 25 percent quota in the Afghanistan constitution, almost 26 percent of members elected to the parliament in 2005 were women. Not all of them were there to carry women’s voices, however. In fact, most of the women in the parliament are linked in different ways to powerful warlords and other power brokers, and do not have any agenda to change or improve legislation in favor of women and human rights. Only few outstanding voices came out of the parliament to champion women’s needs, while in general, the record of its achievements is very weak—almost total failure—in terms of legal reforms in support of women.²¹

In Afghanistan it often is very challenging to find out who stands for supporting women’s active participation in the political, economic, and social fields. The main actors in Afghan politics of recent years have lost their credibility in supporting women’s participation effectively. Although some of these officials and groups will give supportive speeches (especially in the presence of western supporters of Afghanistan) on the importance of involving women, when it comes actually to providing leadership positions for women, they fail to take action. This makes for a significant challenge for Afghan women leaders to identify who is standing on their side and who is not. One point that is increasingly clear for Afghan women is that the Taliban are not the

only group trying to deny women an active role. This mentality goes far beyond the Taliban, and the notion of “sending women back to the home” is actually even in the minds of various political figures who might in appearance look very progressive and open minded. In a low-wealth society in which government positions are close to the only arena for exercising power, power-holders rarely want to share it with anyone else—and women in particular do not seem like serious contenders to those who measure power by armed fighters and money.

Every now and then, international conferences are held to measure the success or failure of Afghanistan’s newly established political and administrative institutions and the process of state-building. Participants in these conferences often consist of foreign secretaries and official state representatives of all nations that have made a major commitment to, and maintain a presence in, Afghanistan—whether militarily, or financially, in terms of development activities, or both. Women leaders and activists who were absent from these early convocations have succeeded in recent years in gaining at least a small representation in . Although often it has not been an easy process to ensure that women representatives take part in such meetings, they now seem to be succeeding in building coalitions nationally as well as internationally to assure space for them to participate. During the London Conference in early 2010, for instance, the strong presence of women activists drew considerable attention in both Afghan and international media and resulted in public statements in support of women by President Karzai as well as international participants of the conference.²² Women’s participation in the conference side events, as well as one woman’s representation in the official conference delegation, would not have been possible without the support of the internationals, especially because the overall thrust of the London Conference was to convince international supporters of Afghanistan to accept the reintegration of the Taliban into the system. The Afghan women’s presence at the conference made it clear that such reintegration cannot be legitimate if women’s rights and their achievements of the past decade are put at risk. Women, they made clear, will not acquiesce in becoming the victims of a peace between armed men.

WOMEN-LED INITIATIVES IN CIVIL SOCIETY AND AT THE COMMUNITY LEVEL

For various reasons, in discussions of women's rights and their political participation, there is often imbalanced coverage of the work Afghan women have been doing beyond lobbying and advocacy for legal reforms at the national level. This perhaps is due in part to Afghan women's organizations' limited capacity, in comparison to that of some high-level international organizations, to present their work systematically through media.

There are at least twenty active, not-for-profit NGOs led by Afghan women that provide services and promote women's rights in Afghanistan. Some of these organizations are based in provinces such as Balkh, Harat, Nangarhar, Paktia, Helmand, Badakhshan, and Kunduz, while others have their headquarters in Kabul and only run projects out in the provinces. This is perhaps a unique time in the Afghanistan's history of the past century and beyond: progress for Afghan women is not coming from the government on high, or being bestowed by those who are affiliated directly with the center of political decision-making, but rather is coming from women who have managed to enhance their leadership skills at the grassroots level. They have had to attract the financial support that is available internationally, yet focus on, and work to bring changes in, the mentalities of people at the community level.

Given the fact that Afghanistan's contemporary history is full of situations in which merely discussing women's rights, their mobility, and their access to education could result in a nationwide uproar and political chaos, NGOs working in Afghanistan have taken a very different approach to women's rights and development programs. Women active as community mobilizers, teachers, doctors, and nurses have continued to work with women *and* men in provinces, districts, and villages, and they make a point of using religious references and Islamic justification for the work they are doing. There still is a (very limited) hostile reaction to their efforts at the community level, which often has been later shown to have either personal or political motivations behind it. Much more commonly, the work of women's NGOs and other organizations supporting development projects at the community level almost always has been

appreciated by most of the villagers, including elders, religious clerics, and other men, and villagers keep demanding more such services. These services reach nationwide, but their reach has been affected significantly by the security situation in local areas. There are many fewer organizations active in southern Afghanistan, where Taliban fighters have re-entrenched themselves, as opposed to northern parts of the country. Nevertheless, there are women's groups active even in the south who face huge risks due to the lack of protection and security for their staff.

For instance, the work and activities of organizations such as Afghan Women's Education Center (AWEC), Humanitarian Assistance for the Women and Children of Afghanistan (HAWCA), Afghan Women's Skill Development Center (AWSDC), Afghan Women's Resource Center, and Shudaha Organization (SO) are very much in line with the global priorities for improvement of women's lives in the areas of education, health, human rights, and civic education. The organizations led by Afghan women have taken a context-sensitive approach to promoting women's rights, providing reference to various religious and other similar contexts' experiences, which has proved very effective.²³ For instance, AWEC's staff member in Paktia province has succeeded in convincing the male villagers in the district where she lives to let their women form their own *Shura* (council) where they can identify their priorities. The same happened in a remote village of Samangan province, where HAWCA established a school for girls, gaining all needed support from the men in the communities. These are mostly considered informal Shuras; in the formal setup at the subnational level, 25 percent of the provincial council seats are allocated for women, and there is no province, not even the most volatile in the conservative south, where women are not represented at the provincial council. These operate alongside the official National Solidarity Program (NSP), which is a state-run community development program that also creates community development councils; NSP accommodates the requests from some communities for a separate community development council for women, though more often communities agree to guarantee the presence of women from their community on a unified development council.

Despite our confidence about the improvements and developments that are being carried out in rural Afghanistan, it is crucial also to highlight the many shortcomings

of these services. Aid dependency is perhaps the most glaring weakness in terms of long-term sustainability; the lack of proper strategies for sustainable development has affected whole communities and created an inflated level of expectation that aid agencies and the government should now provide services that historically were done voluntarily by local people. Most of the projects focusing on women's empowerment in the rural context (and also in urban areas too, to some extent) have focused on short-term, small-scale, income-generating projects such as tailoring and poultry farming. Many of these, however, have not become self-sustaining, and contrary to the objective of promoting self-sufficiency, have raised village women's dependency on outside funding. Secondly, there is no long-term way for women to sustain a newly acquired skill in a paying job. For instance, providing a tailoring course for twenty women in a village does not guarantee that they all then can find jobs as tailors. All too often, there has not been a clear understanding of the sustainable market needs by the donors and organizations funding and carrying out these activities.

Another challenge is security. Anti-government insurgents often will attack a public service center, such as a school or clinic. Sometimes in the media these assaults are portrayed simply as the reaction of local, rural people, but in my view such acts are intended by the perpetrators to harm the interests of the state, and at times such wanton destruction turns out to arise from some other sort of local dispute. Additionally, with most development intervention, with very few exceptions, the projects implemented have not been developed in consultation with community members, who as a result lack a sense of ownership of the development services in their communities that armed elements have targeted. Where the community has been instrumental in creating a project from the start, insurgents have been constrained from destroying it. In any event, what is clear is the fact that men and women in the rural areas are not "revolting" against any of the activities and services being provided. On the contrary, in many instances they demand *more* social development and basic services for their areas.

Despite extensive limitations on outreach to the villages on behalf of women, I believe some level of change in the mentalities of people definitively has emerged in

rural Afghanistan. This could be due to any number of reasons, including the impact of migration, the more adaptable approaches and initiatives led by women's groups and organizations, and the growing availability of international support. Although this change in the mindset of rural people may differ from one part of the country to another, what is evident is that rural populations, and especially women who are active at the grassroots level, will not allow themselves to be ignored. Should a new situation emerge that threatens to force them back to the dark and ignorant eras of the past, they are now emboldened to resist—and a critical mass of their male family members and neighbors are now more willing to back them.

THE CURRENT PICTURE OF AFGHANISTAN AND WHERE WOMEN STAND

After nearly ten years of foreign military intervention, it has been proved irrefutably that war is not a solution for the conflicts that continue to roil Afghanistan. Despite some specific guarantees won for women in the country's constitution, women's struggle for their rights is a continuing challenge—and not an easy task. Parallel to the deterioration of security in many areas since 2006, a recurrence of old challenges has started to emerge, with a drop in enrollment of girls in schools, especially high schools.²⁴ The number of female civil servants decreased 9.2 percent in the course of three years, between 2004 and 2007.²⁵ Women working in the aid agencies have felt increasingly insecure about reaching out to remote areas in the provinces. Still, despite huge risk, often they continue to work—but the growing fear takes its toll.

Despite having 27 percent of the parliamentary seats filled by women, the parliament has approved a controversial amnesty law, calling for immunity for all those involved in war-time violations of human rights and women's rights; approved the Shiite Personal Status Law, subjecting Shiite women to traditional religious controls,

which later on was reviewed and amended to some extent; and pointedly did *not* approve presidential nominees for the position of minister of women's affairs. These are growing indicators that the position of women in terms of political representation and beyond is becoming more and more high risk. It is also evident that many women in political positions, such as members of parliament elected on the slates of local warlords, are dutifully devoted to their position's survival, preferring to take their sponsor's side rather than uniting for women's causes. Certainly, not all Afghan women take the same political position on various national level political issues.

Above all, Afghanistan at the moment suffers hugely from the absence of an honest, dedicated political movement that can open a constructive dialogue on a sustainable setup for long-term peace. Such a movement can be built only if the unjust power and legitimacy given to corrupt and notorious figures in Afghanistan are countered by insistence on the culture of pluralism and by opening more space to individuals and groups who have been kept in margins of the system. One example of such progress could be the opening of space for political parties to be active. Under current circumstances, women activists and leaders have entered a phase of their struggle where their national or internal solidarity must become highly important, even if such an option has seemed an unachievable goal, given the fact that, despite all their commitment and strengths, women are not yet able to compete with the rest of the power-holders in the country. In this situation, the urgent need for having at least a strong platform for carrying out advocacy campaigns, which are led by Afghan women themselves, was filled by the Afghan Women's Network (AWN).

The strength of a structure such as the AWN mainly emanates from its active NGO members (who are working in different parts of the country with their social service deliveries) and its executive board members, who all are strong advocates for women's rights. The NGO members of AWN are organizations led by women that are carrying out small-scale development assistance projects in various parts of Afghanistan, from Badakshan and Nangarhar to Herat and Kandahar. These women's organizations are active in the social field, where carrying out advocacy messages by

their organizations in which they would criticize certain actions of the government, could be seen as a potential threat to their service delivery work. Hence, they all come together at AWN in a joint platform to manage their advocacy campaigns. Despite significant challenges that emerge in the micro-management level, the AWN has become a platform where most of Afghan women leaders and activists came together and strategized their position on certain critical issues.

The power struggle among various groups to use AWN for their political or perhaps other purposes is intense, but to a large extent, the network has succeeded at least in filling the immediate gap for such a platform, ensuring that in all ongoing and short-noticed meetings where important decisions were about to be made, women at least manage to make their voices heard. For instance, at the London Conference in early 2010, it was on no one's agenda to speak about Afghan women, and the conference seemed scripted to gain the assent of the international community for allowing the return of Taliban. Nonetheless, Afghan women activists succeeded in a strong media campaign that at least resulted in the acknowledgement of women's rights and respect for the constitution of Afghanistan. Also, it was the Afghan women who strongly raised their voices to affirm the importance of justice as well as the strengthening of the formal justice systems in the country.

The deterioration of the political and security situation has put the Afghan government and its international allies into a position of charting a new approach—also known as solving the conflict through a political settlement. While in some actors' views (both Afghans and internationals) things got worse in Afghanistan because two main rival groups—that is, the Taliban and followers of mujahideen leader Gulbuddin Hekmatyar—were excluded from the power-sharing deals, others (mostly Afghans) have emphasized that the issues of undermining justice, of inadequate transparency and accountability from the government, and of the all-consuming spread of corruption and of impunity for crimes committed by powerful influential figures were the reason that the country plunged into the current crisis of chaos and widespread insecurity. Regardless of the main causes, it is evident that reconciliation and negotiation could

produce a solution to a violent conflict. The key question for Afghan women is: reconciliation, and especially reintegration, at what cost?

CONCLUSIONS AND RECOMMENDATIONS

As this paper has argued, the issue of women's position in Afghan society and in the country's different sociopolitical and economic spheres has been a major part of our political discourse over the past hundred years. The approach toward this question has varied over time, from one of cautious modernization in some periods to others of extreme measures forward or backward. However, the experiences in recent decades of war and forced migration, as well as the awakening of Afghan women's activism in recent years, have opened another phase in the history of Afghanistan, a phase in which the female half of the Afghan people have the confidence and mutual contacts to defend their legitimate rights against any who would try to limit them. Thanks to various local, national, regional, and international factors, it will be impossible for any political settlement among armed men in Afghanistan to put women back into the margins of the society.

Yet, it is also important to emphasize that women's advocates in Afghanistan are not necessarily looking for a symbolic representation or a slice of the power cake. What Afghan women are seeking goes far beyond conventional power-sharing. What they seek is, rather, a sustainable peace, based on foundations of a principled justice system in which law and order is dominant—indeed, in which law is the basis of order. Only such a system can ensure women's active role in the society, in all fields from sociopolitical to economic to cultural. It is the same foundation of a sustainable peace that minority ethnic and religious communities require—except that, in the case of women, they actually are the majority.

Concerning the government run programs such as APRP, Afghan women have offered a detailed list of recommendations, which appear as an Appendix to this paper. The recommendations of women need to be taken seriously by the High Peace Council

and the government of Afghanistan and its international alliances, as well as by any opposition groups thinking of reintegrating themselves into the current system.

Based on international as well as nationally legislated norms in Afghanistan, it is vital to ensure women's active participation in any political and peace settlements in the country. Women have struggled throughout the years of war as victims, but also as strong agents for change. They have played an important role in keeping the spirits of their children, the future generations of Afghanistan, alive. They have played a strong role in maintaining the peace within their families, their communities, and the surroundings to which they have access. When two sides are fighting, the best mediators are the ones who are not involved on either side, hence the women of Afghanistan not only should take part in the political processes, but should be in a position to get a strong and genuine guarantee from the warring factions that they not to return back to violence. As Afghanistan moves toward a political process for concluding its decades of strife, bringing women to the negotiating table will ensure the sustainability of peace. President Karzai should have strong, respected women as part of his negotiating team, with female participation even in the innermost circle of negotiators; and the United Nations assistance mission in Afghanistan must press for women from every ethnic community to take part at every step of a peace process, from beginning to end. It also will help ensure that a peace that is promised by warring factions will be an honest commitment for the long term rather than a short-time expedient aimed at buying off a difficult rival.

There is need for a comprehensive—and critical—review that looks into the results and outcomes of what has been adopted or implemented so far. Ideally, all funding agencies supporting women's empowerment projects and programs in Afghanistan should conduct this review jointly, which should not only focus on studying the results that certain projects have produced in urban or rural areas, but also look into the specific local contexts as well as potential lessons from operations in both safe and unsafe areas. It is crucial at this stage to provide this space for lessons learned from the actions of the past in order to focus on much effective ways and programs to advance women's empowerment.

A key strategic shift needs to be realized in the program funding focused on gender equality, moving from women-only activities that are intended to enhance women's empowerment to community-focused programs seeking to empower women over the long term, adopted to the sensitivities of the particular locale, and of course very much guided by the positive practices of the past. Men in a setting such as Afghanistan (and not just Afghanistan) should not be seen as "the enemy" of women; there are numerous examples of men standing and supporting women, and who are actively engaged in promoting women's rights and in protecting women at risk. Such examples need to be highlighted in different ways. In other words, there need to be programs focusing on men that would raise their awareness of women's contributions, roles, and responsibilities in the family, community, and beyond—and would show men how expanding space for women's strength can improve their own living conditions and community.

The government of Afghanistan and its Ministry of Women's Affairs (MoWA) presented its National Action Plan for the Women of Afghanistan (NAPWA) in 2006. So far, there has been no follow-up progress report, much less any annual report of the achievements and challenges in implementation of this plan. Hence, it is crucial that the MoWA take the lead in bringing local Afghan as well as some qualified international experts to review the NAPWA and adopt an implementable strategy to realize the plan, so that progress in its implementation can be measured on regular basis. A plan that has seen no action needs to be changed from a nicely written paper into an actual, thorough action plan.

Various women-led organizations active on the ground have found it very effective to build their women's rights programs on the basis of positive traditional and religious practices. This is particularly important when working in communities where the level of education and information, aside from religious training and knowledge, is relatively low, and locals are more conservative than in towns. Women's organizations also should present the history of Afghan women rights activists and identify role models for such women within their own local context, so they can deflect any accusation that women's rights are an outside import.

Nevertheless, it is essential that Afghan women's rights activists and leaders keep their close ties with women organizations and their leaders at the regional, continental, and global level. The issues that Afghan women are faced with are not unique to Afghanistan, but rather exemplify a struggle that is going on all over the world. The international solidarity of women's movements is a viable means to ensure that there is international support for women when they face a crisis in any single country; exchanges of experiences and information will further strengthen the position of women in other countries in addition to Afghanistan where women's status is at continuous risk.

Afghan women no longer should present themselves as poor and helpless victims, and neither should others assume that they are so. As demonstrated in this paper, Afghan women have played active roles as agents of history in their country, not simply as objects. It is unfortunate that their voices and concerns historically have not found a platform at the political level to be heard, but that has already changed. Most importantly, the effort in some quarters to seize upon an image of Afghan women as victims in order to justify war or escalating the war and military intervention should be stopped immediately.

At this critical moment, Afghan women leaders and activists need to be more united on their collective demands—among themselves as well as with other human rights and civilian victims' associations—than at any other time in the past. Closer collaboration is necessary, because in the current circumstances, the progress and achievements that they have gained over the past years is at high risk. Their united voice at the civil society level and beyond can be so powerful that other political actors ignore it at their peril.

APPENDIX

AFGHAN WOMEN'S MOVEMENT FROM FIRST WOMEN'S COUNCIL TO KABUL CONFERENCE

JULY 17-18, 2010

KABUL SERENA HOTEL

CONFERENCE STATEMENT

We, the delegates of the Afghan Women's Movement from First Women's Council to Kabul Conference, welcome the Afghan Government's efforts for an Afghan-led action plan for improved governance, economic and social development, and security. We acknowledge the progress in the area of women's rights in the last eight years, and appreciate the support of the international community and Islamic Republic of Afghanistan in this regard. We believe that only a transparent, open, and inclusive participatory process of women and men can help the government in reaching its goal of creating an accountable and efficient structure in deliverance of good governance and development of a flourishing democracy.

The purpose of this conference is to bring a joint and collective voice of Afghan women that seems to be excluded from the grand Kabul Conference which is taking place on July 20, 2010. We, the women from different provinces, have come together to solidify our voices at the capital of the country. We call on the Afghan government and international interlocutors to address women's needs and concerns according to the priorities that were set by Afghanistan National Development Strategy (ANDS), Afghan Constitution (2004), National Action Plan for Women (NAPWA) at the center of the Kabul conference.

Women constitute half of the population of Afghanistan, yet women are underrepresented in all decision making bodies. The benchmark quota of at least 30% of women's participation should be respected at all decision making levels, strategies

and efforts including the Kabul Conference. Their role in the deliverance of good governance, fighting corruption, and improving security across all clusters of the government ministries is absolutely necessary.

Considering women's unique experience of the war and deprivation, yet emerging as survivors, women's potential and experience should be capitalized in peace building efforts. According to recommendations made in 28 working committees in the National Consultative Peace Jirga, women should be a constituent part of all bodies outlined in the Afghanistan Peace and Reintegration Plan. Women's rights and achievements should not be compromised in any peace negotiations or accords.

The Government of Afghanistan's commitment to continue development of a National Security Strategy must be consistent with UN Security Council resolutions 1325, 1820, 1888 and 1889. A National Action Plan on Women, Peace and Security should be integrated as a core element of the national security policy.

Despite the marked progress of the past eight years in restoring women's rights in the legal and policy areas, Afghanistan, unfortunately, represents one of the lowest level of human indicators in Human Development and Gender Development Index of the world according to United Nation Development Report (2010). Special attention should be given in prioritizing all gendered benchmarks in Afghan National Development Strategy (ANDS). Social and cultural constraints should not be used as an excuse, rather they should be dealt with determination and innovative strategies where more women from remote and war affected areas can benefit from development interventions.

In order to achieve the involvement of women in development initiatives, special attention should be given to helping women access higher education and capacity building to develop small and medium sized enterprises. Family-friendly employment policies, flexible working hours, and improving work and education environments through the introduction of anti-sexual harassment policies can bring more women into the development sector.

The National Action Plan for Women of Afghanistan (NAPWA) with renewed commitment to the London Communiqué and Elimination of Violence against

Women Law should be vigorously implemented and taken as a priority benchmark across all government clusters structuring, and national priorities programs. The role of the Ministry of Women's Affairs should be institutionalized as a policy advisor, monitoring and evaluating gender programming across all government ministries, and all clusters structuring instead of confining the ministry under one cluster.

We expect that the Kabul Conference will bring a stronger gender commitment and clear direction and priorities for the administration to implement the existing commitments to Afghan women, backed with increased resources and accountability of public officials. The exclusion of women in the London Conference and hesitation to include women in the Kabul Conference raises women's concerns regarding the Afghan government's political will to implement gender equality and women's empowerment, adding to the fear of losing the gains we have made in the past eight years. We want to present our recommendations based on inclusive discussions in the two days of this conference by the participants coming from all over the country. The recommendations are presented to improve the gender perspective of the Afghan government's initiative presented at the Kabul Conference under the five key governance clusters:

AGRICULTURE AND RURAL DEVELOPMENT

There is a need for recognition and visibility of women's role and contribution to agriculture and rural development. One of the tools can be introduction of gender disaggregated data for measuring outputs. Women should have access to information technology and be involved in all stages of planning and monitoring of rural development strategies.

- The Master Plan of Ministry of Agriculture, Irrigation and Livestock (MAIL) should be actively implemented, integrating gender and increasing the participation of women into all agricultural projects, such as rural poultry development, dairy production, horticulture, seed production, food processing,

and bee-keeping. The projects need to demonstrate women's contributions, recognize their diversity, strengthen their business skills, increase female staff, and integrate literacy and numeracy, among other things.

- In order to enhance women's participatory role in agriculture and rural development, women should be equipped with modern agriculture technology and marketing skills. Furthermore, there is special attention needed to promote products produced by women.
- Micro loans should be made more available to women farmers. Human Resource Development.
- To address critical shortage of women participation in the labor market, special efforts should be made to train women in marketable skills. The Afghanistan Government needs to invest significantly in women's vocational training to ensure sustainable industrial development.
- Introducing an anti-sexual harassment code of conduct, family-friendly employment policies such as flexible work hours and child care facilities should be implemented across the civil service and private sector to balance women's family responsibilities with their career needs.
- To promote girls involvement in higher education, cultural diversity and sensitivity should be taken into consideration at the policy and planning level. A Sexual Harassment Policy/Code of Conduct is urgently required to safeguard women and girls' enrollment; women are still grossly under-represented in institutions of higher education and vocational training.
- We additionally recommend building universities exclusively for women and women-only dormitories and special scholarship packages for women.

Furthermore, we recommend special preparatory tuition for girls at the high school level to prepare them for the university entrance examination.

- Women should be provided with training and should be given the opportunity of placement in mid and higher level management positions. All training programs should have clear gendered indicators to measure the output and impact of the training on women.

ECONOMIC AND INFRASTRUCTURE DEVELOPMENT

- Serious steps to be taken to implement the labor's law in order to ensure the safety of rights of all employees. This especially includes preventing any type of child labor, which is one of the threats resulting from these major economic development projects/programmes.
- Environmental safety must be taken into account before designing or planning any project.
- Raising awareness of the community, especially women, about major economic initiatives and programmes across the country. This includes consultation with the women, youth and men in communities while the government is planning projects or programmes.
- There must be inclusion of women and girls in all vocational training courses, higher education facilities, and provision of scholarships.
- All projects must be well assessed to ensure the needs of women, children and youth are included. In all monitoring and evaluation of the projects during the implementation and after the completion, women and youth must be included to ensure transparency.

- The government should facilitate an increasingly enabled environment for women entrepreneurs to be able to access finance, and have the security to operate.
- The regulatory framework should be gender-sensitive to ensure that there is room for women to be actively involved in the economic development of the country.

SECURITY

- The phased growth and expansion of the Afghan National Army and the Afghan National Police must be accompanied by efforts to ensure the security forces have the respect and protection of women as one of their main priorities. This can be enhanced through the recruitment of more women at top and other levels of all security sectors, investment in Family Response Units, and training for the security forces and the justice sector on the Elimination of Violence against Women Law.
- The Government of Afghanistan's commitment to continue development of a National Security Strategy must be consistent with the UN Security Council resolutions 1325, 1820, 1888 and 1889. A National Action Plan on Women's peace and security should be integrated as a core element of the national security policy, and a quota of not less than 30% of women's representation in all peace and security deliberations must be accomplished.
- We strongly recommend the inclusion of women in developing the National Peace and Reintegration Program. The proposed Peace and Reintegration Trust Fund to finance the Afghan-led Peace and Reintegration Program should transparently ensure that a proportion of the financial incentives to communities to support reintegration are used to support women's empowerment and development, and the protection of their human rights through rigorous monitoring and redress.

GOVERNANCE

- In Afghanistan, marginalized women are disenfranchised through the exclusion of access to information. Access to sources for networking and information exchange can contribute to community development and participation in the political process. Women have been largely excluded due to the cultural, religious and social constraints on their freedom of mobility and the segregation of sexes in public life.
- Women must be actively involved in all anti-corruption efforts to ensure that the specific forms of corruption that afflict them are addressed.
- As a matter of procedure, all laws and policies should be subjected to gender assessment before they are adopted, and the capacity of the Parliament for a such purpose should be strengthened. The government should set up a mechanism to undertake a gender assessment of all legislative proposals, and such a mechanism should function in close consultation with MOWA and gender advocates.
- In the implementation of the Sub-national Governance Policy, the accountability and mechanism for ensuring gender responsiveness of sub-national governance should be established. It is recommended that local councils on gender equality be formed within high level bodies that make policies or decisions and coordinate actions on sub-national development. Likewise, there is a need to assess the effectiveness of national programs in promoting women's empowerment and gender equality.
- The quota or affirmative policies in the Constitution have shown very positive results. We urge the government to expand the implementation of quota and other affirmative action policies to promote the participation of women in all

aspects of life. Gender budgeting should be integral part of all government national budget.

- Experience has shown that many ministries have not been able to spend their whole development budget according to a Ministry of Finance report. The proposed budget of 50-80% of the development aid diversion to government should be dealt with different alternative plan where women's civil society organizations and private sector should be involved in implementation along the government sector.
- To ensure transparency and end corruption, instead of opening a new committee a human resource system of staff appraisal should be started in each ministry.
- Instead of investing in informal justice system where most of women's rights are curtailed, the Afghan government should invest on strengthening the formal justice system by establishing more family courts and training female judges.
- Government should take serious measures to implement transitional justice action plan effectively in close coordination with women organization, the AIHRC and civil society.

In order to follow these recommendations and implement government's gender equity plan, it is highly important that women's organizations should have direct resource allocation and support from Government and the international donor community.

AFGHAN WOMEN'S NETWORK (AWN)
EQUALITY FOR PEACE AND DEMOCRACY (EPD)

NOTES

1. Sura Al-Nessa, *Al Qur'an* (4:124), <http://www.submission.org/suras/sura4.htm>.
2. The two quotations are here to present a fact. First, Afghanistan, as a country with majority of its population being Muslim, is lead by laws that are based on Islamic principles. According to this religion, no injustice or inequality among women and men is justified. The second quote is from the man who won Afghanistan's independence in 1919, King Amanullah; he also confirms that his struggle is all about harmful traditions and not religious practices.
3. Nancy Hatch Dupree, *Women of Afghanistan*, cited in Huma A. Ghosh, "A History of Women in Afghanistan: Lessons Learnt for the Future: Women in Afghanistan," *Journal of International Women's Studies* 4, no. 3 (May 2003): 1–14.
4. Ghosh, "A History of Women in Afghanistan."
5. Vartan Gregorian, *The Emergence of Modern Afghanistan: Politics of Reform and Modernization, 1880–1946* (Stanford, Calif.: Stanford University Press, 1969), Chapter 9, 227–75.
6. Ghosh, "A History of Women in Afghanistan."
7. Thomas J. Barfield, *Afghanistan: A Cultural and Political History* (Princeton, N.J.: Princeton University Press, 2010).
8. RAWA considers itself "the oldest political/social organization of Afghan women struggling for peace, freedom, democracy and women's rights in fundamentalism-blighted Afghanistan since 1977" (cited from the RAWA website, www.rawa.org).
9. Lester W. Grau and Ali Ahmad Jalali, "The Soviet-Afghan War: Breaking the Hammer and Sickle," *Veterans of Foreign Wars*, March 2002.
10. Anthony Arnold, *Afghanistan's Two-Party Communism: Parcham and Khalq* (Stanford, Calif.: Hoover Institution Press, 1983).
11. "Women in Afghanistan: Pawns in Men's Power Struggles," Amnesty International, 1999, <http://www.amnesty.org/en/library/asset/ASA11/011/1999/en/c0d16665-e035-11dd-865a-d728958ca30a/asa110111999en.html>.
12. Ibid.
13. Although very limited international media coverage of this period is available, for more detailed and factual information on systematic human rights and women's rights violations, please refer to Human Rights Watch and Amnesty International reports on Afghanistan during 1990s.
14. For more information on Taliban decrees related to women and other cultural issues, see Ahmed Rashid, *Taliban: Militant Islam, Oil, and the New Great Game in Central Asia* (New Haven, Conn.: Yale University Press, 2000), 217–19. Although, it is worth mentioning that the Taliban were not applying any particular law and they have not made these rules part of a specific law, but these were more a practical list in the hands of the special moral police cell that they have established under the name of Ministry for Promotion of Virtue and Prevention of Vice, or, in Dari, *'Amre Bil Maruf wa Nahi Un Al Munkir'*.
15. There are indications that perhaps Taliban rules for Kabul were the same as for other areas, it only felt harsher in cities such as Kabul, Mazar-e-Sharif, and so on, where residents

were mostly educated people who did not follow the traditions by which those in the south were living.

16. *The Taliban and the Crisis of Afghanistan*, ed. Robert D. Crews and Amin Tarzi (Cambridge, Mass.: Harvard University Press, 2008).

17. Deniz Kandiyoti, "The Politics of Gender and Reconstruction in Afghanistan," Occasional Paper 4, United Nations Research Institute for Social Development, 2005.

18. Please refer to articles 7, 22, 83 in the Afghanistan Constitution, 2004.

19. It is only at a much later stage that Afghan employees of international organizations have gained some level of freedom to attend advocacy meetings in their personal capacity without representing their international organizations. This move by individual women has supported technically weaker women-led NGOs in their advocacy work.

20. For more details on how this law was drafted and what challenges it faced in the parliament, see Astri Suhrke, Torunn Wimpelmann Chaudhary, and Orzala Ashraf Nemat, "Legislation Women's Rights and Obligations in Afghanistan," in *Learning to Build a Sustainable Peace: Ownership and Everyday Peacebuilding*, ed. Ole Jacob Sending (Bergen: Christian Michelsen Institute, 2010), 6–14.

21. Examples of these are the Amnesty Law (which forgave all war time crimes) and the Shiite Personal Status and the Elimination of Violence against Women Law. The latter has not been so far approved by the parliament, as there were huge disagreements over whether it should be passed, but the Elimination of Violence against Women Law is now being enforced in the courts as result of a presidential decree.

22. Hillary Clinton said, "I also believe very strongly, as is apparent in what I say about this issue, that women have to be involved at every step of the way in this process. To that end, I unveiled our Women's Action Plan. It includes initiatives focused on women's security, women's leadership in the public and private sector; women's access to judicial institutions, education, and health services; women's ability to take advantage of economic opportunities, especially in the agricultural sector. This is a comprehensive, forward-looking agenda that stands in stark contrast to al-Qaida's recently announced agenda for Afghanistan's women, attempting to send female suicide bombers to the West." From the speech of Hillary Clinton, London Conference, January 28, 2010, http://blogs.state.gov/index.php/site/entry/london_conference_afghanistan.

23. One example was inviting scholars from other Islamic countries with similar context to Afghanistan to carry out a comparative analysis of family law, which has opened discussions at the national level on why and how should we reform Afghanistan's family law. See Orzala Ashraf Nemat, "Comparative Analysis of Family Law in the Context of Islam," Heinrich Böll Stiftung, <http://www.boell.de/worldwide/asia/asia-6863.html>.

24. There are fewer high schools than primary and secondary schools, and high schools are often located far away for many girls, so questions of insecurity and mobility result in significant turnover of female students, because their families do not feel it is safe for their girls to travel so far to go to school.

25. Islamic Republic of Afghanistan, Central Statistic Organization, 2010, <http://www.cso.gov.af/demography/labor.html>.

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