



Chapter-1

Introduction



Introduction

In 2001, Afghanistan embarked upon a new beginning with the overthrow of the Taliban regime, recognizing anew the contribution of the female half of its society. After years of minimal involvement of women in public life, the Bonn Agreement called for specific attention to the role of women and established a dedicated government structure for this purpose, the Ministry of Women's Affairs. The core strategy for women's advancement is defined as 'gender

Progress towards gender equality is a critical issue for us.First we will adopt measures to restore those rights to our women and girls that they were denied because of the segregationist policies of the Taliban and the threat to their personal security during periods of conflict. To support this, we will need to create women's specific opportunities that will allow them to catch up with men and boys. Particular concerns are the re-instatement of women in employment and income-earning opportunities, up-grading women's professional knowledge which has fallen out of date because of their years of exclusion, and enhancing their management skills and familiarity with modern technologies in the work place. These will call for specific programs directed to enhancing the capabilities of our girls and women.

After two decades of conflict, destruction and massive displacement of its population, Afghanistan is faced with unprecedented challenges and the daunting task of building institutions and capacity to forge a pathway to progress, outlined in the strategic document *Securing Afghanistan's Future* in March 2004. The successful conduct of the Constitutional Loya Jirga in December 2003 and the Presidential Election in October 2004 constituted important milestones in this regard.

Despite Constitutional gender equality before the law since 1964, the legal framework guiding Afghan women's lives consists of a mixture of customary law, Islamic Law and traditions, all of which stress the complementarities of male and female roles more than their equality. Within this larger framework, there are considerable regional differences in the position of women and even more, between rural and urban areas and between educated and non-educated groups in society.

Objectives and Process of the Country Gender Assessment

In support of the government's efforts and policies, the World Bank has prepared this Country Gender Assessment to identify critical areas in which gender-responsive actions are likely to enhance growth, poverty reduction and human well-being. The extent of gender discrimination in Afghanistan is pervasive, and the present report focuses on a few key sectors deemed particularly important for both short and long-term reconstruction. Gender gaps in Afghanistan are widespread in health, in education, in economic opportunities and in power and political voice. While women and girls bear the direct cost of these inequalities, and the negative effects are felt throughout the society. The Country Gender Assessment makes the case that improvements in women's situation are essential for the reconstruction of the country - and that sizable investments in this regard will yield large benefits.

Political and social turmoil allowed little research and national level data collection in the past few decades, and few empirical analyses have been conducted, leading to a gap in systematic knowledge about gender relations beyond anecdotal evidence. As a result, the approach chosen here has been to assemble a situational report covering the main issues in key sectors of gender inequality such as health, education, agriculture, employment and legal rights. The objective of this Assessment is to identify the key issues relating to gender mainstreaming in the Afghan context, notably to women's involvement in the development process both as beneficiaries and contributors. In order to achieve this objective, the approach chosen has been on the one hand to document the unequal access to services, resources and economic opportunities and the major obstacles to achieving equity, and on the other hand to document women's significant but largely ignored, contribution to the household and national economy, and the constraints to expanding women's economic role. This documentation of the equity deficits for women in various sectors is put in a wider gender perspective in the chapter on women's legal position and voice inside and outside the household, where some of the most deep-rooted factors behind the present gender inequity

can be identified in the form of women's highly unequal legal position and almost complete lack of voice at all levels of society.

As part of the process of formulating the Country Gender Assessment, a workshop was held in Kabul in September 2004, to which a wide range of international and national agencies¹ active in the various sectors covered by this report were invited. The goal was to gather information about good practices and lessons learned and to benefit from the insight gained by various agencies that have been working in Afghanistan in some cases for more than two decades and whose expertise too rarely is drawn upon outside their own programs. Almost three quarters of the participants were Afghans, which also reflects the considerable local competence which has been built up over the years.

The Gender Context

In Afghanistan, the role of women and their position in the society are inextricably interlinked with the national destiny. Women are symbols of family honor but also carry the burden of embodying the national honor and aspirations of the country. Gender has thus been one of the most politicized issues in Afghanistan over the past 100 years, where many reform attempts rightly or wrongly have been condemned by opponents as un-Islamic and a challenge to the sanctity of the faith and family. Notions of honor and shame underpinning cultural norms and practices emphasize female modesty and purity and define men as breadwinners and the protectors of the family. In 1929, the reformist king Amanullah's government fell soon after he tried to impose social reforms, including the abolition of purdah (separation and veiling of women) and establishment of coeducation. It took another 30 years before Mohammad Daoud, the then Prime Minister, in 1959, officially encouraged women to give up purdah and challenged the view that full veiling was a religious obligation. In the late 1970s, the leaders of the Communist (PDPA) regime which took power in 1978 pushed new reforms including elimination of the "bride-price"

¹ International Rescue Committee, CARE, Swedish Committee for Afghanistan, Afghanistan Institute of Learning, Medica Mondiale, International Medical Corps, OXFAM, Relief International, Swedish Committee for Afghanistan, Terre des Hommes, BRAC, CARE, Coordination for Humanitarian Assistance, Mercy Corps, Parwaz, Relief International, UNIFEM, WAO. Afghan Independent Human Rights Commission, Afghan Women's Education Programme, Afghan Women's Network, Afghan Women's Skills Development Programme, International Organisation for Migration, Medica Mondiale, Afghan Liberal Party, All Afghan Women's Union, D..E..D, GTZ, , Irshad Women and Children Association, Joint Election Membership Board, Swiss Peace, UNDP/MoRRD

and forced adult education for women, which caused much of the rhetoric of the opposition to the PDPA-regime and Soviet occupation, to be formulated as a "*jihād*" and as protecting women from communist forces bent on destroying their purity and Islamic values. Men's primary role thus became as Defenders of the Faith (*mujahedin*) and Protectors of the Honor of the Nation and the Family. In the 1990s, women's rights in Afghanistan remained a divisive issue. When the PDPA regime finally collapsed in 1992, and a coalition of *mujahedin* parties was installed in Kabul, decrees were announced instructing women to observe *hijab* i.e. covering of the head, arms, and legs. Local commanders in other cities announced similar decrees.

During the conflict and civil war in the 1980s and 1990s, particularly between 1992 and 1995, armed factions turned the traditional norms of honor and shame into weapons of war, engaging in rape and sexual assault against women of opposing groups as an ultimate means of dishonoring entire communities and reducing people's capacities to resist military advances.² In response, concerns about women's security led to the imposition of ever stricter interpretations of what constitutes socially acceptable behavior, supported by the most conservative reading of the holy scriptures. This development culminated under the Taliban regime whose views on gender denied women any role outside the immediate family and resulted in policies violating the very honor and sanctity of the family which they claimed to defend and relegated gender discourse to the realm of religious interpretations.

The definition of gender roles is so central in Afghan society and culture, that any perceived or planned changes require consultations not only with the household but also with the larger community. Men and women to a large extent share the same cultural ethos and values, including their conception of gender roles, and they seek to validate these within their communities. Years of turmoil have furthermore left communities to their own devices, strengthening the inherent distrust of external authorities and increased reliance upon conservative values. The remarkable social cohesion, which has brought the Afghan population through the years of turmoil with less scars than could be expected, also includes strict social norms and control of conformity with these norms. Hence any perceived attempt of inducing change requires solid consultation with and consent among the affected communities.

² Amnesty International, 1999

Box 1 : Chronology

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| 1880-1901 | Amir Abdur Rahman. Attempt to abolish levirate, raise the marriageable age, and grant women divorce rights under specific circumstances. |
| 1901-1919 | Amir Habibullah. Putting a ceiling to marriage expenses. Killed in 1919. |
| 1919 | Third Anglo-Afghan War whereby Afghanistan regained full independence. |
| 1919-29 | King Amanullah. Afghanistan's first Constitution and legal reforms introduced. Attempt to modernize society and culture. Marriageable age for women raised to 18 years and for men 21 years. Polygamy abolished. |
| 1929 | King Amanullah exiled as a result of tribal uprising against reform policy. Civil War. |
| 1930-33 | King Nadir Shah. Installed with support of tribes and religious establishment. Assassinated in 1933. |
| 1933-73 | Zahir Shah reigns. |
| 1949 | Election reforms result in liberal parliament. Marriage Law passed. Purdah is made optional; women enter University, workforce and government. |
| 1950 | Crackdown on nascent opposition and end of liberal experiment. Sardar Daoud becomes Prime Minister in 1953. Rapprochement with the Soviet Union. |
| 1963 | Daoud forced to resign, mainly because of authoritarian style of government and strained relations with Pakistan. Constitution, and first nationwide election. |
| 1963-73 | Constitutional monarchy and parliamentary democracy installed. Failed due to lack of enactment of the Constitution and not legalizing political parties. Formation of Communist groupings and of Islamist groupings, which increasingly clash at the university campus. |
| 1971-73 | Severe drought resulting in famine mainly in Central Afghanistan. Government perceived as inactive and unable to manage the crisis. |
| 1973 | Coup d'etat by Sardar Daoud assisted by Communist group Parcham. Reform policy started, and restrictions on political opponents. |
| 1975 | Attempts of Islamic insurgency failed. Clamp down on Islamic opponents. |
| 1977 | New Constitution. Civil Code and Penal Code (based on Shari'a but no <i>hadd</i> punishments). Women get equal rights to institute divorce cases. Family Courts established. Clamp down on communist opponents. |
| 1978 | Saur Revolution: Bloody coup against President Daoud by united communist groups Khalq/Parcham (PDPA). Nur Mohammad Taraki as Prime Minister. 1977 Constitution abrogated. Decree No. 7 confirms equal rights for women, regularizes dowry and marriage expenses and forbids forced marriages. Decree No. 8 introduces comprehensive but ill-founded land reform. |
| 1979 | Widespread popular insurgency, followed by brutal suppression. Infighting in the PDPA and Taraki killed and replaced by Hafizullah Amin. In December, 50,000 Soviet troops invade the country. Hafizullah Amin is killed, and Barbrak Karmal installed as President. |
| 1989 | Withdrawal of Soviet troops. Mujahedin control most of countryside, increasing number of refugees escape fighting and destruction. Over the next decade, the number of refugees reaches around six million. |
| 1992 | President Najibullah agrees to step down and mujahedin coalition takes over Kabul. In-fighting over the next couple of years leads to the destruction of Kabul and Kandahar. Decree on <i>hijab</i> issued restricts women's public appearance. |
| 1994 | Emergence of Taliban. |
| 1996 | Taliban conquer Kabul, Najibullah executed. Ban on women's employment, girls' schools closed, full purdah imposed on women and ban on men shaving their beards. |
| 1998 | Taliban conquer Mazar-i-Sharif, the last major city controlled by Northern Alliance. |
| 1999 | The UN imposes sanctions against Afghanistan. Drought hits the country. |
| 2001 | Third year of drought. Taliban regime falls. Signing of Bonn Agreement. Hamid Karzai chosen leader of Interim Government. |
| 2004 | New Constitution agreed by Loya Jirga. |
| 2004 | Presidential Election. |

Today, the estimated population of Afghanistan is around 24 million and it has a per capita GDP close to US\$315 (including the opium economy), which is one of the lowest in the world. Moreover, the country's social indicators are among the worst in the world, and with large gender gaps³. Afghanistan has some of the worst health, educational and economic indicators in the world. Two decades of internecine warfare have led not only to a breakdown of infrastructure and services, but also have destroyed the livelihood of the people and contributed to the downward trend of women's rights. By the end of 2001 government services, including health care and education, had stopped functioning, resulting in significant negative impacts particularly on women and children. According to the National Human Development Report (2004) Afghanistan ranks 173th out of 178 countries in the UN's Human Development Index and when in terms of its Gender Development Index only Niger and Burkina Faso are placed lower. However, parallel with the gradual development of democratic institutions since 2002, there is growing awareness at all levels of Afghan society that economic and social progress requires contribution by all active and able human resources including women.

Policy and Institutional Framework to Advance Women's Status

The Ministry of Women's Affairs (MoWA) was established by the Bonn Agreement and was tasked by the interim and transitional governments of Afghanistan with responsibility for advancing the role of women. Although new as a Ministry, a precedent institution for the promotion of women has existed since 1928, when 'Society for the Protection of Women' was established. As a quasi-government body, the 'Society' has faded or flourished with the changing values of the Afghan political leadership throughout the 20th Century.

The MoWA carries responsibility for leading and coordinating government efforts to advance the role of women in all spheres of social life so that gender disparities are reduced and progress towards gender equality is gradually achieved. Ultimately it aims to lead and coordinate inter-ministerial gender policy and strategy development, but recognizes a prior need to build understanding and capacity throughout the government for gender analysis to promote broad-based ownership and commitment. Its key functions are advocacy, technical support, coordination, and monitoring of progress. It attempts to influence sector strategies, lobby national institutions, and support project

³ World Bank, 2004, p.3

implementation. The MoWA's intended key structural relationship with line ministries is via Gender Focal Points, and by deputing members from its Advisory Group on Gender⁴ (AGG) to the national program Consultative Groups (CGs) which coordinate planning and strategies. The National Development Framework defined gender mainstreaming as the core strategy for advancing women's role, and from its inception the MoWA's priority concerns have been female education, reproductive health, economic development and legal access. The MoWA formulated a five-pronged strategic plan for 1383-7, and beyond. This was presented to the National Budget Committee as the MoWA 1383 *Public Investment Program in Advocacy and Support for the Integration of Gender into the NDB*.

The MoWA has drawn upon its linkages with donors, UN and NGO agencies, largely but not exclusively through the AGG, to advocate and mobilize support for women around critical events. These have included the initiation of a common 'Platform For Action' for the Constitutional Loya Jirga and capacity building of candidates; practical suggestions to the

Table 1: MoWA 1383-7 Strategic Objectives for Women's Advancement

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| Capacities | second chance, accelerated learning for women and youth ⁵ |
| Opportunities | skills building for sustainable income and poverty reduction, with rural focus |
| Empowerment | promoting women in decision-making in governance structures |
| Security | promoting legal and physical protection for women, including from exploitation |
| Capacity building | for gender analysis, policy development and budgeting in key ministries |

⁴ The Advisory Group on Gender is a one of six cross-cutting groups (others being Human Rights, Environment, Humanitarian Affairs, Monitoring and Evaluation and Counter Narcotics) whose members are deputed to the national program Consultative Groups to represent their specific concerns and needs. Its membership is proposed by government to be around 15-18 persons drawn from among those donors and UN agencies who had stated interest in the cross-cutting issue, plus appropriate civil society representation. The AGG has become a larger amorphous interest group which increases potential for information sharing, but reduces potential for decision making on policy or strategy direction

⁵ With special focus on 15-24 year olds, to address Millennium Development Goal on Gender Equity

Electoral Commission on inclusion of women in voter registration and support to civic education for women at provincial level. However, its capacity to fulfill its mandate to support mainstreaming of gender analysis and policy direction is still weak and its role as advocate with national institutions on generic socio-cultural gender issues that are not the specific responsibility of any particular body remains somewhat discreet

Non-Government Organizations (NGOs)

Both international and national agencies have invested in women's programs for almost a decade, and several offer sound field-based experience and have qualified female staff, who worked illegally under *burqas* and with *mahrms* throughout the years of women's exclusion from all public life. Such women today represent a new category of working women, many of whom have the important experience of working effectively in rural areas. Their support to women's health, education, community processes and income generation have now been augmented by a plethora of new NGOs bringing additional support by way of micro-finance, small business development, human rights education, legal advice and literacy, advocacy, and protection of women and girls at risk. The Agency Coordinating Body for Afghan Relief (ACBAR) is the largest network of international and national NGOs and has established its own NGO Gender Advocacy Group; it has also nominated a representative from international and a national women's NGO as members of the MoWA AGG.