



## Armanshahr Foundation

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## 76th Goftegu public debate

### Lost notice: Destiny of children is missing



The 76th Goftegu public debate – a bridge between the elite and the citizens – of Armanshahr Foundation with the title of “Building the present and future of Children” was held on 2 June 2011 to mark the International Days of Children and of Innocent Children Victims of Aggression, in cooperation with the French Institute Afghanistan at the Institute's premises.

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## 75th Goftegu public debate

### Women, the principal war and post-war victims



The 75th Goftegu public meeting – a bridge between the elite and the citizens – of Armanshahr Foundation was dedicated to “Women and Justice” and it was held in Herat on 30th April 2011. The aim of the meeting was to familiarise the civil society institutions of Herat with the work and programmes of Armanshahr Foundation on the one hand, and to present “Justice for Women, in War and Peace”, a new title published by Armanshahr Foundation. Moderator of the meeting, Mr. Rooholamin Amini, the Foundation's publications director of and its office director in Herat provided an outline of Armanshahr Foundation's work. A human rights organisation concerned also with transitional justice, Armanshahr has published more than 50 titles with print run of more than 50,000. Armanshahr opened its office in Herat in 2010. Since then, it has organised 13 Goftegu meetings in the city. The speaker, Jawad Darwaiyan, subsequently presented the topics discussed in the book, focusing on women and war. He gave a brief outline of the various conventions concerning the protection of wom-

en, e.g. the Geneva Conventions and their additional protocols, the Convention on the Elimination of all Forms of Discrimination against Women, Convention on the Protection of All Persons against Enforced Disappearances, UN Declaration for Protection of Women and Children, Resolution 1325 on Women, Peace and Security.

Excerpts from his presentation:

Wars are the result of conflicts of interests of groups. There are three groups in every situation: proponents, passive opponents and active opponents. Violence is the result of reactions of the first and third groups. There are two kinds of practical approaches in different societies and cultures. Some people engage in war, massacre, rape and other types of violence. Others employ peaceful, non-violent means.

We have experienced war and violence. There are two groups on the field: the military and the civilians. Evidently, the defenceless people suffer the most. Men are either on the battlefield, detained or on the run. Women are obliged to protect the children, the old and the household. As a result, the principal victims are women, children and the old. On the other hand, many wars are caused by political, ethnic, religious conflicts or injustice. Women, like men, are either involved in groups or cooperate with them. Hence, they receive a similar treatment. It may be summed up that women are the principal victims of every type of war.

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## 73rd Goftegu public debate

### In search of truth and justice in Afghanistan



Armanshahr Foundation organised its 73rd Goftegu public debate under the title of «In search of truth and justice in Afghanistan, national and international mechanisms,» in its offices on 23rd April 2011. Two dozen students and civil society activists of Afghanistan participated at the meeting. The meeting's moderator was Seyyed Jawad Darwaziyan and the main speaker was Mr. Zia Moballegh, head of the Rights and Democracy Organisation.

Mr. Darwaziyan opened the meeting: Revisiting the past and seeking truth and justice in Afghanistan under the headings of transitional justice, human rights, trial of war criminals and violators of human rights have constituted a «problem» in the past 10 years. Remembering the dark and painful past and the pertaining challenges in societies, which have gone through wars, suppression, coup d'état and dictatorship or are still facing them, is a difficult and complicated process. There are those who believe that an undignified past, which is inundated with darkness and destruction, should be forgotten. There are also others who believe that the past must not be forgotten, but lessons should be learnt from it; before forgetting, the past must be revisited. Should the past be forgotten? If not, why not? If yes, how? Which aspects of the past should we forget and which aspects should we remember? How can we distinguish between the two? Does remembering the past really add to hatred or to the contrary? Even though remembering the past is a hard task for those without experience of the pains and sufferings, it would bring pain and a sense of guilt to those who witnessed...

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## 77th Goftegu public debate

### A comparative reading of the conditions of women in Afghanistan and Tajikistan



The 77th Goftegu public debate - a bridge between the elite and the citizens - of Armanshahr Foundation with the title of «A comparative reading of the conditions of women in Afghanistan and Tajikistan» was held on 15 June 2011 in cooperation with Kateb Higher Education Institute, Kateb University Student Society and the French Institute Afghanistan at the premises of Kateb University.

The Speakers were: Ms. Lucia Direnberger (Researcher and PhD student at l'Université de Paris VII), Ms. Mazari Safa (former deputy minister of Women's social affairs), and Mr. Mohammad Aslam Jawadi (Director of Sociology department of Kateb University).

Ms. Lucia Direnberger presented a detailed report on the living conditions of women in Tajikistan and the legal, social and political obstacles ahead of their political participation.

Ms. Mazari Safa reviewed the conditions of women during the last 10 years since the ousting of the Taleban. Mr. Mohammad Aslam Jawadi focused on the need to establish a Women's Studies course in the universities. About 150 students, civil society members, women's rights activists and university professors as well as representative of the media were present at the meeting

The moderator was Ms. Sediqa Bakhtiari (Sociology student at Kateb University), who opened the meeting with the following words: Women have always been viewed with humiliation. Women were the second sex, lower than men and rarely enjoyed equal rights with them. Combating such views started at the time of Amanullah Khan in Afghanistan. He and his wife Suraya endeavoured to establish schools and educational centres for girls. Equality of the rights of women and men was made into an issue in the close envi-

ronment of that era. When the Taleban entered Kandahar, women returned to homes they lost their right to education and work and became captives.

Ms. Guissou Jahangiri, director of Armanshahr Foundation, subsequently opened the meeting, saying: We, in Armanshahr, believe that we cannot bring about changes without preparing their appropriate ground. That is why we have come together with thinkers 77 times, we have organised 77 public dialogues on different issues; we have brought together hundreds of knowledgeable speakers of this country and more than 10,000 good young thinkers. We have to read good new books to think well, to learn and to produce new ideas, to found long-term cultural movements. In the past few years, Armanshahr Foundation has published books with a total print-run of more than 60,000.

Ms. Lucia Direnberger summed up the experience of policy-making in the former Soviet Union in regard to women as follows: Equality of men and women, bringing women into the public life and the labour market constituted the important pillars of the Soviet policy. The age of marriage for girls rose from 9 to 16 in Tajikistan after 1924 and women were given the right to vote and be elected. Religious marriage and state-sanctioned marriage were banned. Women shed the veil in the whole of Central Asia in the course of a long campaign. Women's liberation was a great achievement for the former Soviet Union and Tajikistan.

The independence of Tajikistan in 1991 and the eruption of the civil war a year later that left 100,000 dead and more than 600,000 refugees, dealt a great blow to the position of women. Nevertheless, the progressive laws have brought about great developments in this country. Tajikistan is one of the poorest republics of Central Asia. More than 1 million men have migrated to Russia and women remain the fundamental axis of economic production in the country. War and the subsequent depression have led to an increase in domestic violence and the rate of suicide among the women. In spite of legal ban on polygamy, underage marriage and unjust and illegal divorce have become common...

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## Death of Osama bin Ladan; human rights must be respected in the fight against terrorism

Member of  
**fidh**

«The killing of Osama Bin Laden represents without any doubt a turning point in the fight against international terrorism; however, this event does not in itself solve the problem, in particular in Pakistan; the issue is much more complex», declared Souhayr Belhassen, President of FIDH.

« FIDH wishes to pay tribute to the thousands of victims of terrorist attacks commissioned by Bin Laden. An operation to capture Bin Laden was justified; however there remain doubts about the legality of the operation as it was carried out. FIDH regrets that Bin Laden was not arrested and sentenced at the conclusion of a fair trial » she added.

Several days after the announcement of Osama Bin Laden's

death, the circumstances of the operation by American special troops on the night from May 1st to May 2nd, 2011, are still unclear and several contradictory pieces of information have been circulating.

Therefore FIDH calls on both Pakistani and American authorities to bring forth the truth about the circumstances of the operation against Osama Bin Laden, in order to prevent any rumours that would likely fuel a climate of tension.

Moreover, FIDH is concerned about the risk of reprisals by groups affiliated to Al Qaeda, such as Tehrik-e Taliban Pakistan (TTP), which could lead to attacks against the civilian population.

FIDH calls on the Pakistani government to take all necessary steps to safeguard security in all public places, while respecting fundamental liberties.

Additionally, FIDH worries that the death of Osama Bin Laden may be used, in the context of the fight against terrorism, as an excuse to commit grave violations of human rights, such as the multiplication of extra-judicial executions and the use of torture or other inhumane, cruel or degrading treatments. FIDH stresses that many civilians have been killed over the last nine years in the "war on terror" that followed the 9/11 attacks.

Finally, FIDH calls on all governments involved in the fight against terrorism in Pakistan, Afghanistan and any other country, to strictly abide by universal norms of protection of human rights, in particular the right to life, physical integrity and to a fair trial.

72nd Goftegu public debate

### Revisiting contemporary history

The 72nd Goftegu public debate – a bridge between the elite and the citizens – of Armanshahr Foundation with the title of "Re-reading 60 years of contemporary history: from the decade of democracy till today" was held on 14th of April 2011 in cooperation with the French Institute Afghanistan at the Institute's premises.

The topic of discussion was chosen to mark the conclusion of a working term of the workshop on revisiting the contemporary history of Afghanistan. The speakers included Mr. Sakhi Monir, director of the National Archives, Dr. Sahebazar Moradi, researcher of history, and Mr. Ali Amiri, professor at Ibn Sina University. Mr. Seyyed Jawad Darwazian was the principal questioner of the meeting. More than 90 people, most of them students, members of the civil society of Afghanistan, women's rights activists, MPs and journalists, participated at the meeting.

The moderator was Mr. Azizollah Shirzad who opened the meeting with the following words: We are living in a land in many districts of which, it is a crime to speak, teach, have a pen and engage in criticism. Armanshahr Foundation has so far organised 72 Goftegu public meetings intended to establish a healthy humane environment. Besides it has published more than 49,000 copies of books and booklets to promote reading and has supplied them to enthusiasts and the stu-

dents in particular for free.

We have been holding a workshop on "revisiting the contemporary history Afghanistan" for the past 10 months with students and other young people every week. The second part of our programme was concerned with the chronology of events in Afghanistan since the decade of democracy to this date, i.e. since the decade of the reign of Zahir Shah to



the end of the first decade of the 21st century. Unfortunately, the number of books and booklets that have been written on chronology of events in Afghanistan are fewer than the fingers of a hand. Most of them are full of mistakes. We have been facing many challenges and problems, for example:

- Most government departments, e. g. The History Department of the Academy of sciences has not helped us, despite our frequent contacts...

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## A critique of the Afghanistan music research project

Something other than culture and art has taken over in the contemporary turbulence culture scene in Afghanistan. It is no surprise therefore to hear that the Aga Khan Foundation has recently launched the Afghanistan folklore music research project.

The Afghanistan regional music research project, which was launched at the initiative and under the management of Vahid Ghassemi, the renowned composer, singer and musician, a few years ago, is directed at the music of regions and the specific methodology to study music. Although this is nothing new in the international scene and other examples of it are notable in Afghanistan, it has never been given serious attention. The project was started in the Badakhshan province and some other parts of northern Afghanistan. The outcome has so far been 12 music CDs, one documentary film, a DVD of concerts of regional music and a manual in an attractive and valuable package. This work is worthy of praise for several reasons.

1. A fully Afghan team is in charge of the above-mentioned project, whose members are skilled and have knowledge of their culture and art. The past samples of music can only be discussed from an ethno-musicological aspect, whereas identifying the culture and genuineness of her regional musical work requires more than academic knowledge. Therefore, the accomplished work is very valuable.

2. Gaining knowledge of the music of Badakhshan, which is a culturally virgin area, is of great significance. In this package, we come across certain very rare melodies. The said study has focused on several issues, e. g. instrumentology of native songs, identifying genuine melodies and their specific performance. The special dialects, occasion - based music, performance of epics, religious and love stories indicate the existence of a culture with a deep-rooted history.

3. The growth and evolution of art depends on continuity, something which has been considered a fully degenerate approach. A glance at works prior to the past three decades would display their beauty and endurance.

4. Art is a beautiful and humane way out of the current challenges posed by the society, which has heard only the drums of war for many years and has forgotten the beautiful sound of harp.

It is about time to praise this cultural achievement. We only hope that this project will go on to record the music of all regions of Afghanistan with the same accuracy and care.

## Report

### Conference for coordination and national networking of victims

The Transitional Justice Coordination Group, consisting of 26 civil society institutions of Afghanistan, organised a conference for "Coordination and National Networking of Victims in Afghanistan" in Kabul on 29 and 30 of March 2011. More than 150 victims from various periods, who came from different provinces, took part in the conference. The goal of the conference was to make the voices of those victims heard by the authorities, to realise transitional justice in Afghanistan and set up a network of victims. International guests, MPs and members of the civil society and representatives of the media were also present.

The first speaker was Ms. Sima Samar, president of the Afghanistan Independent human rights commission. She said: Atrocities were committed in the past, some of which have been documented. Unfortunately, the treaties and agreements reached between Afghanistan and other countries or the international community, even the Bonn Compact, have failed to take justice into consideration. Most of the people in Afghanistan seek justice. There are different kinds of justice. When a village is bombed, all the civilians are victims.

Discussing the experience of Bangladesh, she said: They constructed a village for children who had been born as a result of rapes committed by the Pakistanis. Nobody is permitted to call them illegitimate children. Victims must continue their protests to obtain transitional justice and seek good governance. Families of victims are entitled to reparations that would provide them with a minimum living.

She said it was the task of every citizen, "not the Commission", to document the violations. The commission's work has shown that every ethnic community has had victims.

The next speaker was Farid Hamidi, a member of the advisory board of the president for high-ranking government posts and a human rights commissioner. He spoke about the human rights opportunities and challenges from 2002 to 2011. Referring to the Bonn Conference, he said: Despite the achievements, the most important challenge was that they failed to pay attention to justice and gave priority to security. The result is that today both security and justice are being lost. There

is the same old fear of a return to the dark period of violation of human rights.

He went on: The Constitution contains certain achievements in regards to the basic rights of all the people in Afghanistan, but there are misinterpretations of the Constitution, in particular regarding religious rulings and human rights values. Even though the Constitution has guaranteed people's political participation, there are problems regarding economic and cultural rights, in particular in the case of women. The other problem is the double sided view of the international community towards human rights in Afghanistan. We bear witness to civilian casualties every day, both at the hands of the NATO forces as well as the government and the insurgents. That's a fundamental challenge. Our other problem is corruption, the first victim of which is justice and human rights. There is abuse of power and culture of impunity. The powerful people are assured that justice will not catch up with them. They support human rights to the extent that their interests require, not any more. Other issues to which he referred included: violence against women, arbitrary imprisonment and detention, disregard for job creation and balanced education.

Ms. Sheniki Krokhill, MP, made no reference to the role of Parliament in her speech. She said: We shall not achieve peace and reconciliation so long as people have not been able to voice their complaints. We have to gain knowledge of peace, otherwise reconciliation will not be established.

Mr. Zia Moballegh addressed the issue of enduring peace and transitional justice. He said: There is no doubt that reconciliation is a necessity. Military solutions have failed. With the increase of the number of troops and police and international military forces, violence has increased proportionately. In his opinion, good governance, demobilisation, reintegration, enduring employment, respect for human rights, national participation, mutual tolerance and investigating the past problems are essential components of peace.

Another component of peace, he argued, is a change in the approach and ideology of the opposition forces...

Armanshahr's new books



**“Justice for Women, in War and Peace”**

This new book is a collection of articles on women, transitional justice, reparations, reconciliation and security and endeavours to open a new window to transitional justice concepts and mechanisms from a gender viewpoint and it has been published in the “Let’s break the silence series.”

One of the most central topics in all the articles is women’s participation in deciding reparations, planning for truth commissions, as well as women’s real participation in peace talks and processes, their presence at the negotiations table and their increased participation in making decisions to settle conflicts and in peace processes to ensure that their views will be taken into consideration in the future peace and reconciliation processes.

In societies like Afghanistan, which have been involved in war for several decades, women are neither recognised as fighters nor as war victims. Consequently, the need to enshrine gender-based views in transitional justice, reconciliation reparations, peace and security achievements programmes and processes are ignored. Discriminatory structures and mechanisms constitute some of the fundamental reasons for this. War conditions and transitional periods do not change those structures but intensify and perpetuate them. Indeed, for many women, “peace time,” means “wartime,” and its perpetuation, because war goes on against them in other forms after the conclusion of armed conflict: domestic violence, honour killings, sexual violence and rape, forced marriage and early marriage, trafficking of women, “economic and social violence,” etc. The point, however, is that the period of absence of armed conflict is not recognised as wartime.

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**“The Past Enlightens the Future”**

This book is a collection of interviews with victims and political personalities and it has been published in the “Let’s break the silence series.” The first part of the book is concerned with the collective memory and narrations by the war and violence victims from various periods, e.g. from the era of monarchy to the Taliban, who tell the stories in simple narrative. The second part contains detailed interviews with political and influential personalities all of whom have been engaged in power politics in the past. Some of them have examined the past from a critical perspective. Some others have blamed despotism and dictatorship for perpetuation of extralegal structures and political and social disintegration of the society. The interviews have been conducted in the completely friendly and honest moment without following the specific methodology.

Excerpts from the preface: No community can achieve peace by forgetting. Although remembering the past is a very complicated and painful task for those who have experienced it, there exists no other way for shedding light to it. It must be possible for every community to discuss the bitter events that changed the course of life of its people. It’s only then that the resulting pain and suffering will develop into a power to soothe those scars. Challenging the past is not tantamount to reviving the past suffering and creating discord in the society or stirring vengeance and disputes. It is only a mechanism to identify the atrocities committed in the past and to prevent their repetition in the future through setting up legal structures and accountability systems and stopping the promotion of the culture of impunity. Denial of a painful past will not help bring about peace and reconciliation in crisis-ridden or post-crisis societies. It will only be a wound that is expected to open up any moment and create another crisis for the future generations. Grappling with the past is not intended to settle accounts between the victims on the one hand and the perpetrators on the other. This is a task that has to involve the

whole society and its institutions by promoting it as a social discourse.

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**“A Review of War Ruins”**

“A Review of War Ruins” (An exact account of war, Herat 1989) is Rassoul Pouyan’s self-witnessed account of events in Herat in 1989. The pamphlet has been published in the “Let’s break the silence series” in spring 2011. The writer narrates poverty, injustice and the disorders arising from that situation. He has interviewed a number of high-ranking commanders of the mujahedin on the current situation of the country and Herat, their relationship with the people, the conditions of education, the living conditions of the people, their hopes and disappointments in the late 1980s. He also provides an account of the conditions of the mujahedin camps.

The writer’s impartial approach has made it a significant book in the absence of other related writings on the contemporary history of Afghanistan.

Print-run: 1000

Published: Spring 2011, Kabul – Afghanistan

**“Young people, a world between fear and doubt”**

This is a book published in winter 2011 and is a compilation of the speeches and discussions in two public meetings (Goftegu 13 and 15) of Armanshahr Foundation. In Goftegu 13, which has provided the book’s title, the speakers were Messrs Khaled Khosro (journalist), Massoud Qiyam (journalist) and the late Seyyed Ghays Dehzad (former deputy director of Armanshahr Foundation). In this section, the conditions of the young people have been reviewed and criticised by young speakers.

Goftegu 15 (“Social and Psychological Abnormalcies of the Young People”) was addressed by Mr Khalil-ur-Rahman Khalil (professor of Psychology and Education School of Kabul University), Dr. Massoud Kauli (psychiatrist and a doctor at Psychiatry and Neurology Department of Aliabad Hospital). Mr. Ajmal Baluchzada chaired the meeting and Mr. Mohammad Yassin Negah (writer and poet and member of the board of directors of the Home of Writers) was the moderator.

The book has been published with the financial assistance of the European Union and Open Society Afghanistan. Its contents are the responsibility of the speakers and can under no circumstances be regarded as reflecting the position of the above -mentioned institutions and Armanshahr Foundation.

## The question of the left; a book review

Mohammad Reza Nikfar



What does “the question of the left” mean? A book recently appeared in Iran in English (211+ xii pages), written by M. Š. Adib-Soltani: *The Question of the Left and Its Future, Notes of an Onlooker*. Hermes Publishers, Teheran 2010.

The writer is “an onlooker” but he emphasises that he is not impartial. Adib-Soltani pursues the emergence of the left through the “Enlightenment” movement. The question is important for him because he believes the existence of the left is necessary: “The left must remain lively. The world is poorer without the left.”

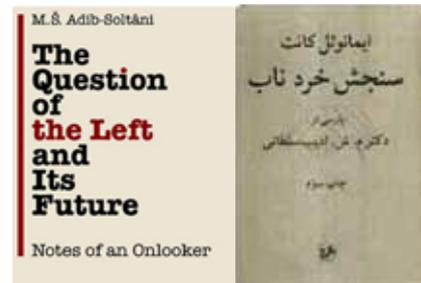
Adib-Soltani does not restrict the left to the Marxists. The left seeks justice, is culturally modern and belongs to the Enlightenment tradi-

tion. Its understanding of reason is Kantian. In his view, the left does not wish the destruction of “the right”. He seeks a free society that would benefit from plurality of ideas and peaceful competition with them.

Adib-Soltani is translator of the works of Aristotle, Kant and Wittgenstein. As the title of the book indicates, its contents are truly “notes”, which the writer did not feel obliged to put in order. His heart beats for a cultured left. He is concerned with something more fundamental than the fate of parties and movements. He is concerned for Enlightenment, a rationality that should have encompassed the whole world, but it did not succeed. This is the background against which he poses the “question of the left”. The writer regards the history of the left in connection with the history of Cartesian-Kantian free subject. In other words, he views the history of the modern era and the fate of modernity as a framework in which the left solution is presented and now the question of the left can also be posed in the same framework. The theme of his book is the study of the issue of modernity in the mirror of the question of the left.

Adib-Soltani believes that the truth offered by the left was a narration of the modern truth. He is of the opinion that it is really possible to talk of the “post modern” era and is genuine reality, even though this concept is vague.

The book has two sections. It takes its title from the second and principal section. The title of the first section is: “on the question of pre-modern, modern and post-modern.” It contains



judgements about Marx and Marxism. There are enthusiastic praises and criticisms based on sympathy with the left project to achieve freedom and justice. In this section, he criticises the bitter historical experiences and supports unity of the left and reform of the left project along a course that is identified by social democracy. “Realpolitik” of the social democracy rides on the back of the middle class. Adib-Soltani supports a change of perspective from the lower class to the middle class and even speaks of the need for compromise between labour and capital. In his opinion, there is no alternative to the idea of democratic socialism within the left. He does not consistently tend to this kind of “Realpolitik”. Elsewhere, he radically poses the confrontation between ideal and reality, where he asks: Is the left in government still left?

It is proper to consider this question as a fundamental question and examine the question of the left in the past and the present on that basis. The enduring question is: How can one be critical of power and seek to take power at the same time?

## Research and academic work in Afghanistan

### Introducing 1st issue of *Ketab-e Sina*



Universities in Afghanistan are still using the same models for academic and research work, which were common prior to the Civil Wars, i.e. in the 1980s. Therefore, they do not play a fundamental role in advancing knowledge. Besides the state universities,

however, there are some private universities some of which look promising.

The Ibn Sina Higher Education Institute has started publishing an academic research magazine with the title of *Ketab-e Sina* (Sina Book). The first issue of the publication, focusing on law and political science, appeared in the spring 2011. At a meeting held to celebrate the publication of the first issue, Mr. Seyyed Askar Mousavi, adviser to the Ministry of Higher Education, and Dr. Abdul Ghayum Sajjadi, rector of the Khatam ul-Nabiyeen Higher Education Institute spoke.

Mr. Mousavi said: Magazines and publications published in Afghanistan have a short life and usually stop publishing after a few issues owing to economic problems. We are living in a country where you may be given a higher position if you kill somebody. But research is a crime. In countries like Afghanistan, you may do whatever you wish as long as you are illiterate, but you will be brought to trial as soon as you become literate.

He said there are problems with editing, translation of the preface into English (“the translator thought in Persian and wrote in English”), footnotes and references.

Dr. Abdul Ghayum Sajjadi said: Research and academic work are more important than teaching. In countries like ours, university professors are at best conveyors of ideas and opinions of other thinkers. Teaching is a consumer work, but academic work is production of ideas. There are hardly any countries where they have achieved development without academic research about development. Academic work must provide solutions to practical problems. Tribal political culture is one of the serious obstacles to devel-

opment. This culture is opposed to development, but it can be defeated and it is the task of the scientists to defeat it.

Subsequently Dr. Gholam Haydar Allama, managing editor of *Ketab-e Sina*, and Mr. Mohammad Hossein Mohammadi, its editor, spoke about the establishment and goals of the publication and expressed hope that it will mark a beginning to academic-research work in other universities.

The preface of *Ketab-e Sina*, signed by the managing editor, set out the publication’s goals as follows:

1. Publishing academic topics and creating a scientific source
2. Offering mechanisms needed to answer the fundamental questions in the society as a result of research.
3. Promoting the level of research in universities and other research centres in Afghanistan.
4. Providing a facility to publish research work carried out by professors and researchers in Afghanistan
5. Enabling Afghan researchers and professors to enter the international research stage.

## The question of the left; a book review

Friedrich Ebert Foundation (Afghanistan) has published "Women, sharia, gender" in autumn 2009 with a print run of 1,000 copies. The book was written by three writers with three chapters, and one educational manual. The writers are: Seyyed Nouredin Alawi, Seyyed Zia Moballegh Jafari and Seyyed Ali Zia. Salaam Institute compiled and edited the collection.

Seyyed Nouredin Alawi, a sociology professor, has authored chapter I with the title of 'Women's rights, movements and achievements' where he has examined women's issues in advanced and developing countries as well as Afghanistan. He believes the conditions of women in Afghanistan constitute a social problem that has been caused by the inefficiency and negative performance of the public institutions. The low state of women in the society and violation of their rights pose a serious obstacle ahead of a more humane future. The study focuses on the social-cultural dimension of women's issue and discusses their social activities, education, marriage and local decisions.

Chapters II and III are entitled 'Sharia and gender' and 'Violence against women', respectively. The writer, Zia Mobsllegh Jafari, has taken a precise Islamic and academic approach, invoking first hand Islamic sources, i.e. the Koran and the Prophet's tradition, to depict women's real status in Islam and to expose the wide gap between the original religious messages and the historical realities.

The next section concerns gender equality, which Seyyed Ali Zia, head of the Salaam Institute, has compiled. The topics in this section have been put in practice in the workshops of the Institute in the past few years.

A PDF copy of the book is available at:

[http://www.fes-afghanistan.org/media/pdf/Women\\_Sharia\\_Gender.pdf](http://www.fes-afghanistan.org/media/pdf/Women_Sharia_Gender.pdf)

## Politis asia 4 – 5 in 2nd Edition

The second edition of Politis asia (No. 4-5) with the main heading of "Discrimination and political participation of women: Role of Education" is off the press. This issue of Politis asia contains interviews with education and women's rights researchers and activists. The book has three parts.

Part I deals with 'Education and its impact on political participation of women', where the significance of fair education as a means of power is the central theme.

Part II, 'Political participation, beyond education', focuses on critique of the male-centred discourse and the uniform international prescriptions for empowerment of women, and more importance is attached to employment than pure education of women for their struggle against discrimination and inequality.

Part III is allocated to 'the experience and struggles of women's rights activists in Afghanistan'. It offers an insight to the experience of women's rights activists in Afghanistan, their critical attitude to the patriarchal culture, unequal opportunities, discriminatory laws, NGOism and the struggles of women for equal rights, elimination of discrimination, political participation and occupation of high decision making positions.

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## Women, the principal war...

Women are also the principal victims in the truth seeking process. They are deprived of reparations. If they tell of their sufferings, they may be rejected by the family or the community and lose their husband. They are therefore forced to keep their experience to themselves. Thus, they are deprived of compensation, psychological care or other facilities.

Some academics are of the opinion that Afghanistan has experienced wars for many centuries. The wars of the second half of the 20th century were rooted in the massacres of Abdulrahman Khan. After monarchy, the republic under Davood Khan did bring privileges for women, but there were still discriminations, killings and violence against women as well as the whole population. Although the era of the People's Democratic Party was the best period for women, many women, as well as men, were uprooted and tortured. Thus, that era was given the epithet of 'state terrorism.' Under the Mujahedin and the Taliban, women experienced the most savage war crimes and crimes against humanity.

There is an attitude toward the women rooted in religion, economy and tradition. The religious attitude, or its dominant version, does not allow women to leave the home. Their duty is to give birth to children and to raise them. Women have no share in the economy. Most families view women and girls as burden. Women belong to others and should go as soon as possible. Under the tribal attitude, women who leave the house bring discredit and dishonour. They could lose their lives when they return.

Darwaziyan summed up by asking: Would we have this history and narrative, if women had written the history of the world and Afghanistan?

Then, there was a free discussion. Mr. Yaghoub Mashouf said: Western women fought 400 years to achieve freedom and equality with men. In our country, the intellectuals who once defended women's rights violated human rights and women's rights later so much that when the Taliban took over the latter's atrocities were forgotten. In our countries, individuals used ideas as their tools to do whatever they wished.

Ms. Sakineh Hosseini, a member of the Provincial Council, said: Islam is the first religion that has given freedom to women. There are inequalities between the civil servants. If I and a male representative go to government departments to pursue the problems of our constituencies, the male representative receives respect and his request is fulfilled. I receive a different treatment and my request is ignored. A male representative has four bodyguards, but I as a woman do not have even one bodyguard.

Mr. Rahimi, director of the Afghanistan Independent Human Rights Commission in Herat, said: Violence in Afghanistan is caused by absence of social security. If somebody lacks violence, they will be oppressed. People who had to employ violence to obtain their rights, later used violence against others. Violence has al-

ways been enforced by men not by women. Our history is a male history. Women are not present in our history. We do not have a good past. The Communists made it worse, because they forced women out of the homes and prompted people's resistance. The war at Salimi district of Herat was prompted by the literacy campaign. Our religious beliefs do not occasionally allow equal rights for men and women. Those rights should be equal when our religious beliefs allow it. There may be girls' schools at provincial capitals now, but as soon as we leave the centre, there are no girls' schools. It is the government's responsibility to set them up. A large number of women who live in the countryside are deprived of facilities.

We should create a calmer society. On the other hand, we should prepare the ground for the participation of women and make sure that they are safe when they work outside at night. We should have an active judiciary, dedicated police, implement the laws etc. We can then talk about women's participation.

Mr. Amini, the moderator, responded to Mr. Rahimi: What is the difference between your opinion and that of the Taliban? It is exactly a question of women and justice. If we seek justice, it does not mean that men and women must have equal shares in everything right now. We may expect that, but it will not be realised soon. When it comes to war, violence and impunity, men are the perpetrators. When it comes to paying the price, women have to pay it. The first solution would be to demand gender justice.

Mr. Rahimi retorted: It is true that the Taliban also had the same idea. However, I believe that security should be provided for women not to keep women at home until security is improved. Take the example of children. When a woman has a small child, she has to breastfeed her every six hours. Is that possible in the office? A woman in that condition would sacrifice her child if she goes to work.

Mr. Sarab, a poet and student of Herat University, asked a question to Ms. Sakineh Hosseini: Which do you defend, justice or Islamic ideology? Even the religious intellectuals, who offer the most modern interpretation of Islam, are of the opinion that Islam is a patriarchal religion. You may accept that as a religious person. The issue of women's freedom however is a new phenomenon of our time. There is a gross difference with religious beliefs. This is the confusion that women activists are facing. Women have always lived for men not for themselves. There is one point that the people operating in various fields have not realised and that is: Women are the second sex.

Ms. Hosseini responded by referring to the history of Islam and religious teachings and the killing of women before the emergence of the prophet.

Mr. Khatibi referred to the shariah and its teachings, saying: If we were to take the shariah as the criterion, this is all there is for women. However, there is a great difference if we were to look at the civil society and civility.

**Lost notice: Destiny of...**

The speakers were: Ms. Fatana Ishaq Gailani (Founder and chairwoman of Afghanistan Women Council), Mr. Mohammad Sarwar Hosseini (Deputy-head of Literacy and Informal Training at the Ministry of Education), Mr. Mohammad Aslam Jawadi (Director of Sociology Department of Kateb University), Ms. Safa Mazari (Director of orphanages, Ministry of Labour and Social affairs), and Mr. Shirkhan Ahmadzai (Cultural Director of Afghan Mobile Mini Circus for Children). More than 250 members of the civil society of Afghanistan, university students, politicians, women's rights and children's rights participated at the meeting.

Mr. Ajmal Baluchzada, the moderator, opened the meeting with the following words:

First of June has been designated as the 'International Day of Innocent Children Victims of Aggression.' This is to remind the fact that every year massive amounts are spent for all types of nuclear and mass destruction weapons. On the other hand, children die as a result of hunger, absence of health and hygiene testing these and malnutrition and nobody cares. Children hope to live in an environment free of war and hatred.

As in other Third World countries, little attention has been paid to children in Afghanistan. Ten years have passed since the installation of the post-Taliban government, but the children not have clear future yet. We are still waiting for a clear and comprehensive policy concerning children and young people. Children, young people and women have been forgotten in this country. They do not enjoy the gift of literacy; they are raped; some of them have taken to begging and addiction. They are used in many terrorist attacks. Hundreds of children die as a result of various diseases. Some others are killed or become invalids as a result of the current war and irresponsible air raids. We know well that we are the most disaffectionate nation to its children. We ignore their capabilities, beauty and sincerity. They must know that children live in a different world. It is our task to bring that world back to them. We hope we can assess together today any beneficial

policies for children and to see what changes have been brought to benefit our children, if any, by the people who have spent millions of dollars in their name.

Ms. Fatana Ishaq Gailani said: I must point out a few points about Afghanistan's past, because our children were born and brought up under war conditions. In the old days, when there was no war and terror in Afghanistan, our children were brought up in a fully humane environment.

Even though we did not have many schools in Afghanistan 60 years ago, and the health system had not advanced, he had a land of peace. It was important for children to have pride and to be Afghan. They grew up free from ethnic prejudices. However, Afghanistan was pushed into misery and darkness after 27th of April. The children, whose fathers were killed by the Communists, were taken to orphanages. Many children suffered from lack of adequate food. They were always in queues for bread. Some others migrated and lived under terrible conditions in Pakistan. I'm opposed to orphanages, because they cannot raise children properly. We do not want our children to grow up in war again. We need more attention to and proper policy-making for children.

Mr. Mohammad Sarwar Hosseini said: Education is a basic human right that has been enshrined in international covenants. The Universal Declaration of Human Rights and Convention of the Rights of Child (CRC) put forward a body of rights including: survival of the child, growth and development of the child, elimination of discrimination against and protection of the child. Children need protection of the parents, because they cannot protect themselves in many cases. There are two very important advantages in the CRC: It considers children to be human beings and provides comprehensive rights for children.

In the Education for All document, there are six major goals, one of which is the preschool education of children. Indeed, reasoning takes shape in children at the ages 3 to 5. There are preschool education systems in many countries, which unfortunately we lack in Afghanistan.

We have made some progress in basic education, from the first to the ninth classes. In 2002, Ministry of Education had 8000 students. In 2011, that number increased to 8,000,000 students countrywide. The number of teachers has also increased and the number of schools rose from 3400 to 12,000. Nevertheless, there are still 4.5 million children who do not have access to schools.

Mr. Aslam Jawadi said: There is a very important topic of discussion about the status of children and migration in the past. A migrant child does not have a history and it is very important to think about this. Another question is: What is the status of child in the mind of Afghans?

Some of the problems occur for children in the society, but they suffer others at home in the family. We need to know the status of the child in the family in order to know their status in the minds of Afghans. The hierarchy in the family structure in Afghanistan is decided on the basis of kinship. Therefore, the important thing within the family is a body of features that have nothing to do with human values.

The first feature in Afghan families is the precedence of age. Opportunities and advantages are available to people who are within a specific age group. The Afghans take a different attitude to men and women. The third feature is an instrumental view of children.

Ms. Safa Mazari said: Children suffered a lot during the war. The whole infrastructure available to children was destroyed. Family institutions disintegrated during the war. There is no child in Afghanistan who has not suffered economically and socially during the two decades of war. Children constitute half the population of Afghanistan and they are the most vulnerable social group. We have child labourers, child offenders, kidnapped children, smuggled children, child soldiers and girls who have been forced to marry.

Mr. Shirkhan Ahmadzai: Children are very talented and they have proved it whenever they had the chance. We must respect children in the society.

## A comparative reading of...

War, the government's propaganda discourse about women, interference of international politics and assistance, the gap between the young and old generations and absence of research work on women have prevented the taking shape of a women's movement in politics. Are some of those challenges comparable with the problems of our women in Afghanistan?

Ms. Direnberger criticised the fact that women have been deprived of their autonomy as a result of the international money pouring into the planning and execution of programmes.

Ms. Mazari Safa began her speech by quoting a new report she had read: "Afghanistan is not a place for women to live in." She focused her speech on four issues: health conditions, education, economy and political participation and women's rights 10 years after the departure of the Taleban. Despite the changes in the health conditions of women, she said, every 30 minutes one woman dies at the time of giving birth. The average life expectancy of women is 44 years and Afghanistan is one of the few

countries in the world where women live shorter than men. Sixty to 70% of tuberculosis patients are women. Forty-five to 52% of women suffer from malnutrition from the date of birth to adulthood. Ninety per cent of women in Afghanistan are illiterate, in comparison with 36% of men. 1 million girls between the ages of seven and 13 do not attend schools. In 2005, only 22% of 36,000 students who registered for the university entrance examinations in 2005 were girls. The ratio of women with higher education is one to 300 in Afghanistan, in comparison with one to 5 in Iran. Girls stay away from scientific and law courses in the university, and sexual harassment is rampant in the universities. Poverty is prevalent among women. The poorest women in the world live in Afghanistan, because women do not have the right to property and to benefit from their wages. Even though women shoulder 50 to 70% of agricultural work and they weave carpets, they do not benefit from their wages. The average income of women in Afghanistan is \$16 per month.

Speaking of women's political participa-

tion, Ms. Safa referred to some of the formal policies, e.g. the 27% quota for women in the Parliament (67 seats), she said: Even though the Bonn Conference decided quotas of 30% for women at all levels, that quota has fallen to 18% in the past few years.

Ms. Safa pointed at cultural backwardness, fanatic customs and traditions such as giving girls to marriage in exchange for life, deprivation from inheritance, self immolation and rape as clear challenges of the current era and added: The goals of women in Afghanistan are as follows: cultural growth, social and human rights immunity, abolition of ugly and anti-women traditions, access to education at all levels, economic power, abolition of economic poverty and access to health and hygienic care.

Mr. Aslam Jawadi presented an analysis of the reasons for the inequality of men and women in Afghanistan and focused on the need to establish women's studies courses in universities and in Kateb University in particular.

## In search of truth and...

it with indifference, especially in cases where the atrocities had a collective base. When a crime is committed in a country, everybody asks how it came about. That is when one seeks to find the «truth». Today hinges on yesterday and tomorrow on today. The past by itself does not stir tension, gaps and hatred. It is the past history that stirs them. That is the reason why it is necessary to bring to trial the past and declare it dead. Human reasoning can no longer ignore the suffering of the victims.

Excerpts from Mr. Zia Moballegh's speech:

There have been processes at work to end the war and bring about national reconciliation in Afghanistan in the past. The idea was to end the state of war in the country and let the people live in peace. Unfortunately, those processes came to exist in the absence of truth seeking. We witnessed numerous jirgas and councils that were established to end the war, both at home and abroad. Surely this is not the right mechanism to end the war in this country.

There is a jirga for peace between Afghanistan and Pakistan, the Peace and Reintegration programme, the Peace Consultative Jirga, the Peace Consolidation Commission led by Mr. Sebghatollah Mojaddadi etc. It is unclear however if peace will return to this country through these mechanisms. It seems

that all those plans have failed, because none of those processes have engaged in truth seeking. Those processes and similar ones are doomed to fail if truth is not sought and an answer is not found to all the treason and violations of human rights. Those processes will fail, because the human life, property, dignity are of no value in this land.

It is difficult to achieve a lasting peace, because we lacked good governance, transparency, rule of law and public participation, accountability and a strategic political and economic development perspective. It is certain that peace will not be achieved without justice anywhere. Peace is not possible without justice and justice cannot be achieved without attending to the demands of victims. On the other hand, it is the responsibility of official institutions to document their crimes and human rights violations and submit those documents to the International Criminal Court. The peace process in progress at present, however, is intent on hiding the truth and the crimes that have been committed. It is ignoring the roots of the conflict. By passing the General Amnesty Law, they even extended amnesty to all the criminals and promoted the culture of impunity. Subsequently, the audience raised questions that were mainly directed at criticising the Afghanistan civil society. Some of the participants were of the opinion that the civil society in Afghanistan had only sought to implement projects without paying much at-

ention to the nature of the issues.

One of the questions was: How can we publicise the documents regarding victims?

Mr. Moballegh replied: We can attach significance to those documents when the government has the will to examine them. Otherwise it will be very difficult for us to put those documents into use to achieve justice for the victims. On the other hand, the government of Afghanistan, in cooperation with the UN and the ICC, can investigate the documents. Otherwise, the civil society institutions must seek justice and truth.

The next question was: What is the task and responsibilities of the citizens of Afghanistan if the government and the international organisations do not have the will to seek the truth?

Mr. Moballegh's response was: the Action and Reconciliation Programme of the government was approved in 2005. Its third key section concerns truth seeking and documentation. Subsequently, they passed the Amnesty and National Reconciliation Law. Thus, our government has a double sided policy. Ultimately we have no choice but to seek justice.

Another participant was of the opinion that the civil society institutions cannot achieve anything on their own, unless the young people, students, women and other groups of people join hands and pressure the Afghanistan government to begin the process of truth seeking.

## Revisiting contemporary...

They still believe an event can be considered historical event if it is 50 years old.

- There is no coordination among the historians. That is the reason why most books written on the history of Afghanistan lack credibility and are devoid of new approaches to historiography.

- We have hardly come across any writer who has examined historical events impartially. History is significant when it provides lessons to the future generations. Unfortunately, our historians have sufficed to narrating events and stating their own personal views without offering strong reasoning for their claims.

- It is very difficult for enthusiastic young people to gain access to governmental archives which have original documents. To sum up, historiography has not reached the stage of maturity in Afghanistan. There are however good opportunities available to our scholars and we hope they will not repeat the mistakes of our predecessors.

Mr. Sakhi Monir said: it is to be noted that the National Archives, in particular the National archive of Afghanistan, are the home of the whole nation. There are 180,000 documents and 8000 historical records in the National Archives.

We have noted during the past 60 years of historiography that modernism and modernity have been in conflict with traditional culture. Our educated intellectuals were unable to combine the culture of modernity with the traditional culture. In the past 60 years, colonialism came to an end in Latin America and Africa, but in Afghanistan censorship ruled and pages of history books were torn off. The constitutional monarchy, the Constitution, the assuming of power by a leftist government, the arrival of the former USSR in Afghanistan and the emergence of their resistance and Jihad movement were topics of discussion.

Mr. Sahebazar Moradi said: it is very important for our young generation and intellectuals to have knowledge of at least the past 100 years of history of their land. The contemporary history of Afghanistan, as written in the past six decades, is a history of atrocities, secrecy, fraud etc. Throughout this history, one finds out about the mistreatment of this nation by kings and rulers and the same problems and inequalities are still in place today. Generally speaking, the history of the past 60 years has been a history of destruction in our country. There are very few people in Afghanistan who recognise the methodology of history and follow it.

Mr. Amiri said: I want to ask Armanshahr Foundation why 60 years? Historiogra-

phy in Afghanistan is linked to Afghanistan dating back to 1747.

I shall concentrate mainly on the writing of history in Afghanistan. The first history of Afghanistan, known as the Ahmad Shah's history, was written by Mahmoud Hosseini. This means that writing history began from the outset of the establishment of government in Afghanistan. There are lies, falsification, distortion and other deficiencies in our history. However, we can notice those issues in history of all other lands. We may however say that this story has never hidden the truth. There were many people who tried to refute history, but they did not succeed. It is also incorrect to say that history has always been written by the powerful. To examine historiography in Afghanistan, we may classify the Afghan historiography into three categories.

First, the nationalist historiography came to become dominant in the middle of the 20th century. This category of historiography fills the gaps in history. The history book written by Ghoobar starts at 5000 years ago, but Afghanistan is not older than a century. There are lots of gaps in his history book: 'Afghanistan in the course of history.' In this category of historiography, the important thing is ideology on the basis of which history is written. Proponents of this type of historiography are: Mir Gholam Mohammad Ghoobar, Ahmad Ali Kahzad and Hassan Kakker.

The second category is the realist historiography. The first historian of this type was Beyhaqi. Feyz Mohammad Kateb, the renowned historian, closely followed Beyhaqi's method of work. The realist historiography does not cover the gaps. Nothing remains hidden from the historian's eyes.

The third category stands somewhere in the middle of the two. It takes its cue from the past and the traditions. Abdullhay Habibi and Sadiq Farhang were proponents of this category of historiography.

Mr. Seyyed Jawad Darwaziyani asked the following questions:

- Why have we not been able to write the contemporary of history of Afghanistan in the past 60 years based on a rational foundation?

- Why have we not been able to contemplate our history and the basis of the social, political and cultural foundations of our land?

- Why has a collective memory not been created for us and we are still on the same route as before. Why is there no discussion of revisiting history in Afghanistan, re-examining it?

- Mr. Moradi, why did the history circles fail to do their work jointly?

- Mr. Monir, what do you mean by national history? Is it the history written by the government and governmental researchers? Or is it history based on the realities of society?

- Why are the governmental archives still in disarray?

The speakers took turns to answer the questions.

Mr. Amiri: The crisis of historiography is not confined to Afghanistan; it is a problem of all the peripheral societies. As I said before, historiography in Afghanistan stands somewhere between the modernity and tradition. Therefore, historiography is in crisis not only in Afghanistan, but everywhere and even the entire Islamic world. We have not been able to write history from a fully secular point. This is a crisis and it arises from the confrontation of two civilisations and cultures. One civilisation and culture is trying to impose its criteria on the second civilisation. Why did we not develop and historical memory? This is a very important question.

After World War II, a very famous German philosopher, Karl Jaspers, wrote a very interesting article with the title of "Die Schuldfrage." At the time, the Germans began to consider why Nazism managed to emerge from their history and culture. Unfortunately, in peripheral societies including Afghanistan, we do not have a tradition of self-criticism. Nationalist historiography has made the emergence of historical reason impossible. It is evident that we shall lack historical memory so long as we have not practiced self-criticism.

Mr. Moradi: Up to now, we have always argued that it was the task of governments to manage culture, to manage proper economic planning, and display that the government is not only a ruling oppressive institution, but an institution to provide services. Our governments in the past were nothing of the sort. They only ruled the nation oppressively.

Mr. Monir: The official history is the history that the governments or its agents write. A national history of Afghanistan must contain various elements. The first is documentation. I ask all historians to come to the National Archives where I shall provide them with the documents to use. The second is methodology of history. If the two come together, we shall have a national history.

The National archives have a short life span. That is why there is some kind of disorganisation. We are trying to have The National Archives Law reviewed, collect documents, films and other papers from all ministries and to set up the nationwide National Archives.

## Conference for coordination and...

He said: In other countries, where reconciliation was achieved, the opposition forces apologised and undertook not to return to the past. That's not the case in Afghanistan. Will they stop fighting for their demands? Are they asking for their demands peacefully? Do they stand for establishment of emirates? There are also other questions that have to be addressed during the reconciliation process. The attitude of misogyny and the abuse of women's rights are not acceptable to anybody. Respect for human rights of all citizens is of special importance. The foundations of a successful process are: truth seeking, reconciliation and forgiving one another, enduring peace... Otherwise we cannot achieve reconciliation

Mr. Moballegh continued: In my opinion, foreign sources cannot bring us peace and justice. Every country has its own solution. We have a long experience behind us; from national reconciliation of Dr. Najib to oath taking by the mujahedin in Mecca, demobilisation, DDR, DIAG, Peace Commission, Peace Jirga, Consultative Peace Jirga, establishment of local councils etc, they all constitute a long list of efforts for peace. Unfortunately they all failed. One of the reasons for the failure is absence of good governance and components. For example DDR and DIAG demobilised the officers but did not create effective employment for them. There is not a clear definition of reconciliation. Reconciliation is a political mechanism to end the war and crush the enemy to create enduring peace. There is not an accurate definition of the opposition either. Lack of clear mechanisms and transparency pose questions. One other reason for the failure is the disregard for the people's demands. Reconciliation will not be possible by sacrificing justice. The people do not believe in reconciliation, because the conditions are undesirable on both sides of the war. As a result, the people do not support the government, because it does not provide for their rights or for their needs. To keep our protests alive, we must file complaints, register petitions and undertake non-project activities.

Ms. Sari Kuvo, from the International Centre for Transitional Justice that operates in post-conflict countries, initially presented a report on the centre's work in various countries. Referring to the challenges in other countries, she said we must take small steps to achieve great ideals. She relayed an experience from Chile and explained how Gen Pinochet was brought to trial by truth commissions, despite all the injustice he did the country. She argued that monuments must be constructed in Afghanistan to console the victims and serve as lessons for the future generations.

She gave the example of Cambodia, where the buildings that the military had set up to torture the victims have been transformed to museums.

Mr. James from the United Nations said: there are similarities between Afghanistan and Bosnia. There was war in Bosnia and there is war in Afghanistan. Bosnia had a weak government and there are signs of weak government in Afghanistan. Courts were inefficient there and that is also the case in Afghanistan. In both countries, the victims felt that they did not play a role in decisions after the war. The civil society institutions did not play a role in decision-making in Bosnia as is the case in Afghanistan. There are also great differences between the two. There have been three periods of war in Afghanistan and an unknown number of people have been killed. The war in Bosnia was short and the regional states persuaded the warring factions to stop fighting. International intervention has failed to bring results in Afghanistan. There was a court in Bosnia that operated during the war. The perpetrators were not granted immunity in Bosnia, but in Afghanistan the opposite factions used political immunity in the process of reintegration. There was an international body in Bosnia that watched the government and observed the election and reconciliation process; it does not exist in Afghanistan. There is not a truth commission in Afghanistan. There is a need to form victims' movements in Afghanistan. They existed in Bosnia. In some cases, however, the leaders took decisions and the victims did not play a role. There were great expectations there, many of which were not achievable, in particular in regard to the International Criminal Court for former Yugoslavia. In many cases, the people were not informed of their rights. They did not know the challenges. They insisted on finding the disappeared persons, but they did not realise that it was not possible to find them. One of the lessons was that many organisations had been formed for the victims, but the voices of the victims were not heard there. The entire focus was on criminal prosecution.

Mr. Shahir, MP, a victim who had been taken from the fourth year of the University to prison, narrated his shared feelings with the victims: We shall raise the voices of victims in the Parliament. He argued that networks should be established to realise transitional justice with the tasks of reporting the criminals to courts, creating lobbies and seeking justice, cooperation among the victims to bring the perpetrators to trial and to prevent a repetition of the crimes. Our silence promotes the culture of impunity; our voices will help establish an enduring peace. The victims must lead the networks; national and in-

ternational experiences must be used and the institutions of victims must be self sufficient.

Dr. Allameh, a university professor, approached the issue from a theoretical point of view and argued in his summation: Despite the examples given about the access of victims to judicial authorities and guarantee of fair treatment under the laws of Afghanistan, many of those laws are flawed as far as compliance with this principle is concerned and they are by far behind the international standards. The most important deficiencies of the laws in Afghanistan in this regard are as follows:

1. In regard to access to justice and judicial proceedings, victims are still marginalised. We may suffice to say that the prosecutor decides instead of the victim in all the stages.

2. In the penal laws of Afghanistan, there is no mention of the need to provide the 10 instances of protection for victims enshrined in the statute of the International Criminal Court.

3. In the laws of Afghanistan, redress concerns only financial compensation. Redress for psychological and emotional damages is an unknown concept.

4. Any mention of rehabilitation and providing medical and psychological care for the victims would most probably sound luxurious and unachievable, as would the provision of legal or specialised assistance.

5. The last and most important point is that the laws of Afghanistan have made no mention of the rights of and protections for victims of international crimes.

Therefore, it is essential to amend the penal laws of Afghanistan in order to achieve a comprehensive criminal policy in support of the victims of crimes.

Mr. Karen from the United Nations said: This process will take a long time. Prior to the establishment of the truth commission in East Timor, the victims had prepared documents and the societies cooperated extensively with the commission. It is very difficult and in some cases impossible to try the criminals. In East Timor, 200,000 people died, there were a large number of rapes, many people were imprisoned and women did not play a role in the structures and institutions. That country, like Afghanistan, is a traditional country. Women did not want to disclose the facts, because they feared for their honour. In East Timor, the media played an active role in reporting the stories of the victims.

Now the structures must be rebuilt or re-established or repaired in Afghanistan. Courts of Justice must be established to investigate the crimes. The commissions take different forms in every country and there is not a single model.

**Other articles in Dari version No. 17-18**

- A review of Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by Jawad Darwaziyan
- Pig Philosophy, a review of the French translation of Liu Xiaobo's book, by Saeed Payvandi, university professor in Paris
- A short review of "Statement of Inheritors of the Earth" (an epeopee by Master Wasef Bakhtari), by Rooholamin Amini

**Also translations of the following English or French reports and articles appeared in Armanshahr (Dari) No. 17-18:**

- Amnesty International Report 2011, section on Afghanistan (<http://amnesty.org/en/library/asset/POL10/001/2011/en/519da037-1492-4620-9ed5-cac8f1cfd591/pol100012011en.pdf>) (Page 55)
- La liberté d'expression, Agnès Callamard, Le Monde Diplomatique (<http://blog.mondediplo.net/2007-03-27-La-liberte-d-expression>)
- Des conclusions explosives, Jean-Arnault Derens, Le Monde Diplomatique (<http://www.monde-diplomatique.fr/2011/03/DERENS/20230>)
- Bases américaines sans frontières, William Pfaff, Le Monde Diplomatique (<http://www.monde-diplomatique.fr/2011/03/PFAFF/20233>)

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## Armanshahr/OPEN ASIA Publications

1. One Thousand and one Poems for Afghanistan (anthology of writings and poems trilingual edition), Winter 2003
2. Caravan of Poetry for Peace and Democracy in Afghanistan (An anthology of poems); Spring 2003
3. Caravan of Light (for young readership); Spring 2003
4. Poems for Peace (Tajik edition in cyrillique), Summer 2003
5. In praise of Ahmad Shamlou, Living Conscience of International Poetry, December 2006 Goftegu series
6. Who is a citizen? What are their obligations and rights vis-à-vis government and the society? December 2006 Goftegu series
7. Role of Citizens in Seeking Truth and Justice, December 2006 Goftegu series
8. Social Justice in Islam, Systems of Governance and other Schools of Thought, January 2007 Goftegu series
9. Challenges of Freedom of Expression, Media and Press in Afghanistan, February 2007 Goftegu series
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