

Afghanistan's Parliament in the Making - Policy Brief & Update 2013

By Andrea Fleschenberg with Abdullah Athayi

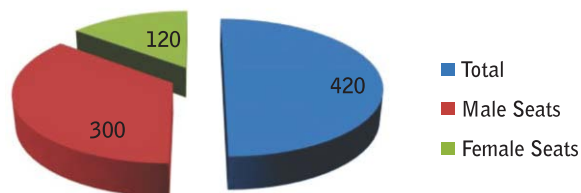
After more than a decade of an international intervention and close to the proclaimed second post-2014 transition phase, women's political participation remains precarious and volatile in Afghanistan despite inroads made. Regardless of violence and discrimination faced by society and politicians, women participate at all levels of Afghan society and politics – as voters, candidates, lawmakers, council members, ministers, governors, bureaucrats, civil society activists, members of the security forces or the judiciary. Many women parliamentarians were reelected and became more experienced as lawmakers; others moved from civil society or provincial councils into national politics, trying to make a difference for Afghanistan's people, in particular women. Discriminatory attitudes among key power-brokers, opinion- and decision-makers, continuously high levels of insecurity and threat along with a decreasing political interest and will of national and international key actors to support gender policies and women's political mainstreaming are some of the key obstacles identified.

Women activists and lawmakers demand due diligence for promises made, inroads built, spaces carved out and steps to be taken to ensure a more peaceful post-2014 Afghanistan. For them, their sociopolitical struggle as lawmakers needs to be supported by responsible intervention and transition actors – be it within Afghanistan's political system and during peace negotiation processes or at regional and international levels.

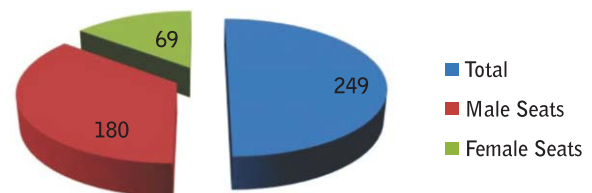
Rationale, methodology and outline of the study

During the 2005 parliamentary and provincial council elections, 8.2 percent of all provincial council candidates (247 out of a total of 3025) and 12.8 percent of all parliamentary candidates (335 out of a total of 2775 candidates) were women as were forty-one percent of voters (or 2,6 million) - a significant achievement given the current misogynist record of political participation. (IEC 2010: 25)

Provincial Council Seats Distribution
(2009)



Wolesi Jirga Seats Distribution
(2010)



The second round of elections was carried out in 2009 and 2010. The presidential race saw two female candidates (4.9 percent) running and nearly eleven percent of provincial council candidates were female - a significant increase from 247 to 328 women contesting elections at the provincial level. However, the percentage of female voters slightly decreased to 38.8 percent due to intimidations, prohibitions, threats and violence during the elections. For the parliamentary elections of 2010, 406 out of 2577 candidates (amounting to 15.8 percent) were women - again a slight increase from the previous 335 in 2005, while the number of female voters slightly decreased to 39.1 percent, similarly to 2009. In the second Wolesi Jirga, 69 out of 249 parliamentarians are women, surpassing the quota requirement of 68 (or 27.3 percent). (NDI 2010: 32) Moreover, twenty-eight out of 102 Meshrano Jirga members and 120 out of 420 Provincial Council members are women. Currently, three women (out of a total of 25) serve as cabinet ministers: Hussan Bano Ghazanfar as Minister of Women's Affairs, Soraya Dalil as Minister of Public Health and Amina Afzali as Minister of Social Affairs, Martyrs and Disabled.

Over the years, women managed to make inroads in terms of representation in a number of public arenas other than politics, e.g. in commerce, medicine, higher education, agriculture, law or media. In the judicial branch, women represent 5.4 percent of the country's judges and 9.4 percent of prosecutors; twenty-two percent of civil servants are women. However, leadership positions are scarce - be it in parliament, government (with Habiba Sarabi as only female governor in Bamiyan who recently won the prestigious Asian 'Nobel Prize', the *Ramon*

Magsaysay Award 2013) or in the judiciary (with Maria Bashir as only female chief prosecutor in Herat). (Huffington Post 2013; Bowley 2012) Patriarchal attitudes and discriminatory mindsets within society and among decision-makers and power-brokers along with insecurity, intimidation and repeated violent attacks on women remain powerful obstacles to women’s substantive representation and public participation.

The volatility and precariousness of women's political participation becomes evident from the recent parliamentary revisions for the 2014 provincial and presidential elections which codify a decrease in women's reserved seats at the provincial level from 25 to 20 percent (Abawi 2013). Moreover, in a recent report the UN's Afghanistan Mission (UNAMA) highlighted that women and children have increasingly become targets of Afghanistan's persisting insurgency, in particular also in so called 'transitioned area', i.e. those under the control of Afghanistan's security forces (Hansen 2013).

Table 1: Number of turnouts and female candidates in post-2001 elections (IEC 2010:25-26)

Election	Total Votes (in Millions)	Percentage of women voters	Total candidates	Women candidates
2004 (Presidential)	7.3 million	37 %	18	1
2005 (Provincial Council)	6.4 million	41 %	3025	247
2005 (Parliamentary)	6.4 million	41 %	2775	335
2009 (Presidential)	5.9 million	38 %	39	2
2009 (Provincial Council)	5.9 million	38 %	3196	328
2010 (Parliamentary)	4.2 million	39 %	2577	406

Note: Numbers of women voters do not include the numbers of female Kochi voters due to lack of gender disaggregated data.

So why do some women decide to run for parliament, engage in public affairs against all odds and given the high levels of insecurity and threats to their personal lives? What are their interests and the challenges they face (d) in the current Wolesi Jirga? How do they see the transition process and the post-2014 development of their country and its political institutions?

Building on a previous study on gendered aspects of Afghanistan's political institution-building in 2007/2008¹, this policy brief² traces the nexus of gender and politics in the second post-2001 Wolesi Jirga through 25 in-depth interviews and one focus group discussion with women parliamentarians (either re-elected, first-timers or not-re-elected) and women's rights activists conducted in Kabul in the first half of September 2012.

In total, 18 parliamentarians, 12 civil society activists and two bureaucrats were part of the interview sample. Interviewees were questioned on their understandings, experiences and perceptions of: (i) women parliamentarian's political pathways, agenda issues and interactions within parliament as well as with other political institutions, civil society organizations and constituents; (ii) (gender) specific obstacles faced within the political system as well as within society at large in addition to (iii) issues, concerns, strategies and interests vis-a-vis the post-2014 transition process and decision-making.

This policy brief outlines major ideas and perceptions given during interview discussions on women parliamentarians' experiences within the second post-2001 Wolesi Jirga. Women parliamentarians were selected according to provincial origin, political experience and positioning, as well as age in order to achieve a representative sample of the wider population of female Wolesi Jirga members.

Motivations and Reasons for Becoming a Parliamentarian

Similar to the survey conducted in 2007 and 2008, a significant number of women parliamentarians joined politics with a gender-specific agenda:

- to *pursue a pro-women agenda* and address Afghan women's deprivation and disenfranchisement;
- to *take up the opportunity to join - as a woman - the newly established political institutions*, confront deeply rooted obstacles for women's public participation;
- to *change constituents' and, in particular, women's lives from within political institutions*, not just through civil society activism and social engagement previously done; and
- to *'make a difference'*, i.e. continue to ensure that one's voice remains represented, despite all hurdles and obstacles faced, and to ensure the further development of political institutions and parliamentary politics, especially when in opposition.

¹ Fleschenberg, Andrea, 2011, "Afghanistan's Parliament in the Making – Gendered understandings and practices of politics in a transitional country", 2nd edition, published by Heinrich Böll Stiftung, in cooperation with UNIFEM Afghanistan

² For details on the transition process see the comprehensive study: Fleschenberg, Andrea, 2012, 'Afghanistan's Transition in the Making – Perceptions and Policy Strategies of Women Parliamentarians' published by Heinrich Böll Stiftung.

"(...), because your life is controlled by others, it is better you go inside and try how much you can do." (MP Farkhunda Zahra Naderi)

"I love the values which make me, send me and push me to be back here and stand for it. It is extremely difficult and [a] hard job. But I have to - not for the sake of myself, not for who I am, but the ideas, for the belief and for the future. I have to represent the silent majority of the country which has been [a] victim (...)." (MP Shukria Barakzai)

For re-elected MPs as well as newcomers, another motivation to join parliament was to address security-related challenges of their country - be it the increasing levels of insecurity and insurgency, or the 2014 transition process, its potential national and transnational outcomes, in particular with regard to women's rights and peace negotiations with insurgents. In addition, many of them outlined that they felt the need to continue with their agenda, that their tasks of 'working for' and 'providing services to the people' were not yet accomplished and, moreover and repeatedly stressed, that their constituents wanted them to continue in political office or move up from the provincial to the national stage.

"Women could do things different [from] what they used to do before 2001. So because new opportunities ar[ose], I decided to run in 2005 (...) and we have start[ed] some initiatives in the course of five years of parliament with regards to my constituents nationally, in particular about women, so that was the main motivation for me to run for the second time and to make those initiatives or mission complete, (...)." (MP Fawzia Kofi)

"The nomination of women in Afghanistan is counted as dishonor because her posters are pasted at walls, in streets and many other common places. So despite of the whole restrictions that I faced in Farah province, I got a top vote (...) and it is pride for me to get such a position and support of the people." (MP Humaira Ayobi)

While women politicians had faced criticism and resistance from male family members when running for the first time, they experienced that their political activities at the provincial and/or national level increased their social prestige and authority, which was extended to their male family members who in turn became (more) supportive.

Some of those women parliamentarians who had served in different public offices, such as in provincial councils or ministerial functions, felt that becoming a member of parliament would enable them to serve their constituents in a better, more effective and powerful way than at the less influential local or provincial levels with higher chances of success. This was expressed, among others, by MP Roqya Nayel:

"(...) women suggested me to candidate for the parliament, so I decided to candidate myself (...), because I thought that if I become a member of parliament, my voice will have greater impact than in the current situation".

A national mandate, so their perception, would deliver them with additional authority vis-a-vis other political and societal actors to address their agenda issues and follow through with their projects.

Revisiting Political Agenda Issues – Considerations of Women, Democracy, Peace and Transition

Women parliamentarians interviewed in the second round of interviews in 2012 presented similar agendas to those identified in 2007/2008: to ensure (i) the proper functioning of the state apparatus and political system, (ii) development and reconstruction efforts across the country, that (iii) women's issues, needs and rights are addressed and implemented and that (iv) specific policy fields like health, education, security or youth are focused on in parliament.

Women's empowerment, development, self-sustainability and combating of gender-specific discrimination as well as violence against women remained the top priority. Given developments since 2007/2008, the second and third most important agenda issue became the post-2014 transition process and subsequent developments, in particular the planned elections and peace process, along with 'security'-related issues and concerns. Such concerns were linked to agenda issues such as, on the one hand, promoting good governance, democracy and its institutionalization, fight against corruption and ensuring continued infrastructural and economic development / reconstruction and, on the other hand, fight against terrorism, capacity-building and resources provisions of Afghanistan's security forces or addressing the issue of warlords in positions of power.

Most women parliamentarians are concerned that recent achievements will not be maintained and entertained in transition negotiations and politics, in particular the safeguarding of women's rights and levels of political voice and agency as discussed below in the last section of this policy brief (see for further details Fleschenberg 2012).

Challenges Faced

"The whole atmosphere is tough and challenging" (MP Fawzia Kofi)

As in the previous study (see Fleschenberg 2011), women parliamentarians outlined a number of challenges they faced - as women as well as parliamentarians in general. Security-related restrictions on parliamentarians to campaign during elections, to visit constituents in their districts on a regular basis as well as to exercise their mandate without concern for their own personal safety were highlighted by many as significant obstacles. Once again, the still young parliament was understood by some MPs as being a weak political institution in a presidential system with an overly strong, even 'overpowering' executive. Lawmakers face difficulties, on the one hand, to make their voices heard vis-a-vis the government and ministerial bureaucracy as well as, on the other hand, to ensure accountability vis-a-vis the expectations and demands of 'people'.

What emerged as a new topic was the concern with the post-2014 transition scenario and challenges emerging from this deadline - be it due to fears that democracy will not survive and diverse political and societal actors starting to reposition themselves, be it in terms of sustainability and viability of institutions, legislation and processes established and under construction. As MP Fawzia Kofi pointed out, opponents become increasingly vocal within the Wolesi Jirga and pro-democracy legislators encounter a decrease in liberty and sociopolitical mobility within political institutions and in society at large. It is difficult to work as a parliamentarian, to stand for democratic values and procedures if many others think that the whole political dispensation will collapse after 2014 and that democracy will not survive.

"Discrimination: If you are a warlord, everyone hears your voice. But if you are a woman, at least you should shout for four times [so that one] hear[s] your speech."
(MP Raihana Azad)

Many legislators interviewed highlighted experiences of gender-specific discrimination in terms of voice, authority, social and political mobility, inclusion in negotiation processes, parliamentary deliberations and when addressing women's issues. Discriminatory attitudes were not limited to co-parliamentarians in terms of speaking times, acceptability or significance given to opinions and points expressed by women in commissions or in the plenary. Parliamentarians also complained of facing a kind of 'secondary' status when interacting with the government, i.e. cabinet ministers, and ministerial offices and in selection processes for political leadership positions.

"Whenever I, as a woman MP, suggest a minister to do [something], it is very much different than a male MP does with his turban, guards and others. We [women] had some big challenges in this regard." (MP Safura Elkhani)

"(...) women face challenges in expressing their opinions. Or when the candidates for ministries are introduced to parliament, they always refer to male MPs for lobbying or to influence them to vote, but they rarely refer to women MPs (...). However, there is no difference between the vote of a male MP or a woman MP, but they look different at women MPs. (...) Even you see such discriminatory attitudes when you refer to government officers for solving constituent's problems; but he never pays you [the same] attention as he [the officer] does for a male MP." (MP Fatima Nazari)

Repeatedly, women parliamentarians pointed towards diverse disparities among parliamentarians themselves, be it in terms of qualifications, expertise, voice and agency or resources. With regard to the latter, financial constraints can mean that staff cannot be hired and family members are therefore engaged or that people's demands of support cannot be met, i.e. financial contributions in case of sickness, weddings, funerals, infrastructure projects etc. This can amount into a social challenge when people assess resources of different MPs in a clientelistic way, i.e. how much a lawmaker provides for them and their families in return for electoral support. In an overview, other challenges repeatedly outlined were:

- lack of coordination and trust among women MPs to advance a pro-women agenda; high levels of identity politics due to ethnolinguistic, provincial and ideological cleavages among parliamentarians in general, negatively impacting on the possibility to advance an agenda focused on national issues and based on common interests beyond specific constituency delimitations;
- lack of professionalism, expertise and training;
- personalistic politics in a fragmented, polarized Wolesi Jirga without legislative organization along the lines of functioning parliamentary groups, caucuses or political parties;
- lack of rule of law and functioning procedures, leading to frequent deviations and disturbances of parliamentary functioning and agenda-setting.

"People with different criteria coming in parliament, they have their political agenda, their economic agenda whatever to make alliance and keep their dominance and everything for them. [The] women issue is not important. If you talk about violence against women, they do not care. If you talk about family life, they do not care. So people do not understand what you are saying, they do not have the same agenda (...). (...) and the worse thing is women themselves have a problem. They still [are] not

united, they do not have a common agenda to come together, they do not have one voice, we do not have solidarity, do not have the same knowledge and experience and competent persons through quota system in parliament. [The] system is dominated in- and outside the parliament by men. Enter[ing] to [the] constituency and people, and of course transition, peace, illiteracy, unawareness of the issues and so many other things..." (MP Shinkai Karokhail, among others)

Some of the women parliamentarians interviewed outlined that they face a certain disconnect or difficulty of communication and interaction to explain and convince people of their agenda and projects to be undertaken given low levels of literacy and political awareness in the country.

Comparing both Wolesi Jirga legislative periods and experiences made

Those women parliamentarians who served in both legislative periods were asked to share their experiences in both legislative periods and lessons learnt so far. Most outlined that while the first parliament lacked experience and everything was new, fluid and under negotiation, there were different work ethics in place: they considered themselves more productive, more cooperative, more committed and with more space for debates and better interpersonal relations. Given it being the first parliament after a long period of conflict, MP Safura Elkhani experienced parliamentarians of the first Wolesi Jirga to be more positively motivated to serve people and with a lower tendency towards personalistic politics.

"(...) but right now we cannot pass one law in a day and there is no trust and calm space among the MPs and there are lots of verbal conflicts. People are annoyed with each other in the current parliament (...)." (MP Fawzia Raofi)

Furthermore, MPs Fawzia Kofi and Safura Elkhani pointed towards a worsening security situation, increasing popular discontent and criticism of government institutions due to expectations and service deliveries not met.

Envisioning the post-2014 transition

In several ways, the year 2014 might prove to be another political watershed given the announced withdrawal of international troops from Afghanistan and the planned series of crucial elections and their impact on the sociopolitical transition and peace-building process in Afghanistan. Questions arise regarding the direction and speed of the transformation, its timing, support in terms of presence (civil and/or military), resources, monitoring and capacity-building by the international community. (Inter)national debates already oscillate between opinions of 'too late, too much', 'as good as it gets' / 'good enough', 'too early, too little' to 'staying engaged'.

Analyzing the perceptions and narratives gathered, a very distinct debate about the 2014 transition in Afghanistan crystallizes. Furthermore, a prolonged high level of dependency from external actors and their resources - in a cognitive as well as a material sense - becomes apparent in most of the perceptions and opinions collected, which stands in contrast with the projected intention of local ownership and transfer of responsibility post-2014 (see below as well as Fleschenberg 2012 for further details).

Given experiences made in previous decades, particularly from the early 1990s onwards, most of those interviewed are of the opinion that the space to lobby for and implement gender equality policies will ultimately shrink, that women's rights might once again become a bargaining chip for a potential power-sharing deal, circumcising women's public engagement and access to state institutions. The fear raised is one of an autocratic regression, a backward transitory cycle or even a cancellation of achievements and the signs identified are the continuously and increasingly high levels of conflict and incidents of violence against women in areas already transitioned or under transition across Afghanistan.

While achievements in terms of women's political citizenship and basic service provisions are frequently cited as positive achievements of the intervention decade, some question their extent, depth and viability. Women activists mostly challenge that international actors are honest with and considerate of women's perspectives and interests and regard the decision-making as male-dominated and even mostly male-exclusive. A significant number of women's rights activists interviewed (but fewer women parliamentarians) criticize the paucity of space and voice granted to women in national and international negotiations along with doubts of the representativeness and effectiveness of the few women appointed to the negotiation tables. The latter are judged as not having delivered, as being symbolic and serving as window dressing.

While conducting the study, any discussion on Afghanistan's transition in the making was linked, rather sooner than later, to the following terms understood to be fundamental prerequisites or features of any kind of successful process outcome: 'responsible', 'transparent', 'accountable', 'participatory-inclusive', 'gender-sensitive' and 'interdependent'. While the sequencing of different process components or foci might change from interviewee to interviewee, the above mentioned catalogue of necessary transition qualities was nearly always stressed in its entirety.

The majority of women parliamentarians and civil society activists position themselves against a complete withdrawal of the international community - military and/or civilian actors - by 2014, which is considered premature. This is not a new opinion, but one previously communicated repeatedly in international media and public debates. According to this line of argument, the international community further needs to secure and consolidate its achievements, funds pledged and projects undertaken to avoid a relapse into conflict with transnational proportions and a reoccurrence of previous misogynist regimes. Tasks assigned and roles to be played by the international community continue to be wide-ranging and jeopardizing to a certain extent steps towards strengthened local ownership, reduced external dependency and increased self-sustainability.

The interviewees request that the international community (i) *invests in development and capacity-building* - human, social, economic, political and security-wise; (ii) *smoothens the funding gap* in coming years with budget support and more direct funding; (iii) *deflates insecurities and instabilities* - be they corruption-, narcotics-, insurgency-related; and (iv) *institutionalizes democracy* within state institutions and by supporting civil society.

Women rights activists along with women parliamentarians identify a certain liability and obligation of international intervention actors, and the international community in general, which extends widely beyond the current 2014 exit-cum-transition scenario.

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