



Afghanistan: gender, silence and memory

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This article explores the juncture of gender and collecting memory in the context of Afghanistan and establishing accountability for past atrocities. After situating Afghan women in the context of past wars, it examines two projects in truth-telling following the ousting of the Taliban and what was termed as the transitional period. Providing a critical analysis, it argues that recalling and telling of the past from the bottom-up approach has done little to break the prevailing culture of impunity and address the motivation of victims in participating and contributing to memory projects. By promoting truth-telling and giving meaning to collecting memory, the international community has focused on the production rather than representation of memory. Production for the external market rather than localised confrontation with the past to alleviate trauma has led to an increasing commoditisation of memory. As a result, women's representation in relation to past wars have remained marginalised as victims. In conclusion, the article positions silence as a tool of local resistance to an ever-increasing popularisation in the globalised markets of memory and truth-telling.

In the past two decades, the need to address systematic violence against women during war and violent conflicts has gained renewed interest and focus. The demand for accountability and responsibility for crimes committed in conflict and post-conflict periods has played a significant role in unravelling previously taboo and hidden histories of gendered violence. Participation of women in transitional justice efforts such as fact-finding, trials and truth commissions has provided an inclusive narrative of the past. Accounts of suffering, violence and oppression are not controlled by dominant, privileged and, on many occasions, masculine voices. Such efforts have contributed to reproducing a more democratic representation in history with women's voices centrally located, situated and remembered. At the collective and individual levels, women are increasingly encouraged to tell and talk about the experiences of violence during war and conflict.

In transitional societies, there is an increasing focus on talking, gathering, narrating and, in general, a process of truth-telling in relation to past atrocities. Constructing a collective memory of the past is becoming increasingly recognised as a significant component of reconciliation and healing of a nation (Wiseman 1997, Staub 2006). Remembering and recalling memories can be a unifying force in promoting a shared belonging. Processes that deal with the traumatic memories have been shown to direct a nation in breaking away from cycles of violence and transition instead into reconciliation (Wilson 2001, Humphrey 2000). International organisations have actively rallied efforts to capture women's narrative and, on many occasions, untold stories of suffering endured during conflicts, including accounts of rape and violence. The interaction among social actors with contexts and memories of past wars is considered to play an important role in shaping gender identities (Grayzel 1999).

Despite such progress at a macro-global level, local realities in societies dealing with the legacy of wars and violent conflicts present a different picture. The question of how a nation collects and shapes memory of the past remains complex. There is the question of which events are remembered and how individual remembering comes to have meaning in becoming collective (Kenny 1999). There is also the issue of ensuring that memories of previously oppressed groups and those that suffered most from past atrocities are heard and included in remembering (Kansteiner 2002, Assmann 2006). Women, in particular, face the question of legitimacy in relation to remembering atrocities of the past. Many women remain reluctant to talk about experiences of violence, particularly given the taboos and stigma associated with such topics (Bell & O'Rourke 2007). Stigma associated with the violence endured can place women as outcasts in their own community. There are also issues related to safety, as the post-conflict period does not always lead to a more secure environment for many women. In many

cases, women's positions as victims are further confirmed as revelation, and telling of the violence does not meet the need for justice. Confession and telling can be dangerous in making women vulnerable, particularly when perpetrators are not held accountable. In contrast, silence regarding the past ensures survival and security within family, community and political contexts that are shaped and dominated by patriarchal patterns. In such cases, while individual and collective silence excludes narratives from public representation, it also protects and shields individual lives. As such, the exclusion can be regarded as a tool of security rather than disempowerment.

Counterarguments on the relationship between silence and security point out that, while silence protects, it poses challenges in terms of sustaining a culture of impunity (Thomas & Ralph 1994). On the one hand, talking and telling can be empowering for women at the individual level. Narratives can be shared among communities and even across borders among other communities. Recalling the memory by speaking the truth about the violence is considered a vital step towards healing for victims of violence and helping them rebuild lives (Rehn & Sirleaf 2002). However, there are also many challenges in ensuring that telling and recalling memory can foster positive social transformation in a way that is meaningful locally. The untold stories of women who have suffered from violence are often encouraged and supported by the work of international organisations as a way to provide documentation and in general recall memory (Berger 2013). On the other hand, truth-telling, which is a significant component of transitional justice, may not necessarily guarantee objectives such as healing, alleviation of trauma, justice or representation in collective memory. This is more so when telling, as part of transitional justice efforts, is motivated by an international discourse that posits such a process as necessary without the backing of the local. From this perspective, telling and the processes and actors related to it can be considered or thought to be invented, given the imposition of the external. Meaning given to the processes of recalling memory and the significance given to confession and truth-telling can, therefore, be viewed as constructed, given the lack of interaction with the local.

Efforts such as truth-telling, documenting and recording of individual memory in relation to past violence provide a voice for women's narrative and personal memories during war and conflict (Thomson 2007). However, what if telling is all there is? Can it by itself lead to individual healing if the narrative of the past is simply unravelled? To be sure, talking about past experiences of violence are indeed positive and healing, but it has to be accompanied by some form of accountability or justice process. In other words, can healing take place by unravelling accounts of the past violence when the nation as a collective is silent? In many communities, women talking about the past violence occurs at

the behest of the international community, and the narrative shared is directed at external “markets”. From this perspective, the internal or, more specifically, the local women remain as the producers and the external, the consumer of memory. The process of collecting memory specific to women is significant to ensure remembrance and inclusion. The importance of women’s participation in constructing memory of the past has been increasingly acknowledged as a form of engagement involving the entire society (Green 2004). It also guarantees that post-conflict society is democratic in ensuring inclusive participation in remembering the past (Mani 2005). The demand for local women’s participation in externally funded and implemented projects may be useful in terms of collecting narratives directed at the external audience. Yet, it poses challenges in terms of increasing marketisation of memory. The external audience may consume gathering individual memory, but it does not necessarily connect the past to the present if it fails to have meaning at the local level in raising a nation’s consciousness. There are also questions in terms of the goals and objectives of telling and such processes leading to healing and alleviation of trauma. This could be understood in terms of individual and collective psychological wellness when the collective silence rejects the production of memory. It also raises questions as to whether such efforts can be considered as leading to collective memory without a process of public discourse based on events from the past. Given the inherent realities on the ground, can silence serve as a site of resistance to the external? Focusing on Afghanistan, this article explores the complexity of the role of production of memory without accountability. Providing a critical framework, it examines two widely participated truth-telling and memory projects supported by the international community. It argues that recalling and collecting memory does not guarantee a collective response from a nation. It can, in some instances, lead to further victimisation and risks of violence. The article concludes that the increasing marketisation of memory has done little to break the cycle of impunity reinforced in the transitional period.

1. War and memory of the past

The relationship between history, collective memory and the past is complex. This is further exacerbated by societies dealing with layers of memory and untold stories in relation to past wars. In Afghanistan, the consecutive cycles of atrocities, in multiple phases and involving many actors, has made it difficult to construct a comprehensive past. With each cycle of war, chaos and serious human rights violations have erupted across the country. The abundance of wars has led to narratives of violence gaining a permanent position in its history. Decades of war have left a tragic memory of suffering, destruction, killings and atrocities, for

which many victims have remained silent and without justice. Since its formation as a modern state in 1919 following the Anglo-Afghan war, Afghanistan has experienced turmoil in most of its political transitions. A series of coups in 1973 and 1978 led to the Soviet military invasion in 1979, which lasted a decade. Soviet invasion of Afghanistan devastated the country. Thousands died and a large part of the population fled to neighbouring countries as refugees; much of the infrastructure, particularly in rural areas, was destroyed and landmines planted during this time continue to cause civilian death and suffering (Shanty 2011).

The withdrawal of Soviet troops was followed by a brutal civil war, as various factions supported by foreign and neighbouring countries fought for political power and takeover of the country. A group of resistance fighters, backed by aid from the US and known as the Mujahedeen, ultimately overthrew the Soviet-backed regime. While the Mujahedeen were successful in defeating the Soviet army, Afghanistan suffered another outbreak of large-scale violence and civil war. During this period, the country was fragmented into pockets of semi-autonomous cantons, ruled over by established and powerful warlords. The increase in western media coverage of incidents of violence against women began with the withdrawal of Soviet troops and the ensuing civil war, peaking during Taliban rule (Skaine 2001). By 1994, a small and relatively unknown group of fighters by the name of Taliban had emerged as a strong force from the town of Kandahar, to instil peace and security (Rashid 2001). The Taliban's message had initially resonated well with some Afghans, particularly the majority of ethnic Pashtuns outraged by increasing corruption and fighting among the warlords. Despite promises of unity and security, the Taliban's takeover of Afghanistan in 1996 led to a new brutal period of violence and large-scale atrocities. The 9/11 attacks were followed by the US-led military intervention and the toppling of the Taliban. However, the end of the Taliban regime did not come about as a result of a negotiated agreement, but a military operation that led to a new conflict of resistance by insurgents.

The Bonn Accord formally marked the end of Taliban rule and the launch of nation-building. In a series of meetings, Afghan and international leaders concentrated on the new transition, followed by elections and the establishment of democratic political institutions. A new interim government ultimately led to the election of the President, Hamid Karzai. The Bonn Accord focused on issues of governance as a way to provide the blueprint for power-sharing based on diversity and the establishment of a multi-ethnic government. However, the democratic model of elections, equal representation and system of parliament was challenged in a society with hardly any past experience of a strong and centralised government. Early on, there were promises that candidates accused of, or those that had widely participated in past atrocities would not be elected

as political representatives. However, in reality this was not the case. The international community and the US government, in particular, because of their shared concern for short-term stability, became increasingly wary of marginalising powerful warlords and their status as political figures (Kolhatkar & Ingalls 2011). Consequently, despite high hopes for a democratic process, the end result was an alarming concession that undermined the legitimacy of the government from the outset. Afghan women recall well the images from the emergency Loya Jirga, the traditional grand council of leaders, set up to elect a new interim government under the terms of the Bonn Accord. Out of the approximately 1500 delegates attending the meeting, 220 were women. The number of delegates was impressive, given that women had been practically obscure from representation in preceding political transitions (Grenfell 2004). Yet, the first front rows of the Assembly were reserved for warlords, responsible for past atrocities. This was a strong indicator of international support and inclusion of previous leaders in the reconstruction of Afghanistan. Women's full participation, despite a strong presence, was limited and their attendance was met with death threats, intimidation and harassment by warlords (Joya 2009). The Bonn Accord did not lead to a new era participatory politics (Wardak 2004). By contrast, it provided warlords legitimate and key political and military power as well as a platform to participate directly in nation-building (Oates & Helal 2004). For the women of Afghanistan, the Bonn Accord had done little to end discrimination and encourage a culture with respect for human rights and accountability above consideration for political power (Goodwin 2002).

Since the Bonn Accord, and encouraged by the international community, Afghanistan has embarked on an ambitious programme to facilitate national reconciliation as a nation-building process (Ayub & Kouvo 2008). The international community has been supportive of providing aid to fragile post-conflict societies in transition to respond to past atrocities (Nagy 2008, Lekha Sriram 2007). Dealing with issues of justice and accountability for past atrocities is considered a significant component of reconciliation. In what has gradually become a global practice, communities are to recall the past and implement some form of truth-telling and collecting memory as a way of remembering and building a shared history (Rothberg 2009). After all, political negotiations characterised by exclusively top-down processes with minimal broad-based participation, particularly from ordinary civilians that suffered greatly as a result of past wars, do not necessarily guarantee stability and security (Atashi 2009). Inclusive reconciliation efforts will have to trickle down to reach well beyond the leadership and political level in order to actively engage all sectors of society (Lederach 1997). Less focus has been given to other aspects of reconciliation such as restructuring relationships, trust-building and, most importantly, dealing with

the past in terms of the impact of three decades of war (Dempsey & Coburn 2010). Understanding the impact of past wars and violence between groups can make a significant contribution towards the construction of a shared history instead of a contested past held by groups that challenge the vision of a shared future. This is part of the broader effort of the people of Afghanistan as a collective nation to deal with the legacy and trauma of past atrocities, violence and severe human rights violations that have become difficult to ignore. Establishing truth concerning the past can lead to a process of transitional justice by rendering some form of justice for the victims.

2. Collective memory and national reconciliation

Throughout decades of war, the Afghan people have experienced and witnessed unspeakable violence and upheaval. Continuous wars have devastated the country, with tens of thousands of civilians losing their lives, and infrastructure being destroyed by continuous fighting. Enforced disappearance, starvation, summary execution, torture, rape, abductions, bombings and physical destruction have been a constant reality for decades. While the end of Taliban rule officially marked the end of conflict, the question of justice, accountability for wars and dealing with past atrocities remains unanswered (Rubin 2003). The social turmoil caused by decades of fighting has led to vastly diverging narratives of past conflicts and, more specifically, the cause of the many wars. The accounts of people who took part in the events that shaped the country and its many wars have been essential in constructing the history of Afghanistan. Yet, decades of war and conflict have led to the absence of historical records. While many Afghans share traumatic memories of suffering and pain in recalling wars that grappled the country, historical narratives of the past remain fragmented (Goodson 2012). The intense continuous spillover of one war to the next has left hardly any opportunity for investigation into causes and, more importantly, accountability for past wars and human rights abuses.

Demography has also added its burden, as the majority of the population lives in smaller pockets and isolated communities (Pain & Kantor 2010). Many communities have constructed a collective, yet local version of past wars based on shared experiences. This has led to scattered, yet collective memories in relation to past wars. There have also been challenges in terms of constructing a collective memory that can serve the nation as a unifying force. Afghanistan is a mosaic of dispersed ethnicities and tribal societies that serve alliances to local communities rather than a centralised nation. Disparate memories are legitimate in constructing narratives in localised contexts, but have remained as a repertoire of family or community histories that are often narrated orally. Collective memory

of past wars, while unified in terms of shared localised experiences, is focused on particular events from a single narrative (Rothberg 2009). Collective memory and unified historical reference are considered a way for a nation to deal with the legacy of past wars. In the context of Afghanistan, this is regarded as a pressing issue and a significant component of national reconciliation (Kouvo & Mazoori 2011). Such efforts have attempted to utilise collective history in order to build a relationship between the Afghan people and the past at some kind of national and central level.

This is particularly the case for societies such as Afghanistan hoping to make a peaceful transition after decades of war. While dealing with the past and the significance of collective memory has been part of a prominent discourse in the transition of Afghanistan, there is little consensus over how to define the past and the role of collecting memory in accountability and justice. Despite multiple efforts by government-led initiatives, the international community and various civil society groups, the process of recalling memory has been complex. In the absence of official historical accounts, a great deal of effort has been spent in collecting testimony, truth-telling and documenting narratives to capture the experiences of subjects living within past wars. Such processes have the potential to document and make people aware of the past. Understanding the nature of past wars is the very valuable use of oral history for analysing the pattern of conflicts as they emerge in narrative form, as well as for examining the violence of the past. It can provide multiple perspectives and narratives to create a diverse, but collective memory. The function of telling is to transform experience into knowledge that can then be shared in a wider community. However, truth-telling and invoking memory of the past do not necessarily lead to individuals or communities healing or moving towards reconciliation. International support for such programmes must extend beyond support for participation and be accompanied by genuine commitment from local communities for dialogue on the legacy of past wars. This requires recognition of how past wars have involved and affected all sectors of society in different ways. Local engagement with such initiatives are significant in moving a nation towards discourse on the cause and acknowledgement of past suffering as a way of transforming divisions, fear and mistrust (Pankhurst 1999, Ross 2003).

In an effort to collect and remember the past, there is also the question of periods of war and their impact on the lives of Afghans, most significantly in terms of inclusion and the types of violence that typically remain constrained to narratives of male combatants in past wars. Gender-based violence resulting from the breakdown of the social system is a significant component of the past. This is particularly true of communities that experience instability and chaos as a result of war and the way in which violence, particularly against women, is used

to enforce fear, intimidation and control. Violence against women is typically used to destabilise the community and family bonds. In the DRC, for example, women living in the provinces of Nord Kivu and Sud Kivu faced greater risks of sexual violence compared to other areas as armed conflict escalated (Paterman et al. 2011). Recalling the past inclusively will not only ensure remembering, but also determine the future of gender relations. In Rwanda, the government has used the post-genocide period as an opportunity to transform gender relations, ensuring greater political participation and an equal role for women in society (Rombouts 2006). More importantly, it is likely to impact on the way in which violence against women is responded to as a result of the past and issues of accountability and justice.

2.1 War, women and narrative

In Afghanistan, women have continually been a pawn for intervention by governments, foreign powers and ruling factions. Such policies have ranged from measures to modernise women only to be reverted in calls for a return to a romanticised past in the cloak of tradition and modesty (Moghadam 2003, Mehta 2002). In essence, Afghanistan women have been the subjects of diverse and vastly different experimental ideologies as to how and why they need liberation. Contextualising the situation of women requires consideration for the complexity of lives in the context of unequal gender relations through interrelated features of war and militarisation, religion, ethnicity, class, custom and poverty (Baha Al-Din 2003). There are also differing experiences based on geography, ethnicity and social class. Afghanistan remains a patriarchal and conservative society where norms are tightly observed (Kandiyoti 2005). In fact, the cause of suffering of Afghan women cannot be attributed to a single factor or period in time. The selective narrative of liberation has placed women as a victimised category in need of continuous rescue. Occupiers, terrorists and liberators come and go, yet the women remain standing, waiting for their liberator.

These patterns are clearly visible during Afghanistan's many political transitions. The Soviet military occupation was followed by socio-economic policies to free women from the shackles of poverty by bringing radical changes to dress codes, education and jobs. The Soviet platform for liberation of Afghan women included plans and promises of liberation in which the Afghan women were not included. However, outside the capital Kabul in rural areas, neither the Communist-backed government nor changes brought by the Soviets were welcomed. Many women and men in rural areas considered these changes to be imposed from the centralised state and Kabul (Ahmed Ghosh 2006). Central intervention from an occupying force was considered the curse, foreign to their

way of life and an imposition on identity (Galeotti 1995). By the time the Soviets left, women became emblematic of everything that had gone wrong during the foreign occupation. Once a symbol of honour, women represented modernity and dishonour. The Mujahedeen's way to regain the moral past was to get rid of the altered state of women's bodies and spaces they came to inhabit. By the time the Taliban came into power, slogans to cleanse society of all that had come to represent corruption, with a campaign aimed at foreign detoxification, became popular. Women were at the centre of such policies starting with the eradication of education, imposing mandatory physical covering of bodies, and restrictions on public movement.

For many around the world, the Taliban takeover and subsequent US military intervention were also the first time they learned of Afghan women. The word 'Taliban' became inextricably bound up with violence and what was termed as "war on women" (Lacopino & Rasekh 1998). While the violence caused by the Taliban during their reign from 1996 to 2001 had an equal impact on all sectors of society, the representation of violence was almost exclusively focused on the women. Taliban violence against women has continuously been used to justify and construct positive support for violence against the Taliban and, in general, Afghan men by the US military (Franks 2003). Violence committed against Afghan civilians, since the end of Taliban's rule and the subsequent US military intervention, has been silenced. Male Afghans, civilian victims of US-targeted bombing and violence are narrated as unfortunate consequences of war or ignored entirely from coverage in mass media. The same applies to the impact of violence on the lives of women as a result of war and insecurity since the start of US military intervention. There has been hardly any focus on the suffering of Afghan women as a result of increased insecurity and militarisation from the presence of US military since 2001.

From the start of the US-led military operation in Afghanistan, the empowerment of women has played a significant and symbolic role in intervention. Western governments, in particular, have championed women's rights as critical to Afghanistan's social, economic and political progress. It is interesting to note that the position of women has been a significant factor in mobilising violence against the Taliban on all sides. On the one hand, the US military championed the need to liberate women from the Taliban as a significant justification for intervention. The Taliban also justified violence as a way to protect women within cultural context and from outside influences, retaining codes of honour and tradition. Since then and, more specifically, after the US launched its military intervention, there has been a steady flurry of articles and opinions on the brutality of violence committed against women in Afghanistan. These horrific stories range from women mutilating themselves, families selling little

girls, young wives buried alive and married with the consent of their father at ages beyond belief. While these stories and the practice of brutality are widespread, they nearly always focus on women continuously being victims of oppression and violence. Furthermore, the brutality in relation to violence committed is significantly focused on the Taliban. The Taliban's position as sole abusive aggressors responsible for women's suffering is still continuing in areas under their control. The focus has shifted from the cause of violence and oppression that impact on all in society to particular representation of the agents of violence. This only serves to verify the liberators; it has little to do with women's rights or agency (Ayotte & Husain 2005).

The private and public spaces inhabited by Afghan women are continuously narrated as sexual, physical and psychological sites of violence under the gaze of the local men. While women are portrayed as victims, the spaces they inhabit are constructed as wild and lawless and without justice or protection. In the meantime, the families and male members are considered culprits of violent masculinity, thus further constructing the female as a victim of private and public spaces. In such vast insecure spaces inhabited by women, the only safe agents are located and represented as the external other. The other is a mediator between the wild and unsafe spaces, the narrative that locates the female and her suffering and gives her a voice. Most importantly, this external other is the protector of suffering and pain inflicted on these women, as well as the liberator. The oppressor is continuously situated as the local men, the source of violence and suffering. There is no doubt that, since coming to power in Afghanistan, the Taliban have continuously targeted women with violence. However, the discourse of violence limits the narrative of such violence as a way to further demonise the Taliban as a military and security issue. More than a decade since the US intervention in Afghanistan to rid the country of the Taliban regime, citing violent abuses against women as one of the reasons for the invasion, the portrayal of Afghan women as victims remains the same.

3. State and collective silence

While the majority of Afghans have welcomed the end of the Taliban regime, the transition fell short of promises of justice. The Bonn Accord did not deal directly or address the issues of transitional justice and dealing with the past. It was considered that issues of governance and the establishment of peace should be prioritised. Following the Bonn Accord, the international community's promotion of transitional justice in Afghanistan was placed in the hands of a newly established Afghan Independent Human Rights Commission (AIHRC). This independent government body was mandated to propose strategies to promote

reconciliation and address abuses of the past as a mechanism of transitional justice; to advance human rights, and to conduct a national consultation process to explore and evaluate the views of the Afghan people on transitional justice (Atashi 2013). Despite having an approved mandate, the Commission faced many challenges. The government failed to provide AIHRC with adequate funding. This left the work of the organisation to be funded by international organisations. This poses questions in terms of legitimacy and objectives of the international community that may be selective with opposing interests.

In 2005, the AIHRC released its findings after a three-year, countrywide survey of Afghan views on creating truth and accountability for past war crimes (AIHRC 2005). The collection of over 5 000 testimonies from across the country is a remarkable achievement of a bottom-up process. The number of people willing to share their stories by participating in the fact-finding phase demonstrates that Afghan people are ready to face the past and uncover the truth (Nadery 2007). Though male and female Afghans of all backgrounds were included in the interviews, the findings presented do not contain sections that address the specific views of the women. The overwhelming majority of the respondents define justice as persecution of war criminals responsible for past atrocities and immediate removal from power. The report demonstrates that Afghans demand accountability for the crimes committed in past wars and that this should be prioritised with a sense of urgency. Forgiveness is not mentioned as a defining feature of reconciliation.

The international community followed the initial findings of the report by pushing for the adoption of a set of comprehensive measures to be implemented within a four-year period. Based on AIHRC's findings, a committee established by President Karzai drafted the "Action plan for peace, reconciliation and justice". A conference sponsored by the UN High Commissioner for Human Rights (UNHCHR) on truth-seeking and reconciliation followed. A key theme of the action plan is the demand from victims for documentation and accountability regarding Afghanistan's brutal and violent past. In response, the AIHRC report recommends a set of comprehensive measures, including the establishment of a prosecutor office, a war crimes tribunal, acknowledgment of past crimes, truth-seeking and the documentation of human rights violations, promotion of reconciliation and unity, accountability to prevent impunity, and justice for all. While the action plan was received rather enthusiastically by the government, particularly on acknowledging the suffering of Afghan people in the context of past wars, hardly anything was mentioned on the issue of accountability and justice. The Afghan government formally adopted the action plan after much pressure and continuous campaign by the international community. President Karzai accepted the report with promises to implement its recommendations.

Despite the adoption, hardly any progress has been made other than symbolic actions such as the establishment of the National Victims Day. Political tensions as well as general disagreement over the particular agenda of the action plan have made implementation lag further behind. The AIHRC findings were followed by a controversial report sponsored by Human Rights Watch and titled *Blood stained hands* (Human Rights Watch 2005). It provided testimonies collected over a two-year period of over 100 witnesses and victims familiar with the events pertaining to the period of civil war in 1992-1993. The report contains detailed accounts of killings, rapes, abductions, disappearances and tortures. Besides naming the nature of the atrocities, it also exposed various warlords and factions that continued to hold government and powerful positions. The report was the first direct and blunt call for accountability based on extensive testimony.

In 2007, the Afghan Parliament passed a law providing amnesty to all armed groups and leaders accused of atrocities. President Karzai signed the controversial bill, providing a blanket amnesty for war crimes committed over the 25-year period by former Mujahedeen and Taliban leaders. Many of the accused have a strong presence in the government (Grossman 2006). Warlords and political leaders publicly attacked the victims' testimony. The bill was a self-serving attempt by many of the country's leading politicians to escape prosecution for crimes (Worden & Thier 2007). The discussion of amnesty for war crimes was officially recognised and legally enforceable by 2010. Many viewed the granting of amnesty as a political strategy to promote peace without justice and consideration for the victims (Kouvo & Mazoori 2011). The AIHRC consultations with the Afghan people demonstrate that sustainable peace cannot be achieved without justice. Providing amnesties is also in conflict with the ideas that led to the need for transitional justice as well as with international law, which requires the Afghan government to investigate and prosecute war crimes. Given that those responsible for past atrocities hold prominent government positions, many have sought to replace and reconstruct the narrative of the victims with claims of unfortunate acts of violence in the context of fighting in war. While ignoring the victims' needs, the blanket amnesty bill rationalises forgetting and forgiving as tools necessary in national reconciliation.

In justification of the amnesty law, the Afghan government referred to other post-conflict contexts, mainly South Africa's Truth and Reconciliation Commission (TRC), which required forgiveness from victims and the granting of amnesty to perpetrators. However, this is somewhat misleading in its application to Afghanistan where truth or an acknowledgement on behalf of perpetrators for the crimes committed have not been disclosed. The truth-telling has been biased on the part of some victims who were consulted in the early fact-finding phase of AIHRC and Human Rights Watch reports. The TRC also held public hearings,

where victims of atrocity and human rights abuses were given a platform to openly discuss the pain of the past. One of the most important conditions for the granting of amnesty was full disclosure and the admission of truth in relation to past crimes. The use of transitional justice instruments and methodologies employed in South Africa, particularly in terms of the granting of amnesty, may not be useful in the case of Afghanistan. Developing a context-specific strategy for transitional justice should be approached as a means to promote the rule of law and linked to reform in the judicial system.

The Afghan blanket amnesty does not acknowledge the suffering of victims; instead, it requires them to consider the Mujahedeen and Taliban members responsible for past atrocities as heroes, fighting for liberation. Many women are familiar with this process – another set of liberators. The process of truth-telling and reconciliation is context sensitive, with each post-conflict society determining its approach to the nature of the conflict and the character of the transition. While any transitional justice system may explore non-retributive means to address the past, the purpose of such processes must at some level focus on the victims' needs. In addition to establishing accountability, collective remembering is also a significant process in reconciliation and healing. However, reconciliation must be focused on building relationships among people and groups in society and between the society and its citizens. Healing at the individual and collective levels should be viewed as a process occurring sequentially within the wider social and political context of the conflict cycle. Acknowledgement and some form of accountability are all vital parts of the process of healing. Many victims having committed to the recalling of memory remain unheard with hardly any acknowledgment. For the victims, the process of telling has not led to the facilitation of healing or reconciliation, especially given the dominance and reconstruction of narratives by the state sponsoring amnesty.

Since the reports, various efforts such as the Victims Jirga in 2010 and Victims National Conference in 2011 have attempted to pick up the momentum following the release of AIHRC and Human Rights Watch reports. Such efforts have focused on providing a platform for victims to be part of the national discourse and incorporated into collective memory. However, there have been issues with funding and support for a nationally organised victims' group or a national organisation to formulate the victims' demands. The post-war discourse on truth-telling has, in many ways, reinforced the relationship between power and gender by making Afghan women objects of projects directed by agendas of the international community. The culture of impunity supported by the international community, and the cycle of collective silence it generates, undermines building an environment conducive to human rights. With little shared in public discourse to raise awareness of the past, the contributions of telling have led to the production

rather than the representation of memory. Efforts to include collective memory with the inclusion of testimony from women have further silenced women by not holding perpetrators accountable for their actions in past wars.

4. Conclusion: silence as resistance

The focus on situating women's memory and connection to history during times of war helps inform our understanding of the conditions in which they lived as well as their position in society. Women provide a distinct perspective that can further our understanding of war. Afghan women had more active and complex roles during past wars, yet much of their participation has gone unnoticed among mainstream discussions. In each period of transition, various stakeholders, including international community and organisations, have mobilised memory to endorse and reproduce notions of women as helpless victims to justify intervention. Representation of Afghan women seeking justice and participating in truth-telling continues to construct women in the spaces of victimhood. This has provided consistency in terms of presentation of women as helpless victims and subjects of violence, rather than agents of change. This discourse did well to rally the international community as liberators of Afghan women, but it has, in fact, perpetuated victimisation. The end of Taliban rule and the transition presented an opportunity to transform women's representation as victims. More than a decade after US-led military intervention and subsequent measures to address and improve the lives of Afghan women, many continue to live without safety and in an increasingly militarised society that has further jeopardised security. International support for women's contributions to transitional justice and collecting memory projects has taken place at the same time as prioritisation of political peace over justice. Women's diverse experiences of past wars have been produced in relation to violence committed by men rather than represented as demands for security, safety and access to justice. From this perspective, the import of the idea that telling and recalling of memory can be a tool of empowerment can also be contextualised in the framework of other exported liberation efforts aimed at women. In Afghanistan, women's narratives have too often been used externally without an impact on public consciousness. Recalling individual memory has led to a collective public silence, and the culture of impunity that has silenced.

In response, local women have used silence as a way to resist existing power hierarchies by not participating in projects that promote telling as empowering. In doing so, they are reinterpreting silence as a critique of the global and external narratives dominated by the contributions of telling to healing. Silence can be considered a reproduction of control over the past. Silence protects against the

dangers of speaking, given that security for many women has not improved; it has escalated. While international efforts may support raising awareness and documenting memory, the culture of impunity continues and is supported. For many Afghan women, the reality has presented a different context. On the one hand, individual silence leads to a culture of impunity by maintaining and dislocating narrative. However, the breaking of silence in telling has also led to a collective impunity, a passive exclusion. In response, many women have selected silence but choose other forms of telling. These remain internal and away from the gaze of the memory markets and the external. One of the most popular methods of internal narrating the past is oral storytelling. Afghanistan's rich history of oral narration is shaped in many different forms such as poems, dance, tapestry work, performances, and recalling of dreams. Afghan's strong tradition of storytelling is related to all aspects of life that do not selectively focus on violence. While many Afghan women have suffered as a result of war, many continue to face hardship. Some of the problems faced by women in Afghanistan are context specific, but there are also common issues faced by many other women around the world. It is important to highlight cohesions that can aid as a significant tool in connecting women to history. This can be considered a bottom-up approach. Given the absence of a formal collective past, its use can represent a decision to respond, rather than to reproduce victimhood.

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