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A Childhood Lost to Pay for the Sins of Others

Afghan Girls Seized After Misdeeds by Adults

*“They put us in a dark room with stone walls; it was dirty and they kept beating us with sticks and saying, ‘Your uncle ran away with our wife and dishonored us, and we will beat you in retaliation.’” Shakila, 10, above with her father, endured a yearlong ordeal after she and her cousin were abducted by men who were engaging in a traditional Afghan custom for settling disputes.*

ASADABAD, Afghanistan — Shakila, 8 at the time, was drifting off to sleep when a group of men carrying AK-47S barged in through the door. She recalls that they complained, as they dragged her off into the darkness, about how their family had been dishonored and about how they had not been paid.



It turns out that Shakila, who was abducted along with her cousin as part of a traditional Afghan form of justice known as “baad,” was the payment.

Although baad (also known as baadi) is illegal under Afghan and, most religious scholars say, Islamic law, the taking of girls as payment for misdeeds committed by their elders still appears to be flourishing. Shakila, because one of her uncles had run away with the wife of a district strongman, was taken and held for about a year. It was the district leader, furious at the dishonor that had been done to him, who sent his men to abduct her.

Shakila’s case is unusual both because she managed to escape and because she and her family agreed to share their plight with an outsider. The reaction of the girl’s father to the abduction also illustrates the difficulty in trying to change such a deeply rooted cultural practice: he expressed fury that she was abducted because, he said, he had already promised her in marriage to someone else.

“We did not know what was happening,” said Shakila, now about 10, who spoke softly as she repeated over and over her memory of being dragged from her family home. “They put us in a dark room with stone walls; it was dirty and they kept beating us with sticks and saying, ‘Your uncle ran away with our wife and dishonored us, and we will beat you in retaliation.’”

Despite being denounced by the United Nations as a “harmful traditional practice,” baad is pervasive in rural southern and eastern Afghanistan, areas that are heavily Pashtun, according to human rights workers, women’s advocates and aid experts. Baad involves giving away a young woman, often a child, into slavery and forced marriage. It is largely hidden because the girls are given to compensate for “shameful” crimes like murder and adultery and acts forbidden by custom, like elopement, say elders and women’s rights advocates.

The strength of the traditional justice system and the continuing use of baad is a sign both of Afghans’ lack of faith in the government’s justice system, which they say is corrupt, and their extreme sense of insecurity. Baad is most common in areas where it is dangerous for people to seek out government institutions. Instead of turning to the courts, they go to jirgas, assemblies of tribal elders, that use tribal law, which allows the exchange of women.

“There are two reasons people refuse the courts — first, the corrupt administration, which openly demands money for every single case, and second, instability,” said Hajji Mohammed Nader Khan, an elder from Helmand Province who often participates in judging cases that involve baad. “Also, in places where there are Taliban, they won’t allow people to go to courts and solve their problems.”

Advocates for women fear that progress made recently against baad will fade as NATO troops pull out and money for public awareness programs dwindles.

“Baad has decreased in Oruzgan over the last two years due to a strong public relations campaign that we conducted throughout the province,” said Marjana Kochai, the only woman on Oruzgan’s provincial council. “And we have been holding meetings with elders and strictly alerting them not to make such illegal and un-islamic rulings.”

A Custom’s Deep Roots

The practice of trading women dates to before Islam, when nomadic tribes traveled Afghanistan’s mountains and deserts. Even today, outside Afghanistan’s few urban areas, many of these traditions have deep roots, experts on tribal justice systems said.

“For the nomads, there were no police, there was no court of law, no judge to organize the affairs of humans, so they resorted to the only things they had, which were violence and killing,” said Nasrine Gross, an Afghan-american sociologist who has studied the status of Afghan women.

“Then when a problem doesn’t get resolved,” Ms. Gross said, “you offer the only things you have: livestock is more precious than a girl because the livestock you can sell, so you give two rifles, one camel, five sheep and then the girls they can sell this way.”

The idea is that the giving of a girl to the aggrieved family as a de facto slave and having her marry a member of that family ties the two warring families together, so they are less likely to continue a blood feud. The practice also helps compensate the family for the labor of a lost relative.

And when the girl gives birth to children, the offspring are at least a symbolic replacement for the relative who has been lost.

However, that is little comfort for the girl, who symbolizes the family’s enemy and is completely unprepared both for the brutality she will encounter because of it and for the sexual relations often demanded of her at a young age.

“The problem with baad is it doesn’t normally appease the people,” Ms Gross said. “It appeases them to the extent that they don’t kill someone from the other side, but not enough to treat the girl right.”

There is no official count of the number of girls given each year in baad, but in Kunar Province, where Shakila’s case took place, the director of the women’s office and a female member of Kunar’s provincial council said that they were aware of one or two cases every month from the province and that many cases never came to light. They had not heard of Shakila’s situation.

A Heavy Toll on Women

A 2010 United Nations report on harmful traditional practices described baad as “still pervasive” in rural areas.

Interviews in nine Pashtun-majority provinces with government representatives, women on provincial councils, male elders and other prominent women produced a stream of stories of abuse, suicide and rape. They found that virtually everyone knew about the practice, many were ashamed of it and most people knew someone personally who had been affected by it. Afghanistan outlawed baad in 2009 when it enacted the Elimination of Violence Against Women Act, but enforcement has been spotty, especially in southern and eastern Afghanistan, according to the United Nations.

Shakila’s family, like many in rural Kunar Province, did not oppose baad, but objected that the jirga adjudicating her case had not yet issued its ruling and that Shakila had been betrothed as an infant to a cousin in Pakistan. Under the Pashtun code, the family said, she was not available to be given because she was the property of another man. (Such betrothals are illegal but common in rural Pashtun areas.)

“We did not mind giving girls,” said her father, Gul Zareen. “But she was not mine to give.”

Views of baad differ sharply between men and women, with more men seeing it as a way of preserving families and stopping blood feuds, and women seeing it in terms of the suffering of the young girl asked to pay for another’s wrongs.

“Giving baad has good and bad aspects,” said Fraidoon Mohmand, a member of Parliament from Nangarhar Province, who has led a number of jirgas. “The bad aspect is that you punish an innocent human for someone else’s wrongdoings, and the good aspect is that you rescue two families, two clans, from more bloodshed, death and misery.”

He also said he believed that a woman given in baad suffered only briefly.

“When you give a girl in baad, they are beaten maybe, maybe she will be in trouble for a year or two, but when she brings one or two babies into the world, everything will be forgotten and she will live as a normal member of the family,” he said.

Not so, said the Afghan women interviewed, especially if she is unlucky enough to give birth to a girl.

“The woman given to a family in baad will always be the miserable one,” said Nasima Shafiqzada, who is in charge of women’s affairs for Kunar Province. “She has to work a lot. She will be beaten. She has to listen to lots of bad language from the other females in the family.”

Shakila’s relatives were poor laborers who lived in the rural Naray district in Kunar Province near a small river not far from the border with Pakistan.

Shakila went to school and played with her brothers and was a healthy child, her relatives said. That changed after she was taken by Fazal Nabi’s family, part of the Gujar clan, a tribe in Kunar with a larger presence in Naray than the tribe Shakila was from.

‘They Tortured Us’

During her de facto imprisonment, Shakila and her cousin were allowed out of their dark room after three months and then only so that they could haul firewood from the mountains and lug pails of water from the river.

For the entire year or so that they were kept, neither girl was given a fresh set of clothes. For the first six months they were not even allowed to wash the ones they arrived in, turning the children into dirty-looking urchins who were that much easier for the family to hate. They were fed bread and water every other day.

“They tortured us in a way that no human being would treat another,” Shakila said.

She spoke softly and hid her face when a reporter asked her about the white scars on her forehead. “When they threw me against the stone wall,” she explained.

Her cousin escaped first, resulting in even more brutal treatment for Shakila, who was tethered inside again and beaten.

Allowed out only for her prayers, she managed to slip through the gate one day. To avoid detection, she made her way through underbrush to the village where her sister lived. When Shakila appeared at her sister’s door, she was so emaciated and dirty that her sister barely recognized her.

“She was almost finished,” Gul Zareen, her father, said. “She was so thin, she was like this,” he said, holding up an index finger and shaking his head. “She cried all the time, and now we are trying to feed her and she is slowly getting better.”

Within hours, the strongman and his guards began looking for Shakila. They searched her father’s compound, accused him of organizing her escape and threatened to kill every man in the family.

Terrified, Shakila’s father and the other relatives said they waited until dusk and then, taking almost nothing but the clothes on their backs, escaped over the mountains, walking by night along footpaths because the strongman’s guards were watching the only road.

Now living in Asadabad, the provincial capital, because they feel safer here, Shakila’s relatives said they were struggling. They left behind their few possessions, including their only cow and two goats.

Shakila’s father and uncle work as daily laborers, earning $4 a day when there is a job. The family’s small mud house has neither heat nor electricity, and cooking is done in a single stew pot over coals in the yard.

Longing to return to their village in Naray, the family members went to the courts to see if the prosecutor or judge could protect them from the Gujar clan if they returned. But the order they received from the police chief instructed them to turn to the local police in Naray for help.

Gul Zareen shook his head. The police chief is a kinsman of Fazal Nabi, the strongman who took Shakila, he said. “We cannot go back,” he said.

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Shakila looked out the window into the squalid yard. “I don’t know about my future,” she said. “Whether it will be good or bad.”