

Preventive Responses to Secondary Victimization Arising from Violence Against Women in Afghanistan

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1. Round 1

1.1. Reviewer 1

Reviewer:

In the Introduction paragraph beginning, “Research concerning Afghanistan has extensively documented violence, discrimination, health consequences, social restrictions, and barriers to help-seeking,” the research gap should be formulated with greater methodological caution. The manuscript claims that the relationship between the law-implementation gap and secondary victimization is “less fully developed,” but it does not explain how the literature was reviewed sufficiently to support this conclusion. The authors should clarify whether this claim results from a structured search of databases, a narrative review, or the literature assembled in the underlying thesis. If the review was not systematic, terms such as “the literature has not examined” should be avoided in favor of more defensible wording such as “within the sources reviewed for this study.” This is particularly important because the novelty claim is central to the article’s contribution.

In the final Introduction paragraph beginning, “Methodologically, the study adopts a descriptive-analytical and documentary approach,” the method is insufficiently reproducible for a research article of this type. The authors should provide a concise but explicit description of source identification, selection, inclusion and exclusion criteria, temporal coverage, language restrictions, types of legal materials examined, and analytical procedure. The thesis apparently used a defined documentary corpus, but the article condenses this to a general methodological statement. Even in a doctrinal or descriptive-analytical legal study, readers should be able to understand how sources were selected and how the categories of legislative deficiency, institutional failure, social response, and secondary harm were derived. The absence of a transparent analytical procedure weakens the evidentiary basis of subsequent conclusions.

In the section “Conceptual and Legal Foundations of Secondary Victimization,” the paragraph beginning, “Secondary victimization occupies a particular place within victimological analysis,” should distinguish more carefully among secondary victimization, revictimization, repeat victimization, and institutional betrayal. These concepts are related but not interchangeable. Repeat victimization usually concerns subsequent incidents of victimization, often by the same or another perpetrator, whereas secondary victimization refers to additional harm generated through responses to the original victimization. Institutional betrayal concerns institutional acts or omissions that violate expectations of protection and may overlap with secondary victimization but has a distinct theoretical literature. Even if the authors do not develop all these frameworks, a short conceptual differentiation would prevent terminological ambiguity and strengthen the article's victimological foundation.

In the paragraph stating, “A strict conceptual approach is required so that secondary victimization does not become an overly broad label for every hardship suffered by a victim,” the manuscript correctly recognizes the danger of conceptual overextension, but later parts of the article do not always maintain this standard. For example, geographical inaccessibility, institutional incapacity, political instability, and restrictions on women's public participation are sometimes discussed as though they themselves constituted secondary victimization. These conditions are more accurately conceptualized as risk factors, structural antecedents, or mechanisms that may generate secondary victimization when they result in an identifiable response and additional harm. The authors should revise the terminology throughout the manuscript to distinguish consistently among background conditions, institutional responses, and the secondary harms resulting from those responses.

In the paragraph beginning, “The concept also requires attention to omission,” the distinction between institutional omission and institutional absence is one of the manuscript's strongest original contributions and should be developed more rigorously. The statement that “where an effective complaint channel is absent altogether, the immediate problem is structural exclusion from justice” is analytically important because it prevents the post-2021 context from being automatically categorized as secondary victimization. The authors should build a clearer typology around this distinction: non-response by an available institution, active adverse response by an available institution, and structural absence of an accessible institution. The manuscript should then explain under what additional circumstances structural exclusion may become secondary victimization—for example, where *de facto* authorities actively prohibit access, punish help-seeking, or impose discriminatory responses on victims.

In the paragraph beginning, “Institutional capacity represents another source of vulnerability,” the manuscript should provide a clearer causal model linking structural weakness to secondary victimization. Resource shortages, insecurity, inadequate staffing, and weak coordination are presently treated as a cluster of institutional deficiencies. However, their pathways differ. Resource scarcity may produce delay; insufficient training may produce inappropriate interviewing; lack of geographic coverage may produce non-access; lack of independence may produce case attrition; and deficient confidentiality may produce exposure to retaliation. The analysis would be more scientifically persuasive if each institutional deficiency were linked to a specific response mechanism and a distinct potential secondary harm. This would also provide a stronger foundation for the preventive measures proposed later.

In the paragraph beginning, “The post-2021 environment therefore cannot be analyzed merely as a continuation of weak implementation,” the manuscript should define precisely what is meant by “suspension,” “weakening,” “absence,” and “restriction” of the protective framework. These terms are used throughout the article but are not interchangeable. A law may cease to be applied without being formally repealed; an institution may be dissolved, transformed, or remain nominally present while no longer serving women; and a complaint mechanism may remain formally available while becoming practically inaccessible. The authors should identify the status of specific laws and institutions wherever the evidence permits and use broader terms only when the source base does not establish the precise formal status. This is necessary to avoid converting political and institutional changes into legally categorical claims unsupported by the documentary record.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the paragraph discussing Article 130 and stating that “uncertainty surrounding the application of normative sources could weaken confidence that their complaint would be decided according to stable legal standards,” the article should distinguish documented legal practice from analytical inference more consistently. The discussion of Article 130 is legally significant, but the causal movement from legal pluralism to women's reduced confidence, and then from reduced confidence to secondary victimization, is not directly demonstrated by the documentary materials presented. The authors should identify which claims are supported by documented court practices and which are interpretive propositions. Phrases such as “could,” “may,” or “plausibly” should be retained where the evidence does not establish individual-level effects. This distinction is essential to avoid overstating causality in a documentary study.

In the paragraph beginning, “The social environment surrounding law is equally significant,” the manuscript should more carefully differentiate community-based dispute resolution as an institutional phenomenon from “culture” as a broad explanatory category. Terms such as “customary practices,” “family honour,” and “community expectations” may encompass highly heterogeneous practices across regions, ethnic communities, socioeconomic groups, and rural-urban settings. The current formulation risks treating Afghan culture as internally uniform. The authors should acknowledge this heterogeneity and avoid attributing institutional outcomes to an undifferentiated national culture. Where evidence is limited to particular provinces or populations, the geographic and contextual limits of the relevant studies should be stated explicitly.

In the section “Legal and Institutional Sources of Secondary Victimization in Afghanistan,” the paragraph beginning, “The legal structure developed during Afghanistan's constitutional-republican period contained important formal commitments,” should distinguish more clearly between the status of domestic legislation and international obligations. The current discussion places constitutional principles, the ERAW framework, and international commitments within a common protective architecture without sufficiently explaining their different legal status and enforceability within Afghanistan. For a legal article, the analysis should specify whether international obligations were directly enforceable domestically, required implementing legislation, or primarily operated as normative standards. This distinction is necessary because the article's central thesis concerns the gap between formal commitments and implementation; different types of legal norms generate different implementation obligations and enforcement pathways.

In the paragraph beginning, “The Law on Elimination of Violence Against Women represented one of the most important legislative efforts,” the legal status of the ERAW law requires greater precision. The manuscript should clearly explain its promulgation by presidential decree, its relationship to Article 79 of the 2004 Constitution, the unsuccessful parliamentary process, and the implications of this status for legal authority and institutional application. Statements such as “legal and political fragility” are appropriate only if the exact legal basis of that fragility is specified. The authors should avoid implying that the law lacked legal force merely because it was not ultimately enacted through a parliamentary vote. This point is doctrinally important and should be handled with particular accuracy because it directly affects the article's argument concerning normative uncertainty.

In the paragraph beginning, “Institutional design during the republican period included police, prosecutors, courts, and specialized mechanisms,” the paper should provide greater institutional specificity. The current discussion identifies functional stages but remains generic about the actual Afghan institutions responsible for each stage. The authors should identify, where supported by the source base, specialized prosecution units, Family Response Units, relevant judicial structures, the Ministry of Women's Affairs, the Afghanistan Independent Human Rights Commission, and other bodies directly associated with the response to violence against women. The article should also distinguish between their statutory mandates and their documented practical performance. Without this institutional mapping, the discussion sometimes reads as a generalized account of criminal justice systems rather than a specifically Afghan legal-institutional analysis.

In the paragraph stating, “Geography substantially affects this institutional picture,” the manuscript should avoid extending findings from studies conducted in selected provinces to Afghanistan as a whole without qualification. The article relies on qualitative evidence from particular provincial settings to support broader propositions concerning rural access, stigma, and service availability. These findings are valuable, but they are context-dependent. The authors should explicitly state the geographical coverage of the underlying evidence and use formulations such as “the available provincial evidence suggests” where national generalization cannot be justified. The same caution should apply to claims concerning women with disabilities,

internally displaced women, refugees, ethnic minorities, and other groups for whom the cited literature may not provide disaggregated evidence.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.