

The History of Afghanistan and Its Impact on Women's Rights¹

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Abstract

Afghanistan as a nation has undergone significant political instability, especially in the last two decades. The impact of political instability on women's rights is the focus of this thesis. Women in Afghanistan were given the ability to vote in 1919, walked around with their heads and faces uncovered in the 1960s-80s, and had a higher level of attendance at universities than men. Today, Afghan women cannot vote, are forced to wear burkas, and are banned from attending school. This reversal of status is a result of political instability due to the invasion of the Soviet Union, several civil wars, a twenty-year conflict with the United States, and the return of the Taliban. Although Afghan women continue to fight for their rights, relentless political instability has prevented a return to the equality they enjoyed in the 1970s. This thesis examines Afghanistan from its early history through the U.S. withdrawal in 2021, the changes women have experienced across time, and how the world should address the nation moving forward.

1. Introduction

Women have historically had to fight for their rights. They fought for the right to vote, to drive, to work, to be paid fairly, and to be recognized as equals to men. Although many steps have been taken to institutionalize women's rights, this is still not a guarantee everywhere. In some parts of the world, women are still banned from driving, higher education, and even walking without a male escort. Afghanistan is no exception. In fact, according to the Georgetown Institute's annual *Women, Peace, and Security Index (WPS)*³, Afghanistan is ranked as the worst country to be a woman. This has not always been the case. Instead, the level of freedom that women possess in Afghanistan has fluctuated throughout generations. Ultimately, continuing political instability prevents the institutionalization of women's rights in Afghanistan.

Political or government instability is "a natural tendency of a government to collapse either because of conflicts or growing struggles, sometimes violent, between various political parties. Political instability also occurs if there is a rapid change of government and policy, increasing the likelihood of subsequent instability."⁴

There are several theories on political instability and its impact on women's rights. Researchers have found that female involvement in politics and political instability are correlated. The RAND Corporation, a non-partisan American think tank and research institute designed to analyze social science and military data, found that the sooner women are included in post-conflict resolution, the faster the nation improves. They conducted a study on the post-conflict situation in Afghanistan in 2007 and found that "the presence of women in institutions such as the police and administrative bureaucracies is associated with decreases in corruption, and corruption is a key obstacle to post-conflict development."⁵

In October 2000, the United Nations (UN) passed the landmark Resolution 1325. This decision was a collaboration between researchers and nations to "consolidate data on the impact of armed conflict on women and girls."⁶ It states that one of its core missions is, "Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their

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³ *Women Peace and Security Index 2021/22*, p. 2

⁴ *AG Global Strategies*

⁵ Bernard, Cordell, and Oliker, 2007, p. 11.

⁶ S/Res/1325 (2000) p. 2

role in decision-making with regard to conflict prevention and resolution.”⁷ In 2020, the Human Rights Council addressed the same issue, adopting Resolution A/HRC/RES/45/28, this time with an emphasis on “protecting the human rights of women and girls in conflict and post-conflict situations.”⁸ Despite this decision, women are still often left out of or banned from political decision making. Thus, conflict and instability persist.

The following definitions are for clarification of both important terms and the scope of this thesis. Although the term “Afghanistan” will be used throughout this paper, it was not established officially as the name of the nation until 1919. The first known documentation of the term “Afghanistan” or “Afghan” was in the third century CE.⁹

Islam is the religion of Muslims. The beliefs are based on the Quran, a religious text written by the Prophet Mohammed. Islam is the primary religion in Afghanistan. The Shi’ite group is a sect of Islam separated from the Sunni group. When the prophet Mohammed died, he did not leave an heir to his new religious empire. Some, the Shi’ites, believed that the successor should come from his family line. The Sunnis believed that the ruler of the community, a caliph, should be the successor instead. The Shi’ites make up around ten percent of the population of Afghanistan.¹⁰

According to the *Council of Foreign Relations*, Sharia Law, translated to “correct path,” “refers to the divine counsel that Muslims follow to live moral lives and grow close to God [Allah]. Sharia is derived from two main sources: the Quran, which is considered the direct word of God, and hadith—thousands of sayings and practices attributed to the Prophet Mohammed that collectively form the Sunna.”¹¹ This is commonly confused with Islamic Law. Many Muslims understand Sharia Law as God’s values, which only He can fully comprehend. Islamic Law, on the other hand, is the human interpretation of Sharia.¹² Thus, Muslims disagree on how to implement Islamic Law and enforce Sharia Law. As Islamic Law is considered supreme, a new interpretation of Sharia Law, such as that conducted by the Taliban, would supersede anything written in the constitution. Afghan law is null when it challenges Sharia Law.¹³

Jihad, Arabic for “struggle” or “exerted effort,” has many different meanings to an Islamic person. It can be “an individual’s internal struggle against baser instincts, the struggle to build a good Muslim society, or a war for the faith against unbelievers.” Despite its many uses, non-Muslim people now generally consider the term “jihadist” to be synonymous with “terrorist” or “Muslim extremist.”¹⁴ There are several different terms for the covering that adorn a Muslim woman’s head. Many Muslim women choose if and how their head is covered; however, some Islamic nations have strict rules that require one method over another. A burka is a full body covering which has a thin, mesh slip near the eyes. A hijab is a scarf that is tied around the head and neck with the hair tucked in under it.

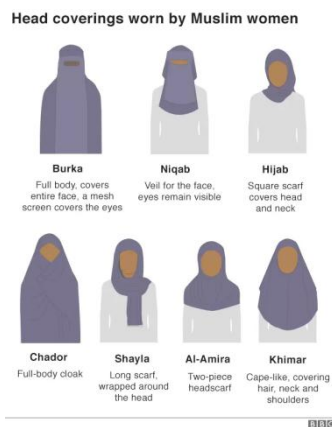


Fig 1: Types of head coverings worn by Muslim women.¹⁵

⁷ S/Res/1325 (2000) p.1

⁸ A/HRC/RES/45/28 (2020), p. 1.

⁹ Christine Noelle-Karimi, et. al. (2002) p. 18

¹⁰ Newman, 2023.

¹¹ Robinson, updated 2021.

¹² Robinson, 2021.

¹³ Hozyainova, p.3

¹⁴ “What is Jihadism?” 2014.

¹⁵ BBC

As defined by the United Nations, human rights are “rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.”¹⁶ In December 1948, the UN General Assembly drafted the Universal Declaration of Human Rights, making adherence to human rights a global requirement. The UN organization designed to address gender equality across the world, UN Women, focuses on four aspects of life when assessing women’s equality and rights:

- 1) Women lead, participate in, and benefit equally from governance systems;
- 2) Women have income security, decent work, and economic autonomy;
- 3) All women and girls live a life free from all forms of violence;
- 4) Women and girls contribute to and have greater influence in building; sustainable peace and resilience and benefit equally from the prevention of natural disasters and conflicts and humanitarian action.¹⁷

Feminism is the “the advocacy of women's rights on the basis of the equality of the sexes.”¹⁸

A de facto government is one which is “true in fact, but that is not officially sanctioned” such as one from a coup d’état.¹⁹

These terms are crucial for understanding the history of Afghanistan and the changing role of Afghan women over time.

2. Pre-Modern Era

There is no exact date to the development of human society on the land now known as Afghanistan. Archeologists have discovered caves with evidence of life dating back to the Middle Paleolithic Period; but evidence of established residence only goes back to the sixth century BCE with Cyrus II of Persia. Although historians do not know exactly how women were treated in Afghanistan during this time, there is documentation on their treatment in the Persian Empire as a whole. According to the *World History Encyclopedia*, “Women in ancient Persia were not only highly respected but, in many cases, considered the equals of males. Women could own land, conduct business, receive equal pay, could travel freely on their own, and in the case of royal women, hold their own council meetings on policy.”²⁰ However, Alexander the Great eventually conquered the Persians, bringing with his victory the view of women as second-class citizens.

Under the reign of Alexander the Great, women were no longer viewed as equals to men. Even though his sister was Cleopatra, the first queen of Egypt, Alexander did not believe that women should hold power. He is said to have stated, “The Macedonians will never submit to being ruled by a woman.”²¹ Some powerful women were influential in the development of the Macedonian Empire, but women’s roles began to shift more towards those with a domestic and docile nature. As time passed, women became less involved in politics.²²

Different nations continued to claim the territory of Afghanistan, transferring power from a wide range of European and Asian dynasties. In 135 BCE, a nomadic tribe from China, the Kushāns, took over the land. They routed the Silk Road through Afghanistan, establishing a nation of trade, arts, and religion, most notably Buddhism and Hinduism.²³ Little is known about women’s rights in the Kushān Dynasty, but there is some documentation that points to the use of female bodyguards and hunters.²⁴

Islam first rose in Afghanistan in the mid-600s CE. Then, in 1219, Genghis Khan and the Mongols conquered the Islamic tribes. When Khan died in 1227, much of his empire fell; yet, Afghanistan did not. Instead, the Mongols maintained their independence under the reign of Timur. His leadership resulted in the establishment of Kabul as an independent principality.²⁵ Timurid women were not seen as equal to men. They could not participate in politics, except as pawns to unite two groups through matrimony. Ladies of the royal court were

¹⁶ “Human Rights.” *United Nations*.

¹⁷ “About UN Women,” *UN Women*

¹⁸ Oxford English Dictionary

¹⁹ WashULaw, 2012.

²⁰ Mark, 2020

²¹ Miron, 2000, p. 36.

²² Miron, p. 38.

²³ Allchin, et. al. "Afghanistan." *Encyclopedia Britannica*, 23 Feb 2023.

²⁴ Penrose, 2016.

²⁵ Allchin, et. al.

primarily tasked with raising children and educating the princes. Information on the roles of non-royal Timurid women is scarce and unreliable.²⁶

One notable exception is Queen Gowhar Shad (*Gowhar-šād*) of Herat. She ruled during the 1400s, wielding more power than her title would usually allow. During her reign, she had a mausoleum built and named after her, which still stands today and has become a tourist attraction. When her husband, Sultan Shah Rukh, died, Gowhar Shad independently ruled Herat for ten years. She was executed at the age of eighty for supporting her great-grandson's rise to power over an opposing prince.²⁷

Under the Timurids, Afghanistan felt one of the first periods of peace, prosperity, and political stability in its history. Unfortunately, this peace did not last. In 1507, the Timurids were defeated by Turkish Uzbeks. Battles for power, control, and independence surged for several centuries. After a lengthy British alliance, the Afghans refused to help them keep Persia from Russian advances. In retaliation, the British stormed Kabul in 1839, seizing Afghanistan as their own.²⁸

One crucial victory for Afghanistan in the Second Anglo-Afghan War was the Battle of Maiwand in 1880. The British underestimated the capabilities of the Afghan weaponry and charged into a defeat. Malalai, a young Pashtun woman, is said to have taken off her veil and waved it above her head as a banner to rally the Afghans to victory. Unfortunately, she was killed on the battlefield, her story lost to most of the world. However, she has become folklore in Afghanistan, and several schools and hospitals are named after her.²⁹ Today, some consider her the “Joan of Arc of Afghanistan.”

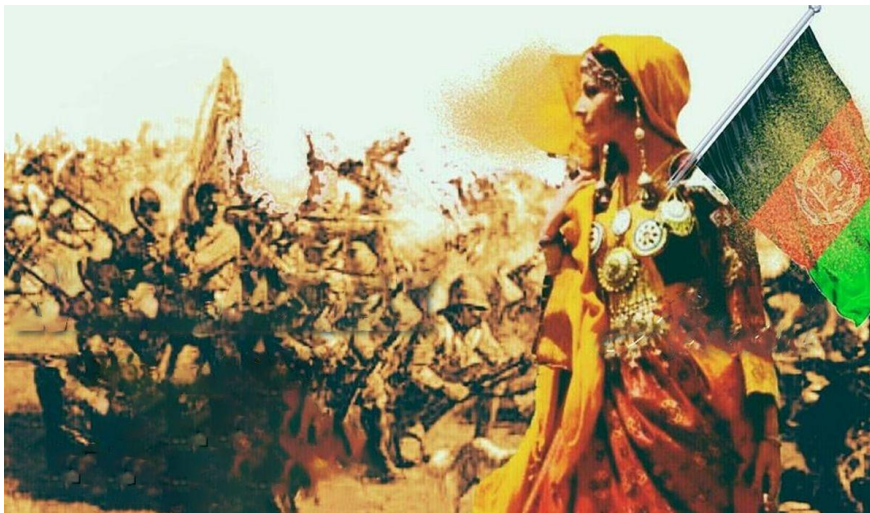


Fig. 2: Artistic representation of Malalai of Maiwand.³⁰

England controlled Afghanistan until 1881.³¹ Their eventual withdrawal sparked the birth of an independent nation, paving the way for political stability and women's rights.

3. Monarchs and Their Impact on Women's Rights

The beginning of women's rights in the nation of Afghanistan can be dated back to Amir Abdur Ramen Khan, who ruled 1880-1901 CE. According to Dr. Huma Ahmed-Ghosh, author for the *Journal of International Women's Studies*, Abdur Ramen used his reign to “[abolish] the custom forcing a woman to marry her deceased husband's next of kin, raised the age of marriage, and gave women rights to divorce under specific circumstances.”³² His wife was also the first Afghan queen to greet the public without a veil.³³ When he died, his son AmirHabībullāh Khan took the throne. It was around this time that western influence began to creep into Afghanistan, especially due to the influence of Mahmūd BegTarzī, author of the modern periodical *Siraj-ul-Akbbar-i*.

²⁶ Jamaluddin, 2017, p. 789-791.

²⁷ Manz, 2002.

²⁸ Allchin, et. al.

²⁹ “Biography of Malalai.”

³⁰ Unknown artist

³¹ Allchin, et. al.

³² Ahmed-Ghosh, p. 3

³³ Dupree, Nancy Hatch. “Women of Afghanistan,” *Stiftung-Foundation*. 1986, p. 12

Tarzi's political reformation, bringing feminism to Afghanistan. Ahmed-Ghosh writes, "If there is a single person responsible for the modernization of Afghanistan in the first two decades of the twenty-first century it was Mahmūd Beg Tarzi."³⁴ For twenty-three years, Tarzi's family was exiled, giving him the opportunity to be influenced by new ideas which manifested in his writing. He traveled to many places, such as Mecca, Damascus, Syria, Turkey, and Paris, eventually meeting a man named Jamāl-al-Din Afġāni. The *Encyclopaedia Iranica* elaborates, "The encounter [with Afġāni] reinforced his conviction that a progressive interpretation of the precepts of Islam would encourage the sort of planned modernization that Muslim countries required."³⁵

Upon Tarzi's return to Afghanistan in 1902, he published an article entitled *Zarurat-i-Pishraft-i-Zanan*, translated to "The Necessity for the Advancement of Women." In this article he argued that both men and women have value to each other, being equally important in society. "By preventing one from development, we deprive the whole body of growth."³⁶ He also believed that educated women were the key to a successful future for the nation, eventually publishing an article with a well-researched list of famous women worldwide to debunk the commonplace belief in their inferiority.³⁷

His works did not go unnoticed. Not only did he publish feminist articles twice a month that all Afghans could read, he also became close to Amir Habībullāh Khan. Habībullāh put Tarzi in charge of world affairs, due to his experience traveling and master of many foreign languages. The two remained close until World War I, when they disagreed with which side to align. Habībullāh terminated Tarzi's employment and ended the publication of *Siraj-ul-Akbar-i*. This led to the removal of Tarzi from Afghan history. He has only recently been recognized as a champion of Afghani women's rights.

Habībullāh Khan, who wanted to join the Allied Powers, was assassinated in 1919 by anti-British radicalist.³⁸ His third son Amānullāh took the throne. Amānullāh was no stranger to feminism himself. He married Queen Soraya Tarzi, a daughter of Mahmūd Tarzi. Following in the footsteps of her predecessor, Queen Soraya often wore her head uncovered. She, along with her husband, was a staunch proponent of women's education. They opened the first school for girls. In 1926, Amānullāh stated, "I am your King, but the Minister of Education is my wife, your Queen." The two received an honorary degree from Oxford University.³⁹ Soraya believed that women needed to be a part of building a nation and maintaining peace, a sentiment that is still held by the United Nations today.⁴⁰ In 2020, Queen Soraya of Afghanistan was featured in *TIME Magazine's* "100 Women of the Year," a series on women who were overlooked in history.⁴¹



Fig. 3: Queen Soraya Tarzi⁴²

³⁴ Ahmed-Ghosh, p. 3

³⁵ Schinasi, 2012

³⁶ Nawid, 1995

³⁷ Nawid, 1995

³⁸ Schinasi, 2012

³⁹ Ghilzai, 2016.

⁴⁰ S/Res/1325 (2000) p. 2

⁴¹ *TIME*, 2020

⁴² By Unknown author - <http://thesotericredux.blogspot.com/2010/08/queen-of-dessert-soraya-tarzi-queen-of.html>, Public Domain

Amānullāh was more liberal than his father, bringing Afghanistan into a period of modernization and liberalism. He signed a treaty with the Soviet Union, and Afghanistan gained its independence from Great Britain. This gave Afghanistan true independence for the first time in decades. Women's suffrage passed in 1919, the same year of independence from the United Kingdom.⁴³ This is also the year that the U.S. Government recognized Afghanistan as an established nation.⁴⁴ Ahmed-Ghosh writes, "In 1923, Amānullāh drew up the first constitution, establishing the basis for the formal structure of the government and setting up the role of the monarch within the constitutional framework [...] Amānullāh publicly campaigned against the veil, against polygamy, and encouraged education of girls not just in Kabul but also in the countryside."⁴⁵ This constitution also abolished slavery.⁴⁶

It was during this period of political stability and constitutional monarchy that women began to walk around with their heads uncovered. This did not last. In 1928, anti-western voices got louder. They argued that Amānullāh's policies violated those of Islam. Several tribal leaders forced him to reverse his laws on women's education, resulting in the closing of rural girls' schools.⁴⁷ Eventually, Amānullāh and his family were forced out of Afghanistan during a civil war. He died arguing that "the feminist cause was based on the true tenets of Islam."⁴⁸ The period of unrest following his removal perpetuated until 1933 when teenager Muhammed Zahir Shah inherited the throne.

4. Establishment of a Constitutional Monarchy

King Muhammed Zahir Shah ruled from 1933 to 1973. Zahir Shah commanded a functioning monarchy, bringing peace and liberties to the nation. Under his reign, women were again allowed to take off their veils. They cut their hair and wore skirts above their knees. Afghanistan was becoming increasingly independent, free, and economically stable.⁴⁹

1950 brought the end to *pardah*, the separation of the sexes. From 1946 to 1953, Prime Minister Shah Mahmud fought for a democratic society, creating free elections and press, as well as establishing a liberal parliament. Yet, in 1953, Lieutenant General Mohammad Daud Khan seized the position of Prime Minister, spurred by radical conservatives. He turned to the Soviet Union who eventually became Afghanistan's primary trade partner and ally.⁵⁰

In 1964, Zahir Shah wrote a constitution and established a constitutional monarchy. Several political parties arose, including the People's Democratic Party of Afghanistan (PDPA), a Marxist group, and the Islamic Society, a conservative Islamic group that was "highly influenced by the militant ideology of Egypt's Muslim Brotherhood."⁵¹

In 1965, the Democratic Organization of Afghan Women (DOAW) formed. The DOAW worked to "eliminate illiteracy among women, ban forced marriages, and do away with bride price."⁵² Its narrative was highly impacted by Marxism and the PDPA. Although Marxist ideologies were eventually eradicated in Afghanistan, the DOAW was not fully abolished. Instead, it was revamped into the Afghan Women's Council, a non-profit, non-political, non-sectarian organization that still exists today.⁵³

By the 1970s, it was normal, and perhaps expected, for women to go to university, vote, work, and even be a representative in Parliament. In fact, enrollment of women in Kabul outnumbered that of men.

⁴³Amnesty International UK, 24 Nov 2022.

⁴⁴ Office of the Historian. "A Guide to the United States' History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776: Afghanistan."

⁴⁵Ahmed-Ghosh, p. 4

⁴⁶ "The Fight for Women's Voting Rights," 7 Nov 2017.

⁴⁷ Ahmed-Ghosh, p. 5

⁴⁸ Ahmed-Ghosh, p. 5

⁴⁹ Allchin, et. al.

⁵⁰ Allchin, et. al.

⁵¹ Allchin, et. al.

⁵² Ahmed-Ghosh, p. 6

⁵³<http://www.afghanistanwomenscouncil.org/>, 1986.



Fig. 4: Three Afghan women at their university in Kabul.⁵⁴

In an interview with *National Public Radio (NPR)*, Mohammad Qayoumi, former president of California State University East Bay, and former Minister of Finance of Afghanistan, explained that “From the 1880s to 1978, Afghanistan was a very stable country, which had only six rulers, which is far more stable than most European countries in that era.” In the report, Qayoumi explained how women in Afghanistan were not very different from those in the western world. In fact, he told the reporter that “Afghans favored songs by Western pop singers like Frank Sinatra, Elvis Presley, and Tom Jones.” Below is a picture of Afghan women shopping, heads uncovered, for these records.⁵⁵



Fig. 5.⁵⁶

Qayoumi’s assessment of 1970s Afghanistan is not entirely accurate. It leads readers to believe that those six rulers manifested a peaceful transfer of power, maintaining solid political stability. Instead, in 1973, Daud Khan staged a coup, overthrowing the king and abolishing the constitution. This was the beginning of the Republic of Afghanistan and a catalyst for instability and oppression. Like Qayoumi, many believe that Afghanistan was a free nation until the Soviet-Afghan war in 1979; but, in reality, Daud Khan began the process of limiting Afghan freedoms. As both king and prime minister, he wrote a new constitution which featured equal rights for both men and women. Article 27 states, “The entire people of Afghanistan, women and men, without

⁵⁴ Photo by Laurence BRUN/Gamma-Rapho via Getty Images

⁵⁵ NPR Staff, 18 Jun 2010

⁵⁶ Unknown Artist,

NPR Staff, 18 Jun 2010 / Originally published by *Foreign Policy*.

discrimination have equal rights and obligations before the law.”⁵⁷ However, he also established a cabinet of close friends and family, creating a new precedent for corrupt government officials. In 1977, members of the PDPA assassinated Daud Khan and his family, establishing the Democratic Republic of Afghanistan.⁵⁸ Even after his death, Daud Khan’s negative impact on democracy prevailed.

5. The Afghan War and the Soviet Union

This new PDPA government proved to be more unbalanced than those prior. It shared its power between two parties, The People’s Party and the Banner Party. Instability flourished. For several years, the Afghan people witnessed political unrest and revolts known as the Afghan War. The PDPA had little support from the people. The People’s Party, led by Nur Mohammed Tarki, attempted to gain sole power in Afghanistan through military force.⁵⁹

Tarki called for reforms, many of which mirrored communist ideology, leading to the belief that he supported the Soviets. One of the reforms called for the equality of women. Still, many of them seemed contradictory to Afghan and Muslim culture.⁶⁰ The mujahideen, a jihadist group formed from anti-PDPA advocates, began to spark a series of insurgencies. Members of this group would later form the Taliban.⁶¹ On February 14, 1979, U.S. Ambassador to Afghanistan Adolph Dubs was killed in one of these revolts, terminating a positive relationship between the two countries. When the Soviet Union infiltrated Afghanistan in December, the U.S. refused to help.⁶²

By the early 1980s, the Soviet Union controlled Afghanistan, peppered by mujahideen attacks. Due to the Cold War, many countries, including the U.S., began to finance the mujahideen.⁶³ According to Kim Berry, by the end of the war, the U.S. had given nearly \$5 billion in military aid. Other countries, such as China, matched this amount, resulting in \$10 billion dollars of foreign aid.⁶⁴ Other assistance came from Muslim countries or sympathizers in the form of both weapons and volunteers. One notable volunteer was the young and wealthy Osama bin Laden, who traveled from Saudi Arabia to join the mujahideen.⁶⁵ He eventually formed the terrorist organization al Qaeda.

In 1983, Afghan women began to protest the war. Many of them had lost their husbands, brothers, and/or sons. Around 400 women gathered in Kabul, demanding the bodies of those lost and the release of prisoners. The *Afghan Information Center Bulletin* reported that they were tear gassed by government officials. Huge protests of high school girls swept Kabul. This so-called “Children’s Revolt” garnered thousands of high schoolers, many of whom were arrested or killed. A former Afghan government official told *The Washington Post*, “They were completely unarmed. They were under the false impression that women would not be fired upon. This is the first time in Afghan history that fire has been opened on women. It is against the Afghan etiquette, tradition and custom to shoot women.”⁶⁶

In other acts of revolution across the nation, some women would lure Soviets away from their camps and slaughter them. Others harbored weapons and would fire from inside their house at passersby. Most women kept the houses running while their husbands were away at war, tending to the field, flocks, and their children.⁶⁷

Prisoners, both men and women, were subjected to torture. *Amnesty International* published a report with personal accounts from Afghans who had experienced Soviet incarceration. They concluded that some people who were arrested died in prison:

[T]he families of prisoners reported that the prison authorities had stopped accepting clothes and other articles for their relatives and believed that this indicated that they had died. Deaths were not formally notified although in some cases they were informally confirmed. Since there have also been consistent accounts from released inmates of fellow prisoners being taken away for execution, it is impossible to

⁵⁷*The Constitution of Afghanistan 1976*. Article 27.

⁵⁸ Allchin, et. al.

⁵⁹ Allchin, et. al.

⁶⁰ Allchin, et. al.

⁶¹ “Afghan War.”

⁶² Allchin, et. al.

⁶³ Allchin, et. al.

⁶⁴ Berry, p. 139

⁶⁵ Allchin, et. al.

⁶⁶ Auerbach, 1980.

⁶⁷ Ellis, 2000, p. 8.

conclude in individual cases whether a prisoner has been executed or has died as a result of torture. Threatened execution was frequently reported as a means of torture.⁶⁸

Ellis reports, “Women [in prison] were regularly sexually assaulted, and were often left alone in a room for days with a dead body.”⁶⁹ As the war raged on, so did anti-war protests. The mujahideen continued to gain the support of Afghans, as they seemed to be the only group attacking the Soviets. They used guerilla tactics, hiding in woods and buildings to shoot down Soviet planes and helicopters with weapons provided by the U.S. Central Intelligence Agency.

As Sima Samar, UN Minister to Women’s Affairs to Afghanistan, wrote in the *Journal of International Affairs*, “It was during this period of brutal guerilla warfare that human insecurity spread throughout the country.”⁷⁰ This instability severely hurt women. Samar continues:

[M]any Afghan families were selling or forcing their daughters into marriages due to the lack of security or for financial gain. On occasion, women kidnapped by fighters were doubly victimized when they were precluded from returning home due to social stigma. [...] Afghan women suffered the brunt of the invasion. Their bodies became a weapon of war. The *mujahideen* fighters used the vulnerability of Afghan women to sell their vision of Afghanistan to the broader population, promising that they would ensure the safety of Afghans and their women.⁷¹

They did not keep these promises. Women, especially, continued to suffer from severe poverty. Although the UN provided humanitarian aid to Afghanistan, much of it was used for military reasons. Very few refugees saw the impact of the aid. Dr. Samar experienced this in person, as she escaped to Pakistan with her children when her husband was abducted. She had been practicing medicine in Afghanistan when the Soviets invaded and continued her work at the refugee camps. There, Samar opened two hospitals for women and a school for young girls.⁷²

While Samar fought for equality in Afghan refugee camps, Meena, founder of the organization Revolutionary Association of the Women of Afghanistan (RAWA), was fighting for human rights in Afghanistan. RAWA advocated for the return of democracy to Afghanistan, as they disagreed with many of the mujahideen ideologies about government. Some women from RAWA joined Samar at the refugee camps, while others stayed behind to mobilize other women to protest the Soviets. Tragically, Meena was assassinated by the Komitet GosudarstvennoyBezopasnosti (KGB), the primary security force for the Soviet Union, in 1987. RAWA has remained active ever since.⁷³



Fig. 6: Meena⁷⁴

6. Rise of the Taliban: The Islamic Emirate of Afghanistan

When the Soviet Union collapsed, a mujahideen coalition formed to drive out Soviet control and replace it with a weak interim government, the Islamic State of Afghanistan. With this political vacuum, militias all fought

⁶⁸ *Amnesty International*, 1986.

⁶⁹ Ellis, 2000, p. 9.

⁷⁰ Samar, p. 149

⁷¹ Samar, p. 149-50

⁷² Samar, p. 150.

⁷³ “About RAWA...”

⁷⁴ RFI Magazine

to gain power and influence. This perpetuated the Afghan War and created a period of terror. As the *Encyclopedia Britannica* explains it:

Outside of Kabul, law and order broke down across much of the country, and Afghanistan became, in effect, a country ruled by militia leaders and warlords who exacted road taxes and transit fees from trucks engaged in cross-border trading and promoted extortion in most other areas of normal life. Kidnappings, whether for sadism or profit, were not uncommon, and the people generally fell into a state of despair.⁷⁵

These groups were slowly defeated by the Taliban, led by Mullah Mohammad Omar, a former member of the mujahideen. In 1995, the Taliban infiltrated Herat. A year later, in September 1996, the Taliban took Kabul, hanging the acting president and succeeding in possessing Afghanistan.⁷⁶



Fig 7: Territory controlled by the Taliban in 1998.⁷⁷

In the beginning, the Afghan people generally supported the Taliban, as it promised an end to war and the beginning of peace.⁷⁸ The Taliban offered security and religious fervor while creating education programs and lucrative trade routes with Central Asia.⁷⁹ Kabul, on the other hand, was a diverse city. Many of the non-Pashtun citizens did not support the Taliban and their holy war. Herat was even less accepting, as it was primarily occupied by minority groups.⁸⁰

Although the Taliban power and victory initially seemed to benefit the Pashtun people, this was a short-lived solace from war, especially for women. When the Taliban overthrew the government, they enacted a new institution, The Islamic Emirate of Afghanistan (د افغانستان اسلامي امارت), which adhered to strict rules and interpretations of the Quran. Supporters of the Islamic State of Afghanistan fled to the mountains and formed the Northern Alliance. Before anyone knew what was happening, the Taliban had a monopoly on Afghanistan and the support of Pakistan, Saudi Arabia, and the United Arab Emirates. They also possessed billions of U.S. dollars in high-end military equipment.

There are several theories about why women were so oppressed under the first Taliban rule. One such theory examined by Deborah Ellis emphasized the historical circumstances and method of education. As the mujahideen transformed into the Taliban, many young men, raised in a period of unrest and war, opted to study at *madrasahs*, schools for boys often located in a mosque. Here they studied theology of Islam and the Quran. Much of the instruction consisted of the boys regurgitating what the teacher said, as most could not read or write, but rather orally repeated what they were taught.⁸¹

⁷⁵ Allchin, et. al.

⁷⁶ "Afghan Taliban," n.d.

⁷⁷ From *Times of India*.

⁷⁸ Allchin, et. al.

⁷⁹ "Taliban"

⁸⁰ Allchin, et. al.

⁸¹ "Madrash."

Ellis explained that many of the initial volunteers for the Taliban were boys who had been orphaned during the Afghan War and the Soviet oppression. Some had lived in a Pakistan refugee camp for several years. Others fought as mujahedeen and followed Omar to victory. These conditions led to a hatred of the world and a love for Islam which functioned as a beacon of hope amid despair.

In addition, women were not allowed to study at a *madrasah*. Many of the students “had limited exposure to girls and women as they were growing up. They were raised by men, men with a disregard for women that is cultural, religious, and, primarily, political.”⁸² Hafeez Malik echoes this view, describing the Taliban’s method of learning as “frozen in time.” All the teachings in the *madrasah* come from an eighteenth-century curriculum.⁸³

When the Taliban rose to power, they began to adhere to a strict interpretation of Sharia Law, replacing the constitutional law in practice. Women were impacted the most by these changes, as the Taliban believed that Allah did not grant women rights.⁸⁴ They reinstated the *pardab*, keeping women shut inside, unable to leave without a male escort, making it impossible to work. All education for women halted. The Taliban claimed that women would be allowed to attend the *madrasahs*, but none were ever opened to women.⁸⁵

7. Fall of the Taliban

On September 11, 2001, a plane hit a tower in New York City. Not twenty minutes later, its twin was struck by a second plane, leading the world to recognize that this was no accident. The World Trade Center fell. A third plane struck the Pentagon in Arlington, Virginia, while a fourth targeted the White House. Understanding the dire situation, several brave passengers rerouted the jet, crashing it in a field in Pennsylvania. This four-pronged attack on the United States marked the first direct assault on the nation since Pearl Harbor. Al Qaeda, led by bin Laden, took credit for the attacks. Congress declared war on Afghanistan, a decision that would last twenty years and cost more than 7,000 U.S. lives.⁸⁶

At the beginning of the U.S.-led invasion of Afghanistan, First Lady Laura Bush spoke at length about the violation of Afghan women’s rights by the Taliban:

[The Taliban] is now in retreat across much of the country, and the people of Afghanistan -- especially women -- are rejoicing. Afghan women know, through hard experience, what the rest of the world is discovering: The brutal oppression of women is a central goal of the terrorists. [...]

Because of our recent military gains in much of Afghanistan, women are no longer imprisoned in their homes. They can listen to music and teach their daughters without fear of punishment. Yet the terrorists who helped rule that country now plot and plan in many countries. And they must be stopped. The fight against terrorism is also a fight for the rights and dignity of women.⁸⁷

Not mentioned in the speech was the fact that women’s rights violations by the Taliban had existed for nearly a decade with no help from the world. Berry argues that the Bush Administration only began supporting Afghan women when it benefited the narrative, ultimately using them as political pawns.⁸⁸

Regardless, the rallying cry worked. With the help of the United States, the Northern Alliance succeeded in overthrowing the Taliban government. The Taliban retreated to Pakistan, where they began to regain power and new allies from neighboring nations.⁸⁹ The Northern Alliance formed another interim government until an election could take place. Despite the best efforts of the Taliban and al Qaeda, Hamid Karzai was elected president. Women were allowed to vote in this election.

In 2006, the North Atlantic Treaty Organization (NATO) helped the U.S. take over control of military operations. NATO spent this time training allied Afghans in military tactics and strategy, generating Afghan-run security forces. In 2009, enough Afghan people had been trained, and the control of the military was gradually transferred to them. In May 2011, a U.S. operation of Navy SEALs infiltrated Taliban headquarters in Pakistan and assassinated Osama bin Laden. With bin Laden gone, NATO withdrew most of their troops out of

⁸² Ellis, 2000, p. 60.

⁸³ Malik, 1999, p. 137.

⁸⁴ Malik, p. 139.

⁸⁵ Malik, p. 140.

⁸⁶ “Casualty StatU.S.” U.S. Department of Defense, January 23, 2023.

⁸⁷ Radio Address by Mrs. Bush, 17 Nov. 2001.

⁸⁸ Berry p. 139

⁸⁹ Britannica, T.

Afghanistan. Although the Taliban continued to attack, U.S. and Afghan soldiers prevented the rise of al Qaeda and the Islamic State (IS).⁹⁰

Even without a strong Taliban presence, Afghan women continued to have to fight for their rights. In 2009, President Hamid Karzai publicly supported the controversial bill, “The Shi’ite Personal Status Law.”⁹¹ Many people criticized this law, arguing that it legalized marital rape within Shi’ite households. This controversy came from the discussion of the ownership and exchange of the *Mahr*, the traditional dowry given by a man to his fiancée’s father. In an English translation of the document published by the U.S. Agency for International Development (USAID), it says:

(2). The wife can refuse to submit to her husband [sexual desire] until the full *Mahr* is paid by the husband, even if the husband is poor, unless otherwise specified in the marriage contract. Sexual penetration before [wife reaches] puberty cannot prevent the wife from demanding the *Mahr*.

(3). If the *Mahr* is *Moajjal* (to be conferred at a later time) and the wife willingly refuses to submit to her husband’s sexual desire until the payment time has arrived, the wife’s refusal shall not be valid [...]⁹²

(3). Couples shall avoid performing acts that may cause animosity against each other. If a man demands his wife to apply makeup on behalf of the man, she is obliged to do so.

(4). The husband is bound to spend at least one out of four nights with his wife when he is not traveling. [...] It is the duty of the wife to defer to her husband’s inclination for sexual enjoyment. The man is expected not to postpone sexual intercourse with his wife for more than four months.⁹³

There were several other questionable articles, but these quoted above were the most controversial. In response, approximately 300 Afghani women marched in the streets in protest. In 2015, Farkhunda Malikzada, 27, disagreed with a man. In response, he falsely accused her of burning the Quran, inciting an angry crowd who beat her to the ground, drove over her with a car, stoned her until she died, and then set her lifeless body on fire.⁹⁴ Little justice has been served.

8. Return of the Taliban

In April 2021, President Biden announced his plan to end the war in Afghanistan. He explained his decision by saying in a press conference:

With the terror threat now in many places, keeping thousands of troops grounded and concentrated in just one country and across the billions [of dollars spent] each year makes little sense to me and to our leaders. We cannot continue the cycle of extending or expanding our military presence in Afghanistan - hoping to create ideal conditions for the withdrawal and expecting a different result.⁹⁵

He promised to extract every troop by September 11, the twentieth anniversary of the attack on the World Trade Center.

The call to end the war in Afghanistan had been largely bipartisan. President Obama began pulling out troops during his time in office, significantly decreasing military personnel overseas. At the height of the war, Afghanistan hosted more than 100,000 U.S. soldiers. By 2015, Obama had limited it to only 5,000, a calculated response to the growing stability of the country. However, this plan backfired, resulting in a dramatic increase in Islamic State activity. The immediate aftershock of this was one of the most dangerous environments the U.S. soldiers had experienced in several years. By the end of Obama’s time in office, there were 8,400 troops stationed in Afghanistan.⁹⁶

President Trump also discussed pulling out the troops, even drawing up plans on how to accomplish this task. As *NPR* describes it, “Withdrawing from Afghanistan may be the one thing Biden and Trump agree on.”⁹⁷ Trump signed a peace treaty with the Islamic Republic of Afghanistan, promising to pull the troops out by May 29, 2020. An aspect of the peace treaty was a prisoner-trade between the Afghan government and the Taliban,

⁹⁰ Allchin, et. al.

⁹¹ Levi, 2009.

⁹² Article 113, p. 38

⁹³ Article 132, p. 45

⁹⁴ Kargar, 11 Aug. 2015.

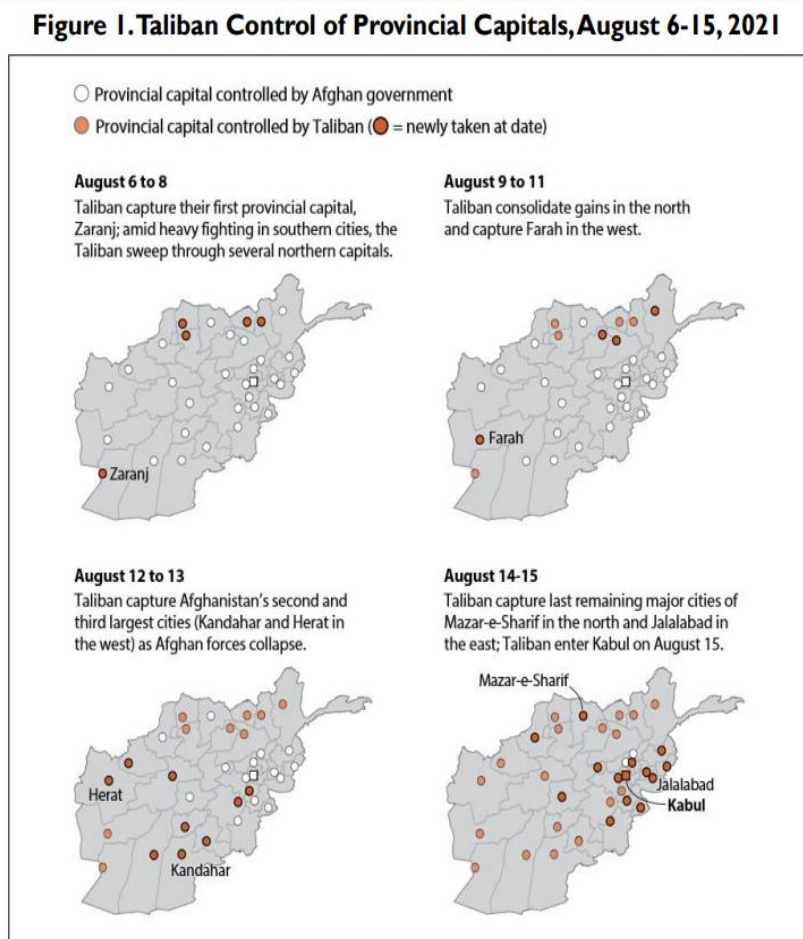
⁹⁵ Cronk, “Biden Announces Full U.S. Troop Withdrawal From Afghanistan by Sept. 11.” *DOD News*, April 14, 2021.

⁹⁶ Kurtzleben, “CHART: How the U.S. Troop Levels In Afghanistan Have Changed Under Obama.” *NPR*, July 6, 2016.

⁹⁷ Elving, “Withdrawing From Afghanistan May Be The One Thing Biden And Trump Agree On.” 18 Aug. 2021.

facilitated by the U.S. military. The trade was for 1,000 Afghan prisoners and 5,000 Taliban prisoners, a decision which sparked global controversy.⁹⁸

Despite warnings from the Office of the Director of National Intelligence that the Afghan Government would “struggle to hold the Taliban at bay if the Coalition withdraws support,”⁹⁹ the U.S. pulled their troops out of Afghanistan. As predicted, the Afghan government was easily overrun by the Taliban. Reports indicate that some of the 5,000 prisoners released helped in the Taliban takeover. In their wake, the U.S. left millions of dollars’ worth of military equipment that the Taliban now possesses.¹⁰⁰



Source: Created by CRS. Boundaries from U.S. State Department, GADM, and Esri.

Fig 8: Provincial capitals owned by the Taliban¹⁰¹

When the Taliban first returned to power in August 2021, they assured the world that the return to Sharia Law would not negatively impact women. In their first press conference upon return to Kabul, they announced the end to political instability and war. A spokesperson stated:

We know that we have been undergoing really challenging periods and crises, a lot of mistakes that were made that were an advantage to the occupiers. We want to make sure that Afghanistan is not the field of conflict, a battlefield of conflict anymore. We have pardoned anyone, all those who had fought against us. We don't want to repeat any conflict anymore again. We want to do away with the factors for conflict. Therefore, the Islamic Emirate does not have any kind of hostility or animosity with anybody; animosities have come to an end and we would like to live peacefully. We don't want any internal enemies and any external enemies.¹⁰²

⁹⁸ Thomas, p. 6

⁹⁹ “U.S. Military Withdrawal and Taliban Takeover in Afghanistan,” p. 9.

¹⁰⁰ Thomas, p. 6

¹⁰¹ CRS. Boundaries for the U.S. State Department, GADM, and Esri.

¹⁰² *Al Jazeera*, 17 Aug. 2021.

They went on to explain that they would not hurt anyone, would respect international boundaries, and simply wanted to be able to practice their religious beliefs in peace. “Other countries also have different rules, different politics, different viewpoints, different approaches and policies they use and different rules and regulations.”¹⁰³

The Taliban finished the press conference on the topic of women. Publicly, they assured the world that women would be treated equally, although under Sharia Law. For example, women could work, even in the government, with the requirement that they wear a hijab:

They are going to be working with us, shoulder to shoulder with us. The international community, if they have concerns, we would like to assure them that there’s not going to be any discrimination against women, but of course within the frameworks that we have. Our women are Muslim. They will also be happy to be living within our frameworks of Sharia.¹⁰⁴

It was not long before the Taliban disregarded their statements, dragging the nation back under the whip of repressive Sharia Law.

Today, the Taliban has control of Afghanistan’s military and government, allowing them to regulate and diminish the rights of the Afghan people. It has replaced the acting government with a de facto one, which is no longer recognized by the United Nations.

9. Women’s Rights in Afghanistan Today

As of April 2023, Afghanistan is considered the worst country in the world to be a woman.¹⁰⁵ Their lives are not better than they were the last time the Taliban controlled the nation. There are reports of sexual abuse, beatings, and other acts of terror against women. *CNN World* published an article telling the story of a widowed mother who was beaten to death in her home for not cooking for the Taliban.¹⁰⁶ Posters of women are being torn down.¹⁰⁷ Female mannequins in stores are getting beheaded.¹⁰⁸ Freedom of speech and media has been significantly reduced, while approximately eighty percent of female media personnel were fired or quit.¹⁰⁹

On September 30, 2022, a suicide attack injured 110 and killed 53 females who were taking their academic examinations. In response, women took to the streets in protest, fighting for their right to education.¹¹⁰ In December, women were officially banned from attending university or high school, making primary school the highest attainable level of education. They are no longer allowed to work in government. Originally, the Taliban claimed this restriction was for the protection of women because “some of the militants [young Taliban fighters] have not yet been trained not to hurt them [women];”¹¹¹ but, this has not changed. They have reinstated the *purdah*; women are not permitted to travel for long distances without a male escort. The United Nations Office of the High Commission Human Rights (OHCHR) elaborates on some restrictions, stating, “Women and girls have been banned from entering amusement parks, public baths, gyms and sports clubs for four months.”¹¹²

There is not a single woman who holds a government position in the Islamic Emirate and the Taliban abolished the Ministry of Women’s Affairs.¹¹³ Burkas are the new reality, as women are required to cover their faces as well as their heads. Child marriages have also increased in the past year. In November 2022, the Taliban abolished free trials and reinstated various forms of extreme punishments, such as public floggings and executions. As of December 2022, there have been over 100 accounts of public beatings. Although both men and women suffer from this, women get punished at higher rates for sexual crimes.¹¹⁴

Afghanistan as a nation is facing a major humanitarian crisis. As *CNN World* writes, “Nearly half of the country faces acute hunger, according to the United Nations. An estimated 43% of Afghanistan’s population is living on less than one meal a day, with 90% of Afghans surveyed reporting food as their primary need, according to a May report by the International Rescue Committee.”¹¹⁵ Generally, the United Nations and other humanitarian

¹⁰³ *Al Jazeera*, 17 Aug. 2021.

¹⁰⁴ *Al Jazeera*, 17 Aug. 2021.

¹⁰⁵ *Women Peace and Security Index 2021/22*, p. 2

¹⁰⁶ Coren, et.al, 18 Aug. 2021.

¹⁰⁷ Coren, et.al, 18 Aug. 2021.

¹⁰⁸ Goldbaum, 8 Mar. 2023.

¹⁰⁹ Hassan, 2023.

¹¹⁰ Abbasi and Fetrat, 12 Oct. 2022.

¹¹¹ Astor, Hassan, and Onishi, 2021.

¹¹² OHCHR, 2023

¹¹³ *UN Women*, 15 Aug. 2022.

¹¹⁴ *UN News*, 16 Dec. 2022.

¹¹⁵ Akbarzai, Kakar, and Mogul, 15 Nov. 2022.

organizations would work together to generate aid; however, fear of the Taliban has significantly decreased these efforts. Furthermore, the Taliban explicitly banned females from working for Non-governmental Organizations (NGOs) or humanitarian organizations, making it illegal and thus extraordinarily dangerous for any women, Afghan or otherwise, to help in relief efforts.¹¹⁶

On January 20, 2023, the United Nations issued a warning to the Taliban. In the press conference, they condemned the Taliban for restricting women's rights. Sima Bahous, Director of UN Women, also commented on women's rights, but this time directed at the world. She said, "What is happening in Afghanistan is a grave women's rights crisis and a wakeup call for the international community. It shows how quickly decades of progress on women's rights can be reversed in a matter of days."¹¹⁷

So often the international community looks on nations like Afghanistan with pity but an unwillingness to get involved. A country's priority financially and militarily must be to itself; however, this does not erase the obligation of a nation to protect and encourage civil liberties around the globe. In 1945, fifty-one countries joined the United Nations, an organization "committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights."¹¹⁸ Thus, this treaty requires those countries to enforce international humanitarian law.

Simply requiring the Taliban to comply will not fully resolve the crisis in Afghanistan. If there is political instability in the country, women will suffer. Women's rights in Afghanistan have been defined by the persistence of instability and religious oppression for its entire history. The presence of the Taliban and their radical Islamic ideologies with strict adherence to Sharia Law has resulted in a restrictive and dangerous environment for Afghan women. However, this was not the beginning of the oppression of women.

The subject of women's rights heavily influenced the rulers of Afghanistan for much of its history. Amānullāh and Soraya Tarzī were exiled for their continued pursuit of feminism. Daud Khan staged a coup, in part because he disagreed with his successor's policies on the advancement of women's rights. As women fought for equality, the pervasiveness of instability continued to quell these hopes. There were eras of peace that sparked a positive change, such as the legalization of women's suffrage and established access to formal education, but these changes never lasted.

It is incorrect to think that outside involvement in Afghanistan directly resulted in increased women's rights. Certainly, western ideas of democracy, equality, justice, and independence played a positive role in women's rights, but it is important not to confuse ideologies with direct involvement. Following the British withdrawal, women were granted the right to vote. The U.S. ignored civil rights violations by the Taliban until they were directly attacked. Even while the U.S. occupied Afghanistan, Malikzada was beaten in the streets. This event was filmed, leading the world to wonder how many beatings went undocumented. Furthermore, the president supported the "Shi'ite Personal Status Law," resulting in protests in the streets.

Women's freedoms in this country do not only come from any external demand for justice. It comes from the efforts of the powerful and brave Afghan women who fought for their rights in every season. Those mentioned in this thesis are only a handful of the incredible women who risked their lives to protect their rights. Women's rights ought to be ubiquitous, but not standardized, as any permanent change in a nation must come from the inside with the institutionalized change that reflects the values of those it represents.

Ultimately, continuing political instability prevents the institutionalization of women's rights in Afghanistan. In the pre-modern era, women's equality was determined by the conquering tribe or nation. During Alexander the Great's reign, they were seen and treated as second class citizens. In the modern era, women's rights began to increase as Afghanistan stabilized as a nation. Women were given the right to vote, access to education, and freedom in their clothing choices. However, these rights altered during the Afghan War and the invasion of the Soviet Union. The Taliban grew from this instability, helping to squash the Soviets but bringing more violence and discrimination against women. After September 11, 2001, the US invaded, pushing out the Taliban and helping to establish a new government. This too did not last. Now, the Taliban has returned, a message to the world about the fragility of women's rights. Perhaps the only real way for Afghan women to see equality is for the country to establish a nation based on protected individual freedoms, both founded and run by both the men and women of Afghanistan.

¹¹⁶<https://www.usaid.gov/humanitarian-assistance/afghanistan>

¹¹⁷ "Note to Correspondents..." 2023.

¹¹⁸ "World Can End 'Downward Humanitarian Spiral' of Afghanistan," 2022.

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