

IJPSL

Volume 2, Issue 2

Comparative Analysis of the Status of Women in Afghanistan: Pre-Taliban and Post-Taliban Government

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Abstract

Gender inequality, apart from being one of the five global concerns, is also an issue very close to our hearts. Being students of International Relations (IR), we wanted to locate our research in that ever-growing domain of IR. Afghanistan as a region has seen massive regime change; thus, we tried to locate our research question at the intersection of the two. This paper, based on secondary research, is majorly divided into four parts. Firstly, understanding the position women have been accorded in different Asian societies. Secondly, zeroing down on our analysis of Afghanistan particularly and tracing the status of women there from ancient to modern times. Thirdly, digging deeper into the reasons that have caused women's oppression, other than religious reasons. Lastly, why women are not united in their stand against the Taliban. We have tried our best to give a sound analysis of the topic, backed by data and existing theories.

Keywords: *woman, Taliban, Afghanistan, Religion, women rights, Shariah, Pashtun culture*

1.0 Introduction

“Nari ninda na karo, nari ratan ki khan,

Nari se nar hot hai, Dhruv, Prahlad samaan”

(Do not criticize women as she is a storehouse of virtues; It is from ‘women’ that great men like

Dhruva and Prahalad take birth)

- Sant Kabir Das

Woman as a word is dependent on man since it is pronounced as ‘wo-man’. The theology of the word goes as follows. The first human i.e., Adam wanted to complete himself therefore from the breastbone of Adam, a woman was born. When the word is not free, thinking of women to be free in the patriarchal society seems a far-fetched dream. There are five global concerns that the world is facing as of now- climate change, human rights, nuclear proliferation, terrorism and gender inequality. The Economic Survey of India (2017-18) edition has discussed gender inequality in the following dimensions:

1. Agency: Undivided decision-making power over reproduction; financial resources, spending on their own health and mobility

2. Attitude: Ideal number of daughters preferred relative to the ideal number of sons. Attitudes about violence against women/wives.

3. Outcomes: Female employment, son preference (measured by sex ratio of last-child), choice of contraception, education levels, age at first childbirth and physical or sexual violence experienced by women.

Unfortunately, women are suffering in all dimensions and consequently suffer grave injustice. What we require today is gender justice. Gender Justice entails giving treatment to men and women alike and ending the inequalities that are produced and reproduced in the family, community, market and the state.

“A woman can't be a minister; it is like you put something on her neck that she can't carry. It is not necessary for women to be in the cabinet - they should give birth”, is a problematic statement that comes from a Taliban Spokesperson Sayed Zekrullah Hashimi. (*Women Can't Be Ministers, They Should Rather Give Birth: Taliban Spokesperson*, 2021). Afghanistan- the graveyard of empires, has seen a massive change in its polity in recent times. Change is the law of nature, but for Afghanistan, change doesn't sound ethical. With the coming of the Taliban government, not only are the rights of the Afghani people in peril, but the situation is going to be much worse for the women of Afghanistan. With the formulation of an all-male cabinet and its focus on the strict implementation of the Shariah law, very little scope is left for women's progression. In sharp contrast to countries like Rwanda, Cuba, United Arab Emirates and Bolivia, where the representation of women in politics is nearly 50%, for the Taliban government, it is 0%.

It is in the backdrop of this scenario, we tend to take up research work; through this research, we seek to delve deeper into the issue. We hope to bring out an analysis of the same that would help the policymakers with the knowledge base that would aid in making an informed decision. Our work is intended to be read by the public at large so that there is an enhanced awareness of this sensitive issue across all age groups and genders. It is through knowledge dissemination and social interactions that we form social habits. Change happens when the society adopts and accepts the changes (bottom-up) coupled with the formulation of laws from

above (top-down).

2.0 Research Methodology

The methodology that we have adopted for conducting the research is a mix of deductive and inductive approaches wherein from a general observation on gender equality, probed into deeper issues i.e., the plight of women particularly in Afghanistan. The major data sources were based on secondary research which includes journals, essays and data from international organizations' websites.

3.0 Woman and Society: Moving Beyond Definitions

The word 'woman' itself is based on binaries; it is attached to the word 'man'. From the beginning she is treated as 'the other' and she is given a secondary role and her sex is made a 'secondary sex'. Simon de Beauvoir, a French novelist, playwright and social critic highlighted the extent to which the masculine is represented as the positive or the norm, while the feminine is portrayed as 'other' (Beauvoir, 1949). This 'otherness' essentially limits women's freedom and prevents them from expressing their full humanity. The woman is made to believe, from childhood, that she must sacrifice first for her brother, then for her father and later for her husband. Social conditioning plays a huge role in fixing such a thought process. Patriarchy is a 'social constraint' running through all political, social and economic structures, and grounded in a process of conditioning that operates largely through the family, 'patriarchy's chief institution' (Millett, 1970). Later in the research paper, we've tried to analyze how this 'social constraint' i.e., patriarchy is one of the main reasons behind the impoverished situation of women in Afghanistan. Another distinct work that clearly manifests the gendered nature of society is seen in the work "The Egg and the Sperm: How Science Has Constructed a Romance Based on Stereotypical Male-Female Roles". The author tries to portray how patriarchy is reflected even in medical literature as the sperm is referred to as "heroic, active" and the words such as 'shedding', 'wasted' are used for the egg. (Martin, 1991). In this patriarchal setup, who sets rules for women and what is the basis of the laws? For this, it is important to look at the Shariah Law.

4.0 Should Shariah Law be considered the Constitution of Afghanistan?

Shariah in Arabic translates to ‘clear, well-trodden path to the water’. But what does the Quran say about women and can it act as a constitution for the Taliban regime? The Quran is often referred to as the word of God. From it developed the Hadis which is considered as the word of the prophet. From the Hadis, Islamic law or Sharia has been derived. Sharia is a positive law; positive law means any law that is made by humans. Since it is crafted by humans therefore it is open to verification as well. Sharia is a product of the Quran and Hadis through interpretations. The interpretation is done following the mechanism of ‘Qiyas’ (reasoning) and ‘Ijma’ (consensus of the community). Sharia is a complex law and like any other legal system, its interpretations depend on the expertise of the jurists who give rulings called ‘fatwa’. The five schools (Hanafi, Hanbali, Maliki Saifi, and Jafari) differ in how they interpret the texts from which Sharia law is derived. Interpretation of Islamic law is also shaped by the local culture and customs, which means Sharia may look different in different places.

But the kind of interpretation the Taliban is adopting is stringent and they want to replicate word by word the sayings in the Hadis. The problem arises because Prophet Mohammed belonged to the late 6th and early 7th century AD and to an era where there was no proper legal system. A nomadic way of life is far different from the type of life we live today. Thus, if a literal implementation of the rules is followed in the 21st century, it will amount to a cruel violation of human rights. There are also countries that follow Islamic law, but their interpretation of the statute is comparatively simpler and lenient. Countries like Turkey, Algeria and Mauritius follow a mixed legal system and the women don’t face an extreme problem as much as they do in Afghanistan (Auf, 2016).

5.0 Afghanistan: The Demography

As of 2021, the population of Afghanistan is around 39 million (*Demographics of Afghanistan*, 2021). The society of Afghanistan is a multilingual and multi-ethnic society, reflecting its location astride historic trade and invasion routes between Western Asia, South Asia and Central Asia. Pashtun, Tajik, Hazara, Uzbeks, Nuristanis, Aimaq, Baloch and several

others that are less known are the ethnic groups found in Afghanistan. Approximately 46% of the population is under 15 years of age, and 74% of all Afghans live in rural areas. The country has the highest fertility rate outside of Africa, wherein an average woman gives birth to five children during her entire life. The literacy rate in Afghanistan shows a stark contrast. The male literacy rate stands at 55.5% whereas the female literacy rate is 29.8%. Apart from the 1% percentage population which is non-Muslim, the entire population is Muslims. The further bifurcation of the same in the Shia and Sunni groups shows us that Sunni Muslims make up 89.7% and Shia Muslims make up 10-15% of the entire population. Tribal codes run deep in the country (*Afghanistan Demographics*, 2020).

6.0 The Taliban: Who are They?

The word ‘Taliban’ is a Pashto word that means ‘students’ or ‘seekers.’ The organization-cum-movement was founded by Mohammed Omar and Ghani Baradar. It is primarily composed of the Pashtuns with a minority population of Tajiks, Turkmens and Uzbeks. They majorly abide by the strict implementation of Sharia Islamic law based on ‘Deobandi fundamentalism’ and ‘militant Islamism’ coupled with Pashtun socio-cultural norms called ‘Pashtoonwali’. Fundamentalism has its political connotations. Religion finds its impact in the government policy for sectors like economy, polity, society etc. Religion is often used as a cultural enforcer in establishing motifs of gender. The organization was able to form a legitimate government in Afghanistan spanning the duration from 1996-2001. Whenever they have come to power, they have prohibited women from all fields. In the sphere of healthcare, women were given restricted access. The Taliban rule mandated strict segregation of patients and staff of the two sexes in different hospitals. The facility provided to women had just 35 hospital beds. There was no access to electricity, clean water, surgical and diagnostic equipment in such hospitals. (Dubitsky, 1999). Male doctors and dentists were punished if they tried to lift women’s burqa.

Similar actions were taken in the educational field. All the educational facilities which were made for the girls abruptly came to an end with the coming of Taliban rule. Some home-based schools that operated secretly in the rural areas were constantly under fear of

punishment. Many times, when caught, the teacher would face the brunt and had to compensate by giving their life. There was a restriction of movement for Afghan women. They had to be accompanied by a male partner else they would be given beatings. During the earlier tenure of the Taliban, they had formulated a dress code for women. The rule prohibited women without burqas on the street and if accidentally caught without one, they would be subjected to beatings on the streets.

7.0 Status of Women across Asian Societies

7.1 In South Asia: India

Starting from the early Vedic period, the position of women was better off. There is mention of women participating in the assembly of those times i.e., the Sabha and the Samiti. There is also mention of women poets like Apala, Lopamudra, Ghosa and Viswara. There are instances of the practice of polyandry. Love marriages were common and *sati* as a practice was absent. Later when we move to the Later Vedic age, the status of women starts deteriorating. The social structure became rigid and women were prohibited from attending popular assemblies like the Sabha and Samiti. During the later Vedic period, there is increased stratification and the rise of feudalism; the social structure becomes rigid with the rise of feudalism. Feudalism must be emphasized, as its practice shifts the focus from the celebration of valour and courage to the idea of private property. Women were now being considered as the property of men. For example, burial practices which were followed, included the burying of chattels along with the person. Women were considered as part of the chattel. This is also how the practice of Sati gets its legitimacy. Sati as a practice is born out of feudalism and myths were created around it to gain legitimacy for the same. Consequently, there is the rise of the sect of Shaktism. Shaktism takes root in the time of Gupta rulers when worshipping of goddess Shakti became a systematic part of the religion. A woman is either considered a God or a witch. Both these ideas depoliticized issues surrounding women. The idea prevailed that woman is a divine entity that doesn't need rights (Tharakan,1975).

Proceeding to the medieval age, restrictions on women became stronger through various systems. For example, the Purdah system and Jauhar system take root to protect the women from the gaze of the invaders. The issue with the purdah system was that, in a tussle between two men, women had to suffer the brunt. The practice denied agency to women. Rajput women performed Jauhar which was meant for protecting the so-called 'honor' decided by male rulers. We can trace the thoughts of those times through the writings of the poet of those times. For example, Minaj-us-Siraj Juzjani, a Persian historian of the 13th century writes the following about Raziyya Sultan's coronation as the queen of the Slave dynasty (1206-1290). He thought that the queen's rule went against the ideal social order created by Allah, in which women were supposed to be inferior to men. He therefore asked, *"In the register of God's creation, since her account did not fall under the column of men, how did she gain from all her excellent qualities?"* (Nayak, 2012).

With the coming of the Bhakti and Sufi movements in the 15th-17th century, the stereotypes surrounding women were challenged. Sufism talks about the human being, not through the angle of gender, but through the spiritual aspects. Its many practices tried to challenge the monolithic character of Islam. For instance, in 'Ziyarat', women and men both are allowed to visit the shrine of the Sufi saint, which is otherwise prohibited in Islam (Thakur, 2017). Coming to the modern era, the British colonization of the Indian subcontinent, influences the idea of women. The idea of a 'new woman' is starting to impact the middle class in India, especially in West Bengal. To run public administration and bring efficiency, the idea of the 'New Women' gets the shape of 'Bhadra Mahila'. A Bhadra Mahila was a woman, who was refined in her manners, speaks a good English language, is well-read but not overread. This was to provide a conducive environment for husbands to work and to fulfill Macaulay's spirit by training them in English culture. During the national struggle for independence with the coming of Mahatma Gandhi, there was a humongous increase in the participation of women. Gandhi's strategy was borrowed from the same features which were attached with women i.e., non-violence, Satyagraha, projecting the quality of sacrifice on the national front etc. He did a patriarchal bargain using the same patriarchal qualities given to women for national

advancement. The status of women is a roller coaster ride for India. The situation at present is promising but a lot needs to be done (Chaterjee,1989).

7.2 In East-Asia

7.2.1 China

One of the four major economies and a developing nation, China, is one of the countries which still fails to give equal rights and status to its women. China, officially the People's Republic of China, is the world's most populous country. There has been instability and inconsistency in women's status, measured in terms of income, occupation and education, over the last fifty years. Women still suffer a lower status compared to men, although China has been tremendously successful in achieving gender equality in recent times. The most systematic, institutionalized and deep-rooted sexist ideologies and practices in China originated from the philosophy of "filial piety" of Confucius which resulted in gender inequality. Women suffered due to their low status and were prey to historical oppression.

The three components of "filial piety" stipulated that women must obey men, citizens must obey their ruler and the young must obey the elderly (Confucius) (Yuhui li,2000). For thousands of years, the rules of this three-obedience helped maintain the patriarchal social order in China. Some heinous practices against women include abusive practices and behaviours such as the sale and purchase of women, wife-beating and female infanticide. The most brutal and long-lasting practice known to human history was the foot-binding of young women originated in China (Yuhui li,2000). According to a famous legend, an unknown emperor of the imperial city was fascinated by the small feet of a dancer girl. And from that time onwards small feet were considered feminine and beautiful. This led to the binding of feet of several women as a norm leading to deformed feet and disorders among women. All this shows that women inherently were seen as an object to please men and who had to live their lives inside the cages created by men since time immemorial.

The May Fourth Feminist Movement was the first feminist movement in China to challenge the gender stereotype of society, but the only hindrance was that very few women were a part of this movement, specifically only educated and elite women. Most women weren't affected by the movement. In 1949, dramatic change happened when the new government of the People's Republic made a firm commitment to guarantee equality between women and men. Mao Zedong's quotation shows the determination of the government to raise women's position when he says, "Women hold up half the sky." The basic law implemented when the People's Republic of China was first established in 1949 stated: *The People's Republic of China shall abolish the feudal system which holds women in bondage. Women shall enjoy equal rights with men in political, economic, cultural, educational and social life. Freedom of marriage for men and women shall be put into effect (Article 6)*. The marriage law and the land law were made in accordance with article 6 in 1950 (Yuhui li,2000).

After the Cultural Revolution, literature shows that there is an improvement in gender equality as women's labour force participation rate, as has been discussed earlier, remained high. Women's representation in higher educational institutions went higher during the Cultural Revolution, though the status of women remained inferior culturally. Though there is an improvement in the opportunities women get throughout the years, till today a gender gap in education levels, employment and income levels is observed from different patterns throughout Chinese History. For instance, Beverley Hooper (1991) conducted a study on gender and education in China, and she points out that there have consistently been fewer female students than male students in schools in China since 1949. In 1950, the percentages of female students in elementary, secondary and tertiary schools were 28, 26, and 23 respectively. By the end of the 1980s, the percentages for these school levels rose to 46, 41, and 33, which means the rise of representation of female students was most difficult at the highest educational level. Thus, we can state that the reform movement which started in China has brought some changes, though all of them were not positive changes. Gender stratification is still a huge problem in China. The positive changes are not consistent and cultural barriers still exist that stop women from achieving gender equality. The gender inequality which exists in structural and institutional

levels also exists in individual and micro levels.

7.2.2 Japan

Japan is one of the East Asian countries where gender inequality still prevails; it's a country where Confucian values still exist. There is a fundamental value of male dominance and son preference as compared to daughters in the social sphere. There is a cultural dogma that men are more acceptable in society which has resulted in undermining the role of women in a family and work setting. Thus, the nature and outcome of women's employment levels are highly influenced by gender stereotypes. An urgent problem throughout the 1870s and 1880s was a period called the Meiji Era (1868-1912) when several individuals from ordinary people to government officials started engaging in debates on the roles of men and women in society. The debates revolved around questions of women's status, roles and rights and the education they should have. It was these kinds of questions that were formulated in the creation of modern Japan. The reform of female sex was seen as an urgent issue. This resulted in the rise of women's position in the socio-political sphere ("The State, Education, and Two Generations of Women in Meiji Japan, 1868-1912."). The women's movement in Japan gives women a platform to participate in the political processes as they're largely excluded from it. Women's participation and political movements have improved the status of women and brought the needs of women under the limelight. In the last 25 years, women constitute around 40% of the total workforce level. Still, women are paid less and are majorly involved in irregular employment. Women's employment in Japan takes M-shape by age and marital status (Steinhoff and Tanaka 1993; Houseman and Osawa 1998; Gelb 2000).

7.3 In West Asia

7.3.1 Saudi Arabia

In pre-Islamic Arabia, the status of women varied enormously according to the laws and socio-cultural norms of the area in which they lived. In some regions, Judaism and Christianity prevailed whereas in some places tribal laws prevailed. Therefore, there was no single definition

of the roles played and rights held by women prior to the advent of Islam (Bryan, 2012). The tribal laws were still patriarchal and back then, inheritance passed onto through the male line, women could not inherit the property. Women were mostly considered as the property of the man to be seized or inherited in a tribal conflict. Some patterns of homicidal abuse can also be seen wherein the Arabs used to bury their daughters alive. The reason is two-fold: firstly, they were seen as an economic burden and would add to the woes of the family; secondly, the fear of humiliation, which would fall upon the family once the daughters are kidnapped. In pre-Islamic Arabian culture, women had limited rights over their marriage and could rarely divorce a man. The only major role that was expected from women was that of caregiving and reproduction.

With the discovery of oil in the peninsula and the oil boom that followed, there were major social and cultural changes reflected in family structure and marriage styles, as well as in the rising number of educated women. Still, no significant alteration in their traditional role was observed. This is because employment opportunities for them in the modern sectors of the economy remained extremely limited while the traditional economic contributions of women have become undervalued. (Alsuwaigh, 1989). The kingdom is trying to bring about major economic reforms to enhance the participation of women which is a welcome step through the Kingdom of Saudi Arabia's (KSA's) development strategy, Vision 2030. Saudi women are holding more and more managerial positions, the freedom to travel is given to those above 21 years of age coupled with driving rights (World Bank, women, business, and law 2020)

7.3.2 Iran

The status of women in Iran presents a stark contrast as compared to the status of women in other West Asian societies. The Iranian society, right from the beginning, was matriarchal. When the Iranian plateau was occupied by the cave dwellers, the women held the same position as that of men. Not only did they perform the traditional caregiving tasks of family survival, but bearing children they also contributed to productive works. (Bahrami, 2008). Persians even had female divinities and in different parts of the land, people worshiped goddesses of fertility. As far

as marriage as an institution was concerned, both the man and the woman enjoyed equal status. Women even received the title of '*Nemano Payeti*' (*Light of the house*) (Geiger, 1885). In the early 7th century B.C. in Iran, the pronouncement by Zoroaster, through Avestan literature, was the first manifestation of the rights of women and unequivocal equality of gender in all aspects and positions of society. (Borbor, 2008).

Women in Iran, throughout history, have played numerous roles and contributed in many ways to the Iranian society. During the Shah Pahlavi regime, there was a radical change in favour of women's rights, ban of the veil, right to education, right to vote, equal salaries for men and women and the right to hold public office. This was owing to the influence of the American President on the ruler of Iran. Even in the Islamic Revolution, women participated in huge numbers. Iran's constitution, adopted after the Islamic Revolution in 1979, provided for equality for men and women under Article 20 while mandating legal code adhering to Sharia law. ("Constitution of the Islamic Republic of Iran," 2000). According to Sharia, women inherit half of what a man would. Men are still in an advantaged position owing to the Shariah law, but Article 21 of the constitution as well as a few parliamentary laws give women some advantages. Women are allowed to hold public offices and attend university.

7.4 In South-East Asia

7.4.1 Indonesia

There is religious diversity, with Sharia law being implemented only in the easternmost province of Aceh, whilst Christianity is the prevalent religion in the western-most province of West Papua, and the methods of life are radically different. Nonetheless, violence against women is widespread in Indonesia; it can occur everywhere – affluent or poor, east or west – and in a variety of forms, ranging from street harassment to human trafficking to domestic abuse and job harassment. Child marriage is also prevalent in some parts of the country, with UNICEF reporting that 14% of Indonesian girls are married by the age of 18 (UNICEF, 2020), which is shocking when considering how child marriage restricts girls' access to education, makes them more vulnerable to sexual violence, and thus limits their futures.

Since becoming a democracy in 1998, Indonesia has gone a long way. Prior to that, the country's second president and dictator, Suharto, governed for nearly 32 years and widened the gender divide during his tenure. Gender equality has been formally incorporated in Indonesia's constitution after the fall of Suharto and the country has accepted the Convention on the Elimination of Violence Against Women. The country has also been experiencing a democratic process, which has featured the gradual decentralization of power. This means that the 34 provincial administrations outside of Jakarta have been given more power. Furthermore, to promote gender equality, a quota system requiring political parties to contain 30% women has been implemented (UNICEF,2020), albeit traces of Suharto's old cronyism still exist, limiting the impact of the quotas in terms of more women in provincial legislatures.

7.4.2 Malaysia

Malaysia prides itself on being a tolerant Muslim country that allows other religions to practice their faith freely. In addition, there are no laws requiring women to wear the hijab. Thus, after navigating through the various societies regionally, we are at a conclusion that women have been historically oppressed and discriminated against. But at the same time, the situation is fast improving all over which is a good sign as more and more people here are opening up to gender equality and human rights. Gender gaps are identified and through policy formation and implementation, gender equality is being achieved. Though the results are not very promising, efforts are being made in this direction. But that's not the case with Afghanistan where women have always been at the vulnerable end and have been oppressed and that is still not going to change for a while. Let us delve deeper into the issue.

8.0 Women in Afghanistan: Ancient to Modern Age

8.1 Brief Background

Afghanistan has a very peculiar topography. It is said that its topography makes it a unique land that can only be ruled by the inhabitants of the land. It has a rugged topography comprising various ethnic, religious, and tribal groups. The other tribal groups that dominate the

landscape are the Hazaras, Nuristanis, and Aimaq. Given the diverse nature of the tribes that inhabit the land, it has been historically difficult for Afghanistan to develop a consensual and coherent sense of nationalism. In many cases, tribal politics is still determined by ethnic loyalties to the bordering states. Although there have been sporadic attempts to bring dissenting tribes together, at no point has Afghanistan experienced a strong centralized state with a common legal system. (Moghadam, 1997). In lieu, rival ethnic groups have had political ambitions to expand their geography, capture Kabul, and, through well-armed tribal leaders, created their own sovereignties. The impact of the same fell on the women which are dealt with later in the paper. (Ghosh, 2003)

8.2 Ancient/Medieval

Abdur Rehman Khan who ruled from 1880-1901 is responsible for the modernization of present-day Afghanistan. He succeeded his father Amir Abdur Rehman, who was a Pashtun, and ruled Afghanistan with much firmness and hence earned the title of “Iron Amir”. Yet Abdur Rehman tried to bring in many progressive reforms for women. He abolished the customary law of forcing a woman to marry her deceased husband’s next of kin, marriage age was raised and women got divorce rights under specific circumstances. In accordance with Islamic tenets, women were given rights to their father’s and husband’s property. Even though Abdur Rahman considered women subordinate to men, he still felt due and fair treatment needs to be meted out to them. (Dupree, 1986). Succeeding him, his son Amir Habibullah Khan was crowned to the throne, and he too continued with the modernization of Afghanistan. Convinced of women’s abilities to engage in public professions, he viewed women as people who deserved full citizenship. He advocated against the veil, polygamy and encouraged educating not just in the countryside as well as in Kabul. He said publicly that Islam did not require women to cover their bodies. He also claimed that educated women were an asset to future generations and concluded that Islam did not deny them equal rights. There were schools opened for the girls but the tribal leaders saw it as a challenge to their leadership. The local tribal leaders in the rural regions grew uneasy with the change and developed coalitions to disapprove of the freedom women were

experiencing in Kabul. It should be brought to notice that in this period women in rural and tribal areas did not receive the benefits of modernization. What followed was the assassination of Amir.

8.3 Modern Age

Intriguingly, during the tumultuous period of the Soviet-supported regime, the question of women's issues moved centre stage and implementation of reforms formulated was enforced up to a point. During this time women's employment rate saw progress in private corporations, universities, airlines and as doctors and nurses. In 1989, after the withdrawal of the Soviet government from Afghanistan, the country was in chaos and became the site for civil war with the government's transfer of power in 1992. That year the Mujahedeen took control of Kabul and Afghanistan was declared as an Islamic state. According to the US Department of State, after the accession of the Mujahedeen, women were increasingly sidelined from public service. A few years later, many women appeared in public only if they followed the strict dress code i.e., in a complete head-to-toe garment with a mesh-covered opening for their eyes. This was only to be the start of the apartheid against women. The period from 1992-1996 saw tremendous brutality by the Mujahedeen. Stories of killings, rapes, amputations and other forms of violence had become daily news. To avoid such situations, many women resorted to suicide. Later in 1996, the Taliban countered the politics and brutalities of the Mujahideen. Initially, a sense of relief was palpable but it was extremely short-lived, and very soon the Taliban set up Amar Bil Maroof Wa Nahi An al-Munkar (Department for the Promotion of Virtue and Prevention of Vice) to monitor and control women's behaviour. 1920's and 1970's, which were apparently the progressive eras, while attempting to improve women's status, were not only unsuccessful but also led to violent, fundamentalist backlashes by subsequent governments (Ahmad, 2006).

Even today, Afghanistan is still lagging in the various indicators such as the Gini coefficient and the Human Development Index. As per, HDI (2020) Afghanistan ranks 169/189 countries which is very poor globally (UNDP, 2020). Women should be at the center of the nation-building

agenda. Afghanistan's social-economic development can only be ensured through people's participation, especially the participation of women. As it is rightly said - "*You educate a man; you educate a man. You educate a woman; you educate a generation*" -Brigham Young

9.0 Women' Status: Pre-Taliban 2.0 (Ashraf Ghani Government)

9.1 The Progress in the Political Sphere

There is a separate Ministry of Women affairs that was set up for women. There are several Afghan women as ministers and in the cabinet. Afghanistan saw its first-ever female Afghan ambassador to the United States who is Roya Rahmani. In September 2020, in a first, Afghanistan secured a seat on the U.N. Commission on the Status of Women, which is globally acknowledged as an achievement since once upon a time the same country was known for notorious acts done to women (Saif,2020).

The Taliban, during the 1990s, not only enforced harsh social restrictions on women, such as the wearing of burqas, but also, made it illegal for women to go out in public without a male chaperon, thereby starving widows and their children. The Taliban administration wreaked havoc on Afghan institutions and the economy, which had already been ravaged by decades of fighting and the Soviet scorched-earth counterinsurgency strategy. Women and children were particularly hard hit by the consequent poverty. The Taliban also barred women from holding employment, including acting as doctors for other women, except for poppy farming and opium harvesting. The measures taken by the Ghani government, in the post-Taliban constitution, brought about socio-economic progress for women. The Ghani regime, by 2018 constructed 3,135 health facilities, giving 87% of Afghan people access to a medical facility. In 2003, less than 10% of girls were enrolled in primary schools and by 2017 that number had increased to 33%. Though it's not enough, progress was being made. The women's life expectancy was 56 years in 2001 and it grew to 66 in 2017, and their mortality during childbirth sharply reduced from 1,100 per 100,000 live births (2000) to 396 per 100,000 by 2015. Interestingly, 21% of Afghan civil servants were women by 2020. However, these gains were distributed highly unequally where the chief beneficiaries were the 'urban afghan women' and the situation hardly changed for the

‘rural afghan women’. Afghan women in rural areas where approximately 76% of the women live have not experienced any social, economic, or political empowerment. (Allen and Brown, 2020)

9.2 Economic Sphere and Women’s Contribution

Tailoring is one of the most popular and common occupations in Afghanistan which engages women. With the fall of the Taliban, women are now restarting their work. Many women entered the business venture. One woman named Meena Rehman became the first woman to open a bowling center all by herself in Kabul. Many others are employed by companies and many work in small-scale and cottage industries. Few of them engaged in acting, singing and avenues like news broadcasting. Agriculture is one sector of the economy where Afghan women have contributed immensely. Approximately, 30% of the total workforce engaged in agriculture is that of women. Afghanistan is primarily a rural country. Women play significant roles in society, not just in terms of their conventional domestic responsibilities, but also in terms of the removal of men from the social and economic scene because of years of conflict. (Benard, 2008)

9.3 Sports and Breaking of Norms

Afghan women, in the last decade, have participated in various sports activities like football, futsal, skiing, basketball and various other sports. In 2004, for the first time, Afghanistan sent women athletes to the Olympics (Siobhan, 2019).

9.4 Social Sphere: The Namus

Marriages in Afghanistan are governed by Islamic laws as well as the prevailing tribal customs. The marriages that take place are based on the religious sect, ethnicity and tribal association; this sector did not improve much even under the Ghani government. Forced marriages are still common in Afghanistan. Under the Afghan law, "if a woman seeks a divorce, then she has to seek the permission of her husband and needs witnesses who can corroborate in court that the divorce is justified". Afghanistan’s traditional and customary laws and practices

imbibe one of the strongest sources of violence. One of the most regarded values in Afghanistan is *Namus*. *Namus* is supposed to be defended for “honor” to be upheld. If someone is held to have offended the rules of the ideal social order set by the customs, then it is held that there is enough reason to act to protect one’s *Namus*. All sorts of physical torture, beatings, rape or sold to prostitution are done in the name of *Namus*. (Nasimi, 2014). As far as legal recourse is concerned, there is an Elimination of Violence Against Women (EVAW) law which was decreed in 2009 and reconfirmed in 2018. This umbrella act has 22 acts within itself that deals with various forms of torture against women. The law has contributed to some genuine progress both in terms of reporting as well as investigation. Still, when a woman tries to use the law, she faces a lot of social resistance, not only from her society but also from her own family. Mediation is what is expected from them even in cases of heinous crimes.

10.0 A Changed Picture: Post-Taliban Government 2.0

10.1 Gendered Education

The Taliban government has come up with rules with respect to the education sector for women of the country. The education minister laid down the rules which hold that women can study and will be allowed to attend university, but classrooms will be segregated on gender lines and the Islamic dress code will be compulsory. Wearing of hijabs will be made mandatory but clarification is needed if this means compulsory headscarves or also compulsory face coverings.

10.2 Sports and the Conservative Thought

This sector has been again thrown back to the old-time when no women were allowed to play any sort of sports. Afghanistan's new sports chief has said that it will allow as many as 400 sports but declined women’s participation in any of them. *“I don’t think women will be allowed to play cricket because it is not necessary that women should play cricket,”* Taliban’s sports minister Abdul Haq Wasiq said. *“In cricket, they might face a situation where their face and body will not be covered. Islam does not allow women to be seen like this* (Beaumont, 2021).

10.3 Economic Sphere: “Go Home”

Women who were already employed in various sectors such as banking and finance were asked to ‘go home’ and leave their jobs. A recent report from Reporters Without Borders (RSF) claimed that of 700 female journalists in Kabul, only 100 are still working a mere two weeks after the Taliban takeover (Putz, 2021).

10.4 Social Sphere and the Punishment

As we know the Taliban believes in a strict interpretation of the Shariah law. They have come up with rules and regulations which hold that women should not leave their homes for some time to come. If they step out of the home, even for a walk, they need to be accompanied by a male who is related to them through blood relations. They have been mandatorily asked to wear a burqa, failing which they shall receive beatings. Young women receive lashes for roaming with male person who are not related to them by blood. There were instances wherein the women who came to the forefront to protest the repressive regime were given lashes and whipped.

11.0 Going to Rack and Ruin: Reasons beyond Religion

1. Geography: Topography plays a huge role in determining the power politics in Afghanistan. Since its demography is so diverse wherein each tribal group has its own customary laws, there was never a sense of coherence and nationalist feeling among them. It was rather difficult to consolidate them into a single political identity. Thus, there was a continuous struggle for dominance among the groups. In lieu, rival ethnic groups have had political ambitions to expand their geography, capture Kabul, and, through well-armed tribal leaders, created their own sovereignties. (Moghadam, 1997). To achieve the ends of political dominance and increasing geographical expanse, women were used as pawns. The impact on women is manifold since they were used as machines good for reproduction and producing babies which would help the tribal leaders to establish their ethnic prominence. Tribal laws and sanctions have usually prevailed over Islamic and constitutional laws in deciding gender roles. The women were just seen as voiceless creatures, good for just reproduction, confined to the four walls of the house. (Huma,

2003)

2. Culture (Pashtun): For most Pashtuns, the birth of a daughter brings more sorrow than peace. The family tree of a typical Pashtun family clearly depicts only the male line of the family. Most Pashtun men never consider women as somebody who is equal, they are given a subordinate position. Consultations with their wives (Pekai, as they call them in Pakhtoon) or sharing problems with them is seen as an insult. The Pashtunwali Code also happens to be quite strict: “*The stone of the Pashtun does not rust in water*” is a saying which means men of the community do not forget and forgive. This applies to both the good and the bad things done. Girls and boys are meted out with different treatment. While boys could go to study in schools, girls once achieved the age of 15 were restricted to the households and engaged in performing household chores. (Yousafzai, 2013) Pashtun culture has a marriage system called “*Ghagh (a call)*” which entitles a man to force his marriage proposal on a woman. Apart from the specifically oppressive practice of *ghagh*, marriages are mostly arranged and based on familial ties. Thus, there is little say of the girls in choosing their life partner.

3. Politics: The existence of a weak central state and lack of a strong government is also one of the reasons behind the deteriorating position of women in the region. During pre-Taliban government, initiatives were taken during the reign of Amir Abdur Rehman Khan (1880-1901) and his son Amir Habibullah Khan (1901-1911) towards toning down the stringent positions of the laws and drafting of progressive laws for the women in various fields like marriage, divorce, education etc. In sharp contrast is the Taliban rule (1996 and 2021) wherein not a single measure is taken for the betterment of women. The all-male cabinet has refused the entry of women in the Ministry of women and have prohibited their movement, employment, freedom and health care.

4. International Geo-Politics: The status of women as we see today in Afghanistan is also a result of the changing geopolitics since the 1980s. Over the past twenty years, the spread of Islamic fundamentalism has created a pan-Islamic culture that exerts itself through state control.

This powerful state ideology has been intensified by the Western response to 9/11 further strengthening the anti-Western ideology leading to deeper Islamisation of the Middle East and Asia. Given this global situation, combined with the recent bankruptcy of left politics in the Middle East and Asia, plus the impoverishment of democratic governance, fundamentalism has been further fuelled in the region. (Ghosh, 2003)

5. Social: Helen Hardacre (1994:118) points out that, *“Religion as a cultural force in human history has been remarkably powerful in establishing long-lasting, influential motifs of gender. Religions invest the family with sacred significance and this extends to gender and interpersonal relations. The family is the primary unit for ritual observance as well as an influential site of religious education and the transmission of religious knowledge from one generation to the next”*. To ensure that patriarchy is maintained, family is reinforced along gender hierarchies to ensure the transmission of religion, culture and family values from mothers to children. Yet idealization did nothing to improve women's material states since the concept of motherhood is glorified and not the actual mother. Clarifying and embedding gender roles within the family becomes a strategy ensuring power and control of women by men within the structures of traditional patriarchy. Threatening this haven is projected as the destruction of the very fabric of society. These cultural symbols ratify fundamentalist rules from women to society in general (Ghosh, 2003).

6. Conflict amongst Women: There is a chunk of the women population that supports Taliban rule. The reason for the same is that since the benefits of the reform measures taken by the Ghani government are mostly reaped by the ‘urban afghan women’ while the ‘rural afghan women’ are largely untouched by any form of development. Interestingly, most of the women population lives in rural Afghanistan: on one hand, urban Afghan women reject every possibility of the Taliban regime coming to power and prefer the war to go on rather than coming under the rule, on the other hand, peace is the utmost priority of the rural Afghan women, be it one on the Taliban’s terms. The International Crisis Group report even pointed out that many rural women

are of the view that the Taliban rule saw less sexual predation and robberies that debilitated their lives. (Allen & Brown, 2020) Besides this, religion runs so deeply in Afghan society, that it dictates every aspect of the people's lives. Women want to keep themselves and their thinking aligned with the law of the land. They want to portray themselves as religiously upright. This thinking prevails over most of the women both belonging to urban and rural areas. Thus, we see the concept of women's rights is highly contested among women themselves.

7. Different Tribe Codesu: In the seventh century, Islam was brought to Afghanistan. Today, 99 per cent of the population is Muslim, with Sunni beliefs being followed by the vast majority.= (Leede,2014) Shia Muslims, as well as small enclaves of Buddhists, Christians and Sikhs, make up the minorities. Several ethnicities and tribes exist in Afghan society and they play a significant role at all levels of society and politics. Tribal codes are vital institutions that keep the tribal society safe and orderly. They play a vital role in forming and defining the behavior of men and women. Honor is one of the most prized status symbols in tribal Afghan society and it is an integral part of the Pashtun ethnic majority's cultural code. It is regarded as the men's responsibility to maintain their women's respectability. Purdah (the prohibition of men seeing women, both physically and by covering women's bodies to hide their form and skin) is a critical component of the honour code and a fundamental part in the protection of the family's pride and dignity. Purdah-related severe segregation is not practised in all parts of Afghanistan. Nomadic Kuchi women, for example, are rarely separated from men, and Shiite Hazara women are not compelled to be isolated. The Tajik People of Afghanistan also do not follow the Purdah system. Thus, not all tribes have accorded low status to women; it varies from tribe to tribe as to what rules they follow. (Leede, 2014)

8. Rural-Urban Divide: Tribal ties and religious authority have frequently outweighed state authority in recent Afghan history. Opposition was particularly intense when Kabul imposed reforms that ran counter to tribal or religious traditions. In the 1920s, Amanullah Shah advocated for women's rights by opposing the veil, providing schools for girls and allowing the government

to control many family issues previously handled by the local mullah. Women's seclusion and veiling were officially abolished by Prime Minister Mohammed Daoud (1953-1963) in the 1950s. Women gained increased independence in urban areas as a result of these reforms and the subsequent communist regime (1978-1992). As a result, many young women in Kabul never wore the chadari (head-to-toe cover) before the Taliban took power; it was a garment reserved for their grandmothers or ladies from the countryside in the south. In the 1990s, most women in Kabul did not even own such attire. They were free to work, study and move about without the presence of a mahram (a male family member). Despite Kabul's improvements, the situation in rural areas remained quite traditional and far apart from the metropolitan way of life. Kabul represented a foreign world to the rural population (particularly in the south), calling their tribal values into question and reforms were frequently met with furious opposition (Leede,2014).

9) Economy: In the impoverished country that Afghanistan is, the illegal drug trade has long fueled much of the country's economic growth. Afghanistan is one of the countries forming the golden crescent, thus major revenue-generating activities include opium cultivation and drug trade. Since women are the ones who are left behind when men go to war, they are exposed to these types of drugs. Not only the women but also their children are vulnerable to the use of drugs. The United Nations reported that from an estimated 200,000 opium and heroin addicts in 2005, the number rose to nearly a million in 2009 and reached between 1.9 million to 2.4 million in 2015. It also stated that mothers often addict children — by using opium while pregnant, by exposing the children to secondhand opium smoke, and by using a pinch of opium to calm them when they are fussing (Ghani,2019). Lastly, beyond the rural-urban and Taliban-non-Taliban differences, however, the topic of women's rights is a hotly contentious and charged political debate. Only 15% of Afghan men believe women should be permitted to work outside the home after marriage, according to a recent poll by UN Women and partners, while two-thirds of men believe Afghan women presently have too many rights. Quotas for women in public shuras (assemblies) and elections, like those for parliament, where 27 per cent of seats are earmarked for women, are sometimes resented by male Afghan political power brokers. Men try to force

women reps "back to the kitchen," but they feel sidelined, ignored, patronized, and bullied. According to the UN survey, 80 per cent of Afghan women are victims of domestic violence. In Afghan prisons, 50 per cent of women and 95 per cent of girls have been imprisoned for "moral offences" such as having sex outside of marriage (UN WOMEN, 2021) Others have been charged with murdering their violently abusive husbands, even if it was in self-defence. Uncomfortably, not only the Taliban but large portions of Afghan society appear to be becoming more conservative, supporting doctrinaire interpretations of sharia that advocate for the restriction of women's rights and freedoms.

12.0 Knocking back Women: Possible Repercussions

Discontent breeds retribution. It is a world-known phenomenon that whenever a specific group or a community is suppressed, discontent and alienation drive these communities to take revenge and consequently fall prey to terrorist organizations. Women are the most vulnerable group since they are less likely to be suspected. Women are actively recruited by several terrorist organizations. With slogans like "liberating women, liberating Kurdistan," the Kurdistan Workers' Party (PKK), for example, deliberately approaches Kurdish women and promises them independence and security. Religious terrorists in Pakistan purposefully target young girls through Madrassas (religious schools), hoping that by radicalizing these women, they will eventually be able to control the entire family. Parts of the Al Qaeda network are increasingly targeting women, for example, by distributing women's magazines such as Al Shamikah (the Magnificent), which includes articles on how to be a good jihadi wife as well as beauty advice. Experts also mention the so-called horizontal strategy, or the role of social networks on radicalization, in addition to the top-down method. In many situations, the subject was recruited by a friend or acquaintance in the group. Terrorists frequently have pre-existing familial ties to members of terrorist organizations. Kinship relationships have also been discovered in the recruitment of women and the explanation of their participation. Sisters and daughters of one cell are married off to the leaders of other cells in the Indonesian Jemaah Islamiyah to reinforce the internal relationship. It looks likely that this method might be used in Afghanistan, given the

country's strong tribal culture. (Leede, 2014)

13.0 Afghani and Other Women: Setting Examples and Breaking Stereotypes

1. One of the three female district governors in Afghanistan, Salima Mazari, has been on a mission for the past three years, appointing locals to protect the Charkint district from the Taliban. Salima was raised as a refugee in Iran, and later she returned to Afghanistan to serve her country. Afghanistan's youngest mayor said she was waiting for the Taliban to come and kill her, but the passion she has imbibed to save her country will not her bow down before the evil (Desk, 2021).

2. Zarifa Ghafari is a woman rights activist in Afghanistan, through her own radio show and founder of an organization focused on empowering women economically. She has survived multiple attempts which would have cost her her life. Still, she stands strong and is waging a vocal battle against the Taliban (Desk, 2021a).

3. Yet another example of a woman who is the first one to serve as second deputy speaker of parliament, Fawzia Koofi, an Afghan politician, is calling for a ceasefire. *"We are all living in a very chaotic situation in Afghanistan. Because of the war, there is no accountability. People are killed without any accountability — extrajudicial killings, trials without courts,"* Koofi said in an interview with Reuters. She says that she will continue to fight for women's rights and speak out against human rights abuses (The Diplomat, 2021).

4. Malala Yousafzai, who got her name after Malalai, the greatest warrior of Afghanistan, took tough measures against the Taliban. Malala Yousafzai is an educational crusader from Swat valley Pakistan. She is the youngest recipient of the Nobel Peace Prize in 2014 for her advocacy for universal access to education. From a remote valley in northern Pakistan to the halls of the United Nations is a story of courage and conviction (Yousafzai,2016).

14.0 Changing Role of Women in Afghanistan

Contrary to the stereotyped role of women, the women of Afghanistan have shocked the world. Instead of remaining silent and voiceless to the brutalities of the Taliban, they are now

fighting and taking up arms against the Taliban. On September 2, 2021, protests by Afghan women against the Taliban began in Herat and have now spread to other cities like Kabul and Mazar-e-Sharif. Just two days later, around 100 women were seen putting together in front of the presidential palace, now the Taliban's command center in Kabul – carrying banners and waging peaceful protests for an equal society (Human Rights Watch, 2021). Not only are there protests happening in a traditional manner, but we also see new forms of protest too. *#DoNotTouchMyClothes* is a new social media campaign by women to showcase that they refuse to follow the hardline policies of the Taliban government and will not follow their dress code. Remembering the thoughtful words spoken by Malala Yousafzai- *My mother always told me, "Hide your face -people are looking at you." I would reply, "It doesn't matter; I am also looking at them."* and she would get so cross (Yousafzai, 2016).

15.0 Recommendations

- ❖ The Taliban hold over Afghanistan is a reality which we must accept. It is the land that can only be controlled by the tribal; history provides evidence of the same. Thus, this brings our attention to the fact that we do not need a western conception of women's rights to be implemented in a tribal setup like in Afghanistan. We need to probe deeper as to what could be practically implemented in a tribal society w.r.t. women empowerment. We need to read Islamic law correctly and look for women's empowerment in the same. While doing so, there would be minimum clashes between the central authority and the communities and a workable plan could be chalked out.
- ❖ The major superpowers viz., the United States and European countries should facilitate for Taliban leaders to travel to other countries, particularly Islamic countries where women have significant freedoms, to show them how women's rights can be compatible with sharia and what laws and governance systems would increase the likelihood that the US and Western aid will be preserved for an Afghan government that includes the Taliban. Indonesia, Malaysia, Egypt, and Turkey spring to mind as examples.

❖ Furthermore, Afghanistan is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which mandates states to abolish discrimination against women in political and public life. It also states that at all levels of government, including the executive, judicial, administrative, and other governing and key decision-making bodies, women must have equal rights to participate in the formulation and implementation of government policy, as well as the right to hold public office and perform public functions.

❖ Other Asian countries, which have a Muslim-majority, do follow the Islamic Law i.e., the Shariah but a softer implementation of the same is done. Other interpretations of sharia, such as those found in parts of Indonesia, can be significantly more lenient, preserving women's access to education and, crucially, employment. Sharia systems frequently compete with official legal systems inside a country, even though the latter might be influenced by sharia. Sharia courts defend women's property rights significantly better than formal judiciary systems or informal traditional institutions in several countries, such as Pakistan and Somalia. Thus, the Taliban government must take actionable steps which improves the lives of their women population.

16.0 Conclusion

“Yatra naryastu pujoyante ramante tatra devta”

(Where women are honoured, divinity blossoms there, and wherever women are dishonoured, all action no matter how noble it may be, remains unfruitful)

- Manusmriti

The comparative analysis research of the status of women in the pre and post-Taliban government 2.0 with other Asian societies was based on four pillars. We navigated the position of the women in Asian societies wherein we covered East Asian societies like Japan, China, and India; West Asian societies like Saudi Arabia and Iran as well as South-East Asian countries like Indonesia. Furthermore, the focus of our analysis was Afghanistan, wherein we studied women's

changing status beginning from ancient to the modern age with a special focus on the Ghani government and the Taliban 2.0. We also tried to understand the reasons other than religion which has caused the subjugation of women in Afghanistan and reflect the same in the paper.

We concluded that women were perpetually suppressed in many Asian societies and the underlying reasons for the same varied. Factors causing suppression varied from religion to social, cultural, and even economic. Fortunately, things are improving with time. The purpose behind our analysis of the status of women in Asiatic society was that if Muslim majority countries like the Kingdom of Saudi Arabia and the Islamic Republic of Iran could take measures for the progression of women rights, then why not Afghanistan. Even the Southeast Asian countries like Malaysia, Indonesia are following the watered-down version of the Shariah law, which takes the lives of women streets ahead. Further, women as a social group were always subjugated irrespective of the given regime. The benefits are given by previous regimes, if at all, were superficial and sided by a small chunk of the woman population i.e., the ‘urban Afghan women’. This finding brings us to the next result that women’s rights are a contested issue among women themselves. They are not united in their stand against the Taliban government—the reason is the unequal distribution of socio-economic benefits by the government. The initiatives mostly benefited the urban population living in cities like Kabul, whereas approximately 70% of the woman population lives in rural Afghanistan. To conclude the findings, apart from religion, geography (topography), polity (unstable government), culture and international geopolitics are also the reasons which have made the position of women worse.

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