

Erosion of Women's Rights by the Taliban: Long-Term Consequences

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Abstract

August 2021 marked the formal end of the long conflict between the Taliban, the Republic, and NATO. But since then, the Taliban have begun to wage war of another kind against the fundamental rights and liberties of women, girls, and dissenters who oppose their ideology and lifestyle. Under the guise of sharia law, the Taliban have relegated women to second-class citizens, stripping away their autonomy and making them dependent on charities for survival and on male blood relatives to go outside their homes to access services or simply go to hospital and markets. This chapter examines the evolving status of women and girls since August 2021, assessing risks and avenues for change. Despite facing grave dangers, countless individuals continue to bravely advocate for girls' education, enduring persecution and brutality.

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The formal end of two decades of war between the Taliban, the Republic, and NATO in August 2021 marked a significant moment. But it also inaugurated a new and more insidious struggle – a battle orchestrated by the Taliban against the fundamental rights and liberties of women, girls, and dissenters who oppose their ideology and lifestyle. The Taliban have relegated women to second-class citizenship, stripping away their autonomy and making them dependent on charities for survival and on male blood relatives to go outside their homes to access services, and even to simply visit the market or access healthcare.

What is particularly ironic is that these draconian measures are enforced under the banner of Sharia law and Afghan culture: the very Sharia that the Taliban purports to uphold mandates education for both men and women, recognizes a woman's right to financial independence, and affirms her right to choose her own partner, among other fundamental rights. Afghanistan is a nation of rich cultural diversity, where gender relations are deeply influenced by the unique customs and traditions of each ethnic group. While rural areas across the country tend to uphold more traditional practices, this does not uniformly apply even within the predominantly Pashtun regions, often associated with the conservative and harsh code of Pashtunwali. Despite this perception, girls have attended schools, women have pursued higher education, and they have played active roles in politics, the private sector, as well as in art and music, showcasing the multifaceted nature of Afghan society (Ginsburg, 2011).

The irony lies in the fact that many of the Taliban's policies, aimed at controlling people's conduct and behavior, starkly contradict both the Quran and Pashtunwali. Advocates for the significance of knowledge and education in Islam highlight the first verse revealed to the Prophet Mohammad, beginning with *Iqra* (read), as profound evidence of the importance Islam places on knowledge and learning. Other examples include the practice of stoning, which has no direct reference in the Quran, and the establishment of an institution specifically to enforce the propagation of virtue and the prevention of vice, a concept that lacks a foundation in Islamic history. In fact, the promotion of virtue and the prevention of vice is traditionally seen as a personal responsibility for every Muslim, rather than a mandate for a state-controlled institution. The Quran and Hadith emphasize moral conduct as an individual duty, where each believer is accountable for upholding ethical standards in their daily life. The imposition of such practices through formalized institutions, especially those that

employ coercive measures, diverges from the principles of Islam, which stress personal accountability and voluntary adherence to moral teachings.

Similarly, Afghan culture, particularly within Pashtun communities, obligates Afghan men to honor and protect women, who are regarded as the moral backbone of the family and community. Acts of dishonor, such as raising a hand against women, spreading slanderous information, and detention are considered grave violations of the Afghan code of conduct. Such actions bring shame not only to the individual but also to the entire clan, often resulting in severe social repercussions and punishments.

In stark contrast to these cultural values, the Taliban's treatment of women – especially their brutal crackdown on women protesters – stands as a direct affront to the principles they claim to uphold. Forcibly loading women protesters into trucks, detaining them without due process, subjecting them to harsh interrogations, and even torturing them starkly contradicts the core tenets of Pashtunwali. These actions expose a deep hypocrisy in the Taliban's rhetoric, revealing a selective and self-serving interpretation of cultural norms that undermines the very fabric of Afghan society.

This chapter will discuss the status of women and girls as it has evolved August 2021, with a focus on challenges concerning education, employment and access to justice. The chapter draws on an extensive literature review conducted to gather existing knowledge, scholarly perspectives, and historical context on the situation of women in Afghanistan. This review included academic articles, reports from international organizations, and relevant legal documents. In addition to the literature review, consultations with women both in Afghanistan and abroad were carried out to ensure first-hand accounts, personal experiences, and varied perspectives. Such qualitative data is invaluable in understanding the real-life implications of policies and social changes on women's lives in Afghanistan. Finally, the author's personal experiences and observations are integrated into the analysis.

Restricting Women's Education: The Taliban's Stance

The vast majority of Taliban leaders and fighters received their preliminary and basic education in Pakistani Deobandi seminaries, where the curriculum primarily consisted of rudimentary reading and writing skills, rote memorization of the Quran, and other Islamic subjects. These seminaries, or madrasas, became the educational backbone for many Afghan

refugees who, due to financial constraints or ideological alignment, chose to send their sons to these institutions from a very young age. For many refugee families, the allure of free religious education, which included not only instruction in a narrow and often militarized interpretation of Islamic teachings but also free room and board, was difficult to resist.

“Deobandi” refers to the theological movement originating from the Darul Uloom Deoband, an Islamic seminary established in the late 19th century in Deoband, Uttar Pradesh, India. This movement was founded to preserve and promote Islamic heritage and identity in response to British colonial rule.¹ These madrasas played a critical role in shaping the worldview of generations of Afghan youth, indoctrinating them with a rigid and doctrinaire interpretation of Islam that often emphasizes jihad and militancy. This educational background has profoundly influenced the mindset and policies of the Taliban, particularly during their first regime between September 1996 and November 2001. During this period, the Taliban imposed draconian restrictions on education, most notably by banning education for girls entirely. They also mandated that religious studies dominate the curricula in schools and universities, significantly increasing the number of religious subjects at the expense of modern education.

The Taliban argue that women’s primary focus should be on these domestic duties. In a book by the Taliban’s current Chief Justice, Sheikh Abdul Hakim Haqani that is also endorsed by Sheikh Haibatullah, the Taliban’s Emir, he writes: “Know that the Almighty God has preserved the position of women. A woman’s place is in the home. A woman’s role is to raise children and take care of them. Women are weak; they do not have the ability to defend themselves, let alone defend others after assuming a position of governance” (Mirzai, 2022).

The Taliban’s justification for the ban (which they refer to as a “suspension”) of girls’ education is rooted in their strict interpretation of Islamic principles and their upbringing. Some Taliban officials have articulated that the reopening of girls’ schools hinges on specific conditions, such as the provision of appropriate transportation and revisions to the curriculum. For instance, during an official trip to Turkey on October 15, 2022, Taliban spokesperson Zabiullah Mujahid highlighted the need for

1 See, for example, <https://darululoom-deoband.com/en/>

curriculum reform as a justification for the ongoing closure of girls' schools (Hasht-e Subh, 2022). In more detail, the Taliban argue that the curriculum needs to be aligned with their interpretation of Islamic values, which they claim is necessary to ensure that education does not contravene Islamic principles. This view is reinforced by their emphasis on full hijab and mahram in public.

In many conservative Afghan communities, the role of women is traditionally confined to domestic responsibilities. Early marriage is often encouraged, with girls expected to contribute to household duties and raise children rather than pursue higher education. This is particularly prevalent in deeply underdeveloped and conservative areas where over the years governments have failed to make education accessible to girls. Moreover, the logistical challenges of providing safe transportation and suitable educational facilities for girls further complicate the situation. In remote and rural areas, the necessary infrastructure to support girls' education is often non-existent due to years of prolonged conflict and targeted attacks on educational centers and educators by the Taliban and, before them, by mujahideen. These attacks have not only destroyed physical infrastructure but have also created an environment of fear and insecurity that discourages families from sending their daughters to school.

The combination of the Taliban's ultra conservative ideology, years of insecurity, and direct threats against educators and students, inadequate infrastructure, and cultural norms creates an enormous barrier to the education of girls in Afghanistan, particularly in its most conservative and war-torn regions. In urban areas where more schools for girls and both public and private universities exist, however, families have been more supportive of girls' education and women's employment.

The Taliban's stance against education for girls beyond grade six has faced widespread opposition from Afghans of diverse backgrounds and demographics. Across religious communities, tribal groups, and among community elders, there have been consistent calls for the reopening of schools and universities to ensure equal education opportunities for all. In a visit to Afghanistan in 2023, the Organization of Islamic Cooperation released a statement detailing "that education is an Islamic obligation for both men and women" and stressed "the need to exert all effort to enable boys and girls to enroll in all levels of education and specializations needed by the Afghan people at this critical stage in their history" (Riyaz ul Kahliq, 2023).

While the Taliban permit women to receive basic religious education

such as learning to read, recite and memorize the Quran, studying *Ahadith*, the sayings of the Prophet Mohammad, basic principles of Sharia/Islamic jurisprudence, the *Aqeeda* (Islamic creed) to understand the tenets of Islam and basic Arabic language, they strictly prohibit them from engaging in advanced studies, fostering critical thinking, or becoming experts in specific religious topics. The Taliban's restrictions are aimed to limit women's intellectual and professional development, ensuring their roles remain confined to the private and domestic spheres.

On the other hand, over the past 20 years, the Taliban have initiated a program to educate their former fighters, enrolling them in various school grades through special evening classes. According to teachers assigned to these accelerated classes, the students are curious about the curriculum used during the republic. When the teachers explained that the subjects were the same, the students were shocked and some were even furious. They began questioning their leaders' justification for violence and attacks on schools, which had been based on claims that students were being taught anti-Islamic subjects.

The Taliban argue that modern education is designed to distract Muslims from their religious duties and their obligation to defend and protect Islam from outside invasion and distortion. The Taliban have propagated the notion that modern education is unnecessary for women (Mirzai, 2022). This extremist viewpoint has been used to incite violence against educational institutions, particularly those that provide opportunities for girls and women, thereby perpetuating a cycle of fear and repression. The Taliban's actions underscore their commitment to an ideology that prioritizes religious orthodoxy and militant resistance over intellectual growth and empowerment, especially for women and girls.

Educational Crisis: Shortage of Teachers and Desperate Measures for Girls' Education

The lack of educational opportunities for girls has caused deep depression among young women and girls. Since girls are only allowed to attend school until grade six, many are making desperate attempts to stay in school by deliberately failing their classes to prolong their education. Others have resorted to eating less in an effort to stunt their physical growth, as appearing too mature or healthy has become grounds for expulsion from elementary schools in various parts of the country (Ahmadi, 2023).

This extreme behavior highlights the profound impact of educational restrictions on the mental and physical well-being of young girls, who are striving against all odds to pursue their education and secure a better future.

Between August 2021 and December 2022, the Taliban authorities progressively escalated their restrictions on women's education in Afghanistan, ultimately leading to an outright ban. Initially, they imposed gender-segregated classrooms, a measure that drastically altered the educational environment. This was followed by the removal of certain subjects from university curricula, significantly limiting the academic opportunities available to female students. The Taliban also enforced a strict dress code, mandating full face coverings for female students and teachers within classrooms (Ahmadi, 2022).

The situation deteriorated further on December 20, 2022, when the Taliban announced a complete ban on female students attending public and private universities (Al Jazeera, 2022). This devastating blow to women's education was compounded just two days later, on December 22, with a prohibition against girls beyond grade six from attending privately-run educational courses (Nazari, 2022). These actions effectively dismantled any remaining prospects for higher education and professional advancement for Afghan women, marking a severe regression in women's rights and educational freedoms in the country.

The education ban for girls has also taken a significant toll on educators, who are grappling with feelings of hopelessness and deep concern for their students. Many teachers have been replaced and are now unemployed, left without any source of income. A teacher from Kabul shared her distressing experience, saying, "I feel hopeless seeing my students being married off, so the family has one less mouth to feed. My students are begging me to do something for them. But what can I do when I can't even help my own daughters and family?" (personal communication, July 2024). Similarly, a university lecturer expressed deep concern, stating, "My students are suffering from deep depression and anxiety. I try to console them, but the reality is I am trying to give them false hope that things will change. Not only has nothing changed for the better, but the situation keeps deteriorating." (personal communication, July 2024).

These accounts highlight the profound personal and professional impacts of the education ban. The prohibition not only deprives girls of their right to education but also devastates the lives of dedicated educators, who

are now witnessing their students' futures being sacrificed and their own livelihoods destroyed. Furthermore, the severe psychological impact on students is evident as they increasingly suffer from mental health issues due to their bleak prospects. In a national survey of Afghans in 2021, it was revealed that two-thirds of the Afghan population had personally experienced at least one traumatic event, with nearly half of Afghans reporting high levels of psychological stress (Ahmadi, 2021). Educators, who were once pillars of their communities, struggle to provide support amidst worsening conditions, further highlighting the pervasive sense of despair. The deteriorating situation compounds the challenges faced by both students and educators, creating an environment where hope is scarce and the future remains uncertain.

Employment Ban: Taliban's Strategy to Control Women and Its Devastating Impact

The Taliban's systematic exclusion of women from employment is a core part of their policies. After taking power in 2021, they banned women from holding government jobs. On August 25, 2021, they ordered female civil servants to stay home, claiming their soldiers were not trained to interact respectfully with women (Picheta & Mahmoud, 2021). This directive effectively removed women from government roles, curtailing their participation in public administration and governance. Allen and Felbab-Brown (2020) quoting State Department write, "by 2020, 21 percent of Afghan civil servants were women (compared with almost none during the Taliban years in the 1990s), 16 percent of them in senior management levels; and 27 percent of Afghan members of parliament were women".

In March 2022, an order signed by Qari Ihsanullah Sohail, Chief of Staff of the Deputy for Security Affairs quoted the Emir banning women from employment in offices stating, "women must not leave home." In July that year, the Ministry of Finance directed women employees to send a male relative to take their jobs if they want to be paid their salaries (Mondeaux, 2022). The prohibition on women's employment has inflicted profound and wide-ranging consequences on women, especially those who serve as heads of households or as the sole providers for their families.

In December 2022, the Taliban further tightened their grip by preventing women from working with NGOs, including those engaged in humanitarian efforts (Gul, 2022). This policy has had a devastating impact,

particularly on women who rely on humanitarian aid but lack a *mahram* (escort) to accompany them in public.

These restrictions not only undermine women's rights but also exacerbate the humanitarian crisis in Afghanistan. Women, who often play critical roles in delivering aid and providing community support, are now unable to contribute, leaving a significant gap in the provision of essential services. The ramifications of this policy reverberate across society, amplifying existing socio-economic disparities and jeopardizing the livelihoods of countless families. Women who were previously contributing members of the workforce now find themselves deprived of not only economic opportunities but also agency and independence. The abrupt loss of employment plunges these women and their dependents into uncertainty and vulnerability, exacerbating poverty and instability in already marginalized communities.

Furthermore, the Taliban's actions perpetuate a cycle of gender inequality and reinforce oppressive norms that stifle progress and development (see Byrd, 2024). By denying women the right to work, they deprive the country of valuable contributions essential for its growth and development, and perpetuate a regressive ideology that undermines the principles of equality and human rights.

The Taliban's policies not only violate the fundamental human rights of women; they inflict deep psychological and emotional harm. The Taliban have stripped women of their dignity, autonomy, and sense of self-worth, leading to increased rates of depression, anxiety, and other mental health issues.

Furthermore, the Taliban's ban on women's employment is not only devastating the economy; it is creating significant security concerns. The economic desperation is driving many women into a state of dependency on humanitarian aid, reducing their autonomy and dignity, and in some areas forcing them into begging to survive.

This enforced economic disenfranchisement is fostering widespread resentment and frustration, which can significantly contribute to social instability. The desperation experienced by women and their families creates fertile ground for extremist groups looking to exploit vulnerable individuals struggling to survive and provide for their loved ones. In this context, the potential for radicalization grows, as people who feel abandoned and powerless may become more susceptible to recruitment by groups promising solutions or a sense of purpose.

Additionally, the pervasive environment of fear and helplessness amplifies the psychological toll on the Afghan population, particularly women who endure constant repression and uncertainty. This relentless mental strain can lead to a rise in domestic violence, self-harm, and other manifestations of social unrest. The systematic oppression and exclusion of women from the workforce severely undermines the social cohesion necessary for a stable and resilient society.

As women are forced into the shadows, their absence from public life weakens the communal bonds and diminishes the collective resilience of the population, leaving communities more vulnerable to internal conflicts and external threats. The Taliban's policies, therefore, represent not only a blatant violation of human rights but a profound security risk as they erode the social fabric and economic stability that are essential for lasting peace and security in Afghanistan.

Women's Access to Justice Under the Taliban Rule

Since coming to power, the Taliban have issued numerous edicts and directives that blatantly violate women's rights. Women's access to justice has been severely impacted by actions such as the dissolution of the Afghan Independent Human Rights Commission, the Independent Bar Association, the Ministry of Women's Rights, the Commission to Eliminate Violence Against Women, as well as the closing of shelters for women suffering domestic violence. The Taliban have also suspended the 2004 Constitution and subsequent laws, including the Elimination of Violence Against Women Law.

The Taliban have not only dismantled laws and mechanisms designed to protect women's rights but have also re-opened previously settled divorce cases involving domestic violence, claiming these re-evaluations were requested by former husbands. In March 2023, the Taliban invalidated thousands of divorce cases that had been settled during the Republic (Ahmadi, 2023). This decision has placed hundreds of women in unsafe situations. Many of these women have been seriously harmed by their husbands, from whom they had sought protection through the courts. Others, who had remarried now face a dilemma, as their previous marriages are deemed valid again. Some women have even been imprisoned for seeking a divorce. These actions by the Taliban have created a climate of fear and insecurity for women in Afghanistan. By reversing legal protections

and undermining women's rights, the Taliban have pushed many women into dangerous and precarious circumstances. International attention and intervention are urgently needed to address these injustices and provide support and protection to the affected women.

The absence of female employees in the police and justice sectors discourages many women from seeking justice. Imposing requirements for women to be accompanied by a *mahram*, and penalizing those who lodge complaints against their husbands, who may be their only *mahram*, further exacerbates the situation. When women do seek help from the justice sector, they are often referred to mediation by their elders, community leaders, and mullahs.

Women seeking help from the Taliban's justice sector often face humiliation and blatant prejudice, particularly when they complain about domestic abuse. One woman from eastern Afghanistan recounted her personal experience: "I begged my brother to go with me to the court to file a complaint against my abusive husband. First the clerk refused to talk to me directly and hushed me every time I tried to explain my problem. He then turned to my brother and told him he had no honor for bringing his sister to the court. At the end we were told to resolve the case through mediation" (personal communication, June 2024). Decisions rendered by elders often lean towards reconciliatory solutions, urging women to exhibit patience and find ways to coexist with their circumstances.

Several other women from different provinces have reported similar treatment. They are often told that the era of democracy is over, and that domestic violence is a Western concept with no place in the Islamic Emirate. This systemic bias and the stigmatization of domestic abuse complaints further deter women from seeking justice and protection, leaving them vulnerable and without recourse in the Taliban-controlled justice system.

In December 2021, the Taliban's Emir issued a decree recognizing women's right to inheritance and to choose their partners (Mackinstosh, 2021). However, marriages of minors and forced marriages have significantly increased, according to Afghan women and rights organizations (UN Women, 2024). Due to the lack of mechanisms to register and document forced marriages, it is difficult to provide reliable data. Country-based media is banned from reporting on violence against women.

In April 2024, the Taliban issued directives to media outlets, instructing them to refrain from reporting on violence against women. In the same

month, media outlets in Uruzgan province were further instructed not to air women's voices.² These measures come at a time when violence against women, including domestic violence, is on the rise (UN Women, 2024, Ahmadi, 2023). The Taliban are keen to prevent attention to this issue, as they have dismantled all mechanisms and policies that were previously established to protect women's rights, such as the Independent Human Rights Commission, the Commission to Eliminate Violence Against Women, and the EVAW (Elimination of Violence Against Women) Law.

By prohibiting media coverage of violence against women, the Taliban aim to obscure the deteriorating situation and avoid scrutiny of their decisions to abolish protective mechanisms. Reporting on such cases would highlight the severity of the issue and prompt questions about the Taliban's dismantling of institutions that once safeguarded women's rights. This suppression not only keeps the reality of women's suffering hidden but also silences any potential outcry or movement toward restoring their rights and protections.

The Taliban's approach ensures that women remain voiceless and invisible in the public sphere, perpetuating a cycle of oppression and further entrenching their control over women's lives. By erasing women's experiences from the public discourse, they deny them not only justice but also the possibility of societal support and change.

Conclusion

From a security perspective, the Taliban's ideological stance has not only profoundly undermined women's rights in Afghanistan; it has also introduced significant risks to the country's overall stability and security. By relegating women to roles strictly confined by religious duties and familial responsibilities, the Taliban has disrupted social cohesion, exacerbating societal tensions and hatred toward Pashtuns among other ethnic groups that could lead to increased unrest.

The systematic erosion of women's rights, marked by severe restrictions on education and employment, undermines the development of human capital and weakens the socio-economic fabric of the country. This, in turn, can contribute to economic decline, increasing poverty rates, and

2 See DW.com: دندرك غنم دنمله یلحم یاهن اسر رد ار نازن ی ادص رشن نابلاط – DW – ۱۴۰۲/۵/۲۳

the fostering of conditions conducive to radicalization and extremism. The disempowerment of women effectively marginalizes half of the population, leading to diminished civic engagement and weakening of community resilience against extremist ideologies.

The dissolution of key human rights and women's organizations, coupled with the suspension of protective laws and the invalidation of divorce cases, further erodes the rule of law. This creates a vacuum where impunity can flourish, enabling human rights abuses and perpetuating a cycle of violence.

Moreover, by emboldening patriarchal norms and reinforcing a regressive framework that denies women fundamental freedoms, the Taliban's policies risk alienating the international community, potentially leading to isolation and sanctions. This could exacerbate existing humanitarian crises, increase the flow of refugees, and create spillover effects that threaten regional security.

In short, the Taliban's approach to women's rights is not just a human rights issue – it is a critical security concern, with far-reaching implications for Afghanistan's stability, regional security, and global peace.

The existing “wait and see” approach adopted by the international community has proven ineffective, as immediate and decisive action is required to address this human rights crisis. The international community must develop and implement practical, tangible solutions to pressure the Taliban and hold them accountable. This could involve diplomatic measures, individual and collective economic sanctions on members of the Taliban and leveraging international platforms to highlight and condemn these violations of human rights.

A Path Forward: Recommendations

A unified and collaborative approach among regional and international stakeholders is urgently needed to hold the Taliban accountable and provide hope and support to the affected population, particularly women and girls. This requires the combined efforts of diplomatic pressure, economic sanctions, humanitarian aid, and human rights advocacy. However, the involvement of Islamic and Muslim-majority countries, along with prominent Islamic institutions such as the Organization of Islamic Cooperation (OIC), the Fiqh Academy, and Al Azhar University, is especially crucial.

These Islamic entities have the moral and religious authority to chal-

lenge the Taliban's interpretation of Sharia, which is often used to justify their oppressive policies against women. By leveraging their influence, these institutions can promote an understanding of Islam that upholds the dignity, rights, and educational opportunities of women and girls. Their involvement is essential not only for challenging the Taliban's narrative but also for providing an authentic and culturally resonant counter-narrative that supports the empowerment of Afghan women and upholds human rights values.

By pooling the strengths and resources of various countries and organizations, including these influential Islamic bodies, the international community can address the crisis in Afghanistan more effectively. This coordinated effort is essential to restore dignity and opportunities to Afghan women, who have suffered the most under the Taliban's oppressive policies. Educational and economic initiatives aimed at empowering women and girls are crucial for building a more inclusive and equitable society.

A unified front, supported by both the international community and Islamic countries and institutions, and Muslim majority nations, can reinforce the message that the rights of women and girls are integral to Islamic principles, human dignity and international human rights laws. This collaboration not only strengthens the legitimacy of the efforts but also promotes long-term stability and development in Afghanistan and the region, ultimately contributing to a more just and peaceful society.

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