

Women’s rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

Sofia Sarwar

Research Scholar, School of Political Science, Minhaj University Lahore,
Pakistan.

Adeel Irfan

Head and Assistant Professor, School of Peace and Counter-Terrorism Studies,
Minhaj University Lahore, Pakistan.

Email: adeel.rao@hotmail.com

Muhammad Tahir Rashid

Assistant Professor Department of Sciences & Humanities, FAST NUCES,
Lahore, Pakistan.

Received:
Nov 23, 2023

Published:
Dec 29, 2023

ABSTRACT

The study analyzes empirically how the Taliban's restrictions on women's rights are exacerbating the humanitarian calamity in Afghanistan caused by the abrupt cessation of most Western help following the Taliban takeover in August 2021. This research highlights the difficulties to Afghan women's rights under the Taliban and investigates the women's rights abuses in Afghanistan's ongoing situation, which has made women's lives difficult and intolerable. Further, the study also shows the women rights in Afghanistan under Indian influence. The social exclusion theory served as a conceptual framework for the study as well as an analytical tool for data analysis. This research is exploratory and qualitative in character. The report identifies a number of issues that undermine women's rights in Afghan society, including patriarchal society, religious practices inside the state, Sharia laws, socioeconomic inequality, and long-held traditional cultural ideas. This report also highlights the Taliban's approach to women and its consequences on women's lives.

Key Words: Taliban, Women's rights, Sectarian landscape, social exclusion.

Introduction

Women's rights are all of the requirements that have been decided and acknowledged by the modern world for the advancement of women's status and living standards without discrimination. Women's rights are the result of the slow growth of human history. First, it was explored by Plato, an ancient Greek philosopher who granted equal rights to men and women in his ideal state described in his Republic book. In September 1995, the United Nations recognized women's rights as human rights and declared them to be an inalienable and vital part of fundamental rights (Watkin, 2021).

Afghanistan is a South Asian country where women's rights are deteriorating. While Western society has bridged part of the gap, there is currently no society in which women have full equality with males. For decades, Afghanistan has been a battleground for world powers seeking power glory and interest contradictions caused by the worst human conditions and severe violations of women's rights. A decade-long Afghan war against the Soviet Union, which finally paved the way for the country's civil war, made women's life miserable owing to tremendous bombardment and a major influx of refugees to neighboring countries. The civil war eventually ended with the emergence of Taliban authority, which opened a new chapter in the deprivation of women's rights while interpreting Islamic doctrine in such a way that women's roles were confined to a lower level. The 9/11 incident, which led in the US war on Afghanistan, exacerbated women's rights situations. Despite spending trillions of dollars to restore every element of Afghan life, the US ultimately abandoned the war-torn country. (Whitlock, 2021).

India has a long historical and territorial bonding with Afghanistan. In the recent past India signed various MoUs with women-owned organizations in Afghanistan and also provided playgrounds to play cricket and other sports (Pant, 2010).

Women's rights in Afghanistan have long been a focus for famous writers and scholars due to the country's extremely male-dominated culture, religious-rooted customs, and continual conflicts conducted by Afghans. The US withdrawal and chaotic fall of Kabul resulted in Taliban rule since August last year, providing another enticing opportunity for world researchers to delve into the causes of the US withdrawal and its effects on various aspects, but women's rights have received less attention since the US departure.

Women's Rights under the Taliban

On 15 August 2021, Afghanistan was retaken by the Taliban, who governed the Afghan society from 1996 to 2001. They came to power after a 20-year fight when US military forces seized control of the Afghan government following the September 11, 2001 attacks, and the US formed a democratic administration. The United States modernizes Afghan society's economic, social, and educational structures. Afghanistan is not the same as it was when the Taliban reigned in 2001, but when the United States seized the country and established a democratic government, they modernized and socialized the country's policies and ensured that women participated in government institutions. The Afghan constitution of 2004 granted women equal rights to men, safeguarded them, and allowed them to engage fully in politics. While the Taliban ruled from 1996 to 2001, women's rights were suppressed and restricted in all aspects of life, they were confined to their homes and adhered to the patriarchal social system. (Akhtar, 2018).

When the United States arrived in Afghanistan and formed a democratic government under interim leader Hamid Karzai, they attempted to reduce Taliban operations and eliminate them from Afghan society. They reduce their numbers

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

but do not eliminate them or their activities. After 2005, the Taliban regrouped in southern and eastern Afghanistan. In 2009, the Taliban increased their influence in the country's north. However, Taliban militants did not have the support of Afghan population, which is why America allowed them to enter local neighborhoods. However, as Taliban factions intensify their activity, the US government of Barak Obama boosts military soldiers and supplies to Afghanistan. In late 2010, President Barack Obama attempted to resolve the situation through discussions. The Taliban's refusal to engage with the Afghan government, as well as the Afghan government's resistance to US negotiations with the Taliban in which the government was not represented, hampered the talks and eventually led to their termination in 2014.

Mullah Muhammad Umar, the Taliban's leader, died in 2013, and Mullah Akhtar Mansour became the new commander of Afghan forces. The Taliban took the major metropolitan area Kunduz of Afghan society under the leadership of Mullah Akhtar Mansour; this was the Taliban's first seizure after 2001. Mansour was assassinated by American drone strikes in Pakistan in 2016, and he was succeeded by Haibatullah Akhundzada. They regained control of Kunduz in 2016. Obama maintains 8,400 of his military soldiers in Afghanistan toward the end of his presidency and claims that Afghan forces are not as strong as they need to be (Clarke, 2023).

After Donald Trump was elected President of the United States in 2017, the Taliban issued an open letter to him, urging him to withdraw American forces from Afghanistan. Trump increased military personnel in Afghanistan a few months later, but within a year he was fed up with American forces' lack of progress against Afghan military organizations. Following that, he ordered official and direct negotiations without the participation of the Afghan government for the first time. These talks ended in a February 2020 agreement in Doha, Qatar between the US and the Taliban to withdraw the US forces from Afghanistan.

However, after the Trump administration, Biden will manage the country, and his administration would extend the exit date of US personnel from Afghan society. The United States' final withdrawal from Afghanistan is expected to take place between 1 May and 11 September 2021. However, he then stated that the US military pullout might be completed on August 31. The Taliban is investigating the US for violating the disengagement agreement and continuing to attack US forces. As a result, after the United States withdrew from Afghanistan on August 15, 2021, the Taliban took control of the country and formed an Islamic republic in Afghanistan.

Review of the Literature

Kaura (2017) examined India's relations with Afghanistan under Prime Minister Modi and President Ashraf Ghani. She described India's relations with Afghanistan under Modi's reign as reaching a pinnacle and paving the road for the

region to achieve peace. The article argued that Ghani's allegiance to India was the result of Pakistan's inability to keep its commitments on persuading Taliban leadership to meet with the Gani government at the negotiating table. As a result, India gained an advantage in developing an influence narrative and invested heavily in modernizing the country's infrastructure. The research also addresses President Trump's South Asian policy and Western powers' efforts to provide the Ghani government an advantage and force the Taliban to deal with the Afghan government. The scope of this article is limited to Afghanistan's relationship with India and the United States' strategy to South Asia, with no mention of the outcome of women's rights in Afghanistan.

Shahrani (2018) has extensively discussed Afghanistan's history from its inception to the present. This book also expresses in great detail the various regimes of various kings. The source of ethnic strife and its consequences for vulnerable Afghans have also been recognized. This book also discusses the creation of modern Afghanistan under the reign of King Abdul Rehman, as well as the origins of Pushtoon rule in Afghanistan. The role of superpowers in the plight of the Afghan people and its consequences is a central theme in this book. The disintegration of the Soviet Union and the United States' emergence as a superpower, as well as their policies toward Afghanistan, were outlined in the writer's contents. This also like discusses the fall of the Soviet Union and the beginning of another war after 9/11. The author discussed the warfare history of Afghanistan but failed to highlight its impacts on women's rights and its consequences.

Malkasian (2021) went into great detail of America's war in Afghanistan. The policies of both the Obama administration and the Trump administration have been thoroughly articulated. Malkasian emphasizes how America is mired in the quagmire of Afghanistan, characterized as the "graveyard of a great empire." The book also addresses Hamid Karzay and Ashraf Ghani's ties with America, as well as the twenty-year rehabilitation process and its failure. Taliban authority in half of Afghanistan insured the presence of the US in America, and the writer anticipated their rebirth and growth of influence throughout Afghanistan. The writer identified the American presence in Afghanistan as a wrong one and the obvious failure was their unchanging destiny, but he failed to define the outcomes of all this horrible episode for the vulnerable women of Afghanistan.

Theoretical Framework

Julian Le Grand's (1996) theory of social exclusion was employed as a theoretical framework for the research investigation. This idea gives an excellent lens through which to comprehend the current state of women's loss of rights in Afghanistan under the new Taliban rule.

The withdrawal of US forces in August 2021 resulted in the rapid fall of Kabul into the hands of the Taliban, marking a new chapter in the denial of women's fundamental rights. The Taliban regime has broken every commitment

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

made in the Doha accord concerning women's rights. The Taliban government's policies in the country excluded female social activities and confined its status to the four walls of the houses.

Julian Le Grand, a public policy professor, described the social exclusion of women by state policies in his theory of social exclusion. He recognized the variables that contribute to women's exclusion and the effects it has on their lives. He characterized patriarchy, governmental policy, ruling class ideological allegiance, historical, cultural, and religious foundations as the causes responsible for women's social marginalization. Julian Le Grand demonstrated how social exclusion impacts the living standards of women in society. Social exclusion leads to social injustice through unequal political engagement and participation in local or national decision-making. Social exclusion lowers social solidarity, social contact, and integration with family, friends, and the community. He also recognized social isolation as a factor that marginalizes women's economic production and minimizes their valuable economic actions in society. It also places limitations on the liberty of females and creates unequal educational opportunities which eventually affect all aspects of women's lives to a great extent.

Julian's theory of social exclusion provided an ideal lens for comprehending current women's rights issues in Afghanistan. He highlighted the underlying causes of women's social isolation, which fully depict the true picture of Afghanistan's defenseless female fraternity under the new Taliban rule following the withdrawal of international soldiers. This theory also provides a useful lens for understanding the consequences of social exclusion for women from state life as a result of deliberate drafting of state policies that harmed women's social existence in the country. Furthermore, the social exclusion theory fully covered Afghanistan's traditional culture and religious character, which heavily influenced the extent to which determining social, economic, political, and religious rights for women was determined.

Taliban Education Policy

Taliban return back to Afghanistan once more in mid of August and establish a government and set policies one of which education policy here we describe. They are very conservative and religious people so their education policy is according to it. After taking control they suspend both boys' and girls' education after 6th grade from 23 March 2022. After March they resumed education but later on, they said that they need time to revise the education curriculum according to Islamic values and would organize women's uniforms. Taliban create a rule that women teachers just teach female students in schools and universities and create gender segregation between male and female students (Farr, 2022).

After the suspension of education, the Taliban announced the schools would be open as planned on 17 September 2021 but they mention this announcement just for males. Deputy Minister of Culture and Information notify in the associated

press that the government hoped to open schools from 23 March 2022. In January 2022 Taliban acting minister of education and deputy minister promised that they would open schools after creating a safe environment. But when the day came for schools open that day Taliban announced that schools for females would not open. Taliban ignore the pressure of the international community and closed the secondary schools for girls. So this decision disappoints women and their families (Frans, 2021).

After the exclusion of girls from secondary schools, the Taliban exclude women from university education. Taliban promised that they respect women's rights and give them equal rights and freedom but after taking control they denied and adopt those policies which are adopted in their previous regime. Taliban highlight that their policy is under the Islamic teachings so that's why they ban women's education. But the university education ban is just a continuation of the movement's aims to suppress women's rights and freedom. They just want to control women's activities and limit them to the homes that's why they ban education. They justify their restriction by the name of Islam but Islam does not ban women's education. Humaira Qadri who is an activist of academic said that Afghanistan is not a country for women but a cage for women (Farzan & Mao 2022).

Taliban restrictions are not just for students they imposed restrictions on female teachers also. Afghan Ministry of the Propagation of Virtue and Prevention of Vice and the Ministry of Education starts to administrate religious tests for teachers. Through these tests, the Taliban dismissed experienced and well-educated teachers and replaced them with those who are not such experienced and well educated they are just educated at madrassas. They instruct them about dressing and ordered them to cover their face inside the classroom (Ahmadi & Sultan 2023).

Social Exclusion Policy

Insurgent groups took control of the Afghan government and announce policies for the Afghan people. Their policies restrict women's rights such as their social exclusion from the social, economic, and political spheres. They punished women and girls grounded on gender-based rules. Firstly they condemned that they protect women's rights and they give them permission to enjoy and perform their rights within Sharia law. Taliban's strict and harsh policies about women are shown in that they should want to exclude women from public and they give evidence these policies are according to Islam. They denied the fundamental rule of women in their last regime but currently regime they show they change their policies and rules toward women since their rule in the 1990s.

So they are excluding women from political and social life and exploiting their fundamental rights such as the right to education, right to employment, right to move in public spaces, and right to access to justice and health facilities. Taliban advise in July 2022 that female employees in the country's finance

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

ministry replace with male relatives otherwise they were dismissed from their position. However Afghan women's life under Taliban rule is very complicated and their future is totally controlled by the Taliban females of Afghan society are isolated from their houses again.

Taliban exclusionary and discriminatory policies control women's freedom in every field of life. They ban education, denied the right to work, confined women to their home and then male relatives should be compulsory with them on public places, and imposed a severe dress code on females. So these series of policies limited women's freedom and suppress their rights to freedom of social movement freedom of expression and association and also the freedom of participation in state affairs. Taliban these types of policies control and damage the ability of women to work and push the country into poverty and make women dependent on their male members (Samim, 2022).

According to the Taliban policy of May 2022, women must wear hijab and cover their faces except for their eyes According to when they are outside the home. Females are not allowed to travel without male chaperones further than 45 miles from home. They removed the presence of women from public services (UN Women, 2022). The de-facto authority banned women's presence in parks, gyms, funfairs, and bath houses. They are limited to their homes without their will (Asia, 2023).

Taliban Employment Policy toward Women

After the banning of education and social mobility of women Taliban restrict women's employment in national and international NGOs and other working fields. They ban women from working in national and international NGOs in late December 2022. They also ban women's employment in the field of education and health care (European Parliament 2023). When the Taliban swept back in Afghanistan they closed civil society organizations for women. They also control media freedom and women's presence as broadcasting from the public. Taliban want to exclude women's presence in this field of employment. In May 2022 they issued the rule to women journalists to cover their faces at the time of casting news. And on 21 November 2021, the broadcasting of dreams, entertainment, and music was also restricted (UN Women 2022).

Taliban ordered that in the health sector, male and female staff should avoid communication with each other and treat the same gender patient. Gender discrimination rules apply to men and women health workers. So the restrictions on women laborers make women's life difficult and create an unbearable situation. So after getting control, they announce that women stay home from work. They eliminate women from all kinds of employment except health sectors. De-facto authority ban drivers from playing music in cars and also don't accept women passengers without hijabs. And they ban issuing driving licenses for women so it means they suppress the right to liberty of movement. (Naheed & Alwis 2023).

Indian government also raised serious concerns on removing women from public offices. Ambassador Puneet Agrawal, Deputy Permanent Representative of India and Permanent Mission of India in Geneva said that (Mohan, 2022)

"As a contiguous neighbour and long-standing partner of Afghanistan, India has direct stakes in ensuring the return of peace and stability to the country,"

He further contributed that.

"We are deeply concerned about the recent developments in Afghanistan, which directly impact the well-being of women and girls of Afghanistan. There has been an increasing attempt towards removing women from public life in Afghanistan".....We join others in calling for ensuring the protection of rights of women and girls, including their right to education, and to ensure that the long-fought gains of the last two decades are not reversed,"

Factors Responsible for Women's Exclusion in Afghan Society

Researcher identified factors responsible for women's exclusion in Afghan society after the Taliban takeover which is impacted on women's lives. He defined patriarchy, state policy, ideological affiliation of the ruling class, and historical, cultural, and religious roots are those indicators that exploit women's rights in Afghanistan.

Patriarchal Afghan Society

Patriarchy is used commonly as a system of social structure and practices in which men control, oppress, and exploit women. Patriarchal violence is any type of violence that generate man's power and dominance. Contemporary Afghanistan is situated in the patriarchal belt, where the central social structure of society is patriarchy based. The older or senior man of the family has authority over the whole family. On 15 August 2021, the Taliban took power in Afghanistan and started a new regime after the US withdrawal. After taking power in Kabul Taliban announce that Afghanistan is an Islamic country and its law will be according to Sharia. Taliban are Pushtuns and very conservative mindset people and follow the patriarchal system that's why they issue the dress codes for women and make some restrictions again. Taliban announce women wear the burqa at all times in public places and cover their faces with a veil. They banned women's secondary education and they are not allowed to go out to their homes without a mahram.

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

They ban women's employment and travel. Once again women's life makes prisons by the Taliban and their so-called patriarchal system (Lal, 2006).

Religious Practices and Women Exclusion

Religion is a set of beliefs practices and systems where every controlling force such as a personal God or another supernatural being. Afghanistan is a South Asian country its culture and national identity is deeply based on Islam. Religious faith is noticeable in Afghan people's language dress dietary codes and also prayers. After the US withdrawal from Afghanistan on 15 August 2021 and taking power of the Taliban women's rights are once again suppressed by them. Taliban is a traditionalist and pure religious people. After control of Kabul, they ordered judges to impose fully their interpretation of sharia. They imposed restrictions on civil society and excluded women and girls from public space and set all of the policies according to the interpretation of Islam (Kakar, 2022). And these policies influence women's status such as the last Taliban regime. Taliban banned women's secondary education and employment, and limited women to their homes. They order them to cover themselves in public places and without mahram they are not allowed to go out of the house. In some offices, women are still working but mostly they are segregated. Women teach only women students and women doctors check only female patients. This kind of order by the Taliban changed women's status. Taliban all policies are influenced by Islamization. They interpret Islam as the official religion of Afghanistan and Afghan society is the most religious society in the world (Leede, 2014).

Role of State Policy

Policy means a strategy, a plan, or a scheme to achieve a goal, and state policy means a set of ideas and a plan for action by organizing the state departments. Policies are generally adopted by the government to administer or run the state smoothly. Public or state policy means those rules and regulations which organize the life of the people of the state. After taking over Taliban establish policies for the Afghan society. These all policies are according to Sharia rules. They interpret that those rules are according to Quran and Sunnah. Taliban all rules and regulations are very strict for women. They imposed restrictions on women and state policies are gender-based policies. Through these policies, the Taliban exclude women from the society. They close the door of education for women. Women are limited to their houses and without a mahram, they are not allowed to go out of their homes. Women lost all kinds of employment. If women react against Taliban policies they beat them and punish them severely. Taliban remove women's presence from politics and replace them with males.

Karl Marx and Social Stratification

The ruling class is the social class of society that set the political and economic agenda of the state. According to Karl Marx ruling class are the capitalist social class those are the means of production and apply cultural hegemony. The ruling class determines the ideology like cultural norms traditions and also the status of the society. Karl Marx give the idea of the class system he said that two major class exists in a capitalist society first is the bourgeoisie (the ruling class) and second is proletariat (the working class). The ruling class always set political and economic by the dominance of their ideology and exploit the working class rights of laborers. They consider the working class to be slaves and control their life, property, political activities, employment, and so on. The ruling class holds the power of government by their ideological affiliation and controls all means of production and allocates resources and elaborates the life status of society (Rostami, 2003).

Afghanistan's social status is divided into the rich and poor classes and is also correlated with ethnicity. Those people are economically wealthy that's why these are the elite class and most of them are Pushtuns other Afghans are lower class like Hazara and Gypsies. Pushtuns are wealthy and intellectual that's why they are a prestigious class in Afghanistan. So in the history of Afghanistan Pushtuns are the leaders of the government and govern the country. Their social status structure is based on the code of Pashtun wali which means the mixture of all tribal codes of honor and the interpretation of Sharia laws. Afghan ruling class belongs to religious norms religion plays a very important role to define the class system in Afghanistan. Most of the ruling leaders in Afghan history are religious personalities. They are known as pirs so they get guidance from them about the social and economic issues and status of community life guidance.

After The US withdrawal on 15 August 2021, the Taliban quickly control of Kabul. Once again a new regime starts in Afghanistan. After getting control Taliban leader announced the road map of their government the first principle is fleshing out a state religious ideology second is burnishing their origin a list religious credential and the last one is channeling Afghan nationalism into religious nationalism.

After reviewing history we can say that ruling class affiliation controls the political structure and Afghan history is filled with elite class ruling ideas. In Afghan society, only a small elite has had exclusive control over government institutions. So ruling class affiliation may also exclude and include women in society. The ruling class and their ideas determine the status of society's people (Nijat, 2015).

Impacts of Culture

The word Culture is a France term it derives from the lateen word "colere" which means its mean tends to the earth and grow. Culture is a set of ideas, philosophy,

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

and behavior, of a particular group of people, it shows the language religion different habits, and norms of people. It encompasses religion, norms, what we wear, how we live, language, marriages, music, what we believe, our pattern of behavior, how we behave with others, and so on. Culture is very important because it defines our community. All the world governments face the same range of challenges which include how to manage water, food, infrastructure, health facilities, social welfare, education, developments of economics, the environment of society, international relations, security issues, and government systems. So government and other stakeholders adopting those approaches to addressing these issues can be different between countries and regions (Khattak, 2002).

Afghanistan is a South Asian country situated in the mid of central Asia its total population is almost 34 million and half of the Afghan population is based on women. The most dominant religion in Afghanistan is Islam so their follower is called Muslims. The Afghan community has very strict norms, beliefs, and rules for the family structure. Family roles totally depend on ethnicity and region. Afghan culture is based on a system of patriarchal, patrilineal, and patrilocal. Culture set attitudes about sentiments and cognition of political behavior in any society. Political elites come to power and design a country's policies according to their own will or own traditional norms so the culture has an effect on the political system and also both Elit and the people. So the Afghan political system effect by the traditional and modern culture by the hand of some modern and traditional rulers. Some rulers design policies on modernism and set the status of women according to it and some adopt traditional normative policies and control women's life according to their norms. However, culture is a very powerful element to influence the status of people, by this element people include and exclude from society. Same as in Afghanistan the Taliban use traditional political culture and exclude women from the Afghan society (Tomar, 2002).

After the 20th century two decades, the Taliban once again came back to Afghanistan on 15 August 2021. So after the US withdrawal Taliban seized power on Kabual and established a new government and for the second time Afghanistan become the Islamic Emirate of Afghanistan. After getting control they announce they respect women and minority groups but they did not do so. They adopted policies according to Sharia rules and also according to Afghan traditional culture. They closed the door of secondary education for women, who are not allowed to go out from home to their jobs. They introduce dress codes for females. All types of traveling ban without a male mahram. They announce women do not go out from home without a burqa and niqab/veil. Taliban adopt all policies according to their traditional norms and Pushtun culture; by this, they exclude women from society (Moghadam, 1989).

Impacts of Taliban Policies on Women's Lives

After 20 years of freedom of women's rights in Afghan society once again Afghanistan became the battlefield country of women's rights situation. Because the de-facto authority of Afghanistan swept back to power mid of August 2021 and announced policies for their new government for Afghan society sand by these policies they suppress women's fundamental rights. These restrictions ban women's education, restrict women's working at NGOs and limit women's social mobility, and influence the living standards of Afghan women. Taliban violate women's rights and make the Afghan women's situation worse and affect women's lives. Here we describe how the Taliban's new policies damage women's psychological, educational, employment, political, and judicial living standards. Our main focus is to explore how policies affect women's lives.

Damage to Legal Rights and Protections

Legal rights are all those rights that are formulated by the government or legal system of the country to their citizens. So these are liberties and protections of individuals that are originated by the laws. These are enforced by the legal system of the country or government. That's why these are legal rights, not universal rights because they differ from state to state, person to person, and time to time as well. Every country's law emerges from women's legal rights and changes from time to time. In Afghanistan women's rights have been competing for issues and captured a face encounter in the middle of self-governing local communities and a series of centralizing, state-building projects that have led to defense and long periods of disputes and insecurity.

Afghan society is diverse ethnically that's why local communities have exerted control over their own affairs in Afghanistan's history. All aspects of human life in Afghanistan are shaped by the combination of Islamic law and customary law. Afghan social culture is patriarchal, and women played the most important role in the household and rural economy. Women's rights faced ups and downs in the 20th century some leaders modernize women and give rights equal to men in some fields and some rulers exploited women's rights, especially in the Taliban era 1996- 2001 women's rights were exploited severely. With the fall of the Taliban's first regime, the US get control over the country and promote women's rights and advancement in Afghanistan. The Afghan democratic government adopt a new constitution in 2004 in which they improve women's legal rights and protections in several aspects of life throughout the first Twenty years of the 21st century. Taliban once again recaptured the country on 15 August 2021, they created systematic institutionalized exclusion of women and exploit their legal rights and protections. Here we describe all those legal rights of women that are exploited by the Taliban through their policies (Zain, 2006).

Freedom of Education and Work

De facto authority restricts women's right to education and work after controlling the country, which is producing innumerable hurtful aftermath for Afghan women and the entire country. The ban on employment and education has drastic impacts on individuals and collectives levels. It compromises women's ability to facilitate their families and is also problematic for those females who are the heads of their houses. These restrictions force women to sell their property and bagging to survive because working restriction has a drastic impact on the economy and the poverty ratio are increasing in Afghanistan. Many women face a number of obstacles and leave their jobs due to fear intimidation of by Taliban insurgents. Taliban working policy restricts women to access health care services and then they compromise their health because the Taliban not allowed women to consult male doctors.

The almost total exclusion from secondary and university-level education and work women became stressful and despairing. Ban on education increased the child marriage ratio and domestic violence. Those women studying for their dream jobs and want to become doctor engineer teachers and so on live stressful life under the Taliban regime. They are limited to their homes and do have not the right to social mobility. After banning education and work women's suicide rate is increased. If they come to the streets for protests Taliban torture them and punish and kill them as a result of protests. So these restrictions drastic impact on women's mental health because women lived under a democratic government that gives women the right to education and employment and freedom that's why women enjoy their lives in this modern era.

Marriage, Divorce, and Property Rights

Taliban again came to power they increase forced marriage and child marriage. Taliban imposed restrictions on work, education, and moment in public spaces that's why child marriage and early marriage of Afghan girls ratio has been dramatically increased. After this descion of early marriage of girls they lost their confidence and feel even more vulnerable (Siddique, 2022).

Divorce is the legal right of the woman if she feels her husband does not give her rights and exploits them then she has the right dissolves a marriage contract. Same in Afghanistan government give women one-sided divorce rights before the Taliban regime so that women save their lives from their abusive and drug-addicted husbands. But now women's situation is totally changed after the Taliban controlled and introduced Islamic law. They abolished women's right to divorce and now women face the threats of prosecution for adultery. After banning education and employment it is another nail in the coffin of women's rights. Taliban declare women's divorce is invalid so the second marriage is automatically invalidated (Kumar, 2023).

After the government change in Afghanistan by the Taliban women's rights to property met challenges. De facto authority imposed severe interpretations of Islamic law that largely abolished women's rights to own property. Women of Afghan society already face many challenges but Taliban restriction on property rights make women even more vulnerable. Women life is more difficult after Taliban restriction of property rights impacts women lives because those women who are struggling to protect themselves and their families lost their property which is the main resource of income (Chandran, 2021).

Right to Participate in Politics

Taliban controlled Kabul in August 2021 second time, so after seizing power they exclude women quickly from political activities. Their point of view is that women are not able to control politics, they are just for childbirth. They defend their decision to exclude women from political participation by saying women are not able to carry out political work it is a burden for women of Afghan society so that's why women are not lessees for politics. They said that women are not able to participate in government but they are not able to participate in political activities in the Taliban regime (Fox, 2021). Women in Afghan society play a very crucial role in political government before the Taliban came, but now women are staying at home to the Taliban's restricting policies (Al Jazeera English, 2022). Women's exclusion from political institutions impacts active women's life. De facto authority excludes women from political participation and influences women's abilities to play a role in the decision-making process.

Freedom of Dressing

Taliban came to power and reintroduced the official dress code for women. Firstly they restrict women dressing and do not allow women to go outside without covering their bodies (Siddique, 2023). They defend their policy about dressing that women are not safe without covered bodies. Taliban claimed this law about the dressing of men and women are Islamic interpretation. Taliban punish men and women if they refuse to obey this rule of law (Hadid, 2022). These types of restrictions on women's dress make women's life very miserable. It is illegal if women to show their faces or wear simple clothing in public spaces means if they come out without a burqa so it's mean they are illegal. However women have no right to see outside their homes they are stuck in their own houses (Lindvall, 2023).

Right to Access Justice

After the fall of the Taliban's first regime women's rights improve and violation prevention but we can say that not only prevention of rights violations also improve women's right to access justice and may seek justice where women's

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

rights are violated. But now after the Taliban take control after 20 years again women's rights situation is worse and more miserable. The Conservative mindset of the Taliban restricts the freedom of women to marry, divorce, child custody, and to freedom of movement (Yousafzada, 2019).

Taliban exclude women from the legal system. De fact authority stormed the Afghan independent bar association and ordered to suspension of their activities on 23 November 2021. Invalid thousands of divorce cases. Taliban exclude women as judges, lawyers, and prosecutors and exchange them with their fighters or madrassa graduate who do not have any legal training. Women's exclusion from the justice system increases male dominance and hinders access to justice for females. So this type of mechanism of informal justice is increasing and women's lives are victims of gender-based rights violations. So we can say that the justice system has in large part been dismantled to the disproportionate disadvantage of women and girls (UN Women, 2022).

Rights to Get Health Services

Afghanistan's health care statistics for women communities are the lowest in the world, But under the Taliban rule women's health care situation is more decrease. Taliban restrict women's health care services in their first rule in 1996. After that women get all facilities under democratic government. Un fortunately, on 15 August 2021 Taliban again came to power and imposed restrictions on women's rights and suppress all women's basic legal rights and protections. De facto authorities are closed to women's bath houses and hammams. They segregate women in hospitals and do not allow female doctors to check male patients or male doctors to treat female patients. They do not allow women to go to the hospital without a male relative companion such as a father, son, or husband. Basically, women just get medical treatment from a female doctor and if a female doctor is not available so then women pose a medical danger. Taliban restrictions affect pregnant women and babies and male doctors have no permission to deliver babies. These restrictions on women's health services damage women's and children's mental health (Nader, 2022).

Right to Security

The right to access security is important for all Afghan but even more important for women of Afghanistan because always women face attacks even in peacetime in the form of domestic violence, marital rape, molestation, and child marriage, and despite the legal framework making such actions illegal. Afghan government after the de facto regime made significant legal progress to combat violence against women and also create EVAW (Elimination of Violence Against Women) in 2009, Which is save women's rights and abolished criminalized customs, traditions, and practices causing violence against women. Regarding the role of

women in peace and security operations Afghanistan developed a national action plan for women and security its commitment under UN Security Council resolution 1325 (Powell, 2014).

Researcher said that Afghan women's security situation under the US occupation and democratic government was much better but with the withdrawal of international forces the main threat to women of Afghan society was security. And it is proven true very soon when the Taliban get control of Kabul after the US withdrew and exploit women's legal rights and make them second-class citizens of the country. Taliban exclude women from politics, education, and the economy. Women do not have the right to access education, and health services under de facto authority rule. And Afghanistan's situation for women is worse in present times (Hashmi, 2021). Women's security issues are the main hurdle to preventing women from entering public space (Desai, 2016).

After the Taliban control Afghanistan security situation are worse because national police and counterinsurgency force disintegrate. People of the country show fear of violence and arbitrary by the de facto authority and lack of rule of law. Crimes are increase and security situation has getting worse that why women feels fear and could not go outside the homes. Women are feel insecure because they are not having jobs no income no food and feel insecure all time for their lives (Women Rights, 2021).

Conclusion

For decades, Afghanistan has been a battleground for world powers seeking power glory and interest contradictions caused by the worst human conditions and severe violations of women's rights. The US spent trillions of dollars to restore every part of Afghan life but finally abandoned the war-torn country. After gaining control, the Taliban's leader stated that they respect women and minority groups in the country and will give women equal rights as men. However, the Taliban's initial promise to respect women's rights has been proven false on numerous occasions because they have severely deteriorated their rights and have implemented policies that exploit women's rights. In this section, we examine the Taliban's policies that exploited women's rights and made them second-class citizens, and how such policies affect women's social, political, and economic lives. The study also discussed that India also wanted smooth provision of rights to Afghan women as strong and stable Afghanistan is in the larger interest of India.

Because Taliban doctrine separates women from society, the consequences of social exclusion harm the lives of women in society. Inequitable political engagement and participation in local or national decision-making arises from social marginalization. This policy has a negative impact on social solidarity, social engagement, and integration with family, friends, and the community. The Taliban's economic policy marginalizes women's economic production and diminishes the value of their economic actions in society. It also restricts female

Women's rights in Afghanistan under Taliban Regime amid Indian influence: A Way Forward (2016 – 2022)

autonomy and produces unequal educational possibilities, which has a significant impact on all aspects of women's lives.

References

- Akhtar, N. (2018). Pakistan, Afghanistan and Taliban. *International Journal on World Peace*, 25(4). Retrieved from <https://www.jstor.org/stable/20752859>
- Azmi, M.R. (1984). Russian expansion in Central Asia and the Afghan question (1865-1885). *Pakistan Institute of International Affairs*, 37(3), 2-1. Retrieved from <https://www.jstor.org/stable/41393703>
- Basit, A. (2012). The U.S. withdrawal from Afghanistan: Implications for Pakistan's Militant Landscape. *Counter Terrorist Trends and Analysis*, 4(10), 10-14. Retrieved from <https://www.jstor.org/stable/10.2307/26351094>
- Clarke, C.P. (2023). Islamic State horasan province is a growing threat in Afghanistan and beyond. *The Diplomat*. Retrieved from <https://thediplomat.com/2023/04/islamic-state-khorasan-province-is-a-growing-threat-in-afghanistan-and-beyond/>
- Daulatzai, A. (2008). The Discursive Occupation of Afghanistan. *British Journal of Middle Eastern Studies*, 35(3). Retrieved from <https://www.jstor.org/stable/20455619>
- Crist, J.T. (1997). Future of Afghanistan: The Taliban, Regional Security and U.S Foreign Policy, 01-15. *S Institute of Peace*. <http://www.jstor.com/stable/resrep12259>
- Emadi, H. (2015) Women in the Post-Taliban Afghanistan: Dialectics of oppression and token recognition. *Race, Gender & Class*, 22(3-4), 244-259. URL: <https://www.jstor.org/stable/10.2307/26505359>
- Franks, M.A. (2022). *Obscene Undersides: Women and Evil between the Taliban and the United States*. Wiley publisher. Retrieved from <https://www.jstor.org/stable/3811041>
- Hozyainova, A. (2014). Sharia and Women's Rights in Afghanistan. *United states institute of peace*. Retrieved from <https://www.jstor.org/stable/resrep12481>
- Jadoon, A. Abdul, S. and Andrew, M. (2022, 1). The Islamic state threat in Taliban Afghanistan: Tracing the resurgence of Islamic state Khorasan. (P. Cruickshank, Ed.) *Counter Terrorism Center at West Point*, 15(1), 12, 33-41. Retrieved from <https://ctc.westpoint.edu/wp-content/uploads/2022/01/CTC-SENTINEL-012022.pdf>
- Jones, S. G. (2020, 11). Afghanistan's future emirate? The Taliban and struggle for Afghanistan. (P. Cruickshank, Ed.) *Counter Terrorism Center at West point*, 13(11), 10, 1-10. Retrieved from <https://ctc.usma.edu/wp-content/uploads/2020/11/CTC-SENTINEL-112020.pdf>
- Kumar, R. (2023). The Taliban ban Afghan women aid worker. *NPR*. Retrieved from <https://www.npr.org/sections/goatsandsoda/2023/04/14/1169682995/the-taliban-again-bans-afghan-women-aid-workers-heres-how-the-u-n-responded/>
- Kumar, S. (2003). Human development challenges in Afghanistan: Health, education, Women, and child “many promises but no action”. *India Quarterly*, 59(12).

- Khattak, S.G. (2002). Afghan Women: Bombed to Be Liberated?. Middle East Research and Information Project, Inc. <https://doi.org/10.2307/1559266>, <https://www.jstor.org/stable/1559266>
- Khosla, T. (2022). Feminism, Peace and Afghanistan: An Indian Feminist Perspective. In *Analysing the Current Afghan Context* (pp. 25-40). Routledge.
- Leeded, D.L. (2014). Afghan Women and the Taliban: An exploratory Assessment. International Care for Counter Terrorism. Retrieved from <https://www.jstor.org/stable/resrep17470>
- Miller, E. (2019). Consequences of a Precipitous U.S. Withdrawal from Afghanistan. Counter terrorism center. Retrieved from <https://www.jstor.org/stable/resrep19894>
- Moghadam, V. (1989). Revolution, the State, Islam, and Women: Gender Politics in Iran and Afghanistan. Duke University Press. Retrieved from <https://doi.org/10.2307/466519>, <https://www.jstor.org/stable/466519>
- Mohan, G. (2022), At UN, India calls for protection of women's rights in Afghanistan, *India Today*, retrieved from <https://www.indiatoday.in/india/story/un-india-calls-protection-women-rights-afghanistan-1969270-2022-07-01>
- Nijat, A. (2015). Women leadership role in Afghanistan. United States Institute of peace. Retrieved from <https://www.jstor.org/stable/resrep12553>
- Nijat, A., & Murtazashvili, J.B. (2015). *Women's Leadership Roles in Afghanistan*. United States Institute of Peace, 01-15. Retrieved from <http://www.jstor.com/stable/resrep12553>
- Okun, M.S. (2022). Feminism, Women's Human Rights, and Cultural Differences. Wiley Publisher, 13(2). Retrieved from <https://www.jstor.org/stable/3810636>
- Pant, H. V. (2010). India's Challenge in Afghanistan: With Power Comes Responsibility. *Contemporary Readings in Law and Social Justice*, 2(1), 36-67.
- Riphunberg, C.J. (2004). Post Afghan Taliban: Changed outlook for women. University of California Press, 44(3). Retrieved from <https://doi.org/10.1525/as.2004.44.3.401>,
- Reddy, S. (2019). Women in Afghanistan, their role in political future. The journal of international issues, 18(2). Retrieved from <https://www.jstor.org/stable/48505443>
- Reddy, C.S. (2014). Women in Afghanistan. The Journal of International Issues. Retrieved from <https://www.jstor.org/stable/48505443>
- Smith, S.S. (2019) Loya Jirgas and Political Crisis Management in Afghanistan. US institute of peace. Retrieved from <https://www.jstor.org/action/doBasicSearch?Query=Afghanistan+political+structure>
- Thomas, C. (2022). Afghanistan: Background and United States policy: In brief. United Nations Security Council. Congressional research service, 6-11. doi:<https://doi.org/10.1515/sirius-2021-2017>
- Whitlock, C. (2021). The Afghanistan paper: a secret history of war. Simon and Schuster. 38-54. doi:9781982159023