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Gender Apartheid: Examining the Status of Women in Taliban- dominated Laws

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Introduction

This study provides a comprehensive overview of the concept of gender apartheid in Afghanistan under Taliban rule. The Taliban was first formed in the summer of 1996 by the Pakistani government and Sunni fundamentalist groups with the support of Saudi Arabia. They are an armed Salafi group of Pashtun ethnicity in Afghanistan, who seek to establish an Islamic emirate in an intellectual and behavioural framework based on the traditional and uncompromising interpretation of Islamic Sharia under the belief in the caliphate system and strict Pashtun tribal regulations. (Deobandi, Salafi).

The status of women in Afghanistan has fluctuated throughout the timeframe of three hundred years. The temporary rulers gave them temporary rights, and when another group came to power, these rights were taken away from them, therefore people were deprived of their rights. After the Hazara genocide between 1893 and 1900, Hazara women were sold as slaves in the markets inside and outside Afghanistan by the order of Abdul Rahman, the king of the Pashtun people. Hazara women were not seen in societal situations such as universities and governmental offices until the communist period of 1978-1992. They also remained absent from public life. What has been said about women in the last hundred years, shows a change in society and the ruling tribe, which gradually excluded women from society. The most oppressive period for women in the last century was the five-year period of the Taliban, which began in 1996. This period of restriction of women in the Taliban regime will not remain unaffected for future generations. With the return of the Taliban to power, they have only changed their tactics according to the conditions of the region and the world; However, they continue to deny the rights of ethnic groups, especially women and girls.

This highlights the systematic relegation of women and girls to a secondary and creating a gender gap and discrimination, rooted in religious and cultural practices. The study also cites feminist scholar Phyllis Chesler who defines gender apartheid as “practices that condemn girls and women to a separate and subordinate existence and make boys and men the permanent guardians of the chastity of their female relatives”. The study also discusses the severe human rights abuses in Afghanistan with a focus on systematic sexual abuse by the Taliban, which underscores international concern about human rights abuses in Afghanistan, particularly systematic sexual abuse by the Taliban. Despite these concerns being dismissed by a Taliban spokesman, the plight of the Hazaras, a predominantly Shiite Muslim ethnic group, is highlighted. Despite being the target of systematic attacks, violence, and genocide, Hazara women have shown resistance and made significant social progress. However, the Taliban's gender apartheid system has imposed an additional burden on them, making them victims and targets of genocide.

1. Gender Apartheid, Its Origin and Historical Background

“Separating people based on race or ethnicity” is the definition of the term “apartheid” and it is derived from the French term “mettre a part”.

Gender apartheid is a system that relegates people to lower positions using physical or legal methods. [1] This phenomenon has turned into a full-scale crisis in Afghanistan, especially after the Taliban regained control of the country. The Taliban have methods that condemn women and girls to a secondary placement and separate existence and consider misogyny as the central core of their worldview. [2] Apartheid is rooted in the religion and culture [3] that the Taliban possess, which is practiced by them as a radical religious and ethnic group.

Below, I provide a more detailed definition from feminist writer Phyllis Chesler, who explored the issue of gender apartheid:

According to feminist scholar Phyllis Chesler: “Gender apartheid involves practices that condemn girls and women to a separate and subordinate existence. It also turns boys and men into the permanent guardians of their female relatives’ chastity”. [4]

Although, from a feminist point of view, gender apartheid not only leads to social and economic discrimination but also leads to physical discrimination.

In general, feminists' view of gender apartheid is based on two basic principles:

1. Emphasis on gender analysis: Feminists emphasize gender analysis in international human rights law. This analysis is based on gender considerations and leads to the fulfillment of the promises of international law regarding the universality of rights and equality.
2. Fighting against gender apartheid: To fight against gender apartheid, feminists emphasize the importance of legal norms to protect people. These norms should be truly universal in practice and application and should serve for the protection of women as well as men.

According to the definitions above and to the “8 AM Kabul” newspaper and website, which is one of the most reliable social-political news agencies in Afghanistan, gender apartheid has been confirmed in Afghanistan by human rights activists, UN experts, and international figures including Dorothy Estrada Tank, Claudia Flores, Ivana Krstic, Haina Lu, Laura Nirinkindi and also the Working Group on Discrimination against Women and Girls (OHCHR). During the two years of the ruling of the Islamic Emirate, many efforts have been made to prevent gender apartheid in Afghanistan, but no favorable results have been achieved. [5]

Gender apartheid in Afghanistan is applied in different ways. Among these, we can point out to the lack of educational facilities for women and girls, the prohibition of employment for women due to their gender, and the limiting women's political and social rights, and recently there have been kidnappings, abductions, imprisonment, and raping girls and women under the pretext of veiling. [6]

According to the Afghanistan International News Agency, "Union of Human Rights Activists" condemned Taliban's actions towards Afghan women and girls in a statement explaining that "Detention is only the governments and legal institutions’ job" and under no circumstance, the Taliban has the right to abduct young girls and women and hold them as hostages.

Richard Bennett, the special rapporteur of the United Nations, asked the Taliban to immediately and unconditionally release all the women accused of "bad hijab". [7]

2. Who are the Taliban and How Did They Come About?

Taliban is an armed Salafi group of the Pashtun ethnicity in Afghanistan, that is trying to establish an Islamic Emirate. Taliban's thought frame and behavior are based on the traditional and uncompromising interpretation of Islamic law (Deobandi, Salafi), strict beliefs in the caliphate system, and strict Pashtun tribal regulations.

On August 15, 2021, after the withdrawal of the US government and its forces and the coalition from Afghanistan, this group was able to dominate this country again with minimal conflict.

Taliban was first formed in the summer of 1996 by the Pakistani government and Sunni fundamentalist groups and supported by Saudi Arabia, led by Mullahs and Pashtun Taliban in the schools of Pakistan's border areas in the cities of Peshawar and Quetta. In 1998, the Taliban was recognized by Pakistan, Saudi Arabia, and the United Arab Emirates after capturing Kabul and expelling the leaders of the Islamic State of Afghan Mujahideen, al-Qaeda. Fundamentalist groups in Central Asia were allowed to operate in Afghanistan again. With the Al-Qaeda attack in New York on September 11, 2001, and the Taliban not cooperating in arresting Osama bin Laden, the leader of Al-Qaeda, the US government attacked the Taliban centers, overthrew its government, and stationed its forces there. Taliban ruled most of Afghanistan until October 2001. Of course, the remaining Mujahideen of Afghanistan were fighting with the Taliban in different areas.

Following the attack on the Twin Towers in New York (September 11, 2001), the American government accused the Al-Qaeda group of being involved in the attack and asked the Taliban to hand over Osama bin Laden, the leader of Al-Qaeda, to the United States. [8]

Following the Taliban's refusal to accept this request, the United States attacked the group's centers in Afghanistan. After the fall of the Taliban government in October 2001, most of the remaining members fled to Pakistan. [9]

Genesis

The emergence of the Taliban (1994 in Quetta, Pakistan) [10] was a combination and fit of internal and external factors, the main and prominent ones being as follows:

Fundamentalist groups

In the states and border areas of Pakistan, especially in Peshawar and Quetta, since the 1940s, Sunni parties such as Jamiat Ulema Islam, Jamaat-e-Islami, and Ahl al-Hadith have established religious schools. In these schools, only some religious texts are taught with the interpretation and perspective of the Deobandi school (India), which has common views and activities with Salafism and Wahhabism. After the arrival of Afghan immigrants to these areas, a significant number of young people were attracted to these centers, and the number of these schools increased. [11]

In these centers, it was repeatedly said that “the parties, the government of Afghanistan, and the Shiites are corrupt and out of religion”, and foreigners were also introduced as evil forces. Then, by inciting and encouraging the students to jihad and their religious duty to clean Afghanistan and remind them of ethnic prejudice, they armed and organized them and sent them to Afghanistan.

Tribal culture

Most of the Taliban population are from the Pashtun ethnicity. These people were brought up in a tribal, rural, or camp environment with poverty and illiteracy.^[12] Of course, after the Taliban took control of Kabul, gradually, non-Pashtun or non-fundamentalist people also joined this group: Tajik and Uzbek fundamentalist Sunnis from Badakhshan and the northern regions of Afghanistan, Arab, Chechen, and Uzbek Mujahideen, as well as Pashtuns who had experience and cooperation in the communist governments of Afghanistan. ^[13]

Based on this, there are four groups of Taliban:

1. "Local or Afghan Taliban: based in Afghanistan".
2. "Pakistani Afghan Taliban: Afghan Taliban born in Pakistan, trained in, working in, or with considerable links to Pakistan".
3. "Pakistani Taliban: Taliban in Pakistan (non-Afghan) or Pakistani fighters in Afghanistan".
4. "Foreign Taliban: Taliban from other countries and sometimes with Al Qaeda links (Chechnya, Saudi Arabia...)" (Wijeyaratne 2008). ^[14]

The arrival of the former Soviet forces in Afghanistan (winter 1980), the formation of Mujahid forces and their land connection with the border cities of Pakistan, caused the formation of numerous jihadi parties there with the support of the head of the government of Pakistan then (Zia ul Haq), the aid of the United States, United Kingdom, Saudi Arabia, and the United Arab Emirates. The heads of the parties were active Mullahs, and the soldiers were made up of young immigrants or residents of Afghanistan. In Pakistan, 7 groups were formed, which later became known as the Seven Coalition, and in Iran, the Council of Eight Parties was formed. After some time, the head of the government of Pakistan (Mrs. Benazir Bhutto) and the government of Saudi Arabia went towards the formation of a new group with more control, supervision, and loyalty. ^[15]

3. The Status of Women in Afghanistan in the Last Century

Afghanistan is a country where all major national decisions take place in the absence of women. Women's freedom and restrictions have always been dictated by male politicians in Afghanistan, while women have never been on the political stage as actors. A brief look at the history of Afghanistan shows that the process of progress for women has been very slow and unstable, and sometimes it has always been faster and continuous when going downhill and or backward. The era of Mujahideen and the Taliban is a clear example of this backwardness, in which Afghan women have paid the price and even the next generations will be affected by it.

When talking about the situation of women in Afghanistan, some Afghan writers deliberately point to 1919 onwards, but the recent history of Afghanistan is worth mentioning:

After the order of genocide and excommunication of the Hazaras in 1893, by Abdul Rahman, the king of the Pashtun tribe, more than 62% of the Hazara people were massacred. Abdul Rahman's army captured thousands of Hazara men, women, and children. Some of these captives, who were mostly women and girls and numbered in thousands, were distributed among his soldiers as slaves and maidservants by the order of Abdul Rahman, and thousands of others, who were referred to as "Amir's" share, were sold in the markets inside and outside of Afghanistan by the order of the king. On October 19, 1893, a reporter from The Times newspaper of London wrote from Calcutta, India: "Afghan Amir sold 10,000 Hazara prisoners as slaves in the Calcutta market so that he could pay the costs of suppressing the rebellion." [16]

After the physical removal and usurpation of the fertile lands of Hazara, [17] the systematic massacre and killing of Hazara is still going on. [18] For this reason, the exclusion of Hazaras and Hazara women in universities, government offices, and society continue until the pre-communist period of 1978-1992 [19], and Hazara women are subjected to double discrimination due to being women and from the Hazara ethnicity. And what has been said about women in the last hundred years shows the evolution of society and the ruling tribe, not the women of all ethnic groups in Afghanistan.

The situation of women in Afghanistan has had many ups and downs throughout the history of this country. At every stage of history, women were given temporary rights by temporary rulers, and when another group came to power, these rights were taken away from them. They would make many efforts to restore women's rights and give them freedom, but these efforts have been very short-lived. Amanullah Khan, the first king the years 1919 to 1929, made significant changes to promote the freedom of women and he succeeded to some extent in this field; He also emphasized the importance of women's education and their employment in public and government centers and even changing the style of clothing and giving women the freedom of clothing [20]. He even enacted a law that abolished forced marriage, child marriage, polygamy, and selling girls, and supported women's emancipation. These decisions angered religious mullahs [21].

Amanullah Khan's wife was the first woman in the history of Afghanistan who accompanied her husband on foreign trips, including the Shah's trip to Europe and Iran and national ceremonies. Queen Soraya, the king's wife, implemented reforms to improve the lives of women and girls and their social status be it, marriage, education, and employment. She also founded the first association for the protection of women and aimed to institutionalize women's rights in national laws. Women and girls could go abroad to continue their education and work in government centers. She is considered the first active woman in the history of Afghanistan, and she was the first woman who took off her hijab in public with her husband and was a role model for other women. Back then, such signs were installed in some streets, "It is forbidden for women to pass by in burqas." The young and progressive king faced serious opposition from conservatives and mullahs in the Paghman Jirga. All these reforms and giving freedom and welfare to women led to protests and finally to the fall of Amanullah Khan's monarchy in January 1929. [22]

Again, with Zahir Shah's coming to power, his wife, Queen Humaira, supported women by establishing the Women's Welfare Association in 1947, and 1950, women entered Kabul University for the first time. [23] After thirty years, women gradually entered the political arena, and with the constitution of 1964 [24] four women were elected to enter the parliament for the first time. Zahir Shah's policy towards women was impressive and with the gaining of power of the People's Democratic Party of Afghanistan, support for women increased. The number of women working in government offices increased, and the education of women, even elderly illiterate women, became mandatory and they were required to participate in literacy classes.

Unfortunately, with the fall of the communist system led by Dr. Najibullah in 1996, Mujahideen groups entered Kabul and the dark and terrifying era for women began. [25] The successive civil wars made not only women stay at home, but also almost all the educated classes fled the country in some way. Although the Mujahideen government did not announce and apply a clear policy towards women, the Taliban, which emerged from the radical Mujahideen groups, adopted a strict system for women to the point where women were not allowed to leave their houses alone. The darkest period for women in the last century was the five-year period of the Taliban, which began in 1996. This period of restricting women in the Taliban regime will not remain unaffected for future generations. [26]

The situation of women in the dark era of the Taliban is not hidden from anyone. "Bread, work, freedom" is the slogan of women in Kabul and several other cities under Taliban rule. [27] During this century, most of the urban women benefited from the privileges of the rulers of that time, while in the villages of Afghanistan, women were deprived of the right to education according to common traditions, and even in some areas, women were stoned to death and violently beaten in field courts and severely condemned by men. Progress and improvement in women's situation are a completely political issue and have a political solution. Therefore, women should find and occupy their position as the main players in Afghan politics.

The Position of Women in the Laws of the Taliban

Taliban judge Maulvi Abdul Hakim Haqqani, [28] the main judge of the Taliban regime, has written a book in Arabic under the title of "The Islamic Emirate and Its Systems", with the introduction and approval of Mullah Hibatullah Akhundzada, the current leader of the Taliban. Currently, this book contains all the regulations and the constitution of the Taliban, and researchers have interpreted this book as the manifesto of the Taliban. The appearance of contents of the book is decorated with verses from the Quran, Hadiths (Islamic sayings), and the sayings of the elders of the Islamic religion. Behind all this lies a big problem against the history, culture, economy, politics, and society of Afghanistan.

When the issue of the system's structure is discussed, the only option that is not defined is the election and the right to choose the ruler by the people. The most controversial topics in Abdul Hakim Haqqani's book, are the structure of Afghanistan's future system, the presence of women in society, and the education issue. Yes, this book is one of the most terrible books written against women, other religions, and ethnic groups in Afghanistan. [29]

According to the book of Abdul Hakim Haqqani, the judge of the Taliban, the most controversial issue is the structure of the future system of Afghanistan, the presence of women in society, and the issue of education. During the first period of their rule in Afghanistan (1996-2001), they closed the doors of schools and universities to girls and deprived almost half of the society of the blessing of literacy and knowledge. This act was done when the world was sensitive to the issue of human and women's rights. Perhaps for this reason, the countries of the world did not recognize the Taliban government as an official government at the time.

In addition to depriving girls of education, the Taliban made it mandatory for women to wear a "Chador" as it is considered the desirable Islamic hijab by them. In the book "Mojdeh, W. (2008). *The play of powers in Afghanistan and the formation of the Taliban.*" written by Wahid Mojdeh, it is well explained that the Taliban locked women in their homes as slaves without freedom and authority and tortured women without hijab. Today, despite taking power in Afghanistan, there has been no change in their intellectual principles, the doors of schools and universities are still closed to girls, and women do not have a role in any of the positions of the Taliban system. In this book, Haqqani has clearly said that the presence of women in politics and society has been completely denied and their place is only at home. [³⁰]

Their intellectual principles have only changed their tactics according to the conditions of the region and the world. In the book "Hakim Haqqani, A. (2022). *The Islamic Emirate and its Systems, Darul Uloom al-Sharia School.*", he considers the work of women to be giving birth to children, the guardianship of children, and the responsibility of men to engage in outside work. In Haqqani's view, the scientific superiority of men refers to the imperfection of women's intellect, and in terms of strength and physical ability, men are superior to women. He mentions that the conditions of women's education are to study at home and their teacher being a woman.

In his book, he encourages Muslim rulers and scholars to prevent the activities of schools of new and modern sciences, because according to him, schools are the fruits of infidels to lead Muslims to corruption and deviate Muslims from their religion. [³¹]

The result of this judgment is that the people of Afghanistan become more and more dependent on foreign countries and the quality of Taliban-style education decreases. This is the policy that the Taliban has followed, and higher education and new sciences have no place among them.

All these statements, according to Haqqani's book, show that the Taliban are unaware of the needs and requirements of the new world, and in the case of traditional jurisprudence, they accept what is pleasing to them and remove what is not in line with their intellectual principles.

Violation of Human Rights in Afghanistan and United Nations' Opinions

The foreign ministers of 12 countries (Germany, Canada, France, Belgium, Holland, Romania, Mongolia, Liechtenstein, Kosovo, Albania, Andorra, and Bulgaria) expressed their concern about human rights violations by the Taliban in Afghanistan in a joint statement. They asked the Taliban to end systematic gender persecution, which can be considered a crime against humanity. They even expressed their deep concern about the violation of the human rights of girls and women in Afghanistan at the 2024 Munich security meeting and asked the Taliban authorities to end sexual harassment, which is a crime against humanity. [32] From the point of view of these foreign ministers, one of the human rights violations includes the recent wave of arresting girls and women in Afghanistan by the Taliban. They also said that "we demand their immediate release and confirm our unwavering commitment to the rights of women and girls in Afghanistan".

In the announcement of the Munich Security Conference, it is also stated that the Taliban have not made any progress in the field of protecting human rights, especially in the field of women and girls' rights; And the Taliban is responsible for one of the most terrible human rights situations in the world, which has endangered the future of that country by removing half of the Afghan population from public life and political decision-making. These foreign ministers of 12 countries considered the Taliban's method "unique" in the world and said, "We ask the Taliban authorities to fully respect international laws, especially human rights laws, and to respect the fundamental rights of all Afghans, protect the inclusion of ethnic and religious minorities and cancel all decisions that limit the fundamental rights of women and girls in any way".

However, Zabihullah Mujahid, the spokesman of the Taliban, dismissed the concerns of the members of the Munich security meeting as unfounded and said that "Afghanistan is safe after several years and there are no foreign groups in this country and operating in this country". [33]

Vanessa Frazier, the Rotating president of the United Nations Security Council, has said that "gender apartheid" applies to Afghanistan and should be added to the Convention on the Prohibition of Crimes against Humanity. She also told reporters that the situation in Afghanistan is important for the Security Council. Referring to the marginalization of women by the Taliban in Afghanistan, he said that this action is impossible. This senior official has also emphasized that the UN special representative for Afghanistan should be appointed as soon as possible.

Meanwhile, some UN experts, including Dorothy Estrada Tank, Claudia Flores, Ivana Krstic, Haina Lu, and Laura Nirinkindi, and the same Working Group on Discrimination Against Women and Girls, asked countries to recognize "gender apartheid" in Afghanistan as a "crime against humanity". International institutions and human rights defenders have repeatedly asked the United Nations and some countries to bring the terrorist Taliban to justice in the international court. Also, many lawsuits have been filed to recognize gender apartheid as a crime against humanity in Afghanistan. [34]

4. Afghanistan's Most Influential Gender Apartheid: The Genocide of Hazara Women

Hazara

The Hazaras are the third ethnic group and mostly Shiite Muslims, which make up approximately 20% of Afghanistan's population. Many of them can be identified with their Asian features and faces and different cultural practices compared to other Afghan ethnic groups. For example, wearing a burqa is not customary for the women of this tribe, and many of them are educated. The Taliban consider them infidels and therefore target them as infidels. Their ethnic and religious identity has been the target of systematic attacks, violence, and genocidal killings for the past hundred years.

During the 1990s, after the Taliban came to power, more than five major massacres against Hazaras led by the Taliban resulted in the deaths of more than a thousand people and many more wounded. The Taliban's repetitive attacks on Hazaras which were supported by the United States during 2001-2021 included massive shootings, bombings, abductions, and more. As part of a persecuted minority in Afghanistan, Hazara women are particularly vulnerable to this gendered enforcement.

Since June 2021, Hazara migrant advocates have mobilized protests in more than 160 cities around the world, rallying around #StopHazaraGenocide to pressure the international community and political leaders. Women are still the leaders of these protests. ^[35]

Women's Voices Against Oppression by Taliban

"Afghanistan has become a country where it is forbidden for Hazara women to breathe," said Sima Noori, a human rights activist who documents the Taliban's brutality against Hazara women. "Seeing pictures of torture by the Taliban and hearing the voices of Hazara women hurts me every day. The international community must hear the voices of Hazara women." ^[36]

She has collected dozens of stories of women whom the Taliban have captured since the Taliban began cracking down on women for violating dress codes. Every woman has been arrested for the violation of their appearance in their clothing and told that they are not properly covered. ^[37] For example, one of the arrested women is a 20-year-old woman who is a midwife. On January 8, 2024, she was arrested by the Taliban on her way home from work. She told human rights activist Sima Nouri that they accused me of not wearing a hijab. The Taliban brutally beat me on the way to prison. While they were beating and torturing me, they told me that you are Hazara, a spy for Western countries. They asked me Sharia questions that I did not know the answer to. When we got to the prison, they forced my head under cold water several times while they laughed and tortured me. They kicked and punched me. "Finally, I was released because my family paid a lot of money [160,000 Afghanis (US\$2,244)] and signed a written document that I would follow their rules." Similar stories like this woman have been written by human rights activists.

Unfortunately, in the Hazara society, these stories of arrest, humiliation, and torture are not discussed due to concern for the respect and honor of the family, where the support of girls

and women is central. The violence of their experience is accompanied by silence, and women are unable to respond. Without a voice in the press, protests, or political representation, these attacks on millennial women remain invisible to the world. [38] The United Nations special rapporteur on the human rights situation in Afghanistan in the 55th session of the Human Rights Council has disproportionately characterized the situation of Hazara women and girls with more discrimination than other minority groups. [39] A female human rights defender told the special reporter: "I am an activist, after being threatened with rape and death through online attacks, I am overcome with fear and trauma. I suffer psychologically. Also, I am afraid of revenge and harm to my family, so I will prefer silence". She is an example of hundreds of women who remain silent because of harming their families. [40]

Reports indicate that in most cases, the Taliban have contacted family members to come to the security areas to collect their wives. However, the Special Rapporteur has obtained information that many families have been searching for their wives for several days. In most cases, the authorities have mostly denied detaining their family members in the situations where they were finally received. [41]

Why Does the Taliban Target Hazara Women?

The Taliban targets Hazara girls and women more than other minorities because they know that they are the backbone of Hazara society. As survivors of the massacres of the 1990s, they were forced to take on new roles and maintain their communities. In the last 20 years ago, with the presence of the international community, there has been progress in Afghanistan for Hazara women. They have shown significant progress in society on behalf of all Afghan women. They became civil society leaders, such as the first minister of women's affairs, the first female governor of a province, and the first female mayor. They also achieved other successes and became police detectives, the first female film director and the first female singer to win Afghan Idol, and many more. Their success in society and leadership roles undermines the Taliban's ideology and is a direct threat to their power. As has been the case for decades, Hazara women are the loudest critical voices against the Taliban.

The status of Hazara women shows that the Taliban have not changed compared to their previous rule over Afghanistan from 1996 to 2001. Since the return of the Taliban, their restrictions have also been applied to ban girls from education, ban their employment, ban women from leaving home without a male relative, and require women to cover their faces and bodies heavily. These restrictions have been identified as part of the system of gender apartheid, an emerging framework for legal analysis recognized in human rights communities.

In February 2024, UN experts announced that the international community should recognize gender apartheid as a crime against humanity. In the declaration, experts highlighted the Taliban's treatment of women to draw attention to the consequences of gender apartheid as a crime against humanity. [42]

Gender Apartheid as a Tool for Genocide

The Taliban's gender apartheid restrictions are used as an opportunity to selectively target Hazara communities for persecution and collective punishment. The system of gender apartheid places an additional burden on Hazara women, who are victims and targets of the Taliban's genocide against Hazaras.

Immediately after the mass killing of thousands of Hazara men and boys in the 1990s, Hazara women became the heads of their households, responsible for earning money to provide food and support for their entire families, who were left without male relatives. The Taliban's restrictions on women—on education, employment, and the ability to leave their homes—meant that women were placed in an impossible position. Most families were poor and faced starvation, and many women were deeply affected by their experiences.

Women and girls are targeted in horrific attacks and bombings. For example, on September 30, 2022, Kaj Education Center was bombed while girls were practicing for university entrance exams. 53 people, including 46 young women and girls, were killed and 110 others were injured. ^[43]

Deliberate bombings of educational institutions that support millennial girls and women deliberately hinder their education and terrorize all those who seek an education. Depriving Hazara girls and young women of education is an attack on the power of Hazara women and thus the entire Hazara society.

Today in Afghanistan, gender apartheid is a tool of genocide against Hazaras. The international community, as it now defines gender apartheid as a crime against humanity, must recognize that millennial women are at risk from these compounding forms of oppression.

The Danger of Silence

Human rights activist Sima Nouri said that in the past 24 years, as an activist, documentary maker, and researcher, I have witnessed many atrocities against my people. The Taliban have found a new insidious strategy to target the Hazara community under the pretext of violating the dress code of their gender apartheid system. It is a dangerous combination of violence and shame that is deadly for millennial women and girls. It is deadly because it causes silence. And silencing Hazara women will be the worst outcome for all Hazaras and all minorities and women in Afghanistan. ^[44]

5. Conclusion

Gender apartheid is a system that relegates people, especially women, to lower positions using physical or legal methods. This study provided an overview of gender apartheid and its manifestation in Afghanistan under Taliban rule. This phenomenon has become a full-blown crisis in Afghanistan, especially after the Taliban regained control of the country. The actions of the Taliban, which are rooted in religion and culture, condemn women and girls to a secondary and separate existence. This type of apartheid has led to social, economic, and physical discrimination against women. Despite the efforts of human rights activists, UN experts, and international personalities to prevent gender apartheid in Afghanistan, no favourable results have been achieved so far.

The Taliban government has had a significant impact on the status of women in Afghanistan. Male politicians in Afghanistan have always dictated women's freedom and restrictions, and women have never been actors on the political stage. The status of women in Afghanistan has had many ups and downs throughout the history of this country, and at every stage of history, temporary rulers have given them temporary rights and when another group came to power, these rights were taken away from them. All the events in today's Afghan society show that the Taliban are unaware of the needs and requirements of the new world, and in traditional jurisprudence, they accept what they like and exclude what is not compatible with their intellect.

The Taliban's lack of progress in protecting human rights, especially the rights of women and girls, has been criticized by the international community many times. Vanessa Frazier, the new Rotating president of the UN Security Council, has said that "gender apartheid" is practiced in Afghanistan and should be added to the Convention on the Prohibition of Crimes against Humanity.

In this study, we discussed more about the plight of Hazara women who are vulnerable to the sexual practices of the Taliban due to their ethnic and religious identity. The Taliban's gender apartheid restrictions are used as a tool for genocide against the Hazaras, placing an additional burden on the shoulders of Hazara women. The international community is urged to recognize gender apartheid as a crime against humanity and acknowledge that millennial women are at risk of these compounded forms of oppression. The study concludes by emphasizing the danger of silence, as the Taliban's strategy of targeting the Hazara community under the pretext of violating its gender apartheid system's cover law results in a deadly combination of violence and shame that silences Hazara women. This silence is considered the worst outcome for all Hazaras and all minorities and women in Afghanistan. Nevertheless, the international community is asked to recognize gender apartheid as a crime against humanity and break the silence surrounding the violence and shame imposed on Hazara women and other minorities in Afghanistan.

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