Women of Afghanistan

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Lidia Minich



Since the Taliban's takeover of Kabul in August 2021, Afghanistan has stood out as the only country in the world where women and girls are officially banned from education beyond primary schools, from most jobs, and even from walking freely in public places. Margaret Atwood's dystopian classic, The Handmaid's Tale, continues to be a harsh reality for the women and girls of Afghanistan, as the Taliban erased half of the population from public life. What has emerged in the country is no longer merely discrimination, but a political system built on the segregation of one part of the population. Since the events of 2021, more and more human rights advocates call the brutal system what it is: a gender apartheid.

From Discrimination to Apartheid: A System Built on Gender

As a strong advocate of human rights and gender equality, I find the term both analytically precise and politically powerful. According to Article 7 of the Rome Statute, apartheid is defined as a crime against humanity. The evidence gathered by numerous international organisations (UN, Amnesty International, Human Rights Watch) show that the Taliban's inhuman treatment of women meets every structural and intentional element of the crime except for one: under the current state of international law, the crime of apartheid applies specifically only to race. Due to the lack of legal codification, the Taliban has been able to maintain the oppressive system, and the global community is reluctant to confront it.

The IBAHRI's 2025 report documents over eighty decrees issued by the Taliban that aim to systematically erase women's rights in the country, from the prohibitions on NGO employment to harsh restrictions on movements and access to education. These actions represent the coherent framework of the government and are well-fueled by misogynistic discrimination. By exploiting religion and through a rhetoric which relies on "moral protection and tradition", the Taliban has successfully institutionalised male dominance as Afghanistan's official state policy. Amnesty International's *Shadow Brief calls the constructed social structure a "total system of control". The state is centred around women's exclusion, which is enforced not only by the police and courts, but by families mandated to surveillance and harsh punishments. Similar to North Korea and Turkmenistan, the Taliban has established a totalitarian regime which erases the line between state and household, turning homes into places where state power operates directly.*

Life Behind Walls: The Unbearable Reality of Total Control

For Afghan women, this state-controlled normality turned into a life lived strictly behind walls. The Atlantic Council outreach report Inside Afghanistan's gender apartheid focuses on the voices of women who cry for justice and report that they see their future vanish in front of their eyes. The Taliban's Decrees violate international law in countless respects, for example, the right to health, which has been established in Article 12 of ICESCR. Under the current regime, women face constant exclusion, first being denied employment by health facilities, and also by being denied access to health services without their male escort (mahram). Also, the report highlights that the constant disappearance and skyrocketing suicide rate among women (and especially adolescent girls) represent the brutal effects of wicked oppression by apartheid authorities. These devastating individual stories illustrate how the Taliban have turned the daily existence of women into a form of confinement. As one woman put it, "We are alive, but invisible."

In its statement, Human Rights Watch argues that the brutal rule of the Taliban satisfies the essential conditions of apartheid: systematic op-

pression, the intention of maintaining that domination, and the use of coercive techniques to enforce it. The only difference is that hierarchy in Afghanistan is based on gender rather than race. The careful phrasing of the term by Richard Bennett, the United Nations' Special Rapporteur for Afghanistan, reveals the limits of the current international legal framework. The criminal investigations and judgments of the International Criminal Court are legally bound by the Rome Statute, which defines apartheid strictly in racial terms, thereby leaving gender-based systems of domination without an equivalent classification.

A Legal Gap That Normalises Willful Ignorance

This gap in the international legal system is not merely technical – it is moral. Calling the oppressive system by its name helped to mobilise global resistance movements during South Africa's apartheid, or more recently, in the case of Israel's oppression in the Occupied Palestinian Territories. In Afghanistan, the hesitancy of the international community to actually label the Taliban's brutal regime as gender apartheid has the opposite effect: it legitimises disinterest. In other words, legal ambiguity becomes an alibi for political and humanitarian cowardice. By continuously hesitating to name the crime, the global community has allowed the Taliban to normalise their system of brutal exclusion and terror under the appearance of cultural peculiarity.

Critics often argue that broadening the term apartheid could actually weaken its historical and legal specificity, or that other categories like "persecution" already cover this abuse enough. But this distinction misses and curtails what has been developing in Afghanistan. Persecution specifically describes acts, while apartheid describes a whole system – a social order which is designed to enforce separation and subordination. The Afghanistan Justice Archive's report captures this clearly, describing the Taliban's decrees as means to purposefully create a "gender-based caste system." What the world can see in Afghanistan is not a series of violations but the intentional construction of a state which is exclusively built on gender hierarchy and oppression.

The Cost of Silence: Why Naming the Crime Matters

The failure to respond definitely reveals the hypocrisy deep at the heart of the global project built on human rights. Western leaders may issue statements of concern while quietly seeking approval for the sake of fragile regional stability. Regional powers justify their inaction by hiding behind religion and culture. Meanwhile, despite the risk of brutal retaliation, Afghan women continue to resist – running secret schools, documenting abuses, and keeping alive the idea of equality the world has abandoned. Their disobedience is both an act of survival and a moral accusation. If the

Taliban-controlled Afghanistan is not a gender apartheid, then the term itself has no meaning.

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