

THE TALIBAN WAR ON WOMEN'S EDUCATION A HUMAN RIGHT CRISES IN AFGHANISTAN

Imad Hilal

University of Bedfordshire, SRN: 2322125

Received: June 18, 2024

Revised: July 28, 2024

Accepted: August 06, 2024

Published: August 16, 2024

ABSTRACT

Approximately **80%** of school-aged Afghan girls and young women being out of school, with nearly **30%** having never entered primary education under the Taliban's interpretation of Sharia Law in Afghanistan. This research paper examines the critical issue of the ban on women and girls' education in Afghanistan by the Taliban, analyzed through **International Human Rights Law (IHRL)** and Sharia law. It questions the disparity between the right to education for women under **IHRL** and their rights under the Taliban's interpretation of Sharia Law in Afghanistan. The paper uses doctrinal research methods to assess how the rights to education under **IHRL** align or conflict with those granted to women in Afghanistan under the Taliban's version of Sharia. Both legal frameworks recognize education as a fundamental human right, yet the Taliban's ban clearly violates these principles. The study details the main sources of **Sharia law**, such as the **Quran** and **Hadiths**, which universally advocate the pursuit of knowledge and mandate that parents provide their children with a proper education. It argues that the Taliban's interpretation of these texts is not only incorrect but also manipulated to advance the regime's specific agendas, rather than reflecting the true spirit of Islamic teachings. Additionally, the paper discusses international legal standards that protect educational rights, citing key documents like the Universal Declaration of Human Rights (**UDHR**), the Convention on the Elimination of All Forms of Discrimination Against Women (**CEDAW**), and the International Covenant on Economic, Social, and Cultural Rights (**ICESCR**). It firmly concludes that the Taliban's educational ban is a clear violation of International Human Rights Law. The study also highlights the non-discriminatory nature of educational rights under both **IHRL** and Islamic law, stating that any denial of such fundamental rights is a serious violation punishable under both legal systems. It refutes any perceived differences between the rights of education for women under **IHRL** and under Taliban's Sharia, affirming that both doctrines fundamentally support equal educational opportunities for women. Based on these findings, the paper proposes several actionable **recommendations** to reverse the educational ban. It suggests that the international community increase pressure on the Taliban through diplomatic channels, economic sanctions, and support for women's rights advocates. It also calls on Muslim-majority countries to use their cultural and religious influence to advocate for the restoration of women's educational rights in Afghanistan. The role of human rights activists in promoting this issue globally is emphasized, advocating for a strong campaign across social media and through public demonstrations to raise awareness and spur international and grassroots action against the education ban. In summary, this comprehensive legal analysis exposes the educational ban in Taliban-administered Afghanistan as a breach of universally recognized human rights laws and a distortion of Islamic legal principles. The paper not only clarifies the legal discrepancies but also offers a strategic framework for international and local stakeholders to work together to restore educational rights for Afghan women and girls.

#Let Her Fly



Acknowledgements

I would like to begin by dedicating this research to the most important person in my life, my beloved mother, **Tahira** whose unwavering love, support, and encouragement have been my guiding force throughout my academic journey.

I would also like to express my gratitude to my two elder brothers, **Muhammad Sohail** and **Khaista Bacha**, for their financial support, which enabled me to complete this research successfully.

I am highly thankful to my teachers, **Advocate Ataullah Jan** and Advocate **Roha Chohan**, for the proper guidance and strong support from their end throughout my work. Their motivation and insight have proved an immense help toward the direction and successful accomplishment of my work.

Specially I am deeply indebted to my teachers and friend, **Mr. Afzal Khushal Khan**, for his very

kind help, guidance, and untiring support without grudging his time and sharing his valuable experience. He always, time and again, ensured my academic welfare, and his encouragement was a source of inspiration for me.

Further, I would like to extend profound appreciation to all my **family members**, whose unending support and encouragement stayed with me throughout this journey. Each of them has believed in my abilities and continuously encouraged me, which has strengthened my resolve and greatly contributed to my accomplishments.

Once again, I am very thankful for all those who had a hand in conducting this study. Their support has been my every need. Thanks to all for playing such an essential role in this great effort.

INTRODUCTION

A report by the Afghan Ministry of Education and the **UNICEF** United Nations Children's Fund reveals that the enrolment of girls in primary school has risen from 5,000 in 2001 to over 2.5 million in 2017¹ which means that Afghan women have made great strides in receiving an education since the dismantling of Taliban rule within their borders.² However, in light of the Taliban's 2021 takeover of Afghanistan; however, the prospect of women and girls' education in Afghanistan remains highly uncertain.³ The Taliban regime in Afghanistan has a long history of placing severe restrictions on women's education. When the Taliban held power in Afghanistan between 1996 and 2001, girls were not mined from attending school, and women had limited ability to access education and high-quality employment. Since September 2021, girls in Afghanistan have been barred from attending in-person classes if they are older than 12, leaving 1.1 million young Afghan women without access to formal education. This has resulted in approximately 80% of school-aged Afghan girls and young women being out of school, with nearly 30% having never entered primary education. Furthermore, in December 2022, the government suspended university education for women, effecting over 100,000 female students who attend higher education institutions.⁴ Towards 2023, there was a redoubling of the repressive activity against women's rights on the part of the Taliban. Among these are the ban on 63 women who were to travel to the United Arab Emirates to receive scholarships and the closure of all beauty salons,

which has resulted in a loss of 60,000 jobs for women. Others include the banning of women visiting the Band-e-Amir National Park.⁵

However, it is important to note that these restrictions are not done under any recognized law or legal framework by the Taliban instead such restrictions and ban the education we justified under Sharia law, Taliban spokesperson in Pakistan, **Azam Tariq**, stated in 2009 that "Islam does not allow women to get an education. Women should stay at home and look after their homes and family."⁶ according to another report, the Taliban Ministry of Education declared that "Female education is against Islamic/Sharia Law and must be banned"⁷. Additionally, Taliban commander named **Mullah Abdul Hakim** stated in his interview that "Girls' education is not allowed in Islam. We have many examples from Islamic history, where women were not allowed to learn."⁸ Moreover, recently in September 2022, during a press conference, the newly appointed Taliban minister of education questioned the very motive of education. "**No PhD or master's degree has value today**," he said. "You see, the mullahs and the Taliban that are in power have no PhD, master's, or even a high school degree, but they are the greatest of all."⁹

In this research the term "Taliban administered Afghanistan" refers to the country of Afghanistan being governed by the Taliban. Whereas the term "right to education for women" refers to the basic human right of women to receive education without any discrimination based on gender.¹⁰ It is a fundamental right that enables women to acquire knowledge, skills, and opportunities to

¹ (UNESCO 2019, 3)

² Congressional Research Service, 'Afghanistan: Background and U.S. Policy In Brief', R46955 (Washington: Congressional Research Service, 2021) <https://crsreports.congress.gov/product/pdf/R/R46955> accessed 14 March 2024.

³ AP News. (2022, August 15). One year later, Afghan girls still fighting for education. Retrieved from <https://apnews.com/article/afghanistan-one-year-later-girls-education-50fabcb133db9f5f7c2b0559534d1eb7>.

⁴ UNESCO. (2021, September 9). Let girls and women in Afghanistan learn. Retrieved April 6, 2024

⁵ "Afghanistan" (Human Rights Watch, January 11, 2024) <<https://www.hrw.org/world-report/2024/country-chapters/afghanistan>>.

⁶ Taliban spokesperson in Pakistan, Azam Tariq, stated that "Islam does not allow women to get an education. Women

should stay at home and look after their homes and family." provide source

⁷ The New York Times, 'Taliban Ban on Girls' Schools Stirs Anger Abroad' (28 March 2000) <https://www.nytimes.com/2000/03/28/world/taliban-ban-on-girls-schools-stirs-anger-abroad.html>

⁸ BBC News, 'Afghanistan: Taliban resume attacks on education', (12 June 2013) <https://www.bbc.com/news/world-asia-22951090> accessed 15 April 2024.

⁹ "Taliban's Ban on Girls' Education in Afghanistan" (United States Institute of Peace) <<https://www.usip.org/publications/2022/04/talibans-ban-girls-education-afghanistan>>.

¹⁰ (Oxford Learner's Dictionaries, n.d.)

participate in various aspects of society on an equal footing with men. Breach of this aforementioned right is the violation of International Human Rights Law (IHRL) as the IHRL concerning the right to education for women is grounded in various international instruments¹¹ such as the Universal Declaration of Human Rights (UDHR), the (CEDAW), the International Covenant on Economic, Social and Culture Rights (ICESCR) and (UDHR). These instruments recognize the right of every person to education without discrimination based on gender and emphasize the importance of eliminating gender stereotypes and traditional attitudes that discriminate against women in Afghanistan. However recently on 12 December 2022 the Taliban administration in Afghanistan has violated the aforementioned International Instruments by imposing restrictions on women and girls' education. Resultantly, women are mostly unable to acquire the knowledge and skills necessary to improve their economic, social, and political status.¹² In addition to the individual consequences, the denial of education for women can have broader social implication. For example, a report in 2012 by World's Bank shown that educating girls and women can have positive ripple effect, such as improving the health and education outcomes of their children and contributing to economic growth and social stability.¹³ Therefore, denying women the right to education can have significant negative impacts on Afghanistan development and well-being. However, this research is limited by lack of access to primary sources in Afghanistan, particularly in areas under Taliban control. The study will rely on secondary sources, such as reports from international organizations, Non-Governmental Organizations' (NGOs) and academic research. Additionally, due to the sensitivity to the topic, there may be limitations in accessing accurate and unbiased information. The research will examine the difference between

IHRL concerning the right to education for women and the right of education for women in Taliban administered Afghanistan especially from the Shariah Law perspective purported by Taliban. The research will also analyze the factors that prevent the Taliban administered from IHRL with respect to education for women.

This research will consist of 4 chapters. Chapter 1, will contain the Literature review, which will review the literature on the research topic, including theoretical framework and previous research studies. This chapter will provide the reader with a thorough understanding of the current state of research on the topic. Chapter 2, will focus on the methodology of this research and will describe the research design and approach to provide the reader with a clear understanding of the methodology used in the research. Chapter 3 will be the main body or Discussion in which all the relevant data to research questions will be analyzed. Further this chapter will discuss the implication of the findings and compare them with the results of previous studies which will provide the reader with a deeper understanding of research. Then in chapter 4 we will see Sharia law perspective on rights to education for women and will analyses whether Sharia law provide rights of education to women or not. In next chapter, chapter 5 we will analyze the different IHL on the perspective on rights to education for women and will compare the laws with issues rises from education ban. Furthermore, we will conclude in chapter 6 with the results and summarize the key findings of the research and their implications. Lastly, this research will provide some recommendations based on the research in order to solve the problem.

¹¹ Ramsay-Holet, N (ed), Instruments on Women's Equality: Caribbean Perspective (Economic Commission for Latin America and the Caribbean, 2013)

¹² Reuters, 'Taliban-led Afghan administration says female students suspended from universities', Reuters (20 December 2022) [https://www.reuters.com/world/asia-pacific/taliban-led-afghan-administration-says-female-](https://www.reuters.com/world/asia-pacific/taliban-led-afghan-administration-says-female-students-suspended-universities-2022-12-20/)

[students-suspended-universities-2022-12-20/](https://www.reuters.com/world/asia-pacific/taliban-led-afghan-administration-says-female-students-suspended-universities-2022-12-20/) accessed 14 March 2024.

¹³ World Bank, 'Kyrgyz Republic - Improving the Quality of Public Investment Project (English)', (Report No. 12345678), (Washington, DC: World Bank Group, 2022) <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/492221468136792185/main-report> accessed 14 March 2024.

Literature review

1.1 History of Taliban in Afghanistan

From 1919 until 1997, Afghanistan experienced several cycles of educational reform and modernization, with varying degrees of success in term if expanding access to education for women. However, the Soviet Union invaded and subsequently caused damage to the Afghanistan's education system. However, the soviet-backed government of Afghanistan made significant progress in expanding access to education for girls and women.¹⁴ Thereafter, by the mid-1980s, girls enrollment rate reached from 3% to 25% and women were allowed to attend universities.¹⁵

The Taliban took control of Afghanistan in 1996 and imposed a strict interpretation of Shariah Law and women were effectively banned from all levels of education. Girls were forbidden from attending school, and women were not allowed to work or study outside at home.¹⁶ After the fall of Taliban in 2001, significant progress was made in expanding access to education for women in Afghanistan. The Afghan government, with the support from international aid organization, invested heavily in building schools and training teachers. Between 2001 and 2021, the number of schools in Afghanistan increased from 3,400 to over 16,000, and the number of students enrolled in school increased from around 1 million to over 9 million.¹⁷

Despite these gains, progress was uneven, and many barriers remained to women's access to education. In 2021, only 37% of Afghan women were literate, compared to 66% of men. After Taliban took over in 2021, they imposed restrictions on women's education once again and it seems that the future of women's education in the country is uncertain. And in areas where the Taliban are in Control, there have already been

reports of girls being turned away from school or facing harassment from Taliban militants.¹⁸

Recently in 2023 t Taliban also arrested more civil society activists. On February 2, the Taliban arrested the university professor Ismail Mashal. He has publicly protested against the Taliban's ban on university education for women. They also arrested Matiullah Wesa on 27 March. He is an activist of education and founder of Penpath, an organization for education in Afghanistan. He was released on October 26 without any charge.¹⁹

1.2 Taliban and the right of education for women

The Taliban follow a strict interpretation of Shariah Law, known as sharia, and has been known to impose its beliefs and practices on the areas it controls. When the Taliban first came to power in 1996, they implemented polices that severely restricted the right of women, including their right to education. Girls were banned from attending school, and women were not allowed to work or even leave their homes without a male guardian.²⁰

Since the Taliban regained control of Afghanistan in 2021, they have made statements indicating that they will respect women's rights, including their right to education. However, these statements did not reflect the reality on the ground as on 21 dec 2022 they banned women education. The Taliban imposed their own interpretation of Shariah Law, which they claimed prohibited education for women and girls. They justified their actions by citing religious reasons and claimed that women's education was un-Islamic.²¹ While there are many Hadiths and surahs which reiterates the importance of education for everyone like (Hadith-Al-Tirmidhi) which stated that "seeking of knowledge is

¹⁴ Foot, M., & Hopkins, N. (2016). A Video Reflexive Ethnography study of discharged patients' and staff's perceptions of hospital discharge. SHS Web of Conferences, 26, 01124. doi: 10.1051/shsconf/20162601124.

¹⁵ (R. G. Eccles, 1986)

¹⁶ Council on Foreign Relations, 'Taliban in Afghanistan' (Backgrounder, 3 November 2021) <https://www.cfr.org/backgrounder/taliban-afghanistan> accessed 15 March 2024)

¹⁷ UNESCO, Convention for the Safeguarding of the Intangible Cultural Heritage, 17 October 2003, 2368 UNTS 3.

¹⁸ (E. Batha, 2022)

¹⁹ "Afghanistan" (*Human Rights Watch*, January 11, 2024) <<https://www.hrw.org/world-report/2024/country-chapters/afghanistan>>.

²⁰ US Department of State, 'Religious Freedom Report 2002: Released by the Bureau of Democracy, Human Rights, and Labor', 7 October 2002 <https://2001-2009.state.gov/g/drl/rls/6185.htm> accessed 16 March 2024.

²¹ BBC News, 'Myanmar: UN expert urges international community to take action' (24 September 2021) <https://www.bbc.com/news/world-asia-64045497> accessed 14 March 20234.

obligation for every Muslim (men and women)”²² further Quran outline that “only the person of understanding is mindful.”²³ The importance of knowledge can also be demonstrated from the Quran verse which says that “And say: My Lord, increase me in knowledge.”²⁴ Further Quran does not differentiate the one who has knowledge from those who have not, by mentioning “are those who know equal to those who do not know.” from this it seems that the taliban are interpreting the Shariah Laws also in their own way.²⁵

1.3 International law and rights of education for women

The Taliban’s ban on education for women in Afghanistan has been widely criticized by the international community as a violation of IHRL, especially, the right to education of women. However, it is important to note that this was not done under any recognized law or legal framework by the Taliban. The aforementioned ban, which was in effect during the Taliban’s rule from 1996 to 2001 was lifted after the US-led invasion in 2001, according to the World Bank, the overall literacy rate in Afghanistan has increased from 28% in 2001 to 43%. However, the aforementioned ban has been re-imposed in some areas under Taliban control in 21 December 2022.²⁶

The move to ban education for women in Afghanistan is in violation of Article 26 of the Universal Declaration of Human Rights UDHR states that “everyone has the right to education” and that education shall be directed to “the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms”²⁷, Article 10 of The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which states that women shall have equal opportunities with men in the field of education

and that they shall have the same access to educational institutions, programs, and resources,²⁸ Article 13 of International Covenant on Economic and Culture Rights ICESCR which recognizes the right to education as a fundamental human right and obliges states to ensure that education is accessible to everyone without discrimination²⁹ and Article 28 of the Convention on the Rights of the Child (CRC) which recognizes the right of the child to education and obliges states to take measures to ensure that primary education is compulsory and available to all.³⁰

By violating the aforementioned laws, the main problem is that the ban on university level education in Afghanistan effects the future of Afghan girls in terms of employment and other aspects. The Taliban’s ban on girls’ education has had a devastating impact on women and underage girls, denying them the opportunity to learn, develop skills, and contribute to their communities and subsequently support themselves though professional development/career. Efforts to ensure girls education in Afghanistan remain an important challenge for the international community, particularly in light of the Taliban’s return to power in 2021.

Overall, the violation of Afghan women’s right to education is a complex issue that requires addressing numerous structural and culture factors. While progress has been made in recent, much work still needs to be done to ensure that all Afghan girls have access to quality education and can fulfill their potential. Therefore, this research project will focus on the following research question:

Q1) What is the difference between the right to education for women under International Human Rights Law and the right of education

²² Abu Amina Elias, “Talab Ilm (Seeking Knowledge): Wajib or Faridah?”, Daily Hadith Online (30 August 2012) <https://www.abuaminaelias.com/dailyhadithonline/2012/08/30/talab-ilm-wajib-faridah/> accessed 15 March 2024.

²³ (Quran.com, Az-Zumar 39:9.

²⁴ The Holy Quran, Surah Taha, 114.

²⁵ The Holy Quran. Surah Al-Zumar, verse 9.

²⁶ UNESCO Institute for Lifelong Learning, ‘Interview: Literacy rate in Afghanistan increased to 43 per cent’ (6 June 2018) <https://uil.unesco.org/interview-literacy-rate-afghanistan-increased-43-cent> accessed 22 March 2023.

²⁷ Universal Declaration of Human Rights, GA Res 217A (III), UN Doc A/810 (10 December 1948).

²⁸ Convention on the Elimination of All Forms of Discrimination Against Women, opened for signature March 1, 1980, 1249 UNTS 13 (entered into force September 3, 1981) art 10.

²⁹ International Covenant on Economic, Social and Cultural Rights art 13.

³⁰ Convention on the Rights of the Child, opened for signature November 20, 1989, 1577 UNTS 3, art 28.

for women in Taliban Administered Afghanistan under Shariah Law?

Objectives

The research will raise awareness amongst Afghan people as to the factors for non-implementation of the right of education for women and perhaps once the factors are identified the next step would be to solve the problem which will benefit other uneducated girls in terms of their personal and legal right of education. The objectives will be to compare the international human rights law with the laws in relation to the right of education for women in Afghanistan. The research will help to all those agencies and departments who are the watch dogs of human rights and should take action in favour of women's or students who are not allowed to education. The research will help lawyers, judges as well public to analyse how the ban on university level education in Afghanistan effects the future of Afghan girls in terms of employment and other aspects. The research will help all those students whose international human rights are violating. By reading the research the academic world will be aware of their international human rights especially right to education furthermore the research will contribute to the academic world with a fresh lens.

Research methodology

2.1 Rationale for choosing the Doctrinal Research Method

The above research question will focus on the doctrinal legal research method (defined below) as the Research question requires an analysis of the right of education as a law under the IHRL and Shariah Law. Further, due to insufficient time for conducting the non-doctrinal research methodology which requires conducting interviews, surveys etc once consent is obtained through ethical forms. Furthermore, since the research is focused on another country the cost of travels to study the human participants namely the on ground Afghanistan girls will far exceed

the scope of this research because of unavailability of funding since this research is self-funded. The chosen method is chosen since doctrinal legal research provides quick answers to the practical problems at hand by analyzing the legal principles, concepts, and doctrines.

2.2 Doctrinal research method

The doctrinal legal research method is a method of legal research that focuses on analyzing legal sources such as statutes, cases, and legal literature in order to identify and understand legal rules and principles. This method is often used in common law systems, such as those found in the United Kingdom, the United States, and Australia.³¹ This method derives from the theory of legal positivism, asserting that law is a social construction by human beings and has validity upon the authority of the state. The proponents of this theory include scholars like H.L.A Hart, Jeremy Bentham, and Johan Austin.³²

2.3 Non-doctrinal research methodology

Non-doctrinal methodology, on the other hand refers to a research approach that is not based solely on legal sources. Instead, it involves that use of empirical method such as surveys, interviews and observations to gather data and analyze legal issues. Non-doctrinal research is primarily focused on understanding the social, political, and economic factors that influence the development and implication of the law. This type of research is often used to inform policy decision and to provide insight into effectiveness of legal system. The proponents of this theory or methodology are various scholars some of them are Max Weber, Herbert Blumer, and Emile Durkheim.³³

2.4 Types of non-doctrinal research methodology

Participatory Action Research (PAR): A collaborative research approach in which participants and researchers work together to identify research questions and collect data, with

³¹ Vaidha Legal (2021) 'What is a Doctrinal Research?', Vaidha Legal Blog, 10 August. Available at: <https://www.vaidhalegal.com/post/what-is-a-doctrinal-research> (Accessed: 17 March 2024).

³² (Academic.oup.com) <<https://academic.oup.com/book/41749/chapter/354157753>> accessed March 17, 2024

³³ Tiwary S, "Doctrinal and Non-Doctrinal Methods of Legal Research." (Academia.edu November 14, 2019) <https://www.academia.edu/40656281/Doctrinal_and_Non_Doctrinal_Methods_of_Legal_Research> accessed March 17, 2024.

the goal of empowering participants to take action based on the findings.

Grounded Theory: A research method in which a theory is developed based on data collected from interviews or observations, with the theory being constructed "from the ground up" rather than being imposed on the data.

Mixed Methods Research: An approach to research that combines quantitative and qualitative research methods in order to gain a more comprehensive understanding of a research question.

Feminist Research: A research approach that focuses on understanding gender inequalities and power dynamics in society, with an emphasis on incorporating the perspectives of women and marginalized groups.

2.5 Strengths and Limitations of Doctrinal and non- Doctrinal research method

Tools to collect data: Doctrinal Research Method involves the study of laws, case laws, legal texts and etc., this is your data for this method, and these are your tools, and you collect them by reading online and search for them, this is known as secondary data.

The non-doctrinal research method is designed to collect primary data from human participants in the research, through for example questionnaires and interviews which can be open ended and closed ended questions, the open ended questions may allow to collect qualitative data while closed ended questions allow for quantitative data to be collected. Qualitative data is more descriptive (Subjective) and Quantitative data is one which can be quantified in numbers and statistics (objective).

Cost: In Doctrinal Research Method there is minimum cost involved in this method because most information is available online or through school library, very rarely you would have to buy a specific book so the cost is literally the book you buy. This was not required in this research.

The non- Doctrinal research method takes a lot of cost. For example, depending on the research collection tool for example an interview, you must print ethical forms, draft questions, travel to or arrange the travel of the interviewee,

sometimes pay the interviewee, which makes it costly not only economically but also time wise.

Ethics: In Doctrinal Research Method There are no ethical issues involved in Doctrinal Research method because you will not be studying human participants, therefore, there are no obligation from you to make participants sign ethical approval forms, acquire participant's consent to be studied and there is no particular strategy to store data in a safe place such as a USB.

The non-doctrinal research methods are designed to cater to ethical considerations. One must ensure that the human participant are aware of the fact that they are being studied, if you don't get their consent through ethics forms you may be jailed for invasion of privacy, another thing is the storage of information especially in cases where the study is on a controversial topic, leaving participants you study exposed to personal information being leaked not only attracts being jailed for invasion of privacy but also brings a lot of pain and suffering to the participant because they will be judged.

Access: Doctrinal Research method does not restrict access to data since most data is available online, except for the books that may be available in certain regions of the world.

Access in non- Doctrinal Research method is also problematic because sometimes human participants don't want to participate which creates deadlock in conducting the research. How do you access people who live in another country and you cannot reach them? Online questionnaires may be sent but this is hard to do and people almost never fill the questionnaires up.

2.6 Theories about doctrinal and non- Doctrinal research method

Doctrinal Research Method: Legal positivists, who emphasize the importance of legal rules and doctrines, may prefer the doctrinal research method. They argue that legal rules and principles are valid because they have been created and recognized by legal authorities. Therefore, legal

research should focus on analyzing legal sources to determine what the law is.³⁴

Non-Doctrinal Research Method: Conversely, those who adopt a critical perspective on the law, such as critical theorists, may prefer the non-doctrinal research method. They argue that law and legal institutions are not neutral and reflect and reinforce dominant social and economic interests. Therefore, legal research should analyze the social, economic, and political context in which legal issues arise to identify and challenge power relations and promote social justice.³⁵

3.1 The problem of the Right of Education in Afghanistan

Only 3 % of girls were attending school in Afghanistan, compared to 85 % of boys according to Human Rights Watch, 1998 report (I Won't Be a doctor, and One Day You'll Be Sick). The issue of girls and women education on Taliban-administered Afghanistan has been marked by complex history, with several significant events and development contributing to the ongoing challenges faced by girls and women seeking an education.³⁶

From 1996 to 2001, the Taliban enforced strict Islamic laws, which include a ban on girls' education. During this time, the Taliban used brutal tactics to prevent girls from attending schools such as bombing and burning girls' schools and executing teachers who taught girls.³⁷ According to a human Rights Watch report from 2002, only about 10,000 girls were enrolled in schools across the country by the time the Taliban were ousted in 2001.³⁸

Following the US-led invasion of Afghanistan in 2001, there was a brief period of optimism for

girls' education. The new government, supported by international aid and the international community, made a commitment to rebuilding the education system and promoting gender equality.³⁹ According to UNICEF, there is an increase in the number of girls enrolled in primary schools from the year the Taliban were overthrown such that girls enrolled in primary school increased from 5,000 in 2001 to over 2.5million in 2017.⁴⁰

However, progress was not guaranteed, and the Taliban continued to pose a significant threat to girls' education. Attacks on schools and teachers, particularly in rural areas, gave been a common tactic of the Taliban insurgency, and have forced many girls to drop out of school or never attend in the first place. According to a 2020 report by the Global Coalition to Protect Education from Attack (GCPEA), where were over 1,000 attacks on schools in Afghanistan between 2015 and 2019, resulting in the deaths of more than 500 students and teachers.⁴¹

In addition, every country needs to be developed but Afghanistan is facing rudimentary because the United Nations Development Program's 2020 annual reports shows that Afghanistan is ranked 169th in women's education, one of the lowest in the world (UNDP, 2020).⁴²

On recent years, as US and NATO troops have withdrawn, the Taliban has regained control of significant parts of Afghanistan. Violence against civilian, including attacks on schools and teachers, has reached unprecedented levels, with girl's education being particularly targeted. According to a 2021 alone, resulting in the deaths

³⁴ UWEASCLLSUPPORT, 'Research Methods: Doctrinal Methodology' (18 January 2017)

³⁵ Herring, Jonathan. 'What Is Doctrinal Research, and Should We Be Doing It?' (2016) 15(1) Legal Ethics 56, <https://www.jstor.org/stable/43952212> accessed 20 April 2024.

³⁶ (Human Rights Watch 1998)

³⁷ (Radio Free Europe/Radio Liberty, 2021)

³⁸ Human Rights Watch, 'Children's Rights' (2002) <https://www.hrw.org/legacy/wr2k2/children.html> accessed 14 April 2024.

³⁹ Time. (2021, August 20). Taliban Say Girls Can Attend School, but Classes Must Be Segregated by Sex. Retrieved

from <https://time.com/6078072/afghanistan-withdrawal-taliban-girls-education/>

⁴⁰ UNICEF. 'Iraq Humanitarian Situation Report' (August 2021) <https://www.unicef.org/iraq/media/251/file> accessed 14 April 2024.

⁴¹ Global Coalition to Protect Education from Attack. Education under Attack 2020: Afghanistan Country Profile. (2020).

⁴² Abedini, Elham, 'Female Education in Afghanistan After the Return of the Taliban' (2022) <https://www.e-ir.info/2022/04/23/female-education-in-afghanistan-after-the-return-of-the-taliban/> accessed 15 April 2024.

of 18 students and teachers and injury to other 51.⁴³

Another report published on 6 September 2021 mention that from 2007 to 2018 the percentage of female's teachers increased from 27% to 36%.⁴⁴ While in opposing to this in December 2022, the Taliban administered Afghanistan suspended university education for women, effecting over 100,000 female students who attend higher education institutions.⁴⁵ Further, Afghan girl over the age of 12 have been unable to return to school, leaving 1.1 million young women without access to formal education. This has resulted in approximately 80% of school-aged Afghan girls and young women being out of school, with nearly 30% having never entered primary education, according to a latest report published on 18 January 2023.⁴⁶

In addition, more than 4 million Afghans are to receive humanitarian help according to the United Nations Humanitarian Response Plan for Afghanistan for 2023, as far as acute malnutrition is concerned. This includes over 840 thousand pregnant and nursing women and over 3 million children. Six million people were projected to face acute food insecurity by the end of the year, signaling the probability of famine. Millions of jobs will have been lost when we reach August 2021, most foreign aid will run out, and a multi-year drought has meant the principal people have been able to buy enough food to feed their families.⁴⁷

The Taliban's policies towards girls' education in Afghanistan have been widely criticized by human rights groups and international

community. i.e., in 2012, the US Secretary of State Antony Blinken said that the Taliban's "atrocious" treatment of Women and girls was a major concern for the US and the international community.⁴⁸ The Amnesty international organization has also documented the Taliban to respect the right to education for all children in Afghanistan.⁴⁹

4.1 Sharia law perspective on rights to education for women

Sharia law is a set of Islamic principle and guidelines that provide a framework for personal and communal behavior, as well as the governance of society. It is based on the Quran, the Hadiths (the sayings and actions of Prophet Muhammad PBH), and the teachings of Islamic scholars throughout history.⁵⁰

In the context of rights to education for women the basic source of sharia law Quran encourages Muslims to seek knowledge, and places great importance on seeking knowledge with over 800 references to the word "ilm" and its derivatives and it is understood that education is a fundamental right for all human beings.⁵¹ The importance of knowledge can be demonstrated from the Quran verse which says that "And say: My Lord, increase me in knowledge."⁵² Further Quran differentiate the one who is knowledge from those who have not, by mentioning "are those who know equal to those who do not know? Verily those endowed with understanding will remember (take heed)." It suggests that those who possess knowledge and understanding are superior to those who do not, as they are more

⁴³ Aryn Baker, "The Taliban's Takeover of Afghanistan Threatens Girls' Education. Here's What Needs to Happen Next," Time, August 17, 2021, <https://time.com/6078072/afghanistan-withdrawal-taliban-girls-education/>.

⁴⁴ UNESCO, "Afghanistan: UNESCO Director-General expresses deep concern over exclusion of girls from school reopening" (6 September 2021)

⁴⁵ BBC News. (2021, September 2). Afghanistan: What the Taliban's return means for women. Retrieved from <https://www.bbc.com/news/world-asia-58307437>

⁴⁶ UNESCO, "Let Girls and Women in Afghanistan Learn," September 7, 2021, <https://www.unesco.org/en/articles/let-girls-and-women-afghanistan-learn>.

⁴⁷ "Afghanistan Humanitarian Needs Overview 2023 (January 2023) - Afghanistan" (ReliefWeb, January 23, 2023) <<https://reliefweb.int/report/afghanistan/afghanistan-humanitarian-needs-overview-2023-january-2023>>.

⁴⁸ U.S. Department of State, "Afghanistan," State Briefing, last modified September 27, 2021, accessed April 15, 2024, <https://www.state.gov/countries-areas/afghanistan/>.

⁴⁹ must address Taliban's ongoing relentless abuses," March 14, 2024, <https://www.amnesty.org/en/latest/news/2023/03/afghanistan-n-un-human-rights-council-must-address-talibans-ongoing-relentless-abuses/>.

⁵⁰ "Shari'ah," Encyclopaedia Britannica, accessed April 14, 2024, <https://www.britannica.com/topic/Shariah>.

⁵¹ Islamic Academy. 'The Importance of Ilm al-Ghayb (Knowledge of the Unseen) in Islam.' (Accessed 15 Apr 2024).

http://www.islamicacademy.org/html/Articles/English/ilm_e_Ghaib.htm

⁵² Qur'an 20:114

likely to remember and apply what they have learned.⁵³

Moreover, the Quran also repeatedly encourages seeking knowledge and education as a means of attaining success in this life and the hereafter. For instance, Quran states that "He (Allah) grants wisdom to whom he pleases, and whoever is granted wisdom is indeed given a great wealth. But none take heed except those who are wise."⁵⁴ This verse suggests that acquiring knowledge and wisdom is a source of wealth and success.

The importance of education, knowledge, and writing can also be demonstrated from a Quranic verse where Allah (SWT) taking oath by a pen stating that "Nun, by the pen and what they inscribed"⁵⁵ which shows that in Islamic history, the pen was a crucial tool for education, scholarship, and preservation of knowledge. Muslims were encouraged to seek knowledge, read and write, and record their experiences and learning. The pen as a symbol of knowledge and wisdom.

There are also various Hadiths which clearly mention the importance of education and give the right of education to every person specially women, for instance a famous Hadith of Prophet Muhammad PBH "seeking knowledge is obligatory upon every Muslim."⁵⁶ Clearly states that education is a mandate for every Muslim, regardless of gender. Hadith Al-Bayhaqi make it more clear by stating "the acquisition of knowledge is compulsory for every Muslim, whether male or female."⁵⁷ Further, there is a Hadith which specially give the right of education to women by citing "Do not prevent your women from knowledge and religion."⁵⁸ This hadith prohibits the prevention of women from acquiring knowledge and religion, emphasizing that women have right to seek education and knowledge. In addition, to this it is a serious offence if you are not educating your daughter according to a Hadith which states that "whoever has a daughter and he does not educate her, nor

does he give her in marriage, then he is guilty of neglecting her."⁵⁹ Besides, Umm Salamah (may Allah be pleased with her) the wife of Prophet Muhammad (PBH) reported that she asked the Prophet once "O messenger of Allah, is jihad obligatory for women?" he replied "Yes, jihad in which there is no fighting, such as seeking knowledge, is obligatory for all Muslims"⁶⁰ thus educating women are one of the fundamental principles of Sharia Law. Sharia law not only giving importance to seeking of knowledge but also mention that teaching of knowledge is also carries great reward by mentioning in a Hadith that "whoever guide someone to goodness will have a reward equal to it."⁶¹

Thus, Islam promotes and encourage the pursuit of knowledge for both men and women. Seeking knowledge is considered an obligation for all Muslims, and education is viewed as a fundamental right. Neglecting the education of daughter is also consider a form of neglect in Islam. Therefore, it is important for Muslims to prioritize education and ensure that both men and women have access to learning opportunities.

4.2 International law perspective on rights to education for women

International law refers to a body of rules, principles, and norms that govern the conduct of states and other in the international system. It includes legal frameworks related to issues such as human rights, trade, diplomacy, and conflict resolution, and is created through various sources such as treaties, customary practices, and other forms of International legal authority. The purpose of International Law is to promote cooperation, stability, and peaceful relations between states and to protect the rights and interests of individuals and communities around the world.⁶²

The Taliban's action against the right of education for women is condemned strictly by several countries for instance the US Secretary

⁵³ Quran 39:9 (Surah al-Zumar),

⁵⁴ Qur'an 2:269 (Surah Al-Baqarah),

⁵⁵ Quran, 68:1 (Surah Al-Qalam),

⁵⁶ Tabarānī, Muḥammad ibn 'Aws al-'Adawī, Sunan al-Ṭabarānī, 4:121, #5555.

⁵⁷ Al-Sunan al-Kubra al-Bayhaqi, edited by Shu'ayb al-Arna'ut and Ibrahim al-Abyari, vol. 10, 208. Beirut: Dar al-Ma'rifah, 1993.

⁵⁸ Sahih Muslim, Book 4, Hadith 219

⁵⁹ Sahih Ibn Hibban 4057, vol. 16. Beirut: Dar al-Jayl, 1991.

⁶⁰ Musnad Ahmad, Hadith 23273

⁶¹ Sahih Muslim, Book 34, Hadith 6518.

⁶² Cornell Law School, Legal Information Institute, "International Law," accessed April 14, 2024, https://www.law.cornell.edu/wex/international_law.

Antony Blinken state in a statement that "The Taliban cannot expect to be a legitimate member of the international community until they respect the rights of all in Afghanistan," further the special representative of UN said to Afghanistan that it was "a new low further violating the right to equal education and deepens the erasure of women from Afghan society." Further, the neighbor Pakistan foreign minister Bilawal Bhutto Zardari also said that he is disappointed by the decision of Taliban to ban women education.⁶³

The ban was not only condemned by countries but also by Human Rights Activist, it can be seen from a hashtag **#LetAfghanGirlsLearn** which become a trending topic on Twitter, with people expressing their outrage over the reprehensible ban on girls' education in Afghanistan.⁶⁴ The ban is also condemned by various human rights organizations such as (UNCEO), Human Rights Watch and Amnesty International they said that the access to education for girls, regardless of age, is an inherent and indisputable right that should be safeguarded.⁶⁵

In the term of IHRL, the right to education is recognized as a fundamental human right that is essential for the realization of other human rights. There are several international instruments that protect and promote the right to education for women and girls for instance Article 26 of the UDHR states that "everyone has the right to education" and education should be accessible to everyone "on the basis of merit" without any discrimination of any kind. This includes discrimination based on gender, which is key

concern when it comes to the right to education for women and girls.⁶⁶

Further a special convention for women rights CEDAW sometime referred to international bill of rights for women also recognized the right to education for women as a fundamental human right. specially article 10 of CEDAW addresses women's right to education and calls for the elimination of gender discrimination in education. This include ensuring equal access to education for women and girls, eliminating stereotyping and gender bias in education, and providing special measures to ensure that women and girls have equal access to education at all levels.⁶⁷ Moreover, the ICESCR was adopted by the UN General Assembly in 1966 and recognize the right to education as a fundamental human right. Article 13 of ICESCR recognize that education is a key means of achieving the full realization of other human rights and requires states to provide free primary education and to ensure access to secondary and higher education.⁶⁸

Recently in 1989 the UN General Assembly adopt the CRC and recognize the right to education for children.⁶⁹ Article 28 of the CRC identify that education is essential for the development and well-being of children and requires states to ensure that every child has access to education on the basis of equal opportunity.⁷⁰

It is against the well-established international legal standards that the 2023 severe human rights limitations by the Taliban would contravene egregiously. The provisions that guarantee everyone the right to move freely (Article 13) and

⁶³ BBC News, 'Afghanistan: Taliban ban on girls' education condemned' (28 September 2021) <https://www.bbc.com/news/world-asia-64045497> accessed 15 April 2024.

⁶⁴ Fuchsia Magazine, ' #LetAfghanGirlsLearn Trends on Twitter as Today Marks 300 Days of School Closure in Afghanistan' (14 July 2022) <https://www.fuchsiamagazine.com/2022/07/14/letafghangirlslearn-trends-on-twitter-as-today-marks-300-days-of-school-closure-in-afghanistan/> accessed 16 April 2024.

⁶⁵ United Nations Human Rights Office of the High Commissioner. (2022, March 17). Afghanistan: UN experts condemn Taliban decision to deny girls secondary education.

⁶⁶ Article 26 of the Universal Declaration of Human Rights provides that "everyone has the right to education" (UDHR, art. 26).

⁶⁷ Article 10 of The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),

⁶⁸ Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)

⁶⁹ Convention on the Rights of the Child, Council of Europe, accessed April 14, 2024, <https://www.coe.int/en/web/compass/convention-on-the-rights-of-the-child#:~:text=The%20Convention%20was%20adopted%20by,the%20age%20of%20eighteen%20years.>

⁷⁰ Article 28 of the CRC states that "every child has the right to an education" (Convention on the Rights of the Child, 1989).

the right to work (Article 23) are against the Universal Declaration of Human Rights.⁷¹ Further, the International Covenant on Economic, Social, and Cultural Rights imposes the right to an adequate standard of living (Article 11). It lays down the right to education (Article 14), specifying that primary education should be compulsory and available free for all. The prohibitions enforced by the Taliban, such as not allowing women to travel and study on scholarships, closing beauty parlors, and imposing restrictions on everything, even going into public, present a complete contrast to such international norms that portray gender equality and the empowerment of women through education and employment opportunity.⁷²

Together, these international devices provide a strong legal framework for the promotion and protection of the right to education for women and girls. They required states to eliminate discrimination in education, ensure access to education, and provide special measures to address the specific need and challenges faced by women and girls in accessing education.

5.1 The analysis of the right of education from the Taliban perspective

Education is the fundamental right of every woman and girl according to an international law UDHR while in Afghanistan girls over 12 are not allowed to school after Taliban over take in 2021 which is the violation of this law and specially ICESCR states that achieving secondary and higher education is the fundamental right of any human this right seems similar to the right given by Quran and Hadith where Prophet says that acquisition of knowledge is compulsory for every Muslim and Quran give preference to those who have knowledge on those who have not thus shows that discrimination on age base also prohibited in Islam while Islam give preference to a person of less age if he have knowledge. Taliban administered Afghanistan also suspended university education for women, effecting over 100,000 female students who attend higher

education institutions, it shows that the Taliban are doing discrimination with women and girls but under the CEDAW it is prohibited to do such discrimination or restrict someone from their fundamental right of education and it seems same as a Hadith says that it is compulsory for every men and women to seek knowledge which means there should not be discrimination based on gender. And according to the CRC it is not only the right of women and girls to achieve education, but it is the duty of state to provide education to everyone without any discrimination thus Taliban administered Afghanistan also not obligating their duty to provide education but opposite to this they are implementing restriction on women education. Further, CRC states that education is essential for development while Afghanistan is ranked one of the lowest in the world in women's education, that shows that Taliban are also violating CRC on the basis of development by imposing strict restrictions on women and girl's education.

On the Islamic side, educational restrictions through the Taliban again run afoul of the basic codes of Islam concerning the pursuit of knowledge. First and foremost, the Quran has referred to education time and again. It has talked about the prestige commanded by educated people, like in Surah Al-Zumar (39:9).⁷³ The first verse directing followers of Prophet Muhammad to read and acquire knowledge is derived from Surah Al-Alaq (96:1-5).⁷⁴ Furthermore, the Prophet Muhammad strengthened the Hadith, saying that "one in which seeking of knowledge is made obligatory for every Muslim, explicitly mentioning women." These scriptural sources advocate educational equality, pointing out that it is actually in direct violation of Islamic law and cultural values, both of which have supported the educational pursuits of women within Muslim communities.⁷⁵

From this it is clear that they are violating the International laws, but the Taliban administrated says that they ban the women and girls' education because Sharia law prohibits women and girls'

⁷¹ Universal Declaration of Human Rights Article 13 and 23

⁷² Article 11 and 14 of International Covenant on Economic, Social, and Cultural Rights

⁷³ Surah Al-Zumar (39:9).

⁷⁴ Surah Al-Alaq (96:1-5)

⁷⁵ Abu Amina Elias and Abu Amina Elias, "Forty Hadith on Knowledge" (*Faith in Allah "Seeking knowledge is an obligation on every Muslim."*, August 28, 2023) <<https://www.abuaminaelias.com/forty-hadith-on-knowledge/>>.

education and we are following sharia law while the basic source of Sharia law Quran encourages Muslims to seek knowledge by ordering its followers to pray from Allah about increasing knowledge and moreover Quran differentiate the one who have knowledge from the one who have not. In addition, Taliban bombing and burning girls' school and colleges to create a mindset that such places are not protected and to compel parents to not allowed their children to schools and colleges in contrast to this Quran states same as the international law CRC that knowledge and wisdom is a source of wealth and success. The importance of education can also be demonstrated from a verse where Allah takes oath on pen, which shows that education is which shows that in Islamic history, the pen was a crucial tool for education and preservation of knowledge. In facts it mentions that Taliban not only ban education but also attempt attacks on teachers to prevent them from teaching, while a well know Hadith states that those who teach or guide someone will be carries great rewards.

The importance of education can also be seen in Hadith where Prophet (P.B.H) says to his wife that seeking knowledge is jihad for a woman and it is compulsory on her. Another Hadith also encourage the Muslims to educate their daughters by mentioning that do not prevent your daughters from seeking knowledge and not only encourage, but another Hadith says similar like ICESCR that it is a crime if you have a daughter, and you did not educate her or marry her.

It seems that there is no difference between the right to education for women under International Human Rights Law and the right to education for women in Taliban-administered Afghanistan under Shariah Law but similarly both laws recognize education as a fundamental human right and deny this right to anyone is a serious crime under both laws. It seems that that the Taliban's interpretation of Sharia law is flawed and serves their own interests, rather than reflecting the true teachings of Islam or they have the lack of their own education about Quran or Sharia law.

Conclusion

In the light of above, it is clear that education is a fundamental right of every woman and girl under international law, and the Taliban's ban on

women education in Afghanistan is a violation of this right because the international law says that access to education is the right of everyone without any discrimination further International law emphasis duty on state to provide education to every women and recognize that education is a key means of achieving the full realization of other human rights. Further international law makes it clear that education is essential for the development and well-being of children, while Taliban not providing this right to women by implementing strict rules and preventing them to achieve education.

However, the Taliban claims to be following Sharia Law and women education is prohibited under Sharia law, but in reality, women education is also a fundamental right and the Taliban are interpreting Sharia Law in a way that serves their own interests and contradicts the true spirit of the law because the main sources of Sharia law Quran and Hadiths encourage the Muslims to seek knowledge and not only encourage the Muslims to seek knowledge but impose duty on them to seek knowledge. Further Sharia law not only impose duty of seeking knowledge on Muslims but also impose duty on parents to provide good education to their children's and not doing so is serious offence. In addition, Quran preference to the one who have knowledge, and Hadith states that seeking knowledge is jihad for women's and girls and it is mandatory on women's and girls' to do this jihad. Further, the above research concludes that there is no difference between the right to education for women under International Human Rights Law and the right to education for women in Taliban-administered Afghanistan under Shariah Law. Both laws recognize education as a fundamental human right and deny this right to anyone is a serious crime under both laws. Thus, it is evident that the Taliban ban on women's education not only violates International Laws but also goes against the true teaching of Sharia law.

6.1 Recommendations

The issue of women's education being banned in Afghanistan, which the Taliban administration administers, has become one of the major dilemmas that have served to affect women's empowerment and the overall development of this country. The following paper will highlight

specific recommendations for eliminating the imposed ban.

The international community must put pressure on the Taliban to lift the ban on the education of women. It must make a part of these diplomatic efforts, sanctions, and other forms of pressure to make leverage and force the Taliban to lift the ban on women's education. There should be diplomacy in approaching the top leadership of the Taliban to understand the value of women's education. Perhaps the Taliban could be negotiated with, dialogued, and persuaded upon their hard line on women's education. Further, financial support should be given to women's rights activists through efforts that include promoting education for girls and women. Resources can be offered to enable them to do further work and bring about change at the grassroots level. Besides, these Muslim countries should influence and even use their powers to push the Taliban towards lifting the ban on women's education. These countries can apply the religious beliefs of the Taliban and highlight the importance of women's education in Islamic teachings. Besides, human rights activists have to raise awareness of the issue by using social media, public events, and other forms of advocacy. This would mean that activists can put pressure on the Taliban to change this ban and

also highlight the issue to the world. Further, the research is based on the doctrinal method such method in research may overlook the contextual variations in the application of legal rules, rely on incomplete or outdated sources, and not account for the lived experiences of those affected by the law. This can lead to a limited and potentially biased understanding of the issue being studied. However, using the non-doctrinal method in research can improve the accuracy of studying the adherence of the Taliban administered Afghanistan to international human rights law and Sharia law in women's education. This can be achieved through questionnaires and interviews with individuals who have first-hand experience with the violation of women's education rights in the country, as well as meeting with Taliban representatives to understand the factors that prevent implementation of these laws. Employing a combination of research methods can provide a more comprehensive understanding of the issue and lead to more informed conclusions. There is an undertone spread throughout the existing literature which suggests that the interpretation of Shariah law may be influenced by traditional, social and political contexts therefore any future research may examine this issue from the aforementioned perspective

Bibliography

Primary Sources

- UDHR
- CEDAW
- ICESER
- CRC
- Quran
- Hadiths

Articles

- "Taliban's Ban on Girls' Education in Afghanistan" by the United States Institute of Peace
- "Let girls and women in Afghanistan learn!" by UNESCO
- "Taliban's Ban on Education for Afghan Women and Girls Will Have Potentially Disastrous Consequences" by the U.S. National Academies of Sciences, Engineering, and Medicine
- "Under Taliban Education Ban, Afghan Women Languish in a Purgatory of Ignorance and Politics" by JURIST
- "Afghanistan's girls' schools can — and must" by Nature

Secondary Sources

- Human Rights Watch. I Won't Be a Doctor, and One Day You'll Be Sick: Girls' Access to Education in Afghanistan (1998) <https://www.hrw.org/reports/1998/afghan/> Accessed March 14, 2024.

- Radio Free Europe/Radio Liberty. "Taliban War On Women: The Draconian Restrictions That Could Await." RadioFreeEurope/RadioLiberty. September 7, 2021. Accessed March 14, 2024.
- <https://www.rferl.org/a/afghanistan-taliban-war-women-girls-rights-draconian-public-life/32205571.html>.
- Human Rights Watch, 'Children's Rights' (2002) <https://www.hrw.org/legacy/wr2k2/children.html> Accessed March 14, 2024.
- Time, 'Taliban Say Girls Can Attend School, but Classes Must Be Segregated by Sex' (20 August 2021) <https://time.com/6078072/afghanistan-withdrawal-taliban-girls-education/> Accessed March 14, 2024.
- UNICEF. 'Iraq Humanitarian Situation Report' (Accessed March 14, 2024) <https://www.unicef.org/iraq/media/251/file> Accessed April 18, 2024.
- Global Coalition to Protect Education from Attack, Education under Attack 2020: Afghanistan Country Profile (2020) <https://protectingeducation.org/wp-content/uploads/2020/06/EUA2020-Afghanistan-Country-Profile.pdf> Accessed April 18, 2024.
- Katz, J. (2021, September 7). The Taliban is already curtailing girls' education. Here's what it was like under their rule before. Time. Retrieved from <https://time.com/6078072/afghanistan-withdrawal-taliban-girls-education/>
- BBC News. (2021, September 2). Afghanistan: What the Taliban's return means for women. Retrieved from <https://www.bbc.com/news/world-asia-58307437>
- U.S. Department of State, "Afghanistan," State Briefing, last modified September 27, 2021, Accessed April 18, 2024., <https://www.state.gov/countries-areas/afghanistan/>.
- must address Taliban's ongoing relentless abuses," Accessed April 18, 2024., <https://www.amnesty.org/en/latest/news/2023/03/afghanistan-un-human-rights-council-must-address-talibans-ongoing-relentless-abuses/>.
- Cornell Law School, Legal Information Institute, "International Law," accessed April 14, 2024, https://www.law.cornell.edu/wex/international_law.
- Convention on the Rights of the Child, Council of Europe, accessed April 14, 2024, <https://www.coe.int/en/web/compass/convention-on-the-rights-of-the-child#:~:text=The%20Convention%20was%20adopted%20by,the%20age%20of%20eighteen%20years>.
- Abedini, Elham, 'Female Education in Afghanistan After the Return of the Taliban' (2022) <https://www.e-ir.info/2022/04/23/female-education-in-afghanistan-after-the-return-of-the-taliban/> accessed 20 April 2024

Appendices

Appendix A: Logbook:

Personal Reflection

Date: 6th February 2024 My feelings about the research are both excited and anxious. I am excited to discover more about the subject I have chosen; however, I am anxious about the feasibility of finding all the necessary sources to substantiate my arguments. As I am making progress and going more in-depth into the research, those feelings only amplify and start shifting toward excitement and adequate strength to accomplish the task.

Mixed Feelings and Self-Motivation

Date: 23 February 2024 Feeling at the moment a little tense because I also have to complete my one another assignments and a research project. Nevertheless, at the same time, I was quite happy while looking for information about Afghanistan as I discovered some good online resources, and another thing which makes me happy is these sources helps me in my other research project. Besides, I had a little self-interest in this subject, and this helped me keep my chin and mood up. Even despite the additional pressure from other assignments, I still managed to stay determined and focused on my warrior role.

Time Constraints and Worry

Date: 13th March 2025 my initial plan was to carry out non-doctrinal research; however, it was impossible from the point of time-management. I was afraid I would not be able to find a sufficient

number of sources to back up my claims or conduct the research in the shortest possible time. Nevertheless, after the consultation with my tutor today on the 13th of March, when the idea of adopting the doctrinal research method was suggested, I stopped worrying.

Feedback and Appreciation

Date: 10 April 2024 on the 10th of April I met with my tutor to discuss the progress of my research project. My tutor gave me really encouraging comments on my work, especially on the changes I have made to my research tittle. He praised my hard work and the originality of my idea; it was great to hear it as it helped me to more confident in continuing my work. I am much more motivated after hearing this to continue what I am “diligently” doing and try to be even better than so far.

Completion of Research

Date: 20th April 2023 Finally, today I have completed the research paper on the topic of the Taliban's ban on women's education in Afghanistan. Soon, I will be submitting the paper to my tutor, and I am quite eager about the review. Overall, it was a quite challenging project, and I am proud of myself that I managed to accomplish it with a commitment and responsibility. I hope that my research paper will be valuable to the existing literature and help to deepen the knowledge of the problem.