



# **UNIVERSIDAD DEL AZUAY**

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**"The evolution of the conception of the human rights of women in Afghanistan,  
through a comparison between the codification in the Western world and in the  
Islamic world"**

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## **DEDICATIONS**

To the pillar of my life,

I dedicate this to you because there is no greater example of strength than you. For being the first to encourage me to live my present and dream big about the future.

I also dedicate it to you, for letting me read each paragraph a thousand times, for making me coffee while I was writing, for reminding me how strong I am when I needed it, for being patient and loving me so pretty. I have you tattooed as the best gift.

**Gabriela Palacios**

I want to dedicate this graduation project to the most important people in my life: my parents Jimmy and Verónica; and my siblings Joaquin and Juliana, who never doubted me and who, thanks to their support and unconditional love, helped me to achieve one more goal in my life and made this work a success.

**Camila Rios**

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## RESUMEN

Con la salida de Estados Unidos del territorio afgano y la ocupación de puestos de poder por parte de grupos como los Talibanes en Afganistán, se ha visto como los Derechos de las Mujeres se han desdibujado. Sin embargo, hemos decidido realizar un análisis que divida el impacto de la historia de Afganistán en base a los Derechos de las Mujeres en 4 etapas: Monarquía afgana (1919-1973), República Afgana (1973 - 1992), El primer Régimen Talibán (1992 – 2001) y La República Islámica de Afganistán (2001 - 2021). Para así lograr tener una visión más clara del panorama del país Islámico y poder explicar los sucesos actuales e identificar si existe un retroceso en el tema de Derechos de las Mujeres en Afganistán. Como premisa tendremos el estudio del origen y evolución de la codificación de los Derechos Humanos, para posteriormente entender de mejor manera los Derechos de las Mujeres del Mundo Occidental y el Mundo Islámico, lo que nos brindará la oportunidad de analizar estos dos contextos diferentes y a su vez evidenciar las posibles diferencias y similitudes.

**Palabras clave:** Feminismo, Región Occidental, Región Islámica, Derechos, Mujeres, Codificación, Igualdad, Religión.

## **ABSTRACT**

With the departure of the United States from the Afghan territory and the occupation of positions of power by groups such as the Taliban, in Afghanistan it has been seen how Women's Rights have been blurred. However, we have decided to carry out an analysis that divides the impact of the history of Afghanistan based on Women's Rights into 4 stages: Monarchy in Afghan (1919-1973), Afghan Republic (1973 - 1992), The first Taliban Regime (1992 – 2001) and The Islamic Republic of Afghanistan (2001 - 2021). In order to have a clearer vision of the panorama of the Islamic country and to be able to explain the current events and identify if there is a regression in the issue of Women's Rights in Afghanistan we will study the origin and evolution of the codification of Human Rights. In order to better understand the Rights of Women in the Western World and the Islamic World, which will give us the opportunity to analyze these two different contexts and point out the possible differences and similarities.

**Keywords:** Feminism, Western Region, Islamic Region, Rights, Women, Codification, Equality, Religion.

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## INTRODUCTION

*“Today’s women are the thoughts of their mothers and grandmothers, incarnate and vivified. They are active, capable, determined, and destined to win. They have a thousand generations behind them. Millions of dead and missing women are speaking through us today.”*

*-Matilda Joslyn Gage*

Sofia is a 22-year-old Spanish student; she gets up every day and drives to her university to receive classes. This is the last year of Sofia. She is planning to travel to Canada for her master’s degree. She wants to know more about human rights and global politics because she wants to work in her country’s embassy. She made this decision after working in an NGO in her country and was inspired by her boss’s career since, at 28 years old, her boss was running this NGO. Halfway around the world, Darya is a 9-year-old Afghan girl who was sold to an older man for \$3,000. Darya cannot leave her home without her husband; he does not allow her to study because they do not have a safe learning environment; before being sold, her dream was to be a chef, but now the closest she will be to her dream will be cooking for her husband and her future family.

Based on these two different contexts that are developed in parallel, we saw the need to analyze the origin and evolution of Women’s Rights from a historical perspective, not before addressing the history of Human Rights to understand where the problem arises and then compare the application of them in the Islamic and Western world. All this is in order to provide further visibility to a historical, cultural, and political phenomenon that has a significant impact on the lives of women and has been relegated to other issues of social interest we have considered relevant due to the fluctuating situation of Human Rights of Women in Afghanistan, to study the evolution that they have experienced in this country until now.

The right to life; the right not to be tortured; the right to equal treatment; the right to privacy; the right to asylum; the right to marry; the right to freedom of thought, opinion, and

expression; the right to work; the right to education, the Right to Social Services is the whole of what we can call Human Rights today, which are fundamental, essential and of the utmost importance so that human beings can live freely regardless of their age, gender, religion or nationality and above all have peace and equality. According to this, all human beings should be able to access these rights. However, we will see how women have suffered from gender discrimination, which causes them to suffer a series of limitations that will prevent equitable access to education, health care, employment, and participation in political representation in various parts of the world, especially in Islamic countries.

Nowadays, at least in the West, talking about access to fundamental human rights is taken for granted because we enjoy multiple freedoms today, so we do not take the time to ask ourselves: What was life like before fundamental human rights existed? What path did people have to travel for these to be codified? Furthermore, in what places in the world are they respected? That is why we have decided to structure three chapters that can answer these questions throughout this work.

The first chapter of our undergraduate work will focus on providing a historical context on Women's Rights, starting with the history of creating Universal Human Rights, the struggles that took place in the world for these to be codified, and women's response when they noticed that these were not created equally for the two genders despite their universality. The second chapter, on the other hand, will focus on the evolution of women's rights in the Western world and the Islamic world; for this, we have decided to present some of the precursors of these rights in the two scenarios as well as a historical context that allows us to understand why the panorama is so heterogeneous. Finally, in our third chapter, as mentioned above, we will focus on studying the human rights situation in Afghanistan to be able, based on the previous chapters, to carry out an in-depth analysis of what is happening to women in that country.



## **CHAPTER 1: HISTORICAL PERSPECTIVE OF HUMAN RIGHTS**

Throughout the first chapter, we will present a timeline in which we can organize the events that gave rise to the codification of Women's Rights chronologically; not before addressing the historical background of Human Rights, which will serve to understand better where the need to codify Women's Rights comes from.

### **1. History of Human Rights.**

In order to explain Women's Rights, some historical events serve as a basis for understanding the path that human rights have had to travel to enjoy universality, be codified, and finally adopted by various actors at the international level. Two crucial documents that give rise to this codification are The Unanimous Declaration of the Thirteen United States of America and the Declaration of the Rights of Man and the Citizen.

The first document legally addresses the existence of Human Rights from a universal conception, being the first time in the history of humanity that this characteristic is given. Although Rights had previously been defined in certain documents such as the Bill of Rights of the United Kingdom (1689) or the Magna Carta of the United Kingdom (1215), the nature of these rights was based on a sovereign-subject relationship, while The United States Declaration of Independence, approved in 1776, states: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness" (The Unanimous Declaration of the Thirteen United States of America, 1776). Raising the nature of these rights as intrinsic to people due to their quality as human beings is the first time that human rights or humanity are discussed.

On the other hand, the second document stems from the need to establish certain freedoms to be respected in a nascent Republican and Liberal France. The rule of an absolutist monarchy brought great inequality within the feudal regime and the monopolization of political and economic powers for its governed. Due to these reasons, a wave of revolutionary thoughts

came from the hand of great philosophers and writers, resulting in the year 1789, the creation of the Declaration of the Rights of Man and the Citizen (Jefferson, s.f.). This document under the motto “freedom, equality and fraternity” seeks, as stated in article 2: “The purpose of any political association is the protection of the natural and imprescriptible rights of Man. Such rights are freedom, property, security, and resistance to oppression” (The Declaration of the Rights of Man and the Citizen, 1789), ensuring these human rights to citizens.

These two documents constitute the genesis of the Human Rights legally considered, thus marking the beginning of the legal formulation by establishing in the first document that there are rights and in the second which they are. It should be emphasized that these documents were created to regulate the behavior and perspective of Human Rights within the nations in which they were created, being valid only nationally. However, they served as precursors for all humanity.

Like these documents, two historical milestones also occurred that shook the world and were of vital importance in order to be able to codify Human Rights from a universal perspective since, as mentioned above, they had only been reflected in documents with national validity. These two events are World War I and World War II, which, paradoxically, as events that marked history and claimed the lives of millions of people, caused the world to see the need to create a document that protects human freedoms and has a universal character.

In the case of the First World War, the leaders of the victorious countries considered it pertinent to create an organization whose objective was to “develop cooperation among nations and guarantee them peace and security” (League of Nations, 1919), whose name was the League of Nations and which would become the first organization of its kind in history. It was the end of the Second World War that brought with it a much deeper analysis of the errors that the League of Nations had had since, despite being instituted, it did not prevent a new war that caused the deaths of more than 54 million people, 65 million injured and 3 million missings (Historia De La Declaración, n.d.). Because of this, there was the need to establish a new organization in 1945 that would become known as the United Nations Organization and is valid to this day (Simonoff, 2015).

However, in order not to limit ourselves to numerical data, it is essential to emphasize that this devastating event also dehumanizes the civilian population due to their religious beliefs, ethnicity, sexual orientation, and disability, among others. Understanding the term dehumanization as:

*A widespread social phenomenon that has provided historical and modern examples of extreme violence, prejudice, and discrimination. The perception that one person may be “less human” than another typically applies to members of the social group who are attributed fewer unique human capabilities than the endo group (McLoughlin, 2017).*

In his book *On Inhumanity: Dehumanization and How to Resist It* (1953), David Livingstone Smith considers the Shoah<sup>1</sup> as “the main cause of dehumanization of history” due to the actions taken by the Nazis to seize power. Because of xenophobic thinking, his propaganda conveyed the idea that the Jews did not possess a humanity equivalent to that of the citizens of the Germanic country. It is on this basis that the Germans created a motto in which they personified the Jews as pigs, and the nickname “jew-pig” was born that would be used to justify the idea that although the Jews look like humans, they are nothing more than “unclean animals under the surface”<sup>2</sup>. Another equally well-known term was “rat” since they saw them as a plague within their territory, and therefore the need to exterminate them was justified. They took away their dignity; by replacing their name with a number, separating them from their families, not allowing them to wash, and being enslaved. All of this had the result that even the Jews came to consider themselves less human.

On the other hand, while these events were taking place on the European continent, in America, the representative of the United States government had spoken about the events that were taking place on the other side of the Atlantic. That is why, in 1941, Franklin Delano Roosevelt made his famous speech of the “Four Freedoms”, which would serve as a basis for the Atlantic charter and later for the Declaration of the United Nations. These freedoms are

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<sup>1</sup> Shoah is a Hebrew term meaning "catastrophe".

<sup>2</sup> Phrase that was used as an argument within the anti-Semitic propaganda of the film: *Der ewige Jude*, directed by Fritz Hippler.

freedom of speech and expression, freedom of worship or religion, freedom from want, and finally, freedom from fear.

To better understand these freedoms, we can define each in the following way: FREEDOM OF SPEECH AND EXPRESSION, understood as the ability of each citizen to share their different ideas or opinions freely without being judged; FREEDOM OF WORSHIP OR RELIGION, which gives each person the right to worship any God in his way or not to worship any, without fear of being discriminated against or attacked for it; FREEDOM FROM WANT, based on the creation and implementation of specific economic agreements that guarantee each nation a healthy life and finally THE FREEDOM FROM FEAR, nations around the world must provide security so that their inhabitants and tourists can live a life in peace, without fear of being attacked (Economic Commission for Latin America and the Caribbean, 2015).

On the other hand, another of the speeches that served as the primary reference for the creation of this letter is known as the speech of the “Fourteen Points” of Woodrow Wilson. In this speech, the then President of the United States, Woodrow Wilson, after the end of the Great War in 1918, shared 14 proposals aimed at the unification of the States, rebuilding Europe, and laying the foundations for negotiations to bring peace between them (Fernández et al., 1996, pp. 129-130). While some states opposed specific points, it would be until 1941 that President Franklin Delano Roosevelt and Prime Minister Winston Churchill would take this speech into account to establish several common principles of national policy and create a declaration. Although it was not binding, it had universal aims and the hope that it would be adopted by the then belligerent states (Charmley, 2001, pp. 353–371).

The discussion arises on the importance of materializing a declaration that fulfills these purposes based on the need to create a universal document that encompasses the protection of the various rights of the world’s citizens equitably. The Commission on Human Rights, composed of 18 members from various political, cultural, and religious backgrounds, was tasked with drafting it to guarantee this characteristic of universality. This Declaration was

adopted in the UN<sup>3</sup> General Assembly on December 10, 1948, being what we now know as the Universal Declaration of Human Rights. What we now know as the Universal Declaration of Human Rights. It seeks a commitment on the part of the international community to defend dignity and justice for all human beings (United Nations, n.d), as mentioned in article two:

*Everyone has all the rights and freedoms proclaimed in this Declaration, regardless of race, color, sex, language, religion, political or other opinions, national or social origin, economic position, birth, or any other status. In addition, no distinction shall be made based on the political, legal, or international status of the country or territory under whose jurisdiction a person depends, whether it is an independent country or a territory under trusteeship, not autonomous or subject to any other limitation of sovereignty (Universal Declaration of Human Rights, 1948).*

It is essential to mention that the Declaration is not binding; it is a set of principles that are important but do not oblige member states to follow them; this has been established as the foundation of international human rights standards—being the basis for several international human rights treaties that have succeeded in “constituting a comprehensive legally binding system for the promotion and protection of human rights” (United Nations, n.d.).

Over the years, there has been a terminological expansion of the UDHR<sup>4</sup>, which is why the new treaties have become more specialized since each deals more deeply with certain specific rights. Likewise, States saw the need to create documents with certain binding elements to translate the Declaration’s principles and bind States through its ratification. Among the documents that derived from the Declaration and succeeded in fulfilling this purpose, we must highlight two: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; together with the Universal Declaration of Human Rights, they came to constitute the International Bill of Human Rights (Naciones Unidas, s.f.).

## **2. History of Women’s Rights.**

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<sup>3</sup> United Nations

<sup>4</sup> Universal Declaration of Human Rights

After establishing this background of Human Rights, it is essential to note that although they have become considered Universal, women have traveled an unequal path to be able to enjoy them. In the framework of the French Revolution in 1789, women played the role of militants for the first time to let the streets of Paris know that they also wanted to enjoy the same rights as their counterparts of the opposite sex. While their primary motivation was to access the right to vote, they failed to get nascent republican France to consider their request. At the same time, the Declaration of “The Rights of Man and the Citizen” was being treated and adopted within the country, which is a fundamental indicator of the level of inequality in the evolution of the rights of both sexes (Comisión Nacional de Los Derechos Humanos, 2018).

Despite having received a rejection of their requests, some pioneers were born in defense of this cause. Such is the case of Olympe de Gouges, who wrote the “Declaration of the Rights of Women and the Citizen” in 1791 to make visible the lack of them within the national context of the rights of the people in France. We also have Mary Wollstonecraft, who wrote “Reclaiming Women’s Rights,” in which she sought to change the perception of women and to receive similar treatment and access to the same opportunities as their male peers (Carrera, s.f.).

Subsequently, the first Convention on the Human Rights of Women took place in the United States in 1848. This Convention would receive the name Seneca Falls due to the place where it was held and was carried out by five women: Lucretia Mott, Elizabeth Cady, Jane Hunt, Mary Ann McClintock, and Marta Wright, being the main organizers, the first two woman—motivated by the discontent of all of them having been denied the right to participate and vote for being a woman in 1840 at the world convention against slavery in London. Because of this, the five women wrote an announcement for the “Convention on Women’s Rights,” in which they stated the need to: eliminate laws that prohibit women from occupying important positions in society, that women are equal to men, that they should be informed of existing laws, that women should have the right to vote, etc. (Lerner, 1998).

This background motivated more women to stand up and demand better working conditions through more egalitarian legislation. Such was the case of the fire at the “Cotton” textile factory in 1857 in New York City, in which a group of women decided to organize a

demonstration to obtain better working conditions in the company. However, they were brutally repressed by the police, causing the death of 120 due to injuries from firearms and others in the fire that would occur in the factory the same day (CEDOC-Instituto Nacional de las Mujeres, s.f.). Although their movement was unsuccessful that year, it motivated another group of women 50 years later to demonstrate with the purpose that, on this occasion, they would be successful. Fifteen hundred women were able to gather, demanding four things: increased pay, fewer working hours, the right to vote, and the prohibition of child labor. These dates inspired women to find a day to commemorate and remember their sacrifice, March 8 of each year (National Geographic, 2018).

Between 1947 and 1962, the main objective of the Commission on the Status of Women was to establish and formulate norms that could combat the unequal and discriminatory situations experienced by women. It was responsible for implementing more inclusive language and assessing the status and social position of women in the global landscape to gather data to achieve the codification of those rights that were needed.

On the other hand, another characteristic that makes this Commission so important is that it managed to organize the first international conventions on women's rights. Some came to be considered the first instruments to recognize and protect women's rights at the political<sup>5</sup>, labor, and social levels. However, we will focus on the Convention on the Elimination of All Forms of Discrimination against Women (revisar nombres), commonly known as CEDAW<sup>6</sup>. This Convention entered into force in 1981; despite having been unanimously approved two years earlier by the UN General Assembly, it has become a legally binding document that precedes the Optional Protocol to the Convention, which in 1999 provided mechanisms for women victims of discrimination to file complaints in their defense (UNWomen, n.f.). Its purpose is to:

*“Provide a mandatory compliance framework for countries that have ratified it to achieve gender equality and the empowerment of women and girls and stipulate that States parties must mainstream a gender perspective in all their institutions, policies,*

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<sup>5</sup> The 1953 Convention on the Political Rights of Women

<sup>6</sup> Convention on the Elimination of All Forms of Discrimination against Women

*and actions to ensure equal treatment, that is, that there is no direct or indirect discrimination against women, as well as to improve the de facto situation of women, promoting substantive equality or equality of results” (UNWomen Mexico, s.f.)*

Therefore, we can say that CEDAW has as its focal point the elimination of all forms of discrimination against women, managing to place their rights in the international human rights sphere (Muñoz, s.f.).

In 1993, the World Conference on Human Rights was held in Vienna, considered one of the leading conferences on the recognition of women’s rights in the last quarter of the twentieth century. At this conference, under the slogan “Women’s rights are human rights,” several women’s rights activists came intending to ensure a space for women within the international agenda (Women’s Rights Are Human Rights, 2014).

This can be found in paragraph 18 of the Declaration and Plan of Action of this conference, which states that:

*“The human rights of women and girls are an inalienable, integral, and indivisible part of universal human rights. Full and equal participation of women in political, civil, economic, social, and cultural life at the national level; Regional and international efforts, and the eradication of all forms of gender-based discrimination are priority objectives of the international community. Violence and all forms of sexual harassment and exploitation, particularly those resulting from cultural prejudice and international trafficking in persons, are incompatible with the dignity and worth of the human person and must be eliminated[...].” (Oficina del Alto Comisionado de las Naciones Unidas para Los Derechos Humanos, 1993).*

Therefore, we can say that this Declaration achieved real progress in terms of the codification of rights that seek the elimination of gender violence, the fight against impunity, and the visibility of the daily abuse of women considered taboo.



In 1994, the Inter-American Convention to Prevent, Punish, and Eradicate Violence against Women, also known as the Belém Do Pará Convention, was adopted. This was another important document in the history of the struggle for women's rights in which violence against women is defined as: *"Any action or conduct, based on gender, that causes death, harm or physical, sexual or psychological suffering to women, both in the public and private spheres"* (Organización de Los Estados Americanos & Agencia Canadiense de Desarrollo Internacional, 1994).

It is important to mention that this convention also establishes that violence is a violation of human rights. It is therefore proposed to develop protection and advocacy mechanisms in order to find ways for women to live a life free from all forms of violence, both in the public and private spheres. This is one of the main human rights instruments for women, since it has led to the creation of several laws to protect the human rights of women (Carrera, n.d.).

So we can conclude that the road that women have had to travel in order to enjoy the same rights as men has been full of difficulties. However, throughout history it has been evident how they have been able to empower themselves in their struggle and not lose sight of their initial objective, equality. Later, we will address issues such as the origin and evolution of the rights of women, both in the Western world and in the Islamic world, in the same way we will present information on some of the women who were pioneers so that we have these rights.

## **CHAPTER 2: EVOLUTION OF WOMEN'S HUMAN RIGHTS IN THE WESTERN AND ISLAMIC WORLD.**

*She belonged to no man or no city*  
(Payne)

Women have been fighting for their freedom, rights, and equality; No matter how intense some struggles have been, they keep going and never give up. This chapter will first mention some of these crucial women who gave their lives so that today we women can enjoy our rights. Second, the different events that gave rise to the feminist movement; third, the critical events for the feminist movement to gain strength. These three issues will be addressed both in the Western and Islamic worlds and finally, an analysis of the impact of feminist movements in the two regions regarding the Human Rights of Women.

## **1. Origin and evolution of feminist movements in the western world**

### **1.1 Main promoters of feminist thought**

When we talk about precursors in terms of feminist thought, we could resort to an extensive list of names that, although they helped to develop feminist thought more deeply, in this chapter, we will focus more on women who are relevant in codification issues.

#### **Elena Lucrezia Cornaro Piscopia**

Elena Lucrezia Cornaro Piscopia was an illustrious Italian woman known for being the first woman in history to obtain a doctorate. Elena Cornaro was born in a noble Venetian family on June 5, 1646. Since childhood, she has demonstrated her love and ability to accumulate knowledge in various areas such as languages, mathematics, philosophy, and theology. It is because of the motivation provided by her father that she decided to study theology at the University of Padua. During her studies, she participated in several debates that allowed her to become known and position herself as one of the most influential people of the time. However, it was in the year 1678 that she would defend her doctoral thesis, becoming the first woman to obtain a doctorate (Gregersen, 2021).

## **Olympe de Gouge**

*“Woman has the right to mount the scaffold, so she should have the right equally to mount the rostrum”* (Gouge, 1791).

Olympe de Gouge was a woman recognized for her great feminist work called *The Declaration of the Rights of Woman and the Citizen* of 1791. She wrote this work in response to the fact that, in *The Declaration of the Rights of Man and the Citizen*, adopted after the French revolution, only men's rights were recognized while women's rights were not mentioned (González, s.). That is why she decided to create a document in which the rights and freedoms of women and gender equality can be addressed and shared. As a consequence of her revelations and fighting for women's rights, Olympe de Gouge was guillotined in 1793, thus inspiring the beginning of the struggles for women's rights to be recognized (Carrera, s.f.).

## **Simone de Beauvoir**

*“Man is defined as a human being and woman as a female – whenever she behaves as a human being, she is said to imitate the male”* (Beauvoir, 1949).

Simone de Beauvoir is recognized for several works considered feminist today; her most outstanding and pioneering work of the feminist movement: *The Second Sex*, was written in 1949. It deals with how men are seen as “*first-class beings*” compared to women, who are classified as “*second-class beings*.” She explains this throughout her work since she states that men are attributed the duty of managing the economy, education, and politics of the countries while the duty of women is to marry a suitable partner, leave to work, have children and maintain a home. Through this, it seeks to demonstrate how there is great inequality in the treatment given to men and women, as well as the role they play in society (Van Der Tuin, 2010). Thus, Simone de Beauvoir proposes that women should put aside these beliefs and start fighting for what they want to do in their lives. Due to these revolutionary ideas of her time, this work caused great controversy, some critics classified it as pornography, and the Vatican placed it on the list of prohibited texts in the church. De Beauvoir traveled the world presenting her feminist ideals until 1986, when she died in Paris (Biography Editors, 2018).

## **Mary Wollstonecraft**

*“I do not wish women to have power over men but themselves.”* (Wollstonecraft, s.f.).

Mary Wollstonecraft was a feminist recognized for fighting for the intellectual equality of men and women, and her ideas were raised in the book: *Vindication of the Rights of Women*. Wollstonecraft was supported by several men when it came to better female education, while when she spoke of the need for equality between men and women in other social aspects, they showed reluctance since it meant a drastic change from the status quo to which they were accustomed (Todd, 2015). This is manifested in her book *Vindication of the Rights of Women*, published in 1792, in which she proposes to change the idea that women not only exist to please men and demands that women stop being excluded from being treated the same way as men in terms of education, work, politics and social aspects (Ford, 2011).

## **Elizabeth Cady Stanton**

*“We hold these truths to be self-evident: that all men and women are created equal”* (Stanton, s.f.).

Elizabeth Cady Stanton is recognized for her remarkable performance in the movements for Women's Rights and women's suffrage. In 1848 Stanton participated in the first Woman's Rights Convention in Seneca Falls along with Lucretia Mott, Jane Hunt, Mary Ann M'Clintock, and Martha Coffin Wright, in which they drafted the first demand for women's suffrage (Marcos, 2020). Elizabeth Cady Stanton is also recognized for writing, together with Lucretia Mott, *The Declaration of Sentiments*, which aimed to produce social and legal changes so that women are seen in a better way in society. In this, they sought more significant participation of women by demanding that the word “woman” be added to the Declaration of Independence; they sought equality in terms of divorce, property, and custody rights by making 18 demands to guarantee the same; and the right to vote. Throughout her life, she wrote three volumes of the History of Women's Suffrage, demonstrating her interest in equal access to this right. While she was unsuccessful in getting women to vote during her lifetime, her efforts were the inspiration for giving all citizens the right to vote years later (Michals, 2017).

## Betty Friedan

*“When she stopped conforming to the conventional picture of femininity, she finally began to enjoy being a woman”* (Friedan, s.f).

Betty Friedan was known for being one of the early leaders of the Women’s Rights Movement, which took place in the 1960s and 1970s. She was also the founder of the National Organization for Women and published her book in 1963, called *The Feminine Mystique* (History Editors, 2018). The book: *The feminine Mystique* is considered one of the most influential in the 20th century because it dealt with an analysis of the problems that affected the lives of women at that time. One of the main criticisms she made was how living a domestic life made them unhappy and did not allow them to grow as women; that is why she asked for equality in terms of civil rights and justice for both men and women (Meyerowitz, s.f).

### 1.2 Events that gave rise to the feminist movement in the West

After mentioning some of the precursors who fought so that women could enjoy their rights today, it is essential to mention some events relevant to the origin of the feminist movement in the West. We will refer to events such as the fight for women’s suffrage in the United Kingdom, the Triangle Shirtwaist Factory Fire, and the Seneca Falls Convention.

### The Fight for Women’s Suffrage in the UK

We will first discuss the fight for women’s suffrage in the United Kingdom. Although movements and struggles existed in other countries for women to enjoy the right to vote, that of the United Kingdom is considered throughout history as one of the most relevant since it served as a motivation for other countries to replicate this movement. This fight began in 1866 when the philosopher John Stuart Mill presented the petition before the *House of Commons*<sup>7</sup> to grant women the vote for the election of legislators; said petition was denied due to their

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<sup>7</sup> House of Commons is the name given to the lower houses of the bicameral parliaments of the United Kingdom and Canada.

condition as women. This motivated the fight for women's suffrage to begin officially during the last years of the 19th century. In 1903, the famous *Women's Social and Political Union Organization* was founded by Emmeline Pankhurst and her daughters, whose objective was to fight for women to obtain the vote and oppose any person who refused to do so (Wingerden, 1999, x-xix).

During this movement that lasted several years, women were divided into two groups: the well-known Suffragettes, who were led by Millicent Fawcet and who fought in a more pacifist way, and the Suffragettes, led by Sylvia Pankhurst, who fought in a more extremist way. Using violence and breaking any rule to be heard became more influential in this movement (Crossley et al., 2012).

Continuing with the suffrage movement, in 1914, the First World War began; although this War was the cause of several deaths and damage around the world, to a certain extent, it had something positive because the world began to reflect on the role of women in society by seeing them as individuals who could help in the development of the country and not stay at home. As a result of this, in the year 1918, with the end of the War, the British Parliament approved the vote for women over 30 years of age, and ten years later, in 1928, the vote was granted to all women over 21 years of age. As we had previously mentioned, this movement in the United Kingdom was the precursor for other countries to continue changing their laws and granting the vote to women. On equal terms as men (Hernandez, 2020).

### **Triangle Shirtwaist Factory Fire**

Another important event that we must emphasize is the fire at the *Triangle Shirtwaist Factory*<sup>8</sup>, which took place in the United States in 1911; this gave rise to the fact that we currently commemorate Women's Day on March 8. At the beginning of the 20th century, women's working conditions were appalling in all the factories, so a group of workers in New York City started a strike in which they refused to work until there were better wages and better working conditions. The owners of the Triangle Shirtwaist factory, through a verbal agreement,

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<sup>8</sup> Factory of blouses for fashionable women at that time.

decided to partially comply with what the workers requested in order for the strike to end; however, it is essential to emphasize that only the hours and wages were modified while maintaining the deplorable conditions in the factories (McCormick, 2011). On March 25, 1911, a fire broke out at the Triangle Shirtwaist factory, resulting in many deaths, most of whom were women and girls between the ages of 16 and 23. The fire was caused by the factory owners to stop the strikes mentioned above, and for fear that the employees were stealing from them, so in 1917, they were sentenced to pay compensation for each life lost in that fire (El Comercio, 2018).

The Triangle Shirtwaist fire was the final event for the whole world to take notice to change the laws regarding women and protecting the health and safety of workers. Although this incident occurred on March 25, Women's Day is celebrated on March 8 because years ago, there was another fire in the same city in which several women died. Thus, in 1977, the UN General Assembly officially declared March 8 as International Women's Day (Márquez, 2022).

### **The Seneca Falls Convention**

Finally, we will talk about the Seneca Falls Convention<sup>9</sup>, which, although it has already been mentioned before, is vital to address in this section of the chapter. Although this Convention was held in 1848, it arose as an idea of Lucretia Mott and Elizabeth Cady Stanton four years ago when they attended the World Convention against Slavery, from which they were excluded for the simple fact of being women (History Editors, 2017). Thus, in 1848, Lucretia Mott and Elizabeth Cady Stanton, together with three other women: Mary M'Clintock, Martha Coffin Wright, and Jane Hunt, celebrated the first Convention on the human rights of women in Seneca Falls, New York; to show their discontent with existing laws that were not fair to women (McGraw-Hill Education, s.f).

*“We are assembled to protest against a form of government, existing without the consent of the governed—to declare our right to be free as man is free, to be represented in the government which we are taxed to support, to have such disgraceful laws as give man the power to chastise*

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<sup>9</sup> Initially known as the Women's Rights Convention.

*and imprison his wife, to take the wages which she earns, the property which she inherits, and, in case of separation, the children of her love.”*

*Elizabeth Cady Stanton*

In said Convention, these women tried to achieve equal treatment with men; for example, they wanted women to have permission to work just like men and grant them the right to vote. The Seneca Falls convention was an important event as it launched the national movement for women's rights (McGraw-Hill Education, s.f).

### **1.3 Key events for the feminist movement to gain strength in the West**

In conclusion, regarding the issue of the events that gave rise to the feminist movement in the West, it is also essential to talk about two events that were key for the feminist movement to gain strength and for the entire region to begin to fight to achieve the pursue of rights for women. The first event refers to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the other is the Revolution of Customs in the sixties.

#### **Convention on the Elimination of all Forms of Discrimination against Women**

Like the Seneca Falls Convention, the Convention on the Elimination of All Forms of Discrimination against Women was already mentioned in the previous chapter; however, being the most important event for the feminist movement to gain strength and begin in all the countries of the West it is convenient to mention it also in this chapter. In 1946, a United Nations body called the *Commission on the Legal and Social Status of Women* was established, which had the objective of supervising the situation of women in those times and promoting their rights; Thanks to this Commission and its research on the aforementioned, concern is born about the situation of women in terms of political, economic, social, cultural and civil issues; which causes several conventions and declarations on this subject, but the most important was the CEDAW. It was approved in 1979 by the United Nations General Assembly but entered into force in 1981 (UN Women Headquarters, 2016).



In the same way, although it is essential to talk about its origin, we must also explain why CEDAW is considered the key event for the feminist movement to gain strength in the West. This is because it is the leading international legal instrument that seeks to defend women's rights, promote equality between men and women, and, as its name implies, eliminate discrimination against women and girls worldwide (UN Women Headquarters, 2016).

### **The Revolution of Customs in the sixties**

As for the Revolution of Customs in the sixties, we can say that it has been considered a fundamental movement because, thanks to it, the perspective of the role of women in society changed. The year 1968 is considered one of the most critical years in terms of the issue of feminist movements in the United States since in this year there was an event that influenced the growth of the feminist movement; it is essential to emphasize that this year is only one of the many years that passed for the Feminist Movement to continue growing (Women's Movements in 1968 and Beyond, 2018, 242-259).

The event that marked the beginning of the feminist movement was the protest against the Miss America contest. It all started in 1968 when members of the group *New York Radical Women*<sup>10</sup> gathered a group of activists in Atlantic City to protest against the famous Miss America beauty pageant since they thought that this was a display of women's oppression, sexism, racism<sup>11</sup>, and to the unrealistic standard of beauty that existed in this contest, this being the first step for the birth of the *Women's Liberation Movement* (Hanisch, 2003). The women of the group *New York Radical Women* announced their upcoming protest in various media outlets to get the attention of all women in the United States so that they could support them in some way. Thus, on September 7, 1968, the day of the coronation of the *Miss America* contest, this protest took place in which a large group of women gathered, including older women, young women, women of color, and white women, who gathered in order to support this cause (Garrett, 2018).

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<sup>10</sup> A feminist group formed in 1968 by women who sought to end the oppression of women, the unfair treatment received by groups in the anti-war movement, and the civil rights of women as opposed to men (Dow, s.f).

<sup>11</sup> It was considered a racist contest because a woman of color had never been crowned.

The protest was declared a great success for the *Women's Liberation Movement*, and the hard work of the women's group to be heard in all media brought with it the interest of other women to be part of this group and fight against any opposition to women. Thus, they increased the number of members in the next meetings of this group exponentially. The activism of this group and its members did not end with the protest since, although it was successful, the women never stopped campaigning for their rights (Garrett, 2018).

## **2. Origin and evolution of feminist movements in the Islamic world.**

### **2.1 Main promoters of feminist thought in the Islamic World**

#### **Chandra Mohanty**

*"This is a feminism that focuses on financial "equality" between men and women"* (Mohanty, s.f)

Chandra Mohanty is a professor of gender studies of Indian origin and a world leader in decolonial feminism. This writer and critic of Western feminism was born in Mumbai in 1955 and dedicates her life to conducting studies on postcolonial and transactional feminism, in which she establishes the importance of deconstructing the perspective of feminism and the limitations of women beyond a western perspective of the meaning of being a woman that has established a homogeneous point of view over time. Chandra Mohanty, in her best-known works, called: *"Under the eyes of the West, Feminist Academy and colonial discourse"* (Mohanty, 2008) and *"Feminism without Borders: Decolonizing Theory, Practicing Solidarity"*, provides us with a more complex analysis of the so-called "Third World Women" (Mohanty, 2003).

Throughout her research, she criticizes how the study of feminism is presented as the idea of a "homogeneous feminism" with similar problems and limitations. Therefore, according to her books, she would establish a hegemonic relationship between the First and Third Worlds, motivated by particular individual colonization interests. On the other hand, she establishes the

need to study decolonial feminism in which it is possible to carry out an analysis that considers not only gender but also the sociological, historical, and political study of women's lives in these countries outside of Europe (Clavo Sebastián & Goicoechea Gaona, 2010, 124-134).

## **Huda Shaarawi**

*“So, if the traditions and culture of the Eastern community are blindly compelled to hurt a woman's dignity, insult and degrade her in the name of cultural unity, then I am ready to burn myself. If it means facing prosecution and rejection to highlight these difficult truths, I intend to vocalize my pain and start a revolution for the silent women who faced centuries of oppression.”* (Shaarawi, s.f)

Huda Shaarawi is an Egyptian feminist and nationalist born on June 23, 1879, in Al-Minyā, Egypt. She was known for her role in the struggle to establish various organizations dedicated to women's rights, becoming considered the founder of the women's movement in Egypt. As well as for being the first defender of Muslim feminism, understood as: “one who claims for the social, political, educational and economic rights of women without demanding or considering religious emancipation necessary for it” (Capurro, s.f.). It is important to note that Huda Shaarawi grew up in a wealthy family, which allowed her to study, and to see her father up close participating in her country's politics motivated her to learn more about the subject.

Throughout her life, she carried out several projects to improve the situation of vulnerable groups in her country, such as the foundation of the first secular philanthropic organization operated by Egyptian women in conjunction with her husband; this medical dispensary would be intended to serve underprivileged women and children. She would later be the founder of the Central Committee of Wafdist Women in 1920, guaranteeing the open participation of Egyptian women in the nationalist movement. However, it was not until after the death of her husband that she decided to focus on women's equality, which is why in 1923, she founded the Egyptian Feminist Union, whose main objective was women's suffrage, reforms to personal status laws, and more significant educational opportunities for the female gender (Jaffer & Burkett, 2021).

One of the most symbolic acts for which she is remembered is the removal of her face veil in a train station in Cairo after the conference of the International Alliance for Woman Suffrage held in Rome. Throughout her life, she positioned herself in the presidency of the Arab Feminist Union after founding it in 1945 (Nieves Paradela, s.f.).

### **Leila Ahmed**

*“For women, being attuned and aware of the wonder of life was part of what Islam was. It was not the ritual things you read about or official Islam. It was about what meaning you give to your life and how aware you are of other people, the stars, and the rhythms of existence”* Leila Ahmed.

Leila Ahmed was born in Cairo in 1940 and was raised from infancy under Islam, a factor that would be very important to her later writing. In 1952, the beginning of the era of Arab nationalism took place, which personally meant a time of change and harassment for her entire family, leading her to reevaluate her identity (Kim, 2009).

Although this political change resulted in her postponing her studies at a foreign university, it was in the 1960s that she attended Cambridge University, where racism and stereotypes would be a consistent experience for her. This would cause her questioning of identity to take a much more sensitive and balanced perspective, which added to her childhood under nationalism and aroused her interest in a sociological study that leaves aside the simplism with which assertions about different cultures are created, making capture their experience in the construction of identity beyond social and cultural borders (Kim, 2009).

Among her achievements in the academic sphere, we can name a Ph.D. at Cambridge, teaching her in 1981 as a Professor of Es Near Eastern Studies at the University of Massachusetts, and in 1999, she became the first Professor of Women’s Studies in Religion at Harvard Divinity School. However, we will focus on her work as an author, in which she has dedicated herself to analyzing the roles of women in the Muslim world, describing complex situations in various ways to demonstrate the existence of multiple responses when we talk

about gender and Islam, in this way, has wanted to combat stereotypes about them, both within Islam and in the non-Islamic world (Kim, 2009).

### **Souad Abderrahim**

*“I offer this victory to all the women of my country, to all the youth, and to the Tunisian Republic”* (Souad Abderrahim in her interview after being elected in 2003)

Souad Abderrahim is a renowned pharmacist, former deputy, and militant of the Islamist Ennahda party, whose most outstanding achievement is having been elected as the first female mayor of the capital of Tunisia (France 24, 2018). Having become the first female mayor of an Arab capital is an outstanding achievement since the transformation in terms of equality in Tunisia has been gradual and is strongly marked by patriarchal structures, although it can be considered progressive in terms of the rights of women and gender equality (DW, 2018).

## **2.2 Events that gave rise to the feminist movement in the Islamic world.**

### **Definition of terms and the Pillars of Islam**

To start with this topic, we have to address a definition of the terminology that we are going to use and what five pillars or duties of Islam that believers must fulfill to be good Muslims are.

The UN Refugee Agency (UNHCR) defines Islam as “the monotheistic religion practiced by Muslims. Their God is Allah, their prophet Mohammed<sup>12</sup> and the Koran is their holy book” (The UN Refugee Agency, s.f.). Under this background, it is essential to make a differentiation between Muslim and Islamist; as we mentioned earlier, Muslim practices the religion of Islam, while “Islamist,” which comes from the term Islamism, can have two

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<sup>12</sup> Mohammed is the Spanish name of Muhammad which is originally in Arabic and refers to the prophet of Islam.

connotations: the first definition is related to Muslims and its link with religion. On the other hand, the second definition, which is the one most frequently used, defines them as a group of people with a set of beliefs linked to Islamic fundamentalism related to “radical Islam.” This is an ideology proclaimed by the Jihadists that is considered a “Western term that refers to the radical ideological tendency that supports holy war and the use of radical practices such as terrorism” (The UN Refugee Agency, s.f.) Therefore, as the UNHCR page mentions, we should not confuse these terms despite sharing the etymological root.

After establishing these differences, we must address how the religion called Islam arose and its five pillars. This religion originated in the Arabian peninsula during the seventh century at the hands of the prophet Mohammed, who stated that the Archangel Gabriel spoke with him to serve as a channel to preach God’s commands. The first listeners of these revelations were poor people, clans, and young people from families that had power within society. Due to the context in which they lived due to the conflict between the Persian-Sassanid and Byzantines<sup>13</sup>, who sought to seize power in this region, the new religion of Muhammad came to be considered a social rebellion by his listeners (Chica, 2012, 565-642). Among the factors that helped Islam to spread is that Mahona was part of a nomadic society, which gave them the possibility of reaching more places to profess Islam, as well as another significant factor, if not fundamental. It is that Islam shared practices of the Judeo-Christian religions since Allah is the same God of these religions with him, differentiating that they only took the precepts of the old testament and its revelations (UCLA-Students, s.f.).

On the other hand, it is essential to talk about the five pillars of Islam, which are: the “Shahada” or testimony, which refers to the profession of faith by recognizing Allah as the only God and Muhammad as the prophet of his word; the second pillar is the “Salat” or prayer, which deals with the obligation of all Muslims to pray five times a day facing Mecca; the third refers to “Zakat”, in Spanish it literally means “purification” and alludes to charity, which is based on giving alms to the poorest in the community, whether with money, food, primary products, among others; the fourth pillar is the “Sawm” or fasting and is performed during

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<sup>13</sup> Taken from the document in the Dialnet repository: “Byzantines” refer to the members of the Eastern Roman Empire, also known as the Byzantine Empire, whose capital was Constantinople, Istanbul. “Persian-Sassanid” refers to the members of the Sassanid Empire or the Empire of the Iranians made up of the Persians and is considered to be one of the most influential historical periods in Iran.

Ramadan, which takes place in the ninth month of the Muslim calendar and seeks to purify the body and get closer to God in a spiritual way and finally, as the fifth pillar we have the “Hajj” or the pilgrimage to Mecca at least once in their lives, since this city is considered the spiritual center of Islam since the prophet Mohammed began to preach this new religion there ( Junior Report, 2019).

## **Fundamental Sharia Laws**

Sharia means “the way” and refers to principles that govern Muslims’ moral and religious life. This series of principles is based on the holy books of Islam and the Koran, but also the life of the prophet Muhammad and are intended to establish a guideline for social conduct for Muslims (BBC, 2021).

The five pillars of the Sharia are the same as those of Islam mentioned earlier: the Shahada, the Salat, the Zakat, the Swan, and the Hajj (BBC, 2021). Within the Sharia, some rules dictate a dress code, women’s rights, alcohol consumption, marital relations, and other subjects. Their interpretation may depend on the country they are in and the branch of Islam with which these texts are studied; in the specific case of the Taliban, they handle a much stricter version of the Sharia that includes physical punishments such as executions, amputation, or stoning (Junior Report, 2019).

## **The Taliban**

To address how the Taliban gained power throughout history, we must understand what the word “Taliban” means and what this group is looking for. It was formed as a movement in the early 1990s that has an extremist view of Islam and whose name comes from the Pashtun<sup>14</sup> language that can be translated into Spanish as: “students, seekers or students” (BBC News Mundo, 2021).

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<sup>14</sup> According to the Oxford Languages, the name Taliban is relative to a Muslim people, mostly Sunni, living in Afghanistan and Pakistan.

This group's main objective is to establish strict Islamism based on the application of the Sharia<sup>15</sup>. The main problem arises when this has, as a consequence, the application of public executions and the reduction, if not the nullity, of the rights of women based on the inability to work or exercise economic autonomy, as well as the rejection of elections and democratic structures (BBC News Mundo, 2021).

### **Historical background on the rise of the Taliban**

Afghanistan is one of the most fragmented states in the world due to the significant differences between the ethnic groups within the country, based on factors such as their language, interpretation of Islam, and culture<sup>16</sup>. The existence of 25 such heterogeneous ethnic groups makes Afghanistan's political ecosystem delicate. Of these 25 groups, the largest is that of the Pashtuns, which in turn are the most significant politically, since between 1747 and 1973, they were in charge of the government, which meant that for some time, there was a certain balance within the country. However, in the last year of his post, a coup d'état took place that brought with it a series of changes that led the country to transform from a monarchy to a Republic, and five years later, the so-called "Saur Revolution" took place, which had; as a result, a communist government that dealt with several difficulties, due to the aforementioned ethnic characteristics, as was the case of several internal uprisings (Cuéllar, 2013).

Although these events were fundamental in the history of Afghanistan, it would be the intervention of the Soviet Union that would mark a fundamental precedent of interventionism within the country, and that would undoubtedly increase the imbalance of its internal dynamics because it occurred in the framework of the Cold War which caused Afghanistan to be part of the scene of it. The occupation of an external country in the Afghan territory caused the resistance to translate into a gang war whose purpose was to regain control of the country with the help of other external forces such as the Americans, Pakistanis, and Saudis. Among the

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<sup>15</sup> Taken from the BBC: Sharia in Arabic, literally means "the clear path to the water." As a whole, it is a code of conduct that determines all aspects of the life of Muslims, with norms that affect everything from prayers to fasting or donations to the poor.

<sup>16</sup> There is a marked differentiation between Pashtuns and non-Pashtuns, as well as 25 ethnic groups such as Tajiks, Uzbeks, Hazaras, etc.



groups that rose against this occupation is the Taliban, created in 1990 and two years later contributed to the end of the occupation by Soviet forces in 1992 (Cuéllar, 2013).

### **The rise and fall of the Taliban in the 1990s**

Four years after its creation, in 1994, the Taliban took military control of Kandahar, making it easier for them to take the capital Kabul two years later and form the Islamic Emirate of Afghanistan. However, it was not until 1998 that they managed to take over 90% of Afghanistan, managing to be recognized by countries such as Pakistan, Saudi Arabia, and the United Arab Emirates.

Among the norms that were established, we can name the obligation for men to grow beards and for women to use the entire body burqa, the amputation of hands for thieves, death for murderers, the prohibition of television, music, cinema, and limiting access to education for girls up to the age of 10 (Karimi, 2021). Although many of the rights of the people were limited, it is essential to mention that 15 massacres against the civilian population were attributed to them, according to the UN (Khan & Kokic, 2021).

On the other hand, when we talk about the Taliban, we must also mention the resistance in Afghanistan in which one of the best-known actors in the “Lion of Panjshir”, a nickname by which Ahmad Shah Massoud was known, gained his popularity fighting against the Soviet occupation forces and later for their resistance against the Taliban. Massoud, among his most significant actions as an activist against this occupation, was his visit to the European Parliament in Brussels in 2001 to ask the international community for help for Afghanistan, which caused him to be assassinated the same year in Takaha. This would be the starting point for the Al Qaeda attacks against the World Trade Center in New York and the Pentagon. It is due to these attacks that the North Atlantic Treaty Organization<sup>17</sup>, led by the United States, decided to attack the Taliban’s positions in Afghanistan and sent the International Security Assistance Force (ISAF) to help to build the country and to train the Afghan army (Karimi, 2021).

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<sup>17</sup> The acronym for The North Atlantic Organization is NATO.

## The Taliban today

The current occupation by the Taliban, also cataloged as the re-emergence of this group, according to Angélica Alba Cuéllar in her article titled *The Resurgence of the Taliban in Afghanistan* for the International Relations, Strategy, and Security Magazine, establishes that this resurgence could have occurred due to several factors such as: “the re-establishment of logistical support from abroad, the return of foreign combatants, and financing from drug trafficking” (Cuéllar, 2013) as well as the fragmentation of the country marked by ethnic groups, their tribal structure and different clans that have marked different cultures and contradictory political dynamics, which would lead us to carry out a much broader analysis over time in order to understand how they came to position themselves in power again (Cuéllar, 2013).

Cuéllar presents us with a timeline that would start from 2002, in which the various factions of the Taliban movement, along with other insurgent forces<sup>18</sup>, acted to destabilize the Afghanistan government. These actions consisted of using explosives, beheadings, and suicide attacks that managed to terrorize civilians and force the retreat of International Organizations and the abandonment of US occupation troops in the country. The recovery of the Taliban has been progressive since, at first, they have not considered direct competition for the coalition forces. However, it was their attacks on humanitarian workers, government employees, and civilians and the use of technological means in which they promote their ideas based on jihadist discourse, which in one way or another, have served as a backdrop and stage to improve its military capacity and position itself as a potential ally of the Pashtun areas of Pakistan (Cuéllar, 2013).

On April 14, 2021, the withdrawal of US troops and, therefore, NATO was announced, which ended up withdrawing from the country on August 31 of the same year. However, attacks carried out to stabilize the Afghanistan situation by state and non-state actors resulted in a civilian casualty toll, including deaths and injuries, that, as of June 2021, stood at 5,183. This brought with it a migratory wave under the figure of refugees of more than 123 thousand

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<sup>18</sup> Al Qaeda y el Hizb-e Islami

people. Half of them are children and women, according to the UN Assistance Mission in Afghanistan<sup>19</sup> (Amnesty International, s.f.).

## **2.3 Key events for the feminist movement to gain strength in the Islamic world**

### **Women and the Arab Spring**

In 2010, several countries in the Arab world experienced countless protests due to people's dissatisfaction with government repression, lack of work, and the high cost of food. This demonstration began in Tunisia but was joined by countries like Egypt, Morocco, Libya, and Syria and lasted for two years. However, we will focus on the participation of women from these countries that surprised the world and set a precedent for their political participation in the Islamic world since there were large groups of them who gathered in the streets shouting against the repressive regimes to which they were subjected for more than ten years.

"From Tunisia to Bahrain, from Egypt to Syria, women of all kinds exist. They advocated democracy, social justice, freedom, dignity, and equality. Women activists, bloggers, and journalists informed the world what was happening. These uprisings and demands reaffirmed the universality of human rights" (White, 2013, 4-14). According to UN reports, it was in 2011 that women surprised the world with their participation in this revolution called "The Arab Spring," in which, together with young people, they sought respect for their dignity, freedom, and equality in terms of rights. since they were the two most affected groups. This uprising "demonstrated the magnitude of the popular rejection of this type of institution and contributed to the rapid fall of several oppressive regimes" (ONU, s.f.).

### **The Women's Movement in the Islamic Republic of Iran**

In the year 1979, the overthrow of Shah Reza Pahlavi<sup>20</sup> took place, which resulted in the establishment of a new Islamic regime, which, ignoring the group of women who fought alongside them wearing their black veils, after their victory, established a system of

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<sup>19</sup> The acronym for the UN Assistance Mission in Afghanistan is UNAMA.

<sup>20</sup> The "Sha" or "Sah" is the title given to the monarchs of Iran and has the direct meaning of "King".

government with laws that evidenced discrimination against women. In this government, women had a legal value equivalent to “half” that of a man, and an orthodox and markedly misogynistic Muslim family law was introduced. It is because of this that several women activists have adopted a strategy in which, after an analysis of the political context and the mistakes made in the past towards women that took place after the establishment of this new regime, they have created an agenda that supports to “one of the most dynamic movements in the region” (Hoodfar, s.f.).

Historically, the role of women as social and political actors has been present in Iran since before the 1900s, whether in the streets fighting for the rights of the general population in revolutions<sup>21</sup> and coups or currently in the country’s political sphere. However, we will focus on the role they played in the 1979 revolution, in which, as we had mentioned, women wore their black veils to daily protests, making this garment the “icon of the revolution.” Their participation in the proposals was so significant that it is contradictory that weeks after the leader of the revolution was installed in power, essential laws for the welfare and equity of women in Iran were annulled, such as the Law Protection of the Family, temporary marriage, the reduction of the legal age of maturity for girls to 9 years<sup>22</sup> women could not hold positions of power as judges, the segregation of places such as beaches, sporting events, and public transit as well as various attempts to segregate hospitals and higher education institutions (Hoodfar, s.f.).

The discriminatory nature with which women were treated did not manage to intimidate them; on the contrary, they organized several demonstrations that lasted weeks, the most significant being that of March 8 in commemoration of Women’s Day. Additionally, women activists in this country tried to structure various organizations that faced military forces and religious fanatics, limiting their success. This is because they did not have a structured and respected group within this political context, so the rights previously granted to them were diluted, and they only managed to retain the right to vote for the year 1980. At the same time, women, not only activists but also secularists, looked for ways to continue exposing women’s

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<sup>21</sup> Within the Revolutions we can take the case of the urban political protests against the British monopoly on tobacco in 1887.

<sup>22</sup> Lowering the legal age of maturity for girls to 9 years and enshrining it in the constitution came to be interpreted as meaning that girls could get married or be tried as adults for a crime.

difficulties in accessing fundamental rights that in the rest of the world were not even questioned through access to the media and reports on cases of injustice. They called for “a completely secular State and legal system and sought international instruments such as the Bill of Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) to substantiate their claim” (Hoodfar, s.f.) while they employed an Islamist gender discourse.

### **The Silent Revolution of Iranian Women**

Currently, although Iran’s legislation grants fewer rights to women, this group has a fundamental role within the country despite restricted access to administrative positions, as mentioned above. Such is the case of the Parliament, in which only nine positions have been occupied by women deputies, as well as the existing limitations that women have to be able to marry, work, travel, have economic autonomy, etc. This is why limited access to these freedoms remains a contentious and important issue in the lives of secular women and a priority for activists.

As the professor of political sociology Azadeh Kian says, man is king and in the law in the Afghan country. Until 2016, only 14% of women in the country had a job even though the demand for work was increasing, and 60% of the universities were made up of female students within their alma mater; one of them was Maryam Mirzajani, the winner of the Fields Medal in 2014 (Beaugé, 2016). This is a significant characteristic since girls’ schooling could represent not only conquest of the revolution but also an excellent step for a future, hopefully not so distant, much more equitable and inclusive.

## **Feminism in Jordan of Queen Rania Al Abdullah as an icon of feminism**

### **The role of Rania Al Abdullah, the feminist monarch**

*“Every woman at some point in her career reaches the moment of revelation in which she tells herself that if she were not a woman, I would not treat her this way. I lived it at different times, and I am not saying that we have not. No progress has been made, but we are far from where we should be.”*

Rania Al-Abdullah

The current Queen of Jordan, Rania Al Abdullah, was born in Kuwait, and after moving to Amman in 1991, Jordan met Prince Abdullah II Bin Al Hussein, whom she married in 1993. Since taking the crown, she has been an icon of feminism and Human Rights thanks to her work on public and equal education, women’s rights, health, sustainable development, etc. Her work is so remarkable that in 2016 she was awarded the Andrea Bocelli Humanitarian Award, and her participation in the international community has been praised for being a woman from the Arab world who uses her power for the well-being of her country, all women, and children. By making existing problems visible and having more than ten initiatives to solve them (Valentina, 2020).

### **3. Impact of feminist movements in terms of women’s human rights in the two regions**

In this part of the chapter, we will focus on an analysis of the impact of feminist movements in terms of women’s human rights in the two regions. For this, we will refer to the information presented previously throughout the chapter and some additional cases in other countries of the two regions. In the same way, it is essential to mention that the impacts will be analyzed in the most objective way possible without including our value judgment given by our western context since their evolution occurs in a heterogeneous way due to the social and political contexts so different between the two regions.

On the one hand, in the case of the fight for Women's Rights in the West, we have decided to highlight certain events that have been key to its codification; however, we must also mention the importance of the marches that continue to take place so that these rights are considered necessary beyond the gender spectrum. In other words, although certain fundamental rights have been achieved for women, the feminist struggle in the West has taken a path in which it seeks to create an agenda of much broader rights, as is the case with the great marches against violence against women to reduce and at some point eliminate women killed by femicide, harassment and domestic violence.

The marches have played a fundamental role in this struggle to be heard since the women of the "purple scarf"<sup>23</sup> have seen this demonstration mechanism as a strategy to spread their ideas and show their discontent. In 2020 alone, the number of femicides<sup>24</sup> in the Latin American and Caribbean region amounted to more than 4,091, according to data from the Gender Equality Observatory for Latin America and the Caribbean (Bárcena, 2021), so although human rights The fundamental rights to which they have managed to access are not enough to guarantee their well-being, so the struggle continues in search of comprehensive government plans that guarantee their right to life and protection. Currently, although we are not in a society in which feminism has been entirely accepted and adopted, we can say that there has been a notable evolution compared to ancient times since some members of the male gender have decided to support and recognize the need for feminism, a more equitable society for women, which has been manifested in their participation in the recent marches for Women's Day.

While on the other hand, in the case of the Islamic religion, women have focused their struggle on issues such as unemployment, inflation, access to sports, and female access to higher education, among others (Beaugé, 2016). This is because the social and political context of this region is far from the Western model; likewise, one of the primary objectives of these women is to have a secular government in which their dreams and aspirations, as well as their

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<sup>23</sup> The scarves have served as symbols for women in their struggle, they have a very strong meaning for the women who wear them. According to an article in Milenio magazine, the purple scarf originated in 1910, with the purpose of paying homage to the 129 textile workers of the "Cotton" company in New York and it was decided to use purple as a symbol of the struggle of Women's.

<sup>24</sup> According to the World Health Organization, femicide is understood as "the intentional murder of a woman for the fact of being a woman".

style of life, is not limited by religion. Although the struggles for feminism in these countries have not managed to have such a massive reach as in the West, due to the robust mechanisms of repression used by these groups that are in power, the role of women cannot be underestimated or much less the demonstrations they have made.

When we talk about the impact these movements have had in this region, we must point out that the role of activists has inspired many secular women to join this fight in the same way and from their position. Such is the case of the demonstration of September 4, 2021, in Kabul, in which more than 20 women demonstrated in the streets to seek to be taken into account in this Taliban reoccupation, although “the rights of women are threatened in Afghanistan, they refuse to remain silent” (Amaya, 2021).

By way of conclusion, we can say that, although the processes of struggle and feminism as such have developed unevenly, these two regions share a common characteristic; both have women who are seeking to participate more in the political agenda due to their need for empowerment and emancipation. Therefore, the feminist movements that develop in these two regions have as their fundamental purpose active and equal participation of the male gender in the different social and political scenarios.

As we can see throughout this chapter, history is full of events that were vital for the struggle and the feminist movement to start, gain strength, and above all, for women to be able to enjoy the Rights that we now have and enjoy freely. It was these women whom we have called “Pioneers of the Feminist Movement” who, thanks to their courage and convictions, have set a precedent so that today we have access to some fundamental rights and have the voice to fight for a society in which there is equality in inequality in the political, social and cultural spheres. In the same way, we were able to study some external actors, their beliefs, and their behavior in order to explain the consequences of their position of power in the lives of women and their access to rights.



## **CHAPTER 3: AFGHANISTAN CASE STUDY**

In order to better establish the differences in the evolution and origin of Women's Rights between the Western region and the Islamic region, in this chapter, we will address the situation of Women's Rights throughout the contemporary history of Afghanistan, as well as the current situation in the Islamic Emirate of Afghanistan. To have a clear context, later, we will make an analysis in which we will compare the two contexts, and we will establish the challenges and perspectives on the Human Rights of women in Afghanistan.

### **1. Women's Rights throughout the contemporary history of Afghanistan**

#### **1.1 Afghan Monarchy 1919-1973**

The history of Women's Rights in Afghanistan began years ago; however, in 1919, the year that Amanullah Khan assumed power, and, hand in hand with his wife, they began to work on the modernization of Women's Rights within the country. For the monarch, the participation of women within the social and political sphere was fundamental, and this was evidenced in the joint work that he carried out with his consort; he mentioned that, although he was the king, his wife was the minister of education of Afghanistan. So Queen Soraya Tarzi would become his right hand on the road to establishing their joint ideas of change in a country marked by its tribal customs (BBC News World, 2021).

Among the most critical changes in his mandate regarding women's rights, we can highlight the introduction of a new constitution that guaranteed civil rights for men and women within the country, improvements in access to education for girls, an increase in women's age for marriage, ban on forced marriage, ban on strict dress laws for women. On the other hand, it is essential to highlight some of the achievements of Queen Soraya Tarzi during her term: she founded the first women's magazine, established the first women's organization, and opened schools and hospitals throughout the country (Lewis, 2021).

However, these reforms annoyed most conservatives, so in 1929 King Amanullah was overthrown and exiled with his wife to Italy. It was at this time that Muhammad Nadir Shah took power and proclaimed himself king of Afghanistan; this caused several of these regulations to have been discontinued or abolished. Girls' schools were closed, women were once again forced to wear head coverings, and they were segregated from men in most areas of the country (Lewis, 2021).

Muhammad Nadir Shah's term only lasted four years since, in 1933, he was assassinated, which would lead his son Muhammad Zahir Shah to maintain the monarchy for the next four decades. This change would be favorable for women since the last monarch of Afghanistan would bring back the ideals of equality and support for women that Amanullah Khan had. During his government, schools for girls were reopened, a university was founded, and a new constitution was instituted in which women were given the right to vote, as well as the ability to run for office in the public sphere. (BBC News World, 2021). An essential fact that we must emphasize is the participation of Mohammed Daoud Khan, who, upon becoming prime minister, promoted several social reforms in favor of women (News Desk, 2021).

## **1.2 Afghan Republic 1973 – 1992**

On July 16, 1973, the monarchy of Afghanistan suffered a coup d'état the then Prime Minister Mohammed Daud Khan, the Afghan People's Democratic Party "PDPA" and the USSR joined forces so that Afghanistan could become a republic and overthrow the monarchy (Rodríguez et al., 2021). Regarding the Rights of Women, as we mentioned earlier, Mohammed Daud Khan had already openly participated in reforms that favored access to education, as well as his predisposition to provide certain freedoms and civil rights to them.

It is because of this that in 1986 the so-called Afghan Republic was a state that had a constitution that gave women the same rights as men. They could access positions of power in Parliament, which helped reinforce policies that ensure access to education for girls and the prohibition of practices that affect their freedom, such as: offering women to settle disputes or forced marriages. Therefore, being a time when women had extensive participation in society, the increase in female students and teachers was exponential, with more than 230,000 girls

enrolled in schools and 45% of positions for teachers occupied by women (BBC News World, 2021). Similarly, the government collaborated so that various organizations, such as the Democratic Women's Organization of Afghanistan and the Afghan Women's Council, could function without fear of reprisals. The freedoms that women were enjoying during the last decades were increasingly palpable, also allowing them to join the army, receive training, and take part in military missions (Lewis, 2021).

However, it is essential to emphasize that these rights did not reach all parts of the country since it was difficult for women who lived in rural areas to access them. This unequal access was due to several factors, which we can name poverty, the entrenched customs of the heads of families (generally men), and religion. Therefore, although the establishment of this new government had the support of the army and the majority of the population of large cities, its progressive ideals produced enormous discontent in a large part of the population. This could be seen reflected in the rebellion of several groups that sought to impose a theocratic regime that had Islam as its flag, one of them the "Mujahideen," who in July 1975 would declare their intention to overthrow the regime of Mohammed Daud Khan. . It is due to these revolutions, the economic collapse of the Afghan government and the withdrawal of the USSR from the territory of Afghanistan in 1989, that the country experiences greater instability, making it easier for the Taliban to come to power in 1992 (Rodríguez et al., 2021).

### **1.3 The first Taliban regime 1992 – 2001**

As we have mentioned in previous chapters, the Taliban group was formed in the early 1990s and is made up of Mujahideen, who were joined by members of the Pashtun tribe. These "students," which is the Spanish translation of the word Taliban, as they call themselves, were not only part of the resistance to the Soviet occupation in Afghanistan but also made up the predominant ethnic group in the Afghan country and a large part of Pakistan.

However, peace was not declared in the country after the withdrawal of the USSR troops, but a civil war arose between the different factions of the Mujahideen in 1989. The Taliban movement promised stability and the creation of a state of rights, for which they managed to have several followers within the young population of the country, and in 1996

they managed to gain control of the capital of Afghanistan, Kabul. By declaring the country an Islamic Emirate, they imposed a set of very harsh reforms marked by religion and its tribal background, which would directly affect the lives of women between 1996 and 2001 since they had control of 90% of the country (Lewis, 2021).

With the arrival of the first Taliban regime, women's rights suffered a significant setback due to the fact that the change of government was oriented towards radical and extremist Islamism. Within this new scheme of norms, women were forced to leave their jobs, especially in government offices; the Ministry for the Promotion of Virtue and the Prevention of Vice<sup>25</sup> established the need to wear the burqa all the time and go out with a male partner; their education was limited as schools for girls were closed; Likewise, social services were neglected, which caused access to hospitals to be limited and human trafficking as well as sexual slavery to increase inside and outside the country (Ahmad Waak, 2005).

### **The Koran and women**

For Muslims, the Koran is "the culmination of divine Revelation, which was given incompletely to Jews and Christians, in which the precepts of the Islamic faith are collected" (Fernández Guerrero, 2011, 267-286). In this sacred text, women are assigned a lower category than men since they offer certain freedoms that women do not, such as deciding about their sexual life, violence against women, and marriage. In this part of the chapter, we will base ourselves on the analysis carried out by Olaya Fernández Guerrero for the magazine of the Associated Center of La Rioja in order to present the points in which the Koran addresses issues related to the freedoms of Women.

Throughout her article, the author highlights some aspects of inequality between men and women. The first is related to marriage: throughout the Koran, it is established that men can choose who and how many women they can marry; however, women are not allowed to have more than one partner, even in the case of marriage. Accused of adultery, the Koran states: "For those of your wives who commit adultery, summon four witnesses. If they testify against

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<sup>25</sup> According to the World Health Organization, femicide is understood as "the intentional murder of a woman for the fact of being a woman".

them, shut them up in their houses until they die or until Allah reveals another sanction” [Surah 4, verse 15]. For these to be judged, four witnesses are needed, or her husband swears four times in the name of the Koran that his wife committed adultery. Within this topic, we will also include divorce, and women have limited rights on this topic, not only when deciding to divorce but, above all, in cases where there are children involved since they are not allowed to fight for their custody so that the men can ensure their offspring (Fernández Guerrero, 2011, 267-286).

The second element that we will address is the violence against women in which the Koran explicitly states: “treat your women well in coexistence” (Sura 4, verse 19) and “if they obey you, do not mistreat them” (Sura 4, verse 34), “those whom you fear will rebel, exhort them and leave them alone in their beds (without cohabiting) or resort to another measure to reconsider” (Sura 4, verse 34). Regarding this element, the author, after carrying out an analysis, states that the Koran has a patriarchal approach in which women have no other option than submission. The third element refers to the use of the veil, specifically to the mandatory use of it. Although the Koran urges women to dress and act modestly, what the author criticizes is that women do not have the right to choose whether they want to wear it or not since this element has gone from being significant within their religion. To become a sign of oppression and censorship for many (Fernández Guerrero, 2011, 267-286).

#### **1.4 The Islamic Republic of Afghanistan 2001 - 2021**

On September 11, 2001, in the United States, one of the attacks took place that not only claimed the lives of many people but also caused a significant impact on the global scene. One of the countries involved was Afghanistan, which after refusing to hand over Osama Bin Laden to US justice for his alleged participation in these attacks, triggered a series of events that resulted in 20 years of interventionism.

It is because of this that an international coalition led by the United States was formed, which had the purpose of overthrowing the Taliban from power. It was not until November 17 of the same year that the military forces of the coalition, together with the Afghan Opposition Forces, achieved their goal. This would be the first step for a group of prominent Afghans within the country’s politics to meet in December 2001 in Germany, under the authority of the

UN, in order to create a Provisional Authority that would formulate a plan to govern and restructure the country. Later the elections for the “Loya Jirga”<sup>26</sup> would take place, which would be considered the beginning of a stable political structure within the Islamic State in transition, but it would not be until 2004 that it would adopt a new constitution .

As for the Constitution of the Islamic Republic of Afghanistan, the new name that the country would receive and whose president was Hamid Karzai, no law should oppose the mandates of Islam. Although this Constitution had a theocratic basis, its objectives were:

*Create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, the realization of democracy, and ensuring national unity and equality among all ethnic groups and tribes; the state will abide by the UN charter, international treaties, international conventions signed by Afghanistan and the Universal Declaration of Human Rights (Rey & Silva, 2011).*

Regarding Women’s Rights, the new government established a commitment to restore protection mechanisms that guarantee women’s access to them, and this would be reflected in the creation of the Afghan Ministry of Women’s Affairs. Regarding the Constitution, it is essential to emphasize that there are several articles in which issues such as equality, access to public office, and trying to establish the need to have women within government spaces, among others, were addressed (Rey & Silva, 2011).

Although within the preamble, the Constitution already addresses the importance of establishing laws that highlight the need for a country established within the framework of Human Rights, it is in article 22 that it is stated that all “men and women have equal rights and obligations before the law. This article reflects the government’s intention to combat discrimination, which has taken place throughout history due to the gender of its citizens. Similarly, in Articles 33, 43, 44, 48, 83, and 84 of the Constitution, a change in the status of women within society is made visible since they are not only equal to men before the law but

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<sup>26</sup> The Loya Jirga is the name given to the "Great Assembly", which was originally made up of Pashtun groups including religious leaders, politicians and tribal communities, but now more ethnic groups have joined.

also regarding access to education<sup>27</sup>; by creating programs that address the education of women<sup>28</sup>; the right of women to be able to have a paid job<sup>29</sup>; the possibility of being elected to hold public office<sup>30</sup>, such is the case of the Popular Chamber<sup>31</sup>, which must have two women representatives from each province<sup>32</sup> and for the Council of Elders<sup>33</sup> they must have 20% participation of the total members<sup>34</sup> (Rey Barrera & Silva Jaramillo, 2011, 39-45).

Although the progress of the codification of women's rights was notable in the new Constitution of 2004, and these 20 years in which the US troops were inside the country served to show progress in terms of the application of ourselves, we cannot deny that, in various areas, especially those in the south, these rights were not respected, and women suffered the consequences. Such is the case of Aisha, the 18-year-old girl whose face became the cover of Time magazine, in which you could see the aftermath of an "exemplary punishment" imposed

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<sup>27</sup> Article 43 of the Constitution of the Islamic Republic of Afghanistan (2004): Education is a right of every citizen of Afghanistan, to be provided up to B.A. The state educational institutes will function free of charge by the state. To expand balanced education and provide compulsory intermediate education throughout Afghanistan, the state will design and implement effective programs and pave the way for the teaching of mother tongues in the areas where they are spoken.

<sup>28</sup> Article 44 of the Constitution of the Islamic Republic of Afghanistan (2004): The state shall design and implement effective programs to create and foster balanced education for women, improve education for nomads and eliminate illiteracy in the country.

<sup>29</sup> Article 48 of the Constitution of the Islamic Republic of Afghanistan (2004): Work is the right of every Afghan. Working hours, paid vacations, employment and employee rights and related matters will be regulated by law. The choice of occupation and trade will be free within the limits of the law.

<sup>30</sup> Article 33 of the Constitution of the Islamic Republic of Afghanistan (2004): The citizens of Afghanistan shall have the right to elect and be elected. The conditions for exercising this right will be regulated by law.

<sup>31</sup> Lower house of the People's Assembly

<sup>32</sup> Article 83 of the Constitution of the Islamic Republic of Afghanistan (2004): The members of the House of the People shall be elected by the people through free, general, secret and direct voting. The working period of the People's Chamber will end, after the disclosure of the election results, on Saratan 1 of the fifth year, and the new Parliament will begin to function. Elections for members of the House of the People will be held 30 to 60 days before the expiration of the House of the People's term. The number of members of the Chamber of the People will be proportional to the population of each circumscription, without exceeding the maximum of 250 people. The electoral circumscriptions, as well as the other related matters, will be determined by the electoral law. The electoral law will adopt measures to achieve, through the electoral system, the general and fair representation of all the inhabitants of the country, and in proportion to the population of each province, on average, at least two women will be the elected members of the Chamber of People of each province.

<sup>33</sup> Federal parliament's upper house

<sup>34</sup> Article 84 of the Constitution of the Islamic Republic of Afghanistan (2004): The members of the House of Elders shall be elected and appointed as follows: 1. Among the members of each provincial council, one shall be elected by the respective council by a period of 4 years; 2. From among the district councils of each province, one person, elected by the respective councils, for a period of 3 years; 3. The remaining third of the members shall be appointed by the President, for a period of five years, from among experts and experienced personalities, including two members from among the disabled and handicapped, as well as two from nomads. The president will appoint 50 percent of these people among women. The person elected as a member of the House of Elders will lose his status as a member of the respective Council, and another person will be appointed in accordance with the provisions of the law.



by her husband. This girl was suffering from mistreatment by her in-laws, so she decided to run away from her house; Her husband, with the help of a Taliban commander and other men from her town, found her and decided to cut off her nose and ears so that she set a precedent of what she could happen to other women who do the same. With this, we can see that the rights of women contemplated in the Constitution depended on the support of the government, but even more so of the allied troops, so it was not a surprise that when the troops of the coalition left the country, these rights were seen canceled (Stengel, 2010).

## **2. Current Situation in the Islamic Emirate of Afghanistan**

Regarding the current situation in Afghanistan, we can say that the starting point takes place on February 29, 2020, with the signing of the withdrawal agreement between the United States and the Taliban. In this agreement signed in Doha, “the Taliban undertook to stop violent actions, abandoning their relations with the Islamic State and with Al Qaeda, and the US commits to the withdrawal of its troops in 14 months, as well as the release of prisoners Taliban” (Rodríguez et al., 2021). However, despite the fact that US troops were gradually withdrawing, in May 2021, the Taliban began their offensive strategy to take control of the country. Therefore, by August 15, 2021, this group managed to take Kabul and once again proclaimed the Islamic Emirate of Afghanistan. This is the first warning signal for society in general, but especially for women, since they should once again prepare to live with fear and uncertainty (Rodríguez et al., 2021).

Although the rights of the civil population have been in general, those who have been affected due to the occupation of the Taliban today, since with their reoccupation they have brought with them several violations of international humanitarian law, the curtailment of the rights of freedom of expression, access to health and the attempts against the lives of several non-state agents, women activists, actors related to health and the media within the country, in this part of the chapter we will focus specifically on the setback and the threat that the Taliban reoccupation means for the Rights of Women in the country (Amnesty International, s.f.).

As we mentioned earlier, according to data provided by the UN Assistance Mission in Afghanistan (UNAMA), during the first six months of the year, 2,409 women and children



died. Within the acts perpetrated by the Taliban, as well as non-state groups, we can mention the case of the Sayed-I-Shuhada secondary school, in which a bomb attack took place that brought with it more than 230 dead girls. This group has sought to attack female opposition agents, such as female activists and police officers, among whom we can name Banu Negar<sup>35</sup> (BBC News, 2021).

Based on the Amnesty International report corresponding to the 2021/2022 period, we must also talk about forced displacement and evictions, whose figures we have between January and December 2021 amount to 682,031 people, in addition to the four million who had previously mobilized for reasons related to conflict and natural disasters. In the specific case of women, the advances made during the 20 years of US occupation, which were already limited due to gender-based discrimination and violence, suffered a significant setback with the arrival of the Taliban. We talk about rights such as representation in government and the right to work, the right to education, rights relevant to the protection of women from sexual and gender-based violence, freedom of expression and assembly, the right to health, impunity, and countless attacks on human rights defenders (Amnesty International, s.f.). We will rely on the report mentioned above to explain how these rights have been affected:

### **Participation in the Government and the right to work of women**

The low participation of women was evidenced by having only four women present in the final round of the peace talks on the part of the government and no spokesperson on the Taliban side. On the other hand, it is also important to mention that since the Taliban occupation, there has been a gradual dismantling of the Ministry of Women's Affairs, as well as the dismissal of women employed in the ministry and female personnel who had the role of lawyers, judges, and prosecutors. That they were not only fired from their jobs but also forced to hide "because of the danger of suffering reprisals from men who had been convicted and sent to prison for domestic or other gender-based violence, who had been released by the Taliban" (Amnesty International, s.f.).

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<sup>35</sup> A female member of the Ghor province police who was beaten and killed in front of her children.

## **Education rights**

Although for boys, in September 2021, the schools were already enabled, and they could reintegrate into education, the Taliban considered that the girls could not return yet, because they needed a “safe learning environment,” so, by the end of the year, only certain schools for girls were open in cities such as Kunduz, Balkh, and Sar-e Pul. When consulting current news, we can see that until March 2022, schools for girls over 12 years of age will still be closed “until a plan is drawn up in accordance with Islamic law and Afghan culture” (Carrasco, 2022).

## **Sexual and gender violence**

According to the Amnesty International report, from “January to June, the Ministry of Women’s Affairs recorded 1,518 cases of violence against women, including 33 murders. Violence against women continued to manifest itself mainly in the form of beatings, acts of harassment, forced prostitution, non-payment of living expenses, and early marriages” (Amnesty International, s.f.). However, as of August, the situation worsened because the Taliban closed legal and institutional support since, as we mentioned earlier, the role of the judges and the ministries that sought to protect women were annulled.

## **Women human rights defenders**

These defenders suffered intimidation, harassment, threats, violence, and murder. “Since the end of August, the Taliban have occupied the 14 offices of the Afghanistan Independent Human Rights Commission and forced its staff to flee the country or go into hiding” (Amnesty International, s.f.) Those that have led them to abandon the country and their mission for fear of reprisals.

## **Freedom of expression and assembly**

When it comes to freedom of expression and assembly, we have to talk about the peaceful protests that have taken place in Afghanistan and the aggressive way in which the

Taliban have responded using violence and repression, as well as the restriction of media Communication. An example of this took place “on September 4, Taliban special forces broke up – reportedly using tear gas and electric-shock weapons – a protest in Kabul involving around a hundred women demanding the inclusion of women in the new government and respect for women’s rights” (Amnesty International, s.f.).

### **Right to health**

This right gradually disintegrated due to the suspension of international aid to the Program for the Improvement of the Health System in Transition Situations (Sehatmandi) and the closure of 3,000 clinics up to the date on which the study was carried out. With the arrival of COVID-19 and the precarious and overcrowded conditions in which the displaced lived within the country, “by November 15, 7,293 people had already died of COVID-19” (Amnesty International, s.f.). Despite this situation throughout the year, medical personnel continued to be attacked.

### **3. Challenges and perspectives for the Human Rights of women in Afghanistan**

When we talk about challenges and perspectives for the Human Rights of Women in Afghanistan, we refer to their present and future, current concerns, and hopes for change toward a more equitable society. However, to be able to talk about this, we have to resort to the information that we previously presented since it will be the basis of the analysis of this part of the chapter. While we have covered various periods in Afghanistan’s history when women have enjoyed rights, we have also highlighted particular challenges that have recurred over time.

Perhaps for the West, what would attract our attention the most would be the compulsory use of the hijab, but in the words of Afghan activists, they are focusing their fight on other issues that cause even more significant concern within the country’s female society. The first, and the one that gives rise to the others, is the unequal access to the modernization of

the country between urban and rural areas. This is due to tribal traditions, the patriarchal culture in which women play a role limited to domestic activities and are seen as “property.”

The second refers to women’s access to education since, as in the first Taliban occupation, it has also been affected today. This has been reflected in the prohibition of women and girls from attending schools until the schools implement an educational plan that is on par with the rules of the Taliban and Islam. This challenge is directly aligned with the third, women’s access to work, because by not having the same education as men, job offers for them would be affected; the less education, the less work. This affects their development as both people and their economic independence, perpetuating the custom of being seen as a bargaining chip in marriages organized by their parents. Their options will be limited to the point that they do not have enough autonomy to decide for themselves.

Based on this, we can understand that their perspectives for the future are the establishment of a unified and secular centralized government in which they are allowed to have more excellent representation to be able to say and protect their lives. That it be so slowly and gradually, they can recover rights taken from them and become important entities within their country beyond procreation or as a symbol of “honor” within households. They can study, work, mobilize, and access safe health systems for themselves and are allowed to access roles of activism without fear of reprisals. Their voice is returned to them with the possibility of living their present and dreaming of their future.

## CONCLUSION

To conclude this degree work, it is vital to highlight the need to study the codification of Women's Rights throughout history to understand why we enjoy them today and their heterogeneous development worldwide. Because of this, we have analyzed the origin and evolution of Women's Rights from a historical perspective both in the West and in the Islamic world. For this, we consider that the starting point of our study should be the origin of Human Rights to help us understand the path they have traveled to find ourselves in the current situation.

Throughout the first chapter, we have seen how the development of Women's Rights and its codification can be attributed to countless struggles in which women have played a leading role. Despite the difficulties they faced at the beginning and during their fight, these have only served to demonstrate their empowerment and their will not to give up. Similarly, we have mentioned milestones throughout history, among which we can name: The French Revolution, The Seneca Falls Convention, and The Convention on the Elimination of All Forms of Discrimination Against Women.

In the case of the French Revolution, we point out that it resulted in a document called "The Declaration of the Rights of Man and the Citizen," which practically excludes women despite their participation in the revolutionary struggle. This caused the creation of a counterpart entitled "The Declaration of the Rights of Women and Citizens," in which the desire for a situation of equality is expressed that did not materialize since only the first document was approved; On the other hand, the Seneca Falls Convention in the United States had the purpose of achieving equal participation of women in political life by advocating for the right to vote, among other freedoms, and in the case of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) we emphasize its relevance by mentioning that it is one of the first legally binding documents that managed to place their rights in the field of international human rights.

We also consider it essential to prepare a second chapter in which we present more information that clarifies the beginnings of these struggles, the consolidation of feminist

movements, and the history of the Pioneers of the Feminist Movement, both in the Western region and in the Islamic region. This chapter has served us to be able to present these two chronologies that, although they have occurred in parallel, have not had the same results; we were able to see that in the western region, women have managed to access freedoms that allow them to occupy an essential role in the society and make use of them; in the Islamic world, this is a constant struggle. These movements caused significant changes in the world and continue to do so; it is through the voice of activists that we can learn about the unequal scope that these struggles have had in the two regions.

We highlight the difficulties they have faced without losing sight of their shared goal, a more egalitarian world in which gender does not limit people's freedoms. We analyze these different contexts that have developed in parallel, discovering their problems and seeking to provide further visibility to the historical, cultural, and political phenomena that have impacted women's lives. We consider the participation of various external and internal actors, their beliefs, and their behavior to free ourselves from a Westernized perspective of Human Rights and better understand the situation in Islamic countries.

On the other hand, our third chapter is based on the Afghanistan Case Study. It is essential to talk about this country due to everything that has been happening with women since the return of the Taliban to power. Taliban has imposed some laws that have limited the freedoms women had acquired in previous governments. We consider it vitally important to present a case study to exemplify better these differences between the western regions and the Islamic world.

We have previously pointed out that perhaps several aspects that draw our attention in the West, such as the use of the burqa, are not a priority in the struggle of these activists and women who are part of the secularized population, understanding that the struggle for the compulsory use of the burqa is not the same as fighting for wearing hijab. Therefore, after having compiled this information, we can say that to carry out an objective analysis, it is crucial to put aside our westernized perspective and focus on the aspirations and needs of women in a context different from ours, such as the region. In our environment, we have seen several natural rights that we take for granted in one way or another; we must consider the importance

of studying their history to build a new vision of the sociopolitical scenario in which these women live.

It is also essential to understand that the fight for women's rights is not related to the demonization of a religion that many have voluntarily adopted but to guarantee access to education, the creation of viable health systems, and more significant space for participation in political life. The imposition of radical changes would only cause destabilization and conflict in a country that is already fragmented, resulting in a setback in this fight for equality. Likewise, we believe that interventionism would not be a profitable strategy since it would affect the country's sovereignty, provide temporary freedoms, and Afghanistan would become an extension of the country that decides to participate in the conflict.

A pillar of our thesis is the understanding that, although we could propose numerous changes due to our bias, these should occur gradually, without causing an abrupt rupture within society. The hope of a secular and centralized government would be unrealistic since, as we have seen throughout history, it has not had results. However, it is also a utopian project because religion is a fundamental part of the Islamic region's worldview, and the governments have failed to fully cover the Afghan territory, neglecting the rural areas strongly marked by tribal customs.

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