

# THE RISK OF ETHNOCRACY IN AFGHANISTAN UNDER THE TALIBAN REGIME

## Taliban Rejimi Altında Afganistan'da Etnokrazi Riski

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### Abstract

The Taliban's second takeover of Afghanistan in August 2021 has been met with concern by the international community. The Taliban, which shocked the world during its first term in power, has given more moderate messages in its new term, which does not indicate a significant change in its management approach. Because the Taliban has shown that it does not have a very different understanding from its first term with the policies it has implemented. The concerns of the international community have become reality, and the Taliban regime has been accused of serious human rights violations. The isolation of women in particular from social life has drawn the reaction of the international community and has constituted a serious obstacle to the Taliban regime being internationally accepted as the legitimate government of Afghanistan. The predominantly Pashtun structure of the Taliban and the fact that Pashtuns are given much more places in its management cadres than other minority groups have brought to the

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Taliban'ın 2021 yılı Ağustos ayından itibaren ikinci kez Afganistan'da yönetimi ele geçirmesi uluslararası toplum nezdinde endişeyle karşılanmıştır. İlk iktidar döneminde dünya kamuoyunu şaşırtan Taliban, yeni dönemde daha ılımlı mesajlar vermesine rağmen yönetim anlayışında köklü bir değişikliğe gitmemiştir. Nitekim çok geçmeden uluslararası kamuoyunun endişeleri gerçeğe dönüşmüş ve Taliban rejimi ciddi insan hakları ihlalleri yapmakla suçlanmıştır. Özellikle kadınların sosyal hayattan izole edilmesi uluslararası toplumun tepkisini çekmiş ve Taliban rejiminin Afganistan'ın meşru yönetimi olarak uluslararası kabul görmesinin önünde ciddi bir engel oluşturmuştur. Taliban'ın Peştun ağırlıklı yapısı hasebiyle yönetim kadrolarında Peştun kökenlilere diğer azınlık gruplarına nazaran çok daha fazla yer verilmesi ülke yönetiminin bir tür etnokraziye dönüşmesi ihtimalini gündeme getirmiştir. Toplumsal barışa zarar verebilecek böylesi bir yaklaşımın Afga-

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agenda the possibility of the country's administration turning into a kind of ethnocracy. The allegations that the Taliban regime is currently engaged in economic and social discrimination and cultural repression are believed to have led to serious violations of minority rights in Afghanistan. This study draws attention to the possible risks that may arise from an ethnocratic structure in Afghanistan where non-Pashtun ethnic groups are excluded from politics and lose their right to representation. The allegations that the Taliban regime is currently engaged in political and socio-economic discrimination and implementing cultural oppression policies bring to the agenda the existence of serious violations of minority rights in Afghanistan. It is claimed that the Taliban regime, which promised an inclusive and fair administration, is moving towards ethnocracy and is unable to exhibit either an inclusive or fair administration. It is also argued that such a political choice risks creating existential problems for Afghanistan.

**Keywords:** Afghanistan, Ethnocracy, Minority Rights, Taliban, Women's Rights

nistan açısından ciddi bir risk potansiyelini barındırdığı düşünülmektedir. Bu çalışmada Afganistan'ın Peştun olmayan etnik grupların siyasetten dışlandığı ve temsil haklarını kaybettiği bir etnokratik yapının doğurabileceği olası risklere dikkat çekilmektedir. Halihazırda Taliban rejiminin siyasi ve sosyoekonomik ayrımcılık yaptığı ve kültürel baskı politikaları uyguladığı iddiaları azınlık hakları açısından Afganistan'da ciddi ihlallerin varlığını gündeme getirmektedir. Kapsayıcı ve adil bir yönetim vaadinde bulunan Taliban rejiminin etnokrasiye doğru ilerleyerek ne kapsayıcı ne de adil bir yönetim sergileyebileceği iddia edilmektedir. Dahası böyle bir politik tercihin Afganistan açısından varoluşsal sorunlara yol açma riski bulunduğu değerlendirilmektedir.

**Anahtar Kelimeler:** Afganistan, Etnokrasi, Azınlık Hakları, Taliban, Kadın Hakları

## INTRODUCTION

The Taliban's seizure of power in Afghanistan in August 2021 has enraged many Afghans of all ethnicities and socioeconomic classes. Tragic images of thousands of individuals rushing to Kabul's airport to flee their homeland immediately, and people clutching the wheels of airplanes trying to evacuate the country, demonstrate that the Taliban is a source of fear for the population (Reuters, 2021). The Taliban leadership has announced that they have no intention of retaliating and that everyone will be forgiven in order to calm the situation in Afghanistan (Beaumont, 2021). However, these words are greeted with scepticism and anger by the Afghan people because of the negative image associated with the Taliban's first term of authority (1996-2001). Indeed, it reflects reports that the Taliban administration lacks complete sanction authority over all Taliban components and that some Taliban-affiliated

groups have committed revenge killings, executed without trial, and forcibly killed former soldiers and police, particularly former members of Afghan security forces (Gossman, 2023).

In addition to the experience of the Taliban, problems of ethnic and religious minorities in Afghanistan are historically rooted. In the nation-building processes of the Afghan state, except for the period between 2001 and 2021, ethnic and religious minorities were oppressed, especially during the rise of Pashtun nationalism. The Taliban is fundamentally an Islamist movement, with some traces of Pashtun nationalism. Pashtun nationalism may play a role in the Taliban's policies and the internal dynamics of its movement, but this ideology is not its primary motivation. However, this has not prevented incidents in which ethnic minorities' rights have been violated. This study will focus on the problems faced by the ethnic and religious minorities in Afghanistan, especially the limitation of participation rights. The possibility of the Taliban regime excluding other ethnic and religious minority groups from politics and creating an ethnocracy will be discussed. Attention will be drawn to the possible internal tensions and the possibility of conflict that this situation may create.

This study will draw on reports prepared by organizations such as Human Rights Watch International, Amnesty International, the United Nations Assistance Mission in Afghanistan (UNAMA) and information provided by independent observers. The possibility that the Taliban's past massacres and human rights violations may lead to some prejudices against the Taliban will also be taken into consideration. While the possibility of bias and exaggeration should be taken into account in order to assess the situation more objectively, it is also understood that concerns about the Taliban causing various human rights violations are not entirely unfounded. Indeed, when the Taliban's past practices are evaluated in a historical context and compared to the current actual situation, there are some similarities that give rise to human rights concerns. The Taliban promised inclusive and just governance, but never democracy. However, the extent to which a non-democratic and more ethnocratic government can be inclusive and just is highly questionable. In this context, the possibility of violating the rights of ethnic and religious minorities in Afghanistan under Taliban rule is increasing. The exclusion of minorities from political life poses a significant threat to the country's future in the medium and long term. The obstacles to both cultural rights and political participation rights of ethnic minority groups, which

constitute the focus of the study, will constitute the axis of analysis. Although there are many ethnic minority groups in Afghanistan, the problems faced, especially by Hazaras, Tajiks, Uzbeks, and Turkmens, will be addressed by taking into account their population proportion in the demographic structure.

## I. CONCEPTUAL AND THEORETICAL FRAMEWORK

A brief explanation of concepts such as ethnocracy, ethnicity and minority rights, which will be frequently used in the study, will contribute to a better understanding of the subject. Like many concepts in social sciences, there are theoretical debates on these concepts, but these debates will not be discussed to avoid distracting from the focus of the study.

Seemingly contradictory to the classical meaning of democracy, ethnocracy is used to refer to the rule or government of an ethnic group. The concept was initially conceived as a form of government in current nation-states that profess to be 'democratic', known as national ethnocracy (Anderson, 2016). James Anderson argues that ethnicity and group self-awareness can be delineated based on religion, ascribed 'racial' characteristics, language, and/or a common history and culture that is widely defined. These components can vary and occasionally present difficulties (Anderson, 2016). As seen in the example of Afghanistan, ethnocracy has historical and cultural origins. Furthermore, the absence of a democratic foundation in the Islamic Emirate established by the Taliban makes the existence of ethnocracy more likely. If the Taliban rule adopts Pashtun nationalism, as certain regimes in Afghanistan's past have done, this will escalate the risk and contribute to internal turmoil. One of the main objectives of this study is to draw attention to this possibility.

Ethnicity is a term commonly used to describe groups of people that identify themselves based on shared characteristics such as race, religion, language, tribe, nation, or culture. By adopting this approach, they establish a distinct position relative to other groups within the population (Erginsoy, n.d.). However, it does not necessarily mean that every group that sees itself as culturally different from other social groups should be considered as an ethnicity. If the existence of minimal cultural differences can be cited as evidence for the existence of a different ethnicity, it is possible to speak of hundreds of different ethnicities in multicultural societies. Therefore, in this study, the concept of ethnicity will be discussed in a narrower

framework. In this context, minority groups in Afghanistan will be evaluated basically limited to the groups specified in the 2004 Constitution. According to Article four in that constitution “*The nation of Afghanistan shall be comprised of Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujur, Brahwui and other tribes.*” (*The Constitution of Afghanistan*, n.d.). Following the Taliban’s second seizure of power in Afghanistan, the parliament was dissolved and the constitution was abolished. Currently, there is a lack of clarity on the country’s legal framework. The Taliban authorities have announced the establishment of a temporary government and have specified that, until the drafting of a new constitution, the articles of the constitution under King Zahir Shah that are not in conflict with Shariah and Taliban principles will remain in effect (Sadat, 2021). their intention to set up a commission to draft a new constitution in 2022. However, as of August 2024, they have yet to successfully produce a draft constitution. The precise application of Sharia and Taliban doctrines is uncertain due to the lack of unambiguous codification. Given the circumstances, it is justifiable to assert that no minority possesses any legal protection (*In Afghanistan, Taliban States Plan to Form Commission in 2022 to Draft New Constitution*, 2021).

Unfortunately, obtaining accurate data about the ethnic composition of Afghanistan is difficult. Inadequate and imprecise censuses, along with insufficient research on ethnic identities, make it challenging to estimate available data. Interpretation of data on this issue should be approached with caution due to variations in research findings among researchers from different ethnic backgrounds, as well as the potential for small ethnic or religious minority groups to provide inaccurate information for various reasons. Nevertheless, it is worth noting that the Pashtuns, who currently occupy the administrative positions, do not make up the majority of the population. Ethnic minorities, including as Tajiks, Hazaras, and Uzbeks, also have a substantial presence in the demographic makeup of the region.

Essential minority rights are established to safeguard the rights of ethnic, religious, linguistic, cultural, or social groups that are distinct from the majority in a country or society. These rights guarantee the ability of minority groups to safeguard, articulate, and cultivate their distinct identity and ways of life. According to “Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities” fundamental minority rights encompass the following elements; (OHCHR, 1992).

- Equality and Non-Discrimination: Individuals belonging to minority groups must be granted equal treatment under the law and are protected from any form of discrimination (Article 4).
- Cultural rights: Cultural rights encompass the entitlement of minority groups to preserve, advance, and advocate for their traditional customs and lifestyles. This includes the safeguarding of cultural components such as linguistic diversity, religious practices, customary rituals, and celebratory events (Article 1 and 2).
- Language Rights: Minority groups possess the entitlement to utilize their native language. This entitlement may encompass the utilization of one's native language in the realms of education, media, public services, and judicial proceedings (Article 2 and 4).

Education Rights: Individuals belonging to minority groups possess the entitlement to get an education that is conducted in their native language and is aligned with their cultural heritage. Furthermore, individuals possess the entitlement to acquire knowledge about their cultural heritage within the framework of the mainstream educational system (Article 4).

- Religious Rights: Minority groups possess the entitlement to openly exercise their religious convictions and engage in worship. This right encompasses the creation of religious organizations and the commencement of religious services (Article 1 and 2).
- Political participation rights encompass the entitlement of individuals belonging to minority groups to engage in the political process and exercise their voting rights by electing representatives who specifically represent their interests. This guarantees their inclusion in both local and national decision-making processes.
- Community Rights: Minority groups possess the entitlement to establish and administer their communities and manage their matters (Article 3). Furthermore, these rights are ensured by international institutions and agreements. Two significant papers in this context are the United Nations Declaration on the Rights of Minorities and the Council of Europe's Framework Convention for the Protection of National Minorities (OHCHR, 1992). "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and

Linguistic Minorities” adopted by the UN General Assembly on December 18, 1992. International sources such as the “Framework Convention for the Protection of National Minorities” opened for signature by the Council of Europe on February 1, 1995, and the International Covenant on Civil and Political Rights (ICCPR) are important sources on minority rights. In this study, we will focus more on political participation rights, which are thought to be directly related to ethnocracy. Despite the Taliban government’s assurance of an “inclusive” government that would fairly represent Afghanistan’s ethnic groups through the establishment of a “interim government” in September and October 2021, the appointment of 88 individuals from the Pashtun ethnic group to positions in 30 ministries has sparked concerns. It is worth noting that most Taliban commanders lack government expertise in the areas they are assigned to, and it is also notable that no women are nominated to roles. Although there is limited representation from ethnic minorities, the Taliban asserts that it has upheld its commitment to an inclusive and equitable government by appointing several Uzbeks (including Deputy Prime Minister Mawlawi Abdul Salam Hanafi), Tajiks, and one Hazara (Dr. Mohammad Hassan Gheyasi, who was appointed Deputy Minister of Public Health) primarily to technical roles (*DFAT Thematic Report Afghanistan Political and Security*, 2022).

This study will provide a concise overview of the historical challenges encountered by minority groups in Afghanistan throughout its contemporary history. The inclusion of the international community’s help for the reconstruction project between 2001 and 2021 will be incorporated. During the interim time between the two instances when the Taliban gained control, substantial advancements were achieved, particularly in the realm of legislation. Deeply rooted and complex issues such as Pashtun nationalism and the question of Pashtunistan are touched on only superficially, as they fall outside the main focus of our study.

## II. AFGHAN NATIONALISM AND ITS REFLECTIONS ON MINORITIES

Afghanistan, a country with a diverse cultural heritage, has experienced a decline in cultural richness because of factors like as migration, wars, and assimilation. Acculturation has given rise to a unique cultural composition that incorporates elements from other communities. The relatively low occurrence of inter-community

conflicts in situations where the state does not intervene indicates the presence of either a culture of coexistence or a culture of living together. Perhaps this is the reason why it has remained unified despite the current challenges and long periods of war.

Although religious and ethnic diversity in Afghanistan has diminished over time, it is still home to many different minorities. Afghanistan's location on significant commerce and migration routes has resulted in the region's invasion (or occupancy) by many ethnic groups, as well as a growth in ethnic and cultural variety among Afghan towns. Many ethnic, religious, and linguistic minorities in Afghanistan have disappeared or reduced significantly throughout history. Although Zoroastrianism, Buddhism, and other local religions in this region before Islam's spread faded over time, Hinduism, Shiism, and Judaism persisted for a long time, despite declining numbers. Zablun Simintov, thought to be the country's last Jew, fled after the Taliban took power in Afghanistan for the second time (Azadi & Siddique, 2021). The number of Hindu and Sikh minorities in Afghanistan, which was over 200,000 before the Soviet invasion, has been reduced to several hundred families because of recurrent wars and warfare (Azadi & Siddique, 2021).

In 1747, Ahmad Shah Durrani (1747-1773) succeeded in uniting the Pashtun tribes in the Emirate of Afghanistan, and after his death, conflicts broke out between the tribes. The fact that the army at the disposal of the Afghanistan state was largely composed of troops gathered from the tribes and that these troops often acted in line with their own interests and thoughts made it necessary to establish a regular army. Dost Mohammad Khan (1826-1863) wanted to establish a better equipped and more professional army that was loyal to the government instead of unreliable troops formed from tribes and ghulams (Lee, 2022:310). After the death of Dost Muhammad Khan, who tried to establish a modern army in Western style and centralize the administration, Shir Ali Khan (1863-1878) continued the reforms. Seeking to establish a monopoly on the use of violence as in modern states, Shir Ali Khan tried to collect the weapons in the hands of the people and to establish a police organization. He also tried to provide a kind of balance in the Pashtun tribal structure of the state by moving the capital of the state from Kandahar, where the Pashtun tribes were concentrated, to Kabul, where the merchant Tajik population was concentrated. However, the Pashtun tribes, whose influence over

the administration had relatively decreased, were not satisfied with this situation (Sivriođlu & Türkođlu, 2017: 206-209).

Abdurrahman Khan, who became ruler following the demise of Shir Ali Khan, made efforts to consolidate the entire nation under a robust central government. Abdurrahman Khan endeavored to curtail the influence of the tribes and sought to eradicate religious heterogeneity in Afghanistan. The Iron Amir employed repressive measures and carried out massacres to impose the process of “Islamization” on various religious groups inside the nation. Additionally, he sought to enforce the adherence of all Muslim populations to a singular sect, predominantly Sunni-Hanafi. He used religious discourse and clergy to justify the massacres he carried out, forcibly converting the Kizilbash, Shiites (Hazaras) and Kafirs (communities that maintained pagan beliefs) to Islam. After the capture of Kafiristan (lands of infidels), the name was changed to Nuristan (Lands of light/noor) (Çomu, 2020:384). As a result of these repressive policies, thousands of Hazara and Nuristani were killed and many women and children were sold in slave markets (Lee, 2022: 404).

In 1919, Afghanistan declared its independence and became a constitutional monarchy with the constitution (Nizamnamah-i Tashkilatı-i Asasiyah-i Afghanistan) adopted in 1921. While political rights are largely restricted, the new regime guarantees some basic human rights (such as the right to equal citizenship, the right to petition, the right to education, the prohibition of forced labor and slavery). The 1923 constitution, known as the Nizamnamah-i Asasi-i Dawlat-i Aliyah-i Afghanistan, acknowledged the most essential rights. According to the second article of the constitution, Islam is recognized as the official religion of the state. However, individuals of other faiths are granted the freedom to practice their beliefs as long as it does not disrupt public order. The state is responsible for ensuring the protection of these rights (Bayar, 2023a:149-150). However, this article has been resisted by some groups who do not see themselves as equal to non-Muslim communities. These groups did not even consider it sufficient for the state’s religion to be Islam and demanded that the Hanafi sect be included in the Constitution. In short, the tendency of some social groups in Afghanistan to see themselves as privileged is not new. Some mullahs and tribal leaders were among the groups that reacted against the reforms of the Amanullah Khan era (Saikal et al., 2006: 80).

In 1929, during the uprising against Emanullah Khan, Habibullah Kalakani, who was of Tajik descent, took control of Kabul and remained in power for around 9 months. Kalakani, who nullified all the changes implemented during his tenure, proclaimed himself as the Hadim-i Din-i Rasulullah (guardian of the Prophet's faith). Due to the Pashtun tribes' unwillingness to accept a non-Pashtun leader, he was overthrown as a result of a tribally organised revolution and the disloyalty of his inner circle (Saikal et al., 2006: 95).

The rise of Aryan racism in Europe in the 1930s, which began to gain credibility among Afghan intellectuals, gave rise to a kind of Pan-Afghanism and Afghans were defined as the "Aryans of the East" (Sivrioğlu & Türkoğlu, 2017: 235). As a direct result of the implementation of the Pashtunism policy, the Pashtun language was incorporated into the curriculum as a required topic for all students, and it became obligatory for officials to be proficient in speaking Pashto. The objective was to develop a unified Afghan country based on the cultural and ethical principles of the Pashtun community, resulting in the formation of an Afghan nation-state led by these people. The country's history and culture failed to acknowledge the significant contributions made by other ethnic groups. An observation was made that individuals who were not of Pashtun ethnicity were systematically hindered from advancing in government posts and that state-provided services were not extended to non-Pashtun groups. This system, characterized by the acceptance of Pashtun identity and the preferential treatment of Pashtuns, persisted until the 1960s (Rasuly-Paleczek, 2001: 151).

The founding of Pakistan adjacent to Afghanistan following World War II has led to ongoing conflicts between the two nations. The Afghan administrators perceive the region in Pakistan's FATA (federally administered tribal area), where millions of Pashtuns reside, as a part of their homeland that has been unjustly seized. Consequently, they advocate for Pashtunistan, an ideal where all Pashtuns unite under a single flag. This stance has significantly impacted both Afghanistan's domestic and foreign policies. This concept, which is also the root cause of numerous conflicts between Pakistan and Afghanistan, is not expected to be resolved in the near or foreseeable future, as it poses an existential challenge for both nations. To maintain the focus of the study, we will not delve into the details of this unique topic which would require its dedicated investigation. Afghanistan's leadership, disappointed by the lack of anticipated help from the international community, particularly

the United States, has forged a deeper relationship with the Soviet Union. This reconciliation resulted in the establishment of Afghanistan as a satellite state of the Soviet Union. The Soviet Union's ideological framework, which embraced diverse ethnic identities, facilitated the inclusion of non-Pashtuns in the administrative ranks of Afghanistan. The primary concern is the allegiance to the Marxist socialist ideology promoted by the government.

Amidst a multitude of political movements that opposed the rule in Afghanistan, the Afghan government sought aid from the Soviet Union, resulting in a prolonged period of civil war and turmoil within the nation. Following the Soviet withdrawal from Afghanistan in 1989, the communist leadership has had difficulties in maintaining control over urban areas while attempting to reshape the state. Despite Mohammad Najibullah's attempts to demonstrate a departure from Marxism, the regime ultimately failed to prevent its collapse. In 1992, Kabul was seized by mujahideen organizations, which led to complete dissolution of the central authority of the state (Sivrioğlu & Türkoğlu, 2017: 272-275).

The power struggle between Mujahideen factions has escalated the current state of chaos and insecurity to an intolerable level. The Taliban, formed in this context, managed to garner widespread public backing in its initial phases due to the weariness caused by years of instability. The Taliban's efforts to combat rapists, thieves, drug traffickers, and other criminals have garnered public support. Following their capture of Kabul and subsequent rule over the country, the Taliban persisted in employing their most proficient strategy: violence. The absence of a defined policy or agenda by the Taliban contributes to their inability to effectively tackle the fundamental issues within the country. The Taliban endeavored to enforce an extremist understanding of Sharia law across the entire nation, and swiftly shown their disregard for safeguarding human rights. The Taliban's religious doctrine combines Salafi Islam with Pashtunwali, which is a social code that encompasses Pashtun Traditional Tribal Law. This method facilitates the occurrence of pogroms targeting the Hazara community, the forced expulsion of Tajiks, and the blatant preference towards Pashtuns (Barfield, 2010: 261-263). The Taliban's rigid stance towards many ideologies, faiths, and cultures, particularly during their initial reign, has left a lasting impact, particularly on non-Pashtun and non-Sunni Muslim minority groups.

## A. RECONSTRUCTION PROCESS AFTER 2001

Through the implementation of Operation Enduring Freedom, the US military successfully ousted the Taliban regime in Afghanistan, resulting in the ascension of the anti-Taliban group known as the Northern group to power in the new administration. The ministries in the interim administration and cabinet were allocated among the anti-Taliban factions and the four primary ethnic groups (Pashtuns, Tajiks, Hazaras, Uzbeks) based on their respective population sizes. Despite not achieving the level of benefits they had anticipated, the Pashtuns were somewhat content with having Hamid Karzai, an ethnic Pashtun, leading the country. While it is possible for a non-Pashtun candidate to win in democratic elections, it is typically seen as more advantageous for maintaining internal political stability to have a Pashtun leader to prevent political unrest. In short, Hamid Karzai's Pashtun origin also played an important role in his election as the interim head of government (Barfield, 2010: 283-284).

In the reconstructed Afghanistan, minorities' identities are respected, and their rights are constitutionally guaranteed by the 2004 constitution. In the reconstructed Afghanistan, minorities' identities are respected, and their rights are constitutionally guaranteed by the 2004 constitution. For the construction of a common national identity, commonalities rather than divisions were emphasized. However, the word Afghan, which was chosen as the common identity, was not easily accepted by all minorities. The word Afghan is not widely accepted by other ethnic minorities as a meta-identity concept, as it usually refers to Pashtun ethnicities or is perceived as such by the society. The prominent role played by Pashtun tribes in the formation of the Afghan state has significantly contributed to the development of this image. The rollout of electronic identity cards commenced in 2018, but, it encountered a delay due to resistance against including the term "Afghan" on the cards. Ultimately, a decision was made to include both the term "Afghan" and the ethnic background of the individuals holding the cards (Rahimi, 2021). The discourse of Afghanistan as a single homeland where different ethnic groups live together, or in other words, as a country made up of brothers and sisters (ethnic groups) living in the same household, has not been accepted by the whole society.

Nevertheless, it is challenging to assert that all Pashtuns have fully adopted this identity, as several research have indicated that the "Afghan" identification is not

as extensively employed as ethnic or religious identities due to numerous factors (Warren, 2015). The establishment of the “Afghan common super-identity”, which was attempted after 2001 as a crucial step towards building a nation-state, proved to be far more challenging than anticipated and ultimately failed in numerous aspects. Within the communities residing in Afghanistan, the Muslim identity remains a significant social unifying factor (Bayar, 2022).

The 2004 constitution sought to preserve Afghanistan’s multicultural character, at least at the legal level, through an inclusive and broadly participatory form of government. To address the issue of cultural variety not being adequately represented by the minority groups named in the constitution and the national anthem, the Afghan government sought to encompass all communities in the country by adopting a comprehensive and adaptable definition of ethnicity. The NSIA has included the ethnic groups on the identity cards in response to the demands made by the representatives of these groups (Rahimi, 2021). Essentially, when ethnic identities are defined in a broad and adaptable manner, it results in a higher number of assertions of ethnic distinctions and the recognition of several “novel” ethnic identities. This frequently strengthens divisions between different groups rather than promoting unity within the nation.

The allocation of political leadership, ministries and even army commands in Afghanistan along ethnic demographic lines has not, as expected, fostered a participatory democracy. The fragmentation of the army into divisions based on ethnicity has impeded efficient combat against the Taliban and has incited certain regional warlords to engage in conflict with one another. The central government’s legitimacy has been compromised by the civilian losses resulting from these wars (Vogt, 2010).

According to a Human Rights Watch report published in April 2022, ethnic communities that suffered under the Taliban also retaliated following the Taliban’s downfall, carrying out acts of revenge, such as targeting certain Pashtuns due to their shared ethnicity with the Taliban. Following the downfall of the Taliban rule in northern Afghanistan in November 2001, ethnic Pashtuns in the region have been subjected to numerous acts of violence, such as killings, sexual assault, physical abuse, extortion, and theft. Pashtuns are being singled out due to their ethnic affiliation with the Taliban rule, which was predominantly composed of Pashtuns

from southern Afghanistan (*Paying for the Taliban's Crimes - Abuses Against Ethnic Pashtuns in Northern Afghanistan - Afghanistan*, 2002).

A fair and rational approach is essential to prevent the incitement of inter-ethnic violence and animosity. However, it is evident that there are challenges in attaining this equilibrium in Afghanistan. Adopting the perspective that Afghanistan is synonymous with Pashtunistan, and hence equating the interests of Afghanistan with the interests of Pashtuns, will have negative rather than positive consequences. Regrettably, the rise in Pashtun dominance during the Taliban era, coupled with the numerous persecutions endured by other ethnic and religious minorities, exacerbates this apprehension.

## **B. SECOND TALIBAN ERA ISLAMIC EMIRATE OF AFGHANISTAN**

The Taliban are largely a grateful group of Pashtuns who, once in power, have excluded non-Pashtun ethnic groups from political life. Compared to the first Taliban term from 1996 to 2001, the almost full submission of governments to Pashtuns after 2021 demonstrates that the Taliban is unwilling to provide non-Pashtuns political space. The idea that Afghanistan should only be governed by Pashtuns is extremely dangerous for a country with numerous ethnic, linguistic, and religious minorities, as governments that hold this view frequently led to increased ethnic tensions and long-term conflict as a threat to the country when they lack adequate support from sources of historical, social, economic, and legal legitimacy.

The exclusion of women from social life during the second period of the Taliban regime represents a significant challenge to the international community's acceptance of the Taliban regime. The reduction in aid to Afghanistan and the imposition of sanctions against the Taliban regime resemble efforts to forcibly transform the Taliban. It is evident that these efforts have not yet yielded any tangible results. While the Taliban's recent speeches may appear more moderate compared to their earlier period, an analysis of their actual policies reveals that there has been no substantial shift in the Taliban's ideology (OHCHR, 2023).

The Taliban's acceptance by the world community, particularly the West (the European Union and the United States), will be greatly hindered if they fail to demonstrate significant progress in upholding human rights, particularly women's rights (*Women's Rights in Afghanistan: An Ongoing Battle*, 2023). The Taliban's

actions, which undermine the rights of women and minorities, heighten the fears of religious and ethnic communities regarding the present government (Hassan, 2024b).

### **III. THE STATUS OF MINORITIES UNDER THE TALIBAN REGIME**

The population structure of Afghanistan includes a notable share of Turkish minorities. Given their long-standing presence in this region for centuries and the predominant affiliation of the majority to the Sunni-Hanafi sect, it is quite unlikely that there will be any conflicts with the current regime.

Recent polls conducted by human rights organizations indicate that the Taliban regime has exhibited not only animosity but also engaged in active persecution and forced displacement of minority communities. Ethnic and religious minority communities, including Hazaras, Shias, Sikhs, and Hindus, in Afghanistan have persistently faced significant risks and recurrent acts of violence. The resurgence of the Taliban has heightened these threats since they have flagrantly infringed upon the rights of these people, and the rapid proliferation of ISKP (The Islamic State of Khorasan Province) within the nation poses yet another formidable obstacle (Ramizy, 2023).

#### **A. LACK OF POLITICAL PARTICIPATION AND REPRESENTATION**

In the post-2001 period, dozens of political parties have been established in Afghanistan and people from almost all segments of society have gained the right to be represented, albeit theoretically. Although many of them are leader-centered and ethnic-based parties, the emergence of political parties is considered a positive step towards democratization. However, it is only possible for political culture to change and gain a democratic structure if it is practiced for a long time. In this respect, the Taliban regime closed political channels, especially to non-Pashtun minority groups, before the political culture could complete its transformation.

The Taliban's decision to assign a greater number of jobs in the administration to Pashtuns, who are the dominant ethnic group, serves to strengthen the perception that Pashtuns hold the primary governing authority in Afghanistan. The fact that there are only a few rulers from different ethnic backgrounds with only symbolic authority does not mean that minority groups are effectively represented in the

country's political landscape. The inclusion of ethnic elites such as the exiled Uzbek Abdul Rashid Dostum, National Resistance Front leader Ahmad Massoud, Tajik's strongman Atta Muhammad Nur, Hazaras overlord Abdul Khani Alipur, and former Herat Province governor Ismail Khan is crucial for the Taliban (Kumar & Malhotra, 2024). The Taliban also included 4 people of non-Pashtun origin (3 Tajiks and 1 Uzbek: Abdul Salam Hanafi (Acting Deputy Prime Minister-Uzbek), Qari Fasihuudin Loi- Chief of Staff-Tajik), Qari Din Hanif (Acting Economy Minister-Tajik), Noorullah Noori (Acting Minister for Borders and Tribal Affairs- Tajik)) in the 33-person interim government it declared (Ahmad, 2021). The extent to which these individuals represent the ethnic groups to which they belong is open to debate. Considering that leading figures hold an important place in Afghanistan's political culture, it is understood that groups of non-Pashtun ethnic origin are not sufficiently represented.

The current Taliban government continuously suppresses freedom of speech by silencing independent media outlets and intimidating individuals who express opposing views. Repressive actions, including imprisonment and death threats, obstruct the democratic process and the free exchange of ideas necessary for societal advancement (Ramizy, 2023). The Taliban, who are the strict Islamist rulers of Afghanistan, have implemented a ban on all political parties, arguing that they are not justified under the principles of Shari'a law. "We will enforce a complete ban on political parties and will not allow any political party to function in the country," declared Abdul Hakim Sharaee, the Taliban's de facto justice minister, during a press conference on August 16, 2023. This statement came one day after the Taliban celebrated two years of governing following the withdrawal of international forces from the nation. "Political parties lack justification under Islamic Shari'a law and are not conducive to the well-being of our nation," he asserted, contending that political parties have been the primary catalyst for unrest in Afghanistan for an extended period (RFE/RL's Radio Azadi, 2023). In addition to this, the Taliban administration took an additional measure and declared that any mention of a political party would be deemed as a criminal offense (Mehran, 2024).

The Taliban's comprehension of political parties, civic society, and human rights is flawed. They adhere to the that these concepts are of Western origin and are not compatible with the tenets of Islam and the traditions of Afghanistan. Upon their return, they have implemented a prohibition on women's involvement in

NGOs, imposed limitations on their operations, and dissolved the department in charge of registering civil society organizations and political parties under the Ministry of Justice. As a result, more than 5,000 civil society organizations and 84 political parties have been terminated. Presently, a mere 5,791 non-governmental organizations (NGOs) have been officially registered with the Ministry of Economy, granting them permission to function exclusively for humanitarian and educational objectives. Nevertheless, because of financial constraints and imminent dangers, a staggering 95% of these entities have been compelled to cease operations or solely engage in online endeavors from foreign locations (Ramizy, 2023).

Additionally, the absence of Hazaras within the Taliban leadership worsens this issue. The Taliban excluded their only Hazara commander, Mawlawi Mahdi, from their ranks. Conflict arose between the Taliban and Mawlawi Mahdi in the Balkhab area of Sar-e-Pol province in northern Afghanistan (Global Campus of Human Rights, 2022).

## **B. ECONOMIC AND SOCIAL DISCRIMINATION**

The policies implemented by the Taliban have led to economic and social disparities. However, it's difficult to argue that these disparities affect every part of society equally. Vulnerable social groups, particularly women and Shiite minorities (Hazaras), are disproportionately affected by this prejudice. Although poverty affects the entire Afghan population, certain marginalized socioeconomic groups are disproportionately affected by pervasive poverty and hunger. The people of Afghanistan are currently facing an unprecedented humanitarian crisis under the leadership of the Taliban. Concerns have been raised about ethnic prejudice in the allocation and distribution of aid by local officials and donor institutions. The incorporation of human rights into humanitarian initiatives enables the formulation of a comprehensive response that encompasses the most marginalised and disadvantaged individuals. The country's marginalized populations, specifically women and girls, are disproportionately impacted due to the Taliban's policies that discriminate against women. Women encounter several challenges, such as limited opportunities to obtain education, healthcare, and financial resources. Women have been prohibited by the Taliban from engaging in paid employment. Based on a survey conducted by the World Food Program, households led by women are the most severely impacted, with almost 100 percent experiencing inadequate

food intake and 85 percent resorting to extreme measures to get food. In March 2022, the Secretary-General of the United Nations issued a cautionary statement indicating that individuals are presently resorting to the sale of their offspring and bodily organs to provide sustenance for their families. According to certain media sources, there have been reports of families engaging in the practice of exchanging their younger daughters in marriage to get food (Global Campus of Human Rights, 2022).

The fair distribution of international humanitarian assistance to Afghanistan's vulnerable and impoverished population has been inadequate. There have been multiple complaints about ethnic bias in the allocation and distribution of aid by local authorities and donor organizations considering the Taliban's involvement. Afghanistan has deep ethnic divisions, making it likely that ethnic discrimination, defined as unjust and discriminatory treatment based on race or ethnicity, will occur under the influence of the Taliban. The main complaints come from non-Pashtun ethnic communities, particularly the Hazara, who have a long history of human rights abuses and large-scale massacres committed by the Taliban. Hazaras living in various provinces of the country experience significant marginalization in terms of fair access to humanitarian aid. A survey conducted from February 24 to April 10, 2022, involving 424,880 Hazara households in 1,116 villages and community councils, found that only 17.2 percent of the households received humanitarian aid. In contrast, the majority of families (82 percent) did not receive any assistance. The prejudice and unequal access to humanitarian aid can partly be attributed to the limited involvement and representation of Hazaras in national and international agencies responsible for aid distribution (Global Campus of Human Rights, 2022). On July 2, 2022, the United States issued a warning over the Taliban's influence in the allocation and distribution of humanitarian goods. The OCHA survey additionally verifies that the distribution of humanitarian supplies among villages is inequitable due to the Taliban's intervention in the process (Global Campus of Human Rights, 2022). Thus, the Taliban took actions that undermined both pillars of the promise of inclusive and just governance.

From 1996 to 2001, the Taliban instilled fear and seized control of Hazara districts in Afghanistan by carrying out a series of deliberate executions. Upon taking control, the Sunni militant group endeavored to alleviate the Hazaras' concerns of discrimination and persecution. The Taliban made visits to Shi'a mosques in the

Afghan capital and stationed their fighters to provide security for the celebrations commemorating the Shi'ite month of Muharram. However, community members have accused the Taliban of renegeing on their commitments to safeguard the rights of Shi'a individuals and let them practice their faith without restrictions. The Taliban prohibited the instruction of the Shi'a Jafari school of jurisprudence at Bamiyan University in May 2023. The extension of the prohibition to all universities in Afghanistan remains ambiguous. Most inhabitants of the province of Bamiyan, located in central Afghanistan, adhere to the Shi'a branch of Islam (Siddique & Khosrow, 2023). The fact that most Turkic minority groups are Sunni-Hanafi prevents them from being as religiously marginalized as Shiites. However, practices that lead to the exclusion and discrimination of women from social life victimizes women belonging to Turkic minorities as well as women in the whole country. The majority of Turkic minority groups are affiliated with Sunni-Hanafi, which helps prevent their religious marginalization and sets them apart from the Shiite community. However, certain practices lead to the isolation and discrimination of women from social life, negatively impacting women in the Turkic minority and across the whole country. Afghanistan is consistently ranked as one of the most unfavorable countries for women's living conditions. According to the Georgetown Institute for Women, Peace and Security's index of 177 countries around the world, Afghanistan is the worst country for women to live in (*Afghanistan - GIWPS*, 2023). It could be argued that the Index is not suitable for assessing non-Western societies as it is based on Western values, but this does not change the fact that women in Afghanistan live in difficult conditions under Taliban rule.

- **Cultural Oppression and Assimilation**

The Taliban's policy of conformity extends beyond enforcing dress codes. They have a stringent definition for each individual's social status, behavior, and way of life. The regime promotes a singular narrative that grants power and authority exclusively to one ethnic, religious, and gender group. Consequently, this excludes and discriminates against a significant portion of society who do not belong to the Pashtun, Hanafi Muslim, male, or heterosexual categories. The Taliban's efforts to suppress diversity align with the governing style observed in previous oppressive Afghan regimes throughout the past century. In essence, despite the various forms of governance that have emerged in what is known as modern Afghanistan, they often shared a common objective: the subjugation of diversity and enforced assimilation

(Bakhtiari, n.d.). The imposition of travel and dress restrictions on women also appears to be a step towards forcing Pashtun culture on the rest of the population. This is because the clothes recommended by the administration are usually the traditional clothes worn by Pashtun women (niqab and burqa) (Azadi & Bezhan, 2021).

Afghan women, in general, do not encounter difficulties with veiling, however, their preferred methods of veiling differ. Based on the 2019 Survey on Afghan People conducted by the Asia Foundation, the burka remains the preferred attire for women in public spaces, with 32.1%, increasing from 30.9% in 2018. The niqab is the second most popular choice at 27.6%, followed by the chador at 14.1%. The close-fitting hijab is chosen by 17.9% of women, while the loose-fitting hijab is preferred by 7.6%. Only 0.7% of women opt for no covering, a slight increase from 0.5% last year. The approval ratings for both tight-fitting and loose-fitting hijabs, which are commonly worn by women working in public settings, have reached their greatest levels since the issue was initially posed. Statistically, women exhibit a higher inclination towards the chador (15.6% of women, 12.5% of males), the close-fitting hijab (20.2% of women, 15.6% of men), and the tight-fitting hijab (8.4% of women, 6.8% of men). Conversely, men are more prone to favor the burka (36.6% of men, 27.6% of women) (The Asia Foundation, 2019:27). Some Afghan women found it unacceptable that women were forced to dress in a way that men deemed appropriate for them, rather than in a way of their own choosing (Azadi&Bezhan, 2021).

In the reconstruction process, although different ethnic groups were allowed to use their mother tongues as the language of education in the regions where they lived densely, the Taliban regime prioritized Pashto education and in a sense forced ethnic groups speaking different languages to receive education in Pashto. The Taliban regime, which tries to control almost every aspect of social life and exert pressure on the people, has prioritized Pashto as the preferred language.

## CONCLUSION

Although the Taliban regime has expressed its commitment to an inclusive and fair governance and has given moderate messages, it has turned to practices with the same rigour as it did in its early years and has disappointed expectations. The

Taliban administration, which seeks to apply Sharia's radical interpretation of the law throughout the country, is attempting to exert influence in nearly every domain of public life. This is due to the fact that the administration lacks any discernible objective or concerns, such as the protection of human rights. The Taliban, on the one hand, uses fear as a tool to control and oppress the masses, while on the other, they strive to transform the people to their own opinion. The Taliban regime, which strives to maintain strict control over a multitude of aspects of life, from men's beard lengths to women's clothing styles, aspires to consolidate all authority within its own domain. It is therefore possible to claim that the Taliban never had a goal of sharing power. It is understood that a democratic form of government will never be preferred by the Taliban, as it means that the Taliban share power, taking into account Afghanistan's demographic structure. It is thought that the removal of other ethnic groups from politics and the prohibition on discussing the party are directly linked to the Taliban's desire to relinquish their monopoly of power. It is unlikely that the Taliban, who need that power to shape the social structure he ideologically embodies in accordance with his own opinion, will have a moderate approach to democratic values. The Taliban, as a force-seeking organization, can be claimed to approach other ethnic groups in Afghanistan with suspicion, as non-Pasthuns, even within themselves, pose a potential threat to the Taliban. In order to create the idealized Afghan society, the power-needed Taliban is driven to an ethnocentric approach, almost tragically, because of the weak sources of legitimacy they have, with suspicion about sharing power with non-Pashtuns.

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