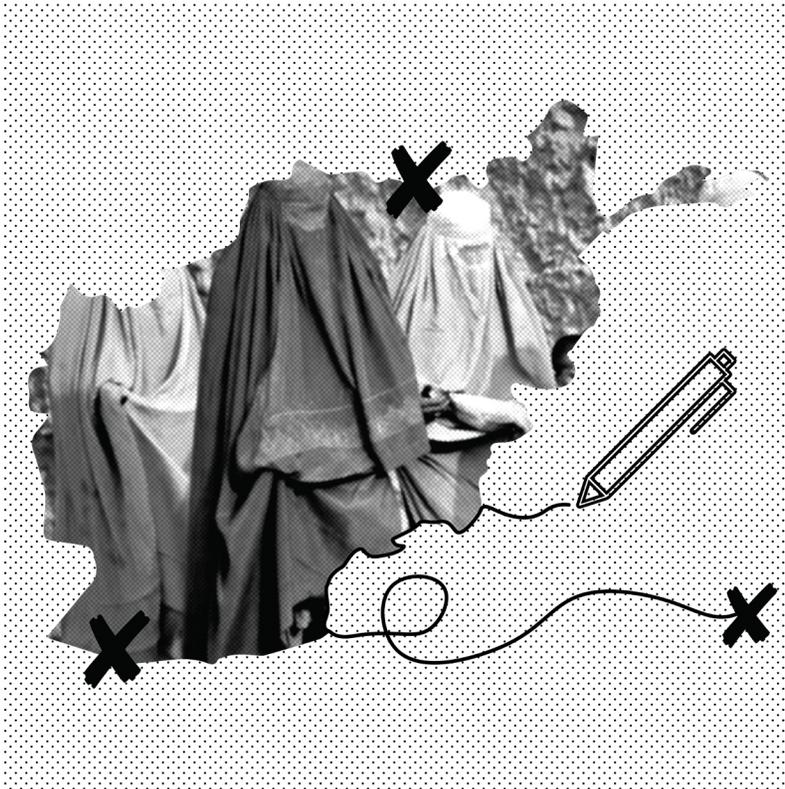


ON THE GOVERNANCE OF WOMEN'S RIGHTS IN TALIBAN AFGHANISTAN: A Public Good No More



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ABSTRACT

Since the Taliban resumed political power in Afghanistan in August 2021, their total application of strict Sharia Law has demanded global attention. This paper theorizes that, in pursuit of social order, the Taliban has enacted a civil religion to justify their complete reversion of women's rights as a public good. I examine Afghanistan's social contract through the political philosophies of Thomas Hobbes and Jean-Jacques Rousseau and suggest why the intended social order has not materialized. In conclusion, I depict the erosion of women's rights as a matter of structural injustice and incite critical reflexivity towards our responsibility for global justice.



Public goods are entities that provide benefits to all members of society and are protected or granted freely through the provision of the state.¹ In this essay, I will discuss the contemporary threat to the public good of women's rights in Afghanistan under the Taliban, who assumed power in August of 2021. I utilize the arguments of Thomas Hobbes² and Jean-Jacques Rousseau³ to argue that the “myth” advanced by the Taliban of religious homogeneity—a unifying moral basis that justifies the forceful relinquishment of personal liberty to achieve social order—is not achievable, as modern Afghan society has sampled liberal democracy.⁴ Therefore, this sovereign's social contract that makes the public good of women's rights immoral under Rousseau's principle of civil religion is refuted by the sovereign's subjects.⁵ If citizens must be the “author” of laws to be bound by them, Afghan society is destined to ceaseless anarchy through female rejection of state disempowerment.⁶

First, I will describe my interpretation of women's rights as a public good and examine how the arguments proposed in Hobbes' *Leviathan* theoretically justify the state erosion of this public good by providing current examples. Next, I will analyze the moral implications of the coalescence of human rights and state power, arguing that if human rights are a recognized moral code to which secular states are held accountable, then we must come to acknowledge the normative dissonance that occurs when a religious state—in enforcing a common morality antithetical with our standard of morality—revokes the public good we enshrine. Then, I introduce Rousseau's thesis of civil religion and consider how it intersects with the governance style of Taliban Afghanistan. Finally, I examine why the Taliban's application of Rousseau's civil religion has failed to produce the consequent social order theorized by Rousseau, considering both historical governance structures and the rapid globalization of Afghan society in the period of U.S. liberal democracy nation building.

1 Jason Fernando, “What Are Public Goods? Definition, How They Work, and Example,” *Investopedia*, last modified March 20, 2022, <https://www.investopedia.com/terms/p/public-good.asp>.

2 Thomas Hobbes, *Leviathan* (Oxford: The Clarendon Press, 1651).

3 Jean-Jacques Rousseau, *The Social Contract*, trans. Maurice Cranston (New York: Penguin Publishing Group, 1998).

4 Borrowing its definition from Tralau (2010) as “powerful mobilizing ideas, true or false” Johan Tralau, “Thomas Hobbes, Carl Schmitt, and three conceptions of politics,” *Critical Review of International Social and Political Philosophy* 13, no. 2-3 (June 2010): 261-74, 10.1080/13698231003787737.

5 Rousseau, *The Social Contract*.

6 Hobbes, *Leviathan*, 136.

The foundational importance of gender equality and women's rights as public goods is endorsed by their inclusion the United Nations Sustainable Development Goal to achieve gender equality and empower all women and girls. I consider women's rights in Afghanistan to be an impure national public good based on Samuelson's primary definition, as women's rights do not satisfy both criteria required in a pure public good: non-rivalry and non-excludability.⁷ Rights are non-rivalrous in nature, as one individual's use of the good does not diminish the capacity of others. Yet, they are only non-excludable, and consequently a pure public good, in theory. Indeed, women's rights are managed as a club good, as in Afghanistan (and internationally) they are highly excludable in their social acceptance and enforcement, as women continue to oppose systemic gender-based oppression in their fight for universal installation of their rights.

Both Hobbes and Rousseau promote the role of shared ideas in influencing an individual's willingness to abide by the sovereign's social contract—enabling order, social cohesion, and law-abiding behavior. For Hobbes, it is the shared belief in the depravity of the state of nature that compels self-interested individuals to sacrifice their freedoms to an absolute authority for their security.⁸ Hobbes states in *Leviathan*, his seminal work of political philosophy, that competition, distrust, and the pursuit of glory all create a state of nature embodied by a “war of all against all.”⁹ Thus, driven by fear of death, and desire for comfort, individuals will rationally concede their personal liberties and allow a common power to “act with impunity” in punishing deviants.¹⁰ This shared “myth” that the state will generate a civil order providing protection and shelter from the basic state of humankind is what Hobbes argues mobilizes an aggregation of obedience to a social contract—the contents of which citizens may not unanimously approve of.¹¹

7 Paul A. Samuelson, “The Pure Theory of Public Expenditure,” *The Review of Economics and Statistics* 36, no. 4 (November 1954): 387-9, 10.2307/1925895.

8 Tralau, “Three Conceptions of Politics,” 261-74.

9 Andy Owen, “The Privilege of Absurdity: How Afghanistan Will Prove Thomas Hobbes Wrong,” *Culturico*, October 5, 2021, <https://culturico.com/2021/10/05/the-privilege-of-absurdity-how-afghanistan-will-prove-thomas-hobbes-wrong/>.

10 John Anthony Long, “Thomas Hobbes's *Leviathan*: A Study in Interpretation” (Thesis, The University of Montana, 1962), 64.

11 Tralau, “Three Conceptions of Politics.”; Long, “Thomas Hobbes's *Leviathan*,” 64.



Rousseau proposes the alternative concept of a civil religion as the powerful idea that compels individuals to consent to the sovereign's social pact, thus generating a civil order. For Rousseau, the state of nature is not “nasty, brutish, and short”¹² as advised by Hobbes, instead he describes humankind as “noble savages.”¹³ In Rousseau's theory, self-interest is only one of two principles of the human soul—the second being pity.¹⁴ Rousseau is pessimistic that our rational self-interest is sufficient to encourage social solidarity under a political order.¹⁵ Thus, to sacrifice our liberties in a social contract, Rousseau suggests that we must “be bonded to our fellows by a genuine sense of moral unity” rather than simply out of fear of death.¹⁶ It is the necessary task of the lawmaker to provide this sense of moral cohesiveness through a civil religion, yet one which Rousseau provides little advice beyond the five principles which are “permissible and even mandatory for the sovereign to insist” upon.¹⁷

The present social contract in Afghanistan embodies the same gender apartheid policies as when the Taliban first ruled Afghanistan in 1996–2001.¹⁸ The common power's disregard for the public good of women's human rights increases the level of sacrifice demanded of female subjects to enter the social pact. For example, a woman's right to health is jeopardized amid a pandemic, as she now requires a male chaperone, a mahram, to receive healthcare provision.¹⁹ Similarly, the right to freedom of movement—a key facilitator for rights of other kinds—has been revoked as women cannot travel abroad, or in some instances leave their house, without a chaperone.²⁰ Moreover, there

12 Hobbes, *Leviathan*, 97.

13 David Braybrooke, “The Noble Savage: Jean-Jacques Rousseau, 1754–1762,” *Review of The Noble Savage: Jean-Jacques Rousseau*, by Maurice Cranston, Cambridge University Press, September 2, 2013.

14 James J. Delaney, “Jean-Jacques Rousseau (1712–1778),” *Internet Encyclopaedia of Philosophy*, accessed February 9, 2023, <https://iep.utm.edu/rousseau/>.

15 Christopher Bertram, *Routledge Philosophy GuideBook to Rousseau and the Social Contract* (London: Routledge, 2004), 126, 10.4324/9780203480373.

16 Bertram, *Philosophy GuideBook*, 126.

17 Bertram, *Philosophy GuideBook*, 185.

18 “Women in Afghanistan: The Back Story,” *Amnesty International UK*, November 24, 2022, <https://www.amnesty.org.uk/womens-rights-afghanistan-history>.

19 Zahra Nader and Nargis Amini, “The Taliban Are Harming Afghan Women's Health,” *The Fuller Project*, March 2, 2022, <https://fullerproject.org/story/afghanistan-taliban-healthcare-restrictions-women/>.

20 “Taliban Ban Afghan Women from Traveling Outside Without a

has been a rapid rejection of the right to education as most girls' secondary schools are now closed.²¹ Yet, despite these draconian measures which rob women of dignity and agency, Hobbes' thesis stands that because the state of nature is so abhorrent, relinquishing any level of autonomy to achieve social order is desirable.

A central component of Hobbes' political theory is the relationship between a citizen's authorship of the political covenant and their obligation to obey it. Obedience to the “absolute authority” is obligatory once the state achieves the ill-defined task of elevating civilization beyond the state of nature. According to Hobbes' thesis, the sovereign cannot injure its subjects because citizens must be the author of the laws for them to be binding. This freedom is completely negated, given Hobbes' supposition that “every particular man is Author of all the sovereign doth.”²² For this reason, scholar Johan Tralau contends that Hobbes has an “implosive conception of consent” by suggesting subjects bear responsibility for the constituent elements of the political covenant through everyone's role as its author.²³ A Hobbesian view of modern Afghanistan places the authorship of rights violations onto the oppressed women “consenting” to the covenant.

This duality of authorship exposes a core theoretical shortcoming of applying Hobbes' work to the empirical example of Taliban Afghanistan. Hobbes proposes that an individual's deliberate reason causes a voluntary sacrifice of personal liberties for the security offered by the social covenant.²⁴ However, as the Taliban acquired power through authoritarian assumption and maintained this power through state violence, their sovereignty is now not a consequence of active citizen consent. For example, the Taliban have increased door-to-door searches,²⁵ creating an atmosphere of fear that incited the burning of books and

Male Companion,” *Rukhshana Media*, February 27, 2022, <https://rukshana.com/en/taliban-ban-afghan-women-from-traveling-outside-without-a-male-companion>.

21 Heather Barr, “Afghan Women Watching the Walls Close In,” *Human Rights Watch*, March 1, 2022, <https://www.hrw.org/news/2022/03/02/afghan-women-watching-walls-close>.

22 Hobbes, *Leviathan*, 136.

23 Tralau, “Three Conceptions of Politics,” 264.

24 Owen, “Privilege of Absurdity.”

25 Ruchi Kumar and Hikmat Noori, “Taliban Launch Raids on Homes of Afghan Women's Rights Activists,” *The Guardian*, January 20, 2022, <https://www.theguardian.com/global-development/2022/jan/20/taliban-arrest-afghan-womens-rights-activist-witness-says>.



destruction of personal items.²⁶ Furthermore, reports of gender-based violence have intensified. For example, The Fuller Project reports two women were forced out of a clinic, to which they had brought a sick infant, and physically assaulted with rifle butts “when the Taliban understood the two women were not accompanied by men.”²⁷ As the Taliban’s means of acquiring power is inconsistent with Hobbes’ understanding of consent, the common power cannot assume that civil order will be a logical consequence—a contradiction which may explain the continual unrest in Afghan society since the turnover of power.

Although once *Leviathan* status is achieved, by whatever means, Hobbes proposes the authoritarian case that sovereigns must “act with impunity,”²⁸ as a requirement of civil life is to “[obey government] decisions, even if they seem to have been made unwisely.”²⁹ Therefore, the Taliban is granted an omnipotent moral superiority to determine the boundaries of “just and unjust” through civil law, including the distribution of women’s rights as a public good.³⁰ Under Hobbes’ philosophy, all consenting citizens must conform to the *Leviathan*, regardless of agreement. By demanding universal aggregation of obedience, Hobbes does not account for the disproportionate sacrifices certain population cohorts must make. Eleanor Curran’s interpretation of *Leviathan* agrees that “the subjects. . . hold no rights against the sovereign,” illustrating how Hobbes justifies the Taliban’s system of structural violence in which women are powerless to dissent.³¹

Therefore, I propose Hobbes’ distinction between the key features of *Leviathan*—absolute authority of state and conditional obedience of citizens—should be extended beyond the original interpretation as binding once society is raised out of the state of nature. Instead, I believe that entering the political covenant in our modern epoch should be conditional on whether the common power actively recognizes the public good of human rights.

26 Fereshta Abbasi, “In Afghanistan, Burning Our Past to Protect Our Future,” *Human Rights Watch*, March 2, 2022, <https://www.hrw.org/news/2022/03/01/afghanistan-burning-our-past-protect-our-future>.

27 Nader and Amini, “Women’s Health.”

28 Long, “Thomas Hobbes’s Leviathan,” 64.

29 Long, “Thomas Hobbes’s Leviathan,” 64.

30 Long, “Thomas Hobbes’s Leviathan,” 73.

31 Eleanor Curran, “Can Rights Curb the Hobbesian Sovereign? The Full Right to Self-Preservation, Duties of Sovereignty and the Limitations of Hohfeld,” *Law and Philosophy* 25, no. 2 (March 2006): 244, 10.1007/s10982-005-8757-1.

Modern political philosophy presents four key principles that might be thought to justify state policies limiting individual liberty: the harm principle, the offense principle, legal paternalism, and legal moralism.³² Specifically, legal moralism makes the empirical claim that a common morality is the basis of social cohesion.³³ In liberal nations, human rights are the organizational principle of our common morality. The concept of human rights integrates morality (or religion) with the secular world as they form a universal moral code to which the state, defined as “the sole embodiment of a secular order,” is held accountable.³⁴ The Taliban’s approach to governance, however, seeks to build social cohesion around the common morality of Sharia.

Directly translated as “the correct path,” Sharia refers to the divine guidance that Muslims follow to live a righteous life.³⁵ Islamic law is derived from the human interpretation of this immutable counsel from God. Through the implementation of Islamic law, Sharia values organize and govern Muslim societies, providing the means to resolve conflicts among individuals and between the individual and the state.³⁶ Nevertheless, due to the diversity of personal Sharia interpretation, such that “on any legal issue, there are ten different opinions,” a government’s specific Islamic laws often incite debate.³⁷ Western legal regimes are broadly critical of the implementation of strict Sharia law, centering on its common hostility towards democracy, the rights of women and LGBTQ+ people, and its promotion of corporal punishment and religious persecution.³⁸

The Taliban’s belief in the infallibility of their interpretation of Sharia facilitates *Leviathan*’s abusive project to achieve civil order. If a common ethos is foundational to social order, then the

32 Alan Wertheimer, “Liberty, Coercion, and the Limits of the State,” in *The Blackwell Guide to Social and Political Philosophy*, ed. Robert L. Simon (Oxford: Blackwell, 2002), 43.

33 Wertheimer, “Limits of State,” 54.

34 Nikolas Kosmatopoulos, “Toward an Anthropology of ‘State Failure’: Lebanon’s Leviathan and Peace Expertise,” *Social Analysis* 55, no. 3 (December 2011): 134, 10.3167/sa.2011.550307.

35 Kali Robinson, “Understanding Sharia: The Intersection of Islam and the Law,” *Council on Foreign Relations*, last modified December 17, 2021, <https://www.cfr.org/background/understanding-sharia-intersection-islam-and-law>.

36 M. Cherif Bassiouni, “Islamic Law - The Shariah,” *Middle East Institute*, January 24, 2012, <https://www.mei.edu/publications/islamic-law-shariah>.

37 Robinson, “Understanding Sharia.”

38 Robinson, “Understanding Sharia.”



sovereign is justified in exercising its monopolization of violence to demand an aggregation of obedience. Though the concept of a common morality aims towards peace, “summum bonum in a civil state,” critical scholars have refuted this belief.³⁹ Long argues that it is the coalescence of the “civil and religious states” that poses a fundamental theoretical problem.⁴⁰ He rejects Hobbes’ proposal that conflating religious priorities with the social pact, as in the case of Afghanistan, can incentivize citizens to sacrifice their liberties for the promise of peace and tranquility. If we accept Long’s argument that legal moralism causes Hobbes’ political covenant to be muddled beyond identification, then contemporary Afghan society where religion and power are inextricably intertwined is destined to ceaseless disunion.

Under Taliban rule, there is intentional exclusion of women from the discussions that determine the content of the political covenant, refuting Hobbes’ theory of inherent authorship.⁴¹ This is particularly impactful when the interpretation of the texts foundational to the common morality (such as the Qur’an) are hotly debated, yet a single interpretation is enacted into law.⁴² The Qur’an states that a woman should not reveal her beauty to men beyond her family.⁴³ Depending on the sovereign’s demarcation of morality that has been shaped by discussion and education, this ambiguous clause could have led to the normative implication that women should simply dress and behave modestly in public—as is the case for many millions of Muslims worldwide.⁴⁴ This norm of modesty is policed by group members as the collective values of modesty and obedience within Islam allow for social pressure to be sufficient in upholding the norm. However, in Taliban Afghanistan, the male echo chamber holding power has determined that their interpretation must be enforced via state sanctioning. The

39 Long, “Thomas Hobbes’s Leviathan,” 109.

40 Long, “Thomas Hobbes’s Leviathan,” 109.

41 “Afghanistan: Taliban Deprive Women of Livelihoods, Identity,” *Human Rights Watch*, January 18, 2022, <https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity>.

42 Robinson, “Understanding Sharia.”

43 Lisa Beyer, “What Sharia Law for Afghan Women Under the Taliban Might Mean,” *Bloomberg*, last modified August 17, 2021, <https://www.bloomberg.com/news/articles/2021-08-17/sharia-law-for-afghan-women-what-that-might-be-quicktake#xj4y7vzkg>.

44 Jacob Poushter, “How People in Muslim Countries Prefer Women to Dress in Public,” *Pew Research Center*, January 8, 2014, <https://www.pewresearch.org/fact-tank/2014/01/08/what-is-appropriate-attire-for-women-in-muslim-countries/>.

implementation of a policy in the newly segregated universities requires women to wear an abaya (a figure-shrouding outer garment), a niqab (a cloth covering the face apart from the eyes), and gloves to hide their hands, evidencing how the Taliban uses state violence to impose new norms upon a population.⁴⁵ In this way, the concept of common morality is a complete misnomer, as an unrepresentative cohort has determined and enforced a standard of social morality to which all Afghans must relinquish their liberty.

I further discuss the viability of religious homogeneity as a mode to obtain social order through the thesis of civil religion proposed by Rousseau in *The Social Contract*. In contrast to the Hobbesian assumption that people’s stance as rational egoists will lead them to succumb their liberties to avoid the state of nature and achieve social order, Rousseau believes that social cohesion and patriotism, though they may be rationally justified, cannot simply be based on an appeal to citizens’ rational self-interest.⁴⁶ Rousseau argues that social order resides in the concordance of specific internalized values and norms, therefore acquiring homogeneity in society is crucial. A civil religion encompasses a set of values that are, according to Rousseau, “permissible and even mandatory for the sovereign to insist” upon.⁴⁷ Therefore, if the five principles of a civil religion are met within a state regardless of internal contradictions, Rousseau predicts social order will follow.

The structure of civil religion is not intrinsically anti-woman, proven in the propagation of women’s rights as a public good in Afghanistan from the 1950–70s under a strict religious regime. A 2012 U.S. report written by William Byrd emphasized that a “gradual and evolutionary approach” towards social progress in these decades led to increasing equity in female education, including coeducation in Kabul University, and changing social norms.⁴⁸ For example, educated women stopped wearing traditional headcovers. Though Byrd argues such evolutionary reforms were chiefly concentrated in the cities, these gradual advancements show

45 Azadi Frud Bezhan, “Taliban Imposes New Dress Code, Segregation Of Women At Afghan Universities,” *RadioFreeEurope/RadioLiberty*, September 6, 2021, <https://www.rferl.org/a/taliban-dress-code-segregation-women/31446726.html>.

46 Bertram, *Philosophy GuideBook*.

47 Bertram, *Philosophy GuideBook*, 185.

48 William Byrd, “Lessons from Afghanistan’s History for the Current Transition and Beyond,” *United States Institute of Peace*, September 12, 2012, <https://www.usip.org/publications/2012/09/lessons-afghanistans-history-current-transition-and-beyond>.



that a civil religion can move with social progression and support the distribution of public goods. Likewise, from 2003–05, several women's rights organizations consulted with Islamic religious leaders on the content of the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women.⁴⁹ The report uncovered that the religious leaders found no inherent contradictions between the stipulations of these documents and key Sharia principles, meaning there is no necessary conflict between the protection of this public good and the furtherment of a system of legal moralist governance.

The Taliban's application of a "civil religion" in the return to Sharia Law has failed to produce the social order theorized by Rousseau. I believe that modern Afghanistan contradicts Rousseau's thesis because, unlike historical societies where unfaltering acceptance of such dogmas were possible, the imposition of postmodernism and Western "liberal democracy" has incited an identity crisis in Afghan values. To analyze the contemporary dilemma of why enforcing strict Sharia law upon civil society will not lead to an aggregation of obedience, we need to appreciate both historical governance structures and the rapid globalization of Afghan society since the nation building project led by the United States.

Byrd argues that in the fifty years after 1933, Afghanistan experienced "stable and [effective]" governance, anchored in a balance between traditional local powers and a weak, yet centralized, monarchical state.⁵⁰ The principles of civil religion were of greater collective and individual importance in value systems at that period. However, extensive conflict after 1978 dissolved the finely tuned relationship between the state and local governance structures.⁵¹ Afghanistan entered an era of state-building by international administrations seeking to impose liberal democracy, neoliberalism, and cultural hegemony.⁵² According to Byrd, mass urbanization and greater connectivity with the rest of the world during the period of occupation (2001–21) familiarized a younger

49 Anastasiya Hozaynova, "Sharia and Women's Rights in Afghanistan," *United States Institute of Peace*, May 28, 2014, <https://www.usip.org/publications/2014/05/sharia-and-womens-rights-afghanistan>.

50 Byrd, "Lessons from Afghanistan's History."

51 Byrd, "Lessons from Afghanistan's History."

52 Aidan Hehir, "Hyper-Reality and Statebuilding: Baudrillard and The Unwillingness of International Administrations to Cede Control," *Third World Quarterly* 32, no. 6 (June 2011): 1073–87, 10.1080/01436597.2011.584722.

generation of Afghans with a world of possibility and connection.⁵³ Over these twenty years, Afghan society grew accustomed to a sovereign contract that prioritized democracy and personal liberty. This all changed in August of 2021 when Afghanistan experienced a rapid reversion to Sharia Law. These restrictive policies are now attempting to govern a highly heterogeneous society with distinctly different values than the last period of Taliban rule. Therefore, social acceptance of a civil religion and the consequent female disempowerment is increasingly unlikely.

Afghanistan's current leadership is adopting the common morality of Sharia Law as a civil religion to justify their complete reversion of women's rights as a public good. I disagree with Hobbes' proposed theory of social order because women are not the author of the Taliban's social pact, and thus have no obligation to it. Likewise, I disagree with Rousseau's argument that adopting a civil religion will lead to an aggregation of obedience and consequently, social order, as modern Afghanistan encompasses a variety of normative orientations. I believe Hobbes fails to acknowledge that the Leviathan does not require the same sacrifices from all its subordinates, which leads to a potentially violent sanctioning of individuals for whom the price of conformity is too high. The Taliban also reproduces Rousseau's myth, an ideology which assumes order will prevail once religious homogeneity is achieved. Yet persistently "deviant" women threaten this order by continuing to defy (through sheer bravery and strength of will) those who reject this crucial public good.

Viewing the Taliban's takeover through the prism of Iris Marion Young's social connection model depicts the erosion of women's rights as a matter of structural injustice, the responsibility for which none of us have resolved.⁵⁴ Young assumes that our responsibility for global justice "derives from belonging together with others in a system of interdependent processes."⁵⁵ Each one of us who believes that international women's rights are an issue worthy of attention, and ultimately realization, must consider the condition of our personal parameters (power, privilege, interest, and collective

53 Byrd, "Lessons from Afghanistan's History."

54 For Young, "[responsibility] does not imply finding the agent at fault or liable for a past wrong, but rather refers to agents' carrying out activities in a morally appropriate way. Iris Marion Young, "Responsibility and Global Justice: A Social Connection Model," *Social Philosophy and Policy* 23, no. 1 (January 2006): 119.

55 Young, "Responsibility," 119.



ability) for addressing our global responsibility.⁵⁶ To this end, we must be reflexive towards our western epistemological assumptions of what is considered progress.⁵⁷

Our ambitions to pursue global justice in women's rights must not succumb to the western universalism of past state-building endeavors. We cannot be self-deluded in our historical desire to establish political communities that mirrored "an illusory self-image" of Western states.⁵⁸ We must recognize any engrained epistemologies that suggest the West has a divine right to "spearhead progressive change" to promote an "idealised vision of liberal democracy," a congruence of the ideology of political liberalism with the logic of neoliberal capitalism.⁵⁹ America has reified the Western state to embody order, peace, and justice. Yet each of these qualities persist in contextually meaningful ways beyond the scope of the West. Neither a reversion to Sharia law, as shown in the multiplicity of interpretation worldwide, nor the adoption of a civil religion are antithetical to the promotion of women's rights. In Taliban Afghanistan, however, the inherent and equal worth of a woman's life, opinions, and contribution to society must be recognized. Though it is not for the West to propose what Afghani women should deem an adequate and appropriate social contract, I believe that such an entity will not materialize until women are afforded authorship. The cost of deviance from the imposed order has a high price: physical assaults, social isolation, and uncertainty.⁶⁰ Yet, the cost of obedience is even higher: a complete relinquishing of personal empowerment and dignity. Thus, from a position of global responsibility, we each must advocate and lobby for the bottom-up political participation of Afghani women in their own destiny. This means giving precedence and visibility to local community leaders, allowing their stories to shape the intention of our advocacy, and remaining critical of top-down hegemonic approaches, which often conflate the promotion of women's rights with the ideals of modernization. Without the active participation of women in the formation of the social contract, Afghan society is destined to ceaseless anarchy.

56 Young, "Responsibility," 127.

57 Owen, "Privilege of Absurdity."

58 Hehir, "Statebuilding," 1074.

59 Hehir, "Statebuilding," 1074.

60 Kumar and Noori, "Raids on Homes."



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DOI: 10.33043/S.16.1.84-97

