ISLAMIC FEMINISM BEFORE AND AFTER SEPTEMBER 11TH

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In the wake of September 11th the subject of Afghan women and their systematic abuse by the Taliban regime drew the attention of major news networks' anchors. This was not the first time that Americans heard of the plight of women in an Afghanistan ruled by religious extremists. When they took over power in 1996, the Taliban were indicted by world opinion for their suppression of human, and especially women's, rights. Images of women huddling in refugee camps or sliding along walls enveloped in the *burqa*[1] provided the evidence, both then and now.

By 1997, the U.S. Feminist Majority had adopted the cause of Afghan women and petitions to save these women and punish those men flooded our inboxes. When the Association of Middle Eastern Women's Studies' Board (AMEWS), of which I am president, was contacted directly, we found ourselves in a dilemma. It was not that we did not appreciate what was happening to these women or how important it was to act. But we knew from history that the rescue paradigm often has unintended (and, perhaps, intended?) consequences. Indeed, this was not the first time that such a case has been brought before a Western tribunal. In the 19th century, Hindu widows in India compelled to climb on their husbands' funeral pyres shocked Victorian sensibilities.[2] In her groundbreaking essay "Can the Subaltern Speak," Gayatri Spivak coined the term "white men saving brown women from brown men" to describe the British abolition of *sati*[3] in the 19th century.[4] Saving brown women thus became the *ius ad bellum* driving the civilizing mission in South Asia.

The *burqa* recalls *sati* and the four-stage gendered logic of empire: 1) Women have inalienable rights within universal civilization; 2) civilized men recognize and respect these rights; 3) uncivilized men systematically abrogate these rights; and 4) such men (the Taliban) thus belong to an alien (Islamic) system. Imperial logic genders and separates subject peoples so that the men are the Other and the women are civilizable. To defend our universal civilization we must rescue the women. To rescue these women we must attack these men.

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1. Arabic term for women's all-encompassing body veil with a grille over the face through which to look.

2. *See* Gayatri Chakravorty Spivak, *Can the Subaltern Speak?*, MARXISM AND THE INTERPRETATION OF CULTURE (Cary Nelson & Lawrence Grossberg eds., 1988).

3. Hindu practice of a widow's self-immolation on her husband's funerary pyre.

4. Spivak, *supra* note 2, at 297.

These women are to be rescued not because they *are* more "ours" than "theirs," but rather because they will have *become* more "ours" through the rescue mission. The rhetoric of empire conceals race, ethnicity and class so that gender becomes these Afghans' major defining characteristic. Politics in the era of American Empire disappears behind the veil of women's victimization. Citizens of the civilized world have a universally acknowledged duty to save Afghan women. For imperial logic to work, brown women are deprived of agency, shown to be passive. In the Islamic context, the negative stereotyping of the religion as inherently misogynist provides ammunition for the attack on the uncivilized brown men. Yet any thinking person knows that it is not possible for an entire population of women to be passive victims.

So, how could AMEWS, an association made up of U.S.-based women scholars, who know well the gendered strategy of the *mission civilisatrice*, respond to the Feminist Majority's call in the late 1990s for action on behalf of Afghan women? The board of AMEWS finally produced a statement that Afghan women themselves should be consulted about how women in the U.S. could cooperate to end the injustice.[5] Petitions like the Feminist Majority's continued to circulate sporadically. Like others, I began to press the delete key.

Then came September 11, 2001. The Taliban were accused of actively supporting the attacks, and the outrage over Afghan women's mistreatment resurfaced. CNN repeatedly aired a virulently anti-Taliban film called "Beneath The Veil" that was shot in June 2001.[6] Sairah Shah's sensationalized trip in search of her father's birthplace in rural Afghanistan confirmed the brutality to which Afghan women were exposed. Three girls squatting on the mud floor of a village hut with large brown eyes brimming with tears wordlessly tell the story of their parents' murder and their rape. Mass graves tell another savage story. The repeated image of three women bundled into the back of a truck, then thrown to the ground and shot point blank was so horrifying, so compelling, it was hard not to declare one's outrage at these uncivilized brutes and then to associate all their victims: Afghan women, the 3000 dead in the World Trade Center, their domestic enemy the Northern Alliance, and of course us/US. We inadvertently fell into support of the war. In this emergency moment it was so difficult to think critically, to interrogate images and particularly the ways in which women are projected. Yet this was precisely the time that it was essential to do so.

Afghan women, despite their passive portrayal, have long been active. Even in "Beneath The Veil," a film whose goal was to shock by showing women's subjection to inhuman treatment there were scenes of strong Afghan women out in the streets of Pakistan demanding justice. They are members of the Revolutionary Association of the Women of Afghanistan (RAWA), which was established in the late 1970s. They have a history of opposition to the Soviets in the 1980s, to the *Mujahideen* holy warriors who ruled from 1992-1996 and most recently to the Taliban, religious fundamentalists produced by the dire

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5. Association for Middle Eastern Women's Studies, *Statement on the Plight of Women in Afghanistan and the Responsibility of the International Community* (May 1999), *available at* http://www.amews.org/articles/afghanletter.htm.

6. *CNN Presents: Beneath the Veil* (CNN television broadcast, Aug. 26, 2001), *available at* http://www.cnn.com/CNN/Programs/presents/index.veil.html.

conditions of refugee existence.[7] Some of these women were jailed, some tortured and some killed. Under the rule of the Taliban, RAWA worked with refugee women in Pakistan, despite lack of resources, and inside Afghanistan, despite the dangers.[8]

Afghan women join other women in the Muslim world who have quietly declared their *jihad*, Arabic for spiritual and military struggle and sometimes considered one of the central tenets of the faith.[9] In *Women Claim Islam: Creating Islamic Feminism Through Literature*, I argue that activists and scholars have begun to target those who want to use women's bodies to further their aims, whether they be international institutions, corrupt regimes or extremist religious and political groups. Their agenda is never organized around a single issue, even though in Afghanistan the Islamic regime for five years galvanized women's main energies.[10]

Women play a unique role in societies that define themselves in primarily religious terms.[11] In religious fundamentalist contexts, women are central to the projection of a community's moral image. The pious community's women should look and behave in ways that underscore the collective piety. As embodiments of the purity and authenticity of the culture, they become the men's first targets because they are border markers and compelled to carry their culture's values. Women are to submit to restrictive measures that threaten their most basic rights in the name of national interest.

In the Muslim world, women increasingly refuse to submit.[12] Working within the culture and the logic of the system, sometimes even in extremist groups where opposition to authorities would seem to be the most difficult, women are revealing the extent of the falseness of men's claim to be acting on behalf of a just religious cause. They know what the symbolic capital that fuels these dangerous movements is, and they are working to undo the master's house from inside. They are using *jihad* as a rhetorical strategy that declares their society to be at war; therefore, the rules of war hold sway. The nation is in trouble and all must be mobilized for the duration.

This is not the first time that Muslim women have declared *jihad*. In the 7th century women joined the Prophet Muhammad in his *jihad* against the forces of the *jahiliya*, age of ignorance that preceded the advent of Islam.[13] Of these warriors, the best known is Nusayba Bint al-Ka'b (variously referred to as al-Najariya and al-Maziniya) who fought with Muhammad at the famous battle of Uhud in

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7. Amnesty International, *Women in Afghanistan: A Human Rights Catastrophe* ch. 7 (1995), *available at* http://www.amnesty.org/ailib/intcam/afgan/afg7.htm.

8. *See id.*

9. *Jihad* means struggle in Arabic. There are two kinds of *jihad*, the greater of which is the internal struggle with the self, the lesser of which is the external struggle to improve the Islamic community or to defend it against aggression from outside.

10. *See* MIRIAM COOKE, WOMEN CLAIM ISLAM: CREATING ISLAMIC FEMINISM THROUGH LITERATURE 107-13 (2001) [hereinafter WOMEN CLAIM ISLAM].

11. *See id.*

12. *See id.*

13. *See* FATIMA UMAR NASEEF, WOMEN IN ISLAM: A DISCOURSE IN RIGHTS AND OBLIGATIONS 152-53 (1999).

625 C.E. Indeed, she is credited with having protected him personally.[14] These early women's activism, however, did not provide precedent for those who followed them.

Soon after Muhammad's death, authorities began to claim that Muslim women should not be publicly visible, that they certainly should not fight. Yet these authorities were speaking and working against historical precedent and scriptural injunction: women fought during the time of the Prophet, and the Qur'an explicitly calls upon all to be active in the path of Islam, even to bear arms.[15] There is agreement among early jurists that all Muslims must participate in *jihad* when necessary. The individual and communal struggle of *jihad* cannot be restricted, for it carries benefits to every individual believing *mujahid*.[16] Al-Shafi'i wrote in his *Risala* that:

> *jihad*, and rising up in arms in particular, is obligatory for all able-bodied (believers), exempting no one, just as prayer, pilgrimage and (payment of) alms are performed, and no person is permitted to perform the duty for another, since performance by one will not fulfil the duty for another.[17]

Men cannot fight on women's behalf since they will thus be depriving women of the spiritual benefit accruing to the performance of this duty, what is referred to as *fard kifaya* or collective duty. By the time of the Crusades in the 12th and 13th centuries, this collective duty had become masculinized. A genre of literature associating *jihad* with fighting against non-Muslims and describing spiritual rewards for martyrdom in terms of huris, or Paradise Virgins, became an important mobilizing tool.[18]

Did women actually stop fighting soon after Muhammad's death? There is little extant evidence to answer this question definitively, but contemporary stories of women's participation in their people's struggles and the erasure of these stories suggest that women have probably remained active throughout history, but that historians have not emphasized that activity. In *Women and the War Story*, I show that since the 1950s, Arab women have been writing about war and the effects of combat on women.[19] It was during the Algerian war of independence that the term *mujahida* gained currency. Fatima-Zohra Sai emphasizes the religious aspect of this war that was both *kifah* (physical fighting) and *jihad*, retaining, "the religious stigmata (!) from the rebellions of the 19th and early 20th

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14. "Then, when the Muslims were losing, I made my way over to the Messenger of God, and I began direct combat, shielding him with the sword and shooting from the bow, until the wounds I sustained overtook me. . . ." MOHJA KAHF, *Braiding the Stories: Women's Eloquence in the Early Islamic Era*, *in* WINDOWS OF FAITH: MUSLIM WOMEN SCHOLAR-ACTIVISTS IN NORTH AMERICA 148 (Gisela Webb ed., 2000).

15. *See id* (discussing *jihad* and *qital*, fighting with arms).

16. Arabic term for the active participle of *jihad*, meaning one who engages in *jihad*.

17. CAROLE HILLENBRAND, THE CRUSADES: ISLAMIC PERSPECTIVES 97 (1999)

18. *See* Maher Jarrar, *The Martyrdom of Passionate Lovers: Holy War as a Sacred Wedding*, *in* MYTHS, HISTORICAL ARCHETYPES AND SYMBOLIC FIGURES IN ARABIC LITERATURE: TOWARDS A NEW HERMENEUTICAL APPROACH: PROCEEDINGS OF THE INTERNATIONAL SYMPOSIUM IN BEIRUT, JUNE 25TH-JUNE 30TH, 1996 84, 89, 97, 106 (Angelika Neuwirth et al. eds., 1999).

19. *See* MIRIAM COOKE, WOMEN AND THE WAR STORY (1996) [hereinafter 'WAR STORY'].

centuries."[20] The appeal to women's participation was secular but also specifically Islamic. The *soeurs mujahidates* were expected to fight for the liberation of the country and they entered theretofore forbidden spaces, mingling with men. Sai explains that the importance of calling the women combatants "sisters" was that it established a relationship of comradeship and of sexual taboo for male combatants.[21] These *moujahidates* fought for women's full citizenship in the nation-state to come and it was they who served to legitimate the seizure of power.[22] These *moujahidates*, Sai insists, understood the significance of the nomenclature and they called on their brothers and sons in Islam, in *jihad*, to respect their rights as Algerian citizens.[23]

Women's conscription to the medina and the maquis during their war of independence from the French (1954-1962) normalized untraditional behaviors. In the aftermath, however, they found themselves on the margins of their society. Sai illustrates how the Algerian war of independence became emblematic of the erasure of women's contributions on behalf of their nation, and their religion.[24] Algerian women learned the importance of recording the experience of participation at the time, so that they might assign their own meanings to their actions, i.e., combat was combat and not merely the delivery of food and ammunition. They underscored the ways in which men write women out of the War Story, a metanarrative which I have analyzed in depth.[25] Finally, they showed how women's participation renders the struggle more effective and less lethal. Whether the Algerian Lesson has been directly responsible for the increase in Arab women's writings on war is hard to prove, but it is circumstantially persuasive. Palestinian, Lebanese, Iraqi, Moroccan, Kuwaiti and Afghan women are among the many women all over the world writing about their fighting and its peculiar effectiveness in postcolonial wars. They are learning what the stakes are that some men and outsiders have in claiming that they have been passive in times of conflict, that they are in need of being defended or even saved.

These publications compel attention to women's transgressive presence in a space and experience programmatically said to exclude them. Women are showing how the binaries used to construct the War Story are fictions.[26] War does not split space into home and front but is simultaneously present. Hence, the distinctions between warrior and civilian, as between defender and defended, which flow from the foundational space binary become moot. The undermining of these binaries reveal that the mutual exclusivity of war and peace cannot hold except through the play of familiar signs and symbols.[27] The goal of these deconstructive writings is not to disable the nation, but rather to strengthen it. By drawing attention to the continuum that exists among all of

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20. Fatima-Zohra Sai, *Les femmes algeriennes: Citoyennes, moujahidates, soeurs, in* 2 FEMMES, CULTURE ET SOCIETE AU MAGHREB 86 (R. Bourquia et al. eds., 1996).

21. *Id.* at 87, 96.

22. *Id.* at 92.

23. *Id.*

24. *Id.*

25. WAR STORY, *supra* note 19.

26. *Id.*

27. *Id.*

these supposed dichotomies, they allow for the mobilization of all necessary and available resources. They reveal also the legerdemains made possible by the binary epistemology of war: the murderer becomes a hero, and rape and pillage are sanctioned behaviors since they are said to help soften the enemy's resolve.

Women who write about women fighting are not advocating pacifism (the stereotype of women as inherently peace-loving); rather, they are calling for more effective, because less lethal, ways to fight. Nowhere is this more evident than in Islamic feminist writings that call for *jihad* in the current *jahiliya.* In the fight for the welfare of the *umma*[28] and on behalf of the Islamic state, norms are even more dispensable than they are during ordinary wars. The father is no longer the senior authority in the family, but God. Women are deciding for themselves that God's law supersedes that of the father, the husband and the brother when the *umma* is in danger.

During the past ten years Islamic discourse has become dominant in Arab Muslim countries facing the challenges and threats of globalization, and some intellectuals who may have once avoided religious language have recognized the need to engage it and to learn its rules. Even the Moroccan sociologist Fatima Mernissi uses Islamist language when she urges women to study the feared, violent *jahiliya*, because it is there that today's ignorance finds its roots.[29] Like the Islamists, she advocates a *jihad* against the current *jahiliya.* Like them, she wants a new system, an Islamic community true to the principles of the founding community. Unlike them, she does not want an Islamic state.

Muslim women from different walks of life have been authorizing themselves to be both *mujahidat*, female participants in *jihad*, and even *muqatilat*, women who fight with arms, for the Qur'an does call for conventional fighting (*qital*).[30] In *Surat al-Baqara*, men and women are told to fight, however loathsome fighting might be: "Fighting is written for you even though you hate it. But it may well be that you hate what is good for you and that you love what is bad for you. God is the one who knows and not you."[31]

This is the verse that the Saudi preacher Fatima Umar Naseef cites in a chapter about women's political rights in Islam.[32] She quotes a Tradition attributed to the Prophet's wife Aisha that describes *jihad* for women as being "without fighting," yet it remains *jihad.*[33] However, when infidels invade Dar al-Islam, "all inhabitants of this country should go out and fight the enemy. Indeed, it is unlawful for anyone to refrain from fighting."[34] In other words, women may fight without their husbands' permission, children without permission from their fathers and slaves without permission from their masters. She cites the Egyptian scholar Sayyid Qutb who had asserted in the 1960s that, in cases of emergency, women, like the women surrounding the Prophet in the 7th century,

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28. Arabic term for the Islamic community.

29. FATIMA MERNISSI, ISLAM AND DEMOCRACY. FEAR OF THE MODERN WORLD 114-129 (Mary Jo Lakeland trans. 1992). *See generally* FATMINA MERNISSI, THE VEIL AND THE MALE ELITE. A FEMINIST INTERPRETATION OF WOMEN'S RIGHTS IN ISLAM (Mary Jo Lakeland trans., 1991).

30. QUR'AN 2:216.

31. *Id*.

32. NASEEF, *supra* note 13.

33. *Id.* at 153.

34. *Id*.

may have to be mobilized for *jihad*.[35] Naseef's advocacy of total mobilization and the resultant transgression of hierarchical norms is striking, especially when articulated by a highly respected Muslim woman scholar. But she is not alone.

In 1977, the Egyptian leader of the Muslim Sisters, Zaynab al-Ghazali, published her prison memoirs, *Days from my Life*.[36] "Days" in Arabic means also "battles," and her battles are no different from those of men. Her heroines are the early Muslim women warriors.[37] While emphasizing that women's first responsibility is to the family, she elaborates that this pertains to times of peace (which would be the time of the establishment of the Islamic State). We are, however, far from such peaceful days, and it is everyone's duty to fight the *jihad* to create that Islamic State of peace. To become a soldier for God entails improvising new rules of conduct that will allow a woman to execute her soldierly tasks. *Days from my Life* traces out a path that reconciles apparently contradictory prescriptions for Muslim women and Muslim soldiers by making them mutually inclusive. The pious Muslim woman must work out, with God's help, priorities for her life: should she stay in the kitchen, or should she go out into the battlefield? The true believer will not be confused: nothing is greater than building the Islamic state.

By her own example, al-Ghazali emphasizes that women should be active in seeking to apply duties to God and the Islamic state above rights of individuals. This hierarchy allows her to use the Islamic legal system to empower herself. Not only did she know that she might dictate her conditions for marriage and write them into the contract, she also turned to the "sixth" pillar of Islam, *jihad*. She uses the rhetoric of domesticity while subverting its meaning through her behavior. *Days from my Life* offers itself as a standard of behavior and of resistance within a vision of an ideal society.[38] Participation in *jihad* turns al-Ghazali into a public emblem, a model for other women who are trying to empower themselves within the framework of a well understood Islam. She asserts her independence and piety but also her right to activism and even fighting in a patriarchal Islamic system by establishing a disjuncture between times of peace and times of war.[39]

Zaynab al-Ghazali may have been an anomaly when she wrote her prison memoirs back in the late 1970s, but she is no longer. Even women in Islamist groups are now using her language of accommodation and resistance with no sense of contradiction. Some demand:

> a say in the politics of our country and the politics that shape our lives as women. Politics is not only the realm of men, as many men want to propagate. On the contrary, it has been made our primary concern throughout Islamic his-

35. *Id*.

36. ZAYNAB AL-GHAZALI, AYYAM MIN HAYATI ["Days from my Life"] (1986).

37. Valerie J. Hoffman, *Muslim Fundamentalists: Psychosocial Profiles*, *in* FUNDAMENTALISMS COMPREHENDED 216 (Martin E. Marty & R. Scott Appleby eds., 1995).

38. AL-GHAZALI, *supra* note 36.

39. WOMEN CLAIM ISLAM, *supra* note 10, at 102.

> tory since 1500 years ago, when the women gave the Prophet their vote (*Baiya*) personally.[40]

Others assert that: "No man has the right to deprive a woman from her Islamic mission. Submissiveness is only to God and not to any human being . . . A Muslim woman should fight for her rights, even if this means in some cases divorce."[41]

But it is not only religious scholars or Islamist women who are calling for women's participation in religiously sanctioned war. This is the rhetoric of the street. Asiyah Andrabi, head of the Kashmiri Dukhtaran-e-Millat (Daughters of the Community), is a feminist and Islamist leader. She has called for women's education and full participation in society as part of their Islamic duty.[42] The *New York Times* reported on August 26, 2000 that Ms. Andrabi had "told her father that she would accept an arranged betrothal so long as the groom was active in the insurgency."[43] She has been to prison several times and she "wants her sons to grow up with gun in hand. 'I want them to be *mujahids* who fight for the cause of holy Islam.'"[44]

Arab women activists who have long been dealing with the class-patriarchy conundrum within the global system are deconstructing history and religious texts to find spaces of empowerment for women. Some are joining Islamist groups and are working within their logic; others are resolutely rejecting implication within such movements. All, however, are learning how to situate themselves at the nexus of religion, place, and feminist practice. While challenging traditional interpretations of authoritative texts that have served to construct norms that discriminate against women, they continue to defend their communities against detractors.[45] These women, among them Afghans, are not victims but rather strong individuals who are balancing national, transnational and feminist agendas in an attempt to construct a just society.

However, these women's resilience and activism are little acknowledged at home or abroad. This is particularly the case when women's passivity and victimization are more useful than their strength, resilience, and assertiveness. On November 17, 2001, First Lady Laura Bush filled in for her husband in his national radio address. It was the first time in history that a president's wife had taken over her husband's weekly radio speech. The announced topic was to kick off a "world-wide effort to focus on the brutality against women and children by the al-Qa'ida terrorist network and the regime it supports in Afghanistan, the Taliban."[46] Since she did not speak until the day after the Taliban had been

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40. Soroya Duval, *New Veils and New Voices: Islamist Women's Groups in Egypt*, *in* WOMEN AND ISLAMIZATION 45, 58 (Karin Ask & Marit Tjomsland eds. 1998).

41. *Id.* at 62 (quoting a member of the *Ikhwan* group).

42. Barry Bearak, *Srinagar Journal: Behind the veil, a muslim feminist*, N.Y. TIMES, Aug. 26, 2000, at A4.

43. *Id.*

44. *Id.*

45. WOMEN CLAIM ISLAM, *supra* note 10, at 53-138.

46. Laura Bush, Radio Address to the Nation (Nov. 17, 2001), *available at* http://www.whitehouse.gov/news/releases/2001/11/20011117.html.

pushed out of Kabul, the First Lady had to modify the enemy, which had been advertised the previous day as the Taliban, to the generalized terrorist:

> The brutal oppression of women is a central goal of the terrorists. . . Civilized people throughout the world are speaking out in horror—not only because our hearts break for the women and children in Afghanistan, but also because in Afghanistan, we see the world the terrorists would like to impose on the rest of us.[47]

Here we see the return of the civilizational binary that structures the logic of empire. The situation of Afghan women is what these uncivilized men want for "the rest of us." The U.S. government's fight against brutality, the First Lady assures her listeners, "is not the expression of a specific culture; it is the acceptance of our common humanity—a commitment shared by people of good will on every continent."[48] The rescue mission is greater even than a matter of civilization (who has it and who does not), it encompasses humanity itself. Lest we believe that the fight is almost over because the Taliban are being routed, Mrs. Bush reminds us in closing that "the terrorists who helped rule that country now plot and plan in many countries. And they must be stopped. The fight against terrorism is also a fight for the rights and dignity of women."[49] There will be more brown women in need of rescue.

However, these Afghan women and those others now marked for repression by the plotting terrorists, can and do fight for themselves. On November 7, 2001, over a month into the bombing campaign and ten days before Mrs. Bush's speech, fifty Afghan women from various organizations constituting the Afghan Women's Network met in Peshawar, Pakistan.[50] They were calling for an end to the military action and to ask their neighbors to open their borders to the floods of refugees fleeing the bombing. They insisted that the anti-terrorism campaign "not be fought at the expense of restricting or violating human rights of Afghans. . . Afghan women's participation in the peace process must be assured."[51] Their appeal was circulated by Women Living Under Muslim Laws, another network concerned with the violation of Muslim women's legal status throughout the world. There are many such networks linking Muslim women both really and virtually each with its own agenda. Muslim women everywhere are struggling to construct a future when justice and peace will no longer seem impossible dreams.

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47. *Id*.

48. *Id*.

49. *Id*.

50. *See* Peace Response, *Include Afghan women in transition processes* (Nov. 7, 2001), *available at http*://www.peaceresponse.org/women/include.shtml.

51. *Id*.