



Bacha bazi in Afghanistan: A study of intersectional feminism

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ABSTRACT

This article aimed to understand the practice of bacha bazi, a widespread sexual exploitation and abuse of boys in Afghanistan in the guise of performances in which boys dance as women. Guided by intersectional feminist theory, the research examined the intersecting patriarchal discourses of class, gender, power inequality that support this exploitation. The study employed humane research methods, such as document analysis, to gather and analyze data thematically from the sources studied. The study showed how vulnerable boys are exploited by powerful adult men and forced into bacha bazi in exchange for money or protection. The study attested to bacha bazi having its roots in patriarchal Afghan society where gender roles and power dynamics are rigid and boys are disenfranchised and their victimization normalized. The study cited economic despair and social inequality as inducing families to sell their sons to exploitation. The research, through intersectional feminist analysis, reveals the complex intersection of gender, power, and class that informs the practice. The research facilitated in theorizing about structural inequalities to facilitate sexual exploitation and justice and equality for all marginalized peoples in Afghanistan. The study saw that the issue requires a range of solutions from legal reform to economic assistance, through cultural change, in addressing the causes of bacha bazi and protecting vulnerable children.

Keywords: *Bacha Bazi; Child Prostitution; Exploitation of Afghan Children; Intersectional Feminism.*

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ABSTRAK

Artikel ini bertujuan untuk memahami praktik bacha bazi, eksploitasi dan pelecehan seksual yang meluas terhadap anak laki-laki di Afghanistan dengan kedok pertunjukan di mana anak laki-laki menari sebagai perempuan. Dipandu oleh teori feminis interseksional, penelitian ini meneliti wacana patriarki yang saling terkait tentang kelas, gender, ketidaksetaraan kekuasaan yang mendukung eksploitasi ini. Penelitian ini menggunakan metode penelitian, seperti analisis dokumen, dalam mengumpulkan dan menganalisis data secara tematis dari sumber yang diteliti. Penelitian ini menunjukkan bagaimana anak laki-laki yang rentan dieksploitasi oleh pria dewasa yang kuat dan dipaksa melakukan bacha bazi dengan imbalan uang atau perlindungan. Penelitian ini membuktikan bahwa bacha bazi berakar pada masyarakat Afghanistan yang patriarki di mana peran gender dan dinamika kekuasaan bersifat kaku dan anak laki-laki tidak memiliki hak pilih dan viktimisasi mereka menjadi hal yang wajar. Penelitian ini mengutip keputusan ekonomi dan ketidaksetaraan sosial sebagai pendorong keluarga untuk menjual anak laki-laki mereka untuk dieksploitasi. Penelitian ini, melalui analisis feminis interseksional, mengungkap persimpangan kompleks antara gender, kekuasaan, dan kelas yang menginformasikan praktik tersebut. Penelitian ini memfasilitasi teori tentang ketimpangan struktural untuk memfasilitasi eksploitasi seksual dan keadilan serta kesetaraan bagi semua masyarakat terpinggirkan di Afghanistan. Penelitian ini melihat bahwa masalah ini memerlukan berbagai solusi mulai dari reformasi hukum hingga bantuan ekonomi, melalui perubahan budaya, dalam mengatasi penyebab bacha bazi dan melindungi anak-anak yang rentan.

Kata Kunci: *Bacha Bazi*; Eksploitasi Anak Afghanistan; Feminisme Interseksional; Prostitusi Anak.

1. INTRODUCTION

Some levels of Afghan society have long normalized and practiced sexual relations between adult men and teenage boys as a form of personal entertainment (Misra, 2022). "Playing" (as sexual toys) with children is called "*bacheh baazi*" in the native Persian language, but in Pashtun, "bacha bazi" is defined as engaging in sexual activities with men. Moreno (2015) found that adult men who often have significant roles in society use the bodies of teenage boys to fulfil their sexual needs. These groups include militias, powerful men, warlords, and anyone with financial or social standing recruit and sexually abuse prepubescent boys in the practice. Due to increasing religious resentment, especially from Islam, the practice of *bacha bazi* was banned in the region in early 20th century even though it was a highly regarded tradition by then-rulers during the 18th and 19th century (Misra, 2022).

Although the Taliban and the majority Muslim community in Afghanistan condemn the practice of *bacha bazi* as contrary to Islamic values, a 2014 study by Ramadhani (2020) found that the level of opposition to this practice was low, with 89% of perpetrators admitting to never being punished. In other words, *bacha bazi* actually became more prosperous. When the Soviet Union invaded Afghanistan before the Taliban came to power, the practice of *bacha bazi* became a popular pastime. With strong support from Afghanistan's rich and

powerful, the practice of *bacha bazi* grew secretly during Soviet rule in Central Asian countries and continues to this day (Everett, 2015: 11, as cited in Misra, 2022).

Previous studies on the *bacha bazi* issue, especially those by Verma (2019), Gevorgyan & Matevosyan (2023), and Misra (2022) provide valuable insights into the phenomenon of *bacha bazi* in Afghanistan from various perspectives. Verma's (2019) study mainly notes the cultural aspect that explains the continuity of *bacha bazi* – that homosexuality is considered as a sin in Afghanistan and that the international community has carefully avoided the issue as a policy. Gevorgyan & Matevosyan (2023) take an international law perspective to look at the topic, focusing on the possibility of *bacha bazi* falling under the definition of a crime against humanity and especially the substantial damage done to young boys and the Taliban's involvement. On the other hand, Misra (2022) applies a cross-disciplinary approach that goes into sexual, sociological, religious, and legal spheres to frame the practice within the larger context of masculinity and conflict studies.

However, there remains an unexplored dimension in the analysis – an intersectional feminist view and critique towards the issue at hand. This study thus aims to contribute to the growing literature by providing a more comprehensive analysis of *bacha bazi* that takes into account the gendered and power factors as well as socio-economic conditions. It is important to highlight that this study was based on the works of the aforementioned scholars. An intersectional feminist approach presents a more comprehensive and contextualized definition of *bacha bazi* and examines the ways how intersecting identities, power dynamics, and systemic inequalities are used to sustain this practice. It includes a contemporary rooted inquiry that combines diverse theories and dynamics which provides a discussion of the issues that surround *bacha bazi*.

According to Myrntinen (2018), gender is relational because gender norms, roles and power dynamics are formed and played out in relationships with each other. This focus is a reference for the importance of this study. Hooks (1984) also argued that effective feminism must take into account the power and reality of social diversity as it is equally important to empower women. Taking these into account, this study aims to answer the research question: how intersecting systems of gender, sexuality, class, and power sustain the practice of *bacha bazi*, and what structural interventions are necessary to address the inequalities at its root?"

2. LITERATURE REVIEW

2.1. Intersectional Feminism

Intersectional feminism is a feminist approach that pays attention to and integrates various aspects of identity, including gender, race, social class, sexual orientation, and other identities in the analysis of the feminist movement (Sa'diyah et al., 2023). Intersectional feminism departs from traditional intersectionality, an idea from Kimberlé Crenshaw which was based on the experiences of black women who had discrimination against gender and race during legal proceedings. Crenshaw expressed her ideas through articles she wrote discussing intersectionality and providing criticism of the Anti-discrimination Law in the United States (Crenshaw, 2019). Although this term was originally used for groups of black women who experienced identity problems, this term can also describe other groups who experience the same problems. According to Crenshaw, the difficult thing that needs to be

faced by an intersectional approach is the difficulty of fighting power structures that has been already difficult to change.

Intersectional feminism seeks to overcome discrimination and injustice experienced by women and other individuals who fall outside gender and social norms, as well as expanding the scope of feminism to include various groups that were previously unrepresented. Intersectional feminism emerged because of the experiences of marginalized women, especially black women, and challenged the radical feminist approach which was considered to only accommodate the problems of white and middle-class women. This perspective allows a deeper understanding of the problems experienced by women because each individual has problems in their own context with power relations which are often the main factor (Damant et al., 2008). According to the view of intersectional feminism, marking gender differences is necessary (especially men and women). But these differences are not only seen from a biological perspective but also as two different social groups.

Through intersectional feminism, an understanding of issues can be obtained holistically and inclusively by not only looking from a single perspective such as gender issues, but also considering the vulnerabilities experienced by other groups in the context of complex and unequal power structures (Siahaan, Sianturi, Lumbantobing, Rajagukguk, & Gea, 2023). In this case, intersectionality views boys in Afghanistan who are victims of *bacha bazi* as a marginalized group. Boys who become victims often lose their basic human rights, possibly being sexually assaulted and ending up isolated by society. Because of this, boys who are victims of *bacha bazi* become a socially and otherwise marginalized group (Andelkovic, 2022).

2.2. Child Prostitution

Child exploitation is an effort to exploit one's own profits through minors by employing them for profit. Exploitation itself, according to the Kamus Besar Bahasa Indonesia, means businessman, exploitation, use for oneself, exploitation, extortion of someone's energy for oneself, and is a disgraceful act (Badan Pengembangan dan Pembinaan Bahasa (Pusat Bahasa), 2024). Exploitation of children can take various forms including sexual exploitation, child labor exploitation, child trafficking, use of children in armed conflict, or even exploitation for commercial or political purposes. This practice is destructive, violates children's rights, and often leaves traumatic long-term impacts on children's development and well-being (Ariani, Alimsyah, & Ikramullah, 2022). These forms of exploitation of children can refer to a practice, namely child prostitution.

Prostitution is the practice of engaging in relatively random sexual activities, generally with someone who is not a partner in exchange for direct payment in the form of money or other valuables. Prostitution involves prostitutes and clients, which allows for heterosexual or homosexual activity, but most of the prostitutes are women and most of the clients are men (Jenkins, 2024). Based on this definition, child prostitution is defined as a practice that involves children in commercial sexual activities for economic purposes. Although in general prostitution makes women as the victims, it is not uncommon for prostitution to make men as the victims, even children. The vulnerability that children have so that they can become victims of exploitation and prostitution is the same as the vulnerability that women have which is caused by societal stigma and socio-cultural practices that are discriminatory against

women. In the context of *bacha bazi*, boys who are victims often lose their human rights and had exploitation, both for commercial and sexual interests. Therefore, the practice of *bacha bazi* can lead to and indicate child prostitution.

2.3. *Bacha Bazi*

Bacha bazi is a term used in certain regions, especially Afghanistan, to refer to a practice involving boys and men. As the term suggests, *bacha bazi* means dancing boy which comes from the Persian words “*bacheh*” or boy and “*bazi*” or play, game. This practice is not just an activity of dancing boys, but has turned into a tradition that has been rooted for centuries and is a form of sexual abuse and slavery of boys by men who are generally more mature and powerful (Prey & Spears, 2021). Boys who act as “entertainers” are called *bacha bareesh* which refers to boys without beards who come from poor families in Afghanistan. After being taken from their families, often by force, these boys are taught to dance and dress like girls using bells on their feet and scarves on their faces, enticed by payment in the form of money or education. *Bacha bareesh* will dance for his costumers which then leads to sexual relations carried out as an effort to support his family (Kapur, 2014). However, when these boys grow older, they will be released and cause difficulties for the child due to psychological damage and the inability to blend into society.

The perpetrators of the *bacha bazi* practice are dominated by powerful people such as warlords who have authority and important positions in the government, police and military systems in Afghanistan, so this is a challenge in eradicating it. Apart from the perpetrator factor, the practice of *bacha bazi* is a deeply rooted custom and has become part of the culture so it is very difficult to stop. Likewise, due to economic factors, when their families inevitably let go or encourage their sons to become *bacha* to meet the family's needs. During the the 90s, this practice was strictly prohibited because it was considered not in line with sharia law (Human Rights Bright Blue, 2017, as cited in Andelkovic, 2022). This is a testament on how difficult the elimination of the *bacha bazi* practice can be even when laws against in are upheld.

3. METHOD

This study employed qualitative research methods, specifically by implementing document analysis, in which data collection techniques through written documents that are relevant to the research topic (Bowen, 2009). Creswell & Creswell (2018) notes that qualitative research begins with assumptions and the use of interpretive or theoretical frameworks, informing a study of research problems that address individuals or groups ascribed to a social. Qualitative approach was employed since it provided a more nuanced explanation of how gender, sexuality, class, and power systems intersect and perpetuated the *bacha bazi* practice according to various perspectives, experiences, and social contexts. Data were gathered from archive records, journal articles, books, and newspaper articles. Additionally, official data such as reports, governmental statutes, and institutional records were also gathered. These data were thematically analyzed to detect patterns of patriarchal values, economic inequalities, and the exploitation of the vulnerable. For instance, news reports depicted how desperation for economic resources leads families to acquiesce to *bacha bazi*, whilst archival documents depicted the normalization of *bacha bazi* from historical and

cultural norms. By explaining these findings through the lens of an intersectional feminist theory, the research revealed the structural injustices proliferating *bacha bazi* and addressed them through culturally appropriate and systems-level interventions.

4. FINDINGS AND DISCUSSION

4.1. *Bacha Bazi* in Afghanistan

Boys in Afghanistan, generally between the ages of 10 and 18, are often involved and become victims of a practice called *bacha bazi*. Boys who act as 'entertainers' are called *bacha bareesh* or boys without beards who come from poor families in Afghanistan. After being taken from their families, often by force, these boys are taught to dance and dress like girls using bells on their feet and scarves on their faces, enticed by payment in the form of money or education. *Bacha bareesh* will dance for his costumer which then leads to sexual relations carried out as an effort to support his family (Kapur, 2014). In the practice of *bacha bazi*, although it was initially said to be an activity of dancing boys, in reality these boys were circulated by powerful men for their sexual gratification. So, the practice of *bacha bazi* is a practice of exploitation of boys as a vulnerable group and indicates sexual exploitation and leads to child prostitution activities. The imbalance of power between men and men in power places these young men in a particularly vulnerable position (Sabet, 2020).

The children involved in the practice of *bacha bazi* mostly come from poor families, work on the streets, are breadwinners for the family, and some children are even kidnapped. The perpetrator lured the victim's family in exchange for money, but many parents did not receive clarity regarding the fate of their children and the rewards. Domestic violence, illiteracy and poverty increase children's vulnerability to abuse and exploitation, especially in Kabul as the capital of Afghanistan alone, it is estimated that there are 65,000 children living in poverty and vulnerable to abuse and prostitution (Sabet, 2020). The factor that many powerful people, such as warlords or other positions, are involved as perpetrators of *bacha bazi*, is one of the reasons why many boys fall into this practice. According to Dr. Sobh Rang, powerful men can accommodate up to 10 boys to practice *bacha bazi* (Drury, 2016). The more sons you have, the more powerful you can show people. This practice is increasingly widespread and difficult to oppose because of the shame it produces so that people often blame the victim rather than the perpetrator.

The general interpretation of Afghan men regarding homosexual behavior is in line with a critic's opinion that what the West often does not pay attention to is that a person's sexual behavior does not necessarily determine a person's sexual orientation if it occurs in Afghanistan (Prey & Spears, 2021). A distinction is needed between homosexuality as a sexual orientation and homosexuality as a form of entertainment. Generally, society in Afghanistan makes a clear distinction between homosexuals and actions that indicate homosexuality. If we follow biological rules, a person can act homosexually, but that is not necessarily homosexual. Therefore, when gays or homosexuals are open about their sexual orientation, that person will face the aggression of society which prohibits this sexual preference. However, when it comes to practices or actions that indicate homosexuality as entertainment, society responds differently.

There are ethnic or tribal norms that are taken into consideration of *bacha bazi*, for example in the Pashtun majority culture and its social norms which state that the practice is

considered an act that is neither un-Islamic nor homosexual. If the male perpetrator of this practice does not love or have feelings for the boy who is the victim, then this action is considered less reprehensible and more ethical than opposing women (Mondloch, 2023). On the contrary, if the perpetrator is acting out of love or emotional affection, then the act will no longer be part of this cultural norm. Rather, it would be an act of genuine homosexual orientation, which is highly stigmatized in Afghan society and could be faced with harsh religious and social exclusion since it is seen as a violation of Islamic teaching and cultural norms.

Human Rights Watch (2022) reported that a gay man experienced detainment at a Taliban checkpoint, in which he was beaten, and gang-raped. The perpetrators further threatened the man, "From now on anytime we want to be able to find you, we will. And we will do with you what we want." The gang rape of the gay man by members of the Taliban illustrates how homosexual behavior is accepted or used as a tool when presented as acts of domination, not love or orientation. This perpetuates the cultural discourse that makes such acts "less reprehensible" when they are not emotionally invested, pointing to the profoundly entrenched contradictions and injustices in social attitudes toward homosexuality and gender violence under Taliban rule.

4.2. Intersectional Feminism Analysis of Bacha Bazi

Intersectional feminism critiques feminist theory in previous waves which is considered to ignore broad issues that also produce vulnerable groups, beyond those generally focused on at that time. Intersectionality rejects analytical frameworks that limit the analysis of gender and sexuality issues to certain aspects such as race, class, sexuality and other aspects. In line with Leslie McCall's opinion, the presence of intersectionality can give rise to a holistic picture of the experiences of individuals who have to face various forms of oppression that are layered and embedded in society (McCall, 2016).

Using the perspective of intersectional feminism, the exploitation of Afghanistan boys through *bacha bazi* is not just a result of power dynamics that grow through the entrenchment of the patriarchal system in the socio-cultural life of society. Rather, through examining the relationship between discrimination and power relations across all axes that contribute to the victimization of *bacha bazi* victims, the intersectional theoretical framework aims to understand problems from a broader perspective, rather than from a single perspective, thereby ensuring a more inclusive and deep understanding. This intersectional analysis is not intended to reduce the *bacha bazi* issue to a case of gender violence, but rather to understand as fully as possible the complexity of discrimination in a multi-faceted context.

In general, Afghanistan is a country that is closely associated with a patriarchal and misogynistic culture, which means that women there do not have the power to determine their fate because they are controlled by dominant modes that allow men's domination over women to continue perpetuate patriarchy (Connell & Messerschmidt, 2005). However, ironically, the inherent patriarchal culture in Afghanistan ultimately fails to protect men themselves from sexual harassment because the culture of masculinity makes men who are victims feel taboo because it tarnishes the role of men that was originally envisioned. For men, especially for boys, vulnerability as a marginalized group ends up becomes the product of the patriarchal system itself.

In the practice of *bacha bazi*, men are considered sexual objects who are exploited because initially girls are prohibited from dancing so boys are the targets. Intersectional feminism understands this as the influence of social constructions of masculinity and femininity in Afghanistan society. *Bacha bazi* has become a product of patriarchal cultural practice and sexual exploitation that controls gender roles and power dynamics where women are hidden away and boys are used as their replacement. The feminization of these boys reinstates the perceived inferiority and exploitable status of femininity, and the disparity of power between the perpetrators and the victims brings to light the intersectionality of patriarchy, class, and age exploitation.

Economic factors have an important role in the continued practice of *bacha bazi* in Afghanistan considering the country's economic condition is on the verge of universal poverty. Even in the current era, according to UNDP data, the poverty rate in Afghanistan has reached 72% and is predicted to continue to decline (Saju, 2021). This economic factor makes victims or families of victims of the practice of *bacha bazi* forced to sell or give their sons to influential people with a higher economic class to get money in return and to ensure the safety of their sons. Often, the families of the victims are promised that they will get education and a good future for the boys they sell. However, in reality, more boys are thrown away or abandoned when they grow up by the perpetrators of this *bacha bazi* practice. Until in the end what the boy who grows up gets is psychological damage and ostracism because he cannot adapt to society (Powell, 2018).

The link between the practice of *bacha bazi* and economic and cultural factors makes it difficult to change this deeply rooted norm in Afghanistan. This can be seen by the large number of children from poor families who often become victims because they are more vulnerable to sexual exploitation due to economic pressure. Poverty-stricken families are compelled by economic desperation to sell their sons into *bacha bazi* as a survival mechanism. As Handayani et al. (2022) pointed out, these groups of people eventually embody the values attached, which form a cycle of exploitation that reinforces their marginalized status and deepens systemic inequalities. The fact that this custom has developed into an institutionalized practice in certain regions is worrying. All efforts made to suppress this practice have failed due to the level of corruption by the Afghanistan government and its involvement in it (Islamic Republic of Afghanistan High Office of Oversight and Anti-Corruption, 2012).

Apart from that, it is difficult for Afghanistan society to escape the practice of *bacha bazi* because the perpetrators have long been powerful people, which has made this a deeply rooted custom that makes it difficult to forget the ancient aspects of the culture. In this context, intersectional feminism expands feminism from only the struggle for women in certain categories to the struggle for equality and freedom for all individuals, including women and gender from various backgrounds and identities. This means intersectional feminism not only deals with the oppression of women, but also the structural problems that enable practices such as *bacha bazi* by giving voice to those most impacted—women, children, and gender-diverse people. Feminism thus becomes a broader and stronger movement for justice and equality, particularly in addressing complex problems like *bacha bazi* that are interwoven with gender, sexuality, social class, ethnicity, and power in culture and social structure.

4.3. *The Role of Culture and Power Structures in Disseminating and Legitimizing Bacha Bazi*

The culture and power structure dynamics in Afghan society significantly influence the dissemination and legitimization of *bacha bazi*. It becomes much harder when the practice is also prevalent among many of the people with prominent roles in the country, including local warlords and tribal chiefs. They do so by using their position to protect themselves and other people from legal action that could arise from the practice. A documentary by Afghan journalist, Najbullah Quraishi (2010) shows that the commercialization of bachas even goes to the extent of competition within the *bacha bazi* industry. The aesthetic possession of beautiful and effeminate young males can be a symbol of power, power, and masculinity even in conservative societies such as Afghanistan where men and women are isolated from each other. The owners of these unfortunate victims often fight over the good of their products.

These issues have been further highlighted with the continued conflict and violence in areas where *bacha bazi* thrives. Following the US invasion in 2001 the former mujahideen (Afghan freedom fighters) began to re-emerge once again and revived the practice of *bacha bazi* even though it is illegal and criminalized during the Taliban's rule. After that paedophilia was prevalent in the *bacha bazi* tradition. The environment is ripe for human rights violations in the postwar period because it is a period during and after protracted conflict where chaos is the order of the day. Children are generally exposed to exploitation when there is social and institutional instability.

The *bacha bazi* issue is often relegated to the bottom of the priority scale even at the regional and global levels due to the continued distractions from other political and security issues like those of political stability in Afghanistan. Misra explains how a state of almost lawlessness and war-like enmity in Afghanistan has developed into their own sex politics (Misra, 2022). It is the only exploitation of an older man with power and two pre-pubescent or adolescent boys for a sexual relationship. In most cases of sexual power, the young boy is the person who receives penetration and is the passive and not the one who gives penetration. The large phallus raping other men and particularly boys in his penis but not considered gay nor his gay acts as effeminate but 'macho'.

A 2015 article by The New York Times entitled "US Soldiers Told to Ignore Sexual Abuse of Boys by Afghan Allies" touches on the reality of the intersectionality of gender, security, and human rights by highlighting the context of international intervention. The inadequate elimination of *bacha bazi* from the Afghan military sector highlights the need for a systematic approach that includes gender considerations in security and development plans to guarantee human rights, especially of the vulnerable (Goldstein, 2015). It also underscores the importance of involving marginalized voices in both academic scholarship and policy-making processes.

Such examples still depict the aftermath of war and how it causes an increase in violence and abuse against women. The issue of whether to maintain strong traditions or to stand up for human rights is reflected in the decision of the US military to stay out of the *bacha bazi* controversy. Several ethical questions also arise on how foreign countries should try to address the problem of violence and injustice against women in host countries. This case also portrays the multifaceted nature of the *bacha bazi* issue in Afghanistan where men in powerful positions are entitled to take weaker men of their choice as sex slaves (e.g.

cultural leaders, militia warriors and police officers rape youthful boys). Evidence that the American military's strategy is to ignore Afghan allies' crimes even when they take place on base is as follows.

Long-standing cultural heritage traditions and political conflict/instability in preserving *bacha bazi* are interrelated as it may be difficult to change long-standing norms, especially amidst the Afghan crisis of the last few decades. The patriarchal culture of hegemonic masculinity justifies *bacha bazi* as a sign of male power and status. In addition, patriarchy also helps preserve and protect the normalization of oppression of women and children as a "culture" or "tradition" making *bacha bazi* further normalized by patriarchal rules in Afghan society and is considered the domain of men.

Essar et al. (2021) argued that feelings of guilt rooted in culture and religion have hindered *bacha bazi* danger awareness programs. Ironically, patriarchy and heteronormativity in Afghanistan fail to protect men from sexual harassment. Sexual harassment and all forms of violence alone are stigmatized everywhere. In a culture a deep-rooted patriarchal system, men who are thought to be powerful and controlling become stigmatized and taboo when they become victims because they tarnish the role of male masculinity.

4.4. Policy and Laws towards *Bacha Bazi*

Sharia Law or Islamic Law is the source or basis of the legal system in Afghanistan, and it clearly condemns and strictly prohibits the practice of sodomy (Franks et al., 2014). The existence of *bacha bazi* was still considered and underestimated by the law and constitution until finally in 2017, Afghanistan's law and criminal code included specific provisions and clear definitions related to *bacha bazi*, but only for the prevention of rape practices in the country. In fact, as explained in the previous section, this practice is not only related to sexual abuse and exploitation of boys and is something much more (Erdogdu et al, 2016, as cited in Gevorgyan & Matevosyan, 2023). In this regard, Afghan law has not effectively addressed the legal provision and restraint of crimes related to the practice of *bacha bazi*.

Specific provisions related to the practice of *bacha bazi* that were amended in 2018 in the penal code - which came into effect in February 2018 under a Presidential Decree - were included in the fifth chapter, "Leading Children to Moral Perversion" addressing the issue of *bacha bazi* and offenses related to the practice of child sexual abuse and exploitation (Ministry Of Justice, 2017). The forms of criminal offenses referred to in the article include the maintenance of boys for sexual gratification and/or entertainment such as dancing; training boys to become *bacha bazi*; making boys dance for exploitation; organizing and/or participating in *bacha bazi* events; and engaging in the forced consumption of illegal drugs on boys in which are punishable up to 7 years imprisonment.

According to a 2020 report from The United Nations Assistance Mission in Afghanistan (UNAMA), reports of *bacha bazi* crimes continue to exist even though legal provisions governing *bacha bazi* have been in effect in the Criminal Code since 2018. Even from the report, it is also known that the practice of *bacha bazi* is mainly carried out by state apparatus, namely the Afghan National Security Forces (United Nations Assistance Mission in Afghanistan, 2020). From a report made by the United States Department of State (2022), there were 237 reports of *bacha bazi* cases referred by the Afghan Ministry of Interior in the

2020-2021 time period. Of these reports, only 80% were investigated and only 19 suspects of *bacha bazi* crimes were prosecuted from four different case reports. It can also be concluded that despite the Afghan government's efforts to enforce *bacha bazi* laws, there is still a tendency towards disregard for the rule of law and official complicity in this practice.

There are new concerns and attention related to the welfare and fulfilment of human rights of children, especially boys, after the government coup by the Taliban in 2021. This is related to the possibility of an increased risk of violence, not only sexual but also the recruitment of child soldiers in the Taliban security ranks. Conditions like these could further threaten the well-being of many, as Meiliana & Mayrudin (2024) highlights that high levels of violence can become a threat to the stability and security of a country or community, triggering further conflict and worsening the security situation. Because of this, the Convention on the Rights of the Child has a very important role in addressing new issues of national and international concern by implementing frameworks and laws for violations of children's human rights (United Nations Human Rights Office of the High Commissioner, 1989).

The United Nations Convention on Rights of a Child (UNCRC) must ensure that the rights and protection of boys in Afghanistan are fully and indiscriminately guaranteed. In line with Afghanistan as one of the countries that ratified the UNCRC and its optional protocols (Adamcheck et al., 2020). All types of practices of crimes against boys in Afghanistan including *bacha bazi* position boys as targets of exploitation and harm, neglecting their well-being and development. This points to a state of emergency and full urgency for the Government of Afghanistan to fulfil its obligation to implement the values of the UNCRC in a fair, effective and comprehensive manner.

It is clear that the existence of *bacha bazi* allowed by the Afghan government is also contrary to the state's obligation to protect and respect the rights of families in caring for their children. As it is known that the practice of *bacha bazi* also includes the practice of depriving boys from their families, which is a violation of children's rights (Akhtar, 2019). State protection of *bacha bazi* practices involving sexual exploitation, neglect and abuse of boys is the full responsibility of the state as required by the UNCRC. As stated in article 34 of the Convention on the Rights of the Child, it is the duty of the state to ensure that every child has the right to protection from all types of sexual exploitation (United Nations Human Rights Office of the High Commissioner, 1989).

The establishment of comprehensive measures to combat crimes against children, such as the sale of children, child prostitution and child pornography, including *bacha bazi*, is provided for in the Convention on the Rights of the Child as clarified in its optional protocol (Gevorgyan & Matevosyan, 2023). It provides an important clarification and basis for addressing specific elements of *bacha bazi* as a form of child exploitation. In addition, preventive measures and awareness-raising initiatives are important matters emphasized in this optional protocol (Jones, 2015). Afghanistan has yet to effectively implement the UNCRC framework and optional protocols in an effort to address *bacha bazi* even though they have ratified the protocol. Limited resources and unstable political conditions hinder the process of Afghanistan's law enforcement and child protection.

5. CONCLUSION

Bacha bazi is carried out at the intersection of gender, sexuality, class, and power dynamics because the cultural practice that also legitimizes it, coupled with the lack of legal culpability, renders it a cycle of abuse difficult to end. Poverty, illiteracy, weak governance, and political instability created an environment where vulnerable boys can be so easily exploited and perpetrators left unpunished. Legal reform must be coupled with psychological, medical, and economic aid must be ensured to tackle the severe psychological trauma, social isolation, and economic disenfranchisement of *bacha bazi* survivors.

Publicity campaigns might serve to balance cultural tendencies and de-stigmatize, but education and economic empowerment must be realized to minimize exposure of at-risk populations. International cooperation and pressure could also be organized to assist governance change and collective action against trafficking. Although intersectional feminism is a useful lens through which both to observe, and to combat, the practice, the dismantling of *bacha bazi* requires long-term commitment at both the domestic and international levels. It not only demands institutional and legal reform but cultural transformation that challenges the exploitation and inequality of the intersecting systems of oppression.

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