

THE ALLEGED EXTREMISM OF THE TALIBAN AND ITS RELATION WITH THE HANAFITE JURISPRUDENCE

Meirison¹

meirison@uinib.ac.id

Abstract

In the fall of 1994, a group calling itself the Taliban endorsed Afghanistan from what it called warlords and criminals. Is that assumption correct? They were seeking to establish an Islamic government according to their interpretation of Sharia. Most Taliban leaders were Mujahideen, while the soldiers were Afghan refugees studying in Pakistani religious schools. The schools are run by the Pakistan Muslim Scholars Association, the conservative wing of the religious, political party, led by Maulana Fazlur Rahman Grim Qazi Hussain Ahmed, the Jamaat al-Islam party leader. Supporter of the Mujahideen. In the discussion of this article, we conducted a literature study and a descriptive-analytical approach after reviewing all the available literature and starting with collecting data holistically and then verifying and analyzing the data, after that, we tried to interpret the relationship between the attitude of the Taliban and the Hanafi school, which is considered to make the Taliban radical. After examining the existing groups and schools, the Hanafi school is not entirely responsible for the extremes of the Taliban because there are also Shia and Ismaili schools that are known to be violent and radical. Even in the past, the Shi'ite Ismaili school acted as assassins and spreaders of terror and killed the rulers. At the same time, the other group is Ahmadiyah and several other Islamic splinter groups.

Keywords: Estermism, Jurisprudence, Hanafite, Taliban,

1. Introduction

The Taliban, which emerged as an influential force during the Afghan civil war following the Soviet invasion, has transformed into the country's most significant political actor over the past 25 years. After the civil war, the Taliban emerged in the turbulent Afghan environment to establish an "Islamic system based on Hanafi jurisprudence" in Afghanistan. Only Pakistan, Saudi Arabia, and the United Arab Emirates recognized the regime established by the Taliban in Afghanistan between 1996 and 2001. When the Taliban came to power, they took strict measures in implementing the "Islamic system" and showed skeptical attitudes towards foreign aid organizations. The Taliban,

¹ UIN Imam Bonjol Padang Lecturer

which emerged as an influential force during the Afghan civil war following the Soviet invasion, has transformed into the country's most significant political actor over the past 25 years. After the Soviet occupation of Afghanistan, which lasted ten years and ended with Soviet forces' withdrawal in 1989, the country witnessed the outbreak of a civil war in 1992 between the Mujahideen groups. The Afghan Civil War dragged the country, which had just emerged from battles targeting Soviet forces, into an environment of conflict and instability.² The political instability that the country witnessed prevented the establishment of state institutions, rebuilding the destroyed infrastructure, and providing educational and health services to citizens.³

2. Method

The types of research used in writing this law are normative legal research that focuses on positive legal norms in the form of laws and regulations, official records, or treatises in making

legislation (primary legal material) as the main material for research and books, expert opinions, mass media, scientific journals, and magazines (secondary legal material) as supporting data. With a descriptive analysis approach and a comparison of several schools and sects in Afghanistan, the author tries to find a relationship between the attitude of the Taliban and the schools of thought or thought they hold, especially in the freedom of women from various dimensions.

3. Discussion

The Taliban emerged in this turbulent environment to establish an "Islamic system based on Hanafi jurisprudence" in Afghanistan. The organization named itself "Taliban," which means "students" because it consists of students who received religious education in the Pashtun-majority areas in the east and south of the country. The Pashtuns are an ethnic group inhabiting southern and eastern Afghanistan, the Northwest Frontier Provinces, the Federally Administered Tribal Areas, and Balochistan Province in western Pakistan. Mullah Muhammad Omar founded the Taliban in September 1994 with 50 students from religious schools in the southern province of Kandahar. A student of Mullah Muhammad Omar, who was educated at the "Sinak Hasar" school in the village of Maiwand, northwest of Kandahar, was among the Mujahideen against the Soviet occupation. A system based on "Islamic principles" was established in the country after the overthrow of the communist administration.

² Siraj Sait and Hilary Lim, *Land, Law and Islam: Property and Human Rights in the Muslim World* (London: Zed Books, 2006), 63.

³ Fayz Muhammad Kātib Hazārah, R. D. McChesney, and Mohammad Mehdi Khorrami, *The History of Afghanistan: Fayz Muhammad Katib Hazarah's Siraj al-Tawarikh* (Leiden ; Boston: Brill, 2013).

The number of members of the movement, which began with 50 people, reached 15,000 after Afghan religious schools joined it.⁴

Taliban control Afghanistan

Accused of supporting and providing a haven for terrorism, Only Pakistan, Saudi Arabia, and the United Arab Emirates recognized the regime established by the Taliban in Afghanistan between 1996 and 2001. During this period, the Taliban protected Saudi billionaire Osama bin Laden, who organized some of the foreign mujahideen who fought against the Soviets in Afghanistan in the 1980s into an international terrorist network called Al-Qaeda.⁵ While bin Laden was planning and directing al-Qaeda's global terrorist actions in Afghanistan, he was at the same time providing financial support to the Taliban. The fighters associated with him were also fighting in the ranks of the Taliban, taking part in the movement's battles. In December 2000, the UN Security Council passed Resolution 1333, which imposed sanctions on the Taliban regime for allowing Afghanistan to be used as a base and haven for Osama bin Laden's al-Qaeda and other groups.

The September 11 attacks and the US occupation

After the terrorist attacks of Al-Qaeda on the World Trade Center towers in New York on September 11, 2001, the United States began the process of occupying Afghanistan through an operation called "Operation Enduring Freedom" on October 7, 2001. The US-led coalition forces and their supporters in Afghanistan under the "Northern Alliance" leadership captured the central provinces one by one. The Taliban withdrew from the capital, Kabul, in November, and from Kandahar, the movement's stronghold, in early December 2001, at a time when Taliban and Al-Qaeda leaders were forced to leave the country. In December 2001, Afghan leaders held a meeting in Germany, known as the Bonn Conference, after the overthrow of the Taliban regime, where Hamid Karzai, who would later be elected president, was elected to lead the Afghan interim government.⁶

The Taliban Reappears on the Afghan Scene

The Taliban movement, which was reorganized under the leadership of Mullah Muhammad Omar after the American occupation, launched a guerrilla war against the Afghan central government and the International Security Support Force (ISAF), which the USA and NATO formed in 2003. The

⁴ Abd Salam Daif, 81, 2015, *حياتي مع طالبان*.

⁵ Daif, *حياتي مع طالبان*.

⁶ James A. Piazza, "The Opium Trade and Patterns of Terrorism in the Provinces of Afghanistan: An Empirical Analysis," *Terrorism and Political Violence* 24, no. 2 (April 2012): 213–34, <https://doi.org/10.1080/09546553.2011.648680>.

movement began to set up flying barriers, ambushes, and lightning raids in rural areas, launched suicide operations in cities and regained control in certain areas since 2006. The international coalition forces had to increase the number of soldiers in the country to confront the increasing strength and influence of the Taliban movement, which led to the number of international forces in the country reaching about 140,000 soldiers under the command of the International Security Assistance Force, 100,000 of whom were American soldiers, between 2009- 2011. On April 23, 2013, it was reported that the leader of the Taliban movement, Mullah Muhammad Omar, had died of tuberculosis in a hospital in the Pakistani city of Karachi.⁷ The United States announced in 2012 that it would end its military operations in Afghanistan as of December 2014 to begin withdrawing its forces.⁸ On December 28, 2014, NATO formally suspended ISAF operations and transferred all security responsibilities to the Afghan government.

On the same day, it was announced that Operation Stabilization Support, led by NATO, continued Operation Enduring Freedom. At the same time, Afghan government forces failed to provide security, and the US withdrawal plan failed. Meanwhile, the Taliban continued its terrorist operations in Afghanistan, while the ongoing clashes in the country resulted in more civilian deaths.⁹

Peace talks

During the era of former US President Barack Obama, the United States tried to enter into negotiations between the Taliban and Afghan governments for the first time to achieve peace in the country. The initiatives launched in 2011, 2012, and 2013 failed, while the negotiations held under the coordination of Pakistan and the participation of the United States of America and China in 2016 did not yield tangible results. After the election of Donald Trump as President of the United States of America in 2017, the negotiations between the Taliban movement and the central government entered a new chapter, and efforts were resumed once again to make them succeed. Afghan President Ashraf Ghani, who has been elected to a second term, has declared that he is ready to negotiate with the Taliban in early 2018. Ghani also promised to recognize the Taliban as a legitimate political party and release imprisoned members of the movement. At the same time, the Taliban

⁷ Doohwan Ahn, "From Greece to Babylon: The Political Thought of Andrew Michael Ramsay (1686–1743)," *History of European Ideas* 37, no. 4 (December 2011): 421–37, <https://doi.org/10.1016/j.histeuroideas.2010.12.005>.

⁸ Marc Haber et al., "Afghanistan's Ethnic Groups Share a Y-Chromosomal Heritage Structured by Historical Events," ed. Manfred Kayser, *PLoS ONE* 7, no. 3 (March 28, 2012): e34288, <https://doi.org/10.1371/journal.pone.0034288>.

⁹ Daniel Byman, "Does Al Qaeda Have a Future?," *The Washington Quarterly* 42, no. 3 (July 3, 2019): 65–75, <https://doi.org/10.1080/0163660X.2019.1663117>.

responded by rejecting Ghani's offer, arguing that they wanted to negotiate directly with the United States for peace, not with the Afghan government. On February 25, 2019, representatives of the Taliban and the United States met for the first time as part of peace negotiations organized in the Qatari capital, Doha.

After completing the eighth round of the talks between the United States of America and the Taliban movement on August 12, 2019, it was reported that the parties were close to achieving a "historic agreement." The US President's Special Representative for Afghanistan, Zalmay Khalilzad, announced an agreement between the two parties in September 2019. The deal was awaiting President Trump's approval. However, Trump delayed signing the contract after an American soldier was killed in a terrorist attack in Kabul on the same day. Negotiations between the United States and the Taliban resumed in December 2019, resulting in a de facto ceasefire. At the end of the seven days of February 22, 2020, a peace agreement was signed that offered hope of ending decades of fighting in Afghanistan. And on Saturday, February 29, a signing ceremony took place in the Qatari capital, Doha, between the United States and the "Taliban" movement, paving the way for establishing peace and ending the war in Afghanistan. The Taliban movement took control of the center of Kandahar Province on October 3, 1994, with a surprise attack, while some allegations indicated that Pakistan, which hosts religious schools that provide human resources (fighters) to the group, has been the most important supporter of the organization since the beginning of its establishment.

By the beginning of 1995, the Taliban, who now controlled 12 Afghan provinces, surrounded the capital, Kabul, while the forces of the interim Afghan government, led by Defense Minister Ahmed Shah Massoud, repelled the movement's first attempt to control the capital. Despite the heavy losses incurred by the movement, the Taliban returned and gathered its forces to launch a new offensive next year to seize the capital. On September 26, 1996, Shah Massoud's forces retreated to the north towards the Hindu Kush mountains to organize the activities of the resistance against the Taliban, in light of the advance of the movement's elements towards Kabul. The next day, the Taliban took control of Kabul and ended the existence of the interim government, declaring the establishment of its state under the name "Islamic Emirate of Afghanistan." At this very moment, Afghanistan was mired in chaos and instability due to the armed conflicts going on for nearly 20 years. By 1998, the Taliban managed to control 90 percent of Afghan territory when the country did not have enough water and electricity. The deterioration of infrastructure and the collapse of the telecommunications and transportation sectors. The land was facing a real dilemma in meeting the citizens' basic needs, such as shelter, food, and medicine.

Meanwhile, the long years of civil war, which killed nearly a million civilians and left about 100,000 widows, shook the country's social structure based on family and tribal solidarity. Because of difficulties in accessing primary health care, infant mortality rates have reached the highest rate globally, at 25 percent. One in four children born in the country died before reaching the age of five. The Afghan people faced real crises during that period when they were in dire need of humanitarian aid provided by UN organizations and foreign NGOs. When the Taliban came to power, they took strict measures in implementing the "Islamic system" and displayed skeptical attitudes towards foreign aid organizations. In the summer of 1998, the Taliban closed the offices of all foreign humanitarian aid organizations and United Nations agencies in the country, while the United Nations accused the Taliban of "preventing the delivery of food aid to some 160,000 starving civilians."

Since the Taliban movement arrived in Kabul, and it has had complete control over most of Afghanistan, and there is no talk of anything but the Taliban, it is between deep support for it, or a deep slander in it, like many of our political issues in our Arab and Islamic world, unfortunately. What is remarkable is the daring of some to talk about a file of which they are not aware neither in terms of its information, nor its history, nor foreseeing its future. Their doctrine is Hanafi Matriddi, in terms of jurisprudence and belief, which does not meet with Wahhabism in terms of the scientific principle, so let us not mind what is confused in other discussions. And among them are those who put them with the Muslim Brotherhood and ISIS in one basket, and that all Islamists are one sect, all of them are equal, whether they rule with the selection box, or they reach rule with the ammunition box by fighting the occupier of their country, as in the case of the Taliban, this is how the generalization is made, without any consideration or respect for any scientific standards.¹⁰

Many do not learn from time, nor events, and remain captive to his illusions, and confined to his ideas that do not start from correctness and are not based on a rational vision, so he rushes to support or reject absolute, both of which stray from correctness, and the first thing here is to look at the stakeholders, who are the Afghans themselves, their vision of their future, their position on what is going on on their land and in their country, Then campaigns and discussions of concern over freedoms in Afghanistan, fear, and panic for Afghan women, and how the Taliban will impose on citizens and foreigners the veil in public places, and it was evident that people think about the future of freedoms in any country whose system of government changes,

¹⁰ Tejendra Pherali and Arif Sahar, "Learning in the Chaos: A Political Economy Analysis of Education in Afghanistan," *Research in Comparative and International Education* 13, no. 2 (June 2018): 239–58, <https://doi.org/10.1177/1745499918781882>.

even if it changes for the better. But this concern for independence was not found by the same people worried about it in Afghanistan. Tunisian President Kais Saied dissolved the Tunisian parliament, arrested politicians on military charges, and put all the authorities in his hand. As for women's liberties, those whose necks are now bulging with concern for Afghan women are the same ones who defended France's decisions to ban the headscarf from universities and schools, and they called: that whoever wants to live in a country should observe its laws and public order, and they are the ones who justify some of the summer places and the beaches in Arab countries when they prevent those who wear the burkini from disembarking and that the beach dress adopted by them is the bikini as if the freedom of women is contingent only on khula, not clothing, and we are against imposing khula or dress on anyone, but here we are discussing this blatant contradiction in attitudes.

What is remarkable about all these discussions on social networking sites or other sites: that no one cared to ask the Afghan people themselves, poll their opinion, or stand on their position on what is happening on their land and in their country, are they for or against? And no one thought to care about the future of these people within the framework of his position. Everyone was interested in having a place on the Taliban and its rule for the Afghans. Still, he did not care about the position of the condemned, or the mechanism by which he will rule, and whether it suits him or not. It is the same position that the American occupation practiced when He raided their country militarily and caused tragedies and devastation, never to think about the condition of these citizens.

This is what happened before the time of America's war on Afghanistan under the pretext of the events of September, and that Al-Qaeda was behind it, and whether the accusation was true or not, and there was a war in which the Afghans had no hand as a country, consuming everything and everything. Yet, the world only moved its free people for the sake of Preventing this war and standing against it, but to no avail. When the Taliban demolished the Buddha statues, international bodies sought to negotiate with the Taliban to save what remained of these statues, which prompted the Afghan people to wonder: Which is first: the stone or the people? ?! Unfortunately, many do not learn from time, nor events, and remain captive to his illusions, and confined to his ideas that do not start from the right and are not based on a sane vision, so he rushes to support or reject absolute, both of which stray from correctness, and the first thing here is to look at the stakeholders, who are the Afghans themselves And their vision of their future, and their position on what is going on on their land and in their country, and looks at the experiences of history and reality, to learn from them what benefits him for his present, as well as his foresight for his future.

The Taliban movement embraces the Hanafi school of jurisprudence, which is its reference from which its rulings are issued on significant and complicated subsidiary issues. It is the official doctrine in all of Afghanistan and the surrounding countries. The application of its provisions characterizes the Taliban in dealing with the branches of the Hanafi school, and it is consistent with the general treatment of non-Arabs belonging to the doctrine.

Discussion

It is frequent in various media outlets to describe the Taliban movement as "militant." However, in its publications and statements by its spokesmen, the movement declares its commitment to the decision in the Hanafi school in its application of jurisprudential rulings, which is one of the four schools jurisprudence adopted by the Sunnis, which together constitute the considered jurisprudential reference. Since the emergence of doctrines to the present day. Last week, the movement announced the formation of the caretaker government.¹¹ In its statement later Wednesday, it said that "the members of the new government, which will begin its duties soon, will make every effort to implement the legal provisions and positive laws in the country." Earlier last month, the movement announced the establishment of the Islamic Emirate of Afghanistan. The movement's spokesman, Zabihullah Mujahid, said in a tweet on "Twitter": "The Taliban's announcement of the establishment of the emirate coincides with the 102nd year of Afghanistan's independence."

It is clear that the movement determined its system of government in the Islamic Emirate and announced that the caretaker government that it formed would seek to implement the legal rulings, according to what is known about the movement of its commitment to the Hanafi school, so if the Taliban base their understanding and applications of the legal rulings on the decisions of the Hanafi school, then why is it described Hardcore widespread? The movement's description of extremism raises questions about the attitudes of others regarding the application of legal rulings if they violate people's familiarities, customs, and traditions, which leads them to describe any experience in this context as extremism.

However, according to legal researchers, adherence to the four schools of jurisprudence as the considered jurisprudential reference requires the protection of those committed to it from charges of extremism and extremism. Also, describing extremism in the application of legal rulings is shrouded in a great deal of confusion and ambiguity, according to Dr. Hassan

¹¹ Vaḥīd Muzhdah, *Afghānistān va Panj Sāl-i Sulṭah-'i Ṭālibān*, Chāp-i 1 (Tih-rān: Nashr-i Nay, 1382), 89.

Shamout, professor of Islamic jurisprudence at Jerash Private University in Jordan, who asked: "What is meant by strictness? On what means of dialogue and acceptance of the other is extremism?"

He added: "Who determines whether what the Taliban is doing is considered extremism or not? Is the criterion subject to Sharia rules and regulations presented to Sharia specialists, so they considered this extremism? Or is it subject to whims, looseness, and distance from the religion some are accustomed to? And this shows that When they are ordered to submit to Sharia law, they consider its extremism." Shammout continued his talk to "Arabi 21" by saying: "The application of God's law is not considered strict in any case. Rather, the point of the matter is that it sometimes requires a legal policy and knowledge of the rules and principles of calling to God, so it is not enough to call for the application of God's law.¹² Without knowing the rules and regulations governing this, in addition to working in the spirit of the legislation." He explained that "it is necessary to differentiate between two basic matters, the first of which is related to public order and the laws that regulate state affairs.¹³

This is considered extremism regarding personal matters unrelated to public issues if people are forced to do it. Concerning worship, the case is left to individuals to worship God according to their chosen doctrine. Professor of Islamic jurisprudence, Shamout confirmed that "the follower of Islamic history knows all about that the four sects of jurisprudence have never called for extremism or the rejection of the other. Rather, the imams of those sects, may God have mercy on them, have given us the most wonderful examples of tolerance and facilitation, how not and they are Islamic schools of thought apply the provisions of the Noble Qur'an and follow the Sunnah of the Prophet PBUH, and Islam in its rulings is a religion of mercy and facilitation for people, regarding the cases described as extreme, Shamout pointed out that "they are individual errors, which cannot be attributed to the sects, and the Hanafi madhhab was an official doctrine adopted for Islamic countries.

throughout the ages since the Abbasid state until this day, and its application was a living example of coexistence between Muslims and others, and many of the Laws in most Islamic countries are derived from it, such as civil law and personal status law in terms of the sentence, so if there appears from the Taliban or others who adhere to the jurisprudential doctrine some extremism, then the error is in the application, not in the origin of adherence to the doctrine. For his part, Professor of Islamic Jurisprudence and its

¹² Srinjoy Bose et al., *Youth Protest Movements in Afghanistan: Seeking Voice and Agency*, 2019, <https://purl.fdlp.gov/GPO/gpo147737>.

¹³ Antonio Giustozzi, ed., *Decoding the New Taliban: Insights from the Afghan Field* (New York: Columbia University Press, 2009).72

Fundamentals at Dar Al-Hadith Al-Hassaniya for Higher Islamic Studies in Morocco, Dr. Al-Naji Lamin, said: "The Taliban movement follows the Hanafi doctrine, which is a culture that is contrary to modernity and competing with it, and was followed by half of the Muslims, and the Ottoman Caliphate, which was Enemy No. 1 of the West. And he added, "It is not surprising that they describe the Taliban movement as extremist because modernity does not tolerate disagreement, and followers of sects keep people away from extremism and extremism.¹⁴

For them, killing (and every punishment) is specific to the rulers, and they do not carry weapons without the permission of the ruler unless the enemy raids their land, and therefore they will not You will never find among the movements that call themselves (jihadi) Hanafi, Shafi'i, Maliki or Hanbali." And Lamin continued to "Arabi 21": "The West knows this well, for a simple and uncomplicated reason, which is that countries followed the sects, and a civilization was built with which there is no like in human history," wondering: "How can sects be strict and then build a civilization in a patch of land?" A ground on which the sun never sets but a little?

In turn, the Moroccan academic, a researcher in Islamic thought, Dr. Hafeez Harous, explained that "extremism in religion is usually defined as exaggeration in the implementation of legal rulings in excess of the legitimate limit, but this definition also overlooks the fact that clinging to the literal application of rulings without taking into account the purposes, contexts, and outcomes is It's kind of tough, too." He added: "There is no doubt that adherence to fiqh doctrines is immune from both types of extremism, because it protects the adherent of their rulings from the literal and apparent implementation of the texts, as we find that clear with some currents that claim to escape from the restrictions of sects because the origins of the jurisprudential schools and their jurisprudential perceptions are exerting the effort to sew the texts altogether.

From rules and controls to understanding the text, it also considers the reality, conditions, and returns when downloading it. He continued: "For this reason, the jurists of the sects throughout the ages were not only satisfied with the jurisprudential codes that prescribe general rulings, but also paid close attention to the calamities and jurisprudential fatwas that pay great attention to special circumstances, and diagnosing evidence." In response to a question by "Arabi 21" about the Taliban movement's description of extremism despite its reliance on an apparent jurisprudential reference, the Hanafi school, Haros said: "The truth is that the popular image of the

¹⁴ Stevan Weine et al., "Addressing Violent Extremism as Public Health Policy and Practice," *Behavioral Sciences of Terrorism and Political Aggression* 9, no. 3 (September 2, 2017): 208–21, <https://doi.org/10.1080/19434472.2016.1198413>.

movement goes back primarily to its first experience in governance, an experience that was characterized by clear strictness in understanding and applying what She calls it the rulings of Sharia, although many of these rulings are ijihad, and even some of them are abnormal jurisprudential 10-19% of the population adheres to the Shi'ite sect, most of them are Twelvers who belong to the Hazara tribe, who were found in abundance in Hazara Jat in central Afghanistan and Farsiwan in Herat Province. They are also found in small numbers in Bamiyan Province, Kabul, Kandahar, Ghazni, and Mazar-i-Sharif. Most Shiites enjoy residing in urban areas and have successful small businesses, among the gains of their early involvement in education in the fifties.¹⁵

Shiites began to participate in politics during and after the Soviet invasion. Shiites gained political awareness since they were university students in the sixties and seventies and formed the seed of the nucleus of the Afghan Maoist movement. In 1978 the Shiite Mujahideen groups waged jihad and fought for control of Kabul until the Islamic State was declared in 1992. Still, the Shiites failed to be a problematic figure in Afghan politics after that.

Sufism

Sufism has some influence in Afghanistan, both in urban and rural areas, especially among the middle class. Sufis belong to 3 schools: the Naqshbandi in Bukhara, the Qadiriyya in Baghdad, and the Chishti in Herat. Among the Naqshbandis is Ahmad al-Faruqi al-Kabuli, born in Kabul, who became famous during the reign of the Mughal Emperor Jalal al-Din Akbar in the sixteenth century. Another famous Qadri was Maulana Vaizani, who was very prominent in the sixties and seventies as he was a venerable theologian and anti-communist. Imprisoned in the mid-seventies, and when the People's Democratic Party took power, Faizani disappeared, and no one heard of him after that. The Chishti was founded by Mawdud Al-Jesti, who was born in the 12th century in India. The Gestion is concentrated on the banks of the Hari River in the towns of Obi, Karuk, and Chishti Sharif.

Traditionally, the Chishtite remained aloof from politics, although they were actively involved in the movement to resist the Soviet invasion. Herat's city and its suburbs contain the most significant number of Sufis, as they are associated with the presence before the shrines and shrines, as they are located in northern Afghanistan, especially in the city of Kunduz and the state of Faryab. Most of the Sufis in Kabul and Mazar-i-Sharif belong to the Naqshbandi, while Qadirdis are found with the eastern Pashtuns in the states of Wardak Paktia and Nangarhar, while the Chishti are concentrated on the banks of the Hari River.

¹⁵ Ḥusām al-Dīn Imāmī, *Afghānistān va Żuhūr-i Ṭālibān*, Chāp-i 1 (Tihṙān: Nashr-i Shāb, 1999), 71.

There are no Shi'a mystics, but the descendants of the Prophet Muhammad are highly respected. There is great hostility between religious scholars and Sufi sheiks. Many Sufi leaders are considered religious scholars, and many religious scholars are close to the Sufi community. The Sufi leader possesses the dignities and spiritual authority of God, and thus they are an effective popular force and distance themselves from worldly matters. Despite the stable status of Sufis in Afghan society, many Sufi leaders were executed between 1978 and 1979 in the wake of the communist revolution, most notably Baha al-Din Jan

Ismailia

The Ismailis accepted Ismail as the seventh imam instead of Musa al-Kazim, as the successor to their father, Jaafar al-Sadiq. The Ismailis constitute a small percentage of the total Shiites in Afghanistan. They are found in abundance in the eastern Hazara Jat in the Baghlan region north of the Hindu Kush between the Tajik Badakhshan Mountains and the Wakhan Corridor. The Ismailis are made up of different ethnic groups and suffer from deplorable economic conditions. Although the Ismailis in northern Pakistan oversee social welfare programs in hospitals, schools, and cooperatives, their counterparts in Afghanistan have a minimal social role. The Ismailis follow their leaders without thinking as the leader of the Ismailis, Sayyid, belongs to the Kayan family who resides near Doshi, a small village located north of Salang Pass in central Baghlan Province. During the Soviet-Afghan War, the family had a significant political presence.¹⁶

Ahmadiyya

The Ahmadis are a sect who believed that the founder of their sect, Ghulam Ahmad al-Qadiani, was the Awaited Mahdi. All Islamic sects disavowed this nascent sect. Therefore, after 12 years of Ghulam's claim, Ahmadis were stoned to death in Kabul in 1901, 1903, and in the twenties. King Amanullah issued a decree in 1924 that affiliation with the Ahmadiyya sect is a capital crime.¹⁷

He mentioned the most important manifestations of this extremism in that experience, such as obligating detailed doctrinal rulings that are the subject of disagreement, such as the prohibition of photography and music, "which not only confirms the abhorrent fanaticism of a particular

¹⁶ Richard Tapper, "Tribe and State in Iran and Afghanistan: An Update," *Études Rurales*, no. 184 (April 7, 2009): 33–46, <https://doi.org/10.4000/etudesrurales.10461>.

¹⁷ Tapper.

jurisprudential doctrine but is also an explicit violation of some general rules, such as the lack of denial in matters of jurisprudence—and taking into account the difference, among them is also, as Harus says: "The state's adoption as a means to this obligation, and for this, the most prominent ministries in the first Taliban experience in governance were the Ministry of Enjoining Good and Preventing Vice, which was entrusted with monitoring compliance with Islamic behavior in the country as understood by the movement, which is what gave this application An ideological dimension that casts society in a specific color, including public appearances and dress (a beard for every citizen, and a charged for every citizen), according to some of them."

Also, one of the most important manifestations of this extremism in the first Taliban experience, according to Harus, is "a failure to take into account the interests and achieve the goals and outcomes when the rulings are revealed. Therefore, the movement insisted on demolishing the statues of Buddha based on the general jurisprudential ruling with great neglect, both of the various historical applications of this ruling that was manifested in the manifestations of tolerance with the presence of these statues during the first conquests, or the bad outcomes of this literal application of judging the image of Islam and Muslims today, as well as Muslim minorities in some countries that sanctify these statues, according to the Moroccan academic and researcher Haros, "the manifestations of extremism in the movement have many explanations, the most important of which are two; Obsession with modern sciences, as Mawlawi Hafizullah Haqqani, explained in his book on the movement, and the second is the environmental background in which the harshness of nature played a major role in the production of the conservative and deeply religious Afghan character.¹⁸

He concluded his speech by pointing out that "the problem is not with adherence to a particular jurisprudential doctrine, but the problem lies in the way of understanding and implementing that doctrine, so we hope that the movement will benefit from its first experience and correct its mistakes, especially since we see in the statements of its leaders a degree of maturity and progress."¹⁹

3. Conclusion

Less than twenty years after its fall in Afghanistan after the American invasion, against the background of the September 11, 2001 incident, the Taliban terrorist movement returned once again to the forefront of the Afghan scene after taking control of the presidential palace and several

¹⁸ Muzhdah, *Afghānistān va Panj Sāl-i Sulṭah-'i Ṭālibān*.

¹⁹ Weine et al., "Addressing Violent Extremism as Public Health Policy and Practice."

important sites in the country, after a short period From the exit of the American forces that have been there since the invasion. The Islamic movement for students of religious schools known as the Taliban (plural of the word student in the Pashto language) originated in the province of Kandahar (southwest of Afghanistan) on the border with Pakistan in 1994, at the hands of Mullah Muhammad Omar Mujahid (1959 - 2013), and was helped by religious school students who pledged allegiance to him as their emir in 1994.

Most of the Taliban belong to the Pashtun nationalism, most of whose people are concentrated in the east and south of the country. They represent about 38% of the Afghan population, which is about 39 million people. The Taliban is a Sunni Islamic movement that embraces the Hanafi school of thought and considers the Sharia ruling in its doctrine as a single ruling that cannot be taken or rejected around it. Hence, the implementation of the legal rulings of the Taliban - even if some other schools or opinions contradict them - is a religious duty that must be implemented. The Taliban emerged primarily from the womb of grinding civil war in Afghanistan that followed the withdrawal of the Soviet Union from the country, and the name "Taliban" is believed to come from the fact that many of the members were students in Afghan and Pakistani madrasas or religious schools.

Mullah Muhammad Omar, who later became the founder of the movement, was disappointed that Islamic law was not adopted in his country after the end of the Soviet intervention, and he gathered 50 students, pledging to rid Afghanistan of warlords and criminals and restore order, peace, and security to the war-torn country. With the support of Pakistan, the group overgrew and began to seize cities and provinces, and the "Taliban" captured Kabul in 1996, and by 1998 controlled 90% of Afghanistan. The Sunni Muslim group imposed strict rules. Women were required to wear a headscarf from head to toe, they were not allowed to study or work, they were forbidden to travel alone, and television, music, and non-Islamic holidays were banned.

The matter appeared in the Taliban in a remarkable way, as it worked to download the rulings on the ground more than twenty years ago when it ruled in a way that lacked much political wisdom, jurisprudential flexibility, and intentional capacity, and this raised fears in the hearts of many of the repetition of the new and harsh Taliban experience after the recent victory, but That this fear should not lead to the issuance of prejudices as long as the movement has not yet exercised the rule. The application of Islamic Shari'ah, especially to the style of women's dress, has made the Taliban considered extreme, which is influenced by the Hanafi School. However, each Sunni and Shiite school is not far from the school adopted by the Taliban.

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