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**THE TALIBAN'S PHILOSOPHY OF GOVERNANCE:  
SHARIA, CUSTOM, AND TRIBALISM**

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**Abstract.** This article explores the worldview, religious ideology, and the underlying philosophical foundations of governance espoused by the Taliban movement, which returned to power in Afghanistan in August 2021 after a two-decade absence. Not only Islam, but also the tribal code of the Pashtun nation called «Pashtunwali» influenced the formation and existence of the Taliban as an organization. Our study will also address this issue in detail and discuss its impact on the Taliban. The majority of article is devoted to analyzing the political philosophy of the Taliban based on the work «The Islamic Emirate and Its System» by Abdulhakim Haqqani, the current chief justice of Afghanistan and a religious expert of the Taliban, published in 2022. The aforementioned book considers the system of the first four caliphs as a model for establishing power in modern Afghanistan. For example, the work states that the emir must be a Muslim, male, sane, pious, just, and a mujtahid scholar according to the madhhab. It also states that a true leader must possess courage, political foresight, and high competence, and must be capable of conducting caliphate affairs. Such characteristics are similar to the requirements for a caliph or imam in medieval Islamic political law, which indicates that the Taliban seeks to present itself as the legitimate successor to the traditional Islamic system of governance. The book also discusses topics such as what the state created by the Taliban should be like, the way the emir is appointed, the process of governing the state, the shortcomings of modern democracy in relation to the Islamic system, and the issue of women. This work is not an official document or doctrine of the Taliban on governing the country. However, since the book was written by a high-ranking figure like A. Haqqani and received official support, it is considered a very valuable source for understanding the Taliban's system of power and philosophy of life.

**Key words:** Taliban, pashtunwali, A. Haqqani, religion, emirship, politics, deobandia, sharia

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## **Introduction**

If we look at the ideological basis of the Taliban movement, we can see that its religious foundation was influenced by the religious ideology of the Darul Uloom Deoband madrasa, which was founded in 1867 in the Indian city of Deoband. The aforementioned madrasa system was established in order to preserve the religion and teachings of Islam among Muslims in the Indian subcontinent at that time. The Deoband system adheres to the conservative direction of the Hanafi school of thought. Deoband organizations and scholars had a great influence on the formation of the Taliban movement in the nineties of the last century. The Taliban can also be called the political manifestation of Deobandism in Afghanistan. However, it is worth noting that the Taliban have moved away from the tradition of interest in knowledge and the pursuit of innovation in Deoband culture. For example, for the Taliban, any suspicion is a sin, and any dispute is blasphemy. They also have very little knowledge of Islamic history, Sharia and the Quran, and the ideological changes and political phenomena that have occurred in the Muslim world throughout the twentieth century [1, p. 154]. In other words, the Taliban adhere to a more rigid line of Deobandi religious ideology. This is especially evident in the Taliban's views and policies towards women. The Taliban seem to view women as triggers for sins such as adultery and social disruption. The Taliban are so sensitive about the issue of women that they are ready to impose prohibitions on them that have no basis in Sharia. For example, they believe that not only women's bodies but also their voices are considered haram. In this regard, shortly after coming to power for the second time, they banned women from speaking and singing loudly in public places [2]. Although Afghanistan may seem far from Kazakhstan, it is worth remembering that Afghanistan is our neighbor through Uzbekistan on one side and Turkmenistan on the other. Especially after the Taliban regained power in Kabul in August 2021 after 20 years of exile, the world's attention has turned to Afghanistan again. It is clear that the instability and socio-economic crisis in Afghanistan initially worried neighboring Central Asian countries. Moreover, there is evidence of a resurgence of radical groups there after the Taliban returned to power. For example, the June 2023 report of the United Nations Sanctions Monitoring Group states that about 20 terrorist groups in Afghanistan have freedom of action and are taking advantage of the instability in the country. Extremist organizations that previously took refuge in Afghan territory were limited to making angry statements about Central Asian countries, but now they have found an opportunity to move from words to deeds. On the one hand, this situation also shows that the Taliban are unable to fully control all parts of Afghanistan [3, p. 149].

The official authorities of Central Asia seem to have immediately understood that the Taliban have come to Afghanistan for a long time, and accordingly, there is no point in fighting or arguing with them. In this regard, we can say that the current policy of the Central Asian states towards Afghanistan is based on pragmatism and economic interests [4, p. 5]. Although they do not officially recognize the Taliban regime, the countries of the region have shown

their readiness to work with it [5, p. 29]. Kazakhstan, Uzbekistan, Kyrgyzstan and Turkmenistan have taken a common position on recognizing them only if the UN and the international community recognize the Taliban regime in Afghanistan [6].

It is no secret that the dominant perception in Central Asian countries is to regard Afghanistan and the Taliban as savage, backward, and fanatical religionists. However, we cannot say that there are no people who look at them with love and interest. For example, among the religious people of Central Asia, there are those who see the Taliban as the Basmachis who fought against the Soviet regime in the early 20th century. There are also opinions along the lines of «Like the Basmachis, the Taliban fought to liberate their homeland from foreign colonialists, and ordinary Afghans supported them against the Western puppet regime in Kabul. Thus, together they saved their country from the colonialists». There are also those who are interested in the Taliban's measures, such as taking a tough stance on women and punishing criminals according to Sharia law, and who would like to see these things implemented in their own countries. For example, such opinions were revealed in an analysis of comments on articles and videos on a popular news channel in Uzbekistan between 2021 and 2022 [7, p. 3].

The attitude towards the Taliban movement can be positive or negative. However, it is also true that they currently hold power in Afghanistan. We cannot avoid this fact. After the Taliban came to power in 2021, this topic has become more relevant, and research is being conducted on the potential threats facing the region and our country. For example, I. Zhumayev, R. Baygondin and A. Turyntaeva [8] in their articles analyze the Taliban's rise to power in Afghanistan from a political perspective and try to determine the threat it poses to the countries of Central Asia. A. Abdullina and M. Aksakalova [9] examine the relations between Kazakhstan and Afghanistan from a general historical perspective and focus on the trade, economic and social interests between the two countries. In turn, Ye. Tukumov [10] conducts a comparative analysis of the two-year period after the Taliban came to power. He also analyzes the development prospects of the Taliban and Afghanistan. The mentioned literature considers the problems of the Taliban and Afghanistan from political, historical and social aspects. From foreign literature, the work «The return of the Taliban» by H. Abbas [1] opens the way to extensive data. The book carefully discusses the history of the Taliban, its ideological foundations, past and present political structure and plans. In addition, the work «Al-Imara al-Islamiya wa Nizamuha» (The Islamic Emirate and Its System) [11], written by Abdulhakim Haqqani, the chief justice of the Taliban government, can be an indispensable source for understanding the Taliban's theory and principles of governing the country.

However, the ideology and religious beliefs of the Taliban movement are still not fully understood and unknown to us. It is very important to know their worldview, the foundations of their religious structures, the principles of the country's governance system, and their general philosophy of life. In this regard, in order to fill this information vacuum, the article deals with the above-mentioned aspects of the Taliban.

### **Description of Materials and Methods**

This study used qualitative analysis methods. Particularly the religious and ideological positions and principles of governance of the Taliban movement were examined through the methods of textual content and discourse analyses. In the article materials written in different languages including English, Arabic and Russian were used. A book «Al-Imara al-Islamiya wa Nizamuha» [11] authored by Abdulkhakim Haqqani could be considered one of the main sources of the research. Relying on that work Taliban's governance philosophy, its objectives and system were analyzed.

In addition, opinions and reactions in online media, social networks and news sites related to public attitudes in Central Asian countries were reviewed in terms of content. These sources made it possible to determine the nature of public perceptions and religious positions regarding the Taliban regime.

This study aims to evaluate the potential ideological expansion of the Taliban movement into Central Asia by comprehensively analyzing its ideological, religious and philosophical foundations. It also seeks to explain the movement's political discourse and value system by examining its main principles.

### **Results and Discussion**

#### *Taliban and Pashtun mentality*

Pashtunwali, along with religion, plays an important role in the ideological structure of the Taliban. Therefore, in order to fully understand the worldview of the Taliban movement, it is worth dwelling on this concept. Pashtunwali is a code of honor, a set of customs and unwritten laws belonging to the Pashtun tribes. For Pashtun tribes, Pashtunwali rules sometimes take precedence over religion. For example, according to Sharia, four witnesses are required to execute a woman who has committed adultery, while according to Pashtunwali, a rumor about adultery against one woman is enough. Also, while in Islam a woman can become an heir, in Pashtunwali this opportunity is not provided for women [12, p. 154]. In the first census in the history of Afghanistan, conducted in 1979, Pashtuns made up 50% of the population of Afghanistan. Since Pashtuns call themselves Afghans, there is no difference between the words «Pashtun» and «Afghan». The basis of any Pashtun political organization is primarily kinship. For a representative of the Pashtun nation, the family and clan do not cease to play a governing and educational role until the end of their lives. Therefore, no matter what high position a Pashtun holds, he is always bound by the will of his tribe and obliged to heed their opinions. Even King Muhammad Zahir Shah (1914-2007), who ruled Afghanistan for about 40 years, was forced to share power with his relatives [13, p. 2].

The Pashtuns, like nomadic peoples, are especially eager for freedom. They love their nation so much that sometimes this leads them to consider themselves superior to others. Another of their distinctive features is their fighting spirit. Courage and perseverance are very sacred among the Pashtuns. For them, victory in war and death are equally honorable. Therefore, every Pashtun learns how to use weapons from childhood, and then tries not to part with them throughout

his life. Despite their fighting spirit and harshness towards their enemies, they are very hospitable. For the Pashtuns, when anyone sets foot in a village, they become a guest of that village and no one can harm them. Even a poor Pashtun family is ready to slaughter its last chicken for a guest. Some attribute this quality of the Pashtuns to the fact that the Taliban did not voluntarily hand over Osama bin Laden, who became the world's number one terrorist after the terrorist attacks in the United States in 2001, and took refuge in Afghanistan [13, p. 4].

Pashtuns instill in their children the importance of protecting honor from an early age. Therefore, for any Pashtun, especially the honor and shame of the family are considered the highest value. Taking revenge on the person who trampled on it becomes a duty for each member of the family. Interestingly, the process of revenge can last for years. It is quite possible that revenge that has not been taken now will be taken by one of the family members in 10 or 20 years. That is, blood revenge itself is «inherited» from father to son. Due to this characteristic of the Pashtun mentality, even after years have passed, they still have hatred for the English who exploited them in the past. Nowadays, we can say that this hostility has passed on to the Americans [13, p. 6]. Pashtuns educate their children to respect their fellow tribesmen both at school and at home. This characteristic is reflected in the concept of «musawat» (equality) in Pashtunwali. According to musawat, all Pashtuns are equal and brothers to each other. That is, in Pashtunwali, it is important to be modest. It is not acceptable for a person to talk about his achievements and advantages. Historically, the «Jirga» council, which is held with the participation of tribal members, played a key role in resolving issues. Any representative of the tribe, even women, can participate in this gathering. The council is chaired by tribal elders and they make the final decisions. And the most pressing issues regarding the fate of the state are resolved in the «Loya Jirga». Only authoritative Afghans participate in it. For example, during the Second World War, Afghanistan remained a neutral state by the decision of the Loya Jirga [13, p. 7].

The natural conditions of Afghanistan and its geographical location played an important role in the formation of Pashtunwali culture. Throughout history, Afghan land has witnessed the aggression and invasions of foreign countries. This is probably why the Pashtuns distrust of outsiders. And the hot and dry climate of Afghanistan has formed in the Pashtuns a hot temper and harshness towards enemies. Afghanistan is one of the poorest and least developed countries in the world. In turn, poverty has given rise to a culture of asking for «baksheesh» (gifts) for every service, and bribery is widespread among the population and at the state level. In general, the culture of «baksheesh» is not an unfamiliar phenomenon not only in Afghanistan but also throughout the broader Middle East. Pashtunwali has been firmly entrenched in the minds of Afghans for centuries and has been passed down from generation to generation. Thus, the mentality of the Pashtuns was formed. In history, not only Afghans, but also other peoples of the world, including Turkic countries, lived with tribal and tribal concepts. However, in recent centuries, when science and technology have advanced, these concepts have become obsolete in many countries and have lost their former meaning. The



peculiarities of the Pashtuns are that Pashtunwali is still sacred to them, and their mentality based on it has not changed much over the past 300 years [13, p. 9].

*Theoretical foundations of Taliban statehood in the context of the work «The Islamic Emirate and its System»*

In understanding the Taliban's philosophy of state governance, the book «The Islamic Emirate and its System» (Al-Imara al-Islamiya wa Nizamuha) published in 2022 by the Taliban Supreme Court Chairman A.Haqqani can help us. This 312-page work was foreworded by the Taliban emir Hibatullah Akhundzada himself. The book discusses the Taliban's basic worldview and views, as well as the orientations of their domestic and foreign policies in the post-American period. Of course, all of this is based on religion. The book is not an official document or legislative set of the Taliban on state governance, but it can serve as an indispensable work for a closer understanding of them.

As for the author of the book, A.Haqqani, it is said that he was born in 1956 or 1957 in the village of Taloqan, Panjawi District, Kandahar Province. His father, a scholar of Hadith, was his first teacher. He studied at the Darul Uloom Haqqania madrasa from 1976 to 1980. After teaching for about ten years in Pakistan, he returned to his native Kandahar in 1989 after the Soviet withdrawal from Afghanistan. During the first Taliban regime, he taught at a madrasa in Kandahar at the request of Mullah Omar. After the US military operation against the Taliban began, he was exiled to Quetta, Pakistan. There, he founded his own religious school, Darul Uloom Sharqiya. He also had close ties to the Taliban as a sharia judge. He wrote books on Islamic subjects such as Hadith, ethics, and Islamic jurisprudence [14, p. 9].

The aforementioned Darul Uloom Haqqaniyya madrasa, founded in 1947 by Samiul Haq's father, Mawlana Abdul Haq, also played a significant role in the fate of the Taliban. Most of the Taliban leaders graduated from this madrasa. In 1999, at least 8 ministers under the Taliban regime in Afghanistan were graduates of the Haqqaniyya madrasa. Dozens of other «Haqqaniyyas» held positions in the administrative, military, and judicial branches. Samiul Haq himself stated that 90 percent of the Taliban leadership was a graduate of this madrasa [15, p. 373].

In the first chapter of his book, «The Islamic Emirate and Its System», A.Haqqani states that the Taliban's main goal is to establish an Islamic state based on Islamic law in Afghanistan according to the Hanafi school of thought. From this, it can be seen that the Taliban believe that they are a chosen group to carry out the judgment of God on earth, and that only their religious views are correct [11, p. 37]. The book shows intolerance towards minority groups with other religious beliefs. He even accuses followers of the Hanafi school of straying from the foundations of the school. The author argues that giving preference to minority groups prevents the Taliban from achieving its goal of a state. Accordingly, the Taliban should see Muslims of other orientations, such as the Hazara Shiites, as a threat to their power. In this regard, the author considers it appropriate to cite the Ottoman Empire as an example. In his opinion, the Ottomans were weakened because they gave preference to minority nationalities in legal matters [11, p. 37].

In his book, A. Haqqani writes that there are two types of states in the

world: «Jibaya», which aims only at enrichment, and «Hidaya», which follows the path of Allah, which calls to good and forbids from evil. According to him, most of the states in the world today aim only at enrichment. And the countries that follow the guidance are above all. The main condition of the Islamic state is that everything is subordinated to the rules of Sharia. Because the law of Allah provides for all the needs of people, small or large [14, p. 10].

The author notes that the leaders of Muslim states in history have been called by such titles as «Caliph», «Sultan», «Amir-ul-Mu'minin», «Malik», and writes that the most appropriate of these is «Amir-ul-Mu'minin», because majority of the first four caliphs preferred to call themselves that way. Accordingly, the highest position in the Taliban system, that is, the head of state, is called Amir-ul-Mu'minin (Amir of the Muslims). Every person in Afghanistan must obey him unconditionally, and anyone who does not obey is subject to death. The Amir of the Muslims must be chosen by a committee of influential and just people, as was the case during the first four caliphs. However, the author does not mention that the four caliphs were chosen in different ways, and which way should be followed here. An important part of the book covers the duties of the current Amir of the Muslims, following the example of the first four caliphs [11, p. 51]. A. Haqqani writes that the main duty of the Amir in an Islamic state is to ensure that the Sharia laws are fully implemented in the country. This is because in Islam, the source of political power is Allah. The Amir is only His servant. Anyone who does not govern or live according to the law of Allah is deemed to have left the fold of Islam – and this ruling applies equally to the leader. If he deviates from the laws of Sharia, it is the duty of Muslims to oppose him and overthrow him. According to the author, this is the difference between a state governed by Sharia and a democracy. Because in the second case, whatever the majority says will happen. They do not have any sources like Sharia law to rely on and base themselves on [11, p. 27].

According to A. Haqqani, Islam encompasses all aspects of life, including governance and politics. That is, politics is not a new phenomenon for Islam. Here, he cites the example of the Prophet Muhammad, who was not only a messenger but also a leader who led the country and organized campaigns. Later, his path was continued by the first four caliphs, Abu Bakr, Omar, Uthman and Ali, and these periods can serve as the best examples of governing the Islamic state [14, p. 12].

It is noticeable that A. Haqqani was influenced by the doctrine of governance (imamism) of Sunni Islam. The theory of governance was first formulated in the 11th century during the Abbasid Caliphate. The most important works in this field are the *Ahkam al-Sultaniya* (Rules of Governance) by the Shafi'i jurist Abu al-Hasan Ali ibn Muhammad al-Mawardi (972-1058) and the work of the same name by the Hanbali jurist Abu Yagla ibn al-Farra (990-1066). Al-Mawardi is considered to be the first scholar to develop a theory of the principles of governance in Islam. He brought Islamic political theory from an abstract theological discourse to a legal space. After that, governance began to be considered as a legal issue. Al-Mawardi also compiled into one book rules

related to governance, such as imamship, viziership, taxation, the judiciary, jihad, treatment of rebels, market control, etc. Al-Mawardi's book begins with the statement that "the Imamate/Caliphate is established as a successor to the Prophet in order to protect the religion and to make it superior to worldly affairs". According to both Al-Mawardi and Al-Farra, the appointment of an Imam is obligatory for Muslim society. There can be only one Imam at a time, and his duties include spreading Islam through jihad [14, p. 12].

A. Haqqani's book frequently refers to the above scholars and Abu Hanifa's views on governance. In Islam, there are concepts of "the great Imamate" (al-Imam al-Kubra) and "the minor Imamate" (al-Imam as-Sugra). The former refers to the ruler, and the latter to the person who leads the prayer. A. Haqqani cites the words of Shah Waliullah Dahlawi (1703-1762) regarding the great Imamate and follows his view [14, p. 12]. Dahlawi says: "The great Imamate is the revival of religious sciences, the establishment of the foundations of Islam, the organization of jihad and the issue of gathering an army, recruiting fighters, and the distribution of trophies among them, as well as the establishment of a judicial system, the application of punishments, opposing injustice, and calling for good and forbidding evil" [11, p. 58]. In terms of the conditions for an imam/ruler, A. Haqqani writes that he must be a Muslim, male, and of legal age, and must be from the tribe of the Prophet Muhammad, Quraysh. However, he points out that there is a dispute among Islamic scholars about latter one, and argues that this rule has lost its relevance today [14, p. 14]. According to A. Haqqani's theory, the imam must have advisors, mostly consisting of scholars. This committee of advisors is called a "shura" (council). A. Haqqani emphasizes that the shura is one of the main pillars of the Islamic system of government. According to him, the imam should consult with his advisors on important matters, but is not obliged to do what they say. Only the Sharia can limit the imam [14, p. 17].

The author compares the shura in Islam and Western democracy, trying to show the advantages of the former. He explains the difference between shura and democracy with two arguments. First, in his view, democracy respects the opinion of the majority, so whatever the majority decides, whether it is against Sharia or not, is implemented. In Islam (and in shura, respectively), the position of the majority is not the criterion for determining right and wrong. This is because in Islam, laws are established not by man, but by God. The goal of democratic elections is to follow the laws of people, while the goal of shura is to appeal to the laws of the creator of those people. The author states as a second reason that not just anyone can become a member of the shura, they must meet certain conditions, and in democratic elections, anyone (religious or atheist, male or female, educated or uneducated) has the opportunity to participate in the elections, regardless of their religion. In his opinion, the second situation contradicts the foundations of Islam [11, p. 75]. Towards the end of his thoughts on the Shura, A. Haqqani concludes that in the Islamic state, religion and infidelity are not mixed [11, p. 241]. However, he does not see any harm in using concepts such as the separation of powers, which are borrowed from Western political theory. He also does not object to the Taliban regime establishing relations with the international



community, as distinct from the Islamic State terrorist organization. In addition, he states that one of the conditions for becoming a member of the Shura is that the candidate must be aware of international law and treaties, international relations and trade. However, he adds that this condition is relevant not for all candidates, but only for a certain part of them [11, p. 146].

In the chapter «Islamic government», Haqqani writes that the state and the country are governed by the following six institutions: 1. The ruler; 2. The administrative apparatus; 3. Civil law; 4. An independent judiciary; 5. A strong army; 6. An institution that calls for good and forbids evil [11, p. 30-32]. In addition, in his book, he does not hesitate to link concepts from Western political theory with Islamic tradition. For example, he writes that the Islamic state consists of three foundations: executive, legislative and judicial. He tries to prove that modern ministries such as education, economy and justice have their roots in Islam from the beginning. For example, he states that the work of the Ministry of Interior meets the requirements of Islamic law to establish peace and security in society, and is also consistent with the verse of punishment (hudud) in the Quran, such as cutting off the hands of thieves and flogging false witnesses [11, p. 195]. He also equates the function of the Qadi al-Qudah (high court) in Islamic tradition with the function of the modern Minister of Justice [11, p. 218].

A. Haqqani's work does not bypass the issue of jihad, one of the most important topics in Islam. In general, there are two types of jihad in Islam. The first is defensive jihad when an enemy attacks a Muslim country. In this case, it is obligatory for all male citizens to take up arms and repel the enemy (*fard al-ayn*). The second is jihad for the purpose of expanding the territory of Islam and spreading the religion. In this type of jihad participation of all men is not obligatory; once a sufficient number of fighters have been assembled, the collective duty of jihad (*fard al-kifayah*) is lifted from the rest. In the traditional Islamic theory of state governance, it is stated that the imam/ruler must organize and finance at least one campaign for the purpose of jihad every year. In al-Mawardi's work *al-Ahkam as-Sultaniya*, the imam's duties also include fighting/waging jihad against non-Muslims until they convert to Islam or come under the control of Muslims. In turn, A. Haqqani, in the section of his book on the duties of the imam, refers to the above-mentioned words of Abu Yagla ibn al-Farra [11, p. 121]. In addition, when listing the duties of the Muslim army, the author notes that one of their duties is to fight for the supremacy of the religion of Allah and to fight against religions other than Islam [11, p. 187]. A. Haqqani often raises the topic of defensive jihad along with the classical jihad for the purpose of spreading religion. However, in his understanding, defensive jihad is closely intertwined with the third type of jihad for the purpose of liberation [14, p. 19]. In his opinion, the Taliban's war against the Americans was a defensive jihad. Next, the Taliban leadership must prepare a powerful army to protect the country from external enemies. The author writes that the function of this army also includes protecting freedom and rescuing the weak from the clutches of tyrants, both inside and outside the country, as long as one God is worshipped. A. Haqqani's view of jihad is much closer to the ideology of al-Qaeda, and this

is a noteworthy point. It is difficult to say for sure whether the Taliban will attack states they see as oppressive tyrants against Muslims in the future, or whether they will do so through terrorist organizations such as al-Qaeda. However, we can conclude from A. Haqqani's views on jihad above that the answer is closer to «possible» than «impossible» [11, p. 31].

A. Haqqani's views on jihad contradict the current «mutual tolerance and peaceful coexistence of states» and the «equality of all states» of the United Nations Charter. In other words, here we can see the inconsistency of traditional political Islamic theory with modern international law [14, p. 19]. However, the author of the book does not ignore the fact that there is a current reality and the need to interact with the world accordingly. He writes that for a state to succeed, its leaders must be aware of international law and trade. This shows that, despite their strict dogmas, the Taliban are not cut off from pragmatism and real life. Moreover, unlike terrorist organizations such as al-Qaeda, the Taliban are ready to work with the UN and even want to be recognized by this organization as the legitimate government of Afghanistan. Amir Akhundzada himself has stated that he wants to have good political and economic relations with countries around the world [14, p. 23].

Whether A. Haqqani sees the Islamic Emirate of Afghanistan as the restoration of the global Islamic caliphate or as a state governed by Islamic law limited to a certain territory is not explicitly stated. He also neither confirms nor denies that the Taliban have global ambitions. There is an ambiguity here [14, p. 19]. It is also difficult to say what exactly he means when he says that he is establishing a “pure Islamic state that embodies true Islam”. In turn, although al-Qaeda has declared the Taliban rule in Afghanistan as the revival of the global Islamic caliphate, the Taliban themselves have not reacted to this bold statement. A. Haqqani and the Taliban leadership may have deliberately left the issue ambiguous. Because declaring a global caliphate now means turning not only the international community but also regional neighbors against yourself. The experience of the Islamic State and al-Qaeda in Iraq in 2014 shows that this will not lead to good results. There is no doubt that the Taliban are aware of this. Therefore, it would be more reasonable to wait for a more convenient time rather than adding fuel to the fire. Of course, this is just a guess [11, p. 234].

Regarding the education system, the author argues that the current crisis in Afghanistan is based on the secular education system, which weakens Islam and Muslims. Therefore, in his opinion, the religious direction should be given priority in the education system [1, p. 103].

The issue of women living under the Taliban regime is a separate topic. A. Haqqani devoted a large chapter to this in his book. According to Haqqani, a woman's primary duty is to be a wife and give birth to children. They cannot be members of the government. The Amir of Muslims cannot be chosen from among women. This is because if women get involved in politics, they ruin everything. He writes that their intellectual level is considered much lower than that of men [11, p. 276].

The author also raises the issue of women's education. He writes that women's education is not prohibited by Sharia law, on the contrary, it is approved by religion. However, the process of women's education must comply with the rules of Sharia. For example, a woman cannot study in the same place as men. A woman must receive education in her own home. And if she wants to study elsewhere, her teacher must be a woman [11, p. 248-262].

The Taliban seem to view women as triggers for sins such as adultery and corruption. This understanding is probably partly behind their policies of discrimination against women. The Taliban are so sensitive about the issue of women that they are willing to impose prohibitions on them that have no basis in Sharia law. For example, in their opinion, not only women's bodies but also their voices are considered haram. In this regard, shortly after coming to power for the second time, they banned women from speaking loudly and singing in public [2].

In summary, A. Haqqani's work on the Islamic Emirate and its System mostly deals with the internal affairs of the state. Information on foreign policy is provided indirectly, rather than directly. In this regard, ambiguity prevails over certainty [14, p. 24].

### **Conclusion**

The formation of the Taliban's worldview and religious ideology was influenced not only by Deobandism, but also by the Pashtunwali tribal code, local customs, and the political situation in Afghanistan at that time. However, no one can deny that the Deobandis played a direct role in the emergence of the Taliban movement. However, it would be a mistake to completely tie the Taliban to the religious ideology of the Darul Uloom Deoband madrasa. Although Deobandism was a source and religious orientation, the Taliban went their own way. Deobandism arose in India in the second half of the 19th century in different religious and political conditions, and at the end of the 20th century, when the Taliban were formed, the political interests and situation in the region were completely different. One speaks Urdu, the other Pashtun. Culture and customs are also two different things. While for Pakistanis, the concept of clan and tribe has largely faded away, for Pashtuns it is still of great importance. Therefore, it is not surprising that the Taliban, whose core is Pashtuns, adapted the religious orientation of Deobandism to their own identity. The Taliban adopted Deobandian teachings in a strict, very conservative manner. We can associate this with the lack of their own madrasa structure and the institution of scholars, as well as their distance from modern civilization. Despite the contradictions between the Deobandis and the Taliban, there is reason to say that the current Taliban regime is a practical, political manifestation of the religious and political ideology of Deobandism.

And the work «The Islamic Emirate and Its System» by Abdulhakim Haqqani can be considered an important source for understanding the religious and ideological platform of the Taliban movement regarding state governance. We have seen that this work clearly reflects not only the structure of the governance system based on the norms of Sharia, but also the Taliban's attitude to the concept

of a modern state, and their perception of themselves as a group authorized to establish the rule of law. Haqqani's work is directly related to the works of medieval Sunni political thinkers and attempts to revive their ideas in the context of modern Afghanistan. He tries to distinguish them from Western democratic values, linking the imam, shura, jihad, and the system of punishment and reward with Sharia, while identifying the six elements necessary for governing an Islamic state. A. Haqqani recognizes only the religious basis of power and considers the supremacy of secular laws to be contrary to Sharia. At the same time, he does not deny relations with other countries and foreign policy. He tries to justify the modern structural institutions of the Islamic state on religious grounds. This approach suggests that the Taliban regime is striving to establish its ideology in the modern geopolitical space. Thus, the book «The Islamic Emirate and Its System» depicts the theoretical foundation of the Taliban's theocratic model of power and systematically introduces their religious and ideological core. This work is a unique material that allows us to understand not only the external assessment of the Taliban, but also their internal logic and religious and political motivations.

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## ТАЛИБАНЫҢ БИЛІК ФИЛОСОФИЯСЫ: ШАРИҒАТ, ӘДЕТ ЖӘНЕ РУШЫЛДЫҚ

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**Аңдатпа.** Бұл мақалада 2021 жылдың тамызында Ауғанстан билігіне 20 жылдан кейін қайта оралған Талибан қозғалысының дүниетанымы, ел басқару жүйесіндегі философиясы мен жалпы діни идеологиясы қарастырылады. Тәліптердің ұйым ретінде қалыптасуына және болмыстарына тек Ислам діні ғана емес, сонымен қатар «пуштунвали» атты пуштун ұлтының ру-тайпалық кодексі де ықпал етті. Зерттеуімізде осы мәселе егжей-тегжейлі қолға алынып, Талибанға әсері талқыланатын болады. Мақалада қазіргі Ауғанстандағы сот төрағасы, тәліптердің дін маманы Абдулхаким Хаққанидың 2022 жылы жарық көрген «Ислам әмірлігі және оның жүйесі» атты еңбегі негізінде тәліптердің саяси философиясын талдауға арналады. Аталмыш кітапта әуелгі төрт халифа кезеңіндегі жүйе қазіргі Ауғанстанда билік құру үшін үлгі ретінде қарастырылған. Мәселен еңбекте әмір міндетті түрде мұсылман, ер адам, ақыл-есі бүтін, тақуа, әділ әрі мазхаб бойынша мұжтахид ғалым болуы тиіс делінген. Сондай-ақ, шынайы басшының ерлік, саяси көрегендік пен жоғары құзіреттілікке ие болу керектігі айтылып, халифалық істерді жүргізуге қауқарлы болуы қажеттігі баяндалған. Мұндай сипаттамалар ортағасырлық ислами саяси құқықтағы халифқа немесе имамға қойылатын талаптарға ұқсайды, бұл Талибанның өзін дәстүрлі исламдық басқару жүйесінің заңды мұрагері ретінде ұсынуға ұмтылатынын аңғартады. Сонымен қатар кітапта тәліптер құрған мемлекет қандай болуы керек, әмірдің тағайындалу жолы, мемлекетті басқару барысы, қазіргі демократияның ислами жүйе алдындағы кемшіліктері, әйелдер мәселесі деген сынды тақырыптар қозғалады. Бұл еңбек тәліптердің ел басқару бойынша ресми құжат не доктринасы емес. Алайда кітап А. Хаққани сынды аса лауазымды тұлға тарапынан жазылғаны және ресми түрде қолдау тапқаны үшін тәліптердің билік жүйесі мен өмірлік философиясын түсінуге аса құнды дереккөз болып саналады.

**Тірек сөздер:** Талибан, пуштунвали, А. Хаққани, дін, әмірлік, саясат, деобандия, шариғат

**Қаржыландыру:** Мақаладағы зерттеу Қазақстан Республикасының Ғылым және жоғары білім министрлігінің гранттық қолдауымен «AP19174944 Деобандия мектебінің діни-саяси идеологиясының Орта Азияға ықпалы» ғылыми жобасын іске асыру шеңберінде дайындалған.

## **ФИЛОСОФИЯ ВЛАСТИ ТАЛИБАНА: ШАРИАТ, ОБЫЧАИ И ПЛЕМЕННОЙ СТРОЙ**

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**Аннотация.** В данной статье рассматриваются мировоззрение, философия государственного управления и общая религиозная идеология движения «Талибан», которое вернулось к власти в Афганистане в августе 2021 года. На формирование и функционирование Талибана как организации повлияли не только ислам, но и племенной кодекс пуштунской нации под названием «пуштунвали». В исследовании также подробно рассматривается этот аспект и анализируется его влияние на Талибан. Значительная часть статьи посвящена анализу политической философии Талибана на основе книги «Исламский Эмират и его система», написанной Абдулхакимом Хаккани действующим верховным судьей Афганистана и религиозным деятелем Талибана, опубликованной в 2022 году. В указанной работе система правления первых четырёх халифов представлена в качестве модели для построения государственной власти в современном Афганистане. В частности, утверждается, что эмир должен быть мусульманином, мужчиной, разумным, богобоязненным, справедливым и обладать учёной степенью муджахидов в соответствии с мазхабом. Также подчёркивается, что настоящий лидер должен обладать мужеством, политическим чутьём и высокой компетентностью, а также способностью эффективно управлять делами халифата. Подобные характеристики соответствуют требованиям, предъявляемым к халифу или имаму в средневековом исламском политико-правовом дискурсе, что свидетельствует о стремлении Талибана позиционировать себя как законного наследника традиционной исламской системы управления. В книге также обсуждаются такие темы, как идеальное государство по мнению Талибана, порядок избрания эмира, принципы государственного управления, критика современной демократии по сравнению с исламской системой и вопрос положения женщин. Эта книга не является официальным документом или доктриной Талибана по управлению страной. Однако, поскольку книга была написана такой высокопоставленной фигурой, как Хаккани, и получила официальную поддержку, она считается очень ценным источником для понимания системы власти и жизненной философии Талибана.

**Ключевые слова:** Талибан, пуштунвали, А. Хаккани, религия, эмират, политика, деобандия, шариат

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