Ear to Asia podcast

Title: What a Taliban theocracy means for Afghanistan

Description: In August 2021, the Taliban returned to power in Afghanistan after a 20-year hiatus and promptly replaced the nation’s legal system with their own austere version of Islamic law or Sharia. While the impact of the new government on women and girls has been well documented outside the country, the Taliban's interpretation of Sharia is making itself felt across Afghan society as the country is in the grip of possibly its worst ever humanitarian crisis. What is the theological basis of the Taliban's version of Sharia? What's the Taliban vision for Afghanistan? And how will it turn that vision into reality? Researchers of Islamic law in South Asia Associate Professor Matthew Nelson and Haroun Rahimi join presenter Ali Moore to examine the Taliban’s rule in Afghanistan. An Asia Institute podcast. Produced and edited by profactual.com. Music by audionautix.com.

Voiceover:

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Ali Moore:

Hello, I'm Ali Moore. This is Ear to Asia.

Matthew Nelson:

So when the Taliban say it will be Hanafi-only approaches to law only in Afghanistan, one of the things that they're doing is really highlighting their own world view, that their own particular background and way of training and way of thinking will be privileged and prioritized in their Afghanistan to the exclusion of other ways of thinking or ways of governing

Haroun Rahimi:

The language we use are the language of human rights, which is a very modern language, relatively speaking, is very much alien to the core religious class that is reportedly the final arbiter on questions of, for example, girls' education. What they think of is in the language of classical Islamic jurisprudence, and what most of us think in terms of rights, in their minds, they're just permissibility.

Ali Moore:

In this episode, what a Taliban theocracy means for Afghanistan.

Ear to Asia is the podcast from Asia Institute, the Asia research specialists at the University of Melbourne.

In August, 2021, the Taliban returned to power in Afghanistan, two decades after their ouster by US-led military coalition. They wasted no time replacing their Republic with an Emirate, led by senior cleric, who is now the nation's supreme leader. And almost as quickly, Afghanistan's legal system was supplanted by the Taliban's own austere version of Islamic law or Sharia.

While the impact of the new government on women and girls has been well documented outside the country, the Taliban's interpretation of Sharia is making itself felt across Afghan society, as the country is in the grip of possibly its worst ever humanitarian crisis. What is the theological basis of the Taliban's version of Sharia? What's the Taliban vision for Afghanistan? And how will it turn that vision into reality?

And how do Muslim legal scholars elsewhere view the legitimacy of a Taliban's dictates? Joining me to discuss Afghanistan's Taliban rule are researchers of Islamic law in Afghanistan and South Asia, Associate Professor Matthew Nelson of Asia Institute and Haroun Rahimi of American University of Afghanistan, who joins us from Seattle. Welcome to Ear to Asia, Haroun. And welcome back, Matthew.

Haroun Rahimi:

Nice to be here. Thanks for having me.

Matthew Nelson:

Thank you, Ali.

Ali Moore:

Well, with the Taliban back in power in Afghanistan, can we start by looking at what underpins the Taliban as a regime, what dictates their approach to government? Haroun, how does the Taliban view the relationship between the state and society?

Haroun Rahimi:

Taliban have been an opaque group. Generally they have not articulated their vision of state-society relationship in great details. There are two documents one can consult to get a sense of their vision on state society relationships. One was the constitution that they drafted last time they were in power. That constitution basically shows a great level of concentration of power in the hands of the supreme leader, which at the time was Mullah Muhammad Omar, the group's founder.

Beyond that vision of concentration of power in the hand of the supreme leader, the constitution actually borrowed heavily from an earlier draught from the other mujahideen groups who tended to be more modernist in a sense that they saw the Muslim brotherhood and Jamiat Ulema-e-Pakistan as their models. Both groups that I mentioned tended to have modern understanding of a state society relationship.

Later, the next document that we can look at is the recent book by the current Taliban chief justice. The book literally is titled *Our Islamic Emirate and its System*. The chief justice, whose name is Haqqani, basically presents a certification of a statehood. He talks about state of extraction.

He basically classifies most states in the world, modern states that we have in mind as a state of extraction, governments of extractions, whose primary function is to extract resources in form of taxations and other forms of extractive behaviour, and in exchange provide basic services. In his interpretation, those states tend to favour those who control these institutions.

The other type of state according to Haqqani is the government of guidance, which he proclaims the Taliban vision of state to conform with that. What he means by government of guidance is the government whose function is to direct people towards the right path. And right path according to him is laid out in the divine law, and that is Sharia.

According to him, the function of the state, the type of state they have in mind, is to make sure that people are following the right path according to the divine law. And obviously, that opens the question of who gets to interpret the divine law, what divine law means. If you look at it institutionally from his perspective, an independent judiciary, which he actually conveniently heads, is trusted with actually clarifying that divine law.

There is, again, an all powerful leader at the top, the supreme leader, who's supposed to be the enforcer with consultation of the ulama who have become one with the state. Because it is a state that is guiding the people, but the state itself is guided by the ulama, which is basically the religious class.

Ali Moore:

That system, that chosen system of divine law, Haroun, is the Hanafi school?

Haroun Rahimi:

Yes. According to Haqqani, in Islam, there are two great division around the Sunni and Shia major categories. Most Muslims are either followers of Sunnis or Shia version of Islam. Then within the Sunni world, there are multiple school of jurisprudence that they sometimes disagree within themselves.

Of those, Taliban followed Hanafi jurisprudence of Islam. And the argument he provides for understanding the Shariah from the perspective of Hanafi jurisprudence is that most Muslim in Afghanistan are followers of the Hanafi maddhaab – Hanafi Jurisprudence – Maddhaab is another word for jurisprudence in Afghanistan – are Hanafis.

However, he conveniently leaves out that there is a sizable minority of Shia in Afghanistan who have their own jurisprudence, its Twelve Imam jurisprudence or Jaʿfarī jurisprudence as is often called. He in his view states the public does not accommodate that division.

Whether in private matters it can be accommodated or not, it's an open question. We have to look at their practise, because they did not feel the need to allocate any space in his writing on how the religious diversity within Islam is going to be accommodated within this government of guidance that he has in mind.

Ali Moore:

Matthew, can I bring you in here? And if we look at the Hanafi school and the decision to be so singular about following it, to what extent can we predict or explain Taliban behaviour by reference to the Hanafi school? Because as I understand it, that particular school is followed by around a third of Muslims globally, and yet the Taliban is unique in its form of governance.

Matthew Nelson:

You're right, that the Hanafi school is known to Muslims in many different parts of the world and is regarded as a go-to sort of platform for thinking about issues of Islamic law for Muslims in Turkey, Muslims in Bangladesh, and many other places in between.

And so the notion that the Taliban approach to the Hanafi school is in a sense the only approach to the Hanafi school would be a misunderstanding. What we see in the case of Afghanistan is something that I might describe as the Hanafi school with Afghan characteristics.

And so it's sort of like communism with Chinese characteristics. This particular approach can emerge in many different places, but each context will have its own different flavouring. And so in the case of Afghanistan, I don't think that when we're trying to understand forms of governance, or patterns of rule, or particular legal decisions, the reference to the Hanafi school is in a sense our only point of reference to explain or understand those things.

What we see in the case of the Taliban is a background rooted in, particularly for key leaders, a particular form of madrassa education, particular types of religious schools.

And of course, people in Afghanistan have many different forms of education, some of which touch on these madrassas and so on, but the Taliban really grow out of these madrassas. And in those madrassas at the highest levels, students will be exposed to training in legal issues, religious legal issues, particularly through the Hanafi lens.

When the Taliban say it will be Hanafi-only approaches to law in Afghanistan, one of the things that they're doing is really highlighting their own worldview, growing out of their own educational background, and making sure that, that is going to be privileged and prioritised in their Afghanistan

to the exclusion or marginalisation of other types of educational or professional training in universities or other professions.

And so when we hear them say, "We will govern Afghanistan according to the Hanafi school," I think there's been a lot of attention to this focus on the Hanafi school as somehow a reference to the substance of their decisions.

But what we're really hearing, I think, is kind of a political or a sociological point that their own particular background, and way of training, and way of thinking will be privileged and prioritised in their Afghanistan to the exclusion of other ways of thinking or ways of governing.

Ali Moore:

Because Matthew, perhaps we should explain that if you look at the Hanafi school, and indeed the other schools of religious thought, it's not like a book that you take off the shelf that says you have problem one, you solve it this way. It's more a discourse, isn't it?

Matthew Nelson:

Yeah, it's more of a discourse. It's like a methodology. And so for instance, if you go to the university and you want to do sciences, you will learn something about the scientific method, so how you gather evidence, how you weigh evidence against sort of hypotheses, and sort of you learn how to think through issues even before you approach any particular issue.

And so in a sense that the Hanafi school and other schools of Sunni Muslim jurisprudence will sort of approach things first and foremost from that sort of methodological point of view. How do you look at particular types of evidence? What sorts of evidence will be considered robust? How do you think from that evidence to the circumstance are the particular problem that you face?

It's really a methodology. And so that's why you can have, as I said, the Hanafi school with Afghan characteristics, right? The Hanafi school doesn't predetermine the answer to all questions. And so, yes, I do think it's useful to keep in mind that the Taliban aren't just turning to a bookshelf for all things, and simply pulling off a fixed answer to every question and then applying it.

Instead, they are sort of using this training that they have in a very specific way to the exclusion of other types of training, and then using that training to answer the questions that they feel they face.

Ali Moore:

Haroun, against that background, how do we see very specific things like the denial of the right for women to be educated as we're seeing currently with girls barred from secondary schools? How does the Taliban justify that in the context of their ideological underpinnings?

Haroun Rahimi:

That's a very good question. And I agree with Matthew that you cannot really necessarily predict and explain Taliban do accordance to Hanafi jurisprudence, partly because the Hanafi jurisprudence, as you rightly pointed out, it's not a fixed thing.

There are a diverse of opinions within Hanafi jurisprudence, and Taliban are making choices, both interpretive choices and also choice of selecting of the range of accepted opinion within the Hanafi madhhab when they are providing justifications for their actions.

So kind of you can ask why they are making those choices, what drives those choices, how you can explain that there are privileging certain approach within the Hanafi kind of jurisprudence, whereas they can justify other policies, different policies according to the Hanafi jurisprudence as well.

I think that's where then we get to politics, we get to sociology of who these people are, their views towards, for example, the role of woman in society, their views on rule of ruler in society, and the

relation between morality and laws and such. A great example, as you rightly pointed out, is the issue of women's rights.

I think the point to start is to understand that the language we use and the language of human rights, which is very modern language, relatively speaking, is very much alien to the core religious class that is reportedly the final arbiter on questions of, for example, girls education.

They don't think in language of human rights. What they think of is in the language of classical Islamic jurisprudence. And the language of classical Islamic jurisprudence, what most of us think of in terms of rights, in their minds they're just permissibility. In the Arabic world it's just mubah, which means things that are allowed.

And if you ask, "Okay, what is the power of a state when relation to things that in Islam, in according to Hanafi fiqh are allowed?" Then you can read what the supreme leader of Taliban has recently said to a gathering of their governors. He basically says that there are certain things in Islam that are mandatory.

And he says, "As a ruler, my job is to just enforce those," right? They're called fard, or wajib, meaning required. It's an interesting point because there are many things that fall within the realm of private life, like how we pray, and many other issues that we may consider are private issues, which are still mandatory, meaning in relation to a person and the God he worships, it's mandatory for him to do.

But in accordance to the Taliban leaders' point of view, the state has an obligation to enforce those mandatory rules. But he says beyond those rules, there are things that are permissible, allowed, mubah in Islam. And he says, "That is where my power comes in. As a ruler, I have the authority to restrict what is allowed in Islam." And when you apply this thinking to the case of girls education, the reasoning goes like this.

They are saying the basic religious education, what you need to know to be able to practise your faith as a Muslim woman, it's mandatory to learn, and there must be a way for a woman to be taught those basics. But those are very, very rudimentary, and they believe they can be taught by trusted male relatives at home. Or when the kids are very young, they can go to masjid and learn that when they're like four or five years old, six, seven, pre-puberty.

Beyond that, the question is, when you talk about modern education, is that something that is mandatory to learn? According to them, no, it's not mandatory to learn those. And it's not a right to learn those either. No Muslim women in their mind has a right to learn modern sciences. But they don't dispute that it's allowed to learn. They don't say Islam has banned those sciences, but they believe, "Okay, when it's something allowed, then the ruler has to consider the public benefits."

And in their view, in the current environment, allowing girls post-puberty to go out and learn something and do something that is allowed, learn modern sciences, comes at a high moral cost. And the moral cost in their mind is the possibility of different gender mingling. The possibility of a woman is spending more time outside of home – home they believe to be the place for women. And that's why, for example, in one of their directives, they say, "Woman can only leave house if it's necessary."

So unnecessary leaving the house is an opening for moral corruption that has to be limited. When they do those calculations, they believe many close to the leader and the leader himself included that the conditions are not there, to allow the enjoyment of this possibility for girls to learn modern education post-puberty with enough safeguard measurements to minimise those moral risks.

In their minds, the moral risks are so great. At the moment, given the current situation, it justifies basically decision of the ruler to limit the enjoyment of what is possible for the aim of protecting the population and the woman from moral basically corruption in their mind. Again, it is a choice they are making.

And it's not a choice that uniformly is accepted by the Taliban. There are others in the group, admittedly they're not necessarily serious religious scholars, who claim the opposite. They claim that what is allowed in Islamic state cannot prohibit. They are basically getting close to the idea of human

rights. That what is not the scripture, for example, does not prohibit, there's no consensus within the madhhab that is not allowed. Then it enters the realm of what is allowed, and it becomes sort of right that the state has to respect. For example, the broader of Sirajuddin Haqqani, who's a influential figure of the Haqqani Network has voiced that opinion that what is allowed, Islamic state cannot ban.

But this view is not the view that informs the core religious class of the group who see what is allowed as restrictable if the ruler believes that it could lead to moral corruption. The situation we are in right now is that this religious class has not been convinced yet, there can be ways for girls to receive modern education plus puberty in a way that would minimise those moral risks.

The proposals on the table is things like, "Okay, we're going to limit women's access to certain disciplines," like engineering, for example. And they believe that civil engineering would involve a lot of outdoor activities, so women should not learn those.

We may substitute some of those classes for women with things they need to learn more about that have to do with their vision for the role of woman in society, which has to do with childbearing and being a good wife and such. You can see how they can be convinced that, that moral calculation can be manipulated in a way that would move the religious class to allow for the secondary girls education to take place.

For example, one option discussed was that the state would create a public transportation system dedicated for women post-secondary school girls, that they would be transferred from home to school and back, and basically minimise the risk of them interacting with an unrelated member of the opposite gender. That would be one way, for example, they would see that moral risk could be reasonably minimised.

Ali Moore:

One assumes not a very practical way given the current economic circumstances of Afghanistan. But Matthew, can I bring you back in and just ask, when you look at that permissibility versus rights, I guess, what happens in other Muslim majority nations? How do they look at that issue of permissibility and rights? And how do they interpret, I guess, interpret bodies of law that have, well, for example, in the case of the Taliban, go back to the early centuries?

Matthew Nelson:

Again, the broader perspective with lots of different Muslim countries is really useful here, because you will see, as we indicated earlier, lots of countries, lots of Muslim populations following the Hanafi school but coming to different views about what this means right now for, say, girls education.

And in the case of the Taliban, there's this chasm of sort of interpretive and assessment orientation between, say, the international community looking at what should be expected in Afghanistan and what the Taliban see as appropriate in Afghanistan right now. For instance, the international community, including many Muslim majority states that follow the Hanafi school, they will see girls' education as not merely permissible but possible.

And then of course proceed to encourage and support that girls' education. And you will see Muslim countries around the world encouraging the Taliban through the organisation of Islamic cooperation, or through the UN and otherwise to accept that within their own Hanafi school, there is space for girls' education.

And yet the Taliban assessment of the conditions that might allow that permissible element to be put into practise is so very different. You in a sense see two groups, international community and the Taliban, in a sense nodding in unison to say things like, "Well, there is space for girls' education, but the practicalities of that then founder on the shoals of sort of different assessments of what would make that practicable in Afghanistan."

And as Haroun, I think, very appropriately pointed out, the Taliban have conditions that would allow for the permissibility to be put into practise, like separate schools, like particular forms of sort of teaching staff and so on and so forth, sort of infrastructure that is simply not available given the current economic circumstances in Afghanistan.

And perhaps to such an extent that it is not going to be available in the foreseeable future, which in practical terms looks like a ban on girls' education, even as the Taliban [unintelligible] insist that they don't necessarily see the requirement to ban on girls education.

And I think something that Haroun pointed out is very, very illuminating here. He pointed to an extremely rare difference of opinion between two very senior leaders within the current Afghan Taliban regime. On the one hand Sirajuddin Haqqani, a sort of deputy leader by acting interior minister in Afghanistan.

And on the other hand, sort of the supreme leader, Hibatullah Akhundzada, and whereas Akhundzada has basically taken the view that practicalities do not permit the permissible girls' education to be put into practise, Haqqani whose own family background actually sort of bridges at a Taliban point of view as well as sort of what Haroun referred to earlier as sort of a modern Islamist, sort of Muslim brotherhood, Jamaat-e-Islami type background, which is a perspective where girls education would not be so easily set aside and would be encouraged.

And so you see even within the Taliban leadership sort of slightly different orientations to this particular question. Again, both broadly Hanafi but indicating some of the diversity within that point of view. Most Hanafi-following Muslim majority context will have absolutely no difficulty educating girls. But the Taliban assessment of their own circumstances makes that practicality indefinitely deferred.

Haroun Rahimi:

If I may add here, I think there are a couple important points that Matthew raised that I would like to elaborate on more. One is we assume that Taliban want international recognition. And we understand to be that they want to basically be accepted, praised and encouraged by the international community for having done the right thing, according to expectations of international community.

I think that may be true for some Taliban. But you have to realise, even if you go back to the Deobandi movement, which is the movement that was basically a religious education movement in the subcontinent India that informs a lot of curriculum in the Madrassas that the Taliban have graduated from, it was a reaction to the colonialism, in a sense that it was basically a nativist movement.

And they were basically rejecting what they saw cultural intrusion on their values. So rejecting what is foreign, what is coming from outside was a core precept of the Deobandi movement. And Taliban have that on steroids, meaning that being perceived as appeasing the international community, doing what international community is suggesting may actually be interpreted for them in their own self image as a form of compromise and as a form of conceding. That would be immoral to their view.

And that's why I think in a very twisted way, being combative or impractical, or being basically spitting on the face of international community may for them boost their credentials among the circles that sees the Deobandi movement and later on Taliban movement as a way to protect what is authentically and truly Islamic, and reject what is coming from outside.

I think it's a very delicate line. And obviously there's diversity within the group, but I think you have to realise that going against the international community is a booster to many within the top leadership of the movement, as it basically is a rejection of what's foreign.

And it will be basically a signalling your ability to suffer a great deal for a great cause. I think sometimes we miss that in the talk about how Taliban are seeking international legitimacy. They may want international legitimacy, but they will suddenly want it on their own terms.

Ali Moore:

I'll come back to that issue of international legitimacy, but the differences of opinion that you've both referred to around education, isn't the ultimate hypocrisy here that there are, if reports are right, a number of Taliban leaders whose children or whose daughters are continuing to be educated outside the country? Haroun?

Haroun Rahimi:

It's very much true. And in terms of this difference of opinion, I think, I mean, people talk about moderate and extremists or hardliners being the movement. Those are very fluid categories, and they vary from issue to issue. For example. And as a Matthew correctly pointed out, the Haqqani Network, they're much more willing to allow a public role for women in society.

They would require hijab, like complete covering, maybe not the face, but generally complete covering as a way to enable public participation of women. There are others within a movement that, as I explained, for example, in the ministry of vice and virtue, that believe women should remain home. They should not participate in public life.

And when there is a necessity for them to go out, then they have to have an extension of home with them, which is their hijab, right? Hijab is kind of, in their mind, is a temporary measure that would be put in place if the perfect measure, which is staying home, is not possible.

But if you move to another issue, if you move from social policies to other issues, then the Taliban of the south, the people who are often called hardliners, they tend to be much more nationalist and parochial in their vision.

They don't have often aspirations beyond Afghanistan. They don't have as deep a relationship with the globalist jihadist network than these newer generation of Taliban who are much more flexible on social policy might have. You may have people who are much more flexible on social policy being much closer to the transnational networks of violence in the region and beyond.

And you have people in the group that are much more restrictive on women's rights and social policy being much more wary of the movement losing its national control because of its affiliation with the international element. It is kind of a question of what we are talking about, and that there is a spectrum opinion, and the same figures do not fall the same place all the time.

Ali Moore:

Matthew, can I ask you, given that, can you give us a picture of the structure of governance under the Taliban? We've talked a lot about the Supreme leader, who is the ultimate arbiter, but what happens below that? I mean, what's happened to – parliament's being dissolved clearly – what's happened to the public service? What's happened to the judiciary? What does the structure look like once we get below the supreme leader?

Matthew Nelson:

I think your question is posed in exactly the right way, and is a good segue from your earlier question about isn't it hypocrisy to see certain Taliban members having their children, particularly girls, continuing to be educated. And when you were asking that question, the first thing that popped into my head was actually something of a distinction between hypocrisy on the one hand and hierarchy on the other.

Because what you see, and we've discussed this, in the context of the Taliban are different perspectives, and there will be some disagreements in different practises amongst different Taliban members, even at the highest levels of the Taliban regime.

And yet, despite that disagreement on, for instance, the issue of girls' education that we discussed between Sirajuddin Haqqani on the one hand and the supreme leader, Hibatullah Akhundzada, on the other, what we see in the end is an expression, not merely of difference in perhaps hypocrisy in some cases, but actually the hierarchical nature of their regime, which is that the dispute was effectively resolved when the Supreme leader articulated his view.

And his view was the conditions are not right for girls' education in any sense, and that will be therefore deferred and set aside. And Haroun absolutely correctly pointed out that international condemnation or dismay, not withstanding, the Taliban actually gathered some momentum from that international response, because they see their regime, and particularly their devotion and subordination and obedience to the supreme leader as an exceptional regime, not one that is supposed to follow international opinion or the trends of the Muslim world generally.

In fact they say international opinion and the Muslim world generally as insufficiently Muslim in its pious practise. And so only the Taliban regime under this particular supreme leader, understood in a hierarchical sense, can provide the guidance that's required. And so your question is really about how is the Taliban regime structured below the Supreme leader.

But in order to answer the question, I think it's important to start by emphasising the crucial importance of that hierarchical structure. Below the supreme leader, I think what you see is a number of ministers, some of whom are duplicated with acting ministers and so on and so forth to allow for, in a sense, regime stability under the supreme leader.

Because insofar as there's duplicated authorities and the possibility that the supreme leader can tilt towards one minister, another minister can shuffle ministries and so on, the insecurity of those offices again reinforces this pattern of hierarchy. It also allows for, on the one hand, some ongoing sense of commitment to that hierarchical structure.

But at the local level, there is, and always has been within the Taliban movement, and now the Taliban Emirate, there has been a great deal of local autonomy and local decision making to sort accommodate the circumstances in a particular district, in a particular part of the country. While on the one hand I'm emphasising hierarchy and very strict sense of obedience to the Supreme leader, the regime beyond that sensibility is relatively diffuse and weak.

And so there will have to be sort of local decision making autonomy for local decision makers. Certain ministries and sort of functions will be more well resourced. Obviously we'll see that in the security sector, but also in sort of the justice sector and the educational sector and the communications sector, to make sure that the ideological of apparatus of governance is well served.

Whereas other ministries that you might expect to see, public services, for instance, health, those will be relatively neglected, and the economic situation and isolation of the Taliban, which I should, again, restate is a point of pride for them given their sense of exceptional piety and not a regime that should be accommodating international opinion, that isolation will continue to ensure that local services and public services in a more general sense are neglected.

Ali Moore:

And Matthew, you mentioned there the economic situation. Let me ask you, I mean, it's absolutely dire. A million children malnourished, massive unemployment, a banking system on the verge of collapse. Where does that sit in the list of priorities for the Taliban? And indeed, even if it was high, what's the capability to deal with it?

Matthew Nelson:

Again, it's a really good question, because I think it sort of draws out some of the themes of this conversation. The first being that in this book that the chief justice has put together, Hakim Haqqani, there's actually a set of comments on the virtues of poverty.

Because in poverty, the body and the mind are not drawn to material satisfaction. They're rather drawn to the magnificence of God. And so on the one hand, you could say that the economic crisis, the humanitarian crisis is a source of extraordinary distress for Afghans and perhaps even for the Taliban regime itself.

And at the same time, I think we have to recognise a way of thinking about governance as it relates to their sense of religious sensibility, that indicates that the sense of urgency that many ordinary Afghans are feeling, and for that matter the rest of the world, may not necessarily be seen through the same lenses by some of the Taliban leaders.

Having said that, the economic circumstances are calamitous for a couple reasons. And one of those reasons is the isolation of the Afghan economy from international banking systems, and therefore the possibility of international investment, which would then allow for economic activity.

And of course the international community, and particularly the United States will say that the governance practises of the Taliban prevent moving towards recognition of the Taliban and other countries around the world have followed that line. And so the governance challenges that Afghanistan faces owing to the Taliban's approach cut them off from recognition.

And that recognition gap then makes it very difficult to legally introduce legally recognised banking channels, and therefore investment opportunities, and therefore economic activity.

The Taliban on the other hand will say that it is not their governance practises, that it's actually the approach of the US in particular to actively cut Afghanistan off from the banking channels that make it difficult for economic activity to unfold, and therefore the people of Afghanistan suffered not owing to the Afghan Taliban's governance practises, but rather owing to the exclusionary practises of the United States.

There's, again, sort of “ships passing in the night” interpretation of where the economic crisis from where it is driven. Is it driven by the isolation associated with Afghan Taliban governance practises or is it associated with the isolation associated with particularly US policy makers?

Ali Moore:

And Haroun, maybe I can ask you a similar question though. Because even if there is a difference regarding what's driving the economic crisis, does the Taliban sit passively and say, "Well, it's America's fault?" or is it trying to address it? Because the situation in Afghanistan is so dire.

Haroun Rahimi:

Absolutely. And I think Matthew is correct that some in the movement are basically rejecting the claim that the state is primarily responsible for the poverty. Just by talking about virtue of poverty, but also talking about the fact that in Islam, the idea is that a person's food and the nourishments comes from Allah.

It's predetermined, and therefore it could be even blasphemous to say that the Taliban are the source of misery, because that will mean they are also the source of relief of misery because they believe that all of this is within the power of Allah and it's not up to them.

And sometimes when national calamities happen, like in Afghanistan there have have been droughts, there have been flash floods and earthquakes, they often interpret those as divine punishment for the Taliban not fully enforcing, for example, religiously prescribed punishments.

It is the idea that, okay, we maybe not doing enough that you are not seeing the rewards of living in a good Islamic society, because we just have to go a little bit further. That's kind of a framing. But there

are obviously many other in the movement that have a practical understanding of governance. They have the memories of the '90s alive in their head.

The previous time they tried to govern a country and they realise that there are a lot of practical problems that the state needs to solve just to remain viable. And I think there are the split opinion in the movement, and I think many often may wish for more pragmatic approach for the sake of regime survival.

And they have done things. For example, they have managed to consolidate public revenue to a great extent. Something that in Afghanistan is a great achievement to be able to make sure that all the revenues from across the country goes to Kabul, or the central government. That is a great achievement. And that has boosted their revenue for short.

Economic activities have dropped, so there is less money. But still compared to the Islamic Republic, the previous regime, they are collecting comparable amount of revenue, which is impressive. Also, they have been trying to use natural resources as a source of revenue for the government to ensure their economic independence.

They have been exporting Afghanistan's coal to Pakistan in Pakistan rupee, basically bypassing the USD and to certain trend bypassing the sanctions. And for example, $1 billion is estimated that this could be the annual revenue for that. They have done practical things to increase public revenue. Where that money is going to go and what it's going to be spent on, is it going to be used as a poverty aviation programme, remains to be seen.

Taliban, like any other regime, their survival is their primary goal. I think that means that forces that ensure the survival of the regime are likely to be the first to receive any government revenue. And there's also this conundrum of engaging with the Taliban, because the international community is sending a lot of money to the country.

The last year, I think $1 billion was sent physically into the country to pay for the UN project, and the UN funded projects that basically keep the health sector alive that is helping some of the education programmes in the country and is helping some of the basic needs of people like in communities.

There is money going in. The Taliban kind of have the convenience or the option of ruling according to their priorities, and basically conceding some of their state responsibility to the international community and using the increased revenue they have on their own priorities. And then at the same time proclaiming that they've had Afghanistan's first fully self-funded budget, which is a kind of sleight of hand, because it does not count for off the budget aid to Afghanistan.

In the past, a lot of aid was off the budget, but there was a great deal of under budget aid. What happened when Taliban took power, then no country's giving aid to the Afghan government, so there's no under budget aid. But there's still like according to $1 billion is going to the country. And Taliban just benefiting as the ruler from that in a sense that the people need are being met through the intervention, and that frees up the resources of Taliban to spend on other things.

Ali Moore:

Haroun, no one outside the country would accept that, would they, that the needs of the country are being met? They're clearly not.

Haroun Rahimi:

Directly speaking, if the $1 billion had not gone to the country, we would've seen famine in the country.

Ali Moore:

But we are seeing famine, aren't we, in some areas?

Haroun Rahimi:

The worst was avoided. No, there is no famine in the country. There is severe malnutrition. I mean, famine is a technical term. Afghanistan did not experience famine. But you're right, we are still dealing with the worst humanitarian, crisis because simply economy has kind of collapsed.

There's really no amount of aid that can actually replace an economy. An aid industry is a very inefficient expensive way to actually meet people's needs. The $1 billion is going to the country is helping, is alleviating some pressure from the population and the Taliban as a byproduct of that, but at the same time is a very expensive inefficient way.

And people are still continuing to suffer unless Afghanistan as an economy ... And Afghanistan is unlikely to have an economy unless international community and Taliban agree on a basic rules of operation and collaboration that would allow Afghanistan to be reconnected to the international financial markets.

And that brings this idea of ideological purity here. Because the Taliban insists on ideological purity, they are going to make it very much more difficult for those connections to actually take place. And whether they will be able to bifurcate that, and allow engagement on technical issues and make sure that the economy functions at the same time push for their ideology in other spaces and how these two spaces are going to interact.

Basically, if the Taliban can have their cake and eat it too, that's been their approach so far, it has certain hard limits, and the rejection of girls' education was one hard limits. Ayman al-Zawahiri, the leader of Al-Qaeda being killed in Kabul was another hard limit that showed that Taliban really cannot keep these two contradictory approaches to governance in the country.

But how they're going to resolve that, their ideological demands, whereas the demands of being the government, or the people, it remains to be seen. There have been empirical engagement, there have been some spaces that they've tried to improve governance and they've had achievement, but it's nearly not enough to make sure that Afghans can actually have a livable country anytime soon.

Ali Moore:

You're listening to Ear to Asia from Asia Institute at the University of Melbourne. And just a reminder to listeners about Asia Institute's online publication on Asia and its society's politics and cultures. It's called the Melbourne Asia Review. It's free to read and it's open access at melbourneasiareview.edu.au.

You'll find articles by some of our regular Ear to Asia guests and by many others. Plus you can catch recent episodes of Ear to Asia at the Melbourne Asia Review website, which again, you can find at melbourneasiareview.edu.au.

I'm Ali Moore, and I'm joined by researchers, Haroun Rahimi and Associate Professor Matthew Nelson, and we're talking about the impact of Islamic law and the Taliban on Afghanistan. Matthew, we were talking with Haroun about the severe crisis facing the country. How do you view the capabilities and, I guess, the crisis as a priority for the Taliban?

Matthew Nelson:

I think Haroun put his finger right on the main point when he sort of asked whether the Taliban could have its cake and eat it too, in terms of whether they can have their sort of ideological rigidity cake, but also have the cake of international financial support.

I think what we might see in a Afghanistan is a fairly complex arrangement, where in a sense, the way Haroun framed it, we will see the Taliban having its cake and eating it too. And let me explain why I think that's true. On the sort of ideological foundations of their regime and how they've responded to international pressure so far, most of our conversation has really highlighted the ways in which

their worldview and their practises so far indicate a top of the list priority for that ideological architecture.

And I don't see that changing any anytime soon. If we had expected to see sort of international pressure broadly, or regional pressure from Pakistan, China, Iran, central Asia and Russia and so on sort of turning the Taliban towards moderation, we would've seen that already, I think.

It could be that circumstances will change so dramatically that we see that in the future. But we really haven't seen that. On the three key issues that the international community and regional actors are looking for, number one, priority for girls' education and mobility and employment for women, number two, cross-border or international security risks.

Again, as Haroun pointed out, when former Al-Qaeda leader, Ayman al-Zawahiri, was killed in cobble, it sort of blew the story open to suggest that the Taliban are not doing very much at all to crack down on militants that threaten globally or regionally other powers. And then finally the notion that the Taliban regime should be inclusive in sectarian terms, in sort of ethnic and linguistic terms and so on, and the Taliban have not moved in that direction at all.

And so what we see is a very ideologically rigid regime with no indication of that changing any time soon. So then the question is whether they can also get their international financial support. And I think your conversation with Haroun earlier indicated that the international financial support that will be going through humanitarian organisations into Afghanistan will be substantial, but never sufficient.

And so Haroun was pointing out that a billion dollars of support has gone into Afghanistan as it were directly to humanitarian organisations and not through ordinary banking channels, and yet that substantial amount is not at all sufficient to sustain an adequate standard of living for Afghans. And yet you might say that the Taliban are not necessarily getting their cake there, but they're getting a certain slice of cake in that ongoing humanitarian assistance.

And I think we should remind ourselves historically that very large scale humanitarian assistance has been part of the Afghan economy for a very long time. When the Taliban were in power between 1996 and 2001, there were lots of humanitarian organisations active in Afghanistan then, even during the period of the Afghan Republic under President Karzai, then President Ghani and so on, the budget of that Republic was very, very heavily subsidised by the international community to the extent of 40% or 70% of that budget was international. And of course that humanitarian assistance continues, but it's insufficient.

The reason it will continue, however, and the Taliban will continue to get that type of cake is because the alternative is not merely understood in terms of humanitarian catastrophe in Afghanistan, which is I think our first sort of focus, but also the refugee implications that will follow from that.

It's not just neighbouring countries, Pakistan and Iran in particular, but also countries beyond that, particularly in Europe and elsewhere, that worry very much about such catastrophic collapse that a refugee crisis is renewed.

And so I think what the Taliban will be able to do is play sort of a game of what might be called, very cynically, a sort of refugee roulette, which is to say that we're going to stick with our ideological programme, but you will continue to forestall any risk of total economic catastrophe in order to protect against a refugee avalanche.

Ali Moore:

Is there any engagement beyond that? I mean, how are countries in the region dealing with the Taliban? And it seems relatively clear the Taliban is not particularly interested in being part of a bigger world. But China, India, Pakistan, how are they engaging? Matthew?

Matthew Nelson:

They are engaging. Pakistan in particular has been very concerned about a group known as the Pakistan Taliban or the Tehrik-i-Taliban Pakistan, the TTP, which is largely sheltering in Afghanistan, but directing its energies and attacks inside Pakistan. Pakistan has tried to engage the Afghan Taliban regime to crack down on this group.

And there have been a number of visits from Pakistan officials, as well as Pakistan clerics, as well as Pakistan tribal leaders to try to negotiate some sort of effort to stymie that pattern. Those efforts have so far completely failed.

And so there is engagement, but I wouldn't call it effective engagement from the Pakistan side. Iran, similarly, has sort of initially indicated some effort to sit down with Taliban leaders. But again, they find that the Taliban's treatment, particularly, of the Shia Hazara minority in Afghanistan so frustrating and distressing that those relations, the channels are open, but the conversation is not progressing very far, very fast.

China was certainly expected by the Taliban to be a very key sort of advocate, or at least a country that was interested in sort of engaging and then economically investing, but again, that has not moved forward as well, primarily because the Chinese are concerned about instability in Afghanistan, again, related to groups that might constrain Chinese interests in the China-Pakistan Economic Corridor and in other Belt and Road Initiative projects.

And so, yes, there are patterns of engagement with the Afghani Taliban, but I don't think that any state has found much leverage so far. Just recently in the last couple weeks, there was, again, a question about whether some of those who are on international sanctions list, the UN Security Council sanction list, which still includes many senior Taliban members, whether some of the people on that sanctions list could have their travel restrictions removed so that they could engage internationally more easily.

But even though China and Russia indicated that some members of the senior Taliban should have those restrictions lifted, the UN Security Council did not do that. And so the ongoing frustration with the difficulty of engaging the Taliban, but reasons for that continues.

Ali Moore:

There is so much to talk about here, but we do need to start to bring this conversation to a close. And Haroun, can I ask you, we talked about differences of opinion in the leadership, but of course there is a supreme leader who has a final say. We've also talked about the fact that Hanafi is Sunni, of course, but not all Afghans are Sunni. Indeed, far from it. This brings me to the question of how sustainable do you think, or durable, do you think the Taliban is as a government in the 21st century? And do they face any real challenges? Is there any credible resistance?

Haroun Rahimi:

We're not under equilibrium. I think that's important to know. I mean, things haven't stabilised in the country. There's been one drone strike in Kabul against a senior Al-Qaeda member. Today there were reports that could possibly suggest that there was another drone strike in Helmand against some Al-Qaeda members possibly conducted by United States.

Ali Moore:

That's today being I should say we are recording on the 25th of August. Yes.

Haroun Rahimi:

Yes. And in response to the first one, the Taliban leader in Kandahar, where he's based, he called a great gathering and basically gave a warning to the world saying that if you continue to violate our sovereignty, and if you continue to drone, you're going to face consequences.

If Taliban continue to host and shelter international terrorist groups, and other countries continue to take unilateral actions to neutralise those threats, I think the Taliban may feel like that would merit some sort of reaction from their side. It could be that they may be more actively supporting regional groups that take actions against other regional countries who are basically opening up their air space for other countries to be able to bomb Afghanistan.

Afghanistan is a landlocked country, so there's no way to get to the country unless you go through one of the neighbours. And Pakistan has been the usual suspect in this. This idea that we are going to do limited counter-terrorism in Afghanistan and at the same time provide some aid to help the population may not be sustainable, because Taliban are going to react, because they see this as a kind of basic threat to their sovereignty in the country.

It is diminishing their standing authority in the eyes of other Islamists, and they feel like many of their fighters may see that as the Taliban weakness, or Taliban compromising on the basic principles and not reacting to all these attacks against them. And that's going to create a disequilibrium that going to lead to a situation that could see more violence in the region and Afghanistan.

In the economic space of international aid, World Food Programme, the programme that has basically helped Afghanistan avoid famine has said that they have basically only 20% or 30% of what they need to help Afghans avoid severe consequences of malnutrition. I mean, there are many crisis in the world, as you know, and Afghanistan will not be a country that the world will have $1 billion a year to spare on, especially when it's ruled by a group of leaders who are regularly publicly shown to be supporting global jihadist groups.

You can see that even the international human assistance is not very sustainable. And what is going to happen when the pressure from below, the people who are living in a collapsed economy, the pressure from them when they start to leave the country, or many of them may choose to join some of the existing resistance in the country that exists? There are armed resistant group in the country against the Taliban.

Maybe they're not there yet to challenge the Taliban and overthrow them, but they have the potential to gather more supporters, especially since Taliban are really using heavy handed military approach to get rid of them. And Taliban are very brutal in their counter-insurgency strategy. And I think experience of the US and many other countries show that, that could backfire.

We're not at equilibrium, and many of the pieces of this current arrangement of giving aid to Afghanistan to avoid the worst case scenario, and engaging with Taliban to maybe ensure that there is some basic communication ongoing and at the same time take actions against terrorist groups in the country, all of these things, in my view, are very much elements that are not stable and we are not at equilibrium.

And it is very likely that the country is going to radically change very soon. What that's going to be, whether that's going to be for a better or worse, but my worries are it is going to be for the worse.

Ali Moore:

Matthew, how sustainable or durable do you see the Taliban?

Matthew Nelson:

I think Haroun's assessment is actually very, very good and comprehensive, particularly with reference to their response to drone attacks that they see as violation of their sovereignty, and their sense that they can't tolerate that type of infringement on their sovereignty.

However, the international community and regional actors feel very strongly that their security interests are very closely linked to some of the groups active or sheltering in Afghanistan. And so that difference of opinion about sovereignty and security will continue to intensify. And I think as Haroun pointed out, it is unlikely to reach a stable equilibrium anytime soon.

Instead, I think you will continue to see regional countries, but also international actors sort of looking out for their security interests as they relate to actors inside Afghanistan. But that brings us to the other part of what Haroun was pointing out, which is some of the resistance movements inside Afghanistan, which remain very, very small.

In order of significance, we have basically the small and now relatively inactive, or perhaps dormant Tajik resistance which had been associated with those in the Panjshir Valley and a fellow named Ahmad Massoud, the son of the famous Ahmad Shah Massoud.

Of course, we also have a recent very small rebellion associated with the Shia minority, and some of the Hazara community, and the leader of that little resistance moment was recently killed seeking to flee to Iran.

But we also have armed resistance groups like the Islamic State, a province in Afghanistan known as Islamic State, Khorasan province. And that movement continues to attack the Shia, but also to try to point out that its Jihadi and ideological commitments are even more substantial than those of the Taliban.

That group is going to continue to create instability in Afghanistan, but is probably unlikely to generate a very large domestic following within Afghanistan given the many differences that its perspective has with the broader Afghan population. And so what I think we'll see is international and regional actors continuing to, from the Taliban's perspective, violate Afghan sovereignty, and that will be destabilising.

I think that we will continue to see a governance and economic situation in Afghanistan that is extremely precarious, and I see that generating pockets of resistance periodically. But the ability of that resistance to generate sufficient solidarity and momentum across the country to actually challenge the Taliban, I think is very low, at least for the foreseeable future.

And so what we'll see instead is enduring instability, which will intensify the insecurities that allow spaces for groups that are active outside of Afghanistan, which will in turn intensify some of the security interventions inside of Afghanistan from other countries, and that will even further exacerbate the instability. I think Haroun's assessment that things will become less stable, not more stable, is correct.

Ali Moore:

And Haroun, just to give you the last word, because I know that you are still very connected to the country of your birth, even with your assessment and with Matthew's assessment, is there hope?

Haroun Rahimi:

I think hope is a choice. To have hope is a choice I think many choose to make despite everything. I choose to have hope. I choose to have hope that I can return to the country that I love. And I choose to have hope that Afghanistan can get out of this cycle of violence, where one winner decides to impose its vision – narrow vision – of the country over everyone else, and create backlash from other part of the country and just trap Afghanistan in a cycle of violence.

I have hope that we can get out of that pattern and Afghanistan becomes a place for all Afghans, where fundamental differences that exist in the country can be negotiated through means other than violence.

And I don't have a time frame for when that is going to become a reality, but I'm committed to spending my life working towards that. And I think there are millions of Afghans that have the same hope, and hopefully the collective work is going to amount to something someday.

Ali Moore:

As you say, Haroun, hope is a choice. An enormous thank you to both of you for your insights and for being so generous with your time on Ear to Asia. Thank you so much for joining us, Haroun, and thank you to you too again, Matthew.

Haroun Rahimi:

Thank you so much for having us.

Matthew Nelson:

Thank you, Ali.

Ali Moore:

Our guests have been Associate Professor Matthew Nelson from Asia Institute and Haroun Rahimi from American University of Afghanistan. Ear to Asia is brought to you by Asia Institute of the University of Melbourne Australia. You can find more information about this and all our other episodes at the Asia Institute website.

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This episode was recorded on the 25th of August, 2022. Producers were Kelvin Param and Eric van Bemmel of Profactual.com. I'm Ali Moore. Thanks for your company.