

Taliban Resurgence in Afghanistan: A Critical Study of Taliban Governance

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Islamic Theology of Counter Terrorism

اسلام کے تھیولوجی آف کاؤنٹر ٹیرورزم

April 4, 1996 was a significant day in the history of world politics and would set a new trajectory for study of International Relations thereafter, more so in South Asia. This was the day when title ‘Amir ul Momineen’ was bestowed upon Mullah Mohammad Omar in an assembly of around five hundred clerics in Kandahar and who would lead (though de jure) a nascent group called ‘Taliban’ for almost next two decades. This paper focuses on how a group of students, brought together for a cause, forced themselves to have a great impact on the landmass called Afghanistan - the Graveyard of Empires. The cognisance of atrocities carried out by this extremist group is well known in public domain. This, however, is an attempt to permeate their organisational structure and know about their bureaucratic control which enabled them to be a recurring force in this part of the World. Taliban today has complete control over 20 percent of total districts, while they contest for about another 30 percent of total where nobody has been able to establish control. With the signing of Doha Peace deal in February 2020, they have established themselves as an organisation which is on the brink of gaining International recognition and legitimacy to run an Empire.

Taliban established their control over Afghanistan in 1994 when they overthrew Dr Najibullah and brought an end to a devastating civil war, which started soon after the Russian withdrawal. They established an ‘Islamic Emirate of Afghanistan’ and were in supreme control of the region for till 2001. World Trade Centre attacks on September 11, 2001 changed the entire course of the happenings and this would plunge the country into further dark vacuity. United States of America came out hard at Taliban for harbouring Al-Qaida terrorists, responsible for 9/11, and destroyed their entire physical ecosystem except their will to fight back.

Sense of Identity:

Though Afghanistan is a Muslim majority country, it can hardly be called homogenous. There are four main ethnic groups - Pashtuns (the majority group predominantly settled in southern and eastern parts of the country), Hazaras (Shiite group with large presence in Central Afghanistan), Uzbeks and Tajiks (mostly settled in northern and north-east of the country). The lack of bonhomie and trust among these ethnicities is one of the reasons for continued deplorable conditions of the country. The utmost pride of one’s own group is a very well-established enabler. The experience of war shaped Taliban identity in ways unprecedented- First, the trenches created a sense of fraternity, more than just studying together in a madrassa. Second, they witnessed together the transformation and disruption of society at large and relegation of old tribal hierarchies. Third, the elevated status the leaders enjoyed in the religious circles and power as a consequence was an inspiring factor. Lastly, the structure set up by Mullahs for conflict mitigation and judgements came to have a beguiling effect upon people (Linschoten & Kuehn,

2018). Taliban's unexpected rise to power was due to their widely resonating promise of security and justice. The Mujahideen invoked Quranic verses manipulatively to strengthen their cause, for instance they often refer to a verse from 'Al-Baqarah', "that a small group would succeed against a larger group with the order of God and He is with those who are patient" (2:249). Article in Afghan daily 'Tolo-ye-Afghan'¹ talks about the aims of Jihad to implement Islamic principles. Taliban underscores three golden principles of Islam and justify their struggle upon the basis: 'Qisas' (Revenge for Wrong), 'Zina' (Dignity of human to be protected). and 'Jihad' (The fight for freedom). As there is no universally accepted Sharia Law, for Afghan Taliban it meant extreme form of Deobandi tradition and Hanafi legal jurisprudence as they understood it. Taliban, in public domain professed their rule to be modelled upon some secure principles: Idea of transparency, Idea of service, Reform of what has failed, Merit based appointment, and Equality and Social justice.² These principles, stated by any group for the matter, would be bought by common masses without any incredulity, who for long have desired for peace. For Taliban, the secret of success lies in 'obedience'. "Islam comes with social unity, social unity comes under an Emirate, and an Emirate can be established only by an Obedience to Emir"³ (Linschoten & Kuehn, 2018).

Taliban after 2001: Polycentric structure

Operation 'Enduring Freedom' and subsequent War on Terror after 9/11 wreaked havoc upon the fighting group operating in the region. A large chunk of Taliban got eliminated in 2002. It was their polycentric outlook which enabled them to regroup and sustain the American onslaught. Polycentrism is not to be confused with Fragmentation. The former implies multiple chains of command whereas the latter implies competing chains of command. De-centralisation talks of weakness in command structure and Centralisation demands single strong chain of command ('Islamic State' represents an extreme form of centralisation). The uniqueness of polycentrism and decentralisation attributes to them some USPs: their Modus Operandi is more resilient in face of counter insurgency efforts driven by modern technologies (Giustozzi, 2019: 15). In Taliban's case the polycentric structure was both vertical and horizontal. Though it should be noted that all was not well within the structure and the group many times came on the verge of disintegration, saved only by the charisma of the Leadership and External Mediation efforts. Most of the fighters, travelled across the eastern side of the border and settled in Quetta (Baluchistan province of Pakistan) and established the council called 'Quetta Shura'

1 Article dated August 2, 1995

2 Tolo ye Afghan, dated July 26, 1995.

3 Mohammad Akbar in Tolo ye Afghan, dated June 21, 1995.

In a vertical chain of command, group of 2000 men were formed called ‘Loy Mahazes’ who were placed in charge of a Commander. Any Taliban leader could establish his own Loy Mahaz if he had the required strength of fighters but there were established rules which every Commander had to follow. Some of the well-known Commanders like Mullah Dadullah, Mullah Abdul Ghani Baradar (deputy of Mullah Omar and now leads Taliban delegation in Doha), Akhtar Mansur, Abdul Qayum Zakir etc all established their ‘Loy Mahaz’ within the overarching umbrella of Taliban, more so the ‘Quetta Shura’. Also, Taliban shura appointed district governor and provincial governor in respective districts and provinces. Governors were given authority to sack unruly commanders, but this was just on paper owing to huge popularity enjoyed by commanders among public. Loy Mahazes were instrumental in allowing expansion of Taliban from 2004 and beyond. Mahaz deployments preceded emergence of Shura’s governors in an area. However, it relied too much on the status of their leader which created troubles for the leadership. The bigger and better funded the Loy Mahaz, more difficult it became to control for the governor (Giustozzi, 2019: 76). The infighting was common between different Loy Mahazes and between Loy Mahaz and Governor’s group (directly reporting to Quetta Shura and responsible for Loy Mahazes funding).

In a horizontal chain, two new shuras were established, though remaining formally under supervision of Quetta, which were largely autonomous – ‘Peshawar Shura’ and ‘Miran Shah Shura’, also known as ‘Haqqani Network’. Miran Shah was established even before Quetta under the leadership of Jalaluddin Haqqani (deputy minister in erstwhile Islamic Emirate of Afghanistan) in Waziristan (FATA region of Pakistan). Haqqanis had a more centralised system of command structure, and they have been linked to Al-Qaeda throughout and receiving interrupted supply of funds since 2002. Peshawar Shura was established in the East where smaller fronts like ‘Ijraya shura’ and ‘Shamsatoo mahaz⁴’ (former Hizb-e-Islamis) came together to form a bigger Shura. After 2009, Peshawar Shura started to get loads of foreign funding that at one point it decided to break away from Quetta and establish its own hegemony. However, it was brought under Quetta in 2015 when its leader Mullah Qari Baryal⁵ defected.

Change in Tactics:

When Taliban came back after the suffering defeat at the hands of the Americans, they brought some changes to their tactical adaptation. They started to make better use of their mountainous region and

4 Shamsatoo Mahaz was created in 1998 by orders of Gulbuddin Hekmatyar (leader of Hizb-e-Islami).

5 Mullah Qari Baryal led Peshawar Military Commission and is known for his charismatic persona. He was sacked from the position under pressure of Mullah Zakir and Pakistan. When Peshawar Shura was subsumed in Quetta Shura around 2014-15, he left and formed his autonomous mahaz called ‘Shura of the North’ with the help of Iranian and later Russian funding.

stayed protected behind them. Use of Guerrilla tactics was refined and started making use of small effective groups. The most important change was the shift from fixed base to mobile/temporary base, highly effective against drones. The Commanders were told not to hold territory against American superior firepower, but indulge in small unit ambushes, by making use of rocket propelled grenades and IEDs. Their fire control improved as they started to use coordinated volley of RPGs against specific targets and firing through multiple positions. They improved their anti-armour tactics, cover and concealment- by making use of irrigation ditches (Giustozzi, 2019: 147). This shift towards Asymmetric warfare avoiding face to face confrontation brought huge dividends for Taliban. They developed industry of IED manufacturing, using fertilizers as major ingredient.

They started to receive remote controlled mines from Iran by 2010. Surprisingly Taliban could not source TNT for IED manufacturing, given their accessibility to weapons black market. This somehow suggests that the ability of Taliban to escalate their Military technologies was somehow being constrained by Pakistan (Giustozzi, 2019: 152). Not everybody in the leadership was on board with the use of mines as it resulted in Civilian casualties. Mohammad Akhtar Mansur (head of Taliban after Omar's death) was an early opponent of mines. In 2012, Quetta Shura ordered suspension its suspension, but it was obeyed only by the governor groups. Military Commissions decided to continue using it, suggesting rifts within the structure. Another major innovation was the adaptation of Suicide bombing, an import from Iraq. Apart from infrastructural and human damage, it has a significant psychological impact. Miran Shah Shura or the Haqqanis had a separate 'Fedayin Commission' and a trained force specifically for the purpose. These are integrated team of fighters trained to storm strategic infrastructures, and not just blow themselves up in public. Out of the major impact of these changes, reduced operation by ISAF⁶ troops in Taliban held areas is very significant. Also, the Pasdaran (Islamic Revolutionary Guard Corpse) was instrumental in transferring heavy knowledge to Taliban, making Mashhad front⁷ the best trained group of all.

Organisational Strength:

Each Shura established different commissions to manage their bureaucratic functioning- Military Commission (the largest and most important). Political Affairs Commission, Cultural Commission, Economic Commission, Health Commission, Education and Training Commission, Invitation, Guidance & Amalgamation Commission, Prisoner's Affairs Commission, NGO Commission, and

⁶ International Security Assistance Force (ISAF) is the NATO led alliance to establish peace in Afghanistan.

⁷ Mashhad Office is the Taliban front established in Iran and controlled exclusively by Iran, autonomous from Quetta Shura but allows them to appoint governors.

Logistics Commission. Not all Shuras had all the commissions. Peshawar Shura established a new system of 'Nizami Massuleen' who were meant to be professional military leaders, and to operate from a separate chain of command of governors (Giustozzi, 2019: 172). This was often the bone of contention between different shuras as other shuras like Quetta did not employ these nizami masuleen. The three logistics commissions of three Shuras came into agreement to supply weapons to other shuras if they operated in their territory. This was done to offset excessive expenditure in logistics transfer. By 2015, Logistics Commission enabled Taliban to accumulate strategic reserves which could last 2-3 years even if all funding stopped. Introduction of registration for weapons and interrogation of black marketeers enabled to get rid of corruption in the system to some extent.

System of Recruitment:

Typically, Recruitment groups would visit villages when some local member of Taliban had been killed, or during a wedding. These were said to be the best time for recruitment. Mobile teams called 'Arshad-e-Dawat' were employed specifically for recruitment (Giustozzi, 2019: 183). Haqqanis recruited from all 1805 madrassas affiliated to them and no other group was allowed to tap into their seminaries. There was no centralisation in recruitment as all combat commissions could recruit directly. Taliban rules however forbid stealing of commanders and fighters from another group. After 2009, Taliban started to target state schools for recruitment. They understood the need for educated fighters to solve their organisational problems.

Improvement of Training and Counter-Intelligence:

Taliban started to employ commanders on meritocracy. Some Pashtuns however resisted training as they thought of themselves to be natural warriors. Taliban employed Punjabi Trainers (fighters from Punjab province, Pakistan) who were mercenaries and disgruntled fighters. They had been side-lined by the ISI⁸ after American pressure to support 'War on Terror' and they needed a vent to channelize their anger against Pakistani establishment and United States. Taliban made use of ANA & ANP⁹ defectors in administrative activities, and not in fighting tactics. Also, each Loy Mahaz had its own reserve forces, who would not be paid while inactive. With counter-intelligence becoming more professional, Quetta Shura established Intelligence department in 2006 itself. Taliban spies could be shopkeepers, beggars, government staff etc. and they also recorded Taliban abuses against civilians. Part time fighters proved to be great asset in Taliban's offensive stratagems. They are local, cheaper

⁸ Inter-Services Intelligence (ISI) is the intelligence agency of Pakistan.

⁹ Afghan National Army and Afghan National Police operate under the administration of Afghanistan Government.

than mobile groups, and hence have more knowledge about the area (Giustozzi, 2019: 202). They could easily operate underground with lesser chances of getting caught and could stay with family. Training of part timers were done in Afghanistan only as they were not expected to travel to Pakistan. In contrast, all other combat groups were trained in camps across border in Pakistan. The lower ideological purity and different sociological character of part timers did give rise to friction sometimes between local and out of area Taliban.

Constitution:

Taliban while in power pre 9/11, had started working on their new constitution which tells a lot about how they wanted their regime to be run. This however could not come to fruition owing to American declaration of war in Afghanistan. It came into public light in 2005. This very constitution had been influenced by Jamaat Ulema-e-Islam¹⁰ and complies with Al-Hanafi denomination. Some of the chapters are listed here: General principles, Fundamental Rights and Duties, Islamic Shura, Government, Judiciary, Amir ul Momineen, Administration, Economic System and Financial Affairs, Foreign Policy. Under chapter on Fundamental Rights: Article 27- protection against torture of person under arrest, Article 31- forbids Dual Citizenship, Article 33- Personal Residence immune from any Invasion unless dictated by Law, Article 35- Right to demonstrate for legitimate purposes under the sphere of Sharia Law, Article 38- to provide compulsory Intermediate level education, Article 44- Right to establish private Religious schools. Chapter on 'Judiciary' talks about independence of courts in delivering their verdict (Linschoten & Kuehn, 2018). These are some articles which underscore the fact that Taliban, at least in public domain, were careful of their image and wanted to give out a message to all major powers that they too could establish Governance on basis of internationally accepted model. While analysing their Constitution, it was noticed that wherever the provisions were complex and vague, they appended it with a clause 'according to Islamic Principles of Sharia'. This should be seen in contrast to all other major Constitutions of various States which deal with similar complexity by the clause 'according to due process of Law'.

Layeha: Jihadi Code of Conduct

Taliban first came up with a written exhaustive set of rules in 2006, which was compulsory to abide by for all Taliban members. They updated their code of conduct called 'Layeha' in 2010 and publicised it extensively by making use of Media. Some experts suggest that 'Layeha' is just a PR activity while for

10 Jamaat Ulema-e-Islam (JUI) is a religious-political party in Pakistan, led by Maulana Fazlur Rehman. Afghan Taliban have had good links with JUI since the beginning of its inception.

some it is actually what Taliban Utopia looks like. There are reports in Afghan dailies of Commanders getting punished after violating the established codes. Taking it at its face-value, its study provides deep insight into the Taliban's understanding of rules and norms.

Section 1- It talks about the surrender of opposition members. Approval of Commander is necessary in order to protect people inside opposition. Only if surrendering enemy tries a ruse to harm mujahideen, they can kill them instantly. In other cases, their decision to surrender have to be respected and treated accordingly.

Section 2- This deal with prisoners and their management. Releasing prisoners for money is strictly forbidden. Only Imam, Nayeb or Provincial Judge can order punishment.

Section 3- This talk about management of spies taken in custody. Confession taken by force is invalid, also filming or taking photographs of punishments is forbidden.

Section 4- Regarding those who provide logistic support for the enemy and their punishments.

Section 5- This section concerns about Booty i.e. property of so called 'infidels' seized during battle. According to rules, one-fifth of the booty had to go to provincial official, while four-fifths had to be distributed amongst Mujahideen were on frontlines. If villagers take part in battle, they get share of it otherwise not. If money and property is seized without fighting, then it qualifies as 'Beit ul Maal' (public property) and not to be taken as booty. Thus, it can be inferred that Commanders might be indulging in deliberate offensive so as to take control of property. Surrendering of enemy without a fight fetch them no benefits.

Section 6- It deals with organisational structure and various commissions at provincial levels, which has been listed earlier.

Section 7- It deals with Internal issues of Mujahideen and their mitigations. It establishes a hierarchy of obedience (Linschoten & Kuehn, 2018). From Mujahideen to Group Leader to District Leader to Provincial Leader to Head of Zone to Amir ul Momineen. Military Commission was established to settle issues between people and Mujahideen. A group leader is not allowed to recruit members from another group to increase his size of group. But this rule was hardly followed.¹¹ Other sections deal with Education, Management of Private Companies and NGOs, Health, and Prohibition. Mujahideen were told to avoid smoking cigarette, and were told to match their appearances with the people of the region they inhabit.

11 Often there were reports of different mahaz leaders trying to cash in on the another mahaz. After death of Mullah Dadullah, Mohammad Akhtar Mansur (former leader of Taliban, killed in 2016) and Abdul Qayum Zakir (important leader in Quetta Shura and former head of Quetta Military Commission) often confronted with each other to acquire fighters of Dadullah Mahaz.

Criticism and Vindication:

Taliban, since coming to power, has been on the forefront in being accused for negligence and showing no regards for Human Rights and treatment of Women. They didn't allow women to study in schools and universities. Taliban, however in various interviews stated that the reason for not allowing women education owes to the prevalent situation in the country. Education of women has been given great importance in Islam and they will allow them to have access to it as soon as conditions are favourable. The defence however does not hold any traction judging on modern humane basis. But not giving their stand a due consideration, will further lead to impoverishment of women. After coming to power in 1994, they did release unpaid salaries to women who worked for former administration.¹² For Taliban, protection of honour and dignity of women was greater than education for women. Another accusation against Taliban rests on them being uncultured. Various newspapers have reported Poetry reading contests held in hotels where attractive rewards were distributed, promoting Afghan culture¹³. Library related to Jihad of 1980s was inaugurated as well. Taliban realised that tribal system has always been part of Afghan society but they aspired to rise beyond it and conceived of an Islamic State¹⁴.

The 'Ministry of Promotion of Virtue and Prevention of Vice' or colloquially 'Amar bil Marouf wa Nahi min al Munkar' received a lot of flak for their high handedness and moral policing. It operated outside the leadership council based in Kabul (during IEA¹⁵ regime) and answered only to the 'Amir ul Momineen', thus largely remaining unaccountable. Even now Amar bil Marouf is a major department seen by Quetta Shura. Taliban officials did reprimand the culprits who misused their authority while working for the department, also they would review entire 'Amar bil Marouf'.¹⁶ Taliban often appealed to International Agencies like IMF, World Bank, United Nations to rebuild Afghanistan. Taliban, while in public stated that they want economy to be designed on principle of free enterprise and also to encourage private investment and undertaking. There is no doubt about the warm welcome Carlos Bulgheroni received at all Taliban offices and even at the hands of various warlords. Carlos, president of an Argentinian company called 'Bridas' wanted to build a Gas pipeline from Turkmenistan to Pakistan via Afghanistan. The project could not see light of the day after American invasion of Afghanistan. Taliban also acknowledged the need for reforms of Madrassas. They were concerned about the lack of specialisation of students. Keeping in mind the then situation, they proposed that

¹² Shariat, dated October 14, 1996.

¹³ Initiation of 'Shariat' weekly. Contest held in Intercontinental hotel. Report dated March 8, 1997 (Shariat).

¹⁴ Islamic State based on Sharia Law. This does not imply 'Islamic State' extremist group known as ISIS/IS or DAESH.

¹⁵ Taliban controlled Islamic Emirate of Afghanistan (1994-2001).

¹⁶ Al Emera website, dated April 4, 2012.

hostels of seminaries in villages be closed so that the money so saved could be added to salary of teachers.¹⁷ According to Article 52 of Taliban Constitution, the official in charge of Provincial Education is duty bound to dispatch delegation of religious dignitaries and scholars to carry out publicity in areas where education programs are being implemented.

Pashtunwali:

Around 70 percent of Taliban come from Pashtun belts. They over a period of time have come to identify Islam with concoction of tribal customs, de-contextualised Quranic verses, Hanafi legal tradition and Pashtunwali (chivalrous tribal codes of Pashtuns). The Afghani Islamicists have failed to resolve the dichotomy of ‘Tribe vs Ummah’¹⁸, Clan vs State & Religion. This failure of Political Islam has had repercussions in the way extremist elements exploited this vacuum. Some of these Pashtunwali customs are diligently followed by Taliban, which also paves the way for their amelioration. few of them are thereby listed: ‘Melmastia’- Profound respect for guests of all race, religion, tribes etc. ‘Badal’- Revenge for any wrong committed. This tradition is highly followed by Pashtuns. ‘Nanawatay’- Protection given to person who request it against his enemy. ‘Zemaka’- to inspire Pashtuns to defend the land and property against insurgents. ‘Nang’- safeguarding honour of family and oneself (Abbas, 2014: 18).

Conclusion:

Generally, for phenomena as Taliban insurgency, many little conflicts merge into a bigger war. Many tribes support Taliban for their own reasons, mainly due to perceived favouritism of Government towards rival tribes. This factional, ethnic and personal rivalries have fuelled the prolongation of conflict. Also, the fact that Afghan Government has been highly inefficient in providing facilities to people and no avidness on their part to end the conflict. Ashraf Ghani and Abdullah Abdullah after being engrossed in their own strife for power, recently have come to a political agreement. How long does it sustain shall be seen in near time? The twin presidentship made the country prone to more hardships as neither seemed willing to forgo their avarice for office. As Taliban regularised the salaries, the attraction of average villagers towards them increased. However, this institutionalisation of Taliban, introduction of regular pay was seen by many as loosening of character of Jihad. The abundance of funding destroyed the original romantic ethos of Taliban (80% coming from abroad). For

¹⁷ Shariat, dated July 15, 2000.

¹⁸ Ummah is referred to as entire Muslim community at large.

some, this was very sign of success. The reluctance to formalise rules is not an exclusive feature of Taliban, it has to do with State development in Afghanistan.

The leadership vacuum whenever arose could have been filled by Collegial leadership. This kind of leadership was present in Peshawar Shura for instance as it was cohesive enough to not need polycentrism. Thus, they relied on centralisation. With the coming of special forces, the likes of ‘Sare Qeta’¹⁹, the need for a centralised command and control system has become limited (Giustozzi, 2019). With this, a dichotomy gets established- Mobile forces being professionalised and local forces being marginalised. The implication of this is yet to be seen. Taliban’s recent dealings with Russia tells about their growing sense of pragmatism. By fighting ‘Islamic State-Khorasan’, they tend to appear moderate relatively and gain legitimacy internationally and internally. They can now use this legitimacy towards a political settlement favourable to them. Pakistan and United States, two major foreign stakeholders in Afghanistan, have been very myopic in keeping Iran out of major discussions. It is to underscore the fact that the most sophisticated, best trained and equipped faction of Taliban now, is ‘Mashhad front’, exclusively funded by Iran and IRGC. Iran now also funds Qari Baryal’s ‘Shura of North’ along with Russia. Another country which has kept itself at the margins in the entire negotiations is India.

It has become rational for India to jettison their moral high ground which they have maintained by not directly talking to Taliban. It supported Northern Alliance; whose warlords were no less barbarous than the then Taliban. India has a lot to offer at the table but it needs a strong will and leadership to contribute to Peace in the region. Pashtuns in the Afghan belt are inspired by Deobandi Islam, which originated in India. Ironically it was a revivalist religious movement here, far from any sense of extremism. Taliban often calls a concoction of Pashtunwali, Hanafi legal tradition, and some decontextualized Quranic Verses as True Islam. India, being second largest Muslim populated country should take a lead in exhibiting Sufi elements, but of course first correcting its image of late in the Muslim world. The soft power investments in Afghanistan, be it via Bollywood or construction activities resulted in goodwill and bonhomie and now its high time to capitalise on that. India enjoys better relations with Iran than United States or Pakistan. It can work tremendously to put Iran’s Taliban policy on a right trajectory and also counter the ‘Strategic depth’ policy of Pakistan- one of the causes for mayhem in South Asia. The emergence of Kashmir based groups viz. Lashkar-e-Taiba and Jaish-e-Mohammad in Eastern Afghanistan, working alongside Taliban should give them a push.

ITCT does not necessarily endorse any or all views expressed by the author in the article.

19 ‘Sare Qeta’ is a recent Taliban adaptation. These are small teams trained professionally to infiltrate and enter cities and mix with locals, also to avoid Airstrikes. These battles tested commandos have become cornerstone of Taliban strategy of late.

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