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Pushtunwali

Honour among them

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AP



Thieves, murderers, rapists; and how the Pushtuns' ancient tribal code is fighting for survival against radical Islam

IN A cinema hoarding in Peshawar's Khyber bazaar, Arbaz Khan brandishes a Kalashnikov rifle with a muscular brown arm dripping with scarlet blood. Two nicely plump, pink-cheeked maidens are arranged on the grey rocks behind the actor, manacled and in chains. Mr Khan's roaring, jet-moustachioed mouth bellows the name of the film: "It is my sin that I am Pushtun!"

As an examination of moral equivalence, the film raises difficult questions. To simplify: Mr Khan's father is killed in a blood-feud, after which, according to the tribal code of the Pushtuns—or Pakhtuns, or Pathans, as they are also called—Mr Khan's uncle should marry his dead brother's widow and accept Mr Khan as his son. But Mr Khan's mother is rather long-in-the-tooth, so Mr Khan's uncle (or father) takes up with a dancing-girl, whom, to satisfy his mother's honour, Mr Khan kills. Mr Khan then falls in love. But, dash it, his uncle (or father) makes a play for his girl! Herein lies a dilemma. According to the tribal code, which is called Pushtunwali, Mr Khan must honour his father and also slaughter anyone who messes with his lady. Which way should he choose? After brief anguish, Mr Khan slots his randy uncle.

To Western critics, "Aayeena" might sound like Bollywood schlock. But it has real-life resonance in Peshawar, the capital of Pakistan's North-West Frontier Province (NWFP). Your correspondent recently paid a visit there to a politician, Anwar Kamal Marwat, a florid gentleman of military bearing and

parliamentary leader of the Pakistan Muslim League-Nawaz in the NWFP assembly. By chance, Mr Kamal had that evening returned from a distant jirga, or tribal council, involving several hundred elders from Pakistan and Afghanistan, representing several dozen Pushtun tribes and their constituent clans. The jirga had been convened to settle a blood-money claim against the Marwat tribe, which Mr Kamal leads, incurred in April 2004.

For several years previously, the Marwat had been feuding with their neighbours, the Bhattani, another small Pushtun tribe. The tit-for-tat offences were quite piffling, said Mr Kamal—a spot of thieving or kidnapping of fighting-age males. Then some Bhattani hotheads abducted two Marwat girls; and Mr Kamal went Pushtun-postal. Leading an army of 4,000 Marwat fighters, equipped with artillery, he levelled a Bhattani town, killing 80 people, including the two unlucky, but nonetheless dishonoured, girls. Neither the bloodletting, nor the jirga that followed it (which stung Mr Kamal and his tribe for \$60,000), seem even to have been mentioned in the Pakistani press.

Asked whether he saw any contradiction in a senior lawmaker instigating such extreme violence, Mr Kamal appeared astonished. “Well, we don’t claim this is something to be proud of,” he stuttered. “But it is a question of prestige, you see, a question of honour.” In other words, he might have said, paraphrasing Mr Khan: it is his sin that he is Pushtun.

It is over 250 years since Afghanistan was cobbled together, from many ethnic groups, and two centuries since British colonisers tried stretching their writ to India’s (now Pakistan’s) north-western frontier, where the plains crumple up towards the Hindu Kush. Yet, in both places, a large part of the population is still wedded to Pushtunwali. Some 15m Pushtuns live in Afghanistan, or 50% of its population; and 28m in Pakistan, mostly in NWFP, representing about 15% of the population there. Most of them are ruled by their tribal code, the notable exception being where the rival Islamist code, of the stringent Saudi variety which is preached by the Taliban and quite new to Afghanistan, is strong. Islamism has rivalled Pushtunwali for centuries; it has often gained prominence, as currently, in time of war. More typically, the two competing ways have cross-fertilised in Afghanistan, each subtly influencing the other.

Pushtunwali’s principles have not changed in centuries—certainly not since they were recorded by Victorian ethnographers, middle-class soldiers and civil servants: players of the Great Game. Most lionised the fierce tribesmen, who periodically murdered them. Some even swallowed a delicious Pushtun claim to be descended from a lost tribe of Israel. But not all Westerners fell for the Pushtun. As a reporter for the *Daily Telegraph*, attached to the Malakand Field Force, Winston Churchill wrote: “Their system of ethics, which regards treachery and violence as virtues rather than vices, has produced a code of honour so strange and inconsistent that it is incomprehensible to a logical mind.”

Pushtun amateur genealogists (that is, most Pushtun men) say Pushtunwali is 5,000 years old. But as Pushtu was first written less than 500 years ago, the theory is hard to test. The code’s sine qua non is honour, or nang, a word which, according to Sir Olaf Caroe, an imperial scholar of the Pushtuns, contains a mythical sense of chastity. According to Khusal Khan Khattak, a great 17th-century Pushtun poet, credited with 45,000 poems: “I despise the man who does not guide his life by nang,/the very word nang drives me mad!” In dusty Pushtun villages today, few bearded men would not nod approvingly at this. “Any man who loses his honour must be completely ostracised,” said Sandaygul, a long-beard of the Mangal tribe in Afghanistan’s south-eastern Paktia province. “No one would congratulate him on the birth of child. No one would marry his daughter. No one would attend his funeral. His disgrace will endure for generations. He and his family must move away.” In Pushtu, to be disgraced means literally to be an outsider.

The insulting Americans

There are infinite ways to slight a Pushtun’s nang, but most involve zar, zan or zamin: gold, women or land. The search tactics of American troops in Afghanistan, five years after they invaded the country, tend to offend on all counts. By forcing entry into the mud-fortress home of a Pushtun, with its lofty

buttresses and loopholes, they dishonour his property. By stomping through its female quarters, they dishonour his women. Worse, the search may end with the householder handcuffed and dragged off before his neighbours: his person disgraced. America and its allies face a complicated insurgency in Afghanistan, driven by many factors. But such tactics are among them.

His honour besmirched—and here's the problem for the Americans—a Pushtun is obliged to have his revenge, or badal. Last year, in one of the myriad such examples that arise in conversations in northern Pakistan and Afghanistan, the daughter of a prominent businessman in Gardez, Paktia's capital, eloped with her beau. So the businessman sold up his property, moved to Kabul and tracked down and killed his daughter's lover. His daughter, whom he must also kill if the stain is to be removed, has been given sanctuary by a human-rights organisation. Her prospects are not good. According to a Pushtu saying: "A Pushtun waited 100 years, then took his revenge. It was quick work."

In addition, the honourable Pushtun embraces two obligations. He will offer hospitality, malmastai, to anyone needing it. And he will give sanctuary, nanawatai, to whoever requests it. Stories of extreme generosity are common in Pushtun places. Near the village of Saidkhail, in the Zadran tribal area of eastern Khost province, a wandering Islamic student, or talib, killed a man with a knife, recounts Mohammed Omar Barakzai, the deputy minister for tribal affairs. The talib knocked on the nearest door and said to the woman who opened it: "I have killed a man. Shelter me." She let him in. And sure enough, to trim an elegantly told tale, the murdered man was the woman's son. "I am a Pushtun and have given this man refuge," the woman told her blood-lusting husband and brothers. "Take him to safety."

But Pushtunwali is not all fierce imperatives. The code also contains many flexible means of preventing conflict through consensus and compromise. Chief among these is the jirga, of which each of Afghanistan's main groups, Uzbeks, Tajiks, Pashai, Hazaras and Baloch, has its version. By one estimate, jirgas settle over 95% of Afghanistan's disputes, civil and criminal. The figure for northern Pakistan is perhaps only slightly lower. This is not just because the regular courts are incompetent and corrupt (Afghanistan's were recently reformed by Italy). It is because, given high levels of illiteracy, many Afghans and Pakistanis find it easier to understand unwritten customary law, in Pushtu called narkh. And, where authority is contested by a well-armed citizenry, the jirga's verdicts, delivered with the warring parties' consent, tend to be more enforceable than off-the-peg legal or Islamic judgments.

A juddering two-hour drive from Peshawar, at Jamrud, in Khyber Agency, a 60-strong jirga recently settled half a dozen cases in a day—more than a bent Pakistani magistrate might manage in a week. Two disputes over money and property, including one involving the murder of five people, were ended with compromises. A dispute over a murderer who had been given sanctuary by a neighbour was postponed, pending deliberation from the spingeeri—literally, white-beards—who make up the jirga on a forerunning series of killings. A man accused of "adultery", of rape in fact, was told to pay 1m Pakistani rupees (\$16,500) to his victim's family; he may thank his stars he had lived so long.

Among the spingeeri sat Adam Khan Afridi, who had himself been judged shortly before. For 25 years he squabbled with a cousin over which of them would inherit an uncle's lands, until Mr Khan killed his cousin and his cousin's

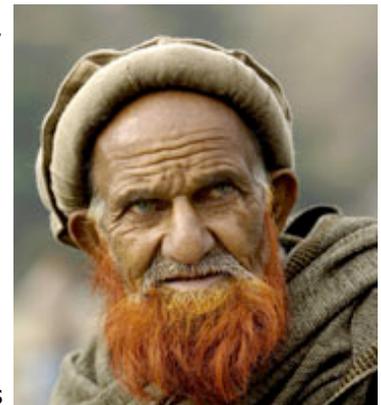
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None is more equal than others

"Their system of ethics, which regards treachery and violence as virtues rather than vices...is incomprehensible to a logical mind"—Churchill

AFP



sons and grandson. Then he killed their uncle. This was excessive, Mr Khan conceded; he had committed the crime of miratha—annihilating every male in the rival camp. The jirga decreed that two of Mr Khan's houses be destroyed, and fined him 500,000 rupees. He thought this harsh.



Jirgas do even greater service, as with the Marwat and the Bhattani, in ending tribal wars. On a chill recent morning in Kabul, your correspondent sat with a jirga convened to settle a dispute between two nomadic clans of the Siddiquekhail, a sub-tribe of the powerful Pushtun Ahmedzai. In 1980, a 17-year-old youth of one the clans, named Babur, disappeared while travelling through Pakistan with members of the other; then in 1992, a 60-year-old shepherd of the second clan was found murdered, allegedly killed with an axe by an uncle of Babur.

Previous attempts to settle the dispute had foundered in part on a deposit of \$10,000 that each tribe had been asked to lodge with the jirga, with a vow to abide by its decision. "It is time for this feud to end," said Haji Naim Kuchi, the chief mediator, or narkhi, and member of a different Ahmedzai clan. "You should be at home sleeping with your wives, not plotting to kill each other!" Mr Kuchi, who is famed for his deep knowledge of customary law, asked the feuders to "place a stone" on their dispute—to suspend hostilities while the jirga sat. "We all know that if this continues many men will die before you return to the jirga," said Mr Kuchi, who had been released from American custody shortly before, after three years' imprisonment without trial in Guantánamo Bay.

To settle disputes, Mr Kuchi has two main options. He can order a guilty party to compensate its victim with cash, a practice known as wich pur, "dry debt", or he can order the two parties to exchange women, or lund pur, "wet debt". By binding the antagonists together—just as in medieval European diplomacy—lund pur is considered more effective. Typically it involves exchanging a 15-year-old, a ten-year-old and a five-year-old girl, to be married into three succeeding generations of the enemy clan. Thereby, and though human-rights groups understandably revile the practice, Pushtuns have peace and happy grandfathers. "Blood cannot wash away blood," runs a Pushtu proverb. "But blood can be turned into love."

In a land far, far away

If Pushtunwali is about more than killing, its strictures are still remarkably unforgiving. Many Tajiks, like Pushtuns, would die before they suffered a slight. But, unlike Pushtuns, they do not fear their peeved neighbours to the extent of living in castles. A recent European Union analysis of jirgas in eastern Afghanistan found that elopement was the crime most often heard by Pashai jirgas, but Pushtun jirgas rarely considered it. That could be because few Pushtun lads and lasses elope or, more likely, because they are more likely to be killed when they do. What makes Pushtunwali so durable and so harsh?

One reason is remoteness. At the confluence of civilisations, between Central Asia, ancient Persia and India's plains, Afghanistan has been contested by marauding armies and strange traders for millennia. A ruined capital, or two, lies buried in most of its 34 provinces, and each has left its trace in the languages and traditions of today. Pashto, for example, is believed to have originated in Bactrian, the language spoken by Greek descendants of Alexander the Great. And yet the wildest Pushtun places, especially along the lofty border where the strictest Pushtunwali is practised, have been relatively untouched by outsiders for centuries. Waziristan, in Pakistan's semi-autonomous tribal area, has never been held by any foreign power.

Another reason for Pushtunwali's rude health lies in the nature of Pushtun society. Once rulers of Delhi, in the ranks of the Mughal emperors, and never vanquished for long, Pushtuns consider their society every bit as superior as Winston Churchill considered his. And it is defined by Pushtunwali: there is no Pushtun nation or, in fact, ethnicity. A Pushtun is simply someone who speaks Pushtu and who therefore follows the tribal code: Pushtunwali literally means to "do Pushtu".

A third factor promoting Pushtunwali is one of its most appealing features, egalitarianism. Leadership among Pushtuns is rarely inherited. It is more often bestowed by a jirga on merit. Even then, the most elevated Pushtun elder dares not condescend to another man of his tribe. When lunch is served at a Pushtun feast, with tasty dishes of mutton, raisins and rice, there are no servants, but servers, of equal status to host and guests. Where a good name is the cost of social inclusion, Pushtuns will fight to keep it so.

It is above all this political function that makes Pushtunwali so resistant to change; but it is not unchanging. Pushtun tribes constantly update their code. Three years ago, the Mangals of Paktia ended a practice of revenge-taking by proxy, whereby a weak man had only to slaughter a sheep outside the house of his stronger neighbour to make him accept his blood-debt. "We were doing too much killing," explained Sandaygul, the Mangal in Gardez.

More traumatic change to the code has come from external pressures. In urban places, where the Pakistani and Afghan states somewhat function, aspects of Pushtunwali have been jettisoned; jirgas of the Kasi tribe, which is based in the Pakistani city of Quetta, rarely meet. More powerful opposition has come from political Islam, which seeks to replace the authority of the jirga with the mullah, customary law with Islamic sharia.

Over the past millennium or so, the Pushtuns' religious and tribal codes have roughly co-existed. As a mark of a time-honoured accommodation, Pushtun elders and mullahs often insist there is no contradiction between the two prerogatives. "The sharia and jirga systems are not opposed," said Maulvi Sayeed, a member of the Muslim council, or shura, in Kandahar, capital of southern Afghanistan. "To solve a problem through the use of a shura, a council, is the aim of both. The jirga is not against sharia law. If there has been a murder then the aim is to satisfy the relatives of the victim," said the mullah, seated cross-legged amid stacks of religious texts, with a vast white turban atop his grizzled head.

In fact, sharia courts, which in Afghanistan are often indistinguishable from regular courts, are an alternative to blood-feuding and jirgas. Like jirgas, they can urge the victims of a crime to settle the matter through compensation. But where this is rejected, the courts can issue death sentences, or other harsh penalties, which jirgas do not. A plaintiff who is unhappy with a jirga's verdict may seek an alternative ruling from a sharia court. According to Maulvi Sayeed: "If the brother of a man who has been murdered does not agree to forgive his killer according to the jirga, then he can go to the sharia court. If the murder was unjust then the sharia court will say that the killer has to be killed."

Another big difference between the codes is in their treatment of women. In sharia law, there can be no exchange of women as a means to end disputes, and women are guaranteed some rights of inheritance—unlike in Pushtunwali. Nor does sharia law recognise the Pushtun habit of wife inheritance, wherein a widow is forcibly married to her dead husband's brother or cousin. "Such things happen when people are uneducated," sniffed Maulvi Sayeed. "We don't oppose the system of tribal elders but they must follow the way of Islam. They can convene jirgas and dispense the law, but the law must be that of sharia."

Though fiercely religious, Pushtuns have mostly preferred their leaders and law to be tribal. The great exception has been in times of duress, when a standard is needed to rally their fractious tribes and sub-tribes: then they have tended to hoist the flag of jihad. Of the 19th-century Masood tribe of Waziristan, Sir Olaf wrote that they wanted "at all costs to resist subjection and to preserve their own peculiar way of life. To attain this end they were always prepared to make use of adventitious aids such as appeals with a pan-Islamic flavour."

Compensation typically involves exchanging a 15-year-old, a ten-year-old and a five-year-old girl, to be married into three succeeding generations of the enemy clan

AFP



Thus the jihad launched in the 1980s against Soviet invaders united all Afghan tribes. It was generously backed by Saudi Arabia and America and given sanctuary by Pakistan, which was home to 3m Afghan refugees. Yet still its Pushtun leaders found it necessary brutally to suppress their tribal peers, terrorising the refugee camps and murdering the jirga-leaders who defied them there.

In the early 1990s, after the Soviets had been driven out and the former jihadist chiefs were fighting a civil war, Pushtuns again rallied around Islam. A band of Ghilzai Pushtuns near Kandahar, led by a mullah named Omar, backed by Pakistan and calling themselves the Taliban, raised the black flag. Gushing with Islamist zeal, Pushtun youths rushed to join them as they swept the feuding militias away.

But once the Taliban restored order to most of Afghanistan, Pushtuns began recoiling against their rulings. Their public executions and other outrages to public decency were anathema to them. So too when the Taliban—despite their celebrated chauvinism—outlawed wick pur and advocated female inheritance. No wonder if the lives of the vast majority of Afghan women have not eased since the Taliban were bombed from power.

AP



For two years after their demise, the Taliban were not mourned in Afghanistan. But since then an insurgency has gathered pace. It is not quite clear what is driving it. An exploding opium harvest, which is providing cash for the Taliban and a reason for Pushtun farmers to keep the government away, is one reason. Another, as Sir Olaf might have foretold, is the response of the most remote and traditional Pushtuns to a foreign invasion.

In late 2001, thousands of Taliban and several hundred Arab and Central Asian followers of Osama bin Laden poured into northern Pakistan's tribal areas—including Waziristan, home of the Masood. To hunt them, and in a bid to save Western troops in Afghanistan from the same cross-border insurgency that hobbled the Soviet Union, Pakistan sent 80,000 troops into the tribal areas.

Alas, they have achieved the very opposite effect of that intended. Calling themselves the Pakistan Taliban, fighters of Waziristan's main tribes have rallied against the army, killing several hundred soldiers. As in the former refugee camps, jihadist assassins have killed several hundred Pushtun elders, ensuring that sharia, not Pushtunwali, is the law.

If history is any guide, many Pushtuns in northern Pakistan and southern Afghanistan will continue their drift to Islamist militancy until they are defeated, which looks impossible, or the Pakistani and Western forces are withdrawn. They are then likely to return to their simmeringly murderous tribal ways. That would be better than the current mess. But it would also leave millions of

If history is any guide, the Pushtun will continue their

people outside the writ of Pakistan and Afghanistan. If either state is to succeed, the alternative writs of Pushtunwali and jihadist Islam will have to wither. But that will not be soon.

To imagine quite how long it may take, consider Nakband. It is a suburb of Peshawar, the most developed Pushtun city, a mere two-hour drive from Pakistan's smart capital of Islamabad. Yet it is little different from the craggy and forbidding tribal areas, where Pakistan's constitution does not apply. Nakband's inhabitants have no state services except the electricity they steal from the mains. There is no half-serious hospital for 20 miles. Pushtunwali, with a sprinkling of the Koran, is the law in Nakband. Blood-feuding, as marked by the ratchet of gunfire in the unbroken gloom of night, is routine. The government makes no effort to intervene in these disputes. Combing his long black hair beside a baked-mud road, a resident of Nakband said that, in theory, the city police were free to enter his suburb. But the locals had not permitted them to do so, so far as he could recall, since 1998.

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