

## ***Pashtunwali* and Islam: The Conflict of Authority in the Traditional Pashtun Society**

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### **Abstract**

*This paper aims to analyse the root causes of the conflict of authority in the Pashtun tribal society in historical perspectives. The autonomous and independent Pashtun tribes traditionally follow the pashtunwali which is their social code of conduct and customary law to resolve their social and legal matters. It is observed that there is not a single form of pashtunwali; rather it is heterogeneous in its form and has a variety of manifestation in various Pashtun tribes. The Pashtun perception of Islam is deeply embedded in their social code of conduct: pashtunwali. My argument is that Pashtun's experience of Islam is unique in many ways from the rest of their neighbouring regions. They had never been the part of any central rule, thus remained autonomous, away from the central commanding authority. Their socio-political system functioned through the tribal structure while their religious perception was deeply rooted in their culture through which they manifested their religious ideology. Thus, they enjoyed to practise religious precepts and rituals as part of their cultural norms. They were practising Muslims; but did not exercise Islam on judicial basis of the society. However, the desire of Afghan Pashtun rulers to establish a central government brought a significant change in the authority patterns of Afghan society. The Afghan rulers consolidated their power through the extensive use of religion which ultimately brought the religious class into the politics on both central and tribal levels. Since then, conflict of authority emerged extensively between central government, tribal chiefs and religious elites. Their conflict can be observed through the medium of Shari'a and pashtunwali's discourse. We have illustrated the norms of pashtunwali in order to understand the authority apparatus of the Pashtuns. In this context, it is matter of paramount importance to analyze that how Pashtuns experience Islam and how their religious and cultural ideologies and norms are harmonious and conflicting with each other. The present paper aims to analyse the relationship of pashtunwali and Islam in the traditional Pashtun society during the period of Afghan Confederacy (r. 1747-1880) prior to the foundation of National State of Afghanistan in 1880.*

**Keywords:** *Pashtunwali*, Jirga System, Pashtun Tribal System, Afghan Confederacy (r. 1747-1880, Ahmad Shah Durrani, Islamic Law.

## I. Introduction

The monarch/ central government of Afghanistan had always a marginal influence on the internal affairs of the tribes who remained autonomous under their customary laws of *pashtunwali*. The traditional role of mullah was to lead the people in their daily rituals, and to guide them in religious matters, while his involvement in the political affairs was marginal. In this scenario, the tribal chief exercised the central role in the society; because monarch/ the central governments and religious class had a marginal position in the tribal structure. The authority rested in the hands of tribal chiefs through the *jirga* institution. The *jirga* was supposed to resolve the conflicts under the customary law of *pashtunwali* that was considered as analogues with the Islamic in order to strengthen their rule. They also raised the religious slogan to wage  *Jihad* for the expansion of empire such as the Afghan-Marhathas war in India, or for the protection of the country such as the Durrani-Sikhs wars and Anglo-Afghan wars. The Afghan rulers had to face a challenge that how to extend and consolidate the authority of the central government over the independent and autonomous tribes? It can be argued that one of the most significant aspects of Afghans political system is its fragile and weak central government in among the strong autonomous tribes who always perceived the rule of central government as a threat to their autonomy. Therefore, they always resisted the rules and regulation of the central government, particularly those related to tax collection, conscription, and the socio-religious reforms that had potential to break down their traditional authority. A continuous wave of disagreement and resistance between the central and tribal forces can be observed throughout the history of Modern Afghanistan. In order to shatter the tribal authority, the Afghan rulers used the religion to extend their authority. The central government attempted to devise the *Shari's* laws under the *qadi* courts to weaken the authority of the *jirga* that resolved the matters under the tribal chief in the light of traditional code of *pashtunwali*. On the other hand, this step mobilised the mullah for religious activism. The central government provided the space to religious class to reduce the authority of the tribal chiefs. Thus, the conflict of authority emerged and contested in terms of *Pashtunwali* and Islam. The present paper is an endeavour to understand the tradition of *pashtunwali*, Islam and conflict of authority during the period of Afghan confederacy 1747 to 1880.

## II. *Pashtunwali*: Apparatus of the Pashtun Authority

The social structure of the Afghan society determines the formation of its customary law. The social norms of a tribal society revolve around the strict affiliation of kinship and strong group solidarity which generated a kind of '*asabiyya* or group feeling as theorized by a famous Arab social historian Ibn Khaldun. He argues that '*asabiyya* or group feeling helps strengthen the unity of a tribe and generates integrity and harmony among its individuals (Ibn Khaldun, 1969, pp. 105-106, 136-138; Barfield, 2010, p. 58). Afghan society is predominately a tribal society; and every member of a tribe has to show allegiance to the norms and customary laws of his tribe. The *pashtunwali* is a customary law of the Pashtuns tribes who live in the mountain territory of Hindukush and Sulaiman Mountain along the Durand Line. These tribes used to live without a centralized rule or control. They are governed through a strict adherence to their customary law *pashtunwali* that is a set of unwritten rules about the individual and communal conducts. All tribes of the Pashtuns practised the rules of *pashtunwali*, however its manifestation and application is at variance from region to region. The major difference in the application is observed in the urban and pastoralist nomadic societies.

The tenets of *pashtunwali* evolved during the course of centuries and functioned latently in the mechanism of the Pashtun society. The *pashtunwali* is not limited only to the legal sanctions, but also has many ethical commandments in order to lead a specific way of life in a specific tribal environment. It is a code of honour, social conduct and legal framework by which a Pashtun establish his relationship with all members of society. Naumann defines the *pashtunwali* in a methodical way, and argues that it is an ideology: “The *pashtunwali* is a blueprint for leading an honourable way of life in the specific socio-ecological niche shaped by historical influences comprising the human factor; it is an encompassing “ideology” Naumann, 2008, pp. 30, 117).<sup>1</sup> Thus, *pashtunwali* is integral to Pashtun identity, and consists of all norms of the Pashtun society. It is practised in all Pashtun tribes particularly among the free tribes of the Sulaiman Mountain on both side of the Durand Line. According to Pazhwak, the term Pashtu is not only the name of the language, but also used as a synonym for the term *pashtunwali* that is better known in the Western countries. In order to seek the honour (*izzat*), a Pashtun adheres to *pashtunwali*. Its violation not only poses a great threat to his status, but a risk to his life as well, and he would not be given protection or support of the Pashtun society. The *pashtunwali* comprises the concepts of honour, chivalry and bravery (*gayrat* or *nang*), hospitality (*melmastia*), gender boundaries (*pardah* and *namus*). These values function normatively in the society; and in the case of violation and disagreement, the *jirga* has a right to determine the value of any matter according to the socio-economic conditions within the Pashtun community (Naumann, 2008, p. 119).

### III. Heterogeneity and Characteristics of the *Pashtunwali*

The *pashtunwali* is not homogeneous in its form, as there is a variety of its manifestations observed across the Pashtun region. On the basis of socio-economic structure, the Pashtun society can be divided into two major groups: the *qalang* (rent-paying) group dwells in the urban areas, or they are landowning Pashtun and their land is fertile, while the *nang* (honour-bound) group inhabits in the mountain fringe of the Pashtun region. They are generally nomads and living a hard life in comparatively unfertile rural areas. Each group forms the meaning of *pashtunwali* according to their relevant social structure of the society. The difference of the organizational structure of *pashtunwali* entails the differences in the conceptual framework and forms of authority in the *pashtunwali*, including those concerning women. Akbar S. Ahmad argues that the *nang* societies are acephalous and segmentary in structure. They are more attached to their traditional social norms derived from their code of honour. Whereas, the authority structure of the *qalang* Pashtuns is hierarchical. They own a large area of fertile land that is the source of profitable foodstuff. Their way of conduct is an asymmetrical based on the economic ethics of patron-client relations. Contrary to the *nang*, they are structured less by the *pashtunwali* (Ahmed, 1976, p. 81; Edwards, 1998, p. 714). The main tenets of *pashtunwali* are as follows:

### IV. Social Aspects of the *Pashtunwali*

#### A. *Melmastia* (Hospitality)

The hospitality and reverence to all visitors, apart from their religious, racial, regional, or social milieus is considered an obligation upon a Pashtun. A guest is

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<sup>1</sup> Note: Naumann also notes that Ibrahim Atayee that the *pashtunwali* comprises “all the customs, tradition, heritage, customary law and usages and all social relations, the concept conveying the socio-economic political and cultural system in totality (1980, pp. 30, 117).”

considered a blessing and generous hospitality and warm-greeting are the finest virtues in the Pashtun norms. Elphinstone records that hospitality is the most remarkable characteristic of the Afghans. It is believed that whosoever does not observe this virtuous practice does not have any share of Pashtuns tradition. The *melmastia* is also exercised as a tool to resolve the internal conflicts and quarrels. According to the Pashtun tradition, one has to show hospitality and offer the best meal available even to his enemy when he pays visit to his home. It leads to normalize the hostile relations among them. Hospitality strengthens the honour of a Pashtun and gives him an opportunity of social networking that ultimately increases his authority in the socio-legislative fields. The *qalang* Pashtuns build a guest house, which works as a centre of social activities. It also provides guest a shelter to the guest where he stays and enjoys the meal in the company of the men of the village. Hospitality is not limited to the feeding of strangers or friends, but also includes gift-giving, housing and protecting the guest during his stay. The protection of guest is a well-recognized norm of the Pashtun society. Another specific customary rule is *nanawati* that also emphasizes the protection of the guest. The *nanawati* literal meaning is to enter in the security of a house. It is a kind of an informal asylum. Therefore, the enemies of the guest are not allowed to harm him, while he is a guest of a particular person. The attack on the guest is considered as an attack on the host. While a guest enjoys more liberty as he can ask or request to resolve a conflict or to stop a quarrel and the host has to show his hospitality by accepting his request (Elphinstone, 1815, p. 226).

The concept of *melmastia* has changed considerably among the urban and large landowning areas. The change has been observed among the inhabitants of refugee's camps of Pakistan and Iran. The hospitality remains a medium to seek the authority and to uphold the prestige, but in the urban society, now it is reserved for the relatives and family friends. Social networks have not remained functional on the basis of such hospitality any longer. Pashtun refugees have accepted the traits of urban society and they have transformed many of their traditional concepts according to the contextual adjustments (Kakar, 2011, p. 11).

### **B. *Ghayrat* and *Namus* and Role of Women in Pashtun Society**

The literal meaning of *ghayrat* is zeal, self honour or dignity. Every member of a Pashtun tribe must uphold his self dignity and honour. Through the concept of *ghayrat*, Pashtuns maintain their individual and tribal pride. The *ghayrat* is also considered as a part of *namus*, which literally means chastity; but in common usage it means honour of women. *Namus* is a norm through which Pashtuns defend their honour, while hospitality is a norm which enhances their honour (Naumann, 2008, pp. 30, 32). Kakar states that “*namus* can be defined as that which is defended for the honour to be upheld, instead of acted upon to achieve honour (Kakar, 2011, p. 11).” It is obligatory to defend the honour of women if someone offends against them. The Pashtuns maintain their concept of *namus* through establishing a gender segregated society. In order to keep the segregation maintained, they have the *pardah* system. Literally *pardah* means veil or a curtain. On conceptual level, both genders veil from each other. However, women observe veil physically as well. This norm is adopted in order to defend the honour of women. The underlying purpose of veil is to create a space where both genders can act freely but separately without impinging each other's domain. Another aspect of *pardah* tradition is to control the women, though it also controls men because they have to follow the rule of *namus* which keep them away from any interference in the women's sphere.

The concept of *namus* is present in all groups of the Pashtun. However, its manifestation and application is at variance in *nang* and *qalang* groups. The *nang* groups are rural and nomads. Their women do not observe veil in public, and look after their households while the men take the cattle out to the grazing lands. The male class does not mix up with women. The guests or visitors sit with men separately without intermingling with the women particularly if there are young unmarried women in the house. However, semi-nomads and semi-agriculturists are comparatively stricter than nomadic Kuchis in the application of *pardah*. Their women observe veil, particularly when they travel or out of respect for elders but married women and female heads do not cover their faces upon visiting family friends but they sit separately in the different quarters. The *qalang* groups of landlords and landowning *khans* apply extreme forms of *pardah*, and they are the most gender segregated groups; even a daughter-in-law has to cover her face from father-in-law and brother-in-law. Only female children and old ladies are allowed to mix up with men. The *pardah* tradition imposes a kind of restriction on the women of the Pashtun society, but at the same time women enjoy more liberty from male's intervention.

The experts of Afghan history see *pardah* and other gender segregated ethics in the Pashtun society as an impact of the Indian, Byzantine, Greek, and Persian civilization. The urban society of Afghans adopted this exotic tradition from the late antiquity. The critics also consider the *pardah* as an impediment in the development of women status in the society. Under these restrictions, women could not avail themselves of better opportunities for their education. They neither independently travel nor engage themselves in any business. Therefore, their contribution in socio-political matters remains marginal, particularly in the *qalang* group. The refugee camps, where a vast majority of refugees was from the *nang* groups observe strict *pardah* tradition, though they have not been so strict when they were in their villages. Kakar writes: "This can be observed most acutely in refugee camps for the internally displaced as well as refugee camps in Pakistan and Iran, where women who do not usually wear a *borgha* in their village will wear it in the refugee setting (Kakar, 2011, p. 11)."

The upholding and defending honour, as mentioned earlier, is a central aspect of the *pashtunwali*. Pashtuns seek honour through hospitality and defend it through the norms of *namus* and *ghayrat*. There is a triad *zar, zan, zamin* (literally: woman, gold, and land) in Persian literature which denotes the three most desirable resources of Persian society (Scott, 1929, pp. 32-34). This triad is also the source of violent conflicts and quarrels among the people. Afghan has a similar connotation: *mar, khadza, msaka* (literally: head, woman and land). Naumann writes: "Most noteworthy is the fact that the emic definition replaces "gold" (the Persian "*zar*") with "head" (the Pashtun "*mar*") as reference to physical and moral integrity, which intriguingly not only captures visible damage to one's body but also violations of the psychological sphere, i.e. the invisible integrity of one's honour (Naumann, 2008, p. 124)." The change in the proverbial triad can be observed among the rural Pashtuns where every member of the society has a responsibility to respect and defend the honour and integrity of the "head" of house, clan and tribe. Thus, the honour of the head is the honour of an individual and affiliated group. Similarly, protecting the honour of a woman is obligatory to uphold their self-respect and the dignity of their tribe, and same applies to the land's occupation.

## **V. Legal Aspects of the *Pashtunwali***

### **A. Judiciary and Legislative Functions**

The *jirga* is a council of the Pashtuns at village or regional level that has the authority to settle a dispute in a way acceptable to both parties. The *jirga* council is a legislative authority in *pashtunwali* consists of the prominent members of the tribe who are well-known in their authority and honour. The authority and honour of a member is determined by extent to which he himself follows the rule of *pashtunwali*. However, the *jirga* of the *qalanq* societies consisted upon the landowning elites who have good reputation as well as wealth in order to enforce their judgments. They establish a special militia (the *arobaki*) to enforce their decisions. The *arobaki* is also responsible for the punishment of the violators (Kakar, 1995, p. 103).

The *jirga* resolves the issues according to the *nirkh* which is tribal customary law of each tribe. *Nirkh* is not composed of a particular set of rules, rather is based on the rule of arbitration and mediation. There is not a comprehensive uniform legal structure among all the tribesmen of Pashtun. Similarly all Pashtun tribes are not familiar with the term *pashtunwali*. However, the basic principles of the *pashtunwali*, which revolves around the code of honour, are manifested throughout the Pashtun crescent with regional variations and commonalties. According to Naumann, “the differences in the various manifestations abound in the specific details of the legal aspects of *pashtunwali* (contained in the *narkh* complex), including the code of penalties, reparations, and compensation for moral harm suffered or physical injuries endured (*nek, tawan*) (Naumann, 2008, pp. 86, 119).” The members of the *jirga* are generally men and are called “elders”, though women participation as a member of the *jirga* is also documented in many cases. Mostly the cases are related to the money, water and land (Kakar, 2011, p. 6).

### **B. *Pashtunwali* - a Rule of Adjustments not Legal Injunctions**

The legal formation of the *pashtunwali* and *nirkh* is based on the spirit of adjustment. It does not consist upon legal injunctions or meting up to punishments rather based on the reconciliation. The Pashtun tribal society revolves around the three Omegas of head, women and land. Therefore, most of crimes are related to these elements. The *badal*, literally means revenge, is necessary to exercise at any cost. All offences and conflicts are to be resolved on the principle of *pura pa pura* (eye for eye). The *badal* for killing is to kill. However, if the matter is resolved by *jirga* or *maraka* then *badal* may be amended through *nanawate* (ceremony for pardon-begging) or the offender may have to pay *tawan* (compensation). It is a great shame (*peghor*) for a Pashtun who could not take his *badal*. The offended person has a right to take his *badal*. The members of his family and tribe may assist him to take his *badal* (Swinson, 1969, p. 23). If the offence is related to the land then the offender has to pay *tawan*. A particular plot of land is called *tak* which belongs to a particular person while *teray* (encroachment on the rights of other) is a *par* (guilty). According to customary law, it is shame and cowardice if someone could not protect his land. Therefore, it is duty of everyone to protect their land and take it back quickly in case of encroachment (Naumann, 2008, p. 137). The *jirga* resolves the conflicts and decides penalties and compensations; both parties are liable to obey the decision of the *jirga*. The reconciliation is mostly made through the *nanawate* and *prekra* (settlement). The *Shari's* laws are not necessarily consulted in order to make a decision (Caroe, 1965, p. 351; Davies, 1932, p. 49; Steul, 1981, p. 144; Spain, 1972, 47; Naumann, 2008, pp. 89, 104).

### C. *Pashtunwali*, Islam and Conflict of Authority

The Afghan monarchs have always been adherents of the Sunni Islam and *Hanafi* jurisprudence. Historically, Ahmad Shah Abdali (later known as Durrani) established a distinct political entity associated with the Afghan identity in 1747. Prior to Durrani's Confederacy, the Afghan tribes had been autonomous, and had a little binding with the indigenous and neighbouring empires. The first Muslim dynasty in Afghanistan was established by the Ghaznavids (r. 962-1140) who replaced the Samanids (r. 874-999) of eastern Persia. Alptigin (d. 963), the founder of the Ghaznavids dynasty, was a former Turkish slave and commander-in-chief of the Samanids army. His grandson Mahmud of Ghazni (971-1030) extended the boundaries of his dynasty to the frontiers of Afghanistan's neighbouring countries India, Iran and central Asia. Mahmud's strict adherence to the Sunni Islam, invoked the Sunni identity and ascendancy in the present-day Afghanistan and Pakistan. Mahmud's tireless efforts for Sunnism did not let the Shi'i Buwayhid of western Iran gain strength in Afghanistan and India. He also invaded Iran, and took the control of Isfahan, Ray, and the Makran coast from the Buwayhid (Dupree, 1980, pp. 313-315). In Afghanistan, he expelled the Hindu rulers from the Kabul River Valley and extended his rule to the eastern mountains over the Pashtun tribes who were then referred to as "Afghans" by the Iranian historian (Smith, 1969, pp. 41, 42.).

The other important turn in the history of the region was the Mongols assaults. Genghis Khan captured the region in the early thirteenth century. The Karts (also known Kurts) dynasty— a local Tajik dynasty under Mongols- was established in Heart around the great parts of western Afghanistan and central Khurasan in the Bamiyan Valley. It lasted for about two centuries (643-784/1245-1381). It was the last effort of the Persian-speaking Tajiks of Ghor and Herat for their rule in the region. Timur-i-Lang (Tamerlane) ended this dynasty in 1381. Afghanistan, since then, was ruled by its neighbouring empires until the ascendancy of the Pashtuns in the eighteenth century (Dupree, 1980, p. 317).

In Afghanistan, about 99 percent of population is Muslim; among them 80 percent are adherents to the Sunni Islam while the remainder are Shiites. As for as Afghan's Sunni identity is concerned, it was firmly established long time ago during the Ghaznevid dynasty (A.D. 962-1140), while the Shiite Islam came later into the region and the Hazaras accepted Shi'ism. Historically, Pashtun were never involved in the politics beyond their tribal spheres prior to the eighteenth century. Khilgis, Lodhis and Suris were Pashtuns but their centre of rule was Delhi rather Pashtun region. Thus, they did not influence much to the socio-political and religious authorities of the Pashtun. On the other hand, from 15<sup>th</sup> to 17<sup>th</sup> centuries, Afghanistan remained the marginal territory among the three great empires: the Uzbek in North, the Moguls in South and the Safavids in West. In this scenario, tribalism had been a permanent socio-political aspect in the Afghan region during this period (Rahim, 1961, pp. 34-35; Dupree, 1980, p. 321). However, in the beginning of the eighteenth century, the sense of Pashtuns identity emerged when Safavid emperor attempted to convert forcefully the Sunni Pashtun into Shi'ism, which raged the Ghilzai Pashtuns who gather themselves with a religious zeal to protect their religious ideology. They protested and revolted under the leadership of Mir Wa'iz (d. 1128/1715) against the Safavids. The rebellion movement took momentum, when Mir Wa'iz brought a *fatwa* from Mecca which permitted a Sunni revolt against the "heretical" Shi'is. They sacked Isfahan and killed the Safavid emperor in the beginning of eighteenth century. This was perhaps the start of Pashtuns politics and their first

orientation on sectarian basis. That conflict played a significant role in shaping up the Sunni identity of modern Afghanistan (Lockhart, 1958, p. 87; Dupree, 1980, pp. 322-324.). Thus, in the beginning of 18<sup>th</sup> century, Mir Wa'iz's resistance movement for the defence of Sunni Islam against the Safavids who attempted to proselytise the South-Eastern Pashtuns into Shi'ism, and the ascendancy of Ahmad Shah Durrani consolidated the Sunni Islam in Afghanistan. Subsequently, the ambitious mullahs began to involve themselves in the national politics. They used to attend the *jirgas* with religious zeal (Smith, 1969, pp. 175, 176).

The Pashtuns do not perceive *pashtunwali* contrary to the Islamic law rather Islamic spirit is blended with the traditional norms (*rawaj*). Nawid aptly analyzed that "the Pashtun code of ethics (*pashtunwali*) held sway side by side with the *shari'a*. In this context, the Pashtuns identified Islam with Pashtunism (Nawid, 1999, p. 5)." However, according to the *pashtunwali*, mediation and adjustment are the most prevalent principle for the *jirga*; as the *jirga* council is also appointed through the agreement of both parties. Thus, the degree is made on basis of adjustments rather than adjudication. Ashraf Ghani writes: "Special mechanisms for adjusting the conflicts between individuals, lineage, clans and tribes did exist but the overall tendency, at every level, was that characterized by mediation (Ashraf Ghani, 1978, p. 269)."

The *jirga* is constituted with the mutual agreement of both parties. However, if the conflict is between two opposing clans or tribes, then *jirga* is constituted by the neutral groups. Sayyeds, decedents of the Prophet Muhammad's family, generally play a role of third party. They had a conspicuous position because of their holy lineage and expertise in the religion. Their religious position gives them an authority to settle the conflicts and disputes of opposing clans or tribes. Elphinstone acknowledged the high place of religious scholars in the Afghan society. He also examined the root causes of their influence and concluded that the educational system of the country was practically in their hands. Therefore, through the power of knowledge, they asserted their authority. He writes:

They are in possession of the greatest part of the learning of the country. The education of the youth, the practice of the law, the administration of the justice in all parts of the county completely under the royal authority, are entirely intrusted to them; and these advantages, together with the respect which their superior knowledge commands among an ignorant and superstitious people, enable the Moollahs in some circumstances to exercise an almost unlimited power over individuals, and even over bodies of men; to check and controul the governors and other civil officers; and sometimes, to intimidate and endanger the King himself (Elphinstone, 1815, p. 215).

Ibn Khaldun also analysed the socio-political role of the religious class in the tribal society. According to him, religious leadership often plays a meaningful role in resolving inter-tribal rivalries on behalf of divine authority. The religious leaders do not face much hostility within the tribal structure as they seek their authority from outside the system. Thus, they often have been more successful for the resolution of inter and intra-tribal conflicts (Ibn Khaldun, 1969, pp. 125, 155). However, the role of religious scholars in the Pashtun tradition varies according to the ability of tribal chiefs in resolving the disputes.



The Pashtun tribal society is based on the norms of honour and independence. They used to live independently because the individual and tribal autonomy is the top priority to every Pashtun. The *pashtunwali* gives them a sustainable social and legal system that ensures their autonomy and integrity. Historically, the tribesmen acknowledged the authority of the central government but the survival of the regime was relied upon the allegiance of *khans* (tribal chiefs) and religious leaders (Nawid, 1999, p. 4). Therefore, all the kinds of reforms by the central governments which restrict the Pashtun's autonomy were strictly opposed by the Pashtuns. On the other hand, the central government always desired to reduce the tribal powers in order to expand its control over the tribes. The traditional power structure of the Pashtun society was fundamentally based on tribal leaders. There had been three main issues of conflict between the tribal forces and central government: conscription, land and social reforms regarding education and women emancipation. All these reforms revolve around the three omegas of Pashtun code of honour: *mar*, *khadza*, *msaka* (head, land and women). Therefore, it is observed that a continuous conflict between the tribes and the central government existed through the course of history and the Pashtuns had not been satisfied with the reforms which eventually reduce the tribal autonomy.

The central government always has a minimum control over the rural tribal areas of Pashtuns throughout the history of Afghanistan. Even Shair 'Ali (r. 1867-1879), who established a professional army of fifty six thousand troops in order to end the dependency on the irregular troops of the tribes' chiefs, could not directly establish his rule on the rural tribal areas. Kakar observes that Shair 'Ali's political and administrative reforms could not influence the tribal Afghans. He argues that government was not able to control the entire country. It only ruled over the big cities and towns or the areas where cantonments were established. All the tribes living in the frontier regions were autonomous and self-controlled as before. Their elders resolved their issues according to their customary law: *pashtunwali*. However, the unresolved conflicts might produce violence in the society. Therefore, anarchy and peace always coexisted in tribal areas but the central government would get involved in solving their conflicts only when these conflicts were potential to harm the society at large scale (Kakar, 2006, pp. 17-18). Durrani's confederacy began to wane after the death of its founder, and disintegrated into many independent khanates under the control of rival chieftains. There was a continuous rivalry among Durrani's to win over the three centres of authority: Kabul, Kandahar and Herat. Many analysts argue that Ahmad Shah Durrani did establish a kind of Afghan empire which began to disintegrate in his own life. Since then, Afghanistan did not remain under the control of any central government of Kandahar or Kabul (Barfield, 2010, pp. 5, 105-109). The hostility was continuous hostility between the khanates, and the unity appeared only when they faced external threat.

## VI. Conclusion

Prior to the establishment of Durrani's confederacy in 1747, the Pashtun tribes used to live autonomous. They followed the *pashtunwali* as their customary law and code of life. It seems that the Anglo-Afghan wars gave the impetus to Afghan nationalism where they fought against a common rival. The Anglo-Afghan wars also provided a space for religious scholars to assert their religious authority by inspiring the people on jihad against the British forces. Moreover, the central government of Durrani's confederacy encouraged the religious scholars to play their socio-political role in order to minimize the influence of the tribal chiefs. Thus, consciousness as a class gradually emerged

among the religious scholars. However, the position of tribal chiefs remained central during this period because of the weak structure of the central government and religious class could not shatter the locus of the strength of tribal leaders. Consequently the socio-political matters were resolved according to the norms of *pashtunwali*. Islam was practised as a cultural norm without strictly deciding the matters on basis of *Shari's*. The conflict of authority was emerged and intensified with the establishment of National State in 1880.

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