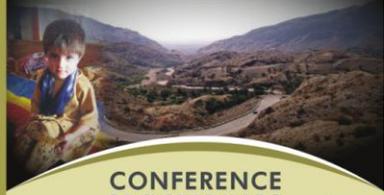




CONFERENCE PROCEEDINGS



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THE DYNAMICS OF CHANGE IN CONFLICT SOCIETIES:
PAKHTUN REGION IN PERSPECTIVE

Department of Political Science
University of Peshawar

2012

CONFERENCE
PROCEEDINGS

THE DYNAMICS OF CHANGE IN CONFLICT SOCIETIES: PAKHTUN REGION IN PERSPECTIVE

Annual International Conference
14-15- November, 2011

Jointly organized by:



Department of Political Science
University of Peshawar



Hanns Seidel Foundation
Islamabad

2012



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Conference Proceedings

**International Conference of the Department of Political Science,
University of Peshawar**

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PAKHTUN REGION IN PERSPECTIVE**

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Organized By

Department of Political Science, University of Peshawar, Peshawar

in collaboration with

Hanns Seidel Foundation (HSF) Islamabad

at

University of Peshawar

CONTENT

S. No.	Topic	Page No.
	Foreword	iii
	Message from the Chairman	v
1.	Introduction <i>Muhammad Ayub Jan and Shahida Aman</i>	1
2.	The Social Wandering of the Afghan Kuchis <i>Fabrizio Foschini</i>	7
3.	Pak-Afghan Transit Trade Treaty 2010 and Pakhtuns Involvement Across the Durand Line <i>Noreen Naseer</i>	38
4.	How Agents of Economic Development Interact with the Complex Dynamics of Regional Governance in FATA: A Case Study of Energy Development Projects <i>Brian R. Kerr, Kyle A. Smith</i>	52
5.	The Characteristic Traits of Terrorism and Interpretation of Jihad by Al-Qaeda and the Taliban in the Pak-Afghan Pakhtun Society <i>Syed Hussain Shaheed Soherwordi</i>	81
6.	Individuals and Social Change in Pakhtun Society: A Case of Dr. Mohammad Farooq Khan <i>Abdul Rauf</i>	98
7.	Some Critical Remarks on Madrasa Reforms as Proposed by the Government of Afghanistan (2007) <i>Jamal Malik</i>	112
8.	Current Unrest and the Ensuing Debates about Identity among the Pakhtuns in Cultural and Virtual Spaces <i>Muhammad Ayub Jan</i>	120
9.	Contributors	148
10.	Appendix <i>Conference Programme</i>	149

Foreword

The Department of Political Science, University of Peshawar gathered some of the leading national and international experts on the Pakhtun region and politics on 14-15 November 2011 to undertake discussions on various issues emanating from the recent conflict in the region. The conference was by the promising title ‘The Dynamics of Change in Conflict Societies: Pakhtun Region in Perspective’ and it, admittedly, did not disappoint. The Department of Political Science had the support of Hanns Seidel Foundation, Germany in arranging the conference. The two-day conference focused on a vast array of issues regarding Pakhtuns on both sides of the Pak-Afghan border. The presentations and talks delivered by scholars and researchers led to many critical questions and arguments that greatly enhanced the impact factor of the conference. The involvement of a great number of students not only from the host department but also from the university in general was an evidence of the remarkable zeal with which the organizers had worked and planned the event. The conference attracted remarkable media attention. Print and electronic media gave it special coverage.

During the conference, it was pledged by the organizers that the proceedings of the conference will be published later to disseminate the ideas presented by the scholars to a wider public. It was this spirit that guided the shaping of the conference proceedings. Selected papers were included in the draft. We are thankful to the contributors who provided initial copies of their papers for conference proceedings. The department is also thankful to the staff of Hanns Seidel Foundation in Islamabad office for their valuable input in the draft; particularly, Dr. Martin Axmann, Ms Sarah Holz and Mr Andreas Duerr very patiently reviewed and commented on the draft.

Among the Department’s faculty, Ms Shahida Aman and Dr. Ayub Jan contributed to the draft in enormous ways. They corresponded with the authors, suggested changes and brought uniformity in the draft. There was an essential proof reading of the draft to give it a reasonable shape; however, it is important to understand that the draft is not the final manuscript. The department intends to publish an edited book in the near

future based on the papers presented in the conference. It is pertinent to mention here that the conference and the consequent proceedings would have not been possible without the contribution, support and encouragement of the staff in the Department of Political Science. I am thankful to Dr. A.Z. Hilali, Dr. Ghulam Mustafa, Dr. Zahid Anwar, Dr. Abdul Rauf, Ms Noreeen Naseer, Dr Sami Raza, Mr Muhammad Zubair and Mr Aamir Raza. Mr Shams ul Amin also contributed by formatting the draft.

Dr. Taj Moharram Khan

Conference Coordinator

Message from the Chairman

The identity politics is an emerging inter-disciplinary area in Political Science and International Relations. Researchers and scholars are taking interest in the study of identity politics embedded in the phenomena of race, ethnicity, class, gender, and religion; and ways in which such phenomena shape political behavior. Moreover, identity politics is not only reflected in perennial ethnic conflicts around the world but also in the on-going war on terror.

Recently the Department of Political Science, University of Peshawar (Khyber Pakhtunkhwa) successfully organized Two Day International Conference on a theme that is extremely relevant and timely. The level of interest in the conference was enormous. Discussions during the conference were insightful in developing understanding of conflict societies particularly the Pakhtun region. The scholars and academicians highlighted the numerous issues related to Pakhtuns living across the Pak-Afghan border.

The publication of ‘conference proceeding’ has been made possible with the active involvement and intellectual insight of participants. The research papers have been extremely helpful in sharing knowledge and insights and are expected to help develop fresh perspective on various issues relating to Pakhtun society. I want to congratulate organizing committee for their concerted efforts. I am grateful to all the guest speakers who shared their opinion. Finally, I would like to thank *Hanns Seidel Foundation*, Islamabad for their generous financial support for the conference.

Prof. Dr. A. Z. Hilali

Chairman,

Department of Political Science,

University of Peshawar

Introduction

Muhammad Ayub Jan and Shahida Aman

The Pakhtun people represent the world's largest tribal group. They are largely indigenous to the desolate mountainous region straddling the border of Afghanistan and Pakistan in a region that is now recognized as the geographical safe haven for the Taliban and Al Qaida. Although, the ecological variation has influenced Pakhtuns, their social and cultural organization has distinct character and demonstrates some similarity across this ecological variation. Pakhtun population is estimated to be around 40 to 50 million. 15 % of the total population in Pakistan and 42 % of the total population in Afghanistan comprises the Pakhtuns. Economic backwardness, poor literacy and low standard of living also characterize Pakhtun society.

The transnational security issues emerging out of 'ungoverned spaces' in failed and failing states have brought out the significance of extending state control over the tribal society of Pakhtuns, who take immense pride in their autonomy. Conflict is also a pervasive feature of Pakhtun society. These features of the society have created problems for the centralized polities to extend authority into Pakhtun region since known history. The current conflict encompassing the Pakhtun region and society is seen by some in the context of the incompatibility of Pakhtun culture with forces of modernization and globalization, by others in terms of penetration of political Islam and foreign religious ideology. Some eye it as an expression of Pakhtun national sentiment against foreign intervention in Afghanistan, while still others as a consequence of poverty, educational backwardness and preponderance of grey and black market economies. Debates such as these give valuable insights into understanding the Pakhtun society, culture and politics. However, more comprehensive analysis is needed to focus on the dynamics of Pakhtun existence, political and social organization.

The Scope and Significance of the Study

The stagnancy, that is usually, portrayed by media reports and stereotypical scholarly analysis manifest apathy towards the otherwise

vibrant and dynamic Pakhtun society. The dynamism and flux in Pakhtun society is a function of historical processes, economic change and political reforms. Therefore, there is a need to focus on these processes of change and their consequences, which are presumed to be comprehensive in their scope. Nevertheless, the processes of change, the forms it takes and the product thereof, need thorough investigation. It is such an understanding that inspires the broader theme of the conference and the conference proceedings.

The conference proceedings aims at generating a debate on some of the theoretical discussions about the role of structure and agency, the constructed aspect of social phenomena, institutional and elitist conceptual approaches, discursive processes, development discourses, etc. These theoretical perspectives which are widely debated in the disciplines of Social Sciences will help provide a broader analytical framework for various studies on Pakhtuns. Moreover, the empirical evidence from the Pakhtun region in support of various theoretical positions would help comprehend Pakhtun society.

Focus on the dynamics of change will help to develop a more nuanced understanding of the Pakhtun society and help evade some of the stereotypes associated with Pakhtun culture, society and politics. The conference allowed the scholars, who are based in the region and outside the region, to look at the problems from a fresh perspective. Of course previous studies provide useful insights and context; however, the data and analysis with fresh perspectives add to the value of their studies. The conference proceeding does not aim at achieving a significant change in the understanding about the people and the region but would initiate a debate. The debate itself will be refined and enriched by future research.

Current Literature and the Processes of Change

Literature on Pakhtun culture and identity significantly suggests flexibility, malleability, dynamism and contextuality of cultural features and identity (Banerjee, 2000; Ahmed, 2006; Bartlotti, 2000; Edwards, 1990; Jan, 2010). Current focus elaborates on the contexts, contestations, construction and maintenance of identity through interpretation of the cultural features such as Pakhtunwali. Bartlotti (2000) elaborates on how

Pakhtuns construct ‘symbolic and situational’ Muslimness and Pakhtunness through Pashto proverbs. In this process Pakhtuns ‘reconstruct and negotiate notions associated with Pakhtunness and Muslimness’ (Bartolotti, 2000:14-15). Similarly, Edwards (1990) explains how context in the case of Afghan refugees (in Pakistan) represents discontinuities in cultural and religious aspects of identity. He also elaborates on the accumulation of power by the religious elite and consequent boundary making (between the religious elite and the tribals) and the imbalance between the tribe and religion.

Amineh Ahmed (2006), from a gender perspective, has recently focused on the agency of elite women of Pakhtun society (*bibiiane*) and postulated that *gham-khadi* (sorrow and joy celebrations) has become a contemporary feature of Pakhtunwali. It is through the work of *gham-khadi* that *bibiiane* maintain social relations and ethnic identity in their changing situations (Ahmed, 2006: 15-18). Recently Jan (2010) has postulated segmentary and contextual ethnicity among the Pakhtuns by exploring identity processes in time of gradual social and economic transformation in Malakand. The study (Jan, 2010) not only posits contested and contextual Pakhtunness but reports about significant socio economic changes in Pakhtun society. Although the study is limited in its analysis on the comprehensive nature of change, it refers to the need to look deeper into these changes in Pakhtun region.

Most of the current literature on political and economic aspects of Pakhtuns focuses on the macro processes and institutions that engulf debates about the relationship between state and society, state and tribe, democratic processes, national integration, and religious politics. Although these debates are useful to understand the Pakhtun society and politics there is a need to focus on the relationship of these processes with the micro processes. How do local settings and situations influence state and society relationship? How are changes in economic structures, social relations and political leadership in localities related to state institutions and political processes at non local level? How has multilevel governance with global and local as pivotal actors been shaping in Pakhtun region?

Increasing interest in the religious phenomenon in Pakhtun region since 9/11 has contributed substantially to our understanding of the current

unrest. The historical aspect of religious revivalism and militancy in the frontier is recently explained through the active role of the agency of mullahs in relation to nationalists, religious discourses in India and the preservation of Pakhtun tribal and cultural features (Haroon, 2007). However, contemporary literature has posited much broader processes of transformation among the religious elite, institutions (madrassa, mosque) and even religious concepts such as Jihad (Jalal, 2008; Nasr, 2000; White, 2008; Jan, 2010). Nevertheless, much is needed to elaborate on the complexity of religious change, religion as lived experience and religion being a feature of identity and politics. There is a growing need not just to focus on militant and extremist ideologies, motivation and actions, but also on religious discourses informed by cultural and transnational explanations; also, much deeper explanations of religion being a unifying and divisive factor and religion being a lived experience in relation to social and economic change.

The contributors in this conference proceeding discuss the process of change from social, economic and political dimension. In this way they explore the trajectories of socio-economic transformation and dynamism of Pakhtun society. Fabrizio Foschini traces the processes of socio-economic and political transformation of the Kuchi (nomad) community of Afghanistan in the context of conflict in Afghanistan. Trade has been a significant socio-economic actor in connecting Pakhtuns across the borders of Pakistan and Afghanistan. Noreen Naseer investigates recent changes in this activity through the study of Pak-Afghan Transit Trade Treaty of 2010. Brian Kerr and Gyle Smith in their study link the processes of economic development with that of undermining militancy and fostering growth. They also highlight the complex interaction between the development projects and formal and informal institutions of governance in FATA. Syed Hussain Shaheed Soherwordi has elaborated on the 'war on terror' in the Pakhtun region and has discussed the ideological agreement and contestation on the concepts of Jihad and terrorism in the interpretation of Taliban and Al-Qaeda. Jamal Malik has written a treatise on 2007 madrassa reform introduced by Afghan government. This effort was made by the government of Afghanistan in order to standardize education system, particularly the curriculum. Abdul

Rauf has expounded on an interesting case study of Dr. Farooq as an agent of change in Pakhtun society. He has postulated that Dr. Farooq not only performed cultural (Pakhtun) requirements but continued with his religious reformation. Finally, Ayub Jan has investigated identity debates among Pakhtuns in virtual and cultural spaces. He has explained how Pakhtun in the context of current unrest revisit the features of their identity through a discourse.

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The Social Wandering of the Afghan Kuchis

Fabrizio Foschini

‘Long before there was a nation state called Afghanistan, there were Kuchis, traveling a vast land that is hospitable only part of the time. The rhythms and traditions of nomadic culture have been so prevalent that they have crept into the habits and thoughts of even the most urbane corners of Kabul. Most Afghans of Pashtun heritage and many Afghans from ethnic minorities can trace their lineage to nomadic ancestors.’ (Christian Science Monitor, February 2004).

‘Apart from legal issues and civil rights, the existence of wandering nomads in a country, which is talking about democracy and human rights, is disgraceful for it’ (Hasht-e Sobh, May 2010).

These two paragraphs, although portraying distinctively different viewpoints on Afghan nomads, originate from a common idea, that of nomadism as an ancient lifestyle. Be it considered then primordial and fascinating, or instead primitive and embarrassing, depends a lot on who is talking and what his purposes are. Indeed, in the memory of even keen observers and scholars of the pre-war Afghanistan, a most recurrent, fascinated reminiscence is that of the black goat-hair Kuchi tents sprawling at the bottom of the hills, or of the endless caravans of nomads on the move. Conversely, many an Afghan would nowadays pass negative comments on the nomads and their lifestyle.

It would be unfair, however, to take the two extracts as exemplifying the hiatus between the romanticized vision of the nomads that foreigners entertain, and the pragmatic position expounded by Afghan ‘modernizers’. In fact, many Afghan urbanites would have, in better times, prided themselves of the existence of their nomadic fellow citizens. At the same time, under the caption ‘stereotyped image of Afghanistan’, nomad caravans have since long given way to the Taleb with his AK-47 and the burqa-clad woman.

Nowadays, Afghan nomads have arguably to fight their way among dozens of dramatic or picturesque topics to ‘make news’ within both a national and international public. They feel, and in many respects

are, a forsaken group of Afghan citizens. The problems they face at the economic, cultural and political levels are coupled with a degrading social standing and a lack of clear options as to their ultimate becoming in the next future.

But the situation of nomads in Afghanistan is more complex than an ordinary story of poverty and marginality shared by other communities in Afghanistan. Kuchi people, as the overwhelmingly Pashtun nomad communities are universally referred to in Afghanistan, are one of the country's most striking paradoxes, in both political and socio-economic terms. They bear the stigma of an impoverished, marginalized and backward social group, they exploit and are exploited in a set of patron-client relations with a well-connected political and economic leadership, and represent a special parliamentary constituency under a separate electoral system which has few, if any, parallels in the world.

Past Kuchis

Kuchi would claim that they are indeed the real Afghans, as the first inhabitants of Afghanistan were nomadic in ancient time, and thus it is to be considered that all of Afghanistan once belonged to the Kuchi. Indeed, they would have it that actually the whole world belongs to them, as all of humanity was once made of nomads!¹

However provocative and extreme the position put in the mouth of the nomads above, the notion that nomadism was more widespread in the past – and thus has been irrevocably reducing in the course of time - does show a somewhat limited view of themselves by the same nomads. Actually, the existence of nomads and sedentary communities, and their co-existence in the area that encompasses the modern boundaries of Afghanistan, has been a more dynamic and variable one during the course of history than a simple transition from nomadism to sedentary life. Nomadism has been enhanced by particular events and hindered by others. Nor is it readily ascribable to some exclusive ethnic groups, and history abounds in examples of peoples famous for being nomads in one century happily settled the century after, their place taken by others.

¹ An inhabitant of Kabul.

The fluidity between nomads and sedentary people have survived to this day, although the trend is increasingly unilateral, that is, nomads tend to settle down. However, the Kuchi identity presents observers with a particular phenomenon. It is in fact fixing itself – at least in popular and political discourse – at the same moment in which the nomadic credentials of its members are losing strength and their lifestyle and means of production become increasingly blurred with those of the other Afghans.

Traditionally, which in an Afghan context means largely ‘before the Soviet Invasion’, ‘Kuchi’ was just one of the possible way to refer to the country sizeable population of nomadic and semi-nomadic pastoralists and traders, which for practical purposes are usually termed nomads. In terms of ethnic background, the majority of nomads in Afghanistan are Pashtuns, with the rest being mainly Baluch, Arabs, Turkmen and Gujjars.

The term Kuchi has by now gained a wide predominance as it is employed by the government and the other national and international actors in dealing with nomads, but it does carry only a very generic connotation in itself. Its etymology points in fact to people who migrate (‘kuch kardan’, also ‘to move’ in Farsi/Dari), and it is not describing of a community with clear ethno-linguistic or geographic boundaries. As it is, in Afghanistan it is now used to indicate all former transhumant pastoralists, once identified with a wider range of regional terms which it has now superseded at a national level.

In the north pastoralists nomads were - and still are - often called Maldar (which also is ethnically neutral, meaning only ‘owner of flocks’, and it can be referred to and Pashtun-Baluch nomads), in the south (Kandahar, Zabol, Paktika) they are sometimes still referred as Powindah. The last term was used extensively by British colonial sources concerning nomads crossing into India during the winter, leaving flocks and families – plus a certain amount of men – in camps in the Panjab, and moving on to carry out trade in the whole of Northern and Central India .

In parts of the North-East, the difference between Maldar and Kuchi is sometimes expressed in terms of inhabitation strategy: while the Maldar have built huts or brick houses in both their qishloq and ailooq locations, the Kuchi employ tents (jaima) at least when residing on the summer pastures. This entails another difference, as the Maldar do not

need camels to transport the tents, and thus possess very few or none of them. Another reported difference is in the 'clothing style', as Kuchi tend to wear clothes distinctive for type and colour, make extensive use of turbans and, generally speaking, their garb resemble in some ways that of people from the South (but they are also described as often half-ragged and scruffy in addition). This is not generally connected to the ethnicity of those group.

How the problems of Kuchi identity relates to both the ethnic belonging and the type of lifestyle pursued will be explored in the further sections.

Returning to their claims of historical precedence, we can fairly accept nomads' ancient roots in the region, but more significantly, it should be noted that in relatively recent times they have played an important role in the development of the Afghan state.

Scholars of nomadism in Afghanistan attest an expansion – a veritable boom in economic terms for the nomads – during the first decades of the XX century. This was closely linked to some political developments dating to the last decade of the previous century, during the reign of Abdur-Rahman (1880-1901). The first of these had been the relocation of thousands of Pashtun households from Farah, Helmand and Kandahar provinces to the North-West of the country. Many of the settlers, whom the government hoped to entrust with the defence of the frontier, were livestock breeders, and re-adjusted their transhumance routes from their new winter areas in the lowlands of nowadays Badghis, Fariab and Sar-e Pul (cf. Tapper, 1973). The second event was the Hazara War of 1891-1893 (cf. Mousavi, 1997: 131-138). The nature of the conflict, in which the nomads had taken part together with other tribal lashkars on the side of the government, and the resulting status of 'conquered people' that befell on the Hazaras, informed the development of the nomads presence in Hazarajat for decades.

A major result of the subjugation of the Hazaras was the opening of the central highlands for the nomads from the South and East of Afghanistan both in terms of pastures and of market. The nomads obtained by royal decree access to a new, extensive grazing areas, and in the

meantime developed significant trade relations with the Hazara villages below.

The Hazaras villagers were no doubt poor but still in need of some basic items like salt, sugar and tea, and their isolation guaranteed the nomads - who had another reason, grazing their flocks, to make the otherwise unprofitable trip to Hazarajat - a monopoly on the trade. The nomads would also increasingly act as money-lenders – as the only providers of cash in the highlands. While initially bartering against carpets, cereals and village livestock, they increasingly took over the land of insolvent debtors, usually leasing it to the former owners who worked now as tenants or labourers in exchange of a share of the yield. Some prominent families among the nomads became thus large landowners in a short span of time. Nomad superiority was not only couched in economic terms, as during the first decades after the conquest – and indeed for most of the XX century preceding the conflict, Pashtun-dominated state institutions viewed the nomads as potential allies in some ethnically diverse areas. As Pedersen put it, well-armed ‘nomads had thus a government-sanctioned political and military predominance which made the exploitation of the Hazara in trade relations even easier’ (Pedersen, 1995: 135).

In the meantime, the policy of ‘Pashtunisation’ pursued at times by the government, had meant that other Pashtuns, among whom many Kuchi, had been encouraged or forced to settle in northern Afghanistan. In contrast to the exploitative set of relationships which predominated in Hazarajat, the nature of the nomad/sedentary contact in other areas depended on the political clout of the communities involved. The quasi-equal standing between Ishaqzai Pashtun nomads and Firozkohi Aimaq in Ghor – reportedly including bilateral intermarriage - has been documented as originating from their balanced power relation (Rosman and Rubel, 1976: 560-561). The fact that the semi-sedentary Firozkohi also moved to the pastures in summer and camped together with the nomads apparently contributed to inter-communitarian bonds and did not lead to competition.

Altogether, it is evident that Afghan nomads played a role in the economic and political development of the country in such spheres as the integration and consolidation of the Afghan state – a major task in a

country without a modern communication network for the best part of the XX century - through their trading activities in marginal areas. In particular, the annual movement of the Kuchi presented the isolated communities of mountainous areas with the closest they could get to a market for their products, which, in the absence of exceedingly unbalanced power relations of the type encountered in Hazarajat, constituted the only occasion for mountain-dwellers to obtain some cash to spend in the rare occasion of a visit to the nearest town or to keep as savings for bad years. Nomads were, in economic terms, less subsistence oriented and thus 'primitive' than most of the farmers communities they dealt with. Depending on the grains they purchased from the farmers and the items they got from the town-artisans, they were well-integrated in the economic market, and usually the ones to dispose of cash and engage in trade.

This last activity constituted a major aspect of Afghan nomadism until the decades immediately preceding the Soviet Invasion, and was carried out by both specialized big merchants who had gradually abandoned the breeding of livestock, and by pastoralists who carried on petty trade along the transhumance routes.

The other terminal of nomad trade was usually the Indus plain, where the nomads travelled to their winter camps and sold their surplus livestock, wool and dairy plus other commodities like horses, fur, fruit or carpets in exchange for salt, tea, sugar, second-hand clothes, cheap iron-ware and kerosene. This external trade was rarely subjected to an effective system of taxation by the Afghan government, and although since Abdur-Rahman Khan it was understood that the unregulated export of livestock and import of Indian goods was more damaging to the state than the benefits of nomad cooperation in Hazarajat, the Afghan government did not take serious measures to control it until the 1960s (Ferdinand, 2006: 198).

The government of British India had struggled to increasingly control the entry of Afghan nomads into its territory, and even taxed them with some success. It had not, however, sought to stop it altogether and, on the contrary, had favoured the movement of Afghan nomad traders further into India through its improved communication network and public transport system. With 1947 and the creation of Pakistan, however, things

began to change. The Pakistani market, already an impoverished one compared to the pre-Partition period, was definitely closed to nomads when, between 1961-63, the Afghan-Pakistani border was sealed due to the political confrontation over the 'Pashtunistan' issue (cf. Balland, 1991: 222-223). Even after trade relations between the two countries restarted in 1963, nomad trade – and winter grazing in Pakistan - never regained the former importance and virtually vanished.

The age of the lorry had in the meantime opened up markets for town-based merchants even in the highlands of central Afghanistan. This competition, plus the government's restrictions on nomad seasonal bazaars in the highlands – some were closed, others transferred in areas under government control and taxed – brought to an overall decline in nomad trade from the middle of the 1960s (Pedersen, 1995: 144-145).

It was not necessarily a concatenation of catastrophes, like those who caused massive loss of livestock and trade opportunities to the Kuchi who moved from Panjab to Hazarajat, that spurred the nomads to sedentarise. For example in the same years, it was an opposite process – a sudden increase in profits from livestock – that brought to an augmented sedentarisation of the Arab and Pashtun nomads in the north-east of Afghanistan. The region between Baghlan and Kunduz, already a focus for the limited industrial planning managed by the Afghan state, experienced an economic boom after the opening of the Salang Tunnel in 1964 transformed its transport and trade relation with the capital. The direct connection to the huge market for livestock in Kabul – and further markets beyond it – doubled the value of the flocks and induced many households to switch from a transhumant lifestyle involving the whole family and relying much on the coral work of it, to a commercial enterprise which entailed the hiring of professional shepherds through cash wages (Barfield, 1981: 110-112).

A diagram developed by Ferdinand and his fellow Danish researchers in the 1970s shows how the two major chances of a nomads. Namely, he will turn into a casual labourer, when nomad economy (livestock breeding, itinerant trade) is retreating, and eventually settle down if he is not able to sustain his livestock; when on the contrary this economy experiences an excessive expansion favoured by political or

social circumstances, he may become a settled trader, opening a shop in the bazaar or investing his profits in landownership (cf. Pedersen, 1995: 30). As not only sedentary life, but also nomadism is usually an adaptive livelihood strategy and not something inherent to the nature of a human group, so possibilities to switch in either sense may be open at particular moments. Glatzer showed that 'nomadisation' and 'sedentarisation' were common features in southwestern Afghanistan: in the context of economic expansion in an area with limited potential for growth in agricultural and pastoral sectors households were easily forced to change their livelihood strategy (Glatzer, 1983).

So, even accounting for the terrible drought that hit Afghanistan in 1971-72, and which brought to further, huge losses in livestock, the presence of nomads in Afghanistan was well established up to the Soviet Invasion.

According to an unpublished Afghan Nomad Survey for 1978, only 37 out of 325 administrative units in Afghanistan did not report nomadic populations - permanent or temporary. In other words, at least some nomads were present on 92% of the country.

As for their number, estimates from the 1970s vary greatly. Figures between 1 million (Janata 1975) and 2.5 million (UN statistics of 1979) vary depending on the criteria used to establish who were 'nomads', and these are not always clear or acceptable. Usually around 2 millions is agreed.

The nomads experienced the worst of the conflict situation triggered by the Communist takeover in 1978, the mujaheddin insurgency and the subsequent Soviet Invasion. Not only their transhumance routes were cut by frontlines and they and their flocks were victims of airstrikes and landmines, but the massive arming of the rural population made them a prey to local commanders' greed or need. By the middle of the 1980s most of Afghanistan's nomads had left the country, mostly relocating to Pakistan. The majority of them would not return to the country until after 2001.

Kuchis' Statistics and Perspectives

'...with the poor prospects for a reestablishment of real nomadism, it is not inconceivable that the poor households will be forced more and more into unskilled labour as a partly or completely settled land proletariat' (Pedersen, 1995: 221).

In the multitude of post 2001 research and reports about Afghanistan, Kuchi do not figure prominently. A few excellent studies have been carried out though, mainly focussed on the livelihoods of Kuchi, the conflicts on pastures and land issues that oppose them to sedentary dwellers, and perspectives for the improvement of their conditions as a group.

The lack of information about Kuchi is best shown by the difficulties even in assessing their overall number, and the percentage of those still performing a seasonal migration. In the absence of a national census in Afghanistan, the biggest effort at determining the number of Kuchi was that done by the National Multi Sectoral Assessment on Kuchi (NMAK) in early 2004.

The total number of Kuchi was then reported as being 2,426,304 individuals (2,588,719 if counting Kuchi that had crossed the border into Pakistan at the time) for 239,859 households (16,056 in Pakistan at the time). The NMAK survey also provides a subdivision of these Kuchi along three main categories: those who are long-range migratory (accounting to 52% of the total), short-range migratory (33%) and settled (15%).

These categories, however, must be explained. Both 'migratory' groups include even those Kuchi who used to migrate but whose migratory pattern is now disrupted, that is, they either move to a destination other than the ordinary one or they do not move at all. And then, as admitted by the author of the survey, the criteria applied for the identification of Kuchi do not account for some communities or households who may still see themselves as Kuchi. The NMAK definition of nomads to be included in the survey was that 'A Kuchi is either migratory, or has settled recently due to the loss of livestock during the last drought' (De Weijer, 2005: 4).

The choice of the NMAK is perfectly justified in terms of studying and assessing the problematics surrounding pastoralists, and ways to help them improving their impoverished living conditions.

‘However in reality, many Kuchi may have settled decades ago, own land or large transportation companies, and still refer themselves as “Kuchi” (De Weijer, 2005: 3). This somewhat reductive criteria in identifying Kuchi, choosing to focus only on people who are still migrating or who settled during the drought of 1998-2001, in fact shape the portrait that emerges from the survey and explain the high percentage of still migratory Kuchi it reports. Many households who became settled since the beginning of conflict in Afghanistan, either through the loss of their livestock or by choice, and some who settled even before that, do indeed still see themselves as Kuchi.

So, the total of 967,210 Kuchi individuals that do not migrate given by the report (40% of the Kuchi population recognised by NMAK, including both the settled ones and those portions of the migratory households which stay back), does probably fail to give a correct idea of the number of sedentarised Kuchi in Afghanistan.

As the focus here will be ultimately more on the political aspects of the Kuchi identity, including a primary analysis of electoral data, the criteria employed by the NMAK are not completely adequate. In fact, an analysis of the background of the Kuchi political elite who sits in the Parliament and represents the interest of all Kuchi would largely put them in the category such excluded by the NMAK. However, different criteria, as the voter registration under the separate category for Kuchi, would be even more fraught with ambiguities and inconsistency, as will be seen later. And, as the data gathered by NMAK is to this day unrivalled, it will provide some more elements of analysis.

The name of ‘Kuchi’, among the those referring to pastoralists or traders who migrate seasonally the one connoting more specifically their mobility, has gained undisputed prominence at a time when this mobility is waning. This, to a certain extent, is merely a product of the preserving of one community identity as a mean of guaranteeing its cohesiveness and its social functioning. Already in the late 1970s, anthropologists noted that different social and age groups among settled or sedentarising nomads had different views on their being Kuchi (something that, however, was claimed universally): ‘lorry-drivers, landowners practising pleasure nomadism in summer to the reaches of the Salang from their estates in

Dahana-e Ghorī, poor households permanently settled in winter camps near Jalalabad think of themselves as nomads who are forced out of their vocation' (Pedersen, 1995: 221). Today, this process of self-identification with a lifestyle that has further rarefied is being affected by other, different mechanisms.

Taken in a broader sense, the people referring to themselves as Kuchi are not consistently nomads anymore, or, at least, many of them are not. The old pattern of their movement from the peripheral lowlands (winter quarters) to the central highlands (summer pastures) of Afghanistan has been significantly abandoned. Many Kuchi are now residing for most of the year in a fixed abode, with some provinces hosting a significantly high percentage of them (Khost, Nangrahar and, increasingly, Kabul). This change can be explained by the disappearance of the very reasons that drove their transhumance, the need to graze their livestock. In fact, among the reasons given by respondents to the NMAK as to their failure to migrate to the summer pastures, the loss of livestock features as the most common answer (79%) (De Weijer, 2005). Kuchi interviewed by the author put the critical moment in the process of losing livestock during the years – for many of them decades – of Pakistani exile. Apparently, the impossibility to move from the refugee camps to summer pastures or cooler climates brought to the death – or to a deterioration of the health, entailing quick sale - of the major part of their flocks.² In other cases, Kuchi who had managed to keep their flocks were targeted by armed groups and had their beasts confiscated or killed when they returned to Afghanistan. This seems to be still a problem for isolated Kuchi households trying to carry on livestock breeding in areas with factional infighting and where they lack strong political patrons.³ Disease and drought, in particular the prolonged one of 1998-2001, also destroyed the pastoral potential of many communities.

Nonetheless, one of the characteristics more closely associated with the Kuchi, in fact one recurring in their alternative attribute of Maldar, is that of owning animals. Notwithstanding the loss of livestock

² Interview with representatives of the Amarkhel and Mullakhel Ahmadzai, Kabul 2011

³ Interview with Kuchi shepherds from Paghman, Kabul, 2011.

reported above, a strikingly high percentage (97.5%) of all the Kuchi surveyed by the NMAK, both migratory and settled, still possess some livestock (De Weijer, 2005: 24-25). This seems to be true even in the public's perception of the Kuchi (something easily explained by the fact that parading flocks through the trafficked streets of Kabul and other Afghan cities is a very good way to attain visibility).

However, the national average of sheep and goats per Kuchi household recorded by NMAK amounts to around 50 animals, only half of the minimum of 100 required for an household to be able to sustain itself economically on livestock breeding. When one adds the presence of a serious regional unbalance, with some provinces of the North-East featuring much higher numbers of livestock per household and sensibly raising the national average, this paucity suggests that nowadays livestock breeding can be considered the principal livelihood for Kuchi only in some provinces and among some communities who have been particularly successful in retaining or to restocking their flocks.

So what do Kuchi do to survive? The availability of another income is given by them as the second main reason for sedentarising. If countrywide this amounts to a modest 9% of the answers, in the East it rises to a significant 18%. In fact, the provinces of Nangrahar and Laghman account for a significant portion of the Kuchi population, who reside there either year-round or at least in winter, and move to Kabul and its rural hinterland (Parwan, Logar) in search of labour in the city or in the countryside. If usually this was limited to those periods of the year connoted by low pastoral activity, or to those households with a surplus of labour, in recent years Kuchi have increasingly become dependent on non-pastoral economy for their subsistence.

Many groups who still carry on seasonal migration appear to be increasingly orienting their activities towards Kabul. During the last ten years, among Kuchi communities with their traditional winter quarters in the Eastern Region (Nangrahar, Laghman) and summer pasture in central areas (Hazarajat, Panjshir), an increasing number of households chose to camp from spring to fall in Deh Sabz at the outskirts of Kabul. Previously only a stage during the Kuchi transhumance, Deh Sabz, and parts of neighbouring Pul-e Charki and Bagرامي, has become permanently

inhabited by Kuchi families. While this sort of three-tempoed migration was not unknown before the war, only few individuals would have stopped at this middle stage to engage in labour in the city then, while most of the Kuchi would proceed to the higher pastures. The balance has now been overturned, as it is evident by the description of a Kuchi group originally migrating between Laghman and Panjshir:

The Khomarikhel kuchi still perceive themselves as nomad pastoralists. However, as a group they now find themselves increasingly divided between a minority of families who still own economically viable flocks of sheep and move through the full cycle of seasonal grazing camps, and those poorer families – in the majority – who no longer own viable flocks. They have effectively ceased to be true pastoralists, becoming satellites of the settled urban and peri-urban populations on whom they are dependent for a precarious livelihood. Even families who still possess sizeable flocks send young men, surplus to herding and camp duties, away to earn a living from unskilled work (Fitzherbert, 2007: 20).

Thus, in this and other cases, the families who remain camped near to the city or to opportunities for agricultural labour now outnumber the minority of pastoralist nomads. Kuchi may have lost the virtual monopoly on the meat and dairy trade they enjoyed in the decades previous to the war, and also the amount of livestock necessary to subsist essentially on its breeding, but they can still engage in dairy, meat and wool trade with the animals left, and the most profitable way to do so is to settle close to the big markets provided by cities. However still existing, trade of livestock products is by no means the major economic asset for those Kuchi who settle near urban centres.

Harvesting, along with other menial farm duties, has traditionally been one of the possible additional sources of income for Kuchi. NMAK figures put the percentage of Kuchi communities involved in it at over 50% (De Weijer, 2005: 28). Inside cities too, all types of unskilled work are sought after by Kuchi labourer, in particular construction, as they have the advantage of being available year-round, and suit best Kuchi who are themselves free from the seasonal subdivision of pastoral duties.

In fact, Kuchi labour activities are changing in scope and type. They are losing the occasional character they had before the war, or, if

they are indeed occasional, that is due to unavailability of job opportunities. On the other hand, they are less connected with aspects of Kuchi life like the ownership of beasts and the seasonality of their location and employment.

The loss of specific areas of activities linked to livestock breeding or long distance trade not only brought Kuchi closer to the cities, but for the first time put them in direct competition with other disadvantaged strata of the Afghan population for access to jobs and resources.

The majority of Kuchi who settle close to cities do that in less than ideal conditions. Except from a few rich businessman, Kuchi do not have access to valuable, serviced residential areas, and they either acquire land plots at the fringes of town, settle down in unproductive areas and try to occupy the land, or lodge in refugee camps turned permanent. The high number of Kuchi IDPs (Internally Displaced Person), contributed to create Kuchi refugee camps close to several Afghan cities, most notably near Kandahar, where IDPs fleeing from the last great drought, particularly severe in the South, and from the violence that targeted the Kuchi in northern provinces like Badghis and Fariab in 2002-2003, took shelter.

In any case, the living conditions of Kuchi near cities are more often than not precarious and shabby, lacking most services like electricity or water, and well below basic hygienic standards. Their joining the urban population from a very low economic rung did not contribute to improve their social standing. Nomads were already considered wahshi (savage) and underdeveloped by educated people and members of the urban middle-class before the war, but their physical distance and their relative affluence left some room for romanticizing them. They were also somehow credited with impressing and awing foreign visitors, and thus held by the elites as a 'national pride'.

Here is two example of perception change about the Kuchi, as recalled by two individuals of different background, both Pashtun however and from provinces with high an incidence of Kuchi:

'Before, city-dwellers did not use to see much of the Kuchi: they came to town only to trade, and they were even renowned for they beauty and honesty. Now they see only the worst sides of being nomad, the

poverty, the lack of hygiene... They are not ready to accept this inside their cities.’

‘People see them as backward. When I was a kid, people in my village would say “The Kuchi have arrived!” and there would be a caravan and people would stop by to gaze at the nomads passing. But now things have changed and people see them as ne’er do well.’

Indeed, the current social indicators for Kuchi as a community are far from exhilarating. Just to give an example, they rank at the bottom of the list in terms of literacy, which amounts to only 2.0% for males and 0.05% for females; while attendance to school is likewise appallingly low (6.6% for boys, 1.8% for girls – against a national average of 30% and 15% respectively). These data are based on the NMAK criteria which leave out some of the settled Kuchi, who are probably slightly better off in terms of literacy and access to school compared to those still pursuing a migrating lifestyle. But more than a settled/nomadic divide, it is likely that the economic situation plays a significant role in determining literacy and schooling among Kuchi. In fact, the previous indicators are higher for those provinces (Balkh, Baghlan, Sar-e Pul and Logar) where at least part of the Kuchi are well-off, having settled and purchased large landholdings many decades ago (but often still breeding livestock and having thus been included in the NMAK, unlike others who had completely stopped being pastoralists once settled). Education levels need not necessarily be much higher among those Kuchi who settled in precarious conditions or as IDPs when compared to those who are still nomadic.

Similar doubts could be expressed regarding improvements in the sanitary conditions of Kuchi households after they have settled down. Research indeed shows that Kuchi who settle in highly populated or cultivated areas, as many of them are trying to do looking for job opportunities, see the quality of their access to potable water decrease. Furthermore, this leads to competition with already present groups, who inevitably see the arrival of the new neighbours.

The failure to fill their former complementary role in the productive chain, and the competition for basic resources are not the only issues that have contributed to shape the Kuchi’s as a highly conflictual identity. Disputes over land are very commonly involving Kuchi on one or

even both sides, and in some cases this have become huge, highly politicized and seemingly unending stand-off between whole communities.

Kuchis and the Land

‘Before, the kuchis used to live with us in winter, they were our hamsayas (neighbours, also implying a dependent position as tenants), now they have become our landlords.’ Afghan MJ member referring to a land dispute with a Kuchi businessman in Nangarhar province.⁴

A common definition of nomad, that of somebody who does not have a fixed abode, would not summon the idea of land property or land conflict. Afghan Kuchi do not only own land, but are consistently involved in disputes involving the ownership of it, for agricultural or residential purposes, and for the rights of usage or propriety of pastures.

Kuchi, even when moving seasonally from one place to another often located several hundred kilometres away, they can develop a ‘sense of belonging’ to one of the two places, usually their winter quarters. Frederiksen describes the feelings of the Hazarbusz Kuchi for their ‘homeland’ in Kuz Baru, a village in Mohmand Dara of Nangrahar province: ‘there exist no official document, but among the Hazarbusz there is a consciousness that the territory belongs to them (Frederiksen, 1996:64-67, 71, 266-267); and this is by no means limited to one’s tribe region of origin. The Hazarbusz Mohmand, now mostly sedentary, eventually settled not only in ancestral Kuz Baru, but in Kabul and Mazar-e Sharif likewise. In many parts of Afghanistan, before the war, the more prosperous Kuchi households had already started purchasing land in both winter areas and summer pastures, initially as a way to secure profit made by trade, but increasingly to settle down, giving up first pastoral duties but keeping on trade longer, if profitable.

This process has increased today. Kuchi possess land all across the country, but especially in some provinces like the already mentioned Balkh (56% of the Kuchi households residing there in winter), Sar-e Pul (52%) and Logar (51%).

In the two northern provinces Kuchi own large tracts of land (the highest average per household belongs to Jawzjan and Sar-e Pul (De

⁴ Interview with the author, Jalalabad, 2010.

Weijer, 2005: 21), often as a result of the fact that when the government re-located them there between the end of the XIX century and the early half of the XX it endowed them with lands.

Nomads do actually possess more land pro-capita than the sedentary people, if only those Kuchi who do own some land are taken into account. Landed Kuchi do not only grow cash crops on their lands, but also possess more flocks on average than landless nomads. The apparent success of this strategy of mixed economy gives credit to Pedersen consideration that 'to be a landowner is seen as the conclusion of a successful nomad's existence' (De Weijer, 2005: 23; Pedersen, 1995: 220).

In some cases, the process may be an age-old one, which kept going on at different paces depending on the economic and political situation. In Logar, where almost all the land owned by Kuchi belongs to settled ones, Ahmadzai nomads who used to cross the province during the golden age of summer grazing and trade in Hazarajat, invested their profits and bought valuable agricultural land, as reported by field researchers in the 1970s:

'Their migration route goes through the Logar Valley, which has become a permanent staging area for the Ahmadzai, as well as a place where they own farming land exploited by tenants. They spend from forty to fifty days there during the spring migration coincident with the period of lambing. Some men leave one or more of their wives and children and sometimes their brothers in houses in the valley all year round, creating a variation in exploitation pattern in which a predominantly nomadic group is also involved in agriculture' (Rosman and Rubel, 1979: 558).

In more recent times, the political clout gained by a local Kuchi leader, under the Taleban regime, allowed his extended family and allies to increase the amount of their property by encroaching on state land with the consent of the authorities.⁵

But this is an ideal settlement pattern, as in many cases historical conjunctures forced the nomads into hasty and unfavourable sedentarising. As related, after the two-years blockade of the Pakistani border in 1961-63, many nomads had incurred such livestock or economic losses that they

⁵ Interview with residents from Logar, Kabul, 2011.

had to settle down in the areas, were they had temporarily re-located, that is Nangrahar and Khost, where the mildest winter climate is to be found.

Likewise, in the last years the majority of the Kuchis did not have chances for a favourable settling down ready at hand, and it was inevitable that conflicts with local villagers would arise. Even when Kuchis try and settle on lands which they have been using for decades as temporary winter abode, they face the condition of being landless in 'their place of origin'. Most of these conflicts involve in fact communal or state land, or other types for which it is difficult to ascertain property. Sedentary villagers would object to the occupation of state land by Kuchi, representing that they would need government land distribution scheme as much as the nomads (GTZ/TLO 2008: 8-9).⁶ Kuchi that own private agricultural land are quite sure in their possession, except in some areas in the North where they have been targeted by communitarian violence in the first years after the fall of the Taleban; more problematic are usually claim to 'traditional' grazing area, both in view of settling down or to be used as pastures.

In fact, the type of property document held by the Kuchis, if any at all is still existing, is usually a qawalla (a legal title deed issued by a state court – or in temp of war, by mujaheddin authorities) for a private property, in particular agricultural land. As for the pastures, in many areas nomads would traditionally have gained access to them through royal farman (decrees), often dating back to the early XX century.

Access to many of the summer pastures previously used by the Kuchis has now in fact been blocked for three decades. If hostile 'attitude of resident people' ranks only third among the reasons given by Kuchis for not migrating to their former pastures, and this problem was highlighted mainly by respondents in the North (De Weijer, 2005: 17), it is the Hazarajat pastures which have become the most famous and disputed issue revolving around the Kuchis.

The pastures, mainly located in Panjab and Waras district of Bamian province, are presently utilised by local villagers for grazing their own livestock, or have been converted to non-irrigated farmland, developments engendered by both the demographic expansion of the

⁶ Interview with Nangarhar locals, Jalalabad 2011.

population in the central highlands and the increased political assertiveness enjoyed by the Hazara community during the 1980s and after the fall of the Taleban.

Kuchi also own agricultural land near to summer pasture areas of Hazarajat, but in 2005 access was reduced (85% of the household with land in Wardak could not, 97% of Ghazni, 100% Bamian).

Hazaras however largely say they would recognize the rights of Kuchi over the land they rightfully acquired. In general, Hazaras make a political point by differentiating between the land legally purchased by Kuchi, which is guaranteed by qawalla, and the pastures, as they do not recognise the rightfulness of the farman issued by Abdur-Rahman, as proceeding from a genocide-like campaign of internal conquest, and motivated by the political will to enlist the nomads as auxiliary troops to break the resistance of the Hazara.⁷

In fact, technical difficulties behind a solution to the dispute are not the first obstacle to be met. The last accession of the nomads to Hazarajat, in 1998-99, has contributed to raise the political significance of the dispute. Led by Naim Khan, an influential Kuchi leader and Taleban official, armed nomads then entered Hazarajat wielding political and military power for the first time since 1979. Acting as auxiliary troops to the Taleban, they rampaged through the region, collecting arrears in the payment from their former tenants, and targeting particularly wealthy families to extort cash, livestock and forcing more land signed to them by their debtors. Finally, they were recalled by Mullah Omar after delegations of complainants had protested with the Taleban leadership.

After 2001, the issue of nomad access to Hazarajat has become one of the more relevant drivers of ethnic tension and political propaganda in Afghanistan, especially during its yearly climax around the month of May, when nomads would approach the higher pastures. Tension has often broken into open conflicts since 2007, as the Kuchis have started pushing on the borders of Hazarajat in an increasingly aggressive and militarised way.

Notwithstanding the location of the main objective of the Kuchis' claims lay well inside Hazarajat, the confrontation usually take place in the

⁷ Interviews with Hazara elders, political activists, intellectuals.

first Hazara-inhabited districts the Kuchis encounter in their migration, Daimirdad and Behsud (the latter has given its name to the conflict in the press). In the spring of 2010, for example, armed nomads massively attacked Hazara settlements in these districts, triggering a large exodus of the settled population.

Events of this kind have obviously a great resonance in the country's public debate, causing scuffles inside the parliament and widespread protests by the Hazara sections of the population of Kabul, in other big cities and even abroad. Also, the occasion has been often exploited by the two main (rival) Hazara political leaders to compete for popular support by staging rallies or delivering promises. Kuchis have become a veritable bogeyman, symbolizing the past oppression and the new challenges in the eyes of many Hazaras. Demonising of the opponent in this case ranges from the consideration that nowadays Kuchis are not really interested in transhumant livestock breeding, but mainly act thus to loot the villagers and blackmail the government into bribing them, to plain accusations of being hired by the Taleban to cause disorder and bully a pro-government community like the Hazaras, or even of comprising a majority of Taleban in their ranks.⁸

The Afghan government has not played the pro-active role that both parts in the conflict apparently require from it. In fact, the single major intervention on the part of it has been to pay an unspecified sum of money to the Kuchi leaders in 2009, the year of the presidential election, to prevent the nomads to migrate towards Hazarajat and avoid violent escalations like those of the previous two years. This was part of an electoral deal between Hamid Karzai and Mohammed Mohaqqueq, a prominent Hazara leader, in exchange for Hazara support for the former's bid at re-election. Such a dealing of the issue backfired the following year, when Kuchi leaders, who, according to some Kuchis, had kept most of the money for themselves, were possibly expecting to receive the same subsidy.

Alternative solutions may be of course opposed by elements inside both camps. This year, before the Kuchis' massive arrival in Daimirdad and Behsud, the elders of the two communities had signed a

⁸ Interview with Daimirdad and Behsud residents, Kabul 2010-2011.

deal, agreeing to let the Kuchis pass through their territory provided they kept out of villages and cultivated fields. The deal was however opposed by other Hazaras, a political faction prominent in the higher pasture area at the centre of the dispute; while at the same time Kuchi violence hit neighbouring, but relatively quieter, Nawor district of Ghazni province (cf. Foschini, 2011).

The spring movement of Kuchis towards Hazarajat seems to be partly a half-organised push by their own leaders and partly a spontaneous urge of several communities. Groups of Kuchis left without flocks see it as an opportunity to get some prize; others are really in desperate need of boosting their livestock breeding by gaining access to rich pastures.

It is known that some Kuchi communities that traditionally did not move into Hazarajat have joined the annual Kuchi attempt at access, hoping to derive some benefit from it (Fitzherbert, 2007: 20). Indeed, local Hazaras would claim that today's Kuchis have no relation whatsoever with the nomads who used to travel through their areas before the war. In 2011, they reported about heavily armed 'black-clad Kuchis', clearly identifying them as Taleban, coming from Kandahar area.

The level of symbolic significance attained by the Behsud conflict is unparalleled by other land disputes involving the Kuchis, which are, nonetheless, often just as violent.

In fact, Kuchi are sometimes on different ends of these disputes. They may be trying to occupy state land they claim as their own, or they just state they are in need of, and subsequently face violent repression and re-location by the security forces. They can find themselves the victims of stronger groups, who thanks to their political connections or armed power, usurp land which they had traditionally used, or extract money from them to allow usage of what was previously free. Finally they can also be the landowners speculating on high-value real estates, and facing opposition by landless sedentary people.

As a long term solution to most of these conflicts, the government has been occasionally promising to distribute land to the Kuchis. Article 14 of the Afghan Constitution hints at 'improving...the settlement and living conditions of nomads', something which many directly interpret as a commitment on the part of the state to settle them down. Those who

oppose or resent the idea of a separate Kuchi identity at all also point to a basic inconsistency, maintaining that nomads are ‘termed by law those who do not possess any land’, and they assume that an allotment of land must eventually transform them in normal citizens.⁹

The Kuchis themselves are not at all opposed to the idea of being given land to settle down:

‘Everybody seems to agree that land must be given to us, the Kuchis agree, the villagers agree, the government agrees, who is the fool who would not agree? For those Kuchi who have still flocks the opening of the Hazarajat pastures is the priority, for all the others land allotments are more important...in terms of economic opportunities, first comes land, then flocks, and as for the rest, there is nothing else in Afghanistan’.¹⁰

But as to giving up their specific identity, things are less clear. However the Kuchi may really understand the ‘cultural’ specificities that separates them from sedentary people, being Kuchis is often one of the few cards they have to raise their voice and try to be listened.

Kuchis and Politics

‘Kuchis don’t have their own media, they don’t have any provincial council member or governor, nor ministers or lobby inside the government. People in power remember us only when there are votes in the Parliament, otherwise (they say): Kuchis (go) to the tombs of their fathers!’ Parwin Durrani, parliamentarian, Head of the Kuchi Commission.¹¹

As regulated by the electoral law of 2005, and reiterated by that of 2010, in the Lower House of Afghan parliament ten seats are reserved for Kuchi representatives. Instead of guaranteeing such a presence by means of quotas in each province, as it is done for women, Kuchis were created wholesale into a separate constituency, with their own candidates and polling centres.

⁹ Author’s interviews with Afghan Analysts and Social Workers, Kabul, 2011.

¹⁰ Interview with Mullahkhel Malik, Kabul, 2011.

¹¹ Author Interview, Kabul 2011.

The first time this system was implemented was of course for the first parliamentary election in 2005. In the presidential election of the previous year, although Kuchis could already register as such in the distribution of voter cards, their casting of the vote did not differ from other Afghan citizens.

During the so-called 'New Democracy', as the liberal 1964-1973 period under king Zaher Shah is sometimes called, Kuchis used to have five representatives in the elected Wolesi *Jirga* (Lower House) (Dupree, 1975: 406). The new arrangement was done in the attempt to guarantee a fair representation to a transitory community whose candidate could face problems in fixing their constituency to a determinate province. Many however, critical of the choice and of its outcomes, consider it as ruse by which the government was been able to create a basin of votes managed by loyal political allies.

Some further point at the fact that the ten seats for Kuchis end up being actually reserved for Pashtuns, in an effort to offset the Parliament's ethnic balance and increase control over it by the current government.¹²

In 2005, electoral procedures allowed voters to self-identify as Kuchi during the registration process, and indeed more than 500,000 individuals registered as such (different figures, 534,105 or 532,726, are given). However, reports of abuses allegedly committed by electoral officers in this respect emerged. For example, a number of residents of Kunduz province, ethnically Turkmen, were inscribed in the Kuchi constituency against their will.

Predictably, all ten elected Kuchi MPs have been Pashtuns, both in 2005 and 2010. However, more than the ethnic question, what draws criticism against them is a reputation of being staunch pro-Karzai loyalists, and to have supported the government at critical votes inside the *Wolesi Jirga*. Karzai has in the past courted some prominent Kuchi leaders, like Naim Khan Kuchi, whom he greeted on his release from Guantanamo Jail in 2004. Another prominent Kuchi leader, Mullah Tarakhel, elected for both terms, has even been accused of hijacking thousands of votes for the re-election of Karzai in 2009.

¹² Author interview with WJ members, Kabul, 2011.

It is certain that Kuchi voted massively for Karzai during the 2009 elections. A survey of Kabul's Kuchi polling centres shows a generally very low amount of votes for Ashraf Ghani Ahmadzai, who, being himself from a prominent Ahmadzai Kuchi family (his brother Hashmat is chairman of a non-governmental Kuchi Grand Council), was somehow expected to receive a fair share of the Kuchi vote. Most of the vote went instead to Karzai, and this was true in particular for those polling centres located in and Butkhak and Pol-e Charki, Mullah Tarakhel's strongholds. There, percentages of vote for Karzai easily reached 80%, or were anyway much higher than the provincial average of 48.8% that Karzai obtained. In many polling stations, relatively low amount of votes showed the same trend, making it more likely than a massive vote for Karzai on the part of the Kuchi electorate was not imputable to irregularities only, but to very strong vote indications by Kuchi leaders like Tarakhel.

No provincial breakdown of Kuchi vote has been given for the 2005 election, but each of the 67 candidates was indeed affiliated to a certain province where he or she could expect more support. The majority of Kuchi candidates came then from Kabul (10), Ghazni (6), Nangrahar (Logar (5), Paktika (4), Helmand (4) and Kandahar (4). The winners' background however showed a different distribution of voters. Three Kuchis from Kabul got elected, along with Haidar Jan Naimzoy (the son of Naim Khan) from Logar, two from Nangrahar, both of the candidates originating from Khost and one from Paktika. The only Kuchi elected from the North hailed from Badghis. Karzai later chose one of the two Kuchi senators in the Upper House (presidentially appointed) from northern Balkh.

An analysis of the vote cast in the 2010 consultations confirms the importance of the eastern suburbs of Kabul as the principal concentration of Kuchi vote countrywide. Most of the 86 Kuchi polling stations of the capital urban districts were located there, and to these can be added the 20 Kuchi polling stations located in adjacent Deh Sabz district (on a district's total of 57 polling station). Out of a total of 105, 220 Kuchi votes cast in the election, 26,481 come from Kabul city, a figure that rises to 27,783 if the votes of Dehsabz are added. As noted, the

area is compactly aligned with Mullah Tarakhel, who in fact got here most of his record vote, 26,491 (which makes him by far the most popularly elected MP in Afghanistan).

Another remarkable area for Kuchi votes is tiny Kapisa province to the north-east of Kabul, where 6371 votes were cast, mainly for the local Kuchi candidate, Habib Afghan. The latter cannot compete with the overall amount of votes gathered by Mullah Tarakhel, but share with the latter a characteristic: though nomads with a countrywide constituency, they banked most of their votes in very circumscribed areas. 4421 of Habib Afghan's votes come indeed from a single district of Kapisa, the provincial centre of Mahmud-e Raqi, where he facilitated the settlement of a big number of Kuchis in residential projects he manages.

The same tool of political mobilization is very evidently behind the popularity of Tarakhel. He is the main force behind the huge 'Kuchi belt' which is developing on the eastern border of Kabul, from De Sabz to Bagrami, and this gives him a huge patronising power over thousands of Kuchi households desperately seeking access to settlement and to Kabul's job opportunities and security. Butkhak, until a few years ago a tiny village at the outskirts of Kabul, almost forgotten since it was bypassed by the new road to Jalalabad through Mahipar, has now become the centre of a huge residential project which should have the capacity to accommodate more than 80,000 families. A high school and a clinic have already been built, but the area has still the appearance of a shantytown, continuously expanding further away from the city.

On the other hand, Kuchi social structure is not necessarily surviving the economic stresses unscathed. A still common authority figure among Kuchi communities seem to be that of the malik.

Chosen by the community, and sometimes even paid a salary by it, the maliks usually oversaw practical administrative affairs, paperwork and relations with state authorities (Frederiksen, 1996: 47).

Today, maliks keep representing their communities in front of the state, but it is more from powerful powerbroker like Mullah Tarakhel and Habib Afghan that they can hope to obtain economic help and political support.

For example, according to many interviewees, Tarakhel divided the land in Butkhak in plots and distributed or conveniently sold them to a first row of relatives, allies and perspective clients, some of whom were maliks from Kuchi communities other than his own. These in turn could decide what to do with the valuable piece of land near the capital, to settle there themselves, give it to some family relation, or to sell it in turn for a sensibly higher price.

The maliks can thus be co-opted by the new Kuchi elite of businessmen-politicians for support at the time of elections or to legitimate their claim of speaking on behalf of the Kuchis at a national level. This would explain the strange vote pattern in some regions (like the the Koh-Daman districts, but even in far away Kunar) where Kabul-based Kuchi managed to get chunks of votes only in some areas, in front of locally strong candidates. This apparently random distribution of their support base could be explained by them having patronized certain maliks through allotments in their 'land projects' in exchange for the votes of their communities.

According to Dupree, the situation in the 1960s, when the Kuchi MPs 'represented the larger nomadic tribal units and all came from semisedentary groups' was not completely dissimilar (Dupree, 1975: 406). Now, however, differences between the politico-economic elite and their constituency appear much more significant, and the poorest Kuchis either completely detached from the political and economic life of the country, or totally dependent on their leaders.

Among these, land speculations and construction activities of entrepreneurs from the Eastern and Central region appear to have a more dynamic political potential than the historically rooted tendency at latifundism displayed by the most affluent of the northern Kuchi. The former can probably offer poor Kuchis more job opportunities, land and protection, and are more strategically situated to successfully lobby with the institutional powers. Kuchis in the north may be rich, but are, with few exceptions, politically isolated.

With a separate political identity and an elite in process of formation, how much are Kuchis likely to develop into a new qawm inside Afghanistan? One could argue that, in the original sense of the term qawm

– usually something oscillating between kinship group and solidarity group – they are already one.

But in the more relevant political sense that *aqwam* assumed in Afghanistan during the last decades, how far have the Kuchis travelled? It seems that more than the constituency itself, it is the Kuchi leadership who has benefitted from the special institutions created by the government for the Kuchis. The mass of the Kuchis has been occasionally able to mobilise in a cohesive way, but this seems to have happened through means halfway between the old kinship and transhumance networks and a new militant attitude – in the sense of an armed, and often anti-state activity. The political acting of the Kuchis, altogether, seems still quite primitive when compared to the mobilisation patterns of other groups. The obvious comparison with their perceived ‘natural’ opponents, the Hazaras, shows how this other *qawm*, starting from conditions which were far inferior to those of the Kuchis in economic terms, and as isolated and backward in social and educational terms, has been able during the decades of war to completely change its social standing through education and political activism. Of course, this change could not have happened without the individual itinerary of thousands of individuals, spurred more by the awareness of their backward social position than by an organic indoctrination by strong political parties. Addressing the educational shortages of the Kuchi youth, and improving their participation to the broader Afghan society, seems indeed the priority for any attempt at emancipating the Kuchis.

Lack of education and political sophistication are not the only obstacles in the way of creating a lasting and cohesive Kuchi community. Ethnic belongings are possibly more fluid than often believed, but Afghanistan is not, at the moment, devoid of strong identities, and any identity, to assert itself, needs room of manoeuvre. Kuchi identity will likely fade in front of already established ones, to resurrect whenever needed or useful. Until now its utility consisted mainly in being a vehicle of mobilisation or a rallying point for lobbying in the occasion of disputes. If this ‘confrontational’ identity is not supported by some sort of intellectual conceptualization and by an educated class of individuals who adhere to it, it is not likely to gain a firm foothold in Afghan society.

Nothing will prevent single Kuchi households or communities to gradually re-integrate in more comprehensive identities (Pashtun, other ethnic or regional ones) as soon as their socio-economic integration is achieved.

Until now, Kuchi political identity does not display trends towards a unified leadership or a transcendent political objective. Even at the time of their most visible episodes of collective mobilisation, like the yearly push to gain entrance into Hazarajat, Kuchis lack a political credibility and realistic approach, and seem able to assert their cohesiveness only in the most disruptive way.

The severe social and economic problems affecting the Kuchis revert more around the issue of their settlement than that of the Hazara pastures.

The mentioned diagram by which a Kuchi settles landless or settles as a shopkeeper or landowner marks the difference between the potential for integration and that of alienation. Nowadays, the trend is to have a very small elite of 'Kuchi' businessmen-cum-politician (or at least with good political connections), settled since long ago, that partially do facilitate the settlement of other Kuchis. These are impoverished masses left without sufficient and adequate economic means of production in the pastoral field, and disadvantaged culturally and socially in accessing other job markets. They either settle landless, and face other, stronger groups' and state opposition, or they play the card of their leadership, when available. Thus they cling to their newfound Kuchi identity to get at least a small patch of land. The Kuchi political elite at the same time derives its political relevance, and the connections that help its business activities flourish, from the troublesome potential of the poorest strata of Kuchi society.

Problems connected to residual nomadism are thus mixing up with landlessness and social tensions triggered by poverty, and, notwithstanding the creation of the Independent Directorate for Kuchi Affairs, the Afghan state is failing to address these issues specifically. Relying on the patronising system developed by a an elite of Kuchi businessmen-turned-politicians has also not been helpful in finding long-term solutions to the increasingly numerous instances of conflict.

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Pak-Afghan Transit Trade Treaty 2010 and Pakhtuns Involvement across the Durand line

Noreen Naseer

Introduction

Trade and commercial activities in Pakhtun region across Pak-Afghan border region¹³ is not a new phenomenon. Pakhtun belt across the border is exposed to trade and commercial activities since very long as it provided a corridor to Middle East, Central Asia, and Indian sub continent. Trade was carried out from East to West (China to Kashghar) and from North to South (Kashghar to India) surroundings of Afghanistan by Turks, Persians, Indians, Chinese and Mongols. Trade flourished in cities such as Bactria (today Balkh) and spread to suburbs. Trade conducted with the exchange of commodities like gold and silver ware, silk, cotton, woolen and linen textiles, glass ware, spices, precious and semi precious stones, steel swords and utensils, herbs and food commodities such as grains, pulses, fruits and dry fruits etc (Dupree, 1980: 296-301).

In past border areas trade and commerce was carried on community basis, exchanging mostly food commodities and livestock. This community based traditional trade of barter system was regulated and conducted among the tribes of mountain (people living in tribal belt) and plain areas (cities of Afghanistan). Therefore since very long, Wazir in Waziristan or Mohmand living in Mohmand Tribal belt had economic ties with a Wazir in Birmal and Mohmand living in the city of Nangarhar. Even today community trade is in practice among the present Federally Administrated Tribal Areas (FATA) and Afghanistan's Pakhtuns on the basis of ancestral affiliations. The tribes residing on both sides of the border areas have not only cultural, linguistic ties but also are dependent on each other for economic reasons (Kakakhel, 1964: 62-106).

¹³ The Northern portion of Pak-Afghan border comprises of FATA with some part of Khyber Pakhtunkhwa and seven wilayat of Afghanistan with approximately population of 3.2 to 4.0 million making approximately 8 million Pakhtun population on both sides, however out of seven wilayats five are connecting FATA. These five wilayats are Kunar, Khost, Nangarhar, Paktia and Paktika.

After the creation of Pakistan in 1947, the status of the tribal areas remained semi independent and minimum government interference. The British administrative and legal system of Frontier Crime Regulations (FCR) continued in operation and these areas economic, social and political system remained intact. The new government of Pakistan after British exit also treated tribal belt as a buffer zone between Pakistan and then hostile Afghanistan. Although Pakistan government granted concession by allowing tribal people free interaction with their brethren across the border but Afghan government refused to recognize the Durand line and division of Pakhtuns in the United Nation (Ziring, 1997: 88).

To normalize the Pak- Afghan relations after 1962 border closure crises, Pakistan agreed to provide a commercial corridor to land locked Afghanistan and thus Pak-Afghan governments signed a transit treaty of 1965. This agreement was signed in Kabul on 2nd March 1965 between the Commerce Ministers of Pakistan and Afghanistan (Choudary, 2004: 545-549). Afghanistan a landlocked country needs a permanent corridor for its trade and commerce. Pakistan under international obligations is obliged to provide access to landlocked Afghanistan. Freedom of transit was first dealt under League of Nations Convention on Statute on freedom of Transit in 1921. It was later added to GATT in Article V to facilitate the trade activities of landlocked states, then further highlighted in the United Nation Law of Seas 1981(United Nations, n.d).

This transit treaty facilitated Afghan goods and also provided an opportunity to Pakhtuns on both sides of Durand line employment and means of livelihood. FATA and border areas¹⁴ of Afghanistan is an extremely difficult terrain comprising of high mountains, narrow valleys with deserts and rocky areas. Approximately 80% of area is barren and very difficult to cultivate. FATA in Pakistan one of the poorest, least developed part of Pakistan with literacy rate of 17.42 percent, in comparison to national average of 40 percent; among female, it is hardly 3

¹⁴ The Northern portion of Pak-Afghan border comprises of FATA with some part of Khyber Pakhtunkhwa and seven wilayat of Afghanistan with approximately population of 3.2 to 4.0 million making approximately 8 million Pakhtun population on both sides, however out of seven wilayats five are connecting FATA.

percent, compared to the national average of 32 percent. Almost 66% people live beneath poverty line and per capita income is roughly \$250, half the national average of \$500 (FATA, n.d).

Similarly Pashtun border wilayats of Afghanistan along FATA are also economically very poor, impoverished and conflict ridden. According to World Bank report of Poverty Status in Afghanistan, poverty in Pashtun border wilayats is more than 58% (World Bank, 2007/08: 26-29). In fact border areas of Afghanistan are poorer than FATA as Pakhtuns in FATA accepted some degree of modernization by moving to cities of Khyber Pakhtunkhwa for education, jobs and business. In Afghanistan border areas harsh geography, poor education, conservative culture, conflict ridden and scarce infrastructure have isolated the Pakhtun border wilayat from the rest of urban Afghanistan. Hence making them closer and dependent on Pakistan border areas for markets, health and education services. Even before the Afghan War of 1979, these border areas were ranked at the bottom in terms of education, health facilities and infrastructure (Afghanistan was ranked 169th out of 174 countries in the UN Human Development index 1996). Afghanistan government always paid attention to urban areas (only major cities depended on international aid and international markets) and ignored the rural Pakhtun belt along Pakistan. Afghanistan border areas Pakhtuns also resisted and refused modernization and development in their region. Hence poverty and deprivation increased with the passage of time (Afghanistan Border States Development Framework, 2001).

Transit Trade Agreement between Pakistan and Afghanistan 1965

Due to international obligations and geographical proximity Pakistan and Afghanistan signed a transit treaty to facilitate each other in commercial activities. Hence both states signed Afghan transit trade agreement for regulation of trade traffic in transit. This agreement was signed in Kabul on 2nd March 1965 between the Commerce Ministers of Pakistan and Afghanistan (Choudary, 2004: 545-549). Presently both states have trade of worth 2.10 billion dollars and 34% of Afghan transit commodities passes through Pakistan border (Abbasi, 2011:3).

Main Features of the Afghan Transit Trade Agreement

The Afghan Transit Trade Agreement comprises of fifteen articles and two annexes. It deals with ports, routes, transport and customs transit procedures (Abbasi, 2011).

- According to Article I both the contracting parties undertake to facilitate each other in transit trade without any discrimination of ownership of goods, transportation, flag of vessel, the origin of the commodity its exit and entrance.
- Article II deals with Traffic in Transit, any commodity or goods, baggage and transportation shall be considered in transit which terminates beyond the borders of contracting party.
- Article III is about the official transit trade routes to be used by both the contracting parties. The official routes determined were Peshawar-Torkham (Khyber Agency) and Chaman- Spin Boldak (Baluchistan). It also allows the possibility of new routes to be established to fulfill the trade requirements.
- Article IV stipulates that no custom duties and taxes of any provincial and national shall be applied to the goods moving in transit except for transportation charges, administrative expenses and the cost of the services rendered.
- Article V provides that shed and open spaces shall be established at Karachi Port for goods in transit to Afghanistan.
- Article VI recognizes the importance of Kabul- Torkham- Peshawar transit route and calls for action to be taken to develop this route transportation facilities.
- Article VII pledges that Pakistan government will facilitate transport on both official trade routes.
- Article VIII defines that both countries will appoint liaison officers to look into working of this agreement to handle any matter related to transit trade issues.
- Article IX pledges that the contracting parties shall have very relaxed freight charges and port duties.
- Article X deals that both the contracting parties will protect of public morals, human, animal or plant life and health. The contracting parties shall also take necessary measures to protect their territories.

- Article XI instructed that contracting parties shall meet and discuss with each other once a year to appraise the working of the agreement.
- Article XII addresses the problem of disagreement among the contracting partners. If such problem arises then the members should either negotiate to chalk out issue or refer the matter for third party arbitration on member's consensus.
- Article XIII promises that no political disagreement or stand will bear any affect on the agreement and its articles.
- Article XIV states that this agreement shall be ratified and came into action on the date of exchange of the Instrument of Ratification and renewed after five years.
- Article XV establishes both Dari and English languages for agreement.

Procedure of Transit Traffic to Afghanistan via Karachi / Peshawar / Torkham

Protocol was also signed regarding regulating Traffic in Transit to and from Afghanistan. This Protocol illustrated that both governments will allow all the declared categories of goods and carriage in transit. The Afghan traders involved in transit trade will need permission from their government through Jawaz Nama (Import Permit). At Karachi Port, the Afghan importer or his clearing agent will show his Jawaz Nama (license) along with Goods Declaration copy and eight copies of the Afghan Transit Trade Invoice (ATTI). The Collector of Customs at Karachi will appraise the transit trade goods (to see if there is any negative item or goods in the packages), although the transit trade goods are exempted from examination under the Protocol Annex –II requirements.¹⁵

The cargo is then shifted to Cargo trains, bullet numbers by the custom authorities in the presence of the Custom Clearing Agents (privately hired people normally help the Pakistan Customs in checking the goods and numbering it). The second destination is the Peshawar Dry Ports, located in Peshawar Cantt and City Station fully equipped with

¹⁵ Minutes recorded with Pakistan Custom Authorities involved with the transit cargo.

warehousing space. Again the custom staff inspects the cargo seal also make it sure that negative item is not in the goods, checks the relevant document and declared it okay. If any discrepancy is found then contravention case is made out against the importer/carriers. There is also a Border Agent present at Peshawar Dry Port representing the importer submits the original copy of the ATTI and *Ilm-o-Khabar* (no objection certificate) issued to him by the Afghan Trade Commissioner at Peshawar on the basis of invoice, packing list and ATTI.¹⁶

The cargo after being inspected at Peshawar Dry Ports proceeds to Afghanistan via Torkham in trucks and carriers. In case of bulk cargo, custom seals are affixed and convoy memo is prepared in four sets and sent to the *Wakeel-i-Tujaar* (trade representative at Afghan Commissionerate office Peshawar) for verification along with required documents. Document one copy is retained by the Afghan office and the rest is returned to the Transit Station at Peshawar. At Torkham the custom official checks the cargo and documents and issue gate pass to cross the Pakistan border and enter Afghanistan. The gate passes of the cargo are checked by political authorities while crossing the border.¹⁷

Provision of Custom Act 1969 and Transit Trade

Pakistan Custom Act 1969 gave legal cover to the transit trade. According to this act any commodity in transit enters Pakistan and destined for other state should be exempted from any duties. The facilities provided by the Pakistan in the form of sea port, dry ports, warehouses, transport and manpower will be charged (Choudary, 2004: 541-543). Any commodity that is declared prohibited by the Government of Pakistan and notified in the official gazette is not allowed to enter Pakistan ports. Every five years there is a review of the transit commodities and some of the goods are declared negative if they have adverse affects on the state economy. In case of Afghanistan almost every year there is a review of the

¹⁶ Minutes recorded with Pakistan Custom Authorities involved with the transit cargo.

¹⁷ Minutes recorded with Pakistan Custom Authorities involved with the transit cargo.

transit commodity list to check the illegal practices in trade (Choudary, 2004).

Afghanistan and Pakistan Transit Trade Agreement 2010

The Afghan Transit Trade worked satisfactory till late 1970s. The need for revision of commodities list was felt during 80s and 90s due to accelerated growth of unrecorded trade activities between the two neighbours. The emergence of Bara markets and Karkhano markets culture in the tribal areas forced the Pakistani administration to revise certain commodities of transit trade under negative list. These markets were selling the tax free transit goods bound for Afghanistan and hence robbing Pakistan of its revenue. But after some time even the revision of the commodities list was of no use and the Bara markets flourished. Along with smuggling problem, trade as a subject matter became more complicated and transit treaty needed to be revised.

Pakistan and Afghanistan governments felt the need for the revision of Afghan Transit Trade Treaty, thus in 2005 respective governments of Pakistan and Afghanistan proposed a new treaty with few changes. Draft Agreement was submitted by Afghanistan in November 2008 and Ministry of Commerce in Pakistan obtained a mandate from cabinet in March 2009 and came into force in February 2010. This new revised transit treaty consists of thirteen sections divided into fifty eight articles, two annexes and four protocols (Federal Board of Revenue, 2011).

In this new treaty the major objectives are to strengthened the economic ties between the two countries and recognizing the right of Afghanistan to freedom of access to the sea as an essential principle for the expansion of its international trade and economic development. Also, recognizing the importance of North- South corridor for Pakistan in relation to trade with Central Asia. In its objectives it highlighted current economic realities such as including India in this scheme of affairs and the new international transit requirements (Federal Board of Revenue, 2011).

Main Text of Afghanistan Pakistan Transit Trade Agreement (APTTA)

First section of the treaty consists of Article 1 and 2 which chalks down the purpose and objectives of contracting parties such as to facilitate the movement of goods between and through their respective territories according to international obligations. The second section encompasses Article 3, it provides for freedom of transit through most convenient pre settled routes of contracting parties. The third section comprises of Article 4 and 5, it provides for the designation of transit transport corridors, the routes including maritime, air, rail and land elaborated further in Annex 1. The fourth section has covered Article 6, it is about the provision related to infrastructure and services. The contracting parties agreed to rebuild and upgrade the infrastructure according to international standards. The fifth section is about Article 7 to 14. These articles deal with different subjects such as designation of maritime ports, transportation operators and licensing system. This part discusses that Ports of Karachi, Port of Qasim and Gwadar Port are to be used for the movement of goods in transit to and from Afghanistan, other port of entry and exit are further listed in Annex 1. The Shippers are free to select according to their needs the mode and means of transport. Routes and time frame is determined for vehicle carrying goods across the two states. License mechanism is also devised for the transporters and freight forwarders are permitted to establish offices in both the countries. Contracting parties shall be extended national treatment to the transit goods (Federal Board of Revenue, 2011: 10-12).

The sixth section deals with Article 15 to 20, these articles addressed issues of road cargo, driving license, technical requirements for vehicles, inspection certificates, exit and entry permits. It establishes that contracting parties shall admit to their territories vehicles in accordance with the rules set out by both states. Both Pakistan and Afghanistan administration shall recognize driving license, vehicle registration and vehicle license of the carriers. Road transport vehicle shall conform to the technical requirements such as maximum weight and loads, emission standards etc. Contracting parties shall undertake periodic inspection of their road vehicles to ensure their good working conditions and insurance covered. Section seventh covers Article 21 to 27, deals with cargo

regulations and inspection. The cargo shall abide by the both national and international rules facilitate speedy delivery of perishable goods and exclusion of transit of arms and narcotic drugs. The inspection of cargo will be carried out in unusual circumstances under Revised Kyoto Convention 1999 (cargo will be inspected enroute if irregularity is suspected). Section eighth encompasses Article 28 and 29, these two articles are about the documentation and procedure regarding traffic in transit. The major objective is to facilitate traders with cost effective mechanism without delays. The ninth section deals with Article 30 to 33, its about duties, taxes, charges and payment agreement. The transit goods will not be levied with custom duties or taxes and will be provided services with no discrimination (Federal Board of Revenue, 2011: 19-24).

Section 10 is divided into Article 34 to 38, unlike the old agreement of 1965, the framers provide for the Afghanistan Pakistan Transit Trade Coordination Authority (APTTCA) to monitor and facilitate effective implementation of this agreement. This body will be headed by deputy minister of commerce and industries of Afghanistan and secretary of commerce Pakistan along with other trade body representatives. The 11th section has 39 to 49 Articles covering various aspect of the treaty. In 1965 Pak- Afghan Treaty there was no mechanism of dispute resolution and in this treaty the framers introduced the Arbitral Tribunals to resolve trade dispute and interpret any provision. The Arbitral Tribunal while resolving dispute will keep in view WTO's regulations of dispute settlement. The final sections 12th and 13th covers from Article 50 to 58, in these articles provisions are provided for the amendment or temporarily suspension of any clause or article. It also provided that this treaty will come in force for five years and can be renewed (Federal Board of Revenue, 2011).

Annex 1 is about the international transit transport facilities corridors and ports of entry and exit. Through rail and road, it will start from Port of Karachi/Port Qasim and will carry goods to Peshawar via rail and proceed by road to Torkham. The second major destination of the transit goods is from Port of Karachi/Port Qasim is Spin Boldak via Chaman. In this new treaty new routes are also given recognition and will be used by the two states such as Ghulam Khan route of North Waziristan.

Providing transit to Afghan commodities from Torkham via Karakoram highway to Sost/Tashkurgan bordering China. Similarly in future Pakistan transit commodities routes via Afghanistan from Central Asian Republics will also be devised. Pakistan will facilitate Afghan exports to India through Wagah. Afghan trucks will be allowed access on designated routes up to Wagah border. Afghan cargo will be off loaded on to Indian trucks at Wagah and the trucks on return will not carry Indian exports (Federal Board of Revenue, 2011: 26-31).

Annex 2 is divided into four Protocols, these protocols deal with international carriage by road, temporary admission of road vehicles for commercial use, custom control and transit regime, control of precursors and chemical substances used in the illicit manufacture of narcotics drugs or psychotropic substances. It is made very clear in these protocols that bank guarantee will be needed for such vehicles carrying transit commodities ((Federal Board of Revenue, 2011: 34-69).

One of the most important agenda items during the negotiations was the curbing of smuggling of transit commodities. For the first time the Government of Afghanistan recognized smuggling as an important issue affecting the socio- economic environment of both countries. Some measures are introduced to discourage smuggling such as installation of tracking devices on the transportation units, only sealed containerized cargo will be allowed and financial securities/guarantees for duty taxes to be submitted before the release of consignments from ports. To examine container Pakistan International Container Terminal has set up the country's first container scanner system. The scanner facilitate the custom officials to examine the commodities without opening the containers (Abbasi, 2011: 15).

Reservations of Trading Community of FATA and Khyber Pakhtunkhwa on APTTA

There is a huge hue and cry on this new revised transit treaty by the FATA traders. According tribal people the old transit treaty was devised to build confidence between the Pakistan government and tribes of FATA. The 1965 transit trade treaty focused on Pak-Afghan relations but

it was also an obvious understanding on the behalf of Pakistan that it would bring tribals of FATA to the mainstream by giving them economic opportunities. The Pakistan authorities had a very clear idea that the Afghans imported duty free items would ultimately be smuggled back into Pakistan. This was a tolerable price to pay by Pakistan, since the chief beneficiaries would be the tribes of FATA who were vulnerable to Afghan interference. Therefore the major objective of the 1965 treaty was to win over a support by the pro-Pakistan Maliks, and this approach worked well in helping impoverished tribesmen. The 2010 treaty does not allow concessions to the poor tribal traders.¹⁸

In this new agreement the protocols related to carriage has raised a major concerns among the transporters and carriers of transit cargo. India commodities are allowed to use land route therefore Afghan cargo after delivering Afghan goods at Wagah in return will be allowed to carry Indian goods to Afghanistan. Thus robbing the Pakistani cargo carriers (mostly the truckers are from FATA) of their jobs and earnings. While India will not accord transit trade rights to Pakistani traders with land locked Nepal. They are also of the opinion that if Afghan truckers are allowed to carry goods to and from Wagah to Afghanistan then Pakistan railways and National Logistic Cell will loose billions of rupees. The Pakistan traders and industrialists are also scared that Indian goods will be smuggled back to Pakistani markets and thus will affect the sale and production of local products.¹⁹

Pakistan traders also raised objection on passage tax (rahdhari) by the Afghan customs on Pakistani goods at entry points. Along with this rahdhari and other tax duties, Pakistani goods in transit to Central Asia is taxed 110 percent of the value of goods as security to the Afghan government. This has perturbed the Pakistani traders and their objection is that too much concession is granted to Afghans while in return they are over taxed. They also objected that in this treaty its only speculation that transit will be given to the Pakistani goods by the Afghans to the Central

¹⁸ Minutes recorded at FATA Chamber of Commerce Peshawar with FATA traders.

¹⁹ Minutes recorded at Sarhad Chamber of Commerce Peshawar with Khyber Pakhtunkhwa traders and industrialists.

Asian Republic, the framers have not officially evolve any mechanism for them.²⁰

Afghanistan traders have serious reservation regarding bank guarantees. It is stated in the Section V of Protocol II, that the transporter shall provide a bank guarantee or revolving bank guarantee or Carnet-De-Passage as a pre-requisite for Temporary Admission Document on his convenience acceptable to the Host Country. The authorized issuing/guaranteeing bank/institution shall be jointly liable with a vehicle operator from whom the sums are directly due, to pay the import duties, taxes and interests, under the custom laws and regulations in the Host Country, in respect of the irregularity (e.g., breach of custom laws and regulations, lack of response, lack of timely discharge of the Temporary Admission Document) in connection with the temporary admission of the motor vehicle under the regime of this Protocol. After the Custom Authority of the Host Country establishes irregularity, they shall en- cash the bank guarantee (Federal Board of Revenue, 2011: 46).

According to the traders this mechanism of bank guarantee is a very expensive arrangement, as they have to deposit huge amount of money (these bank guarantees will be equivalent to duty and taxes on goods with Pakistani authorities) in the bank against each container and install tracking device (normally cost 15000 to 20000) at every carrier. This mechanism is adopted by both Afghan and Pakistan officials to curb pilferage of goods and their sale in domestic markets. Besides these measures they will not be allowed to carry their goods in open trucks but only in sealed containers, these containers of international standards are also very expensive to purchase. Such measures can divert the Afghan traders towards Iranian routes and Iran has already developed and offered its Chabahar port.²¹

There is another serious reservations raised by Pakistan traders and officials, according to their opinion, passage to Indian goods even through Afghan carriers will be very dangerous from economic as well

²⁰ Minutes recorded at Sarhad Chamber of Commerce Peshawar with Khyber Pakhtunkhwa traders.

²¹ Minutes recorded at Sarhad Chamber of Commerce Peshawar with Afghan traders.

security perspectives. There are many chances of Indian goods being dispersed rather reaching its destination. There are no guarantee what sort of goods (under a new treaty the Pakistani custom officials are not allowed detailed inspection of goods) are being carried from Wagah to Kabul and it can also make things easier for the Indian and Afghan intelligence to gather any information while travelling. Besides these objections by Pakistan and Afghan traders, there is also debate going on, that this treaty was forced by United States on Pakistan therefore Indian commodities are given transit to Afghanistan.²²

Conclusion

Pakistan and Afghanistan Governments need to review the transit treaty of 2010. Maximum of the Pak- Afghan trade activity is conducted by the people living at the peripheral areas and they have no other livelihood means. These border areas on both sides are underdeveloped and economically impoverished. The political administration on both sides needs to address their problems by providing them economic opportunities and incentives. If any political or economic policy is imposed on these poor people without any economic breakthrough then it can further push these areas into militancy and will increase mistrust on their respective governments.

²² Minutes recorded at Seminar “Afghanistan – Pakistan Transit Trade Agreement 2010” Custom House Peshawar 20th January, 2011.

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How Agents of Economic Development Interact with the Complex Dynamics of Regional Governance in Fata: A Case Study of Energy Development Projects

Brian R. Kerr, Kyle A. Smith

Militancy and Development

The link between development and militancy is well documented. From Sub-Saharan Africa to South Asia many analysts have written about the likelihood of conflict when regional development indicators are low (UN, 2011). UN Secretary General Ban Ki-Moon recently noted that, "Just as the lack of development can feed the flames of conflict, economic and social progress can help to prevent it and secure peace" (Pravda, 2011). This is especially true in the Federally Administered Tribal Areas (FATA) of Pakistan's northwest, a region that has become the global epicenter of international terrorism since the 11 September 2001 attacks in the United States. Development indicators in FATA are the lowest in Pakistan (CAMP, 2010). From literacy rates, to per capital income, to unemployment rates, all of these indicators reinforce FATA's position as an economically and developmentally weak region. FATA's lack of development with regard to other regions of Pakistan is due to a variety of reasons including: FATA's legacy as a region of conflict, its antiquated legal standing within the Pakistani constitution and its difficult geographic and complex human terrain.

It is only recently that economic development in FATA has come to the forefront of policymaking circles in Pakistan. This is for two principal reasons: 1) A great deal of foreign aid, from the US and other countries, has been dedicated to Pakistan and earmarked for development projects as a result of the international threat perceived emanating from FATA; 2) A lack of development in FATA is seen as one of the largest contributors to the spread of militancy throughout the region. This rationale is the theoretical basis for the capital investment (however meager) that has been set aside for use in FATA since 2001. It is important to note that, "development should be understood as a process, not a product" (Barbanti, 2004). In FATA this means that the developmental emphasis must be on

the long-term sustainability of individual development projects. The positive effects of single development projects can have resonating consequences for the wider community. But in order to feel these social and economic gains the development agent must be focused on and motivated for a long-term commitment. Development can pay great dividends to FATA's population. Consider this account: "Men in my village cannot get married because the women in this village have to walk the hill each day to fetch water. Fathers from other villages do not want to give their daughters away to men from this village because they will be forced to do the same." – village elder before the installation of a solar water pump (Kazmi, interview, 2011). As this quote attests, development projects in FATA can have powerful, positive social and economic consequences for the local residents if they are properly implemented and maintained.

Historically, throughout Africa and, more recently, Afghanistan, promoting economic development has been used as an effective weapon with which to counter the spread of militancy and to establish a lasting degree of stability in conflict-torn regions. To achieve similar success in FATA, both private and public organisations will require a nuanced understanding of the contemporary militant and governmental dynamics in the region in order to mitigate the complexities of formal and informal governance. It is important to take an intelligent risk takers approach to development projects in FATA, this entails considering the risks revolving around security but not categorically rejecting all development efforts. "Since human beings seek to control their environment, so that it is predictable and manageable, risk, uncertainty or ambiguity, however described, are regarded as deterrents to development" (Colin, 2010: 113). Speaking of FATA, Faryal Leghari argues for the importance of making the development project inclusive and considerate of the regional governance structures, "A key factor in the implementation of any development work in the region is consolidating and strengthening local support. It is important to reach an effective agreement with the tribes in the FATA region in order to implement development projects. This in turn will have far reaching implications, as the tribes will realize the benefits of

these projects for their areas” (as cited in Hasan, 2008). This ‘local support’ in FATA is one of the central analytical themes of this paper.

Without affordable and reliable sources of energy, development across the Pakistani economy cannot occur. In a weak economy, there are few opportunities for the youth and impoverished. It is from within these doldrums that militancy is born. Many, foot soldiers are motivated to join the militancy by financial gain, some report being paid even couple hundred US dollars a month for services rendered (TTP militant, interview, 2010). They claim that if there were greater opportunities to make enough money to live, they would gladly put down their weapons and return to a licit lifestyle (TTP militant interview, 2010).

In the following sections, this paper illustrates the importance of energy in creating lasting economic development as well as the relationships that must be formed between the community, local leaders and politicians in order to ensure the success of rural energy projects in FATA. Through interviews with experienced project developers, consultants and analysts a systematic approach to successful energy development in FATA is offered. This paper offers valuable insight into the inherent challenges associated with development projects - political, security, technical – and how these challenges can be mitigated.

The FATA Region

After the invasion of Afghanistan by a US-led coalition, Al-Qaeda fled Afghanistan for Pakistan and FATA became the geographical hub for Al-Qaeda’s strategic leadership. Multiple international terrorist attacks were orchestrated from FATA including the 7/7 London bombings and Faisal Shazad’s attempt in Times Square of New York last year (Maulvi Umer, interview, 2008). Al-Qaeda however is not the only militant group that utilizes FATA as a safe-haven. Tehrik-e-Taliban Pakistan (TTP), which serves as an umbrella group for approximately 27 militant factions, also operates out of FATA. The spread of militancy throughout the region was swift and brought brutal consequences to the resident population, and contributed to further isolating the region politically, socially and economically.

While there is currently \$300 million earmarked for development projects in FATA, there are numerous problems that must be mitigated prior to the successful implementation of these funds, and more importantly, the long-term functionality of resulting projects (USAID, 2010). Security and political stability are significant factors impacting the implementation of a project, and a lack of these two elements have been an oft-cited reason for the lack of development in FATA, but equally significant is the influence of regional governance that have complicated the social and political terrain in FATA since 2001.

Resident Population

One of the main reasons for the complexity of politics in FATA is the resident population and their traditional way of life that has been blended into a cacophony of governance where informal, traditional mechanisms of governance interact with formal, modern governance; all the while under going effects of a long lasting conflict.²³ In FATA, nearly 100% of the resident population is ethnically Pakhtun. Pakhtuns are the world's largest tribally organised society totaling approximately 30 million in Afghanistan and Pakistan (Johnson, 2007: 119). Due to a variety of causes including a long history of independence, jurisdictional exclusion, and long periods of regional conflict, tribal identity is strong in FATA. FATA is the geographical centre of the Pakhtun belt, which helps to underwrite the effectiveness of traditional forms of Pakhtun governance. Many journalists write about the 'anarchic' tribal areas, citing the fact that, according to the Pakistani constitution, FATA does not fall under the jurisdiction of Pakistani law.²⁴ However, despite the fact that FATA is minimally under the respite of Islamabad there are significant socially legitimate governance structures in FATA that exert control over regional society and politics.

²³ For clarity sake traditional (pre-2001) governance will be juxtaposed with contemporary/modern (post-2001) governance in FATA.

²⁴ Pakistani Constitution of 1973, Article 246.

Energy in Pakistan and FATA

As this paper is written, protests throughout Pakistan are taking place in response to 20 hour blackouts due to a lack of electrical capacity (Green and Bukhari, 2011). Pakistan is currently facing a 3000MW electricity deficit, which has the potential to severely stunt national economic growth and have a detrimental impact on development activities throughout the nation, especially in FATA (Dalton, 2011).

With poor quality coal and limited gas reserves, Pakistan is highly energy dependent, a situation which has considerable political and economic ramifications. Over 80% of the nation's energy is derived from oil and gas. Of the oil consumed, 6% is produced domestically and the remainder is imported. It is well known that the price of oil can be highly volatile, in economic terms; a \$10 increase can induce 0.8% reduction in a nation's Gross Domestic Product (USAID, 2008). From the current situation, there are three possible options that Pakistan may pursue in order to reduce its dependency on foreign energy imports: develop new nuclear power stations, establish wind power plants or build out the nation's hydropower capacity.

Currently, 7GW of the nation's 42GW hydropower potential has been exploited and 725MW of nuclear power is currently online. Pakistan has recently signed a deal with China to construct another 300MW nuclear power station (Green and Bukhari, 2011). The risks associated with nuclear power are obvious, however, few realize that the cost of nuclear power in the long term is less attractive than hydro. The downside to hydropower and thermal power plants are their long lead times - projects can take up to 5 years to consent and construct. In contrast, wind energy can provide electricity within 2 years and significant effort is currently being spent in identifying suitable sites across Pakistan (Muzalevsky, 2011). All political arguments aside, in Pakistan, exploiting the energy from local renewable resources such as hydropower, solar, wind and biomass does more to secure an independent energy future and to stimulate the local economy than the introduction of Chinese sponsored nuclear power stations.

Electricity: Catalyst for Economic Development

The central focus of this paper is renewable energy projects in FATA and the challenges that must be addressed in order to implement a successful energy project. The remoteness and size of villages in FATA lends itself towards distributed power systems, as the cost of extending the electrical grid throughout the region would be prohibitively expensive.

Energy, specifically electricity, can be considered the 'backbone' of economic development. Energy is needed to farm, power transport, pump water, and power refrigerators for food and medicine as well as to provide communication and lighting. Without it, lasting economic growth cannot occur (USAID, 2008). Figure 1 clearly illustrates the increase in individual wealth that occurs as the result of electrification. At the household level, introducing electricity to homes eliminates the need to collect fuel wood, dung or buy expensive candles. Family members can therefore use their time more productively and often work or study into the night. At an industrial level, electricity is an affordable and versatile form of energy that can power sewing machines, fabrication tools and computers. With reliable and affordable electricity, education can spread and industry can flourish.

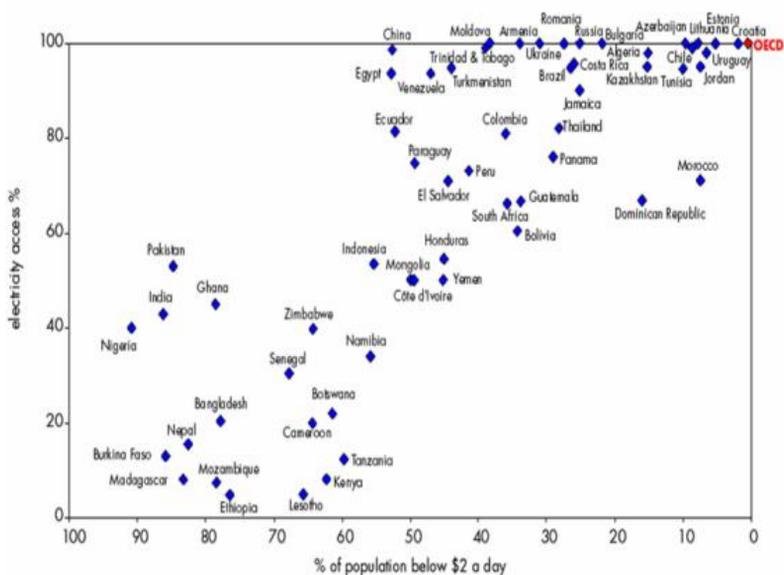


Figure 1: Economic prosperity is aided by access to affordable

Electricity in FATA

In a 2009 survey of FATA residents, the need for electricity was voted as one of the top concerns for the local population, alongside the continuing militancy (CAMP, 2009). The Tribal Areas Electricity Supply Company (TESCO) administers the procurement and distribution of electricity in FATA. Currently TESCO has 300,000 customers of which only 8% pay their bills. This means that TESCO is constantly indebted to the national government and is currently owed Rs25 billion in lost revenue (Dawn, 2011). Therefore, it is clear that in FATA, the electrification rate is only part of the problem. In order to supply electricity reliably, the utility company must receive sufficient revenue to maintain transmission systems, pay power producers and cover administration costs. The lack of metering for domestic customers and the frequent abduction of TESCO bill collectors in the tribal areas makes operating a successful electrical company in the region extremely challenging.

In FATA itself there are 300,000 consumers, 250,000 of whom are residential connections with 4400 villages electrified at the end of 2008 (Pakhtunkhwa Bureau of Statistics). However, in total, approximately 30% of the population does not have access to electricity and the households that do are frequently subjected to load shedding (Pakhtunkhwa Bureau of Statistics). Recently, the government has requested that consumers refrain from using heaters during the winter to alleviate the strain placed on the grid due to these electrical appliances (Green and Bokhari, 2011). Apart from the grid electricity, hydropower, solar and wind projects have previously been implemented in FATA, each with varying degrees of success.

Method and Summary

This paper adopts a qualitative case study research method, as it is appropriate to the aims of the paper identified above. For example, the case study method is well suited to the difficulties of researching economic development in FATA because there is very little, if any, control that can be exerted over the subjects of the research, given the regional volatility and our necessarily limited access to those individuals in the region who are directly involved in economic development projects

(David, 2005). Secondly, the case study method is able to engage with a wide variety of evidentiary resources (David, 2005). This capacity suits the study here, which utilizes a multidisciplinary approach using a variety of sources including economic development texts, historical analysis, commercially centric reports and unstructured interviews. With this approach we are able to offer both a clear and encompassing understanding of the relationship between agents of economic development and regional governance in FATA.

The case study method here is not a purely intrinsic case study, as defined by Stake wherein the research aim is the analysis of a single case rather than any attempted measure of generalisation (David, 2005). While the region's importance could justify an intrinsic approach this is not where the study aims to limit its applicability. Parallels from this study could be drawn to Afghanistan or other regions featuring informal (tribal) governance structures, conflict, and lack of development as many structural similarities can be identified with the case of FATA. As such, the approach here adopts certain aims of the instrumental case study approach; namely the projection of a wider resonance. Notable though, and inherent to our adopted approach, are limits to the generalisability of the research findings. A common critique of the case study approach is, "How can one generalise from a single case?" (Yin, 2009). Indeed, there are significant limitations to scientific generalisations that can be reliably derived from a single case. Thus, this case study analysis creates the possibility of 'analytical generalisations' (Yin, 2009). Analytical generalisations give a methodological base on which to develop further analytical comparative studies, but cannot offer logically causal results.

This research project draws on our experiences researching social and political dynamics in FATA, developing energy systems in Europe and working on development projects in rural Afghanistan. Much of the analysis of contemporary governance structures in FATA is based upon primary research that was completed in the summer of 2010 in and around Peshawar.²⁵ Due to communication constraints, the paper is in-part reliant

²⁵ Some of the descriptions of FATA governance presented here are from research previously conducted with the Pak Institute for Peace Studies (PIPS) in Islamabad.

on a limited number of unstructured interviews with individuals and project reports from the following renewable energy projects: solar, wind, hydro and biomass.

Section 2 offers a discussion of both traditional and contemporary governing elements in FATA, as well as an analysis of how these conceptions of governance have been influenced by the current conflict. In Section 3 the case study is presented. Here, the development of energy projects in FATA is analysed and the interaction of these projects with regional social and politics complexities are identified. Section 4 concludes with lessons learned.

Governance and Conflict in FATA

This section discusses mechanisms of governance, traditional and contemporary, formal and informal that has a significant influence on society and conflict resolution in FATA. The governmental elements discussed below control much of FATA, each with different guiding principles and objectives, which makes their disaggregation necessary to fully understand their actions and roles with regard to energy development projects in the region.

Since the beginning of this most recent conflict in FATA, multiple non-Pakhtun actors have had a hand in influencing the regional political and social situation. The influx of external agents and influences has taken the Pakhtun way of life within the tribal areas to an unprecedented position. As illustrated, those agents of economic development in FATA were necessarily deeply involved in the governance structures outlined below.

Traditional Governance in FATA

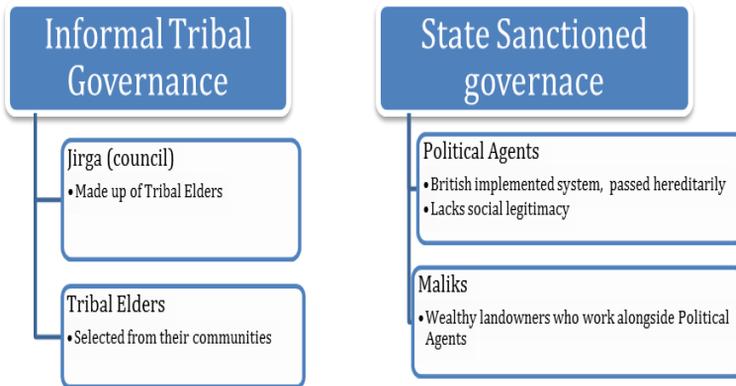


Figure 2: Traditional Governance structure in FATA

Jirga

Pakhtuns claim *jirga* (meaning 'council of elders') was originally modeled on the Greek democratic forum and continues to be, “the closest approach to Athenian democracy” (Baig, 2009). In pre-2001 FATA, *jirga* lacked legal legitimacy from Islamabad. But it maintained a very strong social legitimacy to the extent that a Pakhtun must abide by the ruling of the *jirga* or risk expulsion from the community (Ayaz, interview 2010). *Jirga's* primary function has always been to resolve conflicts at all levels of society, intra-tribal and inter-tribal disputes are both within the scope of *jirga* (Ayaz, interview, 2010). Historically, a *jirga* would raise a *lashkar* (tribal militia) to implement its decisions if there was dissension after the unanimous ruling (Baig, 2009). Nonetheless, the capacity of *jirga* to implement its decisions has always been low, a characteristic that is exacerbated in the contemporary era.

Political Agents

Political Agents are government sponsored elders who serve as the official intermediaries between the government and the tribes. They imposed the government's will as best they could in FATA and to a lesser extent represented the desires of the Pakhtun tribes to the government. There is one appointed Political Agent per agency, under whom are the

regionally appointed Maliks. This system was established by the British era colonialists who sought a way to control the tribal areas rather than repeat another failed attempt to conquer them (C. Coles, 2011). Political Agents had neither popular support nor wide social legitimacy from the local populations of FATA.

Maliks

Maliks were the traditional regional power brokers of Pakhtun communities in FATA. Historically maliks tended to be wealthy land owners whose power was passed hereditarily. When the British attempted to assert themselves on the Pakhtun population they used the Malik system in order to gain some control in the region (Omrani, 2009: 187). Since Partition, the Pakistani government has used largely the same methodology to govern the tribes. In the 1973 Pakistani Constitution close to 37,000 Maliks were given the authority vote on behalf of the entire population of FATA (Khan, 2010). In 1996, widespread corruption, human rights abuses and resulting international pressure forced the Pakistani government to begin modifying the Malik-government relationship (Merinews, 2009). It was in 1997 that the Pakistani government gave full adult franchise to FATA and brought the, “first major blow to the political hegemony of the hereditary institution of Maliks” (Khan, 2010). By the time Taliban influences were being felt in FATA the traditional modes of governance in the region were already in an unstable position.

Mullahs

Traditionally Mullahs had very little influence in either formal or informal mechanisms of FATA governance. Mullahs were occasionally called to sit at *jirgas* to provide consultative expertise if the issue at hand was of a religious nature, but the mullahs were never allowed to vote in the ruling (Ayaz, interview, 2010). However, in contemporary FATA this limited influence has undergone significant changes.

Tribal Elders

Before 2001 there were approximately 30,000 tribal elders across all of FATA that played a lead role in governing the region. The elders are selected from villages of approximately 10-15 homes and chosen to represent their wider community at *jirgas*. The process of elder selection has been repeated across FATA for centuries, and is the principle reason traditional tribal governance within FATA is considered representative. Tribal elders also act as unofficial liaisons between the resident population and the Pakistani state establishment (Shinwari, 2008).

Contemporary Dynamics of Governance in FATA

The current conflict in FATA has had severe consequences for traditional Pakhtun power structures and mechanisms of governance in the region. Pakhtun societal structures have been systematically targeted as part of militant strategy with aims to weaken the local populations and to create a region more susceptible to militant ideology and control. Additionally, non-Pakhtun influences on the region have substantially weakened an already precariously perched society vis-à-vis traditional power structures.

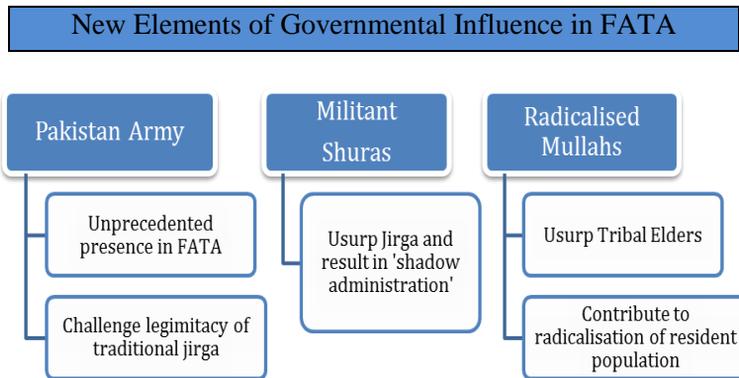


Figure 3: The influence of new governance in FATA

Jirga's Weakening

In recent years, the regional construct of *jirga* has undergone significant changes resultant from the ongoing conflict. The systematic weakening of *jirgas* has challenged the social integrity of FATA-based Pakhtuns. As such, the targeting of *jirgas* has proven to have a specific strategic utility to the militant insurgency. By weakening the institution of *jirga* militants have created a power vacuum that they have taken advantage of by establishing their own 'shadow' administrations. Militants have taken advantage of the power vacuum left by the downfall of *jirga* by filling this void with militant shuras- conflict resolving bodies structurally similar to traditional *jirga* but adherent to Sharia law. First, the attacks contribute to the lack of *jirga* meetings in general and large *jirga* meetings in particular. Out of fear of assault, *jirgas* are often held in private with a much smaller number of elders than would normally be warranted; this necessarily challenges its representative nature and social legitimacy. This forces locals to seek justice from other avenues, and directly benefits the insurgent administrations. Thus the establishment of shuras in some parts of the region has served to further undermine traditional Pakhtun norms and ingrain militant ideology into communities of FATA. In the long term, a principal concern for *jirga* is the detrimental effect that the conflict has had on the social legitimacy of the institution; an effect that could continue long after the violence has ended.

With the weakening of social structures in FATA the Pakistan Army has taken a much more involved and influential role in the traditional forms of governance in FATA, including *jirga*. The few *jirgas* that do convene in FATA are widely seen as government sponsored, and the *jirga* ruling is implemented only if it is in line with the Army doctrine for the region (Yousafzai, interview, 2010). This means that the traditionally representative and independent institution of *jirga* is now seen as under the government's thumb in that they cannot take place without, at least, tacit Army approval. *Jirga's* ability to implement its decisions has also been hijacked by the government agenda. The challenge to social legitimacy will continue to be felt until *jirgas* are able to once again be held independently without the involvement of government officials and

are held with sufficient numbers as to be adequately representative for the issue at hand.

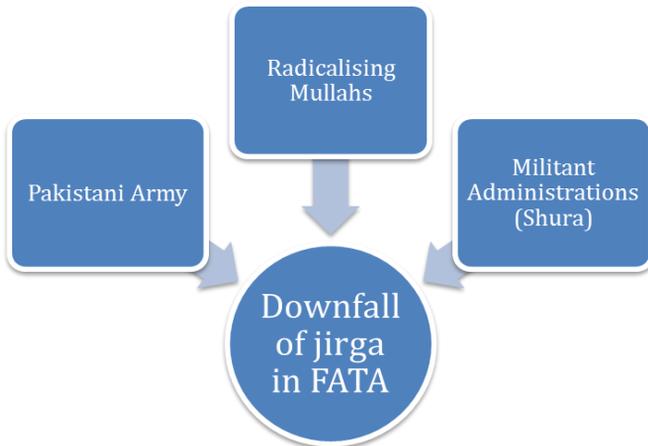


Figure 4: The effect of new power influences on the traditional jirga.

Effects on Tribal Elders

Elders are the element of governance with the widest popular support base and maintained the most justifiable and effective ties between the locals and formal governance (Khan, interview, 2010). Since 2001 militants bent on destroying Pakhtun society in FATA have systematically targeted the region's elders. This tactic has shown to have a two-pronged strategic utility for the militants. First, eliminating tribal elders created a physical power vacuum in which the militants were able to fill in the early days of the insurgency, allowing them a foothold into some communities in the region. Secondly, the target killings of elders had a significant psychological impact on the populations of FATA. The lack of trusted and experienced regional leaders has done much to quell dissent for the militants in certain communities (Yousafzai, 2010). As Siddique Abubakar argues, "The aim of these murders is to finish off everybody in this society who has the potential to lead the society in the future, and who can lead

them toward peace and stability." "Anybody who is identified as such has been eliminated" (Rferl, 2010).

Mullahs

Mullahs have come to be regarded as the real power brokers of the region as many Mullahs have seen a vast increase in their authority and influence. Another sign of mullah influence is from a survey conducted in 2009, which indicated that mullahs are the most trusted figures in FATA (Shinwari, 2009). Mullahs have also benefited from the expansion of militant shuras in FATA. Shuras are bound to uphold an interpretation of Sharia law, as a result mullahs have a greater role in the decision making process of shuras as opposed to *jirgas*. This rise of mullahs as the predominant individual position of power is an unprecedented position for Pakhtun society, and indicative of the extent to which this ongoing militancy is affecting cultural norms in the region that have existed for centuries.

Political Agents and Maliks

Political Agents and Maliks can be considered together in this section as they are both apart of the same legacy of attempted control of FATA by the Pakistani government. Additionally the recent consequences that have befallen Political Agents have affected Maliks in the same way. Since 2001, neither Political Agents nor the vast majority of Maliks reside in FATA. Due to security concerns most have moved to up-market parts of Peshawar or Islamabad. The fact that they no longer reside in the constituencies they are meant to represent further serves to damage their real and perceived power as well as their legitimacy from the resident population of FATA. Surprisingly, our research suggests that with regard to development in FATA, Political Agents are actually very important power brokers and are using the development sector as a means to reassert their power and influence in FATA. This finding is expanded in the case study below.

Pakistan Army influence

Until this most recent conflict, Pakistan's Army had never set foot in FATA. The Pakistani military presence in what could now be considered garrison towns (Miranshah, North Waziristan for instance), and along the border with Afghanistan in addition to the numerous FATA-centric operations conducted by the military have had unprecedented consequences for regional governance and social structures. The Army has taken advantage of the downfall of many traditional mechanisms of governance in FATA and has attempted to fill these power vacuums with military officials and civilian elements supported by the Army. Two key examples are the sway the Pakistani Army now has over when and where jirgas are held and their influence over the creation of lashkars (tribal militias) in FATA.

Case Study: Renewable Energy Projects in FATA

Overview of Selected Projects

The analysis below is based on information gained from contemporary articles and unstructured interviews with individuals involved in a solar-water pumping project, a stand-alone wind power system and hydro-power projects in the region. A biogas project in Punjab province is also examined due to its unique, successful and widely applicable implementation structure.²⁶ FATA is well known for its mountainous landscape and its diffused resident population. Terrain and social geography such as this are ideal for distributed energy generation. In the past, numerous hydropower projects of varying sizes have been installed in the region (AKRSP, 2004). This technology is proven, robust and can provide consistent energy to micro-grids at an affordable cost. In addition, the global proliferation of solar power has seen a marked reduction in the cost of energy from this technology and thus, more recently, solar installations have been implemented as 'stand-alone' systems for households, hospitals and agricultural applications. Wind power is a more complex technology to design, install and operate therefore, at present, there are few projects utilising this technology.

²⁶ Biogas, or methane, is the bi-product of digesting biodegradable waste anaerobically.

The FATA Development Authority (FATA-DA) is currently working closely with USAID, the National University for Science and Technology (NUST) Consulting and a number of national engineering companies to identify opportunities for Solar Home Systems (SHS) in FATA and a successful implementation plan. FATA-Development Authority has been instrumental in establishing irrigation dams and small-scale hydro projects over the past five years and with the financial support of USAID should continue to push ahead with their development goals. The Alternative Energy Development Board and Pakistan Council for Renewable Energy Technology are currently working with private developers and international development banks to promote renewable energy throughout Pakistan and FATA (Alternative Energy Development Board). The German development authority GTZ, the Aga Khan Foundation and Islamic Aid represent some of the larger organisations that have been involved in energy development projects in FATA to varying degrees.

Project Details

Many parallels between the different projects below can be drawn, allowing for an aggregated analysis. This section examines the general consenting, construction and operational phases of the projects introduced in detail below. In each case the security, social and political dynamics of FATA influenced the projects' implementation.

Solar Water Pumping

In 2006 a pilot project between N.U.S.T. Consulting, Solar Energy International (SEI) and Community Motivation & Development Organisation (CMDO) was conducted involving six villages in four different agencies within FATA. Each project used a 1kW solar array to pump water from a well or spring into an accessible location within the village. The total project cost was \$140,000, which was funded by a grant from USAID (Kazmi, interview, 2011). The project itself took approximately two months to complete and has subsequently served as a reference project for more recent solar pumping systems (Central Asia, 2011).

Wind Turbine

The Public Sector Development Programme (SPDP) of Pakistan has also been involved in a number of community based energy projects within FATA. One of its more notable projects involved the installation of a single wind turbine in Kyber Agency, capable of pumping 200 gallons of water per hour for irrigation purposes. This project had a short life-span due to militant activities (Central Asia, 2011).

Micro-hydro

Another important developer of rural regions, the Aga Khan Rural Support Programme (AKRSP) has installed more than 180 micro-hydro projects throughout Pakistan. With an innovative community management structure, each project creates revenue through the sale of electricity to local consumers, which creates a sustainable business model. Each project ranges from 20-75kw depending on consumer demand and resource availability. Projects are funded through the Pakistani government, international government development budgets and AKRSP's parent organisation, the Aga Khan Foundation (Awards AKRSP, 2004).

Biogas

A Punjab based biogas project has been included in this research as an additional example of the implementation structure that can be adopted by project developers to ensure cooperation with the community and regional governance. This project is a collaborative effort between the Pakistan Domestic Biogas Programme (PDBP), the Rural Support Programmes Network, the Netherlands Development Organisation (SNV) and Winrock International, which provides technical consultants and oversight. This is a multi-year project intended to install 300,000 residential biogas systems for cooking purposes (Subeidi, interview, 2011).

Consenting

Project Identification

A common theme throughout all of the successful FATA development projects is their cooperation with local NGOs. For instance, the solar water pumping project worked in conjunction with CMDO, a

small locally operational NGO with the contacts necessary to organize a *jirga* in order to discuss the installation of a solar-water pump in the village (Kazmi, interview, 2011). Another example of this type of initial collaboration between development agent and local populace is the biomass case, outside of FATA; PDBP provided training to local masons and identified the most entrepreneurial of recruits to provide extra business training (Subeidi, interview, 2011). With small, local businesses these tradesmen are actively encouraged to find new customers and expand their client base through new projects on a local level.

As illustrated in Figure 3.2.1, our research suggests that atop down implementation approach is the most efficient way to identify communities/consumers in need of energy and to arrange consent from village elders. Without this type of preliminary local consent and cooperation, the development project is unlikely to be a long-term success. Including local powerbrokers in the decision process fosters a cordial relationship and a supportive environment that will facilitate the project.

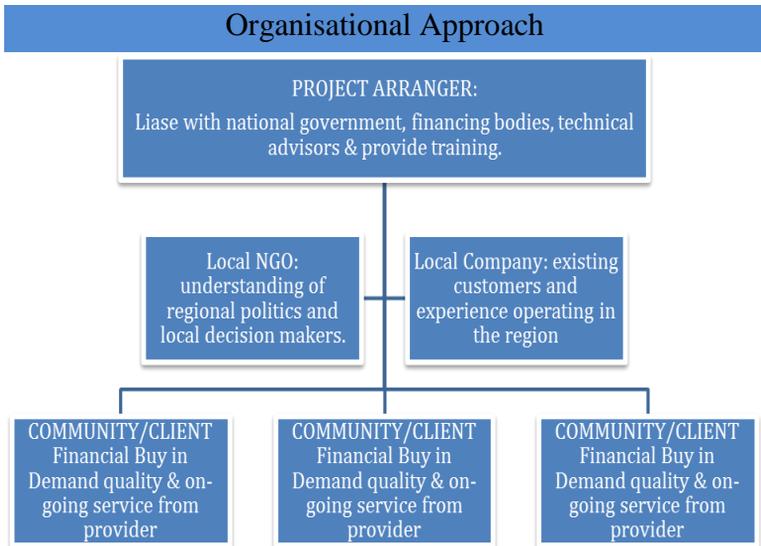


Figure 5: Top-down approach to identifying and delivering projects to local communities.

Construction Management

In each case analysed the technical design and training emanates from the project arranger. The daily management of the project is then left for the field engineers who work with the local community to construct the system. In many cases, the local elders arrange for labour 'in-kind' to assist with the construction. The field engineer may use a translator from the local NGO to convey instructions to the local workers. For instance, RSPN's biogas project is administered at a local level through the implementation of a market-based system. The locally trained masons identify new customers and arrange for the construction of their residential project, while programme staff implement quality control mechanisms. However, once again, the training and performance incentives come from a top down approach.

In FATA, during the construction phase, a project is especially vulnerable to a security deficit. For instance, maintaining a steady supply of labourers to construct the project is largely contingent on the perception of security that the workers feel. It is very difficult to maintain labourers if they (or their families) are under threat from militants because of their role in the project. Naturally, if there are not enough workers then the work will be delayed which has the knock on effect of causing the development agent to incur additional costs. That said, if the proper support and commitment has been developed from the local level then the risk at this stage of the development process could be minimized.

Another crucial element at the construction phase is the development of mutual trust between the development agent and the local community. Too often in regions of political instability promises are made by development agencies to the local population that are never kept. FATA-DA has been specifically cited as an organisation that is plagued by a lack of implementation, which compromises its legitimacy among the people the organisation is meant to be serving (Khan, interview, 2011). The credibility of the development agent with the local population is contingent on its ability to follow through with its promises. The expectations of local powerbrokers begin at the construction phase. Jobs, the necessary wages and supplies must be provided as per a previously agreed arrangement. In order to maintain legitimacy and credibility, which

is crucial if local support and security are to be reliably maintained, any promises made to the local population must be kept.

Operation and Management

One of the most important results presented here is the finding that the installation of a renewable energy system is an easy task compared to ensuring the project's survivability and long-term performance is much harder. The long-term operation of the project requires a combination of both localized technical training and business acumen to create a model that generates sufficient cash to cover repairs and maintenance of the system as well as provides adequate security. Without an efficient management structure in place, prior to the completion of the construction phase, the energy and money used to develop the project is likely to go entirely wasted.

In a region where lack of security poses a significant threat, local users must be trained in the operation and maintenance of the system. This is necessary to increase the level of self-sufficiency of the project and its operators in the longer term. Facilitating local maintenance begins from the initial system design, ensuring that the design is simple and yet robust enough to withstand harsh conditions and repairs. A number of the projects examined operated flawlessly for a short period of time before a simple failure occurred. Unfortunately, in many cases, insufficient training was provided to the local community and the security situation prevented an outside technician from travelling to the site. This resulted in the systems remaining out of use (Kazmi, interview, 2011).

A model of the technical capacity building that could be implemented in energy development projects is the Aga Khan Foundation's community operational entity. This enterprise was designed to manage the operation of each micro-hydro project in FATA. The committee collects utilization payments and regulates demand during peak periods. A trained technician is responsible for repairs and maintenance of 10-15 different sites. With over 180 micro-hydro projects in operation across FATA, this economy of scale collects sufficient revenue to pay technicians and managers to ensure the healthy operation of the hydropower portfolio (Awards AKRSP, 2004).

Security Dilemmas

Security has been a recurring theme throughout this paper. Security (or its absence) can affect every stage of a development project in FATA. During consenting, security is an oft-cited reason used by political agents to prevent a development project from commencing. Sometimes this concern is justified; other times there are more scrupulous reasons behind utilizing the security aspect with agents of economic development (Khan, interview, 2011). During the construction phase, as above, volatile security can affect the outcome of the project and the timeframe on which the project is based. Finally, during the operational phase, without adequate locally-implemented security the project is unlikely to last into the long term (Khan, interview, 2011). (The exception to this last argument is when the development project can have dual-use capacity, meaning it serves the needs of both civilians and militants in FATA. Water pumps and hospitals are such examples.)

Of the projects investigated, after consent has been attained and the construction phase begun, security seems to only become an issue when outsiders to the community are present. In the biogas case, all work was carried out by trained, local masons who know the area and people; therefore, little risk was present. During the construction of the solar water pumping project police escorts were only required when an American consultant was on site. The wind power case is slightly different; the wind turbine – developed and installed by local engineers – was sited in a particularly dangerous location. Therefore it was necessary to have security present in order to ensure the safety of the construction team.

Most of the cases reported little security concern as the projects were strategically located in safer areas and no foreign nationals were on site assisting with the project. However, the construction of the Bara wind turbine took 10 days and required the presence of armed guards throughout this phase (Central Asia, 2011). Despite the security difficulties in FATA there has developed a successful framework for mitigating security concerns that include implementing projects in appropriate locations and working with local experts, tribal elders and businessmen that are aware of the political terrain and can mitigate many security concerns.

Lashkars

Tribal NGOs Consortium emphasised the powerful role of lashkar in facilitating an environment for development to take place. Two examples were expounded upon: a Bajaur agency based lashkar and the Yakanoon lashkar in Mohmand agency which were both powerful enough to create a secure environment in which development projects took place without great fear of retribution from TTP-affiliated militants (Khan, interview, 2011). The present use of lashkars for developmental purposes once again reiterates with importance of gaining the support of the local elders and other power brokers prior to the beginning of construction of a development project in FATA. As a *lashkar* can only be created at a *jirga*, the *jirga* and the elders who make up that *jirga* must be included from the consenting phase.

The self-interested maneuverings of other elements interested in exerting some control over FATA make the issue of *lashkars* even more complex. For instance, both Political Agents and the Pakistani Army have shown reluctance in allowing a lashkar to be raised for fear it would compromise their influence. In order to create a lashkar with real defensive capacities, both the Army and the respective Political Agent must be consulted. This in turn opens up the project to a wave of corrupt bureaucratic elements, which can result in the project's demise before construction has even begun. Substantial leveraging and negotiation with the Army and Political Agents may be necessary to secure permission, let alone logistical support that could maintain a lashkar for a suitable timespan.

Lessons Learned

This paper's argument is based upon the link between a lack of economic development and conflict. In FATA, an increase in development projects, an expanding local economy and an effective military campaign can work to reverse the wave of militancy that has consumed the region for the past decade. Nonetheless, development efforts in FATA have been repeatedly hindered by concerns over security and the complex social and political terrain in which regional development projects must take place. The description of the contemporary regional political structures in

Section 2 and the discussion of the consenting, construction, and operational phases of development projects in Section 3, highlight the challenges involved in managing the social, political and security elements of FATA in pursuit of energy development projects. Nonetheless, our research suggests that far from being impossible, successful development projects in FATA are attainable if an effective economic, social, and political methodology for mitigating FATA's difficulties is implemented in the initial phase of the project's development. In this final section we offer the key lessons learned from our investigation of energy development projects in FATA. Our findings have both political and business facing applicability that serve to advance knowledge of the relationship between agents of development and the contemporary social and political dynamics of FATA.

Energy development projects in FATA should be implemented at a large scale using both public and private participation. A large scale project improves efficiency and can secure long term incentives for those entities participating at a local level. In most cases, 'one time' funding does not work. There must be financial buy-in between the individual consumer or community and the project developer. This vested interest from the customer end must be met by equal commitment to quality and project longevity from the developer's side. Customers (representatives of the local community i.e. elders) should have a contractual guarantee that their installation will continue to perform for many years into the future. As a result, performance incentives should be introduced for the developer and operational manager in order to maintain the quality and operational capacity of the system in question.

Formal structures of regional governance should work with private companies and enterprising NGOs in order to create a development market place where organisations can tender for the installation and ongoing maintenance of a government sanctioned project. The implementation organisation should then create a system at a local level that ensures quality control through competition between local installers. It should also be noted that imbuing the formal governance sector with too much authority could have negative consequences in the long term. However, with large development projects requiring substantial capital

investment, government-to-government arrangements may be necessary to gain initial funding.

Both the formal and informal political structures in FATA are a fundamental cause of the inherent difficulty in successfully implementing development projects in contemporary FATA. Within the formal structure, Political Agents are the largest single bane to the FATA development process. The formal political system needs to change in order for regional development potential to be attained. At the moment no development projects in FATA are possible without the explicit consent of the Political Agent and an assortment of bureaucratic entities ranging from the FATA-DA to the Pakistani army. In turn, these various agencies have their hand out for a cut of the development fund (Khan, interview, 2011). This system should be streamlined as a means to expedite development and minimize access to development funds by corrupt civil servants. Political Agents should be subjected to a development-centric oversight committee and the traditional governance mechanisms of *jirga* and tribal elders ought to be strengthened.

There can be no successful development project in FATA without the support of the community *jirga*. At the moment to gain access to a *jirga* the developer must go through the Political Agent and a great deal of bureaucracy, which compromises the power of *jirga* and jeopardizes the success of the project. Unencumbered access to the local *jirga* is crucial for the development agent in order to gain legitimate local consent and support that is decisive in mitigating the security concerns around development projects- and thus the overall success of the project.

Reforms for the informal structure would also pay dividends for the FATA development process. Empowering traditional mechanisms of governance with broad social legitimacy is one major way to encourage energy development in the region. As previously attested, a project arranger must work with local companies and NGOs who know how to handle security issues and can arrange protection. Establishing a network of independent, low level tribal representatives that serve as intermediaries between the tribes and the formal structures of FATA governance is a specific way to encourage the development process in FATA. These individuals will have much greater social legitimacy than Political Agents

and will have a very good understanding of the actual needs of the community as they are resident in FATA, as opposed to the Political Agents who have long lived in Peshawar or elsewhere outside of FATA. Further, these representatives will have greater interest in successfully implementing development projects in their local communities. If this process is repeated across FATA, the ensuing development projects and expansion of the local economy will each contribute to reversing the expansion of militancy in FATA and will create great social and economic dividends for the population of FATA.

List of Abbreviations

CMDO:	Community Motivation Development Organisation
FATA:	Federally Administered Tribal Areas
GDP:	Gross Domestic Product
PDBP:	Pakistan Domestic Biogas Programme
RSPN:	Rural Support Programme Network
SEI:	Solar Energy International
SHS:	Solar Home Systems
SNV:	Netherlands Development Organisation
TESCO:	Tribal Areas Electricity Supply Company
TTP:	Tehrik-e-Taliban Pakistan
UN:	United Nations
USAID:	United States Agency for International Development

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The Characteristic Traits of Terrorism and Interpretation of Jihad by Al-Qaeda and the Taliban in the Pak-Afghan Pakhtun Society

Syed Hussain Shaheed Soherwordi

This paper attempts to analyse the ideological interpretation of the concept of Jihad and that of terrorism by the Taliban and Al Qaeda. The Taliban and Al Qaeda's understanding of Jihad and terrorism reveals that these reflect comparable characteristics, although, similarities are at times overshadowed by discernible variants in their thought and action. This study further demonstrates that terrorism does not have static characteristics; tactics employed and targets adopted by both organizations have evolved over time. The Taliban and Al Qaeda's interpretation of jihad, and the conviction and tactics of their undertakings command considerable influence over the Pakhtun society, in particular and the international community, in general.

“Western thought, heavily influenced by the medieval Christian crusades has always portrayed jihad as an Islamic war against unbelievers. But essentially jihad is the inner struggle of a Muslim to become a better human being, improve himself and help his community” (Rashid, 2001: 87). However it is also a “mistake to see jihad as merely a tactic aimed at achieving a specific worldly goal...fundamentally, acts of jihad are conceived of as demonstrations of faith performed for God by an individual” (Burke, 2004: 33). Both the Al Qaeda and the Taliban for that matter believe themselves to be acting in the best Islamic interests, and by the dictates of God. As it is said, “one man's terrorist is another man's freedom fighter”(Wilkinson, 2006: 193). However, I further contend, as the Quran prescribes, “Fight in the way of Allah against those who fight against you, but begin not hostilities. Lo! Allah loveth not aggressors” (Qur'an 2:190), we understand that any terrorist actions without provocation are unwarranted.

There is a complex and interwoven relationship between the Pakistani Taliban, the Afghani Taliban and Al Qaeda. I will begin by discussing acts of terrorism in Afghanistan by the Taliban and the role Al Qaeda have played before turning to the situation in Pakistan to compare

their differing agendas, long term goals and the interaction between the two states. Focusing on the Pakistani and Afghani Taliban it will become clear how the two have developed varying agendas and have differing attitudes towards one another in the Pakhtun belt. This paper, therefore attempts to establish the Taliban and Al Qaeda's interpretation of jihad, and the conviction and tactics of their undertakings, and debates whether these two movements command similar influence over the international community.

Despite widespread use, the term 'terrorism' is still heavily disputable, as reported acts of terror spread across the globe the sphere of interpretation has widened; Pillar (2003) describes it as being 'sometimes applied to just about any disliked action associated with someone else's policy agenda'. Narrowing this down, terrorism is usually exercised as a coercive mechanism and part of a strategy where actions create a threat of worse to come if political demands are not met (Booth and Dunne, 2002). The United States army manual provides a rather broad definition; 'the calculated use of violence or threat of violence to attain goals that are political, religious, or ideological in nature, through intimidation, coercion or instilling fear' (TRADOC pamphlet in Booth and Dunne 2002). As expected this is fairly encompassing of almost any act of violence with apparent pre-meditations. A further definition from the U.S. Government in Pillar (2003) provides terrorism with four main characteristics which act as a useful base from which to proceed, terrorism being 'premeditated, politically motivated violence perpetrated against non-combatant targets, subnational groups or clandestine agents, usually intended to influence an audience'. Although there are exceptions, the characteristic actions displayed by both Al Qaeda and the Taliban bear relevance to this description. A key note to highlight, expressed by Pillar (2003) is 'what all terrorists have in common and separates them from other violent criminals is that they claim to be serving some greater good', it will become clear through comparison that despite major variations in characteristics and agendas, acts of terror within Pakistan and Afghanistan follow this underlying principle.

The Taliban

“After the withdrawal of Soviet forces and the subsequent collapse of the Soviet-backed regime in 1992, Afghanistan entered a disastrous period of civil strife and warlordism” (Byman, 2005:189). The country was divided into several “autonomous mini-states” (Byman, 2004:189) under what one can call “warlord fiefdoms” (Rashid, 2001:21), where warlords continued to struggle against each other to establish their supremacy. The disintegration of society, the dominance of the warlords and spread of violence, especially violence against Afghans inflicted by fellow Afghans, fuelled many to seek a solution for societal reform.

The religious schools or madrassas, financed by the Gulf countries in the time of the Soviet invasion, and set up in the border areas of Afghanistan and Pakistan Pakhtun society (the largest ethnic group in Afghanistan) considerably influenced the Taliban movement (Nojumi, 2001: 119). As most of the dissatisfied were part-time or full-time students in madrassas, the name of the organisation was obvious - Taliban, which came from the Arabic for ‘students’ (of Islam). The Taliban believed that Afghan society had fallen prey to the criminal activities of the warlords, the moral order had washed away with the guerrilla war against the Soviets and an Islamic way of life had been compromised with the excessive corruption prevalent (Rashid, 2001: 23). In a bid to distance themselves from the party politics of the Mujahideen and to cleanse society, the Taliban “chalked out an agenda which still remains the Taliban’s declared aims - to restore peace, disarm the population, enforce Sharia law and defend the integrity and Islamic character of Afghanistan” (Rashid, 2001: 22).

“The obsession of radical Islam is not the creation of institutions, but the character and purity of its leader, his virtues and qualifications and whether his personality can emulate the personality of the Prophet Mohammed” (Rashid, 2001: 86). Thus Mullah Omar was chosen as the leader of the Taliban, “not for his political or military ability, but for his piety and for his unswerving belief in Islam” (Rashid, 2001: 23). He “emerged as a robin hood figure, helping the poor against the rapacious commanders (warlords). His prestige grew because he asked for no reward or credit from those he helped, only demanding that they follow him to set

up a just Islamic system” (Rashid, 2001: 25). His call for action of taking up arms against “Muslims gone wrong” (Omar in Rashid, 2001: 25) ‘to achieve the aims of the Afghan Jihad and save our people from further suffering at the hands of the so called Mujahideen.” (Omar in Rashid, 2001: 23), was a battle cry of sorts for a jihad against wrongdoers. In efforts to purge society of its evils, the Sharia law implemented by the Taliban was the strictest interpretation ever known. Girls’ schools were closed down disallowing them an education; women were required to wear a ‘hijab’, were not allowed the use of cosmetics and banned from working; and men were compelled to grow beards. Also all forms of entertainment such as games, sports, music and dance (even at weddings) to name a few were banned. (Rashid, 2001: 29).

“Islam sanctions rebellion against an unjust ruler, whether Muslim or not and jihad is the mobilizing mechanism to achieve change” (Rashid, 2001: 87). Ergo the Afghan Jihad was a revolution from the top, where the Taliban tried to act along the lines of the Prophet’s jihad, but against the power-hungry warlords. However the Taliban suffered from an “all-inclusive ideology, they rejected the idea rather than integrated the vastly social, religious and ethnic identities that constituted Afghan society” (Rashid, 2001: 86). They were a majority Pashtun movement in a country with a very rich multi-ethnic background, and their interpretation of Sharia was deeply influenced by the Pashtun code of conduct called Pashtunwali. While the Taliban claimed they were fighting jihad against Muslims gone astray, ethnic minorities saw it as a ploy to cleanse Afghan society of non-Pashtuns; “jihad doesn’t sanction the killing of fellow Muslims on the basis of ethnicity or sect” (Rashid, 2001: 87) yet the Taliban interpretation differed.

“The Taliban was a highly ideological movement...its leader Mullah Mohammad Omar, appeared to genuinely believe that Afghanistan’s foreign and domestic policies should follow his interpretation of Islam, not realpolitik or domestic politics” (Byman, 2005: 192). The Taliban swelled with the ranks of many Afghan students from madrassas in Pakistan. Most had spent their lives in refugee camps in Baluchistan and the NWFP, imbibing education in madrassas run by Afghan mullahs or Pakistani Islamic clerics. They studied the Quran,

sayings of Prophet Mohammed, and the basics of Islamic law as interpreted by their mostly illiterate teachers. These men had no formal grounding in math or social sciences. They were “from a generation that had never seen their country in peace” (Rashid, 2001: 32). The orphans of the war, the rank of the Taliban were rootless, restless, jobless and the economically deprived with little self-knowledge. War was the only occupation they could adapt to, while their simple belief in a messianic, puritan Islam which had been drummed into them by simple village mullahs was what drove them and gave their lives some meaning (Rashid, 2001: 32).

The Madrassa education in rural areas of the Afghan-Pakistan border, subscribed to the Deobandi ideology, with several of the Taliban leaders being from these madrassas, the “links between the Taliban and some of the extreme Pakistani Deobandi groups are solid because of the common ground they share” (Rashid, 2001: 92). The Taliban “fostered Pashtun nationalism, albeit of an Islamic character and it began to affect Pakistani Pashtuns” (Rashid, 2001: 187), the Taliban further supported extremist Pakistani Sunni groups, who killed Shias, wanted a Sunni state and an Islamic revolution (Rashid, 2001: 187). As a result, the Pakistani Deobandis appealed for a Taliban style Islamic revolution in Pakistan (Rashid, 2001:93), for the borders between the two countries were quickly eroding, and the ‘Talibanization’ of Pakistan was inevitable (Rashid, 2001: 187).

“Pakistani leaders valued Afghanistan for the perceived strategic depth it offered in a war with India, (Pakistani forces would presumably regroup in Afghanistan if pushed back by Indian forces) and as a bridge to Central Asia” (Byman, 2005: 196). But over time, the Taliban ensured its autonomy to guarantee that they were not mere puppets of the Pakistani state (Byman, 2005: 197). On the other hand, Pakistan had been a patron of the Taliban ever since the Soviet withdrawal in 1989, and had offered support from the government, political parties, religious networks and even ordinary citizens (Byman, 2005: 195). Pakistan had so much faith in their idea of a “Pakistan-led Islamic block of nations” (Rashid, 2001: 195) that no one was “willing to point out the damage being inflicted upon Pakistan” (Rashid, 2001: 193). The Taliban weakened the Pakistani state

by creating social unrest with its support of the Sunni/Pashtun radicals and refused to give up claims to the territories in the Khyber-Pakhtunkhwa, but most importantly they did not appreciate being subjugated by the Pakistani authorities, which furthered their jihad in these areas.

People like Joe Klein believe that the Taliban are, in effect, the Pashtun Liberation Army. They don't see the same border that we – the Pakistanis – do. Their motivation is, in part, religious, but very largely nationalist—and traditionally xenophobic. They don't like outsiders, whether they are Americans, Pakistanis or Tajiks (Afghanistan's Northern Alliance). They had made common cause with the “Arabs”— Al Qaeda—because of religious affinity and the existence of common enemies (namely the US) (Joe Klein, 2009). However, in recent times, they have distanced themselves from Al-Qaeda. This shows that the nationalist feelings are left without any religious affinity in the region.

Al Qaeda

The Soviet invasion of Afghanistan, drew many Muslim volunteers from the Arab world and Pakistan to participate in the Afghan jihad; it was these volunteers for whom the chief ideologue of the “Arab-Afghans” (Rashid, 2001: 132) and mentor for Osama bin Laden, Abdullah Azam used the word Al Qaeda, to “describe the role he envisaged the most committed of the volunteers playing once the war against the Soviets was over” (Burke, 2004: 2). Defining ‘al Qaeda’ proves a complex task, it is commonly misconceived to be a distinct organisation or group headed by Arab leader Osama bin Laden, however in reality it is much more subtle, Burke (2004) describes the term as ‘a loose network of networks’. The term “Al Qaeda is a messy and rough designation, often applied carelessly in the absence of a more useful term” (Burke, 2004: 1). It is actually a common Arabic word that can mean base, foundation, a rule, a principle, a method or maxim. The above translations are helpful in understanding the use of the term in reference to terrorist and extremist organisations. Abdallah Azzam, an early mentor of bin Ladin used the phrase in 1987 to describe the ‘strong vanguard’ of committed individuals who would continue on to ‘achieve victory’ after the withdrawal of the Soviets from Afghanistan in 1989 (Burke, 2004). He saw the Al Qaeda as a “base that

was to be composed of individuals committed to the cause who would, through accumulative weight of their actions instigate great change”; he referred to a tactic, or a ‘mode of activism’, not an organisation (Burke, 2004: 2). At that time, the aim of the movement was to “keep alive the Jihadist spirit among Muslims in general” (Byman, 2005: 198), additionally the after war years had left the speculation that the defeat of the Soviets (barring all the other causes) by the Jihadists could indeed lead to the defeat of the other superpowers like the US (Rashid, 2001:130). The evolution of the phrase can be traced from this point. Once the Afghan-Soviet war came to an end the common purpose which had provided unity between disparate groups of Islamist extremists began to disintegrate, bin Ladin, in an attempt to overcome these re-emerging divisions aimed to create an ‘international army’ for the purpose of ‘defending Muslims from oppression’ (Burke 2004). Ollapally (2008) describes how ‘the Soviet invasion was clearly the catalyst’ for growing religious militancy ‘but in 1979 hardly anyone familiar with Afghan society would have predicted the religious extremism and terrorism that would evolve’. It was after Azam’s death in 1989, however that Osama bin Laden took charge of the Al Qaeda and spearheaded the movement. It was not until bin Ladin moved to Afghanistan after leaving Sudan in 1996 with a small number of followers, that he was provided with opportunity to develop a real terrorist entity, from this point until 2001 was the closest al Qaeda came to being the commonly conceived ‘base’ (Burke 2004). The ISI had always wanted royal patronage for the Afghan jihad, Bin Laden, a close friend of the Saudi Prince Turki bin Faisal, though not royal, was deemed fit for the cause. Bin Laden is on record to have said “to counter these atheist Russians, the Saudis chose me as their representative in Afghanistan” (Rashid, 2001: 132). In 1997 the US Department of State accurately described al Qaeda not as a group but as an ‘operational hub, predominantly for like minded Sunni extremists’ (in Burke 2004). Money from Saudi Arabia allowed bin Ladin and his followers to effectively buy themselves a country, Afghanistan, to use as a base (Booth and Dunne, 2002), and so between 1996 and 2001 a central focus was provided to local extremists around the provision of resources and facilities, including training, expertise, money and a safe haven (Burke, 2004). Burke (2004)

suggests that al Qaeda grew to consist of three main elements; a 'hardcore' basis of around a dozen associates of bin Laden's since the 1980's and a number of 'pre-eminent militants active around the world' who formed the 'heart of al Qaeda's capability' and were 'committed to a similar agenda' (Scheuer, 2003). Secondly a network of localised groups in some way linked to bin Laden or his associates, with their own leaders and own agendas (Burke, 2004). Lastly a third element of ideology, Burke (2004) describes al Qaeda as 'a way of thinking about the world, a way of understanding events' and not 'being part of a group'.

Bin Laden, dismayed over the Saudi royal family's decision to involve the USA in the Gulf War, instead of using the trained Arab-Afghans from the Soviet Jihad as he had suggested, announced Jihad against the Americans, moreover because they still occupied territories of Saudi Arabia, by stating "the walls of oppression and humiliation cannot be demolished except in a rain of bullets" (Rashid, 2001: 133). Increasingly disillusioned with Muslim countries allying with the USA, Bin Laden issued a manifesto that claimed "the US has been occupying the lands of Islam in the holiest of places, the Arabian peninsula, plundering its riches, dictating to its rulers, humiliating its people, terrorizing its neighbours, and turning its bases in the peninsula into a spearhead through which to fight the neighbouring Muslim peoples" (Rashid, 2001: 134). He further called for the liberation of the Middle East by issuing a Fatwa - "The ruling to kill the Americans and their allies-civil and military - is an individual duty for every Muslim who can do it in any country in which it is possible to" (Rashid, 2001: 134). The radical Islamist Ayman Zawahiri, who believed in the use of terror tactics to aid Laden's idea of global jihad, also played a great part in setting out the aims of Al Qaeda. The movement aspired to establish Sharia law in the Muslim countries, to expel the American infidels from the Middle East and decrease their influence, and bring down the Muslim regimes that were US allies or supported its policies. Most importantly, they wanted to institute a Pan-Islamic caliphate and wage Jihad against the USA, by setting up a 'World Islamic Front for Jihad' (Wilkinson, 2006: 40). The modus operandi of Al Qaeda, in carrying out these aims included the killing of large numbers of people, cause the maximum economic damage possible and disrupt society and

create a climate of fear. These attacks were usually coordinated and carried out without any previous warning; common tactics were suicide bombs and car bomb attacks. As Burke said, “Al Qaeda specifically aims to have a lot of people watching as well as a lot of people dead” (Burke, 2004: 44).

Considerable media attention was given to a video aired in June 2007 showing an Afghan Taliban Commander with 300 masked men claiming to be suicide bombers prepared for terror attacks in Western countries (Stenersen, 2009). However such attacks were never put into action (Stenersen, 2009), the Afghan Taliban have displayed no history of attacks on Westerners outside of the states border. However, terror tactics displayed by the Afghani Taliban have evolved in recent years. Leaders have used ‘al Qaeda style anti Western rhetoric’ and endorsed suicide bombing as a tactic, which was previously unknown, indicating that the group are not static in the attacks they will pursue (Stenersen, 2009). Martyrdom operations were not typical in Afghanistan; in 2002 there were only two in the whole country. Today however a suicide attack occurs approximately every three days’ (Riedel, 2007), indicating how readily the Taliban have adopted al Qaeda style tactics. Most Afghani Taliban attacks have been aimed at Afghan police and security forces, and international troops, importantly attacks against foreigners have been limited to within the state. Enmity towards the West has been expressed only in retaliation, such as the bombing of the German Embassy in Kabul in 2008 was claimed to have been because the German forces in Afghanistan were involved in taking innocent lives. Western countries perceived as insulting Islam have been the subject of Afghan Taliban threats, in 2008 the Netherlands were threatened twice after they released an Islam-critical movie entitled *Fitna* (Stenersen, 2009). Critically these retaliatory threats were limited to Dutch troops inside Afghan borders (Stenersen, 2009), a marked difference from the Pakistan Taliban who were associated with an attempted terrorist plot on public transport networks in Barcelona in 2008.

Al Qaeda has made a ‘spectacular resurrection’ in Pakistan after they lost their base in Afghanistan from the US lead invasion in 2001, and now have a ‘secure operating base’ from which to become ‘a growing force in Pakistan itself’ (Riedel, 2007). While the Pakistani Taliban did not

emerge with the Afghani Taliban under Mullah Omar it has developed its own distinct identity and cleverly cut deals with the Pakistani government to create a space and develop its own autonomy (Abbas, 2008). Its tactics to gain territorial control involved establishing themselves as alternative leaders to the tribal elders in South and North Waziristan, in total killing around 200 leaders. A movement of the Pakistani Taliban has evolved since December 2007. The Tehrik-I-Taliban Pakistan (TTP), under founding leader Baitullah Mehsud, before his death in 2009, and forty senior Taliban members, were estimated to be in command of 5,000 members (Abbas 2008). The TTP's terrorist campaign has been predominantly aimed at the Pakistani Military and Mehsud has openly pursued tactics to challenge the Pakistani government. In August 2007 Mehsud moved 'aggressively against them' when he 'captured 250 army soldiers, who were only returned when the government released 25 militants associated with the TTP' (Abbas, 2008). Terrorism from the TTP has taken the form of suicide bombings against the Military. Of the '56 suicide bombings that occurred in Pakistan in 2007, 36 were against military related targets including the ISI and military headquarters in Rawalpindi', of which the Pakistani government blamed the majority on Mehsud. As the TTP's resources and geographic reach expands it is clear they aim to exacerbate Pakistan's military instability (Abbas, 2008).

The limited decline in and shifting patterns of terrorism-related fatalities and incidents over the past year offer poor consolation against this backdrop. Total fatalities have certainly dropped from the unnatural peak of 11,585 in 2009, to 7,435 in 2010, but are still higher than any preceding year, including 2008, when the figure stood at 6,715 [all data from the South Asia Terrorism Portal database; the figures are likely to be gross underestimates, since reportage from areas of conflict is poor, as authorities deny access to reporters, international observers and other independent institutions. Civilian fatalities registered a 22 per cent drop between 2009 and 2010, while militant and Security Force (SF) fatalities declined by 54 and 37.5 per cent, respectively, essentially indicating that some of indiscriminate slaughters that were being engineered in the name of counter-terrorism, what some of the US State Department correspondence described as "ham handed military tactics, which included

indiscriminate artillery bombardment" and "blind artillery and F-16 bombardments" which had displaced millions of innocent civilians from their target areas, particularly in Khyber Pakhtunkhwa (KP) and the Federally Administered Tribal Areas (FATA), had been selectively scaled back in 2010 (SATP, 2011).

Fatalities in Terrorist Violence in Pakistan: 2003- 2011

Year	Civilians	Security Forces (SFs)	Terrorists	Total
2003	140	24	25	189
2004	435	184	244	863
2005	430	81	137	648
2006	608	325	538	1471
2007	1523	597	1479	3599
2008	2155	654	3906	6715
2009	2307	1011	8267	11585
2010	1796	469	5170	7435
2011*	226	98	384	708
Total	9620	3443	20150	33213

* Data till February 20, 2011, Source: SATP

Significantly, KP accounts for the overwhelming proportion of the dramatic drop in fatalities and violence, essentially indicating active disengagement between the SFs and extremists in this Province, as the total killed declined from 5,497 in 2009 to 1,202 in 2010. Terrorism related fatalities also fell in the Punjab, from 441 to 316 over the same period. However, FATA saw 5,408 killed in 2010, as against 5,304 in 2009; in Balochistan, fatalities rose from 277 to 347; while Sindh saw an increase from 66 to 162 (SATP, 2011).

The TTP have encouraged different tribes to form their own Taliban affiliated militias, in an attempt to expand their control over Federally Administered Tribal Areas (FATA), which they have had

relative success in (Amir Rana, 2008). Acts of terrorism from the TTP have been pursued to maintain their control of tribal areas, ‘Taliban groups have imposed a ban on NGOs, have targeted electronics shops and attacked schools, as many as 29 between January and May 2008, especially female institutions’ (Amir Rana, 2008). They have also pursued a tactic of kidnapping security and state officials to ‘effectively demoralize security personnel’ and to elevate themselves into a position where they can negotiate with the Pakistani government on their own terms (Amir Rana, 2008). 2008 also saw the Pakistani Taliban successfully move their control into North-West Frontier Province (NWFP) when the Pakistani government declared 8 out of 24 districts as being ‘high security zones’, meaning that terrorist activity and the chance of an attack had increased (Abbas, 2008). The Taliban’s attacks in the NWFP have been characterised by enforcing an ‘extremist version of religious ideals’ with targets regularly including girls schools, but also video and music shops and barber shops which practice the shaving of beards, these attacks cannot be described as retaliatory, suggesting that the Pakistani Taliban’s fight has changed in characteristic from mainly targeting the state, the military and its associates to a broader civilian basis. These terrorist attacks have instilled fear and had a strong psychological effect on civilians (Abbas, 2008).

Drone attacks in Pakistan’s Pakhtun Territory: 2005-2011

Year	Incidents	Killed	Injured
2005	1	1	0
2006	0	0	0
2007	1	20	15
2008	19	156	17
2009	46	536	75
2010	90	831	85+
2011	59	548	52
Total	216	2092	244+

Sources: SATP, 2011.

The TTP and Baitullah Mehsud, unlike the Afghani Taliban have gone on to launch international terror campaigns and release explicit threats to the West. On the 12th January 2008 twelve Pakistanis and two Indians were arrested during a counter terrorist operation in Barcelona after plot to attack the Spanish capital's transport system was uncovered (Reinares, 2009). At first it appeared that the group had connections to the TTP, which was later confirmed by a spokesman from the organisation Maulvi Omar who took responsibility for the plot (Stenersen, 2009) and claimed that the twelve Pakistani men were "under pledge to Batullah Mehsud" (Reinares, 2009). The motivation behind this terror campaign outside Pakistan's border stemmed from 'Spain's military presence in Afghanistan', such characteristics of terrorism are in stark contrast to those from the Afghani Taliban who have not been associated with plots to launch attacks in Western countries (Reinares, 2009). The Afghan Taliban have gone so far as to deny having any organisational associations with the Pakistani Taliban or any ambitions to carry out attacks outside their state borders (Reinares, 2009). On the contrary the TTP have displayed support for the Afghani Taliban, Mehsud is described in 2008 as having 'successfully developed human resources, which he is using to support the insurgency in Afghanistan' (Amir Rana, 2008).

Since 2001 there has been a shift in the nature of al Qaeda's relations with the Pakistani state, 'Pakistan was not at the forefront of bin Ladins mind in the mid 1990's' and before 9/11 the country was 'not on the operational or ideological radar for al Qaeda' (Brachman, 2008). However Rassler (2009) suggests that the shift witnessed in recent years has been to promote increased confrontation with the Pakistani state. When it became clear that in the post 9/11 era, the Musharraf government was not willing to support their call for mass mobilisation against the US, bin Ladin demanded in 2003 that his Pakistani followers overthrow the government to save the nation (Brachman, 2008). There are clear parallels here between the objectives of al Qaeda and those pursued in the terror attacks associated with the rise of the TTP later on. Al Qaeda have attempted to assassinate Musharraf several times (Riedel, 2007) and had intentions to 'polarize the country into warring factions and to break civil and secular society' in order to 'see its allies in the Pakistani Islamist

movement seize power' (Riedel, 2007). Al Qaeda's operations in Pakistan have been an attempt to promote co-operation among Pakistani militants in order to challenge the states authority undermine its support for the US invasion of Afghanistan (Rassler, 2009). Al Qaeda's primary action within Pakistan has been the provision of expertise to act as 'force multiplier' and to mediate coalitions between militant groups to further their own aims (Rassler, 2009). Predominantly al Qaeda's behaviour has been characterised as 'lying low', illustrating how they can have a dangerous role despite not being primarily responsible for dangerous operations (Rassler, 2009). Since 9/11 al Qaeda has been committed to strengthening the jihad in Afghanistan, part of this tactic has been to undermine the Pakistani army and portray the Government as 'un-Islamic' (Rassler, 2009). Responsibility has been claimed for few attacks enabling them to manage local perceptions and disassociate themselves with controversy (Rassler, 2009). Al Qaeda has shown it does not need to 'conduct bombings' to be successful, by deferring attacks to local groups they are more likely to produce a successful revolutionary moment, the September 2008 bombing of the Marriot Hotel in Islamabad is a cited example of this (Rassler, 2009). Terrorist activity from al Qaeda in Pakistan has sought to encourage co-operation between localised groups and to unite militant Islamic factions in order to strengthen their aims of insurgency in Afghanistan.

Bin Laden having lost citizenship of Saudi Arabia and being asked to leave Sudan, settled in the Pakistan-Afghan border region, where he was given sanctuary by the Taliban, in exchange of infrastructural assistance, and military guidance by virtue of the Arab-Afghans. It was here that he managed to collect the many extremist factions in the world under a common focus, his provision in Afghanistan allowed for degrees of success- he had means of training, expertise, money, munitions and a safe haven for any military activity (Burke, 2004: 8). He formed a network of extremist groups that was "more of a transnational movement than an organisation in the traditional sense" (Wilkinson, 2006, 41). All groups associated with Bin Laden did not swear allegiance to him but did so to Al Qaeda, or the dictum. The Al Qaeda was in fact a horizontal structure with many affiliated networks. Different factions held dynamic relations, all

funds, expertise, or training etc weren't necessarily sourced from Bin Laden, as a multitude obtained it locally from donors, also many didn't care for Laden or for his global jihad (Burke, 2004: 11). So Bin Laden may have provided ideological guidance but the affiliated networks carried out the groundwork. "It is not about being part of a group. It is a way of thinking about the world, a way of understanding events, of interpreting and behaving." (Burke, 2004: 14). Therefore we can say that Al Qaeda is a "worldwide network of networks" (Wilkinson, 2006: 42). I contend that Al Qaeda preaches Islam, as the "war is fundamentally religious" (bin Laden, in Pillar, 2003: 17) but the core ideology is to revolutionize international politics through their global jihad. The Al Qaeda is a collection of the common elements of so many different factions and strands of Islamic thought...labelled as the Al Qaeda (Burke, 2004: 14).

Conclusions

The Taliban and Al Qaeda share ideological similarities, but the two do not overlap perfectly (Byman, 2005: 200). The Taliban laid an emphasis on bringing around their 'fallen' and immoral society back to reflect traditional Islamic beliefs, ergo their jihad was internal. While the Al Qaeda stressed the need of defending their Islamic culture in the face of the West, and from westernising factions within Muslim states, ergo an international jihad. However the two ideologies converged over the years, the Taliban and Al Qaeda shared a reciprocal relationship where both were willing to destroy things noxious to their ideals.

Crucially a major distinguishing characteristic of terrorism between the Afghani and Pakistani Taliban has been their approach to externalised attacks. While the latter have claimed association with anti-West terror campaigns abroad, the former have limited these to foreign troops within their state boundaries. Both have claimed acts of terror to be retaliatory, for the Afghan Taliban this was due to a perceived anti-Islam rhetoric from the Dutch, the Pakistani Taliban were allegedly responding to a Spanish military presence in neighbouring Afghanistan. There is clearly a level of support provided from Pakistan towards the Afghani Taliban while the latter have pursued efforts towards disassociation. Al Qaeda has evidently played a supportive role towards the Pakistani

Taliban, while retaining their agenda of enmity towards the allied occupation of Afghanistan, indeed their supportive role of the TTP has strengthened their capabilities towards this goal, Pakistans interior advisor has said publicly that the TTP “is an extension of al Qaeda” and that the two organisations “have extensive ties” (Abbas, 2008).

With the “War on Terror’ and Taliban’s loss of power in Afghanistan as the price paid for sponsoring the Al Qaeda, and the Al Qaeda being affected by extensive measures, it may seem that it will die out. Nonetheless, even with the loss of the current leadership, the “Qaeda” or the precept will live on, with many other eager revolutionaries waiting in the wings. “The terrorist organisation believes that it is entrusted with an eternal mission: to lead the world into the apocalypse” (Jacquard, 2002: 159), thus as bin Laden said, “After me, the world of the infidels will never again live in peace” (Jacquard, 2002: 159).

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Individuals and Social Change in Pakhtun Society: A Case of Dr. Mohammad Farooq Khan

Abdul Rauf

Social Change is a constant, on-going process affecting all areas of life. Elite as a source of change in society has been substantiated in the literature of Sociology and Political Science. The intellectual elite carry more weightage in a society, which is unexposed to, or lag behind in industrial and technological development such as the Pakhtun society. In this paper, an effort is made to link the role of an individual in the process of social change among Pakhtuns and the possibility of emergence of such individuals in Pakhtun society- society that is apparently adamant to innovation and change. This individual is, Dr. Mohammad Farooq Khan, a man of astute acumen and steadfast commitment. In the initial part, elements contributed to his socialization process are discussed. In part two, his work in the context of Pakhtun society is highlighted. In part three his views in two selected areas; Jihad and women in Islam have been critically evaluated, it in turn leads to conclusion.

Dr. Mohammad Farooq Khan, an ambidextrous, stood up with 'innovative' views, apparently inconsistent with the traditional personality traits and norms of the Pakhtun. He tried to bring a change in the ways and thinking of the people through persuasion and education. Although, personal association of the author with Dr Farooq generated interest in his contribution, following cogent reasons helped conceiving this study.

1. Many intellectuals and men of excellence were produced by Pakhtun society but this usually happened when these people left Pakhtun region and lived among non Pakhtuns. Living among Pakhtuns would require them of fulfilling social and cultural obligations. However, very few Pakhtuns in Pakhtun society carried out both their intellectual endeavours as well as fully honoured the social obligations of the Pakhtun social and cultural order.
2. Secondly, Farooq lived like a fearless warrior and died as a brave person. The principle at stake was a peaceful resistance to a religious thinking which believes in the use of guns for achieving

its objectives. Farooq had an outlook very contrary to the said school of thought, thus his views and work incurred wrath of some 'Islamist' groups and militants. Despite receiving death warnings, he continued his mission in the region to reform Pakhtun society whether it is through writing books, pamphlets or expressing his views through electronic and print media. In his last days, as vice chancellor of Swat University, he was active in designing curriculum for various disciplines including Islamic Studies. During the same period he was busy in the de-radicalization and de-indoctrination of the potential suicide bombers in Sabaoon and Mashal rehabilitation centres in Malakand which was not acceptable to Swat militants. Consequently, he was assassinated along with his attendant after zuhr prayers in his medical clinic in Mardan.

Farooq had a multifarious personality, blending Pakhtun common wisdom and traits with human and Muslim experiences elsewhere in the world and particularly to those of the South Asia. His formal education was in medicine and he got his specialty in psychiatry from Vienna but most of his time he was busy in the social and religious intellectual discourses, dominating the theme of reforming his society.

Farooq being an agent of change in Pakhtun society needs to be investigated. However, to do so we first need to investigate the factors which influenced his early/primary socialization. An in-depth analysis of Farooq's life suggests that his family background and his childhood experiences had influenced his views and personality enormously.

The parental tutelage under his father Akbar Khan, who was once a university teacher but then left the job and joined a government school, made Farooq different from his classmates in the village school, Nawankali in district Swabi. His father joined Islamia College, Peshawar in 1933. Besides, the knowledge that his father inherited from his ancestors, learning in Islamia College exposed him to new body of knowledge. Akbar Khan's father, Wazir Khan, himself not educated was very much impressed from Sahibzada Abdul Qayum who belonged to Swabi and his education movement which culminated in the establishment

of Islamia College, Peshawar in 1913. Wazir Khan took a bold step and sent his son to a 'different' and 'distant place' Peshawar, despite being having very meagre sources of earning.²⁷ The 1920s and 30s Islamia College was hub of some intellectual and reformist cum political movements, having their origin in South Asia. Allama Mashraqi, who remained the vice principle of Islamia college, Peshawar in early 1920s and who launched his Khaksar Movement in 1930 had influences upon the students and intelligentsia of the region. Young Akbar Khan came across all these trends. He not only got acquaintance with Mashraqi but his later life shows an enormous impact on his thoughts and practices. He fully digested and adopted Mashraqi's views and thoughts. Akbar Khan grooming practices were dominated with discipline in life as enunciated in the thoughts of Mashraqi, and which is not very common in Pakhtun families. However, this discipline does not mean over-respecting the elders, a common trait among Pakhtuns. Akbar Khan gave full liberty to his sons to disagree with him, something very rare in Pakhtun society. He never imposed his own ideas upon his sons.²⁸ Akbar Khan himself a linguist and master in Urdu from Peshawar University had a fine taste of languages. His personal library had good collection of books of eastern and western scholars along with piles of magazines and newspapers. It was the best place for Farooq to spend his tender age. His exposure to South Asian literary and intellectual tradition in the age of 10 tuned his literary faculties. This learning enabled him in such an early age to get influence from the writings renowned literary figures such as Ghulam Rasul Mehr, Ibrahim Jalis and Nasim Hijjazi.

It seems that Farooq's Muslim romanticism and idealism got gestated through the books, magazines and newspapers available in his father's collection. On the other hand his grandfather, Wazir Khan, transmitted the narratives of the militant activism of the Pakhtun and others in the region such as Sayyed Ahmad Shaheed against the Sikhs and his Mujahidin Movement (cf. Rauf, 2005) and Hajji Sahib Turangzai

²⁷ Azam Khan, brother of Farooq, reply to a questionnaire (via email).

²⁸ His son Azam Khan told that his father followed the Pakhtun proverb, "par me ka aw mar me ka" (convince me and kill me). Reply to the questionnaire via email.

against the British Indian government in the 19th and in the early 20th century. The Khudai Khidmatgar movement of Abdul Ghaffar Khan better known as Bacha Khan was another focus of attention for Wazir Khan. However later on Wazir Khan aligned himself with the Muslim League's idea of Pakistan.

The parental protection in village school period was supplemented with the tutorship of two other important personalities; Mawlana Abdul Qayum and Mawlana Rajab Khan, both graduates of Deuband. These teachers also had exposure to the South Asian societies and one of the most important religious intellectual traditions i.e. Deuband. Farooq accredited his religious tendencies to these two teachers in the early age and Hafiz Abdul Ghafoor of Cadet College Hasanabdal. In his school age Farooq got familiarity with literature of Qadyanis, Ghulam Ahmad Pervez and Socialist ideas of Mao Tsetung. It is interesting to mention that Farooq ancestral village i.e. Nawankali is unique in the locality as it was open to innovative ideas unlike other places where such ideas were discouraged by the people.²⁹

His admission in Cadet College, Hasanabdal and later in Kohat loosened the fatherly protection. The absence of fatherly protection let him to carry out his intellectual and academic assignments independently. His introduction to Mawlana Mawdudi through his book *Dinyat* is a very significant event in his life, as it had far reaching imprints on Farooq's overall worldview. During this period he studied almost whatever was written by Mawdudi including his exegesis, *Tafhim ul Quran* till he passed his F. Sc. His graduate studies in Mardan College are dominated greatly with a need of achievement which continued in the rest of his life. In Government College Mardan he contested the student union election and was elected president but he left the college when he qualified for Medical Sciences after doing biology as an additional subject. He did not bother for the criticism 'what the people will say' and joined Khyber Medical College Peshawar.

²⁹ It was due to the mobility of the people to Karachi and other places for financial purposes. (interview with Sahibzada Halim at Kalo Khan (sawabi), November 8, 2011)

Farooq close association with a religious student organization instilled in him social, religious and political activism which was observed in his personality till the last moments of his life. He contested for the student election as president but could not win the seat. After completing his studies he served first in government hospitals and then along with his wife, Rizwana Farooq, a gynaecologist started his medical practice in Mardan. He joined Jama'at-i-Islami in 1984 and remained an active member and leader at the provincial level. However, certain policies for example Jama'at support to Zia ul Haq in 1985 referendum, support to the government on Hudood laws and the formation of IJI, an alliance of religio-political parties against the PPP in 1988 election dissatisfied him and forced him to raise voice against the same inside the Jama'at and suggested constitutional reforms in the Jama'at. He was very much against the greater number of party restrictions which convinced him to call Jama'at Islami as *Tanzimi Jabr* (organizational tyranny). He was accommodated till he published his first book, *Pakistan Ikkiswi Saddi ki Janib* (Pakistan Towards the 21st century) in 1991 (Khan, 1991). Jama'at enraged by his views regarding covering of face by women, family planning and Hudood ordinance of 1979 appeared in his book. Farooq was not ready to step back from his views as he insisted that it is not-un-Islamic and thus was expelled from the Jama'at-i-Islami in 1991. In 1993, he contested a National Assembly seat from Mardan on the Pakistan Islamic Front (PIF) ticket and got 21000 votes. Though he could not win the seat but he secured the highest votes among any of the PIF candidates in Pakistan. Through this election he emerged as one of the most important political figures in Mardan besides the leadership of traditional political parties and families.

The event of the expulsion of Farooq from the Jama'at has some important dimensions. It is not only important in the life and personality of Farooq but it also determines the trends inside the Jama'at. Farooq's expulsion should not be looked as an ordinary disciplinary action against a party dissident but it should be looked in the broader context of ideological and intellectual stagnation in the Islamic revival movements in Pakistan to cope with the issues confronted by the Muslims in modern times.

It established that Jama'at is now espousing only religious madrasah oriented interpretation of Islam. Farooq's case also conveyed a message to the modern educated members inside the Jama'at not to think and express any view which is different from the religious hierarchy of the Jama'at.

It is believed that the vacuum created due to the non-availability of indigenous intellectual input was filled with the imported Islamist views, dominated by the forces emerging during the Afghan crisis in 1980s having its origin in the Middle Eastern religious and political dimensions and having a tendency towards a radical stand on issues. Farooq's expulsion from the Jama'at can also be looked as an aspect of the phenomenon of post-Islamism in the discourse of political Islam (cf. Amin, 2010).

After expulsion from the Jama'at Farooq associated with Tehrik-i-Insaf and then Muslim League (Nawaz Group) but he could not go along with these political parties and finally quit politics and concentrated on his individual efforts in forwarding his mission. After the Jama'at, the intellectual and religious pursuit continued till he met Javid Ahmad Ghamidi in Lahore. Farooq's thinking in religion is then shaped by Ghamidi and his teacher Mawlana Amin Ahsan Islahi.

Farooq emerged as an advocate of a particular stream of religious thinking in Khyber Pakhtunkhwa and elsewhere in Pakistan. His views on many occasions were divergent with the Pakhtun body of knowledge and actions dominated by the traditions. Farooq's personal life and his religious and intellectual activism show the elements of acceptance of change or modernization in the primordial mode of thinking in Pakhtun society.

Farooq skilfully exploited these Pakhtun traits such as individual freedom, religious fervour, respect and regard to the elders, *gham khadi* and *khair khegara*. Many times he became victim of jealousy, a trait adjective of the Pakhtuns but he always averted such a situation which could provoke his own sense of revenge another trait adjective of Pakhtuns. He reached out his entire near and dear ones. He patronized hundreds and thousands of individuals and families in their economic, social and educational needs and set a new example of altruism of a

middle class Pakhtun individual. The occasions of being a chief guest in functions was used for emphasis on progressive change in the ways and thinking of Pakhtuns. His benefaction of several youth organizations in the north of Khyber Pakhtunkhwa paved the way for transformation of the tradition stricken society with opening new avenues of education and training. He expressed his delight to see Pakhtun getting enrolment in higher education institutions inside and outside Khyber Pakhtunkhwa and elsewhere in the world. His participation in national debates in Islamabad, Lahore and Karachi inculcated a new sense of pride in Pakhtuns, particularly in the youth that they are not behind from their non-Pakhtun brethren in the religious and intellectual discourse in Pakistan. His analyses of social, political and regional issues were heard in the mainstream thinking inside Pakistan and elsewhere in the world.

Farooq addressed many issues related to the social, economic, political, educational and religious aspects of the people and expressed his views in pamphlets and books. For some time he contributed to national dailies as a columnist. He was invited to workshops, seminars and conferences where he elaborated his views with eloquence. Farooq was prolific in terms of contents and in ways of communication. He wrote about 15 books and booklets covering issues ranging from Ramazan moon sighting to the issue of Kashmir, Iraq and Afghanistan. He completed the revised edition of his translation of the Holy Quran in Urdu. This is not an original translation by Farooq rather a selection of the translation which he thought relevant and easy to understand by common readers in the modern times.

He appeared on national TV networks including Aaj, Geo Dunya, ATV Khyber and Ptv. also. Atv Khyber regularly telecasted his dars-i-Quran which attracted viewers including Pakistani diaspora elsewhere in the world. His question-answer session on PTV attracted quite a lot of people.

Farooq never hesitated to lead the people in the religious rituals a role that is traditionally assigned to the Mawlvis. He led congregational prayers, delivered speeches on Juma and eid days in his native town; led funeral prayers and delivered sermons on such occasions. He also performed the functions of a *nikahkhan*. All such activities by a non

mawlvi were ‘innovation’ in Pakhtun society, as these roles are allocated to the mawlvis as Pakhtun usually don’t like such duties in their social circles. He had close connections with the traditional ulama of his area and extended his support whenever they needed his help. Due to such connections he played the role of a mediator between the government and the Swat militants when asked by the then governor of Khyber Pakhtunkhwa, Awais Ahmad Ghani.

On the other hand he was seen on the platform of Shirkatgah, Awrat Foundation, Human Rights Commission of Pakistan, Family Planning Association and many other forums which are considered to be liberal and secular by common people. He was quite comfortable with this modern educated intelligentsia of Pakistan.

Such aspects of Farooq’s life made him unique and distinctive and place him as an important agent of social change in Pakhtun society. It is difficult to assess the quantum of change and express it numerically. However during the field work and available literature and comments on his website this researcher was apprised about the change of behaviour when people got interacted with Farooq whether through his books, through the electronic media and also through direct interaction with him.³⁰

Issues on which Farooq expressed his views are many a time, in conflict with the general understanding of religion and Pakhtun code of life (Pakhtunwali). These are: Jihad and *Qital*, Concept of *Zimmi* and *Jizya* (non-Muslims and tax), Islamic punishments for non-Muslims (not applicable as it is religious laws), *Pardah* (man-woman isolation), covering of face by a woman, confinement of women to home only, head cover compulsory, equality of rights, duties and status of women and man, violence against women (it is prohibited and is a crime), women can go to the court and can get separate through *lea'an*), woman as witness in a court of law (equal to man in circumstantial evidence), blood money (*diyat*) of women (not fixed and can be imposed according to the time, condition and society of different parties), girl can marry on her own, Islam and the West, women can get the right to divorce her husband, requirement of four

³⁰ Interview with Sahibzada Halim at Kalo Khan (Swabi), November 8, 2011.

witnesses proving a rape case (not necessarily the case can be proved through other means also), man and women can express feelings for each other but cannot establish physical relationship and secret marriages, honour killing (not allowed in Islam), Fine Art, slavery in Islam, family planning, music, keeping beard, drinking alcohol etc (cf. Khan, 1991; Khan, 2010a; Khan, 2010b; Khan, 2008; Khan, 2010c, Khan, 2002, Khan, n.d).

A complete study of Farooq's ideas and thought is not possible in this paper. Only two areas are selected to apprise the audience about his views and his mode of reasoning. These issues are the status of women and Jihad or holy war as enunciated in his books, *Islam aur Awrat (Islam and Women)* (Khan, 2004), and *Jihad aur Qital Chand Aham Mobahith (War and Jihad-Some important discourses)* (Khan, 2010) they are selected because of their importance and relevance to Pakhtun society. How the literature of Farooq contributed to the on-going religious discourse in Pakistan remains undiscovered. But it is evident that the first issue pulled him from the traditional understanding of Islam and the other pushed him to be seen as 'heretic' in the eyes of those who supported the use of force for the promotion of their objectives in the region.

On the issue of women, Farooq first clarify the notions of Quran with citation of the verses and its translation. Farooq declared women as an independent entity in the light of Quran, *hadith*, *athaar* and historical anecdotes. Women cultivated land, conducted businesses and earned independently in the early pristine days of Islam. Sometimes, they were also given the task of running state affairs. Farooq then hypothetically and factually took the questions of common readers and discussed them one by one in his writings. Views of Farooq are inconsistent with the Pakhtun cultural traits that consider women as subservient to man and sometimes uphold the feudalistic tendency of taking woman as a personal property. These cultural traits are presented in the guise of religious directives by the Pakhtun religious figures who focused most of their religious pronouncements and activities around the issues related to one way or another to women.

On this issue Farooq emerged a kind of Muslim scholar and activist who pleaded a full independent entity for women in the light of

Islam. He saw the existing plight of women in the region inconsistent with Islam. However he is wrongly portrayed as liberal by the religious groups. He did not support the unrestricted freedom of women as it is given in the West. Rather he also criticized the west for exploiting the womanhood for some ulterior objectives. Being a member of the National Commission on the Status of Women headed by Justice Majida Rizwi, he supported the repeal of Hudood ordinance imposed by general Zia ul Haq in 1979. Farooq was also among those few Muslim scholars who were in the forefront of the movement to repeal this ordinance.

The second issue is Holy war or Jihad in Islam. The issue is more relevant to Pakhtuns than any other community in the Muslim world at present. The Pakhtun region has been the hub of this 'holy war' in the last thirty years, started with the resistant movement against the Soviet intervention in Afghanistan in 1979, and continued in the shape of internal war among various Afghan militant groups in 1990s and then the American arrival in Kabul in 2001 and the subsequent Taliban resisted in Afghanistan. This 'Jihad' convulsed the Pakhtun region on the eastern border of Durand Line also.

Farooq analysed the Quranic verses and Hadith literature where the term Jihad (used in 29 places in Quran) and Qital (used 54 places in Quran). Farooq brought another term *Sabr* (endurance) (103 places in Quran) along with jihad and *Qital* and lamented that the religious scholars have ignored this term in the contemporary religious discourse of resistance (Khan, 2010c; 21-22). Farooq stated seven principles in the light of Quran for Qital. These are

1. Declaration of Jihad (*Qital*) by state only
2. Quantitative and qualitative strength with a particular ratio against the oppressor
3. Respect to all international treaties
4. Acceptance of peace overtures by the opposing party
5. Assurance of safety of all non-combatants
6. Regard of the holy months in declaration of war
7. Permission of war if it is imposed in these months (Khan, 2010c: 27-41).

Farooq then brought out the arguments which are presented against the above cited view point. He analysed all such arguments /events in the light of historical evidence e.g. the case of Abu Basir, the incident of Karbla, what should be done if the rulers are incompetent, narrative of the holy prophet that Jihad will continue till the Day of Judgment, difference between offensive and defensive war. In all these issues he encountered the arguments of pro-Jihad discourse with his own understanding of the issue of Jihad and *Qital*. Farooq saw no room for the use of force for change of government in a Muslim country in the modern democratic world. He pleaded that permission of armed struggle will led to private military groups and in such cases internecine conflict and clashes cannot be avoided. Such kind of situation will lead to anarchy in the world and it is never supported by Islam.

On the issue of suicide bombing he took a very bold step and rejected it in all circumstances. On this issue Farooq gave considerable weightage to get lessons from human experiences and concluded that the strategy of suicide attacks failed in Iraq, India and Israel and its damages were more than its positive impacts. Farooq then analysed the famous 'Khost Declaration' in which Usama bin Laden, Aiman Al-Zawahiri and Abu Yasir declared a war against the American forces and people in the world. He concluded that this fatwa is having no religious, political and ethical value (Khan, 2010c: 122-24). Farooq also opposed Yousaf Qardhawi, a very important and popular Islamist ideologue in the present time, when he gave a verdict in favour of suicide bombing as war strategy against the enemies. Farooq encountered his arguments in the light of Quranic teachings and analysed the historical instances which Qardhawi cited. Farooq concluded that the act of suicide is against Quran and these attacks are not in the interest of Muslims (Khan, 2008: 226-27).

In the discourse of Jihad and *Qital*, Farooq emerged as a peaceful resistant voice to the on-going religious militant onslaught in the Pakhtun region. He was a non-confrontationist and believed in human, Islamic, Pakistani and Pakhtun values, in which he saw no contradiction. In his own words, "I am humanist, Muslim, Pakistani and a Pakhtun. To strive for the well-being of the whole humanity, to uphold the cause of Muslim Ummah and to exalt the dignity of Pakistan and Pakhtuns is my mission.

There is no contradiction between their interests, provided every issue is seen with justice and fair play” (Pakhtun, 2011)

Farooq after clarifying an issue in the light of Quranic verses do not hesitate to mention the follies of certain ulama such as Mufti Mohammad Shafi and Mawlana Abul Ala Mawdudi. On the question of covering face by the women Farooq do criticizes the views of both these great scholars (Khan, 2004: 87-90). Farooq’s way of criticizing these views is based on the following premises;

- That Quran is not contradicting itself (Khan, 2008: 15-49)
- Some instruction in the holy Quran are specific to a period and time and thus cannot be universalized. For example case of covering face by the women is specific to the wives of the holy Prophet and not to the ordinary Muslim women.
- Analysis of each narrative in the text of Quran
- Analysis of the sources of information or informant in the light of jurists’ opinion about the informant and that piece of information.
- Analysis of each narrative in the light of principles of Hadith literature and he mentioned the status of each hadith such as *Sahih, Mursal, Muzal, Zayif* etc.
- Application of the principle of *diraiyat* (ratiocination), for example when it is argued that women should cover their face because ‘it exhibits her real sensual appeal’. In order to avoid any mischief from men, she should cover her face. Farooq said it is not correct. A women face may attract the aesthetic sense of man while the sensuality may only be the outcome of a wild imagination of a sexually perverted man. In such cases man should be warned and not women. Secondly, in certain cases face of men may also attract others so then all such men should also be asked to cover their faces. Thirdly, if ‘the risk of mischief’ is the criteria then all men and women should cover their faces in order to avoid the risk of homosexuality (Khan, 2004: 86-87).

The deviation in Farooq’s views on different issues from the traditional mode of reasoning is rooted basically in his approach to the text of holy Quran and hadith. Farooq’s mode of thinking is based on the

textual-contextual approach to Holy Scriptures. This approach is contributed to Mawlana Hamiddudin Farahi of India in the first quarter of 20th century. Mawlana Amin Ahsan Islahi forwarded this approach in the next 50 years and Javid Ahmad Ghamidi for the last 30 years crystallized this approach and applied it to the cotemporary social and political issues. The application of this approach at times is similar to another school of Muslims called 'modernists'. Their approach is also contextual but it is historical-contextual. On many occasions the textual-contextualists have differences with the historical contextualists as they have differences with traditionists. When the approach of textual-contextualists coincides with the historical contextualists then the ulama named Textual contextualists as modernists and liberal and mutajadiddin.

Conclusion

Pakhtun traditional society contains some elements which can be instrumental in the way of modernization. What are those elements is subject to investigation by the modern social scientists having full acquaintance with the local culture and tradition. There is a need of Pakhtun intellectual elite to direct and implement the social change in order to get honourable place in the comity of nations. These intellectual elite should not ignore the South Asian Muslim intellectual tradition. They should be very conscious about the north-western Muslim trends, usually dominated with ethnocentric feelings. If such Pakhtun intellectual leadership, which possesses personal integrity, loyalty to traditions and piety in character direct the change in society, it will produce immensely positive results not only for the Pakhtun region but will greatly contribute to the peace in the broader world.

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Some Critical Remarks on Madrasa Reforms as Proposed by the Government of Afghanistan (2007)

Jamal Malik

The Madrasa Reform proposed by the Afghan Government in 2007 aims at meeting its need for well-qualified madrasa graduates with standardized and sufficient knowledge of Islamic law and jurisprudence, and at enabling them to function as government judges, religious scholars and teachers.

“Our vision is to develop human capital based on Islamic principles, national and international commitments and respect for human rights by providing equitable access to quality education for all to enable them to actively participate in sustainable development, economic growth, and stability and security of Afghanistan. To do this the Ministry must evolve into a modern, effective, fully funded and accountable public institution that facilitates education opportunities for children and adults, without discrimination, across Afghanistan”³¹

The ministry of education outlined a number of educational objectives in the field of religious education for grades 7 to 14. Among these objectives we can find a repeated call to avoid discrimination, prejudice (*ta`assub*), and blind imitations (*taqlid*), as well as a demand to struggle toward establishing good relations with other people and actively and positively associating with them.

Continuing to maintain the main religious syllabus – basically for political reasons - the reform wants to include more ‘worldly’ subjects in the curriculum in addition to the religious subjects. This broadening of the curriculum is even more important in the face of the war-ridden society in which madrasas have been playing a major mobilizing role. In this context one must distinguish between ‘official madrasas’ and private, unregistered madrasas, the latter outnumbering the former by far. And since the number of professional and qualified teachers is still low, the Ministry has

³¹ National Education Strategic Plan for Afghanistan, 2010-2014

also planned to recruit around 3000 new professional teachers by 2014. Their contact to neighbouring Pakistan is conspicuous and shall be reduced. One major aim is to overcome regional disparities through madrasa education by setting up centres of excellence. However, the curriculum in hand, dated 2007, was “not received well” at a conference entitled ‘Religious Mad-rasas in the Modern Age’ in Jalalabad on 29-31 March 2009. “It was seen as being Salafi – not following the Hanafi Deobandi tradition, the most dominant tradition in both private and official madrasas in Afghanistan – and therefore was not acceptable to Afghanistan’s many Deobandi madrasas. It was therefore rejected by all the official and private madrasa representatives in the conference. This rejection was reflected in the joint declaration issued at the end of the conference”.

This rejection can be understood when probing into the curriculum that was drawn by representatives of the Afghan Ministry of Education and observed by a Jordanian committee of specialists in Islamic Studies. The Arab/Salafi bias is more than evident in the curriculum. As of now it is unclear if the Ministry of Education is considering the revision of the curriculum even if most stakeholders have rejected it, and its implementation lags far behind plans.

Although the curriculum for religious studies is divided into several parts, they can hardly be distinguished precisely, either in form or in content. Only after arduous and difficult reading of the detailed content was it possible to define the pages.

Moreover, the text of the curriculum is extremely sweeping and at times ambiguous and confusing, juxtaposing and lumping together different narrative and analytical levels; unclear and contradictory headings and the use of different languages such as Dari, Persian, Pashto and Arabic have all the more complicated the work with this text.

Furthermore, the curricula for social and natural sciences and mathematics, which are part of the reform proposal, form entirely separate texts – in terms of style and semantics – mostly written in highly specialized jargons hardly comprehensible to laypersons.

To start with, the basic content of the curriculum for religious instruction is primarily informed by an in-depth knowledge of the Qur’an

and the tradition of the Prophet Muhammad (*sunna*), followed by knowledge of the Arabic language; refraining from taqlid (not imitating the rulings of one or several schools of law) and advocating a Salafi notion of ijtihad (independent reasoning) in contrast to the traditional understanding of ijtihad, which is concentrated more on current needs and requirements, are considered to be important features of that knowledge. Thus, the call to orthopraxy and to strict adherence of the path of the Prophet and al-salaf al-salihin, the pious forefathers, is of prime concern to the curriculum reform. The Salafi handwriting in the curriculum is conspicuous as among others it hardly mentions Islamic philosophy and ignores Islamic mysticism, both important cultural productions actually determining contemporary Muslim social fabric in Afghanistan.

The learning outcomes follow traditional as well as modern learning methods. Oral performance and memorization are considered as important as role-play and presentation, which are designed to ease the process of the students' understanding. Ideally theoretical knowledge shall be put into practice, while some deliberations have been made as far as the student-teacher relationship is concerned. The general guidelines and directions for teachers – who, one must note, are to be absolutely loyal to Allah – consider a rigorous evaluation process. Moreover, the guidelines open up some perspective for knowledge optimism, while fanaticism (*ta'assub*) is to be avoided, and good relationship with unspecified "others" is to be continued. Unity and austerity among students are pivotal issues. Exams shall look into the students' ability to work towards a balanced Islamic system (*nizam*), as "Islam is a moderate religion and favors simplicity ... The aim is to follow the path of Muhammad and emulate his practice, and thereby to pave the way for God-fearing behavior." By the same token, Allah is portrayed as a punitive yet merciful God. Finally, the creation and boost of self-consciousness among students seems to be possible – according to the makers of the curriculum – when analyzing the Qur'an and the Hadith with "logical means and grounds. Yet, philosophical discussions are to be avoided." Apparently, while philosophy does not match Salafi imagination, logic does: the discourse focuses on particular moralizing features of the Prophet Muhammad, the paragon of virtue, to ponder about the creation (*khalq*), to

organize (*tanzim*), to develop power or strength (*qudrat*), and eventually to be awarded (*inayat*). The discussion on reward in the hereafter is of course well known in the traditional Islamic discourse.

The socio-political and religious understanding and world-view of the curriculum are clearly informed by the above-mentioned restrictions aggravated by a tope of fear (*taqwa*) and punishment, and a discourse on God's omnipotence and man's impotency. Yet, reference is often made to logic and reason – most probably in order to prove Muslims' rational approach vis-à-vis colonial, Orientalist polemics that historically belittled Muslim intellectual achievement. The books to be read are revealing, as the ideas therein set the religious and religiously legitimated boundaries: basically most of them are written by a mix of Arab scholars of traditionalist, mod-ernist and Salafi provenance. Yet, the reading of al-Buti's critique of the Wahhabi inspired Salafiyya and Badi al-Zaman Said Nursi's contribution for example may open up space for tradi-tionalist interpretation prevalent in Afghanistan. On the other hand, Sa'id Hawwa's concept for the combination of responsible *sahwa* (awakening), correct salafiyya, and updated *tajdid* (renew-al) is the *ihya al-rabbaniyya* (the revival of Lordly Grace). *Rabbaniyya* (strictly following the path of the Prophet down to its smallest detail) is the activist orthodox order that follows strictly the path of the salaf.

Although the curriculum often states that one should refrain from fanaticism, discrimination and prejudice (*ta'assub*), the discourse on ritual distinction and religious discrimination is also dealt with at different stages and in various sub-headings. Yet, the new subject-matters such as "History of Sharia", "Comparative study of Islamic jurisprudence", and "Comparison of religions and different contemporary sects" can basically provide some space for mutual acceptance, both in the realm of Islamic discourse and beyond. But the over-arching idea of the superiority of the Qur'an and the Islamic Prophet, as well as the Salafi notion of a saved group and victorious sect, seems to make it difficult, nay impossible to set the right parameters for a meaningful dialogue with equal basis.

To contribute to a meaningful, durable, and peaceful coexistence, rigorous hermeneutical studies and a critical knowledge unconstrained by ecclesiastical institutional priorities are required. The new subjects

introduced in the religious curriculum potentially provide for the possibilities to do so, the prerequisite, however, being a critical understanding of Qur'anic exclusiveness or at least a contextual reading of the Holy Text that favors a more inclusivist approach approving of non-Islamic (e.g. Islamicate) discourses.

How far the curriculum may account for the propagation of discriminating contents or prejudices can further be discerned from the powerful idea of otherness and the processes of cultural othering that play a major role in the making of identity – and in the curriculum. This cultural technique of self-affirmation and dissociation from the “other” finds expression in the promotion and idealization of the Medinian context, which actually is reflective of ample historical as well as apocryphal material that sets the needful religiously legitimated boundaries: that is, when normative standards were established to overcome disunity (*fitna*) and to help consolidate the young and fledgling umma internally and externally; this privileging of a selective past determines the subtext of the curriculum. Similarly discriminative statements can be found in the context of gender, especially when it comes to male-female interaction (esp. *mahram*: unmarriageable kin with whom sexual intercourse would be considered incestuous, a punishable taboo), guardianship, testimony or the rather broad and male dominated debate on marriage and divorce.

As far as violence is concerned, the curriculum seems openly to repudiate abuse and brute force. It states that “Harmony and peace in Muslims are due to their faith and belief in Allah, and when they face something wrong or bad, they are patient and they become docile and do nothing wrong”. The idea of docility has in fact as long a tradition in Islam as the notion of the right to resist. On the other hand, the issue of prophetic war (*ghazawat*) is prominently discussed at different stages of the syllabus, evidently accepting the medieval Christian idea that Islam is a religion of the sword. These self-Orientalist perceptions help establish quasi-belligerent master narratives that are difficult to deconstruct and counteract. Yet, in a tribal society informed by concepts of honour and agnatic rivalry, this sort of feisty Islam is intended to serve as a unifying and solidarizing force in order to overcome regional, ethnic particularisms.

This biased worldview is based on a specific concept of history that is embedded in some sort of normative Muslim thinking characterized by eulogistic phrasing and notions of a religiously pre-scribed soteriology, that is the history of God's saving work among his selected people, used for restoring the glory of early Islamic times – the time of al-salaf al-salih, the pious forefathers. This perspective is equipped with normative properties that call for an expansive and sweeping claim to interpretation, and they are compounded with the sayings of Prophet Muhammad, the paragon and source of continuity with the past. This canonized past provides patterns for describing alterity, social and religious distinction, and discrimination. In Islamic parlance this past is remembered as the era of union and bliss (*asr al-sa`ada*), actually the domination of Islam in distinction to what is perceived as a jahil – ignorant – pagan culture. The (selective) memorization of the Golden Age (including the salaf) actually is a de-historicizing breach from tradition and provides contemporary Salafism with legitimization and efficacy.

In a male and religiously dominated society like Afghanistan, one can suspect a lively debate on socially controversial topics, such as women's rights and minorities. It is therefore no wonder that women's rights are still curtailed in the curriculum. The Qur'anic ruling about equating one man to two women in a testimony is a case in point; similarly women are allowed to marry only with the approval of a – male – guardian (*wali*). What is taught in the text of the curriculum about *khula* (the right of a woman in Islam to divorce or separate from her husband) is not clear. However, in case of adultery and accusations of fornication, women seem to be protected when Sura al-Nur 24:4-5 is quoted.

Other controversial topics pertain to movements hereticized by majority of Muslims such as Ahmadiyya and Bahai, the discussion of which most probably serves to highlight and champion the qualities of Islamic mainstream. Similarly, philosophy and Sufism are virtually ignored, harking back to Salafi perception.

Introduction of controversial topics, and perhaps additionally of controversial figures, such as modern Muslim scholars, is, however, important, first to look beyond one's own nose, and second to consolidate one's own position. Apart from gender issues, minority positions have to

be appreciated as much as those fields in which major Muslim contributions can be found – that is, philosophy and mysticism as well as variant readings and traditions hitherto neglected and disregarded for different reasons.

In contrast, approved scientific facts and knowledge (from natural sciences, esp. physics and biology) are dealt with quite openly and are presented in a comprehensive way without major omission or rejection. However, as far as the curriculum of these subject matters is concerned it seems to have been translated from some English sources (with all linguistic and orthographical deficiencies); they have been merely copied and pasted without major pondering over possible discrepancies they might conjure up in the context of traditional madrasa education. Thus, it looks like as if two different curricula will have to exist side by side without actually interplaying and reciprocating – something that has also been the case in the efforts to reform Pakistani mad-rasas. As far as I can see there is no attempt to establish what has been called “Islamization of knowledge” (first used and proposed by the Malaysian scholar Syed Muhammad Naquib al-Attas in his book *Islam and Secularism*, first publ. in 1978), that is to attempt to synthesize the ethics of Islam with various fields of modern thought, with the aim to use scientific methods that did not violate Islamic ethical norms.

In civics, however, students shall know about human exigencies and requirements, such as communication and self-awareness and their relation to God. The family is in the focus of another tutorial. The science of economics is appreciated. Similarly, the working of different ministries (Communication, Finance, Municipality and Police, Judiciary and Law, Parliament) is given ample space, and students are supposed to know their working procedure, thereby making government institutions transparent. Furthermore, agriculture and trade, employment and labour conditions, commerce and industry, import and export, tourism and energy as well as its sources are all dealt with. Rural and urban populations as well as the languages of Afghanistan are also studied. Lastly, a diverse catalogue of socio-politics is introduced, such as pluralism (social, political, religious), globalization, technology, politics, strategy, modernism, post-modernism, and gender. United Nations and Human Rights, and their evolution and

institutionalization, are to be studied next to Islamic human rights. Further subjects expound the problems of history, environment studies, education (the latter exploring the fields of knowledge and culture, communication and population).

There are different methodological teaching and learning approaches (memorization / reading and understanding the content, teacher-oriented / student-oriented) showing the efforts of the curriculum makers to set specific didactical and pedagogical patterns. Thus, the curriculum provides for complementary material to be applied directly in the classroom so as to enable students to interiorize the content of the reading material more effectively; to do so, different approaches are facilitated. In contrast, some methods and aids of teaching are still in a traditional style that depends on lecture and considers the teacher the last resort; their aids are limited to blackboard and maps, and the assessment method relies on written and oral tests only. This tension between modern and traditional way of teaching goes back to a half-baked idea of an Islamic pedagogy (actually an issue also discussed in Germany in the context of the newly established centres of Islamic Theology). Thus we encounter a friction between memorization and teacher-oriented learning on the one hand and reading and understanding the content and student-oriented learning on the other.

So we find a mix of subject matters lumped together without major academic scrutiny. Moreover, the Arab/Salafi handwriting is obvious putting the Arab language as well as a protestant understanding of Islam in the centre, aiming to curb the traditional religious establishment and its normative frames of references. These frames of references potentially do provide spaces for pluralism, but are subject to homogenization and universalisation of a Salafi Islam.

Current Unrest and the Ensuing Debates about Identity among the Pakhtuns in Cultural and Virtual Spaces

Muhammad Ayub Jan

Introduction

This study focuses on the current unrest in Pakhtun region and the engagement of Pakhtuns in debates about identity. The debates involve cultural and virtual spaces. The paper argues that there is discernible change in Pakhtun region very appropriately identified by the theme of this conference and that one way to understand that change is to study the debates and deliberations that engage diverse people at inclusive and exclusive spaces of engagement such as cyberspace (internet) and cultural spaces such as *Hujras*, *Peace Jirgas* etc. The use of cyberspace itself is an evidence of change that highlights the acceptance and engagement of new means of communication (globalization agents) for the purpose to generate debate. The way issues are initiated, deliberated and articulated on these forums represents enormous acumen, keenness, and dedication of the posters. The dialogical skills demonstrated by the educated Pakhtun through these internet forums represent a change from other wise traditional forums of deliberation such as *Jirgas* or *Hujras*. The diversity of people at these forums is also interesting, as the posters include Pakhtuns from diverse tribal, national (Pakistani and Afghani, British, American) and religious/sectarian (Hindu, Christian, Sunnis, Shias, etc.) background. A good number of participants represent transnational and diasporic identity. Moreover, the debates and interaction on internet relate to the dominant official discourse of Pakistani identity and the radical Islamic discourse. In the relating process the deliberations constitute a discourse, which manifest identity construction.

The significance of this study is highlighted by the fact that it demonstrates how the unrest and conflict situation in the region provided an opportunity to the educated Pakhtuns to engage in a discursive process of identity making. The significant discourse is visible through interaction at cyberspace and other cultural spaces such as *Hujra*, *Jirga* etc. This discourse is evident in the presence of dominant state supported discourse of Taliban or Islamic radicals. The community which constitutes this

discourse is debating and negotiating features of identity, particularly the relationship between religion and culture. This blessing in disguise is largely ignored by the literature produced in current times focusing on other aspects of the impact of this conflict, particularly the adverse impacts. Moreover, this paper does not claim that such a discourse is the first instance, particularly when the available literature does point out debates on internet about identity among Pakhtuns (Edwards, 1996). Nevertheless, the chapter argues that the current unrest has multiplied the efforts in this direction and a deliberate effort to deal with the crisis through a discourse is surely distinct. Secondly, the discourse also demonstrates how Pakhtuns link the crisis to Pakhtun identity and revisit the identity features. Thirdly, the study elaborates on the use of and interaction with new technology by Pakhtuns and posits that they not only adopt these new means of communication but employ them in the process of identity formation. Simultaneously, they get influenced by the new technology and employ it as a tool. Therefore, making ‘technological determinism’ irrelevant.³² Also, the non-violent, dialogical and discursive nature of resistance put up by the posters through these forums is emphasized by the study. All these factors dispel the conservative image of the Pakhtun very simply and naively constructed and projected by the national and international media and academia.

The first section of the chapter explains the methodological issues such as the research questions guiding this study, the site of the research and a brief introduction of the spaces. The section following this focuses on the conceptual framework that includes theoretical discussion on internet and identity, Pakhtun identity, and the features of the identity. These discussions are followed by empirical evidence of how identity debates are carried out in cultural and virtual spaces, the participants in these debates and the content of these debates. The chapter is concluded with general remarks about the identity related processes among Pakhtuns.

³² ‘Technological determinism’ means a unidirectional influence of technology over humans or their society. see for example (Comunello and Anzera, 2012)

Conceptual Framework

The conceptual framework used in this study is guided by multidisciplinary theoretical debates. First and foremost, the chapter proceeds with the general understanding of the concepts of globalization, modernity and change through Appadurai's (1996) conceptual explanations. Secondly, this research work is guided by a social constructivist and interactional understanding of ethnicity and identity; emphasizing on activism of ethnic groups to create, negotiate and reshape their own identities (Cornell and Hartmann, 1998: 72-85) through interaction (Barth, 1969a, Eriksen, 2002). Thirdly, this study endorses the significance of technology for the process of identification. However, it avoids 'technological determinism' which refers to unidimensional impact of technology on society or humans (Comunello and Anzera, 2012). Internet is a recent technology that has attracted enormous attention from the scholars. I shall argue below that the very activism of Pakhtuns on internet refer to the agency of Pakhtuns and technology as a tool harnessed to serve the purpose. Moreover, it is evident from such activism that an effort is made by Pakhtuns to reshape the cyberspace into a space that not only symbolically connotes culture but reproduce cultural institutions through cyberspace. However, due to limitations of the scope, this study could not see how the power relations are structured in such a space. Thus on conceptual level this study see internet not just a tool to organize but also as a space to articulate (Aourgh and Alexander, 2011).

Fourthly, an important aspect of this study is to understand that the cultural space and cyberspace (presented in this study) manifest a dichotomy of online and offline world. However, how important is this dichotomy needs to be investigated. This study supports the premises that these two are connected and it is difficult to disconnect one from another (Zhao et al., 2008, Comunello and Anzera, 2012) in a range of activities such as articulation, identity formation and mobilization. This is despite the fact that online and offline encounters are distinct at least in the way that online encounters can be anonymous and disembodied (from corporal, physical body) but offline encounters cannot (Zhao et al., 2008). It is also difficult to disassociate online engagement and activism from offline activism. However, at times online space is utilized against the offline

world because the offline world may be fraught with dangers. This is particularly important in challenging a dominant discourse (Warf and Grimes, 1997). To Pakhtuns who have been using these forums to debate their identity, the offline world is a source and subject at the same time for their online discussions. For them discussions are about the real world out there, out of the bounds of virtual world. However, they are also conscious that the site of the discussion is virtual and perhaps offer at least some kind of security vis a vis real world which perhaps is fraught with greater dangers. It is this context that explains the dichotomy of online and offline world.

Internet and Identity

Internet as a new technology is not just a tool employed by humans to perform a variety of functions, rather it is a significant agent that has changed the way human socially organize, identify, perform and deliberate. The interaction between this technology and humans has invited research from a range of disciplinary perspectives to inquire the influence of this interaction on relevant aspects of human life. The most elaborated aspect of human life is how it has influenced the sense of belonging or identity. Internet has provided a new context to explore identity exploration and formation (Huffaker and Calvert, 2005, Delahunty, 2012). It has also provided an 'alternative political technology for individuals to exercise power and escape domination by the political rationality of the state and its institutions' (Caroli, 1997: 359). Studies that investigate this new context from philosophical, psychological perspectives have explored the ways human interact with new technologies and how this has serious consequences for identity, particularly 'self identity' (Turkle, 1995, Stone, 1995, Wynn and Katz, 1997). However, identity making processes are not limited to 'self identity' rather they have multiple aspects that involves 'others' in an interaction that manifest drawing similarities and differences (Jenkins, 2008).

One useful way to study literature on identity construction through internet is the categorization suggested by Zhao et al (2008). He argues that it is important to distinguish earlier literature that studied the

identity construction in ‘anonymous environments’ such as Multi-user Dungeons (MUDs) and Chat Rooms from the later studies that shifted their attention to ‘less anonymous environments’ such as Dating sites (Zhao et al., 2008). The earlier literature on how identity and social interaction influenced by the internet is revealing contested findings (Stone, 1995, Turkle, 1995, Wynn and Katz, 1997). The debates involve arguments on identity manifested in the question of self presentation, real world versus virtual world, authenticity and anonymity, offline versus online identity, public versus private space etc (see Wynn and Katz, 1997, Turkle, 1995, Carroli, 1997). The most elaborated explanation of these phenomena has come from the post modernist scholars (Stone, 1995, Turkle, 1995, Turkle, 1999) who have been studying the interaction of human and internet technology. These scholars argue that identities being production of interaction on cyberspace are fragmented. Similarly, modern unitary self is transformed into multiple (Turtle, 1995) and ‘saturated self’ (Gergen, 1991). Moreover, they argue that there is eroding boundary between real and virtual and human is liberated from the real world. These premises are contested by Wynn and Katz (1997) who argue that the influences of internet on social identity is not to the extent that it has radically altered it. Similarly they challenge the concepts of fragmented self through internet and functionality of real and virtual. Whatever are the differences between these scholars to explain the interaction of humans on internet, they agree that internet has changed the way social interaction takes place. The later literature highlighted that it is important to see the identity construction in settings that are less anonymous or ‘nonymous’ such as Internet dating sites and Facebook (Zhao et al., 2008, Ellison et al., 2006).

There a number of very interesting studies on the issue that explain through empirical evidence how internet has shaped the way we identify online and offline, how we articulate, discuss, negotiate, mobilize and campaign online. Different manifestations of cyberspace are investigated in these studies such as computer games, social networking sites, personal webpages, blogs and discussion forums. It is also instructive to know that these studies demonstrate how often humans employ this new technology for a variety of purposes. On some websites

people choose their 'avatars' to present a different self on cyberspace a conscious effort to reconstruct one's identity and self. In other studies it is explained how cyberspace is used to advocate both hegemonic or counter-hegemonic discourses (Warf and Grimes, 1997: 270)

This paper shows how the participants, identifying themselves with an ethnic group, in their interaction debate features of identity in a context of conflict and stereotypes which they find stigmatizing. The question of identity is crucial for most of the studies investigating online interaction of the people. There are issues related to the presentation of self on internet. How the users in computer mediated environment choose different identities or they prefer to keep their offline identity. Similarly, the very autonomy to choose from a variety of choices makes online interaction different from offline interaction. Similarly, there is an important issue of how identity itself is a subject of debate in online interaction. There are number of studies that investigate how user debate the question of who they are and what makes them different from others (see Williams and Copes, 2005, Delahunty, 2012, Stokes, 2007).

A number of studies explain the identity construction through internet among the diasporic communities living in the America and Europe. Xie Wenjing (2005) highlights how Chinese Diaspora living in North America constitute a 'virtual community' that is not bounded by time and space and have a purpose to connect to their homeland and host culture through a 'hybridized' and 'fragmented cultural identity'. Similarly, Panagakos (2003) demonstrate how Greek diaspora living in Canada use internet and other technology to express their ethnic consciousness (Greek) and identity. Djuric (2003) explores the case of Croatian diaspora in North America which is involved in construction of transnational community through press and modern media including internet. Williams and Copes (2005) has shown how participants in straightedge internet forums negotiate contest and transform the subcultural identities. Similarly Stokes (2007) demonstrate how Black American Girls self define through internet home pages. Some of these girls resist sexual scripts perform by others, media stereotypes about Black Girls and autonomously construct self definitions (Stokes, 2007: 178). Lysenko and Desouza (2012) elaborates on the role of internet in the

Moldova's revolution of 2009. Recently the phenomenon of Arab Spring is studied by the scholars to understand the role of internet and particularly social media in causing or facilitating political movements or revolutions (Comunello and Anzera, 2012).³³ Comunello and Anzera (2012) argue that one must not jump to conclusion by overemphasizing or underemphasizing the role of social media in political movements such as Arab Spring. In a very diligent way Whitaker (2004) explains how Sri Lankan Tamil choose to tell the world about their community through a news website tamilnet.com and thus making internet an ethnographic site to be studied by the anthropologists. They not only challenge and resist the media reports about the Tamil but also advance their communal interests through internet.

This study represents an effort to understand Pakhtun's struggle in a conflict situation. Their struggle constitutes online debate about their ethnic identity and cultural markers associated with their ethnic identity. Most importantly, they debate the religious aspect of their ethnic identity. However, this discussion is not limited to cyberspace, it is simultaneously held in cultural spaces such as *Hujras* and *Jirgas*. The debate thus demonstrates that Pakhtuns have been using both cyber and cultural spaces despite the fact that these online and offline worlds have different dynamics. Cyberspace is an alternative available to young, educated Pakhtuns who can articulate in less threatening environment than the cultural spaces which may exhibit serious perils in the ensuing conflict in the region.

Nevertheless, this study is not the first one to elaborate on the virtual debate on identity among Pakhtuns. Edwards (1996) has added an excellent discussion on the internet messages posted on news associated websites in 1994 when the rise of TNSM alarmed internet users to debate the phenomenon of religious radicalism. In fact what started as a commentary on the news report added by one of the participants the discussion became heated discourse from entrenched positions through which participants discussed the role of Islam in Pakhtuns society, the

³³ Social Media is ' a group of internet based applications... that allow the creation and exchange of user generated content' (Kaplan and Haenlein, 2010).

relationship of culture and religion in Pakhtun society, increasing radicalism in the region. Below is an effort to take that discussion further and see how Pakhtuns have been meaningfully engaged in a debate about their ethnic identity through cultural and virtual spaces.

Methodology

The broader research questions guiding this research work include; is there a discernible debate about identity among the Pakhtuns? What means are adopted for these debates? What kinds of participants are involved in these debates? What is the subject of these debates? How these debates are related to the current conflict in the region? Do these debates represent continuity or change?

To answer these questions the paper proposes that there is a significant, vibrant and lively debate about the Pakhtun identity. Such a debate is carried out at multiple spaces particularly at cultural spaces and virtual spaces. Just as these spaces (online and offline) are not very disconnected the content of the debate carried out at these spaces is also not dissimilar. It also claims that the subject of these debates is the features of Pakhtun identity and their relationship with other identities within the context of recent conflict. Most importantly, how Islam and cultural features are juxtaposed and how they represent continuity and disjunction.

To answer the above questions diverse data has been used. Primary data was collected through interviews conducted in the fieldwork in Malakand between 2008 and 2009 to investigate debates in cultural spaces such as *hujras* and *jirgas*. Primary data in form of views and analysis from internet forums was collected to see debates in virtual or cyberspace. Finally, secondary data in form of news reports and articles on Peace *Jirgas* held in Peshawar and Kabul to look into debates among the elites. The most substantive section of the paper includes analysis of data collected from internet forums though.

Although there are many forums, newsgroups, social networking sites that are engaged in the debate from their particular perspective however, I have included only two such forums such as Global *Hujra* hosted by Khyberwatch (<http://www.khyberwatch.com/forums>) and Pashtun Forums (<http://www.pashtunforums.com>). These two claim to

have advantage over other forums through quality and quantity of posts and visitors. The post studied were initiated from 2007-2010.

Besides, internet forum this study will explore identity processes in cultural spaces such as *hujras* and *jirgas*. These spaces although are functional since long but they are undergoing change that carries interesting implications for us to study. Although they have been identified as traditional spaces, the dichotomy between traditional versus modern is not very conspicuous. The reconstituting *hujra* as Global *Hujra* on internet alludes to a conscious effort to blur the boundary between traditional and modern.

Pakhtun Identity

There is no dearth of literature on the Pakhtun identity maintenance. The classical anthropological work of Barth (Barth, 1959, Barth, 1969b) and Ahmad (1980) focused on the basic features and maintenance of identity across ecological variations. The current literature (Anderson, 1983, Edwards, 1996, Edwards, 1990, Banerjee, 2000, Ahmed, 2006) focuses on the dynamics of the ethnic features. More recently scholars have revisited the relation of religion and culture expressed through identity (Jan, 2010: 160, Bartlotti, 2000). This study sustains this tradition by exploring identity making processes employing multiple spaces in a conflict situation. However, it is necessary to briefly outline the repertoire of identity markers Pakhtun associate with their Pakhtunness. These include the Pashto language, tribal organization and patrilineal lineage, cultural code (*Pakhtunwali*) which includes the features of hospitality (*melmastia*), council (*jirga*), seclusion of women (*pardah*), revenge (*badal*) and a range of other ideals, and finally the religion Islam.

Islam and Pakhtun Identity: Convergence and Divergence

Central to theme of the paper is the discussion on the relation between Islam and Pakhtun identity. The paper suggests that previously Islam was a tool to resist all foreign invasions particularly invasions into autonomy, but Islam or certain interpretation of Islam is currently perceived as a part of a problem. That is the reason the discourse engages the very identity of Pakhtuns and revisits the constituent features of

identity. It is in this line that *hujra* as a cultural space is reconfigured as a virtual space. The very name of the forum as *Global Hujra* is evident.

There is a consensus in the anthropological and political literature on the centrality of Islam to Pakhtun identity.³⁴ Barth (1969b) elaborates that, Pakhtun customs are always imagined to be in line with Islamic preaching. Ahmed supports this position and reports, 'Pukhtunness and Muslimness do not have to coalesce they are within each other, the interiority of the former is assumed in the latter' (1980: 107). Shah endorses these arguments and posit, 'for the Pathan Islam was one of the principal constituents of their self definition, with a Muslim way of life and Pathan tradition being taken as complementary attributes of their identity' (1999: 34). However, Ahmed argues that where there is contradiction between the customs and the Islamic law, such as denial of inheritance rights to women and charging interests on loans, Pakhtun would recognise it with guilt (1980: 106). Bartolitti would disagree with Ahmed and argue that Islam and Pakhtunwali have 'boundaries and disjunction between them' (2000: 76) and that Pakhtuns construct symbolic and situational Muslimness.

Edwards (1990) in an interesting study of Afghan refugees in Pakistan explored the relationship between the cultural and religious aspects of Pakhtunness. He elaborates from an encounter between the Mullahs (religious group) and the tribal Pakhtuns on the issue of music and dance. Mullahs deemed dance and music religiously inappropriate and intervened to stop it, this act of Mullah was resented and reacted by the tribal Pakhtuns. Edwards argues that social actors attempted to establish boundaries between cultural performance based in tribal identity and religious identity (1990: 95-96). Moreover, he alludes to the power relations manifested in this contestation. He argues, 'in refugee context, the political and financial power wielded by religious authorities has upset the traditional balance of religion and tribe and has created a disjunctive between fundamental aspects of their identity' (Edwards, 1990: 96).

The significance and closeness of Islam to Pakhtun identity is reflected through its consistent use in the domain of local, national or

³⁴ See Barth (1969b), Ahmed (1980), Glatzer (1998), Shah (1999), Banerjee (2000), Rittenberg (1988) and Spain (1972).

regional politics. Looking into the ethno-nationalist *Khudai Khidmatgar* (KK) movement of Ghafar Khan, Banerjee (2000) finds it imperative for any political or social movement to refer to Islam. She argues, 'One of the reasons for the KK's great success was the extent to which its ideology was grounded in both Islam and Pukhtunwali' (2000: 160). Perhaps it was because Islam is also an effective unitary force as it was used as an instrument by the religious leaders to unite Pakhtuns in times of crisis (Rittenberg, 1988).³⁵ Edwards (1996) argue that there are three contradictory moral codes in Pakhtun society i.e. Honour, Islam and Rule (State); manifested in the institutions of Tribe, religious leaders, and the State. Least concerned with the institutional presentation of these codes Edwards worked on how these three are incompatible, yet tried to be reconciled in vain (in Afghanistan). Recently the rise and fall of the religious parties' alliance MMA (*Mutahida Majlis-i-Amal*) in Pakistan was keenly observed by scholars to see the use of Islamic symbols or rhetoric in electoral politics in Pakhtun regions. Enormous discussion in the literature on the religious ferment in the region focuses on the relationship between *Pakhtunwali*, Islam and the tribal way of living in Pakistan and Afghanistan.

It is noteworthy here to suggest that features and notions of Pakhtunwali are not fixed and static. Despite external and internal socio-economic and political pressures, Pakhtunwali features survive. However, this does not mean that they have been changing and reshaping. Ahmed argues that despite the pressure from the encapsulating system (State of Pakistan) *Pakhtunwali* is still alive among Mohmand Pakhtuns perhaps through 'the rephrasing of its idiom or reordering of its priorities' (Ahmed, 1980: 348-349). Banerjee also concludes that the 'notions of Pakhtunness therefore are not static but rather the subject of negotiation and innovation' (2000: 14-15). Bartlotti (2000) in his study argued that Pakhtuns through proverbs 'reconstruct and negotiate notions associated with Pashtunness and Muslimness'. He argues, 'Pashtunwali as a symbolic system is malleable. It can be used and shaped, manipulated, constructed, deconstructed, and contested...' (Bartlotti, 2000: 348).

³⁵ Also see Haroon (2007), Edwards (1996), Glatzer (2002).

Debates about Pakhtun Identity

Identity Debates in Cultural Spaces

Hujra is a male guest house and the site of performing a very important Pakhtun cultural feature i.e. *melmastia* (hospitality). However, *hujra* is having wider cultural, social (Ahmed, 1976: 65, Lindholm and Meeker, 1981: 445-446, 448) and political functions (Barth, 1959: 80). The function of *hujra* is also undergoing transformation in recent time. In Malakand where *hujra* has lost most of its previous political functions of 'gift distribution' (Barth, 1959: 80), still retains some of its social and political role. Besides its function of distributing patronage, in very limited sense during elections, it has primarily become the site of hospitality to friends and guests. It has, thus, become a training institution for the younger generation where the ideal Pakhtun behavior is consummated. It guides and teaches the youth, how to behave in social interaction, mostly through the diverse friendship gatherings in *hujra*. These very peer or friendship circles in *hujras* would often involved formal and informal dialogue and discussion. These gathering provide useful insights into identity related discussions in Pakhtun society.

Jirga is an important institution of Pakhtun society which refers to the 'council of elders' (Ahmed, 1980) or 'Public assemblies' (Barth, 1959: 119) that solve disputes and its decisions are accepted by the parties in conflict.³⁶ It involves dialogue and discussion which leads to consensus that is often translated into meaningful decisions. The multiplicity of forms and roles it performs is widely reported (Ahmed, 1980: 90, Wardak, 2002, Ali and Rahman, 2001: 51). However, *jirga* is going under transformation over the years. The most recent example is of Aman Jirgas (Peace *irgas*). A number of Aman Jirgas (Peace Jirgas) were held since 2001. The first in the series of peace *Jirga* was *Pakhtun Aman Jirga* (Pakhtun Peace Jirga) convened by the Pakhtun nationalist political party of Pakistan known as *Awami National Party* (ANP) on 20th November 2006.³⁷ A second one *Qaumi Aman Jirga* (National Peace *Jirga*) was

³⁶ These councils could be 'ad hoc meeting' or an 'instituted tribunal' (Barth, 1969b: 121).

³⁷ Most of the discussion in this study is based on this *jirga*. Two renowned experts on this region wrote about this *jirga* and I have taken most of the

convened by a nationalist leader associated with ANP known as Afzal Khan in May 2012. These *jirgas* invited Pakhtuns from different walks of life and were both held in Pakistan. Similar kind of initiative were taken by the governments of Afghanistan and Pakistan. Two such *jirgas* invited considerable attention, i.e. Joint Pak-Afghan Peace *Jirga* 2007 (Bijlert, 2010) and Consultative Peace *Jirga* in Kabul June 2010 (Saba).

These *jirgas* have been convened by the nationalist elite or governments of Afghanistan and Pakistan. These *jirgas* are quite different from traditional *jirgas* as they appear more like ‘conferences or workshops’ (Bijlert, 2010) where the conflict situation in the region is discussed and solutions are suggested. However, they do not end up with decisions of binding nature. This is mainly because they are not convened for such purpose. They are actually convened to find ways to change conflict situation through consultative process. Therefore, the gathering often ends up with a visionary/positive note of agreement that demonstrates the resolve of the political leadership to contribute to peace in the region. Although there is more rigorous research needed to explain the impact of these *jirgas* on the conflict but the very process of conducting such gatherings has multiple implications. First, the *jirga* ensure continuity of the spirit of dialogue which is so central to Pakhtun society, Secondly, they represent transformation and dynamism in cultural institutions that can be employed or reemployed for a variety of purpose. Finally, the membership, participation, conduct of business, the content of debates in these *Jirgas* has potential to be studied by researchers. This phenomenon will also give valuable insights into social interaction among Pakhtuns and behavioural change over the years.

The Discourse in Cultural Spaces

Before we embark on the details of the debates in *hujra* and *jirgas*, it is important to reflect a bit on the participants of these debates and discourse. The *hujras* in general are visited and inhabited by Pakhtun men. This study uses research diaries from the field work done by author in Malakand (2009-2010). These diaries recorded observations of the

information from their reports. These include Ahmad Rashid (2006) and Rahimullah Yusufzai (2008).

debates and informal chat in *hujras* about the current conflict and Pakhtun identity. The participants in these discussions ranged from younger to elderly Pakhtuns of Batkhela, Malakand. The Peace *Jirgas* selected for this study are primarily Pakhtun elite which is divided in the current conflict situation. Following is the detail of these polarized elite. In the background of Afghan Jihad, radicalisation of religious schools of thought (Nasr, 2000) and the emergence of “neo-Taliban” (White, 2008a), has not only created two hardened positions held by Pakhtun nationalists and religious radicals, but also generated discourse about the relationship between Pakhtunwali and Islam.³⁸ Through these hardened positions the relationship between Pakhtunwali and Islam is interpreted in essentialized way. Moreover, electoral swing from religious parties to nationalist party has been under the influence of this discourse.

The first kind of elite is religious elite, they have deeper inroads into the State and society through their educational institutions, their recognized role of being the guardians of public morality, their regional influence and their stakes in State’s nationalist discourse. Religious elite has been very diverse. They include members from religious political parties such as JUI and Jamaat Islami and militant elements such as Taliban and TNSM. Ethno-nationalists have been less recognized and appreciated by the State, but their recent electoral victory and increasing public disappointment in face of unrest in the region at the hands of Islamist strengthen their position. These include political parties such as Awami National Party, Pakhtun Mili Awami Party and Pakhtun nationalist intelligencia.

These diverse Pakhtun elite represent different understanding and perspectives of the current conflict and Pakhtun identity. These different perspectives can be observed in the debates of these elite in Peace *Jirgas*.

“Much of the debate focused on defining the two traditional centres of Pashtun values - the *masjid*, or mosque, and the *hujra*, or the seat of the tribal chief. In other words, the power of religion and secular

³⁸ A Pakhtun peace Jirga was held in Peshawar in November 2006, where these positions were openly demonstrated by the nationalist leaders of ANP and Pakhtunkhwa Mili Awami party and the religious parties such as JUI. See Rashid (2006a) and (2006b).

political power. While clerics defended the Taleban saying they had united the two, others insisted they must be kept separate if the Pashtuns were to survive as a nation. The debate on Pashtun identity has just begun...” (Rashid, 2006).

Pakhtun nationalists, both Awami National Party, *Pakhtun Mili Awami Party* and Pakhtun nationalist intelligencia have been overemphasising on non religious credentials of Pakhtun culture and relegate secondary role to religion. Such thinking is reflected through their argument that religious sentiments and association of Pakhtun have long been exploited by the State of Pakistan to gain strategic victories in Afghanistan and promote its assimilation efforts. They often refer to the secular and non violent credentials of *Khudai Khidmatgar* movement of Ghafar Khan.³⁹ This nationalist discourse about the place of religion and the extent of its influence in Pakhtun culture and society is often ignored in the literature that see the intermeshing of Jihad and *Pakhtunwali* (Verkaaik, 2007). This discourse appears to be a discourse of resistance, which challenges the interpretation of Pakhtun code in religious terms. In fact it refers to the destruction of the Pakhtun culture and values at the hands of the Taliban.

On the other hand religious elite have a very different perspective of Pakhtun identity and the current crisis. They have been alluding to the centrality and pervasiveness of Islam in Pakhtun society. They have even interpreted Pakhtun cultural elements such as ‘honour’ by giving it religious connotations.⁴⁰ They have also appealed to the traditions of religious millenarian movements of colonial era. The effort of the protagonists of these positions is to establish the dominance of one over the other. Consequently, they are creating two polarised positions and a space that highlights the disjunction between Islam and *Pakhtunwali*.

Edwards (1990) in an important study in Afghan refugee camps in Pakistan has observed the tension between the religious class and the

³⁹ Ironically KK leadership did appeal Islam and *Pakhtunwali* (Banerjee, 2000).

⁴⁰ TNSM leader in Batkhela defined honor to be struggle in the way of Allah and Islam. This could be a very narrow interpretation of the term, if one look at the understanding of the term by anthropologists such as Ahmed (1980) and Barth (1969b).

tribal Pakhtuns. He reported that mullas prevented music and dancing in the camp which was resisted by the tribal Pakhtuns. The encounter between the two in the argument of Edwards refers to attempting boundaries between cultural performance (tribal identity) and religious identity by social actors. Therefore, the power wielded by religious authorities disturbed the “traditional balance of religion and tribe and has created a disjuncture between fundamental aspects of their identity” (1990: 95-96).

Edwards posit that in the refugee context, the dichotomisation between ‘those who uphold tribal patterns and those who profess primary allegiance to Islam as practical code of social behaviour’ is increasing (1990: 97). He reports that in the refugee environment the balance has swung in favour of religious groups which cherish a different ethical ideal than the tribal ideal of *gheyrat* (defined by him as ‘self determination’). This ideal is *taqwa* (piety) which is characterised by ‘submission’ (to both faith and the religious elite) rather than ‘self determination’ (*gheyrat*). Therefore, ‘both *gheyrat* and *taqwa* are ideals of personal conduct that express and help to enforce general notions of social propriety’ (Edwards, 1990: 97).

Moreover, the above discussed discourse is also manifested in the electoral trends in Khyber Pakhtunkhwa. The electoral victory of the Pakhtun nationalists (2008) is an important event as was the victory of Islamic parties (MMA). It happened in such succession that it will not be inappropriate to see it as a possible consequence of each other. On the one hand it signified the presence of two very different electoral forces in the province on the other it referred to a trend (probably positive) that people’s choice is not always based in clientelistic considerations.⁴¹ Most importantly, the vote negated some of the assumptions that radical elements represent popular sentiments of the region. I tend to avoid explaining popular support swing but insist that the pattern signifies the discourse which reevaluates the relationship between the constituent elements of Pakhtun identity, which in time may redefine Pakhtun identity. The dialectics of the discourse are in the positions taken by religious groups and ethno-nationalists.

⁴¹ see Wilder (1999) for voting behavior in Pakistan.

The discourse is not just limited to political elite articulating in grand *Jirgas* but in the local *hujras* also. Due to widespread access to media and other information sources, people in Malakand have been informed by the discourse, shared their concerns about the growing tension in the region and raised questions about the foreignness of the idea and method if not the membership of militant organizations. Most of the concerns were raised by the younger and educated Pakhtuns in Malakand. They also endorsed the nationalists elite criticism of the State's contribution to the unrest. State's involvement cannot be entirely discredited as reports about secret agencies (ISI) plan to establish a "Talibanized belt" in FATA to pressure Afghan government (at least till 2004) is documented (Rashid, 2008: 269-270).

Debates in Virtual Space

The discourse is not just limited to cultural spaces, it is equally visible in cyberspace. The educated and intellectual Pakhtuns (in Pakistan and the diasporas) are more actively involved at such spaces. Numerous organizations, peace forums, literary circles, websites are dedicated to contribute to this discourse. Such discourse has informed and engulfed lay man to an educated Diaspora. Due to widespread access to media and other information sources. Below is the discussion on the participants in these debates and the content of the debates conducted online.

The number of participants is not very high roughly 600 visitors every day. However, the frequent visits, quality of posts and commitments shown by the participants is significant. Participants claim to be from diverse background and their reflections give much credibility to their views. Internet forums facilitate linkage between the Pakhtuns living in Pakistan and Afghanistan and the larger Pakhtun diaspora. They engage across these national divisions through the medium of internet and the cyberspace created for the purpose of debate. Most of the posts are in English; however, occasionally posts are in Pashto with either Pashto text or English text.

After discussing the participants briefly, we need to explain the presentation of self by these participants on internet. The presentation of self on internet, the identification and credibility of the participants are

issues related to internet forums but the way the emotional exchanges, community spirit and understanding is demonstrated reduces some of these issues to trivial.

“Man! If you ask me those contributing on KW (Khyber watch)...Pashtunforums... Believe me, half of them I know personally and even can write their names, locations and can tell you the name of their kids. They are not too many indeed, they are few in numbers. I am dealing with them for many years.”
(Zahid Buneray, *Global Hujra*).

The element of strangeness in the encounters on internet is also significant. The participants are strangers but they have established an online rapport through their consistent interaction over time and their belonging to a certain mindset.

“We were able to make friends through Khyber Watch that we could not have made through other forum including our Universities. We cannot forget Khyberwatch” (Gohar Nangyal, *Global Hujra*).⁴²

This takes further the discussion started by Edwards about the strangeness of the posters. Also Anderson’s explanation of strangeness in non-tribal or urban situations is reconfigured through internet. Also the element of violence as posited by Edwards is also relevant. Although, there were exchanges that refer to violence, but I could also see a spirit and eagerness to accommodate each other on many occasions.

Internet forums facilitate linkage between the Pakhtuns living in Pakistan and Afghanistan and the larger Pakhtun diaspora. They engage across these national divisions through the medium of internet and the cyberspace created for the purpose of debate. The expression of a poster, claiming to be the supporter of Taliban, is meaningful in this context. He writes, all those people who are talking against taalibaan are generally living in *kaafir* countries (*Darul-harb*)” (Sarkaan). Through such assertions the poster alludes to the strangeness of the non-compliant posters by describing them diasporas having lost their basis in the region and no sympathy with the people of the region. Although, the views

⁴² Author’s translation from original Pashto text.

condemning such assertions are overwhelming, the assertions possess insights into the division between Pakhtun diaspora and the rest of the Pakhtuns.

Through internet forums the very purpose of the exploiting virtual space to the benefits of the ethnic community is expressed. In an interesting discussion on one of the threads the participants expressed their desire to utilize the space for the benefit of Pakhtun community even with a spirit to shelve mutual rivalries between the forums.

“Pakhtun voice needs to be heard. I do not care who and which forum it is. As long as there is a forum that shows the world that we are intellectual people and may have our difference but we can debate each other and learn from each other” (Laevany, *Global Hujra*).

The very existence of these forums is testament of the younger people’s ordeal in-wake of current crisis and their non-violent dialogical resistance. They tend to provide a space to the internet users for the purpose to encourage dialogue. One such poster spogmai asserts that he/she benefited from these posts and that she/he believes that all participants of these forums are well-wishers of Pakhtun. She has shown concern that “we are on the verge of extinction!”. Moreover, she sought guidance through these forums.

After discussing the participants and their self presentation, we now elaborate on the content of these debates. These debates provides valuable insights into the identity processes. Although the broader debate demonstrates the understanding of Islam as feature of Pakhtun identity; but since the discourse takes place in the context of current unrest it unfolds into arguments involving radical Islam and Pakhtun identity. Therefore, views expressed directly target the foreignness of Taliban, the role of non-local agents, the compatibility of Taliban ideology with culture, etc. Thus the Muslimness becomes radical Muslimness and Islam becomes radical Islam. This hotchpotch and juxtaposing has been contextual.

The question of the relationship of Islam with Pakhtun identity is taken as a gamut of questions rather than a single exclusive query. The spectrum or dimensions of this question include;

1. Whether culture (*Pakhtunwali*) predates religion (Islam, Judaism, Buddhism). Pakhtuns being Buddhist, Christians or Jews before Islam. Can Pakhtun be other than Muslims by religion.
2. Sectarian affiliations, transformation and identity. Taliban being ‘*Wahabi*’ and thus close to Arab culture and off from Pakhtun culture.
3. The radical religious elements involvement in the destruction or protection of Pakhtun cultural values and norms.
4. Sharia as a source of Islamic law, its interpretation and utility for Pakhtun region.
5. Islamic ideology of Pakistan promoted through Taliban brand of Islam and the issue whether they are ‘actually’ Punjabi or Pakhtun (ethnic identity).
6. Muslimness being identity feature and it comes before Pakhtunness.
7. The role and position of Mullah in Pakhtun society. Mullah versus Khan debate.
8. Are Taliban a cultural construct? Juxtaposing whether Western secularism or Taliban are detrimental to Pakhtun culture. Secularism is understood as ‘material greed’, ‘quest for wealth’ and western cultural invasion.
9. Mutually replacing self-perception of being pro-Taliban or pro-Taliban or the associated dichotomy of having one and losing the other.

In an interesting encounter among the participants on question of taliban’s association with Pakhtun ethnicity and identity, a distinct rift can be witnessed. Although most of the posters would address this issue through their reference to disjunction between Pakhtun culture and Islam, some would emphasize the embeddedness of Pakhtun culture in Islam. Identifying various dimensions of talibanization in the region Pir-Rokhan argues that a cure is needed for the aberration manifested in the rise of this phenomenon. He suggests that anti *Wahabi* ideology in Punjab and ‘scientific nationalism/socialism’ in FATA will cure the menace. Another participant, dardmand suggests the roots of Taliban ideology in Pakistani

ideology, “in fact Talibanization is the decaying form of Pakistan ideology...” and the same ideology, he argues, is the “real frankenstein monster”.

The debate is turned lively by the entry of a participant who identifies himself with (Pakhtun Taliban) Taliban and mentions his madrasah education and Pakhtun credentials along with his sympathetic inclination towards Taliban. Surprisingly he argues that Pakhtun culture and faith can both be saved by Taliban. He does not see boundaries or disjunctions.

“And how can we ban those women who have gotten rid of pakhtun culture and running naked in the streets of some cities of pakhtoon? I think we must follow taalibaan to save our culture and eeman” (Sarkaan).

Such a post not only shocks other posters but also invite charged diatribe. The idea that Taliban will protect Pakhtun culture is strongly resented such as Dardman. Dardmand argues that Taliban ideology is against all cultures except Arab.

In one of the posts Sarkaan the supporter of taliban puts this query to the posters that why they do not demonstrate tolerance or accept the Pakhtun credentials of Taliban. He identifies himself a pakhtun talib. Although, it is difficult to justify the credentials of the posters form these online ananymous environment, this probabl ‘avatar’ of Talib is significant as it demonstrates that the cyberspace can provide opportunity to express sentiments and views in support of Taliban which in real world would borne risks. Sarkaan in response to an allegation that he is the enemy of Pakhtuns replies that he is Pakhtun talib. In response the accuser argues that Taliban melgary are the da pukhtano dushmen de. The dichotomy is stressed to emphasize that pro Pashtun and pro taliban cannot be accommodated. Another participant Erlagner argues that Islam as religion is supported by everyone but the interpreted Islam through the agency of mullah is not acceptable in fact people are against mullah not Islam. Advocating the cause of Taliban Sarkaan writes that they are in just cause. He also defines them as young, poor force which wants to implement the law of God. They are not Punjabis.

Referring to various posts on the forum spogmay argues that although they are intelligent and beneficial but in their arrogance may hurt the religious feeling of others. Also “Respecting the limits, people may also argue about those aspects of religion that are directly or indirectly hindrance to Pakhtun causes” (spogmey).

Another debate refers to sin/infedel and virtue/Islam. In a very interesting way the division between Islam and *pakhtunwali* is reduced to the utilitarian concept of religion. Islam if serves as a tool to serve the interests of Pakhtuns. A poster argues that whatever detrimental to Pakhtun *millat* (nation) is *kufar* (infidel/sin) and whatever is for their progress is virtue and Islam (sawab ao Islam):

“Kum ceezuna chey da pukhtun millat lapaara muzir yee hagma kufar aw gunnah dee aw kum chey millat da parmakhtag lapaara kha yee hagma sawab aw islam dey”.

In the virtual discourse the participants emphasize the disjunction between religion and culture in two distinct ways. They detach Islam from Pakhtun culture by referring to the non-religious/secular aspects of *Pakhtunwali* and emphasize that the current religiosity in the region has negative impact on Pakhtun society and culture therefore, being secular is best way to be a Pakhtun. Expressions that “I am first a Pakhtun” or *Pakhto* as a “*mazhab*”, “poor taking refuge in religion” etc. Secondly Pakhtun culture and religion are imagined to be coalescing in way that Islam is necessary part of the identity. However, recent Talibanization need to be detached from Pakhtun culture as it is detrimental to Pakhtun culture, society and economy. Most of the posts adhere to the former view. Whichever, way is conceived to explain the relationship between culture and religion, the focus and emphasis remains on the rejection for the Talibanization as a cultural construct. The disownment of Taliban is pervasive yet there are dissidents to this view.

Conclusion

The debates on identity have significance from three dimensions. The means adopted for the debates, the composition of the participants and the content of the debates. The means refer to the involvement of cultural

and virtual spaces, their transformation over the years, their inclusively and exclusivity and the manifested efforts to blur the division between traditional and new. While the traditional means allude to continuity the new means refer to change and flux. Similarly, the composition of the participants has greater relevance. Where traditional means and institutions are utilized by the elite, the new means are adopted by the younger educated masses. The diversity within these two groups is intrusive, the traditional elite is divided on the basis of their political ideals and ideology into the nationalist leaders (political figures) and religious leaders. The contested positions taken by both refer to the increased polarization in Pakhtun society. More importantly the participants of internet debates represent greater diversity. They include Pakhtuns of different tribal, national and religious affiliations. However, the greater issue concerning these participants is the presentation of self on internet. When they connect to the virtual world they may adopt different identities than those they have in real physical world. Both these categories of participants such as elite and educated young masses show enormous interest keenness and passion to negotiate contest and reframe/maneuver the features of identity.

Finally, the paper also demonstrate that content of the debate is significant. It involves the features of identity, particularly the relationship of Islam with Pakhtunwla. It highlights continuity and disjunctions in this relationship.

The overall discussion in this chapter substantiates how dynamism is an inherent feature and not an aberration of Pakhtun society. Pakhtun demonstrate stupendous acumen and sensitivity to their situation and convert such sensitivity and empathy into an opportunity to understand themselves and the extended world they are part of. Studying identity processes help revealing such propensity and peculiarities.

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Appendix
Conference Program
14 November, 2011
Inaugural session
Time: 10:00 – 11:00

- 1000-1005** **Recitation from the Holy Quran**
- 1005-1010** **Introduction to the Conference**
Prof. Dr. Taj Moharram Khan
Conference Coordinator
- 1010-1015** **Opening Remarks**
Dr. Martin Axmann,
Resident Representative Hanns Seidel Foundation,
Islamabad.
- 1015-1025** **Welcome Address**
Prof. Dr. Azmat Hayat Khan
Vice Chancellor, University of Peshawar.
- 1025-1045** **Inaugural Address by the Chief Guest**
Barrister Syed Masood Kausar,
Governor, Khyber Pakhtunkhwa
- 1045-1100** **Group Photo Session**
- 11:00-11:30** **Tea Break**

Panel: 1

Time: 11:30-13:00

Identity, Ethnicity and Cultural Transformation:

Chair: Prof. Dr. Jamal Malik

Chair of Islamic Studies,
University of Erfurt, Germany.

**1130-1150 Continuity and Transformation in the Wider
Pukhtun World: Perspectives from the Central
Asian Trade Routes**

Dr. Magnus Marsden,
Senior Lecturer,
The School of Oriental and African Studies, London.

**1150-1210 Current Unrest and Ensuing Discourse among the
Pakhtuns**

Dr. M. Ayub Jan,
Lecturer,
Department of Political Science, University of Peshawar

**1210-1230 Identity Maintenance and Reconstruction,
Transformation in Cultural Features, Ethnic and
National Sense of Belonging.**

Mr. Hafiz Abdul Basit,
Researcher,
Pakistan Institute for Peace Studies, Islamabad

1230-1300 Discussion and Remarks by Chairperson

1300-1400 Lunch Break

Panel: 3

Time: 16:00 -17:30

Power Relations, Governance and Political Development

- Chair:** **Dr. Taj Moharram Khan**
Professor,
Department of Political Science, University of Peshawar
- 1600-1620** **How Agents of Economic Development Interact with
Complex Dynamics of Regional Governance in
FATA**
Brian Kerr,
University of Edinburgh.
- 1620-1640** **Changing Dynamics of Pakhtun Politics in KPK**
Dr. Razia Sultana,
Chairperson,
Department of History,
QAU, Islamabad.
- 1640-1700** **The Characteristic Traits of Terrorism and
Interpretation of Jihad by Al-Qaeda and the Taliban
in Pak-Afghan Pakhtun Society**
Dr. Hussain Shaheed,
Assistant Professor,
Department of International Relations, University of
Peshawar
- 1700-1730** **Discussion and Remarks by Chairperson**
- 1930** **Dinner and Cultural Event for Speakers.**

15 November, 2011

Panel: 4

Time: 09:30-11:00

Religion, Militancy and Resistance

- Chair:** **Prof. Dr. Qibla Ayaz**
Director,
Institute of Arabic and Islamic Studies, University of
Peshawar
- 0930-0950** **Some Critical Remarks on Madrasa Reforms as
Proposed by the Government of Afghanistan (2007)**
Dr. Jamal Malik,
Chair of Islamic Studies,
University of Erfurt, Germany.
- 0950-1010** **Individuals and Social Change in Pakhtun Society: A
Case of Dr. Farooq Khan**
Dr. Abdul Rauf,
Associate Professor,
Department of Political Science, University of Peshawar
- 1010-1030** **Christian Minorities in Pakhtun Region of Pakistan**
Mona Saleem,
Research Student
Department of Political Science, University of Peshawar
- 1030-1100** **Discussion and Remarks by Chairperson**
- 1100-1130** **Tea Break**

Panel 5

Time: 11:30- 01:00

Social Transformation, Gender and Masculinity

- Chair:** **Rahimullah Yusufzai**
Resident/Executive Editor,
The News International.
- 1130-1150** **Gender, Reconstruction and Peace Building in
Conflict Societies: An analysis of Pakhtun Region**
Miss Hina Shahid,
Lecturer,
College of Liberal Arts and Sciences, Foundation
University, Islamabad
- 1150-1210** **The Dynamics of Change in Pakhtun Society:
Electoral Process and Women.**
Mr. Iqbal Arif,
Lecturer,
University of Engineering and Technology, Peshawar
- 1210-1230** **Recent Times and Gender Relations amidst Pakhtuns
of KPK: Interplay of Regressive and Progressive
Forces.**
Miss Kaneez Fatima,
Regional Gender Coordinator
Surhad Rural Support Programme.
&
Miss Noreen Mahmood
Institute of Management Sciences, Peshawar
- 1230-1300** **Discussion and Remarks by Chairperson**
1300-1400 **Lunch Break**

Closing Ceremony

- 1400-1445** **Closing Remarks**
Prof. Dr. Azmat Hayat Khan
Vice Chancellor,
University of Peshawar
- 1445-1500** **Concluding Speech (Hanns Seidel Foundation)**
Sarah Holz
Programme Coordinator at Hanns Seidel Foundation
Islamabad
- 1500-1510** **Concluding Speech (Department of Political Science)**
Prof. Dr. A.Z. Hilali
Chairman
Department of Political Science,
University of Peshawar.
- 1510-1530** **Summarizing and Vote of Thanks**
Dr. Taj Moharram Khan
Conference Coordinator
- 1530-1600** **Informal interaction and conversation of MPhil/PhD
Scholars of the Department with the presenters at
University of Peshawar Guest House.**
- 1900** **Dinner for Speakers at University of Peshawar Guest
House.**