

TRIBES, PASHTUNWALI AND HOW THEY IMPACT RECONCILIATION
AND REINTIGRATION EFFORTS IN AFGHANISTAN

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MAP 1: POLITICAL MAP OF AFGHANISTAN

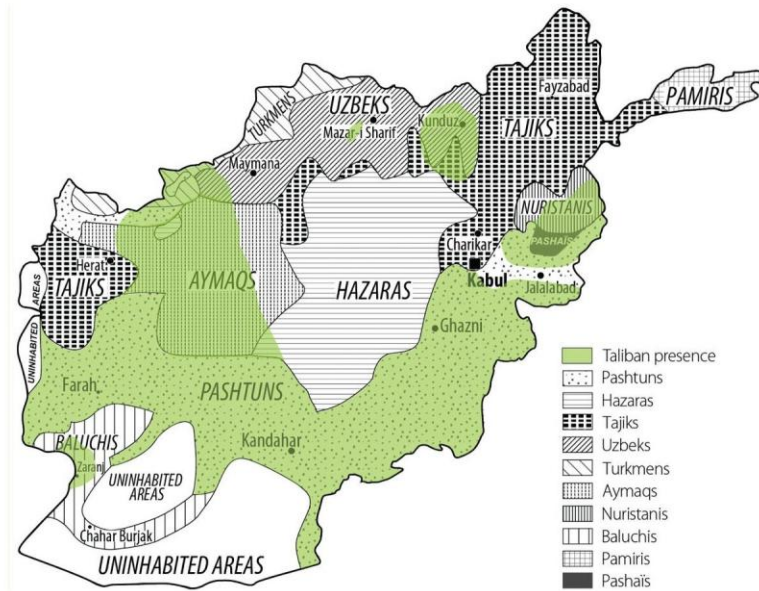


Map No. 3958 Rev. 1 UNITED NATIONS
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MAP 2: ETHNICITIES AND TALIBAN PRESENCE IN AFGHANISTAN



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MAP 3: THE FEDERALLY ADMINISTERED TRIBAL AREAS AND NORTH-WEST FRONTIER PROVINCE IN PAKISTAN



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INTRODUCTION

Once seen as consisting of defeated remnants of a failed regime, the insurgents in Afghanistan have gathered strength over the past several years and have inflicted an increasing number of casualties on American, Afghan government and NATO's International Security Assistance Force (ISAF) soldiers. 520 Coalition (American and ISAF) soldiers were killed in Afghanistan in 2009, up from 295 in 2008. 156 Coalition soldiers have been killed through April of 2010.¹ The Afghan insurgents are now the focus of a major U.S.-led counterinsurgency push. This new effort does face challenges, not only from the insurgents, but also from the American citizen. The United States has been in Afghanistan for over eight years, and many in the American public are not willing to support an open-ended commitment. After a review with his top military and political advisors, President Barak Obama ordered 30,000 additional troops to Afghanistan to roll back the gains that the Taliban-led insurgency has made. Obama does not intend for American troop commitment to Afghanistan to be open-ended, giving a date of July 2011 to begin removing troops from that country. If this "surge" of extra troops is not successful in defeating or at least diminishing the insurgency, America will be faced with the unpalatable options of withdrawing from Afghanistan without victory

¹ iCasualties.org, "Operation Enduring Freedom: Coalition Military Fatalities by Year," See:

<http://icasualties.org/oef/>

and giving a propaganda and morale boost to the Taliban, Al-Qaeda and other Islamists, or engaging in a seemingly endless warfare.

Arguably, one key aspect of winning the counterinsurgency campaign involves reintegrating and reconciling insurgents back into Afghan society. If the Afghan government is able to reconcile with members of the Taliban, the United States could reduce its troop level in Afghanistan. The question is how this might be accomplished. At a January 2010 65-nation conference on Afghan strategy and reconstruction in London, Afghan President Hamid Karzai announced another reconciliation program. The new initiative promulgated in London is especially important as it is not the first attempt to reconcile with the Taliban. The Takhim-e-Solh (PTS), or “strengthening peace” initiative began six years ago and is overseen by the National Independent Peace and Reconciliation Commission, but has obviously not been effective enough.

Most of the insurgents are Pashtuns. According to the CIA World Factbook, the Pashtuns make up 42 percent of Afghanistan’s population and are the largest single ethnic group in the country, although the other ethnicities such as Tajik, Uzbek, and Hazara outnumber the Pashtun if combined together.² Purportedly, many Pashtuns live in a tribal society and conduct their affairs according a social code called Pashtunwali. Some experts have stated that the combination of the Pashtun tribal system and Pashtunwali is the reason for the security problems that the United States faces when dealing with Pashtuns, as other tribal groups in Afghanistan do not pose the same sort of

² CIA World Factbook, “South Asia: Afghanistan,” See: <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html>

challenges.³ My paper will examine the role that Pashtun tribes and Pashtunwali might play in attempts to pull insurgent fighters away from fighting in Afghanistan. The tribal system and Pashtunwali provide opportunities for reconciliation and reintegration, but could also pose obstacles to such efforts. Tribes and Pashtunwali have been discussed as contributing to the insurgency, and tribes have been enlisted in counterinsurgency efforts, but an attempt to see how the two factors could contribute to reconciliation and reintegration efforts needs further exploration.

In an attempt to determine how tribes and Pashtunwali can aid-or not aid-the reconciliation and reintegration process, I will begin by laying out the data and methodology of in the first section of my thesis. First, I will discuss where I have obtained my sources as well as the data's strengths and weaknesses. I will then explain how I will use these sources to form my conclusions and policy recommendations.

My second section will examine the key concepts and provide a critical literature review of the current base of knowledge the topics that will undergird my analysis and policy recommendations. It is important to understand, first, the makeup and the motivation of the insurgents. Who are the insurgents and what motivates them? I will then provide an overview of tribal system, stating what it is, how it functions, and the various opinions on its relevance. Next, I will look at the concept of Pashtunwali and the role it plays-or doesn't play-in Pashtun society. The section will conclude with an examination of what is meant by reconciliation and reintegration in the Afghan context.

³ Thomas H. Johnson and M. Chris Mason, "No Sign Until the Burst of Fire: Understanding the Pakistan-Afghanistan Frontier," *International Security*, Vol 32, No. 4 (Spring 2008): 73.

The third section will examine the Afghan government's attempts to reconcile with the insurgents and discuss the possible ways in which the Pashtun tribes and Pashtunwali contribute to the insurgency and how they could be used to further reconciliation and reintegration efforts. Some of the questions I will explore include: What can tribes offer insurgents in order for them to leave the insurgency? To what extent are insurgents influenced by tribal ties? Does the code of revenge in Pashtunwali make it more difficult to achieve reconciliation and reintegration, and if so, to what extent? If a Pashtun must avenge the death of a relative, is there any hope for long-term reconciliation? What can be done to allow a Pashtun to forsake revenge while still maintaining his honor? One important aspect of reconciliation and reintegration is the role of the United States. President Barak Obama has stated that the United States supports reconciliation and reintegration efforts in Afghanistan, stating in a December 2009 speech at West Point that "We will support efforts by the Afghan government to open the door to those Taliban who abandon violence and respect the human rights of their fellow citizens."⁴ Section three will lay out some ways in which America might work with tribes and the code of Pashtunwali to promote reconciliation and reintegration.

The fourth section of my thesis will examine alternative ways by which the Afghan government and the United States can bring insurgent members "back into the fold." These avenues include religion: can mullahs and other religious figures make a convincing Islam-based argument against the Taliban; economic: can monetary and other

⁴ ABC News, "Full Transcript: President Obama's Speech on Afghanistan," See: <http://abcnews.go.com/Politics/full-transcript-president-obamas-speech-afghanistan-delivered-west/story?id=9220661&page=2>

economic incentives prove to be enough for most members of the insurgency to leave the Taliban; and political: can incentives for the Taliban, including representation in the political process, work toward reconciliation and reintegration, and if so, to what extent?

In section five, I will provide a brief wrap-up of my findings. Finally, in my sixth section, I will make policy recommendations on the course of action that the United States should follow in Afghanistan, and establish if and to what extent tribes and Pashtunwali should be made a part of such efforts.

I. DATA AND METHODOLOGY

This thesis will rely on information collected and analyzed from books, journal and scholarly articles, and newspaper reporting. Recent ethnopolitical analytical treatments and scholarly journal articles provide most of the data on the makeup of the insurgency. The works of individuals with extensive experience in Afghanistan such as Antonio Giustozzi, Thomas Johnson, Chris Mason, Seth Jones, Thomas Ruttig, Ahmed Rashid, and others inform my thesis. The anthropological background on the Pashtuns, tribalism, and Pashtunwali comes primarily from works by Charles Lindholm and Ackbar Ahmed. Lindholm spent several years in the late 1970s living and doing research with Pashtuns in the Swat Valley in Pakistan's North-West Frontier Province, where he learned to speak (but not write) Pashto, while Ahmed worked as a Pakistani Political Officer among the Pashtuns in South Waziristan during the 1970s. Their works give detailed examinations of the Pashtun tribal system and Pashtunwali and provide the point from which I will begin my research. Both Ahmed and Lindholm wrote 30 or more years

ago, and worked and lived with Pashtuns in specific areas in Pakistan and not in Afghanistan. Thus, caution must be taken in attributing all of their descriptions to Pashtuns elsewhere and at the present time, but given the lack of available anthropological work on Afghanistan in the past several decades they provide the best information available. I will use more recent journal articles, scholarly papers, and books to see how the tribal system and Pashtunwali have changed since the Soviet invasion and subsequent 30 years of war.

Data on reconciliation efforts comes from journal articles such as one written by Christia Fotini and Afghanistan expert Michael Semple as well as from newspaper articles. Major Jim Gant provided an extensive report of an American military unit working closely with a tribe and tribal leaders which provides a strong argument for tribal engagement. His tale, while interesting and providing a unique perspective, must be read cautiously as Gant does not have language skills and is not a scholar or analyst.

Much of the data that I have collected comes from individuals who have spent extensive time in Afghanistan or Pashtun areas in Pakistan, and many of whom speak one or more Afghan languages. Their experience will benefit my thesis. I have not spent time in either Afghanistan or Pakistan, so when I need to navigate differences in opinion between different Afghanistan experts I must make a judgment call on whose analysis I find most convincing, having no personal experience in the region or with Pashtuns myself. In addition, the majority of the authors whose work I am relying on are

Westerners. My thesis may have been stronger if I had been able to find more Pashtun sources or converse with actual Pashtuns.

II. CRITICAL REVIEW OF LITERATURE AND KEY CONCEPTS

I will examine four areas in this section. For reconciliation and reintegration to work, we must first understand who we are trying to bring back into the fold. To accomplish this, I will first describe the insurgency and its make-up. I will then examine the various facets of the tribal system and follow that up with an examination of Pashtunwali. I will wrap up the section by defining the terms reconciliation and reintegration and delineating the differences between these concepts.

A. OVERVIEW OF THE INSURGENCY

The rise of the Taliban in the mid to late 1990s has been extensively documented elsewhere, and I will focus on the insurgency that emerged after the overthrow of the Taliban government in Operation Enduring Freedom. The insurgents are often called Taliban, but the insurgency consists of more than just members of the Taliban. Important insurgent groups include the Hezb-i-Islami group under the leadership of Gulbuddin Hekmatyar, one of the most important *mujahedeen* commanders from the war against the Soviets, a group centered around another *mujahedeen* commander, Jalaluddin Haqqani,

tribes, both in Afghanistan and in Pakistan, and criminal groups.⁵ Most of the insurgent networks cooperate with one another to a greater or lesser degree but there is no one single insurgent organization. The determining factor of which group an aspiring insurgent supports depends on a host of factors, including tribal ties. Sébastien Trives states that in the Southeast region, insurgents from strong tribal backgrounds tend to support the Hezb-i-Islami network, while those Pashtuns who were more detribalized would fight with the Taliban.⁶

Determining the exact size of the insurgency is not possible. Insurgents do not fill out a census form and drop it in the mail. Afghan experts have made educated guesses based on their research, but these are at best an approximation of the real total. Antonio Giustozzi places the number of Taliban in 2006 at about 17,000, of whom 7,000 were considered to be “core” members of the group.⁷ Counterinsurgency expert David Kilcullen estimated in 2008 that the insurgency numbered between 32,000 and 40,000, with 8,000-10,000 being “core” Taliban. He explained the difference in numbers between his estimate and that of Giustozzi by stating that the insurgency had grown in the two years since Giustozzi made his estimate, and by including affiliated movements.⁸

⁵ Seth Jones, *Counterinsurgency in Afghanistan, Rand Counterinsurgency Study Volume 4*, (Santa Monica, Rand Corporation, 2008), 37.

⁶ Sébastien Trives, “Loya Paktia’s Insurgency (ii) Roots of the Insurgency in the Southeast” in *Decoding the New Taliban: Insights from the Field*, ed. Antonio Giustozzi, (New York, Columbia University Press, 2009), 89.

⁷ Antonio Giustozzi, *Koran, Kalashnikov, and Laptop: The Neo-Taliban Insurgency in Afghanistan*. (New York, Columbia University Press, 2008), 35.

⁸ David Kilcullen *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One*, (New York, Oxford University Press, 2009), 48-49.

Kilcullen defines core fighters as those who fight full time for the Taliban.⁹ Giustozzi asserts that the core fighters are those who spend two or three month tours in Afghanistan before retreating to sanctuaries in Pakistan to rest.¹⁰ These fighters are either students from *madrassas* who fight for ideological reasons or recruits from the villages who are primarily motivated by xenophobia.¹¹

Both authors distinguish between core and non-core fighters. Non-core fighters are recruited locally and operate on an ad hoc basis. These recruits usually fight in operations close to their homes and might not be active when their region is not the focus of insurgent operations.¹² These non-core fighters are the ones who are most susceptible to reconciliation and reintegration efforts. Kilcullen states that some of the core group can also be peeled away from the insurgency, but that there will remain a certain number of irreconcilables who will have to be killed, captured, or otherwise neutralized. He puts the numbers of potential reconcilable insurgent members at 90 percent.¹³ There is also a group of mercenaries forming an outer ring who undertake operations purely for monetary gain.

Ashley Tellis's analysis also posits three broad circles which, generally speaking, make up the insurgency. Like Kilcullen and Giustozzi, he has core group of ideological, committed soldiers at the center of the insurgency. The people outside this group, says Tellis, support the Taliban to supplement income, or because the Taliban provide public

⁹ Ibid 49.

¹⁰ Giustozzi 33-34.

¹¹ Ibid 42.

¹² Ibid 34.

¹³ Kilcullen 49.

goods which the Afghan government does not, or to protest against the government's corruption and abuse.¹⁴

Tellis's third layer of the insurgency consists of Afghan tribal leaders and important personalities in the south and east. In particular, he identifies these tribes as the Ghilzais and smaller tribes in the Durrani tribal confederation . They often support the insurgency, he says, because the Karzai government has favored "consanguineal tribes for political office, patronage, and resources." (Karzai is a Popalzai Durrani, the Durranis who support the Taliban come from different tribes such as the Alizai, Ishaqzai, and Noorzai.) These tribes feel disenfranchised and cut off from the spoils system, and lend support to the Taliban in retaliation.¹⁵ Tellis does caution that while tribal politics, structure, and rivalry are important, they are not responsible for the insurgency as such. Rather, the tribes might support the insurgency for material gain, because they think the Taliban is winning, or they perceive the Taliban to be incorruptible and a source of law and order.¹⁶

Graeme Smith writes about how many Taliban in Kandahar are fighting because of the perceived immorality and modern way of life that Westerners have brought to Afghanistan. He quotes one member of the Taliban who says that "There are some things

¹⁴ Ashley J. Tellis, "Reconciling with the Taliban? Toward an Alternative Grand Strategy in Afghanistan," (Washington, Carnegie Endowment for International Peace, 2009) 17.

¹⁵ Ibid 17-18.

¹⁶ Ibid 18.

forbidden by Islam and the Koran, like alcohol, adultery and cinemas. Why do they not stop these things which are clearly going on in Kabul and some other provinces?”¹⁷

B. OVERVIEW OF THE PASHTUN TRIBAL SYSTEM

The Pashtuns have been called “the most tribalised group of people in the world,”¹⁸ but there is some dispute among scholars and observers as to the importance of the tribal system, how it relates to the insurgency, and how it has changed in the 30 years since the Soviet invasion. My first task will be to examine the traditional tribal system of the Pashtuns to provide a framework from which to proceed in ascertaining how tribes have evolved since 1979 and if and how they can play a role in reconciliation and reintegration efforts.

A tribe provides its members with an important sense of self, an identity, and a community. David Ronfeldt, a senior analyst at the RAND Corporation, states that “tribal life can foster a vital sense of social solidarity. It feels a people with pride and self-respect. It motivates families to protect, welcome and care for each other and to abide by strict rituals that affirm their connections as tribal members to their ancestors, land, and deity. This kinship creates trust and loyalty in which one knows and must uphold one’s rights, duties and obligations.”¹⁹

¹⁷ Graeme Smith, “What Kandahar’s Taliban Say” in *Decoding the New Taliban: Insights from the Field*, ed. Antonio Giustozzi, (New York, Columbia University Press, 2009), 208

¹⁸ Vern Liebl, “Pashtuns, Tribalism, Leadership, Islam and Taliban: A Short View,” *Small Wars and Insurgencies* Vol. 18. No. 3 (September 2007): 492.

¹⁹ David Ronfeldt, “Tribes-The First and Forever Form,” in *In Search of How Societies Work*, RAND Working Paper, WR-433-RPC, (December 2006): 71-72.

According to Ahmed, the traditional tribal system of the Pashtuns consists of three major characteristics-descent from one common male ancestor, segmentary composition, and acephalous leadership.²⁰ The common, or apical, male ancestor often gives his name to the tribe-for example, the Yusufzai tribe is descended from Yusuf. Sometimes Pashtuns who live in a tribal area but whom are not actually related by blood to the tribe tend to become subsumed in the tribe and consider it to be their own.²¹ Descent is always traced through the male line, and tribal organization is patrilineal.

Segmentary lineage means that society consists of parts, or segments that are all related to one another. These segments branch out from a central “trunk.” Each segment is divided into smaller segments, and so forth. The individual is a member of a sub-section, or *kor*, then section, or *khel*, then a sub-clan, or *beg*, then a clan, a tribe, and finally the entire Pashtun ethnic group, which is supposedly descended from Qais Abdur Rashid, who is said to have been the first Pashtun to have accepted Islam.

The traditional theory on segmentary lineage society in the Middle East posits that each segment unites with those most closely related to it against more distant relations, as illustrated by the famous Arab proverb “I against my brother, me and my brother against our cousin, me, my brother and my cousin against the world.” According to anthropologists, the tribal system in Afghanistan does not function in such a manner-in

²⁰ Akbar S. Ahmed, *Social and Economic Change in the Tribal Areas 1972-1976*, (Karachi, Oxford University Press, 1977), 14-17.

²¹ Ibid 14.

fact, first-cousin rivalry is a central feature of Pashtun life.²² This is illustrated in that the word for “male father’s side first cousin” is *tarbur*, which is one way to say “enemy” in Pashto.

First cousin rivalry is so important in Pashtun society because family members compete for land from a common ancestor. As time goes by, men inherit smaller and smaller plots of land, as it is subdivided among sons and cousins. This is augmented by the limited amount of arable land in Afghanistan.

An additional aspect of cousin competition-the desire not to be outdone by one’s cousin in any endeavor-actually worked in combination with the Soviet invasion to damage the tribal system. In particular, one had to be brave and successful in combat. After the initial tribal based revolt ran up against the difficulties of the *lashkar* (tribal fighting group), the nascent-and better organized-mujahedeen parties stepped in and provided weapons. In order to outdo their cousins, Pashtun tribesmen would enlist in these groups in exchange for weapons, but in doing so they would have to accept to the discipline of the group rather than the tribe.²³

While first cousins are not predestined to be at odds, the fact that there is often conflict between closely related males indicates that Pashtun tribes will not automatically group together based on who their closest male relative is, but can form temporary

²² Charles Lindholm, *Generosity and Jealousy: The Swat Pukhtun of Northern Pakistan* (New York, Columbia University Press, 1982), 57.

²³ TRADOC G2 Human Terrain System, “My Cousin’s Enemy is My Friend: A Study of Pashtun “Tribes” in Afghanistan.” *Afghanistan Research Reachback Center White Paper*. (Fort Leavenworth, KS. September 2009): 13. See: <http://www.scribd.com/doc/19595786/My-Cousins-Enemy-is-My-Friend-A-Study-of-Pashtun-Tribes->

groupings based on interest and not necessarily on familial relationships. In fact, they will choose the side of distant family or even non-family as often as family.²⁴ This leads credence to those who believe that tribes are not as influential as some would make them out to be, and certainly not as influential as tribes in Iraq.

Acephalous literally means “without a head.” An acephalous society has no hereditary chief or leader. This results in an egalitarian society where leadership is dependent on “personal charisma, (and) the ability to provide patronage and demonstrated leadership, often on a battlefield or times of stress.”²⁵ The acephalous nature of the tribal system leads some to discount the effectiveness of engaging with tribes in Afghanistan. A report from the United States Army’s Human Terrain Team points out that since Afghan tribes are not hierarchical, there is no one leader with whom one can negotiate and from whom one can look to for results.²⁶

The tribal system underwent a severe shock starting in the 1970s starting with the reform efforts of the Communist government, followed by the Soviet invasion and occupation, civil war after the withdrawal of the Red Army, and the rise and fall of the Taliban. The Soviet occupation was the single largest event that affected the tribal structure.

²⁴ TRADOC G2 Human Terrain System 10.

²⁵ Liebl 497.

²⁶ TRADOC G2 Human Terrain System 13.

The Soviet occupation killed more than a million Pashtuns and created an additional three million refugees.²⁷ The displacement of so many Pashtuns into refugee camps, especially in Pakistan, affected the tribal structure of the Pashtuns. In particular, the war affected tribal leadership. Traditionally, tribal leadership consisted of the tribal *khan* or *malik*, a representative of the government, and the tribal religious leader, or *mullah*.²⁸ The *khan* was weakened by the occupation, the government official was not present in the refugee camps, leaving the *mullah* as the remaining authority figure. Since refugee camps often were run by Deobandi or Salafi organizations, they often channeled aid through the mullah. Deobandi and Salafi organizations refer to religious schools of thought in Islam which, briefly speaking, emphasize a return to the faith and practice of Islam at the time of Muhammad and his companions, and a removal of “innovations” which they feel have been added onto Islam in the succeeding centuries. The mullah thus became the person who was able to exercise the function of the leader i.e. provide patronage.

The Pakistani government played an important role in altering the tribal system. Support for the mujahedin groups in Pakistan was coordinated and distributed by Pakistan’s Inter-Services Agency, and the ISI used the struggle against the Soviets and the subsequent rise of the Taliban to further Pakistani strategic goals in Afghanistan. In addition, millions of Pashtuns and other Afghans fled to refugee camps in Pakistan during the Soviet occupation. One goal, which Pakistan pursued in the 1990s by supporting the

²⁷Johnson and Mason, “No Sign Until the Burst of Fire,” 52.

²⁸ Liebl 501-502.

Taliban, was the creation of bases for militants who attacked India in the disputed region of Kashmir. By providing safe havens in Afghanistan for Kashmiri militants, the Taliban helped Pakistan avoid American sanctions as a state sponsor of terrorism.²⁹

Perhaps Pakistan's top goal vis-à-vis Afghanistan was to have a friendly regime in Kabul that would provide Pakistan with "strategic depth" against India. The Pakistanis felt they needed enough geographic space to disperse important military personnel and assets from an Indian attack, as the width of Pakistan was judged to be insufficient to accomplish this. Afghanistan would provide such depth.³⁰

One of Pakistan's problems in achieving strategic depth in Afghanistan is the Pashtuns. The Durand Line which separated British India from Afghanistan divides the Pashtuns between Pakistan and Afghanistan, and Pakistan was concerned that Afghanistan coveted the Pashtun parts of Pakistan in the North-West Frontier Province, the Federally Administered Tribal Areas, and in Baluchistan. The Pakistanis steered their support to groups and organizations that would emphasize Islamist identity as opposed to Pashtun nationalism.³¹ An irredentist Afghanistan and/or a strong movement from Pakistan's Pashtuns would not result in Pakistan achieving its strategic goals and could indeed even threaten the territorial integrity of Pakistan itself. The network of madrassas in Pakistan educated many Afghans in Deobandi school of Islam during and after the Soviet occupation, and Pakistani support for the Taliban in from 1994 until 2001

²⁹ Ahmed Rashid, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*, (New Haven, Yale University Press, 2000), 186.

³⁰ Rizwan Hussain, *Pakistan and the Emergence of Islamic Militancy in Afghanistan*, (Aldershot, Hampshire, Ashgate Publishing Limited, 2005), 172.

³¹ Ibid 142.

contributed to the strengthening of the mullahs in Pashtun society at the expense of the tribal elders and leaders who historically had much more influence in tribal decisions.

Traditionally, the mullah was a person who could call for jihad against foreign foes, and unite the tribes under the cause of defending religion but otherwise did not have much political authority. They would sit outside of the *jirga*, or assembly of all adult males of a Pashtun tribe, and pray for the success on whatever decision was agreed upon.³² They were dependent on the *maliks* for income and security.

While these religious leaders used traditional tribal mechanisms for securing power such as patronage, they also introduced changes into the system. These leaders, who often studied in Pakistani *madrassas*, appealed to the concept of the *umma*, or the community of Islamic believers, and of ruling according to Islamic law, or *sharia*. In addition, religious leaders pushed for the institution of the *shura*, or a council made up of religious leaders as opposed to the traditional *jirga*.³³ One of the distinctions between the *jirga* and the *shura* is that the *jirga*'s is more egalitarian and inclusionary and its decisions are normally advisory in nature, while a *shura*'s decisions are directive and binding.³⁴

Another effect of the *madrassas* and the refugee camps was that they brought Pashtuns from different tribes together and socialized them in a non-tribal, religious

³² Shuja Nawaz et al "FATA-A Most Dangerous Place: Meeting the Challenge of Militancy and Terror in the Federally Administered Tribal Areas of Pakistan," *Center for Strategic and International Studies*, (January 2009): 14.

³³ Oliver Roy, Oliver. "Afghanistan: Back to Tribalism or on to Lebanon?" *Third World Quarterly*, Vol 11, No 4. (October 1989): 74.

³⁴ Liebl 504.

environment.³⁵ Members of the *ulema* (Islamic scholars) thus became a more effective force for communicating with and building networks between various tribes. The Pashtuns who grew up in the camps in North West Frontier Province and Baluchistan were also sundered from their past and traditions, and what education they did receive was at the hands of semi-literate mullahs in the *madrassas*. In the words of Ahmed Rashid:

“These boys were a world apart from the Mujaheddin whom I had got to know during the 1980s—men who could recount their tribal and clan lineages, remembered their abandoned farms and valleys with nostalgia and recounted legends and stories from Afghan history. These boys were from a generation who had never seen their country at peace – an Afghanistan not at war with invaders and itself. They had no memories of their tribes, their elders, their neighbours nor the complex ethnic mix of peoples that often made up their villages and their homeland.”³⁶

While the *madrassas* did contribute to a change in the tribal structure, the semi-educated mullahs who often ran them taught a version of Islamic law, or *sharia*, which was heavily influenced by Pashtunwali.³⁷ The end result was a group of detribalized warriors who, much as they might have claimed to fight solely for Islam, still carried with them many of the social attitudes, beliefs, and customs of the Pashtuns.

³⁵ Giustozzi 44.

³⁶ Rashid 32.

³⁷ Ibid 89-90.

Tribes have not disappeared from the Afghan landscape, and many Pashtuns still identify as members of a tribe. While the Taliban officially rejects tribal and ethnic identifiers in its ideology, the influence of tribal roots still remains strong. According to Thomas Ruttig, “every Pashtun knows which tribe, subtribe, “clan” he or she belongs to. That cannot be destroyed even by social uprooting, displacement and urbanization.”³⁸ Ruttig goes on to explain how the structure and behavior of the Taliban, especially in recruitment, operations, and succession, is deeply rooted in Pashtun tribalism.³⁹ The changes in the past 30 years must be taken into account in order to understand the role that tribes play in reintegration and reconciliation efforts in Afghanistan, but the tribal structure has not vanished.

C. OVERVIEW OF PASHTUNWALI

Pashtunwali is the traditional code of the Pashtuns, and it guides public actions and responsibilities and undergirds the social structure. The three primary pillars of Pashtunwali are *badal*, or revenge, *melamstia*, or hospitality, and *nanawatia*, or refuge. A less common meaning of *Badal* is reciprocation of any good deed done.⁴⁰ These are all based on the concept of *nang*, or honor. According to Johnson and Mason, *nang* is not exactly analogous to the western concept of honor, but can be described as “representing a man’s obligation to protect the inviolability of his person, his property, and his

³⁸ Thomas Ruttig, “The Other Side: Dimensions of the Afghan Insurgency: Causes, Actors and Approaches to “Talks.”” *Afghanistan Analysts Network, Thematic Report 01/2009*, (14 July 2009). 12. See: <http://aan-afghanistan.com/index.asp?id=114>

³⁹ Ibid 12.

⁴⁰ Liebl 507.

women.”⁴¹ Maintaining honor is of central importance to the Pashtun—it is a great insult to call someone a *dauz*, or “person with no honor.”⁴² A person without honor has difficulty in marrying and in finding a good job and has to live as a pariah.⁴³

Badal is necessary in the event of an insult or injury to oneself or one's family. *Badal* can be assuaged with blood-money or the exchange of women, but these remedies are often not sufficient in the case of death. Only blood can fully meet the demands of revenge.⁴⁴ Patience in enacting revenge is seen in a positive light, and folk stories hail those who waited years or decades to enact their vengeance. Vengeance can be invoked not only by violent acts, but also by merely challenging, or even perceiving to challenge, the good name of a person or a tribe.⁴⁵

One related aspect of *badal* is the family replacement mechanism, which is where younger members of a family feel obligated to step in for older fighters if the older fighter is killed.⁴⁶ A younger man might be working while an older relative is off fighting, but will take up arms when the older relative is killed. In this case, the younger member of the family will go to the same unit that his older relative served in. The purpose of this replacement system is to retain the loyalty of the commander's *andiwāl*,

⁴¹ Johnson and Mason “No Sign Until the Burst of Fire,” 62.

⁴² Ibid 59.

⁴³ Ibid 59.

⁴⁴ Lindholm 77.

⁴⁵ Gant, Major Jim. “One Tribe at a Time: A Strategy for Success in Afghanistan.” Los Angeles, California, Nine Sisters Imports, Inc, 2009: 23.

⁴⁶ Smith 199.

or “comrades in arms” and thus the cohesion of the group. This system is particular present in tribally based insurgent groups.⁴⁷

Melamstia obligates a Pashtun to provide for a guest, even unto his personal distress. A guest is offered the most sumptuous meal that a Pashtun can provide, given the best bed, pillows, and quilt, and waited on by all of the members of the host’s families. The host will sit and chat with the guest so long as the guest wishes to converse.⁴⁸

Nanawatia is related to *melmastia* but differs in that in *melmastia* the host is the provider for his guest while in *nanawatia* the host is defined as the guardian for his guest.⁴⁹ *Nanawatia* can be offered to those who seek protection, and indeed is even given to enemies who present themselves to their foes and surrender themselves. It cannot be refused with losing honor. Another meaning of *nanawatia* is the forgiveness of wrongs. This action is very difficult for Pashtuns to do, and bestows on the one who forgives great honor.⁵⁰

Some scholars argue that the concepts of *melamstia* and *nanawatia* have changed in recent decades. Traditionally, if a foreigner is the cause of war, Pashtunwali does not require continued *melamstia* or *nanawatia*, but allows for a Pashtun to force out a guest. Mariam Abou Zahab argues “tribal entrepreneurs” would harbor foreign, especially Arab

⁴⁷ Tom Coghlan, “The Taliban in Helmand: An Oral History” in *Decoding the New Taliban: Insights from the Field*, ed. Antonio Giustozzi, (New York, Columbia University Press, 2009), 136.

⁴⁸ Lindholm 231-233.

⁴⁹ Ibid 233.

⁵⁰ Liebl 507.

militants under the guise of *melamstia* and *nanawatia*, but in actuality would get money from their “guests” and use this to gain power and influence.⁵¹

These three pillars are not the only aspects of Pashtunwali. Additional values that are important to the code are “equality, respect, loyalty, pride, bravery, purdah, pursuit of romantic encounters, the worship of Allah, and the unselfish love for the friend.”⁵² The seclusion of Pashtun women-even compared to Arab women-is legendary⁵³ and ISAF searches of women’s quarters in Pashtun homes, and the frisking of women has contributed to the insurgency.⁵⁴ The Pashtun sense of honor is deeply harmed by such actions and often leads Pashtun men to take up arms against the Americans and the government.

Age and rank earn one respect, and leaders and elders will receive the best seats or the choicest cuts of meats at meals,⁵⁵ but the concept of equality is extremely important for the Pashtun. Pashtunwali considers that each Pashtun to be the equal of every other. There is not much of a distinction made between the powerful and their supporters, and the prosperous and the poor. Rich and poor alike carry themselves with pride, which is seen as necessary to avoid being taken advantage of by aggressive

⁵¹ Nawaz et al 23, 25.

⁵² Lindholm 211.

⁵³ In his book *Soldiers of God: With Islamic Warriors in Afghanistan and Pakistan*, Robert Kaplan mentioned how photographers who would walk through minefields and sneak into Soviet bases were afraid to take close-up pictures of Pashtun women.

⁵⁴ Hekmat Karzai, “Security: Coping with the Taliban,” in *Building a New Afghanistan* ed. Robert I. Rotberg, (Cambridge, Massachusetts, World Peace Foundation, 2007), 72.

⁵⁵ Lindholm 213-214.

neighbors and the trials and tribulations of life.⁵⁶ Being ordered to do something is anathema to the Pashtun, and as a result a Pashtun leader is more of a *primes inter pares* than one who can give orders and expect that they will automatically be obeyed.⁵⁷

Pashtunwali is seen as an ideal to be aspired to by all Pashtuns, even those who are not as strict in its application as others. Pashtunwali plays a more important role in the highlands, or areas of low production, than in irrigated regions at lower altitudes. Ahmed characterizes the first group as *nang* culture, while he states that the lowland culture is symbolized by *qalang*, which is translated as rents or taxes.⁵⁸

D. RECONCILIATION AND REINTEGRATION DEFINITIONS

Reconciliation and reintegration are related concepts, but there are important differences. The United States is pushing for reintegration efforts in Afghanistan, which it defines in as “absorption back into Afghan society of the local insurgent commanders and their followers.”⁵⁹ The State Department envisions an ISAF-U.S. Embassy cell working with the Afghan government to identify individuals for reintegration, provide resources to insure a proper livelihood for those individuals and their families, ensure that they are protected from both Taliban reprisals and attacks from counter-terrorist operatives.⁶⁰

Economic development, job creation, dialogue between Kabul and local political figures, and improved local governance and justice are also part of the American effort. To help

⁵⁶ Ibid 216-217.

⁵⁷ Johnson and Mason “No Sign Until the Burst of Fire,” 62.

⁵⁸ Akbar S. Ahmed, *Resistance and Control in Pakistan*, (New York and London, Routledge, 1991), 7.

⁵⁹ Office of the Special Representative for Afghanistan and Pakistan, “Afghanistan and Pakistan Regional Stabilization Strategy” United States Department of State, Updated February 2010. 15. See: <http://www.state.gov/documents/organization/135728.pdf>

⁶⁰ Ibid 15.

accomplish these goals, the State Department estimates that \$100 million a year will need to be spent for the next several years. Milestones for the program include launching the reintegration plan by mid 2010, reintegrating limited numbers of groups and individuals by December 2010, decreasing the number of districts under Taliban control/influence on a quarter-by-quarter basis, isolating the senior Afghan Taliban leadership, and reintegration efforts are finding traction in areas which have been cleared of Taliban control for more than six months.⁶¹ Karzai stated in an interview with the German magazine *Der Spiegel* that “The reintegration is for the thousands of Taliban soldiers and village boys in our country who have been driven from their homes – either by fair means or intimidation, by bad behavior on the part of the NATO forces or by bad behavior by Afghan forces – and who do not stand ideologically against the Afghan people or the international community. They must be persuaded by all means to return.”⁶²

Reconciliation focuses more on the political and relies more on negotiation than reintegration does. Tellis defines it as “a negotiated bargain centered on the formal exchange of obligations.”⁶³ While the reintegration effort aims for the lower to mid level insurgent, reconciliation could conceivably involve high to very high Taliban commanders, and even involve some sort of political deal with the Taliban. Karzai, in his

⁶¹ Ibid 16.

⁶² Susanne Koebl and Ralf Neukirch “Spiegel Interview with Hamid Karzai: “There Has To Be Peace Now”” *Der Spiegel*; English Language Edition (31 January 2010). See: <http://www.spiegel.de/international/world/0,1518,675140,00.html>

⁶³ Tellis 2.

interview with *Der Spiegel*, indicated that reconciliation would deal with the “political structure of the Taliban.”⁶⁴

The Special Representative for the United Nations Secretary-General for Afghanistan, Kai Eide believes that both reintegration and reconciliation are important, and that attempts to bring reintegrate insurgents back into Afghan society without addressing political issues are problematic. He states “A reintegration fund without a political process could easily harden the insurgency rather than weakening it. While it may not be difficult to buy a young man out of unemployment – even if this could also be unsustainable, it is difficult to buy him out of his convictions, sense of humiliation or alienation from power.”⁶⁵

III. TRIBES, PASHTUNWALI AND RECONCILIATION

In this section, I will attempt to tie together the parts from Section II and examine how tribes and Pashtunwali impact reconciliation and reintegration efforts in Afghanistan. I will begin with a look at the reconciliation efforts of the Afghan government in since 2002. Next, I will examine how Pashtunwali contributes to the insurgency and follow up that discussion with the role tribes and Pashtunwali can play in future reconciliation and reintegration endeavors. Finally, I will briefly touch on methods for reconciliation and reintegration that do not involve tribes or Pashtunwali.

⁶⁴ Koebl and Neukirch; (31 January 2010)

⁶⁵ Kai Eide, “Reconciliation Opinion Editorial by UN Envoy to Afghanistan: Time to Talk,” United Nations Assistance Mission to Afghanistan, 23 February 2010. See: <http://unama.unmissions.org/Default.aspx?tabid=1783&ctl=Details&mid=1882&Itemid=7844>

A. RECONCILIATION EFFORTS OF THE AFGHAN GOVERNMENT

The Afghan government's first efforts toward R&R were made in 2002, when it offered amnesty to all members of the Taliban regime with the exception of 142 designated as leaders. This amnesty had an initial amount of success, but harassment by local security forces soon pushed former Taliban members back into active opposition.⁶⁶

In 2005, the Afghan government changed its approach to appeal to rank and file members of the Taliban as opposed to its leadership. It established the National Independent Peace and Reconciliation Commission (whose acronym in Dari is PTS) in March of that year. The Commission would approach insurgent figures through local tribal and religious notables to discuss reconciliation. If the insurgents to pursue reconciliation, they would meet Commission members and if they decided to accept the government's offer, the insurgents would be issued three letters, one to keep and two to present to the government and NATO.⁶⁷ These certificates would signify that the former Taliban fighter would be immune from prosecution.

The project achieved limited success at best. The Kandahar office, located in the heart of the insurgency, has certified about 7,000 people in its four years of operations.⁶⁸ The Commission's efforts was hampered by the sense among many of the Taliban that they had not been defeated militarily yet, by lack of resources, by trust issues with the government, and a by demand for jobs which were difficult to give to former insurgents

⁶⁶ Giustozzi 206-207.

⁶⁷ Ibid 207.

⁶⁸ Christia Fotini and Michael Semple "Flipping the Taliban" *Foreign Affairs*, Vol. 88 Issue 4. (July/August 2009): 34-45.

while Afghanistan suffered high unemployment rates. Oftentimes the reconciled insurgent would not be protected by the government and even harassed, while at the same time fearing for his safety from fighters who have remained insurgents.⁶⁹ The program seemed to work best with those members of the Taliban who were not inclined to fight for their own personal reasons.⁷⁰ One analyst states that the primary success of the PTS program was to capture donor funding and to strengthen patronage networks rather than actually to affect reconciliation efforts.⁷¹

At the London conference in January 2010, Karzai stated that he would invite Taliban leaders to a *jirga* to pursue R&R efforts. How this new effort will differ from the PTS effort is not exactly clear, although \$140 million was raised to bring Taliban members into the fold. \$500 million was pledged, but it is unclear if that full amount will actually materialize.⁷²

One controversial reconciliation proposal from the Afghan government is the 2007 Amnesty Resolution by the Afghan Parliament, which offers full, outgoing amnesty to “those individuals and groups who are still in armed opposition with the Islamic Republic of Afghanistan and who will end their opposition after this charter is in effect, join the national reconciliation process and respect and observe the Constitution and other

⁶⁹ Ibid

⁷⁰ Giustozzi 210.

⁷¹ Joanna Nathan, “A Review of Reconciliation Efforts in Afghanistan,” *CTC Sentinel* Vol 7 Issue 8, (August 2009), 11.

⁷² Mark Landler and Alissa J. Rubin, “War Plan for Karzai: Reach Out to Taliban,” *The New York Times*, (28 January 2010). See:

<http://www.nytimes.com/2010/01/29/world/asia/29diplo.html?scp=9&sq=reconciliation%20afghanistan%20&st=cse>

laws of the country.”⁷³ This proposals was approved by the National Assembly, but was not signed by President Karzai. The United Nations has protested the law, as it fears that violent warlords, militia commanders, and insurgent leaders would not be punished for their crimes.⁷⁴ Many Afghan citizens stand against this law as well, feeling that it protects those who have committed war crimes and deprives victims of justice. The highest body of Islamic clerics in Afghanistan stated that the parliament cannot amnesty everyone for war crimes, as only the victims of such crimes can forgive the war criminals.⁷⁵ In March of 2010, the Afghan government confirmed that the law had passed. Even though Karzai did not sign the bill, a spokesman for Karzai said it became law because it was approved by two-thirds of the members of Parliament.⁷⁶ Regardless of the actual status of the bill, it is indicative of the framework that many in power in Afghanistan want to place around reconciliation efforts. One result of such a proposal could be that insurgents would continue to fight until attempting reconciliation efforts was advantageous to them, knowing that they would not be punished for continued insurgent efforts.

The Karzai government has announced plans for a “peace jirga” at the end of April 2010, and will invite government representatives, Parliamentary factions, other

⁷³ Nathan 12.

⁷⁴ AFP, “UN Calls for Amnesty Law to be Repealed,” (25 March 2010). See: http://news.yahoo.com/s/afp/20100325/wl_ssthasia_afp/afghanistanunrestrightsun

⁷⁵ Ron Synovitz, “Afghanistan: Amnesty Law Draws Criticism, Praise,” *Radio Free Europe/Radio Liberty*, (14 March 2007). See: <http://www.rferl.org/content/article/1075272.html>

⁷⁶ Reuters, “Afghanistan Says it Enacted Laws to Pardon War Crimes,” *The New York Times*, (16 March 2010). See: <http://www.nytimes.com/2010/03/17/world/asia/17kabul.html>

notables, and insurgent leaders to sit down to prepare a preliminary peace plan.⁷⁷ There have already been contacts with the Hezb-i-Islami party of Hekmatyar about reconciliation. The plans for a peace jirga provide even more evidence that the Karzai government is pursuing political reconciliation.

B. PASHTUNWALI AND THE AFGHAN INSURGENCY

The values of Pashtunwali influence the Afghan insurgency. The Taliban could not surrender Osama bin Laden, as he was a guest under the Taliban's protection and to do so would have violated that pillar of Pashtunwali, *nanawatia*. Giving bin Laden up to the Americans would have resulted in the Taliban losing respect amongst its followers and thus negatively impact the Taliban's cohesion.⁷⁸ Pashtuns will resist attempts by the central government to assert control over Pashtun areas so as to remain independent and not have someone issue orders to them.

Badal fuels the insurgency by necessitating blood for Pashtuns who have been killed, whether they are innocent civilians or front-line fighters. Johnson and Mason believe that the United States cannot kill its way out of the insurgency, pointing to the fact that the Soviets killed almost a million Pashtuns yet the numbers of guerrillas was

⁷⁷ Alissa J. Rubin and Sangar Rahimi, "Afghan President Meets with Insurgents," *The New York Times*, (22 March 2010). See:

<http://www.nytimes.com/2010/03/23/world/asia/23afghan.html?scp=1&sq=peace%20jirga&st=cse>

⁷⁸ Abdulkader Sinno, "Explaining the Taliban's Ability to Mobilize the Pashtuns." In *The Taliban and the Crisis of Afghanistan*, ed. Robert D. Crews and Amin Tarzi. (Cambridge, Massachusetts, Harvard University Press, 2008), 86.

greater at the end of the war than at the beginning.⁷⁹ In a research project among Taliban members in Kandahar, almost a third of the respondents had a family member killed by ISAF bombing, and half of those respondents said that they joined the insurgency after their family members were killed.⁸⁰

C. TRIBES, PASHTUNWALI AND RECONCILIATION EFFORTS

The concept of equality amongst Pashtuns has important political ramifications. Group consensus is the most important source of power, and the *jirga*, or the assembly of a tribe's adult male members, is where important matters were discussed and decided upon.⁸¹ A *jirga* is often called to deal with arbitrate in matters such as murder, and its judgment is usually accepted by both parties. This process is often a long and deliberative one. If one party does not accept the judgment it can go into exile. If it chooses to remain in the village, their home(s) are burned down.⁸² For the Pashtun, "fairness and collective justice are the ultimate good,"⁸³ and punishing the individual wrongdoer as in the West is not done.

The *jirga* is a way for the Pashtun to stop the cycle of *badal* and gives participants a way out with honor. Lindholm says that elites striving for leadership must continue a feud through till the end, no matter how destructive, but that the *jirga* system is a way for

⁷⁹ Thomas H. Johnson and M. Chris Mason, "Understanding the Taliban and Insurgency in Afghanistan." *Orbis*, Volume 51, No.1. (Winter 2007): 88.

⁸⁰ Smith 198.

⁸¹ Jolanta Sierakowska-Dyndo, "Tribalism and Afghan Political Traditions," Warsaw: Institute of Oriental Studies, University of Warsaw, (January 2003): 57.
http://www.wgsr.uw.edu.pl/pub/uploads/aps04/5Sierakowska-Dydo_Trybalism.pdf.

⁸² Johnson and Mason "No Sign Until the Burst of Fire," 61.

⁸³ *Ibid* 61.

the less powerful and clients of leaders to compromise without drawing in their patrons and escalating the feud.⁸⁴

One intriguing possibility of incorporating Pashtunwali in reintegration efforts is for the United States and the Afghan government to change their terminology in talking with insurgents. Mullah Agha Jan Mu'tassem, appointed head of the Taliban's political committee in 2008, issued a list of the Taliban's demands for a political settlement in March of 2009. Two of these conditions - immediate American withdrawal from Afghanistan and immediate closure of jails which imprison Taliban members-would be non-starters, but the third demand was for the Americans to "respect the name of the mujahedin and stop calling them with inappropriate names."⁸⁵ The insurgents wish to be known as mujahedin and not as terrorists. The insurgents do not see themselves as terrorists, and their pride and honor are presumably hurt by the use of this terminology. Calling members of the Taliban by neutral appellations would avoid insult and a shame-honor reaction on the part of the insurgents.

Tribes which support the Taliban for material gain or to otherwise pursue tribal interests, as opposed to ideological commitment could be convinced to separate from the Taliban-led insurgency and use their influence to withdraw their men from battle.⁸⁶

⁸⁴ Lindholm 74-75.

⁸⁵ Ruttig 29.

⁸⁶ Hayder Mili and Jacob Townsend, "Tribal Dynamics of the Afghanistan and Pakistan Insurgencies," *CTC Sentinel* Vol 7 Issue 8, (August 2009), 7.

IV. ALTERNATIVE METHODS FOR RECONCILIATION

One of the ways to encourage Taliban members to defect is the simple and longstanding one of bribing them. Fotini and Semple recommend a program similar to the one in Iraq, where the United States put 100,000 Sunni tribesmen on its payroll, giving them each a \$300 a month stipend. They estimate that the same amount of money-\$30 million a month-could pay 250,000 insurgents \$120 a month, which would be in line with what an average member of the Afghan National Army earns a month.⁸⁷ Bribery to change sides has a long history in Afghanistan, and the United States used it to great effect in the war to oust the Taliban government in Operation Enduring Freedom.

While this strategy has been effective in the past, it depends on most of the insurgents not being strongly motivated by ideology. If religion, xenophobia, or revenge drives most of the insurgents, then monetary rewards will not prove effective. One Taliban member stated that “Even if you give me so much money that I can’t spend it in my entire lifetime, I will not stop. I would not accept it and would continue my fight because I do not want non-Muslims and the people of other religions in my country.”⁸⁸

Religious arguments could be used to reconcile and reintegrate insurgents. If insurgents could be convinced that the Taliban is not a legitimate Islamic organization, an insurgent’s decision to defect could be made easier. It could also provide a face-saving way out of the insurgency-the insurgent is not defecting for monetary gain, for safety, or

⁸⁷ Fotini and Semple

⁸⁸ Smith 205.

because he thinks the ISAF and the Afghan government are winning-he is giving up arms in order to be a true Muslim!

Negotiating some sort of power sharing deal with the Taliban is a third option. Perhaps if the Taliban were included at some level in the national and/or local government, they could be persuaded to lay down their arms. There is ample precedent for such deals in Afghanistan's history-for example, warlords such as Rashid Dostum were given governorships of provinces and/or cabinet posts in exchange for their support of the Afghan government.

V. CONCLUSION

The tribal system of the Pashtun has been beaten and battered over the past 30 years. The trauma of the Soviet invasion, the consequent refugee problem, the Pakistani *madrassas*, and the influence of the ISI and other agencies of the Pakistani government weakened and changed the traditional tribal structure that was described by Ahmed and Lindholm. Many Pashtuns identify as Pashtuns writ large or Muslims before members of a particular tribe. The acephalous nature of the Pashtun tribal system always meant that dealing with tribes as political units which could enforce obedience on members was problematic; the changes since 1979 have made that even more the case.

This is not to say that the tribal system has ceased to exist or has no relevance in Afghanistan today. Pashtuns often know what tribe, sub-tribe, and clan they belong to, even if the structure of the tribe is not as strong as it was in their father's or grandfather's

age. In some areas the tribes are stronger than others, and tribal elders and leaders are still people whose opinions carry weight in Pashtun society.

In contrast to the state of the tribal system, the code of Pashtunwali is still strong. Even those Pashtuns who were raised in a detribalized environment in refugee camps in Pakistan, and who were taught by mullahs, still were inculcated with the traditional social norms and expectations of their culture. These norms might be packaged in an Islamic wrapper, but if you look closely they will actually be based on Pashtunwali.

VI. POLICY ANALYSIS AND RECOMMENDATION

The United States faces challenges in regards to reconciliation and reintegration efforts in Afghanistan. It must do its best to help such efforts and work with the Afghan government without having the same sort of authority it did in Iraq during the Surge. Working with the tribal system and taking into account Pashtunwali will be important for the United States, but will not be a panacea that will pull every insurgent away from the field.

While every member of the insurgency is not a member of a tribe there are those who are, and there are tribes who do support the Taliban. One of the ways that the United States can use the tribal system in reintegration efforts is to empower the tribal elders by dealing directly with them, and insuring that they have the resources they need to be seen as a font for patronage. A strong tribe would be able to provide economic support and security for an insurgent who wished to reconcile, and would be more responsive to his concerns than the central government would be. Major Gant advocates the use of what he

calls Tribal Engagement Teams (TET), which would consist of small groups of officers and non-commissioned officers who would live with tribes. They would help to train Tribal Security Forces (TSF), and aid tribes in the fight against the insurgency. These small groups, according to Gant, would leave a light footprint and would be less likely to be seen as occupiers. He believes that a TSF, backed by the TET which could “bring US resources, leadership, and training to bear” would, along with tribal elders, be able to “act as peacemakers and brokers, bringing the important actors to negotiate.”⁸⁹ The United States has already started to deal directly with tribes in the counterinsurgency effort, paying \$1 million in development projects directly to the Shinwari tribe in exchange for its help in fighting the Taliban.⁹⁰ The Shinwari, who occupy a territory in eastern Afghanistan between Jalalabad and Peshawar in Pakistan, have pledged to support the Afghan government, fight insurgents, and burn down the house of anyone who harbors a member of the Taliban. Such efforts hold out promise for reintegration efforts, but caution must be taken not to place too much faith in the tribal system.

The United States will be somewhat limited in using the tribal system to strongly affect its reintegration efforts due to its weakening over the past 30 years. Many members of the insurgency were raised in a detribalized environment, and working with tribal elders to reintegrate insurgents will not work in the same fashion that working with the tribal sheiks in Anbar Province in Iraq did. In addition, the acephalous nature of Pashtun

⁸⁹ Gant 27.

⁹⁰ Dexter Filkins, “Afghan Tribe, Vowing to Fight Taliban, to Get U.S. Aid in Return,” *The New York Times*, (27 January 2010). See: <http://www.nytimes.com/2010/01/28/world/asia/28tribe.html?scp=1&sq=shinwari&st=cse>

tribes gives tribal members limits the authority of tribal leaders. Complicating this effort is the dearth of translators and cultural specialists who can communicate with Pashtuns in their language. One source places the number of U.S. residents who can speak Pashto at only 7,700 and finding translators out of this small pool who are willing and physically able to accompany military units in field operations is quite a challenge.⁹¹ Quality translators are valuable, especially those with enough cultural knowledge to help prevent American forces being taken advantage of by those Pashtuns who pose as leaders or interlocutors for personal gain and aggrandizement.

As the research has indicated, the influence that the tribes have over their members is not as much as it once was. In fact, the deal with the Shinwari might be in trouble due to recent intratribal conflicts between Shinwari subtribal branches.⁹² The Alisher subtribe of the Shinwari ended up in conflict with the Mohmand branch of the Shinwari over land. If the Shinwari elders cannot control conflict between two of their own subtribes when those subtribes have conflicting interests it does not bode well for getting tribal members support the government, the Americans, and reconciliation and reintegration efforts if tribal members feel that their interests lay elsewhere. Another key factor to keep in mind in giving aid and support to tribes is that when that aid disappears, or another power moves in with more money, the support of that tribe could switch.

⁹¹ Jason Straziuso, "Troops Say Unfit Linguists Being Recruited for Afghanistan," *Stars and Stripes Mideast Edition*, (24 July 2009). See: <http://www.stripes.com/m/article.asp?section=140&article=63855>

⁹² Alissa J. Rubin, "Afghan Tribal Rivalries Bedevil A U.S. Plan," *The New York Times*, (12 March 2010). See: <http://www.nytimes.com/2010/03/12/world/asia/12afghan.html?scp=1&sq=shinwari&st=cse>

Tribes will not stay bought, as was shown when the Pakistanis gave money to the Taliban to encourage local Pashtun commanders to defect to the Taliban in the mid 1990s.⁹³

Another countervailing argument to trying to strengthen the tribal system is that it would prove counterproductive to establishing a more effective central government. Tellis articulates this argument in *Reconciling with the Taliban*. He sees a movement back to the tribes as something that could be dangerous, as it could lead to increased conflict as different groups jockey for power. Tellis states “If rivalry between and within Afghanistan’s various social formations-occurring in the absence of effective central authority-leads some of them to reach out to terrorist groups for support in their own local struggles for power, the situation that provoked the original introduction of al-Qaeda into Afghanistan would only be replicated.”⁹⁴

Even if the tribes do not reach out to terrorist groups to support their own local struggles for power, the result of stronger tribes at the expense of the central government could be a return to the pre-Taliban days of feuding mujahedeen leaders and words-the conditions that led to the rise of the Taliban in the first place. The short term gain of supporting tribal leaders to further reconciliation and reintegration efforts could backfire in the long term with an Afghanistan mired in unending conflict as local groups jockey for power.

From the American perspective, focusing on short-term gains at the risk of long-term instability in Afghanistan would have some upsides. If in the Taliban led insurgency

⁹³ Hussain 204.

⁹⁴ Tellis 28.

is reduced or eliminated in the short term, the United States could claim victory and then reduce or even remove its presence from Afghanistan. As long as Afghanistan does not provide sanctuary for terrorist groups such as Al-Qaeda, the internal conditions of that country do not affect the vital interests of the United States. The downsides of risking long term instability in Afghanistan include an image hit in world opinion if Afghanistan reverts to warlordism after a decade of American presence and effort, giving up on opium eradication efforts, and the moral costs of abandoning Afghanistan to its fate.

If the United States does commit to Afghanistan for the indefinite future-beyond the July 2011 target that President Obama stated that withdrawal will begin-creating a culturally aware, linguistically skilled force will be necessary. Such a force might have a chance to simultaneously work with tribes and other local groups in counterinsurgency, reconciliation, and reintegration efforts without creating new warlords, and help the Afghan government to become more effective without upsetting the many Afghans who wish for a great degree of local autonomy and control.

Working with the code of Pashtunwali will pose interesting challenges for the United States and other members of the ISAF force. Making sure that Coalition forces know the important tenets of Pashtunwali will be important so that efforts towards reintegration will not be set back by cultural misunderstandings and faux pas. The necessity for *badal* makes civilian casualties even more problematic than they usually are, and the practice of taking up arms in place of a fallen brother or relative means that even battlefield casualties can actually add to the insurgent numbers. An insurgent who

would like to reintegrate into Afghan society, but feels honor-bound to continue fighting till he achieves revenge for a loss must be given an honorable way out of his predicament. The United States needs to work with tribal elders and respected members of Pashtun society to understand the culturally appropriate way of short circuiting the revenge pathway. My research has not uncovered any attempt or consideration of using *nanawatia* in dealing with accidental civilian deaths. Appearing at the home of a relative of a civilian casualty and asking for refuge and forgiveness could be a way to avoid the need for revenge. Further investigation would be needed to see if working with Pashtun customs in this matter would be productive and if such an action would be in the best interests of the United States, the ISAF, and the Afghan government.

Emphasis should be placed on asking Pashtuns to work with us rather than telling them what to do, so as to not invoke pride-based counter reactions. As journalist Rahimullah Yusufzai said “The Pashtun people are unusual in the sense that they will willingly do things if asked respectfully, but will refuse point-blank if ordered to do so or threatened by force. Bombings and missile strikes won’t force them to beg for mercy or cooperate with their attackers. They are made of sterner stuff. Their patience is endless and is born out by their suffering during the past three decades.”⁹⁵ Major Gant’s proposal to engage the Afghans through small Tribal Engagement Teams would help to avoid civilian casualties and the necessity for revenge that such casualties entail. Such engagement would, as Gant has stated, would not be risk-free and would result in increased American casualties.

⁹⁵ Gant 25.

Getting Americans to understand and work with Pashtunwali will be a challenge, as it is not a simple technical issue to learn and comprehend. In addition, adherence to Pashtunwali can vary from place to place, tribe to tribe, and individual to individual. Nonetheless, being able to understand how and in what circumstances actions might be motivated by Pashtunwali can only benefit Americans as they attempt to reintegrate members of the insurgency back into Afghan society.

Other methods of reconciliation and reintegration do have a role to play. Supporting former insurgents with funds and providing them jobs will be important for those insurgents who have no strong ideological motivation. Caution must be taken not to discount the importance of ideological motivation and overestimate the economic motivations of insurgents, but having some sort of economic support is preferable to not offer anything tangible to would-be reintegrators.

Offering some sort of political power to insurgents as part of reconciliation efforts is something that should be avoided. Allowing the Taliban a role in governance, even if in only a few select provinces, would give Afghanistan the impression that the Taliban is winning, and it is only a matter of time before they return to governing the country. The core of the Taliban is committed to a fundamentalist Islamic state, and still has close connections to Al-Qaeda. While it might be appealing in the short term, and reduce violence for a while, in the long term ceding political power to the Taliban would be very dangerous for Afghanistan and the United States.

Working with religious authorities toward reintegration and reconciliation is something that the Afghan government should work on rather than the United States. America should consult with religious leaders and take their thoughts into account, but any attempt by a non-Muslim power to wade into contentious religious issues will backfire. Decades of religious indoctrination in Deobandi *madrassas* has given the Taliban leadership a strong, common religious background and gives the insurgency religious legitimacy. Religious leaders who support the reconciliation and reintegration efforts must have their own religious bona fides. There is a religious council in Kandahar (*ulema*) which publishes a magazine, makes public pronouncements, and speaks on the radio, advocating against the Taliban on such topics as the use of suicide bombings.⁹⁶ The challenge of such religious leaders is not to appear as mere stooges for the Afghan government. It might not be impossible to pull away insurgents using religion—just extremely unlikely, making a strategy based mostly on pro-government fatwas a poor one to employ.

The current American plan for reintegration holds promise, but can be made better by utilizing a realistic tribal strategy and taking into account the cultural demands of Pashtunwali. Dealing with tribal leaders in a respectful, culturally appropriate manner, dispensing economic aid in a way to rebuild the tribal structure, and working to understand the social realm of the Pashtun will give the United States the best chance of success.

⁹⁶ Thomas H. Johnson “Religious Figures, Insurgency, and Jihad in Southern Afghanistan,” in *Who Speaks for Islam? Muslim Grassroots Leaders and Popular Preachers in South Asia*, National Bureau of Asian Research #22 (February 2010), 54-56.

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