It is an old cliché that the Pashtun highlands of Afghanistan and Pakistan are highly resistant to state authority, and old masters of ‘the art of not being governed’ (to use James Scott’s phrase).\(^1\) Like so many clichés, this has a real basis in historical fact. The old name ‘Yaghistan’ (the land of lawlessness, rebellion or dissent)\(^2\) was given to them by the people of the region, not by Western observers. This name, and what it indicates, also corresponds very closely to patterns in other Muslim tribal regions, first systematically analysed by Ibn Khaldun in the fourteenth century CE in the Maghreb.

As an index of the Afghan state’s failure to make its society ‘legible’ (in another phrase of Scott’s), it may be noted that in the whole of modern Afghan history there has never been a census that could be regarded as remotely reliable. As for Max Weber’s classic definition of a state as ‘a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory’,\(^3\) that has never been true of Afghanistan. Even when the Afghan state was at its strongest, local communities insisted, usually successfully, on keeping rifles, on conducting limited armed disputes with other kinship groups, and on executing their own members who violated traditional community norms.

Only in the late 1940s, as a result of the import of modern tanks and aircraft, did the Afghan state army become strong enough to defeat a general
tribal uprising – and that superiority lasted a bare 30 years. It collapsed with the anti-communist revolts and army mutinies of the late 1970s, and since then, no Afghan state – not even the Taliban, which came closest – has successfully possessed a monopoly of organised armed force across the whole of Afghanistan.⁴

This basic truth obscures an important nuance, however. The Pashtun tribes have not been categorically hostile to state authority as such; after all, Pashtun tribes created the kingdom of Afghanistan in the first place, and most rural Pashtuns accepted Taliban rule in the 1990s willingly enough. Rather, they have been hostile to three kinds of government: those lacking traditional or religious legitimacy; those which force them to pay too many taxes; and those which try rapidly to change their lives, their society and their traditions. In the traditional Pashtun tribal view, the legitimate role of the state, though essential, is also highly limited. Apart from leading the people against invaders, it is to judge tribal disputes, and thereby prevent these disputes from creating a state of permanent warfare.⁵ Given the traditional omnipresence of weapons in Pashtun society, and the cultural obsession with honour and prestige, journalist Anand Gopal has observed that ‘the role of dispute resolution in Pashtun society cannot be emphasised enough … In post-2001 Kandahar, the Taliban’s judicial services became one of the key advantages that the movement had over the state.’⁶

The Pashtun tragedy lies in the fact that in practice, this rejection of state interference has usually amounted to a rejection of the modernising state as such, since modernising states need to raise taxes to pay for development, find it very hard to base themselves on tradition, and by definition have to set out to change society.

Scott, as an anarchist, sympathises unconditionally with the hill peoples of Southeast Asia in their flight from and resistance to local states. The melancholy history of Afghanistan, by contrast, would suggest that the only thing worse than having a state is not having a state; and indeed, this tragic dilemma is summed up in a very old Pashtun proverb: ‘feuding ate up the mountains, and taxes ate up the plains’.⁷

The great value of Scott’s approach is that it reminds us of something that Western societies have long forgotten, and that the vast majority of the
Western ‘experts’ who tried (or pretended) to develop Afghanistan after 2001 simply could not comprehend (as was probably true also of their Soviet equivalents 20 years earlier): the intense nastiness of most states in history, especially in their formative stages. As a famous nineteenth-century British-Indian policeman wrote of the history of South Asia in general:

> There has seldom been any idea of reciprocity, of duties and rights, between the governor and the governed ... For in India, the difference between the army of a prince and the gang of a robber was, in the general estimation of the people, only in degree – they were both driving an ‘imperial trade’, a *padshahi kam*.

In other words, if Pashtuns have often revolted against the Afghan state (whether foreign-backed or purely indigenous), they have often had good reasons to.

There is, however, a reciprocal relationship between state nastiness and tribal resistance. It takes a great deal of nastiness (or at least the threat of it) to persuade tribes to pay taxes, but without taxes, what is the state? Either an impotent shadow, or a dependency of some foreign state and its subsidies. Both of these fates have befallen Afghanistan repeatedly over the past 200 years.

Key to the West’s failure successfully to build a new order in Afghanistan after 2001 was not just an inability to understand the historic alienation of ordinary Afghans in general, and Pashtuns in particular, from ‘their’ state, but also a refusal to recognise that, given the miserable history and eventual collapse of Afghan states, the Taliban may have been the best state-building option left, at least as far as rural Pashtuns were concerned. Not by any means a good option – just better than all the others.

**The weakness of Pashtun nationalism**

The standard way in which modernising states in conservative societies have been able to legitimise their authority to conduct radical reforms has been through nationalism (this has also been true in many communist societies, albeit in a somewhat veiled way) – by arguing that the reforms are essential
to strengthen the nation against its enemies. The radical reforms of the Meiji era in Japan and of Mustafa Kemal Ataturk in Turkey are classic examples of this. Given that Afghanistan was founded by a Pashtun dynasty and named after the Persian word for Pashtuns – and embodies Pashtun national hopes, elements of Pashtun identity and traditions of Pashtun resistance to British imperial conquest – Pashtun nationalism would seem a natural course for modern Afghan states to have pursued; and indeed, under the government of Sardar Daud Khan (prime minister, 1953–63; president, 1973–78), the Afghan state did attempt to do this.

The strategy foundered, however, on several local realities. In the first place, the conquests of the Sikhs and the British meant that for almost 200 years, a majority of ethnic Pashtuns have not lived in Afghanistan – much longer, in fact, than Afghanistan has existed as a state. Today, as few as one in three may do so, and thanks to massive population movements, both from Afghanistan and from the Pashtun areas of Pakistan, Karachi (not Kabul, Kandahar or Peshawar) may be the largest Pashtun city in the world.

In Afghanistan itself, Pashtuns, though representing the largest share of the population (the general estimate is about 40%, though nobody can say for sure), are not a majority, whatever they may like to believe. A strong espousal of Pashtun ethnic nationalism by the state inevitably frightens and infuriates the other large ethnic minorities of Afghanistan, and any rebel movement seeking to rule the whole of Afghanistan has to make at least some concessions to their feelings. The failure of the Pashtun-based Taliban to do so in the 1990s was a key reason for the speed with which they collapsed in the face of US attack in 2001.

A rather striking example of the way in which even educated and liberal Pashtuns tend completely to ignore the role and views of other ethnicities in Afghanistan can be found in a book by Abubakar Siddique, tellingly entitled *The Pashtun Question: The Unresolved Key to the Future of Pakistan and Afghanistan*. In 271 pages, the word ‘Tajiks’ (a people who represent around a quarter of Afghanistan’s population) appears precisely three times. In the real world, the Tajiks of Afghanistan cannot be ignored.
State-promoted Afghan-Pashtun nationalism has also broken on the obstacle of local geopolitical reality. Any programme of Pashtun national mobilisation in Afghanistan inevitably requires as a chief goal the abolition of the ‘Durand Line’: the frontier drawn by the British Raj that in 1947 became the frontier between Afghanistan and Pakistan, and that cuts through the middle of the Pashtun ethnicity. In the 1950s and early 1960s, Sardar Daud did launch an abolition campaign in Afghanistan. While this mobilised the country’s tiny Pashtun intelligentsia, the weakness of the state machine meant that the campaign could not be spread effectively among the masses, and it was regarded by the non-Pashtuns of Afghanistan with indifference or outright hostility.

The result for Afghan–Pakistan relations was disastrous. Pakistan is not merely far larger and more powerful than Afghanistan, it sits squarely across Afghanistan’s chief route to the sea. The result of Sardar Daud’s strategy was to bring about a Pakistani blockade of Afghan trade and a dire economic crisis for Afghanistan. This led to Sardar Daud’s removal from office by his cousin, King Mohammed Zahir Shah. Sardar Daud’s return in a coup ten years later undermined dynastic legitimacy and paved the way for the catastrophic communist coup five years later. Moreover, fear of Afghan- (and Indian-) backed irredentism among the Pashtuns of Pakistan has led successive Pakistani governments to intervene in Afghanistan by backing various proxies, ending with the Taliban.

On the other hand, the residual strength of Pashtun nationalism in Afghanistan is shown by the fact that no Afghan government (even the Taliban, which enjoyed massive backing from Pakistan) has officially recognised the Durand Line, despite the obvious benefits that would flow from doing so.

Appeals by the Pashtun-led Afghan state to the Pashtuns of Pakistan, while provoking disastrous hostility on the part of the Pakistani state and military, have also overwhelmingly failed. Pakistani Pashtun activists such as the Pashtun Tahafuz Movement may chant ‘Lar ao Bar, Yaw Afghan’ (roughly speaking, ‘Pashtuns on both sides of the border are Afghans’), but the realities of Pakistani Pashtun politics are very different. The reason was pithily summed up for me by an activist of the moderate Pashtun-nationalist Awami National Party:
Our old programme of union with Afghanistan is dead and everyone knows it, because no-one in their senses wants to become part of Afghanistan, today or for all the future that we can see. Pakistan is bad, but Afghanistan is a nightmare, and has been for a generation.\(^\text{10}\)

Even before the start of the Afghan catastrophe of the past four decades, the economic centre of the Pashtun world had shifted decisively to Pakistan. The Pakistani-Pashtun political and business elites, and especially the Pashtun transport companies that link northern Pakistan with the port of Karachi (with its huge and growing Pashtun population), have very strong motives indeed not to join any Afghanistan-based effort to destroy Pakistan.

Equally importantly, Afghan-Pashtun national identity itself, while a powerful force, has never been able to claim the undivided loyalty of Pashtuns in a way characteristic of stronger nationalisms. Tribal and religious allegiances have been, and remain, of great importance. Both the poverty of the state and the indifference or hostility of the rural Pashtun population to education have meant that the Afghan state could not imitate successful national-modernising states elsewhere and instil unequivocal Pashtun nationalism through a widespread rural state-school system.

Accompanying all this is the alienation of many Pashtuns from the Afghan state going back to its very foundation. The kingdom of Afghanistan was created in the 1740s in what had been Iran’s eastern borderlands by a chieftain who had become a general in the service of an Iranian monarch. Ahmed Shah Abdali came from a leading aristocratic lineage of one of the two main Pashtun tribal confederations, the Abdali (whom he renamed the Durrani, after his own new title ‘Dur-e-Durran’, or ‘Pearl of Pearls’). This created an enduring rift with the other great confederation, the Ghilzai, with its more democratic and egalitarian traditions.\(^\text{31}\) It is striking that every radical Pashtun movement revolting against Afghan governments – all the way down to the Taliban – has been mainly Ghilzai in composition. As Thomas Barfield writes in *Afghanistan: A Cultural and Political History*:

> while Afghanistan’s Durrani rulers (1747–1978) may have originated in an egalitarian Pashtun tribal system, they employed a classic hierarchical
model of governance to maintain power exclusively within their own dynastic lines. They abandoned the democratic and federal political institutions commonly used among the Pashtun tribes at the local level, and replaced them with autocracy. Because of this, the relationship between the Pashtun tribes and their putative dynastic leaders was always a troubled one, in which co-operation (or conflict) depended on the issues involved.\textsuperscript{12}

The Durrani kings, their courts and later the bureaucracy that they created naturally adopted the ancient, dominant, regional culture of royal authority, that of the Iranian–Turkic rulers of Iran, Central Asia and northern India. This included adopting the Persian language (the local Afghan form of which was later given the official Afghan name of ‘Dari’ by way of trying to make it sound more national) as the language of government, higher culture, trade and communication. Not just the Pashtuns of the royal court and government, but much of the established Pashtun population of Kabul adopted Persian as their language. There was therefore little reason for a purely Pashtu-speaking rural Pashtun to identify with the royal state. Pashtun ethnic alienation from the Afghan state grew after the fall of the Taliban in 2001, due to the new ascendancy of the Tajiks and the (hitherto despised and oppressed) Hazara in the Afghan government, but the phenomenon has much older and deeper roots.\textsuperscript{13}

\textbf{Hostility to the reforming state}

A failure to understand the instinctive rejection of effective state power by rural Pashtuns lay at the heart of Western fantasies of rapid democratic state-building in Afghanistan after 2001 – a project that has inevitably failed, where a modest approach attuned to Afghan traditions and realities might have established at least a provisional and limited form of state order.

I had a rather striking personal experience of this when I took part in an Italian conference on law and order in Afghanistan in 2002. Almost none of the Italian officials and experts present understood this point – although it should have been obvious enough to any Italian who had read Carlo Levi’s
Christ Stopped at Eboli, or other classic accounts of the traditional relationship between southern Italian peasants and the state. As Levi wrote of returning to Basilicata (where he had been exiled by Benito Mussolini) after a brief permitted return to northern Italy:

I thought of my feelings of strangeness, and of the complete lack of understanding among those of my friends who concerned themselves with political questions, of the country to which I was now hurrying back. They had all asked about conditions in the south, and I had told them what I knew. But although they listened with apparent interest, very few of them seemed really to follow what I was saying. They were men of various temperaments and shades of opinion, from stiff-necked conservatives to fiery radicals. Many of them were very able, and they all claimed to have meditated upon the ‘problem of the South’ and to have formulated plans for its solution. But just as their schemes and the very language in which they were couched would have been incomprehensible to the peasants, so were the life and needs of the peasants a closed book to them ... At bottom, as I now perceived, they were all unconscious worshippers of the state.¹⁴

In words that are equally applicable to the traditional tribal Pashtuns, Robert Montagne, the French colonial officer and ethnographer of the Berbers, argued for the complete incompatibility of their traditional tribal system with regular administration and development: ‘There is no place for the ordered anarchy of the Berber cantons in a modern state.’ He immediately added, however, that, having imposed (colonial) state domination on the Berber tribes,

one will witness the growth of what is the greatest problem of all in the administration of Berber areas; the fact that, in the eyes of the population, and of the chiefs, during the period before our arrival, law and order was synonymous with boundless tyranny and ruin for the majority, while anarchy appeared, as did general lack of law and order, as a form of justice and a precondition of individual prosperity.¹⁵
A majority of Western works analysing the failure of the Western state-building project in Afghanistan after 2001, while they may be incisive enough in criticising Western plans and their implementation (or not) by the Afghan state, are hampered by their lack of understanding that rejection of state law and authority by rural Pashtuns is rooted not just in the contemporary failings and Western sources of these institutions, but also in long and bitter memories of state oppression, and in the fundamental incompatibility of modern state authority and Pashtun tribal tradition. ‘Democracy’ does not necessarily make any difference at all to these patterns – least of all democracy as practised in Afghanistan since 2001, with elections managed by local warlords and bosses, seats shared out by prior agreement and formal power concentrated in the central government.16

In the specific area of the rule of law, standard Western analysis is undermined still further by the authors’ instinctive hostility to sharia law as (in their view) a regressive code opposed to modern law and state authority, and underpinning the negative aspects of customary law, including the Pashtunwali (the ‘Pashtun way’); whereas a more accurate and historically grounded analysis would see sharia as a key source of state order, and the only legal code other than customary law that enjoys instinctive legitimacy among ordinary Afghans.

On the other hand, Western observers inclined to romanticise the tribes (as all too many have tended to do) should heed the words of Ibn Khaldun, who established the classic and enduring model of analysis of the relationship between tribes and government seven centuries ago (an analysis which also largely underlies the best overall study of Afghan tradition, that of Barfield):

> The very nature of their [the Bedouins’] existence is the negation of building, which is the basis of civilization ... Furthermore, it is in their nature to plunder whatever other people possess. Their sustenance lies wherever the shadow of their lances falls ... When they acquire superiority and royal authority, they have complete power to plunder as they please. There no longer exists any political power to protect property, and civilisation is ruined ... Furthermore, every Bedouin is anxious to be the
leader ... There are numerous authorities and amirs among them. Their subjects have to pay taxes to many different masters. Civilisation decays and is wiped out.\textsuperscript{17}

As a British journalist covering the mujahideen war against the Soviets and Afghan communists in the late 1980s, I witnessed and even shared the intense romanticisation of many Western journalists of Pashtun tribal traditions as reflected in the mujahideen – a romanticisation driven partly by Western Cold War allegiances, partly by inherited British affection dating back to Rudyard Kipling and British officials on the frontier, and partly by admiration for their genuinely impressive courage and resilience in the face of heavy odds.\textsuperscript{18}

When, in 1992, the communist state fell and the mujahideen took over, the enduring truth of Ibn Khaldun’s vision became apparent. This was reflected not so much in the destruction of Kabul in fighting between the mujahideen parties, as this was largely along ethnic lines and could have occurred in many ethnically divided societies. Rather, it was the complete collapse of the state across the Pashtun areas of eastern and southern Afghanistan, the epidemic of plunder and extortion, and the inability of local society to generate the most rudimentary new state institutions and services.

This complete absence of the most basic state institutions and services had already struck me during my visits to the ‘liberated’ areas of Pashtun Afghanistan.\textsuperscript{19} I instinctively compared this with the marked tendency of other twentieth-century insurgent movements – the IRA, almost all the communist movements, Algeria’s FLN and the Tamil Tigers (and later the Taliban in Afghanistan) – to set up parallel and alternative institutions of governance to replace the existing state that they were fighting against. That the squabbling mujahideen parties could not agree on this was not so surprising, but local Pashtun society as such also seemed quite uninterested in spontaneously generating local institutions and services.

Then again, given their past experience of the Afghan state, the people of the area had no special reason to wish to re-establish it. The point is that state services in rural Pashtun areas could not be ‘restored’, because in most places they had never existed: neither schools, nor clinics, nor electricity,
nor clean water. To the people of these areas, the traditional face of the state – when it had appeared to them at all – was that of the conscripting officer, the brutal and corrupt policeman, and the even more corrupt tax collector. Why indeed would anyone have wanted them back?

And when the police did come back, after the overthrow of the Taliban and the creation of a ‘democratic’ state by the West, they wore very much the same corrupt and oppressive face as before. This was not just due to the specific failings of individual policemen, or even of the post-2001 Kabul state; the problem was rooted in the very old predatory traditions of state forces in the region.

It is interesting that Antonio Giustozzi’s brilliant work on Afghan warlords serving as early local state-builders in the past 40 years, Empires of Mud, is about Ismail Khan of Herat and the Uzbek and Turkmen warlords (with some reference to the Tajiks and Hazaras). No tribally based Pashtun warlord appears to have qualified in Giustozzi’s eyes as even the most embryonic of state-builders. The suffering caused to ordinary people by predatory local warlords after 1992 led to the rise of the Taliban and their version of Islamic state authority, and the acceptance of this by a large majority of Pashtuns.

On the other hand, Montagne, like many other French officials in the Maghreb and British officials on the Afghan frontier, also noted the striking contrast between the tribes’ lack of overall authority (and constant feuding among themselves), and their capacity for spontaneous military cooperation in the name of common identity and values when faced with an outside enemy:

Our military officers in the Middle Atlas have recognised this for a long time past. ‘When you wish to pacify them’, Maurice Le Glay makes one of his heroes say in a novel, ‘you will find before you only a scatter of humanity. You have to chase after each tent in order to talk to the head of each small family, and to establish any sort of control over them at all takes years. If you face them in battle though they fall upon you all at once and in vast numbers, and you wonder how you can possibly extricate yourself.’
Like the tribes of the Maghreb, and many of the peoples of Scott’s ‘Zomia’, the Pashtun highlands have also long been an area of religiously inspired revolt, culminating in the Taliban. Pashtun history can therefore also be viewed through the prism of Ibn Khaldun’s analysis of enduring patterns of political revolution (in the older, literal sense) in the medieval Maghreb; of mountain and desert tribes who, relying on their superior solidarity (asabiya) and fighting skills, and inspired by puritanical and reformist religion, overthrow and replace a decadent ruling dynasty in the cities of the plains, only to become decadent and corrupt in turn, and to be overthrown by a new wave of religiously inspired tribal revolt.

**State power vs ordered anarchy**

The old distinction in the Pashtun lands between the ‘settled areas’ or ‘areas of government’ (Hukumat) and Yaghistan has been equated with the extremely evocative distinction between the areas dominated by honour (Nang) and those dominated by rent or tax (Qalang).27 This corresponds very closely indeed to the old Maghrebi distinction between the ‘Bled-el-Makhzen’ (Land of Government, or Rule) and ‘Bled-es-Siba’ (Land of Anarchy, Freedom or Disorder). Or, as the Prophet Muhammad said in a Hadith cited by Ibn Khaldun: ‘submission follows the plough’.

On the other hand, the traditional world of the Pashtun tribes was not one of unrestrained chaos. It was in fact an almost paradigmatic example of ‘ordered anarchy’ (in the phrase coined by E.E. Evans-Pritchard for the Nuer of southern Sudan),28 with the traditional Pashtun ethnic code of the Pashtunwali providing the rules of order, underpinned by the moral code laying down what it is to ‘do Pashto’, or live a correct Pashtun life.

This was, however, very definitely an anarchic order. The legitimate role of the monarch (or his immediate representative) was mostly to mediate and judge in major tribal disputes that could not be resolved by local jirgas (councils) of elders and religious figures. To this day, it is such community councils (or extended families themselves, in the case of an internal dispute or offence) that decide on the great majority of disputes and offences in rural Pashtun society in Afghanistan, with no reference whatsoever to the state and its law. Mike Martin, a British officer who served in Helmand and has
written a brilliant work of political sociology on the province, predicts that in the future as in the past,

the villages will govern themselves, as they have always done. If they require anything of the government, they will go to it in the district centre (not for nothing is the district centre literally known as the *hukumat* or ‘government’ in Helmand). *They do not want the government to come to them.* As before, the main service that they require of government is fair, impartial dispute resolution.²⁹

The purpose of the Pashtunwali is to manage, limit and when possible resolve particular conflicts between kinship groups, not to end conflict in Pashtun society or to punish criminals. It also by nature works far better at the local level, where everyone’s prestige (or ‘name’, in the Pashtun phrase), power and character is well known, than at an impersonal national or regional level. Hence the need for the ruler’s mediation in larger disputes – which are also very often exacerbated by the obsession in Pashtun traditional culture with ‘name’ (*Nom*), honour (*Nang*) and revenge (*Badal*).

The idea of individual citizenship, or indeed of individual rights (especially for women), is absent. The role of relative power is always present below the surface, though veiled and to some extent softened by common values. In this sense, such traditional tribal codes are closer to traditions of customary international law (which also operate in an anarchic global system and under the permanent influence of the relative power of states) than they are to domestic state legal codes, whether Western or Asian.

Of course, these patterns of Pashtun history and culture are not unchanging. From the mid-nineteenth century to the 1970s they were greatly affected by the development and extension of the modern state (however flawed and partial), as well as by the irruption of the British Empire into the region. Over the past two generations they have been shaped by terrible wars, which have now extended over more than four decades; by huge movements of refugees; by the heroin trade; by massive urbanisation; and by aid flows and ideological influences from outside Afghanistan.
The two finest studies of rural Pashtun Afghanistan (both focusing on Helmand) since 2001, by Martin and an American political officer, Carter Malkasian, bring out both the continued power and the fragility of tribal allegiances. On the one hand, almost every former mujahideen commander and warlord turned state ‘official’ they mention based his power in part on tribal affiliation and loyalty, even though this support was gained with the help of heroin money, international aid and/or an official position given by Kabul.

On the other hand, the fragility of these tribal power bases was demonstrated by two sweeping Taliban local victories over the warlords in the province of Helmand, in 1995 and 2006 (admittedly, these exploited the resentment of tribal groups that had lost out in the division of the spoils). According to both Martin and Malkasian, the key reason for their defeat, in addition to corruption and oppression by the local Afghan state forces serving these warlords, and the presence of a disenfranchised ‘immigrant’ minority of Pashtuns from elsewhere who settled in new irrigation zones in the 1970s, was that their deep-seated rivalries made them incapable of allying effectively against the disciplined and united Taliban.

If the greatest and most legitimate role of the state in rural Afghan society is the resolution of local disputes between tribes and warlords (which can only be achieved with the recognised ability to bring armed force to bear if necessary), then the divisions innate to democracy may be the greatest obstacle to its creation in Afghanistan. For such decisions can only be reached and enforced by a strong united power, whether of an individual ruler or a disciplined and united movement – not by a ‘fluid franchise construct’, in Martin’s accurate description.

Pashtuns like to talk of the old ‘democratic’ tradition of the Loya Jirga, or ‘great council’ (like the one that acclaimed Ahmed Shah as emir). In fact, the decisions of Loya Jirgas have almost always been reached in advance by a strong ruler, albeit in consultation with chieftains and elders. The Loya Jirga then puts a public stamp of approval on them. A weak ruler is ill-advised to summon such an assembly – as King Mohammed Zahir Shah found when he introduced an elected parliament in the 1960s. The result was a complete
inability to pass laws, and an explosion of quarrels and feuds among the representatives, accompanied and fuelled by their rival attempts to extract patronage from the state by every means at their disposal.

A state like that of Afghanistan since 2001, which is forced to seek support by granting patronage and positions to local warlord and tribal factions without being strong enough to impose its will on them, negates its basic traditional *raison d’être* in the eyes of ordinary people. As for parliamentary elections since 2001, at best these are consensual but fraudulent (in Western terms), with the seats apportioned in advance between the different warlords and factions. At worst, every election tears open the old disputes and leads to a new round of factional conflict.

**Nasty, illegitimate, impoverished: Afghanistan’s modern history**

At the heart of the interrelated ineffectiveness and nastiness of the Afghan state has been a lack of revenue. A devastating blow was dealt to the economic base of the region by the European seizure and development of the Indian Ocean trade routes from the end of the fifteenth century CE. Previously, the territory of what is now Afghanistan had been the chief route for the trade of South Asia, and much of Southeast Asia, through the Middle East to Europe.

The loss of this trade impoverished Afghanistan’s cities, and also largely destroyed the tax base of states attempting to rule the area. Raising taxes from the tribes, by contrast, was always an extremely challenging proposition, given that, in addition to their poverty and natural aversion to paying taxes, the heavily armed Pashtun tribes possessed the ability to kill the tax collectors. The armies necessary to collect taxes from the tribes would devastate and impoverish the countryside, provoke lasting bitterness and future revolt, and eat up so much of the revenue collected that very often this kind of revenue collection was simply not a paying proposition. As Ibn Khaldun wrote:

> A tribe paying imposts did not do so until it became resigned to meek submission with respect to paying. Imposts and taxes are a sign of oppression and meekness that proud souls do not tolerate.
Any ruling body attempting to build up state power in the Afghan region has therefore been chronically short of revenue. Ahmed Shah, founder of the Afghan state, conquered huge areas of northwest India, Central Asia and Iran, but his was a purely military and tributary empire, with its original seed in the contents of an expropriated Iranian treasure chest. It was based on a confederation of Pashtun tribes, on the personal submission to Ahmed Shah of local rulers and tribes, and on the irregular payment of tribute when this could be enforced. It did not involve either regular administration or systematic tax collection – something that would certainly not have been accepted by Ahmed Shah’s own Durrani tribesmen. It depended on military force, and this force was maintained not by regular salaries dependent on taxation, but by plunder (for example, the sack of Delhi in 1757 ce). As Barfield writes, ‘the Durrani Empire’s greatest sources of revenue were derived from territories that it never directly controlled. And that revenue would only continue to flow as long as the Durranis remained militarily dominant.’

Following Ahmed Shah’s death, the ability of the Pashtuns to plunder surrounding territories dried up as state power was restored (to an extent) by the Qajars in Iran, and by first the Sikhs and then the British in northwestern India. Relying on the vastly greater resources of Punjab, the Sikh kingdom of Ranjit Singh conquered the Peshawar Valley (the greatest single Pashtun-populated area) from the Durranis and extracted tribute – intermittently – from many of the Pashtun tribes who had previously paid it – intermittently – to Ahmed Shah.

The true founder of the modern Afghan state was the ‘Iron Emir’, Abdur Rahman Khan (ruled 1880–1901). He did so on the basis of four combined features that might be called the essential mixture of successful Afghan statecraft: traditional (in this case dynastic and religiously confirmed) legitimacy; outside subsidies; effective dispute resolution; and extreme ruthlessness. His non-interference in the lives of his subjects, as long as they did not revolt against him, also helped.

The subsidies came from Britain’s Indian Empire, after it had abandoned its disastrous attempts to conquer Afghanistan and embarked instead on building up Abdur Rahman’s rule as a buffer against the
Russian Empire. These subsidies allowed Abdur Rahman to build up the rudiments of a regular army and bureaucracy without having to increase taxes on the tribes.

As to his exceptional ruthlessness, the more colourful aspects of this may have been exaggerated by British observers – but there is abundant evidence of its basic truth, including in the emir’s own memoir. Abdur Rahman himself claimed to have killed 120,000 of his subjects – a very large proportion of the Afghan population at that time.

A rather vivid illustration of the nature of the Pashtun tragedy under Abdur Rahman is to be found in David B. Edwards’s study of traditions of morality and moral conflict among the Pashtuns, *Heroes of the Age*. Chapter three is a study of the ethical culture of Abdur Rahman, emphasising his ruthless ferocity, and ending with the words, ‘for in the end, the subjects he addressed so grandly ... wanted nothing so much as to tear him limb from limb’. Edwards also gives due weight to Abdur Rahman’s claims that the nature of Afghanistan made such ruthlessness necessary if a ruler was to maintain order and justice.

Chapter two tells the story of the youth of Sultan Muhammad Khan, a leading figure among the Safi tribe of the Ghilzai, who took part in the last great purely tribal rebellions in Afghan history, the Ghilzai revolts in the second half of the 1940s. If Abdur Rahman’s story is one of ruthless oppression exceptional even for an Afghan ruler, Sultan Muhammad’s is one of an obsession with honour and merciless revenge that was pathological even by the standards of Pashtun tribal tradition, and had ghastly results not just for his neighbours, but for some of his own family: ‘feuding ate up the mountains, and taxes ate up the plains’. This dreadful story is a perfect evocation of a famous anthropologist’s blistering characterisation of systems like the Pashtunwali: ‘honour divorced from virtue’.

The perils of attempting a programme of state modernisation on the basis of Afghan revenue alone was most vividly illustrated by the fate of Abdur Rahman’s successor, King Amanullah Khan, in the 1920s. The Afghan–British war of 1919 and the end of the British protectorate also meant the
end of most British subsidies. Amanullah’s radical modernising programme therefore required considerable increases in Afghan taxation.

The resistance this caused among the tribes fused with the reaction of the Muslim clerical classes against Amanullah’s westernising reforms, and the reaction of both clerics and tribal elites against the increase in the power of state officials and judges. The result was a mass revolt that overthrew Amanullah in 1929, after he was deserted by his unpaid soldiers. Following a brief period of chaos and rule in Kabul by Habibullah Kalakani (known by his nickname Bacha-ye-Saqao, ‘the son of the water carrier’), a Tajik ex-soldier who, in a combination of roles familiar to readers of historian Eric Hobsbawm, became a brigand and then a rebel, the Durrani monarchy was re-established by Pashtun tribal militias under a different branch of the royal family.

The resumption of state modernisation in the late 1940s was made possible by new outside subsidies, now offered by both the US and the USSR as part of the Cold War and their competition for influence in Afghanistan. This programme was to land Afghanistan in the same trap that has afflicted many developing societies. It gave great influence to outside states with their own ideological and geopolitical agendas; it raised expectations of progress and prosperity that it could not fulfil; it created a large class of junior officers and officials who could not be adequately paid; and, although its effects were very limited, they were sufficient to raise conservative religious resistance, now expressed not just by traditional clerics but by new groups of radical Islamist students.

The final result was the communist coup of 1978, the anti-communist revolts (replicating in certain respects those against King Amanullah 50 years earlier) and Soviet military intervention. Thus began the civil wars that have plagued Afghanistan for more than four decades. Since then, the Afghan ‘communist’ state of 1978–92 and the ‘democratic’ state from 2002 to the present have maintained a precarious balance between the Pashtuns and other ethnicities, but have lacked legitimacy as clients of the infidel Soviets and Americans respectively.

Both were (are) totally dependent for their state budgets on subsidies by their superpower backers. Both also alienated religious conservatives with their reform programmes, without being able to win over the rural
population by either providing effective state services or performing the traditional state role of ending local disputes. Neither exerted real control over most of the country.

**The Taliban and Islamic order**

The course of Afghan history in the 1990s – and very likely after the US withdrawal as well – was set out for me by a Qazi (Islamic judge) with whom I spoke in a ‘liberated’ area of Paktika province in 1989.43 I mentioned the lack of any institutions of authority in the area, and my fear that this would lead to chaos when the communist government eventually fell. He began by replying that this would be prevented by the Pashtunwali: ‘It doesn’t stop all feuds, but it prevents them going too far.’

I questioned this, pointing out how the traditional tribal order had been weakened by the colossal disruptions of the war, and the growing power of the mujahideen parties, of foreign money, of local warlords and of the heroin trade. ‘Yes, you may be right’, he replied. ‘But if the Pashtunwali fails, then we have the sharia, Islamic law, which everyone respects and which it is my job to implement.’44 Chaos did indeed follow the fall of the communist state three years later, and order was indeed restored by the Taliban on the basis of their interpretation of sharia.

The importance, and acceptance, of sharia in a tribal context, its difference from state law, and its ability to discipline tribesmen without reducing their fighting spirit were noted by Ibn Khaldun seven centuries ago:

> Clearly … governmental and educational laws destroy fortitude, because their restraining influence is something that comes from outside. The religious laws, on the other hand, do not destroy fortitude, because their restraining influence is something inherent.45

In extending their version of sharia order, the Taliban built on two old traditions among the Pashtun tribes. The first was the practice whereby local religious figures (often Sayyids, claiming non-Pashtun descent from the Prophet Muhammad, and thereby outside tribal allegiances) would mediate in tribal disputes.46 The second was the tendency of prestigious
religious leaders to preach the need to reform local behaviour in the name of a ‘return’ to strict Koranic and puritanical rules of behaviour. After the arrival of the British in the region, this was very often linked with the mobilisation of the tribes for jihad against the infidel – and sometimes against allegedly irreligious and westernising rulers in Kabul.47

In one sense, these influences were outside the Pashtun tribal tradition, and even ran directly contrary to it. They often explicitly demanded changes to Pashtun social traditions. Moreover, from the first, Arabian puritanical influence was directly or indirectly present. Thus, Sayyid Ahmad Barelvi, who sought to reform Pashtun custom and mobilise the tribes for jihad against the Sikhs and British, had studied in Arabia and was influenced by Wahhabism. As with the Taliban, the combination of religious prestige, hatred of the infidel enemy and puritanical attempts to change Pashtun custom accounted for the combination of respect and aversion with which these preachers were regarded among the tribes. As Ernest Gellner has written:

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\text{The manner in which demanding, puritan Unitarianism enters tribal life, and the manner in which the tribes are induced on special occasions to accept overall leadership, are the same. The exceptional crisis in the tribal world provides the opening, the opportunity, for that ‘purer’ form of faith which normally remains latent, respected but not observed.}^{48}
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The point is that puritanical Islamic reforms, though they have involved tension with tribal custom, are a very old tradition among the Pashtuns. Indeed, it could be called as old as Islam, since sharia has played some of the same reforming and civilising roles among the Pashtun tribes – up to the present day – as it did among the pagan tribes of Arabia 1,400 years ago. It is very striking that women, when they are given the chance to speak, usually, and by huge majorities, prefer sharia to the Pashtunwali.49

The appeal of puritanical religion to the tribes (in which hatred and contempt for the luxurious and decadent city was mixed with a desire to plunder it) was highlighted by Ibn Khaldun.50 This puritanism was funded and encouraged by Saudi Wahhabi preachers in the Afghan refugee camps in Pakistan in the 1980s. It was not created by them.
As for the Taliban’s attitudes to women, this alas was squarely in line with conservative Pashtun rural tradition. As Malkasian observed, ‘overall … Taliban oppression was just a gradation in the general Pashtun oppression of women’. The impression that these attitudes were something radically new and external came from the Taliban’s arrival in the more sophisticated and modern urban world of Kabul (or what was left of it after four years of civil war).

To understand the power of the Taliban’s appeal to sharia and religious puritanism among Pashtuns (and some members of other ethnicities) in the 1990s, it is necessary to recognise that the chaos, oppression and internecine conflict after the fall of the communist state were seen by ordinary Afghans not just as dreadful, but as a deep moral and cultural disgrace, following as it did the anti-Soviet jihad, which had been widely seen as a great, religiously ordained moral effort.

Moreover, in the Pashtun areas the collapse of the modern state, and the failure of the Pashtunwali to restrain the conflict and oppression that followed, left sharia as the last code standing. There was probably no other moral foundation on which state order could realistically have been reconstructed. It must also be admitted that any authority trying to restore order in the circumstances of Afghanistan in the mid-1990s would have had to use some pretty ruthless measures.

After the US invasion of 2001, the Taliban was able to seize control of one master narrative of the Pashtun tradition, and two that combined the Pashtun tradition with Islam. The first was that Pashtuns should always hold supreme power in Afghanistan, though a respected place would be allocated for other (Sunni) ethnicities. The second was the absolute religious duty of ‘defensive jihad’, or the notion that the duty of every Muslim was to fight against the occupation of Muslim lands by infidels.

The third narrative was summed up for me by a friend in Peshawar, who explained why the Afghan Taliban had gained so much sympathy even from secular Pashtuns: ‘One main reason for sympathy for the Taliban is that every Pashtun has been taught from the cradle that to resist foreign domination is part of what it is to do Pashto’ – that is, to follow the Pashtun way. The passionate belief of the Taliban themselves in these
narratives, and their own embodiment of them, has been demonstrated in their poetry.\textsuperscript{56}

In one respect, the Taliban are a significantly new force – albeit one that also has specific roots in the Ghilzai egalitarian tradition. Unlike most of the great saints of the past, their leaders are not famous clerics from Sayyid lineages. They came from very poor, very ordinary Pashtun villages in southern Afghanistan. This seems to have contributed to their internal discipline – compared to the great Sayyid saints, who, being saints, found it very difficult to submit to each other’s orders.

This was not an entirely new pattern in Pashtun history. As Fredrik Barth has written, there was a long tradition that in moments of crisis, ‘persons of less established sanctity might emerge’ as local leaders of jihad.\textsuperscript{57} Nonetheless, the Taliban leadership’s deep-rootedness in the poor, rural Pashtun society of southern Afghanistan does seem to have contributed to its astonishing ability – quite unprecedented in Pashtun history – to create and maintain a united, disciplined (at least by traditional Pashtun standards) and extraordinarily resilient movement.

Since every village has a mullah, this also gives the Taliban an ability to systematically reach into every Pashtun village to make sure that its orders are obeyed – something that no other Afghan (or Pakistani, or even Indian) state has ever achieved. This must be set against the known splits within the Taliban, for example, the past rivalry between the Quetta and Peshawar leadership councils.\textsuperscript{58} The radical and systematic increase in the status and power of the previously lowly and often despised village mullah is in Pashtun terms the most truly revolutionary element in Taliban history.\textsuperscript{59}

The Taliban has fought against the US and the Kabul state for two decades in the face of casualties that would have shattered the morale and recruitment of almost any other army. The Vietnamese communists are the only parallel I can think of – and indeed, the Taliban may have learned the importance of discipline and organisation indirectly from communism.\textsuperscript{60} There are provinces in Afghanistan where five Taliban governors in a row have been killed – and yet a new volunteer for the position has always stepped forward. This marks a striking contrast with all previous religiously inspired Pashtun tribal uprisings, which grew rapidly but also collapsed quickly after the first major defeat.\textsuperscript{61}
Together with deep religious belief, hatred of the infidel invader and sheer grit, it is above all this unity and discipline that have given the Taliban the edge over the factionalised and corrupt forces of the Kabul state, and have allowed it, both in government and in rebellion, to play the traditional and essential role of judging local disputes that the Kabul state has been unable to fulfil. The Taliban, like communist and nationalist insurgencies elsewhere in the world, has done this through an elaborate structure of alternative governors and judges in all the rural districts of the south and east, as well as its informal religious and kinship networks. As Malkasian writes, ‘for those today who claim that Afghanistan is ungovernable, Taliban rule offers a striking counter-example’. One might say that the Taliban is only organised and united compared to the existing Kabul state; but then, in the long run it only has to be better than the Kabul state – and stay that way – in order to win.

In Malkasian’s view (and that of other observers), this unity and discipline more than compensated for the Taliban cadres’ lack of education and experience – not that most local Afghan government officials are known for their education either. It accounted not just for their success as insurgents, but for a couple of truly remarkable achievements in power before 2001 (at least by the standards of Afghanistan): the suppression of heroin cultivation, and the successful and universal implementation of the World Health Organization’s polio-vaccination programme.

As this last case indicates, it would be wrong to see Taliban fighters simply as religiously inspired, unusually disciplined tribal rebels. In their own way, they also see themselves as inheritors of the Pashtun royal state-building tradition in Afghanistan (much though they despise the memory of the decadent and westernised monarchy). This, as well as sheer opportunism, helped them in the past to gain some surprising recruits even among former Pashtun-communist officers and officials.

These patterns, together with the constant contacts and conversations taking place between members of the government and Taliban fighters who, though ostensibly on opposite sides, belong to the same Pashtun tribes,
suggest that after the US withdrawal, the collapse of the Afghan state in the Pashtun areas may at some point happen not just very quickly, but also quite peacefully, as Pashtun soldiers and police simply go home, while their commanders flee or make their own deals with the Taliban. This, after all, is very much what happened both when the communist state collapsed in 1992 and the mujahideen took over, and as the Taliban swept through the Pashtun areas in 1994–96 and displaced the mujahideen warlords.

To reconcile rural Pashtuns to the state would be a great achievement in itself, but to achieve a stable and lasting hegemony over Afghanistan as a whole, the Taliban would have to do three things. The first would be to gain sufficient international subsidies, or aid. This it might be able to get (from China, Russia and the European Union, if not from America) in return for suppressing heroin production and fighting against the Islamic State and its international terrorist allies in Afghanistan – as it is indeed already doing.

The second task would be to make sufficient concessions to cultural modernity, at least in the city of Kabul, to retain enough modern technocrats to make the Afghan state work and to administer international aid. Can the Taliban compromise in this way? The former Taliban leader Mullah Mansour – who was very foolishly and pointlessly killed by the US – could have done so; but as for the present leadership – who can say? Not even themselves, perhaps, before they actually take power.

Finally, and most importantly of all, the Taliban would have to reach an accommodation with Afghanistan’s other main ethnic groups – Tajiks, Hazaras and Uzbeks – guaranteeing them autonomy and safety in their own areas. Without this, Afghanistan will be doomed to a future of unending civil war fuelled by outside backers; for while China and Russia might abandon these minorities, Iran cannot abandon the Shia Hazara without a serious loss of prestige as leader of the Shia world.

The Taliban is not a monolithically Pashtun force. It has gathered a good deal of support among other ethnicities by appealing to religious conservatism, but its leadership is still overwhelmingly Pashtun, and seen as such by most of the other peoples. Moreover, the Taliban’s record towards the other ethnicities when in power before 2001 was sometimes atrocious (though the atrocities were pretty evenly divided among all sides).
Perhaps united pressure from China, Iran, Pakistan and Russia – and from the US, assuming that Washington retains any interest in Afghanistan after US troops withdraw – might bring the Taliban to concede such autonomy.

These questions cannot be answered before the US withdraws and the existing Kabul state enters its final death throes. Some things do, however, feel certain on the basis of the experience of the past generation. Whatever happens in Kabul, the Taliban will remain the most powerful military and political force among the Pashtuns of Afghanistan; whatever limited compromises it may make, it will remain loyal to its version of conservative, rural, Islamic Pashtun culture; and it will never surrender. Anyone trying to shape the future of Afghanistan will have to shape it in accordance with these facts.

Notes

5 A vivid and amusing anecdote depicting the traditional role of the state in mediating local disputes (though in this case between Uzbeks in northern Afghanistan) is to be found in G. Whitney Azoy’s classic work on the game of *buzkashi* under president Sardar Daud Khan in the 1970s. A match in Kunduz, in which the rival teams represented local ‘big men’ and their factions, was getting seriously out of hand, leading to the risk of wider violence. The local governor took over the job of referee. One of his aides ‘handed the Wali a sawed-off shotgun, whose snub-nosed barrel was shrouded in a green velvet cloth. With no fanfare whatsoever, the Wali placed it on the table in front of him. There it remained all afternoon, neither handled nor even mentioned but unquestionably real. Both a symbol of government power and an instrument of self-defense in case matters got worse, the shotgun with its green cloth [green for Islam, presumably] served as the perfect veiled threat. There were no more disputes over


18 See, for example, Radek Sikorski (then a journalist with the mujahideen, later to become Poland’s foreign minister), *Dust of the Saints: A Journey Through War-torn Afghanistan* (New York: Paragon Publishers, 1990).


21 Sleeman also records the following Indian saying about the police:
Regarding witches there is a proverb: “Hik dain bait arak charhe” (An ugly witch to start with and then she rides a hyena) of persons who add to their innate repulsiveness by additional horrors – a saying which used to be applied to the police constable and his uniform.’ Sleeman, Rambles and Recollections of an Indian Official, p. 44.


26 Barfield, Afghanistan, p. 35.


31 Malkasian, War Comes to Garmsir, pp. 72–101, 254–6 and passim; and Martin, An Intimate War, pp. 115–25, 132–8, 247–9. The continued fighting between mujahideen factions and commanders, even when they were all on the point of being overthrown by the Taliban, is also emphasised by Giustozzi, Empires of Mud, pp. 80–4.


33 For the experiences of a British official in the 1840s attempting to gather taxes from the tribes of Bannu, see Lt H.B. Edwardes, Political Diaries 1847–1849 (Lahore: Sang-e-Meel Publications, 2006 [1911]).


35 For the antecedents, background and rise of Ahmed Shah Abdali, see Henry Priestley, Muhammad Hayat Khan (trans.), Afghanistan and Its Inhabitants (Lahore: Sang-e-Meel Publications,
1999 [1874]), pp. 57–64.


37 Barfield, Afghanistan, p. 100.


41 Christoph von Fuerer-Haimendorf, Morals and Merit: A Study of Values and Social Controls in South Asian Societies (London: Weidenfeld and Nicolson, 1967), pp. 218–19. The force of this condemnation is all the greater because Fuerer-Haimendorf was a pretty comprehensive moral relativist.


43 For an earlier version of this analysis with particular regard to the Pakistani Pashtuns, see Lieven, Pakistan, chapters ten and eleven, pp. 371–41.

44 Ibid., p. 118.


49 See Lieven, Pakistan, pp. 118–21.


51 Malkasian, War Comes to Garmser, p. 62.

52 For a memoir of that time by a member of the old Kabuli merchant class (Pashtun, but Dari-speaking), see Qaid Akbar Omar, A Fort of Nine Towers (London: Picador, 2013).


54 See Lieven, Pakistan, pp. 47–8.

55 Lieven, Pakistan, p. 390.
An Afghan Tragedy: The Pashtuns, the Taliban and the State

56 See Alex Strick van Linschoten and Felix Kuehn (eds), Mirwais Rahmany and Hamid Stanikzai (trans), Poetry of the Taliban (London: C. Hurst & Co., 2012).

57 Barth, Political Leadership Among Swat Pathans, pp. 61–2.


59 On the previous lowly status of the Pashtun village mullah, see Ahmed, Millennium and Charisma Among Pathans, pp. 53–4. Ahmed’s description, written in the 1970s, makes clear how radical a transformation the Taliban has brought about.

60 See Giustozzi, The Taliban at War, pp. 1–2, 239–40.


63 Malkasian, War Comes to Garmser, pp. 57–60.

64 On the systematisation of Taliban recruitment, command structures, logistics, medical services and intelligence after 2009, see Giustozzi, The Taliban at War, pp. 159–95.
