

*The Importance of Tribal Structures and Pakhtunwali in Afghanistan;  
Their role in security and governance*

By

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*“Over the centuries, trying to understand the Afghans and their country was turned into a fine art and a game of power politics by the Persians, the Mongols, the British, the Soviets and most recently the Pakistanis. But no outsider has ever conquered them or claimed their soul.”<sup>1</sup>*

*“Playing chess by telegraph may succeed, but making war and planning a campaign on the Helmand from the cool shades of breezy Shimla (in India) is an experiment which will not, I hope, be repeated”.<sup>2</sup>*

### **Background:**

Since the establishment of modern Afghanistan in 1747 by Ahmad Shah Durrani (Abdali) in Kandahar, tribes have played an important role in installing and in deposing different Afghan rulers. The tribes have also played an equally important role in establishing order in the country especially in those areas where the reach of government in terms of security and governance was low or non-existent. **The “qawm” had a dual effect in Afghanistan’s history;** on the one hand it has prevented the central government to promote modernity while on the other hand it has been a crucial “social capital” for the resilience of the Afghan society to external shocks such as war, drought and failed governance.<sup>3</sup>

In the absence of functioning government since 1978 in most part of Afghanistan, the tribal and district structures which can be called as social capital network, have played strong role keeping security and governance. In most part of Afghanistan, tribal structure or locally established Shuras were the only source of social justice in the last 29 years or even before than that.

The tribal structures or Pakhtun code of conduct (Pakhtunwali/ Pashtunwali) is very strong among Pakhtun majority and play a significant role which comprise of more than 50 percent of Afghanistan’s population<sup>4</sup>. During the peaceful reign of King Zahir Shah (1933-1973), if a crime occurred in very remote part of the district or among the tribal

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<sup>1</sup> Rashid, A (2001)

<sup>2</sup> In spring 1880, during the famous Maiwand war with British, in Helmand province of Afghanistan, one British officer sent a letter to his generals in which he warns.

([http://www.senlisouncil.net/modules/publications/010\\_publication/chapter\\_01](http://www.senlisouncil.net/modules/publications/010_publication/chapter_01))

<sup>3</sup> Research paper by Raphy Favre, “Interface between State and Society in Afghanistan, discussion on key social features affecting governance, reconciliation and reconstruction, February 2005, (www.aizon.org)

<sup>4</sup> The Decline of the Pashtuns in Afghanistan, Anwar-ul-Haq Ahady  
*Asian Survey*, Vol. 35, No. 7 (Jul., 1995)

boundary, the local elders were obliged to hand over the perpetrators to the government. This was despite the fact that even in those years, the government machinery was weak but they had support of the people.

The Pakhtun code of conduct is based on equality (Seyal) and applying equality is called (Seyali or competition). Equality, competition, protection of Namus (protection of female members and wealth) and Ezzat (honor) are the centerpieces of Pakhtunwali. Other components of Pakhtunwali are Gundi (rivalry); Qawm (ethnicity or tribe) or Qawmi Taroon (tribal binding); protection of Hamsaya (neighbor or outsiders living with a family or in a village); Jirga (meeting of elders to gather for a specific issue to solve); Pur, Ghach, Enteqam or Badal (revenge) and Nanawati (forgiveness). The application of these rules is called Narkh (informal or traditional law or rules), the implementation of which is being the responsibility of a Jirga, Shura or government.

These codes of conduct are an inherited way of life especially for the Pakhtuns in rural areas of both side of the Durand Line. Even though, many scholars and writers have written extensively about these codes of conduct, I wish as an Afghan who lived and grew up in rural Afghanistan, to elaborate and explain these terms. Most of these terms are used in a string-like manner in which each term is connected to another one.

## **1. Pakhtunwali Terms**

### **1.1 Seyali (Competition) or Turborwali (Rivalry):**

We can say Pakhtunwali is Seyali. Seyal also means equal. This competition and rivalry exist in all aspects of life. This term is further elucidated in explaining Gundi. You do have Seyali with those who are equal with you in status. It is considered shameful to do Seyali with those who are not your equal in status, e.g., a Khan or tribal chief will not do Seyali with labor or with Hamsaya people in a village as they are considered sub-ordinate in status. He does Seyali with his cousin or Khan or chief of other tribe. If one cousin is poor and another is wealthy, they are Turbor (rival) but they are not Seyal. They are equal in terms of lineage but not wealth. In case of marriage, wealth is important but in terms of prestige and Turborwali, wealth is not counted. In marriage there is saying, “O’ turbor me e- kho makhay (seyal) ma na e” “Yes, you are my Turbor but not my Seyal (to be engaged with a girl in my family)”. First or distant cousins are called Turbor.

There is a saying among the Safi tribe that all Safis are equal (Safi sam samake). The story goes that once several Safis were sleeping in a Hujra (guest house) and there was only one Kat or Charpai (bed) in the room. Since all of them thought that they were equal, they didn’t allow any one to sleep on the bed according to seniority of age or status. Instead they put the Kat in the middle of the room and every one put one leg on the Kat and that’s how they spent the night.

### **1-2 Namus and Ezzat:**

In order to live in Pakhtun family, village or society, you should be able to protect your Namus and should have Ezzat. Female members of the family, land and property are called Namus. Homeland is also called Namus. Protection of the homeland is the same as

protecting your own Namus. If someone cannot protect his Namus or has no Ezzat in the society, she/he will not have a place in the family, village or in the larger Pakhtun society. She/he will have to leave the family, village or will have to fight for his/her honor. To die for Ezzat is better than to live without Ezzat because it will be Pehour (taunt) for his family and children as well as for future generations of his family.

There is a Pakhtun proverb, *Mal me da Sara Jar Sha aw Sar me da Namus na Jar sha*” or *I will sacrifice my wealth for my head and will sacrifice my life for my Namus*”. If a Pakhtun cannot protect his wealth and Namus, there is no place for him to live among the tribes and he has to migrate to another location to live as Hamsaya (to take protection and live outside of his tribes, an asylum seekers). As Hamsaya, you don’t have the same status and privileges as the people who live in the village. In this case, you live under the protection of the family with whom you dwell. In the present context, Arabs or Bin Laden in Afghanistan lived as Hamsaya or guests (unwanted guests). This was one reason that the Taliban insisted that Bin Laden was the guest of the Afghans because in hard times (during the Jihad against the Soviet Union occupation) they supported the Mujahedin and now that the former are facing a problems, they should be protected by the later whose guests they were.

### **1-3 Gundi (Rivalry):**

In the Pashto language Gundi means party, faction, group or a bloc of people. Gundi means factional, tribal or personal rivalry. Gundi can start from an internecine rivalry between brothers or between cousins, within clan or tribes. Gundi within the family or among cousins is also called Turborwali. The first cousin is called Turbor. In Gundi, each side tries to have relations with other Gundi or rival factions in other villages or sub-tribes, which eventually lead to larger rivalries between two influential families of major tribes. It means, in the event of enmity or need, each side should have supporters among other tribes outside of its own clan or among cousins.

These informal relationships are strong and in the event of seeking support, they get help from these connections and relationships of Gundi. Those who come out in support are called Gundimar. In the Pashto language, Gundimar is also used for some persons who pursue rivalry or never forget personal enmity and seek revenge. In order to strengthen your Gundi, you or your family should have a reputation that in the times of need, you will support your Gundimars. Credibility and reliability is key to having good supporters within the families and tribes. In many instances, the bonds of Gundi are based on marital relationships, which is why establishing such relationships can be a calculated decision taken by a family. For example, if a brother’s son or daughter is married to another family, his brother should not have a second marriage within the same family because in the event of a rivalry between these two brothers, that family could support only one side. Even in many cases if a family has marital relations with the enemy of a person or family, it means he is his enemy.

If a member of a Gundi was killed in enmity, he or she will be counted in the last or final peace agreement by Jirga. In the final decision when both side agreed to have long term peace, the jirga will count all people who have been killed or wounded in the duration of

enmity or what other damaged happened to each side. If the enmity was continued for several generations, they also count all the people who killed in each generation because the enmity would be carried from one generation to another.

**1-4 Narkh (traditional or informal law or rules):** In those areas where the government has no presence or is very weak, Pakhtuns solve all their disputes through Jirgas. The rules of dispute resolution are called Narkh, which are unwritten rules and based on precedent. Literally, Narkh means price because each decision involve certain costs. Narkhis are people in society or in tribes who understand or at least have the reputation of understanding these rules. For example, elders of the Ahmadzai tribe are well known for their understanding of Narkh.

In the absence of functional government in the last almost three decades in Afghanistan, due to occupation and civil war, the people of Afghanistan ruled themselves on the basis of these traditional codes through local Jirga or Shuras. They were able to solve their day to day problems and seek social justice.

At presently, in the rural areas of Afghanistan, most people solve their disputes and problems through Jirga/Shuras because the formal judicial system is weak, inaccessible, expensive, lacking in capacity and is viewed as being very corrupt. Also the formal systems, in the most cases, cannot prevent the future revenge. Therefore most people prefer to go to the informal system. According to the United States Peace Institute (USPI), in 85% of cases, people prefer to take their problems to a village or tribal council, local notables or a cleric while only 15% would bring a dispute into the formal system.<sup>5</sup>

The informal dispute resolution system is cheaper, quicker and accessible compared to the formal system. Also in the most cases, informal system can guarantee to prevent the future enmity or revenge because the disputing parties agreed to solve their problems through jirga or shura and they will be satisfied with the outcome of decision.

**1-5 Qawm ( in Dari language) or Qam (in Pakhtu language), Qawmi Taroon, Qawmegari or Azizwali:**

As is stated by Raphy Favre, the Afghan society is shaped by Qawm which is a “fragmented network society” which is resulting in poor “socio-political” representation of its members.<sup>6</sup> Qam is called for larger tribe. For example Hazara Qam (Hazara tribe), Pakhtoon Qam (Pakhtoon tribe) or Uzbek Qam (Uzbek tribe). In the event of rivalry or ethnic support, in most cases, members of each tribe support their own tribesmen no matter they are right or wrong. Such kind support is based on Qawmi Taroon (tribal binding or decision). In Dari Qawmegari means ethnical support but in Pakhtu it is called Azizwali. Aziz is Arabic word means friend but in Pakhtu, Azizwali means tribal relation. Such example that how each Qawm support his tribal affiliation is better

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<sup>5</sup> USIP, briefing paper, December 2006, Kabul, Afghanistan

<sup>6</sup> Research paper by Raphy Favre, “Interface between State and Society in Afghanistan, discussion on key social features affecting governance, reconciliation and reconstruction, February 2005, ([www.aizon.org](http://www.aizon.org))

explained later on in the story of Mir Zaman Khan of Kunar<sup>7</sup> which is told in the context of Enteqam that how he was killed by Shinwari tribe in Kunar.

### **1-6 Enteqam, Pur or Badal (revenge):**

These are synonyms for revenge. Pakhtuns will take their revenge no matter how long it takes. There is a Pakhto proverb, *Ka cheeri Pakhtun, khapal badal sal kala pas ham wakhle no beya ham-e-bera karay da* "If a Pakhtun took his revenge after 100 years, it means that he is still in a hurry". Badal also can be used to exchange girls to be married between two families. A son, grandson, great grandson or a cousin can take his revenge even after several generations. If a Pakhtun did not revenge from his enemy or rivals, it means he is coward (be-ghairat) and this will be used as a Paighour (taunt) to his family. So a Pakhtun would rather prefer to be dead than live with Paighour or dishonor. Even if the question of Paighour or honor related to a whole tribe or section of a tribe, they cannot accept it. They took revenge collectively or individually. This sense of revenge can be explained in the following two stories.

In the Sapari Village of Khas Kunar district, one person by the name of Azam, killed a person about three decades ago. The victims had only one infant child. The mother of this young boy also died in the early age. During the Soviet Union Occupation, when this young child grown, he killed Azam in Mangwal village of Khas Kunar district who was about 80 years old. Mangwal is my home village. Most of us even didn't remember that Azam had killed the father of this young man but someone told him about killing of his father. Then this young man took revenge of his father after three decades. Many of us was saying that why he took revenge because this was old guy and would have died any way. But in Pakhtunwali, you have to take revenge or Enteqam by yourself not by others on your behalf. Dying naturally can not be accepted as Enteqam and this would have been Paighour for him in the future.

In 1924-1925, Loya Paktiya (at presently Khost, Paktia and Paktika provinces) tribes had failed uprising against the King Amanullah regime. Mir Zaman Khan<sup>8</sup> of Kunar, was sent by King Amanullah Khan to suppress the tribes in Loya Paktiya<sup>9</sup>. After suppressing Loya Paktia's tribe, King Amanullah erected Monar-e-Elm-wa Jahl (minarate of Knowledge and Ignorance) in Kabul which is still exist in the east side of Kabul Zoo. Amanullah gave a title of Loy (Big) Khan to Mir Zaman Khan. In 1928, when Shinwari tribe of Nangarhar province<sup>10</sup> revolted against King Amanullah, he asked Mir Zaman Khan Kunari to suppress Shinwari tribes near Jalalabad.

After suppression of Shinwaris by Mir Zaman Khan's Lashkar (tribal army), he returned to his home in Kunar. The news of Shinwaris suppression by Mir Zaman Khan in the

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<sup>7</sup> Mir Zaman Khan of Kunar was de facto ruler of eastern provinces of Afghanistan during the time of King Amanullah. He was given the title of Loy Khan (Big khan) by King Amanullah after defeating Paktia's revolt against the king.

<sup>8</sup> Mir Zaman Khan Kunari was grand-father of my mother.

<sup>9</sup> Afghanistan War of Independence: The forgotten front of Chitral and Kunar by Dr.A.Rahman Zamani, Pashtu, Published by Muska Printing, 2007

<sup>10</sup> <http://www.afghanrelief.co.uk/AfghanHistory.htm>

eastern region had been already spread. Mir Zaman Khan was traveling from his home in Chagha Sarai (now Assadabad which is the capital of Kunar province) to Asmar brigade where his son, Esmatullah Khan was commander. On the way, in the Shinkorak village of Shegal which is located near Asmar on the north side of Kunar river, he stopped in the village to offer evening prayer in a mosque. Shegal village is the only village in Kunar province that the residents of this village are Shinwaris. In this time, Mir Zaman was accompanied by only a body guard because he had complete control in the area<sup>11</sup>. When he was offering evening prayer, the Shegalis, decided to kill Mir Zaman Khan to take revenge of Shinwari tribe of Jalalabad. He was killed in the Mosque of Shinkorak in January 1929.<sup>12</sup> In the mean time, his horse escaped and reached to Asmar Brigade. His son, Esmatullah Khan realized that something is happened to his father. When Esmatullah Khan found out that his father was killed by Shinwaris of Shegal village, he marched his force toward Shegal village and destroyed the houses and killed so many people.

From the above two stories, someone can gauge the intensity of revenge among Afghanistan’s tribes as well as how quickly they took decision. The main reason to take such kind big and bold decision in very short notice and to build consensus is the define code of Pakhtunwali to defend your honor and to take revenge to support their ethnic groups no matter what would be happened or to think about the future consequences.

#### **1-7 Nanawati (forgiveness):**

In the majority of cases, Pakhtuns can only forgive their enemy and pass revenge if the dispute is solved through a Jirga. If the Jirga decided to send a delegation to the victim’s family, it is most likely that they will accept it and forgive or pardon the crime. Sending this delegation is called Nanawati. The delegation is mostly comprised of elders, religious leaders and some women who take with them the holy Quran and a sheep for slaughter as they ask for forgiveness. If the victim’s family accepts Nanawati, there is no stigma of Paighour for his family.

#### **1-8 Melmasteya (Hospitality) and Hujra (guest house):**

Even though hospitality is common in among many countries, Afghan hospitality is known because they always try to extend their hospitality to all guests or visitors who come to their homes or village even if they do not know them. Afghans will try to serve the best food or the best seat or place which they have to the guests. The first thing Afghans seek to build is their guesthouse (Hujra) which is a symbol of pride among families of villages. Those who entertain guests, are well respected. The most important aspect of Afghan hospitality is to protect the guest.

In rural areas of Afghanistan, when guests stay overnight, in the morning they ask from the guest that which is your destination. If something happens to the guest between these two destinations, the family with whom he stayed overnight has to defend his/her right. If

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<sup>11</sup> Interview with the grand-mother of the writer of this article who was daughter of Mirzaman Khan.

<sup>12</sup> Afghanistan War of Independence: The forgotten front of Chitral and Kunar by Dr.A.Rahman Zamani, Pashtu, Published by Muska Printing, 2007. He was 58 years old.

the host family knows who robbed, dishonored or killed their guest, they are obliged to take revenge on the behalf of the guest. Most of the enmity within families or villages has originated because of protection of the guests. Protection of the guests is the same as you protect your *Namus*.

Some village has common Hujra (guest house) which is functioning as community center or center of local politics. Since in the rural areas of Afghanistan, there is no restaurants or hotels, most visitors or travelers stop in a village go to mosque and say that he is travelers (*musafer*) and need food and shelter overnight. In some cases, if the number is big, all families bring food to the mosque or common Hujra or if the number is few, then one family voluntarily feed the travelers.

Hujra is also good entertainment center for youngs to sleep and during the evening play cards, music or sing. As I mentioned before, Hujra is like community center where people learnt a lot about *Pakhtunwali*.

#### **1-9 Jirga or Maraka (council or meeting of elders):**

Even though in tribal structures, a tribal chiefs, *Khans* and religious leaders play important roles, to make or implement decision you have to build consensus and an unilateral decisions cannot be implemented. The main forum for decision-making processes is called the Jirga (council or gathering of representatives of tribes or of different segments of the society). The difference between a *Shura* (council)<sup>13</sup> and a Jirga is that members of council are elected or selected for longer periods but members of a Jirga can be changed for every issue. The importance of a Jirga is in the implementation of its decision. If a Jirga cannot implement its decision it does not have any value.

If a groom's family send a delegation to a bride's family for an official engagement request, this is also called Jirga or Maraka. You can send Maraka or Jirga for any issue between two families or tribes.

A Jirga can be convened for small disputes between individuals, on local issues as well as on bigger disputes between tribes. Jirga members should be selected by consent of the disputing parties. If one side does not agree on the composition of Jirga members, the Jirga cannot be held. After the democratic selection process, the disputing parties give full authority (*Wak*) to the members. A Jirga has its own role which is called *Narkh*. The Jirga members is called *Jirgamar*. Disputing parties select these people among the community or tribes who have proved to be honest, impartial and understand the role of the Jirga and *Narkh*. The Jirga then asks for *Mechelgha* (a guarantee) from the disputing parties. The amount of the *Mechelgha* can be decided by the Jirga members according to the importance of the issue. *Jirgamars* (Jirga Members) take this security because if any side of the disputing parties does not accept the final decision, the Jirga members will not return that side's *Mechelgha*. *Mechelgha* is guarantee for the implementation of the

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<sup>13</sup> *Shura* is Arabic word meaning council. During last three decades, several kinds of *Shura* established for short and long period in each district. Military council, *Shura-e-Ulema* (religious scholars *shura*), *Da Spengero Shura* (*Shura* of whitebeards) and *Community Development Shura* (*CDC*). The National assembly is also called *Shura-e-Milli* or *Provincial Council* (*Shura-e-Walayati*).

Jirga's decision. One other point to make here is that the door to address the issue through legal government channel never been shut down by Jirga. Any side if may wish to pursue his/her case through the legal system, they can do it even after the final decision of the Jirga.

### **1-10 Loya Jirga:**

There is another forum of Jirga, which is called Loya Jirga (a Grand Council). Traditionally Loya Jirga in Afghanistan is called by the government or all tribes for a national issue. Even though the Jirgas has a long history in Afghanistan, but in contemporary history of Afghanistan, the first Loya Jirga under the leadership of Mirwais Khan Hotaki, is called in 1707 in Kandahar to fight against Safavid rule. As a result of the Jirga's decision, the Georgian-born governor of Kandahar, Gurgin was killed. After his death, Mirwais Khan Hotaki established the Hotaki dynasty in Afghanistan.<sup>14</sup> I

The next Loya Jirga called by the tribes in 1747 in Sher Surkh of Kandahar, selected Ahmad Shah Abdali as the King. The dynasty which he established ruled over a larger state that included modern Afghanistan, Pakistan, some parts of eastern Iran, western India<sup>15</sup> and some parts of Central Asia.

Since 1747, governments have called most of the Loya Jirgas. In 1915, King Habibullah called a Loya Jirga to approve of Afghanistan's neutrality in the First World War. In 1919, King Amanullah called a Loya Jirga to declare Afghanistan's independence from the British rule. In 1941 King Zahir Shah, called a Loya Jirga to approve the neutrality of Afghanistan in World War II. In 1964, the government called a Loya Jirga to approve the constitution of Afghanistan. The 2002 Emergency Loya Jirga approved the interim administration of Hamid Karzai, the current President of Afghanistan and in 2004, the Loya Jirga approved the present constitution of Afghanistan. As I mentioned before, each Jirga or Loya Jirga could be convened for a specific issue and after taking the final decision, the assignment of the Jirga members cease to exist and they go back to their areas.

As I mentioned above that Jirgas and Loya Jirga have played an important role in Afghanistan history, primarily due to the lack of a strong government in Afghanistan. Jirgas still play very important role in the tribal structured society of Afghanistan. Mostly in the rural areas, more than 90 percent issues are solved through Jirgas.

People accept Jirgas as a means of Informal Justice System because it is cheaper, accessible and shorter way of solving dispute and prevent future enmity. But the formal justice system in Afghanistan is expensive, takes longer time and cannot stop future enmity. Also due to lack of capacity and corruption, people have less confidence on the formal justice system. In many instances, the final decision of the Formal Justice System cannot be implemented by executive branch. It further exacerbates frustration among disputing parties.

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<sup>14</sup> <http://en.wikipedia.org/wiki/Hotaki>  
<sup>15</sup> <http://en.wikipedia.org/wiki/>



Just recently, during the visit of Hamid Karzai to Washington, in the end of 2006, President Bush, President Musharraf and President Karzai agreed to have a regional peace Jirga between Afghanistan and Pakistan to reduce tension between these two countries. In this Peace Jirga, members from tribes of both sides of the Durand Line as well as from other tribes and bureaucrats from both countries will participate. According to the exchange of Jirga's commission between Afghanistan and Pakistan, most likely, this jirga will be held in August 2007.

After this introduction to these Pakhtu terms, I would like to explain how tribes could participate in security and governance in Afghanistan.

There are three pillars of power in Afghanistan, namely the tribal structure, religious leaders and government. I would like to explain each one of them independently. For more details, you can read books of Professor David Edwards, *Heroes of the Age*, and *Before Taliban/Genealogy of Afghan Jihad*.

## **2- Informal or non-recognizable District Structures:**

During British role in the Indian sub-continent, through the Treaty of Gandamak (12 November 1893) they enforced Durand Line Agreement that divided the Pashtun tribes between Afghanistan and India, causing deep anguish. Since the creation of Pakistan in 1947, all governments of Afghanistan have not recognized the Durand line. Also, a big area along the border between Afghanistan and Pakistan effectively remained as a buffer zone, called Qabayel (tribes) or no man lands.

Because of the weak presence of the government and access to remote areas especially along the Durand line, the only governing mechanism to solve day-to-day problems is Pakhtunwali/Jirga.

Administratively, officially Afghanistan has been divided by 34 provinces and 364 districts plus municipalities. Most of these districts have been divided by geographical location or tribal structures. If we go to all districts of Afghanistan, you will find the following three structures<sup>16</sup>.

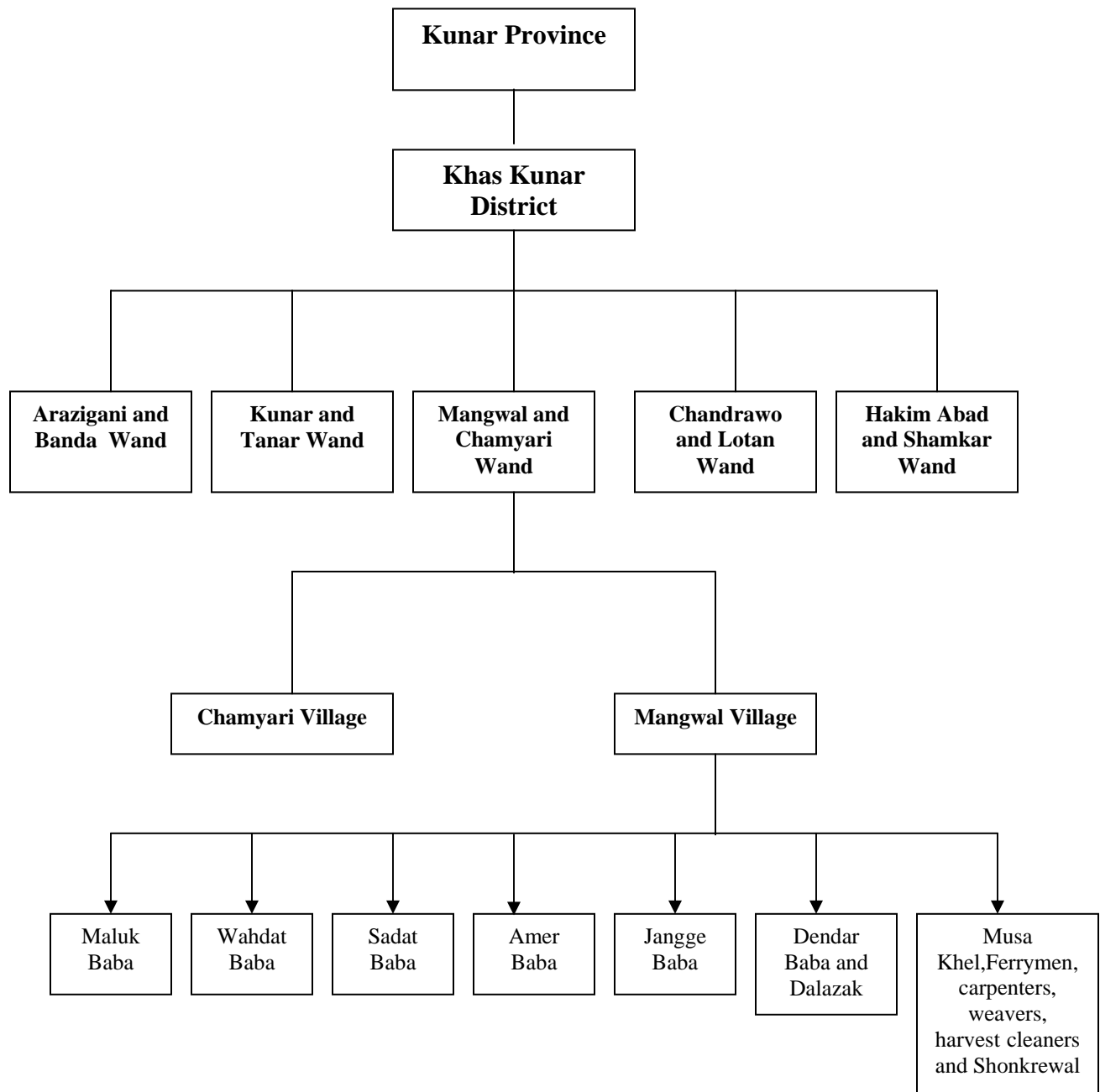
1. Tribal structure
2. Wand, Tagab, Qabela, Khanagi, Zone, Basta or Manteqa (sections comprised of cluster of several Qarya's)
3. Qarya system (cluster of small villages)

Some of the districts in Afghanistan have been named after the name of a tribe for example Tani, Gurbuz, Zaze, Lezha Mangal, Andar... etc. In all those districts where one or two tribes live, the districts are divided by sub-tribes. Tani district in Khost province has divided by four sub-tribes of Tani. Five Wands divide my own district, Khas

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<sup>16</sup> Some of these structure system has been explained in the new book of Shahmahmood Miakhel, published in 2006 in Pashtoo language, named "Emergency Loya Jirga and Election Process in Eastern Provinces of Afghanistan"

Kunar, which is located in eastern province of Kunar. Each of these Wands or sub-tribes is then divided further by different clusters. In the same way, 52 Qaryas divide Kama district in Nangarhar province. In order to understand this system, I would like to explain the structure of this system in Khas Kunar district. It looks too complex for outsiders but the local people, who live in the district, understand it easily. I would like to mention, most of the government officials and educated people from the district don't understand this structure as long as they don't live in the district.



Khas Kunar used to be the capital of the Kunar province and the name of the province is taken from a village called Kunar. Khas Kunar has the following five Wands (Sections):<sup>17</sup> Each, Wand is comprised of several villages and each village has several clusters.

1. Mangwal and Chamyari
2. Chandrawo and Lotan
3. Kunar and Tanar
4. Arazigani and Banda
5. Kuli Gram (Hakim Abad) and Shamkar

The complexity of the matter again start in each Wand that they further divide their profit and loss on the base of shares which is existed in each Wand. For example, Mangwal and Chamyari wand of Khas Kunar divide their profit by three shares. One share (1/3) given to Chamyari village and two shares (2/3) is given to Mangwal village.

Mangwal village than have 7 clusters (shares) named after their great-great parents except one share of the clusters is allocated for other families (carpenters, ferrymen, sayyeds..etc) and they divide their profit and loss on seven shares equally. They are:

1. Maluk Baba
2. Wahdat Baba
3. Sadat Baba
4. Amer Baba
5. Jangge Baba
6. Dendar Baba and Dalazak
7. Musa Khel (members of other tribe who live in this village), Jolagan (weavers<sup>18</sup>), Shahkhel (harvest cleaners) and Shonkrewal (members of other tribes who live in this village)

If we look to the above chart, all residents of the village has equal share and they all participate in all issues regarding their village or district and has contribution according to their share. In the above chart, the first six clusters of Mangwal village belong to one tribe, which is called Atamarkhel sub-tribe of Momand tribes. Momand tribe divided by four major sub-tribes of:

1. Bayze
2. Khoyze
3. Halemze and
4. Tarakzi

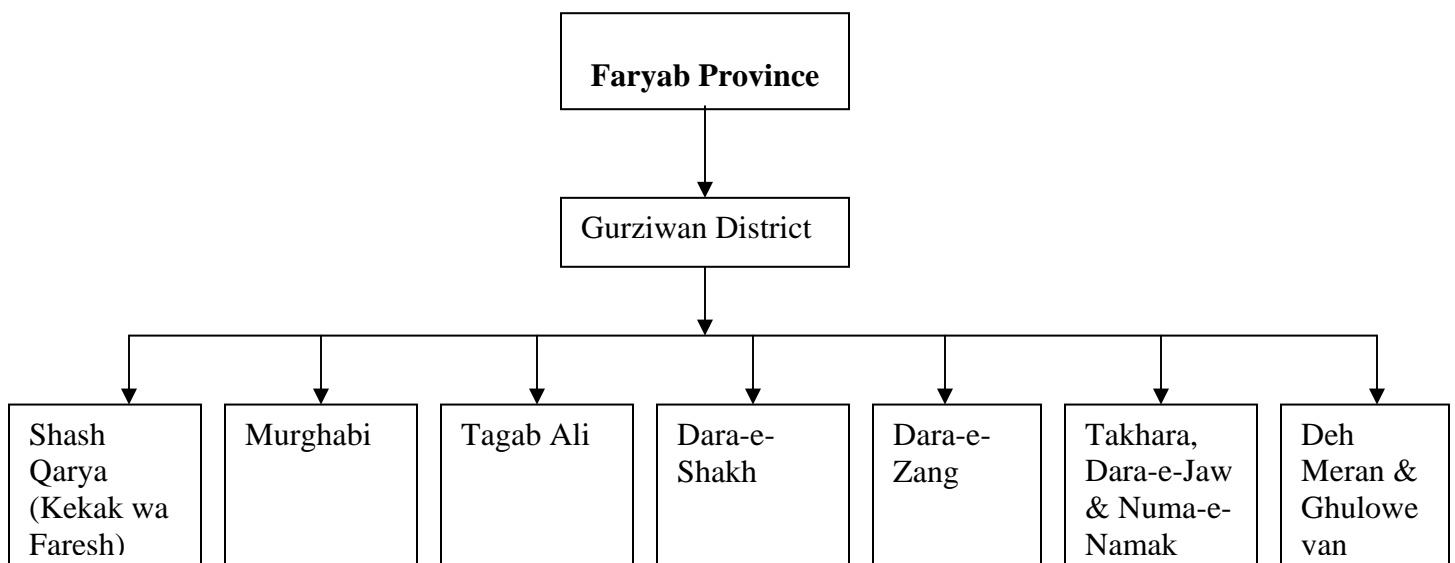
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<sup>17</sup> Even though, I lived in the same district but the actual research took place in March-April 2002 during election of Emergency Loya Jirga

<sup>18</sup> Before modern age, there were weavers almost in all villages who prepare cloth from the local produce cottons for clothes. The descendents of those families are still known by those names.

The Atamarkhel tribe of Mangwal village is sub-tribe of Bayze. Momand tribes' settled in eastern provinces of Kunar and Nangarhar, tribal Qabayel belt between Afghanistan and Pakistan as well as in the northwest part of Peshawar.

Also if we look into the above chart, the stronger tribe, Atamarkhel, gives share to those who are not part of their tribes or they are from the lower class. We see they give equal share to Musakhel, Dalazak and Shonkrewal families who are not part of Atamarkhel tribes. I call it equally because this distribution of share in the village has been done by the number of the families living in Mangwal village. Changing this rule is not acceptable to the tribes because of water share, land share, pastures, forests, mountains and other communal properties.



If we look to the above diagram, Gurziwan<sup>19</sup> district of Baryab province divided by 7 section which is known among the people by the name of Tagab (Valley).

In Jaghori district (south-west of Ghazni province), the number of "manteqa" are not rigid. NGOs, such as Shuhada Organization or Avicenne have listed 25 "manteqa" in Jaghori;<sup>20</sup>

1. Almetu
2. Anguri
3. Bâbâ
4. Busayd
5. Chilbâghtu-ye Oqi
6. Chilbâghtu-ye Pashi
7. Ahmarda
8. Dâwud
9. Haydar
10. Hecha
11. Hutqol
12. Kamrak
13. Lumân
14. Maska
15. Pâtu
16. Sang-e Mâsha
17. Sapâya ou Khodaydâd
18. Sa'id Ahmad
19. Shashpar
20. Sherzayda
21. Shoghla
22. Siyâ Zamin ou Posht-e Chob
23. Taberghân

<sup>19</sup> interview with the people of Gurziwan who visited UNAMA on 31 May 2007

<sup>20</sup> Research paper by Raphy Favre, "Interface between State and Society in Afghanistan, discussion on key social features affecting governance, reconciliation and reconstruction, February 2005, (www.aizon.org)

24. Ulyatu

25. Zerak.

Some “*manteqa*” bear the name of tribal segments such as Dahmardad, Maska or Baba, while other designates only the name of a location such as Sang-e Masha or Hutqol. Alessandro Monsutti<sup>21</sup> notes that in some “*manteqa*”, the population is from the same tribal affiliation, while in others, the population is mixed (i.e Sang-e Masha). However, Monsutti shows that the “*manteqa*” endogamy in Central Afghanistan is high with 70% of the marriage made within the “*manteqa*” and 30% outside. Monsutti also notes that when a marital union is made outside of the “*manteqa*” it is generally to reactivate ancient strategic alliances between families. Monsutti conducted a study on the social structure in Jaghori district of Ghazni province and mapped the various “*manteqa*” of Jaghori district (see figure 1).

If we look to the structure of Bagram<sup>22</sup> district of Parwan province, it is divided by 99 Qarya. Among 99 Qarya, 30 of them are from Pakhtun ethnic group, five Qaryas are Hazara and the rest of them are Tajiks. In Bagram district, just recently, they added one more Qarya which is near to the gates of Bagram airbase because now many families from all ethnic groups reside there who are not part of any of the above 99 Qarya’s. Now the district of Bagram have total of 100 Qarya’s.

In the same way, in Gulistan district of Farah province<sup>23</sup>, majority people are Pakhtoon from Noorzi tribe while there are some small community of Tajik and Shia also live in the district. The district of Gulistan divided by eight Qabela. Six Qabelas are Pakhtoon, one Tajik and one Shia. Six Qabelas of Pakhtoon are Helal Zay, Jamal Zay, Khuche Zay, Bare Zay, Khuwaja Zay and Barik Zay. In the same way, 22 Qayas are included in Jamal Zay’s Qabela and they are: 1. Telekaman 2. Karez Naw 3. Qala-e-Surkh 4. Deyak 5. Toot 6. Khanjaka-e-Oleya 7. Khanjaka-e-Sufla 8. Pushta 9. Saidal 10. Babokhel 11. Lartay 12. Ghalrawe 13. Olar, or Pashto Lar 14. Qala-e-Gam 15. Qala-e-Naw 16. Qala-e-Mia 17. Shewani 18. Esfanj 19. Palway 20. Dahan-e-Palway 21. Orkan and 22. Tal

According to Mr. Dehate, the government influence is very weak in Gulistan district and the people of Gulistan selected 8 members Shura (one member from each Qabela) to solve the day to day problems of the district. Haji Ali Jan from Khuwaja Zay Qabela is the head of Shura and Mr. Sarajudin from Jamal Zay Qabela is the deputy of Gulistan Shura.

Also, if look to three districts of Ghourmach, Qades and Joyand in Badghis province, the same kind structure called by three difference names of Hazar Khanagi (thousand

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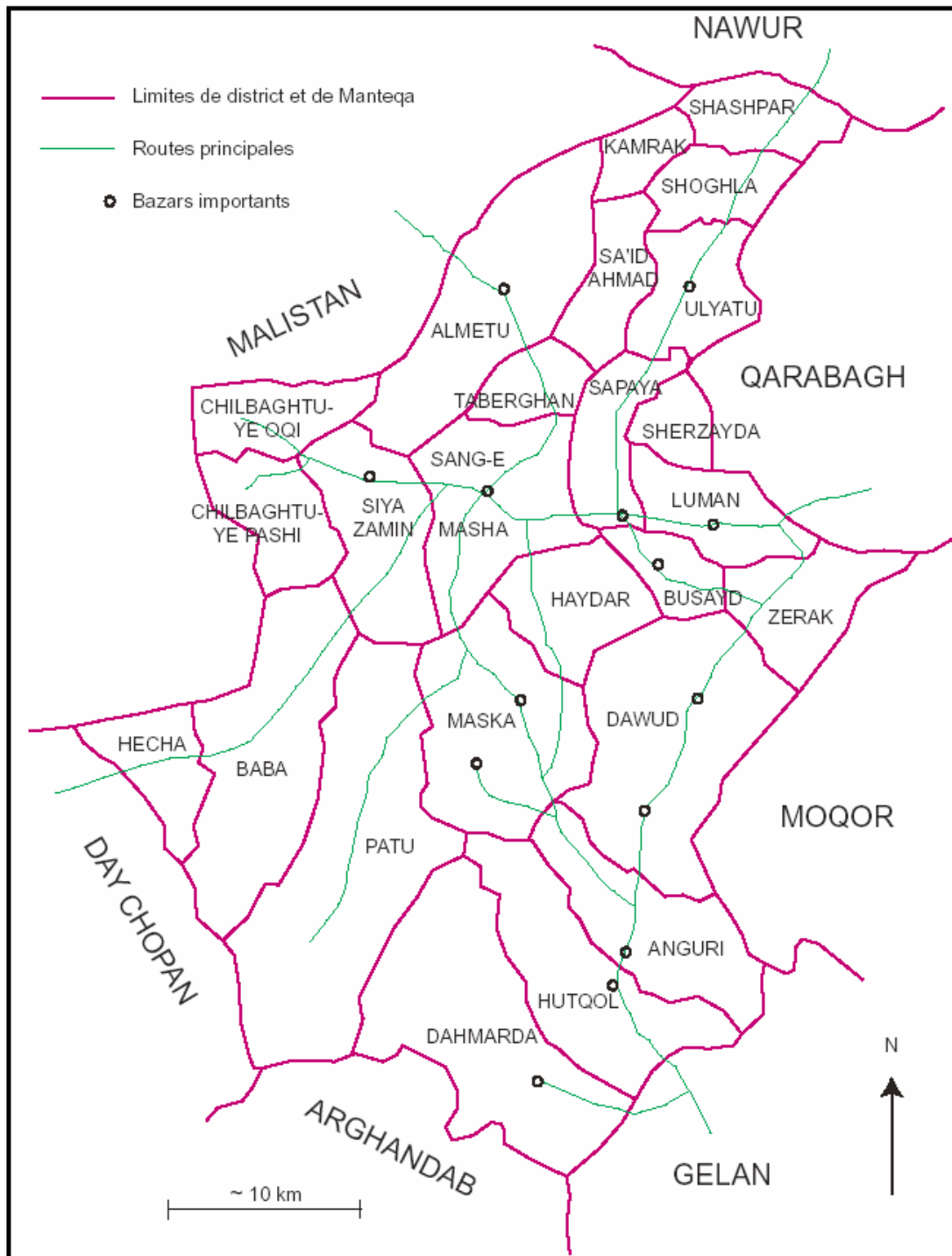
<sup>21</sup> Alessandro Monsutti, author of “*Guerres et migrations: réseaux sociaux et stratégies économiques des Hazaras d’Afghanistan*”, Neuchâtel: Faculté des lettres et sciences humaines (thèse de doctorat), Switzerland, 2003.

<sup>22</sup> Interview with General Baba Jan of Bagram on 1<sup>st</sup> June 2007 in Bagram

<sup>23</sup> Interview with Abdul Majid Dehate of Gulistan in UNAMA, Kabul Office on 12 June 07

families), Zone and Basta. Ghourmach district divided by three Hazar Khanagi such as Tokhi, Achekzai and Zamand. Qades district divided by 12 Zones and Joyand district divided by ten Bastas

Figure 1  
 Maps of the “*manteqa*” of Jaghori district (Ghazni province).<sup>17</sup>



These, *manteqa* , tagab, Qabela, Wand, tribal structure or Qarya, do not have administrative recognition but represent the actual social and territorial unit of rural Afghanistan and people understand it. They know how to select their representative and participate in all issues from small to larger one.

According to Monsutti<sup>24</sup>, it would take approximately a week/10 days for an experienced team to define (and map), through a grass-root consultation, the various “*manteqa*” within a district.

Between 1994-1995, when I used to work for UNDP/UNOPS program in the south and south-east area of Afghanistan, in order to establish District Rehabilitation Shura (DRS) in each district, it would take us one to two weeks to establish such kind of a Shura to have thoroughly consultation with all segments of the district and to have fairly representative Shura. Once the people select their representatives through this process of consultation, then, they will support their representatives and cooperate on all district issues.

In 1994, we wanted to establish DRS in Gurbuz district of Khost province. The district was comprised of three sub-tribes of which were geographically located far away from each other. One branch of the tribe lived close to the center of the province but other two sub-tribes live far away from the center of province as well as from the center of the district which were named Zia-u-din and Ghulam Khan<sup>25</sup>. It was 3-4 hours drive from the central of Gurbuz to these two location. Since most NGOs or donors who wanted to work in Gurbuz, they would reach out to the center of the district and ignoring two other clans in the district. Most of the time, these two tribes would create problem for the NGOs and other donors. Especially the grand son of Ghulam Khan named Badarkay would stop vehicles and would take tolls from NGOs and donors by force.

When we decided to work in Gurbuz district, we visited all these three clans and talk with their elders and reached to mutual agreement that they will provide security and our vehicles will not be stopped in any part of the district. If one clan stopped our vehicle, we will not work in the district. Then DRS should fine that clan who stopped our vehicle or created problems for our contractor. Each clan should select their own representatives for DRS. Then DRS would prioritize the projects according to the need of each section. We had allocation of 30-50000 US dollars for each district to spend. We would give copy of project specification documents to DRS and would ask them to play monitoring role of the construction of the projects. Finally, we had the more successful project implementation in the Gurbuz district and the people were very cooperative. This is noteworthy to mention that security situation in Gurbuz district as well as in the rest of the country were much worse than the present time in Afghanistan.

As mentioned in the case of Khas Kunar, Gurziwan, Bagram, Gulistan and Jaghourai districts, this structure is not only limited to Pashtoon areas. It is a common system that

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<sup>24</sup> Allensandro Monsutti , op, cit.2003

<sup>25</sup> Ghulam Khan was known Khan of Gurbuz tribe. The entry point between Afghanistan and Pakistan in Miram Shah is known as Ghulam Khan.



only the resident of the districts can understand them but unfortunately it is not recognizable by government or other institutions outside of the district.

I believe, this is the only way that the people prefer to participate in all security, governance and development issues and cooperate with local authorities on district level where majority people live in Afghanistan.

If we look to the above complexity of the relation, from one side, it is difficult to build consensus easily but once you were able to build consensus, then you have full support of the tribes and villagers. No one will be left out from participation and decision-making. It will help to have fair and equal participation and decision making powers regarding all issues.

According to the elders in our area, the first numeration of this tribal structure in all districts took place during the rule of King Abdur Rahman (1880-1901) and most tribes were given conscription, duties and taxation to the government on the above counting basis. Still all districts share their profit/loss or contribution to government or volunteer jobs on the above basis.

### **3- Religious Leaders:**

Religious leaders have their own networks in Afghanistan. There are two networks of religious leaders in Afghanistan, Madrassas and the Sufi order.

Sufi Pirs have followers among tribes and they obey their orders. There are four sects of Sufi orders in Afghanistan;

1. Naqshbandaya
2. Qaderiya
3. Chushteya and
4. Sarwardeya

But two sects of the above Sufi orders, Naqshbandaya and Qaderiya, have more followers. In the modern days, major leader of Qadirya sect was Naqib Saib, father of Pir Sayed Ahmad Gilani who is the leader of National Islamic Front of Afghanistan, a resistance group formed against Soviet occupation in Afghanistan. Leader of Naqshbandeya was the Mujadedi Family. The current Chairman of Afghanistan Senate and also leader of National Islamic Front of Afghanistan, Prof. Sebghatullah Mujadedi, is known leader of this Sufi order

There are some other independent networks of Sufi Pirs that exist in Afghanistan. In the eastern provinces of Afghanistan, the disciples of Mulla Najmuddin Akhund, known as Hadda saib, who fought against the British, are well known families. They have strong role among tribes. (for further information you can refer to the books of Professor Edwards; Heroes of the Age and Before Taliban, Genealogy of Afghan Jihad ).

There are two systems of Madrasas in Afghanistan. Official madrasas, which being is supported by the government and non-officials Madrasas, which are is supported by contributions received from individual and organizations. The last type of madarasas are mostly located in mosques. The role of unofficial Madrasas and their leaders are more important among tribes compare to the role of the government Madrasas and its leaders to mobilize community. One of the reason that the religious leaders who are graduated from the government funded Madrasas, play less significant role because most of them are appointed as judges and prosecutors and due to corruption in the judicial system, they are viewed by the people as corrupt officials.

#### **4- Government Structure:**

Afghanistan has unitary system with central government to control all resources and appointments to the district level. Even though, there is Presidential system but in reality, the central government is hybrid of parliamentary and presidential systems. The cabinet should be approved by the parliament and a minister can be removed by simple majority of the parliamentarians. The provincial structures, according to the new constitution, neither looks like federal system nor unitary system. It is again hybrid of federal and unitary system because there are elected Provincial Councils in all 34 provinces which do not have much power except consultation and some monitoring role which is recently given to them by new PC law without clear guidance.

Constitution also envisioned district and village councils but there will be the same problem like provincial council to define the relationship between executive and elected councils. If an elected council on district level do not appoint or select its own chief executive, holding of this election will be not beneficiary to the district.

As I mentioned before that Afghanistan has 34 provinces and 364 districts, with the present rules of appointment mechanism, all districts chiefs, judges and attorneys suppose to be appointed by the President because all these positions are rank one and two. The President appoint rank one and two civilian, police and military (major general ranks) officials. If we include all rank one and two positions on district, province and central levels, it will reach to 5-6000 positions and all of them should be appointed by the President which is beyond capacity and capability of the Presidential office or its designated office. If we look further to current procedure and law, these positions not only need the President signature in appointment but it require the President signature for all transfer and reshuffling of these positions inside the province or outside in the ministries and provinces. If we calculate all these appointments, transfer and reshuffling in one year cycle, the number may reach about to twenty thousands people.

There is strong need that this procedure should be changed because as we have seen inflation of ranks in military and police, the same kind inflation exist among the civilian administration. Most of these changes need political decision and will to do it.

## 5- Conclusion:

Historically, Afghanistan had always weak central government and the ruler would compromise with tribal and religious leaders. For example, when King Nadir Khan (1929-1933) took power, he gave special privileges to the tribes in Loya Paktia (Khost, Paktia and Paktika provinces) and exempted them from the conscription in the military as well as gave honorary ranks to the chief of tribes. In order to please the religious leaders, King Nadir Khan established several official Madrasas, for example, Najmul Madares in Jalalabad, Madrasa-e-Asadeya in Mazar and Abu Hanifa in Kabul. Some graduates of these official Madrasa become known politician and bureaucrats in Afghanistan.

During the reign of King Zahir Shah (1933-1973), he settled many Pashtun families in the northern provinces of Afghanistan and gave them lands. During his forty years rule, there was peace in Afghanistan because he tried to keep balance among tribes, religious leaders and the rule of the government. Also his external policy was not threatening the neighbors. Whenever power imbalance happens among these three pillars of power in Afghanistan, the government failed and turmoil started in Afghanistan.

If we look briefly to the rule of King Amanullah Khan (1919-1929), he wanted to modernize Afghanistan and implement reform agendas, but due to strong resistance both from religious leaders and tribes, he abdicated his power and left the country. He lived in exile in Italy until he died on 26 April 1960<sup>26</sup> and his coffin was brought to Jalalabad and buried to his father, King Amir Habibullah's tomb in Saraj-ul-Emrate Garden.

President Daud (1973-1978), had more focus on the implementation of his ambitious progressive nationalistic agenda but over thrown by the communist coup because of his external policy that he wanted to keep distance from the Soviet Union and getting close to the west.

When the communist regimes (1978-1992) targeted religious and tribal leaders, national resistance (Jihad) started against the communist regimes and they failed to implement their agenda.

In the same level from 1992-2001, the Mujahiden governments and Taliban excluded tribal leaders from the power, Afghanistan had been drawn in the civil war.

My main points here is that in order to have peace and security in Afghanistan, we should keep balance between tribal, religious and government structures in Afghanistan and our external policy should not pose threats to our neighbors.

In the sectors of security, governance and development, people participation is must on the basis of the district structures, which exist in all districts. Consensus building or bottom approach is time consuming process but in the end state we save a lot of time, resources and avoiding mistakes. Consensus building can be called planning. If in management, we spend more time on proper planning and involving key personals in

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<sup>26</sup> Afghanistan War of Independence: The forgotten front of Chitral and Kunar by Dr.A.Rahman Zamani, Pashtu, Published by Muska Printing, 2007 page 4.

planning process then in the end we will not have problem in the implementation of a project.

In the eastern region of Afghanistan, when I was involved in the election process for Emergency Loya Jirga in 2002, the people of four eastern provinces (Kunar, Nooristan, Nanagarhar and Laghman) elected their representatives on the basis of above structures in each districts. Later, the convention of delegates selected the final members for Emergency Loya Jira in Jalalabad University. For more details refer to the book of Emergency Loya Jirga and Election Process in Eastern Region.<sup>27</sup> This system is quite similar to the caucus system of the United States where people select their delegates in the primary elections to attend party convention.

Therefore, the role of consensus building is key for success in Afghanistan to have peace, security and good governance. It is also a democratic process because of the support and participation of the people.

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<sup>27</sup> Emergecny Loya Jirga and Election Process in Eastern region: Pashto book by Shahmahmood Miakhel, Printed by Pir Printing in 2006.