

Pukhtunwali: Ostracism and Honor Among the Pathan Hill Tribes

Niloufer Qasim Mahdi

St. Anthony's College (Oxford University), Oxford, England

"The Pathan Hill tribes provide an example of the functional role of ostracism in a face-to-face, kin-based society. "Pukhtunwali," the Code of the Pathans, regulates the uses of ostracism, as a response to the conflict between an individual's desire for freedom and the necessity of tribal unity. The most striking use of ostracism among the Pathans: 'is the rejection by the tribe or clan of one of its own members whose behavior might lead to feud. If a member of a group has committed an act likely to provoke a reprisal which may be directed against any individual of that group, the guilty person may be expelled. By ostracizing the person, the group is both punishing him and withdrawing its support. In Pathan society ostracism functions simultaneously to deter behavior that violates customary legal norms, to punish specific acts that are culturally defined as improper, and to unify the primary reference group upon which individuals depend for protection and economic support.

The emergence of the modern state has transformed face-to-face associations among men into a structured pattern of interrelationships regulated by governments with the power to enforce law and order. This process brought about a demarcation between activities regarded as illegal, which are met with sanctions by state authorities, and action contrary to custom monitored and controlled in varying degrees by public opinion and social disapproval.

For the purpose of this study, ostracism has been described as ranging from the termination of life to a mild form of disapproval, such as derision (see Gruter; Kort; Masters; this issue). Within a state as commonly described, ostracism toward the more drastic end of the scale is imposed by governmental authority, whereas ostracism towards the other end of the scale is left to society at large. Where the dividing line actually occurs depends upon the sociopolitical organization of the State.

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Address reprint requests to: Niloufer Qasim Mahdi,
c/o Gruter Institute for Law and Behavioral Research
158 Goya Road, Portola Valley, CA 94025.

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Within the Pathan Hill tribes, the distinction between state-administered ostracism and ostracism by the community does not exist. As a result, this culture provides us with an excellent example of the functional role of ostracism in a face-to-face, kin-based society.

THE PATHAN HILL TRIBES

The Pathans trace their ancestry to Qais bin Rashid of Ghor in Afghanistan. In the 7th century, Qais was converted to Islam by the Prophet Muhammad. Qais was a descendent of the eponymous Afghana, for whom are named the "Afghans" as a race (as distinct from the nationals of the modern state of Afghanistan). Strictly speaking, the ethnic term "Afghan" is interchangeable with "Pathan." (The Pathans refer to themselves as "Pukhtun," which is the correct nomenclature; Pathan is the Indian corruption, but is used here because it is more commonly used and recognized in non-Pukhtun society.)

The Pathans are probably the largest tribal group, functioning as such, in existence. They straddle the Durand Line, which marks the border between Pakistan and Afghanistan. In Pakistan alone, they number approximately 15 million. They inhabit mainly the Northwest Frontier Province of Pakistan, their traditional home. For administrative purposes, the Province is divided into the Settled Areas, which are administered as the rest of Pakistan, and the Tribal Area, where the Pathan Hill tribes are located. (For further information regarding the Pathans, see Caroe 1965; Ahmad 1977, 1980; Spain 1962.)

The Pathan Hill tribes (hereafter referred to more simply as the Pathans) are an acephalous, egalitarian, kinship-organized society, segmented into tribes successively subdividing into clan, section, subsection, and family. Some of the major tribes are the Mohmands, the Shinwari, the Mahsuds, the Waziris, the Afridi, the Orakzai (Ahmad 1980; Merk, n.d.; King, n.d.; Howell, n.d.). Although part of the state of Pakistan, the Pathans function autonomously within the Tribal Area in the Northwest Frontier Province which is divided into seven Agencies: Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan, and South Waziristan.

The Pathans do not recognize permanently established or permanently functioning authority, either in the central government or at any level in the tribal structure. The Pathans choose to do without a state apparatus because they wish to retain the maximum degree of individual freedom. However, they acknowledge the necessity of belonging to the group, and therefore, the need for regulating intertribal and intra-tribal relations. The tribes live in permanently settled geographical locations according to tribe or clan, and depend on an agrarian economy. They acknowledge the need for a restraint on acts inimical to the minimum order and security required for cooperative existence. For the Pathan, the evolutionary response to the problems of combining a desire for individual freedom with the necessity of tribal union,

with all its implications, has not been the State, but "Pukhtunwali" ("The Code of the Pathans").

PUKHTUNWALI

Pukhtunwali consists of certain broadly stated rules of conduct, whose main principles are summarized in the course of this article. Obedience to Pukhtunwali is freely given. If a Pathan does not wish to live by the Code, he can leave the Tribal Area and move to anywhere in Pakistan; as long as a Pathan lives in the Tribal Area, however, he is obligated to follow the rules, of Pukhtunwali. The obligation to the Code is not secured, in the first instance, through any coercive force. Ask a Pathan why he upholds Pukhtunwali, and the answer will be because of "izzat" ("honor").

Izzat is a concept central to the understanding of Pathan normative behavior. Khushal Khan Khattak, the quintessential Pathan and warrior-poet of the Khattak tribe, wrote in the 17th century,

Sweet to me is death than life
Which is passed day today without honor.

(Caroe and Howell, 1963)

To act contrary to Pukhtunwali is to be dishonorable, and with that stigma, it becomes virtually impossible to function in tribal society. Whatever moral imperatives may be attached to the observance of Pukhtunwali, however, it is quite clear that its purpose is entirely utilitarian. Without Pukhtunwali, tribal structure would collapse.

As vital as the Code is, there is no permanently instituted, or permanently functioning, authority to enforce compliance with it. The responsibility rests entirely with the individual, acting alone or becoming part of a collective action. Nor is there division of punishment into that reserved for the equivalent of any permanently established authority, and that practiced by the individual, alone or as part of an *ad hoc* group. Ostracism, as a response to the contravention of Pukhtunwali (or any established local custom), becomes the obligation of every Pathan, acting individually or as part of a relevant tribal segment. In carrying out the dictates of Pukhtunwali, a Pathan consciously may be discharging his obligation only for the sake of personal izzat, but in effect he is acting as an agent of the tribe to control the aberrant behavior that threatens the viability of the tribal structure.

Women personify the honor of the tribe. The honor of women is an issue on which the Pathans are the most sensitive and uncompromising. The worst crime a woman can commit is to indulge in an illicit sexual relationship ("tor": literally "black"). If discovered and apprehended, the couple is killed. This is the one instance in which killing does not provoke "badal" (revenge). If a woman's honor is compromised, even though she be the unwilling victim, she is killed, as it is the only way that the honor of the tribe (or a relevant segment) can be redeemed.

BADAL(REVENGE)

The most commonly practiced form of punishment, and the cornerstone of Pukhtunwali, is badal. The term is particularly applied to "revenge killing." Badal is an action taken to avenge death, or when the honor of a woman has been involved. When it is a matter to be resolved by badal, the right to avenge by death is the prerogative of the individual immediately concerned, but that right also resides in the family, section, clan, or tribe. Further, badal need not be restricted to action against the culprit, but can be taken against any member of his kinship group.

As a tool of social control, badal is an adaptive punishment and an effective deterrent. Although badal is undertaken as personal revenge, it is shifted into the objective sphere by the fact that it is carried in conformity with Pukhtunwali. A man who is the legitimate target of badal is shunned by the community inasmuch as the latter considers him to be correctly so targeted. The man who exacts badal may not be acting consciously for the common good, but no less than a state authority, he is acting as an agent of the community in executing badal according to Pukhtunwali. To that extent badal has an effect similar to that of objectively administered punishment.

Badal is effective as a deterrent, usually because neither economic nor social status deflects its course. A case in point occurred in the early 1980s. Although the Tribal Area Pathans do not participate in the political process, certain leaders do sit on representative bodies in Pakistan ('representation without taxation,' as it were). Malik Shahzada, a powerful member of the Halimzai clan of the Mohmand tribe and member of the Federal Legislative Council, killed a man he considered to be an outlaw in the Mohmand Tribal Agency. While Malik Shahzada was attending a session of the Pakistan Majlis-i-Shura (Federal Council) in Islamabad, the nation's capital, he was shot in his car by the outlaw's kin. Neither Malik Shahzada's wealth, position in the tribe, nor his status as member of the Federal Legislative Council averted the course of badal. In marked contrast to many Third World states, in Pathan society justice is not for sale.

If a man seeking badal is weak vis-à-vis his "dushman" (enemy), he will pass on his obligation to his sons, and they in turn to their sons. And if a man is well-protected enough to escape badal himself, it is extremely doubtful that the protection can be extended to his kin, or the successive generations, who would constitute legitimate targets of badal. Justice may be deferred, but not denied (although, as in all human organization, certain exceptions to the rule - be it badal or any other principle - obviously occur).

Since the obligation of badal devolves upon a kinship group and the target of badal also can be any member of a kinship group, there is pressure on the individual by the group to refrain from letting a situation develop to a point at which it becomes a problem for the other members of the group.

For the above-mentioned reasons, badal acts as a powerful curb on

wanton killing. Given the Pathan trait of being quick to anger, the ubiquity of weapons and the facility with which they are resorted to in a quarrel, were it not for the principle of badal, tribal life would degenerate into a Hobbesian state of anarchy and war. It is thus interesting to compare Pukhtunwali to the Social Contract theory of Hobbes and Locke, English political theorists who regarded the state as the inevitable outcome of the desire to end a pre-state condition of anarchy and insecurity. (See Hobbes' *Leviathan* or Locke's *Second Treatise on Civil Government* and cf. Masters 1964.)

MEDIATION AND PUNISHMENT

Although the extreme form of ostracism (execution) has positive functional consequences for society, it has disadvantages as well. What may commence as badal involving two individuals may escalate into a feud spanning decades, and drawing into its vortex of violence increasing numbers and even successive generations. While a feud is in progress, its deleterious effects are visible even to the casual observer. The feuding parties tend to stay within the high walls of the house or village. The fields that lie outside those walls go untended. To work in them would be to present an exposed target to the hands of the enemy. The situation thus has an adverse effect on the economy of the area.

To mitigate the disadvantages of badal, Pukhtunwali makes provision for mediation through a "Jirga" (Council of Elders). A Jirga can consist of any number of people, usually elders or notables of the group. Without going into the details of leadership ("Maliki") among the Pathan, for present purposes it is sufficient to point out that the essential feature of the "Malik" - whether head of a tribe, clan, section, or just a family - is his status as "primus inter pares."

A Jirga will be convened when the feuding parties have in some way indicated a desire to terminate hostilities. A Jirga can be convoked by any individual (usually a malik or leader) or by a group of individuals, when it appears that honor has been satisfied, and it is an opportune time to halt the cycle of violence. However, unless the antagonists agree to arbitration, a Jirga can achieve little. Once they have so decided, the Jirga can act in two ways, namely, arrange a truce, or effectuate a termination of hostilities.

A truce is made by means of "tigah" (stone). A stone is put in place for a stipulated period. During that time both sides are bound to desist from "hostile acts." When the tigah period is ended, it may either be renewed (and the process can continue indefinitely), or hostilities may be resumed. In the very least, tigah ensures a period of peace and normalcy through a compromise that results in no loss of face. A Jirga can also negotiate a permanent cessation of hostilities, if the adversaries are willing. Certain conditions, such as monetary compensation, may be imposed to achieve a balance in the redress of grievances.

A Jirga is essentially a conciliatory body, whose mediatory efforts are directed towards settling minor disputes, preventing a disagreement between antagonists reaching violent proportions, or containing the disadvantageous consequence of ostracism. However, the Jirga assumes a punitive role in certain situations.

Once a party has submitted to arbitration by Jirga, it is bound to follow the Jirga's ruling. In the case of a violation of the truce, for example, a violation of the truce is contrary to Pukhtunwali, and therefore to be punished. The Jirga will penalize the offending party, or parties, usually by the imposition of a fine. If the penalty is ignored, the Jirga can enforce compliance by bumming the home of the resisters. d.

A fine or the bumming of a house is very severe punishment. The Pathans are a very poor people, for the most part. Raising money to pay a fine imposes severe hardship on the offender. Rebuilding a house also means a great financial strain. In addition, a Pathan bereft of the stout walls of his home is as vulnerable as a tortoise without his shell. His position becomes extremely precarious, especially if he has enemies.

The enforcement of punishments imposed by the Jirga can be accomplished with the aid of a "lashkar" (army). A lashkar is a force composed of men levied from various segments of the tribe, and, like the Jirga, is an *ad hoc* body that disbands after the task at hand is completed.

A Jirga also acts as a punitive agent when, for example, the honor of the tribe is threatened, as illustrated by the following incident: A Pathan, Katore, of the clan of Chinari of the Mohmand tribe, invited three members of the Babazai clan to his home, ostensibly to sell weapons to them. In his home, he killed the three Babazai and relieved them of their money. Four days later the corpses were discovered where Katore had thrown them. In other circumstances, the process of badal would have been allowed to take its course. However, in killing his guests Katore had violated the very important principle of Pukhtunwali, "melmastia" (hospitality). By his act, he had brought low the izzat of the whole tribe. Consequently a Jirga was convoked, and a lashkar was raised to deal with a resisting Katore and misdirected friends who had come to his aid. Several houses belonging to Katore and his kin and friends were bummed, and a heavy fine imposed. The money was divided between the lashkar and the kin of the slain Babazai.

This case illustrates the use of ostracism to preserve tribal life. Although the matter was interpreted in the emotive framework of izzat, the principle that was being defended is of an entirely utilitarian nature. The Pathans inhabit a harsh land. In order to move from one place to another, or to reach the market centers, they need to traverse long distances across difficult terrain, and areas held by various segments of a tribe. It would be difficult to sustain tribal life if each group were unable to leave its own area. This is what would occur if travelers could not be sure of safe conduct (an extension of melmastia) outside their own area, or take shelter with families along an arduous route. In accordance with Pukhtunwali, the Pathans

sider it dishonorable to be inhospitable, and such acts are punished, the severity of the sanctions corresponding to the manner in, and degree to; which, melmastia has been violated.

OSTRACISM, EXILE, AND REFUGE

The closest Pathan approximation to the classic Greek concept of ostracism is the imposition of exile. Amongst the Mohmands, specifically, this is termed "kashunda." If a member of a group has committed an act likely to provoke a reprisal, which may be directed against any individual of that group, the guilty person may be expelled. In thus ostracizing the person, the group is both punishing him, and withdrawing its support. It is hoped that the avenging party will direct its action against the comparatively vulnerable exile, and none other in the group. An example of this occurred in 1972 in the Malukor section of the Halimzaiclan of the Mohmands. A 13-year-old boy was found guilty of torturing his uncle's 7-year-old daughter and was exiled from his tribe. He made good his escape from the Tribal Area. Thirteen years later he had not been killed, but the girl's family had been sufficiently placated to refrain from any act of badal against the miscreant's brothers or father or anyone else in the clan.

When kashunda is unilaterally undertaken, it may succeed in its purpose of averting random vengeance against the group, or it may not. The only time it is bound to stop the cycle of badal is when it is part of a bilateral agreement. If two antagonistic parties submit to arbitration by Jirga, and kashunda is part of the imposed compromise, then the course of badal cannot be pursued.

Other Pathan tribes do not practice ostracism by exile in an attempt to secure the safety of the group. Among the Waziri tribe, an individual is exiled purely as punishment. If, for example, a Waziri commits grave excesses, such as killing women or children in the process of badal, a Jirga may decide to exile him. It is worth noting that although a Pathan may be deprived of the protection of his tribe according to Pukhtunwali, even when ostracized he will not be dispossessed of his land.

When a Pathan is exiled from his group, his situation becomes untenable. He is vulnerable not only to his dushman, but can be victimized by anyone without fear of badal. He then has recourse to two alternatives: he can move anywhere in the country outside the Tribal Area; or he can resort to "nanawatay."

Nanawatay (literally, "going in") is the term applied to the act of taking refuge. A Pathan can present himself at the doorstep of any of his fellows, and ask for sanctuary. He is more likely to apply to a powerful group, where he will be afforded a greater degree of security, than to a comparatively weak group. In providing refuge, the group itself becomes a target for re-

praisal. Notwithstanding the dangers attendant upon granting refuge, to refuse sanctuary according to Pukhtunwali is to court ostracism.

Nanawatay is also used as a tool of conciliation. Amongst the Shinwari tribe, if a man has inadvertently wounded or killed another, he can demonstrate his contrition by going in with a Jirga to the aggrieved kin in order to make restitution. The Jirga decides on the compensation to be given by the offender. He may have to pay "Khoonbaha" (blood money), give cattle, or in the last resort, offer women of his household. As a gesture of conciliation, nanawatay, cannot be spurned. The refusal to accept nanawatay is punished to the extent that the homes of those who refuse may be ordered burned by the Jirga.

Performing nawatay is considered highly dishonorable in the instance of a man "going in" to his "dushman." On occasion, fear may overcome "izzat" to the extent that a man who is threatened by a more powerful adversary may go to him in an act of total submission. In doing so, he may save his life, but he will permanently lose the respect of the group. Instances of nanawatay as a subject submission to an enemy are extremely rare. It is contrary to Pathan character and the spirit of Pukhtunwali. It can be explained in utilitarian terms as being rare because it negates the adaptive aspect of badal. The structure of badal as a deterrent would collapse if it became the ruler rather than the exception for a man to avert punishment by performing nanawatay.

SOCIAL DISAPPROVAL

It is not difficult to observe or elicit informative responses from the Pathans' regarding the severe forms of ostracism, and what acts are deserving of them. It requires a far greater degree of persistence and tenacious enquiry, however, to gather information about the milder forms of ostracisms such as overt avoidance, exclusion from social participation, shunning, or derision. During my latest field research in January - February 1985, I asked 47 individuals from the Afridi, Mohmand, Mahsud, and Shinwari tribes the general question: "What are the forms of punishment that are applied to misdemeanors?" In reply, each one referred to badal, fines, the burning of homes, or exile for contravention of Pukhtunwali or other local taboos. It is significant that not one person extended the list to include any expression of milder public disapproval or what may be termed non-institutionalized forms of social ostracism for minor infringement of social norms. This reflects the fact that there is negligible demonstration of social disapproval outside the well-defined framework of punishment prescribed by Pukhtunwali or established custom.

Whatever social disapproval is expressed as avoidance or shunning is done covertly. If a man has to be avoided, he may not be considered for a matrimonial alliance, or invited to participate in a Jirga. But the reason for

the avoidance would not be explicitly stated. In any case, business relations and social intercourse generally would remain unaffected. Clearly, then, "avoidance or allied expressions of ostracism are devoid of a reformative aim, nor are they calculated even to call the offending person's attention to misdemeanors.

The unique expression of overt, verbal disapproval that is practiced is "paighor" (insult or taunt). Its main purpose is to shame a person. It is most commonly applied in those cases where a man has been perceived to have failed in valor or in the discharge of an obligation of honor. Paighor is not given with the conscious aim of prompting its object to action, nor is it calculated to reform. However, very often it has precisely that effect, because paighor is a form of ostracism that Pathan pride finds difficult to tolerate. In numerous cases it has been the spur to action.

There are several reasons why there is little evidence of ostracism expressed as adverse public opinion or social disapproval in the form of avoidance, social distancing, or derision.

First, Pathan morality admits little in the way of nuances. This is because, in the main, it is the act that is judged and not the character. An act is right or wrong without qualifications. It is wrong when it is in violation of Pukhtunwali, or any law established by the group collectively through a Jirga. Such an act carries a well-defined punishment according to Pukhtunwali or tradition. Beyond this, the community does not arrogate to itself any authority to express judgment on deviant behavior.

Secondly, the Pathans, being fiercely independent individuals, are prepared to relinquish only that much of personal freedom as is necessary for the maintenance of the tribal structure. A Pathan is disinclined both by temperament and by tradition to indulge in, or to tolerate, what in the Pathan context would be regarded as petty forms of ostracism.

Thirdly, if a Pathan misbehaves in a way that is an irritant to the community, rather than resort to ostracism of the culprit, the group can attempt to remedy the situation through "gila" (complaint). For example, if a Pathan is rude to tribal elders, which is contrary to custom, members of the community can approach his kin to do "gila." It is his kin then who remonstrates with him and brings pressure to bear on him to enforce compliance with social norms.

Fourthly, given the Pathan system, it is quite possible that any non-institutionalized form of ostracism is interpreted as insult. The Pathan reaction to insult is usually physically drastic, and not to be tempted.

Finally, non-institutionalized shunning is largely rendered superfluous by the concatenation of self-identification and adherence to Pukhtunwali. The term "Pukhtu" (or "Pushto" - in the northern Tribal Area "kh" is used, while in the south "sh" takes its place) not only denotes the language but also the qualities which identify a Pathan. Thus, a man who is devoid of Pukhtu is less than a Pathan. A man who does not follow Pukhtunwali is without Pukhtu. This is not a judgment that needs to be applied from without.

A Pathan is conditioned into accepting an identity based on action commensurate with Pukhtunwali. Pukhtunwali is internalized to the degree that it is valid to speak of auto-ostracism in the context of its contravention. Non-institutionalized milder forms of ostracism applied by the community are, therefore, hardly necessary when each Pathan sits in judgment on himself.

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