

Doing Pukhto: Pukhtunwali as an Ideal Code of Life among Daudzai Pukhtuns of Peshawar, Pakistan

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Pukhtuns are living under an unwritten code, pukhtunwali, 'The way of the pathans' and their code of honor, which regulates their lives. Male autonomy, self-expression and aggression are some of the value orientation of this code as described by writers on pukhtuns. Jirga (elderly council), melmastya (hospitality), Ghyrat (honor), badal (revenge and exchange), hujra (male guest house), parda (segregation of male and female), Namus (woman's chastity) Shariat (Islamic Shariah), are some the main features of doing pukhtu. This paper attempts to analyze and compares pukhtunwali as discussed in literature, with the pukhtunwali, as negotiated by Daudzai [1] pukhtuns living in the governed area of Peshawar valley. The paper also attempts to bring to lime light those changes, which has occurred due to the influence of modernity and ecological variations. The paper also compares the main features of pukhtunwali with those of tribal and other areas of pukhtuns.

Key Words: Pukhtuns, Pukhtunwali, Daudzai

Pukhtunwali or Pukhto "the Pukhtun code of life" or "The Way of Pathans" regulates the lives of Pukhtuns.[2] It was first used in English language by Mount Stuart Elphinston in his writings on frontier.[3] No writer until now could have traced its origins to a single space, person, and time.[4] What are the constituents of Pukhtunwali: Law, custom, manners of mind-set? And what are its subjects: Criminal, Civil, or Social? James Spain says;

"It is law inasmuch as it is enforced by maliks and jirgas and was accepted as such by the British FCR. It is custom insofar as every Pukhtun knows what to do or not to do under it under the circumstances of daily life. It is manners because a 'true khan like' Pukhtun never departs from it. It is mind-set because all Pukhtuns accept it.[5]

Regarding the subjects of Pukhtunwali, Spain further elaborates; 'It is criminal because it deals with murder and injury. It is civil because it has provisions for inheritance, theft and adultery. It is social because it sets standards for everyday behavior'.[6] Olaf Caroe argues that Pukhtunwali emphasis 'on the satisfaction of the aggrieved rather than the punishment of the aggressor'. It is as old, as Old Testament and follows the rules 'an eye for an eye and a tooth for a tooth'.[7] It is a code of ethics vis-à-vis 'central to identity of Pukhtuns'.[8] Throughout the Pukhto speaking belt, its features and elements are well known. These are as old as Pukhtun's history itself.[9]

Lutz Rzehak describes Pukhtunwali as 'ethnic self portrait of Pukhtuns' which not only distinguish Pukhtuns from other ethnic groups due to their language, history and culture but also 'their behavior'.[10] It is a medium through which 'Pukhtun cultural values' are reflected. It is a code of ethics. It includes, 'conventions', 'traditions', which governs Pukhtun society.[11] A Pukhtun, who practice all the values and

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principles of Pukhtunwali and stand by it, is called ghairatmand, and is considered as an ideal Pukhtun[12]. Pukhtunwali also signifies the 'Pukhtunness' of Pukhtuns[13]. It contains a system of customary legal norms, which resembles the code of honour. These norms are called narkh in Afghanistan and dastur in Daudzai. [14] Pukhtunwali is also used for Pukhto, which is not only the language of Pukhtuns but also regulates their social structure and governs their lives[15].

Ghani Khan[16] says:

“When a law is bred into the very fiber of a race it becomes a custom and persists long after the need is gone and occasion forgotten. For man gives to his children not only the shape of his own nose and the cranks in his character, he also teaches them his fears and foreboding, his songs and curses. He moulds his child as nearly as he can to his own shape”.[17]

A person who speaks Pukhto, but do not follow the rules and principles of Pukhto/ Pukhtunwali is not considered as a Pukhtun. Pukhtunwali means 'doing Pukhto' and 'doing Pukhto' means to abide by the rules of Pukhtunwali.[18] James Spain asserts, “Pukhtunwali is best understood in the actions of the people who observe it”.[19]

Pukhtunwali has the capability to accommodate itself with modernity and ‘face the forces or globalization’. It transfers from one generation to another through ‘oral traditions’. It is mostly based on unwritten traditions.

The subsequent portion will discuss, compare and contrast various components and principles of Pukhtunwali as practiced in different ‘ecological settings’ of pukhtuns with those of Daudzai pukhtuns.

Nang/Honour

The great Pashto[20] poet and warrior Khsushal Khan Khattak in his poetry have venerated the notion of nang/ghyrat in Pukhtunwali. He says; “I despise the man who does not guide his life by honor; the very word honor drives me nuts”.[21] Nang, izzat or ghairat, whether personal or collective, is the dominant feature of Pukhtunwali. It has the same value like ‘Ahd’ living up to one’s promises as Abdul Ghafar Khan (known as Bacha Khan a prominent Pukhtun leader) asserts “that again is Pukhtunwali; if a Pukhtun makes a mistake, he is struck with it”.[23]

Nang means honour[23], ghairat and Pukhto itself.[24] It has played very active role in protecting Pukhtun's personal and family esteem.[25] In Pukhtunwali, the rules of behaviour are based on honour and shame. This is subject to the judgment of other people in society. A Pukhtun is having honour if others testify to it.[26] Honour is the most important aspect of Pukhtun's life. He is duty bound to protect and maintain the respectability of women and integrity of home.[27] Nang is to protect one's honour against shame by another person. Any act or condition that violates Pukhtunwali and brings shame to a Pukhtun requires the defense of honour.[28] Benangi[29] (shameless, undignified) is considered as an insult in Pukhtun society. It also weakened the social position of the Pukhtun.[30] Sham is the decisive part of nang; it has to do with the behaviour of women of the group, whose honour is at stake.[31] Namus is also an alternative term for nang. It applies to the protection and sanctity of women folk by men, and maintains its privacy, integrity and respectability.[32] In Pukhtunwali, the inviolability of women and land are considered as identical, and its violation leads to violent conflict in Pukhtun society.[34]

Akbar Ahmad (1980) argues;

“The very concept of nang is equated with and reduced to tarburwali and tor. It is in the pursuit of these two that the principles of Pukhtunwali may tacitly suspend. Considerations of tarburwali and tor override sanctions of customs, code, and even religion. Around these two features, the boundaries are clear and unambiguous. There is no compromise in practice”.[34]

This implies that one has done pukhto or 'has failed' to do pukhto (killed or didn't killed his tor daughter or any other female involved, and the responsible one, to restore his nang or failed to restore his nang)[35]

Tura (sword)[36] and Aql (reason and social responsibility) are the two sides of nang, associated with different stage of life. A young man is expected to be dominated by tura (bravery). He first shows aggression and reason later. Aql is the characteristic feature of Masharaan (elders) and spingiri (the white beards). Masharaan checked the aggressive temper of the Youngs, and that is the reason they are trained to obey the elders.[37] Tura is related to an individual act. Turialay is a person who proves his tura (bravery)[38], but in the modern time, this concept has transformed. Now turialay or turzan is that person who earns his livelihood and supports his family financially[39].

Badal

In Pukhtun society Badal is regarded obligatory on every Pukhtun. Every person who ignores Badal is not considered as true Pukhtun or 'nar Pukhtun' [40](a Pukhtun who does pukhtu at all cost). [41]A proverb has very beautifully described the obligation of Badal on a Pukhtun "he is not a Pukhtun who does not give a blow in return for a pinch". Badal is like 'the primary law of Pukhtunwali', which implies 'to avenge blood'. It is taken in negotiating tarburwali and tor.[42]

Badal is an important commandment of Pukhtunwali. It means "revenge"[43] as translated by many writers on Pukhtuns in English[44] and "is closely related to the notions of honour"[45] or "the greatest commandment of Pukhtunwali"[46]. Badal will be discuss according to its two variants due to their contested interpretation. It will be discussed in terms of "exchange" (adal-Badal) vis-à-vis "revenge" (Badal-akhastal)[47].

In case of revenge, Badal is obligatory on the aggrieved party. Usually, this kind of Badal is taken in cases of murder, injury, beating and damage to honour[48], or simply it revolves around "zan (women), zar (wealth) and zameen (land)"[49]. Badal not only includes blood-revenge, but any payment for an offence; "whatever is paid for tawaan" that is for loss, harm, or damage is Badal[50] or "offences to ones honour must be avenged or there is no honour"[51].

Badal is "the dynamic of reciprocal exchange that governs violence"[52] or "the only successful defense of honour is revenge, equal to or beyond the extent of the original insult, so as to re-establish parity or gain an advantage vis-à-vis one's rival"[53]. Badal is dominant of all Pukhtun's features. It is "infused in the very blood of Pukhtun"[54] 'The very nice ghairati' among the Pukhtuns is to take one's Badal instantly, just quickly.

In one minute, two minute. And then he is a proud person, he is respectful person, and he is an honourable person among the Pukhtuns. In addition, other Pukhtuns will be fearful of him, too. Moreover, nobody will touch him or harm him in the future, you know. And that will save his tribe's dignity, his family's dignity, and also a name will be left for his descendants, his children. A good name will be left, like a good "label", for his children and descendants. Even if a woman does this or a man"[55] so Badal means "principle of reciprocity linked with notions of honour, which generally involves violent riposte to insult"[56]

Badal in the sense of exchange means assisting others in their work, deed, or favour etc. it is also applies to the various forms of exchange in Pukhtun society for instance barter (adal-Badal means give and take), [57] loans, marriages[58]. Badal is a "complex system of exchange, of which blood revenge is only a part"[59] it is used by Pukhtun men and women in their own ways which "dominates the entirety of the system of social representation", Pukhtun men refer Badal to taking blood revenge and using force (Badal akhastal), while women refer it to the "exchange of gifts" or "visits" (Badal khalasawal)[60]; that is men perceive their honour as avenging those who threaten their family reputation, while women perceive their

honour as maintaining relations through appropriate and moral behaviour, one manifestation of which is the reciprocity of gifts and visits for gham khadi (sorrow and joy); that is occasion of sadness and happiness. [61]

Riwaj/Rawaj

Riwaj, dastur, rasam, means customary law or convention. Pukhtuns leads their lives to greater extent, according to riwaj.[62] It is in vogue more than shariah[63] in Pukhtun society.[64] Riwayat varies from region to region and tribe to tribe in Pukhtun society. Every Pukhtun is required to observe the norms and values of riwaj as practiced in his locality.[65] This has been summed up beautifully in a Pukhto proverb "da kali uza khu da narkha yi mah uza" it means if you are not happy in a village then leaves it but if you are living in it, you must follow its custom.[66]

"Pukhtun tribal practices, such as male elders having say over marriages of young women; high bride price 'walwar', given to the father of the bride and suggesting the sale of women into women; honour killings of women for sexual misconduct. Among the large Pukhtun landowner (zamindar) class and among the city dwelling Pukhtuns, the seclusion of women is prevalent and the chaderi or boghra are worn when the women leave the confines of her household compound"[67]

Palwasha has described Pukhtun's customary law as "the overarching concept in Pukhtunwali" and says that they are subject to change from region to region.[68] 'In customary law, community councils and elders (Masharaan) draw from many different legal systems, such as local customs, tribal laws, Islamic laws, and state laws',[69] for instance purdah and the maintenance of gender boundaries,[70] the eldest son receives greater share in inheritance as 'da masharai hisa' (share in inheritance as an elder) and the 'mashari', a daughter does not inherit[71], widow is only entitled to maintenance until her death or re-marriage[72] marriage and inheritance provisions are still much influenced by riwaj.[73] Hospitality (melmastya), generosity (sakhawat) in Pukhtun society[74] and agnatic rivalry (tarburwali) are some the prominent features of riwaj among Pukhtuns.[75]

Tarburwali

Rivalry or competition with cousin (tarbur, da kaka zway) is a "challenge of honour" which is associated with "Pukhtun's identity" and "doing Pukhtu".[76] Tarbur is used for cousin (one's father's brother's son) vis-à-vis enemy; so tarburwali is for "cousinhood" and also "enmity".[77] "The term tarbur is strictly a term of reference, and would never be used in address except as an insult".[78] Lindholm defines tarburwali as the struggle among the "patrilineal parallel cousins" (tarburaan) over control of land.[79]

In Pukhtun, society cousins help and protect each other against enemy, but at the same time, they consider each other as rivals for "family influence"[80]. Thus, cousins are "regarded and acknowledged" as rivals. A Pukhto proverb says "tarbur chi warokay yinu luyawah yey ao chi loi shi nu dusman dey jangwah yey" it means that when a cousin is young play with him but when he grown up then he is an enemy let him fight with others.[81] The sever competition among cousins over land and other resources leads the term tarburwali to enmity.[82] If a Pukhtun become lower before his cousin, it implies that "he fails to do Pukhto".[83] Ahmad (1980) regards tarburwali as "the root of the Pukhtun social structure" because of the continuous opposition among close agnates.[85] Negotiating tarburwali is closely associated with the notion of "siyali" (rivalry) and Badal.[85] "Cousins (aziz, tarbur) are associated with jealousy, competition and rivalry between equals (siyals), in economic vis-à-vis other arenas of life. The competition is also marked by verbal taunting (peghor)". [86]

Lindholm describes tarburwali among the swat Pukhtuns that, most of the conflicts in swat are between individual persons who are cousins. There is no group fighting but individuals has to fight against each other

"over the land of their common grand father" and "by killing one's patrilineal relations, one gains title to their land and possession".[87] Among Daudzai Pukhtuns tarburwali exists, but it has been limited to the notion of siyali (competition in making more property, constructing new house, getting better education etc.). Tarbur do not fear one another, because they are of the same blood.[88]

In Daudzai, people can sell their land to anyone, as they like. Tarbur is intentionally ignored, because of the jealousy and the fear of his 'would be' superiority. The other can use the legal method of 'shufa'[89] to buy the land of his tarbur. The selling of land is considered as beghairati among Daudzai Pukhtuns; as among the swat Pukhtuns[90]. The land is referred to as the "da plaar neka haduki" means bones of one's father and grandfather or the remnants of one's ancestors.

The assertion of Pukhtunness "mung pukhtana yu" we are Pukhtuns, among Daudzai khans (khanaan) is due to their holding of land. Khans look to those having no or less land down. The influence of 'khanism' [91] in Daudzai has decreased to a greater degree like that of Yousfzai of Swat of Tribal Areas, because of its transition to semi-urban structure.

In Daudzai, tarburwali among khanaan is negotiated through tricky means, just like diplomacy in international affairs. They maintain cordial relations with each other, while in the backdoor they always try to subdue each other. The main cause of conflict is land between tarburaan vis-à-vis brothers. Moqadima bazi (filing civil suit in court) is rampant among Daudzai Pukhtuns. They fought moqadimas for decades to secure land from one's brother of tarbur. The main motive these moqadimas is to maintain one's nang and ghairat against his tarbur or brother.

Shariat

'Religion and tradition are two powerful sets of ideals that influence individual and group action'. [92]Pukhtun's life is governed by custom/riwaj vis-à-vis shariat/Islamic law[93] as shariat is considered as a part of Pukhto. Being a Muslim, Pukhtun must follow Shariat[94] as 'Islam and Pukhtunwali are major constituents of Pukhtun identity'[95] but riwaj is more in vogue than shariat[96] as Pukhtuns violates shariat in number of ways. For instance, Pukhtuns look down to those who do not keep fast in Ramadan, but prefer riwaj over shariat in case of women's share in inheritance.[97] 'The core beliefs, moral values, and practices associated with the Islamic traditions are presumed accepted by all Muslims, the reality in most Muslim areas is that what it means to 'be a Muslim' is contested and shaped by contextual factors' [98]

Daudzai Pukhtuns regard religion and Pukhto two norms, which governs their society. Religion is refer to mullah, while pukhto to mashar (elder). In most of the Jirgas conducted in Daudzai, both mullah and mashar participate in mediation process. The influence of mullah (which is religious scholar) is predominant in mediation and resolving disputes. His views carry great influence in Jirga. He, most of the time is regarded as "primus inter paris". The decisions of Jirga are based on both Pukhtunwali and shariat. Both are reconcile against each other. The objective of the Jirga is to resolve the dispute. The conflicting parties, most of the time, refer to both the norms "ka pa shariat rasara faisala kae ao ka pa pukhto" (it is up to you, whether you want to settle the matter by shariat or pukhto). This statement is very often quoted among Daudzai Pukhtuns; when there is a dispute or the matter of distributing inheritance property (da merass wesh/takseem) among brothers or tarburaan. The inheritance property is distributed according to the law of Pakistan, but some families neglect woman's share in inheritance by saying "khazy khu da pradi kor di" (women belongs to other houses), while most of the families gave women their share in inherited property, though unwillingly, but they give.

Pukhtun must be an "orthodox Muslim" as, he is having no "infidel past" nor having "the blemish of defeat and forcible conversion" in history.[99] "The behavior of Pukhtun is always judged by society through the standards of Pukhtunwali and Islam".[100]

Tor

Tor literally means black, but it is used for public disgrace and defamation of female modesty.[101] It also refers to "the adultery and illicit relations, which do not, anymore, remain secret; the male is called 'tor shway' and the female 'tora shway'". Tor is considered as a great offence in Pukhtun society and those who are found guilty are, "liable to death in the hands of the family of the female involved in the affair"[102].

The honour of women is a very sensitive issue in Pukhtun society, as Barth put that "a male is dependant on, and vulnerable through his women".[103] Casting of an evil eye on women is considered as a "serious offence" and most of the time leads to death;[104] because Pukhtun's honour depends on the honour of his women, who not only serve, but also remains loyal to him. Although, according to Pukhtun's riwaj "women do not inherit"; but their honour is never compromised. The most strong and "fanatic supporters of Pukhtunwali, appear to be woman".[105]

Ahmad says that woman, in Pukhtun society represent two "opposite and polar" models; one is more, means mother, with all respect and love based on the saying of the prophet of Islam that "heaven lays beneath the feet of mother". On the other hand when the question of protecting the honour of his relative, husband, father or brother, then her own chastity and honour (izzat, namus) is compromised, she is considered as tor or black. Black colour is regarded as the sign of 'death', 'evil' and 'negativity' among Pukhtuns. White colour represents 'purity' and 'goodness'.[106] Ghani Khan describes the reason for killing in adultery;

"The Pukhtun is short of girls and generous of emotions. He must breed well if he is to breed fighters. The potential mother of the man of tomorrow is the greatest treasure of the tribe and is guarded jealously. This primitive custom is also useful for weeding out the over-sexed. But does the Pukhtun realize any of these things when he lefts his rifle to shoot the culprits? He does not. He is mad with anger. He must shoot, there is no alternative. If does not, his neighbors will look down upon him, his father will sneer at him, his sister will avoid his eyes, his wife will be insolent and his friends will cut him dead. It is easier to be misunderstood by a judge who does not speak his language and be hanged by a law that does not understand his life. He does his duty by his people. He will play true to his blood even if he breaks his heart and neck in the bargain. He will walk to the gallows with proud steps with his hands covered with the blood of his wife or sister. And the admiring eyes of his people will follow him as they always do those who pay with their life for a principle".[107]

Toi

The word toi means, "Spilled". It is related to the "affairs of Badal and tor". According to pukhto, Badal is "an obligation".[108] It is the right of the family whose member has been killed. If taking Badal is due on a poor and week, then will not opt for it because of the "would-be reprisal" or "of the fear that he would not sustain himself" against his enemy.[109] To get rid of this negative aspect of Badal, toi is an alternative clause of pukhto. If a person loses his life in "unlawful" or "unrecognized acts" is termed as toi, and "could not be avenged". In toi, the murdered act is declared as unlawful and his "blood could not avenged". Therefore, the action of the murderer is lawful. For instance in case of adultery, killing the adulterer is due on member of the female, and the adulterer killed, is regarded as toi, and is not liable to Badal, provided that he is actually involved in the act.[110] If it is not clear whether the murdered is toi or not, then Jirga has the right to declare the blood toi[111] or he has been killed in the pursuit of feuds and no Badal is justified.[112] In Daudzai, the word toi is negotiated through "assi toi sho" means his blood was spilled. It refers to the murdered person, whose blood has not avenged or he has been killed in the conflict of other parties.

Swarah

Swarah is an alternate mean to solve the issue peacefully; and "bring an end to the would-be bloodshed". [113] If one, who has done the wrong, agrees to give a girl in marriage to the male member of the "aggrieved party", such a marriage is called 'swarah'. [114] Sultan-i-Rome maintained that swarah is misunderstood and presented wrongly. He asserts that it is an established rule among Pukhtuns that the parents arrange marriage of both male and female. In marriage, the girl is consented in its own way. The final word belongs to the parents. Swarah literally means "a woman who is riding". Based on the definition, Sultan-i-Rome says that in ancient times "swarah ratllal" (coming on horse on donkey) was considered as the sign of nobility and high family status of the bride. He maintained that, through swarah marriage the enmity between the two families is eliminated. Swarah 'cement' the bond of relationship and minimize the chances of future bloodshed.

Sultan-i-Rome seems to overstate his case of patronizing swarah. The real picture is not as bright as painted by him. Through swarah the aggrieved party not only restores his honour, but also defames his enemy. The party who gives swarah is looked down by society. Swarah is a term of disgrace and taunt (peghor) for the family. Now the practice of swarah has become verbal. It is practiced in very rare cases. Swarah is applied in tor. But most of the time the aggrieved party is given money or land in compensation. In one case of tor; the guilty person was exiled for one year by Jirga. [115]

Tigah

Tigah means a big stone. However, in pukhto it has different meanings. It is equivalent to ceasefire. It is arranged by Jirga or society as a temporary arrangement of peace between the parties. [116] Tiga prepares the ground for a transition period from hostility to friendly relations and peaceful communication between the rival factions. [117] It aims to manage the conflict in its initial stage. When the conflict starts between two parties, then masharaan intervene in order to settle the dispute and prevent the would-be or further bloodshed. [118] Jirga consisted of, masharaan from both sides of conflicting parties. Jirga declare ceasefire and take waak (power of attorney) from both parties. [119] After the announcement of tiga, masharaan of jirga consult the conflicting parties and try to resolve the issue. If the conflict persists and rival factions do not agree to the terms, offered by jirga, the duration of tiga then, can be further extended in order to resolve the issue. [120] Nagha, fine or zamanat [121] are taken from both the parties. If any party refused to accept the decision of Jirga, his zamanat would be taken (zamanat zabat kedal) by Jirga [122] masharaan [123] and if Jirga fails to settle the issue, or the parties involved do not want to settle the issue on the terms, proposed by Jirga, then zamanat is returned (zamanat wapap kawal) to both parties; which is an indication to end the ceasefire 'tigah matedal' or Jirga wapap shwa.

Hujra

Hujra is an old institution of Pukhtun society. Usually, it is owned by a khan but shared by the whole community. Hujra is a place for initiating and conducting jirgas. [124]

Hujra is a 'community center' [125] vis-à-vis a 'guest house' [126] in every village of both settled and tribal area. Hujra is considered as a symbol of Pukhtun's "civilization and prestige". [127] Every Khan has built a hujra. Some villages in Daudzai are having common hujra for the whole village or maalat (neighborhood). Hujra is a center to solemnize gham (sorrow i-e death) and celebrate khadi (joy i-e wedding etc.), and other social gathering in the village. Hujra is also used as a center for political gathering during local, provincial and national election days. In old days, all bachelors of the village used to sleep in hujra. This custom has transformed, bachelors are now sleep in their own houses. Betak (a small room attached to one's house for entertaining guests) culture has minimized significance of hujra, in most of the villages of Daudzai. Cheelum (hubble-bubble) and rabab (string instrument), once used to be the dominant features of hujra, [128]

but now these things has lost its dominance in hujra. Rabab is rarely entertained in hujra while in some villages, cheelum is still the dominant feature of hujra; but the numbers of such hujras are very few. Due to decrease in the influence of khanism and introduction of modern technology; which exposed Pukhtuns to new modes of entertainment such as TV, DVD Player, Dish TV, Mobile, Computer and internet, hujra has lost its attraction for bachelors. The notion "hujra is a common guest house" is losing its strength. Every body entertains their guests in betak, and those who has no betak or other place for the guests, entertain their guests in hujra. Melmastia has become an exclusive affair, and it is still considered as the 'dominant' feature of Pukhtun society. Hujra and Jirga are closely related to each other in Pukhtun society.[129] The deliberation, mediation, consultation, and finally settlement of dispute, all are performed in a village hujra. When Jirga resolve the issue, then people of the village gathered in hujra and Jirga announce its final verdict (faisala aorawal). Both parties are embraced (ghara watal) to each other in front of people gathered in hujra. The aim is to publicize Jirga's verdict, so that in future no party can deny the verdict. Hujra is loosing its importance because of economic issues and development of living a fast life trend among Pukhtuns which allow a very little to spare in hujra.[130]

Lara/Chowk

Lara (road) and Chowk (a center place in village where there are few shops or other places for gathering). Both young and old men gathered in chowk to exchange views, and enquire about the whole day activities. Lara is used for gathering, usually in winter, both by young and old men alike for enjoying sun heat (pethaway kawal) in morning. The elders share their nostalgic views (Zor wakht yadawal) while the young listen to them. Current political issues both national and international are also debated. This debate is sometime converted into exchange of harsh words (khula wahal), which leads to conflict. This is because no one is ready to change his point of view on a particular issue. Political leaders are cursed most of the time in these debates.

Da Wali Ghara/Da Sen Ghara (a place near stream or river)

In Daudzai, there is a stream (wala) in almost every village and some are nearer the river (sen). During summer both stream and river is the main place for gathering. During noon time people gathered in river for taking bath while in the evening they gather on the stream to enjoy the cool breeze coming from the stream[131]. Da sin ghara is also a common place for enjoying rabab mangay (string instrument and a pot made of clay once used to store drinking water) during summer. Most of the graves of the sacred people (Babagan)[132] are located either near the river (e.g. Bara Gada Baba, Faqir Baba) or the stream (Asuhaab Baba, Sharsham Baba)[133]. People gather in these places taking charus (hashish) while enjoying rabab. The singers usually start the concert with the devotional song praising one of the pir (saint) or baba. Most of the Pukhtuns still respect pirs and regularly visits their shrines for salvations.

Dukaan/Attay (Shop)

Dukaan or attay is a village shop, where stuff of local needs are sold. It is also a place for gathering. Youngsters, most of the time gossip (gup lagawal) in dukaan. Many a time a conflict emanates from dukaan, during gossip when someone became angry (gup ki oranidal) as it is a common practice among the youngsters to tease a person who gets angry on certain points (ghusa kedal/bad manal). Youngsters enjoy this and prolong the gossip. However, this gossip transforms to conflict (jagara) when the person starts abusing the other youngsters. The gossip all of sudden became quarrel when one go hold of other's collar (grewan ta las achawal). Other present there intervene to separate both (khalasay kawal). This quarrel is temporary and often forgotten, as most of the time those present in dukaan conciliate between them and are embraced to each other (ghara watal). When the elders (father, brother, uncle) got involved in the quarrel, it became an inter-family conflict. But elders many a the time ignore it by saying leave it they are young boys. It was just a quarrel in gossip, they will be friend tomorrow (halakaan de yara gup ki oran shu saba ba biya sam we)

Individual and Pukhtunwali

“Within Pukhtunwali, an Individual finds enough liberties to assert himself in times of need. When honor is threatened, a Pukhtun would not hesitate to take up arms, not as an allowance by society, but as a right given to him by birth. However, the same society would control his liberties when it comes to conformation to the code of Pukhtunwali”[134]. ‘Being a true Pukhtun does not require being a good Pukhtun’. Being a Pukhtun does not imply only ‘a label for ethnic or linguistic membership’ but it requires following certain rules of behaviour and living according to ‘the ideal of ethnic self-representation’ encapsulated in the ‘concept of Pukhtunwali’. Pukhtunwali is a set of ‘idealized core values of the Pukhtun person and his behaviour’ as a ‘moral and juridical standards’. It ‘provides a definition for the ideal person’ and standard for Pukhtun culture and society.[135] ‘Proverbs’, ‘self-ascription’ and ‘public discourse’ are some of the values which define ‘the idealized’ Pukhtun.[136]

Islam and Pukhtunwali

Muslim societies cannot be understood by just “understanding of Islam and Quran”. We have to bear in mind the “subsequent interpretations of religious text and laws”, their connection “with the pre-existing cultural and social structures or the practices of non-Muslim neighbour together combine to produce the great variety of Muslim communities and practices”.[137] Islam is an important element of Pukhtun identity and profoundly influences Pukhtuns life. The relationship between Islam and Pukhtunwali is mostly ‘symbolized’ in social setup of a village by “the physical juxtaposition of mosque and hujra” and strict observance of the tenants of Islam. Pukhtun embraces Islam without any reservation, as he sees no clash between Islam and Pukhtunwali.[138] Ali Gohar argues that Pukhtunwali maintained ‘Pukhtun homogeneity’ in spite of varying ‘dialects’ areas and cast. Pukhtunwali “remains above the scrutiny of religion” but even because of the strong contestation of Islam and Pukhtunwali, “loyalty to Islam resides as integral factor of pride for Pukhtuns”.[139] Banerjee argued, “If non-violence had been portrayed as Islamic, it would not have been acceptable to Pukhtuns if it had been seen to be in complete contradiction to Pukhtunwali”. She further argues that “the right to exchange violence through feuding was fundamental to the whole business of ‘doing pukhto’ and was connected to the obligation to defend and assert honour. Violence was not some criminal aberration but had a central place in the wider ethical system”.[140] Banerjee argues that during the KK (Khudai Khidmatgaar) movement of Bacha Khan (Abdul Ghafar Khan), Pukhtuns accepted non-violence as the main technique of protest, although, she asserts that “it was incompatible with being a Pathan, it was compatible with Islam” [141] Pukhtun defines his identity as Pukhtun first, Muslim second and then Pakistani.[142]

Functions of Pukhtunwali

Pukhtunwali guides Pukhtun’s behaviour, serves as a ‘model’ vis-à-vis ‘an orientation for education’. It is a scale, which provides Pukhtuns ‘an ethnic distinction’. It keeps Pukhtuns together and maintains ‘social boundaries’. It is a criterion for conflict resolution in Pukhtun society.[143] It serves as legal framework in the areas where state institutional structure is loose or absent.[144] “It has catalytic power, since it holds up and reinforces a distinct set of values that stands for the “good Pukhtuns”. Similarly, it closes off desirable qualities from sanctioned characteristics and behaviour”.[145] It serves as a customary base for making decisions, and used as a ‘tribal law’ in conflict resolution.[146]

It is a medium through which ‘Pukhtun cultural values’ are reflected. It is a ‘code of ethics’ for Pukhtuns. [147]

End Notes

1. Daudzai are living in the north of district Peshawar. They were living in Afghanistan near the Tarnak River and migrated to the plains of Peshawar during the era of prince kamran son of Emperor Babur. (Brigadier (R) Haroon Rashid (2004), History of the Pathans: The Sarbani Pathans, (Vol. II), Islamabad: Printo Graphic, p. 506)
2. See Spain (1985); Spain (2009); Bartlotti (2000); Palwasha (n.d.); Lutz Rzehak (2011); Sultan-i-Rome (n.d.)
3. Elphinston (1815), An Account of the Kingdom of Cabul, n.p. cited in Spain (1985)
4. The vigorous ethnocentric Pukhtunwali emerged in the early seventeenth century (the time of Khushal Khan Khattak) as a deliberate alternative to the softer, cosmopolitan 'mughawali', 'The Mughul Way' of Akbar and his immediate successors, to reaffirm not only a more orthodox view of Islam but the individuality and uniqueness of the tribes. Spain (2009), p.39
5. James Spain (2009), Pathans of the Later Day, Karachi: Oxford University Press, p.39
6. Ibid., pp. 39-40
7. Ibid., Citing Olaf Caroe, p.40
8. Sherzaman Taizi (2007). Jirga System in Tribal Life, Peshawar: Area Study Center University of Peshawar, p.1; Palwasha Kakar, Tribal law of Pashtunwali and Women's Legislative Authority, p.3; <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm> accessed on 01/07/2010
9. James Spain (1985), The Pathan Borderland, Karachi: Indus Publication, pp. 63-64
10. Lutz Rzehak (2011), Doing Pashto: Pashtunwali as the ideal of honourable behaviour and tribal life among Pashtuns, Afghanistan Analysis Network: Thematic Report, March, p.1
11. Yousfzai & Ali Gohar, (2004), p.30
12. Lutz Rzehak, p.2
13. Ibid.
14. Ibid. also Ali Wardak. Jirga: A Traditional Mechanism of Conflict Resolution in Afghanistan, UK: University of Glamorgan, (n.d.), p. 8; also based on researcher's experience and observation.
15. Sultan-i-Rome (n.d.). Pukhto: The Pukhtun Code of life, available at <http://www.valleyswat.net>, p.1
16. A renowned Pukhto poet and Philosopher. He was the son of Abdul Ghafar Khan (Bacha Khan), a renowned political leader of pukhtuns. His poetry mostly surrounds nature, philosophy, pukhtun culture and romance.
17. Sultan-i-Rome, p.1-2
18. Lutz Rzehak, p.9 also see Bartlotti (2000)
19. Spain (2009), p.46
20. Pashto, Pukhtu, and Pakhto are used for the spoken language of Pukhtuns.
21. Yousfzai & Ali Gohar, (2004), p.30; also <http://www.khyber.org/pushtunculture.shtml> accessed on 01/07/2010
22. Spain (2009), p.40
23. Honour is also a central theme of pukhto classical and folk poetry. The poetry of the classical warrior-poet Khushal Khan Khattak is full of the concept of honour, nang and ghairat.

24. Sultan-i-Rome, p.; also palwasha kakar
 25. Sultan-i-Rome,
 26. Lutz Rzehak (n.d.), p.9
 27. <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm> accessed on 04/05/2010
 28. Palwasha Kakar, p.4
 29. A be-nanga is describes as one who is "without good qualities", "undeserving", "not brave, not honourable, not hospitable, not fulfilling his commitments", Bartlotti, 2000; p.273
 30. Bernt Glatzer (1998), Being Pashtun-Being Muslim: Concepts of Person and War in Afghansitan, In B. Glatzer Essays on South Asian Society: Culture and Politics II. (Zentrum Moderner Orient, Arbeitshefte, 9), Berlin: Das Arabische Buch, p.4; Oberson (2002), p.38
 31. Ibid.
 32. Ibid., see for detail discussion on nang and its variants, Lenonard Bartlotti (2000), Negotiating Pakhto: Proverbs, Islam, and the Construction of Identify Among Pashtun., Unpublished Thesis (PhD) University of Wales, Oxford Center for Mission Studies.
 33. Ibid., p.5
 34. Oberson (2002), Khan and Warlordism, p.40 citing Ahmad (1980)
 35. Ibid (2002), p.41
 36. Sword is considered as the symbol of bravery in Pukhtun society. In Daudzai tura is sometimes referred to the act of nang and nartub (manliness) and sometime to any act which benefits one's own self or his family. Tura was personalized and exalted in the songs of khushal Khan Khattak to mean individual bravery and steadfastness in war. As he puts it, "there is either dependence on one God or one tura. Nothing is accomplished by talk and assemblies". (Spain, 2009, p.40)
 37. Bernt Glatzer (1998), p.6
 38. Ibid.
 39. Researcher's own observation being a Pukhtun and insider
 40. Based on my own observation
 41. Sultan-i-Rome, p.2
 42. Jose Oberson (2002), Khan and Warlordism: Political Alignment, Leadership and the State in Pushtun Soceity, Bern: Institute for Ethnology, University of Bern p.40
 43. Sultan-i-Rome, p.2
 44. Bartlotti (2000), p.334
 45. <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm> accessed on 04/05/2010
 46. Spain (1985), p.64
 47. For detail discussions about badal and its variants used in Pukhto proverbs see Bartlotti (2000)
 48. Sultan-i-Rome, p.2
 49. <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm> accessed on 04/05/2010; Spain (2009), p.43
 50. Bartlotti (2000) quoting Atayee (1979), p.335
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51. <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm> accessed on 04/05/2010
 52. Bartlotti (2000), quoting Edward (1996), p.335
 53. Ibid., quoting Barth (1959), p.335
 54. <http://www.globalsecurity.org/military/world/pakistan/pashtunwali.htm>, original source used the word Pathan, Pukhtun is my inclusion.
 55. Bartlotti (2000), p.345
 56. Ibid., p.335
 57. This is prominent among Pukhtun women and frequently used by them, for instance exchange of various items of daily use among women in neighborhood.
 58. Exchange of marriages is prominent among Pukhtuns living in Afghanistan and some parts of FATA (Pakistan). Though this trait is against the tenets of Islam, but Pukhtuns follow it as an old custom. This shows the contestation of Islam and Pukhtunwali.
 59. Bartlotti (2000) citing Grima (1993), p. 335
 60. Ibid., p.335
 61. Ibid., citing Grima (1993), p.335
 62. Sultan-i-Rome, p.7; Spain 1985, p.72
 63. In the Pukhtun's mind, Pukhtunwali has a religious identity in Islam, which affects the tribal Code's relationship with shariah. (palwasha, p.2)
 64. Sultan-i-Rome, p.7
 65. Ibid.
 66. Ibid.
 67. Palwasha, p.1; Yousfzai & Ali Gohar, (2004), p.28
 68. Ibid. p.2
 69. Ibid.
 70. Ibid. p.5
 71. Ahmad (1998), p.29; this custom has changed in most of the settled areas of Pukhtun society in KP. Now the daughter is given her due share in inheritance.
 72. This custom has also changed. Now a widow is given her due share in her husband property, (Sultan-i-Rome, p.7)
 73. Spain (1985), p.72
 74. Lutz, p.15; see also Charles Lindholm (1982), *Generosity and Jealousy: The Swat Pukhtun of Northern Pakistan*, New York: Columbia University Press.
 75. Bartlotti (2000), p.294
 76. Ibid.
 77. Sultan-i-Rome, p.14; Lindholm, p.57
 78. Lindholm, p.57
 79. Lindholm, p.66
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80. Sultan-i-Rome, p. 14; T.L. Pennell, pp.60-61
 81. Sultan-i-Rome, p.14
 82. Bartlotti, p.294
 83. Ibid, p.296
 84. Lindholm, p.67; quoting Ahmad (1980)
 85. Bartlotti, pp.295-6
 86. Ibid. p.300
 87. Lindholm, p.56
 88. Ibid. p.74
 89. When somebody wants to sell his immovable property, then it is the legal right of the adjacent property holder to buy it first. If the property is sold without his permission or he has not been informed about, then he has the right to shufa to buy that property first instead of a stranger.
 90. See Lindholm, p.65
 91. The term khanism refers to a system in which a particular khan, who used to be well off and having land in village, was controlling the whole affairs of the village.
 92. Jehanzeb, p.1
 93. Spain (1985), p.72
 94. Sultan-i-Rome, p.13
 95. Muhammad Ayub Jan (2010), Contested and Contextual Identities: Ethnicity, Religion and Identity among The Pakhtuns of Malakand, Pakistan, Unpublished Thesis (PhD), University of York, Department of Politics, p.201
 96. Spain (1985), p.72
 97. Sultan-i-Rome, p.13; Op. Cit., Spain (1985), p.73
 98. Bartlotti (2000), p.168
 99. Barth (1998), p.119
 100. M. Ayub Jan (2010), 202
 101. See for example Spain (1985); Spain (1972); Spain (2009); Ahmad (1998); Sultan-i-Rome (n.d.); <http://www.khyber.org/culture/pashtunwali.shtml> accessed on 05/04/2010
 102. Sultan-i-Rome, p.7; <http://www.khyber.org/culture/pashtunwali.shtml>
 103. Barth (1998), p.122
 104. <http://www.khyber.org/culture/pashtunwali.shtml>
 105. Ahmad (1998), p.29
 106. Ibid. p.30
 107. Sultan-i-Rome, Quoting Ghani Khan (1990), The Pathan: A sketch, Islamabad: Pushto Adabi Society, p.8
 108. Sultan-i-Rome, p.8
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109. Ibid.
110. Ibid.
111. Ibid.; Spain (1985), p.67
112. Spain (1985), p.67
113. Sultani-i-Rome, P.10
114. Ibid.
115. This has so far been practiced only once in Daudzai; the guilty of tor was sent to exile for one year by the Jirga. This decision was based on the principle of shariah as the mashar of Jirga was a renowned aalim (religious scholar). He applied the quraanic principle of Hiraba and fasaad fil ard (creating nuncios and disorder in society). Quraan describes three punishments for such criminals; one is to cut one hand and foot from opposite sides, second giving death sentence which became an example and third sent him on exile. As in this case, the criminal was in his full healthy conditions of mind and physique. He was half lunatic. So based on his conditions, he exiled for one year. This case shows that how religion is negotiated by Masharaan of Jirga to settle an issue.
116. Spain 1985, p.67; Sultan-i-Rome, p.11; Yousfzai & Ali Gohar, (2004), p.32; <http://www.khyber.org/culture/pashtunwali.shtml> accessed on 01/06/2010
117. Yousfzai & Ali Gohar, (2004), p.32
118. <http://www.khyber.org/culture/pashtunwali.shtml> accessed on 01/06/2010
119. Ibid.
120. Yousfzai & Ali Gohar, (2004), p.33
121. In Daudzai it is called zamanat, which includes AK 47 rifles and cash money. Zamanat is kept by Jirga mashraan.
122. Yousfzai & Ali Gohar, (2004), p.33
123. This is because of maintaining, the sanctity and honour of masharaan of Jirga and as a punishment for violating Jirga's decision and pukhto.
124. Yousfzai & Ali Gohar, (2004), p.31
125. Spain 1985, p.77
126. Spain 1972, 49
127. Spain 1985, p.77
128. <http://www.khyber.org/culture/pashtunwali.shtml> accessed on 01/06/2010
129. Ibid.; Ali Gohar, Identity and Conflict Transformation: I v/s You Identity in Pukhtun Society, Peshawar: Just Peace International
130. Yousfzai & Ali Gohar, (2004), p.31
131. Temperature in Daudzai is very high during summer.
132. Singular Baba, which is usually used for grandfather and father. It is also used as a sign respect for elders.
133. I wrote these terms as pronounced by local people.
134. Yousfzai & Ali Gohar, (2004), p.42
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135. Jose Oberson (2002), *Khans and Warlordism: Political Alignment, Leadership and the State in Pushtun Society*, Bern: Institute for Ethnology, University of Bern, p.36
 136. Ibid. (2002). P.43
 137. Mukulika Banerjee (2004), *The Pathan Unarmed*, Karachi: Oxford University Press, 2004 (Second Impression, p.153
 138. Ibid. pp.152-153
 139. Yousfzai & Ali Gohar, (2004), p.24
 140. Banerjee (2004), p.154
 141. Ibid., p. 160
 142. Ibid., p.153
 143. Jose Oberson (2002), p. 36
 144. Ibid., p.37
 145. Ibid.
 146. Ibid., p.43
 147. Yousfzai & Ali Gohar, (2004), p.30
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