'Mizh der Beitabora Khalqi-i': A Comparative Study of Afghan Perspectives on negotiating with the British and Soviets, 1839-1989

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Much of the current literature on the British and Soviet involvement in the conflicts in Afghanistan is focussed on the causes of interventionism, the course of operations and difficult extractions, with an almost exclusive emphasis on the Western-Soviet perspective. The paucity of written historical records on the Afghan side has, of course, been the main cause of this imbalance rather than any deliberate 'orientalism', and the most recent military operations are likely to produce a far richer seam of Afghan viewpoints.[1] However, the focus of Western writing and interest has tended to produce the impression that the Afghan is the warrior *par excellance* and is in danger of becoming another Oriental stereotype, a point made in a recent book by Patrick Porter.[2] Much, of course, has been written in the West on Islamic Jihadism and on Afghan history, and there is now an increasing body of literature on the Afghans, but there is still surprisingly little on the history of negotiations in the region. [3] Moreover, Afghans and 'tribesmen' are invariably presented as simply reactive to British manoeuvres, both diplomatic and military. The result was that various contemporaries and scholars constructed stereotypes about the Afghans and this has accumulated to the extent that it appears there was a Afghan 'Way of War', a phenomenon consisting almost entirely of religious mobilization and individuals' fanatical courage but deficient of any concepts of tactical evolution or of strategy. Such a verdict can be challenged vigorously.[4] Moreover, amongst the historical records, it is clear that negotiations played an important part during conflicts in Afghanistan, between Afghans themselves, and between Afghans and foreigners.

The first question that must be posed when approaching the history of negotiations is whether there are some distinctive features in the Afghan understanding of their purpose and method. These distinctions need to be analysed carefully to avoid any culturally relativist assumptions

[1] Reports by BAAG (The British and Irish Afghan Assistance Group) and other NGOs, the recent book by M.S. Zaeff, *My Life with the Taliban* (London: Hurst, 2009) cite Afghan viewpoints in the war since 2001. Louis Dupree's articles and book, *Afghanistan* (Princeton, 1973), Nancy Dupree's works, Mohammed Yousaf's *Bear Trap* (London: Leo Cooper, 1992), and Lester Grau's recovery of Mujahideen tactics in *The Bear Went Over the Mountain* (London: Frank Cass, 1998) are the few exceptions where the Afghan 'voice' can be clearly heard.
[2] Patrick Porter, *Military Orientalism* (London: Hurst, 2009).
[3] Without doubt the best analysis of the operations on the North West Frontier from the British perspective is T.R. Moreman, *The Army in India and the Development of Frontier Warfare, 1849-1947* (London: Macmillan, 1998). See especially Chapters 2 and 3.
[4] Rob Johnson, *The Afghan Way of War* (London: Hurst, forthcoming 2011).

based on Western suppositions. This in turn implies that the selection of methods by which we attempt to analyse the Afghan situation are of some importance.

With this in mind, two complimentary approaches are used in this paper. The first is to make use of existing theoretical models based on the established literature, which are derived from a wide variety of case studies. The theoretical models help to establish a base line of types of negotiation, practices, assumptions, calculations, and outcomes. Negotiations in war, in common with military tactics and strategies, have a variety of purposes, and fulfil the Clausewitzian dictum of being 'an extension of politics by other means'. Negotiations can be designed to end war, but can also make it possible gain an advantage in a future peace even if the military campaign is going badly. Negotiations enable belligerents to buy time, or to sow discord and divide their enemies. After a military victory, negotiations may simply enable a belligerent to impose a peace settlement. Negotiations also have another function: initiating discussions can mollify internal critics of a conflict or powerful external third parties. In this particular paper, the emphasis is on six specific themes on the process of negotiation: one, the decision to negotiate; two, the conditions prevailing (whether one side perceived imminent defeat or victory, for example); three, the terms proffered and the process of negotiation; four, the implementation of those terms and, finally, the perceived or desired outcomes. The second method is to attempt an historical reconstruction using British and Soviet accounts: by tracing the Western and Soviet interpretations of what took place and the consequences of those actions one can begin to establish Afghan actions and likely calculations. At the very least, this approach can illustrate the conditions prevailing at the time of negotiation (the second of the six themes), the terms offered and the process of negotiation (the third theme), and the implementation of the terms (the fourth theme). Inevitably, this approach still omits much which it would be desirable to know, but these methods can bring us closer to particular aspects of the negotiations.

This paper is organised in three sections. The first deals with the theoretical models and common features of negotiation which then allows us to frame the historical reconstructions. These reconstructions, while necessarily given brief treatment here, make up the second section of the paper and are drawn from the British experience of the First Afghan War (1839-1842) and Second Afghan War (1878-1880), and the Soviet War in Afghanistan (1979-1989). The third section tests the concept of historical and cultural specificity by illustrating characteristics of ideal Pashtun culture and where negotiations fit in both the ideal

and the reality of *pashtunwali*. Further work is required to examine the civil war and post 2001 periods, but these are given a brief overview at the end because of the current intense interest in 'lessons learned'.

The paper essentially puts forward the argument that Afghan negotiations, both historically and more recently, are pragmatic and follow patterns of common behaviour in reaching settlements, making truces or buying time. While cultural influences have some impact on negotiations, essentially the specifics are determined by historical circumstances and by factors that are weighed, interpreted and determined differently by different groups at different times. The location of power appears to have been a key determining factor. There is no specific 'Afghan Way' of negotiating, only an Afghan situation.

Theoretical Models

As noted in the introduction, theoretical models help to establish a base line of types of negotiation, practices, assumptions, calculations, and outcomes. Existing theoretical models from the established literature attempt to construct frameworks that can be applied across a number of case studies and they lend themselves particularly well to comparative work. In this paper, theoretical approaches make it possible to identify specific themes and test them against quite distinct historical eras, but also make it possible to begin to analyse the decision-making of communities which left few records. Six themes emerge as particularly useful: one, the decision to negotiate; two, the conditions prevailing (whether one side perceived imminent defeat or victory, for example); three, the terms proffered and the process of negotiation; four, the implementation of those terms and, finally, the perceived or desired outcomes.

The case examples themselves can also be arranged to make comparative judgements easier and to explore the differences between conditions, decisions, processes and outcomes. One feature common to all the examples is the fact that Afghans were often forced to negotiate amongst themselves as much, if not more than with the foreigners who had occupied their territorial space. Moreover, it is clear that negotiations with foreigners that were concluded did not end the conflicts of interest between Afghans and civil wars were the frequent result.

There are four main themes common to the Afghan historical case studies which are given treatment here but several other observations can be made. First, both the Afghans and their

Western adversaries knew that it was better to negotiate from a position of strength. This challenges the theory that belligerents are more likely to initiate negotiations when there is a stalemate or an impasse, perhaps of some duration. In the First Afghan War in the winter of 1841, when a British garrison at Kabul had been isolated and cut off from its supplies, and its main negotiators, Alexander Burnes and William Hay MacNaghten, had been killed, the Afghans were prepared to discuss terms with the British for a time, until the imminent collapse of the retreating British forces tempted local tribesmen to kill and loot at will. Equally, Soviet authorities delayed negotiations for some time in the mid-1980s, believing that a more vigorous prosecution of the war would enable them to 'break clean'.[5] This view was abandoned when it was clear that no military victory was possible but the Soviet Union still had the strength and capacity to withdraw 'with honour'.

Second, violence is often a form of negotiation. That is not to say that violence is used only as a selective device to 'up the ante' once negotiations have begun, and to thereby improve a bargaining position tactically, but rather that violence is a form of communication with another identifiable group. In a recent lecture, Mary Kaldor noted how violence was reciprocal and that in war both parties tended to develop a dynamic of dependence at least in rationalising their actions.[6] Arno Mayer and Stathis Kalyvas have also examined the proportionality of violence and its reciprocal nature in revolutions and civil wars respectively.[7] Joanna Bourke examined the intimacy of violence and posited that it was a means to connect with, assert power over and subordinate an adversary.[8] Afghans have also used violence to 'send a signal' to rival factions and families, taking killing beyond the rational requirements of power and resources in order to establish prestige, hierarchy or reputation. Afghan women were as involved in this as much as men. In the Third Afghan War (1919), British officers noted how Afghan women flayed and dismembered the bodies of British or Indian dead or wounded to intimidate, avenge or express their anger.[9] In the Soviet War, Mujahideen factions could use violence against the Soviets to prove their worth to the

[5] L. Kryuchkov, *Lichnoe Delo*, I, (Moscow, 1996), p.226. The veracity of Kryuchkov's views can be challenged by J. Prados, *Safe for Democracy: The Secret Wars of the CIA* (Chicago, 2006), pp.485-7.
[6] Mary Kaldor, 'Is Clausewitz still Relevant?' Lecture at the Department of Politics and International Relations, Oxford University, 2009.
[7] Arno Mayer, *The Furies: Violence and Terror in the French and Russian Revolutions* (Princeton: Princeton University Press, 2000); Stathis N. Kalyvas, *The Logic of Violence in Civil War* (Cambridge: Cambridge University Press, 2006), chs 3 and 6.
[8] Joanna Bourke, *An Intimate History of Killing: Face to Face Killing in Twentieth Century Warfare*, (London: Granta, 1999).
[9] Robert Johnson, *Lessons in Imperial Rule: Instructions for Infantrymen on the Indian Frontier* (London: Greenhill, 2008), Introduction.

Pakistani Inter-Services Intelligence agency that supplied them with arms, ammunition and money. Their attacks on the Soviets, even if strategically insignificant, were a useful means of communicating to a third party.

Third, negotiating a truce or ceasefire can be a pragmatic means of escape from defeat or the method by which a belligerent can achieve their aims by means other than fighting. There are clear examples of this occurring in the Afghan context. Abdur Rahman, as a pretender to the Afghan throne in 1880, had not the means to defeat the British Army which was in occupation at Kabul. Instead, while protected by the Hindu Kush mountain range he negotiated with the British to become Amir in return for concessions over Afghan foreign policy. In a contrasting example, the warlord leader Ahmad Shah Masood settled a truce with the Soviets in order to relieve pressure on his guerrilla forces in the Panjshir Valley in the mid-1980s and as a means to 'break out' to more secure base areas in the north-east. His manoeuvre, whilst not without controversy, was a success enabling him to resume resistance later on more favourable terms.

The fourth major theme for negotiation appears to be the need to find a surrogate. Both the British and the Soviets were prepared to negotiate with their enemies and the local powerbrokers to form and leave behind a government favourable to their own interests. In the case of the British in 1842, they accepted the return of Amir Dost Mohammed as the figure most likely to guarantee stability on the western flank of their growing Indian Empire. In 1880, they accepted Abdur Rahman as a ruler likely to keep Russian interests out of Afghanistan. Both of these Afghan leaders saw advantage in negotiating directly with the British, but also making use of the presence of Russia, as the means to wring concessions from the government in Calcutta or London. For the Soviets, the appointment of Dr Najibullah as a candidate likely to serve their interests but also be acceptable to the Afghan people appeared to be the means to ensure a strategic victory.[10]

In addition to these themes there are a number of further observations that can be made about negotiations in the Afghan context from a theoretical point of view. The first is that the role of a third party was important to the Soviet-Afghan negotiations but was not possible in the British wars of the 19th century because of the absence of any international institutions for that purpose. For the Soviets and the Afghans, the interventionism of regional and

[10] L. Kryuchkov, *Lichnoe Delo*, I, p.227; See also A. Kalinovskii, *A Long Goodbye: The Politics and Diplomacy of the Soviet Withdrawal from Afghanistan, 1980-1992* (Thesis at the London School of Economics, 2009).

international protagonists was critical. The United States, Pakistan and Iran all had interests in Afghanistan which influenced Afghan positions towards the Soviets, brought competing agendas into play and distorted the chances of a settlement of the Afghan civil war which had begun even before the Soviet intervention in 1979. Furthermore, as many other case examples from around the globe have proven, it is an essential requirement to have institutions that can engage to all parties, ensure grievances are met and offer security guarantees during the implementation of the peace terms. The failure to achieve this was a direct cause of the civil war in Afghanistan from 1992 onwards.

The Decision to Negotiate and Conditions for Negotiation

Many studies emphasise the importance of 'ground conditions' are the determining factor for negotiations to begin. This can be a rational decision of cost-benefit analysis, where the time, cost, chances of victory, likely pay-offs, resources remaining, degree of external support and the level of pressure from a domestic population wearied by war may have a part to play. The ground conditions can produce a 'balance of power', or a stalemate which Modelski argues is probably the key factor in creating the environment for negotiation.[11] Domestic institutions have an impact on the decision to negotiate when ground conditions appear unfavourable or in stasis. The leaders of democratic states are more likely to be held accountable for the progress of a military campaign, and there may be considerable pressure from below to negotiate or end a conflict. Furthermore, democratic institutions lend themselves to negotiation because of their traditions of power-sharing, and they are perhaps more likely to reach for this solution. The British colonial authorities and the Soviets appear to have made their decisions to negotiate on the basis of the military situation and costs, although reputation in the wider world also had a significant influence on them.

The Willingness to Make Concessions and Reach Agreement

The willingness to seek to resolve conflict through bargaining is seen by some scholars as more significant than ground conditions, and can explain why the decision to negotiate is taking when military victory is imminent. It is thought that the identity of the combatants

[11] George Modelski, 'International Settlement of Internal War', in James Rosenau, ed., *International Aspects of Civil Strife* (Princeton: Princeton University Press, 1964), p.143; in international relations, a similar view was put forward by A.F.K. Organski in World Politics, 2nd edn., (New York: random House, 1968). I. William Zartman has evaluated the concept of stalemate in civil wars as a precursor to negotiations in 'The Unfinished Agenda: Negotiating Internal Conflicts' in Roy Licklider, ed., *Stopping the Killing: How Civil Wars End* (New York: New York University Press, 1993).

(which includes their values and ideologies), the divisibility of the stakes (whether there are sufficient spoils to divide, for example), and the presence of external third parties can determine the initiation of negotiations. When ideological convictions preclude concessions, then negotiations will fail, just as they will when the demands imposed by one belligerent are impossible to fulfil, or when one side prefers to pursue a path to absolute military victory. The aims of revolutionaries, which are predicated on the overthrow of a regime, are unlikely to permit negotiation, which contrasts with separatists or those seeking moderate reform that may be prepared to accept a compromise. Popular tribal revolts against British occupation in 1841 and 1879 would exemplify the former, while the co-operation and collaboration of certain Khans, such as the Khan of Kelat in 1880, eager to preserve their position and faced with overwhelming force, illustrates the latter.

Third Parties and the Importance of 'Credible Commitment' Implementation during Negotiations

The presence of a third party to push for negotiations and monitor the implementation of terms is regarded as a key factor in the lasting success of any settlement, although even then, as Barbara Walter observed, almost two-thirds of negotiations in civil wars fail.[12] Mediators and the 'Good Offices' of the United Nations were critical to the success of the Geneva Accords which led to the Soviet withdrawal from Afghanistan in 1989. Axelrod notes that these third parties can establish an agenda which keeps the belligerents on track, in spite of deteriorating ground conditions and a return to violence.[13] In some cases, third parties can also provide the interventionist forces, from peacekeepers to more robust force structures with appropriate rules of engagement, which can impose a settlement and ensure security for the warring parties' populations. However, military intervention to forestall civil war, as in the Soviet case in 1979, adds a new variable of violence and does not guarantee peace. The Soviets became the target of violence and actually united previously warring factions against them. Walter argues that the ground conditions are not the determinant in the decision to negotiate. She believes that security guarantees, for which third parties are essential, are, nevertheless, critical to the success or failure of any negotiations. Walter's 'credible commitment' thesis suggests that negotiations require more than the resolution of underlying grievances to succeed at all. Ceasefires may fail, for example, but negotiations can still work

[12] Barbara F. Walter, *Committing to Peace: The Successful Settlement of Civil Wars* (Princeton: Princeton University Press, 2002), p.3.
[13] Axelrod cited in Walter, *Committing to Peace,* p.22.

if the protagonist feel that their goals can be fulfilled and that their own personnel can be protected as they make the transition to peace. Confidence-building measures, such as verification, monitoring and security are vital to success. Interventions as negotiators, and even as peacekeepers after a settlement, may not guarantee success, and it will still depend on the local situation whether full military interventions (such as Sierra Leone in 2000 or Afghanistan in 2001-present) are any more or less effective.

Historical Reconstruction

Case Study: The First Anglo-Afghan War, 1838-42

The British invasion of Afghanistan with the Army of the Indus in 1838 was designed to force the abdication of Dost Mohammed, the Amir of Kabul, in favour of their own candidate, Shah Shuja. This new leader, it was thought, would serve British interests by acting as an ally against Russian influence and serve as a counterweight to the powerful Sikh kingdom of Ranjit Singh whose dominions lay adjacent to British possessions in India. The British had tried for several years to persuade the Amir of Kabul to yield to their interests through negotiations, but Dost Mohammed's insistence on the recovery of Peshawar, the city-state lost in 1810 to the Sikhs, persuaded the British that the Amir had to be removed. For his part, Dost Mohammed opened negotiations with the Persians and Russia in 1836, hoping that these external powers would augment his bargaining positions against the Sikhs and British. The last hope of a compromise was the British proposal that Dost Mohammed's brother, Jubber Khan, should serve as viceroy of Peshawar under the Sikh's suzerainty, but Dost Mohammed did not trust his brother and believed that he would foment intrigues against him and recruit local Pashtuns to march on Kabul. The British were warned by Jubber Khan that Dost Mohammed had received a Russian envoy, Lieutenant Jan Vitkevich, carrying the offer of financial support and closer diplomatic relations. Eager to avoid Russian influence growing on their Indian borders, the British issued an ultimatum, the Simla Manifesto, on 1 October 1838. They made little secret of their desire to turn Afghanistan into a protectorate. The initial military operations were a great success for the British. Dost Mohammed tried to rally his troops for a final battle outside Kabul, but all but 3,000 fled and he was forced to retreat over the Hindu Kush mountains into Central Asia.

Jubber Khan had been sent to negotiate with Dost Mohammed prior to his flight, but the distrust between the two men meant the negotiations failed. The Amir had accepted that his

surrender might prevent the 'further effusion of blood' and that he would hand over 'the state of Cabool into the hands of Shah Shooja'.[14] However, he refused to live 'under surveillance in the British provinces' and he demanded, as head of the Barakzais (the largest Pashtun community and the noblesse oblige of that qawm), to serve as the wazir, and therefore be, as one British officer put it, 'the maker and controller of kings'. The British took the view that this would simply lead to plots against Shah Shuja but Sir Henry Havelock, who was present, noted that Jubber Khan 'felt, or affected, the utmost indignation at their rejection'.[15] When Dost Mohammed escaped into Central Asia, a plan was conceived to march a strong column to the Oxus to impress upon the Emirs of Bokhara and Kunduz that they should under no circumstances attempt to assist the Afghan exile. The military force was designed partly to protect their envoy, Dr Percival Lord, but also to persuade the local potentates that resistance was hopeless. However, military officers advised against the scheme, arguing that sending a column over the mountains so late in the year when supplies further north were uncertain, and when potential enemy strengths were unknown, courted disaster. But sending individual envoys was known to be hazardous. Two British officers were imprisoned and subsequently executed by the Emir of Bokhara in 1842 after allegations they were spying for the Khanates of Khiva and Khokand.

Dost Mohammed remained weakened and unable to mount further resistance because of desertions from his cause, but he had no advantages to offer in any negotiations either. Indeed, when he attempted to re-cross the Hindu Kush in September 1840, his forces were intercepted and, while he managed to defeat an Indian cavalry regiment sent against him, he surrendered and was sent into exile at Ludiahana in British territory.

British objectives were therefore achieved and the war appeared to be over. Because of the costs of occupation and the extended lines of communication, the military garrison was reduced with small pockets left in key urban areas. During the occupation, Shah Shuja's lack of traditional consultation and the high handedness of his subordinates caused considerable resentment. The British then faced a serious revolt in Kabul on 2 November 1841. Amongst the first to be killed was Sir Alexander Burnes who had been a key negotiator with the Afghans. The loss of key resources, a reduced garrison, paralysis in the military leadership, the defeat and massacre of a garrison at Kohistan and then the defeat of British and Indian

[14] Captain Henry Havelock, *Narrative of the War in Affghanistan* [sic], vol II (London: Henry Colburn, 1840), p.96.
[15] Havelock, *Narrative of the War in Affghanistan*, p.97.

troops at Bemaru Ridge completely altered the conditions for negotiation. The British Political Officer, William Hay Macnaghten, knew the critical nature of the military situation and on 25 November 1841 he initiated overtures to the tribal leaders and the son of Dost Mohammed, Akbar Khan, who had come into the city of Kabul soon after the revolt.

The Afghans demanded that Shah Shuja and his household be handed over to them, that the British garrison at Jelalabad should be evacuated and return to Peshawar and that the Kabul garrison should give up all its arms and ammunition, make over all the European officers and families as hostages, and that the Indian troops should march back to India.[16] The Afghan demands amounted to the full capitulation of the British forces, but they also ensured that, by taking hostages they had a bargaining chip against any further military incursions, the release of Dost Mohammed (who they regarded as being held hostage) or perhaps, the means by which they could trade for the return of all the other Afghan settlements under occupation. They may also have intended to obtain Peshawar by these means. Certainly the hostages who were later taken were treated with hospitality, particularly by Akbar Khan himself. Disarming the British and Indian forces would simply prevent any further British resistance against Kabul and was not unlike the terms the British would have themselves demanded.

The British rejected the Afghan demands, but 'back channels' were kept open. One of the key negotiators, Mohan Lal, the private secretary of Alexander Burnes, was active in this regard. It is alleged that Macnaghten, or perhaps Mohan Lal himself, had offered cash to any Afghan who would assassinate at least two of the tribal leaders, but there is no evidence of such a plot.[17] Macnaghten was accused of being the architect of treachery, but, even if there was a conspiracy, Mohan Lal had refused to pay any bounties to those that claimed to have killed two tribal leaders. The delay by the British and the suspicions that were harboured merely hardened the Afghan position. On 11 December, Macnaghten again met the Afghan leaders and announced that the British would not accept dishonourable terms and would rather die 'in the last ditch'. However, he was aware, as were the Afghans, that the Kabul garrison's supplies were dwindling and that wintery weather was causing a great deal of suffering. Macnaghten therefore also drew up a treaty that amounted to surrender, the terms stating that

[16] Anon, [G.R. Elsmie], *Epitome of Correspondence Regarding Our Relations with Afghanistan and Herat* (Lahore: Government Press, 1863), p.50ff; T.A. Heathcote, *The Afghan Wars, 1839-1919* (London: Osprey, 1980), p.56.
[17] Patrick Macrory, *Signal Catastrophe* (London: Hodder and Stoughton, 1966), p.191, Heathcote, *The Afghan Wars*, p.56.

the British would now withdraw and would permit Dost Mohammed to return to the throne in Kabul. In return, the British asked for safe conduct out of the country via the Khyber Pass.

Macnaghten still hoped that divisions amongst the Afghans would give the British the edge in negotiations and perhaps permit a recovery of the situation. Indeed, Akbar Khan appeared to have great difficulty in persuading the tribal leaders, particularly the Ghilzais, to accept any deal at all. The British lacked sufficient transport animals and disorganisation prevailed in the cantonments at Sherpur such that the original deadline for departure, 15 December, passed without any movement at all. This served to increase the suspicions of the Ghilzais. On 22 December, on the second date set for departure, Akbar Khan offered a new treaty which stated that, in return for making him Wazir and supplies to get the Kabul garrison through the winter, he would support Shah Shuja. He even offered to arrest Amanullah Khan, the leader who had started the revolt in Kabul in November. Macnaghten famously signed this instrument which was duly shown to the tribal leaders by Akbar Khan as final evidence of the infidelity of the British. Macnaghten had hoped the new treaty would actually divide Akbar Khan and the tribesmen, but it united them in a determination to abandon negotiations and destroy the British garrison. On 23 December Macnaghten was summoned to a meeting on the banks of the Kabul river where he was murdered and dismembered. The weakened state of the garrison was then exploited, and while some British officers still favoured fighting their way out or seizing the Bala Hissar fortress, the garrison attempted to march out expecting the 'safe conduct' which they believed Macnaghten had secured. It took six days to wipe out the British force, which included hundreds of civilians and the families of many of the troops.

The key Afghan accounts of the negotiations were analysed by Sayyid Mohammed Qasim Rashtiya and, as expected, they emphasised the treacherous nature of the British negotiators.[18] However, they also share a lack of critical reflection, generally only praising their own forces, character and military success. There is no mention of the frequent division of Afghan groups between themselves which the British had exploited. Subsequent Afghan work in the 1960s copied British condemnations of the adventurism of the East India Company and its negotiators, but failed to acknowledge the subsequent British invasion of 1842 by the so-called 'Avenging Army' or negotiations and operations elsewhere. Popular

[18] Sayyid Mohammed Qasim Rashtiya, *Afghanistan dar qarn-i nuzdah* [Afghanistan in the Nineteenth Century], 2nd edn., (Kabul: Ministry of Press and Information, 1958).

accounts, including those recorded by Louis Dupree in 1967, make no mention of negotiations at all, except attempts by individual female fugitives to barter for their lives or become Muslims, the emphasis on women reflecting the importance of these as symbols of success in war in local folk culture.[19] At Jelalabad, the British garrison had initially hoped to negotiate with Akbar Khan and the Ghilzais, but it was clear the Afghans believed they had all the advantages and they attempted to besiege the fortress there.[20] The British troops nevertheless withstood the Afghan assaults and were relieved by British forces coming up from India. The breakdown of trust for negotiations was evident on both sides, with one officer commenting that 'I am surprised that anyone should suggest ... an Afghan's word as worth anything'.[21] This sentiment was reinforced when the garrison at Ghazni, which was also offered a safe passage back to India, was ambushed and massacred after leaving the protection of the fortress walls. Afghan divisions were also partly to blame. Agreements made with one faction had no binding effect on another, particularly when they saw the opportunity for loot or revenge. Qalat was besieged and held out, as did Kandahar, and these garrisons were only withdrawn in 1842 after the sacking of Kabul.

After the retreat from Kabul, in April 1842 the British hostages left behind tried to negotiate a new treaty, not least because the Afghans, with a common enemy removed, were soon fighting amongst themselves. Nawab Zaman Khan Barakzai, Dost Mohammed's nephew, became the de facto ruler and it was his son, while escorting Shah Shuja on a review of his troops at the siege of Jelalabad, who assassinated the British puppet Amir. The fighting between the various Kabuli factions worsened until, in mid-June, Fateh Jang, one of Shah Shuja's sons, was selected as the new monarch. Akbar Khan became his wazir and the real power behind the throne. The view in London, which was shared by the Governor General in India, was to abandon Afghanistan, but there was a general feeling that some restoration of military prestige was required. Major General George Pollock, who commanded the forces below the Khyber Pass, argued that without a new expedition against Kabul, 'our character as a powerful nation would be entirely lost in this part of the world'.[22] On 31 March 1842, the

[19] Louis Dupree, 'The Retreat of the British Army from Kabul to Jelalabad in 1842: History and Folklore', *Journal of the Folklore Institute*, vol 4, 1, (June 1967), pp.61 and 63. Afghan popular accounts often confuse the First and Second Afghan Wars and the Soviet War, mixing technology, misnaming geographical locations and making other errors in chronology or personality.
[20] On the final day of the retreat from Kabul, an Afghan group that came forward to negotiate was fired upon. Dupree, 'The Retreat of the British Army from Kabul', 67; Heathcote, *The Afghan Wars*, p.63.
[21] Captain Oldfield, cited in Heathcote, *The Afghan Wars*, p.63.
[22] cited in Heathcote, *The Afghan Wars*, p.69.

Duke of Wellington had written to the Governor General: 'It is impossible to impress upon you too strongly the Notion of the importance of the Restoration of Reputation in the East'.[23] He was particularly eager that action should be taken against 'the Moslem chief who had with his own hand murdered Sir William Macnaghten, the Representative of the British Government at the Court of the Sovereign of Afghanistan'. At the local level, negotiations were attempted with the Afridis to open a route through the Khyber, but generally the British chose to re-assert their military prowess because of their new objective: the restoration of prestige. Consequently they won military victories at Qalat, Ghazni and in the Khyber Pass at Tezin. British hostages were released. At Kabul, Akbar Khan tried to negotiate a new treaty, but the British commanders were ordered not to enter into any discussions. Ellenborough, the Governor General brought the British troops out and announced he would 'leave it to the Afghans themselves to create a government amidst the anarchy which is the consequence of their crimes'. His only concession was to express his desire that any future Afghan ruler who could establish himself in power would be recognised by the Government of India. Yet, ironically, it remained in British interests to keep Afghanistan neutral and free of the interference of Russia or Persia. Twice in the next decade, the British would send warships to pressure the Persians to relinquish any influence over Herat. In 1856, they went to war with Persia on Afghanistan's behalf. Their diplomatic pressure on the Shah was constant. Yet they also used diplomacy to establish a detente with Russia, roughly demarcating their exclusive areas of interest.

For the Afghans, Dost Mohammed was restored when Akbar Khan had defeated the rival factions of Sadozais and their allies. Akbar Khan became a troublesome wazir but died in 1847. His father continued to rule, but on his death the country was thrown into civil war for three years, while unrest continued in peripheral areas far longer.

Case Study: The Soviet War in Afghanistan, 1979-80

The Soviet military intervention in Afghanistan was not, as contemporary Western observers suggested, part of the 'onward march of socialism' in Asia, but an attempt to shore up an increasingly unpopular and divided Afghan communist regime under the People's Democratic Party of Afghanistan (PDPA). Much of the existing literature on the Soviet war in Afghanistan continues to focus on the grounds for intervention and the protracted nature of

[23] cited in Heathcote, *The Afghan Wars*, p.72.

the conflict that followed. Publicly, the Soviets were confident of victory on behalf of Afghan socialism because they believed their historically progressive ideology opposed an Asiatic backwardness that was doomed to extinction. However, there were real concerns that the Islamist nature of the unrest in Herat, much of which had been directed against Soviet advisors and their families, might herald an Islamic revolution in Soviet Central Asia or provide the opportunity for Western intelligence to exploit the vulnerable southern flank of the USSR. The combined fears and ideological position of the Soviets, and the angry reaction of the opposition in Afghanistan made any negotiations unlikely, and therefore the two sides would be difficult to reconcile. However, what made any rapprochement even more unlikely was the brutal heavy-handedness of the PDPA and its secret service, the KHAD. The inability of the PDPA to reconcile divisions within its own ranks, particularly between the Parcham and Khalqi branches of the party (which themselves reflected ethnic or qawm fracture lines as well as ideological splits), meant that external, third party intervention was likely.

The Soviets had regarded Afghanistan as a potential protégé from the 1930s, but the Saur Revolution by Mohammed Daoud in 1978 and its apparently pro-communist character cemented the Soviet alignment. When Soviet forces arrived they seized control of urban areas and the major routes, and when their sheer presence failed to totally extinguish resistance, they applied overwhelming force. The ‘stick’ was accompanied by the ‘carrot’ of reforms designed to bring about modernisation in agriculture and bureaucracy, and there were active campaigns to recruit collaborators as means to achieve victory. However, since these changes appeared to herald a process of social engineering, creating fears that the religion and way of life of Afghans was about to be overthrown, local resistance stiffened. The Soviets maintained that their objective was the resolution of civil conflict, but they wanted the installation of a government more acceptable to the USSR that could ensure stability. However, the invasion earned international condemnation.

For the resistance, there was a general unwillingness to compromise. Although there was no national movement, the Soviets were viewed by rural populations as foreign unbelievers set on occupation and destruction of traditional ways. However some, including urban and educated Afghans, chose to collaborate and negotiated their future under occupation or as local communist participants. In the conduct of military operations the Afghans remained subordinate which caused a corresponding collapse in morale. In political terms, the Soviets selected their surrogate leaders, but neither these, nor the Soviet forces, could find a solution

to the military impasse developing. Stalemate in the ground conditions did not produce a desire to negotiate on either side and the war continued.

By 1985, the conflict in Afghanistan appeared to be intractable.[24] General Secretaries Chernyenko and Andropov were too elderly or ill to exercise much leadership and the Central Committee selected a younger, more energetic leader in Mikhail Gorbachev to find a solution. Within a year, Gorbachchev was looking for an exit strategy that would help in improving relations with the West and allow more urgent and substantive reforms at home. The emphasis switched to creating or employing more local forces to 'Afghanise' security, although such was the unreliability of the Afghan Army that the bulk of operations were still carried out by Soviet troops and their security personnel. Moreover the surrogate communist government in Kabul proved unable to deliver on reforms. By 1986, the Soviets objective had changed to a desire to exit Afghanistan with honour. Ultimately the UN was seen as the 'third party' that could open and conclude negotiations between the Pakistanis (and by extension the Americans) and the Afghan government (and therefore the Soviets). There was no desire to negotiate with the Afghan resistance at all since it was generally assumed the Mujahideen was dependent on the Pakistanis and Americans. The Geneva Accords finally gave the USSR the opportunity to depart in 1989 leaving a surrogate regime well equipped and well-funded to continue to face down the resistance. Meanwhile, a United Front was formed in Pakistan amongst most of the Mujahideen factions, although the prominent exceptions included many Pashtuns.

Beneath these international actions, the Soviets were, like the British, eager to conclude local deals that divided the resistance. They attempted to employ militias and there was an acceptance of local truces that seemed to ensure Soviet control of rural areas.[25] Negotiations were just part of a package of counter-insurgency measures. The Soviets reinforced their presence in Afghanistan, bringing in more men and resources, eventually bringing their

[24] D. Cordovez and S. Harrison, *Out of Afghanistan* (Oxford, 1995), p.65; A. Lyakhovski, *Tragedia i doblest Afgana* (Moscow, 2004).

[25] One example illustrates the decision to negotiate and collaborate. The Ismailis responded positively to the call of Dr Najibullah, the Soviets final surrogate leader, for a militia because they were a marginalised group. Surrounded by sectarian or ethnic rivals, they were eager to defend themselves in the Kayan valley of Baghlan province. When the Tajiks and Pashtuns near the Salang Tunnel aligned themselves either with Jamiat or with the Jihadist Hizbi-i Islami, Sayyed Mansur Naderi of Kaihan, brother of the *pir* (spiritual head) of the Ismailis, organized his community to arm and defend themselves and the road between Kabul and the Soviet border. By 1989, Naderi had 13,000 troops organized in the '80th Division' under the command of his son, Jaffar, and a place in the local government council. Angelo Rasanayagam, *Afghanistan*, p.130; Barnett R. Rubin, *The Fragmentation of Afghanistan*, pp.159-160.

strength to 108,800 personnel. Nuclei projects were also designed to bring about rural development and engage the local *ulema* in them. Small detachments of troops were nevertheless overrun by resistance fighters and the Soviet representatives often lacked the authority to respond quickly or effectively to the demands of the rural population. By 1985-6, large scale Soviet operations had become rare and the emphasis was on reaching agreement with local elders or leaders. The most significant step was the agreement to set up self-defence units.[26] There were, as a result, fewer attacks on government forces in Pashtun areas in the eastern border regions where these militias existed.

Meanwhile, the Afghan Army was strengthened: discipline was tightened and desertion curtailed. To ameliorate the feelings of the population, freedom of religion was declared and mullahs were incorporated into the Afghan Army's administration. However, the Mujahideen did their best to spread their influence and to try and prevent an end to combat operations. Thus the protracted character of the war continued. There were occasional operations led by Afghan Army and supported by Soviet firepower, but the Russians began their withdrawal in 1986. In 1987, aside from Operation Majistral in Khost, Soviet forces remained on the defensive. The Afghan Army engaged in further negotiations and territorial units were established amongst local leaders who had been former resistance. These groups were essentially co-opted to regular units or given regular unit designations. The local communities decided who would serve and only one third would have to be on duty at any one time, the rest being able to remain at home in civilian employment. The system worked as long as the funds continued to flow in, but allegiances were never guaranteed and many changed sides the moment the Soviets withdrew.

In all cases, the Soviets were prepared to negotiate only to ensure the success of their mission and to bring about a local pacification of the population. However, the Afghans were just as capable of making truces to suit their own designs. The most significant of these was Ahmad Shah Masood's truce in the Panjshir Valley. The Tajik-Afghan warlord leader had mounted a successful guerrilla campaign astride the strategic Route 1 from Kunduz, Mazar-e Sahrif and Kabul and his men enjoyed some successes against the Soviets around the Salang Tunnel area. The Soviets therefore stepped out their counter-measures between August and September 1982 which placed Masood on the defensive. To buy time for his exhausted forces

[26] Lester Grau, ed., Soviet General Staff, *The Soviet-Afghan War*, p.27.

to regroup and to break out to his homelands to the north-east, Masood concluded a truce with the Soviets which lasted from December 1982 to April 1984.[27] Harsh winter weather was certainly a factor that prolonged the truce, but the primary purpose appeared to be to gain time to get the bulk of his forces out of the area to fight another day.[28] Masood spent a great deal of time negotiating with elders within his own area and was particularly adept at moving populations prior to significant operations in order to reduce civilian casualties.

The most significant element of the negotiations that brought to an end the Soviet occupation of Afghanistan was the Geneva Accords brokered by the United Nations. The Soviet Union had the ability to veto any condemnation of its initial invasion as a permanent member of the Security Council, but this also meant that it could treat the UN as a third party when it came to negotiating a settlement with at least some of its adversaries. The UN, unable to implement Chapter VII against the Soviets could at least try to initiate a withdrawal through its 'Good Offices' and some shuttle diplomacy. Article 99 of the UN Charter gave the Secretary General the authorisation to initiate negotiations unilaterally in order to prevent or resolve 'any matter which may threaten the maintenance of international peace and security'. The Secretary General can also call upon the Secretariat to provide personnel to assist him in his negotiations, and he is able to appoint Special Representatives or Personal Representatives to maintain the momentum of negotiations. These representatives have the ability to act directly for the Secretary General and not on behalf of the Security Council. Nevertheless, initially the Soviet Union was not content to see the UN play any role and preferred to get the Karmal regime in Kabul to negotiate directly with General Zia ul Haq in Pakistan. Brezhnev was suspicious that the UN might only act on behalf of anti-Afghan and anti-Soviet powers.[29] Kabul maintained that a political solution had to be found to the conflict, a view it had broadcast from 1980, but for several years few in the UN believed that the Soviets were interested in a peaceful solution.[30] Nevertheless, the UN made attempts to reach an agreement from 1982 onwards, with the first communications established between Kabul and Islamabad from April 1981 thanks to the work of Javier Perez de Cuellar (who subsequently

[27] Boris V. Gromov, *Ogranichennyi kontingent* (Moscow: Izdatel'skaya gruppa, 'Progress-Kultura', 1994), p.192.
[28] Olivier Roy, *Islam and Resistance in Afghanistan* (Cambridge: Cambridge University Press, 1990), p.199; William Maley, *The Afghanistan Wars* (London and New York: Palgrave, 2002), p.90.
[29] James G. Hershberg, ed., 'New Evidence on Soviet Intervention in Afghanistan', *Cold War International History Bulletin*, 8-9, (1996-97), p.169.
[30] Maley, *Afghanistan's Wars*, p.136.

became UN Secretary General the following year). Shuttle talks were continued through 1982 and 1983 by Diego Cordovez, the Under-Secretary General for Special Political Affairs. By 1984, proximity talks had been established with the negotiating parties occupying different suites in the Palais de Nations in Geneva. Pakistan nevertheless refused to recognise the Karmal regime in Kabul and this prevented any direct talks from talking place. Nevertheless, the UN envisaged the withdrawal of foreign forces, non-interference in the internal affairs of Afghanistan, international guarantees of Afghanistan's integrity and the repatriation of refugees, the latter having risen to a staggering 5 million, a fifth of the population, by the end of the war.

Although the Soviets were effectively in control of Afghanistan's destiny, the Afghan communist delegation frequently defied their Moscow masters, particularly when it was clear that the Soviet forces were being withdrawn.[31] Pakistani officials also distrusted the United States, who was the leading paymaster of the Mujahideen, and feared American interests would not coincide with Pakistan's in the long term. Iran was also not directly involved in the talks but took a keen interest in the process. Changes of government added further delay and disruption, and often raised false expectations of a sudden breakthrough. The appointment of Andropov as Soviet leader was expected to produce more progress, but Herschberg has shown that this was a Western illusion.[32] Andropov was using negotiations to buy time, hoping that a more vigorous military counter-insurgency strategy would bear fruit. He also hoped to divide the Afghan resistance, and to sow discord among the Western powers and Pakistan.

Misunderstandings plagued the negotiations as far as the Americans and Soviets were concerned. President Reagan was eager to punish the USSR in Afghanistan and inflict a Vietnam-style defeat on what he termed an 'Evil Empire'. He was therefore surprised that his own negotiating team had agreed to stop all financial assistance to the Afghan Mujahideen at the point when the Soviets agreed to withdraw, even though Soviet military and financial assistance would continue to support the Karmal regime. Reagan felt that would give the Soviets a decisive advantage and perhaps enable them to crush the Afghan resistance. His repudiation of any deal of this nature in December 1987 came after Gorbachev's announcement that the Soviet forces would withdraw, and there was a risk the talks would

[31] Cordovez and Harrision, *Out of Afghanistan*, pp.303-6.
[32] Herschberg, 'New Evidence', p.177.

collapse entirely. The Americans clarified their position that it would discontinue its support if the Soviet Union continued to exercise restraint.[33] Pakistan was concerned that the Afghan regime, which it had consistently refused to recognise, might simply gain legitimacy by default. Moreover, the absence of the Afghan resistance in the negotiations meant that Pakistan's favoured factions, including that of the austere Islamist Gulbuddin Hekmatyr, might be excluded from power. Nevertheless, the Accords were signed on 14 April 1988, leaving significant areas unresolved but at least agreeing on the Soviet departure.

The Accords provided for four elements of a peace settlement. The first assured Afghanistan and Pakistan of mutual non-interference and non-intervention, covering territorial integrity, sovereignty and economic stability. Article II (8) spelled out that there should be no 'training, equipping, financing and recruiting of mercenaries from whatever origin for the purpose of hostile activities ..., sending of such mercenaries into the territory [of each country]... and accordingly deny facilities including the financing of training, equipping and transit of such mercenaries'. Article II (12) was even more specific in its requirements to deny bases, support or training to any group which aimed to disrupt the other country. This element of the Accords gave Afghanistan a free hand to tackle its own insurgency and removed the threat of intervention.

The second element of the Accords dealt with international guarantees from the United States and Soviet Union not to interfere or intervene in the internal affairs of Afghanistan, and obliged them to support the bilateral agreement set out in the first element. The third part of the Accords provided for the voluntary repatriation of refugees from Pakistan with assistance offered by the UN. The fourth and final element of the Accords stated that there should be a 'settlement of the situation' in Afghanistan and stated that the troops of the Soviet Union would begin a phased withdrawal, starting on 15 May 1988 and concluded nine months later.

The Accords were a good example of how limited objectives, persistence in negotiation and realistic expectations could produce a settlement.[34] It has even been suggested that the exclusion of the Mujahideen was an advantage.[35] However, whilst the Accords undoubtedly paved the way for the withdrawal of the Soviets, enabling them to argue that they had conceded on to international requests, there was no guarantee that the civil war, which had

[33] *Department of State Bulletin*, 88, 2135, (June 1988) p.55.
[34] Imitiaz H. Bokhari, 'Internal negotiations Among Many Actors: Afghanistan' in I. William Zartman, ed., *Elusive Peace: Negotiating an End to Civil Wars* (Washington DC: Brookings Institute, 1995), p.261.
[35] *Ibid*.

effectively started in 1978, could be brought to an end. Indeed, there was every indication that the war would continue. The USSR would continue to finance the Najibullah regime and ensured that even when it did pull out it left behind a massive arsenal of weapons and ammunition.

The exclusion of the Mujahideen parties may have made the process easier for the states involved, and prevented Pakistan from using them as a lever for advantage in the talks, but in every civil war those that have done the fighting expect to have a significant voice in the outcome. As William Maley points out, the failure to address who would govern in Kabul and the nature of that government, which had caused the unrest in the 1970s, had not been addressed.[36] There was also no discussion of how the Afghan government would carry out the process of conflict resolution and reconstruction. Trust-building measures, the repair of infrastructure, the distribution of power, the management of force, and the rehabilitation of the resistance were all conspicuously absent. Unsurprisingly, the war therefore continued. The further deterioration of the stability of the Afghan state was exemplified by the attempted coup by General Tenai in 1990. His failure led an erosion of confidence in the regular security forces and, coupled with a desire to achieve consensus with rural leaders, larger militias were formed. These forces were soon so large that they were unaccountable to their local areas, as they would have been traditionally. When the funding stopped abruptly with the collapse of the USSR, the militias abandoned the government and their commanders became warlords with personal fiefdoms across the country. Thus a new and more lethal phase of the civil war had begun.

The Geneva Accords can be criticised on the basis of excluding the key warring parties of the resistance, and similar charges have been of the Bonn Agreement in 2002 which did not include the Taliban leadership. It is a reminder that negotiations with the enemy, however fractured their structures, is a prolonged but necessary element of the process. Moreover, as Walter argues, keeping sight of the long term security guarantees, as well as addressing the root cause of conflict, is essential. The Geneva Accords served the interests of the USSR and, to a lesser extent, the communist government in Kabul. Pakistan may have had the reassurance of non-intervention but there were no guarantees of greater stability on its western border. The continuation of the civil war practically compelled Pakistan to take a

[36] Maley, *Afghanistan Wars*, p.142.

more proactive approach to resolving the conflict by backing its most favoured factions. Similar calculations were made by Iran and the Central Asian republics after 1992.

A Distinctive Context for Negotiations? Afghan-Pashtun Culture

Throughout British historical records on the conflicts with Afghanistan, one notices how the Afghans (and the Pashtuns in particular) understood war as a tool for the accumulation of honour and to achieve specific tactical outcomes, as well as being the basis for the preservation of territorial integrity, critical resources, sovereignty and independence, and the other variables common to all conflicts. While the British felt they had achieved victory, the Afghans, too, often felt they had fulfilled all their obligations and 'won'. In the Soviet War, Afghans took a patient line in their guerrilla campaign, almost, in some cases, to the point of fatalism. Accounts by Mujahideen fighters indicate they were fully aware of the strength of the forces arrayed against them, but a combination of faith, identity and opportunism, coupled with their willingness to sustain the fight, kept alive the resistance. In the search for an understanding of Afghan perspectives on negotiating during conflicts, one is compelled to examine the impact that distinctive Afghan values, assumptions and culture acts on the process of negotiating with the enemy, and to determine whether these are idealised forms, established practices or simply themes can are readily discarded in the face of more pragmatic opportunities and threats. The difficulty with using Western sources for this purpose is the frequent disdain the authors had for the Afghans and their criticism that the Afghans were untrustworthy as negotiators.

Mountstuart Elphinstone, the British Envoy of the East India Company to Afghanistan captured the mixed feelings the British had of the Afghans from the beginning. He wrote: 'The English traveller from India ... would admire their strong and active forms, their fair complexions and European features, their industry and enterprise, the hospitality, sobriety and contempt for pleasure which appear in all their habits; and, above all, the independence and energy of their character ... On the whole, his impression of his new acquaintance would be favourable ... he would reckon them virtuous, compared with the people to whom he had been accustomed.'[37] Like many of the British that followed, Elphinstone was struck by their ability to offer hospitality to any stranger in their homes and yet rob and butcher those they

[37] Mountstuart Elphinstone, *An Account of the Kingdom of Cabaul* (Karachi, 1839), p.198.

found on the trails in remote areas. He concluded: 'Their vices are revenge, envy, avarice, rapacity and obstinacy; on the other hand, they are fond of liberty, faithful to their friends, kind to their dependents, hospitable, brave, hardy, frugal, laborious and prudent.' He continued: 'Ruthless, cowardly robbery, cold-blooded, treacherous murder, are to him the salt of life. Brought up from his earliest childhood amid scenes of appalling treachery and merciless revenge, nothing can ever change him. As he lived – a shameless cruel savage – so he dies'.[38] In common with many analysts of non-European races in the late nineteenth century, Bellew, an administrator among the Yusufzai Pashtuns, wondered if they were governable at all: 'The most notable traits in their character are unbounded superstition, pride, cupidity and a most vengeful spirit ... They despise all other races ... They glory in being robbers, admit they are avaricious, and cannot deny the reputation they have acquired for faithlessness.'[39] Soviet accounts were no less critical. The resistance fighters were respectfully known as *dhukis* (ghosts) but many Soviet soldiers regarded the Afghans with contempt. There were episodes where Soviet troops would fire on Afghan communist soldiers, and vice versa, and the history of the war is littered with atrocities.[40] Given that Soviet soldiers found themselves killed randomly by snipers, mines, and even by women and children, it is easier to understand why the troops took such severe reprisals. These incidents embittered both sides and made any local negotiations and truces unlikely. However, there were also episodes of co-operation between the belligerents. While the Mujahideen executed some Soviet prisoners, others were exchanged through intermediaries. A Tajik in Shindand, Feliks Rakhmonov, frequently paid for prisoners and bartered three men for some flour and seven cans of diesel.[41]

Modern anthropology takes a more objective view and attempts to unpack power and culture, and the role played by ideology, symbols and organisations, in Afghan social structures. Comaroff and Comaroff argue that it is not just the narrative of their past which emerges from the participants which matters, but the context of that narrative.[42] They have to be 'situated in the wider worlds of power and meaning'. For decades Fredrick Barth's anthropological study of the fragmented and feuding Pashtuns in Swat on the North West

[38] Cited in Hutchinson, *Tirah*, p.106.
[39] H.W. Bellew, *The Races of Afghanistan being a brief Account of the Principal Nations Inhabiting that Country* (Calcutta: Thacker and Spink, 1880), p.55. See also *Report on the Yusufzais* by Henry Bellew, (Lahore: Punjab Government, 1864). IOR L/Mil/17/13/128.
[40] G. Bobrov, *Soldatskaya Saga* (Moscow, 2007), pp.202-203.
[41] A. Greshnov, *Afganistan: Zalozhniki vremeni* (Moscow, 2006), p.148.
[42] J. Comaroff and J. Comaroff, *Ethnography and Historical Imagination* (Boulder: Westview, 1992) p.17.

Frontier and his description of the tribal code of *Pashtunwali* stood as the definitive study of all Pashtuns.[43] However, there were several assumptions in Barth's work which have subsequently been challenged. The idea that in Pashtun society there was widespread feuding was, in fact, the result of specific land arrangements implemented by the British in settled districts under or adjacent to areas of colonial rule which led to a particular peak in internal unrest. His analysis seemed to suggest that feuding was endemic and that the tribal code, with its polarising demands for *melmastia* (hospitality to strangers and, as *nanawatai*, to fugitives), the preservation of personal *nang* (honour) and *badal* (revenge against all enemies), was immutable. Akbar Ahmed, whilst critical of Barth's assumption that the Swat Pashtuns were typical of the entire region, nevertheless repeated his assertion that the martial tradition and predilection for embracing Jihad were unchanging Pashtun attributes.[44] He also perhaps rather overstated the case that Islamic unity and tribal cohesion could overcome the sort of Hobbesian anarchy that Barth had portrayed. More favourable appraisals were made of Louis Dupree's work on Afghanistan which assessed the culture and society of the country and not just the Pashtuns of the south and east.

David Edwards' study during the Soviet occupation of Afghanistan in the 1980s suggested a far more selective use of the tribal code.[45] Rather than compelling action, it acted as a guide to assess and react to changing situations in particular ways. The code itself was therefore subject to constant re-interpretation depending on the nature of each crisis.[46] This code was also balanced against the demands of Islam, and the particular understanding of the faith by largely illiterate rural men. Religious teachers frequently acted as the translators of religious injunctions but also initiated them. The response of the Pashtun population was, however, far from certain: mullahs sometimes found that their calls for action or neutrality were not heeded. Village *jirgas* (councils) might decide that it was simply not prudent to follow a particular mullah's advice and they would deploy their own references to Islamic injunctions to serve their purpose. Moreover, whilst the *ulema* (a socio-religious elite) might be accorded respect in legal matters, in the settlement of disputes or moral questions, village imams and

[43] F. Barth, *Political Leadership Among Swat Pathans* (London: Athlone, 1959).
[44] Akbar S. Ahmed, *Millennium and Charisma among Pathans: A Critical Essay in Social Anthropology* (London: Routledge and Keegan Paul, 1976)
[45] David Edwards, 'Pretexts of rebellion: the Cultural Origins of Pakhtun Resistance to the Afghan State', unpubld. PhD thesis, University of Michigan, 1986.
[46] Mukulika Banerjee was also able to show through her study of the Khudai Kitmatgars that such responses were not always military: M. Banerjee, *The Pathan Unarmed* (Karachi and Delhi, 2000).

mullahs had far less influence.[47] Generational differences could play their part just as strongly. Young men, without employment and in need of the opportunity to prove their worth as fighters for the sake of personal honour, would carry out raids and ambushes in defiance of the local elders. In other words, the Pashtuns did not adhere to a rigid system but lived and negotiated through the code and their personal or collective circumstances. Capable of unity in the face of an external threat, or the combination of enemies from rival clans, lineage or family, they were just as likely to abandon the alliance as soon as circumstances changed. Although responsive to the call for the armed defence of Islam, they might abandon any struggle if it was more pragmatic to do so. Moreover, whilst old men counselled one course of action, the younger generations might equally pursue their own agendas.

In the context of negotiations, the village or cluster jirga (council) would convene as equals, with selected men representing the women of the community. In the course of discussions, young men might achieve as much influence as elder men, but the 'grey beards' were accorded respect through their knowledge of past events and practices. By discussion, sometimes lasting many hours, a consensus might be reached, but while some communities regarded the jirga's decision as absolutely binding, not all would do so. One's ability to defy a jirga's decisions might be limited by resources and the need to gain the support of the community at some later date, but rivalries and older feuds might preclude any co-operation, and some men would attempt to find ways to maintain their freedom of action and arrange new deals of their own. These divisions and dynamics made negotiations with outsiders particularly difficult and hard to enforce.

The idea of a dynamic within 'tribal' society continues to be the case in Pashtun-dominated regions of Afghanistan where decades of civil war have sliced through and disrupted older hierarchies, social and political jurisdictions, and land claims. This notion of a dynamic tribal culture certainly appears to offer a far more satisfactory explanation for the actions of the Afghans and why foreign occupiers found Afghans to be apparently untrustworthy. However, there is another caveat. Decisions and actions were not only the result of dynamics within tribal societies, but also of reactions to external influences. Unity could be forged by an alien threat. Language, a segmentary structure and acephalous organisation, endogamous marriage rules and egalitarianism could help the coherence of the tribes in the sense that all understood

[47] S.W.A. Shah, *Ethnicity, Islam and Nationalism: Muslim Politics in the North West Frontier Province 1937-47* (Karachi: Oxford University Press, 1999), pp.10-11.

and endorsed this particular way of life and defined themselves with reference to the difference of outsiders. Moreover, groups and families make frequent reference to a patrilinear descent and the suffix of *–zai* (family) or *khel* (clan). The oldest groups might be able to trace their ancestry back generations, and these connections could form the basis of a temporary alliance. The *parajamba* (taking sides) in disputes within Pashtun society might involve a calculation of one's proximity, from a lineage point of view, of the protagonists. The process was so common that it was termed *tarburwali* (conflict between first cousins). One British officer recalled how shooting could break out within a village, but after a few had been killed or wounded and the ammunition exhausted, 'a quarrel could be settled by an interchange of marriages'.[48] Groups conjoined by intermarriage between lineages, styled as *quom*, and decisions about these, in common with all other clans, sections and families had also to be calculated against a system of prestige. Refusing a challenge or failure to respond to an insult would reduce the individual's prestige or *nang*. Accepting challenges or proactively seeking to enhance one's prestige increased the individual's and the clan's social standing. Making war on the British or the Soviets was, of course, far more clear-cut since they were regarded as alien in clan terms, infidel in their religion and without prestige as a consequence of their occupations.

There were further complications for the Pashtuns who lived under British rule in the Durand Line frontier demarcation of 1893. The key issue for the Pashtuns was that the occupation of any of their lands constituted a direct threat to their way of life, and they believed the British had deliberately and consistently eroded their honour. For generations after the Pashtuns had occupied their mountain region, land was periodically redistributed to the *daftari* (shareholders) in a process known as *wesh*. Considerable tracts were initially exchanged requiring some nomadism between sections. The exchange of land also served to reinforce the *pashtunwali* code, since it ensured that each tribesman had the means, along with women and weapons, to sustain his personal honour.[49] By contrast, *faqirs*, former prisoners, servants, the dispossessed, and non-Pashtun artisans could not compete as *daftari* nor participate in *jirgas*. Yet, the Pashtuns did not have habitual leaders; even men of influence rarely possessed any authority beyond the immediate issues presented at the *jirgas*. The only exception might be those that could demonstrate a consistent piety in their religious devotions

[48] Hutchinson, *Tirah*, p.129.
[49] D. Edwards, 'Pretexts of Rebellion: The Cultural Origins of Pakhtun Resistance to the Afghan State', unpubld PhD thesis, University of Michigan (1986), p.75.

and deeds. Before British rule, the system of *wesh* and *nang* was already under threat. The centralisation of the Mughals and then the Kabuli monarchs meant that tributes and revenues were extracted. Landowning and the possession of private property further challenged the tribal system. However, several decades after the British had taken control of the Punjab, the more efficient extraction of land revenue, the jurisdiction of their courts and the rise of the land owners still affected only the margins of tribal territory. The changes imposed on the Settled Districts (areas within the British 'Administrative Border' from 1849) nevertheless caused considerable anxiety amongst the tribesmen of the frontier region. Permanent private landowning directly challenged the notion of land exchanges. Money lenders, many of them Hindus, and unscrupulous land speculators or *Arbabs* (middle men) represented the unworthy to the Pashtuns, and yet it was these very people who seemed to profit from rising land values at the expense of Pashtuns on the margins. When the British built fortifications and roads along the edge of tribal lands, it seemed to be only a matter of time before they imposed their rule throughout the region, and, when they did, they would be depriving the tribesmen of the ability to assert their *nang* and perhaps of being a Pashtun at all.

For the British, it made sense to create a landowning class to provide a leadership to negotiate with and to lead the tribesmen into less 'criminal' activity. Settled and wealthy landowners had a stake in the Raj and shared its interests in terms of stability and order. Smaller landowners, who aspired to share the prestige of the larger landowners, also collaborated willingly. When faced by feuding and raids, the British put pressure on the *jirgas* of the Settled Districts to produce far more draconian and punitive sentences than the traditional, more ambiguous assemblies had done. An increase in population put more pressure on the land, whilst rising rents and prices towards the end of the century increased the tension between families and clans, and increased disaffection with British influence. There was still more anger at the British habit of paying 'political pensions' for the continued loyalty of certain landowners. Both the British and these 'sub-imperialists' assumed they could exercise some control over the clans of the settled areas. In the hills, Political Agents were despatched to create communication channels and to exercise some supervision, but, whilst these agents were generally treated with respect, they nevertheless represented another step towards direct colonial rule.

The Afghan Amir clearly felt that parts of the line, if not the entire boundary, were not in Afghanistan's interests, particularly as it cut away a proportion of Pashtuns at a time when

the Pashtun ascendancy was under threat.[50] For the British, the construction of the Durand Line was designed to bring to an end the troubles of jurisdiction of the Pashtuns, but ethnic homogeneity of the Pashtuns astride the 'border' meant that it was a line with no significance to the indigenous peoples. Far from seeing a boundary, Pashtuns ignored the Durand Line altogether. Consequently when fighting broke out on the North-West Frontier, Pashtuns from the 'Afghan' side took part in the resistance and offered safe havens for those driven off by British troops. Moreover, the consolidation of the British side of the Durand Line, including the construction of roads, telegraph lines and forts, provoked active resistance.

Finally, further assessments of Afghan responses to negotiation would have to take account of the Afghan view that there was a tendency for the hill dwellers to follow a more aggressive honour-bound system of Nang, while plains and settled folk preferred a negotiated version of Qalang. Equally, communities with a greater sense of hierarchy, when khans and large landowners kept poorer farmers in debt, or communities who were entirely commercial in urban spaces, and non-Pashtun Afghans with a strong personal allegiances to a local powerbroker or leader could all react differently when confronted by either a crisis or the opportunity to negotiate. Again, throughout the records of British and Soviet occupation, villages that were adjacent to each other were capable of reacting in quite distinct ways. While qawm groups and 'tribes' appeared to be united, case studies indicate that this unity was more apparent than real. Family allegiances usually determined a course of action, along with notions of personal, individual honour and pragmatic calculations about what could be gained and lost. With a sense of irony the Pashtuns themselves say: 'mizh der beitabora khalki-e' ('we are not trustworthy') and there is much laughter at success in 'Al-Taqiyya' (lying to deceive an adversary). In this sense, we must be extremely cautious in attributing qualitative assessments of Afghan approaches to negotiations.

Conclusions and Observations on Potential Negotiations in Afghanistan beyond 2010

This paper used a baseline of theoretical approaches to negotiations in conflict in order make comparative judgements about the wars in Afghanistan, and this was used to frame the case studies of the First Afghan War and the Soviet War, while a separate section illustrates the idealised notion of Afghan-Pashtun culture to examine whether Afghans use distinct interpretations and values when entering into negotiations. The process of negotiation with an

[50] D. Edwards, *Heroes of the Age: Moral Fault Lines on the Afghan Frontier* (Berkeley and Los Angeles: University of California Press, 1997), p.83.

enemy tends to follow a pattern of five themes: one, the decision to negotiate; two, the ground conditions prevailing; three, the terms proffered and the process of negotiation; four, the implementation of those terms and, finally, the perceived or desired outcomes. The latter will often determine the ability of the belligerents to trust the other party, and to make decisions about the advantages and disadvantages, risk and opportunities that might arise from ending a military campaign. In essence, the case studies suggest that the location of power (including the possession of military force) is far more important than any apparently cultural considerations, although Afghan identities and values permeate the decision-making process. In the First Afghan War, ground conditions (namely a significant shift in power in Kabul after a successful public revolt and a military victory at Bemaru Ridge) opened the way for negotiations, but attempts to subvert the process and failure to guarantee the Afghans' preferred outcome led to a resumption of fighting. The fractured nature of the Afghan groups made a unified and co-ordinated response very difficult, especially when trust in the negotiating process was broken and the opportunity to inflict a crushing defeat and loot the British garrison was presented.

In the case of the Soviet War, a third party was far more important to Soviet interests than to Afghan ones. Indeed, only the Communist puppet regime was engaged in the process of negotiation and it seems the Karmal delegation at Geneva was acutely aware that Afghan interests were unlikely to be well-served by the Accords. The Mujahideen was not engaged in the process and thus continued the war against the regime of Najibullah until 1992. Failure to create a united resistance during the period of Accords was a major factor in the subsequent division of factions, civil war and warlordism that followed.

Both case studies also indicate that local truces, bargaining and negotiations were the norm. The fractured nature of Afghan society meant that such arrangements were pragmatic and necessary. The nature of the insurgency in Afghanistan after 2001 bears similar hallmarks of division but it is interesting to note that the Afghan government and the Western military forces have so far preferred to negotiate only on terms of reconciliation to the Karzai regime in Kabul. The insurgents feel that they were excluded from the Bonn Agreement (although there is no evidence to suggest they would have offered to negotiate anyway) and that the Karzai government cannot be trusted particularly if fighters do relinquish the campaign. Criticisms of this nature feature prominently in Zaeff's recent work on *My Life with the Taliban* (London: Hurst, 2009). The UN is unlikely to be able to act as a third party in any

future insurgent-government negotiations because the Islamist factions regard the UN as a tool of the Western powers. The Organisation of Islamic Conference might offer a viable alternative or one of the prominent Gulf States. Equally, the uncompromising values of many of the insurgents mean that their demands are unlikely to be acceptable to the Karzai administration or the Western powers, but a diplomatic offensive by leading Islamic scholars and authorities could be effective if presented alongside a package of practical measures. That said, in 2010, after many delays, Karzai initiated the 'peace jirga' concept and talks have continued for some time with various groups and leaders. Some of these have agreed to end their campaign, but other, previously neutral elements have taken up arms against Kabul. The only terms likely to be acceptable to the insurgent groups, particularly the Taliban and Hezb-i Gulbuddin, is some sort of power-sharing and new legislation that strengthens the role of the *ulema*, Sharia Law and social controls (particularly with regard to women). The fate of former anti-Taliban 'warlords', rival qawms and families or have fought each will not be easily resolved but are likely to be key concerns for the negotiators. Ethnic difference between the Tajiks, Hazara and Pashtuns will underlie must of the process too.

Intervention to enforce a peace in Afghanistan will be extremely difficult and it is unlikely that any states will be willing to assume the mantle of the Western military that has borne the burden of security for ten years. As a result, it is difficult to see how trust-building measures and enforcement of the negotiation process can be achieved. Accusations of betrayal and reprisals of the type seen in the First Afghan War seem likely. Any process that fails to engage the actual belligerents, like the Geneva Accords, would appear to be doomed. Successful negotiations would therefore need to emerge from the Afghan factions with the lead taken by the Karzai administration. Emphasis on reconciliation as equals, based on the precepts of the Quran and the Hadith and supervised by relevant external authorities might assist the process. Significant benefits available at the end of conflict might also hold out a sufficient incentive to each of the belligerents. As historical examples show, shifts in ground conditions can alter the prospects for negotiation dramatically and even then the process is likely to be very protracted, interrupted by episodes of renewed violence and lacking in any guarantees.