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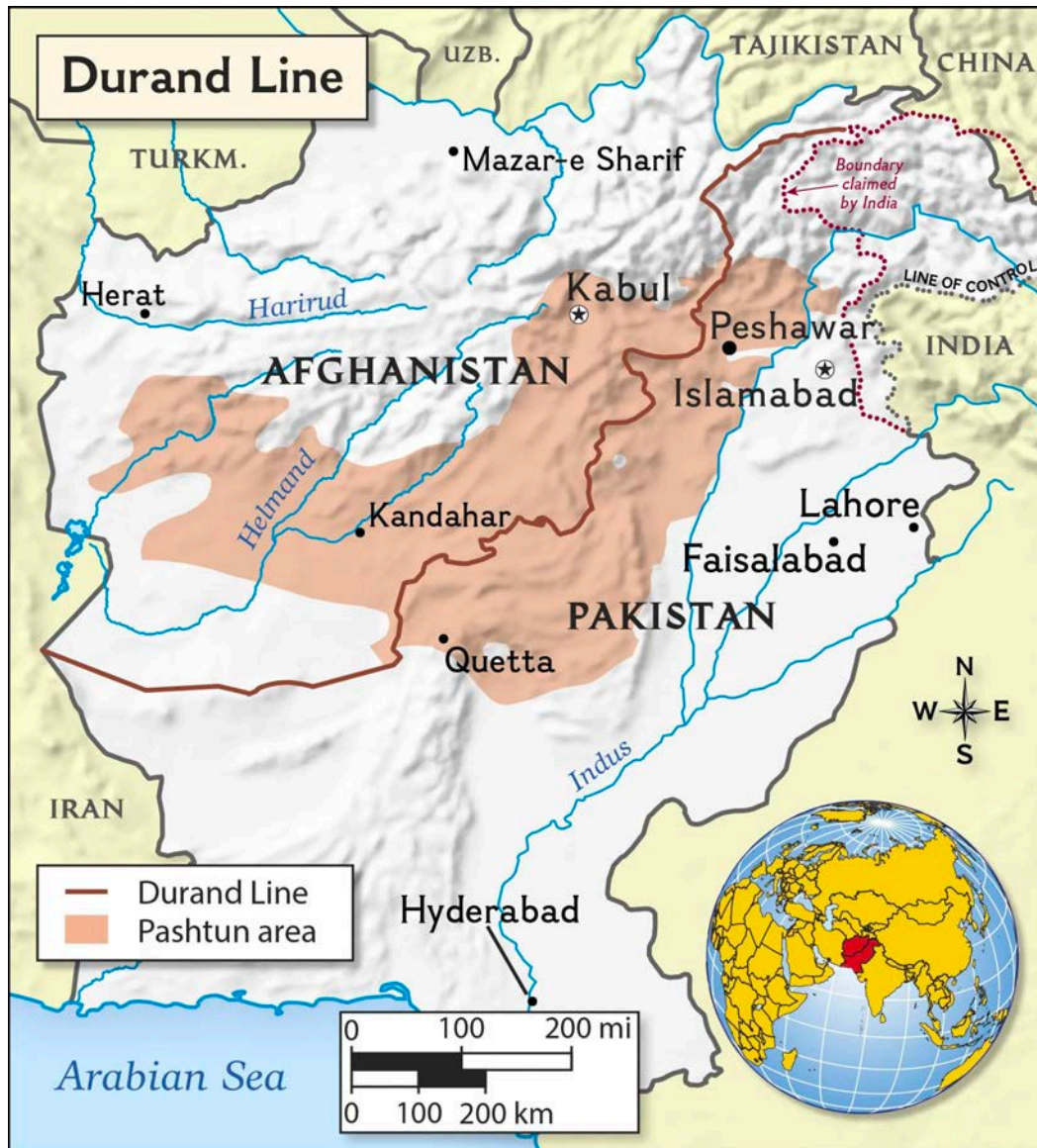
### **Introduction**

The fall of Kabul to the Afghan Taliban in August 2021 was widely viewed as a strategic victory for the Pakistani military establishment, both within Pakistan (Siddiqui, 2021) and outside of it (Tharoor, 2021). Parts of the political establishment in Islamabad and especially the Pakistani intelligence service, the Inter-Services Intelligence (ISI), have long been active supporters of the Taliban, a relation that stretches back to the creation of the Taliban in the early 1990s. In 2022, Hamdullah Mohib, the former national security advisor of the ousted Afghan government, suggested that,

*“The Taliban would not even exist had it not been for the nurturing support of Pakistan. [...] In Pakistan, the Taliban found a cooperative host that allowed them to openly and freely operate, organize, rally support, recruit, train, speak, raise funds, do business, procure arms, treat their wounded, house their families, and acquire residency and official documents for travel. The extent of this relationship has become even more obvious since the collapse [of the Republican Afghan government].”* (quoted in O’Donnell, 2022)

While noting that the Pakistani support for the Taliban translates the Taliban’s victory into a victory for Pakistan, analysts such as Riedel (2021) have also predicted that the Taliban takeover in Afghanistan will exacerbate anti-government militancy in Pakistan. The Afghan Taliban enjoys close ties with the Pakistani Taliban, commonly known as TTP (Tehrik-i-Taliban Pakistan). Although the TTP’s connection with the Taliban has grown weaker over time, especially following the escalation of the United States’ drone war in the borderlands between Afghanistan and Pakistan, the TTP remains a potent threat within Pakistan and seeks to emulate the Taliban’s creation of a *sharia*-dominated, Islamist governance structure in Pakistan (Sayed, 2021). The Taliban and the TTP here enjoy political convergence not just because of their political-religious ideology but also due to their ethnic composition: both groups are dominated by members of the ethnic Pashtun population. The Pashtuns are the ethnic majority in Afghanistan but only a minority in Pakistan, with the modern international border between both countries, also known as the Durand Line, dividing the so-called Pashtun belt over 2640 kilometers (see map below).

**Map: The Durand Line and the division of the Pashtun belt**



Source: National Geographic (2017).

The origins of the Durand Line, named after Sir Mortimer Durand, can be traced back to the ‘Great Game’ of colonial competition between Great Britain and Czarist Russia in the 19th century. Afghanistan, historically situated at the crossroads between different Persian, Central Asian, and South Asian polities, emerged as the main staging point of this Great Game of colonial expansion. The Durand Line, delineated in 1893, divided the Hindu Kush into Afghan and British spheres of influence, in the process dividing the homeland of different Pashtun tribes. Most Pashtuns have perceived this borderization as arbitrary and coerced, and the Durand Line has emerged as perhaps the most defining issue in relations between Islamabad and Kabul. Following the partition of British India in 1947, Pakistan has insisted that the

Durand Line constitutes a legal international boundary separating the two countries, a claim that various Afghan governments have rejected.

Crucially, the Taliban also did not recognize the Durand Line, neither during their first reign between 1996 and 2001 (Kaura, 2020) nor now (Kugelman, 2020). In late December 2021, Taliban forces began taking down fences that the Pakistani Army had begun to erect along the Durand Line, threatening the Army forces with violence if the fencing operations continued (ibid). For ethnonationalist Pashtun groups like the Taliban and the TTP, the porosity of the Durand Line ensures the survival of the Pashtun tribal social fabric in the region while also tapping into hopes that the groups may work towards the formal establishment of 'Pashtunistan', an independent State for the Pashtun population in Afghanistan and Pakistan. Although the rhetoric surrounding Pashtunistan has been weakened since the 1970s, these irredentist claims and the Pashtun-dominated character of the Taliban and the TTP highlight the continued significance of the question as to what the domestic role of the respective Pashtun populations in Afghanistan and Pakistan should be and how much autonomy should be granted to the Pashtuns. The Pashtun element of the Taliban and the history of Pashtuns in Pakistan/British India question the territoriality of both countries and complicate the image of the Taliban as a subservient Pakistani proxy: clearly, the Taliban possess its own political agenda and has some capacity to act on this agenda, even if this agenda is not shared by its supporters in Islamabad. Pashtun ethnonationalism and the non-recognition of the Durand Line in everyday life consequently pose significant challenges for the relation between Pakistan and the Taliban regime in Kabul.

This paper situates these contemporary conflicts in their historical context by discussing the making of the Durand Line and the governance structures in the British-Indian part of the tribal areas after 1893. Marginalizing and exploitative governance structures were maintained following Pakistani independence, ultimately enabling the emergence of militant groups such as the Taliban and the TTP. To elaborate on this, the paper first discusses the making of the Durand Line in the context of the Great Game before examining how colonial governance structures created quasi-autonomous tribal areas that were inherited by Pakistan following partition. For Pakistan, these areas and Pashtun militancy have become key for its 'strategic depth' policy vis-à-vis India, further exacerbating the volatility of the tribal areas while generating severe security and humanitarian costs for Afghanistan, India, and Pakistan.

### **The Great Game and the Durand Line**

The making of the Durand Line is pivotally connected to what became known as the Great Game for colonial control in Central and South Asia between the British Empire and Czarist Russia over the course of the 19th century. Through the formally independent East India Company (EIC), London had launched the colonization of the Indian subcontinent in the outgoing 17th century, with the EIC consolidating and expanding its role in India over the course of the 18th and 19th century. In 1833, the Empire turned the EIC into a governing body directly subject to Great Britain before formally nationalizing EIC possessions in 1859, one year after the British Raj had been founded (Dalrymple, 2019). Throughout the 18th and 19th century, the EIC had brought an end to the Mughal Empire and had largely eliminated powerful regional rivals, ranging from France to the Sikh Empire. Following Britain's expansionist drive throughout the first half of the 19th century, the Raj now extended from the Bay of Bengal and Southeast Asia all the way to the eastern front of the Hindu Kush. The Raj's demographic size

and economic importance for the Empire led British India to be known as the Empire's 'jewel in the crown' (Burk, 2005) - securing control over the subcontinent had emerged as a primary strategic priority for the decision-makers in London.

Over the same period, Czarist Russia had expanded throughout the Khanates of Central Asia, pushing Russian borders southwards towards the Hindu Kush. As Russian influence expanded through Central Asia, Russia's territorial expansion was increasingly viewed with suspicion by administrators in London and Delhi as policymakers feared that Russia could ultimately seek to invade and annex India (Sergeev, 2013). Contemporary scholars have questioned Russia's ability and intent to wage such a campaign - instead, the Russification of Central Asia seems to have rather been driven by the supremacist beliefs, geopolitical ambitions, and economic considerations that have shaped imperialist projects elsewhere (Khalid, 2006). That said, the southward expansion of the Czarist Empire was perceived by British policymakers in the context of the British position in India and the deterioration of Anglo-Russo ties elsewhere, with Russia's defeat at the hands of France and Great Britain in the Crimean War (1853-1856) significantly spoiling the relations between both countries (Goldfrank, 1994). As Russia expanded southwards and London sought to hold onto India, the region that today is known as Afghanistan became the main space in which both powers would face off.

Internal shifts and external pressures over the first half of the 19th century translated into monumental shifts in what today is Afghanistan. The notion of a modern State of Afghanistan is commonly associated to the creation of the Durrani Empire in 1747, named after the Pashtun tribe of the Durrani (Barfield, 2012). Following the creation of the Durrani Empire, the Durrani quickly became a dominant factor in South Asia's geopolitical environment as they frequently invaded northern India, effectively destroying the Mughal capital of Delhi in 1757 (Dalrymple, 2019). In parts of the second half of the 18th century, the Durrani Empire stretched over parts of what today is Iran deep into North India, including the region of Jammu and Kashmir and areas that would later be known as Balochistan and Sindh. Durrani suzerainty thus extended over almost all of what today is known as Pakistan.

Over time, however, the Durrani control over the subcontinent waned amidst the expansion of the EIC and the Sikh Empire of Ranjit Singh in western and northern India. In 1818, Sikh forces annexed Peshawar, a historic stronghold of the Durrani, and in 1819 the Durrani had to cede control over Kashmir to the Sikhs. The Sikh Empire, in turn, later had to cede these newly gained possessions to the EIC, which assumed control over Sikh territories in northern India following the 1846 Treaty of Amritsar in the aftermath of the First Anglo-Sikh War. By then, the Durrani had already been replaced by another Pashtun tribe, the Barakzais, who had founded the Emirate of Afghanistan in 1823. The decline of the Mughals following the rise and expansions of the Sikhs and the EIC thus undermined the Durrani's historical role in subcontinental politics and saw them lose effectively all of their territorial possessions on the eastern side of the Hindu Kush, many of which constituted the historical base of the Pashtun tribes. At the same time, Russia's rapid advance through Central Asia threatened Afghanistan's northern borders. Afghanistan now found itself at the crossroads of the imperial projects of London and Saint Petersburg.

The Emirate's history over the course of the 19th century would be defined by the encroachment of both Britain and Russia. The founder of the Barakzai dynasty, Dost Mohammed Khan, had led an unsuccessful attempt to retake Peshawar from the Sikhs between 1835 and 1837, after which British administrators helped the Sikhs to dethrone Khan and reinstall Shah Shuja, the Durrani who had already ruled between 1803 and 1809. Shah Shuja

enjoyed little support among the Afghan population and the EIC maintained a heavy military presence in Afghanistan that was obliterated by dissident Afghan units during the First Anglo-Afghan War in 1842. The humiliating British defeat in Afghanistan was accompanied by the death of Shah Shuja and the return of Dost Mohammed Khan to power while contributing to the notion of Afghanistan being the ‘graveyard of empires’ (Kühn, 2016). Shah Shuja’s death and Dost Mohammed’s victory additionally created a British dependency on Khan to operate as a partner, not an opponent. With tacit diplomatic and economic support, Dost Mohammed, who died in 1863, expanded the control of the Afghan government and cooperated with British interests in South Asia by accepting Afghanistan’s territorial losses in the war against the Sikhs and not supporting the anti-colonial rebellion of 1857 in British India, known as the Indian mutiny or the First War of Indian independence. With Dost Mohammed, British India had managed to create, at least, not openly hostile relations.

Relations between the Emirate and the Raj soured in the 1870s, ultimately resulting in the Second Anglo-Afghan War (1878-1880) that reduced Afghanistan to a semi-autonomous British protectorate and saw growing territorial losses for Afghanistan in the Hindu Kush. In 1877 and 1878, Czarist Russia and the Ottoman Empire had fought a war over control in the Balkans that culminated in a victory for Saint Petersburg. When the subsequent diplomatic conference, the Congress of Berlin, failed to significantly benefit Russia’s position in the Balkans, the Czarist administration intensified its attempts to expand Russian influence in Central Asia, including in Afghanistan (Tejirian & Simon, 2012). In 1878, Russia dispatched an unrequested diplomatic mission to Kabul, where the Czar’s emissaries met with Sher Ali Khan, who had succeeded his father Dost Mohammed as Amir. This dispatch and Khan’s (forced) reception of the mission was perceived as an affront by policymakers in the Raj. When the British sent their own diplomatic mission, the mission was refused entry into Afghanistan, further triggering British anxieties and leading to the outbreak of the Second Anglo-Afghan War. As British-Indian troops rapidly progressed towards Kabul, the Czar’s refusal to support the Amir militarily sealed Sher Ali’s defeat. Sher Ali Khan died in February 1879 and was succeeded by his son Mohammad Yaqub Khan. In May 1879, the new Amir and representatives from the Raj signed the Treaty of Gandamak, which handed control over the Khyber Pass (the main transport route through the Hindu Kush) as well as the Pashtun-dominated districts of Kurram, Pishin, and Sibi to the Raj (Lambah, 2012). In return for his concessions, the Amir would maintain his position in Afghanistan and would receive annual financial subsidies from British India (Barfield, 2010). Furthermore, the treaty included the creation of a British Mission in Kabul and saw London obtain control over Afghanistan’s foreign policy (van Dijk, 2015). This last provision effectively turned Afghanistan into a British protectorate.

The terms of the Treaty of Gandamak were heavily rejected by the Afghan elite, reigniting tensions that led to a renewed outbreak of hostilities in 1879. As the first members of the British Mission arrived in Kabul, they were massacred by members of the Afghan Army, resulting in a second invasion of the country by British-Indian troops and a renewed victory of the Raj. Mohammad Yaqub Khan was forced to abdicate and went into exile in India, where he died in 1923. He was replaced by Abdur Rahman Khan, Mohammad Yaqub’s cousin, who, following Afghanistan’s crushing military defeat, was more susceptible to colonial demands. Abdur Rahman accepted the conditions set out in the Treaty of Gandamak, providing the Raj with territorial gains in the Hindu Kush and formalizing Afghanistan’s status as a *de facto* British protectorate. It is worth noting that the Treaty of Gandamak did not mean that the Afghan influence over the ceded Pashtun areas practically evaporated: even after 1879/1880, Afghan rulers continued to collect taxes and exerted political influence in areas formally ceded to the Raj (Schetter, 2013). While this could be interpreted as blatant disregard for the Treaty of

Gandamak, it instead indicates how little oversight both Afghan and British-Indian authorities had over cross-border movement. In practice, the boundaries between Afghanistan and British India were informal at best.

The technical formalization of these boundaries followed in 1893 when Sir Mortimer Durand, then Foreign Secretary of the Raj, was dispatched to Kabul to reach an agreement with the Amir concerning the border between Afghanistan and British India. Durand arrived in Kabul without a pre-planned idea of where precisely the border was to lay (Omrani, 2009). This ambiguity preceding Durand's meetings with the Amir can be viewed as the result of the differing, competing schools of strategic thought that had taken hold in London and Delhi regarding British India's Afghanistan policy. For strategists in British India whose considerations were shaped by the geostrategic contest with Russia, the main question of concern was how far the British defensive positions should push into Afghanistan. Supporters of the 'forward' policy advocated for the creation of a British military presence in the Afghan plain, potentially via an annexation of Afghanistan, to oppose a potential Russian invasion before the invaders could arrive at the Hindu Kush (Schetter, 2013). Advocates of a more defensive policy option, in contrast, viewed the sheer geography of the Hindu Kush as sufficient protection for the Raj, meaning that Britain should focus on consolidating the territories it already held (ibid). As neither of these approaches became dominant over time, Durand enjoyed significant influence in how he and the Amir would draw the borders. Furthermore, the Amir's partial dependency on British subsidies provided Durand with significant negotiation leverage. In the end, the agreed-upon Durand Line cut through the Pashtun-dominated areas of the Hindu Kush, thereby dividing the homelands of influential Pashtun tribes (Kaura, 2020). The border-drawing process occurred arbitrarily, paying no heed to whether the border would divide communities in the region or whether the topology of the Hindu Kush would allow for an actual enforcement of this border (Clemens, 2004). Making things worse, the Afghan and British negotiators used different maps that were insufficiently sized, creating immense ambiguity as to where the border was (theoretically) located (Lambah, 2012).

The negotiations surrounding the Durand Line ultimately raise ethical and practical concerns. The border was drawn without input from the communities inhabiting these areas and the arbitrary division of tribal communities from the start socially delegitimized the Durand Line as a political boundary. The mapping process moreover created significant ambiguity as to where precisely the border lied. This ambiguity must be seen in the context of the region's geography: as topological factors were not considered, the Durand Line cut across mountains that regular border units would be incapable of controlling due to the climate and the general natural environment of the area. In this sense, the Durand Line was also politically arbitrary as neither the Afghans nor the Raj could practically enforce the Durand Line as a political border between Afghanistan and British India. The subsequent porosity thus further delegitimized the Durand Line in the community most affected by its drawing: the Pashtun population.

The drawing of the Durand Line ultimately served as the conclusion of the British attempts to consolidate control over the Hindu Kush to contain Russian expansionism into South Asia. An important component of the negotiations and the ultimate agreement between Durand and Abdur Rahman Khan are the formal signatories of the Durand Agreement. On the Afghan side, it was Abdur Rahman Khan in his role as Amir that signed the agreement. In subsequent decades, this has motivated the argument that the Durand Line cannot be considered an international boundary as the agreement was struck by the Amir personally, not by the Emirate of Afghanistan (Lambah, 2012). On the Raj's side, the signatory was the British Government

of India. After 1947, as we shall see below, this evoked claims in Afghanistan that Pakistan had no legal claim regarding the Durand Line as a territorial boundary as the signatory of the agreement had legally ceased to exist (Poya, 2020). The negotiations between the Amir and Durand as well as their outcome would thus set the backdrop for many conflicts in the decades to come and formalized colonial control over areas that many Afghans and Pashtuns had long considered their own.

### **The Durand Line, 1893-1947**

The largely artificial nature of the Durand Line evoked opposition from Pashtuns on both sides of the 1893 boundary. In addition to the practical porosity and social illegitimacy of the Durand Line, it must also be noted here that the Durand Line was not initially envisioned to function as an international border in the legalistic sense borders are understood today. Durand himself suggested that,

*“The tribes on the Indian side are not to be considered as within British territory. They are simply under our influence in the technical sense of the term, that is to say, so far as the Amir is concerned and so far as they submit to our influence or we exert it.”*  
(quoted in Lambah, 2012, p. 54)

While British India had thus acquired the tribal areas in the central and southern part of the Pashtun belt, they were not formally and politically integrated into British India as such. The Durand Line, at least in its initial stages, can therefore be seen to vaguely define spheres of influence for Afghanistan and British India in the Pashtun belt without the Raj claiming full control or suzerainty over its part of the belt. The term ‘boundary’ may thus be conceptually somewhat more useful than the more rigid ‘border’ in consideration of how the Durand Line functioned in practice. In Afghanistan too, the agreement was more interpreted as a shared approach of tribal management that delineated respective spheres of influence (Lambah, 2012). In practice, this meant that tribes governed themselves in a quasi-autonomous system after 1893. This somewhat changed over time: in 1897, tribal leaders launched a large-scale insurgency against the slightly growing colonial presence. Sixty thousand British-Indian troops were sent to the tribal areas to subdue the insurgents (Omrani, 2009). In 1901, the areas the Raj had gained through the Treaty of Amritsar and Treaty of Gandamak were integrated into the newly founded North-West Frontier Province (NWFP), separating the administration of the tribal areas from that of the Punjab (Satia, 2021). In 1904, the area’s administrative status was once again changed. The areas acquired in the Treaty of Gandamak, where tribal rule was more heavily embedded, were administratively dissociated from the NWFP and given a quasi-autonomous legal status once again (Omrani, 2009). The area surrounding Peshawar and the Khyber Pass, which the EIC had originally obtained following the Treaty of Amritsar, in contrast, remained part of the NWFP. Within British India, the Pashtun-dominated areas had once again been divided.

After the division of the tribal areas into the NWFP and quasi-autonomous zones, the colonial administration created a governance system for the non-NWFP areas that institutionalized the quasi-autonomous status of the tribal areas as well as their systemic denial of civil rights. Ensuring the security and defense of the frontier was largely left to tribal units that were organized in so-called Frontier Corps. The Frontier Corps, Conrad Schetter (2013) aptly observes, embodied the *“vague character of the Durand Line particularly well: they undertook security tasks in the transitional zone between British-Indian and Afghan rule which the British*



did not see themselves capable of tackling through a direct presence in the area” (p. 57). The Raj also lacked a direct administrative presence in the tribal areas outside the NWFP: here, governance was left to tribal leaders, known as *maliks*. The support provided by the Raj to the *maliks* strengthened their tribal position, thereby undermining the relative internal egalitarianism that had long structured most Pashtun tribes (Schetter, 2013). In both the NWFP and the tribal areas, colonial authorities also enforced the Frontier Crimes Regulation (FCR) (Wagner & Khan, 2013). The FCR entailed three key provisions:

- Individuals charged under the FCR do not possess the right to appeal their conviction in court;
- Individuals charged under the FCR are not entitled to legal representation;
- Individuals charged under the FCR have no right to present evidence (Khan & Khan, 2012).

In practice, the framework of the FCR created a legal context in which the Pashtun inhabitants of tribal-dominated areas were not formally integrated into the Raj but still partially subject to a set of specifically draconian laws created by the Raj. The quasi-autonomous status of the tribal areas and the division of the Pashtun belt into NWFP and non-NWFP zones indicates the convoluted character of tribal colonial governance, ultimately consolidating the peripheral position of the Pashtuns in British India.

Colonial border policy also continued to be shaped by developments in Afghanistan. In 1901, Abdur Rahman Khan died and was replaced by his son Habibullah Khan. Under Habibullah, Afghanistan remained neutral during WWI, reducing British concerns regarding German attempts to reduce London’s influence in Afghanistan and Persia. Prior to WWI, the signing of a 1907 treaty with Czarist Russia at the Anglo-Russian Convention had also led to Afghanistan being formally considered as a buffer State between Russia and British India, significantly reducing British anxieties in the Great Game. Indeed, the Great Game and concerns regarding a Czarist intervention in India dissipated following the Bolshevik revolution in 1917 and the outbreak of the Russian Civil War (Lambah, 2012). Despite the erosion of the threat Russian designs may have posed for the Raj, issues surrounding the Hindu Kush prevailed. Following the 1919 assassination of Habibullah, his third son Amanullah Khan assumed the office of Amir and pleaded to cancel the Treaty of Gandamak. Amanullah launched an invasion of the Raj’s western front in May 1919, thereby starting the Third Anglo-Afghan War. The conflict ended in August 1919 with the Treaty of Rawalpindi, in which British India ceded control over Kabul’s foreign policy but in turn got Afghanistan to formally recognize the Durand Line as the territorial boundary between the Raj and Afghanistan, thereby adding a layer of formal legal legitimacy to the bordering process (Biswas, 2013). To further consolidate the legal stature of the Durand Line, the Treaty of Rawalpindi stipulated that all future agreements were not to be made between the Amir and the government of British India but between the government of Afghanistan and the government of British India, giving agreements the status of legal treaties between countries rather than agreements between a government and an individual (ibid). While weakening the Raj’s influence over Afghanistan, the treaty of 1919 had formalized the ultimate *de jure* division of the Pashtun belt.

Despite its largely marginal position in the Raj, the Pashtun tribal areas did not remain isolated from ideological trends in British India and elsewhere. Anti-colonial and nationalist sentiments had intensified in British India throughout the first decades of the 20th century and also arrived in the tribal areas, where many Pashtun advocates did not focus on dividing communities along

religious but along ethnic lines. Tribal leaders on both sides of the border, sometimes collectively and sometimes separately (Wagner & Khan, 2013), began lobbying for the creation of Pashtunistan ('land of the Pashtuns'), a separate country for the Pashtuns of British India (Satia, 2021). The aspiration to establish Pashtunistan as a separate nation-State made use of Western political concepts regarding the nation, nationalism, and national self-determination. The adaptation of the notion of Pashtunistan embodied a paradigmatic shift in how Pashtuns conceptualized their ethnic community: instead of viewing it in tribal terms that effectively maintained the separation of the various tribes, Pashtun leaders began viewing the tribes as being united by their ethnonational identity as Pashtuns (Schetter, 2013). As was the case elsewhere in British India, nationalist sentiments were thus on the rise throughout the 1920s, 1930s, and 1940s.

The desire to form a Pashtun nation-State had a profound influence on the position of the Pashtuns in the build-up to the partition of British India in 1947. When the dissolution of the Raj became increasingly palpable, Pashtun leaders, with support from the Afghan government, began pushing for an independent Pashtunistan that would not form a part of the Muslim-majority country that would ultimately be known as Pakistan (Satia, 2021). Indeed, the post-partition status of the tribal areas outside the NWFP was unclear due to their quasi-autonomous status, enabled by their lack of formal integration into the Raj (Omran, 2009). The Indian Independence Act of July 1947, passed by the British parliament, undermined the hopes of an independent Pashtunistan by ruling that British India was to be divided into two dominions, India and Pakistan (Chakrabarty, 2008). The tribal areas were consequently transferred to Pakistan following partition in August 1947. The integration of the tribal areas into Pakistan in the face of tribal and Afghan opposition and the reaffirmation of the Durand Line as the legal boundary between Afghanistan and Pakistan would significantly shape the relations between both countries in the following decades.

The story of the Durand Line and the part of the Pashtun belt that was integrated into the Raj from 1893 onwards is one of simultaneous integration and marginalization that would later be echoed by the tribal areas' status in Pakistan. Parts of the Pashtun belt, most notably the area surrounding Peshawar and the Khyber Pass, became a *de jure* and *de facto* part of British India due to its integration into the Raj as part of the NWFP. This provincial status enabled the infrastructural and economic integration into the remainder of British India. The southern areas of the Pashtun belt, in contrast, were given quasi-autonomous powers and were not formally integrated to the same extent. This weakened the political position of the colonial government while strengthening tribal *maliks*, thereby partially shifting but also partially reinforcing tribal structures. The economic and political integration of these southern tribal areas was practically non-existent. When British India was partitioned in 1947, then, Pakistan inherited practically semi-sovereign areas that various foreign regimes had struggled to exercise sovereignty over (Omran, 2009). The Pakistanis now faced a largely hostile population that strived to establish its own country and was backed by its next-door neighbors.

### **The Durand Line post-partition: conflicts, nationalism, and the rise of the Taliban**

The position of ethnic Pashtuns in Pakistan and the contested legality of the Durand Line immediately became a contentious issue between Afghanistan and Pakistan following partition. As previously discussed, Afghan Pashtun communities and the Afghan government had advocated for an independent State of Pashtunistan to be created in the tribal areas on the

British-Indian/Pakistani side of the Durand Line. Alternatively, it was argued by Pashtuns on both sides of the border, the British-Indian Pashtuns should have the option to accede to Afghanistan via a plebiscite. The 1947 Indian Independence Act rendered both options legally impossible. After partition had formally taken place, Afghanistan's *de facto* political leader at the time, Prime Minister Shah Mahmud Khan, refused to recognize the Durand Line as the legal border between Afghanistan and Pakistan (Satia, 2021). On the grounds that Kabul did not recognize the Durand Line, Afghanistan was also the sole country rejecting Pakistan's official entry into the newly founded United Nations (Kaura, 2020). The refusal of Afghan authorities to recognize the Durand Line rested (and partially continues to rest) on three main arguments (Lambah, 2012):

- The Durand Agreement is not valid as it incorporates areas that were ceded under British-Indian duress in the Treaty of Gandamak. Some have also argued that the Durand Agreement was solely written in English, a language Abdur Rahman could not read.
- The Pashtun community of British India should have had the possibility to decide whether to establish an independent State or become part of Afghanistan. As this plebiscite demanded by Pashtun nationalists did not take place, Pakistan has no legal or moral claim to rule over the Pashtun population that used to be part of British India.
- The Durand Agreement was signed between the Amir of Afghanistan and the government of British India and is no longer valid as the government of British India has ceased to exist as a legal entity following the partition of British India. Pakistan is not to be considered as one of the successor States of British India, meaning that it cannot inherit its territorial boundaries.

Pashtun nationalists here fused moral and legal arguments to justify their opposition to the Durand Line. Morally, the argument went, the Durand Line could not be recognized because it was signed under duress, included areas that were ceded under duress, and because the Pashtuns did not receive a say in the matter. This underlying moral position, in turn, shaped the legal argumentation: as Pakistan possessed no legal (or moral legitimacy) to rule over the Pashtuns, the border must not be recognized. Furthermore, as the Treaty of Gandamak had been signed by the Amir personally, it carried no legal prowess. It is notable here that this was somewhat selective: while power imbalances between Durand and the Amir had certainly been existent, the Amir had also benefited from British financial support throughout his reign. Moreover, the Treaty of Gandamak had been re-ratified in 1919. At least in legal terms, the argumentation of Pashtun nationalists was consequently rather questionable.

Indeed, Pakistani authorities based the arguments supporting the Durand Line on legal rather than moral arguments. They argued that the 1919 Treaty of Rawalpindi had seen an Afghan government confirming the Durand Line as an international boundary - furthermore, the 1947 Indian Independence Act had clearly identified the dominion of Pakistan as one of the legal successors of British India, entitling Pakistan to inheriting the boundary of the Durand Line (Lambah, 2012; Omrani, 2009). In short, the Afghan and Pakistani sides had distinctly different understandings of whether the legal status of Pakistan entitled the Durand Line to a sustained legal existence following partition. The extent of Afghanistan's political and diplomatic opposition to Pakistan's position on the Durand Line further indicates that the Pashtun question was a decisive political topic for Afghan decision-makers: in a country that was demographically dominated by Pashtuns, the future of the Pashtun population in Pakistan could

obtain a pronounced domestic political significance due to the social ties surrounding the Durand Line.

The Durand Line remained a flash point in the following years and became rapidly infused with the geopolitical dynamics of the Cold War. During the late 1940s and 1950s, Afghan and Pakistani forces frequently engaged in skirmishes surrounding the border, potentially also due to uncertainty as to precisely where the border was located. Pakistan's diplomatic position on the Durand Line was supported by the United Kingdom and the United States, also by virtue of Pakistan's entry into the Southeast Asia Treaty Organization (SEATO) in 1954. SEATO, modelled along the lines of NATO, was a collective security organization that was designed to create a bulwark against the expansion of Soviet and Chinese-backed communism in South and Southeast Asia (Fenton, 2012). Pakistan's comparatively staunch anti-communism made Islamabad a key ally for London and Washington's containment strategy in the Asia-Pacific, boosting Islamabad's claims vis-à-vis Kabul. In Afghanistan, the rise of the Pashtun nationalist Mohammed Daoud Khan as Prime Minister in 1953 further consolidated the pro-Pashtun factions in Kabul. Mohammed Daoud was an active proponent of the notion of a 'Greater Pashtunistan', the attainment of which by default threatened Pakistani territoriality, especially as Mohammed Daoud facilitated Afghan support for tribal militias in the NWFP (which had retained its name following partition), the non-NWFP tribal areas, and the southern Pakistani province of Balochistan (Wagner & Khan, 2013), which some Afghan politicians also considered as a historical part of Afghanistan (Schetter, 2013). In 1961, relations between the two neighbors had deteriorated to a point at which diplomatic ties formally broke down entirely until 1964. London and Washington's support for Pakistan as well as Mohammed Daoud's hardline position on the Pashtun question had maintained the Durand Line as a frontline for Afghan-Pakistani tensions.

Internally, Pakistan's policy towards the tribal areas outside the NWFP saw a shift in the early 1970s, also due to the independence of East Pakistan (Bangladesh) in December 1971. After partition, the Pakistani government had initially continued the quasi-autonomous model used by the colonial administration: while the NWFP maintained a provincial status, the tribal areas were largely left to their own devices and lacked the same degree of administrative and legal integration. The growth of Bengali ethnonationalism in East Pakistan shifted the approach of the ruling elite in Islamabad, historically dominated by ethnic Punjabis. In July 1970, as tensions in East Pakistan threatened to boil over and seemed to bring about the impending collapse of Islamabad's rule in East Pakistan, the government began to launch measures that sought to contain ethnonationalist sentiments in the tribal areas, with Islamabad creating the administrative division of the Federally Administered Tribal Areas (FATA) (see map below).

Map: FATA and NWFP



Source: Jan (2010).

The newly created FATA was under direct control of the office of the President (Schetter, 2013) and effectively replicated the governance measures taken by the British colonial administration. The Pakistani government enhanced its cooperation with the *maliks*, thereby recreating a governance structure in which the *maliks* heavily benefited from their association with the government and their tribe-internal roles, reinforcing dependency relations in the tribes without improving the integration of the tribes into the rest of the country (Schetter, 2013). The FCR was also reimposed in the FATA, where it remained in place until 2018 (Mahsud & Ahmad, 2021). From the early 1970s onwards, the Punjabi elites in Islamabad thus turned to an increasingly repressive governance approach that saw the growing militarization of the tribal areas and the growing repression of ethnonationalist sentiments in the FATA (Satia, 2021). To undermine potential ethnonationalist opposition, the elites had turned towards the same tools the colonial administration had employed some seventy years earlier: systemic rights denial

and selective-opportunistic cooperation with local elites. As a result, the Punjabi elite in Islamabad and Lahore was (and is) frequently accused of pursuing a form of “Punjabi imperialism” (quoted in Kiessling, 2016, p. 33). The desire to consolidate centralized control must here be seen in the context of the seeming disintegration of Pakistan following the impending independence of East Pakistan.

At the same time, there were some efforts to weaken the pro-Pashtunistan elements in the tribal areas by weakening the identification of individuals as Pashtuns and co-opting them into the State apparatus. Pashtuns were increasingly integrated into the Pakistani bureaucracy and armed forces, resulting in a historic over-representation of Pashtuns in the Pakistani Army (Shah, 2019). By 2006, ethnic Pashtuns accounted for 15-22% of all officers and 20-25% of all regular soldiers despite accounting for only 16% of the total population (Abbas, 2006). Especially after the loss of East Pakistan, the security apparatus in particular intensified its focus on recruiting Pashtuns (Schetter, 2013). Through a two-pronged strategy of coercion and co-option, the Pakistani government sought (and largely succeeded) in weakening demands for an independent Pashtunistan by replacing ethnonationalist sentiments with a nationalist sense of belonging. As will be shown below, the notion of an independent Pashtunistan was further weakened by Pakistan’s religious policy from the second half of the 1970s onwards.

Towards the late 1970, the Pashtun question and Pakistani policy towards the tribal areas became increasingly tied to the domestic turmoil in Afghanistan. In 1973 the Pashtun nationalist and former Prime Minister Mohammed Daoud Khan had led a coup d’état against his cousin, King Mohammed Zahir Shah, ending two centuries of monarchic Pashtun rule in Afghanistan. Mohammed Daoud was toppled five years later by Afghanistan’s communist party, the People’s Democratic Party of Afghanistan (PDPA), which enjoyed close ties with the Soviet Union. In response to the PDPA’s social reforms and modernization programs, many Afghan Pashtun leaders began arming their communities, ultimately resulting in the outbreak of the Soviet-Afghan War in December 1979 as the USSR intervened in support of the PDPA. The USSR’s scorched earth tactics largely obliterated Afghanistan’s agricultural produce in the rural areas (Felbab-Brown, 2012) and forced rural populations to either relocate to urban centers or flee from Afghanistan. Six million Afghans, accounting for one fifth of the population, fled the country, primarily to neighboring Iran and Pakistan (Refworld, 1999). By 1999, two million Afghan refugees still resided in Iran and Pakistan (ibid.). In Pakistan, things were changing as well: In 1977, General Zia ul-Haq had led a coup that replaced the democratically elected government of Zulfikar Ali Bhutto, who was executed in 1979. Zia launched a massive Islamization program of the country: financed by the Gulf States, the Zia government led the creation of Wahhabi Islamic schools, especially in the FATA and the NWFP. The fact that the FATA and the NWFP bordered Afghanistan and were dominated by ethnic Pashtuns also made these areas the primary targets for Afghan refugees for many of whom the Wahhabi madrassas were the sole form of available schooling (Sullivan, 2007). At the same time, the ISI, supported by the Gulf States and the American CIA, ramped up its support for the mujahideen forces, many of which actively recruited Afghan and Pakistani Pashtuns in Pakistan. For Islamabad, the outbreak of the Afghan-Soviet War had three key implications: (1) the pro-Pashtunistan position of Kabul was severely weakened by domestic turmoil, reducing the diplomatic pressure on Pakistan along the Durand Line, (2) by supporting different factions in the war, Pakistan could potentially play a decisive role in Afghanistan’s political future, and (3) displacement and the growing exposure to Wahhabi teachings in Pakistani madrassas provided an additional opportunity to weaken the Pashtun ethnonationalist sentiments at the expense of alternative identity categories that Pakistan could shape.

Pakistan's policy during the Afghan-Soviet War and the subsequent Afghan Civil War sought to rewire the Pashtuns' ethnocultural identity by increasingly infusing it with Islamist beliefs while weakening ethnonationalist elements. To ensure beneficial ties with various mujahideen groups, most of which were dominated by ethnic Pashtuns, Zia permitted the influx of Afghan refugees and exploited the porosity of the border to transport arms and fighters into Afghanistan (Lambah, 2012). The war in Afghanistan concurrently broke up traditional social structures in the cross-border Pashtun community: many of the comparatively empowered tribal elites emigrated from Afghanistan to places other than Pakistan, resulting in tribe-internal power vacuums that were increasingly filled by radical clerics in Pakistani madrassas (Schetter, 2013). The (in)direct Pakistani oversight over these madrassas created a deepening link between this refugee community and the Pakistani State, allowing Pakistani authorities to advocate for the application of more radical ideological frameworks that intensified the understanding of the war with the Soviets and other Afghan factions as a *Jihad* (ibid.). The ultimate outcome of these increasingly fundamentalist ideological frameworks was the emergence of Islamist groups such as the Taliban, which then received concerted and increasingly exclusive support from the ISI. This strong Islamist but comparatively weak Pashtun-ethnonationalist element elevated the Taliban, founded in Kandahar in 1992, as the ISI's preferred proxy in Afghanistan. The Islamization of Pakistan's domestic policy, launched by Zia, thus obtained a foreign policy dimension that facilitated diplomatic, financial, and operational support for the Taliban, playing a key role in the Taliban's ultimate military success in 1996. The war in Afghanistan had provided Pakistan with the opportunity to recalibrate its relations with Kabul by shaping who possesses political power in Afghanistan while simultaneously undermining Pashtun-nationalist voices.

Pakistan's foreign policy towards Afghanistan from the late 1970s onwards must be seen in the context of its strategic depth policy towards India. The strategic thinking of Pakistan in its neighborhood continues to be dominated by its history with India after 1947, especially regarding the unresolved issue of control over Jammu and Kashmir. For Islamabad, pro-Pakistani Afghan governments can provide depth in Pakistan's strategic posturing concerning India: on the one hand, Pakistan must avoid an India-friendly government in Kabul that could exploit Pashtun nationalist sentiments in Pakistan to start a two-front war (Siddique, 2011). As such, ensuring that a Pakistan-friendly government holds control in Afghanistan is a national security priority for Pakistan. Secondly, if a war with India does take place, Pakistan will have to fall back onto Afghan territory, for which the presence of a pro-Islamabad government is once again key. The support for the mujahideen and later the Taliban therefore served Pakistan's strategic posturing in relation to India, especially as Pakistan could later facilitate the influx of fighters into India-administered Jammu and Kashmir, where fighters who had previously fought in Afghanistan launched a *Jihad*-inspired insurgency in the 1990s (Ganguly, 2001). Pakistan's foreign policy towards Afghanistan has historically combined ethnic, religious, and strategic motivations that ultimately seek to install a pro-Pakistan government that is relatively silent on the Pashtun question while boosting Pakistan's posturing vis-à-vis New Delhi.

The war in Afghanistan and Pakistan's support for the Taliban in the context of its strategic depth policy had profound implications on both sides of the border. Pakistani support for the Taliban significantly changed the trajectory of the civil war in Afghanistan by providing the Taliban with access to funds, arms, and indoctrinated recruits. The rise of the Taliban and the fall of Kabul in 1996 had severe consequences for the country as a whole, decisively shaping Afghanistan's development throughout the 21st century up until now. Pakistani engagement in Afghanistan from the late 1970s onwards, however, also changed things in Pakistan. In the

words of journalist Declan Walsh (2020), “*Peshawar changed beyond recognition in the 1980s, when it was the cockpit of the jihad against the Soviet occupation of Afghanistan*” (p. 83). On the one hand, Pakistan was now the home of millions of Afghan refugees. Many of these refugees stayed in Pakistan as the Taliban rose to power, forming a quasi-permanent presence in the borderlands. On the other hand, the success of the Taliban in Afghanistan empowered militant groups in Pakistan as it highlighted that the creation of a fundamentalist, *Sharia*-dominated State was truly possible. The most notable group here is the TTP, which built on the ideological and ethnic Pashtun elements of the Afghan Taliban in its fight against the Pakistani government (Sayed, 2021). The rise of the Taliban in Afghanistan thus enabled the creation and expansion of the TTP in Pakistan. For Pakistan, the support for the Taliban has consequently been a double-edged sword: strategic success, namely the attainment of relative strategic depth, has come at the expense of internal insecurity and growing State frailty.

It would also be wrong to assume that the establishment of an Islamabad-backed Taliban regime between 1996 and 2001 eliminated tensions surrounding the Durand Line. Pakistan did not buck on its historical insistence of the Durand Line as the international boundary between both countries following the Taliban’s rise to power. The Taliban’s position on the Durand Line indicated that although Pashtun nationalism had been weakened, ethnonationalist sentiments continued to play a role: as any other previous Afghan government, the Taliban refused to recognize the Durand Line (Kaura, 2020). Despite its existence as a proxy of Pakistan, the Durand Line was the key area in which the Taliban was unwilling to accommodate its Pakistani backers.

At the same time, pro-Pashtunistan rhetoric on both sides of the border may be a discursive performance, not the expression of a genuine intent to work towards the establishment of a Pashtunistan. One of the main reasons the idea of Pashtunistan lacked popular support on both sides of the border, Barfield (2010) writes, was because “*you cannot smuggle if there is no border, and Afghans made large profits moving untaxed goods across boundaries where a single ethnic group straddled both sides*” (p. 280). The creation of a Pashtun State would have threatened the illicit trans-border economy that the Taliban also profited from. The Taliban’s rhetorical-ideological opposition to the Durand Line and its practical dependency on the porosity of the border thus meant that Pakistan did not succeed in enshrining and consolidating the Durand Line as an international border, even with the Taliban in control in Kabul.

Following partition, the developments surrounding the Durand Line have been directly shaped by the often hostile relations between Afghanistan and Pakistan. Various Afghan politicians from various political factions (republican, communist, Islamist) have used the position of the Pashtun population in Pakistan as a means of exerting pressure on the government in Islamabad. Support for an Afghanistan-affiliated Pashtunistan has ranged from simple rhetorical support to the support for Pashtun militias on the Pakistani side of the Durand Line under Mohammed Daoud Khan. For Pakistan, the presence of a centralized Afghan government with a distinctly pro-Pashtun orientation implies a threat to its national sovereignty and the viability of its strategic depth policy. These strategic pressures mean that Pakistan must work towards a government in Afghanistan that is open towards Pakistan while being comparatively weak on the question of a Pashtun nation-State. In the build-up to the first Taliban regime, the ISI largely achieved this goal by transforming Pashtun tribal identities: while tribal norms were not necessarily eroded, they were changed through their growing interaction with Islamist norms and ideas (Schetter, 2013). While this process was orchestrated by organs of the Pakistani security apparatus, it would also be too simplistic to view Afghan refugees as passive, agency-lacking recipients of this discourse: the Taliban’s non-recognition



of the Durand Line here highlights the Taliban's agency in its relations with Pakistan. The ties between the Taliban and Pakistan, despite their mutual dependency, are thus fluid over time and not without tensions.

### **The Durand Line after 2001**

In 2001, US President George W. Bush declared that the United States now found itself in a 'global war on terror' following the 9/11 attacks perpetrated by Al Qaeda, the leaders of which had been based in Afghanistan for some time. When the US demanded that the Taliban regime extradite leading Al Qaeda figures, most notably Osama bin Laden, the Taliban leadership refused the American request in reference to *Pashtunwali*, the Pashtun honor code. *Pashtunwali* includes the notion of *melmastia* (hospitality and protection should be awarded to any guest, and bin Laden was considered a guest) and *nanawatai* (refuge should be provided to everyone seeking refuge) (Omrani, 2009). The Taliban's refusal to hand over bin Laden ultimately served as a key justification for the American invasion of the country, indicating how tribal identities and norms interacted with binary religious beliefs and what was perceived as the crusader-like role of the United States and its allies (Schetter, 2013). Due to the Taliban's ties to Al Qaeda and the US-led intervention of the country, the Pashtun belt emerged as perhaps the most central geographical space of the war on terror.

Both sides of the Pashtun belt became key zones for the counterterrorism operations against Al Qaeda and the Taliban. The Taliban suffered a rapid military defeat at the hands of the international alliance and quickly retreated to the Hindu Kush, where the geography of the mountains and the social ties with parts of the Pashtun community provided them with refuge. The collapse of the Taliban regime also put the Pakistani government in an awkward position: the establishment of the Karzai government received significant diplomatic and financial support from India. The fall of the Taliban here translated into a reduction of Pakistan's perceived strategic depth. While its influence in Afghanistan somewhat diminished, Islamabad had to simultaneously address the diplomatic pressure from the United States, with whom Pakistan still enjoyed significant strategic and economic ties, as intelligence reports indicated that Taliban forces and Al Qaeda operatives had sought refuge in the tribal areas on the Pakistani side of the Durand Line (Gunaratna & Nielsen, 2008). Pakistan's ideological and political support for the Taliban thus had to be merged with a more pragmatic policy concerning the United States and the international community.

The ISI subsequently developed a dualistic policy approach, on the one hand providing refuge to Islamist operatives but also selectively engaging with diplomatic pressure from the United States while using the US-led intervention in Afghanistan to combat the TTP in Pakistan. The ISI provided the CIA with intel concerning the locations of Al Qaeda and Taliban operatives in Waziristan who were subsequently eliminated by American drone strikes (Mir, 2018). Pakistani intelligence also fed the US information concerning TTP leaders, resulting in the elimination of key TTP figures and the fleeing of TTP operatives to Afghanistan in the mid-2010s (Abbas, 2021). Compounding the effect of the American drone war on the Pakistani side of the Pashtun belt, the Pakistani Army also launched Operation Zarb-e-Azb in 2014, cracking down on militants and alleged militant sympathizers in the FATA. Operation Zarb-e-Azb successfully diminished the number of civilians security personnel killed after 2014 (Afzal, 2021) but came at an immense humanitarian cost, displacing more than a million people within one year of the operation (Kakakhel & Farooq, 2015). Ethnic Pashtun organizations such as

the Pashtun Tahafuz Movement (PTM) have also alleged that Pakistani security forces engaged in widespread human rights violations during the campaign (Afzal, 2021). Due to both American and Pakistani military campaigns in the Pashtun belt, the Pashtun population on both sides of the Durand Line thereby emerged as one of the main victims of the global war on terror (Sood, 2018). Within Pakistan, this targeting of the Pashtun population has reinforced a perception of the Punjabi elite pursuing an anti-minority project that is backed by Western actors.

The continuing issues surrounding the Pakistani Pashtun community ultimately cast a different light on the perspectives Pakistan faces in the wake of the Taliban takeover of Afghanistan in August 2021. Superficially, the Taliban's victory certainly constitutes a strategic victory for Pakistan, boosting its strategic depth posturing. At the same time, Pakistan has already begun to encounter the same tensions with the Taliban regime that it did between 1996 and 2001. To consolidate its control over the Pakistani side of the tribal areas, Pakistani authorities began fencing the Durand Line in 2014 and now claim to have fenced up to 94% of the border (Kugelman, 2022). As discussed above, this has upset relations with the Taliban as Taliban forces have forced Pakistani troops to take down the fencing to ensure the consistent passability of the Durand Line. For the Taliban, the question of the Durand Line clearly still matters for both ideological and practical reasons. Kugelman (2022) has also noted that the Taliban's position may be shaped by external strategic considerations: by contesting the Durand Line, the Taliban can showcase to the international community that it is more than a proxy. Here, deeply socially embedded norms surrounding tribal autonomy have helped to fuel the Taliban's insurgency in Afghanistan and constrain the extent to which Pakistan can exert control over the Taliban (Schetter, 2013). The Taliban's approach towards the Durand Line reaffirms that the Taliban possesses significant agency in shaping its relations with the Pakistani military establishment and that the Taliban is more than a passive recipient of ideology, funds and arms. Furthermore, the behavior highlights that tribal relations and ethnonationalist sentiments still play a role in how the Taliban conceptualize their role and purpose. While the idea of an independent Pashtunistan has been weakened significantly over the past decades, the Taliban can still strive for the enhanced informal economic and sociocultural integration of the Pashtun belt. This bestows the Afghan Taliban with significant influence throughout the belt, including in Pakistan.

The partial disconnect in ideology and interests between the Pakistani State and the Taliban also impacts Islamabad's relation with Pakistan-based militant groups, most notably the TTP. The TTP has executed several high-scale attacks in Pakistan in recent years, including a 2014 attack on a school in Peshawar that killed 149 people, including 132 children. While the TTP was weakened by American drone attacks and Operation Zarb-e-Azb, the group has remained a potent threat that has been boosted by the re-establishment of a Taliban government in Kabul. Despite its relations with Islamabad, the Taliban also continues to maintain ties with the TTP due to ideological and tribal links. A potent TTP, with which the government recently failed to extend a ceasefire (Hashim, 2021), poses significant internal security challenges to Pakistan, especially in the areas that formerly constituted the FATA. Pakistan has once again sought to expand governmental control over tribal areas in recent years. In 2010, the NWFP was renamed as Khyber Pakhtunkhwa (KP), meaning 'Khyber side of the land of the Pashtuns' in Urdu. The NWFP was renamed following lobbying efforts of the province's population, 75% of which speak Pashto, to rename the province after its dominant population group, as was the case in other provinces (Kaura, 2020). The FATA legally ceased to exist in 2018 as the tribal areas were merged with KP, at least formally ending the FATA's peripheral role in Pakistan's administrative system. The Pakistani efforts of tribal integration may be hampered by TTP

militancy and counterterrorism operations in the Pashtun belt that have historically severely affected the local civilian population.

The Taliban's ties to Al Qaeda and its retreat to the Pashtun belt in the Hindu Kush has transformed the tribal areas along the Durand Line into a geographical space key for militancy and radicalism in South Asia. The Pashtun belt has obtained a key importance for Pakistan's broader geostrategic approach in South Asia as developments in the tribal areas are key for its policy vis-à-vis India, specifically in the conflict over Jammu and Kashmir (Wagner & Khan, 2013). The Pakistani foreign policy approach has come at the detriment of both the Afghan and the Pakistani Pashtun community, transforming tribal identities, rendering Pashtun civilians primary targets of drone strikes and the partially indiscriminate violence of foreign and national security forces. The existence of both the Taliban and TTP as heavily Pashtun-dominated groups has also created and reinforced public perceptions in Pakistan that view Pashtuns as synonymous with Taliban/terrorists (Yousaf, 2021). This, of course, is a heavily oversimplified narrative that negates the exposure of Pashtun communities to political violence as well as the democratic character and intent of Pashtun political parties, including the PTM. While the ethnonationalist element undoubtedly present in both the Taliban and the TTP should be acknowledged, this must not detract from the fact that the Pashtun population is a victim of geopolitical power plays and political-religious violence in the region.

## **Conclusion**

This paper has taken a longer historical perspective on the issues surrounding the Durand Line following the partition of British India, situating them in the context of the Great Game for imperial control and expansion between Great Britain and Czarist Russia. Imperial politics and the intent to maintain colonial control drove the foreign policy of British India vis-à-vis Afghanistan and resulted in the drawing of a legalistic border that divided tribes and communities. The 1893 division of the Pashtun belt serves as the historical backdrop for many of the internal issues Afghanistan and British India/Pakistan have encountered since then and has resulted in partially outright hostile ties between Islamabad and Kabul. As is the case throughout the rest of South Asia, the legacy of colonialism shapes the contemporary relations between countries. Pakistan's strategic competition with India and the strategic depth framework has inserted Afghanistan into a triangular relationship in which the security in one of the three countries is invariably tied to the security trajectories of the other two States. For Pakistan, strategic victories in Afghanistan (and thus in its relationship with India) come at an extremely high price as domestic instability, caused by groups such as the TTP, threatens the security of Pakistani citizens and undermines prospects for socioeconomic development. For the Afghan population, the triangularization of its relations with India and Pakistan has culminated in the practical collapse of the country and decades of severe political violence, displacement, and refuge. For none of the citizens of the three countries, the competition between India and Pakistan has made life any more secure.

The centrality of the Pashtun element in shaping the relations between Afghanistan and Pakistan warrants a more explicit analytical focus. The context of the global war on terror has resulted in many analyses conceptualizing the Taliban and the conflict in Afghanistan through a prism of Islamic fundamentalism, of Western liberalism against fundamentalist illiberalism. To be sure, this perspective is not entirely incorrect: as we have seen, the madrassas to which Afghan refugees were flocking in places such as Peshawar played a key role in shaping

ideological frameworks and ultimately enabled the ideological and operational emergence of the Taliban. While the lens of Islamic fundamentalism is therefore not incorrect, it nevertheless is incomplete. Tribal cultures, affiliations, histories, and norms play a key role in the political trajectories surrounding the Durand Line, shaping the relations of Pashtuns to non-Pashtuns, the ideological code of militant organizations, and the extent to which these organizations are willing to cooperate with external partners. What deserves to be noted once again here is the consistent non-recognition of the Durand Line by any Afghan government in the 20th century. In September 2021, the Vice President of Ashraf Ghani, Amrullah Saleh, suggested that “*no Afghan politician of national stature can overlook the issue of Durand Line*” and that it would be “*unrealistic*” for Islamabad to expect that it would receive Peshawar, the former winter capital of the Emirate, “*for free*” (quoted in Kaura, 2020). The Taliban’s anti-fencing activities along the Durand Line highlight that this statement may as well have come from a Taliban official. This shared stance on the Durand Line, replicated by various governments over the past decades, reflects the importance of the Durand Line and the decisive role the Pashtun question continues to play in the Hindu Kush. While the prospect of an independent Pashtunistan appears dead, the Pashtun question is far from being resolved.

Ultimately, an analysis of the Durand Line and the Pashtun question in Afghanistan and Pakistan should motivate efforts to move beyond the (nation-)State as the central analytical unit in South Asia. South Asia is a space of what Satia (2021) calls “*composite cultures*”; meaning overlapping cultures that have been divided by hard borders and the centralization efforts of nation-building projects throughout South Asia. These nation-building projects, Satia (ibid) suggests, are at a fundamental disconnect with how regional communities have conceptualized themselves (and others) for centuries. As Thomas Barfield (2010) astutely noted, the non-recognition of the Durand Line by Afghan governments with various political orientations means that,

*“It distorts reality to use the modern nation-state as a fixed unit of historical analysis, particularly when its boundaries are projected into the past. Afghanistan, the land of the Hindu Kush, does have an ancient history, but its current form is only one of its many incarnations.”* (p. 48)

The making of the Durand Line ultimately exhibits that modern borders in South Asia are largely social constructs (Clemens, 2004) that often have little impact on how individuals and communities conceptualize their belonging to each other and the State (Schetter, 2013). To be sure, group and self-identification being determined by a sense of belonging to the same ethnic group rather than a sense of a shared nationality is not specific to the Pashtuns. In a region in which borders are the process of colonial and post-colonial bordering practices rather than organic divisions between communities, an analytical focus on ethnic commonalities as a marker of shared interest and identity warrants further analytical attention.

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