Some Considerations on Local Democracy and Traditional Societies

Hamish Nixon

Engagement with traditional, customary or informal institutions is a part of the layers of governance in local spaces, and the interaction of those institutions with formal state structures is increased in circumstances of state-building and decentralization processes. The management of these interactions can take many forms, and must not be reduced to a simple division between "working with" or "ignoring" traditional society. Rather, careful consideration of variations across functional domains, space, and time of these institutions must inform how the state approaches the traditional. At the same time, the interaction must be informed by a clear sense of the functions and purpose of the state in different governance domains, such as security, health or justice. This process is complex in all settings. But in Afghanistan, special challenges face a society disrupted by conflict, and featuring many varied layers of traditional, customary and informal institutions, and a state that is weak, formally centralized, and with a historically adversarial relationship with forms of local power. Some of the broad trends influencing the relationship between democracy and traditional societies are outlined next.

Democratization and Decentralization

An increased international consensus and domestic drivers (whether normative or pragmatic) towards democratization, and democratic decentralization, quickly raises questions regarding representation, participation and citizenship at local levels. This local level is also the one at which traditional, customary and informal governance activity is most prevalent, immediately making their relationship to the state an important issue in reform agendas. This process also raises questions about the democratic basis of these structures, their responsiveness, opportunities for participation by marginalized groups and especially women. Related to this is the universalization of international human rights norms.

Changing Conceptions of the State's Responsibilities

Related to the general tendencies towards decentralization just mentioned, are specific changes to the conception of what a state should do, in both the developed and developing world. Part of this process is embodied in the spread of market mechanisms, but it also includes a wider and more varied conception of who provides services and in what configurations. Traditional, customary and informal systems arise as one of many potential parts of a more diffuse set of actors (including also NGOs, the private sector), that can potentially play a role in the planning and delivery of services. In some cases, the lack of resources of the state can contribute to this "looking again" at traditional societies.

Globalization

The expansion of market-oriented systems, the spread of communications and information, and international and domestic migration all tend to increase interactions between "traditional" societies and other parts of both national and international communities. With increasing interaction comes increasing potential for conflict, misunderstanding, and complexity in governance processes. While this tendency increases the need to address issues between different systems, it also can increase the complexity of doing so by breaking down geographic, economic and functional differences between different "systems".

Recognition / Preservation

Beyond the trends just outlined, there is also a considered interest, by many, in learning from, preserving, and empowering groups with distinct socio-cultural identities and ways of living. Recognition and integration of traditional societies, within democratic systems, through conceptions of minority protections, group rights, and cultural autonomy is an increasing feature of reform, in both the North and South. Related to this question is the role of such recognition in preventing, managing or resolving conflict.

Statebuilding and Peacebuilding

Increasingly this relationship is becoming relevant through efforts to construct or reconstruct state structures, particularly after conflict. The non-state institutions, in this context, may be traditional, but probably also involve informal institutions that have grown up either to try to cope with conflict, or to substitute for activity that the state (embattled or collapsed) is unable to provide.

In this context of changing global approaches, it is important to stress that the reasons why relationships with traditional, customary and informal societal structures become important are varied. This means that the answers to these questions will also be varied in different circumstances, making the adoption of an international "best practices" model inappropriate. Ways of mediating the relationship between the state and traditional societies must always be considered in light of the context and the specific trends, which are contributing to the intensification of that relationship.

The second important point to note, by way of introduction, is that the relationship between traditional societies and democracy cannot be separated in practice from the question of local governance and decentralization, and the attendant concepts of participation, representation, and complex notions of citizenship. That means that answering questions about traditional, customary or informal structures also requires answers to questions about the state itself: what are the functions of different levels of the state, how does it relate to non-state actors, what are its capacities, and how is representation and participation to be structured, in pursuit of the goals of the state and the society? In these settings, one cannot discuss democracy or traditional society in isolation, but rather must focus on the relationships between them.

Conceptualizing Democracy, Decentralization and "Traditional" Societies

By posing the question of the relationships between democracy and traditional society in this manner, there is a danger of positing two distinct "systems" that, previously existing apart, must now be brought together. In its extreme form, this formulation leads us to a juxtaposition of traditional with modern, including a range of imputed characteristics for each model. We must be cautious about the suggestion that the modern or the traditional constitute uniform or exclusive categories. The reality is much messier, where both sides of the coin have diverse foundations, varying degrees of "democraticness" or institutionalization, and often co-exist and interact already, in given geographic or functional spaces.

Decentralization in Theory and Practice

At root decentralization is based on the theoretical principle of subsidiarity, which suggests that efficiency and responsiveness in the provision of public goods are better served by moving decision-making and resources closer to recipients. The decentralization discourse is largely taken up with technical consideration of the best way to do this, and to imbue the resulting structures with the characteristics of "good governance":

- Legitimate: people who are governed must accept the decisions of the authorities as legitimate.

- Rights-based: respects and protects basic human rights through the rule of law.

- Participatory: promotes social inclusion, empowerment, and equal voice.

- Effective, responsive, transparent and accountable.

In ideal-typical schemes of "good governance", these characteristics are considered to work in a "virtuous circle", each in turn contributing to the others. Decentralization is, thus, a state-centred perspective on local governance, focusing on the changes to state structures needed to generate desired outcomes (it is important to note that the international evidence for decentralization, producing these outcomes – equal participation or increased development – is actually quite mixed, and depends on many other factors).

This state decentralization can occur along different dimensions: the political (decision-making), administrative (public goods delivery, staffing) and fiscal (resource allocation). It may also take different forms: in *deconcentration,* responsibility and resources are moved to local levels of central units, while retaining accountability relationships with the centre; *devolution* involves the transfer of authority and resources, over some areas of activity, to sub-national units (e.g. in federal systems); and *delegation* involves the allocation of functions outside state structures (e.g. to NGOs and Quangos, or in some cases, of interest for this paper, traditional or customary structures). While these dimensions allow for a great diversity in formal state structures, there are some general principles that determine "good" and "bad" decentralization.

There should, for example, be a broad match between responsibilities, resources and accountability, so that authorities can implement decisions, and citizens can hold them accountable for failures to do so. For example, decentralizing resource allocations in education to districts, for example, should be accompanied by secure revenue streams (through taxes or transfers) to allow planning, and accountability relationships with users (through voice, exit through competition, or election of responsible officials). The configuration of resources, responsibilities and accountability should reinforce incentives for efficiency and responsiveness, not undermine them.

While the technical decentralization agenda is thus consistent in theory, in practice life is more complicated. There are many reasons for this, but two political considerations are particularly important. The first is that decentralization is a political process and it may happen for political reasons, as well as normative / technical ones. For example, decentralization may be driven by politicians trying to capitalize on its effects on growth or stability; there may be pressure exerted by sub-national politicians or actors, including a struggle over revenues; a legislature may push decentralization as a way to control the executive branch in the short term. It is useful to recall here that historically decentralization can occur in more top-down or bottom-up paths, and there are significant differences in the political process involved, revolving around the sources of the pressures to decentralize and the balance between forces for and against it in a society. It is notable that local government in Northern Europe and North America developed and made demands upwards, while in much of the world, the movement is from a central state downwards.

A second complication for decentralization theories is that decentralization does not occur in a vacuum. At root, decentralization involves changes in power, and therefore, will generate changing patterns of support and resistance. It involves the interests of different state levels and actors, but also those of non-state actors, including NGOs, private sector entities, and perhaps, most importantly at the local level, traditional, customary and informal authorities. These political dynamics are especially important when the state begins from a position of weakness, and significant resources that remain outside its control are at stake. They are also important when there are potential contradictions between the organizing principles of the decentralization discourse just discussed and those existing in social

structures: this is the case of the "traditional society". It is crucial to consider these political dimensions of decentralization, and the process of developing relationships between the state and other structures, following Bismarck's[1] observation that "politics is the art of the possible".

Traditional, Customary and Informal Social Structures

Defining what we mean by traditional society is not easy, and can generally be approached in two ways. The first is to locate "traditional" society as bearing a certain relationship to the past. For example, definitions of indigenous groups, in international treaties, refer to societies that have maintained their social practices from pre-colonial times. This approach has problems because it requires a judgement over the relative value of practices that may have emerged, changed, or multiplied over time. Communities are governed by overlapping, sometimes contradictory sets of structures that may operate in different functional areas or be based on different, even conflicting sources of legitimacy. One must be very cautious about assuming a unitary and consistent set of social structures, fixed in nature and rooted in some distant past. Such assumptions lead to deterministic and culturally-based judgements that are not borne out by the historical record of societal change in many settings across the world.

A second way of approaching defining traditional societies is through juxtaposition with some purported modernity, an approach that has its Western roots in the work of Max Weber[2]. In this view, modern states and traditional leadership have different sources of legitimacy. In traditional leadership, legitimacy is rooted in history and culture, often combined with religious references. Legitimacy of leadership, in modern societies, is based on elections and embedded in constitutional and legal procedures and rules. This approach also presents problems, in that it assumes that non-modern social structures do not also enjoy legitimacy through other means, such as consensus, effectiveness, and in some cases, even election or at least selection. It is also a danger to assume that the modern is congruent with the democratic, or that it necessarily enjoys legitimacy.

In fact, attempting an all-encompassing definition of traditional society may be counterproductive in trying to cope with questions about its relationship to democracy, precisely because of the contextual factors already introduced above. An alternative approach implies that a comprehensive definition of a traditional society is impossible, but that, at the same time, individual cases can be characterized and acted upon. This approach means drawing policy, as much as possible, from accurate understandings of what different social structures and authorities actually do, how they emerged, and how they change.

Local Governance and Decision-Making

Rather than try to characterize the totality of social structures as either traditional, modern, formal, informal, or otherwise, it may be more productive to adopt a perspective, based on a broad definition of governance. At this level, governance can be defined as "*the process whereby societies or organizations make important decisions, determine whom they involve and how they render account*"[3]. Analysis of governance does not only cover the decisions that are made, or the structures within which this takes place, but also how they are made, who is involved in making them, and who is responsible for implementing them. All governance analysis, therefore, involves questions of *process, participation, and accountability*. This definition allows governance to encompass different types of structures, both state and non-state, and focuses on the types of decisions and how they are made. Compare this definition with another in use by the UNDP: local governance comprises a set of institutions, mechanisms and processes, through which, citizens and their groups can

articulate their interests and needs, mediate their differences and exercise their rights and obligations at the local level[4].

While both do not limit what kinds of institutions count as governance, the second definition perhaps can be seen as a destination. It expresses the governance system in terms of citizenship, implying that these institutions, mechanisms and processes should link to and serve the purpose of building a democratic state-citizen relationship. Both are valid, but one is more empirical and the other a shade more normative. The difference expresses, in part, the challenge of integrating governance into the state, while maintaining openness to non-state governance structures.

Starting then, with this first definition, one can relate the various elements of this topic here. Essentially, what we are talking about is decisions. What kinds, who takes them, and how they take them? In this picture, local communities may have a range of structures that make different kinds of important decisions, involve different people, and use different decision-making processes. Some or all of these may have characteristics we associate with the traditional, customary or informal. The first challenge in answering questions about the relationship between democracy and a given community is, thus, to characterize existing governance arrangements. To do this, it is necessary to pay attention to certain issues that are particularly relevant to the interaction between existing social structures, and the democratic or democratizing state.

Governance Functions

There are a range of different domains in which governance takes place – since, essentially, governance involves any decisions of public importance. Different functions appear in different places, and not all in all places. Some functions that may be associated with traditional, informal or customary structures include: security; dispute resolution / justice; regulation of social life and norms; small-scale community development projects or maintenance; natural resource management; social protection of the most vulnerable. The important thing is that different functions may operate under different governance principles – for example, a local commander may provide security and dispute resolution, however illegitimately, while older structures of kinship and religious authority might regulate personal behaviour and social reproduction. Equally, other functions, such as, registration of births and deaths, justice, security, health or education provision, may lie with the state, a mixture of state and non-state actors, or civic organizations.

Capacity of Governance Arrangements

These functions may be carried out effectively or not, and legitimately or not. Consideration of the capacity of the current arrangements, in a given domain, can inform strategies for relating these with the state – weak non-state structures may be better replaced, while strong ones might effectively substitute for weak state structures.

Origins of Structures

Traditional, customary and informal structures may have grown up in very different circumstances. It may be important to distinguish between structures that precede the state and carry out functions outside its purview, and structures that may have arisen in response to state weakness, conflict, and failure.

Actors, Structures and Processes

Who is important in each of these domains, how do they make their decisions, what is the basis of their claim to do so? What are the principles that determine this selection,

process and outcomes. Are they in potential or actual conflict with the imperatives of the state, such as its monopoly on coercive force, or its adherence to human rights norms? Rather than referring to a traditional society, we can refer to a specific mode of governance of land tenure, for example, or dispute resolution, and characterize it.

Relationships Between the "Traditional" and the State

Engagement with traditional, customary or informal institutions is a necessary part of understanding the layers of governance in local spaces, and the interaction of those institutions with formal state structures is increased in circumstances of state-building and decentralization processes. The management of these interactions can take many forms, and must not be reduced to a simple division between "working with" or "ignoring" traditional society. Instead, what is required is the development of a division of responsibilities between the state and these other structures, that are seen as legitimate and effective. This division of responsibilities may in itself be dynamic, with customary structures gaining functions, or ceding them to the state as the capacity of one or the other grows. In fact, one purpose of the interaction may be to stabilize the governance arrangements in a given domain, for example, by removing the influence of armed groups.

One way (of many) to consider the various functions, that generally occur at a local level, is the breakdown into three categories of regulatory, distributive / redistributive and administrative functions. Very roughly speaking, there is a continuum from more to less involvement of non-state structures as one moves from regulatory through distributive to administrative.

Functional Domains of Local Governance[5]

Policy area	Governance Domain	Governance Arrangements
Regulative policies	• Regulation of the social, economic and often religious structures and norms • Conflict and dispute settlement, policing, justice • Local development and planning • Natural Resource management • Land tenure	• Often occur in traditional, customary or informal structures • High degree of interdependence in these functions at the local level; complicated to divide responsibilities and may come into conflict with each other – e.g. planning and NRM – or between state and non-state actors –

Policy area	Governance Domain	Governance Arrangements
		justice • Governance issues that may be more closely linked to collective identity, so additionally sensitive • These areas likely to involve more complete integration – traditional authority governs – or separation between the authorities
Allocative, distributive and re-distributive policies	• Allocation of communal land • Infrastructure (such as roads, bridges, electricity, water etc.) • Basic Services (Health, Education etc.) • Implementation of other national policies • Tax and revenue collection • Social protection	• Some are often managed outside the state, especially communal land, small-scale infrastructure, and some social protection • Others are more often linked to state • Many of the functions can be potentially shared, complementary, or co-produced. • Integration of non-state with state could take a variety

Policy area	Governance Domain	Governance Arrangements
		of forms depending on the capacity of structures to deal with different tasks
Administrative policies	• Administration of citizens, voter registration, issuance of birth and death certificates, land registration, etc.	• Typically considered state responsibilities, especially if requiring some technical capacity • But, may in fact be easy tasks to share or transfer in legitimizing or integrating local non-state structures

Even within each of these policy areas, individual domains will find themselves in different governance arrangements, or in some cases none at all. The arrangements for a given domain may also change over time.

It is important to consider if the relationship between the formal and the traditional, customary or informal is aimed at transferring existing functions, creating or assigning new ones, or simply abolishing old ones. In this sense, the division of responsibility at the functional level must also come to reflect a broader vision of the state in society, a vision which may be different in different circumstances of geography, culture, fiscal base, or economy. However, as noted above, the formulation and achievement of that vision is a political process, and it may be that considering the sequencing of whatever changes to local governance arrangements take place can help in the development of that vision and its acceptance by stakeholders. For example, it may be easier to integrate traditional authorities into structures providing new public goods, such as improved healthcare, before attempting integration in domains previously and largely governed by traditional, customary or informal structures, such as justice.

So far, there are three general conclusions to be drawn from this discussion. First, planning the relationship between a democratizing or decentralizing state and its traditional, customary or informal social structures requires an understanding of both together – important considerations include the function, capacity, origins and shape of different governance arrangements. Secondly, the question of this relationship may have different answers in different functional domains of local governance, and knowing the arrangements in these domains is more important than classifying a society as traditional per se. In general, allocative functions may have a positive sum nature, and, thus, be easier to create

new relationships through complementarity, than regulative functions that may express themselves in a competitive or substitutive relation to the state. Finally, since some domains may be easier to integrate or create relationships with than others, and legitimacy may spill-over from one to another domain, sequencing may be important across domains.

Patterns of Relationships

Given this plea for recognition of the diversity of local governance arrangements, it is important to give a sense of the diversity possible, in relationships between these arrangements and the state. Some of these are presented schematically below[6].

Customary, Traditional or Informal Structures Act as the Local Government

These bodies provide enough representation, responsiveness, accountability, and effectiveness across a wide enough set of domains, that it makes more sense for them to act as government, reporting upwards to formal structures, than to replace or integrate them into parallel structures. This implies strong non-state structures, and probably, considerable state weakness at the local level. This configuration also implies variation in constitutional design, between areas with strong structures and those without, for example, between urban and rural. It also requires relative geographic coherence of the populations using these structures. A crucial question may also be how to introduce changes to these strong structures to deal with conflicts, for example, over principles of justice.

Parallel Structures

A clear and unambiguous division of responsibility exists, with traditional functions fulfilled outside of the formal state, but given recognition through parallel structures. The particular division of responsibilities determines if this is likely to be a contested process, as in some cases it amounts to co-optation and dissolution of the power of traditional, customary and informal authorities. However, traditional authorities may advise local government on its functions and participate in implementation. This aspect may work best with complementary functions where co-production is a possibility in place of substitutive or competitive relationships (e.g. local development).

Formalization of Traditional Authorities in the State System

As formal state governance decentralizes, traditional, customary and informal authorities have reserved seats or positions in the state structure. A variation encourages participation in electoral processes, or uses traditional selection for part of the representative process.

Informal involvement in particular development programmes, through Community Driven Development, for example: Customary authorities may be given a role in specific programmes, without wider recognition. This model may lead to expanded or contracting interaction over time.

The discussion up until now has artificially suggested a situation where the division of responsibilities and the forms of integration of the different systems can be decided on, mainly through technical considerations. As noted earlier in relation to decentralization processes, this is a political process and for that reason attention to the existing governance arrangements has been emphasized.

However, it is also important to remember that, rarely do these systems work in isolation from each other, before consideration of reform. Often, forms of integration do already exist, and these will shape the available paths for reform. Two examples from Afghanistan may illustrate this point. The first is the successful, but not sustainable, effort to eradicate poppy in Nangarhar during 2005. An approximate 95 percent reduction in area

under poppy was achieved largely through the use of traditional and customary authorities in growing regions as government interlocutors. However, the reduction was not sustainable. One reason was that the form of integration (effectively option 1, using the traditional authorities as local government in the domain of controlling poppy cultivation) posited a contractual relationship between the state and these authorities. When the state was not seen to come good on its promises to provide economic relief and alternative crops, the relationship was considered null again by many traditional and customary leaders. By adopting this form of integration, the state may have limited its options to pursue other forms, while at the same time undermined a sub-contracting form of option 1.

A second example is the justice system. Rather than existing as two separate systems, there is, in much of Afghanistan, some degree of integration between the courts, district governors, and traditional dispute resolution mechanisms. The main form of this integration is the referral by formal authorities of disputes to informal ones. This happens due to normative and capacity reasons, and to some degree of unwillingness on the part of state authorities to do their job. By creating, in essence, a system of integration already, local authorities may have influenced the available paths to integrate the formal and informal justice sector in the future, or made it more difficult for either system to adapt its practices to different principles and norms.

The point is that one cannot consider the technical and political possibilities for integration on a "blank slate" – in many cases, forms of integration already occur that may or may not fit an ideal pattern. These two examples also bring us to a discussion of conditions in Afghanistan.

Issues in Afghanistan Over the Formal / Informal Interface

Afghanistan presents some fairly specific challenges when considering the interface between the democratizing state and traditional society. The first of these, concerns our initial requirement that consideration of the traditional and the state sector, especially decentralization, go hand in hand. There are a number of reasons why it is difficult to consider both sides of the formal-informal equation in Afghanistan.

The formal structures in Afghanistan remain highly centralized and local government extraordinarily weak. There is no provision at the district level for a budget that could correspond to development plans, no control over appointments at the local level, or other systems of accountability. Virtually no non-salary spending reaches district ministerial branches, and all reporting and staffing is vertically organized within ministries. Neither do sub-national units (except municipalities) have revenue raising powers. As such, the distribution of functions to formal structures, even nominally, is still undeveloped in Afghanistan, making it that much more difficult to create a vision for the relationship with non-state structures. There are powerful political reasons for this centralization which profoundly affect the technical considerations outlined in this paper.

Secondly, there are a wide range of different customary, traditional and informal governance configurations in the country. In some areas they are weak, in others strong – or indeed a mixture of both in different domains. In most parts of the country, governance arrangements in different domains, persist from different eras and potentially embody different principles – for this reason the term "traditional" may only apply to some circumstances. So the former state-appointed *Maliks* remain key actors in some places, when resolving disputes, and are irrelevant in others. *Jirgas* or *Shuras* remain an important means of solving problems in many areas, whereas, in others, armed commanders produced by the war influence or supplant these structures[7]. Even *Shuras*, some argue, are a recent introduction to local governance, though consensus-based councils, in general,

and especially *Jirgas* have a longer history. Some structures have been strengthened by conflict and the failure of the state to govern the country: for example, tribe as a provider of public goods. The situation is complicated further by migration, associated with millions of returning refugees and internally displaced persons (IDPs), who may or may not be included in existing governance arrangements, as well as pre-existing differences in the degree of local cultural homogeneity.

Many of the governance domains in which local non-state governance is strongest in Afghanistan (i.e. dispute resolution, security) are also the areas where the potential conflict with the state is highest, due to considerable incompatibilities in the governance principles at work. Justice and security are particular examples. In the areas where complementarity, co-production, and thus, easier integration is more likely, (i.e. provision of allocative, distributive and redistributive goods like health or social protection) are areas where the state remains very weak, and so, cannot provide a blueprint or backbone for integration.

Finally, the state's authority to control Afghanistan is violently contested in some parts of the country. Thus, relations with local societal structures need to consider legitimacy carefully, and be designed to contribute to acceptance of the state's authority. This necessity may conflict with technical or normative considerations about the right form of integration between systems.

Recent developments, however, may cast these conditions into slightly new light. In January of 2006 both the Interim Afghanistan National Development Strategy (I-ANDS) and the Afghanistan Compact were adopted in London. Both of these documents aim to reframe the process of stabilization and development that is occurring in the country. Without going into the details of these agreements, there are two broad features of this transition that are important to consider in respect to the topic of this paper.

Subnationalization

Recognition, that macro-level, and largely centrally oriented, political reform processes must be expanded to improve governance at sub-national levels, but leaving considerable ambiguity about the way that will happen and towards what end-state.

Afghanization

Recognition that continued state-building will have to involve more integration and involvement of the Afghan state in all aspects of development, through increased on-budget activities, better development planning, including increased sub-national inputs, and increased representation and participation towards improved service delivery. In pursuing this goal, thought will more naturally begin to be given to the long-term functions of different levels of government and their sustainability.

Up until now, discussions of integrating state and non-state structures in Afghanistan, have focused on specific issue areas, such as, participation in development projects (Option 4 above), and justice (which has seen woeful little action, because it is essentially beginning with the hardest problem in terms of integration). In combination, these two tendencies in Afghanistan's "strategy" will tend to focus attention on questions of governance at the local level and non-state provision of public goods, due to the extreme fiscal limitations of the state into the future. It may be that opportunities for discussing the vision of state-non-state relations in Afghanistan will increase.

Conclusion

This paper outlined some of the theoretical considerations, important in discussing the relationships between these different local governance arrangements – in some sense, providing a menu. However, the reality of arriving at a plan, and then implementing it, to deal with these relationships is considerably more complicated. Some issues that may be of use to consider in such a plan follow here:

- How can relationships of accountability be established that will support the effective exercise of functions by non-state authorities? Should they be accountable to the state, the citizenry, or both? If so, how – through elections, through voice, through exit? What sort of institutions will support this – in particular, how should local representation (elections) be organized from the village to the district, and is constitutional change required?

- How can conflicts over principles be best approached? In particular, customary justice systems in Afghanistan rely largely on restorative principles rather than retributive, and emphasize collective means of restoration and punishment that contravene certain international norms. Can justice be constructed in an integrated way, while altering some of the biggest problem areas in the non-state systems. Is the best approach to that alteration one that deals with specific issues, such as, protection of women, or through broad issues, such as, collective punishment (the family should not be punished for the individual's actions)?

- What are the reasons people do not use state systems? For example, rejection of formal courts due to corruption and inefficiency implies different policy responses, than rejection due to normative belief in the appropriateness of traditional systems. How elastic are these choices?

- Does the existence, of different kinds of governance functions, and their different implications for ease of integration, suggest any strategic considerations, such as sequencing some areas of responsibility first?

- What kind of legal frameworks can cope with the diversity of traditional, customary and informal arrangements in Afghanistan?

- How can these challenges, be met in a way, that does not reproduce the troubled history of confrontation between an assertive but weak centre, and the various local power structures in the rest of Afghanistan, but rather replaces it with relations that contribute to the legitimacy of the state, the stability of the country, and the democratization of the life of its people?

- Who are the actors that need to participate in answering these questions – not only the creation of ideas, but the communication and advocacy of them.

Notes and References

2. Otto Von Bismarck (1815–1898), Prussian statesman. Remark, Aug. 11, 1867. Quoted in Complete Works, vol. 7 (1924).

2. See, for example, Max Weber. 'Politics as a Vocation'. In *From Max Weber: Essays in Sociology*. Eds. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946).

3. Tim Plumptre, "What is governance", available at www.iog.ca.

4. UNDP (2004). Decentralised Governance for Development: A Combined Practice Note on Decentralisation, Local Governance and Urban/Rural Development, United Nationals Development Programme.

5. Adapted from Lutz, G. and W. Linder (2004). Traditional Structures in Local Governance for Local Development. Berne, World Bank Institute/CESI/University of Berne: 53.

6. Adapted from Lutz and Linder (2004).

7. *Shura* and *Jirga* denote communal decision-making bodies in Afghanistan, consisting of elders or other almost exclusively male notables. *Shura* generally refers to a body that persists through time, and handles ongoing issues in a community, whereas a *Jirga* is typically convened to deal with a specific issue. These bodies have different characteristics and importance according to geographic, ethnic, and historical considerations in Afghanistan.