Publication Series on Promoting Democracy under Conditions of State Fragility

ISSUE 1: AFGHANISTAN

HEINRICH
BÖLL
FOUNDATION

Content

Preface

Very many of the regions in which the Heinrich Böll Foundation is active are confronted with crisis, violence, and failed states. Our offices and many of our project partners in Africa, the Caucasus, the Middle East, the Balkans, and in central and southern Asia are forced to deal with acute or potential conflict situations and power structures that present our work with daily challenges.

The Heinrich Böll Foundation is working increasingly in post-conflict societies in which a fragile peace prevails and outbreaks of violence must often be feared. There we support programs for conflict resolution, reconciliation, and construction of democratic institutions. The foundation is also active in countries that up to now have been regarded as relatively stable, but where economic and/or social tensions, bad governance, or discrimination of certain social groups constantly threaten to turn into violent conflict. Supporting and promoting peace and democratization processes in these societies together with local partners is a central aim of the Heinrich Böll Foundation and is among the chief principles of its work abroad.

External promotion of democracy in weak or even failing states has gained priority on the political agenda, internationally as well, in response to growing fears that local processes of eroding state authority can lead to global risks. Not only the connection between failing states and terrorism, but also other effects such as refugee movements, increased transnational organized crime ("shadow globalization"), the growing influence of private security or military companies, and the destabilization of entire regions are perceived as threats.

More and more, external promotion of democracy is also being eyed critically. People say it tends to be paternalistic and often blind to the concrete problematic situation "on the ground," and it is inclined to continually employ the same instruments in very different social contexts. These widespread reservations are one more reason for the Heinrich Böll Foundation to reflect critically on its own approaches. It is important to find convincing answers to very different, complex problems and challenges. The choice of activities, collaboration partners, and levels of action must constantly be adapted to the actual situation and state of democratization in the respective country or region.

In addition to scientifically grounded discourse on concepts of external promotion of democracy, a precise analysis of the greatest obstacles to and potential of democratization on the ground – locally, regionally, and nationally – must be the foundation and point of departure for any strategy.

Last year the Heinrich Böll Foundation started a project group called "Promoting Democracy under Conditions of State Fragility", which works from just this interface. For one thing, the project group is concerned with establishing long-term, systematic, and well-founded activities dealing with the subject, incorporating the past experience of the foundation and other agencies in the areas of promoting peace and democratization. At the same time, a connection is being made to the particular issues, problems, and impediments to the transformation processes in the respective countries and regions.

The publication series on "Promoting Democracy under Conditions of State Fragility," which is being launched with the present issue, aims to contribute to a more precise analysis and understanding of the respective local situations. Each issue seeks to analyze the local situation and experiences made in a specific region. Another goal of the project is to extract conclusions that are also applicable in other contexts.

This first issue – a critical examination of the current political and social situation in Afghanistan, as well as the project activities of the Heinrich Böll Foundation in the country – is combined with a very political concern. First, using Afghanistan as an example we want to depict the opportunities and risks involved in collaborating with tribal groups in which tradition plays an important role. Second, we are interested in a primary integration of a gender perspective – especially considering the tense relations in cooperative efforts with traditional groups.

We are pleased to have found the support of a number of well-known Afghan and international experts for this issue.

Conrad Schetter of the Center for Development Research (ZEF) describes "The Dilemma of Reconstruction in Afghanistan." This involves, in particular, the various inherent difficulties and problems posed by external agencies and organizations in post-conflict situations. Schetter analyzes the situation in Afghanistan, with its tension between state, civil society, and traditional elites. He points out that common development paradigms can hardly be applied to Afghan society, which is strongly influenced by tradition, and therefore suggests instead a tailor-made approach integrating the traditional and religious elites.

Sippi Azerbaijani Moghaddam analyzes the situation in Afghanistan from a specific gender perspective. She offers information on the – disastrous – state of the Afghan women's movement and analyzes what the massive militarization of the society as a whole has meant for the women there. Moghaddam recommends that Afghan women reject the centuries-old welfare approach and turn instead to more progressive concern for current gender-relevant issues.

Marion Müller, the representative of the Heinrich Böll Foundation in Afghanistan, presents "Reconstructing Afghanistan for Afghans?" which reflects on the work of the Heinrich Böll Foundation in Afghanistan. She positions the foundation's approach within the numerous (external) efforts for democratization there, thereby explaining how, within the great concentration of international organizations, the Heinrich Böll Foundation has found its own niche, defining its work in particular by speaking out for gender democracy as a point of departure for democratic developments. Müller discusses the different areas of tension between tradition-based societies, democracy, and women's rights from the foundation's perspective, and she identifies suggestions for fine-tuning her work in the future. As previous experience has shown, the most important thing continues time and again to be creating a balance that is acceptable for all sides between universalistic normative approaches and present demands due to the stagnating democratization process in Afghanistan.

Masood Karokhail of the Tribal Liaison Offices (TLO) in Loya Paktia and Susanne Schmeidl of swisspeace describe a concrete project that is seeking precisely this balance, with the support of the Heinrich Böll Foundation in southeastern Afghanistan. TLO spans a bridge between "traditional" and "modern" structures for exercising power by

trying to integrate traditional institutions such as Jirgas and Shuras into Afghanistan's formal political process. The project is repeatedly confronted with the question whether points of departure for a change can be identified and promoted through this kind of cooperative effort, or whether, on the contrary, it tends to strengthen and legitimate traditional structures. Schmeidl and Karokhail engage in a critical examination of the project's progress thus far and draw conclusions based on experience up to now.

Sincere thanks to all the authors, who knowledgeably shed light on their respective areas. Against the background of their expertise, they make their own assessments and recommendations. The result is a publication that offers general impulses above and beyond the current observation of Afghan reality, for a critical reflection of the activities of external agencies and organizations in this highly complex society.

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Conrad Schetter

The Dilemma of Reconstruction in Afghanistan:
International Intervention between the State, Civil Society and Traditional Elites

With the terrorist attacks of 11 September 2001, Afghanistan – a country that draws attention to itself primarily because of its differentness – has become the focus of world interest. Both in terms of good and evil, the country represents a counter-pattern for modern society; this is perceived as a threat and has resulted in a certain demonising. In the public perception, Afghanistan has advanced to become the 'dark side of globalization' (Kaplan 2000), the 'heart of darkness' (Rashid 1999) and 'the opposite pole of the civilized world' (Schetter 2001): Everything considered by modern society to be achievements of civilisation is lacking in Afghanistan; and everything despised by modern society can be found there. The Taliban (students of religion) were especially consistent with this negative image: They advanced to become the monsters of the enlightened world. But the fact that Afghanistan is perceived by modern society as a country that seems to negate all of its values and norms is what simultaneously evokes magical fascination, longing, and admiration as well. Many visitors to the country see the Afghans as 'noble savages' with authentic and unspoiled values and norms, who have not yet succumbed to the decadence of the modern world. Afghan hospitality is considered legendary. This transfigured image is currently best embodied by Afghan President Hamid Karzai. Particularly against the negative backdrop of the Taliban, he confirms the dreamlike images that the Western world has of an 'oriental fairy-tale prince' (Schetter 2002). This impression of a country in the pre-modern age is strengthened by the fact that in Afghanistan, statehood and its associated structures are developed in only a rudimentary manner. They are not a major influence upon human thought and action. The significant political institutions – upon which the Western-influenced political system of order is built, and which represent the customary frames of reference for international development cooperation – are thus lacking in Afghanistan.

In the following, I will endeavour to portray the difficulties encountered during the intervention and reconstruction which resulted from the dominance of pre-modern forms of society and the lack of statehood. I will first illustrate the international intervention in Afghanistan that has taken place on the military, political, and humanitarian levels. I will then address the capacity of Afghan institutions and actors – i.e., the Afghan state, Afghan civil society, and the traditional elites – to become involved with development cooperation efforts. I will attempt to portray the advantages and disadvantages involved in cooperating with these three institutions/actors, as well as the experiences gathered in that regard in the past four years.

Intervention in Afghanistan
Intervention in Afghanistan took place on various levels and with different time frames. Even under the Taliban, some humanitarian aid took place, albeit under extremely difficult conditions and in a rather makeshift scope; but because funds had already been ear-

marked, humanitarian aid of a completely different dimension began after the fall of the Taliban. The same is true of political intervention: The United Nations had continually launched endeavours at conflict resolution, but the political process progressed only after the fall of the Taliban and increased international action. Without a doubt, the military intervention, which began on 10 October 2001 under the leadership of the United States, may be regarded as the beginning of the quantum leap in terms of the intensity of the intervention in Afghanistan. As such, the military intervention was accompanied by the international community's sense of obligation to reconstruct the country as well. Those reconstruction efforts were what symbolised the international community's resolve to combat international terrorism. In Afghanistan, the West should strive to demonstrate that it will not be intimidated and brought to its knees. In the eyes of many observers from the non-Western world, the war also seems to be a punishment for challenging the sole superpower and for radically questioning Western values. In contrast, the reconstruction of Afghanistan – as politically conceived at the Petersberg Conference (30 Nov.–2 Dec. 2001) and financially secured in Tokyo and then later in Berlin (31 Mar.–1 Apr. 2004) and London (31 Jan.–1 Feb. 2006) – should clearly show to the global public, and especially to the Islamic world, that the Western model of society holds a future for Islamic cultures as well. On the stage of the great civilisational battle between good and evil, good will thus necessarily triumph in the form of a democratically ordered society that promises prosperity and security for all. In view of the political conditions and the symbolic meaning of reconstruction, intervention on various levels was thus unavoidable. Due to the dismal failure of the intra-Afghan forces in overcoming war and hunger, intervention was in the interest of the Afghan population as well. As such, although the 'whether' may not seriously be called into question, this makes all the more urgent the question of 'how' the intervention and reconstruction strategies should be shaped. Finally, the time frame of the intervention must be addressed. Clearly, some of the great unknowns are how long the military, political and humanitarian intervention will last, at what point intervention should be ended, and which 'exit strategies' exist.

Military intervention

A basic problem with the military intervention in Afghanistan is that two fundamentally different military deployments are being undertaken in a parallel manner. On the one side, international armed forces (primarily US) have been involved since fall 2001 in the 'fight against terrorism', combating any and all resistance that has any connection with the Taliban and al Qaida. Particularly in the south and southeast of the country, the anti-terror units are bogged down in violent clashes that refuse to abate. On the other side, international troops under NATO-command are supposed to ensure a secure environment for humanitarian reconstruction. These are the International Security Assistance Force (ISAF), stationed in Kabul[1] and half a dozen other cities as Provincial Reconstruction Teams (PRTs).[2] These units, which have been provided with a UN mandate, consist

1   Pursuant to the Bonn Peace Agreement, ISAF was installed in Kabul in December 2001. ISAF received a UN mandate and includes 6,500 troops, of which approx. 200 are German soldiers. ISAF has been under NATO command since summer 2003.
2   Since fall 2002, the US has been setting up PRTs in various cities, composed of 50 to 300 soldiers, development aid workers, and diplomats. By summer 2004, a dozen PRTs had been established; these act under quite different framework conditions: The US established a number of

of troops from different NATO member states, along with Germany and Great Britain, and concentrate their activities on establishing security. However, until recently, there were other PRTs that were not part of ISAF who were led by the United States; These PRTs did not differentiate between the establishment of security and the fight against the Taliban and al Qaida. With the takeover of command in September 2006 in the south of the land by Great Britain, Canada, and the Netherlands, as well as the subordination of all PRTs to NATO command, the situation changes drastically. Now as ISAF troops face resistance in the south of Afghanistan and get tangled up in fierce clashes, they have become an integral part of the war on terror.

Although there were different interests and goals to support at the beginning of the military intervention and the exchange of a coherent military strategy stood in the way, now everything will be subordinated to military activity against the war on terror. It seems to be only a question of time as to when German soldiers will be placed in south and southeast Afghanistan.

Let's look at the PRTs more closely. Although the structural heterogeneity of the PRTs is reflected in various concepts, they follow the same goal: Namely, to not allow violent conflicts to escalate by virtue of their very presence, and to function as mediators between parties in conflict.[3] The development policy component is carried out to varying degrees by the different PRTs. The German approach places particular value on the connection between military and development policy engagement. For example, in contrast to the other militarily-led PRTs, the German PRTs in Kunduz and Fayzabad have a military-civilian dual leadership (Glassner 2005). Particularly in the initial phase, however, cooperation between the military and the development-oriented wings has continued to lead to coordination problems between the various departments due to conflicts over competence and different goals. Even today, the military and development-oriented activities of the German PRTs are not coordinated; rather, they could better be characterised best as a synergetic coexistence.[4] Furthermore, some development organisations see the PRTs as a risk factor rather than as a protective factor. They complain that blending civil reconstruction and military engagement has led to the exploitation of development activities for military purposes (Save the Children 2004).

In contrast to political and humanitarian intervention, the goal of military intervention is not to effect a change in Afghan society, but rather solely to provide the physical security for reconstruction; this means that the interaction between external military forces and Afghan actors remains limited. As such, the military need not nearly as often pose the question of which actors should be included and supported. Naturally, some contacts exist between the external military and Afghan actors: For example, the United States makes use of both the Afghan army and Afghan militias in the fight against terrorism; and the United States is also training the Afghan army. Finally, the PRTs must continually rely on cooperation with the local powers in order to guarantee their own security.

PRTs in southern and southeastern Afghanistan. Additionally, in spring 2005, additional ISAF-PRTs were established in western Afghanistan (Herat, Qala-I Now, Chaghcharan, and Farah) under the leadership of Italy, Spain, and Lithuania.

3   In this regard, the British-led PRT was successful in Mazar-i Sharif in mediating between the warlords Mohammad Atta and Rashid Dostum.

4   One structural cause of this is that the *Bundeswehr* soldiers rotate every three months, while the development aid workers remain on site for much longer periods of time.

Political intervention

Against the background of the perception of Afghanistan as a pre-modern, stateless land, political reconstruction seems to be an overwhelming challenge which will be extremely difficult to master. The states and organisations that intervened in the autumn of 2001, primarily the United Nations, needed to ask themselves where to begin a peace process in Afghanistan, which actors to include, which processes to initiate, and which goals to set. In this regard, a strategy is discernible on the political level which has significantly influenced the political course in the past few years. From the beginning, the peace process envisioned inclusion of the ruling powers; it thus had the goal of having all relevant actors [5] – warlords, tribal leaders, religious dignitaries, and technocrats – participate in the peace process, or at least giving them the feeling of being able to exercise political influence. At the same time, this political balancing act needed to do justice to the country's ethnic, regional, and religious heterogeneity. This strategy became evident at the Bonn Petersberg negotiations; it significantly influenced the composition of the Emergency Loya Jirga in June 2002 and the Constitutional Loya Jirga in December 2003/January 2004, and was also determinative for the presidential elections in October 2004 and the parliamentary elections in September 2005. A fundamental problem with this peace process was that the Taliban was not considered an important source of conflict.

This strategy of political integration has repeatedly encountered massive criticism, particularly from human rights and peace groups who have questioned the ethical fundamental direction of the peace process: Is it allowable for a warlord like Rashid Dostum, who was responsible for a multitude of cruelties during the war, to be a presidential candidate and to be appointed Deputy Defence Minister? Is it allowable for Ismail Khan, the so-called 'Emir of Herat' and an avowed Islamist, to have been governor of the province of the same name, and to now have been a Minister in the Afghan cabinet since 2004? Is it allowable for prominent former Taliban like Haji Abdul Salam Rocketi, Haji Mohammad Omar, and 'Al Haj Mullah Tarakhail, to be elected to the Afghan parliament?

Such personalities and their political inclusion are by no means the exception in Afghanistan; rather, they embody the rule. Another serious criticism has been that a political peace process would have a chance of success only if all Afghans with blood on their hands were excluded from the centres of power – and ideally sent before the International Court of Justice in The Hague. Although this argument is understandable from the moral point of view and seems worthy of support in principle, it is rather short-sighted in terms of practical politics: The atrocities of the war can not be attributed to a handful of identifiable warlords. Instead, during the Afghanistan war, which lasted in various constellations from 1979 to 2001, the boundaries were blurred between combatants and civilians, between victims and perpetrators. Instead of a clear black-and-white differentiation, tones of grey dominate Afghan society and make a moral judgment of individuals more difficult. Finally, many argue that Afghan civil society has not been included sufficiently from the outset. This criticism tends to overlook the fact that in

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5   A qualification must be made here. The Taliban were categorically excluded from the peace process from the outset. Not until 2003 did Hamid Karzai begin efforts to establish contact with former leaders of the Taliban and to recruit them for the political reconstruction.

Afghanistan, no civil society to speak of has ever existed in the modern sense, and it still does not exist today (see below). It must also be emphasised that a few high-level positions in the government have been given to individuals from civil society, for example, to Hanif Atmar (Minister for Rural Development), Masoom Stanekzai (Minister for Telecommunications), Habiba Sarabi and Mahbooba Hoquqmal (Minister and State Minister for Women's Issues), Armin Farhang (Finance Minister), and Sima Samar (Chairperson of the Human Rights Commission) (Schetter and Schmeidl 2004).

In addition to this formal political peace process, of course other external actors are spurring on political reconstruction as well. For example, many projects concentrate on giving a voice to groups who suffer discrimination, such as women and religious/ethnic minorities. Other projects promote democratisation processes or the establishment of civil-society institutions and political parties. Primarily political foundations and non-governmental organisations (NGOs) appear as international actors.

Humanitarian intervention

At a donor conference in January 2002 in Tokyo, the international community approved $4.5 billion for the first three years to secure the reconstruction in Afghanistan; on 1 April 2004 in Berlin, it approved another $8.2 billion until 2007, and London promised further support in the millions as well. Since 2002, a multitude of humanitarian organisations have been streaming towards Afghanistan to carry out reconstruction. Within the country itself, local NGOs began sprouting like mushrooms. As early as 2003, the number of national and international organisations and NGOs in Kabul alone was estimated at well over 1,000. The plan for registering these organisation with the Afghan state, initiated by then-Finance Minister Ashraf Ghani in 2002, needed to stem from the dynamic with which the NGOs formed, renamed themselves, merged, and broke up, and for the time being could be realised in 2006.

Because the Afghan state was lacking the capacity, due to its complete erosion, to take on public welfare tasks and secure the basic existence of the population in the zero hour after the fall of the Taliban, it was primarily NGOs and UN organisations that implemented development projects and secured basic humanitarian supplies for the population. The international organisations endeavoured to comply with dominant development paradigms and gain local NGOs as sub-contractors. But many international organisations quickly had the experience that Afghan NGOs were dominated by a family or a clan and that they simply made the resources available to their own clienteles. Lack of transparency, corruption, and the lack of democratic decision-making processes were an everyday occurrence, and resulted in an increasing dissatisfaction among the general population with both international and Afghan development organisations. There were complaints, for example, that the aid monies were being used primarily to maintain the logistics of the NGOs, and that only very little aid was reaching the needy population. In December 2004, there was an uproar when Planning Minister Ramazan Bachardoust made a general accusation against both Afghan and international organisations for misusing aid funds. The Minister was thereupon dismissed by President Karzai.

Humanitarian aid has also threatened to exacerbate the already-existing discrepancies within Afghanistan. There are barely any development projects headquartered in the south and southeast of the country due to the insecure situation, so that the majority of the NGOs are concentrated in Kabul and Herat. Both cities have developed into veritable

boom towns where economic life is flourishing. This different development dynamic between the cities and rural areas carries the inherent risk that the always problematic gap between the urban spaces, namely Kabul, and the rural regions is made worse.

Lakhdar Brahimi described the international intervention in Afghanistan as a 'light footprint' (Chesterman 2002). Other similar terms include 'Afghans in the driver's seat' and 'Afghan ownership' (e.g., World Bank 2002). All of these terms express that the reconstruction of Afghanistan is to be placed in the hands of the Afghans themselves. There is a certain discrepancy here in terms of the intensity of international intervention. Not only the military intervention, but the political design of the peace process and the humanitarian intervention as well, show clear signs of external influence. This gives rise to the assumption that this type of labelling is designed to disguise the vehement foreign influence, or, in the case that the 'Reconstruct Afghanistan Project' fails, to leave the Afghans with the sole responsibility for the failure.

If one views the three dimensions of intervention, overall one can conclude that international engagement in Afghanistan is characterised by a certain ambivalence. On the one side, the high level of commitment by the international community with regard to Afghanistan has a positive effect on the peace process: Making available reconstruction aid, the presence of ISAF and international organisations, as well as official visits by high-ranking foreign politicians, underscore the international community's commitment to the peace process and to the country's reconstruction. However, conceptualising and coordinating the international engagement is also made more difficult by linking up the military, political, and humanitarian intervention, as well as the fact that a multitude of external actors, all with different agendas, are involved in the reconstruction:

– *Levels of intervention:* Strategies that are approached on the political level do not necessarily have a corresponding approach on the humanitarian or military level. Also, often conflicts rather than synergies occur on the interface points between these three levels of intervention. One example of this is surely the civilian-military cooperation, for example, within the PRT framework, which has been vehemently debated. The military's goal is to carry out reconstruction measures for its own protection, while humanitarian organisations are motivated by long-term, need-oriented and less self-serving goals in planning their projects.
– *External actors:* The priority of the United States is the 'fight against terrorism', while the UN is primarily interested in a peaceful new order in Afghanistan. In contrast, Pakistan and Iran are following regional power interests which are connected to their special security needs. The countless international NGOs, in turn, have their own goals, which span from humanitarian emergency aid to the establishment of civil and democratic institutions.
– *Time frame:* The duration of the various interventions is a topic that is not often discussed. For example, the question of when the military intervention is terminated remains unresolved. On the other hand, the political intervention could be viewed as concluded, because the Petersberg Process with parliamentary elections, which was initiated externally, is considered terminated; but the UN continues to perform important political tasks in Afghanistan.

Due to these divergent interests and goals, a coherent strategy for Afghanistan has been lacking to date. Also, this lack of a paramount and coherent concept has repeatedly led to goal conflicts: For example, in 2002, the buildup of the Afghan army and the associated creation of a state power monopoly was hindered by the fact that the United States was paying a higher salary to Afghan militiamen who fought against the Taliban. In 2002, the fight against cultivation of drug crops was impeded by emergency assistance: The import of wheat to help feed the needy population resulted in a plunge in wheat prices and thus enhanced the incentive to cultivate opium poppies. In October 2004, US Ambassador Zalmay Khalilzad concisely summed up the dilemma: 'Afghanistan must simultaneously learn to crawl, stand up, and walk' (Ladurner 2004).

Afghan institutions and actors

In the following, I will address the difficulties encountered by the external intervening forces in Afghanistan on the level of direct actors. I have already pointed out that, due to their clear mission, the military level of intervention is least faced with the question of which strategic forces to cooperate with. In contrast, as stated above, the political intervention is largely based on an inclusive approach, while the humanitarian intervention primarily sees NGOs as their discussion partners. Civil society plays a significant role for both the political and the humanitarian intervention. Of course, the question must always be posed here of the extent to which civil society and NGOs correspond with one another. The following will strive to detail the roles ascribed in the reconstruction process to the Afghan state, to Afghan civil society, and to the traditional elites.

The Afghan state

Without a doubt, one of the biggest problems with the reconstruction is that the war in Afghanistan destroyed many state structures: The physical presence of the state is barely palpable in many regions of the country. In the rural regions, there are rarely state actors below the district level. Also, an understanding of statehood is not widespread among the broader population, and necessary capacities for administration and implementation within the Afghan state apparatus are lacking. Therefore, from the outset the Afghan state apparatus was not a feasible discussion partner for humanitarian reconstruction. To the contrary: The Afghan state apparatus itself needed to be considered a development project. In order to improve the capacities within the Afghan state apparatus, various countries (including Germany and the United States) have dispatched experts to the Afghan ministries.

One argument for the increased involvement of the state as an actor in reconstruction is that it is necessary to impart to the population a positive idea of the state. In the past, the large majority of the Afghan population considered the state to be an alien, enemy penetrating force (Fröhlich 1969). Specifically from the aspect of state-building, it is thus important to place the relationship between the state and the population on a positive foundation. Another point speaking in favour of increased inclusion of the state is that during the war, and particularly following 11 September, parallel structures of enormous scope became widespread. In Kunduz, for example, in additional to the state agencies there are the PRT, UNAMA and various humanitarian organisations that have their own structures of administration and information. Typical state functions – such as security

issues, public welfare tasks, and political representation – are often conceived of and carried out by international actors rather than by the state.

Of course, there are also good arguments that speak against increased inclusion of the state. It is generally a difficult endeavour to control a state apparatus. Escalating corruption and cronyism are widespread phenomena to be seen with nearly every authority from the police to ministers. Furthermore, there are fears that if the state were promoted too much, the simple population would be left behind. After all, the establishment and maintenance of state institutions and bureaucracies is extremely capital-intensive and represents a certain contradiction to the omnipresent poverty in the country.

Nonetheless, it is astonishing that there has been so little progress in the past four years in strengthening the state apparatus. Most of the progress has been made in the area of security. The Afghan army is meanwhile strong enough to intervene in major unrest – examples are in Faryab in April 2004 and in Herat in September 2004. The police buildup, undertaken by Germany and the United States, is also experiencing discernible progress. In contrast, the Afghan administration has seemed to weaken since the intervention. For example, only a fraction of reconstruction funds are allocated to the Afghan administration. An international fund set up for that purpose in October 2003 totalled a mere $366 million. As a result, a strong brain drain from the state to international organisations is observable: An employee of an international humanitarian organisation earns many times the salary for the same job than he/she would in the Afghan state apparatus. The introduction of a Code of Conduct which some international NGOs planned to pursue quickly became *passé* because the competition among the international organisations for competent employees was too great.

Finally, the small amount of investment into the state may also be traced back to the dominant development paradigms. In many donor countries and international organisations (primarily the World Bank and International Monetary Fund), it is currently unpopular to support the establishment of state structures. For one thing, the role of the state lost prestige among the international financial institutions during the neo-liberal wave of the 1990s (Menzel 2004); also, projects where the people rather than administrative reform are in the foreground are much better suited to lobbying activities on the home front. The problem that results from the permanent weakness of the state is that international organisations – above all the UN and its sub-organisations – must take on state tasks for an undetermined period of time, until at some point viable state or civil-society structures have emerged. But as shown by the following section, the attempt to strengthen civil society is fraught with problems as well.

Afghan civil society
Since the 1990s, the term 'civil society' has experienced an enormous jump in popularity in the political parlance, and is utilised in the most diverse of political contexts. However, the term's increased popularity also means that the ideas of what is to be understood as civil society has become increasingly blurred; nowadays, it is difficult to attain a generally-recognised definition of civil society.

As such, there is controversy over the question of where civil society ends and where it begins. Grasmci (1971), for example, sees civil society as the totality of all non-state organisations that 'exert influence on the everyday rationality and public opinion.' In

other definitions, civil society is delimited from the state and the economy. The Centre for Civil Society (2004) of the London School of Economics gives the following definition: 'Civil society refers to the arena of uncoerced collection action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy, and power.'

Following the collapse of the bipolar world order in 1989, the moment of civil activism gained importance in the understanding of civil society. As such, civil society was understood as the opposite pole and represented the resistance to the authoritarian, post-Soviet state. In this context, civil society is often equated with the sponsorship of individual and collective freedom, democracy, participation, and human and women's rights. Thus, in the final analysis, the term is associated with the image of an enlightened, modern political order in which individual freedoms and/or minority rights are placed above the constraints imposed by the state. In many regions of the world, this is where we encounter the basic problem, specifically in attempting to apply the term 'civil society': Many portions of society have a pre-modern rather than a modern direction, or are characterised by a blend of traditional and modern functional logic. Patronage dominates rather than individual freedom; corruption dominates rather than transparency; and clans dominate instead of communities based upon rational will.

As such, the problems in applying the term 'civil society' in Afghanistan quickly become visible. For example, it is difficult to find any organisations and actors whose characterisation as part of civil society seems justified. Warlords, spiritual dignitaries, and tribal leaders are not the only ones excluded from civil society; their reference groups – militias, religious communities (e.g., Sufi orders) and tribes – are excluded as well. At the most, left over is a Western-influenced elite mostly anchored in urban areas that has – at least in terms of rhetoric – overcome pre-modern patterns of conduct and thought.

Particularly within the area of development cooperation, many endeavours concentrate on supporting this civil society; this is firstly because cooperation with local partners is currently considered to be one of the ground rules of development cooperation; and secondly because a political transformation towards democracy, gender equality and human rights seems possible only by way of Afghan civil society. Afghan non-governmental organisations, political alliances, and self-help groups were thus identified as the liaison and mediation links between traditional society and modern notions carried in from the outside. One problem with this process is that, precisely due to the intense time pressures under which the reconstruction commenced in 2001/2, primary attention was paid to civil-society rhetoric rather than to the civil-society structures and substantive activities of the partner organisations. Although there are definitely some praiseworthy civil-society organisations in Afghanistan, a large number of the NGOs, self-help groups and political alliances are characterised by a blend of modern and pre-modern thought and action. Many of these organisations are headed by the educated, English-speaking middle class of Kabul, or from exile. New forms of cronyism are created, some of which overlap with previous forms and which lead to forcing out or superseding older distribution coalitions (Wimmer and Schetter 2003).[6] The landscape of political parties is an

excellent example of the extent to which patronage dominates modern forms of organisation. Since 2001, a multitude of political alliances have emerged, who *uno sono* declare themselves to be democratic, multi-ethnic and non-religious. The registered parties currently number well above 70. No differences in terms of rhetoric are discernible among many of these parties; in any event, political programmes exist only in exceptional cases. If one takes a closer look at these parties, clientele relationships determine the boundaries of their effectiveness, and merging of splinter parties with similar opinions into a single party is hindered by competing personal claims to leadership. Finally, almost all of these parties are headquartered in urban areas, mostly in Kabul, and speak for interest groups from the Afghan capital.

It is not in dispute that civil-society values and norms receive a platform through organisations structured in that manner, and that successful development projects may be implemented as well. Consistent with all experience, however, these structures are not stable and sustainable. If the stream of money from abroad dries up, these new clientele-based structures collapse, the projects come to an end, and central terms like democracy, human and women's rights disappear from the parlance. Also, it must be asked whether strengthening civil society does not serve to strengthen parallel structures as well: On the one side, a weak, embryonic state apparatus is discernible in Afghanistan, which is left solely with representing the Afghan state towards the outside; on the other side, new forces that build upon the clientele-based system emerge as a result of the funding of the international donor community, and these serve to hinder the stabilisation of state authority and legitimacy.

Furthermore, neither the cultural not the organisational preconditions for the emergence of self-supporting civil-society structures exist in Afghanistan. Reconstruction under the control of civil-society organisations brings with it dangers with regard to political stability. Fundamental civil-society terms such as participation, democracy, human and women's rights are associated with external influence and lack of autonomy in large portions of the population, and thus meet with mistrust; at the same time, these population groups feel that their values and norms, which contribute to their own self-understanding, are considered to be inferior and anachronistic. In rural regions, civil-society impulses are associated with the rule of the urban educated elite over the remainder of the country, as well as with the introduction of un-Islamic and even immoral conditions. In other words, these impulses can not necessarily proceed from existing concepts of legitimacy and justice. As such, the conclusion to be drawn is that in Afghanistan, there are hardly any patrons of a true political civil society; or expressed differently: There are individual civil-society actors, but hardly any civil-society institutions or organisations. In a country where state structures are practically non-existent, the focus on promoting a politically-defined civil society represents not only an extremely controversial approach, but also brings with it the danger of perpetuating significant conflict potential (Baker 2001).

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6 Incidentally, this experience was common specifically during the first decade of the Afghanistan war, when both the Soviet Union and the West provided massive funding to their political allies.

Traditional Afghan elites

What is thus the proper approach given that both the state and civil society in Afghanistan are barely existent, and given that, for various reasons, there is no logical starting point for reconstruction? At this juncture, I believe it is important to discuss the so-called traditional leaders, who represent the majority of the Afghan elite. By traditional leaders, I mean religious dignitaries (e.g., Mullahs, Sayyeds, Pirs), tribal elders and leaders (e.g., Khan, Mir, Beg), as well as local decision-makers (e.g., Mirab, Malik). The traditional elites represent an extremely heterogeneous group of actors; they follow different interests and have different motivations. Cooperation with traditional elites is surely not without problems, and is scarcely consistent with the usual schemes of development policy cooperation. There are various reasons for this:

– In a certain sense, the traditional elites represent a contrast to the modern state and to civil society. In the final analysis, including or supporting them would likely stand in the way of the development of Afghanistan with respect to Western, modern values.
– In contrast to modern society, traditional elites stand for values and norms that may not be easily reconciled with the current discourse on development. Terms like 'democracy', 'participation', or 'equal rights' not only contradict their own social attitudes; rather, they also endanger their position of power, their legitimacy, and their access to resources.
– While traditional elites often show interest in access to development resources, there is generally a lack of understanding of the development ideas implied thereby.
– The position assumed by traditional elites is relatively often the result of connections through relatives, clientele-based structures, or their religious legitimacy. Accordingly, they primarily feel obligated to their reference groups – i.e., clans, tribes, or religious communities. Therefore, in all probability resources made available to the traditional elites flow primarily to the members of the relevant reference groups and are not used for the public good.

Although the inclusion of traditional elites surely varies from country to country, in the case of Afghanistan, despite all reservations, they bring with them a relatively high potential for development. It should be considered that traditional elites in Afghanistan generally enjoy a high level of legitimacy among the population, may fall back on a certain group of followers, and exercise influence over the population. As such, they represent the transmission belt between the international community and the general population much more than a civil society in Kabul that is barely existent. This means that they are crucial multipliers in development processes.

Almost all governments in the past – from the monarchs to the Taliban[7] – understood that these traditional elites needed to be taken into account in shaping their policies. This was the reason that under the Taliban, the country was relatively secure despite the ongoing war with the Northern Alliance and the generally repressive culture: Security was assured on the local level. Interestingly, neither the current government nor the international community have thus far taken these traditional institutions into account; rather

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7   The exceptions are the rule of Abdur Rahmans (1880–1900), Amanullahs (1919–1929), and the DVPA in the years 1978/79.

– except for the Loya Jirga – they have tended to exclude them instead.[8] There is often a lack of understanding for the mechanisms of these traditional institutions, or there are reservations against getting involved with them – precisely due to the structures which seem undemocratic and patriarchal.

Interesting in this context is the National Solidarity Program (NSP), initiated by the Afghan government and financed by international donors (among others, UN Habitat and the World Bank). The approach of this programme – which has already been tested in other regions of the world (e.g., Timor Leste) – is to make available to communities a certain financial sum for the implementation of independent development projects. The conditions are that the community must elect a group according to democratic ideals, and that women must be represented in the group as well. As such, this approach pre-supposes that attitudes with regard to a democratic, participatory community self-admin-istration will take care of themselves via financial incentives. Looking at the situation in practice, it is observable that the NSP, depending on its local constellation, is met with a varying assessment. In the Pashtun tribal areas, for example, the tribes dispatched to the groups their educated members who could read and write. In contrast, in northern Afghanistan it is still primarily the warlords who decide on the composition of the groups and the decisions of the development projects, while in central Afghanistan, actual participatory development could be established. Another of the NSP's problems is that it is conceived of for only a few years, and that continued funding is not yet secure. As such, the just-established structures threaten to collapse once again if the money is not forthcoming. This example makes it clear that traditional elites and the associated power structures in many regions of Afghanistan continue to exercise a great deal of influence on local decisions, and may not simply be substituted by modern institutions (Noelle-Karimi 2006; Kakar 2005).

Therefore, one decidedly sensible approach might be to gain traditional elites for the reconstruction in order to establish trust among the population, to understand the pre-vailing patterns of power and action, and to explore the potential for the development process. In this context, religious dignitaries (Ullama) are an important group. In a coun-try where Islam plays such a significant role as in Afghanistan, and whose militant Islamism the international community considers to be a great danger not only for the county itself, but for global peace as well, cooperation with the religious elite is indis-pensable. But hardly any such cooperation exists. Until now, Islam has been reserved solely for agitation by the Taliban and other conservative forces like the mujahidin. Cooperation with moderate religious leaders could publicly emphasise the peaceful and liberal moments of Islam, and become useful for the reconstruction. This is because suc-cessful cooperation with the Ullama not only establishes access to the Afghan popula-tion; it provides a certain measure of security as well, since the Ullama have a great deal of influence in society. For example, the Ullama issued an edict in Kandahar in 2004 to the effect that it was not contrary to Islam to have women register themselves for the election. In contrast to in Jalalabad, this at least reduced violence against women, albeit

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8   Even the Loya Jirga did not really represent a true Afghan tradition; rather, it was institutionalised in the Afghan state-building process as the representation of the traditional elites.

did not stop it completely (Schetter and Schmeidl 2004). For this reason, it would be a somewhat viable option to encourage the Ullama to compile a curriculum for the training of Mullahs, which emphasises the moderate passages in the Koran. The simple rule of thumb once again applies that reform will be sustainable only if it comes from within.

Conclusion

The intervention in Afghanistan and the reconstruction process have brought to light certain dilemmas encountered by international actors in post-conflict situations. Afghanistan is one in a long series of interventions (e.g., Bosnia-Herzegovina, Somalia, Timor Leste, Kosovo, Iraq) where the military intervention has been linked with political and humanitarian intervention as well. One fundamental problem in this process is that – often due to the intense time pressures – intervention at the beginning is overenthusiastic and lacks concepts, but also lacks a strategy on the benchmarks of intervention and an exit strategy. The difficulty in designing concepts here was most recently illustrated by the US intervention in Iraq in 2003. The idea of transferring the political intervention concept in Afghanistan one-to-one to Iraq soon needed to be buried because the political conditions and constellations there were completely different.

Certainly, a significant problem in Afghanistan has turned out to be identifying the discussion partners in the country. Afghanistan is doubtlessly an extreme case, albeit not an isolated one: The country experienced not only a complete collapse of the state following a war that lasted more than 20 years; what is more, it is still largely arrested in pre-modern structures. The case of Afghanistan shows that the prevailing development paradigms can not be effectively applied to such difficult structures. I believe that a rethinking of development policy must take place here. Firstly, I call upon development cooperation to be sequenced. The always scarce resources should initially be used to build up physical security and alleviate the greatest suffering in the country through poverty prevention programmes. The following steps of reconstruction and the development path then chosen by a society can not be prescribed by the international community; at the most, they may exercise influence on the decision. Of course democracy and participation are desirable goals, but the future lies solely in the hands of the people affected. Secondly, there should be a rethinking of intervention policy. Concepts and strategies should be much better adapted to the situation of the affected country; strictly delineated blueprints or stiff paradigms will be no help here. Further, the selection of the cooperation partners should be determined to a much greater degree by the dominant structures. Thirdly, the question should be posed of the amount of vehemence with which the intervention should be implemented. Specifically with regard to the soonest possible withdrawal from a country, the intervening forces should invest much less into the establishment of their own infrastructure than into building up capabilities both within the state and society. The people thus become empowered at an early juncture to become active in designing their future. Of course, this requires a rethinking of development policy – it requires honest negotiations with equal partners.

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Gender in Afghanistan

Introduction

Gender equality is a social value and right; political, economic, and social equity is an outcome of equality. As Molyneux and Razavi unambiguously state: 'The central instrument for the protection of rights has been, and must remain, the state' (2002, 24).

The recent record of the Afghan state gives reason for optimism: a ministry for women, a nationwide back-to-school campaign targeting girls, improvement in women's access to healthcare, better visibility for women in Kabul, women in both houses of parliament, and modest participation at all levels of governance. The post-Bonn Agreement landscape since 2001, reveals a new configuration, largely following the historically recurring dynamics created by the presence of a weak nation-state interacting with reluctant peripheral power formations. This opens up 'a new field of contestation between the agenda of international donor agencies, an aid-dependent government and diverse political factions with Islamist agendas' (Kandiyoti 2005, 1). In this scenario, responding to the ebb and flow of power accrued by a centralised, legitimate state, an elite group of women is given space, resources and, most importantly, the visible if not effective participation to sail the flagship of apparent gender equality at the highest levels while the majority of ordinary women struggle to keep their heads above water with limited choices and opportunities to create space for themselves in politics and development.

The situation of most women in Afghanistan today is still reflected by dire development indicators – the maternal mortality rate among women is still one of the highest in the world – and slow progress on the Millennium Development Goals. Women's rights exist mostly on paper. Women are a small part of the formal labour sector and their contribution to the informal labour sector is barely recognised. Most young women have no control over their destiny, life partner, and fertility. They can rarely divorce their husbands and single women, divorcees, and widows are heavily stigmatised. Freedom of movement is limited for many women. Although access to education has improved dramatically, there are still worrying inhibiting factors and attitudes. Women's access to unbiased legal services is minimal. Bari (2005) notes that the structural and functional constraints faced by women are shaped by social and political relations in society and that the common pattern of women's political exclusion stems from a number of factors. Social and political discourses are based on notions of immutable gender difference and the 'very strong contention that women are different beings – *different* often meaning *inferior* in legal status and rights – which strengthens social barriers to women's achievement' (Moghaddam 2003, 4). Many Afghan political structures and institutions are resistant to women and/or still militarised by the direct presence of former warlords or the patronage of their proxies. With the internationalisation of post-conflict state-building 'the role of women [being] used as a national sign of status or a symbol to other nations' (Escobar-Lemmon and Taylor-Robinson 2005, 841) takes on new significance. Gender justice and women's rights become politicised in new and complex ways (Kandiyoti 2005). There are also numerous socio-cultural and functional constraints that put limits on Afghan

women's individual and collective agency, including a weak civil society which mobilises in relation to funding rather than perceived needs.

As in many other countries "there has been something of a backlash against the discourse on gender, particularly in places where men are perceived to be losing out" (Byrne et al. 1996, 7). Gender mainstreaming is pursued through the endless round of gender awareness workshops which have become confessionals where Afghan men are expected to literally cry *mea culpa*, admitting crimes of oppression and neglect towards Afghan women. Men go through the motions of becoming gender-aware at the interface with the international community while privately making disgruntled comments about women 'getting all the jobs and benefits.' Gender has a lot of negative baggage attached to it already and many men question the relevance of a concept for which there is no word in Dari[1]. There are also those who definitely want to see equality for women but who find themselves blocked by their own deep aversion to discussing or thinking about issues which they believe are only for women. Progressive discussions on gender rarely impact private or public political space and seem to take place in the 'non-spaces' provided by the international presence in Afghanistan.

Much of the literature and media coverage on Afghan women fits either "misery research" or "dignity research", the former [focusing] on the utterly oppressive aspects of Muslim women's lives, while the latter seeks to show the strength of women's positions in families and communities' (Moghaddam 2003). This paper aims to navigate a path between these extremes. The thesis of this paper is that mainstreaming gender at senior levels in the Afghan government faces obstacles due to a number of reasons, three of which will be discussed here. The first point is the uncommitted, uncoordinated, and erratic gender mainstreaming regime aimed at visibility rather than impact. The second is the lack of a coherent woman's movement, where an elite group fails to connect with and mobilise the mass of ordinary women who form a potentially powerful and supportive constituency. The third and final point is the highly militarised environment in which the reconstruction of Afghanistan is taking place, where some military actors can simultaneously disregard women as collateral damage while others see control of women's status as symbolic of struggles for appropriating legitimacy.

Gender mainstreaming[2] or womanising?

Afghanistan presents a challenging environment for any planner and has seen a number of gender mainstreaming efforts at different levels. Flexibility and dynamism are essential for proactive adaptation and it is obvious that there are no quick fixes and that the window of opportunity is closing fast. In spite of this, history repeats itself and we see the two extremes of go-slow, 'welfare' type projects for the female masses and a fast-track, aggressive process of positive discrimination and affirmative action for elite women – a literate, urbanised, English-speaking minority. This end of the gender mainstreaming effort is marked by the use of high-profile gestures to capture funds earmarked for women but limited by lack of substantive political commitment to gender

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1 Interview with young men after gender awareness training, August 2006.
2 For discussions on different approaches to gender mainstreaming, see Sylvia Walby, *Gender Mainstreaming: Productive Tensions in Theory and Practice*, (Oxford University Press, Fall 2005).

equity. Since the fall of the Taliban and the installation of the Afghan Interim Administration, in fact, some donors have offered a great deal of verbal support to assist Afghan women and girls, but official gender desegregated data on funding is often scarce, the logic being that certain programmes directly or indirectly affect women, making the ability to 'see' gender in budgeting unnecessary.

The underlying logic for not funding large, long-term programmes which transform gender relations may come, apart from lack of planning and implementation expertise, from 'a heightened perception of the political risks involved and the concern that pressures for the inclusion of women may backfire and produce a hardening of attitudes' (Kandiyoti 2005, 19), an attitude shared by women as well as men. In a strange twist, short-term visibility often overtakes long-term impact, so celebration of International Women's day or building infrastructure to house women-only activities is considered better than long-term projects with a transformative agenda which may be scuppered by a change of regime or intolerant backlash of some sort. Work on women's issues continues in relief and rehabilitation mode but does not always move on to development. Frameworks for women's projects rarely go beyond one year. Enhancing women's political effectiveness involves strengthening three types of engagement and control all needing long-term transformative approaches: access to national processes, political and developmental presence that goes beyond numbers towards meaningful representation and influence which shows a tangible impact on policy-making, the operation of the legal system, and the organisation of service delivery. The following section examines three aspects of moves in this direction, namely, the lack of professionalisation of women as activists in the gender mainstreaming process, inserting women in parliament, and the Ministry of Women's Affairs.

Lack of professionalisation for gender mainstreamers
Throughout the nineties, women increasingly found their way into NGOs and similar offices, where they were skilled up and introduced to basic concepts such as gender and women's rights. Handling gender for an organisation meant employing expatriate and Afghan women and having the odd women's projects. Gender was confused with 'women' so by virtue of being a woman one could automatically 'do gender'. Women were employed for reaching women – therefore being a woman, an accident of birth, became a professional category in itself[3] and required no further technical support. In fact, Afghan women were at times exploited by outsiders who 'sought to make capital out of championing their rights' (Barakat and Wardell 2002, 928) without having the expertise to make sustainable gains. Eventually, an all-female Afghan NGO cadre was produced and eventually individuals broke off to form small women's NGOs based on office and project management skills which they had absorbed. There was little or no sector specialisation and most did and do not have a good grounding in gender concepts. Most projects were short-term and long-term projects would have a small women's component which needed basic day to day management to produce the quantitative results outlined in the proposal. These were always WID projects (Women in Development). Under the Taliban women were limited to health care, to home schools and to a small amount of work in segregated NGO offices. After the demise of the Taliban, numerous Afghan

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3   C.f. "The use of terminology such as 'Sisters' and 'Mothers' carries far more weight in Afghan culture than professional terms or designations" (Barakat and Wardell 2002, 920).

women found employment mostly by virtue of speaking English and knowing how to use a computer. Many were thrust into gender advisory positions though they did not even know how to explain the basics of gender. Women were at times inserted into decision-making posts in order to mainstream the idea of gender but they did not necessarily have the professional background or prerequisite skills to make a difference. With no technical support these positions became symbolic and gender 'failed'. This process is frequently repeated in all sorts of bodies, from small NGOs to government departments.

It is difficult without in-depth study to understand what 'professionalism' means in the Afghan worldview. Does a job simply entail fighting off all comers, negotiating for the extras, maintaining good relations with superiors and ruling subordinates? Where does the achievement of results rank in job performance? Is blatant opportunism and lack of commitment and interest to gain expertise in one profession seen as dynamism in the Afghan context? Are colleagues simply seen as rivals rather than team players and is the modus operandi based on withholding information and power rather than delegation and power-sharing? How likely are we to get professional results if we are not asking ourselves such basic questions? In the post-Taliban environment, with people job-hopping for better salaries at an alarming rate, there is meagre hope for professionalising the Afghan workforce except in fields such as health or engineering where the lack of specialist knowledge is more obvious. Afghan women and men have not necessarily been professionalised. They can be shifted into any sector with a modicum of specialist knowledge. The tyranny of project time frames in a country with high illiteracy and a minute cadre of professionals who have not had the chance to skill up for over two decades has meant that the focus is on English and computer skills. Human resource management is weak and quick workshops are hardly up to the task of professionalising a substantial number of workers in the short time available. The highly condensed and intensive vocational training courses which require a commitment and investment, both from the training institutions and the trainees, have still not appeared. This has had an impact on areas such as gender mainstreaming, which needs a specialised and pro-active workforce.

Quite often, especially in handling sensitive issues such as rights or gender, women are not in a position to make the changes required. Afghan women rarely operate as individuals but more as 'clients' in patronage systems which can involve paternal or marital family, donors, leaders and so on. Male colleagues can also indirectly intimidate female colleagues into not acting in a way which would 'dishonour' or betray the Afghan community. The main thrust of most women's activities is, therefore, to avoid exclusion and loss of client status because the pervasive cultural system in Afghanistan makes no allowances for a woman on her own. 'The choice lies between conforming and receiving protection or challenging and receiving expulsion or even death' in the most severe cases (Grima 1998, 164). The need for social acceptability is so deeply ingrained that women will not risk 'being anything other than the docile appendages of their families' (Jalal 1991, 82) even where wealth and privilege afford them some protection. For those whose status comes from being born into a wealthy or influential family or marrying well, reluctance to rock the boat may be more acute, depending on the conservatism of the patron-

age network to which one is attached. In their jobs, Afghan women are reflecting the dynamics of their family and often bring family affairs – abusive relatives, restrictions from in-laws – into the work environment by confiding in an expatriate. They sometimes use such issues to account for bad performance or the inability to implement their job descriptions in full. In fact, where a woman is in a family patronage system and simultaneously contracted to an organisation or donor which expects her to empower women, for instance, there may be a conflict of interests in which the foreign organisation ultimately loses out.

There may be some forward thinkers who see in women the potential to contribute to the running of the nation, but as long as women are viewed and see themselves within a distinctly Afghan paradigm, gender mainstreaming will not move forward. Women inserted by virtue of being women are expected to push for gender everywhere. It is hoped that by increasing the number of women in an organisation that they will form a critical mass and pursue common aims in the workplace. Women working within the Afghan paradigm rarely challenge male colleagues on a professional – as opposed to emotional – basis, for example, haphazard accusations of misogyny rather than reporting conduct which goes against an organisation's gender policy. The operating environment into which women are thrust is barely analysed apart from vague notions that it is patriarchal, Islamic, and 'unfair' to women. This hardly provides women with a strategic advantage or helps them break away from existing paradigms within which they know only too well their place as women. There is hardly any work on attitudinal change, no methodology for helping men and women work out the dynamics of the new arrangement in the workplace while gently pressuring women to see in professionalism a chance to escape the constraints of family life. With this background, it is easy to see why the insertion of women in parliament has not automatically created a gender mainstreaming coalition at senior government levels, and to see how the Ministry of Women's Affairs, bursting with well-meaning but not necessarily professional women, is struggling to make a change.

Women in parliament
Real change agents command respect among their peers and become leaders and representatives through indigenous chains of command. Women are blocked from such processes because they often lack social capital. They are often not heads of communities, tribes, or kinship groups, resulting in the absence of a constituency base for them. Quite often Afghan women 'have a dependent status and are rarely expected to act independently in the political realm' (Edwards 1996, 62). They rely on family connections and other types of patronage to succeed. Women also lack means of political participation such as political skills, economic resources, education, training, and access to information (Bari 2005). Many women leaders throughout history have been inserted artificially and have rarely sought to alter or affect the indigenous systems. Such is the case in the recent Afghan elections resulting in the presence of women MPs in Afghanistan's newly reopened parliament. Women's right to be elected as members of parliament was enshrined in the 2004 Constitution (Article 83, Chapter 5, Articles 3 and 4). In the recent elections for the *wolesi jirga* (House of People) 69 women were elected to represent Afghans as members of parliament. There are also 23 women in the *meshrano jirga* (House of Elders).

Women entering Afghan politics have to overcome all sorts of obstacles such as threats of violence or death. Ibrahim, writing on the Nigerian context, for example, discusses negative labelling or 'the use of abusive language to demoralise and delegitimise female aspirants. Many... were subjected to whisper campaigns and innuendos about their alleged loose sexual and moral standing, and some were directly insulted and referred to as prostitutes and harlots.' In many countries, women are largely absent, as leaders or activists, from arenas which are viewed as 'male territory'. These represent arenas where real contests of power take place and inevitably they involve conflict. In Afghanistan, such arenas include land disputes, with illegal appropriation of land and violent ownership conflicts, commercial natural resource exploitation, military issues, drug production and trafficking, and corruption, for example, the purchase and sale of public positions for vast sums of money[4]. As the quote below demonstrates, stereotypes about women and their lack of leadership ability do not abound only in Afghanistan: 'While Cambodian women are stereotyped as shy, gentle, uninformed and generally narrow-minded when compared with men, they are also assigned lower status... [A]pproximate-ly eighty-percent of...three-hundred respondents (including both men and women) believed that women are mentally weaker and less decisive than men and they therefore doubted that increasing women's political involvement would contribute anything to the public sphere' (Lilja 2006, 6).

This reflects comments from many Afghan men, including some high court judges, that female colleagues are *naqes-ul aql,* or, have imperfect mental faculties. Women are viewed ultimately as flawed leaders as the following excerpt from a case study in India demonstrates: 'Women are typically judged to have less leadership abilities than men with similar characteristics, and the same actions performed by men and women in leadership situations are evaluated more negatively when women are the leaders. The...bias against women is most pronounced when the leadership role is typically a male role... This evidence stands in contrast with...data, which suggest that women leaders are seen as... less likely to be corrupt...' (Duflo and Topalova 2004, 2).

Afghans have similar stereotypes and prejudices about women as leaders, one of many factors which sharply limits constituency support for many female MPs and decreases the pool of female candidates wishing to endure the uphill struggle of proving themselves as viable political candidates. Seasoned women leaders themselves admit to being wracked by doubt when faced with large groups of men in certain situations. The head of a successful NGO in Hazarajat stated as such: 'We women hold ourselves back more than anyone else. We simply have no confidence and believe all the negative things others say about us.'

Putting significant numbers of women in parliament, as a gender mainstreaming move, suggests that the basis of power in Afghanistan is open to contestation, challenge, negotiation, and ultimately redefinition along gender-friendly lines. But such assumptions fail to notice the gender of state power in the majority of the world's nations as being undeniably male.

In fact, the masculinity of state power can not be underestimated and is counterproductive to those who pursue transformative agendas. In Afghanistan and other countries

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4 Women can not manage the huge prices of public positions. Their families will not make that investment because they will have to recoup the investment.

in the region, power and authority have historically been associated with masculinity. The discourse of power and state in Afghanistan has always been discussed in gendered terms, favouring men. Thomson (2001), writing on parliamentarians in Australia and the United Kingdom, discusses a powerful technology of exclusion where the feminine is marginalised, and at the same time the femininity of the women MPs accentuated. This is very much the case in Afghanistan where, for instance, MP Malalai Joya's outbursts against warlordism are violently rejected by other women MPs, while a small number of women MPs use their sexual wiles to gain influence and prominence.

The other assumption about mainstreaming women in parliament is that women who seek or enter political office do so with the intention of representing women's interests per se and that they have the technical skills and political savvy to succeed in this aim. All over the world, this has been shown not to be the case, which means that getting more women into office does not always equate with improved gender mainstreaming at the policy level. Like male Afghan politicians, women may address the issues of concern to their constituents, their patrons, and their parties. For those representing traditional social groups or conservative patrons or parties, gender equality may not even be on their agenda. Afghan women MP's links with genuine activist women's organisations are often weak or nonexistent. This counters essentialist assumptions about women as a group pursuing women's agendas and universalisation of women as a distinct and unified category (Bari 2005). Putting women in parliament and in senior government posts leads to domination by elite women, but not always political empowerment of women at all levels of society, especially among the 70–80 per cent which is non-literate.

In Afghanistan, women's place and operation is firmly in the private family milieu, which appropriates their sexuality[5] in defence of its honour. This overrides all other concerns. The power and respect Afghan women apparently command in the family[6] is bought at a tremendous price with a great deal of self-denial and suffering. Women politicians are unable to transcend the public-private divide and are compelled to do politics only in the public arena. Women in politics have failed to make family a part of the pubic arena, despite the fact that when they enter the public space of politics, they do not cease to be private individuals. A number of women in leadership positions – as heads of successful NGOs, as MPs, and as cabinet members – have suffered from domestic violence, have had to accept their husbands taking second wives, or have avoided divorcing abusive or adulterous spouses due to the stigma of divorce and the fear of losing child custody in Afghanistan's gender-unfriendly legal labyrinth. In a patriarchal democracy overlaid with other inhibiting factors, women entering politics through gender quotas are unable to transform the sexual politics within their own families, let alone that inherent in state institutions.

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5   In an interesting twist, those women who could not find the financial wherewithal to run for elections and who were willing to break family bonds formed other patronage ties. There are a small number of instances where the sexuality of women MPs has been appropriated by male military leaders outside parliament. They funded the women's political campaigns and ensured their success. They not only choose to have well-publicised affairs with these women but also mobilise the sexuality of these women for their own political manoeuvering.

6   See for instance Barakat and Wardell (2002) who fail to acknowledge the family also as the locus of much violence and abuse against women and who also see *purdah* tradition of segregation as maintaining a symbolic shelter for women.

Democracy, then, does not automatically serve gender mainstreaming or women (Bari 2005; Thomson 2001). Gender justice, especially in post-conflict states, rests on the political will of a democratic political culture and party leadership. As Kandiyoti (2005) points out, however, 'democratic elections have legitimized conservative social forces which have consistently proved more powerful and organized than constituencies which have mobilized erratically around a platform of genuine democracy and greater gender equality. A sizable proportion of the lower house (Wolesi Jirga) now belongs to parties that could be classified as conservative or Islamist. These groups are expected to be the best organized legislative force in parliament... Female members, who hold 27 per cent of the seats, are not necessarily expected to function as a coherent political group since they are affiliated with parties across the political spectrum... It is an open question, however, whether effective alliances can be forged to safeguard the legal and institutional commitments to gender equality made so far' (Kandiyoti 2005, 21).

National women's machinery: the Ministry of Women's Affairs
Apart from commenting vociferously on the corruption and inertia of state officials, most Afghans still do not know what exactly their state is, what it does, and what it is actually meant to do. Edwards has noted 'the absence of a moral discourse of statehood shared by the majority of its citizens' (1996, 4) as a reflection of the fundamental artificiality of the Afghan nation-state. Within the morass which is the post-conflict, state-building process, the Ministry of Women's Affairs (MoWA) was the first organisation to attempt setting up national women's machinery to improve the situation of Afghan women and to mainstream gender. It was based on the Women's High Association, a welfare-oriented women's institute hailing from the pre-Communist era. From the start, its mandate has been unclear and clouded by welfare aims, its status remains low, and its activities are haphazard and geared towards short-term, visible, high-profile activities. As with many other ministries, it has not been able to prevent policy 'misbehaviour' and ghettoisation of women's issues in government structures. Its attempts to set up inter-departmental linkages through committees and focal points have largely translated into meetings which rarely result in substantive action or follow-up. When other ministries failed to act on issues related to women, they could scapegoat the MoWA for not doing its job. Consultation with women's organisations and NGOs has also been contentious ground since the MoWA has tried to dominate and patronise them. It is struggling with advocacy, policy oversight and even direct involvement in women's projects following WID aims. It has initiated the odd debate on gender issues but has failed to pursue any feminist agenda, even an Islamic one. Its failure to overcome its identity crisis and rise to the challenge in spite of a plethora of international advisors and consultants has called into question not only the efficacy of a top-down strategy but the commitment of the state to be a vehicle of change on gender issues.

The MoWA is not the only women's body facing difficulties. Women's groups within government, civil society, and the NGO sector are not staffed with women who have a background in gender advocacy or feminist activism. As a result, they have not made inroads into central, male-dominated decision-making locations within the bureaucracy, such as ministries of planning or finance, or the President's office. Individual women pursuing personal agendas have made some headway in this respect. Overall, this equates into minimal powers for a women's lobby to demand answers from officials, and

to initiate sanctions for inappropriate or corrupt actions. It reduces the effectiveness of 'consultation' and 'dialogue' between women and state officials, parties, and civil-society organisations. A growing rift on certain levels between civil society and the MoWA, donor fatigue, and lack of transparency and effective coordination between stakeholders cooperating with the MoWA have created fault lines facilitating infiltration by specific party interests. The recent debacle over the choice of the new women's minister, caused in part by the outgoing minister, Massouda Jalal, has shown the effect of political patronage and interests over choosing a leader with a good grasp of what Afghan women need. Donors working with the MoWA should be aware that it is in danger of becoming a vehicle for promoting and legitimising the ruling party. Additionally, there is a need to ensure that relations with emerging women's movements and bodies are strengthened as an accountability measure.

In order to reverse MoWA's fortunes and launch a more effective gender mainstreaming process, attention is first needed for consultation and building support, both within government and wider civil society, for a coherent gender mainstreaming programme. The launching of the National Plan of Action for the Women of Afghanistan in 2005 was an attempt to do this. The MoWA needs help to strengthen and diffuse tension between its conflicting roles as advisory, advocacy, and policy oversight and monitoring roles and direct involvement in projects, as each requires different skills and institutional cultures. This is difficult in an atmosphere where professionalism and efficiency in many ministries are thin on the ground. The MoWA should deal with its status by finding ways to increase its influence across other ministries, or by drastically reducing its size and being constituted as a central advisory body in the President's office. This, in turn, requires keeping staff with specialisations and a strong technical background in gender mainstreaming. Since the MoWA deals with gender as a cross-sectoral issue against rival ministries, it needs to find strategies to overcome bureaucratic resistance. The MoWA needs to be clear on its responsibility and accountability and to communicate these to other stakeholders. Donors must continue to fund the MoWA – as long as it appears to be heading in the right direction – and to continue putting pressure on the Afghan government to prioritise gender issues in the national budget. Donors and international feminist activists should be vigilant and act to ensure that the gender debate is not hijacked by Islamist groups intent on stalling women's advancement.

The Afghan women's movement

It is hard to identify a coherent 'women's movement' in Afghanistan, as in any country, simply because women's interests are so diverse. A macabre and leaderless interest group is growing in Afghanistan as a result of the efflorescence of self-immolations in Herat. The ensuing embarrassing scrutiny, led Ismail Khan, to set up a number of women's shuras to deal with family conflicts and fast-track justice before girls could send Herat's honour up in flames. Many young women now threaten to burn themselves and end up at these shuras, with their fathers interceding to avoid such shameful displays. This can be seen as a leaderless movement. MP Shukria Barakzai[7] sees a nascent women's movement among the mothers who are concerned that their daughters should

7   Interview with MP Shukria Barakzai, July 2006.

receive an education and become engaged in gainful employment. In a way, many have seen home schools under the Taliban as networks, solidarity groups, and movements[8]. The women running these schools were not part of a network, had no leadership, and the whole process could never have happened without the permission of male family members and the tacit nod of the Taliban who were well-aware of almost all such activities[9]. These 'movements' have taken over a decade to come about. It begs the question of whether women's leaders have a role in uniting Afghan women on crucial issues or whether we should sit back and wait for history to take its course, with people at the grassroots level gradually realising their goals of a fairer world for women through their own disparate efforts. The second course of action makes the majority of women's organisations redundant since the oppressive policies of the Taliban regime inadvertently did more than any women's groups to raise awareness about the crisis of girls' education in Afghanistan.

In the section above, we discussed the dearth of women's groups making in-roads into key policy-making arenas. In making an assessment of the potency of the gender-equity lobby, the most significant factor is the nature and strength of the women's movement: 'One of the most important factors that can help increase the number of women considering entering politics is the extent to which a country has a women's movement or organizations focusing specifically on women's issues. These provide women with experience in public settings, build self-confidence, enhance consciousness of political rights, provide a support base, lead to collective agency, and act as transformative communities in a sustainable way to transform politics and development' (Ballington and Matland 2004, 2).

A rapid mapping of the women's associations in the Afghan context will reveal a vast number which have appeared in response to funding and follow an NGO-contractor model and a core group of women's NGOs which have focused on project implementation rather than engaging with decision-makers in a longer-term process. Most organisations and entities are centred around a 'first lady'[10]. The MoWA has also followed this model until now, as many provincial staff have their own NGOs and the first three ministers had NGO backgrounds: 'The growth of activities by women through NGOs and networks gives the appearance of a movement resonating outwards. However, the movement is not held together by any globally focused agenda or political strategy. The women's movement lacks a body that can coalesce women's politics and actions into a force to marshal women's power as a movement to press for social and economic transformation. Such a body must take leadership and set the agenda in areas of concern' (Riphenburg 2003, 204).

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8 See for instance Povey's (2003) saccharine account.

9 I remember, for instance, going to the Zainabieh on several occasions in 2000. This is a Shiite madrasah in Kabul where hundreds of women gathered on Fridays to listen to religious sermons given by women. They also provided schooling for boys and girls. The Taliban watched as the women arrived at the Zainabieh in groups but said nothing.

10 According to Amina Mama, femocracy is: an anti-democratic female power structure, which claims to exist for the advancement of ordinary women, but is unable to do so because it is dominated by a small clique of women whose authority derives from their being married to powerful men, rather than from any actions or ideas of their own (1997, 81). Amina Mama, 1997 "Feminism or Femocracy? State Feminism and Democratisation", in Ibrahim, J. ed., *The Expansion of Democratic Space in Nigeria*, (Dakar: Codesria 1997).

Historically, with the advent of modernising regimes in Afghanistan, there was always a small group of women who sailed in the flagship of modernisation. They were pushed into certain high-profile jobs, got sent abroad, received education and training, attended high-level meetings, and generally had a good life representing Afghan women. They mostly acted as individuals and were not always good at maintaining momentum as a group or movement, unless the orchestrators were men. As soon as the regime which bestowed favours was toppled, the protégés were relegated to the women's quarters and expected to tend to family concerns and be demure Afghan women. They never learnt to unite and take power for themselves but clamoured to have their rights restored by men. They were and are happy with the superficiality and transience of their positions, even though women in, say, Qandahar, Uruzgan, or Helmand, are living with the same insecurity and restrictions as they were a decade ago. The result is the lack of a strong and rooted women's movement, in spite of international conventions signed, woman-friendly constitutions, and reforms by woman-friendly regimes.

Both Edwards (1996) and Grima (1998) note the constant tension between individual self-assertion and communal acquiescence within the honour system of Afghanistan and neighbouring regions. This has always created contradictions and loopholes in individual versus communal behaviour. Women are no strangers to this tension. Afghanistan has no first ladies in the normal sense. The wives of Karzai and his cabinet have rarely if ever been seen and do not take a high-profile role, but there are plenty of women who use the prominence of male relations (usually a father or brother) to carve a space for themselves [11]. These are Afghanistan's first ladies who, like their sisters in other contexts, 'exploit the commitment of the international movement towards greater gender equality in the interests of a small female elite. In so doing, they end up reinforcing patriarchal social systems' (Ibrahim 2004). Fundamentally, the assumption is that they should hold power because of who they are and not what they do or the impact they actually have. This means that their loyalty is to the family, tribe, and group providing patronage rather than to abstract notions such as women's rights or movements.

In Afghanistan, the dearth of a substantial number of educated, professional individuals has led to the 'first ladies' being considered as better than no ladies at all, in spite of the fact that such women may not be the most active in terms of advocating women's rights or mainstreaming gender. This has allowed first ladies to use humanitarian and, lately, political space for personal aggrandisement rather than furthering the strategic interests of women. It has led to the presence of would-be women activists who are ambiguous and shift between calls for equality and equity, on the one hand, and opt for subservience to cultural moral codes and the men who patronise and guard them on the other. Their responsibility, vis-à-vis the constituencies they claim to represent, is also unclear. The danger with having first ladies in this enviable position and continuing to support them, since they are better than nothing, is that they can actually halt progress for the women's movement because, for the most part, they are painfully aware that their loyalties must lie with the men who give them power. They may 'support…reforms that restrict women's rights and subjugate them to men in the name of religion and tradition and in the expectation of respect and personal security' (Molyneux and Razavi 2005, 1000).

11 One example I encountered recently was the well-known head of a women's NGO who is constantly referred to as 'dokhtar-e wali' or the governor's daughter in eastern Afghanistan.

Women, like men, are implicated in the reinforcement of the existing social order which means that the myth of sisterhood and a shared sense of gender oppression must be exploded while taking steps to ensure that the struggle to form an effective women's movement is not fragmented. Many first ladies own NGOs and, as mentioned above, women's NGOs do not a movement make. These bodies are typically developed in an urbanised background, with the core comprising chiefly of organisations with a history in the Pakistan refugee setting. They have been venturing into the rural hinterland of Afghanistan since the fall of the Taliban but their presence is still ephemeral. The values these organisations support rather than promote have been 'Afghan', i.e., a woman should be a useful member of society – while staying within the confines of the family – a good Muslim, and a patriot. None have promoted feminist values per se[12] since feminism is misunderstood and therefore abhorrent to most. Furthermore, the membership of these organisations is almost always directly related to funding available to employ women rather than commitment to a cause. They are largely absent in public debates on matters of importance to women. Another problem with these NGOs is that although the first ladies running them claim to represent their Afghan sisters and work for their interests, ordinary women can not hold them or their organisations accountable for the funding spent, trips abroad, or any other activities carried out in the name of women. The presence of women's NGOs hardly leads to a strong and coherent women's movement with widespread support.

Although first ladies and aspirants to their status are much more in the public eye in the Kabul context and in interfaces with the international community, this should not be taken as an indicator of success in gender mainstreaming. Time and time again, elite groups of women have been ceded a modicum of power and high visibility by Afghan men with an agenda. The first ladies rarely went through a process of emancipation led by other women. Lacking this experience and working with borrowed power, they are not in a position to empower women in other socio-economic groups and instead use them to maintain their position. Women at the bottom of the ladder do not trust such women, have seen little or no benefits from them, feel no solidarity and unity with such women, and most probably resent them. For the majority of women, the underlying gender dynamics in Afghan society in life away from the public eye are continuing much as before and changes are taking place at a very slow rate. This hardly leads to a strong women's movement.

Gendered economic redistribution

Afghanistan has seen both the coercive and the gradual variety of change. In a 20-year period, cultural sensibilities about women earning an income, accessing health care, or small girls receiving education have changed drastically. This is significant and counters claims that 'the "hyper-politicization" of women's rights, as the main plank of populist consensus concerning the maintenance of an "Islamic" polity' (Kandiyoti 2005, 20) is almost a foregone conclusion. Interpretations of Islam become plastic in the face of economic necessity and immersion in and exposure to new situations gradually wear down

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12 RAWA is not part of this analysis. Fitting RAWA in the women's movement is a complicated issue and the organisation's penchant for 'cloak and dagger' antics makes it a difficult development partner to assess and have a transparent relationship with.

resistance. The sea change of attitudes regarding a number of crucial aspects of women's lives can not be ignored in a discussion of gender mainstreaming.

As Molyneux and Razavi (2005) correctly point out, securing livelihoods and creating an enabling economic environment are necessary preconditions for attaining gender equality and women's rights. This is frequently flagged up by Afghans. Kandiyoti (2005) observes, however, that the effects of the dynamics of gendered disadvantage, the erosion of local livelihoods, the criminalisation of the economy, and insecurity at the hands of armed groups, although analytically distinct phenomena, are combining seamlessly to produce extreme forms of female vulnerability: 'Attempts at institutional and legal reform cannot afford to disregard the corrosive interactions between poverty, insecurity and loss of autonomy of local communities at the hands of predatory strongmen. These have the effect of undercutting and negating any basis for women's- and men's- substantive rights' (Kandiyoti 2005, 23).

These factors undercut possibilities for developing a strong women's movement. Challenges to gender-equitable growth are posed by market-led development. Markets are currently rooted in existing power relations favouring the mutual interests of big business, military power holders, informal, and illicit players: 'The massive investment in human capital and in the creation of enterprises that increase demand for skilled and semi-skilled female labour which would give women a chance in this climate is an unlikely short-term development in the current security and political environment' (Kandiyoti 2005, 22).

In such a barren economic landscape, and adding pressures to express loyalty to the family alone, almost all networking and interactions take on a deeply extractive nature which overrides attempts at coalition and solidarity building.

In a context where dominant policy models are deepening social and economic inequality and reinforcing marginalisation (Molyneux and Razavi 2005), and with redistribution favouring a powerful (armed) group, gender equality can not be advanced, let alone secured. For a women's movement to evolve, a redistribution of socio-economic resources within Afghan society is crucial: 'Women who lack civil and economic rights are unable to exercise their political rights fully...[G]ender quotas, therefore, need to be linked with the social and economic redistributive justice in the society' (Bari 2005).

Unlike areas such as law, where the private lives are left untouched, economic redistribution is often tackled rather clumsily within the family but not in society as a whole. Most first lady NGOs and many international organisations claim that, by using projects which last six months, they can empower women in the household by providing them with an income. Most projects of this ilk fall flat on their face, not just because of a ridiculous timeframe but because they are based on a weak analysis of gendered economic redistribution within the family. Substantive moves which will empower women are ignored. A crucial issue in economic redistribution within families is inheritance. Discussions with women's groups in Herat revealed that women are discouraged from pursuing inheritance claims against brothers and stigmatised if they do pursue such claims. Shuras dealing with women's legal complaints are reluctant to take on inheritance disputes. The importance of women's ability to inherit land and property was shown in a meeting with a feisty woman who heads the women's part of the National Solidarity Project Community Development Council in the Zendajan district, Herat. She stated

unequivocally that she was only able to be an effective, outspoken, and active leader in her community because she had no brothers and her father had built her the house she lives in today. Women who have no property of their own live at the mercy of their families and have no voice. A small and uncertain income will not have the same impact as ensuring that women can inherit the property which is rightfully theirs. Another issue is the critical shortage of social provision in health and education, a major economic concern for women in a country with high maternal mortality rates and relatively low rates of school attendance for girls. As Kandiyoti (2005) rightly observes, this will require a massive expansion of female personnel in these areas even as public sector job-cuts are being anticipated as part of the institutional reform package backed by international financial institutions[13]. Women's groups within government and civil society are not lobbying government on either of these crucial issues.

Militarisation

The convoys of armoured personnel carriers parading through downtown traffic in Kabul or on arterial routes across Afghanistan, large concrete blocks outside agency offices, razor wire adorning many buildings, constant presence of heavily-armed police and soldiers, the giant images of military leader Ahmad Shah Massoud glowering down on passing crowds and the unmissable presence of private security contractors ... these are just some of the indications that we are operating in a heavily militarised environment. Even the mushrooming of Chinese brothels and the presence of trafficked women – although only referred to in chitchat in respectable society and not given policy time as part of the international political economy of sex – is inextricably tied to a large military presence which, it would seem, inevitably requires such services in order to function. But militarisation is not new to Afghanistan, as shown by the forts dominating every town's skylines.

There is a history of militarisation not only because most international engagements with Afghanistan were based on strategic military interests but also because Afghan society has been and is dominated by a pervasive gun culture. Weapons are tied to a man's honour as I was reminded by Durrani Pushtuns in the north, who joked that they had kept back arms from the disarmament process in order to retain their 'manliness'[14]. Kandiyoti (2005) writes that if Afghanistan did evolve into a centralising nation-state, it would be as a buffer state that is able to impose its will on the tribes, thanks to the financial subsidies and arms provided by the British in the nineteenth and early twentieth centuries. Afghanistan continued as buffer state between the Russian and British Empires and later between the Soviet Union and the United States. It continued to receive military assistance from well into the jihad and beyond when military assistance was supplied by other players in the region. Until 2001, women's concerns were peripheral to such geopolitical machinations. It would, however, be naive for those addressing women's issues and gender mainstreaming at the highest political levels to ignore this history and the recent globalisation[15] of militarism.

13 There are currently some 360,000 individuals in public employment. Fewer than 10 per cent of these posts will be formally retained under the Priority Reform and Restructuring (PRR) Program by 2007 to form a core civil service, (Kandiyoti 2005, 21).
14 Interview with Durrani people's *shura* in Kunduz province, July 2006.

Women's issues sit precariously in the diverse and contradictory agendas of global and local political actors in Afghanistan. In the 'fluid and uncertain landscape, featuring both old dilemmas and new challenges' (Kandiyoti 2005, 22), women's symbolism as the indicator of state masculinity in tackling opposition remains in force. It was often noted that when the Taliban suffered a major military defeat, they would increase restrictions on women in urban areas. Such behaviour is not restricted to Afghanistan: There is a complex politics between actual women's bodies and the dangers they experience in wars and identity conflicts on the one hand, and nationalist discourses using representations of women's bodies to mark national or communal boundaries on the other.

Following the Taliban's lead in using Afghan women's bodies as a symbol of the resacralization of Afghanistan, the United States partly justified the bombing of Afghanistan as an attempt to free Afghan women from the injustices of Taliban rule [16] and the bodily restrictions which they had enforced in the form of prohibitions related to visibility, dress, and mobility. For the first time, a government went to war to partly to liberate women. And yet, as Molyneux and Razavi write: 'Human rights and women's agendas and the entire multilateral framework within which the gains of the 1990s were made have been weakened by the current global political crisis occasioned by terrorism, militarism, the war on Iraq and hostility to unilateralism. Human rights agendas have come under pressure not only in countries where democratic institutions remain weak, but also in the heartlands of democracy' (2005, 1004).

Military prerogatives override rights, and since widespread discrimination against women in the Afghan context has been cast as 'symptomatic of much longer-standing religious and cultural tensions between traditionalists and modernizers in Afghan society' (Barakat and Wardell 2002, 910)[17] and accepted as collateral damage in the past, the women's liberation agenda was quickly dropped by the military once it had outlived its usefulness:

'Western governments rallied to the cause of Afghan women as part of their opposition to the Taliban regime, while remaining conveniently silent on the abuses of women's rights by the Mujaheddin regime, or on the equally draconian treatment of women in other, more powerful allied states (for example Saudi Arabia). It is ironic that the communist regime of 1978-1992, which arguably did the most to institutionalise women's rights in Afghanistan (albeit with enormous cultural insensitivity), was the regime whose overthrow the West worked most assiduously to achieve' (Barakat and Wardell 2002, 928).

The situation in Afghanistan has continued to portray 'men as the political agents and women as the non-political victims', a juxtaposition which, considering the blatant militarisation of international engagement, nullifies gains such as putting women in parlia-

15 Globalisation at its core refers to worldwide networks of interdependence. While it may be driven by economic integration, a result of technological change, culture and societal links follow upon trade and money.
16 The State Department issued a nine-page report called: "The Taliban's War Against Women".
17 "This approach is disputed by [those] who explicitly [state] that the 'traditionalism' and 'localism' attributed to the Afghan polity, far from being survivals of ancient traditions, are instead the partial result of the particular mode of integration of the country into the contemporary state system". (Kandiyoti 2005, 3).

ment or creating a ministry for women. Such notions create arrangements which exclude women as agents while opening them up as targets for violence. A structure 'that is mirrored and confirmed in the structure of society, which condones the oppression of women and tolerates male violence as one of the instruments in the perpetuation of this power balance' (Jalalzai 2002, 37), keeps women disempowered, especially in times and areas of insecurity. Interviews with all sorts of groups in Qandahar indicated that women could not operate at times of insecurity[18]. They could not be educated, work, participate in community activities, become leaders, or do anything which ordinary women do. By emerging from their houses in this current period of insecurity, women were seen as jeopardizing family honour. One woman wryly commented that, should she blown up by a passing suicide bomber, people would observe whether any part of her body had been exposed and then condemn her for being foolish enough to pursue her work as a teacher[19]. The difficult and dangerous protector-protected relationship constructs men as citizens and potential soldiers, and women as needing protection. In a slide from protection to possession, women become vulnerable to violence from their own group men if they appear unruly or disloyal. Women had to be loyal to the jihad even if it ultimately meant betraying their own daughters, sisters, and mothers.

Although Afghan women have been complaining about the lack of security for many years now (Riphenburg 2003), they do not openly link it to militarisation, and although they want specific elements dealt with (warlords, corrupt police, etc.) they go no further in condemning the militarisation, which effectively engenders their subordination. Malalai Joya attacks warlords but does not call for an end to militarisation. A group of young women interviewed earlier this year, the cream of educated Afghan society, had no clue about the military presence, its mandates, its activities, and who was who. They could not see how the presence of the international military impacted them, apart from bringing a form of security over which they had no control. Women can not and have not attempted to influence their own security except by staying indoors or wearing burqas. Women are expected to remain inert and patiently await their fate in times and situations of insecurity[20]. Women have been identified as 'programmed for peace' — as instigators of peace initiatives or conflict resolution. This resonates with the idea of the quintessentially pacifying female presence (Molyneux and Razavi 2005, 1002). Even so, women never felt that they could question the war in their own right and never formed leagues and movements, mother's groups[21], or any pressure groups to contest the brutal fighting and its horrendous impact on women and girls. Although women's delegations had historically been sent out to broker the occasional ceasefire or peace agreement, this was not institutionalised by women's groups throughout the war years. As in other contexts: '[T}he majority of crimes against women during wartime still go unpunished, and

18 Interviews with tribal *shuras*, government officials, etc.
19 Interview with teachers and students in Qandahar, August 2006.
20 This was made painfully clear during the May riots when I was advised to scramble over a wall into a neighbours house for security. There I was shepherded into the female quarters where we watched TV and ate melons without exchanging a single word about the disturbances outside. In fact, the women were manifestly surprised and perturbed as I clearly ventured into male territory by asking for information on how the riot was proceeding outside.
21 "In Qu'ranic teaching, the mother is the gateway to heaven, sons need the forgiveness of their mother before they can enter heaven; the power and value of a mother's *chaddar* I'm not familiar with this idiom.

women survivors of such abuse are still stigmatized to a far greater degree than male survivors of human rights abuses' (Molyneux and Razavi 2005, 1002).

Women did not even protest the indiscriminate use of land mines by warring parties. They insisted that they wanted to be like Malalai, an Afghan heroine who was killed in the battlefield in the Anglo-Afghan war. She never questioned whether war was good for women and children either but was rewarded by becoming a symbol of women upholding the honour of the nation during war. Women who are perennially vocal about security did not push to be part of disarmament and the entire process went forward with minimal participation from women. In fact, within their militarised society, women often find it safest to 'play dead' indefinitely.

To this day, in spite of UN Resolution 1325 on Women and Peace and acquiescing to the notion that Afghan women are objectified symbols of Afghan masculinity, the international military presence sends female personnel to hand out gifts and engage in small-scale WID (Women in Development) activities with women and fails to find ways to engage in activities which would address strategic gender issues. There is no clear gender policy or strategy apart from piecemeal activities which can be translated as the occasional pat on the head for women. Apart from calls for ISAF's expansion, women have not questioned the modus operandi of international troops in Afghanistan, from showing the slightest vestige of solidarity with rural women under bombardment in south and east Afghanistan to asking for specific strategies to ensure that ISAF's expansion does bring them longed-for security. It was with a great deal of lobbying from international feminist groups, in fact, that any Afghan women wound up at the peace table in Bonn, and even so, they did not come away with many gains. They saw the warlords who had instigated widespread killing, rape, looting, and wanton destruction regain power as geopolitical priorities once again superseded the establishment of an Afghan state geared towards gender equitable development without the attendant baggage of militarisation.

Conclusion
To conclude, an assumption that all women are instinctive gender experts does a disservice to gender as a field and hobbles gender mainstreaming efforts from the start. A supposition that the cabinet, parliament and public authority in general, are somehow gender neutral and open to being gendered by the inclusion of a critical mass of women is also seriously flawed. In an ideal world, putting women in parliament dramatically increases the representation of women, but in the real world such a move can make concessions to women without necessarily addressing key gender issues. A weak MoWA mainstreaming gender without internal strength and rooted in an established women's movement has failed to look beyond the promotion of projects and programmes for women and has overseen a largely superficial consideration of gender issues across all sectors, ministries, and departments. Women, as individuals and groups, are mostly isolated in the institutional structures of government and the state, thus factoring out possibilities for a gendered transformation of those structures. In such a context, lack of reforms to accountability systems that empower women to hold public agents to task, and that enable a gender-equity constituency to demand punishments for violations of women's rights and to see them enforced, is an indicator that a gender-equity lobby has little or no influence in the state-building process. The current culture sees such moves

as threatening the legitimacy and stability of the state, leading to changes on paper and no real transfer of power to women. The result is no substantive and sustainable improvement in the situation of women.

There is currently very little willingness and capacity for the diverse women's associations to unite and identify points of leverage over decision makers. Providing opportunities for women to get together, a popular pastime of international and national women's groups, does not automatically lead to solidarity-building since it is usually the competitive first ladies who gather. Loyalty among this group is primarily to family, and not rocking the boat ensures the flow of power and resources. Several bouts of first lady opportunism and two decades of war and betrayal have led women from different levels of society to mistrust each other while maintaining an uneasy modus vivendi. It is evident that sustainable long-term networks capable of strengthening the capacity of women to develop real constituencies and alternative approaches to political campaigning (Ibrahim 2004) are crucial. Without such networks, women will fall back on male patrons who are mobilising money, violence, and the usurpation of party machinery to further their own ends. Struggles for voice and resources will need organised women's constituencies in civil society and governance. Without broad political alliances to reach a wider female publics, women can not contest a narrow definition of their rights and entitlements (Kandiyoti 2005). Without such strategic multi-level coalitions, strategic issues – such as property inheritance, which will create possibilities for meaningful economic redistribution at family level – will remain unaddressed. And yet the penchant of the international community to support short-term, badly-planned projects to address gendered economic distribution through income generation and to allow first ladies to hold court without becoming representative, accountable, and responsible, will only take gender mainstreaming efforts back to square one.

Militarisation has not proved to be good for gender mainstreaming and women's rights in any society. The combination of factors which contribute to women's insecurity in the Afghan context, whether unique or not – a history of militarisation, gun culture, pervasive violence against women, women as symbolic of the state's masculinity – are challenging yet largely unaddressed by international and national activists. Afghan women continue to 'play dead' waiting for others to bestow or remove security from their lives. They have not tried to approach the issue by building coalitions with other women and men to confront those causing insecurity. International feminist groups, wishing to stay neutral like many other humanitarian actors, have also failed to encourage and support their Afghan counterparts in tackling militarisation and its inevitable fallout in Afghan society. Without the possibility to influence the military, which dominates foreign policy and national security among other things, women in senior-level government posts are nothing but mannequins in an elaborate state window-dressing effort. Arguments, posed predominantly by men, pointing at history and the contentiousness of addressing gender issues at a deep level must be countered.

Women are inextricably tied to their families for the foreseeable future with profound consequences for gender mainstreaming at many levels but there have already been a number of subtle shifts in gender relations due to tremendous social upheavals which have seen negative and positive impacts on the integrity, honour and psychology not only of the women themselves, but of their families, communities and the Afghan nation as conceived by these various groups. Women's space has been altered and their designat-

ed roles redefined, while their men have been left with no other choice but to reluctantly reshape the contours of their own lives to accommodate the change (Azarbaijani-Moghaddam 2006). In their journey towards political self-awareness, Afghan women need help from transnational feminist networks that can continue to monitor the situation, to continue petitioning for the right of Afghan women to participate, and to gain from peace-building, reconstruction and development in what are still considered male arenas, and to lobby appropriate governments, donor agencies and inter- and non-governmental organisations lest they slip into gender apathy. It is high time that Afghan women are gently guided and encouraged to move on from the now century-old welfare approach to a more transformative approach to gender issues.

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Marion Regina Müller

Reconstructing Afghanistan for Afghans?
Reflections on the work of the Heinrich Böll Foundation in Afghanistan

Entering the democratisation project

The brand new UN flight arrival terminal awaits me as a surprising contrast to the usual equipment of the international airport in Kabul. The presence of Internet terminals, a snack bar, comfortable seats in front of a wide-screen television set and actually usable toilets is what is missing at the small and seemingly still under construction arrival hall for ordinary passengers. There the queues at the immigration counters are long and the rusty roaring sound of the luggage belt reminds us of its manufacture date that probably goes back to the 1970s, the time that many Afghan people refer to when they speak of what their country was like and how they wish it would be again.

It is May 2006, almost five years after the war that tortured the country for over 20 years and after the repressive rule of the Taliban was brought to an end by the coalition forces. Since then the international community has tried to assist Afghanistan in lining out a strategy for the country's political, economic and social future: In December 2001 the Bonn agreement laid down the constitutional framework for Afghanistan and the guidelines for the establishment of a set of political institutions. The donor conferences on Afghanistan that followed in Tokyo and Berlin assured over US$10 billion in aid support to the country. The latest framework, the Afghanistan Compact, signed in January 2006 in London, lines out a strategy for governance, security and development until 2010.

However, it became clear not only in the London conference that even after setting up the parliament as the governing institution, the transition period, through which the country is currently passing, is still very fragile. The goal of establishing democracy is not at all assured. It is clear that democratisation is a long-term process that does not end with the formal transition to an elected government. Remaining challenges, like the actual functioning of governing institutions such as the parliament, have to be addressed. This can only be done through further engagement of the international community but, most importantly, the Afghan community has to take over responsibility for and ensure accountability of governance. Still, the project of putting the Afghans in the driving seat seems to be unaccomplished. Instead, what is becoming more and more visible is a clear divide in an Afghanistan that has been designed by the international community and which exists primarily in the capital Kabul – and an Afghanistan of those Afghan women and men that live in the suburbs or outside of Kabul in the provinces. The latter group make up around 70 per cent of the country's population of 28 million.

A few minutes later, on my way from the airport into the city of Kabul, I can not stop wondering about the fact that, besides a few apartment blocks that our car is passing, where multi-storied modern buildings seem to be mushrooming, there still is less development to see. Despite the ongoing fifth year of planning and implementation of international development funds, there still are tremendous problems with infrastructure development even within the capital city, Kabul. There is a lack of appropriate and affordable health facilities, still not enough educational institutions, the transportation sys-

tems, including major roads within the city, still are in bad condition, and the availability of electricity is, for almost three-quarters of a year, rather a lucky game than a service provided. With over 50 per cent of its population living under the poverty line, Afghanistan still belongs to one of the world's poorest countries. My colleague reports that most of the palace-like buildings we pass are constructed by warlords and ministers of the new government. A startling contrast is the rusty bodies of tanks and other military vehicles that look as though they had been naturally left there – modern life seems to develop without paying any attention to the ruins of the wartimes.

We enter a busy street and pass by women clad in their blowing *burquas*, the piece of cloth that has become the barometer of the level of mobility and insecurity among women in post-Taliban Afghanistan. Men are carrying large bundles of Afghani notes, trying to exchange US dollars or euros into the local currency. And, wherever the car stops, a small crowd of boys with smoking tin cans in their hands materialises. I am told that they are trying to earn money by cleaning bad spirits out of cars by using the smoke. We also get our car cleaned and are left with burning eyes for the rest of the day. But it still can not prevent us from what happens next.

Later on, the events of May 29, 2006, will be described as a wake-up call for many actors of the project of reconstruction and democratisation: A traffic accident is the final cause leading to an outburst of anger amongst parts of the Afghan community – demonstrations, looting and violence is what follows. Some of this confronts national and international representatives of development organisations in an unpleasant way. Confusion, fear and insecurity are what follow. Some observers state that the process might have been organised, some purely blame the rough attitudes of the international security forces and others blame the actions of the international community to be the major reason for the dilemma. And indeed, the events are also leading to a set of questions being raised about development approaches followed, about strategies lined out and especially about results achieved over the last five to six years of post-conflict reconstruction in Afghanistan.

But what is the right developmental approach for a country with a multifaceted context like Afghanistan's: the distribution of modern or modernist values; an attempt to introduce rule of law and norms of human rights against the background of customary laws and practices; or the fight against terrorism and insurgents through military interventions? And does a sustainable implementation of any of these approaches not need to first have reform and control of the security sector in place?

The road map to democracy and development
To answer at least some of these questions and draw out respective strategies, a detailed historical and contextual review of the factors that have supported or hindered reform of governance structures and the security sector in Afghanistan would be needed. All attempts of analysis so far, however, do not seem to include, or include in-depth, the voices of those who are the actual carriers of all reforms: the Afghan people. Already in 1994 Moghaddam wrote about the complex context that analysis is confronted with: 'Afghanistan provides a vivid illustration of the stakes involved in contemporary debates on universalism versus cultural relativism, women's rights and community rights, the critique of orientalism and neo-colonialist discourses, the nature of Islamist movements, and

reassessment of development' (Moghaddam 1994, p. 83). In that regard, additional analysis is necessary that re-evaluates policy and political choices made by the different actors involved in the project of reconstruction and democratisation: the government, the donors and the international community, civil society groups, the military, other security establishments. The following text will try to establish how the work and approach of the Heinrich Böll Foundation fits into this discussion. I will try to line out how a political foundation associated with human rights values, gender democracy and sustainability of development works within the post-conflict reconstruction setting of Afghanistan.

The approach of the Heinrich Böll Foundation

Initially, the approach of the Heinrich Böll Foundation was similar to that of many other international organisations. Starting its interventions in Afghanistan in early 2002, many organisations first supported various activities in various sectors through small grants. Their entry point was often derived from their working experiences with Afghan organisations working in Afghanistan or with Afghan refugees located along the border with Pakistan or abroad. At that point everything seemed to be needed and to make sense: humanitarian aid, women empowerment, development of social infrastructure, establishment of means of communication. Networks were established, new organisations founded, contacts and working relationships were designed. Everybody wanted to be an actor on the stage that was set for modernising Afghanistan. With the boom of aid projects in Afghanistan, there also came a mass of international aid workers. The Heinrich Böll Foundation initially held on to a small profile, subletting two rooms with the Afghan Civil Society Forum, and for almost the first four years of intervention, employing only one staff member. It was only in early 2006 that its own full-fledged office was established.

After a review of the programme at the end of 2004, the new programme design of the foundation included the promotion of women's rights and democracy in traditional societies and support of the political participation of women as the main focal working areas. Supporting one strategic partnership under each of these focal areas as well as taking on its own activities, the foundation followed this programme concept from January 2005 to December 2007 while allowing for a special focus on the foundation's overarching principle of gender democracy[1].

Designing democracy: Women's political participation

With the nomination of 17 women into the Meshrano Jirga, the upper house, and with 67 women directly elected to the Wolesi Jirga, the lower house of the Afghan parliament, women's political participation has taken a big step forward in Afghanistan. This has

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1 Gender democracy is defined in the statutes of the Heinrich Böll Foundation "as a relationship between the genders free of dependence and dominance (. . .) this common task is a guiding principle not only for the internal functioning of the Foundation, but also for all business in the public sphere?" (HBF handout "gender democracy") Amongst others, the goals of gender democracy within the HBF are: To facilitate the equal participation of women and men in political decision-making processes in the broader political economy. To create possibilities for women and men to jointly influence and construct the public and private spheres. To prevent the formation of authoritarian and violence-producing structures between women and men in the private and the public sphere.

been achieved through the introduction of affirmative action measures within the constitutional and electoral frameworks. Like in many other cases, as in Afghanistan, it is hoped that the establishment of democratic mechanisms providing women the access to public office will create not only the space for women to become legitimate political actors and confirm the right of women to belong in the public sphere, but, moreover, that it will lead to an effective representation of women's interests. Effective representation here is defined as the capacity of women political representatives to engage in a feminist agenda and, consequently, to influence an engendered decision-making within political institutions, political frameworks and the community (Goetz 2003).

However, the provision for women's access to democratic institutions does not automatically mean an increase of women's influence in decision making. And a process of institutionalising democratisation does not automatically involve a democratisation of power relations in society, especially between women and men (Waylen 1994). Due to cultural reasons, women might not, for example, be able to participate in decision-making, let alone to voice their demands. Where access to political institutions is guaranteed but not supplemented with the opportunity to exercise the right of participation, it means little in practice. Traditional institutionalised patterns and prevailing patriarchal structures can only be dissolved through an engagement of these institutions and their surroundings, creating a transformative process towards the recognition of gender equity concerns that is an essential part of the process of democratisation (Müller 2007).

Such a process of the engendering of governance institutions consequently implies several steps: First, it means a re-structuring of those institutions at every level to introduce accountability to women as citizens. Such a process needs to imply the recognition of concerns of choice, but also control and autonomy to an extent where women are enabled to voice opposition (Rai 1996, Molyneux and Razavi 2002, and Müller 2007). Secondly, it means critically assessing and effectively challenging rules, procedures and priorities that exclude women from participation in decision-making and that also exclude the incorporation of women's interests into the development agenda. Changes in patterns of exclusion are a necessary prerequisite for the facilitation of women's voices in civil society and the organisation of women's citizenship agency (Mukhopadhyay 2004). Finally, it is important to define women's interests as based on various influential factors, like race, class, age, ethnicity. Women's interests, at different times or phases of their lives, might conflict with each other and be subjected to constant re-negotiation within a specific socio-cultural and historical context (Wieringa 1994). Likewise, we can not assume that women would unanimously agree on or support gender issues, and it is possible that state policies, attempting to reflect women's interests, might benefit one group of women while harming another.

According to Goetz, it is essential to measure to what extent institutions located within the arenas of the state, the political system and civil society influence women's chances to assert their voice and how far such institutions provide accountability to women (Goetz 2003, 39). Accordingly, women's political participation can be seen as an interrelated process between access to political institutions, political presence and claiming of citizenship agency. In a socio-cultural context like Afghanistan's, it is moreover necessary to personalise the political in order to successfully be able to achieve policy outcomes that reflect women's interests.

The Heinrich Böll Foundation partner Afghan Women Resource Centre has tried since 2002 to establish a relationship with women that would recognise the women in their current life contexts. This has been done through the establishment of neighbourhood resource centres offering different possibilities for education and income-generating activities to women in certain neighbourhoods. The Heinrich Böll Foundation has been supporting the Afghan Women Resource Centre with the establishment of a neighbourhood centre in Khair-Kana, a north-western suburb of Kabul. Besides providing the above-mentioned services to women, the Afghan Women Resource Centre, with the support of the foundation, has lined out and implemented a framework for courses in civic education and women's rights. In the wake of the parliamentary and provincial elections of 2005, women were informed about the functions and role of a parliament, about the electoral process and about the rights and possibilities of women's political participation. With this approach, the Afghan Women Resource Centre was successful in addressing women within the institutional arenas of their families and communities. In a second step, the organisation is currently trying to widen its approach while working with the larger community, representatives of the elected provincial government structures as well as with representatives of religious institutions. While also offering legal advice to women in need, the Afghan Women Resource Centre is at the same time trying to link up with the legal provisions and frameworks of Afghanistan. For the future work of the Heinrich Böll Foundation, one possibility would be to facilitate the organisation further in the establishment of advocacy and networking linkages towards a more national level or in involving elected politicians on the parliamentary level in the organisation's work.

Designing democracy: Traditional societies and women's rights
Often the process of democratisation raises high political expectations while at the same time threatening as well as creating resistance from those who are to give up their power and privileges with the introduction of democratic leadership and decision making. In Afghanistan, reforms so far have always threatened to upset the entire structure of patriarchal relations and led to resistance. This is especially true for the question of women's status in society, which has always been a factor for dissent. Be it during the times after the Saur revolution[2] or the civil war, the women question was at the centre of the debate between modern revolutionaries who were trying to introduce equal rights for women, with men and more traditionalist groups of society opposing any changes in the status of women while referring to cultural and religious values (Riphenburg 2003, and Moghaddam 1994). Nowadays the latter group tends to suggest that all improvements in the status of women are introduced by the West. Attempts to improve the status of women have, like modernisation itself, always been constrained by a social structure characterised by patriarchal gender relations, tribal feudalism and a weak central state.

Although progress has been made over the last years, mainly in the legal and political context, carefully defined approaches towards gender equality are still necessary. On one hand, they have to tackle the resistance with the right argumentation. But most impor-

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2 The Saur (April) revolution marks the point in history when the Peoples Democratic Party of Afghanistan/ PDPA came to power in 1978 after the killing of Mohammad Daud through a communist coup.

tantly, no approach should sacrifice goals of gender equality and women's rights by trying to integrate more cultural and traditional values for winning the participation of the community.

It can be observed that in some analyses, work on aspects of gender is equal to a disrespect of the values of Afghan society (Schetter 2006). Or cost-benefit assumptions on the improvement in the status of women are fit into approaches of working with traditional sections of the society. To choose this kind of approach, development planners and implementers might, in the beginning, leave the impression of achieving a step forward in women's participation. However, as more careful analysis shows, these attempts either remain rather substitute or thinking about integrating gender equality goals has to give way to apparently more important ambitions of a development project. Likewise, all argumentation for bringing in gender at a later stage of project development and attempts to explain away the strict form of patriarchy existing in tribal communities as well as amongst, for example, the former mujahidin group, only remain a form of resorting to vague cultural relativisms and are therefore highly questionable. Instead, it is clear that, in the context of Afghanistan, a process of democratisation, associated with aspects of modernisation, also means that cultural and customary practices that subsist among large parts of the population are confronted with social change processes.

Article 22 of the Afghanistan constitution from 2003 guarantees equal rights for women and men and therefore provides a certain framework for the implementation of women's rights. Provisions of women's rights according to the civil and criminal code, however, are still in the negotiating process. The Afghanistan Compact foresees reforms of the family code, regulating matters of marriage, divorce or child custody only until 2010. And yet it is not clear how the reform will be handled when confronted with the provisions of article 3 of the constitution that states that there should be no law which is contrary to the beliefs and provisions of Islam (Müller 2004). This dilemma has been analysed and discussed by scholars from other Muslim societies in various conferences and workshops. Manifold suggestions have been made to solve these issues within the text of the Quran and the context of societies. But clearly there is still a tendency of family courts to delegate family related matters back to local decision-making bodies like the jirga or simply the families themselves who would usually call for a jirga. The question of how to negotiate between civil law matters related to family issues within the context of prevailing customary and traditional practices has remained high on the agenda of activists of gender equality and women's rights.

The work of the Heinrich Böll Foundation partner Women and Children Legal Research Foundation has, for example, shown that the so-called tradition or custom of the giving away of a girl as a means of settling a dispute between two clans or families, prevails all over the country and amongst different ethnic groups. This is the case despite legal provisions that ban this practice. Research also shows that a decision that seems to be based on a consensus and apparently seems to settle an immediate conflict in actual terms causes only more grief and troubles not only for the girl that is given away but for all parties concerned (Women and Children Legal Research Foundation 2004). Crimes committed in the name of family honour, and therewith the male decision-makers, should likewise never be ignored on the basis of wrong assumptions made about traditional structures of Afghanistan. More often than not, these strengthen repressive and

patriarchal structures by assigning them a socio-cultural value that, in fact, is only based on unequal power structures and hierarchies.

While supporting the research projects of the Women and Children Legal Research Foundation, the Heinrich Böll Foundation tries to engage in advocating for women's rights and gender equality along alternative lines of argumentation that not only point out violations of human rights committed by representatives of so-called cultural values, but also identifies methods for advocacy of change.

Designing democracy: Traditional societies and democracy

Examples of other post-conflict countries show that progress towards democracy can not be taken for granted. Moreover, in a post-violent conflict context, the challenges of establishing democratic accountability structures and security organisation are manifold. Attempts to transform the security sector and good governance reform might, through the apparent changes in power structures, even lead to a new set of sources for conflict and insecurity. What is more is that many new democracies have been torn apart by more violent conflicts based on, for example, ethnic or religious identities instead of taking on the positive sides of political pluralism[3].

The efforts of newly-established democratic institutions to establish the accountability of security forces are still facing confrontation with an armed opposition or, as in the case of Afghanistan, with the additional vested interest of militias, warlord followings and the criminal drug mafia. There is a prevailing struggle becoming visible over how national security is defined and by whom. Over the last century, the Afghan state has been considerably weak in implementing any reforms or bringing any attempts of modernisation to a successful end. Such endeavours have been constantly opposed by strong religious or tribal forces working against change or any diminution of their power (Hippler 2005).

In post-conflict settings where reform strategies have lacked a strong domestic support, the pressure for democratisation and security exerted by the international community has at times been rather counterproductive. Also, any reform of the security sector has to be simultaneously matched with measures towards normalisation of the economy and day to day security. This means: a guarantee of adequate livelihoods for demobilised combatants; a rebuilding of the taxation system; measures to prevent smuggling and corruption; a rebuilding of the police force and of the judiciary as well as mechanisms for regulation of the private sector (Luckham 2003). Where this process of equal improvement of livelihoods has not been taken into account, security sector reforms are difficult to achieve as well.

Most analysts describe the Afghan conflict as a contest over two opposing political-cultural projects that follow development and reform introduced on a central level, on one hand, and tribal authority and patriarchal relations in the periphery on the other (Riphenburg 2003, Moghaddam 1994). As with many other contexts, like Afghanistan's, it is the question of how the promotion of democracy and security sector reforms that are influenced by Western models of democratic governance can be taken over by a domestic constituency to reach sustainability through ownership. Or as Luckam states: 'States

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3   Various aspects of his issue are extensively discussed in front of political backgrounds as various as Nigeria, South Africa, Sri Lanka, or Bosnia Herzegovina in Cawthra and Luckham (2003).

are indeed supposed to be 'well-policed states', able to deliver security to their citizens. This is what both, their own citizens and the international community of states expect of them. States not meeting this responsibility are not only failing their citizens, they are less likely to be legitimate and less likely to survive' (Luckham 2003, 12).

The work of the Tribal Liaison Office, which is described in detail by Kharokhail and Schmeidl in this volume, in essence tries to match these seemingly opposing projects. Tribal authorities from the southeast of the country had requested facilitation in integrating their own issues within the process of post-conflict reconstruction and peace building. With support of the Heinrich Böll Foundation and after an initial pilot phase, a platform for interaction and communication about development initiatives between the international community, the national government and the tribal representatives of the southeast was established. The goal of the Tribal Liaison Office is to enable the integration of tribal communities and traditional structures in the formal governance framework of the country. To achieve this, the Tribal Liaison Office works with informal governance institutions like jirgas or shuras. While supporting the work of the Tribal Liaison Office, the Heinrich Böll Foundation is following an approach of feeding into the relatively untouched niche between formal and informal locations of governance.

Of course such support can not be given without asking a certain amount of questions about its relevance to social structures that are defined as patriarchal, not democratic and against most aspects of gender equality and human rights values. The foundation has tried to concretely analyse if, through engagement with such traditional representatives of communities, it is possible to identify agents of change within their structures, or if, contrarily, this engagement further strengthens traditional values. Another critical factor is the recognition for the necessity of gender-equality concerns and the participation of women in decision-making processes which are important factors in the process of democratisation. Within the strategic setting of the Tribal Liaison Office, the inclusion of a focus on women or on gender aspects have, so far, been reasoned with essentialist argumentation. This is, for example, the possibility for leaders of a certain clan to get more schools in their region if girls are also allowed to go to school. Another argument has been to enable the possibility for women's participation in the provincial elections as the increased number of votes would strengthen the constituency of their male family members. It is not really a question if such an approach towards the inclusion of gender aspects might be legitimate if it is part of a strategy towards gender equality, or if it only serves as one incentive to the tribal representatives.

Ensuring its principles of gender democracy for the Heinrich Böll Foundation, it will be a future task to advise the Tribal Liaison Office in developing an approach that would probably be able to fit both: the values of gender equality and democratisation but at the same time the legitimacy within the community.

The way forward
We have seen that through engagement in subjects like women's rights and women's political participation, and by including traditional society structures, the foundation has at least partially managed to enter a relatively unique working niche. It has also become visible that despite the foundation's overarching goal of gender democracy, questions about women's rights and gender equality are dealt with as rather separate subjects instead of being perceived as vitally cutting across the process of democratisation.

For a future working strategy, it is recommended that current working themes be reassessed to understand how they fit into an integrated, people-centred and gender-sensitive approach while concentrating on the aspects of political democratisation and gender democracy. Besides a stronger theoretical focus on a democratic development agenda and the reform of the security sector, the questions of citizenship and accountability should be put at the core of the foundation's future working approach. On one hand, this is to be accountable for the foundation's overarching goal of gender democracy, and on the other, to be able to line out a strategy that would provide the possibility to fit in the current needs of the democratisation process in Afghanistan.

Current feminist writing on citizenship revolves around the concept's contested and contextualised notions. Accordingly, citizenship can be defined as a status of civil, political and social rights, as general or as political obligations (Lister 2003, 36). And, perceiving citizenship as the 'right to voice and be listened to', citizenship rights can be conceptualised as 'dialogical and relational' and can lead to the emergence of *human agency*. By adopting human agency and participation as a central point, the concept of citizenship relates to the possibilities and the rights to make a choice, articulate needs and interests and build up a sense of political competence. Besides being a status, including rights and obligations, then, citizenship becomes an active process and practise.

This notion allows utilisation of the concept of citizenship for encouraging people's participation in decision-making by perceiving it as a process of acting out the right to develop political potential and human agency. This also creates the space for motivating people to support an inclusive good governance agenda and later to effectively demand its enforcement.

Through the segregation of women and men in all spheres of public and private life, women's citizenship for years has been locked in struggle between the strong influence of institutionalised interests of their acknowledged communities and a fragile influence of the state as their supposed imagined community. Besides defining themselves as being Afghan citizens, people will also define themselves as belonging to a certain family, to a group sharing a common source of water or land, to a village/community, to a certain tribe or to a certain ethnic group.

Yuval Davis adds to this by defining citizenship as being multi-layered and people as actually being citizens in various political communities at the same time. Accordingly, people's lives are constituted out of their 'rights and obligations in local, ethnic, religious, national, regional, trans-national and international political communities' (Yuval Davis 2006). Besides its formal notion in relation to one particular state, this perception gives the concept of citizenship an additional substantive notion. As Jones and Gaventa summarise: The definition of citizenship as a status of having rights, as a process of human agency and through the identification of the politics of belonging is influenced by institutions and institutional mechanisms on various levels [4].

It has become clear that there exists a lack of trust and loyalty of the Afghan people towards leadership through a central government which is based on a historic lack of state governance. It is therefore most important to establish governance institutions that

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4 For an extensive discussion on the aspects of citizenship and development see Jones and Gaventa (2002).

are able to represent the interests of the Afghan people. These institutions have to be able to develop policies that not only represent the people's interests but also enable them to act out their voice and agency to articulate those interests. At the same time it is important to establish a transparent monitoring and information exchange system. Like this the accountability of those institutions towards all members of their constituency, including women and other excluded groups, can be ensured. According to Goetz (2003), power holders have to be answerable to their constituency, and it must be possible to enforce sanctions on them for poor decision-making or criminal acts. Goetz also urges us to make a distinction between formal (de jure) and informal (de facto) relationships of accountability. The latter often respond to informal social institutions (family, political factions, religious establishments) rather than to constitutionally-defined relationships between power holders, citizens and institutions for the execution of power.

To use the citizenship-accountability paradigm as a basic concept for the design of a future working approach would, besides opening up a wider space for future research and theoretical work, help in concentrating on a more integrated concept, as suggested above. At the same time, this would kick off a process of enabling and discussing active citizenship: taking on responsibilities, claiming rights through the articulation of interests and developing the space for people to make a choice. At the beginning, this could mean concentrating on involving different levels of the society in a discussion process around the accountability aspects of the process of democratisation. This could mean amongst others focussing initial work on assessing the following levels:

– The access to and distribution of information, e.g., what groups are looking for information about government performance, what kind of information do they want, etc.
– The question of incentives, e.g., what drives politicians, bureaucrats, traditional authorities, etc.
– The question of corruption, e.g., what are the markers of corruption in the Afghan context, how is public, formal, informal power misused for private or political gains, etc.
– How can a deeper citizen participation be supported and what are the legal provisions that need to be in place to increase citizen participation, including women and minority groups.

Of course the basis of such a strategic shift of the foundation's future working focus should be based on a previous study that would indicate concrete points for intervention and also recognise the lessons learned from currently supported work.

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Integration of Traditional Structures into the State-building Process: Lessons from the Tribal Liaison Office in Loya Paktia

> *In Afghanistan, political order and governance have always largely rested on a mixture of personalized, clientelistic politics, and elite alliance and elite settlement, legitimate through traditional mechanisms of consensus building and empowerment, such as the Loya Jirga (Grand Assembly)*   Saikal 1998, as cited in Moshref 2002, 29.

Afghanistan until September 11 (2001) was extensively discussed as either a failed or failing state by several scholars (e.g., Rotberg 2003, Schlagintweit 2002, Wimmer and Schetter 2002, Goodson 2001). The notion of a failing state, however, might be misleading, given the fact that the state in Afghanistan, even at its most developed stage, largely functioned only in urban centres, while in rural areas 'society was [still] traditionally organized in segmentary fashion and opposed to state power and sovereignty' (Wimmer and Schetter 2002, 8).

Amin Saikal's quote above thus offers a very interesting depiction of how local governance and political order functions in Afghanistan. It clearly outlines that governance was never much centralised, but depended heavily on local politics and elites. 'Neither the empires of the Safavids and Mughals of the sixteenth and seventeenth centuries nor the Durrani rulers of the eighteenth and nineteenth centuries managed to preserve their rule permanently or extend state structures beyond the few urban centers' (Wimmer and Schetter, 2002, 8).

This lack of a state, or even thinking in state terms, may have been further intensified by the war, as during conflict situations, the accountability of leaders towards the general population declines, focusing only on the desires and the needs of very small groups (Rotberg 2003, Goodson 2001, Schlagintweit 2002). Wimmer and Schetter frame this as 'the weakening of the state's authority through the stabilization of client networks, [where] warlords were chosen mainly for their authority over valley communities, tribal groups and client associations' (2002, 9). Thus, the state's monopoly of power shifted to non-state actors, and, as a result, warlords wielded greater political and military power (Wimmer and Schetter 2002). In light of the above, the state in Afghanistan, as weak and embryonic as it may have been, could only function to the degree that it accepted to co-exist with local structures and, consequentially, made power-sharing arrangements with them.

Enter the Coalition Force's attack on Afghanistan in the fall of 2001, the subsequent removal of the Taliban regime, and the signing of the 'Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions' – the Bonn Agreement – on 5 December 2001. Similarly to Kosovo and Iraq, 'the external players first crushed an existing power or government system ... by force in order to begin a process of material and political reconstruction, though nation-building was never the actual objective of the respective involvements, rather a means' (Hippler 2005, 3).

The Bonn Agreement laid out a pathway to a new Afghanistan with democratic ideals and participatory political structures. 'Wrapped in a vision of modernity, it seemed to belong to a distinct genre of planned social change, typified by the ambitious modernization programs undertaken in earlier periods by Afghan and other Asian rulers' (Suhrke 2006, 1). Most strikingly, however, in many ways, the Bonn Agreement seems to assume a clean slate for state-building in Afghanistan which would allow the Afghan people to explore what kind of state they want, what reach the latter should have, who should or even could participate in the state-building exercise, and how this can best be achieved.

This assumption, however, is very misleading especially considering the historic backdrop of difficult state-formation in Afghanistan, and the fact that the Afghan state never had a far reach into the countryside to begin with (see Schetter 2006). Even though the Bonn Agreement called on the participation of all Afghan factions, in reality it focused heavily on those who held power by military force (a minority), and as such failed to integrate the complexity of power-relations in Afghanistan that go beyond ethnicity (a majority).[1] This is often a problem of what Hippler calls 'imperial-nation building' that focuses on military security which often provides 'a great incentive to use local power structures, militias, warlords and even criminal gangs as auxiliary troops' (2006, 7) without considering their overall representation within society, the impact on the local population, and further political development.[2]

By this exclusive focus on military actors, however, the international community and the Afghan government alike ignored the fact that 'village communities, clans, tribal groups and religiously defined local communities formed the most important reference points for political identity and action' in the past (Wimmer and Schetter 2002, 8). This exclusion of important players and essentially the majority of the Afghan population have, among other, contributed to Afghanistan continuing to be a fragile state at best.

This already poses the question of how successful the peace process in Afghanistan has been so far, especially if we go beyond the achievements of having a new constitution and the first freely elected President and a parliament. Much of these achievements seem to be on the surface, with problems simmering underneath, as the June 2006 riots in Kabul have demonstrated. A big problem is the fact that the Karzai government is still heavily reliant on international commitment to create a functioning Afghan state, especially when it concerns security (compare here Suhrke 2006). Furthermore, the Afghan government has not yet demonstrated its ability to effectively reach into all provinces, let alone all districts, of the country. There are still persistent threats such as al Qaida, neo-

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1   The continued focus on the importance of military actors in Afghanistan is illustrated in the introduction of the Afghanistan National Development Strategy (ANDS, Islamic Republic of Afghanistan, 2005, 1; see also Suhrke 2006): 'The Government of Afghanistan's model of governance and development today derives from an ancient concept of this region called the "Circle of Justice"' (daira-yi 'idalat). As the ninth century Islamic scholar Ibn Qutayba, wrote:
"There can be no government without an army, / No army without money, / No money without prosperity, / And no prosperity without justice and good administration."
2   Compare here a recent article in the American journal *International Security* where military scholars hail the 'Afghan model' of intervention that rests upon using local allies (without critically assessing their grounding in the population) as a successful strategy that could work elsewhere. Andres, Richard B., Craig Wills, and Thomas Griffith Jr. 'Winning with Allies: The Strategic Value of the Afghan Model.' *International Security*. Vol3 (3): 124–161, Winter 2005/06.

Taliban, local warlords, criminal gangs, and drug barons hindering reconstruction and challenging government legitimacy and expansion beyond Kabul. Furthermore, there has been increasing unrest in the so-called Pashtun belt extending from southeastern to southwest Afghanistan that lies in the centre of the US-led war against terrorism (Operation Enduring Freedom).

If one uses a distinction made by Debiel of what makes a properly functioning state – security governance, political governance, judicial governance, and administrative governance, social and finally economic governance (2005, 4) – and evaluates Afghanistan's administration against it, the outlook for a stable state is indeed rather bleak. Astri Suhrke (2006) provides an excellent analysis that shows these weaknesses and possible consequences. Most problematic above all, however, is the lack of security linked to persistent insurgency in the Pashtun belt as this has made an entire region rather inaccessible for humanitarian and development organisations, leading to uneven development. This has led to a growing frustration among the countries largest ethnic group – the Pashtuns – that they are isolated and alienated from the state-building and reconstruction process taking place in many parts of the country. The International Crisis Group already warned three years ago that the alienation of the south and southeast, and emerging division between the north and south could seriously threaten the state-building exercise in which the international community has invested so heavily (ICG 2003).

If we contrast this weak performance of the Afghan government against the fact that successful state-building is best associated with a notion that the state is useful for the people it represents, mainly by 'perceptible improvement of actual living conditions' (Hippler 2006, 11), then uneven development is clearly a problem. Furthermore, in order for the Afghan government to understand what its people want (not so much what the international community wants), it needs to be in close touch with multiple segments of society, including traditional structures that do not hold power through military means. Often it is first and foremost powerful elites that a state (whether existing or emerging) needs to accommodate in order to be able to rule. And despite a belief (or possibly more a wishful thinking) among Western observers that elders in Afghanistan may have served their purpose and been passed over by military power-holders, deeper consideration of the reality in rural Pashtun areas teaches us otherwise. Even if we may disagree with the existence of these traditional structures, as we may consider them contradictory to our aims of building a democratic state, we may nevertheless have to find ways to reckon with them if we wish to make the current state-building exercise a success and not another failure in Afghan history (compare here also the contribution by Schetter).

This chapter will use the example of the Tribal Liaison Office in Loya Paktia (Greater Paktia; including Paktia, Khost and Paktika)[3], the southeastern provinces of the Pashtun

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3   Loya Paktia lies in the southeast of Afghanistan and comprises the three predominant Pashtun provinces of Paktia, Khost, and Paktika. Historically, the provinces used to be one until they separated in the 1980s. All three provinces border Pakistan. Paktia further borders Logar in the west and Ghazni in the southwest. Logar is also predominantly Pashtun and links Paktia to Kabul. Ghazni is ethnically mixed with a large Hazara population, and is considered part of the southeast. The ethnic mix, however, makes it distinct from the other three provinces that form Loya Paktia. Paktika has the longest border with Pakistan and is also the most insecure of the three provinces. It further borders Ghazni in the west and Zabul in the southwest, making the link to the southernmost provinces in Afghanistan that currently experience great instability.

belt, to illustrate possibilities and ways to engage traditional structures into the peace and reconstruction process of Afghanistan. The argument will try to support the hypothesis that such an approach can benefit, and not counter, the state-building process in Afghanistan. It will also try to propose a way on how to deal with the dilemma of working with more traditional structures that, to our taste, lack democratic elements, yet can be powerful change-agents in their own right.

The context/opportunity: Loya Paktia and its tribal structures

Loya Paktia as a region is a good example to illustrate how peace and reconstruction are a real possibility through the engagement of traditional tribal structures into the state-building process. The assessment is based on several observations.

First, Loya Paktia is still very much embedded in tribal traditions where relationships between and among the tribes are highly formalised and institutionalised. In Pashtun society, tribes are traditionally the largest permanent political and social units, and local elites and notables, who obey traditional structures and, contrary to some beliefs in the West, still hold great power. Especially Loya Paktia (compared to the south and east), with a majority Pashtun population, has still a cohesive and well-functioning tribal structure that has survived the damaging impact of the Soviet invasion and the years of war and factional in-fighting. Even the Taliban were never able to fully introduce their interpretation of Sharia laws into this region, since Pashtun tribes are strongly focused on their own laws – the *pashtunwali* (see glossary).

The expulsion of the Taliban had the unfortunate consequence of creating power-vacuums in many parts of the country, especially in the south, but also in parts of the east and southeast. The extent of these power-vacuums clearly depended on the strength of the traditional structures and their ability to fill this void with peace-oriented leaders, but also on the degree to which these leaders were at odds with gun-holders and warlords. In the southeast, tribes have managed to deal with such a power-vacuum far more successfully than their counterparts in the east or south.

Secondly, Pashtun tribes in Loya Paktia have a long historical record of participating in national politics. They played a major role in bringing the monarchy (the Mohmadzai dynasty) back to power in 1929. As a consequence, King Nadir Shah gave a privileged status to these tribes in Paktia, Khost and Paktika, rewarding them with honorary military titles, property, money gifts, advisory roles and exclusion from military service. The ruling family maintained a very close relationship with local tribal *khans* and *maliks* (see glossary), and the tribal elites, in turn, maintained close ties with the political centre. This supports the earlier argument that a successful state needs to be relevant for elite actors within the territory it tries to govern.

Thirdly, and very important for a participatory approach to state-building, security at the district and provincial levels is guaranteed by agreements among tribes, and between the tribes and the government. Due to these reasons, human security (e.g., the taking of land and humans by force) of Afghans is rather high in the area – even though outside views may differ here. Tribes have also the power to make new laws (a good example is an edict on banning poppy/cannabis cultivation in the southeast)[4] and impose sanctions

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4   It is important to note that this was done to show support of the Karzai government, not to undermine it. Karzai, unfortunately, did not react very favourably to this action, as he considered the

against those who break the law[5]. In addition, the provincial police rely on tribal shuras to provide tribal policemen for law-enforcement purposes. Thus, security (an important function of any state) in Loya Paktia still strongly depends on the consent and participation of traditional elders. Security in the southeast is important due to the geo-politically important position of Loya Paktia for Afghanistan as it once served as part of the frontier that separated British India from Afghanistan (now the Pakistan-Afghan border).

Currently security in Loya Paktia heavily depends on traditional tribal police – the Arbakee. The notion of an Arbakee is an old concept in rural Pashtun Afghanistan which can be best compared to what we consider as community policing. It is important to draw a clear line between the Arbakee and militias of any sort that are associated with warlords for the following reasons: The Arbakee are a very temporary body that is only established for solving specific problems, and only for the length of time required to do so. The size of the Arbakee depends on the kind of operation, in many cases it is simply for the purpose of dispute resolution or executing the decision of a jirga or shura. Despite the fact that each Arbakee has a clear leader (mir), the accountability goes back to the tribal council (jirga or shura) that called upon the Arbakee, which in turn is accountable to its own community. Furthermore, Arbakee only function in the very limited realm of the tribe they represent. Their fighters are volunteers from within the community and are paid for by the community. This emphasises again that their loyalty is with their communities, and not an individual leader.

Due to the association with traditional structures, jirgas or shuras, Arbakee can only function in areas with strong and cohesive tribal structures. This at present is only true for the southeast of Afghanistan, and Arbakee are essentially unique to this area. Trying to copy the Arbakee model to other parts of Afghanistan where there is no history or experience with this concept, or paralleled strong tribal structures, may lead to an empowering of warlords and their militias.

In Loya Paktia, the Arbakee were used for election security during the 2004 and 2005 elections. They outnumbered the Afghan National Police in size by at least a factor of three or four. Currently, in Paktia there are Arbakee in existence in every single district, except for the provincial centre. Their engagement ranges from contributing to district security, protecting national forests against illegal logging, to road, and in rare cases, border security. Sometimes Arbakee still solve disputes between communities – a very traditional function.[6]

punishment – burning down the house of those who did not obey the tribal edict – as too harsh and against the legal system he was trying to build.

5   Although tribal codes vary among the tribes, the overall values are similar. Because of this, the tribes live in coexistence under tribal laws, and are further able to enforce treaties made among them. These treaties, as well as the punishments associated with them, are still accepted to a large degree by the government. The tool for enforcing the tribal codes and laws is the jirga, or council, which can be convened by a tribe or between tribes.

6   For a more detailed description of the Arbakee, see a forthcoming DFID-funded study by TLO-swisspeace on this subject.

It needs to be acknowledged that the southeastern tribes have shown overall a great willingness to engage with the central and local government, especially in the area of security. They have never tried to rebuild their tribal police out of resistance against the government, but more out of a necessity for the security of their communities. In several cases (for example, during the elections), they have shown great willingness to provide this needed service in coordination with the government, even leaving the lead to state actors. The proximity of the provinces to Kabul also suggests easy access and engagement with central government structures and international actors.

Tribal shuras (see glossary) in the southeast have also shown their willingness to fit into state-structures by arranging around with political delineations, such as, for example, creating provincial and district shuras that can interact with policy makers. Even those shuras at the village level that are set up by NGOs or the councils of the government's National Solidarity Program are generally appointed by the major tribal shuras within a given province (compare here also the contribution by Schetter). In Loya Paktia, it is important to note that the district shuras are officially recognised by the governor, who works with them and often integrates their representatives into a greater provincial shura. This clearly indicates that tribes have adapted their own structures and proven their ability to change in order to fit into more modern developments.

These points support the notion of prevalence of traditional structures in southeastern Afghanistan and their overall importance for the functioning of society and even state in this region. Thus, the idea to 'think outside the box' and develop a methodology for engagement that can assist existing traditional governance structures (local, district, provincial, and tribal shuras) in learning how to work effectively in a changing environment should not be considered too far-fetched in the current state-building exercise, but potentially necessary and even indispensable.

The Tribal Liaison Office: Idea, origins, and activities

In 2003, swisspeace-Afghanistan (then working mainly through its first project, the Afghan Civil Society Forum) was approached by elders of the Ahmadzai and Mangal tribes from Loya Paktia asking for assistance in helping them to find ways to participate in the peace and reconstruction process and engage with the Afghan government and international actors. With funding from the Heinrich Böll Foundation, a pilot project on good governance for southeastern Afghanistan was conducted which explored with tribes in the area on how best to engage them. As the local will for participation proved overwhelming, the pilot project quickly gained acceptance and momentum and resulted in the creation of the Tribal Liaison Office in December 2003. Aside from a main office in Kabul, offices in Khost, Paktia, and Paktika were opened by February 2004. Start-up funding was generously provided by the German and Finnish ministries of Foreign Affairs and the Heinrich Böll Foundation.

Since 2005, the Tribal Liaison Office has also worked on tribal issues in Logar, Kabul, Kandahar, Uruzgan, and Helmand as the concept is gaining increased acceptance among the international community and within the Afghan government. In the provinces where TLO has a field office, elders from district, provincial, and tribal shuras serve on consultative groups that provide advice to the TLO offices, represent their respective tribes, and liaise with their shuras. The Kabul headquarters engages in strategic and programme

planning, facilitates with the donor community and central government, and provides logistical, technical, and programme support to field projects.

The mission of the TLO is to facilitate the formal integration of communities and their traditional structures with Afghanistan's governance framework. The project strategy relies on the cooperation with and the involvement of the tribal structures in the form of shuras or jirgas.

Even though jirgas (see glossary) were historically the main governance mechanism among tribes in Afghanistan, their ad-hoc nature made continuous engagement problematic. Thus shuras, even though a rather new format of tribal gathering was introduced by the mujahidin to regulate their affairs (see Rubin 2002), were considered a better form of permanent exchange between outside actors (government, international) and traditional structures as they tend to meet quite frequently.

Tribal shuras are composed mainly of men who are selected on the basis of their heritage rights or importance to local communities. As such, shuras tend to represent the local elite in the areas they govern. Very importantly, however, traditional elders hold power not only because of tradition and inheritance; their power base is also measured by how they are able to represent their communities and deliver services to them. Considering the earlier argument that successful states need to serve their people, traditional structures follow a similar logic of functioning modern states in rural Afghanistan (and thus possibly have no problems in trying to support it) – and function more along 'egalitarian' lines in the southeast of Afghanistan than in other areas. Based on this notion of service delivery, during the war years, power was also measured by the ability to control arms and alliances and successfully fight enemies; hence provide security.

Tribal structures should best be understood as complex clientelistic networks where the importance of family and kinship overrules interest-oriented association. 'Such networks can be related to Max Weber's non-modern forms of authority (patriarchal and neo-patrimonial, etc.) where there is no real "public sphere"' (Azerbaijani-Moghaddam, Schetter and Schmeidl 2002, 31).[7] Unlike what many untrained observers of Afghanistan may believe, these networks are less oriented around ethnicity (e.g., Pashtun), than along smaller entities such as tribes, sub-tribes or smaller communities or solidarity groups such as quams in Pashtun society (see glossary). Collective action, as we may think of it, exists to a lesser degree in Pashtun society, whose decision-making tends to be largely problem-oriented and needs-based (e.g., the formation of irrigation groups).

Spin Giri – the white bearded elders – the patrons of such clientelistic networks tend to have a limited scope of influence that rarely goes beyond tribal boundaries. This is the reason why decision-making on a larger scale tends to call for a jirga where all influential elites can be brought together to agree on actions and solutions. Each elder then tends to represent his clientele, in some cases a shura who provides further representation – as such interactions are very hierarchical – yet clearly builds on the notion that leaders have to be useful for the communities in order to stay in power (which provides for a blurred stratification in Loya Paktia society).

Such patron-client structures, however, are not unique to Afghanistan, but can also be found in Africa; hence, they tend to be a reflection of traditional societies in general. Orvis argues that 'patron-client networks are so pervasive in Africa largely because they

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7 Max Weber (1980): *Wirtschaft und Gesellschaft*. Tübingen [1921].

provide crucial resources to all involved', and because 'in an extremely insecure situation, these networks provide the best available means of social and economic security' (2001, 27). Furthermore, 'patron-client networks are informal groups that pursue their collective interests vis-à-vis the state, often retaining some autonomy from the state, and providing a means (however imperfect) of both political participation and accountability' (Orvis 2001, 27).

In sum, we can observe that, on the one hand, that patron-client interactions are unequal, and from a Western perspective, clearly undemocratic, with clients being subordinated to patrons and lacking their autonomy of action. Yet, on the other hand, the patrons of the southeast gain power, among other things, through their ability to represent and serve their clients. Therefore, we should not discard their utility and importance, not only for their communities, but also for the emerging states and international partners that are part of post-conflict peace-building exercises. After all, these traditional structures have managed to assure the functioning of Pashtun areas even during the wartime and those times in which the central government (and a state as such) did not exist. Thus, we are of the opinion that when working on governance and security in Afghanistan, the collaboration with traditional shuras is not just beneficial, it is essential.

The approach to actively engage the Pashtun tribes in the peace, security, and reconstruction process in the country was considered the best way to positively influence security in the region and to ensure the enabling environment for the delivery of rapid reconstruction measures in the region. The basic idea, then, is to work with elders who base their power less on military means than traditional ones[8], assist them in identifying the needs of their communities, and increase their power base by delivering back to their communities mainly in the areas of health and education, but also water (wells, irrigation) and transportation (roads). The communities are made to understand that they hold the ultimate responsibility for the security of the projects, and that they need to contribute to the construction effort. This means that communities need to pave the way for TLO assessment teams, allow access to all parts of their areas during the assessment, and assure that those involved with project implementation remain unharmed.[9]

However, the moment one chooses to engage with traditional structures, it is important to understand how these function, how to gain access to their *shuras* in order to identify key individuals, change agents so to speak, who can assist in conducting initial negotiations. This is exactly the reason why TLO has made research prior to engagement one of its major activities. The pilot study that led to the creation of TLO, for example, found that tribal elders who are focusing on peaceful (or non-military) means of governance and are willing to engage with the central government are particularly important. At present, most of these elders are in a very difficult position, as they are at odds with gun-

8 Aside from birth rights and inheritance, power among tribal elders is usually associated with:
   Networking: Good connections with the local and central government.
   Land: To possess land is important to be seen as a 'real Pashtun.'
   Economic power: Economic resources are needed to be independent from daily work. Thus, influential people need the freedom to spend as much time as they want on tribal issues.
   Local knowledge: To know the different customs of the pashtunwali, including experiences with its various applications in order to cope with the different cases of a Jirga.
   Mitigation: Ability to solve tribal disputes.
9 It has to be acknowledged that by strengthening certain parts of a community and alienating others (in our case, those holding guns), conflict might be created in the short-term. However, social change is never fully free of tension and conflict, and often local communities have to make

holders who derive their power not only from traditional systems of inheritance, but also through money, drugs, and access to weapons. It is the latter leaders who have made the southern, southeastern, and eastern parts of Afghanistan volatile and unpredictable.

In light of the above, equipped with a thorough understanding of tribal and traditional dynamics in the southeast, TLO decided to contribute to governance in these areas by identifying and engaging with the traditional elders, as well as providing them with the necessary assistance to better serve their communities. More specifically, it formulated the following core objectives:

– Promote dialogue and cooperation between tribes, provincial and central government as well as with international actors and thereby contribute to the strengthening of the rule of law and local judicial authority.
– Build the capacity of local shuras, leaders, and community groups to provide good governance within the national framework and increase tribal accountability and contributions to the peace and security process.
– Facilitate the reconstruction and development of public infrastructure through the participatory assessment of community needs.
– Promote understanding about local tribal structures and decision-making pattern through research and analysis.

These objectives are realised through a set of activities in the following key areas:

A. Research and Advocacy
– Increase knowledge and understanding of communities, conflicts, tribes, tribal structures, decision-making processes.
– Advocate communities' reconstruction needs and priorities to international donors and implementing agencies.
– Help to identify and support local markets and promote integration with the larger Afghan economy.

B. Capacity Building
– Train traditional shuras in development work and community monitoring.
– Build governance capacity in conflict resolution, economic development, and human and civil rights.
– Public (civic) education and information dissemination among communities and Tribal shuras.

C. Coordination
– Promote coordination and increase information sharing among international, national, and local stakeholders.
– Promote and facilitate dialogue between various stakeholders.

choices on how to respond to it. The fact that the areas of engagement – south, southeast, and east – are considered highly insecure, demands innovative and potentially unconventional means of working with communities to increase governance and security. In highly volatile environments, this may essentially be the only way to foster change and security in the long-run, at least until the central government is able to extend its influence across the entire country.

D. Facilitation
– Report reconstruction needs and community projects to donors and implementing agencies.
– Assistance to organizations in negotiating in-kind contributions from local communities to the reconstruction process (e.g. projectland, security).
– Provide assistance to international and local actors in the resolution of local conflicts.
– Connect implementing agencies and their projects to local communities.
– Facilitate the implementation of projects.

From idea to practise: Favouring factors for the establishment of TLO
The fact that TLO managed to establish itself successfully in the southeast was linked to several factors. Important was the marrying of several areas of knowledge within the research team, and by looking at the problem from various perspectives. The engagement with local actors helped to identify the needs and desires of the population. The deep knowledge of local structures and politics of the Afghan staff of TLO helped to put this into perspective and identify possible problem areas and pitfalls. The experience of swisspeace in the areas of peace-building, conflict analysis and prevention, and civil society allowed the translation of the local knowledge into concrete objectives and activities which could be communicated to policymakers and donor countries. In sum, a successful collaboration from various actors helped TLO to develop its unique structure and projects, with research in the initial stages being key. The following paragraphs will explain in more detail the factors that helped TLO to position itself in the southeast:

First, TLO was not imposed onto tribal communities in the southeast, but initiated upon the request of several tribal elders from the area. The intensive dialogues during the pilot-phase study, in particular with traditional elders but also with international actors (the regional UNAMA office was especially supportive of the process), allowed for the possibility of designing not only the basic objectives and activities but also the work structure of the future TLO offices. Thus, the participatory approach of establishing TLO helped to enhance the Afghan ownership in the process, which can be a very powerful supporting factor.

Linked to this point is the fact that TLO did not shy away from utilising traditional structures, but integrated them into the foundation of its approach. As discussed above, TLO tried to solve the dilemma (which mainly tends to come from the donor community) of working with undemocratic structures by trying to focus and utilise their beneficial elements, such as the fact that in a patron-client system, as can be found among the Pashtun tribes of the southeast, the knowledge and information given to the elite can trickle down to the rest of the population, and that elites hold power through service-delivery. Thus, the patrons were considered as change-agents that could be utilised through whom acceptance of programmes and activities could be negotiated. In a second step, direct access to lower levels (the clients) was facilitated and supported by the acceptance from the patrons and through the delivery of services. Thus, TLO and the traditional elders engaged in a mutual strengthening and legitimisation process.

Third, TLO was able to address an existing grievance among the population – non-inclusion. The tribes expressed their overall frustration with the slow pace of development work in their region and empty promises made by the Afghan government and the international community. They felt that they suffered from a negative image due to the

lack of security which, in their eyes, was unjustified. At the same time, the tribes felt that they had no proper representation in the central government that could lobby for their interests and improve the negative image of the southeast as an al Qaida- or Taliban-friendly territory. Essentially the communities of the southeast felt isolated and left-out from the peace and reconstruction process that was occurring within Afghanistan. In other words, they felt that they did not receive any piece of the large pie the international community had promised to deliver to the Afghan people.

This overall frustration of the local population created pressure for traditional leaders. As mentioned before, in Pashtun tradition, elders are, among other things, measured according to their ability to provide services to their community and negotiate access to politics in Kabul. Thus, there was a great interest among the elders in the southeast to create access for development organisations that could eventually lead not only to the development of the southeast but also increase the voices of the southeast within the central government, and thereby strengthen their own political base. Thus, clearly, in addition to ownership/participation, utilising existing structures and existing grievances, political opportunism among tribal elders was an important fourth factor that helped TLO to establish itself in the southeast.

Such opportunism, however, did not only come from the side of the elders. Considering again the history of Afghanistan and the discussion so far, state-building in Afghanistan can not be seen independent from traditional structures altogether. In history, as in the present, the Afghan state in many ways is highly dependent upon the collaboration with traditional structures in order to rule. As such, tribal systems should not be seen as a parallel but more of a complimentary system to a modern state. A strong and successful Afghan state would even find ways on how to bring traditional structures on board and integrate them into the state-building process. Most rulers of Afghanistan have understood this important symbiosis between the traditional and modern. Even though not all parts of the central government in Afghanistan may understand the importance of traditional structures, the rather weak representatives of the central government in the southeast did. They knew that their own success was linked to their acceptance by, and support from, local elites. Given that TLO could provide a linkage to the traditional structures, it helped legitimise the office in the eyes of the local government as well.

Following on this point, one can argue that TLO essentially performed an important service in the state-building exercise by trying to foster linkages and cooperation between two important structures. On the one hand, it helped the government to gain support from local elites and, on the other hand, it helped traditional elites to gain access to government and understand how to integrate themselves into the modern system, for example, through being elected into the parliament. In the process, however, TLO had to also convince elders that they would benefit by supporting the modern state-building exercise, which was mainly done through hopes for the big carrot – the benefits of international assistance and reconstruction efforts, but also the prospects of peace and security for the southeast. This facilitating role helped TLO receive support and recognition from governmental and tribal stakeholders alike.

Of course, one could argue that TLO also acted opportunistically itself. Due to the problematic security situation, there was an overall lack of NGOs that were engaged in the southeast. Thus, TLO – in addition to bringing to the table a thorough understand-

ing of local structures, and how to engage them – was able to benefit from a general vacuum of engagement.

More important than this, however, was the fact that TLO offered different kinds of services than other NGOs – mainly facilitation, information-sharing, and capacity building (among other things). Also, TLO was the only NGO that made working with tribal structures as part of its mission and basic foundation. This helped TLO to create a certain niche for itself. There was really nobody in the area that had the same knowledge about the traditional structures, and on top of that, the trust of the elders, to be able to bring them to the negotiation table. This led to a situation where, for international actors (military and civilian alike), TLO by default became a facilitator that could help them to enhance their own work. The following concrete projects are examples of how TLO could gain acceptance through linkage and knowledge:

– Through participatory rural assessment in most of the districts of Paktia, Khost and Paktika, TLO was able to meet two needs at once: that of the local communities, which had wanted to communicate their needs to the outside; and that of government and international actors by providing them with a list of projects that were prioritised and supported by local communities.
– TLO was the official partner of the Afghan Civil Society Forum (also developed by swisspeace) in the large-scale civic education outreach for the presidential and parliamentary elections, thus performing a useful service to the communities by providing information, but also to the government and the UN by being able to reach inaccessible areas.
– TLO was the only NGO in Loya Paktia that could help the government and international actors to engage in conflict-resolution exercises and initiate projects for the purpose of stabilising the region. Following are two examples: One priority for the provincial governments (Paktia, Khost and Paktika), UNAMA, and UNHCR was a long-standing (60-year) tribal land conflict between the Sabari and Bal Khail on the Paktia-Khost border. TLO was asked to facilitate a project that could help solve this dispute. Its Office Manager in Gardez, Mr Daud Shah Niazi, was part of the jirga comprised of elders from the three provinces. The final project – a 12.6 km road funded by UNHCR – helped settle the conflict.

Last but not least, TLO's ability to not shy away from bringing a military actor – the local Provincial Reconstruction Teams (PRTs)[10] – on board, also helped in gaining acceptance on multiple sides. Even though it is usually considered more than odd (often even a no-no) for NGOs to work closely with the military, the situation in the southeast – where military presence is a part of the local political picture – made bringing the PRTs into the discussion necessary, especially as the traditional structures wanted to understand the nature of PRTs engagement. Thus, TLO's ability to bring them onboard and into dialogue with local structures also helped cement its position as a facilitator in the area.

In addition to these more programmatic aspects, the fact that one of the main TLO staff (one of the authors) came himself from a very influential traditional family, which was held in high esteem among the southeastern elders, helped TLO to gain entrée into

10 The PRTs in the area were all coordinated by the United States.

the otherwise inaccessible structure of traditional elders. TLO and swisspeace have been quite open about this important contributing factor from the onset of this certain project. Building on the trust that came with the family name, TLO was able to counter existing scepticism among traditional elders against outsiders in general and NGOs in particular. Of course, this put TLO staff somewhat under pressure, as a failure to deliver to the elders would have also had repercussions upon the reputation of the family in the region.

In light of the above, TLO's ability to address the varying needs of local and international stakeholders in the southeast (governmental and non-governmental alike), and to use local knowledge and structures to its advantage, helped the positioning of the organisation in a difficult environment. Furthermore, its innovative approach, which set TLO apart from other more traditional NGOs, helped to create a niche of engagement. As emphasised before, it was especially the linkage between research and participatory action – meaning activities that centre on a deep understanding of local structures and the needs and desires of local communities – were important contributing factors for TLO's successful establishment in the southeast.

Wolf in sheep's clothing or critical areas of TLO?
As with many things, there can be a disadvantage for every advantage or opportunity that helped TLO in its work in the southeast. In other words, clearly each factor that was discussed in the previous section as having led to the successful establishment of TLO in the southeast holds potential risks if not managed properly.

While ownership is a powerful factor, it depends heavily on those who give ownership – here, the very traditional structure TLO is currently engaging with, or more precisely, the patrons of these structures. Linked to this, of course, is the fact that support for TLO rests on, among other things, existing grievances and political opportunism. Both factors are rather fickle building-blocks and can turn just as quickly against an organisation as they helped support it.

Support for TLO essentially rests upon the approval of local elites in the southeast who, due to their position of power, could take away ownership just as fast as they gave it. In order to keep successfully working in the area, TLO will have to remain useful for these elites. The usefulness, however, is linked to apparent carrots (addressing grievances) that TLO itself can not deliver without the assistance of the international donor community – assistance in the form of improved infrastructure, such as roads, schools, and clinics. The importance of this carrot, however, does not just exist for TLO, but also for the elders themselves, who have to deliver back to their communities. Just as the stance of TLO in the southeast falls and rises with the support from the local elite, the power and influence of local elites rests upon the support and trust of their communities. If in the long-term, the southeast is not able to attract the reconstruction efforts in a visible way, the role of TLO will become less important – and could be viewed possibly as one of the many NGOs that do not deliver. The June 2006 riots in Kabul are again a good example of how powerful unmet grievances and expectations can ultimately be.

TLO, well aware of this fact, has tried to provide other services to the local communities that are linked less to reconstruction than to political inclusion. Yet, again, the success here rests upon the continued willingness of the local and also central governments to work with local elites. So far, TLO has been able to make advances on this issue by trying to demonstrate the utility of traditional structures – especially in the area of security

– to governmental and international actors and, so far, elders have been content with this. But we need to remember the tremendous pressure on these elders to demonstrate their own power and, more importantly, status to their communities. Afghans in general, and Pashtuns in particular, are extremely proud people, and the non-governmental agents trying to win them over to their side understand this very well. A driving argument appealing to this pride has been the questioning of elders as to whether they were 'men or women and how long they would tolerate a foreign-dominated government in Kabul.'[11]

Clearly, the pressure is on international actors as well in Afghanistan, with their own image deteriorating slowly. Foreigners are not as welcome as they used to be, and according to many Afghans, they are like a cow that drinks its own milk, benefiting from the money that was meant for Afghanistan (see here also Schetter 2006 and Suhrke 2006). Therefore, the ability of TLO to liaise between traditional, local, and international actors (or to provide access to international actors) may become less important to the local elite when association with the international community is no longer considered a positive element itself and resources stop flowing. As emphasised above, this makes delivery of services to Loya Paktika very critical.

Thus, it is clear that TLO, like many actors in Afghanistan, is highly vulnerable to perceptions and developments within Afghanistan. Also affected by this is, of course, TLO staff who, while utilising their family name for access, also run the danger of doing damage to family status by failing to deliver.

Yet TLO not only needs to tread carefully with local actors but also among the international (donor) community. The fact that TLO explicitly made working with traditional tribal elders a major part of its approach has, of course, raised more than one eyebrow among outsiders. As mentioned before, traditional structures are often considered to stand contrary to our own democratic ideals, as only a limited number of people are allowed to be part of the elite decision-making structures. Most notable is the exclusion of women. Then there is the concern that the traditional customary law of the Pashtuns, the *pashtunwali* (see glossary), does not correspond to international human rights standards through its promotion of exchanging women for crimes committed or the death penalty for adultery. The community-oriented legal system clashes with the individualistic focus of modern law and, as Suhrke rightfully points out, the focus of modernising agents on 'the role, rights and visibility of women... as a central symbol of modernity' in Afghanistan is at odds with tradition (2006, 12).

The problem for TLO thus arises from the fact that during the present state-building exercise in Afghanistan, the focus is heavily on modern government structures, as modernisation was generally understood as 'promoting change on secular knowledge and institutions' (Suhrke 2006, 12). In such a system, traditional elements clearly do not have a central role, but are seen as essentially competing for space and power with a modern state.[12] There is a fear that collaboration with tribal elites may strengthen a parallel power

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11 This insight comes from extensive discussions with tribal elders in Loya Paktia over the past three years. In the past, the argument coming from anti-government forces (e.g., neo-Taliban) against the central government was the Panjshiri dominance. This obviously has changed now and shows the creativity and adaptability of anti-government forces to argue their point against the Karzai government.

system that opposes, or at minimum is an obstacle to, the creation of a strong modern state. Even worse, power given to traditional structure may lead to corruption, anarchy, and chaos. In light of the above, TLO could be considered a wolf in sheep's clothing that speaks the language of the West and tries to make undemocratic structures look appealing, structures which, among other things, violate the human rights of women.

This zero-sum game approach to centre-periphery relations (with the centre being modern and desirable and the periphery [provinces] traditional, backwards, and undesirable), however, is rather unconstructive in state-building exercises in countries where tradition and traditional structures still matter a great deal to the local population. TLO here has tried to offer an alternative approach, one that emphasises less the value judgements about the democratic nature of existing traditional structures, and more the inclusion and mutual gain and benefit (a non-zero-sum game so to speak) for the centre by working with traditional structures in provinces. Similarly, TLO has tried to counter the negative propaganda of anti-government elements in the periphery by arguing the benefits of tradition structures collaborating with the new central government.

We hope that this paper has been able to demonstrate that traditional structures, if linked to the central government (hence included in the state-building exercise), can be powerful change agents within their own communities. Here we need to ask ourselves what we are trying to achieve in the short, but also long run, in Afghanistan. After all, trying to introduce new modern structures often backfires far worse than when trying to find a role for traditional structures in a modern system.

It is important to also consider the role of anti-government forces here as well. The neo-Taliban, as recent reports show, is on the rise in Afghanistan. While they tend to be educated in madrassas across the border in Pakistan, they are in touch with traditional structures, trying to pull them onto their side in another zero-sum game of tradition and religion vs. modernity and non-believers. Thus, the inclusion of local structures into the state-building process becomes all the more crucial as isolated and frustrated local elites may, in the end, decide to switch sides if working with the central government does not pay off for them. In other words, finding ways to work with traditional structures could be considered as one (indirect) way of making sure anti-government elements in Afghanistan do not gain popular support.

Furthermore, TLO, among its other functions, has begun to engage traditional elders in a discourse about the meaning of modern structures and values that were new for them. The trust that elders had already invested in TLO helped to breach more difficult topics, such as women's participation in the presidential and parliamentary elections. For example, TLO was able to explain women's rights to traditional elders from a more pragmatic cost-benefit perspective, namely that local elites would benefit from women voting

12 Many of the western-oriented Afghans in the Karzai government would agree with this fact. The former advisor to Karzai and now Foreign Minister, Dr Rangin Dadfar Spanta, who has been living in exile in Germany, voiced this unambiguously during an interview in the fall of 2005. The National Solidarity Program developed by Clare Lockhard and Dr Ashraf Ghani (then head of the Afghan Assistance Coordination Agency who has been living in the United States and had worked for the World Bank) and later implemented by the Ministry of Rural Development under Hanif Atmar (who had worked with the international NGO IRC and lived in Pakistan for some time) also bears witness to the wish to replace traditional structures with modern ones (here, village-based community development councils [CDCs]).

in terms of supporting their own political base.[13] The necessity to then explain to the women how to vote translated into the participation of TLO in a nationwide civic education campaign which resulted in a high turnout of women voters in the southeast – unprecedented in Pashtun areas, and especially as compared to the south of the country (over 40% vs. barely 20% participation of women in the elections). Thus, even though working with women, or working on their participation in a more political issue such as elections, was seen as a rather sensitive issue in the area; the approach to work through powerful, but change-oriented local elders proved successful in negotiating political space for the participation of women by recruiting women into the civic education process and allowing women to vote in both presidential and parliamentary elections. The credit for the high turnout among women voters, however, should not only go to TLO but also to the local community elders who were willing to use their own influence to make this happen.

TLO's approach of pragmatically trying to negotiate political space for women through powerful elites – even if not all local men may agree with it or understand this as a right for women – has tried to build upon the experience of the women's suffrage movement in most Western countries. In most cases, it was not handled all that much differently, as women's right to vote was generally introduced from above by change-oriented elites at the top and was in no way agreed upon by all men on the bottom. Switzerland's approach serves as a good negative example here, as women's right to vote relied upon a popular vote by men. The path clearly was thornier, with women gaining the right to vote only in 1971 (as a result of pressure from other European countries), and only with 66 per cent of all male voters (only 58% turned out to vote) agreeing to it. The internal division was still deep, with 6.5 provinces (cantons, some being only half-cantons) voting clearly against women's right to vote; one of the main opponents was finally more or less forced in the late 1980s to follow suit.[14]

Frankly, it is too soon to assess whether or not these new values, such as women's rights or democratic ideals, discussed with elders were adopted pragmatically and short-term (as a deal in accessing power and resources) or whether they have already initiated a paradigm change. The work of TLO at this point is not even three years old, and social change usually takes much longer than that. Yet, one could argue that the initiation of dialogue on critical issues is already important in itself. After all, the role of outsider is not to produce change from above, but potentially to provide food for thought that can create change from within. As Anar Gul, previously a female lead trainer for TLO and now responsible for gender questions, fittingly said: through education we are able to present new ideas and viewpoints to the people. In the end, they will be able to choose among them and see that there are better ways than our old traditions. Here she clearly appeals to her own people's judgement (and the fact that they have to make their own choice) and the importance of education as a tool for change. Yet, while education is a powerful change agent, its effect can usually only be measured one or two generations

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13 Clearly at this point elders had already swallowed the fact that their new government had decided on a voting system that gave men and women equal rights – something they clearly did not agree with, but were willing to live with.

14 See: http://demokratie.geschichte-schweiz.ch/chronologie-frauenstimmrecht-schweiz.html. Other women's rights were at times also won on pragmatic grounds, such as their inclusion in the work force out of necessity (too few men) after World War Two.

later. We should thus not look towards making drastic changes in the minds of the elders of today, but rather look at how young emerging leaders are behaving, as they are the elders of the future.

It may also be important to point out that Pashtun society has never been fully constant and that traditional elites have always tried to adapt to new developments (compare here the extensive work of Bernt Glatzer). This has to do with the fact that a great deal of their power rests upon how useful they are to their communities, and these needs change over time. Thus, structures that have, in principle, been able to change in the past should also have such ability in the future. We may only see in a few years which changes have taken effect and which, of course, have not, as it is still clearly linked to the benefits local elites may gain from them, and to general developments within their communities. But here we are only treating traditional elders (and their constituencies) as rational actors, with TLO trying to make modern structures appealing to them and also by finding a role for traditional structures in the state-building process.

The potential backlash of working with military structures may be trickier to deal with – especially when multiple engagements function side by side, such as the work of the American PRT, in terms of reconstruction, next to the American-led Coalition Forces (CF) trying to combat terrorism in Afghanistan. Aside from the fact that their mandates are competing to some degree – bringing peace and reconstruction vs. war on terrorism – the Afghans rightfully consider foreign forces as a form of occupation, given that they tend to not greatly benefit from them in terms of security (after all, their mandate is more to fight terrorism and assist the Afghan state than to deal with common problems associated essentially with crime – compare here also Suhrke 2006).[15] So far, TLO has been successful in creating a dialogue with these structures, thus creating a learning effect among foreign military elements (notably the PRTs, but also the Coalition Forces) on how to not only understand and engage the culture they are operating in, but also understand how their different mandates are not fully understood by the local population who consider them all as simply 'a bunch of Americans in uniform.' The latter was a much more difficult task, as clearly CF activities have rightfully created resentment against the military in the southeast. Here the dialogue between traditional structures and CF forces has almost taken a conflict-resolution focus.

Critique from other non-governmental organisations that tend to be more reserved in working with military actors, of course, also exists. Again, so far pragmatism has prevailed. The discussion of why the military is playing an enhanced role in post-conflict environments should be held, but may not be very helpful in a setting where military involvement has already become a fact and needs to be dealt with. Here we are dealing with a similar argument of whether or not to engage with traditional structures – when the fact is that they play a role. Military structures, as unfortunate as it may be, play an important role in Afghanistan, and local communities are struggling with how to understand this. Thus, it can be to the benefit of an area if there is an organisation that has an ability to facilitate with the military structure, and possibly also influence their behaviour through targeted information and education. TLO at least hopes that through its work it

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15 Local surveys conducted by the Afghan Civil Society Forum have shown that only about 10 per cent of all Afghans would consider foreign forces as beneficial for their own security. The majority of Afghans still perceive the need to fend for themselves.

was able to sensitise military actors in their engagement in the southeast (and reduce the damage they might do) as well as lessen the distance to the local population a little bit. Of course, in a separate discussion, we should still continue to question the growing role of the military in peace operations and why that is the case.

Conclusion: Development of TLO and future challenges

Clearly, the approach TLO has taken in its work in the southeast is a non-traditional form of post-conflict peace-building and differs from the state-building that directly or indirectly emphasises modernity. Yet, we clearly need to accept the fact that Afghanistan is still at the threshold of development (and modernity for that matter) and that traditions matter tremendously (possibly more than we would like to accept). Thus, while it is possibly more exotic of an approach among more 'traditional' forms of international engagement: it may nevertheless be a sensible undertaking. By working through existing structures, regardless if hierarchical and undemocratic, TLO acknowledges their existence and especially the importance they still hold in the minds of many Afghans, patrons, and clients alike. In an attempt to find ways for these structures to engage in a state-building process, TLO has followed the important principle of inclusion and participation – which is also preached within development cooperation (even though we generally tend to think of women and minorities as not being among the local elites).

More importantly, however, TLO is trying to find a way to deal with the dilemma of how to work in insecure environments with communities desperately wanting to be part of the peace and reconstruction effort. While this dilemma is real, there are different ways to deal with it; it is similar to the dilemma we feel when we are confronted with settings that contradict our own value system. We either can ignore the dilemma and try to set up new structures – which often fails – we can disengage, or we can try to find new forms of engagement. TLO has bravely entered into this latter option, with all its positive and negative consequences. At minimum, we will be experientially richer at the end of this engagement, which hopefully will last a bit longer. At maximum, we have made a contribution to an inclusive state-building process where tradition can co-exist with modernity, and change can slowly emerge from within.

It is also important to note that while TLO has been less successful in attracting development efforts into the southeast, it has at least improved the information flow from the area to the outside. TLO has facilitated the travel for researchers and several journalists (e.g., *New York Times, National Geographic, CNN, the Economist, ARTE*) to the area and engaged them with tribal elders. This gave them the opportunity to be on the ground and to sketch a picture from the region which probably comes closer to the reality than the usual stereotyped reports about Loya Paktia as a Taliban and al Qaida stronghold. Other visits from important personalities, such as the Head of the Political Department of the German Foreign Ministry, Dr Voker Stanzel, and the German Ambassador, Mr Rainer Eberle, and Mirco Kreibich, from the BMZ, were initiated by TLO. Yet, while these visits had a strong symbolic character, the problem is the lack of translation into development projects. With the knowledge that elders in the southeast continue to be under pressure from their communities to deliver services, in the end they may be the ultimate losers in the game if nothing is delivered.

Clearly, after the inception phase of the organisation, it will be important for TLO now to enter into a consolidation phase. This has already begun, with TLO clearly trying to

formulate its goals and objectives and focus on core activities that were introduced earlier. The only major changes that TLO has undergone recently were twofold:

First, TLO was initially set up to be facilitator between tribes and external actors, and to build the capacity of local communities. Over time, however, it became apparent that if there was to be success in this synergy between traditional and modern government structures, TLO could not focus simply on building the capacity of tribal elders while leaving government actors behind, especially if one assumes that dialogue needs a similar language and understanding. Thus, TLO expanded its activities to also include government actors (civil servants) into its capacity-building program in order to enhance the efficiency and productivity of the local government

Secondly, mainly through outside requests for the expertise of TLO, the organisation has initiated a move towards the southern provinces of Afghanistan. The engagement so far has mainly been in the form of research and assessments. Clearly in line with TLO philosophy and methodology, an understanding of local structures comes prior to action. Especially as we know that even though the southern provinces are part of the Pashtun belt, there are great regional differences within these very Pashtun structures that need to be understood.

In the first part of 2006, TLO established an office in Kandahar and has begun assessments in Helmand for DFID and for the Dutch in Uruzgan. It will be interesting to see if TLO's approach could also work in the far more instable south, or if it really is only an approach limited to the southeast.

In a more recent development, while this paper was being written, USAID circulated a Task Order Proposal Request on an instability, crisis, and recovery program (icrp) that seemed to have included much of TLO's approach – at least the necessity to engage with local structures. Thus, it appears the work of TLO has already begun to influence the thinking of some donors.[16] Of course, the danger of translating and applying TLO's approach uncritically into other areas without adequate understanding or, more importantly, research about local structures and who to engage with (or not to) is very great – as the discussions in this paper have demonstrated.

16 Request for Task Order Proposal Request No. 306-06-012 APSO. Reference: IQC Contract DFD-I-00-05-00250-00 (Development Alternatives, Inc.).

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Glossary of important terms

Tribal terms

Pashtun
The Pashtuns are the largest tribal society in the world counting roughly 15 to 25 million people living on both sides of the Afghan-Pakistan border. Nearly all Pashtuns are Sunnite Muslims and speak their own language: Pashtu. Some Pashtuns in Afghanistan, however, have been Darized, making the number of Pashtu speakers smaller than the number of Pashtu ethnic group members.

The most important framework of reference for all Pashtuns is the shared code of honour and customs, the pashtunwali and the belief in a common ancestor: Qais Abdur Rashid. Thus, Pashtuns believe in a genealogical concept of social structure that is segmented by lines of descent from the common ancestor. It is further divided into tribes (qaum), several sub-tribes (e.g., demonstrated in name by use of the suffixes khel or khail, -zai), clans, and extended families.

On the macro-level two tribal confederations, the Durrani and the Ghilzai, subsume more than two-thirds of all Afghan Pashtuns. Each of these two confederations is subdivided into tribes and sub-tribes.

khail, wand, kor
The Pashtun society is ideally portrayed treelike, divided into several main tribes, which again are divided into sub-tribes, clans, and families. Sub-tribes are often known as khails, and are still further subdivided into lineages, sub-groups, administrative sections called wand (section), and kor (house or family). The allegiance of the individual almost never goes beyond the specific unit, and the unit acts as the identity and protector of the individual.

khan
The khan is traditionally a hereditary title. However, people with influence and resources can also assume the title of a khan. Khans tend to belong to influential families, with some having achieved this title through economic resources and influence. They tend to enjoy the respect and trust of their communities, and also play an important role in solving the disputes and problems of their communities.

malik
Malik is a title that is usually used for the head of a village or a community. He is the representative for outside interaction such as with the government, NGOs, or important political figures. Maliks tend to be under the influence of khans and are less influential. They maintain their status by working closely with the khans.

pashtunwali (qaumi narkh)

Pashtun tribes are governed by a code of custom and honour known as pashtunwali (or qaumi narkh), which functions as a body of laws used to settle disputes and references of how to behave. The pashtunwali may vary from tribe to tribe, each having its distinct characteristics. Local elites and notables within and among tribes use the pashtunwali in order to provide a functioning and self-governing system of governance, which fosters internal cohesion among the major tribes.

qaum

Qaum means the solidarity group that an individual feels he or she belongs to. Within the Pashtun society qaum is mostly used for the name of tribal branches and sub-branches. This is why qaum is often translated as meaning tribe but it can also be referred to as a communal group, extended family, clan, village, or professional group.

spin giri

The tribal elders are called spin giri (White beards). They are the most respected persons within a tribe. Usually a jirga is composed of spin giri. The influence of tribal elders is maintained by keeping the support of their constituency. Spin giri can enhance their influence by having links with influential figures whether in the government or with other important elders, khans, or maliks of the region.

wakeel

The title wakeel can be achieved by an influential khan or a malik, for example, through becoming a member of a Loya Jirga.

Institutions

jirga

The traditional decision-making body in Pashtun Afghanistan is the jirga. Jirgas are temporary bodies that are created for a special task, usually solving disputes among tribes, sub tribes, clans, families, or individuals, but also between the government and the tribes. It is a mechanism for negotiations and dialogue in which stakeholders belonging to different tribes and networks approach one another in order to solve disputes, gain resources, influence political process, or to reach overall consensus on a major issues facing them. These characteristics also determine the size of the jirga and its significance. On a tribal level, the jirga forms the only available means of decision-making and expresses in many ways the egalitarian ideals of Pashtun society.

After the jirga reaches a decision, it tends to dissolve. It is only revived if the decision is not accepted or if a new conflict or dispute arises. The most influential members of a jirga are the spin giri and the khans. While the spin giri are the one who have the traditional knowledge of the pashtunwali, the khans are often playing a role because of their power. Jirgas are very reactive in terms of solving specific issues and are not used for forward planning. Traditionally jirgas are all-male events.

Loya Jirga

A Loya Jirga (Greater Jirga) is a very rare and extra-ordinary countrywide jirga which is initiated by the central authority. It usually includes representatives of all ethnic and tribal groups, regions and sectarians who participate. While in the past Loya Jirgas were initiated by the Afghan kings, this gathering was also used under the Bonn Agreement of 2001 to legitimate the political process: the Emergency Loya Jirga in June 2002 decided upon the Transitional Administration; the Constitutional Loya Jirga in December 2003/2004 approved the new Afghan Constitution. While traditional Loya Jirgas were all male, women have progressively made their way into this decision-making body, often with special seats reserved for them.

shura

Originally the term shura was used for gathering of Islamic dignitaries ranging from mullahs to ulema. However, during the Afghan War and the emergence of the mujahidin, the term shura was introduced for all kinds of gatherings. Thus, the term began competing with traditional Pashtun terms such as jirga. Today the term shura is used for all kinds of gatherings with a rather official character. Every tribe (Pashtun and non-Pashtun) has its own shura. Outside assistance is only then accepted when the tribal shura is unable to solve a dispute. Shuras are rather stable structures and usually exist long term. It is more like a council that has a leadership and is usually comprised of important and influential people. In more recent years, shuras have adapted to government structures, thus there are also village, district, and provincial shuras. Often shuras are also set up externally (such as by NGOs) in order to assist in reconstruction projects. Shuras tend to be all-male. Female shuras are a newer invention and are usually set up externally. Recently, groupings that we would consider social or cultural organisations have also used the term shura, such as Youth shura or Handicap shura.

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