Chapter:4
Civil Society in Afghanistan

We seek to bring about a democratic alternative for Afghanistan that opposes violence and extremism and encourages a nascent civil society.\textsuperscript{261}

Afghan for Civil Society organisation (ACS) introduces its website with this optimistic note of promoting democratic culture and combating violence to build a peaceful Afghan state. Afghanistan, according to the Global Peace Index 2013, has been ranked as the least peaceful country in the world.\textsuperscript{262} While two GPI indicators registered improvements (fewer people killed as a result of internal conflict and a drop in the number of refugees and displaced people), four deteriorated and the country returned to the foot of the GPI, below an improving Somalia.\textsuperscript{3} Increasing terrorist activities and political instability contributed to the worsening of security condition. Civil war started in the country with the withdrawal of Soviet forces in 1989. Inflicted by frequent bouts of political fragility, Taliban established Islamic Emirate of Afghanistan in 1996. Economic growth suffered a setback under their regime. With the ousting of Taliban in 2001, USA installed Karzai government and economic condition saw little improvement. Although much of this was related to the influx of funds relating to the war effort.\textsuperscript{263}

With this another noticeable change during Karzai period was the emergence of a larger NGO sector in Kabul. This was due in part to the relocation of Afghan NGOs from Pakistan to Kabul and in part to the mushrooming of several new Afghan NGOs all over the country. The sudden boom in the NGO sector in Afghanistan was indicative of the fact that these Afghan NGOs were attempting to meet the growing demands of the population as well as the demands of the donor community and their emergency aid programmes. Consequently, a high percentage of the newly established Afghan NGOs began to take on the role of sub-contractor or according to the donor community "implementing partners". As a result, these Afghan

\textsuperscript{261}http://www.afghansforcivilsociety.org/\textsuperscript{,} Visited on Tuesday, 10 September, 2013 at 1110.
\textsuperscript{262}http://www.visionofhumanity.org/sites/default/files/2013_Global_Peace_Index_Report_0.pdf\textsuperscript{,} Visited on Tuesday, 10 September, 2013 at 1110.
\textsuperscript{263}Ibid
NGOs began to carve their own niche in delivering the very much-needed humanitarian aid throughout the country in line with the international donor community policy and guidelines. Overall, this was easy to do (donor agencies were eagerly seeking partners), easy to implement (mostly in their own villages and regions), there was some capacity within the organizations (mostly returning refugees that were educated in their host countries) and there was a desire to attract funding. A fluid and undefined civil society sector began to emerge in response to large sums of money being available for quick infrastructure and aid distribution projects.264

With the drawdown of international military forces, decision taken at the Kabul and Lisbon Conferences in 2010, the Afghan national security forces will be assuming responsibility by the end of 2014. It becomes more imperative to look at the various civil society members present in Afghanistan who can contribute to building and sustaining peace and development in the country. In 2006, Afghanistan became a signatory state to the Geneva Declaration of Armed Violence and Development which emphasises the role of state and civil society in preventing and reducing violence associated with war, crime, and social unrest. But the latest amendment introduced by the Ministry of Justice to the Law on Social Organizations and by the Ministry of Economy to the Law on Non- Governmental Organizations does not augur well for the future of civil society in Afghanistan. The proposed amendments to the Law of Social Organizations would limit eligible founders to Afghan citizens, prohibit unregistered activities, and provide the government with broad discretion to deny the registration of social organizations.265 And amendments to the Law on Non Governmental Organizations would burden the formation, activities and funding of NGOs.266 Therefore, it becomes important to relook and review the functioning of Civil Society in Afghanistan. The chapter will focus on historical evolution of the concept of civil society, significance of civil society in peace building, redefining the concept of civil society within the context of Afghanistan. I will also talk about the composition of Afghanistan’s civil society and the role undertaken by them.

264 http://www.phc-amsterdam.nl/artikelen/ngos_in_afghanistan_SP.pdf Visited on Tuesday, 10 September, 2013 at 1208.

265 http://www.icnl.org/research/monitor/afghanistan.pdf Visited on Tuesday, 10 September, 2013 at 1208.

266 Ibid
The chapter also discusses the problems encountered by them and lastly, conclude with some suggestions to improve civil society.

**Historical Evolution of the concept of ‘Civil Society’**

Civil society is one of the most intensely debated and contested concept. And these contestations emerge from diverse theoretical and ideological frameworks. The term civil society emerged as the key concept in Western Political Thought between 1750 and 1850. Till then, civil society was used synonymously with that of State. A member of the civil society was also expected to be a citizen of the State and under obligation to act in accordance with its laws and without harming other citizens. This perception remained dominant till the middle of 18th century in Britain, France and Germany. But now the idea of civil society has changed. And it is talked more in terms of limiting State action and countering absolutism.

The concept of civil society was introduced into modern European political philosophy by Latin translations of Aristotle. In 384-322 BC, Aristotle used the term *Koinonia* to describe association, community and society. He points out that number of associations are formed for some good purpose and the highest of them all is, State. He says that State comes into being for the sake of good life and continues for good life. He defined civil society in terms of participation, citizenship and knowledge. It was conceived as a commonwealth of the politically organised citizens. Aristotle’s equation of civil society with political society remained a main feature of the conceptual history of civil society over the centuries.

Roman history then countenanced slavery. They opposed hierarchical structure in society. Roman tradition known for Republicanism emphasised corporate group over individual rights. After the fall of Rome, Christianity guided the social and political life throughout the Dark Ages. Thomas Aquinas defined society in religious terms and said that society requires a moral god-given base. Civil society was thus constituted of ‘religion’ and ‘only Christians could be part of it’. This led to the formation of exclusionary, hierarchical and fixed system of civil society. Machiavelli in ‘Prince’ did not allow much space for the civil society and opted for central ‘State’ rule.

Hobbes in his ‘Leviathan’ considered civil society as an artificial creation of state, which is a response to the dangers of ‘state of nature’. John Locke in 1689 started arriving at present
conceptions of civil society. Civil Society for him was voluntary, individualistic, and participatory. It is an association of free and equal human beings and assures stability. Rousseau also considered civil society as an artificial realm and a human creation. The relationships and arrangements in civil society give rise to inequality and destroy freedom.

Montesquieu believed in ‘balanced constitution’, ‘separation of powers’ and ‘limits on royal absolutism’. Hegel in his ‘Philosophy of Right’, perceived civil society as the ‘sphere of ethical life’ interposed between family and State. To him, civil society is not formed by contract but exists in the ‘sphere of contract’. Civil society is one aspect of political order, the other being the ‘State’. It is a historical product according to him which includes civic and social institutions that inhibit and regulate economic life.

18th century French Thinker Alex De Tocqueville appreciates civil society as one who contributes ‘super abundant force and energy’ to the body politic. It is a sphere that tempers our passion, curbs the un-modered pursuit of private interest and educates us for politics. And it is through civil society that excesses of centralised state in democratic societies can be controlled. He believed that liberty can only be secured in the associative sphere outside the State. Freedom belonged to civil society and coercion or tyranny belonged to State. He wanted to avoid State despotism and therefore advocated ‘associational pluralism’. Tocqueville was the first major theorist to perceive civil society as an indispensable counterpart to stable and vital democracy rather than an alternative to it.

Karl Marx narrowed the conception of civil society to the autonomous realm of private property and market relations. He believed that civil society constitutes egoistic, selfish, capitalistic, bourgeoisie individuals which need to be transcended. Antonio Gramsci on the other hand said that civil society is a superstructure which comprises political, cultural and ideological hegemony which a small group exercises over society and with which the economy is regulated. Civil Society, for Gramsci, is one which manufactures consent. Institutions of civil society through which hegemony is established over society include churches, schools, trade unions etc.

Larry Diamond defines civil society as “a realm of organised social life that is voluntary, self generating, self-supporting, that is autonomous from the state and bound by a legal order or a
set of shared rules”. Michael Bratton defines civil society as the associational life beyond the state’s purview. He points out that civil society is different than political society. Harbeson describes the practical role of civil society as a mediator, broker, buffer, symbol, agent, regulator, integrator and representative. Neera Chandoke and Ernest Gellner stood for a strong, vibrant and assertive civil society. Whereas Gurpreet Mahajan favours a strong State to create civil society and assumes that State and civil society are intertwined concepts. Scholars like John Keane argue that civil society and State are two different concepts, completely delinked from each other and Civil Society was developed in order to counteract despotism.

**What is Civil Society?**

Thania Paffenholz and Christoph Spurk in their Civil Society, Civic Engagement and Peace Building defines Civil Society as

sector of voluntary action within institutional forms that are distinct from those of the state/political sphere, family and economy/market, keeping in mind that in practice the boundaries between these sectors are often complex and blurred; it consists of a large and diverse set of voluntary organizations, competing with each other and oriented to specific interests. It comprises non-state actors and associations that are not purely driven by private or economic interests, are autonomously organized, and interact in the public sphere; thus, civil society is independent from the state and political sphere, but it is oriented towards and interacts closely with them.

World Bank Report (2006) conceives civil society as the arena of un-coerced collective action around shared interests, purposes and values. As a public sphere where citizens and voluntary organizations freely engage, it is distinct from State, the family and market, though civil society is closely linked with these spheres and strict boundaries are difficult to establish. Civil Society Organizations are the “wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic

---


Civil Society broadly includes community groups, women’s association, labor unions, indigenous groups, youth groups, charitable organizations, foundations, faith-based organizations, independent media, professional associations, think tanks, independent educational organizations and social movements.

**Impact of Conflict on Civil Society**

Civil Society tends to shrink in a war situation, as the space for a popular, voluntary and independent organising activity diminishes.  

Thania Paffenholz and Christoph Spurk in Civil Society, Civic Engagement and Peace Building says that armed conflict dramatically changes the life of all people at all levels, from individual changes in attitudes and behaviour (trust and confidence) over economic and social change, to ultimate shifts of power relations in communities, regions and the society as a whole. Conflict also alters enabling environment (security, legal situation and law enforcement), basic issues and actors. Paffenholz and Spurk list the impact of armed conflict on civil society. They mention that

a. Armed conflict destroys physical infrastructure which limits communications and exchange.

b. State structures to which the civil society address their grievances get weakened

c. Security is low and the overall situation is characterized by complete or partial lawlessness.

d. Basic human rights are suppressed thus limiting even very basic civil society activities

e. Trust disappears and social capital beyond family, clan or ethnic affiliation is destroyed

f. Free and independent media is not present or severely restricted, depriving civil society groups of one of their main communication channels to other civil society groups, the general public as well as government and state structures.

---

271 Ibid  

Prof Jenny Pearce says that civil war induces insecurity and fear which hinders participation of people even in local community development and this in turn weakens the capacity and functioning of civil society.  

Roberto Belloni says that when the state is weak, the influence of uncivil, xenophobic or mafia like groupings tend to become stronger and this marginalises the civil society which is working for building cross ethnic understanding.  

Schmidt fears that there is a danger that civil groups might stray into uncivil groups under conditions of economic decline, social stress, and ubiquitous presence of violence and separation of civil society along ethnic lines.  

Bogner says that it is inherent in human beings that under stressful conditions they revert to their ethnic or language group to strengthen their bonds which acts as a protective mechanism.  

Pouligny says that kinship, tribal, religious and traditional political structures serve as coping mechanisms in times of conflict.  

And even Strand says that in crisis people revert to primary groupings.  

Abiew and Keating say that dominant position of NGOs might destabilise and disempower already weak state. Soft NGOs with lack of influence and power might not be able to counter and

---


curtail the excesses of government.\textsuperscript{280} Mary Anderson explains how aid can actually harm the society and lead to unintended consequences.\textsuperscript{281}

a. favoring recipients from one side of the conflict
b. fostering inter-group conflict through different benefits
c. funding war parties by not preventing theft of aid goods
d. releasing funds for war through aid delivery
e. destroying local markets through aid delivery, and
f. Legitimizing war factions through aid delivery.

**Importance of Civil Society in Peace Building**

In 1992, UN Secretary General’s report *An Agenda for Peace* (Boutros-Ghali 1992) defined peace building in a narrow sense as activities specifically aimed at preventing large scale violence and its recurrence within five years. But the definition has now been broadened from security and peace keeping to include socio economic conditions for peace.\textsuperscript{282} 2004 Utstein Report provides that physical security is as important as establishing good governance and socio economic foundations of long term peace. Peace Building covers all activities related to preventing outbreaks of violence, transforming armed conflicts, finding peaceful ways to manage conflict and creating socio economic and political pre conditions for sustainable development and peace. And this can be achieved by involving and engaging with civil society actors. Civil Society plays a significant role in reconciling the differences and building trust in the community after the war. It aids in developing community projects and building infrastructure. It provides a platform for public expression and realisation of needs which otherwise had been suffocated at the time of war. It facilitates the development process by restraining the coercion of State, increasing the cost of repression and generating support for the transitional process.

\begin{flushright}
\end{flushright}
John Paul Lederach lays great emphasis on the involvement of civil society for peace building. Lederach talks about Conflict transformation by involving mid level and local actors which will contribute to Sustainable Peace. Lederach advocated prominent involvement of local civil society organizations in peace building exercises rather than international organizations as he believed that internal actors have ability to find local, culturally applicable, and long term solutions to their own problems. He supported his suggestion with his multi level model indicating three types of actors and approaches to peace building. The top level leadership is accessed through mediation at the level of states and is termed as Track 1 level. Mid-Level leadership is reached through more resolution oriented approaches, such as problem solving workshops or peace commissions with the help of partial insiders who are prominent individuals in society and third level which is the grass root level, also called Track 3 level represents the majority of population and can be reached by wide range of peace building approaches such as local peace commissions, community dialogue projects or trauma healing for building sustainable peace. \(^{283}\)

Johan Galtung in 1975 popularised the concept of peace building in his pioneering work The three approaches to peace: Peace keeping, Peacemaking and Peace Building. As a sociologist, he believed that the causes of conflict run deep and therefore there resolution lies not only in cordonning off the area and signing agreement on the dotted lines but also by bringing socio economic amelioration. He said that ‘structural violence’ requires long term commitment and there is a need to create ‘culture of peace’ in society. And this can only be done by promoting the growth of local actors who understand the environment and have knowledge of their local areas.

Merkel and Lauth list five functions of Civil Society post the conflict.

a. Protection of Citizens: The basic function of society lies in protecting the lives and property of citizens against the attacks and despotism by State and authorities. This goes back to Locke’s fundamentals.

b. Monitoring for accountability: This function consists of monitoring and asking for accountability and transparency from central authorities, state apparatus and government. This is based on Montesquieu’s separation of powers.

c. Advocacy and Public Communication: Civil society aids in expressing the contents and discontents of public especially marginalised groups. It helps in creating channels of communication to bring issues to the public agenda and therefore, raising public awareness and debating them. This is similar to Habermasian’s principle of advocacy.

d. Socialization: Civil Society contributes to the formation and practice of democratic attitudes among citizens. It inculcates the values of tolerance, mutual trust and ability to find compromise by democratic procedures.

e. Building Community: Engagement and participation helps in building social capital. In societies, where there are tensions civil society helps in bridging the gaps and adding social cohesion.

f. Intermediation and Facilitation between Citizens and State: It fulfils the role of balancing the power of and negotiating with the State by establishing diverse relations of various interest groups or institutions of State.

g. Service Delivery: Civil Society provides services of education, health, information shelter etc to fill the voids in governance.

**Predicament of Civil Society**

An eminent Turkish scholar, Serif Mardin says that

Civil Society is a western dream, a historical aspiration and as such does not translate into Islamic terms.

Civil Society is basically defined exclusively in terms of modern, democratic and western contexts and this tend to keep out civil society of eastern countries.

The myopic western, liberal definition limits the role, functions and composition of civil society. It identifies civil society with associational forms familiar with the West, mainly Non-Governmental Organizations (NGOs) and other forms of voluntary associations. This leads to the exclusion of activities and forms of association that can be loosely described as traditional. If we focus on the Islamic world, we will see that popular activism has often been triggered by particular forms of authoritarian action by states where there is little or no
dialogue with society at large. Examples are Turkey under Ataturk, Iran under the Shah, and Egypt under Sadat. Excluding such responses to authoritarian modernization from the concept of civil society is problematic, since it implicitly endorses the view that protest from traditional segments does not need to be met with the same respect as protest from modern segments. Non-Western notions of civil society have barely surfaced within academic discussions of civil society’s role in emerging democracies. In the Afghan case, it is particularly difficult to define civil society according to the Western neo-liberal definition. The term, translated as Jama-e-Madani, did not gain widespread acceptance in Afghanistan until the external intervention in 2001. The concept of “civility” inherent in the Western neoliberal concept of civil society may not also comply with the Afghan context. For instance, the initial Taliban movement is often argued to have arisen as an overwhelmingly spontaneous reaction against misrule, and thus it can conceivably be considered as “civil society at its most powerful.” Further questions are raised by the apparent incompatibility of Islamic collectivism and the individualism touted by Western ideals.

Furthermore, it is a common assumption that civil society is inherently benign. This assumption is problematic, since it undermines any argument about the relationship between civil society and the objectives it seeks, such as democracy or economic progress. The definition of civil society has to be primary, and to be open to the potential that civil society organizations may have ambiguous or even mainly negative characteristics. At the extreme, this would imply the inclusion of criminal networks (such as the Italian mafia); of associations promoting the supremacy of a certain ethnicity or religion; and of clientelist or familial networks in politics. As important, however, is the ability to maintain that civil


286 Ibid

287 Ibid

288 Ibid
society processes or organizations may be ambiguous, in the sense that they have a potential not only for doing good, but also for causing harm.

Civil society is also not delimited by national boundaries. For one, there are strong indications that global civil society organizations are increasingly influential, also in the politics of individual states. Examples include associations promoting the rights of indigenous people, as well as the International Campaign to Ban Landmines. At a different level, many states have significant proportions of their population outside their borders, which does not exclude this population from active civil society engagements with a bearing on their home governments. This is, particularly, true for states that have experienced massive emigration, and even more so if a major share of their educated elite has departed.

Narrow definitions of civil society exclude many significant activities associations which can be of great aid in peace building process. The paper attempts to include various associations and groups which form a vital part in reconstruction of Afghanistan.

Oliver Roy in ‘The predicament of ‘Civil Society’ in Central Asia and the ‘Greater Middle East’ endorses the above viewpoint of Vanessa Van Den Boggaard. He, too, opines that US has imposed a narrow definition of civil society on rogue or dubious states.

The concept of civil society is based on precisely this idea: the emphasis is on creating the means to groom ‘true’ democrats, which often means bypassing the real political actors, or ‘civilizing’ them by recasting their agendas in terms compatible with western thinking……the problem is that the kind of society which is encapsulated in the notion of ‘civil society’ seems increasingly disconnected from the political society. Political events are managed on a day-to-day basis, with no long-term perspectives, while funds for development and training are channelled into long-term projects that too often are disconnected from the actual political scene. Aid and development policies are not geared to a coherent political strategy.289

And this has marginalised the traditional actors who held great sway over the politics and society of the country. United States has imposed its own definition of democracy and secularism and gave rise to authoritarian secularism. In the process, it has led to ‘delinking’ of secularism and democracy where the authoritarian secularism has got precedence over

democracy. But the western imported democracy being tainted with corruption and inefficiency was disliked by the eastern countries. Therefore, this gives rise to re-Islamization of society. And the same has happened in case of Afghanistan. Being dejected with the Western democracy, Taliban is again raising its ugly head in the country. Oliver Roy says that problem is not much with regime change as it is with the ‘sustainability of change’. He suggests that democracy should be geared with actual social and political movements.

**Existing definitions in Afghanistan**

Bonn process identified the significance of Civil Society in peace building process of Afghanistan. And since then the term ‘civil society’ has been in use in the country. It has also been translated in Dari as *Jama-e-Madani*. Civil society proliferated under USA takeover; they pitched in to fill the vacuum of development efforts.

Lot of ambiguity surrounds the definition of civil society in Afghanistan. Different organizations have differently defined the term. In the directory which emerged from the baseline survey, FCCS (Foundation for Culture and Civil Society) instead states that while the term is ‘used regularly by various political participants and scholars... there was not an agreed understanding between them of what Civil Society entails’. FCCS included local groups that were independent from the Afghan Government and excluded political parties and private commercial companies. They made a distinction between NGOs, Social organizations and Associations/Unions, but said that the categories were ‘very flexible and not well delineated’. They concluded that the core function of 70% of CSOs was to compensate for the lack of specific social services.

The Afghan Civil Society Forum, ACSF, uses a definition based on one in use by LSE, but with the addition of the concept of democratic values.

The Tribal Liaison Office, TLO, which is an Afghan NGO aimed at improving local governance, stability and security in the south-east and south of Afghanistan, uses a general definition of civil society as ‘a group of people who can gather together to talk about their communities’ interests.291

---

290 Ibid P: 18.
291 Ibid P: 19.
Civil society of Afghanistan is to be defined within the Afghanistan and the traditional actors need to be included to have a representative and inclusive analysis and participation in the reconstruction of Afghanistan.

Here I now, list few significant players of civil society in Afghanistan- community councils; religious networks; the NGO sector; voluntary associations and interest groups; and finally, political parties.

Civil Society in Afghanistan

1. Community Development Councils

Our purpose is to create local governance.\(^{292}\)

Community participation in the development programmes leads to increased involvement, empowerment of locals, building of capacity development and social capital. With their local knowledge they are better able to manage and plan their resources. To uphold this vision, Ministry of Rural Rehabilitation and Development in Afghanistan created National Solidarity Programme (NSP) in 2003 with the aim to develop the ability of Afghan communities to identify, plan, manage and monitor their own development projects. To strengthen good local governance and promote socio economic development, the NSP works to empower rural communities to make decisions affecting their own lives and livelihoods. This contributes to increasing human security. NSP strongly promotes a unique development paradigm, whereby communities can make important decisions and participate in all stages of their development, contributing their own resources. With the support of facilitating partners, communities elect their leaders and representatives to form voluntary Community Development Councils (CDCs) through a transparent and democratic process.\(^{293}\)


\(^{293}\)http://www.nspafghanistan.org/ Visited on Tuesday, 10 September, 2013 at 1215.
Community Councils are different from Shuras

Local Council is most commonly referred to as Shura. And aid agencies are generally seen as Shura without realising a large difference that exists between Shura and Development Councils.

Firstly, the Shuras are principally open to every adult male having social and economic influence and contact with authorities, and is religiously competent. Their purpose is confined to conflict resolution and problem solving. And they are reactive in nature. On the other hand, development council’s membership is fixed. Although, anybody having inclination towards development is welcome. The membership is characterised by one who is having development vision, is representative of whole population, and is having contact with agencies. Their aim is to have planning, development, implementation and running of projects. And they are proactive in nature.

Role of CDCs

The role of CDCs is not limited to dispersing of funds of NSP. It has strayed into other relevant domains of dispute resolution, community labour (ashar) and social protection of the vulnerable.

a. Dispute resolution

The nature of disputes which are dealt with:

a. The first type of dispute is related to the NSP programme or development activity, more generally. These are often concerned with the allocation of land or other resources for development activities, or the selection of communities for NSP implementation.

b. Other disputes are not directly related to new development activities, but had a community resource dimension: for example, access to common paths, roadways or water supplies.
c. A third category was personal, familiar, or civil and even at times criminal matters between community members.

d. The increasing involvement of CDCs in resolution of conflict exhibits an increasing level of their acceptance amongst traditional members. But the missing link is the limits placed on participation of women.

e. We have only participated in important meetings like choosing a canal, but can’t participate in other meetings, because male members hold them in the mosque, to prevent us from participating. (Female CDC member, Badakhshan, 2006)\(^{294}\)

f. Although, women in four communities indicated that they did resolve through mediation conflicts with a particularly sensitive gender dimension or other “women’s and children’s conflicts”. In one case, the women’s CDC defused tension, created when some boys had made crude remarks about the corpse of a drowned girl, by discussing the matter with the two families. Beyond these four communities, where women spoke of their role in solving conflicts, further discussion revealed these functions were actually more related to social protection for poor and vulnerable women.\(^ {295}\)

g. CDC involvement in *Ashar* and Social Protection

The CDC identified itself as having a role in organising *Ashar*, or community labour. Typically, this included cleaning irrigation canals and repairing roads. *Ashar* was also explained by some CDCs as a means for mobilising the labour portion of the community’s contribution to NSP sub-projects.\(^ {296}\)

A more prominent and novel role of CDCs was in the area of social protection. One working definition of social protection is that it includes “initiatives, both formal and informal, that provide: social assistance to extremely poor individuals and households; social services to groups who need special care or would otherwise be denied access to basic services; social insurance to protect people against the risks and consequences of livelihoods shocks; and

\(^{294}\)Ibid

\(^{295}\)Ibid

\(^{296}\)Ibid
social equity to protect people against social risks such as discrimination or abuse.” Not all these roles are seen in all places, and others constitute traditional community functions: for example collecting money from the community for funeral ceremonies. There is significant evidence, however, that CDCs were able to formalise and expand some social protection functions across these categories.297

CDCs also provided social assistance and social insurance by creation of beneficiary lists for various activities – such as NSP training projects or relief in the case of natural disasters – and the collection of money for people suffering illness, by the creation or identification of small jobs in the community for particularly vulnerable individuals, such as widows; and in some cases maintained a “community box” which was either to collect money for poor families experiencing life cycle shocks or livelihoods shocks such as illness, or to support future community projects. 298

Projects under CDCs (In 2009)299

A total of 3,258 communities (670,380 families, 3.8 million people) have participated in the NSP;
* 7,250 infrastructure and human capital development community-led sub-projects have been completed;
* Provided considerable capacity development support to communities through several training;
* To the approved sub-projects USD 144 million has been disbursed to the communities;
* Prepared Social Mobilization Training Manual for 5 phases, learning encounter training material, training material on conflict transformation training and engineering training materials for the engineers;

297Ibid

298Ibid

* Due to the closing of the Project, 1,856 matured communities have been handed over to the Government.

**Limitations of CDCs**

The creation of CDCs under the NSP has introduced a dramatic change in the development resources available to many communities in the country. Where these resources have been converted to successful sub-projects, the acceptance and legitimacy of the programme, and by extension the government, has been strengthened. As a relatively new institution within the local governance system, the position of CDCs is complex and varied. Firstly, Community acceptance of CDCs is conditioned by past experience, comprehensiveness of material and human resources available for facilitation, and local implementation patterns. It is also heavily dependent on the delivery and use of resources, and declines with delays or misuse of resources. Secondly, the implementation of all phases of NSP – including elections, CDC composition and configuration, CDP development, and the activities taken on by CDCs outside project selection and implementation – has been carried out in varied ways. This variation is complex. It appears that compromises in one area, such as the form of elections held, may facilitate gains in others, such as women’s influence on decisions through direct participation in meetings. Local norms and customs are important in determining these outcomes, but also important are the resources, creativity and depth of involvement in the area of the facilitating partner. Thirdly, while many CDC members claim to be involved in other governance functions, such as dispute resolution, these governance functions are not universal, and where they occur they are often carried out in combination with customary structures and individuals, forming a hybrid form of authority. Fourthly, there are barriers to genuine participation of women in both development functions and governance functions of the CDCs.

To overcome these challenges, there is a need to blur the distinction between governance and development. CDCs role as an institution involved in governance of the country needs to be emphasised. First step in doing that is to continue to emphasise the role that CDCs already play, as an institution involved in governance for development.
2. Religious networks

Islam is common to 99% of Afghans. Hence, traditional forms of associations—local councils and religious institutions such as mosque, the religious seminaries (madrasas) and religious leaders (ulema and mullahs) hold large sway over the society and politics of Afghanistan. Legitimized by religious authority and deeply rooted in traditional norms and practices, religious actors and institutions retain considerable influence on the moral values, social practices and political opinions of many Afghans. While both formal and informal institutions eroded during the war, local religious civil society institutions continued to be significant. It comprises of reform-friendly, pro-government moderates; Islamists; conservative-minded traditionalists; and radical fundamentalists.

Civil Society and Islam

Civil society, as defined earlier in the beginning of the chapter, is synonymous with individualism, liberty, freedom, democratic ideals and is termed as third pillar which keeps a check on the excesses of government. In this case, it is difficult to accept religious associations as part of civil society as the former mandates the pursuit of certain traditions and practices and debars the person who does not follow societal and religious code. This view is countered by Kamali, among others, who posit that the basis of civil society is ‘the existence of influential civic groups and their institutions that can, through established mechanisms, counterbalance state power’. According to Kamali, Islam has never been ‘purely a religion’—an abstract system of beliefs and values—but is a political theory and the major source of legitimization of political power. He draws a distinction between modern and indigenous civil society in contemporary Muslim societies.


301 Ibid P: 5.


303 Ibid
‘Religious illiteracy’ causes ‘ambivalence of sacred’ which suspects the role of religion in peace building. Scott Appleby says that religion's ability to inspire violence is intimately related to its equally impressive power as a force for peace, especially in the growing number of conflicts around the world that involve religious claims and religiously inspired combatants. Religious actors in certain cases have transformed conflict peacefully and cultivated a “culture of peace” in war torn societies. Therefore, it becomes imperative to include the study of religion in peace building.

Religion in Afghanistan

Islam is the official religion under the constitution. The Sunni Hanafi and Shia Jafari schools of law are the leading sources of jurisprudence, and the ones that are recognized by the state. Other denominations are minority. Shia Ismaili Muslims comprise less than 1% of the population. There are very few non-Muslims in the country, including Hindus, Jews and Christians.

The common Muslim identity has long been used by Afghan rulers to unify an otherwise highly heterogeneous population, most recently by President Hamid Karzai calling on the Muslim umma to stop the violent insurgency. The significance of religion in the public sphere was reinforced by the use of Islam throughout Afghan history with calls for jihad against British in 1830s, PDPA government in 1970s and in 1994 Taliban began to mobilise

---


306 Ibid


around religious identities and currently radical groups call for *jihad* against foreign intervention forces.

**Financing of Religious Civil Society in Afghanistan**

The institution of *awqaf* used to be a source of income for religious institutions such as mosques and *madrasas*. Today, the practice of *awqaf* is rare, and where it exists it is primarily used for maintaining and running mosques.\(^{310}\) A few foundations (*bunyad*), such as the Bayaat Foundation, build hospitals, schools and mosques, and have funded numerous projects to help improve the lives of orphans, to empower women and to assist other needy people. These foundations, however, are giving reference to general Islamic principles of charity, but do not operate as Islamic charities.

Support to political and religious groups and organizations were common throughout the *jihad* – both support to fighters and humanitarian aid. A number of Islamic charity and humanitarian organizations, providing humanitarian assistance to refugees in Pakistan and gradually within Afghanistan, ran a number of well-reputed hospitals, along with a large number of schools and orphanages. Islamic charity organizations also existed under Taliban rule. These charities were first and foremost concerned with building and running mosques and *madrasas*. These organizations were primarily funded by the Gulf States and Pakistan, through the Taliban’s Ministry of Religious Affairs. After the fall of the Taliban, the accounts of their were closed, because they were seen by the international community – particularly by the USA – as a potential way of channelling funds to radical groups, such as the Taliban, al-Qaeda and other *jihadi* groups. Today, formal financial support to religious groups and organizations seems to be less common – and probably more difficult. Religious organizations are generally viewed with scepticism by the government, the international community and modern civil society organizations. Further, the Ministry of Hajj and Endowment, mandated with overseeing both the *awqaf* and *bunyads*, is not actually carrying out this function at the moment. Some foreign support from Iran to Shia religious institutions and from Egypt to Sunni Hanafi initiatives – particularly in education (for religious schools) and humanitarian aid (such as food distribution, shelter, seed distribution, vaccination campaigns, etc.) – still exists. Some international Islamic charities or NGOs, such as Islamic

---

\(^{310}\) Ibid
Relief and Muslim Aid, both U.K. based, are still present and their mode of operation resemble that of other humanitarian NGOs. While ‘uncivil’ religious actors and groups using violent means do exist, necessitating government oversight and control, suspicions about religious organizations and the closing down of accounts across the board have not only reduced the ability for indigenous civil society to receive funding and support, but also have affected the overall perception and status of religious organizations. This may have reduced the space available to religious actors to play a civil society role. It may also lead to unofficial channels being used and thus contribute to criminalization of activities and reduced government oversight. Neither local, nor international financing or other support can currently be seen as steering the organizational activities of religious actors and institutions in general. In 2004, the Afghan cabinet ruled that no social organization, political party or media organization could receive funding from governmental or foreign sources, whether official or private. The rationale for this policy provided by Afghan government officials in Kabul is that it will ensure that social organizations have an indigenous base and support, and that they are independent of the government and foreign actors, although these organizations are unlikely to survive without external funding, at least in the short run.311

Functions of Religious Civil Society

Religious civil society provides moral authority and links the believer to the sacred. They act as spiritual guides and moral guardians – that is, they protect virtue and prevent vice. We will discuss in detail following functions of civil society.

a. Socialisation and Social Cohesion

They aid in strengthening internal bonds between members in a community and act as a bridge between different groups. In contrast, their position can also be used to divide groups. In short, they do not only promote peace, reconciliation and collaboration, but also foster conflict.

b. Public Communication and Advocacy

_________________________

311 Ibid
The mosque is a place that is used not only for religious services but also serves an important purpose of sharing information of public relevance and to spread political messages. Mullahs interviewed in Kunduz and Sayedabad saw the provision of information – giving people access to news, government announcements and information about their rights – as one of their main roles. In addition, the Friday prayer, a sermon (qutba) preached from a pulpit (minbar), traditionally contains a political message. In Afghanistan, this has traditionally been one of the symbols of central rule, as rulers used the Friday sermon to spread their own messages. The Friday prayer was used both by the communist PDPA government and the Taliban in this fashion, but also remains important today, when it is used to mobilize against national and international political actors, as well as to spread messages of reconciliation and to promote development and collaboration. The Ministry of Hajj and Endowment claims that, through its network of mosques, it can reach out across the country faster than any other ministry. Since 2002, the semi-governmental national Shura-e-ulema has actively used countrywide networks to preach against more radical religious groups calls to jihad against the government, to call for the release of a kidnapped foreign aid worker, and to publicize the ban on cultivation of the opium poppy. Locally mullahs have used their positions to encourage support for development programmes, and to preach in favour of peace and security in the country. However, the political role performed by religious leaders, particularly through the Friday prayer, also challenges the peace building agenda. In Afghanistan, the Friday prayer is also used to mobilize against the government and its foreign supporters, as in the high-profile case where the ulama called for the execution of a Muslim convert to Christianity. The case studies from Sayedabad and Kunduz illustrate how preaching is used for very different ends by religious leaders. The clergy in Kunduz – generally more supportive of the government – considered preaching to be something that mullahs could do to support an issue – the example most frequently cited being preaching in support of the elections. In Sayedabad, the clergy used their speeches to persuade people to join the jihad. The public communication and advocacy function strengthens the position of the ulama as an intermediary between the government and the masses, with communication channels to the ruler (through the Shura-e-ulema) and to the people (through the Friday prayer). This places the ulama in a position to also perform a ‘monitoring or early warning’. The ulama in Kunduz and Sayedabad do monitor what the government is doing and voice
concerns about corruption, assistance not reaching the needy and poor-quality work. The same channels have also been used by the government: the *ulema* have been paid to be the ‘eyes and ears’ of the government during several periods since the late 1800s, and recently the government have discussed once again the use of religious leaders as part of a new ‘government outreach’ initiative to make use of the influence of the *ulema* in support of the government role in terms of ‘controlling central authorities’.

312

c. Mediation and Conflict Resolution

Religious leaders of holy descent such as *sayyads*, *khwajas* and *pirs* have used their position as ‘outsiders’ to help broker peace between warring tribes. The *mullahs* in Sayedabad and Kunduz still view their role in promoting peace and mediating in conflict as a central part of their responsibilities. The Afghan legal tradition is a mix of formal and informal legal practice, combining traditional legal practices with formal Islamic *Sharia* law and codified secular law. For many, however, the local *Shura* is the only real option. A dysfunctional legal system, with corrupt judges and dysfunctional courts, has caused many to shun the formal system and opt for conflict resolution through traditional councils – *Shuras* and *jirgas*. Religious leaders are often members of these traditional institutions or are called upon on account of their religious authority and knowledge of *Sharia*. Even when decisions are made on the basis of traditional legal practice, they are often taken to the *mullah* for sanctioning. Final verdicts are commonly announced through the pulpit in the mosque – whereby the religious authority of that institution is used to reinforce and sanctify decisions taken. Such a position of authority is obviously vulnerable to misuse and corruption. Some religious leaders have been accused of being as corrupt as the judges in the courts, and of making their decisions in favour of the party that can pay the most.

313

d. Inter-Mediation

They are not only used to resolve local conflicts but *mullah*’s standing in the community and the space they command in public information and debate makes them a possible entry point to communities. The relatively independence of the *ulema* and the local *mullahs* enables them

312 Ibid

313 Ibid P: 40.
to act as interlocutors between their communities and external agents like the state, aid agencies and NGOs. Here, too, religious leaders have the potential to contribute to reconciliation and peace and to support development – or, on the other hand, to fuel further hostility and conflict and stir up uncooperative attitudes. Local religious institutions are used to reach agreement about local development decisions. According to a manager of the National Solidarity Programme ‘it is almost impossible to get people’s agreement on any Community Development Council (CDC) decision unless the decision is announced through the mosque by the religious leader of the village.’ Other power-holders, such as tribal chiefs, village elders and members of village councils, also have a say, and authority and power is continuously negotiated between local actors.314

e. Resource Distribution and Social Security

In Afghanistan, while some services – such as education and health – have been provided by the state (before and, though at a reduced level, during the war), social security is more often provided by social networks outside of the state. These include networks based on family, qaum, clan and tribe. Islamic principles of charity - provision of social security and redistribution of resources - are prescribed through the collection and redistribution of zakat and ushr. Charity in Afghanistan is generally unorganized and personal. People give charity to their family members, to the poor in their communities, and to the mullah and students in the mosques. While formal Islamic charity organizations are not common in Afghanistan, the mosque - as a focal place in the community - fulfils a number of welfare functions, such as distribution of iftar (the meal for breaking the fast) during Ramadan and qurbani (the distribution of meat after the sacrifice of animals during the Eid celebration). In addition, in some communities, zakat is collected and distributed through the mosque, by the mullah imam or a zakat committee. In present day, Afghanistan there seems to be a rather limited role for Islamic charity. However, some of the mullahs interviewed in Kunduz are already trying to persuade people who pay zakat to think longer term, and encouraging them to establish small businesses for their zakat recipients. A number of religious leaders also gathered in the city of Kunduz in 2005 to draw the attention of both the people and the government to the need for formalization of the zakat system. There has been no follow-up to

314 Ibid P: 41.
this initiative, but it demonstrates an interest in thinking anew about the utilization of zakat and Islamic charity.

**Relations between State and Religious Civil Society since 2001**

Traditional civil society actors were not given much of significance in the peace building process of post 2001. They continued to be viewed as traditional and conservative. They were more of an instrument in supporting the policies of government rather than voicing the society’s independent concerns. On one hand, they welcomed international assistance in aiding the development of the country but on the other hand they disliked the presence military forces. The post-2001 peace building process led by the USA and the UN’s Special Representative to the Secretary General has been described as being steered ‘to safeguard short-term stability and limit the space for conservative Islamists’. 315 The Bonn agreement set out a stepwise approach aimed at establishing a ‘broad based, gender-sensitive, multi-ethnic and fully representative government’. 316 Emergency Loya Jirga was held in June 2002 to establish the transitional government and officially confirm Hamid Karzai as Chairman of the Afghan Transitional Authority (ATA). Parallel to this, ‘Afghan civil society’ was invited to solicit their views in peace building process. But they were not representative of the Afghan society and comprised of elite Afghan class working in NGOs in Pakistan and Iran. In January 2004, Constitutional Loya Jirga was held to draft the new constitution for the country. But there were complaints from the traditional as well as modern Afghan civil society actors that their concerns were not represented. Following the initial civil society forum held in Bonn, Swiss NGO Swiss Peace working through local organizations in Afghanistan, facilitated broader-based consultations with Afghan civil society in May 2002. Some 200 civil society actors from diverse backgrounds participated in these consultations, including both traditional and religious actors. 317 This was one of the very few attempts to


316 [http://www.afghangovernment.com/AfghanAgreementBonn.htm](http://www.afghangovernment.com/AfghanAgreementBonn.htm) Visited on Tuesday, 10 September, 2013 at 1255.

hold broad based consultations but did not reflect the general change in the perceptions about civil society. While the ‘Afghanistan Compact’ agreed in London in January 2006 renewed the commitment to ‘strengthening state institutions and civil society’[^49], only modern Afghan civil society was consulted.

But their non inclusion in the consultation process cannot ignore the significant work of implementation done by traditional religious civil society actors. Their utility as service providers and implementers of development projects, not as opinion-makers or a ‘voice’ is also important. But this is not an uncommon approach to ‘civil society support’ and is seen in many developing-country contexts[^318].

The public voice – or advocacy function – of the mullah imams as prayer leaders in the mosques, however, has been used proactively by the government when introducing new policies. One example is the use of the voice and authority of the ulema in the counternarcotics strategy. Supported by the UK Drugs Team, the Ministry of Counter-Narcotics devised a strategy that builds on engaging religious leaders to preach against the cultivation and consumption of drugs. In August 2004, the national Shura-e-ulema issued a fatwa (religious decree) advising against opium-poppy cultivation and sale on the basis that such practices were contrary to Islam. Since the first National Counter-Narcotics Conference in December 2004, President Karzai has issued several decrees stressing the illegality of opium cultivation and drug trafficking. This approach has been supported by the national Shura-e-ulema, which issued a religious decree condemning all aspects of narcotics activity as un-Islamic[^319].

Parts of the ulema loudly criticize the government for consulting – or using - the ulema only when it is convenient for them, and accuse the government of being subservient to foreign pressure and of lacking independence and integrity if they set the Sharia aside.


[^319]: Ibid P: 45.
Ministry of Hajj and Endowments, concerned with religious affairs in Afghanistan, has clearly spelt out aims to ‘in the light of Islamic teachings to ensure social justice, national unity, peace and democracy’, through among other things ‘issue Islamic fatwas’, ‘arrange preaching for Friday and Eid prayers in mosques’ and ‘regular controlling and monitoring of mosques’. The ministry has set out to ‘fight against narcotics...social corruption, superstitious customs ...and unacceptable customs that go against Islam’.  

Links between local mullahs imams and ministry vary from place to place. The government is also controlling the preaching in mosques and this has been done by including approximately 2000 religious leaders on ministry’s payroll as preachers. In 2006, President Karzai announced 500 new posts for ulama, a move that has been seen as an attempt to please the clergy.

Important concern that needs to be addressed is to alleviate the tension between traditional and modern civil society actors. Modern civil society has proliferated since 2001 and pushed traditional actors on the sides. But the former has also acknowledged the significant role played by them in contributing to development of the country. One notable example of collaboration between modern and traditional forms of civil society has been the efforts by the Tribal Liaison Office (TLO) to include religious leaders in its work. The TLO, a Kabul-based Afghan NGO working to advance peace and development in the country’s south-eastern region, has invited religious leaders to join tribal leaders at peace jirgas arranged to discuss how local actors can contribute to solutions to the conflict in the southeast. In the light of the current conflict, these types of engagement and forums may be a way for modern civil society organizations to tap into traditional civil society.

But Post Bonn conference, the support to moderate and reformist religious actors has dwindled. The aim of American intervention in Afghanistan was to free the country from the oppressive regime and practices. But little has the American forces able to achieve that. And they, then, centred their motive to arresting the spread of Al Qaeda and Taliban and launched

---

320 Ibid P: 45.
321 Ibid P: 46.
322 Ibid P: 51.
‘War on Terror’. But America could not accomplish much from the intervention and this resulted in the rise of Afghan insurgency. And support is shifting back towards the Taliban. Moderate and reformist views are facing the wrath of Taliban leaders, which is resulting in killing of religious leaders.

There is no space to breathe for non-pro-government and non-pro-Taliban religious leaders. A modern Afghan civil society actor expressed apprehension on the return of Taliban. According to reports from Afghan civil society organizations in the south, pro-government religious Shuras in Uruzgan and Helmand have shut down owing to threats from the Taliban and other anti-government groups. Speaking to the Los Angeles Times, Defence Ministry spokesman General Mohammed Zahir Azimi said that it was ‘impossible to provide security for the more than 3,000 local religious leaders around the country...We know that they are in a dangerous position, but there is nothing we can do at the moment for them...They have to live like every average Afghan.’

Governmental support to the moderates has also waned and instead the latter is accused of colluding with criminals. The case study of religious leaders in Sayedabad, where the Taliban is gradually gaining ground, suggests that religious leaders – scared of retaliation by the Taliban – are currently avoiding forming coalitions or joining religious gatherings and groups such as the Shura-e-ulema. For some of these religious leaders, this means that they are being pushed out of public participation. As one mullah in Sayedabad put it:

No, there is no one [i.e. no mullahs participating in the elections]. During the elections, we wanted one maulana to stand, but fearing the Taliban, he lives a low-profile life in his village.

Taliban representatives and Afghans representing a broad spectrum of political leaders, government officials and parliamentarians were brought together in a rare meeting to discuss the future of Afghanistan. While the Taliban talked mainly about the war, the other representatives focussed on democratic future rooted in the rule of law, elections and accountable government. A growing majority of Afghans has left that past behind. While suicide attacks and violence still make the headlines, most Afghans are now focused on jobs, the rule of law, accountability and the coming elections in 2014. There is a need to encash

323 Ibid
on this rising upsurge of emotions amongst the Afghans. Tension between new and old religious civil society actors need to be placated. A peaceful State can only be secured when inclusion of difference is given paramount importance.

3. NGO’s

Our aim is not to replace Government. Only a government can take forward a country and deliver for its own people. But there are large gaps as to what governments can do in poorer countries. NGOs’ role is to work at the local level and gather information to provide to the government at the national level.325

Local governance is imperative in aiding the development of the country. Civil Society Organizations collects knowledge of the developmental gaps, helps in dispersal of funds in the implementation of projects, and finally, in execution of projects.

Afghanistan has two main categories of registered, non-governmental, not-for-profit organizations with legal entity status:

- Non-governmental Organizations (NGOs), which number approximately 2151 (1857 local and 294 foreign NGOs), as of February 2013. NGOs are defined broadly in the 2005 Law on Non-Governmental Organizations (NGO Law) to include both domestic and foreign non-governmental organizations. A domestic NGO is simply "a domestic non-governmental organization which is established to pursue specific objectives." (Article 5(2)) To establish a domestic NGO, the Law requires at least two founders, who may be domestic or foreign, natural or legal persons, at least one of whom has a residence and exact address in Afghanistan. (Article 11(1)) To become registered, NGOs must apply to the Ministry of Economy.326

- Social Organizations (SOs), which number approximately 4000, as of February 2013. The Law on Social Organizations (November 2002) addresses a more specific


category of organization. "Social organizations (communities and associations)" are defined as "the voluntary unions of natural or legal persons, organized for ensuring social, cultural, educational, legal, artistic and vocational objectives" (Article 2(1)). Social organizations must seek registration with the Ministry of Justice and consist of no fewer than 10 founding members (Article 6(1)). Foreign citizens are restricted from serving as founders (Article 2(2)), although they can obtain honorary membership after receiving permission from the Ministry of Justice (Article 18).  

**NGO’s in Afghanistan since 1980s**

International humanitarian and development-oriented NGOs have worked in Afghanistan since the early 1980s. Soviet intervention led to influx of refugees and domestic and international NGOs served as the principal providers of humanitarian aid and medical care in refugee camps in Afghanistan as well as on the Afghan-Pakistani border for more than three decades. But as the security situation worsened in the late 1980s, UN agencies packed their bags and withdrew from the country, leaving NGOs as the only organization to provide assistance.

Specific political context and history of Afghanistan, shaped by, among other things, the Cold War, politicized humanitarian and development assistance which adversely affected NGOs. In the 1980s, there were more than 200 international NGOs providing assistance to refugees and internally displaced persons, working both in Afghanistan and in neighboring countries, particularly Pakistan. NGOs organized and undertook both direct fieldwork on Afghan territory and the Afghan-Pakistani border while a large international advocacy and lobbyist campaign strived to end the war. Afghan refugees were also helped by Pakistani authorities, the UNHCR, and the USA government. However, in the first half of the 1980s, all three actors changed their strategies and began to channel assistance to Afghan refugees and displaced persons through NGOs. The US Congress approved this shift in USA strategy in

---


Afghanistan in 1980. Some of the NGOs funded by the USA government were CARE, Catholic Relief Services, Church World Services, International Rescue Committee, and the Salvation Army.

Although NGOs initially only provided humanitarian assistance in Afghanistan, they later started to undertake projects related to development. But they confined their work to areas where they could preserve their safety by bribing officers. Gradually, NGOs rose in significance as they cooperated with US and Western countries in the transfer of material and financial resources to Afghan field commanders. The USA and Western European NGOs (British Afghanaid, French Afrane) cooperated with the Northern Alliance from the mid-1980s, whom they supplied with food, medical material and other resources. In the late 1980s, NGOs worked directly with field commanders as the structures of the Northern Alliance had become increasingly corrupt and distribution through this channel was considered inefficient by NGOs. Ban was imposed on NGOs in Afghanistan in the 1980s which forced them to operate illegally, both on Afghan territory and in Pakistan. Furthermore, as Pakistan closed the border with Afghanistan, NGOs were made fully dependent on the corruption of Pakistani police and local officers who would overlook unauthorized border crossings (including transports of food and money supplies), and on Afghan field commanders cooperation. The Pakistani government, for its part, has since the mid-1980s tried to maintain control over NGO activities on its territory by demanding registration of them. It also decided which types of projects and in which locations implementation would eventually be allowed. Advocacy NGOs from the USA and Western European countries (e.g. United States Council for World Freedom or Committee for a Free Afghanistan) has contributed significantly to the politicization of NGOs in Afghanistan and to the erosion of NGO neutrality. Even if primarily advocating the protection of refugees and internally displaced persons in the international arena, their agenda also included fighting the influence of the Soviet Union and the communization of Afghanistan. This resulted in the impression that their activities were perceived to be part of the overall containment of communism.\(^{329}\)

With the coming of Taliban regime, it imposed severe restrictions on the activity of NGOs. Development organizations were outlawed while only humanitarian organizations were

\(^{329}\) Ibid
allowed to operate in the country. By 1994, foreign NGOs had been told to close their offices and four years later the Taliban government had expelled, pushed out or discouraged most foreign NGOs from working in the country, with the partial exception of some Islamic charities. And many NGOs withdrew voluntarily in the face of lurking threat to their lives and also in result of protest against persecution of their employees.

Despite the unfavorable conditions, however, NGOs represented for a long time the driving force for humanitarian aid in the country and their extensive agenda also included everything from post-war reconstruction to education.330

**Status of NGOs-Post Taliban**

The fall of Taliban regime allowed NGOs to contribute more freely in the reconstruction and development of the country. Most of the international and domestic NGOs have been focusing on the country’s post-war reconstruction, development, the quality of medical care and improvement in access to care, de-mining, improvement of education system and its infrastructure, food security (i.e. construction of irrigation systems, restoration of agricultural production etc.), rehabilitation of political prisoners, disarmament, demobilization and reintegration of former combatants, human rights and assistance to women and women’s rights. These issues are related either directly (demining, disarmament, demobilization, reintegration, improvement of education system), or indirectly (human rights and especially women’s rights, food security) to the post-war reconstruction. In many parts of the country, NGOs are the only legal providers of employment opportunities, food, medication and social assistance.

Although the cooperation between state and non-state actors is exceptionally high, the basic organization of the country’s reconstruction has remained divided, or separately organized, between international organizations and the new Afghan government on one hand, and international NGOs on the other.

Under the international agreement, the security and civilian reconstruction program established the so-called Provincial Reconstruction Teams (PRTs) as the main organizing

330 Ibid
framework for reconstruction (PRTs were approved at the Bonn donors’ conference in 2001). PRTs started to operate in Afghanistan after ensuring the safety of civilian employees, i.e. during the Operation Enduring Freedom and after the International Security Assistance force (ISAF) involvement. Today, there are more than twenty PRTs working in forty Afghan provinces. The teams have both military and civilian components. The civilian unit comprises international diplomats, employees of international organizations, government development agencies and Afghanistan's Interior Ministry.

Provincial Reconstruction Teams work autonomously. They coordinate their activities with other teams but the structures of projects and implementing partners are selected independently of other PRTs. The relatively high autonomy of PRTs led to significant diversification of their internal organizational structure. While some of the Teams (especially those led by USA forces) make no distinction between joint military and civilian activities, nor between military and civilian projects, other Reconstruction Teams (example those led by Germany) strictly distinguish military aspects from the civilian by using different uniforms and other visible features (example specific colors of clothes and on cars) to distinguish themselves. Although international and Afghan NGOs have been criticizing both the structure and functioning (quality and efficiency) of PRTs ever since 2002, they nonetheless became their key partners in implementation of reconstruction projects. The differences in character of Reconstruction Teams and NGOs resulted in unbalanced relationship between both sides and in the duplications of many projects. In 2004, there were more than 2000 local and international NGOs present in Afghanistan, the latter comprising an estimated number of more than 300 in 2004. The focus of their activities are mainly on poverty reduction, increasing access to education, restoration of infrastructure (primarily roads, schools and health facilities), de-mining and improvement of access to basic health care. However, NGOs operate only in secure regions, with the effect that most Afghan provinces receive no assistance. The spread of NGO activities was enabled only after Provincial Reconstruction Teams had been deployed, which, among other tasks, ensured the safety of international NGO workers. After several killings and kidnappings of aid workers in 2005 and 2006, international NGOs began to retreat into more secure regions, and reconstruction projects in the insecure provinces were either closed or suspended.
Challenges to NGOs

a. **Insecurity**: Afghanistan witnessed the highest number of major attacks and kidnappings on the aid workers in the year 2012. They are viewed as intervening in the traditions of society and culture and trying to spread western values and modernity. Government also does not arrest attacks on NGOs as the latter criticise government for their inefficiency and corruption. A former planning minister Bashar Dost once declared that these attacks could not be stopped because the population had well understood that NGOs had “failed to deliver effective assistance to the Afghan people”. A recent report by the Overseas Development Institution (ODI) suggests that after the withdrawal of international security forces, aid agencies will need to work more with opposition forces. Aid agencies’ access negotiations with the Taliban will be critical after 2014. Establishing effective engagement policies is fundamental to reaching all Afghans in need,” said the report.

That will mean NGOs will need to establish clear engagement policies if they are to continue to operate with a degree of safety throughout the country.

b. **NGO-Military Tensions**: Many aid groups believe that the main reason for the deliberate targeting of aid workers is a dangerous "blurring of the lines" between aid workers and foreign military forces, given the heavy involvement of the military in humanitarian and relief work through "hearts and minds" projects and the Provincial Reconstruction Teams model. They point to the fact that the US military has openly said it can 'use' humanitarian actors as 'force extenders' for its own ends, and that spokespersons for the Coalition have said repeatedly that the military and NGOs 'share the same goals'. They point to numerous incidents where Coalition soldiers engaged in reconstruction activities have operated in plain clothes and drive in the same unmarked vehicles that NGOs use.

---

331[https://aidworkersecurity.org/sites/default/files/AidWorkerSectyPreview_0819.pdf](https://aidworkersecurity.org/sites/default/files/AidWorkerSectyPreview_0819.pdf) Visited on Thursday, 12 September, 2013 at 1630.


c. **Dwindling aid**: As the US begins to withdraw its forces, the international community’s attention will drift away from Afghanistan. Under $4 billion is expected to be committed in development aid in 2013, though major donors and aid organizations worry that weak political will and graft could prevent funds reaching the right people at a critical time. The amount is sharply down from its peak in 2010, when over $6 billion in development aid was pledged, more than half from the United States. The central bank has said the country needs $6-$7 billion per year over the next decade to foster economic growth. Afghanistan’s HDI value for 2012 is 0.374—in the low human development category—positioning the country at 175 out of 187 countries and territories. It has a GII value of 0.712, ranking it 147 out of 148 countries in the 2012 index. In Afghanistan, 27.6 percent of parliamentary seats are held by women, and 5.8 percent of adult women have reached a secondary or higher level of education compared to 34 percent of their male counterparts. For every 100,000 live births, 460 women die from pregnancy related causes; and the adolescent fertility rate is 99.6 births per 1000 live births. Female participation in the labour market is 15.7 percent compared to 80.3 for men. Given its poor human development indices, the country requires great funding to fuel its development activities. Corruption, increasing violence, government’s lack of support, international community’s fatigue will affect the functioning of NGOs in the long run.

4. **Political Parties**

Antony Downs defines political party as “a team of men seeking to control the governing apparatus by gaining office in a duly constituted election”. The Italian scholar Giovanni Sartori, defines a party as: “any political group identified by an official label that presents at elections, and is capable of placing through election, candidates for public office”.

---


The following definition underlines the institutional character of political parties which are organised and of systematic in nature. The political parties carry out the function of articulating public demands and bringing it to the national fore.

But the political parties of Afghanistan, translated as *hizb-e-siasi* has a different connotation. Thomas Ruttig labels them as “proto-parties” or parties in the making. Political Parties in Afghanistan lack cohesion and structure, a distinguishable programme, and internal democracy. They are organised on ethnic lines and exhibit extremely hierarchical or even authoritarian tendencies. Many even have connections to ex-mujahidin military factions or *tanzims* previously active in civil conflict. Few parties do hold individualised, identifiable platforms or have cohesive internal structures, but they are very small in numbers.

Political parties have been a source of contention and conflict in the country. From their inception in the early to mid-20th century until 2001, with a few minor exceptions, there has not been an era in which Afghan parties could compete freely as political institutions in opposition to a ruling regime. This has resulted in political ambiguity and has affected the political process. The free exchange of information is not possible and allegiances of members are dependent on the conviction of leaders rather than being governed by an ideology. In this part, we will trace the history of political parties in Afghanistan. During the first constitutionalist movements or *mashrutiat* in 1903-09, the attempts were made to organise politically. After the first *mashrutiat*, there was political distinction only between conservatives, interested in maintaining the status quo, and constitutionalists. In the second half of the last century, these political forces diversified. Three main political currents emerged that continue to exist until today: the political-religious (Islamic) current, the

---


communist Left (sub-divided into – formerly pro and anti-Moscow groups), and a variety of ethno-nationalists. The first current was mainly represented in the 1980s by the Sunni Mujahedin tanzim based in Pakistan, the ‘Peshawar Seven’, and the Shia Mujahedin groups based in Iran, the ‘Tehran Eight’. The second current mainly consisted of the People’s Democratic Party of Afghanistan (PDPA), with its two major factions Khalq and Parcham, and the ‘Maoist’ groups that emerged from the demokratik-e newin, or ‘New Democracy’, commonly referred to as shola’i. For the third current, there are mainly Afghan Millat with at least three different factions on the Pashtun(ist) side and Settam-e Melli on the Tajik side, with some Uzbek and Turkmen elements, and currently Sazman-e Inqilabi-ye Zahmatkashan-e Afghanistan (SAZA), or ‘Revolutionary Organisation of Afghanistan’s Toilers’ and the new Hezb-e Kangara-ye Melli, or ‘National Congress Party’.  

The Constitutionalists Movement

The first constitutionalists, or mashruta-khwahan, were striving to replace the absolute monarchy with a constitutional one. They mainly comprised of liberal and reformist ulemas but did not organise themselves into a political party. This marked the beginning of thought and political currents. But these groups were brutally suppressed. From 1911 onwards, a new generation of mashruta-khwahan led by the Ottoman-educated Mahmud Tarzi, Foreign Minister of King Amanullah’s (r. 1919-29) helped to trigger the King’s reforms. This group was known as Afghanan-e Jawan, or ‘Young Afghans’.  

The Parties of the First Democratic Period: The Wesh Dzalmian Movement

Amanullah’s educational reforms produced the first generation of Pashtun intellectuals which were not linked with royal aristocracy. In 1930’s they embarked upon a movement to promote Pashto language and later, broadened their aims. Non-Pashtun intellectuals also joined them. Some of its leaders were elected into parliament, created independent publications and organizations which they called ‘party’ for the first time – Afghan authors speak of the ‘first democratic period’. In 1947, Pashtun glitterati launched a – still loosely structured - movement called Wesh Dzalmian, or ‘Awakened Youth’, after its manifesto Wesh Dzalmian.

342 Ibid P: 2.

343 Ibid P: 3.
ghwaru, or ‘We want an Awake Youth’, drafted and published by the Pashtun poet Abdurra’uf Benawa. A year later in Kabul, on 7 Jauza 1327 (27 May, 1948), 22 young writers from Kandahar, Nangarhar and Kabul, turned it into a political organisation with a programme, regular meetings and membership, that advocated a constitutional monarchy, the separation of powers, free elections and civil liberties. However, there were no elected leaders. From these various tendencies, the first political parties – better labelled ‘party nuclei’ (Wahedi) or ‘proto-parties’ (Boyko) – in Afghan history emerged. But initial multi-ethnic movements impacted political processes creating divisions over political issues and ethnicity has remained a prominent issue till date impacting the political future of the country.

On 18 October, 1950, the movement Wesh Dzalmian was turned into the first political party of Afghanistan. More political parties followed the suit, with Hezb-e Watan, or ‘Fatherland Party’, led by Ghubar (formed in December 1950-January 1951) and, in early 1951, by Hezb-e Khalq, or ‘People’s Party’, led by Dr. Mahmudi too arrived on the political scene. Both raised pro-democratic slogans: a ‘national government’, free elections and the establishment of political parties; but Hezb-e Khalq added little leftist agenda of ‘social justice’ and the ‘fight against exploitation’ to the demand for democratic rights. Five Wesh Dzalmian leaders were elected to the parliament’s lower chamber, the Wolesi Jirga, in 1949. Secret Ballots were used for the first time. Due to the events in Iran, the five called themselves, after Mossadegh’s alliance, Jabha-yeMelli, or the ‘National Front’ - this was the first political faction ever in an Afghan parliament. Eleven other MPs joined in, and between 30 and 40 MPs supported their reformist agenda. Amongst its main achievements was a more liberal press law in January 1951 that opened the way for a handful of short-lived pro-reform periodicals that supported their agenda.

The attempt to create political parties – in particular the publication of a first party programme in Neda-ye Khalq - led to the suppression of the movement and its newspaper. Both parties continued to work clandestinely – Hezb-e-Watan for a further five years. The party dissolved when its leader Ghubar left prison, perhaps as a precondition for his release.

345 Ibid P: 5.
Even if reformist MPs had not been, in their own assessment, ‘completely successful’, Ghubar wrote at the end of the legislative period that the National Front (…) has honestly and courageously fulfilled its mandate until the last minute (…) in a spirit of reformism and reconciliation between the nation and the state (…). The ability of the nation to achieve a democratic government (…) has become obvious.346

**The Parties of the 2nd Democratic Period (1963-73) and in the Daud Republic (1973-78)**

This is described as the second democratic period when King Muhammad Zaher Shah had commissioned the 1964 Constitution. It achieved practically what three generations of mashruta-khwahan had fought for. A law regulating formation of political parties was being deliberated and this led to the proliferation of a whole range of political groupings ‘in waiting’: leftist, moderate, conservative and Islamic. But the king did not sign the law and Saikal calls this a ‘fatal Mistake’, as the very leftists and Islamic radicals the King had wanted to stop continued to be active and disturbing the political order.347

Left was split into three major currents. First one was, *Hezb-e Demokratik-e Khalq-e Afghanistan*, or the ‘People’s Democratic Party of Afghanistan (PDPA)’ which was formed on 1 January, 1965 after the merging of range of Marxist scholars. Taraki headed the Central Committee and Karmal was the deputy. (They did not add hezb to their name because the political party law was not passed). The aim was to have a socialist society although they did not mention it in their documents. Lack of unity divided them into two factions Khalq and Parcham. And the others also broke away namely *Settam-e Melli* or Against National Oppression as they considered national issues more important than class questions.

Second was the *Jerian-e Demokratik-e Newin*, or the ‘New Democratic Current’, usually described as ‘Maoist’. It was founded by Abdul Rahim and Abdulhadi Mahmudi, relatives of the late founder of *Hezb-e Khalq/Neda-y e Khalq*. Dr. Mahmudi, together with two Jaghori Hazara brothers, Akram and Seddiq Yari established an organisation called *Sazman-e*

Jawan-e Mutarraqi, or the ‘Progressive Youth Organization(PYO)’ in October 1965, but they never made their name and existence public, and finally ceased to exist in 1972.

Third was comprised of series of moderate leftists groups. One, led by the old constitutionalist Ghubar who had initially participated in the early preparations for the establishment of the PDPA, but withdrew before the party was officially founded. Another nameless group, led by Farhang, was described as social-democrat and ceased to function when the Political Parties Law remained unsigned. The third party to emerge was called Hezb-e-Mutarraqi Demokrat-e-Afghanistan, or the ‘Progressive Democrat Party of Afghanistan’ – better known amongst Afghans under the name of its newspaper, Mussawat, or ‘Equality’ -, led by Muhammad Hashem Maiwandwal, who served as Prime Minister from 1965-67. Its aim was of building a democratic and socialist society.

On the Islamic right, there were groups inspired by the ‘Muslim Brotherhood’, or Ikhwanin ul-Muslimin, comprising mainly of university professors who had studied at Al-Azhar in Cairo where there had been a quota for Afghan students as for all other Muslim countries. The first Islamist circles started to gather around Ghulam Muhammad Niazi, the dean of the Sharia Faculty at Kabul University, in 1957. In 1969, the student wing of this movement, led by Abdul Rahim Niazi evolved into the Jawanan-e Muslimin, or ‘Muslim Youth’, which, in turn, morphed into Jam’iat-e Islami, or ‘Islamic Society’, with a regular membership and a leadership Shura, around 1973. Another loose group, called Khuddam ul-Forqan, or the ‘Servants of Providence’, emerged in the mid-1960s from within the influence of the head of the Mojaddedi family, Ibrahim Mojaddedi. There were groups representing Shia minority Ali Shari’ati’s ‘Islam without clergy’, started in the 1960s and turned into resistance organizations after the 1973 coup. The most important ones were Islam Maktab-e Tauhid, or ‘Islam School of Monotheism’, led by Maulana Muhammad Attaullah Faizani, and Sazman-e Mujahedin-e Mustaza’fin, or ‘Holy Warriors of the Disadvantaged’.

Dupree estimated that in those days Khalq, Parcham, and the Maoists and Islamists had round about same number of followers. ‘There was no especially obvious dominant ethnic element among the Islamists or the Communists, seen overall’, Dorronsoro writes. Indeed
there were Pashtuns, Tajiks, Hazaras in all political currents. On the other hand, the factions within them and most splinter groups clearly reproduced communal divisions, whether tribal, religious or regional.

In 1965, some PDPA and Islamic leaders successfully campaigned for parliament. They made speeches and carried out rallies that attracted thousands of Kabulis. The Maoists did not participate as they did not believe in parliamentary work. The government repressed the Islamists and manipulated 1969 elections. Repression intensified under Daoud’s government and the latter supported the cause of Pashtun and Baloch insurgents. Islamist’s main protagonists went to Pakistan where they formed Pakistan’s Inter-Services Intelligence (ISI). Ahmad Shah Massud and Gulbuddin Hekmatyar had a failed attempt at uprising which led to split of *Jamiat-e-Islami* and the formation of Islamic party of Afghanistan. Non-Pashtun ethno-nationalist and Maoist groups also intensified the armed struggle against Daoud’s regime. The Maoists had ceased to exist as a unified organisation in 1972 and split into dozens of groups.

**The Parties during the War of Resistance**

The Islamists only rose to importance after the PDPA’s 7th Saur coup in 1978 and, in particular, after the Soviet invasion of Christmas 1979. They benefitted from the enormous amount of military and financial aid, coming mainly from the USA and Saudi Arabia and channelled through the ISI. But they were plagued by disunity and factions. The nationalist and leftist resistance groups were sidelined. In the early years, the Maoist groups carried out highly intense guerrilla warfare against the new regime. Shia groups also rose in resistance but they diluted due to fragmentation. On 27 April, 1979 PDPA (The Khalqi regime) established a one-party state after its take-over.

**Najibullah’s controlled multi-party system**

Najibullah replaced Karmal as the PDPA leader in 1986. He started a controlled political opening as part of his *siyat-e-ashti-ye melli*, or ‘National Reconciliation Policy’ which also had support of Soviet’s Gorbachev. On 6 July, 1987 Law on Political Parties was passed and by July 1988, seven new parties had registered. But Najibullah was not able to control his
multi-party system and this created some space for independent political activity. From 6 to 15 April, 1988, parliamentary elections were held and most of the seats were allocated in advance to secure a PDPA majority and some were reserved for new groups. In July 1990, at its first congress since its foundation in 1965, the PDPA was renamed Hezb-e Watan, or ‘Fatherland Party’ which committed itself to ‘a democracy based on a multi party system’. Najibullah stated that it had been ‘a historic mistake’ to have come under ‘a specific ideology’.

**Political organisation during the Mujahedin and Taliban regimes**

This period witnessed major military confrontations, first between the Tanzim in ever-changing alliances, later between the Taliban Movement and the Northern Alliance (NA) (formed on 13 June 1997). Starting from late 1990s, anti Taliban forces started developing. Republican Party of Afghanistan, a pro democratic group formed in 1999 was opposed to Taliban policies and committed to values of democracy and human rights. It endorsed UN Human Rights Declaration as its programme. As one of few parties, it has a membership across the ethnic divide.

Five groups that had established relations with the UN Special Mission to Afghanistan (UNSMMA) office in Kabul during the Taliban days were invited to the Bonn Conference in late 2001:

- The Republicans;
- People’s Party led by Muhammad Farid Hamidi, that had emerged from an illegal students organization in Mazar-e Sharif and Kabul;
- Afghanistan Freedom and Democracy Movement led by Abdul Raqib Jawed Kohestani, that united former Maoists, other Leftists and Mujahedin who had fought the Soviets
- Islamic and National Council of Afghanistan’s Tribes, a network of anti-Taliban tribal councils based in Quetta
- Alliance of Peace and Progress Fighters of Afghanistan led by Zaman Gul Dehati, a successor group of SeZA that is currently active mainly in exile
Taliban was not invited. The change at the head of the UN mission in late 2001 prevented those groups from fully participating as a joint fifth official delegation in Bonn at the last moment; they were instead reduced to an observer status. This had far-reaching consequences, as it led to the complete exclusion of pro-democratic forces from the Bonn process in Afghanistan.\footnote{Ibid P: 17.}

**Setting up of Presidential System**

A June 2002 “emergency” *Loya Jirga* was convened, which was attended by 1,550 delegates (including about 200 women). Subsequently, a 35-member constitutional commission drafted the constitution, unveiling it in November 2003. After being debated by 502 delegates at a *constitutional Loya Jirga* (CLJ), it was approved by Afghan leader Sebghatullah Mojadeddi.

The constitution set up a presidential system, with an elected president having relatively broad powers and a separately elected National Assembly (parliament). But Northern Alliance was not too happy with the political system as it would cause centralisation of powers in the President and it would give dominant ethnic tribe Pashtuns to assert greater authority. But some limitations to the presidential system were achieved namely, that Prime Minister was to be from an ethnic minority, important appointments of Vice President, high ranking officials which include members of Supreme Court, judges, provincial governors and district governors, local security chiefs, and members of supposedly independent commissions such as the Independent Election Commission and the Afghan Independent Human Rights Commission (AIHRC) are constitutionally subject to confirmation by National Assembly.

**Parties in the Post Taliban period**

Political and economic modernisation was witnessed in the post Taliban period, although political affiliations continued on the basis of family, clan, tribe, village, ethnicity and region. Candidates representing the national level, too, evoke clan and geographic identities to

\footnote{Ibid P: 17.}
consolidate their votes although few do strayed into different progressive programmes. But in provinces, traditional identities remained more pronounced.

The three major political currents – the Islamists, the left, the ethnic Nationalists re-surfaced as the backbone of the emerging multi-party system and the new democrats were rising as the new forces.\textsuperscript{349} Old Tanzims did try to consolidate themselves but disunity and factions continued haunting them. Lack of legal framework and an unsafe political environment, particularly the failure to disarm factional militias disrupted the novice political processes.

In September 2003, Law on Political Parties was passed which obliged the registration of political parties with the Ministry of Justice. The law states that the ‘political system of the State of Afghanistan is based on the principles of democracy and pluralism of political parties’, but also that parties will not be registered, or can be banned, whose ‘objectives are opposed to the principles of the holy religion of Islam’ and who maintain armed wings or militias.

Hossein Ramuz divides the post-Taliban period into two phases: a phase of ‘optimism about developing party pluralism’ (2001-2004) and a phase of disillusionment. In the first phase, Pro-democracy parties emerged from the underground or were newly created, while the Islamist parties fragmented and brought about internal ‘reforming mechanisms’. Neither the international community nor the President were sure whether to support a partisan or non-partisan system. The second phase, after 2004, started when both decided to adopt the Single Non Transferrable Vote system for the coming elections. Political parties, thus, reduced their activities and the internal reform mechanisms failed. As a result, Islamist parties became ‘even more conservative and authoritarian’.

President Hamid Karzai never formed a party as he wanted to show himself as a representative of all. However, many of his supporters in the National Assembly (parliament) belong to a moderate faction of \textit{Hizb-e-Islam}—composed almost totally of fellow Pashtuns—that is committed to working within the political system. \textit{Hizb-e-Islam} is the only one of the mujahedin parties that is a formally registered party. It is led by Minister of Economy Abdul Hadi Arghandiwal. The militant wing of \textit{Hizb-e-Islam} is loyal to pro-Taliban insurgent leader

\textsuperscript{349} Ibid
Gulbuddin Hikmatyar; it is called Hizb-e-Islam Gulbuddin (HIG). It was hoped that post-Taliban Afghanistan would produce a substantial number of secular, pan-ethnic democratic parties. That process has evolved only gradually, but has accelerated since the flawed 2009 presidential election. Since 2004, Dr. Abdullah has formed several parties in succession, although generally composed of other ethnic Tajiks, and rival Tajiks have formed their own parties, thus providing opposition to Karzai government. However, these mostly Tajik groupings are increasingly working with other parties of varying ethnicities and ideologies to increase government accountability. One prominent secular, pan-ethnic party, the Rights and Justice Party, was formed by ex-Interior Minister Mohammad Hanif Atmar and other allies in October 2011. This party is strongly in favor of reconciliation with the Taliban. Another party, the Coalition for Reform and Development, formed in early 2012 is to ensure that the presidential election in 2014 is fair. Prior to 2011, the secular parties were mainly small and received little national attention—often centred around the personalities of their founders rather than enduring ideas. These parties include the Afghanistan Labour and Development Party, the National Solidarity Party of Afghanistan’s Youth, the Republican Party, and the National Congress Party of Afghanistan led by Abdul Latif Pedram. Other secular parties are left wing, such as the National United Party of Afghanistan, led by former parliamentarian Nur ul-Haq Ulumi, who was in the Communist era military. However, some believe that all the smaller, idea-based parties remain weak because the Single, Non-Transferable Vote (SNTV) system—in which each voter casts a ballot for only one candidate—favors candidates running as independents rather than as members of parties.

During Taliban rule (1996-2001), Afghanistan was run by a small, Qandahar-based group (“Shura”) of Pashtun clerics loyal to Mullah Mohammad Umar, who remained there. No parliament was functioning, and Government offices were minimally staffed and without modern equipment. There were virtually no formal processes to review Mullah Omar’s decision to host Osama Bin Laden in Afghanistan. The ouster of the Taliban government paved the way for the success of a long-stalled U.N. effort to form a broad-based Afghan

350 Ibid
351 Ibid
government and for the international community to help Afghanistan build legitimate governing institutions.352

They made me invisible, shrouded and non-being
A shadow, no existence, made silent and unseeing
Denied of freedom, confined to my cage
Tell me how to handle my anger and my rage?


Women constitute fifty percent of the population. And the progress and advancement of women is an indicator of the health of the country. If the women are not treated well, it does not augur well for the future of the nation. The status of Afghan women is one of the lowest in the world. Women have lived in misery with no justice, rights and development in the country. Human Development Report 2013 ranks Afghanistan as 147th among 148 countries in the GII index.354 On the education parameter, Afghan women fare badly. Only 5.8 percent of adult women have reached a secondary or higher level of education compared to 34 percent of their male counterparts. In terms of health also, for every 100,000 live births, 460 women die from pregnancy related causes; and the adolescent fertility rate is 99.6 births per 1000 live births. And on the economic indicator, female participation in the labour market is 15.7 percent compared to 80.3 for men.355 The conservative traditions in the country restrict women to go out, study or work. Moreover, war has also severely impacted their progress, further degrading their status and confining them to the household. Moghadam accurately points out that, the issue of women’s rights in Afghanistan has been historically constrained by (a) the patriarchal nature of gender and social relations deeply embedded in traditional communities and (b) the existence of a weak central state, that has been unable to implement

---

352 Ibid


355 Ibid
modernizing programs and goals in the face of ‘tribal feudalism’. But the intriguing question is whether the women of Afghanistan have lived in pitiable conditions since centuries? Or did it worsen during Taliban rule? How much improvement did post 9/11 intervention make in women’s lives? This section will trace the history of women in Afghanistan.

**Modern Monarchies**

The birth of modern Afghanistan is attributed to Abdur Rahman Khan who ruled from 1880 to 1901. He was the first ruler who attempted the consolidation of the nation into a centralised state. Abdur Rahman made significant efforts to change customary laws that degraded the status of women. He abolished the custom forcing a woman to marry her deceased husband’s next of kin, raised the age of marriage, and gave women rights to divorce under specific circumstances. In accordance with Islamic tenets, women were given rights to their father’s and husband’s property. Although, he considered women to be a second sex, but he felt that they should be given a “due just treatment”. Nancy Hatch Dupree surmises that his liberal wife Bobo Jan may have influenced the Amir, pointing out that, ‘In fact, she was the first Afghan queen to appear in public in European dress without a veil. She rode horses and trained her maidservants in military exercises. She had a keen interest in politics and went on numerous delicate missions to discuss politics between contending parties.’

After the death of Abdur Rahman, his son Amir Habibullah Khan took the reins and he continued with the progressive strides which his father made towards the condition of women. He restricted extravagant marriage expenses as it often caused poverty. His wives were seen publicly unveiled and in western clothes. In 1903, Habibullah established the first college in Afghanistan, Habibiya College, employing foreign teachers from India, Turkey and Germany. Mahmud Beg Tarzi, an important aide of Habibullah viewed women as people who deserved full citizenship; he claimed that educated women were an asset to future generations and concluded that Islam did not deny them equal rights.

---

In his newspaper Seraj-ul-Akhbar, Tarzi devoted a special section on women’s issues entitled Celebrating Women of the World, which was edited by his wife Asma Tarzi. Schinasi concludes, no one before Tarzi had pronounced such words as liberty, respect for the homeland and religion, union, progress, or school. Habibullah, due to Tarzi’s liberal influence, opened a school for girls with English curriculum which tribal leaders and mullahs saw as going against the grain of tradition. Education for women, and state’s interference in marriage institutions challenged the power of tribal leaders and their patrilineal and patrilocal kinship systems, resulting in Habibullah’s assassination in 1919.357

1923- Zahir Shah period
Habibullah’s assassination resulted in his son Amanullah occupying the throne. He was well travelled which influenced his thinking. He introduced full-fledged modernisation in Afghanistan specially with regards to women. He was encouraged and influenced by Tarzi who emphasised the rights of women. Tarzi’s daughter Soraya later married Amanullah and his second daughter married Amanullah’s brother. Amanullah publicly campaigned against the veil, against polygamy, and encouraged education of girls not just in Kabul but also in the countryside. At a public function, Amanullah said that Islam did not require women to cover their bodies or wear any special kind of veil. At the conclusion of the speech, Queen Soraya tore off her veil in public and the wives of other officials present at the meeting followed this example. Throughout her husband’s reign, Queen Soraya, wore wide-brimmed hats with a diaphanous veil attached to them. Many women from Amanullah’s family publicly participated in organizations and went on to become government officials later in life. An example is Amanullah’s sister, Kobra, who formed the Anjuman-I-Himayat-I-Niswan, (Organization for Women’s Protection) in the early 1920s. This organization encouraged women to bring their complaints and injustices to the organization and to unite to contest the oppressive institutions. Along with her mother, Soraya also founded the first magazine for women called Ershad-I-Niswan (Guidance for Women). Another sister of Amanullah founded a hospital for women. Women were encouraged to get an education and in that attempt 15 young women were sent to Turkey for higher education in 1928. Soraya was very instrumental in enforcing change for women and publicly exhorted them to be active

357 Ibid
participants in nation building. In 1926, at the 7th anniversary of Independence, Soraya in a public speech delivered said that independence belong to women also and women should also take part. Amanullah and Soraya were impressed with Europe and changes in Turkey wanted to implement modern thoughts in the Afghan society. But British circulated pictures of Soraya without a veil, dining with men and having her hand kissed by the leader of France. And this agitated tribals and they forced them out of power. Amanullah tried to reconcile reforms with Islam but their was lot of opposition to his reforms for women. He earned lot of ire of tribals who thought it as an assault on their traditions, customs and culture. In 1924, institution of the freedom of women to choose their own partners and attempts to abolish bride price brought the high point. And fathers saw such reforms as loss of social status, financial security and familial control. The Loya Jirga, finally put their foot down when marriage age of girls was raised to 18 years and for men to 21 years, and polygamy was abolished. They also opposed the education of girls, and by the late 1920s forced Amanullah to reverse some of his policies and conform to a more traditional agenda of social change. Schools for girls in Kabul and in rural areas were closed down, and women had to revert to wearing the veil. Moghadam (1997) points out, women could not cut their hair, mullahs were given unlimited powers to institute their agendas and the old tribal system was to be reinstated. Pressures mounted on Amanullah and in 1929 he left the country. Amanullah was ahead of his times and he took brave steps which no other leader could take. After Amanullah’s exile leaders fluctuated in their commitment to alleviate the status of women. In 1931 Nadir Shah announced the second Constitution. He opened some schools for girls and tried to bring about some gender-based reforms but was careful to avoid conflicts with the mullahs and tribal leaders. Despite his cautionary approach to women’s rights, Nadir Shah was assassinated in 1933 and Zahir Shah came to power. 358

**Post monarchy period**

With technical and financial assistance from Soviet Union, Afghanistan brought back modernising reforms. Women were required to accomplish development goals. Prime Minister Mohammad Daoud was cautious in introducing reforms for women and he declared veiling a voluntary option. Restrictions on marriage expenses were also laid, and women were

---

358 Ibid
encouraged to contribute to the economy. The 1940s and 1950s saw women becoming nurses, doctors and teachers. In 1964, the third Constitution allowed women to enter elected politics and gave them the right to vote. In 1965, the first women's group was formed, the Democratic Organization of Afghan Women (DOAW) with the aim to eliminate illiteracy among women, ban forced marriages, and do away with bride price.

1970s – Era of Change
1970s saw a rise in women's education, faculty in the universities, and representatives in the Parliament. PDPA came to power in 1978 and implemented mass literacy for men and women of all ages. In October 1978, a decree was issued with the explicit intention of ensuring equal rights for women. Minimum age of marriage was set at 16 for girls and 18 years for boys. But this again did not go down well with tribals who thought it as interference in their domestic life. 1979 Soviet occupation led to the emergence of Mujahedeen who waged war against the socialist policies and also the reforms of women. In 1989, when Soviets left, the country was visited by anarchy and mujahedeen in 1992 took over government and declared Afghanistan as an Islamic State. According to the US Department of State (1995), ‘In 1992 women were increasingly precluded from public service. In conservative areas in 1994, many women appear in public only if dressed in a complete head-to-toe garment with a mesh covered opening for their eyes.’

Taliban regime – 1996
Taliban regime further suppressed the rights of women. In 1996, Taliban was supported by U.S.A., Pakistan, Iran and Saudi Arabia to counter the brutalities of Mujahedeen. But the former set up Amar Bil Maroof Wa Nahi An al-Munkar (Department for the Promotion of Virtue and Prevention of Vice) to monitor and control women's behaviour. They banned television and used radio to broadcast their news. Women no longer were able to go outside except to buy food and if they did go they have to be accompanied by a male relative. Women and girls were not able to neither go to school nor even visit male doctors. They have to wear burqa and were prohibited to apply make up or wear fancy shoes. White shoes were forbidden since it was the color of the Taliban flag. Taliban too carried out forced marriages and rapes.
Post-2001 US intervention in Afghanistan

On December 19, 2011 President Obama signed an executive order (EO) instituting a U.S. National Action Plan on Women, Peace, and Security. The EO requires that the U.S. seek to ensure women’s participation in conflict prevention, management, and resolution as well as in post conflict relief and recovery, and advances peace, national security, economic and social development, and international cooperation. The EO also recognizes that sexual violence, when used as a tactic of war or as a part of a widespread or systematic attack against civilians, can exacerbate and prolong armed conflict and impede the restoration of peace and security. This EO emphasizes the centrality of women, peace, and security issues to the administration, and commits the U.S. government to promote these goals.

The international community and civil society have supplemented the efforts of Afghan government to alleviate the condition of women. Women play an important role in peace building and this became a key area for the civil society to work upon. The Afghan constitution, established in 2004, notes gender equality in Article 22, which states the following:

“Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited. The citizens of Afghanistan – whether man or woman – have equal rights and duties before the law.” In addition, Articles 43 and 44 of the constitution guarantee women’s right to education, and Article 48 codifies their right to work. The Afghan government established the Ministry of Women’s Affairs (MoWA) and the Afghanistan Independent Human Rights Commission (AIHRC) to fulfil the constitution’s commitment to women’s rights. MoWA has also adopted a three-pillar strategy to ensure the government vision is achieved: (i) elimination of all forms of violence against women; (ii) human resource development; and (iii) facilitating women’s participation in social and political affairs. The government has also launched a 10-year National Action Plan for Women (NAPWA), which took effect in 2008.359

The efforts of the international community and civil society have come to fruition as the women have made great strides. But still there is a lot to be achieved and it’s just a drop in the

---

ocean. Afghan Resource Desk of Civil Military Fusion Centre gives the following statistics which details the progress achieved by Afghan women and the challenges still faced them.

**Government, Public Life & Economic Development**

Women have been very active in post-2011 Afghanistan. In 2002, 12% of the participants in the *Loya Jirga*, which began charting a post-Taliban political system, were women. Female representation rose to 20% in 2003’s *Loya Jirga*, which centred around the proposed constitution. Approximately 40% of voters were women. According to the Canadian government’s Parliamentary Information and Research Service report, Afghanistan grants 25% of seats to women in its lower house of parliament, the *Wolesi Jirga*, and 17% of seat to women in the upper house, the *Meshrano Jirga*. These quotas are specified in Articles 83 and 84 of the Afghan constitution. The quota system enforced guarantees 25% of seats for women in district and provincial councils, as well. According to the Oxfam report discussed earlier, 28% of the seats in the Afghan parliament – 69 in all – were occupied by women in 2011. Afghanistan has committed itself to improving women’s representation in the legislature to 30% by 2020. The government has also pledged to ensure that 30% of all civil servants are female by 2013.

But all is not well with the political representation of Afghan women. According to Oxfam, women have gained access to a number of positions of power, though their involvement in decision-making may still be wanting. In addition, the Afghan cabinet included three female ministers in 2004 but only one in 2011. Due to threats and attacks against women, the number of women in the civil services has dropped from 31% in 2006 to 18.5% in 2010. Relatively less is known about the position of women in rural areas, where progress is perceived as being slower. PIRS finds that Afghan women’s actual influence in parliament was lower than their numbers might suggest due to the following reasons: (i) a “lack of issue-based groups”; (ii) “weak connection between parliamentarians and their constituents”; (iii) “patronage networks and class-based divisions”; (iv) limited female representation in Karzai’s cabinet”; (v) and “the confinement of women issues to ministry of women affairs”. Additionally, women’s participation varied from one region to another. For instance, in
Helmand and Uruzgan provinces, women’s participation in elections was 2% and 7%, respectively.

On the economic front, the National Risk and Vulnerability Assessment (NRVA), which was conducted by the Afghan government and the European Union, found that women’s labour force participation rate (47%) was significantly lower than men’s (86%). In addition, according to PIRS, women face barriers to earning a livelihood, have limited economic opportunities and are primarily restricted to working at home. Accordingly, women are primarily involved in economic activities such as agriculture and animal husbandry. Other reports also suggest that women may also have little control over income they generate for their household.

**Education**

According to the Afghan government’s Ministry of Education (MoE), education is one of the success stories of post-2011 Afghanistan. While the Taliban had banned girls’ schools when it was in power, the Afghan government made female education a high priority. Article 43 of the constitution, sanctioned girls’ and women’s right to education. According to Oxfam, girls comprise 38% of Afghanistan’s student population. There were 2.7 million girls going to school in Afghanistan as of 2011. The literacy rate for girls aged 12 to 16 is now 37%. As many as 9,000 new schools have been built, some of them specifically for girls. In addition, 36% of the teachers hired since 2002 have been female.

But 2007 assessment report by Afghan MoE said that 40% of Afghan girls complete primary school but that only 5% complete secondary school. According to PIRS, Afghanistan’s adult literacy rate is one of the lowest in the world. Only 12.6% females above the age of 14 – and 23.5% of men – can read and write, thus putting the female-to-male literacy ratio 0.4. Despite the achievements noted above, Oxfam reports that girls still face challenges which prevent them from gaining an education, including poverty, early marriages, insecurity, lack of trained female teachers and a lack of all-girls schools (which are important since some families refuse to allow girls to attend schools where boys are also present). In addition, there is a concern that, with growing insecurity and Taliban control, girls may lose the educational gains attained during the past decade.
Health

2011 survey of five million Afghans from all 34 provinces revealed improved circumstances. The new survey, which has received scrutiny from some experts, shows life expectancy at birth is now 62 years and that only 10% of children die before the age of five. The maternal mortality rate has reportedly dropped by 80%, to 327 in 100,000 live births. According to US National Public Radio, there is undeniable progress in the provision of health services in Afghanistan. For example, Afghanistan had 400 midwives a decade ago as opposed to 3,000 today. Thousands of miles of new roads facilitate access to thousands of clinics and hospitals which have been constructed with international support. Additionally, with the spread of mobile phones, women (as well as men) can now ask for medical help or advice without leaving the home. The Afghan Ministry of Public Health (MoPH) says that it has made women’s access to health services one of its top priorities. According to the UK Department for International Development (DFID), in 2002 only 10% of Afghan population had access to health. However, now 85% of Afghans have access to a basic health facility.

But according to CWS, an NGO working in Afghanistan states that “often women lack folic acid and iron, and fruits and vegetables remain missing from their daily intake of food […] because of poverty”. As such, CWS notes that Afghan women often face health problems such as hypertension, iron deficiency and anaemia. Women are expected to have an average of six or seven children, a fact which also carries added health risks. In addition, there are also reportedly geographical differences. Some Afghans, including women, who reside in mountainous areas are unable to access health facilities all or part of the year due to heavy snowfall. In some parts of Afghanistan, it is considered culturally inappropriate for women to visit a male doctor for certain illnesses, thus putting women’s health at risk.

Justice Sector and Judicial Institutions

Afghanistan adopted legislation protecting women’s rights and has signed on to international treaties pertaining to women’s rights. Adopted in 2009, the Elimination of Violence against Women (EVAW) law criminalised practices which are harmful to women such as physical abuse and sexual assault. According to Oxfam, the number of female police officers, attorneys and judges has also increased, thus enabling women greater access to protection and
justice. Women’s shelters have been established, and judicial officials have received assistance in reflecting women’s rights in the delivery of justice.

But, according to PIRS, the legal code does allow for a degree of contestation over the position of women. Although Article 22 of the Constitution sanctions gender equality, Article 3 states “no law can be contrary to the beliefs and provisions of the sacred religion of Islam”. This makes women’s rights open to interpretation in a situation where only 3% of judges are women. Similarly, The Guardian reported that there seems to be three legal systems in Afghanistan: (i) the state system, (ii) Sharia law and (iii) customary and tribal codes such as Pashtunwali. The Guardian reports that a woman running away from her family due to abuse is not a crime under Afghan penal code but is considered crime under Sharia. In addition, according to Oxfam, the EVAW law is only implemented in 10 out of 34 provinces. Few women reportedly work in the Afghan justice system in non-urban areas. Oxfam also says that women’s shelters are too few in number and that justice officials are unaware or unwilling to implement laws related to women’s rights. In addition, justice institutions are difficult for many Afghans to access. The report notes that 87% of Afghan women have reportedly experienced some kind of physical, psychological or sexual abuse, including forced marriage.360

Women are still the most vulnerable section in Afghanistan. It is the most dangerous country for the women to live in. Traditions have kept them within the confines of the household thus debarring them from progress and development. The rulers like Amanullah broke the shackles to introduce modernisation but could not sustain himself in front of the strong rooted traditions. After the fall of Taliban, international community and civil society have come forward to improve their status. Afghan women in exile have organised their own NGOs, networks and political advocacy groups. Among the better known in the West are the Revolutionary Afghan Women’s Association (RAWA), which headed several international campaigns against both the Rabbani regime and the Taliban. The Afghan Women’s Resource Centre (AWRC) and the Afghan Women’s Network (AWN) are active organizations with links to the international humanitarian arena. In December, 2001 Afghan women gathered at

---

roundtable conferences in Brussels and Peshawar, and called on the international community to support their rights and leadership in reconstruction. Besides them many women work in NGOs and with UN agencies. But still lot needs to be done. There is also a fear that with the withdrawal of NATO troops, the rights of women will be reversed. And also the women’s issue will fall from mainstream onto the sides as international attention shift towards other issues. It is important that the gender based NGOs continue to play a pivotal role in sustaining the programmes and channelling resources for their empowerment and development.

**Conclusion**

The civil society in Afghanistan cannot be looked from the narrow prism of western definition. In popular terms, civil society characterises democracy, individualism and freedom. But there is a need to broaden and include the traditional actors while defining Afghan civil society. The working of traditional civil society actors collide with the ideologies and thoughts of modern ones, but the former can be ignored at our own peril. Afghanistan is a predominantly a rural country with the little accessibility of State to the remote areas of country. It becomes imperative to include the traditional actors in peace building programs. But there is a need to strengthen and empower civil society. Few suggestions have been proposed.

**Security**: Security is the main plank which resists civil society actors from carrying out developmental goals. In the context of tension between modernism and traditions, the latter overpower by killing the actors. This also leads to a high attrition rate and sidelining of goals. A range of organizations, including police, army and intelligence, are under the control of various persons in the government (and in the regions) and they enjoy little or no trust amongst the general population. With the withdrawal of NATO forces in 2014, the security will further exacerbate. In this situation, the capacity of Afghan National Forces needs to be strengthened. The resources and aid diverted to the institutions should dry up. It is important to point that the attention of international community should not shift given the war fatigue hovering around them. The role of regional community becomes significant in terms of their contribution to attain stability and security in the country.

---

Independence

Independence is important for a flourishing civil society. But the State exercises greater control, thus seizing the autonomy to work independently. Central issue is the establishment of independent commissions, the most important being the civil service commission, the human rights commission, the judicial commission, and the constitutional commission, all of which were included in the Bonn agreement. It is indicated that Afghan Transitional Authority and other political actors restrict the working of commissions. It becomes difficult to channel resources efficiently and also leads to mismanagement and pilfering of resources, thus encouraging corruption. It also leads to delay and postponement in implementation of programmes. This is affecting the realisation of peace building and developmental goals of the country.

Funds

At the July 2012 Tokyo Conference it was decided by the international community to disburse USD 4 billion per year for Afghanistan through 2015 but it still remains unclear on the disbursement. Counterpart International found in 2011 that 83% of organizations ranked financial constraints as the primary factor impeding project implementation, far surpassing the 37% who rank security concerns first. According to the Center for Strategic and International Studies (CSIS), US funding to support democracy, governance and civil society dropped by more than 50%, from USD 231 million to USD 93 million between 2010 and 2011. Many aid agencies and CSOs are already downsizing or eliminating key programmes. Some 70% of CSOs have annual budgets of less than USD 100,000, and organizations not supported by international donors generally have very small budgets. Counterpart International found that the primary sources of funding for CSOs in 2010 included contributions from individual members (37%), contributions from non-members and communities (24%), fees for services (23%), for-profit businesses (21%) and international donors (21%). These findings represent a significant shift from 2005 when survey results showed that 50% of sources came from the international donors. Therefore, to counter the funding problem, there is a need to diversify sources for funds. Collaboration and coordination among civil society organizations also become important to manage funds.
efficiently. Understanding of traditional actors also needs to be enhanced and the participation and inclusion of women in the development programmes should also be emphasised.

Afghanistan, since three decades have not seen the light of peace and prosperity. The war, conflict and misery seem unending for the country. The civil society can play a pivotal role in mobilising the youth and also empowering the vulnerable sections to shape the peace building process and securing justice to the society. To conclude, David Dudley Field in March 1885 once said, Justice is the great end of civil society. And this what civil society should aim for.