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

*In Afghanistan, political order and governance have always largely rested on a mixture of personalized, clientelist politics, and elite alliance and elite settlement, legitimate through traditional mechanisms of consensus building and empowerment, such as the Loya Jirga (Grand Assembly)*


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

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

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

Enter the Coalition Force’s attack on Afghanistan in the fall of 2001, the subsequent removal of the Taliban regime, and the signing of the ‘Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions’ – the Bonn Agreement – on 5 December 2001. Similarly to Kosovo and Iraq, ‘the external players first crushed an existing power or government system ... by force in order to begin a process of material and political reconstruction, though nation-building was never the actual objective of the respective involvements, rather a means’ (Hippel 2005, 3).
The Bonn Agreement laid out a pathway to a new Afghanistan with democratic ideals and participatory political structures. 'Wrapped in a vision of modernity, it seemed to belong to a distinct genre of planned social change, typified by the ambitious modernization programs undertaken in earlier periods by Afghan and other Asian rulers' (Suhrke 2006, 1). Most strikingly, however, in many ways, the Bonn Agreement seems to assume a clean slate for state-building in Afghanistan which would allow the Afghan people to explore what kind of state they want, what reach the latter should have, who should or even could participate in the state-building exercise, and how this can best be achieved.

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

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

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

1 The continued focus on the importance of military actors in Afghanistan is illustrated in the introduction of the Afghanistan National Development Strategy (ANDS, Islamic Republic of Afghanistan, 2005, 1; see also Suhrke 2006): 'The Government of Afghanistan’s model of governance and development today derives from an ancient concept of this region called the “Circle of Justice” (daira-yi “dalat). As the ninth century Islamic scholar Ibn Qutayba, wrote: “There can be no government without an army. / No army without money, / No money without prosperity, / And no prosperity without justice and good administration.”

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

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

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

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

3 Loya Paktia lies in the southeast of Afghanistan and comprises the three predominant Pashtun provinces of Paktia, Khost, and Paktika. Historically, the provinces used to be one until they separated in the 1980s. All three provinces border Pakistan. Paktia further borders Logar in the west and Ghazni in the southwest. Logar is also predominantly Pashtun and links Paktia to Kabul. Ghazni is ethnically mixed with a large Hazara population, and is considered part of the southeast. The ethnic mix, however, makes it distinct from the other three provinces that form Loya Paktia. Paktika has the longest border with Pakistan and is also the most insecure of the three provinces. It further borders Ghazni in the west and Zabul in the southwest, making the link to the southernmost provinces in Afghanistan that currently experience great instability.
belt, to illustrate possibilities and ways to engage traditional structures into the peace and reconstruction process of Afghanistan. The argument will try to support the hypothesis that such an approach can benefit, and not counter, the state-building process in Afghanistan. It will also try to propose a way on how to deal with the dilemma of working with more traditional structures that, to our taste, lack democratic elements, yet can be powerful change-agents in their own right.

The context/opportunity: Loya Paktia and its tribal structures

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

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

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

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

Thirdly, and very important for a participatory approach to state-building, security at the district and provincial levels is guaranteed by agreements among tribes, and between the tribes and the government. Due to these reasons, human security (e.g., the taking of land and humans by force) of Afghans is rather high in the area – even though outside views may differ here. Tribes have also the power to make new laws (a good example is an edict on banning poppy/cannabis cultivation in the southeast)² and impose sanctions

4 It is important to note that this was done to show support of the Karzai government, not to undermine it. Karzai, unfortunately, did not react very favourably to this action, as he considered the
against those who break the law. In addition, the provincial police rely on tribal shuras to provide tribal policemen for law-enforcement purposes. Thus, security (an important function of any state) in Loya Paktia still strongly depends on the consent and participation of traditional elders. Security in the southeast is important due to the geo-politically important position of Loya Paktia for Afghanistan as it once served as part of the frontier that separated British India from Afghanistan (now the Pakistan-Afghan border).

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

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

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

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

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

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

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

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

The Tribal Liaison Office: Idea, origins, and activities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

choices on how to respond to it. The fact that the areas of engagement – south, southeast, and east – are considered highly insecure, demands innovative and potentially unconventional means of working with communities to increase governance and security. In highly volatile environments, this may essentially be the only way to foster change and security in the long-run, at least until the central government is able to extend its influence across the entire country.
D. Facilitation
- Report reconstruction needs and community projects to donors and implementing agencies.
- Assistance to organizations in negotiating in-kind contributions from local communities to the reconstruction process (e.g. project land, security).
- Provide assistance to international and local actors in the resolution of local conflicts.
- Connect implementing agencies and their projects to local communities.
- Facilitate the implementation of projects.

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

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

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

Third, TLO was able to address an existing grievance among the population – non-inclusion. The tribes expressed their overall frustration with the slow pace of development work in their region and empty promises made by the Afghan government and the international community. They felt that they suffered from a negative image due to the
lack of security which, in their eyes, was unjustified. At the same time, the tribes felt that they had no proper representation in the central government that could lobby for their interests and improve the negative image of the southeast as an al Qaeda- or Taliban-friendly territory. Essentially the communities of the southeast felt isolated and left-out from the peace and reconstruction process that was occurring within Afghanistan. In other words, they felt that they did not receive any piece of the large pie the international community had promised to deliver to the Afghan people.

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

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

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

Of course, one could argue that TLO also acted opportunistically itself. Due to the problematic security situation, there was an overall lack of NGOs that were engaged in the southeast. Thus, TLO – in addition to bringing to the table a thorough understand-
ing of local structures, and how to engage them – was able to benefit from a general vacuum of engagement.

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

- Through participatory rural assessment in most of the districts of Paktia, Khosht and Paktika, TLO was able to meet two needs at once: that of the local communities, which had wanted to communicate their needs to the outside; and that of government and international actors by providing them with a list of projects that were prioritised and supported by local communities.

- TLO was the official partner of the Afghan Civil Society Forum (also developed by swisspeace) in the large-scale civic education outreach for the presidential and parliamentary elections, thus performing a useful service to the communities by providing information, but also to the government and the UN by being able to reach inaccessible areas.

- TLO was the only NGO in Loya Paktia that could help the government and international actors to engage in conflict-resolution exercises and initiate projects for the purpose of stabilising the region. Following are two examples: One priority for the provincial governments (Paktia, Khosht and Paktika), UNAMA, and UNHCR was a longstanding (60-year) tribal land conflict between the Sabari and Bal Khail on the Pakhia-Khost border. TLO was asked to facilitate a project that could help solve this dispute. Its Office Manager in Gardez, Mr Daud Shah Niazi, was part of the jirga comprised of elders from the three provinces. The final project – a 12.6 km road funded by UNHCR – helped settle the conflict.

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

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

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

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

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

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

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

TLO, well aware of this fact, has tried to provide other services to the local communities that are linked less to reconstruction than to political inclusion. Yet, again, the success here rests upon the continued willingness of the local and also central governments to work with local elites. So far, TLO has been able to make advances on this issue by trying to demonstrate the utility of traditional structures — especially in the area of security
- to governmental and international actors and, so far, elders have been content with this. But we need to remember the tremendous pressure on these elders to demonstrate their own power and, more importantly, status to their communities. Afghans in general, and Pashtuns in particular, are extremely proud people, and the non-governmental agents trying to win them over to their side understand this very well. A driving argument appealing to this pride has been the questioning of elders as to whether they were 'men or women and how long they would tolerate a foreign-dominated government in Kabul.'

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

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

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

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

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11 This insight comes from extensive discussions with tribal elders in Loya Paktia over the past three years. In the past, the argument coming from anti-government forces (e.g., neo-Taliban) against the central government was the Panjshir dominance. This obviously has changed now and shows the creativity and adaptability of anti-government forces to argue their point against the Karzai government.
system that opposes, or at minimum is an obstacle to, the creation of a strong modern state. Even worse, power given to traditional structure may lead to corruption, anarchy, and chaos. In light of the above, TLO could be considered a wolf in sheep's clothing that speaks the language of the West and tries to make undemocratic structures look appealing, structures which, among other things, violate the human rights of women.

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

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

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

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

12 Many of the western-oriented Afghans in the Karzai government would agree with this fact. The former advisor to Karzai and now Foreign Minister, Dr Rangin Dadfar Spanta, who has been living in exile in Germany, voiced this unambiguously during an interview in the fall of 2005. The National Solidarity Program developed by Clare Lockhard and Dr Ashraf Ghani (then head of the Afghan Assistance Coordination Agency who has been living in the United States and had worked for the World Bank) and later implemented by the Ministry of Rural Development under Hanif Atmar (who had worked with the international NGO IRC and lived in Pakistan for some time) also bears witness to the wish to replace traditional structures with modern ones (here, village-based community development councils [CDCs]).
in terms of supporting their own political base. The necessity to then explain to the women how to vote translated into the participation of TLO in a nationwide civic education campaign which resulted in a high turnout of women voters in the southeast – unprecedented in Pashtun areas, and especially as compared to the south of the country (over 40% vs. barely 20% participation of women in the elections). Thus, even though working with women, or working on their participation in a more political issue such as elections, was seen as a rather sensitive issue in the area; the approach to work through powerful, but change-oriented local elders proved successful in negotiating political space for the participation of women by recruiting women into the civic education process and allowing women to vote in both presidential and parliamentary elections. The credit for the high turnout among women voters, however, should not only go to TLO but also to the local community elders who were willing to use their own influence to make this happen.

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

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

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

14 See: http://demokratie.geschichte-schweiz.ch/chronologie-frauenstimmrecht-schweiz.html. Other women’s rights were at times also won on pragmatic grounds, such as their inclusion in the work force out of necessity (too few men) after World War Two.
later. We should thus not look towards making drastic changes in the minds of the elders of today, but rather look at how young emerging leaders are behaving, as they are the elders of the future.

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

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

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

15 Local surveys conducted by the Afghan Civil Society Forum have shown that only about 10 per cent of all Afghans would consider foreign forces as beneficial for their own security. The majority of Afghans still perceive the need to fend for themselves.
was able to sensitise military actors in their engagement in the southeast (and reduce the
damage they might do) as well as lessen the distance to the local population a little bit.
Of course, in a separate discussion, we should still continue to question the growing role
of the military in peace operations and why that is the case.

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

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

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

Clearly, after the inception phase of the organisation, it will be important for TLO now
to enter into a consolidation phase. This has already begun, with TLO clearly trying to
formulate its goals and objectives and focus on core activities that were introduced earlier. The only major changes that TLO has undergone recently were twofold:

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

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

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

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

16 Request for Task Order Proposal Request No. 306-06-012 APSO. Reference: IQC Contract DF-D-1-00-05-00250-00 (Development Alternatives, Inc.).
References


Glossary of important terms*

Tribal terms

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

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

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

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

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

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

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

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

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

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

Institutions

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

After the jirga reaches a decision, it tends to dissolve. It is only revived if the decision is not accepted or if a new conflict or dispute arises. The most influential members of a jirga are the spin giri and the khans. While the spin giri are the one who have the traditional knowledge of the pashtunwali, the khans are often playing a role because of their power. Jirgas are very reactive in terms of solving specific issues and are not used for forward planning. Traditionally jirgas are all-male events.
Loya Jirga
A Loya Jirga (Greater Jirga) is a very rare and extra-ordinary countrywide jirga which is initiated by the central authority. It usually includes representatives of all ethnic and tribal groups, regions and sectarians who participate. While in the past Loya Jirgas were initiated by the Afghan kings, this gathering was also used under the Bonn Agreement of 2001 to legitimate the political process: the Emergency Loya Jirga in June 2002 decided upon the Transitional Administration; the Constitutional Loya Jirga in December 2003/2004 approved the new Afghan Constitution. While traditional Loya Jirgas were all male, women have progressively made their way into this decision-making body, often with special seats reserved for them.

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