

Humanitarian Challenges in Afghanistan: Administrative Structures and Gender and Assistance

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Chr. Michelsen Institute *Development Studies and Human Rights*

CMI Reports

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Web/URL:<http://www.cmi.no>

Price: NOK 50 + postage

ISSN 0805-505X

ISBN 82-8062-002-8

Indexing terms

Humanitarian assistance

International organizations

Gender

Taliban

Afghanistan

Table of contents

1	Introduction	1
2	Abstract	2
3	Brief update on the humanitarian situation	4
3.1.	IEA and the international community	4
3.2.	People in need of assistance	6
4	THE IEA administrative structure	10
4.1.	The pre-war administration	10
4.2.	The present administrative structure in IEA controlled areas	12
4.3.	The central level	13
4.4.	The Provincial level	14
4.5.	The District and local level	15
4.6.	The shura	15
4.7.	The IEA and the Shuras	17
4.8.	The middleman function	19
4.9.	Concluding remarks	20
5	Gender and assistance	22
5.1.	Analysis of gender – sensitive assistance	23
5.2.	Gender segregation and the <i>Mahram</i> institution	24
5.3.	Field assistance strategies	25
5.4.	Gender and coping	27
6	Conclusions	29
	Annex I	31

1 Introduction

This second report for the Norwegian Ministry of Foreign Affairs (MFA) on the humanitarian situation in Afghanistan will focus particularly on two issues that influences provision of humanitarian assistance. We will firstly review the administrative system in the areas controlled by the Islamic Emirate of Afghanistan (IEA), the governance structure of the Taliban. We will secondly discuss the issue of Gender, particularly as it relates to the provision of humanitarian assistance. As a starting point, however, the report will give an overview over the present humanitarian situation.

The information in the report is based on review of available documents and report, but builds to a larger extent on field research conducted in different parts of Afghanistan over the last years. The latest round of research was undertaken in Western Afghanistan during May 2001. This material includes a range of interviews with officials from the IEA, United Nations (UN), employees of national and international non-governmental organisations (NGOs) and a large number of Afghan women and men.

The Chr. Michelsens Institute (CMI) wishes to thank all those who took time to respond to our enquiries and provided us with invaluable information. We would, however, point out that the researchers are solely responsible for the views expressed in the report, which should not be seen as a representation of the policy of the Norwegian Ministry of Foreign Affairs.

2 Abstract

The humanitarian situation is rapidly deteriorating in Afghanistan, as tension is increasing between the Islamic Emirate of Afghanistan (IEA), or the Taliban, and the international community. The political implications of non-recognition and one sided sanctions against the IEA, in short: isolation, has strengthened the influence of radical and anti-western elements within the movement. To the Taliban, it seems highly unjustified that the Northern Alliance is still internationally recognised as Afghanistan's government, and changes seem to be achievable only through military means. This escalation of political tension takes place at a time when a rapidly increasing number of Afghans leave their homes, now reaching 700 000. A majority migrates due to the drought, intensified by the accumulated effect of underdevelopment and compounded by two decades of war. However, the "fighting season" may cause displacement for several hundred thousand Afghans more. These have to find shelter within Afghanistan as neighbouring countries have closed their borders.

The IEA, unlike their adversaries, have taken steps to establish a functional state administration ranging from the village to the administrative capital of Kabul and to Kandahar, the functioning religious and political capital. Here one should bear in mind that the Taliban leaders see themselves as representatives of the common rural population, intent on controlling the educated elite that has dominated administration and politics. In their view, this elite has exploited the population and carries the major responsibility for two decades of armed conflict. Their expressed intention is to re-establish, but also adapt, the pre-war administrative structures. Here comes introduction of a controlling ministry for Vice and Virtue, as well as the establishment of religious and administrative *shuras* (councils) at different administrative levels. The IEA also grants recognition to village *shuras*, including the development *shuras* established by aid agencies. Moreover, the IEA has revitalised the middleman function of the *arbab/malik* at the village level. This constitutes an opportunity for the common Afghan, as well as for humanitarian agencies, to influence Taliban policies and priorities.

Gender issues is a major "bone of contention" in the relationship between the IEA and the international community, as gender reforms historically have been highly contested in Afghanistan. Gender segregation - *pardah* - and the demand for women to be accompanied by a male relative- *maharam* - are important elements in Taliban's enforcement of the religious law - *sharia*. Despite these restrictions, a number of NGOs have managed to establish innovative projects where different *maharam* arrangements are utilised to enhance women's influence. Long-term refugee experience, particularly in Iran, has caused wide-ranging changes in the perception of relationship between the sexes, and hence, represents an untapped resource for more gender sensitive programming. Thus a more careful analysis of gender

relationship, and changes caused by migration, could warrant a more constructive engagement with the Taliban in the field and overcoming some very real obstacles to provision of humanitarian assistance.

Humanitarian problems, however, can only be properly addressed if the political tension between the IEA and the international community is reduced. Dialogue need to be re-established to ensure that both parties let humanitarian concerns override military and political considerations. Otherwise, it will be the common Afghan that stands to loose.

3 Brief update on the humanitarian situation

Before entering into the selected themes it seems pertinent to provide a brief update on the worsening humanitarian situation in Afghanistan. There are two main aspects of the present situation that are particularly important in relation to the provision of humanitarian assistance: firstly, the tension between the IEA and the international community; secondly, the drought and its effects.

Over the past few months, there has been an intensification of the tension between the IEA and the international community. This relates partly to the new sanctions regime, which included a one sided arms embargo, as well as a ban on Taliban representations abroad and on travel for higher officials of the regime. The international consensus on isolating the Taliban leads to a further radicalisation of the regime, strengthening the influence of more radical and anti-western elements within the IEA. The movement has become less willing to seek compromises with the international community in general, and with the assistance community in particular. Furthermore, as is common, tension increases as the parties prepare for the fighting season.

Secondly, the continued and intensifying drought has changed the profile of people in need of assistance in Afghanistan. Whereas the bulk of humanitarian assistance has conventionally targeted Afghans fleeing from armed conflict, it is now the case that the majority of those in need of immediate assistance have left their homes due to the inability of sustaining their lives. The immediate cause of this is the drought, but at the same time, this is the accumulated effect of underdevelopment, compounded by two decades of war. The bulk of the international assistance is channelled into short-term relief programs. This is partly as a result of the dramatic humanitarian situation, but it also reflects a general unwillingness on the behalf of international donor nations, to do anything that may be seen as providing legitimacy to the regime. Meanwhile, we can only expect a further deterioration of the local ability to cope.

3.1. IEA and the international community

During the first months of 2001 the relationship between the IEA and the international community has only become more difficult. The destruction of non-Islamic artefacts and statues by the IEA, and particularly the blowing up to the two ancient Buddha statues in Bamiyan, awoke global condemnation. The recent decision to identify Hindus living in Afghans by marking their clothes and homes has generated similar international reactions. The United Nations has also expressed concern over restrictions on access to the Hazarajat, as well as over detention and harassment of the staff of humanitarian agencies.

The IEA, on the other hand, brings attention to the UN sanctions, which they partly blame for the worsened situation in the country. Regime officials are

not alone in condemning the sanction. The common Afghan is squarely putting the blame for their increased difficulties on the world community. Through international radio broadcasts, including BBC Dari and Pashtu news, most Afghans are informed about the Security Councils justifications for the sanctions. Still they find them unfair and see it as a punishment of the entire nation, not only of the Taliban. The sincerity of the international community is questioned, and indirectly this leads to increased sympathy and support for the Taliban.

The sanction has particularly focused on three issues: drugs; human rights (particularly gender); and support to international terrorism (particularly Bin Laden). On the first two of these issues, the IEA rightly argues that it has been accommodative. A ban on poppy cultivation has been in place since last autumn, and it has been effectively sanctioned at great cost to the regime. Education for girls is now officially accepted in Kandahar and medical education for women is re-established in the major cities. Hence, there has been total success on the drug issue, and at least partial progress on the issue of women's rights. Yet, the international community has not acknowledged this progress by adjusting the sanctions regime, or by solidifying the progress through providing targeted aid. From the Taliban perspective, their accommodation of international demands leads nowhere.

One of the most serious effects of this international isolation is that moderate elements within the IEA are losing influence. Those who argue that an adjustment of IEA practices would lead to a more accommodating international community are losing credibility. In the discussion about the impact of sanctions, the focus has often been on the humanitarian impact, whereas there has been fewer debates about how sanctions may cause change in the internal composition of regimes. In the Afghan case, the sanctions are not only symbolising stalemate in relations between IEA and the international community, they also include restrictions on travel and on offices abroad that directly undermines the possibility to lead a constructive dialogue with the international community. The consequence is that moderates with the Taliban loose out, while the more conservative elements within the Taliban are being radicalised, and increasingly find their only international allies in radical Islamic networks.

Nonetheless, international recognition remains a priority. From the IEA perspective, there exists no justification for the continued insistence by the UN and the international community that the Northern Alliance is still Afghanistan's legitimate government. For them, the current sanction is just a continuation of a long history where the Taliban's achievements have not been internationally acknowledged. As a minimum, one would have expected that the UN has left the Afghanistan seat open. As things stand, they see no other way to achieve international recognition than through the military defeat of the Northern Alliance. The Taliban hope that when they control whole of Afghanistan, international recognition is inevitable. The IEA is, literally, fighting for recognition.

At the same time, there is need to be aware that every year, the debate between the IEA and the international community tends to get more heated during spring and early summer. This has also been the period of the year when the Ministry of Vice and Virtue have been most active issuing decrees. Field staff of UN agencies and NGOs acknowledge that the climate gets more tense, and that negotiations are more difficult during this period, and express concern that settlements otherwise acceptable to both sides would be turned down. As one observer has succinctly described the dilemma of the Taliban: “This leadership cannot possibly combine its desire to keep its troops prepared to die for Islamic values and at the same time demonstrate liberal flexibility.”¹

The issue of female employment in aid agencies remains a bone of contention between aid agencies and the IEA. The regime has issued a decree against employment of Afghan female staff in aid agencies, with the exception of the health sector. In a recent controversy with IEA, the World Food Programme (WFP) has threatened to close their bakeries in Kabul, unless they are allowed to employ female staff to review their list of beneficiaries, which is now five years old. IEA, on its side, has suggested that the WFP might employ women from neighbouring countries to undertake the survey, though the UN has turned this down as unfeasible. Hence, there is an inherent contradiction between the rights-based approach applied by the UN in Afghanistan, and the intention to execute so-called needs-based programming. Accordingly, it is difficult for the common Afghan to comprehend the UN argument: Why should they wish to close down bakeries providing bread for several hundred thousands of what everyone agrees is the most destitute part of the population? And why is it so important to employ Afghan women to undertake such a survey, if it could be done by other women speaking their language?

Overall, a major effect of the intensifying isolation of the regime is its radicalisation. International sanctions have no popular support in Afghanistan, if anything there is sympathy with the IEA stand on sanctions. Recent controversies over the provision of aid can only solidify such trends. There is every reason to be concerned the current deterioration of relations between the IEA and the aid community can culminate in a new set of political obstacles to the implementation of humanitarian assistance in Afghanistan.

3.2. People in need of assistance

We continue to see an increase in drought related displacement. The World Food Programme (WFP) reports that more than 700,000 Afghans have now been displaced from their place of origin. About 500,000 displaced have moved to urban centres within Afghanistan. Herat in north-west Afghanistan is host to a majority of those newly displaced due to drought, with six camps now housing some 140,000 displaced people, and an ongoing influx from the neighbouring provinces.²

¹ Gohari. M.J. (2000), *The Taliban Ascent to Power*, Karachi, Oxford University Press (p.110)

² WFP (2001), *Emergency Report No. 21*, 25 May 2001, Islamabad, WFP

The winter season has not brought the necessary rain and snowfall to mitigate the effects of three dry years. As food supplies and resources are exhausted, and this year's harvest is failing, people have little choice but leaving their homes. In the words of the WFP Country Director "(...) almost half of Afghanistan's 21 million people have been hit by the current drought and nearly three million of them are now dependent on food aid for survival. The grim prospects for the harvest this year could lead to a worse humanitarian situation than last year (...)"³

The entire country suffers from more than two decades of war and continued warfare. However, the ongoing military activities are, actually, a lesser cause for migration than general underdevelopment turning unbearable when drought is added. If we take a look at internally displaced persons (IDPs) residing in camps a large majority of these are from areas where large-scale war activities have been absent for several years.⁴

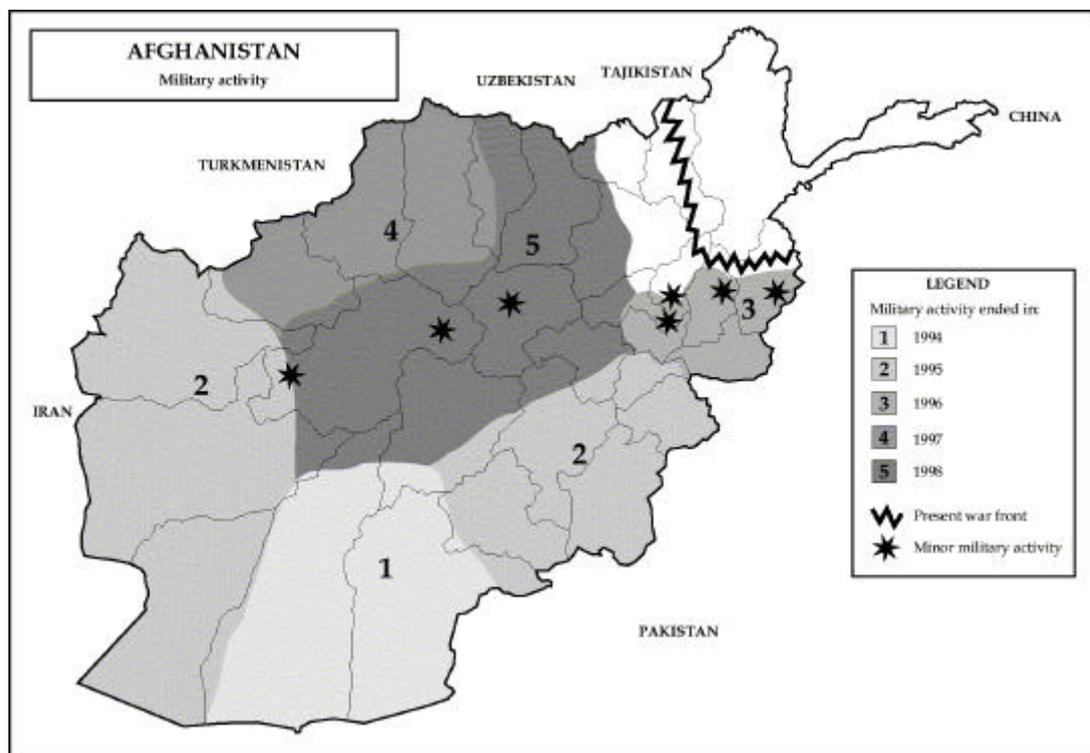


Illustration 1: Map indicating end of major military engagement in different regions of Afghanistan and present war activities.⁵

³ WFP Press release: *Grim prospects for harvest in Afghanistan*, 25 April 2001

⁴ See UNCO Drought and Displacement in Afghanistan: May 2001. While no total figure of IDPs is provided a rough calculation indicate that about 350 000 are displaced due to drought while around 200 000 are displaced due to war activities. The difference between UNCO and WFP reports when it comes to numbers could be that WFP includes a larger number of longer term IDPs.

⁵ Map made by Authors based on a range of sources, drawing by Robert Sjrursen

The above map indicates the variation between areas when it comes to major military activities during the last ten years. If we compared this to a map of origin for recently displaced, we would see that most would come from areas that have not been the scene of armed conflict for a long time. Interviews with IDP's in Herat further confirm that it has been the drought rather than fighting that has triggered their departure.

However, data on displacement is in itself a problem. The number of internally displaced is uncertain and the humanitarian agencies have not been able to provide a consolidated overview. Reporting formats vary, with some reporting on the number of individuals, while others report on families. This may have major implications: From Herat, the UN reports on 140,000 IDPs in camps, while for Kandahar it reports on 23,000 families in smaller groups. If we assume a standard family size of seven, which is low for the nomad population, the IDP population in Kandahar comes to 161,000. Still, the bulk of the assistance goes to Herat, which has received almost all the media attention since early reports on December of IDP's dying of cold in the camps.

Whereas it is believed that the majority of the displaced stay inside the country, it is also clear that many have attempted to cross into neighbouring countries. It is estimated that Pakistan has received 170,000 during the past seven months, who are now residing in camps, with the constant threat of being shipped back. The majority of those who get to Pakistan escape from armed conflict rather than drought. Like Pakistan, both Iran and Tajikistan have closed their border for Afghans, but still many continues to cross, often assisted by the industrious smuggler networks that exist. Officially, organised refugee return has been put on a halt, although it appears that expulsion of those classified as illegal immigrants from Iran continues at the same scale. Given the current prospects, voluntary repatriation is almost negligible.

From the perspective of many an Afghan farmer, the IEA's ban on poppy cultivation adds to the problems. Not only have many farmers lost their major source of income, but poppy cultivation is very labour intensive and provided seasonal labour for large numbers of Afghan women and men. In the major poppy-producing areas, the ban has forced men to seek employment in neighbouring countries or to join one of the fighting fractions, while women are left with larger family responsibilities. The costs to the IEA of maintaining a ban is therefore high, and there is a continuous pressure on the authorities for lifting the ban. It could be feared that if the international community does not respond promptly with praise to the IEA for implementing the ban and support for farmers to generate alternative income, the ban will be reversed.

Over the past months, we see a dramatic change in migration patterns in Afghanistan, with a shift from war-related towards drought-related displacement. The change would warrant a parallel shift in assistance strategies, where the emphasis is not only on short-term survival, but similarly on long-term self-sufficiency. Practical skills, for example in farming or water management, could be taught to people while displaced. There is also need to build up a large scale response that aims at facilitating the reintegration of the displaced in their areas of origin. The return of water for irrigation will not be

enough, their economic reintegration will also depend upon the availability of for example seeds and farm power. One obvious response would be to dramatically scale up the production of improved seeds in those areas not affected by the drought. Whereas there has been a slight improvement in the sense that attention has shifted from relief distribution on IDP camps to other forms of distribution in the areas of origin, it is still a problem that we have a one-sided focus on short-term relief. This approach may, in ways all too familiar, contribute to create new groups of aid-dependants, with little ability to rebuild their normal lives.

4 The IEA administrative structure

In our last report we presented a brief review of Taliban's governance structure. We argued that two distinct religious features have been added to the traditional pre-war governance structure: the councils – *shuras* - that are established at the district (and provincial) level to act as a check on the administration; and the reestablishment of the old “middleman” function at the village level. We also pointed out that while the IEA has taken over the old administrative structure and attempted to revitalise it, there is very little of the kind in the areas presently controlled by the Northern Alliance. However, it needs to be mentioned that there are also differences as to what extent the administration is presently functioning within IEA controlled areas.

Before entering into details on the present administrative structure, we should make a short historical recollection of how these structures have functioned in Afghanistan. We will then move on to discuss the present structure at the government level, the provincial level, and the district and local level, before we conclude with a note on the strengths and weaknesses of the IEA's administrative apparatus.

4.1. The pre-war administration

In contrast to most other countries in this region a colonial administrative superstructure was never erected in Afghanistan.⁶ The country never had an administration that could effectively execute new policies at the local level. Tax collection, to take one issue, has never been effectively and systematically executed. The distance between the educated elite that dominated the administrative apparatus, and the common rural Afghan was enormous, and one key to understanding the current policy and practice of the current regime lies here: Taliban leaders see themselves as representatives of the common rural population, intent on controlling the educated elite that has dominated administration and politics, and exploited the population, bearing the major responsibility for the two decades of armed conflict.

The literature contains few detailed descriptions of Afghanistan's administrative system. Much of what exists is in the form of relatively loosely founded critiques. The system that functioned prior to the war was established in the 1964 Constitution. Afghanistan was then divided into 24 provinces (*wilayat*), each headed by a governor (*wali*), reporting to the Ministry of Interior in Kabul. Furthermore, there were representatives of the various Ministries attached to the provincial administrations, reporting directly to their respective superiors in Kabul. The province is further divided into districts (*woluswali*) with an administrator (*woluswal*) reporting to the provincial governor. Larger districts were divided into subdistricts (*alaqadari*). The smallest division was at the village or rural subdivision level, while the

⁶ See Ghani, A. (1990), Afghanistan XI: Administration, in *Encyclopedia Iranica*, Ed. Yarshatar, B'ayj'u, Carpets, p.558

cities were divided into wards. At this local level, there was a middleman function, a locally recruited person who stood between villagers and the administration. In the countryside, this function was called *arbab*, *malik* or *mir*, in the cities it was called *wakil-e-gozar*.⁷

Discussing the Constitutional Period of Afghan history, Louis Dupree describes the functionality of the ministries in Kabul by the end of the 1960s:

Below the level of the ministers and deputy ministers, the ministries are a veritable bureaucratic jungle. Although ministers, deputy ministers, and their immediate advisors generally have a liberal, action-oriented outlook and do attempt to get things moving, the system under which their underlings function preclude the rapid completion of any given approved project. Few bureaucracies in the world equal - although many approach - Afghanistan in its built-in slowdown mechanism.⁸

Dupree points to a shortage of trained administrators, technocrats and technicians. Middle-range bureaucrats remain perpetuators, not innovators. People in the countryside treated the officials with cautious politeness, but tried at all costs to minimise contact. The arrival of a government official in a village was usually associated with payment of tax, prescription to the army, or enrolment for so-called voluntary work. Officials were frequently transferred to prevent them from developing personal power bases, but this also had as its consequence that administrators could never build solid knowledge of particular areas, even less so engage in enduring relationships with locals. Consequently, as Barfield observes, "(...) an official was more concerned with keeping good communication with his superiors in Kabul than in having good relations within his district."⁹

As a consequence of the poor capability of state administration at the local level, there was a high degree of functioning self-governance, particularly in the rural areas. Local councils – we will use the term *shura* – existed in many communities. The *shura* in a village should ideally consist of all free men, and makes decisions by consensus. Traditionally, it is a reactive body, called upon to solve a particular problem or deal with a particular conflict. As such, the *shuras* have never had the capacity to plan, or to implement policies. Furthermore, a *shura* did not necessarily represent a particular geographic division, it could as well be rooted in a particular solidarity group, whose members were dispersed over a larger area.

Throughout the war, various *mujahedin* groups and commanders organised different kinds of councils. These were also called *shuras*. In contrast to traditional *shuras*, they often had a limited membership, and a more clearly

⁷ See Adamec, L. C. (1997), *Historical Dictionary of Afghanistan*, Second Edition, London, Scarecrow Press, p.13-15

⁸ Dupree, L. (1997), *Afghanistan*. Second Edition, Karachi, Oxford University Press, p. 654

⁹ Barfield, T. J. (1984), Weak Links on a Rusty Chain: Structural Weaknesses in Afghanistan's Provincial Government Administration, in *Revolution & Rebellion in Afghanistan: Anthropological Perspectives*, Eds. Shahrani & Canfield, Berkeley, IIS

defined mandate – most often a military one. Simultaneously, NGOs, who were searching for more representative counterparts for their implementation of aid, started to focus on the *shura*, and some insisted on the existence of *shuras* as a precondition for their engagement. These *shuras* were often less broadly representative than the traditional ones, and at times their only function was to gather in the face of aid agencies, in response to their criteria.

During the reign of the communists (1978-1992), the government administration was functioning only in the cities and the restricted areas where the government had full control. The various *mujahedin* groups established their military organisations, but some also established some sort of civilian administration. In some areas, where *mujahedin* groups gained control over larger centres, they assimilated the existing government administration that had been working for the communists.

Following the 1992 fall of the communists, the existing administration shifted hands to the *mujahedin* government. This administration was fragmented in two ways. Firstly, powerful commanders solidified their control over particular areas, and built up their own administrative apparatus that took little direction from the capital. Secondly, the different ministries in Kabul were divided between different factions and parties of the *mujahedin*, and the appointed ministers treated their offices as a personal power base, bringing in their own loyal supported in responsible positions. Funding for each ministry and department depended on the international connections of the minister and his party, but also and how dependent the President and the Minister of Defence were on their support to maintain their positions. At the same time, a substantial portion of the old staff remained, but the administrative system was carved up between the groups, without any unifying governance system.

Concluding on the history of the administrative system, we see that Afghanistan's administrative system has never been particularly efficient. The ability to implement policies and run affairs at the local level has always been wanting. In the words of Thomas Barfield: "National politics and programs were largely divorced from rural areas."¹⁰ The administrative capacity was further deteriorating through the periods of communist rule (1978-1992), and the ensuing period of intra-*mujahedin* fighting (1992-1996). In the areas controlled by the Northern Alliance, there is currently an administrative vacuum. The IEA, on the other hand, has worked consistently on rebuilding a modified version of the pre-war administrative structure in the areas under its control.

4.2. The present administrative structure in IEA controlled areas

The aim of the Taliban has been to gradually re-established the pre-war administrative system. However, sources within Taliban explain that they have wished to develop this system further and adapt it to the present situation in the country – rather than to take as a blueprint the pre-war

¹⁰ Ibid.

Afghan administrative system, or the system of any other state. Among the most significant modifications are the introduction of *shuras* at the district and province levels, and the establishment of a relatively independent “control ministry” – the Ministry of Vice and Virtue. These bodies, combined with a reliance on the flow of information in existing religious networks, gives the Taliban an unprecedented level of control down to the local level. In the following we will look first at the central level, next the provincial level, and finally the district and local level, in an attempt to pinpoint the current status of the IEA administration.

4.3. The central level

At the central level, there has been a significant decline in administrative capacity. This is partly the result of the brain drain, as much of the educated elite has fled Kabul. Even more importantly, the top leadership has had religious credentials and loyalty to the Taliban as their primary qualifications, but most often lack the administrative and diplomatic skills necessary to contribute constructively to running a government administration. Although a number of people with a modern educational background have joined the Taliban, and some senior bureaucrats have remained, this can not make up for the inexperience of the new recruits with a Taliban background. The problem is exacerbated by the rotation system, where senior Taliban are frequently shifted between posts, or to the frontline, in order to prevent the building of fiefdoms within the administration.

Nonetheless, there is a governance system and structure in place. The various ministers meet regularly, and different inter-ministerial committees have been established. There is an awareness, at least at the upper levels, about their own tasks as well as responsibilities of other ministries and departments. A UN report points out that the Finance department still uses a public finance system that is modelled on the French public accounting system.¹¹ The process of budget preparation and management of the central government expenditure continues as before the war. The system, however, commands minimal resources. Nonetheless, some of the allocations are set aside for humanitarian purpose. One example is the Afghan Red Crescent Society, which does receive a share of the tax that is earmarked for the poor. Also the office of the Mayor of Kabul receives funding from the state budget – constituting about 30 % of their budget, while the rest is raised through taxation and payment for public services.

Working with the administrative and political apparatus in Kabul is also made difficult by the fact that the ultimate power is now based in Kandahar, where Emir Mullah Omar is seated. There is always the risk that agreements established with the Kabul administration is not paid respect to by the Kandahari leadership. This introduces an extra layer in the political decision-making process, but it also introduces a significant uncertainty. But, if we

¹¹ Office of the UN Humanitarian Coordinator (2000), *Vulnerability and Humanitarian Impact of UN Security Council Sanctions in Afghanistan*. Draft, September 16, 2000. Islamabad, UNCO

again revert to Dupree this resembles to a large extent what he describes as a defensive technique of villagers. “When outsiders approach, the village leaders disappear behind mud walls, and the first line of defence (second line of power) come forward to greet the strangers with formalized hospitality (...)” With the Taliban taking over the capitol, they appear to have brought with them their rural defence mechanisms “to protect themselves from the outside world.”

4.4. The Provincial level

At the provincial level, the pre-war tradition of rotating both the governor and local Ministers have been continued by the Taliban, who often rotate people after only a few months in the post. New office-bearers usually bring with them a number of staff from their military entity or tribe, but have to rely on the locally employed administrative staff for the running of their office. In Zabul province, the local administrator who had been working for many years in the office was asked by the Governor to present the humanitarian situation of the province. Interestingly, his criticism encompassed both the IEA and the humanitarian agencies, the former for not making sufficient funding available for drought relief, the latter for biased distribution of aid where the areas out of the range of “white cars” were missed out. This official revealed that people of that area continuously came to their offices demanding assistance. So far, this had led to reduction of exemption of tax payment, including both the tax on land and the religiously rooted *zakat* tax.

The Taliban maintains the system of direct representation of Ministries at the Province level, although it is assumed that in some locations these have established a higher degree of autonomy than earlier. It is primarily the responsibility of the Ministry of Foreign affairs to interact with humanitarian agencies, particularly international ones, although other ministries does also demand both regular information and involvement in humanitarian projects. At times this may make it difficult to manoeuvre for aid agencies.

The Governor does also relate to the provincial *shura-e ulama* (Council of religious leaders), which is a long existing body that has gained in prominence under Taliban rule. In Herat, the *shura-e ulama* meets once a month. According to a *shura* representative these meetings deliberate on both religious and administrative matters, but a major responsibility of this body is to ensure that policies and administrative decisions are in line with *sharia*. The *shura* is composed of *ulema* from all districts, hence a range of religious leaders are drawn into the administrative system, providing guidance in matters that might need more religious or public support, but also facilitating the general flow of information on administrative, religious and political issues concerning the Emirate.

As in Kabul the Ministry of Vice and Virtue assumes an independent position, being the control body both of the Ministries and of the population at large. They tend to be very well informed and it is suggested that they draw on a combined network of informers developed by the previous Kabul governments and the *mujahedin* groups. It is also learnt that people fearing Taliban’s

attention volunteers information about neighbours and colleagues to ease the pressure on themselves. As important is the ability to draw on the ever-present religious network, where even local village mullahs that are not necessarily supporters of the Taliban have to collaborate. Altogether, the implication is that the Taliban is extremely well informed about what goes on all the way down to the village level.

4.5. The District and local level

Similar to what is the case with other top IEA administrators, also the *woluswal*, the district administrator is recruited from a different area. The *woluswal* does not have a large bureaucracy at his disposal, but does to a large extent depend on traditional structures to execute his duties. Community representatives, on their hand, come to the *woluswal*, presenting the concerns of the population.

A discussion with a *woluswal* in a district in Wardak province revealed that individuals, community organisations, religious establishments and humanitarian organisations frequently came to demand his attention and support. At the day of our meeting he had initiated a murder investigation in collaboration with a religious *shura*. He had also been instructed by the Governor to follow up on incidents occurring in another part of the province, where the expected culprit was from his area. He still claimed that such legal follow-up was a minor part of his duties. More demanding was subscription for the Taliban army, as well as tax collection, albeit the latter was somewhat reduced as a result of the drought. This *woluswal* argued that currently, he spent most of his time in meetings with village delegations demanding support due to the drought, and in assisting NGOs in implementing FoodAC projects with wheat from WFP.¹²

In the following, we will first discuss the role of *shuras* at the village level, then look at the IEA's initiative to systematically organise *shuras* at the district level, and finally we will focus on the role of the traditional middleman, the *arbab*.

4.6. The shura

The word *shura* is taken from the Koran, which recommends Muslims to consult each other on issues of social, mutual or individual interest – in a *shura*. It is also used in reference to an elected or selected body of entrusted by peoples to deal with social and national issues. In Pashtun tradition the term *jirga* has been used to describe similar types of consultations.

¹² FoodAC – Food for Assets Creation, is a concept introduced by WFP, and is a refinement of FFW – Food for Work. In FoodAC, the bulk of the wheat is distributed to people who participate in “assets creation”, such as the rebuilding of roads, irrigation channels, or other common property. A minor share of the food is distributed to vulnerable groups, which should be identified in a transparent process involving community representatives. The concept has been welcome both by IEA officials, NGOs and the intended beneficiaries as it reduces aid dependency and give the local population more influence on project selection.

In Afghanistan, during the late 1960s and early 1970s the word *shura* was used for gatherings at the national level, for example in "*Shura-e-Milli*", the National Assembly in Afghanistan. With the establishment of *mujahedin* parties in the early 1980s some of the Arabic terms aggressively appeared in the literature of these groups. As one NGO employee and former mujahedin observed "(...) this was a deliberate attempt to identify the resistance with Islamic ideology against communist jargon promoted by the then Afghan government." His point of view is that the word *shura* got its place in the vocabulary of the rural population, as well as the refugees in Pakistan, when the *mujahedin* groups established *shuras* at different levels, in an attempt to introduce a more permanent organisational structure among their fighting forces. The term was further applied for larger alliances of *mujahedin* groups.

The definition of *shura* that Carter and Connor¹³ gives is "(...) a group of individuals which meet only in response to a specific need in order to decide how to meet the need". Husum,¹⁴ however, presents a negative definition of a *shura*, as 1) It is not just a council; 2) The *shura* assembly does not have internal political unity; 3) The *shura* does not have external political unity. And he sums it up "Thus *shura* is not a political body, but rather a manifestation of a wide spectrum of political interaction between free men, and between free groups of men." It follows that the traditional *shura* is not a proactive body that plans or prepares for the future, that it does not have a fixed membership not a prearranged meeting schedule. Any "free man" has the right to attend *shura* meetings, who does so will in practice vary a great deal.

Much of the academic literature on *shuras* is very critical to the idea that they can be seen as representative bodies of a particular community, or that they can be an active part in reconstruction and development programs. This stands in grim contrast to the importance many NGOs and the UN agencies have placed on the *shura*. However, a closer scrutiny of how the humanitarian agencies relate to *shuras* provides us with two distinct approaches. One approach is where agencies upon their arrival in a village call for an interview of villagers to investigate the needs of that particular village. Such a *shura* is often a one off event, relating to those men of the village who might be available for consultation upon their (often unannounced) arrival. This approach tends to be applied by the relief-oriented agencies.

The other approach is to build long-lasting relationships with the *shura*, investing considerable time and resources in enhancing its representativeness and in building its capacity. This approach is often combined with more participatory approaches to needs assessment. This approach entails a fundamental dilemma, since the objective is a fundamental community mobilisation, whereas the approach is to root this mobilisation in a traditional institution, the *shura*, which often also consists of the people most resistant to change. On the other hand, by using a familiar and existing body as a vehicle

¹³ Carter, L. and Connor, K. (1989), *A Preliminary Investigation Of Contemporary Afghan Councils*, Peshawar, ACBAR

¹⁴ Husum, H. (1990), *The Other Side of the Border*. Peshawar, NAC

for change, gaining access is much easier. The real challenge however, is to convert a reactive and loosely organised traditional village *shura* into a proactive body with delegated authorities that takes an overall responsibility for village development. This conversion takes time, and it presupposes that the implementing agencies are aware of the contradiction built into the concept of a “village development *shura*”.

This also raises a fundamental question about the representativeness of the *shuras*. On the one hand it can be taken to mean that all segments of the population, in terms of economy, political sympathy or solidarity group, are represented on the *shura*. On the other hand, it can be taken to mean that the *shura* acts for the common good of the whole population, including those that are most vulnerable. Realising that *shura* participation requires both time and competence, the latter view seems most realistic. A particularly delicate issue in the Afghan context is gender, women are generally not allowed to participate in *shura* deliberations. It proves that in practice, both Afghan men and women tend to see the family as the primary unit, and find difficulty understanding why there is even a need for female representation. This underlines a major difference in perception of gender issues, but does not imply that women’s views have the same influence on *shura* meetings as those of men. Some aid agencies have, employing female staff, been able to establish consultative mechanisms with women, systematically feeding their viewpoints into *shura* discussions.

Discussing the role of the village *shuras* also raises a concern about coordination. Not rarely do we see that agencies tend to have their own requirements for the establishment of *shuras*. This has resulted in several *shuras* within the same village, with a membership that is partially overlapping. Furthermore, as we will return to, village *shuras* also have performed duties in relation to the authorities. Taking government recognised *shuras* as the starting point for development *shuras* is often smart, since it gives the agency involvement a different level of political legitimacy, and makes it easier for the village *shura* itself to play an active role in negotiations with the authorities.

4.7. The IEA and the Shuras

The relation between *shuras* and the government is essential. Already in 1989 did Robert Canfield raise a concern about the way aid agencies relied on *shuras* for implementing assistance, stating that “(...) working mainly with the *shura* will be feasible only as long as there is a weak central government”. He concludes that “(...) as soon as the central government is formed, if it follows the past pattern of administration, it will seek to impose its politics on local and regional coalitions, and the reconstruction enterprise will be coordinated from Kabul”.¹⁵ Canfield’s warning was most pertinent at the time, but today we see that the Taliban has come to see *shuras* as a vital component of its administrative structure.

¹⁵ Canfield, R.L. (1989), *On Shuras in Afghanistan Society*. March 1, 1989

The Taliban apparently see the *shura* as a key component instrument in their national governance system. There are a number of examples where the *woluswal* is working closely with community- or agency-established *shuras*. Oftentimes, the IEA administration delegates responsibility to such *shuras* for administrative matters or for finding solutions to local conflicts. Hence, rather than banning the formation of *shuras*, the Taliban has chosen to acknowledge their existence, and in fact to build *shuras* at the district and provincial levels where their role has been marginal. This recognition of the role of *shuras* can already be observed to have two contrasting effects. On the one hand, it is associated with new responsibilities, further influence, and more room to manoeuvre in local affairs for the *shuras* – an undoubted asset in terms of local development. On the other hand, it may be expected that the *shuras* should take on certain responsibilities that are in accordance with the interest of the IEA.

In line with the latter, we have recently seen attempts to regulate the *shura* function and to delegate responsibility to *shuras* for ensuring that the regulations of IEA are adhered to at the local level. In Herat, the *Shura-e Ulama* has recently distributed a “Job description for Shuras of the Islamic Associations” (see Annex I). These regulations refer to village *shuras* in the religious domain, which in principle may or may not be different for a village representative *shura*. We have not encountered any village that has two separate *shuras*, one religious and one representative, although this division exists at the district and provincial levels – with somewhat unclear divisions of responsibility.

A brief review of the *Shura-e Ulama* guidelines reveal that they are preoccupied with adherence to Islamic values and faith, payment of taxes and with ensuring that every citizen is aware of their duty to obey their *Emir*. The document does furthermore highlight “the rights of people”, as brought to them by the Islamic revolution, and “to preach (through religious scholars and Islamic associations) the rights and responsibilities of women and persuade the women to comply with the *Hijab* (Islamic dress code)”. An emphasis is made of advising people of seeking the right path, where value is attached to religious education of children, serving military duty and to keep “their roads and surroundings clean”. The *shura* is responsible to register, and if possible, to resolve interpersonal and intercommunal conflicts. It is made clear that except for religious taxes they are not entitled to collect any kind of taxes in the villages, this is the duty of the district administration. Moreover, the *shura* members are not entitled to any salary or other financial benefit from their work. Interestingly, the guidelines suggest a fixed structure for the *shura*, with ten members, including a chairman and a secretary, and regular meetings once a week.

The IEA’s approach to *shuras* is still in the making. What is clear is that the regime is intent on accommodating existing *shuras* at the village level. The IEA is similarly intent on building *shuras* at the district and provincial level that can ensure that policies and decisions are in accordance with the *sharia* (the religious *shuras*), and that can act as a check on the administrations, in response to complaints from the public (the representative *shuras*). This is the

perhaps the most important reform in the IEA's current campaign to rebuild a government administration. Albeit this reform has the potential of contributing to tightened control, it currently seems more significant that this implies a new level of popular influence on policy-making. As such it does also represent a resource to aid agencies.

4.8. The middleman function

Information from different districts of Southern, South west and Western Afghanistan indicates that at the same time that a larger role is granted to *shuras*, the IEA have taken active steps to revitalise the function of community middlemen, know as *arbab*, *malik* or *mir*.

The *arbab*, traditionally assumed a key role as the contact point between village and authorities. Carter describes the position as "(...) representatives of local communities to the government."¹⁶ They are in theory chosen by the consensus of the community – presumably in a "*shura*" – and also by the consent of the local government authorities. This is similar to the position the *wakil-e-gozaar* has in the larger cities where they relate to the local Municipality. This dual role of actually representing both the village and the authorities becomes increasingly difficult when the conflict between authorities and communities heightens or the tax burden increases or there is a demand for the village to contribute with men for the army. Needless to say, many *arbabs* were not very popular within their contingency when they chose to side with the government rather than upholding the views of their villagers.

This traditional position came under pressure during the Soviet occupation and their importance in the Governance system, inside Afghanistan, diminished during this period. Dr. Najimi¹⁷ made the following observation "During the *Jehad*, as many of the *arbabs* came under pressure by the communist government they either migrated or turned against the government and joined the resistance. Some though being passivists continued to be in friendly relation with the government as long as there was no direct threat to his family and belonging." In the refugee camps in Pakistan, the *arbab* role was used as a representative of wards in relation to the camp authorities, and hence assumed great influence over distribution of relief.

Whereas the *arbab* would in many cases be a representative of the *shura*, there may also be considerable conflicts of interest between the *arbab* and the *shura*. The latter tends to have more distance from the government, and it would also be the case that as the *shura* gets stronger, the *arbab* will loose in terms of power within the community. There are many examples where the Taliban have replaced *arbabs*, as they were dissatisfied with the performance of the existing representative. In some cases, local religious leaders – *mullahs* – have been appointed as *arbabs*.

¹⁶ Carter, L. and Connor, K. (1989), *A Preliminary Investigation Of Contemporary Afghan Councils*, Peshawar, ACBAR

¹⁷ Personal communication, 1999

The revitalisation of the *arbab* function is another example of the how the Taliban builds its new administrative structure on the pre-war one. Similar to the power balance between administration and *shura* at the district and province level, the division of labour between *arbab* and *shura* at the village level introduces certain checks and balances, in potentially opens up for greater transparency and influence on behalf of the common villager.

4.9. Concluding remarks

At an overall level, it is interesting to note that there is considerable representation of non-Pashtuns all the way to the senior level, including ministers and senior officials in Kabul. This is a conscious policy of the IEA. The same is the case of governors and other key officials at province and district level, although we have not come across any non-Pashtun governor in the Taliban core areas in Southern and Western parts of Afghanistan.

Despite serious shortcomings in terms of human as well as financial capital, the IEA has set out to re-establish the pre-war administrative structure of the Afghan State, and to link it up with their own religious network. Instead of prohibiting newer institutions such as the *shuras*, they have rather opted to include them into their district administration or to regulate them. While we don't know the extent of their regulations we should neither underestimate the possibility the various community bodies as the *shuras* and the *arbab* have on influencing the policies and practice of the IEA. By taking on these structures they have signalled that they wish to be seen as a functional government, both towards the international community and their own citizens. And the Afghans have responded to this, as over the last months we have witnessed a number of community groups demanding assistance and reduction of taxes. For aid agencies the fundamental choice is whether to see the official recognition of community representatives as a resource or as a constraint. The approach taken by aid agencies in this regard may in itself have an impact on whether the new bodies become mere control organs or if their representative potential is realised.

The new power division between Kabul and Kandahar and influence the religious network and Ministry of Vice and Virtue have gained over other governmental bodies have brought changes to the state administration. The emphasis IEA officials make on collaboration with community representatives and bodies could reflect another important change to the administrative system.

Until 1996 the entire governance structure of Afghanistan was managed and run by a small educated urban elite. Now this has been taken over by religiously educated village clergy, assisted by a small number of bureaucrats having survived numerous governors and ministers. And this clergy is more at home when they discuss communal work with an *arbab*, or take part in a *shura* meeting to resolve a dispute than when they are meeting with foreign delegations in Kabul. This could in part explain their support for re-establishing traditional administrative structure and accepting the *shura*

function, and, furthermore, why things can more easily be agreed upon “at home” - in Kandahar.

5 Gender and assistance

Gender has become a core for confrontations between the Taliban and the international community. Stalemates in the provision of aid has not rarely been triggered by conflicts over the restrictions that the authorities have placed on projects that singles out the female part of the population as their primary target group. While we acknowledge that the gender aspect clearly includes some of the more complicated dilemmas related to working with assistance in Afghanistan, we would like to use this section to explore opportunities that exist for a more constructive approach, maintaining a focus on gender, and rooting the discussion in traditional Afghan perceptions of gender.

Since so much of the discussion in the Afghan context deals exclusively with female rights, and the oppression of women, it is worth revisiting the concept of gender, which is a generic term that refers both to men *and* women. The UN thesaurus defines gender as the *relationship* between women and men based on socially defined roles assigned to one sex or another. Operational usage in the international assistance community has, however, emphasised access to *women as target group* rather than the methods to access the relationship between the two genders. A shift to an emphasis on gender may have less conflict potential, while opening up opportunities for building constructively on the way gender relations are structured in the Afghan context.

The particular traditional Afghan values given to segregation between the two genders, locally known as *purdah*, is a major point of contestation between the assistance community and the Taliban authorities and have caused stalemates in the provision of gender sensitive relief and rehabilitation. Whereas the Taliban has contributed to politicise gender, it is worth keeping in mind that gender reforms have been highly contested in Afghanistan throughout the past century, and that the policies of the Taliban are rather similar to that pursued by most of the *mujahedin* groups throughout the 1980s and early 1990s. We suggest there are potential for better management of gender sensitive assistance by using existing institutions such as *mahram* as openings for co-operation.

In the following, we will first look briefly at how the international assistance community over the years 1996 -2000 approached the issue of gender sensitivity. We will then summarise the most salient features of the religious and cultural model of gender segregation, before we give to examples of NGOs that have tried to work constructively with the *mahram* edict. We conclude by a short review of gender-specific coping strategies.

5.1. Analysis of gender – sensitive assistance

During 1996 and 1997 the UN were releasing three studies in gender-sensitive programming in Afghanistan, in response to a number of confrontations with the newly emerged Taliban.

The first report by United Nations Development Program (UNDP) in 1996 emphasised the lack of co-ordination and institutional memory as a major obstacle to the development of gender sensitive policies and concluded, “The major obstacles to women’s programming are internal, being within our agencies and within our power to change.” A further conclusion was that “(...) the pressure to reach women in Afghanistan has lead to a focus on quantities reached (...) and [that] the concentration on separate, specific women’s programmes has ignored the associated roles of men (...)”¹⁸

The second report by United Nations Department of Humanitarian Affairs in May (UNDHA) 1997 recommended a principled-centred approach to guide UN operations and to co-ordinate a UN approach “strong on principles, yet open to experimentation with authorities on the basis of these principles, and supportive of local communities.”¹⁹

The third report by the United Nations Interagency Gender Mission to Afghanistan in November 1997 assert that UN agencies must “stop paying lip service to their [women’s] importance in rehabilitation and development assistance” and start prioritising work to implement a pragmatic and field oriented application of the principles.

As a whole, these reports established a sound foundation for a more constructive engagement with the Taliban authorities when it comes to gender sensitive assistance. The practical implementation of the recommendations, however, was halted after the US missile strikes on alleged terrorist bases in August 1998. All international expatriate UN staff was withdrawn from Afghanistan only to start a limited return in March 1999. Programmes were run by remote control from Islamabad and UN negotiation for return had on its agenda two key issues; security to UN staff and equal access to men and women, boys and girls.

Looking at the situation today, there has been some progress. The UNDP 1996 report writes that “a significant obstacle [to gender sensitive programming] has been the paucity of international female staff (...) Within the UN family a mere 14 women are contributing to programming in Afghanistan compared with over 70 men.”²⁰ Five years later the UN Gender Advisor published a statistical profile that show the gender distribution of international staff in the UN system in Afghanistan to be strengthened. The

¹⁸ UNDP (1996), *Room to Manoeuvre. Report on study of Women’s programming in Afghanistan*. July- September 1996. UNDP: Kabul and Islamabad.

¹⁹ United Nations Department of Humanitarian Affairs (UNHA) May 1997.

²⁰ p. 107

UN system employed 102 international professionals, 36 of which are female.²¹ UNICEF, to take one example, aims at having two international female UN Volunteers at each of their regional offices.

Attempting to assess progress in gender sensitive programming, the picture is mixed. On the one hand, there has been an expansion of programs in the field, including projects that target women particularly, for example in education. At the same time, such projects continue to be a bone of contention between the authorities and the aid community, last exemplified by the conflict over the WFP bakery project in Kabul. During our recent travels in Afghanistan, however, we have noticed with great interest that key success criteria for gender sensitive projects seem to be keeping a low profile. In one case we found that an agency engaged in mobilisation of women did so without the awareness of other agencies working in the same district. In the current situation, where gender sensitive activities are heavily politicised, even modest publicity about a successful program can be a threat to its continuation.

5.2. Gender segregation and the *Mahram* institution

Since February 1997 Taliban authorities have issued a series of decrees relating to female employment, and after the general trend throughout 1999 towards a growing relaxation of strictures, decree number 8, dated 19 July 2000, came as a new set-back when Afghan women were forbidden to work for international humanitarian agencies, and “any previous edict in this regard is null and void”.²² Taliban legitimises their rigid interpretations of gender segregation – *pardah* - with reference to religious ideology. The edicts are sanctioned by Mullah Emir Omar and upheld by the Ministry for Vice and Virtue (*Amr el-Maruf wa el-Munkir*).²³

There is a particular religious and moral order and values behind the tradition of *pardah*, which in general terms may be summarised as keeping separate the worlds of the two genders, alternatively as maintaining symbolic shelter for the women. *Pardah*, embodies and structures everyday behaviour by men and women through rules for avoidance behaviour and segregation and by regulating association between the two sexes to different locations. Spatial arrangements furthermore usually assign females to the private sphere and men to the public sphere. Ways of practising female seclusion vary with age, education, class, wealth, ethnic group and rural or urban background, and accordingly have different impact on the gender division of labour. Traditional indigenous values of honour and shame were reinforced during years of war and exile when the honour of men in the eyes of their peers depended on the protection and modest conduct of “their” women.

²¹ *Profile of Employment of Women in Afghanistan Assistance Programme*, UN Gender Advisor, Islamabad, August 2000

²² Source available at <http://www.pcp.org/news/> *Female Employment in Afghanistan: A study of Decree #8*, Matthew Fielden and Sippi Azerbaijani- Moghadam

²³ This department chastises and disciplines Afghan citizens men and women, through on the spot punishment for breach of the rules for bodily posture.

The religious law - *Sharia* - classifies cross-sex relationships within two categories. There is *mahram* relationships, which are formed either by birth or marriage and will include consanguineously the immediate family of the woman, and affinally it includes the spouse, spouses of children and their children. The number of *mahram* women can approach will depend on the number and residence of the relevant category of kinsmen. The opposite is *namahram*, men that women should not interact with. Men and women who are *namahram* must be segregated, women should be secluded from *namahram* men and their movements in public should be chaperoned.

Agency responses to the Taliban have been categorised as principle-centred versus defeatist, as adaptive versus challenging. These classifications give a faulty impression that there is one right way, whereas field experience show that a combination is a must to develop a gender perspective appropriate to the particular tasks and activities undertaken. The way gender is politicised still represents a major challenge, and there is also a need to be aware that for organisations working in the field, there are real consideration to be made, for example of what is acceptable in terms of exposing staff to risk.

While short and medium term aid policies have little chance of influencing the overall structure of gender relationship inside Afghanistan, we suggest that exploration and evaluation of experiences of turning reactive responses into proactive strategies in programmes be given priority. This is unfortunately a far cry from existing practice. When two of the authors of this report gave a presentation to a group of about ten senior expat staff from aid agencies, we found that the *mahram* concept was wholly unfamiliar. Given that these were all agencies involved in gender-sensitive programming, negotiation conditions for the employment of female staff with the authorities, it is serious that the religious and ideological core of the discussion remains unfamiliar to those in charge.

5.3. Field assistance strategies

Afghanistan is suffering from the worst drought in thirty years. The UN office for the co-ordination of assistance to Afghanistan assess that by June 2001 at least half the population will be affected, three to four million severely another eight to twelve million moderately. Internal displacement is estimated at over 200 000 in the first quarter of 2001 alone.²⁴ An overall effect of the drought is increased mobility caused by destitution. Decreased purchasing power among poor households leads to increased rural-urban migration to the cities of male labour in search of work, which again results in more female-headed households.²⁵

²⁴ Source available on <http://www.pcpafg.org/> *Drought and Displacement in Afghanistan*.

²⁵ The empirical generalisations presented below are based upon data from anthropological fieldwork between March and May 1999 in Herat province, Western Afghanistan, supplemented with data from visits to the same villages in winter 2000 (A. Strand) and spring 2001 (K. B. Harpviken).

From the provinces in the North-west and the centre, labour-migration to Iran is a major coping strategy to ensure the viability of the households. This coping strategy developed in response to changing micro-macro factors over more than twenty years, and what was initially a way of dealing with this short- and medium term difficulties, seem to have developed into a long-term adaptation to enduring uncertainty. Where the initial push to exile was war, we today see new push factors such as drought, general economic decline as well as pull-factors such as work opportunities in Iran, contributing to the maintenance of an established migration pattern.

Poor households rarely specialise in a single income-earning activity, but pursue multiple tasks where women perform productive and reproductive work together with other members of the family and household. Changing patterns of these livelihoods are related both to micro factors in the household such as changes in the dependency ratio (numbers of producers relative to consumers), and factors in the macro-contexts, such as war, drought, or market fluctuations.

The women interviewed in Herat in the spring of 1999 belonged to households of agricultural workers, sharecroppers and nomads. Woman's input in agriculture is crucial, especially in poor households. When designing programs, there is a need to be aware that the gender division of labour varies according to economic adaptation in the households. The capacity and interest of the wife of a agricultural tenant will be different from that of the wife of a nomad share-cropper. Henceforth, income-generating activities suggested for women needs to build on careful investigation of the particular context, in order to find productive activities that link with the livelihoods pursued by the larger household that these women form an integrated part of.

In order to build that understanding, and to implement gender-sensitive programs successfully, there is a need to involve domestic actors, and it is crucial to interface with local communities in ways that involve both genders. Here, how one relates to the *mahram* institution becomes absolutely essential. Below we give examples of how two organisations choose different approaches to dealing with the *mahram* edict in their programs, again based on fieldwork in Herat in 1999.

- 1) Woman with accompaniment: An international NGO is engaged in a community development program, where the engagement of women in needs assessment, and as project beneficiaries is seen as crucial. This organisation has, in full understanding with the authorities, employed women that are always accompanied by a *mahram* when travelling to the field. The *mahram* has no particular responsibilities beyond being a travel companion. This is probably the most common agency response to *maharram* regulations.
- 2) Husband & wife teams: A national NGO conducts training for inhabitants in mine-affected villages on how to minimise the risk for mine accidents while conducting their daily activities. In order to reach also the women, a number of husband & wife teams were recruited.

These teams settle in the communities where the training is to be provided for periods ranging from four to ten weeks, and the female team member works exclusively with women, conducting classes for smaller groups of women in private houses. The man conducts training for men and for children, mainly in mosques, or in the local school. By employing both the husband and the wife in meaningful jobs that can be combined, the agency does not only meet the *mahram* regulations, they also do so without placing the man in the delicate position of being solely a travel companion.

Innovative use of *mahram* restrictions also represents one of the few possibilities for co-operation between men and women in rural communities. A further exploration of strengths and weaknesses of different *mahram* arrangements would be a much needed contribution to the debate on pragmatic gender-sensitive programming, but would need to be followed up with an intense capacity-building exercise for agency staff. Herein lies great potential for reducing friction with the IEA over gender sensitive programming.

5.4. Gender and coping

The UN and NGO community has moved towards greater involvement of indigenous structures and coping strategies. Agencies could improve policy even further on gender sensitivity by giving greater attention to discussion with beneficiaries of both genders. In many reports women are treated as synonymous to a vulnerable group. We suggest the concept of vulnerabilities is better understood as a bundle of risks, which better captures the unevenly distributed risks and vulnerabilities between the two genders. In the following, we will focus on particular risk for women that are associated with the intensification of migration in many areas of Afghanistan.

The availability of employment opportunities in Iran is an important safety net for young men, most of them bachelors. The difference between young single men who can live and work at building sites and married men who have to combine day labour with looking after and protecting their family have specific gender impact. With the tightening of Iranian border controls, and occasional homesending of “illegal immigrants” to Afghanistan, it has been increasingly common that men go to Iran alone, leaving their families behind for periods ranging from six months to one or two years.

Female returnees, on the other hand, spoke at length about how afraid they had been of being separated from their husbands in the round ups made by Iranian police on illegal refugees/immigrants. Returning single women risk suspicion from neighbours and relatives who treat them as immoral women, and we were told that many of these women sell furniture to finance an illegal return to Iran.

It is also worth noting that women are particularly exposed to the adverse consequences of homelessness. Broken household structures and dislocation of family networks places a double burden – economically and morally – on

them. Traditional coping mechanisms used by women depend on activating the network of the extended family. Displacement weakens women's individual access to these mechanisms, we suggest that gender sensitive support is prioritised in interventions towards the household.

Interestingly, the return of a young generation of Afghan women with experience from work and schooling in Iran and Pakistan open possibilities for stronger engagement with gender relief work and better relationship with between humanitarian organisations and female community. Here, there are contrasts between the Iranian and the Pakistan refugee experience. Those who have been refugees in Iran, have been exposed to a different level of welfare services, a more advanced infrastructure, and most importantly to different gender relations. This is emphasised both my male and female respondents, who point out the Iranian experience has led to a totally different perspective on the world, in the words of one informant: "It has enlightened me about the relationship between man and woman." The refugee experience has changed attitudes and developed new competence, and hence represents an untapped resource for the gender sensitive programming.

At the overall level, there is no doubt that gender remains a sensitive and conflicted issue when dealing with assistance to Afghanistan. The policies pursued by the IEA represents a very real obstacle. At the same time, we want to suggest that a more careful analysis of gender relationships is a precondition for a constructive engagement in this field, and that it will indeed demonstrate that in much of what at first sight seems as mere obstacles, there also exists opportunities to deal with the issues in new ways

6 Conclusions

The UN Humanitarian Coordinator for Afghanistan, Erick de Mul, in a recent talk on the Afghan situation pointed out that the international community had also played a role in increasing the hard line adopted by the Taliban. He stated that the decision to make an exception of US and UK personnel when returning international staff after eight months absence, undermined UN credibility. De Mul continued:

*This was the first blow to [bring] the Taliban [to the realisation] that the UN was not a neutral organisation. This was followed by sanctions. They were followed by smart sanctions, then a non-response to the ban on poppy [cultivation]. Then the glorious visit of the leader of the Northern Alliance to Europe. If we had wanted to irritate people and make engagement more difficult, then this is the recipe that should have been followed.*²⁶

De Mul is no less critical of the policies and practices pursued by the Taliban, and he underlines that restrictions on programs and harassment of staff has intensified severely over the past few months. Nonetheless, De Mul's remark underlines how the UN role has been increasingly politicised. In the report at hand, we have underlined a similar point, but with a longer time perspective. The way the UN and the international community have been dealing with the Taliban is in itself a major cause for the radicalisation of the movement. While the damage done can not be eliminated over night, we would like to suggest that it is now essential that one thinks through means by which informal channels for dialogue with Taliban officials are significantly strengthened. This is particularly important now, as more and more formal channels are closing.

If one takes a strictly humanitarian perspective, there is every reason to be concerned. De Mul is certainly right that there are severe shortcomings on both sides, but acknowledging this could be a good starting point for looking for alternative options. In this report, we have critically examined the administrative structure of the IEA. Although this structure contains serious inconsistencies, and has far from settled, it does represent opportunities for constructive aid cooperation at the local level, and it does open up for a more transparent administration, in particular through the representative *shuras*. A more systematic approach to local *shuras* can also be seen as a resource in programming, and in spite of all critical remarks, working with local *shuras* remains the most constructive avenue to foster participation and to build civil society in the current situation.

Gender issues remain one of the most contested in the context of assistance to Afghanistan, and the restrictions placed on projects addressing women, or

²⁶ IRIN, 'UN chief warns of danger signals', *Integrated Regional Information Networks*, UNOCHA, 6 June 2001

depending on female staff, are problematic. At the same time, opportunities exist, and there are agencies that run comprehensive programs benefiting women, but they all keep a low profile. We have argued that staff competence in itself may be an obstacle to the identification and development of gender sensitive programs with the existing restrictions. We would hope that both the UN and NGOs could be investing more in capacity-building in this area, preferably accompanied by an exercise to summarise lessons learnt from successful projects in the past.

Annex I

In the name of Allah, the most merciful and the most beneficent

Job description for Shuras of the Islamic Associations²⁷

1. Each community that is inhabited by a large number of people must establish an association consisting of ten people who have religious competence and those who are modest and honest.
2. Members of each locality or area must appoint one Alim (the person who has religious competence) as the chairman of the association and one person as the secretary.
3. All decisions are subject to the agreement by the majority of the members.
4. Meetings of the shuras are held once a week.

Tasks of the Shura of Local Association

1. The task of the Shura and the local association is to preach the commandments and faith of the Islamic religion to their respected people of their communities.
2. The task of the Shura and Islamic association is to elucidate the benefit and advantage of Jihad (holy war) to the people.
3. The Shura and the Islamic association should inform the people about their support to and apprehension from the Islamic revolution and respect for the rights of people.
4. The Shura and the Islamic association should explicate the goal of the Islamic revolution, which is to serve the people, and ask the people that obeying the Amir is the duty of every individual citizen of the Islamic state.
5. The Shura and the Islamic association should advice those who do not act according to Islamic laws and preach the people in mosques and Madrassas about the danger of these kinds of acts.
6. The shura and Islamic association informs the representative about the interpersonal and community conflict and tries at their best to resolve these conflicts.
7. The task of the shura is to see the mosque that has no Imam and Muazan (the person who calls for prayers) and appoint these personnel through people and if necessary establish religious Madrassa and teach the children in the mosques.
8. The shura and Islamic association must persuade the people to send their children to mosques and Madrassas in order they to receive Islamic

²⁷ Document distributed to local village shuras in Herat province. Original is computer-manuscript. Uncertain whether this is a standard at the Herat level or the national level, although the latter seems most likely.

- education from the respected Alims (the persons who have religious competence).
9. The shura and Islamic association at their best must explain to young men (who are eligible for conscription) about their Islamic duty and preach the benefit of serving in military.
 10. According to Sharia the task of the shura is to preach (through Alims and Islamic associations) the rights and responsibilities of women and persuade the women to comply with the Hijab (Islamic code of dress).
 11. The shura prosecutes the suspicious people and introduces to the security department, and the Islamic shura report about these people to general shura.
 12. The shura and Islamic associations persuade the people to pay their Zakat and Sadaqa according to the Sharia in order to strengthen the financial foundation of the Islamic state.
 13. The task of the shura and Islamic associations is to persuade people for five time prayers in a day, Friday prayer and the Eid prayers.
 14. The task of the shura, according to the teaching of Islam, is to guide the people and seek their cooperation in keeping their roads and surroundings clean and hygienic.
 15. Islamic associations have the responsibility to keep contact with the shura –e-Ulema and solve their problems.
 16. Islamic associations have the responsibility to control and keep an eye on the political situation of the area in order to prevent mobilization and recruitment of ignorant people by creepy people for ghastly actions.
 17. The local Islamic associations have the responsibility to register the cases of conflicts (inter personal or inter group community conflicts) in their register book through their secretary and advise the conflicting people and groups and resolve their problems. In the case in which the associations are unable to solve the problems then they will have to refer the case to the relevant departments.
 18. In order to avoid further confusions or unnecessary troubles it is advised that all those cases that need registration must be registered with the relevant courts.
 19. This is not the responsibility of the shura and Islamic association to collect taxes from the villagers or importers, but this is the responsibility of the relevant departments. They can only collect Zakat and Sadaqa.
 20. When they receive the news about criminal acts, the shura and Islamic association will have to inform the representative of the government immediately and if asked they should also help the government representative in investigation of the case. This cooperation will indeed help to reduce the chance for the criminals to escape from Islamic court.
 21. Chairman, members and local Islamic association who are not in the structure have to work on voluntary basis. They are not entitled to any salary or financial benefits. They serve just to please Allah and they consider their services for Muslims as their moral and Islamic duty

Summary

The humanitarian situation in Afghanistan has rapidly deteriorated over the last months, as the conflict between the Taliban and the international community has intensified. UN sanctions and isolation has strengthened the influence of radical and anti-western elements within the movement. This tension needs to be reduced if pressing humanitarian problems are to be properly addressed.

The drought has led to increased migration and internal displacement, now reaching 700,000, as neighbouring countries have closed their borders. The spring and summer is traditionally the “fighting season”, expected to lead to further displacement.

Two major issues influencing provision of humanitarian assistance are reviewed in this report:

The Islamic Emirate of Afghanistan (Taliban) has gradually established an administrative structure in areas under their control, with an administrative capital in Kabul and a political and religious capital in Kandahar. It builds on the pre war structure, re-establishing the prominence of the middleman function at the village level. But, a controlling ministry had been added and *shuras* (councils) at village and district level have been granted influence. The latter could open up for the population and the humanitarian agencies to influence Taliban’s policies and priorities.

Gender issues is major “bone of contention” in the relationship between the Taliban and the international community, as gender reforms have historically been highly contested in Afghanistan. Despite a range of restrictions a number of NGOs have managed to establish innovative projects that enhance women’s influence on the projects. Long-term refugee experience has changed the perception of relationships between the sexes, representing an untapped resource for more gender sensitive programming.

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