



**Non-Governmental
Public Action
Programme**

Published on 31 July 2008
ISBN: 978-0-85328-309-6

www.lse.ac.uk/ngpa/publications

24

**‘Civil Society With Guns Is Not Civil
Society’: Aid, Security And Civil
Society In Afghanistan**

**Jude Howell and
Jeremy Lind**

LSE

www.lse.ac.uk/ngpa
tel +44 (0)20 7955 7205
fax +44 (0)20 7955 6039
email ngpa@lse.ac.uk

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Editor: Professor Jude Howell

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Non-Governmental Public Action Programme
c/o The Centre for Civil Society
Department of Social Policy
London School of Economics and Political Science
Houghton Street
London WC2A 2AE

Tel: +44 (0)20 7955 7205/6527 Fax: +44 (0)20 7955 6038 Email: ngpa@lse.ac.uk

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British Library Cataloguing in Publication Data
A catalogue record for this publication is available from the British Library.
ISBN: 978-0-85328-309-6

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Introduction

Accused of harbouring Osama Bin Laden, the alleged mastermind behind the rabid destruction of the Twin Towers, Afghanistan under the Taliban was to become the first target of President Bush's War on Terror. Within a few months, the Taliban regime had quickly succumbed under the full weight of the US military and political war machine. By December 2001 the Bonn Agreement had been signed and agreement reached for the presidential election in 2004. The subsequent processes of political stabilisation, reconstruction and development have proceeded hand in hand with the relentless pursuit of the War on Terror, and in particular the dogged hunt for Osama Bin Laden and his Al Qaeda supporters and sympathisers.¹ Afghanistan has become the first theatre in which the USA's seemingly contradictory goals of the War on Terror and the promotion of liberal democracy and free markets are being played out to their full.

This US pursuit of its geo-political interests through force and the soft touch of democracy and markets has accelerated and intensified the convergence of aid, security and foreign policy goals, operations and institutions. Whilst this process of convergence was well underway throughout the 1990s, its effects were limited, surfacing most prominently in the debates in post-conflict countries such as Liberia, Sierra Leone and Kosovo around the appropriateness of military engagement in humanitarian and developmental activities. Since then the interweaving of aid and security objectives has widened and deepened, as aid and development policy has been harnessed into America's messianic War on Terror. Such convergence has found expression in the justification of aid in terms of security objectives, in new institutional arrangements linking aid, security and foreign policy bodies and in new operational practices such as the requirement for recipients of US government aid to sign Anti-Terrorist Certificates.

This intensified convergence of aid, security and foreign policies has also impinged upon donor approaches towards civil society. The new governance agenda that emerged in the post-Cold War context assigned a key role to civil society, not only in playing a watchdog role in relation to government but also in acting as an alternative service-provider to the market and state. The 1990s was a golden era for civil society as donors strategised to strengthen and support the development of civil society for the ends of poverty reduction and democratisation. The launch of the War on Terror cast a shadow over this euphoria. The introduction of counter-terrorist legislation and practices has reshaped the political,

legislative and regulatory environment within which civil society actors operate across the world. The War on Terror has not only added another layer of complexity to donor engagement with civil society but also provided a focal-point where a number of influences affecting civil society have come together. These influences comprise donor re-assessment of their engagement with civil society as they take stock of past experience, the move towards donor harmonisation as witnessed in the Paris Declaration, and the more general shift by many bilateral donors, the USA excepted, towards direct budget support (Howell, Ishkanian et al 2007).

This paper examines the intensified convergence of aid, security and foreign policy goals since 9/11 and its effects on civil society in the context of Afghanistan. As a theatre for both the pursuance of the War on Terror and processes of reconstruction, development and political stabilisation, the Afghan case is of particular interest. Afghanistan's economy is heavily dependent on foreign aid; its government in turn relies crucially on external military and political support for its survival. The complex intertwining of external (primarily American) military and foreign policy objectives with development goals are played out vividly in the case of Afghanistan, with significant ramifications for the organisational landscape and ideological and political purpose of civil society. These effects are manifested most prominently in the changing organisational landscape of civil society post-9/11, in the refashioning of state-civil society relations with the tools of foreign aid, and the increasingly complex relations between civil actors and the military as the International Security Assistance Forces (ISAF) and Coalition Forces part of Operation Enduring Freedom engage in developmental and humanitarian interventions as part of the politico-military War on Terror strategy in Afghanistan.

The paper begins by sketching the trajectory of an emerging civil society during different historical phases up till 2001. It then analyses the changing contours of civil society following the overthrow of the Taliban regime and the subsequent proliferation and dominance of local and international NGOs. In the third part we examine the short-term impact of security policies and objectives on civil society in Afghanistan, looking in particular at issues of humanitarianism and independence. In the final section we explore the longer-term implications for civil society of state-building strategies in Afghanistan and their positioning of civil society within these.

The paper draws upon fieldwork carried out in Afghanistan in the summer of 2006, interviews with key informants in NGOs and government in the UK, and secondary sources. Over 58 semi-structured qualitative interviews and a roundtable were conducted in Afghanistan with key informants in local and international civil society organisations, bilateral and multi-lateral development agencies, government officials and ISAF.²

Civil society in Afghanistan

Characterising the nature of civil society in Afghanistan is challenging for several reasons. Given that the concept of civil society describes forms of voluntary self-organising around shared interests that transcend primordial and blood ties, then its relevance in a society such as Afghanistan where tribal, kin and clan identities predominate seems at first glance questionable. Other factors such as Afghanistan's primarily rural, non-industrialised economy, the compatibility of Islam with civil society, and the lack of a centralised, authoritative nation-state all seem to militate against the use of the term civil society. Yet, as we describe in detail below, over the past half century elements of a proto-civil society have emerged at key moments in Afghanistan. These include at various moments clubs, professional associations, women's organisations, trades unions, youth organisations, discussions forums, developmental and humanitarian relief non-governmental organisations, cooperatives, human rights groups and trades associations. Domestic politics, external engagement and the exposure and involvement of Afghan refugees in civil societies in other contexts have together shaped these seed elements. These have emerged alongside so-called traditional associations such as *jirgas* and *shuras*, which function mainly to make collective decisions and to resolve disputes over land, property and honour within and amongst families, tribes and clans. The shape and significance of such traditional associations is peculiar to particular tribes and regions, the *jirga* being a primarily Pashtun form of association for example. They are also not static organisations fixed in time, but are constantly evolving and have been subject to manipulation during different periods of rule in Afghanistan.³

The emergence of a proto-civil society has been inextricably linked to the historical processes of state formation in Afghanistan. The complex social and political structures of Afghanistan and multiple external forces have shaped not only the development of the state but also civil society. The tribal nature of parts of Afghan society within a social context of regional, linguistic and ethnic diversity has proved an enduring constraint on building a centralised, nation-state with the capacity to provide security, raise revenues and steer a developmental agenda. As well as weakening state formation processes, this has simultaneously inhibited the emergence of an associational realm that reaches beyond clan or tribal identities to concern itself with broader public affairs nation-wide. External forces with diverse geo-political interests in Afghanistan, notably Britain and Russia from the nineteenth century onwards, the USA, Pakistan, Iran and India from the

1950s onwards, have pursued their objectives by channelling military aid, development assistance, resources and advisors to incumbent rulers or their opponents. This has generated a fragmented, weak, rentier state that is substantially dependent on foreign rather than domestic resources (Rubin, 2002: 65; Saikal, 2006: 117-132).⁴ Not only has this incubated political elites from the rest of society but it has also removed any imperative for the state to develop intermediary mechanisms for relating to society. Rather than establishing regular institutions of dialogue and negotiation, rulers have sought to maintain control over society through varied combinations of repression, encapsulation⁵ and the manipulation of social segmentation. Elements of a proto-civil society have emerged either during periods of political liberalisation and/or as a result of external influences. The politico-economic forces which have made Afghanistan a rentier state have in turn generated at certain historical moments a rentier civil society, the Soviet and post-Taliban periods being cases in point. The historical path of civil society formation thus closely shadows the ebb and flow of state formation processes in Afghanistan.

There are five key phases in the elemental development of a civil society since the late 1940s, each of which gave rise to different organisational forms, ideologies and values of varying durability. Each of these phases bears the footprints of different external forces and interests in the developmental trajectory of Afghanistan. At each stage we see the different engagement of civil society actors from outside. The first and second phases are the period of the 'Liberal Parliament' from 1949-1952 under Shah Mahmud and the longer period of the New Democracy from 1963-1973 under Zahir Shah. It was during these periods of relative political liberalisation that the first familiar signs of civil society such as clubs, semi-independent newspapers, women's groups informal discussion groups representing a range of political ideologies based mainly in Kabul University, associations, and informal political groups in parliament appeared (Rubin, 2002: 58; Saikal, 2006: 159).⁶ The expansion of foreign aid for secondary and university education from the mid-1950s onwards, particularly from the USA, played an important role in cultivating a stratum of urban, educated youth, who became exposed to new ideas and values.⁷ Whilst Daoud relied on the Soviets for the equipping and training of Afghanistan's military cadre⁸, educational exchanges were also part of Soviet Cold War tactics to nurture alliances with a future generation of leaders. This newly educated elite, whose ties with tribes and regions were loosened through their sojourn in urban boarding schools, provided not only the intellectual seeds for a modernising state, but also for an

incipient civil society that began to organise around public affairs, though as Rubin notes (2002: 81), this was never able to establish a political society.

The third phase is the complex period of the Soviet Occupation from 1978 to 1986. There were at least three strands in the development of civil society during this phase, each infused with diverging ideologies, interests and values. These three strands mirrored respectively socialist, liberal and Islamist imaginations of state-society relations. The first strand is the introduction into Afghanistan of Soviet, modern forms of state socialist associational life. The occupying Soviet forces constructed Leninist-style mass organisations such as the Democratic Youth Organisation of Afghanistan, trade unions, artists' associations, craft unions, professional associations and incorporated the pre-existing women's organisation, the Democratic Women's Organisation of Afghanistan. In this way they tried not only to bridge the gap between the political elite in Kabul and society through intermediary structures reaching out to women, youth, workers and professions, but also to modernise associational life away from 'traditional' organising principles such as tribe, clan and region to 'modern' organising principles of class. As the Soviets struggled to extend their power to rural areas, the development of this Leninist version of modern associational life was confined largely to the cities. In this process the proto-elements of liberal civil society that had emerged under New Democracy had been crushed by the mid-1980s.

The second strand relates to the increasing involvement of international European and American NGOs in the refugee camps in Pakistan and in cross-border humanitarian work.⁹ This is significant because it is here that educated Afghan refugees became involved in NGO work, familiarising them with liberal discourses and equipping them with skills and knowledge of international institutions, policies and networks that they could bring back and apply on their return to Afghanistan.¹⁰ The involvement of international NGOs at this point has to be set against the context of the Cold War. The Swedish Committee for Afghanistan, for example, was set up in 1980 to support the national independence of Afghanistan and the withdrawal of Soviet troops. Indeed the USA's humanitarian assistance was deliberately aimed at supporting the Islamist resistance to organise base areas of control (Rubin 2002: 224-5) and also to ensure they did not change allegiances, a strategy that echoes hearts and minds policies in Helmand province over twenty years later.

These international NGOs had also established humanitarian operations in the mujahedin-held areas of Afghanistan, particularly from the mid-1980s onwards, often channelling their aid directly to commanders.¹¹ For example, Ahmad Shah Massoud, one of the three commanders of Jamiat-i-Islamihad, who had developed an extensive proto-state in the area he occupied, developed strong working relations with the Swedish Committee for Afghanistan, Afghan Aid as well as with USAID, and reportedly received substantial sums of aid for schools, health facilities and engineering projects (Rubin 2002: 220). Afghan and international NGOs were often perceived as being linked to particular commanders and political parties. For example, according to an Afghan INGO worker we interviewed, most CARE staff were associated with Hekmatyar's Hizbut-i-Islami, whilst Afghan Technical Consultants, a de-mining agency, was perceived as close to Masood's Jamiat-i-Islami and the Scandinavian NGOs to Shia parties.¹² Similarly the Co-operation Centre for Afghanistan, an Afghan NGO established initially in Pakistan in 1990, is allegedly linked to Mustasafin, an Islamic Shia political party.¹³ Though international NGOs may have forged these links for expediency, the perception of them as associated with particular parties implicitly undermined their claims to be impartial and independent. The mujahedin commanders used *shuras*, where these functioned at all, to consolidate their control over rural areas.

The third related strand is the encounter of Afghan refugees with Middle Eastern humanitarian and development NGOs, mainly in Pakistan and to a limited extent in mujahedin-controlled areas. The use of Saudi aid to support madrassas and mosques not only served to spread Wahabi Islamism but also implicitly challenged both Soviet and liberal secular notions of the state and civil society. Indeed it was from the radical madrassas in Pakistan that the first generation of Taliban fighters emerged (Burke 2004: 91-96).

The fourth phase covers the warlord period from approximately 1992 to 1996 when the Taliban captured Kabul. With the withdrawal of Soviet troops the mass organisations, which were key building-blocks in the Leninist architecture of Party-state control over society, also crumbled. Foreign aid and international NGO operations increased in the immediate years after the Soviet withdrawal. However the ensuing chaotic warlord struggles for power heightened insecurity and impeded the access of humanitarian workers to many of the rural areas. International NGOs negotiated safe routes with individual commanders where possible.¹⁴ Apart from this they were not subject to any

central government controls over their operations and providing they had the agreement of powerful warlords, they could operate with minimal restrictions.

As the Taliban extended their power across Afghanistan and restored some degree of security, international NGOs such as the Save the Children Fund, MSF, Christian Aid, DACAAR, and the Swedish Committee of Afghanistan extended their humanitarian projects. The rise of the Taliban marked the fifth phase in the trajectory of a proto-civil society in Afghanistan. Compared with the other phases it is distinguished by the overt clash of values between many international NGOs and the new rulers, an attempt by the government to control the activities of NGOs, and the Islamicisation of *shuras*. Though the humanitarian community acknowledged that the Taliban had brought security, they also clashed with the new government over gender and rights issues and its attempt to manage their activities (Rashid 2000: 64-66; 114). When the Taliban, for example, banned female employment and girls' schooling in Herat in 1995, the Save the Children Fund suspended its health and education programmes (Johnson and Leslie 2004: 66). When similar edicts were issued later in Kabul, some humanitarian agencies resolutely adhered to their principles and refused to cooperate, the most notable case here being Oxfam (Johnson and Leslie 2004: 67) whilst others navigated around such strictures by persuading Taliban leaders to allow health workers to operate. Within a year of gaining control of Kabul the Taliban had already begun to tighten up on NGO activities. In May 1997 all aid projects were required to seek clearance not only from their relevant ministry but also from the police, the ministries of Public Health, Interior and the Department of the Promotion of Virtue and Prevention of Vice (Rashid 2000: 114). Used to negotiating access with local commanders and having otherwise few rules governing their operations, international NGOs resisted the move by the Taliban to relocate them to Kabul Polytechnic. With their offices closed down, they retreated to Peshawar but soon negotiated their return to Kabul so as to continue their programmes, agreeing to move their offices (Johnson and Leslie 2004: 68; Rashid 2000: 71-72).¹⁵

In 2000 the Taliban regime introduced Regulations for the Activities of the National and International NGOs, aimed at asserting some control over foreign NGOs. These were the first regulations governing NGOs in Afghanistan's history. The only other related law was the Law on Social Organisations, issued in line with the 1964 Constitution. Social organisations referred to 'communities and associations' engaged in cultural, educational, legal, artistic and vocational activities. In practice, however, the regulations did not unduly

hinder the operations of NGOs, which had more latitude to operate during the Taliban period than Western media reports liked to project (Johnson and Leslie, 2004: 67-68). Their operational reach in rural areas was more contingent on their skills in navigating around any new regulations at the local level and establishing relations of confidence with local Taliban leaders. There were also reportedly around sixteen Islamic charities from Kuwait and Saudi Arabia operating in Afghanistan during the Taliban period. Though these were formally engaged mainly in welfare and relief work, some such as the Al Rashid Trust allegedly operated training camps for Islamic militants, exploiting their charitable status as a front to raise money.¹⁶ Despite the Taliban strictures on girls' schooling and women's employment, some women managed to organise home study groups, sewing centres and community development councils underground, which after the Taliban's demise were then able to formally register.¹⁷

The Taliban were also to put their mark on local institutions such as *shuras*. Whilst NGOs used *shuras* as implementing vehicles for projects, the Taliban in some areas used these for tax collection. They also Islamicised the *shuras* by making village religious leaders heads, thereby sidelining khans and secular sources of authority.¹⁸

The fifth phase in the post-Independence history of civil society in Afghanistan dates from the overthrow of the Taliban regime in December 2001 and the gradual installation of an interim and then elected government under President Karzai. It is during this phase that we observe a significant extension of humanitarian and development assistance channelled through international NGOs in Afghanistan and the emergence of a liberal civil society discourse and debate.

In summary, this cursory sketch of civil society in Afghanistan over the last seventy years has demonstrated how the emergence of a proto-civil society has taken place in a battlefield of competing ideas, interests and values. State socialist, liberal democratic and Islamist visions of state and society have vied for hegemony. The former Soviet Union, USA, Europe, Saudi Arabia, Iran and Pakistan have all used foreign aid not only to pursue their own geo-political interests but also to shape the core elements of civil society and the state. In all phases it is the urban and educated who have formed the bedrock of both state and civil society. With the collapse of the Taliban regime and the subsequent influx of Western aid the idea of civil society has gained a new foothold. The unfolding of civil society during this final phase is the subject of the next section.

The changing landscape of civil society post-9/11

Following the collapse of the Taliban regime at the end of 2001 the complex genealogy of civil society in Afghanistan acquires another layer of organisational forms, values, meanings and purposes. With the arrival of foreign troops in Kabul a new set of American and European NGOs poured into the capital, their loins girded for dealing with the immediate aftermath of over twenty five years of conflict and the long process of reconstruction and development. Those non-governmental organisations that were already operating in Afghanistan during the mujahedin and Taliban periods expanded their programmes, often under pressure from headquarters back home (Johnson and Leslie 2004: 206). At the time of the Soviet occupation and jihadi resistance most Northern NGOs operated out of bases in Pakistan, with limited operations, their room for manoeuvre contingent upon the protection they could negotiate with local commanders. Their numbers spiralled following the US invasion of Afghanistan in 2001, increasing from 46 registered international NGOs in 1999 to over 350 in November 2002 (Johnson and Leslie 2004: 206-207). By 2003 this figure had leapt to an estimated 2,000 or more, including both international and Afghan non-governmental organisations and private sector agencies that were mainly involved in construction. As the private sector was discouraged during the Taliban period, existing businesses had operated by adopting the label of NGO, thus contributing to the layers of confusion around the terms NGO and later civil society.

With a vacuum in political leadership and a weakened state administration in the early post-Taliban years bilateral and multilateral agencies relied mainly on non-governmental agencies to deliver humanitarian aid. Given the paucity of pre-existing Afghan developmental non-governmental organisations this aid money was used to create, strengthen and consolidate a layer of local non-governmental and community-based organisations. The hope was that these local non-governmental organisations would over time become equipped to implement aid projects, thereby strengthening ownership over the development process and enhancing its legitimacy. The need of aid agencies to deliver services and relief through local partners nurtured a climate within which local NGOs organising around women's issues, human rights, health and education could emerge and flourish.

The overthrow of the Taliban regime and the prospects for an elected government ushered in a period of relative political liberalisation. Professional associations such as the Afghan Lawyers' Association and trades associations re-emerged from the crevices, often bolstered by the inputs of Afghan returnees. Study groups and intellectual associations began to mushroom. For example the Freedom of Expression Association was established in 2002 by students, intellectuals and ex-democratic politicians in response to the banning of a newspaper.¹⁹ New women's organisations were set up; others were able to extend their activities; and some of these have linked up with international networks such as Women Living Under Muslim Laws.²⁰ In Herat a professional *shura* was established in 2001 to discuss social issues, democracy, human rights and to strengthen the position of professionals. The *shura* includes ten associations such as lawyers' associations, artists' associations, teachers' unions and journalists and unions and produces a daily newsletter.²¹ Islamic study circles and associations such as the Afghan Society for Social Reform and Development²² have also flourished in the more liberalised environment.²³

The first formal civil society consultation took place in Bad Honnef in November 2001 parallel to the Bonn Agreement process. This led to the formation of the Afghan Civil Society Forum, with the support of Swisspeace, to provide a space for civil society to discuss Afghan development issues.²⁴ This experience led to a similar consultation at the London Conference on the Afghanistan Compact, Afghanistan's new five year development plan in January 2006 and marked an attempt to widen the social spaces of politics and public life.

This sudden influx of international NGOs and the concomitant mushrooming of Afghan NGOs in the early post-invasion years inscribed the associational landscape of Afghanistan with new contours, meanings and values. Propped up by aid flows this new tide of NGO actors began to assume a salience in the processes of development, relief and reconstruction that overshadowed the potential roles of pre-existing institutions such as *shuras*, *jirgas*, *khans*, *maliks*, *ulema*, village elders and mosques. External aid agencies tended to bypass in the early post-Taliban years these more traditional institutions of local decision-making, not just because their remit was not primarily developmental but also because they were seen to embody illiberal values. It was also in part because donors have a 'bureaucratic understanding' of civil society, preferring to operate with formal, registered organisations through which aid funds can be easily

disbursed. As in other aid-recipient contexts NGOs came to embody the very essence of civil society.²⁵ The idea of civil society soon became equated with and reduced to the organisational form of developmental NGOs. The material support given by donors to NGOs legitimised their role as players in the re-construction and development processes of Afghanistan, thereby endowing them with both power and authority.

As well as establishing NGOs in urban areas, donors supported the new government's attempt to reconfigure power relations in rural areas by establishing new institutions. In particular the governmental flagship National Solidarity Programme, which was launched in 2005, required villages to set up Community Development Councils (CDCs) to decide on developmental priorities. These new institutions overlaid any pre-existing governmental structures and authorities in rural areas such as *shuras*, mosques and mullahs and were distinct in their singular focus on the developmental trajectory of the village rather than say conflict resolution. As will be discussed in greater detail in the next section, these new village institutions formed part of a grander scheme of rebuilding the state. They were not about developing Afghan civil society as such; but rather were intended to implement development projects in a more participatory and equitable fashion through elections and requirements that women should participate. As one local interviewee from an international NGO commented, "CDCs are not real civil society since they have been created from the top down, and partially for political purposes. There has been no awareness-raising or capacity-building. CDCs do not consider themselves to be civil society but instead a mechanism for the delivery of aid – implementers of development projects. They could evolve into civil society... If government or donors pull out of the NSP, there is a concern that the *shuras* [CDCs] will collapse."²⁶ Aid funds have thus contributed to a re-drawing of the associational map in Afghanistan, lending power, authority and resources to a coterie of new players in the form of local, bureaucratically amenable, non-governmental organisations and Community Development Councils.

In channelling aid to NGOs donor agencies also brought with them a new language for conceptualising relations between citizens and the state, namely, the concept of civil society. The arrival of a civil society discourse in Afghanistan provided a focus for reflecting on and engaging with some of the tensions that were already beginning to emerge around the rapid proliferation of international and local NGOs and their relation to the state and society. These tensions revolved around divisions between Afghan and international NGOs; fissures amongst Afghans along organisational, ethnic, returnee and

political lines; growing resentment amongst political leaders about the resources, power and authority that NGOs seemed to command; and public unease with the lifestyles of NGO employees, their elitism and the importance given to NGOs. Underpinning this latter unease was a more general frustration with the continuing insecurity in the country, the presence of foreign troops and development agencies, and the lack of any substantial improvements in living standards for the majority of the population.

Discussions about the definition of civil society inevitably raised the issue of who constituted civil society. This opened up a debate around the legitimacy of international NGOs and Afghan returnees as Afghan civil society actors.²⁷ As one interviewee bluntly put it, “international NGOs are not part of Afghan civil society.” Similarly those who had remained in Afghanistan throughout the years of conflict claimed a more genuine voice and greater legitimacy than their fellow country-people who had sought refuge in Pakistan, Iran, Europe or USA.²⁸ This ‘insider/outsider’ dimension to the debate ran parallel to accusations and rumours that particular clans and families were colonising positions of power in some of the new Afghan NGOs, underlining the significance of NGOs as routes to resources, power and authority and as vehicles for patronage.²⁹ At the London Conference of Afghan civil society held in 2003 there were reportedly divisions between Dari and Pashtu speakers, with each applauding its own linguistic group as the symbolic representatives of Afghan people.³⁰ If true, it does suggest that the public goals and roles associated with a liberal democratic notion of civil society are at risk of being compromised by ethno-linguistic divisions. In addition to these fissures along national, ethnic and clan lines, there are also tensions between developmental NGOs and human rights groups with regards to their location in civil society. As an interviewee in a human rights group commented,

“the biggest problem is that there is no clear definition between NGOs and civil society. Even the Afghanistan Civil Society Forum is made up of NGOs. We are a human rights consortium but NGOs are members of the consortium. There is a mix up of NGOs and civil society. They are difficult to separate. In Afghanistan NGOs are seen as their interests against civil society. Our mission is to raise Afghan voices. NGOs can't do this.”³¹

These debates thus not only generated divisions along nationalist, ethnic and clan lines but also pointed to a deep level of distrust within society, which renders difficult any process of collective public action not based on primordial ties. The terrain of civil society

in Afghanistan is deeply contested with different groups vying for legitimacy, resources and space.

Despite the tensions amongst NGOs, donors and some government leaders recognised the potential role of NGOs in Afghanistan's development process. Together with key civil society players, such as the Agency Coordinating Body for Afghan Relief (ACBAR), they sought to regularise, consolidate and legitimise the position of NGOs through the introduction of a new NGO law. The debate around the shape of the new NGO law brought out into the open the unease felt by some Afghan ministers and bureaucrats towards NGOs and triggered a sharp critique of the genuineness and probity of NGOs. The roots of this critique can be traced to the immediate political vacuum created by the overthrow of the Taliban regime. Given the weak capacity of the state and the need for a political process to install a new government, donor agencies channelled substantial amounts of aid through NGOs for the delivery of humanitarian relief. Once a new President had been installed in 2003 and elections took place in 2004 political leaders began to push for a larger portion of aid funds. Though donors have channelled increasing amounts of aid to government from around 2003 onwards, there is still resentment amongst government officials at the perceived high level of salaries in NGOs and international development agencies and the concomitant drain of human resources from government to such international institutions.

Whilst some ministers in the new Afghan government had a prior history of working in NGOs and were supportive of their role, others, such as a previous Minister of Justice, vehemently resisted the consolidation and legitimisation of NGOs' position in the development process that the new legislation would bring. Various accusations were levelled at NGOs such as corruption, luxurious life-styles, immoral behaviour and pursuance of foreign interests. As one Afghan NGO interviewee commented,

"the whole range of government is against NGOs ...The government has resources but lacks professionals... So they say there is a group of people with high salaries, cars and luxury offices. NGO salaries are high and this arouses jealousy, frustration and propaganda against NGOs".³²

Ramazan Bashar Dost, Minister of Planning in 2004, reportedly went as far as to condone the killing of five MSF workers in 2004 and had even compared NGOs to warlords (Saeed, 2004). The large disparity in the salaries paid by NGOs to local staff

and the salaries civil servants receive, often more than twenty-fold, has further fuelled this resentment.³³

The passing of the new NGO Act in June 2005 brought some order into defining the identity of NGOs as non-profit agencies. Though the prohibition on NGOs participating in construction work enabled the government to draw some lines between the profit and non-profit sector, NGOs that were likely to be involved in building small-scale village clinics or irrigation were nevertheless concerned about the prospects of obtaining exceptional permission to do so from recalcitrant government ministers. The process of re-registration following the new Act sifted out the for-profit organisations from the not-for-profit agencies and led to a reduction in the number of national and international NGOs registered with the Ministry of Economy from 2,400 under the 2002 NGO law to around 1,100 as of February 2007 (USIG, 2007).³⁴ In addition there were approximately 700 social organisations registered with the Ministry of Social Justice. Whilst the new NGO Act was a considerable improvement on the Taliban regulations, it provided the possibility for government to exert considerable control over NGOs. For example, Article 23 requires NGOs to submit their project documents to the Ministry for verification before starting work. According to USIG (2007:6), there are varying reports on how this is panning out in practice.

Despite this re-ordering of NGOs there continues to be suspicion about their purpose amongst some government leaders and the general public. The counter-terrorist measures that have found their way into regulations and measures in other countries also managed to embed themselves in the new NGO Act. According to Article 8 (5), organisations are explicitly warned not to engage 'in terrorist activities or support, encouragement or financing of terrorism'. Such clauses did not appear in the previous 2000 NGO legislation under the Taliban regime or in the revised Social Organisation Law of 2002.

The various accusations levelled by politicians against NGOs in turn fed into negative public perceptions, particularly in relation to the life-styles of expatriate NGO staff, the surge in four-wheel drives in the streets of Kabul, and the disproportionate wages paid to both foreign and local NGO workers. The following remark by a female parliamentarian and women's activist reflected a common refrain in our interviews with Afghans:

“They do ‘flagship’ projects, meaning they put up a big sign saying ‘gift of the American people’ but there is nothing else. The money goes back to the donors’ countries. A large portion of funds goes to foreign experts. The money is spent on bodyguards, chauffeurs, holidays. When they come here, they demand per diems, holidays, high fees and they don’t pay tax.”³⁵

Similarly an Afghan worker in an international NGO in Herat commented on the changing image of NGOs since 9/11,

“people supported and trusted NGOs during the Taliban time. This was the best image of NGOs but the number of NGOs was few. I was proud then to work for an NGO. Now it is 100 per cent opposite. People are now negative. Now I’ll never tell anyone that I work for an NGO”.

To some extent NGOs are a scapegoat for a more general frustration with the development industry, the ongoing insecurity, the persistent corruption, and the complicity of external governments in allowing criminal elements to capture positions in government.

These frustrations reached a climax in May 2006 when US forces shot into a crowd protesting at the killing of civilians in a car accident involving foreign troops. The protest quickly spiralled as hundreds of people rampaged through the streets. The offices of some international NGOs were attacked and burned. Staff sought refuge in neighbouring buildings whilst some street residents tried to divert the rioters. The offices of CARE International were burned down whilst others such as Oxfam saw their offices pillaged. Rumours abounded around the causes of the riots. Some accounts suggest that opponents of the government took advantage of the incident to deliberately target buildings housing foreign organisations. Others suggest that foreign NGOs were just randomly caught up in the rioting. Whatever the reasons behind the attacks on international NGOs, the incident created considerable unease amongst NGOs workers about local perceptions towards them. The attacks prompted two key responses: first, a tightening of security measures in foreign establishments, including NGOs; and second, an increasing sense of urgency about improving the image of NGOs, and in particular through the more concerted promotion of a Code of Conduct for NGOs.

Following the May riots most development agencies, including NGOs, tightened up their security arrangements. This involved measures such as removing signboards outside offices indicating the name of the organisation, increasing the number of security guards,

moving offices and guest-houses to less conspicuous locations, further restrictions on the movement of staff around Kabul and strengthening physical barriers around the building. Some international aid workers have lamented these measures because the effect is to distance them further from local communities, who are often cited as their best protection against insurgents.³⁶ Moreover there are also concerns about the amount of development money expended on security.³⁷

The riots also gave an added push to pressures to enhance the probity and legitimacy of NGOs. Moves to improve the image of NGOs and self-regulate had already got underway in May 2004 with the launching of an NGO Code of Conduct in Kabul and five major provinces. The process was catalysed and driven by the umbrella NGO, ACBAR. By August 2006 approximately 115 NGOs were deemed by the Compliance Committee to be compliant with the Code of Conduct, thereby strengthening the institutional base of NGOs in post-Taliban Afghan governance. In addition to this ACBAR has met with President Karzai on at least three occasions to lobby on behalf of NGOs for a more even-handed approach to NGOs and to present the Code of Conduct as evidence of processes of transparency. The combined effect of the introduction of the Code and the new NGO Act is that NGOs now regularly report to government on their finances, thus improving transparency.³⁸ However NGOs are caught in a dilemma for the more their security arrangements distance them from their beneficiaries, the greater the room for suspicion and the less the opportunity to address this through building relations of trust and through accountability mechanisms. As one interviewee commented,

“NGOs keep themselves separated from communities, such as driving big cars, hiring people from the outside, drinking mineral water and soda when out in the field....They need to be accountable to communities... They should involve them and share the budget and be transparent. That includes mosques and *shuras*...They should give a report to the beneficiaries, not just to donors”.³⁹

In brief, following the invasion of Afghanistan in early 2002 the landscape of civil society has become increasingly complex and contested. The influx of international humanitarian and development agencies, the mushrooming of Afghan developmental NGOs and the more recent establishment of Community Development Councils in rural areas has led to new flows of resources, new concentrations of power and authority and new vehicles of patronage. The rise of these new civil society organisations is intimately related to the development priorities of donor institutions that in turn are related to the complex geo-

politics of the War on Terror. In the next section we look more closely at how the redrawing of the civil society map is being conceptualised in relation to the state.

Re-building state-civil society relations

With Karzai installed as president in 2004 and the first post-9/11 Afghan parliament elected, donor attention began to focus more determinedly on the process of state-building. Whilst donors had previously channelled their aid towards NGOs for the delivery of development programmes due to the lack of an established government, they now turned their gaze towards the state. A key mechanism of support was to direct donor funds towards government sectors, a move that mirrored aid modality trends in other parts of the world. Development policy in Afghanistan now came into line with that of other major aid-recipients. As part of this attempt to strengthen state capacity, the donors assisted with the design of a National Solidarity Programme. This programme provided a focussed framework for the engagement of civil society actors in Afghanistan's reconstruction and development. This introduced two key changes in the way that civil society actors were conceptualised in the development process by both donors and the Afghanistan government. First, the National Solidarity Programme created new rural structures of civil society, namely, Community Development Councils. These were distinct from pre-existing village structures in three ways: first, the leaders of the Council were elected; second, the mandate of the Council covered development issues but, unlike pre-existing village structures in some areas, did not deal with issues of dispute resolution amongst tribes, families or between communities; third, the National Solidarity Programme required Community Development Councils to involve women in decision-making leadership positions, either through the formation of separate female and male sub-committees or through joint male-female Councils. The Community Development Councils thus added to the new terrain of non-governmental organisations, values and purposes that was mushrooming in the post-Taliban context. However the construction of these new councils either assumed that local institutions had been destroyed through years of conflict or deliberately bypassed them as being inappropriate because they were not wholly inclusive.⁴⁰

The second change in the way civil society actors were now to be incorporated into government-led development processes was the role assigned to Northern development NGOs. Whilst up till then Northern NGOs could access bilateral donor money directly for development projects, now donor funds had to be applied for through the National Solidarity Programme, thus making Northern NGO funding from donors subject to government approval. Furthermore the National Solidarity Programme defined the roles

of Northern NGOs as facilitators for and capacity-builders of the Community Development Council. In particular Northern NGOs as well as local Afghan NGOs were to assist local communities in prioritising their needs and drawing up a community development plan.

In practice, however, the National Solidarity Programme has encountered several problems in the process of implementation such as ensuring the participation of women in decision-making processes, relating the new structures to already existing village leadership institutions, resolving inter-community tensions that are brought about through conflicting CDC priorities and plans⁴¹ or through layers of pre-existing tensions and rivalries, and most significantly ensuring the timely channelling of funds to the Community Development Councils. This latter issue has contributed to local suspicion of both the government and Northern NGOs. Some interviewees from Northern NGOs recounted that local communities suspected them of not passing on the funds that were due to the community. However the funds for the communities are channelled separately to them as the Northern NGOs can compete only for a limited amount of funds for the purpose of facilitation. Other rumours that abounded were that donor agencies were retaining the money for their own purposes or that government corruption accounted for the failure for funds to come down to rural communities. In some instances the delays in transmitting funds have threatened the survival of some NGOs, particularly those that cannot fall back upon membership dues or funds from their headquarters. Indeed, at the time of interview, it was rumoured that one NGO had already pulled out of the National Solidarity Programme for these reasons and two others were considering doing so.⁴²

Whatever the reasons for the delay in channelling the funds to the Community Development Councils, this clearly undermined one of the key aims of the National Solidarity Programme which was to enhance the legitimacy of the newly installed Afghan government. The argument ran that if the Afghan government could be seen to be delivering, especially in rural areas, then the Afghan people would have more confidence in the government and be more resistant to the efforts of anti-government forces to mobilise them against the government. Ironically donor goals of enhancing the legitimacy of the Afghan government through development initiatives such as the National Solidarity Programme stood starkly in contrast to Western government policies of tolerating the inclusion of criminal and warlord elements in Parliament as part of a necessary price to pay in pursuit of the War on Terror and reflected donors' prioritisation of security interests

over reconstruction (see Goodhand 2007). Several local and international aid agency interviewees feared that the failure to pay the communities would discredit the government and fuel further insecurity.

The process of state-building that was laid out in the Afghan Constitution, Afghan Development Plan and specific programmes such as the National Solidarity Programme is profoundly neo-liberal in its conceptualisation. The envisaged state is to carry out minimal functions such as maintaining national security, law and order, creating an enabling framework for the development of a market economy and macro-economic regulation. The role of the state in social policy was to be minimal, with private sector and non-governmental agencies expected to provide through sub-contractual arrangements key services in education, health, housing and social welfare. In this image the state manages at arms-length an array of private, non-governmental and community organisations. This tendency is more pronounced in some sectors such as health than others such as education, where there is a shift to trying to provide more state-supplied education. These differences in policy in turn reflect the capacities and visions of the minister, their external advisers and the lack of central government cohesion.

What is disturbing in this vision of the future Afghan state is the role assigned to parts of civil society as primarily service-delivery agents. No mention is made of the role of civil society actors as watch-dogs on the state, holding government bureaucrats and politicians to account, demanding transparency, or as participants in the making of policies. This is indeed not surprising in that such a role would only expose the hypocrisy of the liberal-democratic ideal being promoted by the US and allied Western governments, which dances in tune to the deliberate toleration of war criminals in government that is necessary for the continued waging of the War on Terror.⁴³ The emphasis on the service-delivery role of civil society that effectively substitutes for the welfare functions of the state has the effect of depoliticising civil society in at least two ways. First this ideal overlooks the political role of civil society as a sphere of citizen engagement and deliberation in public affairs. Second, it glosses over the inherently politicised and contested nature of the terrain of civil society, which comprises a multiplicity of actors with divergent interests, values, ideologies and purposes.

The organised part of civil society that depends on external funding has quietly acquiesced to this depoliticised role. There has been little debate about the implications

for civil society of the state-building processes envisaged in the Afghan National Development Strategy. There has been no discussion about how such sub-contractual relations might jeopardise the assumed independence of civil society; or of how taking on these state functions relates to any citizen discussion of the appropriate responsibilities of the state; or of the role of external agencies in refashioning state-civil society relations in this way; or of how the creation of CDCs through the National Solidarity Programme is part of a dual process of on the one hand implementing development projects and on the other hand of consolidating the reach and enhancing the legitimacy of the state. Indeed there is an ongoing discussion about turning CDCs into local governance structures.⁴⁴ The lack of debate about the role civil society should play in Afghanistan's future development and its relation with the state is to some extent understandable, given the speed with which civil society organisations have mushroomed since the invasion of Afghanistan at the end of 2001 and their dependence on external funds.

However there has also been little push by donors to foster such a discussion; on the contrary donors are content that civil society organisations act solely as implementers of aid-funded development projects. This relates in turn to the lack of conditionalities placed upon aid in the rush to sign the Bonn Agreement (Goodhand 2007), with security objectives being prioritised over peace. Western governments have given greater emphasis to their own national security concerns and to installing a pliable and stable government that includes co-opted former warlords than to establishing a genuinely democratic state that could be held to account by its citizens. The prioritisation of the security objectives and the pursuit of the War on Terror has required a malleable civil society that serves as a service-delivery agency rather than as a force for public deliberation or accountability. Civil society has been overly shaped by external forces in the post-Taliban period, particularly in Kabul where Western governments and international development agencies are concentrated. The dependency of most of these organisations on external funding has led to the creation of a 'rentier civil society' in Afghanistan that struggles to maintain its autonomy and define independently its own priorities, goals and roles.

Aware that the channelling of donor funding towards the state combined with the focus on the state-building process has to some extent sidelined civil society, some donors have initiated programmes aimed at strengthening civil society in Afghanistan. The largest of these is the US\$ 15 million programme of Counterpart International, which was

established in 2006 and funded by USAID. As of 2006 USAID has now become the largest donor funder of civil society in Afghanistan, with implications for how 'modern', organised civil society will be shaped over the coming years. Counterpart International is essentially promoting a liberal democratic image of civil society in the Tocquevillian tradition, where people voluntarily form associations to address their diverse needs. Its plan for Afghanistan draws particularly upon the programme it developed in Kazakhstan⁴⁵, with some later modifications to account for religion. Such an image plays little heed to the power relations and tensions within civil society or the ongoing conflict within Afghanistan. The circulation of these ideas through the use of decontextualised civil society development blueprints and the global rotation of expatriate staff ensure that a particular notion of civil society is spread globally through the agencies of aid. The other key initiative is that of the Swedish Committee for Afghanistan (SCA), which organised a major workshop on the future role of civil society in Afghanistan in 2006 with a view to guiding its future strategy towards civil society. The SCA image of civil society gives more emphasis to the idea of civil society as a realm for public participation within a social democratic framework that assumes greater responsibility by the state for the provision of welfare. However its level of support pales in comparison to that of USAID, which is likely through the sheer volume of resources to dominate the development of formally organised civil society.

These initiatives towards civil society are not merely about defining the functional roles of civil society but also have a broader ideological purpose of creating modern institutions that are deemed appropriate to the liberal democratic state that Western governments are attempting to fashion and that contrast with pre-existing traditional structures of association, interest articulation and mediation. The manufacturing of civil society in Afghanistan is however a deeply politicised process and cannot be delinked from the ongoing War on Terror that is being waged by US forces in Helmand province and other areas. In these areas of insurgency military engagement in development projects coupled with the hearts and minds strategy as part of the War on Terror has created a difficult environment for local and foreign NGOs to operate within. In the next section we look more closely at the uncomfortable alliances and relations between militaries, development and civil society actors against the backdrop of the War on Terror.

Civil society, the military and the War on Terror

The battle for the ideological terrain in Afghanistan has proven to be contradictory, not least because of the depoliticising ambitions and effects of a particular normative liberal version of civil society that is being advanced by Western aid agencies. The promotion of a service-delivery and depoliticised notion of civil society takes place without taking heed of the context of on-going conflict, the continuing struggle for power and the external pursuit of the War on Terror. For example, Counterpart International has a Truth and Justice grant scheme. Though Counterpart International is funded by the USAID, the latter has refused to have its logo on this grant scheme as this would run the risk of putting pressure on the US government to deal with the numerous commanders in the Karzai government who should be put before a war crimes tribunal. There is thus a reluctance to deal with the contradictions and complexities pervading a situation of multiple conflicts, which in turn shape how people see the state, development actors and non-governmental developmental agencies, whether local or foreign. These contradictions and complexities have been manifested most vividly in the role of the military in development processes. This sparked off a heated debate around the risks posed to humanitarian and development NGOs, and in particular the effects of such military developmental intervention on the neutrality and independence of humanitarian agencies, which in turn impinge on the development of civil society in Afghanistan.

The War on Terror has greatly complicated and undermined development agencies' attempts to strengthen liberal civil society for several reasons. First and most obviously, because of the ongoing insurgency, an increasing area of Afghanistan has become virtually inaccessible to NGOs, bilateral and multilateral development agencies. NGOs may still send local staff to visit projects, but they are still at considerable risk en route and try to reduce this by using local vehicles and not taking any materials such as project documents or work identity cards that would identify them with a foreign organisation. Whilst NATO troops are relatively concentrated in Helmand province, in fact by the end of 2006 insurgency had spread across most provinces, with attacks increasing on Kabul. As the Taliban increasingly uses Iraq-style forms of resistance, such as suicide-bombings and kidnapping, then this will further diminish the operational possibilities for humanitarian agencies. Second, and most importantly, military strategy for addressing the ongoing insurgency has included a developmental dimension, which has infringed upon the work of non-governmental development actors and compromised their claims of

independence and neutrality. This in turn has provoked a sharp debate between military and humanitarian groups and a variety of positions on whether to cooperate with the military or not. Whilst this debate has intensified in any case in the post-Cold War scenario of new wars, what is different in Afghanistan is a much more concerted effort to link military and development objectives. This is realised most poignantly in Afghanistan in the introduction of Provincial Reconstruction Teams (PRTs) and the hearts and minds campaigns of US Coalition and ISAF military forces.

There has been considerable debate amongst NGOs as to whether or not to cooperate with the military in delivering development. There has been a range of responses by both Afghan and international NGOs. Most international NGOs we interviewed stated that they did not and would not work with the PRTs.⁴⁶ Beyond this international NGOs varied as to how much contact with the military they would entertain in the field, ranging from having no contact to providing advice and to maintaining limited dialogue and coordination.⁴⁷ US NGOs in Afghanistan apparently do not work with the PRTs. However, they have come under considerable pressure from military powers in Washington to do so and some have found ways around this by funding local organisations, which may then go on to work with PRTs.⁴⁸ International NGOs operating in Afghanistan have on several occasions called for the military to focus on improving security and stability and to leave development work to civilians. As stated in a press release in December 2006 'Official development assistance (ODA) should not be used to fund PRTs or military objectives such as force protection, intelligence-gathering or "hearts and minds" operations'.⁴⁹

As regards Afghan NGOs there are also different perspectives and perceptions. Some, for example, refused to meet directly with the PRT but agreed to meet them in PRT coordination meetings with NGOs, whilst others refused to have PRT personnel attending NGO coordination meetings.⁵⁰ In Herat the PRT was invited to the monthly meeting of an umbrella NGO but when asked in future not to come with guns, they failed to reappear.⁵¹ It was often suggested that the only NGOs working with the PRTs were Afghan NGOs⁵² because they rely on external agencies for funding, whilst international NGOs have other sources of funding such as membership funds, foundations or their own headquarters.⁵³ Some Afghan NGOs we interviewed claimed that it was only international NGOs which were working with the PRTs. Whatever the truth may be, it is clear that the PRT issue has heightened divisions and distrust amongst NGOs.

The key issue for NGOs has revolved around the humanitarian principles of independence and neutrality. By engaging with the military in the delivery of aid, NGOs fear that they will become partial rather than impartial actors. Moreover there is concern that local people would not be able to distinguish NGOs from military actors, which would then put NGO workers at risk of attack. That there is already considerable confusion amongst local people about the distinctions between different international actors is highlighted in the following comments of an Afghan NGO director: "... To people, anyone who helps them is an NGO. They think PRTs are NGOs, that the UN is an NGO, that private sectors are NGOs. People don't have bad perceptions of the PRTs. They don't know who PRTs are and don't realise the differences between different militaries and different PRTs..."⁵⁴ Given that a host of new international NGOs arrived along with ISAF, the Coalition Forces and bilateral development agencies, it is hardly surprising that local people cannot distinguish the different agendas, priorities and values of these different institutions.

One thread in this debate has focussed on the increasing number of attacks on aid workers since 2003. NGO representatives have argued that attacks on aid workers are a result of local perceptions of NGO workers as aligned to the government and/or military. For example between January and November 2006 at least 30 aid workers, including NGOs, UN and humanitarian contractors, had been killed, more than double the figure in 2003 according to figures from Afghan NGO Security Office (ANSO) and IRIN.⁵⁵ Military players have countered and won this argument by claiming that there is no evidence that NGO workers have been attacked because they are aid workers and are therefore seen as part of a government-Western alliance. They suggest that such attacks are random and more linked to criminal elements. However it can also be argued that there is no evidence to suggest that they have not been attacked because of perceived links to the military. Indeed reports that night letters have been delivered to clinics, schools and to individuals working on development projects and that mosque leaders have warned people not to work in NGOs⁵⁶ lends support to the idea that NGOs have been deliberately attacked because of their links to government. Moreover during the Taliban period NGOs did not come under attack from the government, though of course they were then fewer in number.

Apart from the PRTs the military's strategy of 'hearts and minds' to gain the support of the local population has further contributed to the perception that NGOs workers are not

neutral agencies. By using vehicles similar to those of NGOs and without any military insignia on them NGOs argue that the local population is unable to distinguish between military and NGO development workers. As a statement released in December 2006 by several international NGOs operating in Afghanistan pointed out, 'There have been instances of military actors in Afghanistan behaving in ways that are confusing to local populations and compounding the security risks facing aid actors. Examples include: dressing in civilian clothing, driving white vehicles that resemble aid agency transport, and using NGO resources, such as vehicles, office equipment and premises without permission'. Similarly an Afghan employee in an international NGO described how: "military personnel providing relief blurs the lines since communities are not able to differentiate between military and aid agency actors. Some day military actors are in fatigues, other days in civilian clothes. Sometimes they are in military vehicles, other days in white Landcruisers that NGOs also use. It puts us at risk".⁵⁷ Furthermore NGO critics argue that 'quick impact projects' carried out by the military as part of their hearts and minds strategy are often ill-thought through, unsustainable and of limited developmental value and that this would undermine the long-term work of NGOs and their links to communities. Interviewees gave examples of how the military would hastily build school-buildings but no arrangements were made for teachers to work there.

There are three key points here. First, whatever the case may be, NGOs, whether foreign or local, are perceived as part of a government-Western alliance and therefore not as neutral and independent actors. They are thus perceived as part of the political context, as political actors in their own right and also as sources of foreign revenue. There is a startling contradiction amongst NGOs between wanting to adhere to the idea of neutrality without recognising how their own actions jeopardise such a position. For example, Johnson and Leslie (2004: 148) make the point that NGOs served as fronts for governments' Cold War policy to support the mujahedin resistance during the Soviet Occupation, Afghan Aid, for example, playing such a role in relation to the UK. In the current context developmental NGOs are also implicitly supporting the Afghan government and Western policy in Afghanistan. As the Chair for the Foundation for Culture and Society commented, "maybe NGOs have to work with government to meet people's needs. So they should stop talking about being neutral. We're not neutral in supporting a democratically elected government put in place by force..."⁵⁸

Second, foreign NGOs have not put forward their case that the blurring of boundaries endangers their staff sufficiently strongly and as a result have lost the argument on this front. However, whether or not an NGO works with the military, the fact that some do, be they local or international, then makes all NGOs vulnerable to the accusation that they also work with government and external forces, and are therefore also deemed by insurgents to be worthy of attack. Third, the notion that a peaceful civil society can flourish or be strengthened in a context of armed conflict and where military interventions in development are accompanied by weapons of coercion is paradoxical. Such a proposition is to turn Hobbes on his head and argue that the 'state of nature' is a kind of civil society. As one interviewee poignantly expressed it, "civil society with guns is not civil society."⁵⁹

Increasingly aware that military action could not alone win the War on Terror, US coalition forces and the Afghan government in 2006 adopted the new 'ink-blot' approach, which focussed on combining military manoeuvres with winning over the 'hearts and minds' of the local population.⁶⁰ This was developed initially in the context of Helmand province and draws upon a similar approach adopted by the British Army in the Malaysia during the Second World War. The idea is that the military first secure an area, such as a village, and then they and development agencies go in and set up development projects, thus creating Afghan Development Zones. Whilst villagers in the secure areas will have access to medical care, education and other welfare services, those in insecure areas, particularly where the insurgents are based, will, it is argued, eventually realise their interests are best served by the government. This strategy explicitly links and subordinates development strategy to military objectives, and inevitably poses strategic and moral dilemmas for NGOs, who wish to prioritise human security and neutrality but whose very presence make them appear as complicit in a grander scheme of occupation. Furthermore, as the director of a UK NGO remarked, this also endangers the local communities, "we are concerned as NGOs because as soon as it is clear that this is linked to the military, the communities will be targets of armed conflict and it will be unsafe for NGOs to work there."⁶¹ The strategy has also been complicated by the contrasting approach of the US Operation Enduring Freedom soldiers, who pursue their goals without seeking to establish areas of security.⁶²

It is hard to imagine how village populations that have been subject to night raids on their homes by allied forces, bombing and gun-battles, that have lost relatives, neighbours and

friends, regardless of their support or otherwise of the insurgents, can overnight switch allegiances and trust those very forces that have previously approached them with aggression. The military notion that quick-impact projects can buy trust and elicit reliable intelligence information is seriously misguided. Umbrella NGOs such as ACBAR have played a key role in keeping the questionable role of the military in development on the agenda. In the summer of 2006 they led a process for developing a strong civil society position towards civil-military relations to ensure greater harmonisation amongst the PRTs and greater clarity about their mandates. They have also maintained a sharp critique of the contradictory behaviour of military forces in sacrificing civilian lives⁶³ for the sake of the War on Terror with their acclaimed project of winning over hearts and minds.

Another thread to the complexity of civil-military relations wrought by the War on Terror relates to the competing interpretations of the idea of 'security'. The US pursuit of Al Qaeda in Afghanistan and the concomitant armed resistance to external military forces has prioritised the idea of state security at the expense of human security or women's security⁶⁴. Moreover this idea of state security has two key, interlinked dimensions: first, the immediate protection of US forces in Afghanistan, and second, the broader defence of US global interests. Hearts and minds work functions thus not only to secure government control of territory but also to protect Afghan national army and foreign troops from being attacked. In this process the idea of the physical security of civilians in areas of ongoing armed conflict becomes sacrificed to the military goals of the War on Terror. Furthermore, initiatives such as the Community Development Councils become drawn into this broader scheme of forces protection and hearts and minds work at the expense of any more general concern about the human security of the Afghan people and local interpretations of security.⁶⁵

Linked to this downplaying of the notion of human security is the subtle sidelining of any non-governmental or governmental efforts at national reconciliation or peace-building. Given the long history of conflict in Afghanistan, it is extraordinary that there are so few initiatives to promote peace-building or reconciliation amongst communities. In a so-called post-conflict situation it might be expected that donors would eagerly support the establishment of community-based groups or NGOs with activities and programmes addressing reconciliation. Yet there are only three such initiatives in the whole of Afghanistan, namely the Cooperation for Peace and Unity, the Sanayee Development Organisation, and the Afghan Women's Education Centre. Apart from these some

individuals are members of international conflict transformation networks such as Action Asia.⁶⁶ The recent promulgation of the Amnesty Bill in 2007 puts a lid on any further attempts by civil society to hold former warlords and political leaders to account for their roles in Afghanistan's long history of conflict. Indeed it points to the priority given to the goals of the US War on Terror over the long-term reconstruction and stabilisation of Afghan society and reflects the failure of the Bonn Agreement to promote serious peace-building because of broader geo-strategic and military interests and the urgency of installing an elected government (Goodhand, 2007).⁶⁷

Conclusion

Following the devastating bombings of America's Twin Towers and the Pentagon, Afghanistan became the first theatre for the prosecution of Bush's War on Terror. Within three months the Taliban regime had succumbed to US military might. The US pursued a dual policy of hunting down Al Qaeda and, with the aid of its allies, simultaneously installing and securing a reliable, Western-oriented interim government. Development, security and democracy promotion were to be the cornerstones for ensuring a friendly, stable and secure Afghanistan that would be amenable to Western geo-political and commercial interests. As in the past, foreign aid was to be a carrot to gain control over Afghanistan's politics and territory. The pursuit of Osama Bin Laden coupled with the ongoing counter-insurgency operations have linked military and development goals more closely together as the physical battle for dominance is matched by a psychological battle for 'hearts and minds'. In this operational jigsaw development and human security are subordinated to the War on Terror and national security concerns. This convergence of military and development objectives, and the subordination of the latter to the former, has in turn had consequences for civil society.

The sudden influx of an array of international development agencies after October 2001 has led to the privileging of a particular form of civil society organisation, namely, the formally registered, bureaucratically amenable NGO. Whilst there were international NGOs and a small number of Afghan NGOs operating in the 1980s and 1990s, the fall of the Taliban led to a stream of new non-governmental agencies entering the humanitarian fray and the rapid mushrooming of local NGOs that could become the local partners of donors. Though international donors recognise the existence of what they call 'traditional institutions' such as *jirgas*, mosques and *shuras*, they are at a loss as to how to incorporate them into the development process or how they fit with the concept of civil society. Indeed donors overlook the fractious and divided nature of actual civil society in Afghanistan, a perspective that relates more broadly to the preponderance of a Tocquevillian notion of civil society that conceives of civil society as a site of harmonious association and liberal values. The idea of Community Development Councils in the National Solidarity Programme is an attempt to graft new forms of governance onto the existing map of rural institutions so as to implement development projects and strengthen the reach of the state. External funding of civil society thus creates a rentier civil society that is styled in a fashion to suit development purposes.

The arrival of international development on a large scale in Afghanistan facilitated the encounter of Afghan's elite with debates around civil society. There has followed considerable discussion around the contours and boundaries of civil society in Afghanistan. This has highlighted emerging tensions around the privileging of formal NGOs as bearers of the spirit of civil society. However there has been a noticeable absence of any debate around the role of civil society in relation to the state, and in particular regarding the state-building process. Whilst the Soviets imposed the architecture of a Leninist Party-state, Western donors are introducing a liberal model of a minimal state, where the role of civil society is primarily about service-delivery. This emphasis on service-delivery is driven not only by neo-liberal ideology but also by geo-political considerations of US security in the context of the War on Terror. As the US-backed Karzai government includes ex-warlords and criminals, a vocal civil society seeking accountability and transparency from the government, or peace and reconciliation, could upset this precarious political arrangement.

Development interventions by the ISAF and Coalition Forces have intensified the dilemmas that humanitarian NGOs have already begun to face in other conflict contexts. With civil and military lines increasingly blurred NGO workers have become more vulnerable to attack as insurgents view NGOs as part of the government and Western alliance. Whilst military actors deny any link between attacks on NGO workers and their own development interventions, NGOs have been unable to argue persuasively their case, not least because their own neutrality and impartiality is indeed questionable. The reluctance of NGOs to recognise that they too are actors in a deeply politicised drama points to the dangers of trying to maintain a guise of neutrality. Afghanistan demonstrates well the need for NGOs to reflect more deeply on their own positions in the highly charged situations in which they intervene, and where the illusion of neutrality may not be an option.

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¹ For a highly informative and accessible account the nature of Al Qaeda see Burke (2004).

² This research is part of a larger research project on civil society, security and aid, which involves two further case-studies of India and Kenya. We are grateful to the ESRC Non-Governmental Public Action Programme for funding this research project. We also owe particular thanks to the Abdul Basir and Elizabeth Winter of the British Afghanistan Advisory Group for their invaluable advice prior to and after our visit to Afghanistan and for sharing with us their immense knowledge and insights; to Mr Mayer and Anya de Beer of ACBAR for hosting our visit in Kabul and for shedding light on the complex relations amongst civil society and donors; and to Jos von Mierlos, head of Christian Aid in Herat for facilitating our research in Herat, for his hospitality, and sharing with us his reflections and insights into the politics of aid and civil society in Herat and Afghanistan. We are also immensely grateful to all those who agreed to be interviewed for sharing their reflections, experiences and analyses. Thanks are also due to Sirajuddin Khalild, who assisted us with our research in Kabul.

³ For example both Rubin (2002: 52) and Johnson and Leslie (2004: 41) point out how rulers such as Abdul Rehman Khan (1889-1901), Daud in 1977 or Najibullah in 1987 and others have used grand *loya jirgas* to legitimate decisions they have already made rather than to debate. They also point out how the term *shura*, meaning council, has been variously deployed by the Soviets as a means of social control, by the mujahedin, whose use of it signified the Islamicisation of political relations (Rubin; 2002: 229), and by aid agencies to facilitate the implementation of projects (Johnson and Leslie 2004: 42).

⁴ Rubin (2002: 65, 311) notes that a rentier or allocation state is one where the states derives more than forty per cent of its revenue from oil or foreign sources. In the case of Afghanistan the significant sources are foreign aid and the sale of natural gas (at least up till 1989).

⁵ Rubin (2002: 62) uses the term 'encapsulation' to describe the strategy of rulers to balance out potential opponents, such as khans or ulama, by giving them symbolic roles without real power and granting them autonomy over local issues.

⁶ Participant contribution at roundtable organised by authors. Kabul. September 11, 2006.

⁷ France, Germany, Russia, Egypt, India, Pakistan and others competed for influence in Afghanistan by supporting different educational establishments and study abroad. The University of Kabul served as a site for different political groups to organise. The Faculties of Engineering and Sharia were home to many who joined the Islamist movement (Rubin, 2004: 83), even though the USA provided aid to the former (Rubin, 2004: 70).

⁸ Saikal (2006: 123-124) points out that the Soviets provided the bulk of military aid to Afghanistan in the 1950s and 1960s, the Americans having refused Daoud's request for assistance. However the Daoud government drew on the support of various countries for the training of its professionals.

⁹ Some such as CARE International had previously been based in Afghanistan. Interview with international NGO staffer. Kabul. August 24, 2006.

¹⁰ For example, the Afghan Women's Education Centre was established by Afghan refugees in Pakistan in 1991 and began its work in Afghanistan in 2001. Its projects include working running a school in Islamabad for Afghan refugees, centres for street-children, schooling for children in Wardaq, Kabul, Mazar, supporting widows and working in women detainees. Authors' interview with women's organisation head. Kabul. August 31, 2006. Similarly the Sanayee Development Foundation was founded in 1990 in Peshawar and entered Afghanistan in 2002.

¹¹ According to Rubin (2002: 181) these humanitarian programmes were started with European aid but US aid soon became the main funder of these as its aid increased from US\$ 30 million in 1980 to US\$ 600 million per year between 1986-1989 (p.196).

¹² Authors' interview with NGO staffer. Herat. September 3, 2006.

¹³ Authors' interview with Afghan researcher. Kabul. September 7, 2006.

¹⁴ One interviewee from an international financial institution with experience of working in NGOs during the anti-Soviet mujahedin period claimed that movements of aid workers were less restrictive than in the post-Taliban era. Authors' interview with multilateral donor agency staffer. Kabul. August 30, 2006.

¹⁵ Johnson and Leslie point out that in the end the Taliban had moved military personnel into the building and NGOs then returned to their original offices.

¹⁶ In September 2001 Al-Rashid Trust was put onto the USA's list of terrorist organisations. It was allegedly close to Al Qaeda and coordinated with Wafa Khairia, an Arab NGO formed by Osama bin Laden. It set up networks of Deobandi madrassas across Afghanistan and took over the bakeries that the UN WFP abandoned after the 9/11 attacks (Escobar, 2001). Its funds come mainly from the Middle East and Pakistan and Osama Bin Laden was reportedly a recipient of the Trust's funds. Its activities were continued by the Al Akhtar Trust, which in turn was designated by the USA as a terrorist organisation. In April 2007 Al-Rashid Welfare Trust was allowed to resume its activities (Latif, 2007). Similarly the Afghan Support Committee was allegedly set up by Osama Bin Laden and affiliated with the Revival of Islamic Heritage Society

¹⁷ Authors' interviews with NGO staffer. Kabul. August 27, 2006; and with international NGO head. Kabul. August 28, 2006.

¹⁸ Authors' interview with NGO staffer. Herat. September 3, 2006.

¹⁹ Authors' interview with women's organisation head. Kabul. August 31, 2006.

²⁰ Authors' interview with women's organisation. Herat. September 3, 2006. Authors' interview with women's organisation head. Kabul. August 31, 2006.

²¹ Authors' interview with Afghan CSO head. Herat. September 4, 2006.

²² This society seeks to promote Islamic spiritual values and runs educational programmes in Islam, computing, English, produces newsletters, and works with youth.

²³ Authors' interview with Islamic membership organisation representative. Kabul. September 9, 2006.

²⁴ Authors' interview with Afghan CSO staffer. Kabul. August 23, 2006.

²⁵ Participant contribution at roundtable organised by authors. Kabul. September 11, 2006; authors' interview with multilateral donor agency staffer. Kabul. August 30, 2006.

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- ²⁶ Authors' interview with international NGO staffer. Kabul. August 21, 2006.
- ²⁷ Authors' interviews with international NGO staffer. Kabul. August 23, 2006; and with Afghan CSO head. Kabul. August 26, 2006.
- ²⁸ As an Afghan worker in an INGO commented, 'Returnees from the West do not understand Afghan society and language. Government ministers have this problem. Refugees go to the West, speak English and come back as ministers and they just want to copy but not adapt'. Authors' interview with aid agency staffer. Herat. September 3, 2006.
- ²⁹ Authors' interview with UN agency analyst. Kabul. September 8, 2006.
- ³⁰ Authors' interview with Afghan CSO staffer. Kabul. August 22, 2006.
- ³¹ *Ibid.*
- ³² *Ibid.*
- ³³ Authors' interviews with political foundation head. Kabul. September 10, 2006; and participant contribution at roundtable organised by authors. Kabul. September 11, 2006.
- ³⁴ Authors' interview with USAID contractor. Kabul. August 29, 2006.
- ³⁵ Authors' interview with Afghan parliamentarian. Kabul. August 27, 2006.
- ³⁶ Authors' interview with multilateral donor agency staffer. Kabul. August 30, 2006.
- ³⁷ *Ibid.*
- ³⁸ Authors' interview with international NGO staffer. Kabul. August 21, 2006.
- ³⁹ Authors' interview with international NGO staffer. Herat. September 3, 2006.
- ⁴⁰ For example most village institutions such as village elders, the mullah, malik or shuras are predominantly male. It may also be that donors and the Karzai government, like previous modernising rulers, wanted to bypass religious leaders and khans in order to build up a modern state. Reliance on external funding, as Rubin 2002: 44) explains, allows then the state to have autonomous power and to manipulate and encapsulate tribal and religious forces.
- ⁴¹ For example, one interviewee from a peace-building NGO recounted a clash involving one death and nine injuries in a district in Kabul over the who would benefit from an electricity system being introduced under the NSP. Authors' interview with Afghan peace-building organisation. Kabul. August 24, 2006.
- ⁴² Authors' interview with international NGO staffer. Kabul. August 23, 2006.
- ⁴³ For example, whilst Gulbuddin Hekmatyar, founder of Hezb-e-Islami and a notorious warlord has been put on a US terrorist list, others such as General Abdul Rashid Dostum, currently Chief of Staff of the Armed Forces and Ismail Khan, currently Minister of Energy, were also prominent and ruthless commanders, whose acts of violence could also be designated as war crimes.
- ⁴⁴ Authors' interview with woman parliamentarian. Kabul. August, 24, 2006. For example, the Ministry of Rural Rehabilitation and Development reportedly supports the idea of converting the CDCs into formal government structures.
- ⁴⁵ Authors' interview with Counterpart International staffer. Kabul. August 29, 2006.
- ⁴⁶ The Dutch Committee on Afghanistan was cited in an interview as one of the few that had coordinated with the local PRT on the distribution of aid. Authors' interview with international NGO staffer. Kabul. August 23, 2006.
- ⁴⁷ Authors' interview with international NGO staffer. Kabul. August 23, 2006.
- ⁴⁸ Authors' interview with USAID contractor. Kabul. August 29, 2006.
- ⁴⁹ Press release, December 2006, full statement available at www.baag.org.uk
- ⁵⁰ Authors' interview with international NGO staffer. Kabul. August 21, 2006.
- ⁵¹ Authors' interview with aid agency staffer. Kabul. September 5, 2006.
- ⁵² One interviewee gave the example of the Afghan NGO Coordination of Humanitarian Assistance. Authors' interview with Afghan CSO staffer. Kabul. August 23, 2006.
- ⁵³ Authors' interview with international NGO staffer. August 23, 2006.
- ⁵⁴ Authors' interview with ACBAR staffer. August 22, 2006.
- ⁵⁵ According to the Afghan NGO Security Office (ANSO) 12 aid workers, including Afghan and international staff working for NGOs, the UN and development contractors, were killed in 2003; 24 in 2004; 31 in 2005; and 29 up to August 2006. Authors' interview with ANSO staffer. Kabul. August 30, 2006.
- ⁵⁶ Authors' interviews with NGO staffer Herat. September 4, 2006; and with international NGO head. Herat. September 4, 2006.

⁵⁷ Authors' interview with international NGO staffer. Kabul. August 21, 2006.

⁵⁸ Authors' interview. Kabul. August 26, 2006

⁵⁹ Authors' interview with USAID contractor. Kabul. August 29, 2006.

⁶⁰ The foreign minister, Rangin Dadfar Spanta, lamented in an interview in the autumn of 2006 that external powers and the government had paid too much attention to the military aspects of the War on Terror and pointed out that 'the anti-terrorism fight is not only a military task, it also involves development policies and social programmes'. (Deutsche-Press Agentur, 06.09.2006). Development policy was thus crucial to establishing a state presence in insurgent areas and fighting insurgents through soft means.

⁶¹ Authors' interview with international NGO head. Kabul. August 27, 2006.

⁶² Authors' interview with political foundation head. Kabul. September 10, 2006.

⁶³ Between April and August 2007 over 1,060 civilians had died in armed conflicts in Afghanistan (IRIN, 2007).

⁶⁴ An Afghan interviewee involved in a women's network lamented the failure to look at security from a woman's perspective. As she stated, 'What is security? For Afghan women, it is still not secure. Women can be stoned in a village. Her enemy is negative values and the culture in that community which has control over women.' Authors' interview with bilateral donor staffer. Kabul. September 9, 2006.

⁶⁵ For example, a consultant with long experience of working in Afghanistan pointed out that Afghans view security as 'governance and access to justice. We need to re-label governance through Afghan eyes. Decriminalisation is very important. Afghans see the criminalisation of the state'. Authors' interview with adviser to multilateral donor. Kabul. August 28, 2006.

⁶⁶ Authors' interview with multilateral donor agency representative. Kabul. August 30, 2006.

⁶⁷ Authors' interview with UN agency analyst. Kabul. September 5, 2006.