

**(Re-)Constructing Afghanistan?  
Rewriting rural Afghans' *Lebenswelten* into recent  
development and state-making processes**

**An analysis of local governance and social order**

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*Zum Andenken an meine Brüder*  
*Alexander Mielke & Mario Mielke*

## Abstract

Afghanistan has been in political turmoil since the late 1970s. The coup d'état in April 1978 was followed by Soviet intervention, civil war, Taliban rule and recent international intervention. This dissertation identifies modalities of local governance by analyzing the patterns of representation, conflict mediation, legitimacy, and power of Afghan rural society in the second half of the post-2001 decade as well as changes in local governance patterns over the past three decades. The study is based on more than 14 months of field research, which was conducted between 2006 and 2009 in seven districts of three provinces of northeastern Afghanistan: Kunduz, Takhar, and Baghlan.

Adopting a broad understanding of local governance as field-specific activities that regulate the collective coexistence of social communities in different action arenas, this study posits that local governance is more than local government. It enables a comprehensive consideration of non-government-related influences, the life-worlds of rural dwellers, and the everyday practices and underlying norms and experiences (moralities) that structure self-conduct, intra- and inter-community governance processes, local politics, and social order of rural society in northeastern Afghanistan. The dissertation adopts natural resource user communities as a level of analysis in which a particular environmental resource is used and access to it is negotiated between its actual and potential users. The primarily qualitative analysis used in this study examines access patterns, bundles of power resources, and legitimacy in three types of local resource user arenas. Specifically, the study explores the negotiation of access to irrigation water in five canal areas of the Kunduz oasis, the access to pastures and rangeland in two mountainous districts of Takhar, and the access to wood and other non-woody fuel plants in selected communities of Baghlan and Takhar. By considering the social differentiations within resource user communities, the study outlines the ambitions and dilemmas of average local resource users and their appointed caretakers in terms of their attempts to secure equitable access amidst the competing interests of rural elites. Different types of local representatives are shown to determine the fate of the rural population and to exert a key role in rural development in terms of locals' attitudes towards their government and the international aid community. This work evaluates the implementation process of three natural resource management projects under international guidance in the research area and concludes that Afghanistan's rural development and reconstruction processes establish an image of reforms and state-building. Instead, negotiated state-making with highly uncertain outcomes is manifest.

In conclusion, the key features of everyday politics in rural northeast Afghanistan and the main concepts are revisited. It is argued that popular dichotomist notions such as the distinction between state versus society or formal versus informal institutions are not applicable, as structural-relational factors explain governance processes better than rights-based approaches. The analysis presents bundles of power resources as an operational concept of power. The author suggests that the disconnect between local social order and the ordering ideal of the international community can only be bridged by acknowledging local realities and designing programs and interventions accordingly. This recognition of rural Afghans' life-worlds and local realities is the precondition for a qualitatively different engagement between the international community and Afghanistan, which would presumably lead to sustainable reconstruction.



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## Kurzfassung

Vorliegende Dissertation trägt den Titel: „(Re-)Constructing Afghanistan? Rewriting Rural Afghans' Lebenswelten into Recent Development and State-making Processes. An Analysis of Local Governance and Social Order“. Der Titel ist Programm, anhand der ihm inhärenten Sinneinheiten sollen im ersten Teil der deutschsprachigen Kurzfassung Grundanliegen und Kernaussagen zusammengefasst werden. Daran schließt sich die Kurzzusammenfassung der Einzelkapitel 2-9 an.

### *I – Bezug, Relevanz und Kernaussagen*

Das Dissertationsprojekt, dessen Ergebnisse hiermit vorgelegt werden, nahm in der erst einmal unspezifischen Frage, wie sich die ländliche Gesellschaft Nordostafghanistans selbst organisiert, seinen Ausgangspunkt. Auf der Grundlage von Überlegungen zu sozialer Ordnung, deren stets fortdauernde Existenz gleich welcher Qualität angenommen wird, richtete sich das Forschungsinteresse vor allem auf die Fragen nach den der sozialen Ordnung zugrunde liegenden strukturellen Logiken, auf die Evolution derselben und zurückliegende Wandlungsprozesse, aber auch Wandlungspotenziale der zwischen 2005 und 2010 empirisch untersuchten lokalen Politikprozesse, sowie auf die Rolle staatlichen Einflusses auf lokaler Ebene. Die Relevanz dieser Fragestellungen ergab sich aus der Konfliktgeschichte Afghanistans und der dadurch wahrgenommenen Unsicherheit auf lokaler Ebene, die sozialwissenschaftliche Forschung und eine Anknüpfung an die sehr umfangreich wie diverse anthropologische Forschung aus der Vorkriegszeit bis dato verhindert hatten. So gab es zu Beginn des Dissertationsvorhabens 2005 kaum Kenntnisse und Informationen darüber, welche Auswirkungen der Gewaltkonflikt in Afghanistan auf die sozialen, mentalen und politischen Organisationsmuster der lokalen Bevölkerung hatte. Dies bedeutete gleichzeitig, dass die Intervention der internationalen Gemeinschaft ab Ende 2001 in ihren zivilen Dimensionen, die darauf abzielten, vermeintliche *bad governance*-Strukturen mit demokratischen zu ersetzen, weitgehend auf hypothetischen Annahmen und Schwarzweiß-Denken beruhte und somit nicht viel mehr als ein Stochern im Nebel darstellte.

Eine der ungeprüften Annahmen, die die Interventen in Absichtserklärungen und einem Maßnahmenportfolio an Entwicklungsmaßnahmen zum Staats- und Institutionenbau durchpausten, war die, dass man es in Afghanistan mit einem völligen Zusammenbruch sowohl der physischen wie auch der sozialen Infrastruktur zu tun hat. Daraus wurde die logische Schlussfolgerung abgeleitet, man würde den Aufbau der ‚Hardware‘ und ‚Software‘ von Null beginnen. Die Ergebnisse der vorliegenden Dissertation, die auf einer mehr als 14-monatigen Feldforschung im ländlichen Nordostafghanistan basieren, widerlegen diese Annahme eindeutig. Es konnte nachgewiesen werden, dass die lokale ländliche Gesellschaft über diverse soziale Regularien und normative Prinzipien verfügt, die den Alltag der Bevölkerung strukturieren und das Zusammenleben regeln. Die Infragestellung des Wiederaufbau-Topos‘ versus einer Neuerfindung („Re-/ Constructing Afghanistan?“) ist somit berechtigt. Zudem wird damit in einer zweiten Dimension auf die Rolle der Forscherin selbst angespielt, nämlich das Bewusstsein und die Reflexion darüber,

dass jede Interpretation der lokalen Verhältnisse immer ein Konstrukt des jeweiligen Wissenschaftlers ist. Entsprechend könnte man die vorgelegte Arbeit als Neukonstruktion (*reconstruction*) im Sinne einer aktualisierten (Neu-)Interpretation der sozial-politischen, ökonomischen und kulturellen Funktions- und Strukturierungslogiken der afghanischen Gesellschaft im Untersuchungsraum Nordostafghanistan im Vergleich zu Vorkriegsdarstellungen der älteren Forschergeneration sehen.

Das grundsätzliche Anliegen der Arbeit besteht darin, die Befindlichkeiten der durchschnittlichen Einwohner Nordostafghanistans mit dem Entwicklungs- und Staatsaufbauprozess, der im Ergebnis als ausgehandelte Staatsbildung mit ungewissem Ausgang (*state-making*) erkennbar wird, in Beziehung zu setzen („*Rewriting Rural Afghans' Lebenswelten into Recent Development and State-making Processes*“). Das Forschungsdesign inkorporierte deshalb ‚Lebenswelten‘ als heuristisches Hilfskonstrukt, um die Stimmen ‚von unten‘ einzufangen, ihnen Raum zu geben und Geltung zu verschaffen, ohne sie dabei als Opfer darzustellen. Methodologisch reflektieren Lebenswelten die subjektiv geteilte, alltägliche Erfahrungswelt der Teilhaber sozio-räumlicher Gemeinschaften. Als so identifizierte emische Kategorie wurden sie im Rahmen der Analyse durch die Interpretationsleistung der Forscherin in *local governance*-Strukturen übersetzt – das etische Pendant zu Lebenswelten wenn man so will.

Ziel der Untersuchung ist dabei nicht eine normative Beurteilung lokaler Politikprozesse (*good versus bad local governance*). Vielmehr ging es um die Erfassung des Alltags der durchschnittlichen Landbevölkerung (des ‚kleinen Mannes‘ und der ‚kleinen Frau‘), von denen die Masse in Subsistenzökonomien um das tägliche Überleben kämpft. Dabei sind die Landbewohner in Ermangelung anderer Einkommensmöglichkeiten hochgradig von der Verfügbarkeit und dem Zugang zu Ressourcen ihrer natürlichen Umwelt abhängig, zum Beispiel zu Land und Wasser für die Bewässerung der Felder in den Oasengebieten rund um Kunduz, zu Weidegründen in den Gebirgsausläufern im südlichen Takhār und zu Brennmaterialien (Holz, Biomasse) in den Lösshügellandschaften von Baghlān und Takhār. Die Analyse lokaler Politik(strukturen) setzt an der Beobachtung an, dass diese Alltagsressourcen aufgrund von situativ und temporär auftretender Wasserknappheit, fortschreitender Degradation und nichtregenerativen Verlusten (im Fall von Holz und Biomasse, aber auch von Weidegründen) in unterschiedlichem Maße lokal umkämpft sind (*contestation*). Aus den empirischen Daten lässt sich ableiten, dass die Ausstattung mit Machtressourcen der bestimmende Faktor für die Fähigkeit und das Vermögen Einzelner bzw. von Gruppen ist, bestimmte Ressourcen zu nutzen (*access*). Eigentumsrechte spielen in Abwesenheit staatlicher Gesetzgebung und einem identifizierten Normpluralismus auf lokaler Ebene real keine Rolle für den Zugang zu natürlichen Ressourcen des Alltags.

Die Arbeit zeigt darüber hinaus die Modalitäten lokaler Politik auf und die Rolle, die kognitive Faktoren sowie Normen und Wertekonzepte (*moralities*) dabei spielen. Neben der Analyse von Zugangsmechanismen zu Ressourcen des Alltags werden Modi der Konfliktmediation, Repräsentationsmuster, sowohl innerhalb der lokalen Gemeinschaften als auch zwischen Staat und lokaler Ebene, sowie Überlegungen zu Legitimitätskonzepten präsentiert. Die Politik des Alltags präsentiert sich als Komplex diverser miteinander verwobener Interaktionen, deren Motivation und Rationalität in der Akkumulation von



Machtressourcen liegt. Dabei stechen als zugrundeliegende Phänomene vor allem personalisierte Beziehungsnetzwerke und unsolidarisches Verhalten unter Teilhabern einer Nutzergemeinschaft hervor. Es wird herausgearbeitet, dass die ländliche Gesellschaft Nordostafghanistans von starken sozialen Ungleichheiten geprägt ist, die sich trotz gegenteiliger Intentionen durch die Intervention der internationalen Gemeinschaft noch weiter verfestigen.

Das Nachzeichnen der Prozesse, wie dies geschieht, erlaubt Schlussfolgerungen im Hinblick auf die soziale Ordnung der ländlichen Gesellschaft, die in Erweiterung früherer Überlegungen (Mielke et al. 2011) als Zusammenspiel von sozialen Praktiken und Moralitäten konzeptualisiert wurde, die jedwede Interaktionen in sozio-räumlichen Gemeinschaften prägen („*An Analysis of Local Governance and Social Order*“). Die Ergebnisse der Dissertation sind somit nicht nur von wissenschaftlichem Interesse, sondern beinhalten auch praxisrelevante Implikationen für die Durchführung von Entwicklungsprojekten im ländlichen Afghanistan (Entwicklungspraxis) und nicht zuletzt interventionspolitisch relevante Hinweise was den vermeintlichen Aufbau staatlicher Strukturen betrifft.

## *II – Kurzzusammenfassung der Einzelkapitel*

Die Dissertation ist in vier Teile untergliedert: eine (I) Einführung mit konzeptuellem Rahmen und methodologischen Anmerkungen (Kapitel 1-3), einen (II) Literaturüberblick zum Forschungsstand (Kapitel 4), die (III) empirisch untermauerte Analyse (Kapitel 5-8) sowie (IV) Zusammenfassung und Schlussbemerkungen (Kapitel 9).

Zwar ist die Arbeit stark empirisch ausgerichtet, jedoch wird anerkannt, dass selbst induktiv gelagerte Untersuchungen mit hermeneutischem Erkenntnisinteresse sich einer gewissen theoretischen Vorprägung des jeweiligen Forschers, der aufgrund seiner wissenschaftlichen und persönlichen Sozialisation über grundlegende Orientierungskategorien verfügt, nicht völlig entledigen können. Deshalb ist Kapitel 2 (Konzeptueller Rahmen) der Offenlegung konzeptueller Orientierungsthesen gewidmet. Die bereits im Verlauf der Datenerhebung und während der vorläufigen Analyse angestellten Überlegungen zum Konzept der sozialen Ordnung (Mielke et al. 2011) werden in diesem Abschnitt weiterentwickelt, vor allem um sie empirisch fruchtbar zu machen. Dazu wird der Begriff der Macht als relationales Konzept noch stärker ausdifferenziert. Soziale Ordnung wird als von Machtbeziehungen konstituiert verstanden (Macht in Netzwerken). Erklärend ist allerdings nicht ‚die Macht‘ als solche, sondern die Betonung liegt auf den zugrundeliegenden Machtressourcen, die die Qualität, die Prozesse und den Ausgang lokaler Politik maßgeblich strukturieren. Bei der Frage nach lokaler Politik geht es darum, wie Macht ausgeübt wird, also um die Prozessdimension (*local governance*).

Des Weiteren dient das Kapitel der Herleitung der grundlegenden, in der Arbeit verwandten Konzepte. Die Neufassung von sozialer Ordnung als analytisch kaum trennbares Zusammenspiel von Macht-unterlegten sozialen Praktiken und Moralitäten, die sinnhafte soziale Interaktionsprozesse strukturieren, aber auch von diesen jeweils strukturiert werden, speist sich aus der Kritik an dem zuvor benutzten Konzept der Institutionen (Mielke et al. 2011). Es wird argumentiert, dass die Unterscheidung in

formale und informelle Institutionen Aspekten von *agency* – dem Vermögen, proaktive Handlungen zu initiieren und durchzusetzen – nicht gerecht wird. Vielmehr lässt das Konzept informeller Institutionen diese Handlungsebene sowie die kognitive Dimension der Präferenzenformulierung und Interessendurchsetzung unterbelichtet. Aus diesem Grund wird das vorherige Modell von Institutionen und *worldview* aufgegeben (post-institutionelle Perspektive zur Erfassung kollektiver Handlungen) und mit dem sozialer Praktiken und Moralitäten ersetzt. Erstere werden materiell und diskursiv verstanden, sind jedoch von letzteren kaum empirisch abgrenzbar, denn Moralitäten offenbaren sich in Handlungsmustern (inklusive den diskursiven) und beeinflussen Entscheidungsprozesse im realen Leben, das wiederum von außen beobachtet werden kann. Unter anderem bewirken Moralitäten, was als legitim oder illegitim wahrgenommen wird. Legitimität wird dabei als soziales Konstrukt verstanden, die das rationalistische Moment institutionalistischer Ansätze subjektiv wirksamen Einschränkungen unterwirft.

*Local governance* wird von *local government* – der staatszentrierten Sichtweise – abgegrenzt und als die Summe der Aktivitäten verstanden, die über Machtausübung das kollektive Zusammenleben von sozialen Gemeinschaften (den Zugang, die Produktion, Umverteilung und Weitergabe von Ressourcen) feldspezifisch für einzelne Handlungsarenen regeln. Wichtig dabei ist, dass das Verständnis von *governance* auch die subjektive Führung, also das Benehmen Einzelner und Verhaltensmuster (*conduct*) von Gruppen mit einbezieht. *Local governance* wird als empirisch erforschbarer Niederschlag von sozialer Ordnung herausgearbeitet. Demnach spiegeln lokale Politikmuster die soziale Ordnung auf der Mikroebene wieder – eine Ordnungsleistung in Gemeinschaften mit festen sozio-räumlichen Grenzen, die durch soziale Interaktionen in Handlungsräumen festgelegt sind.

Der Erfassung von *local governance*-Mustern liegt die Interpretationsleistung der Autorin zugrunde, denn die Brille auf die lokale Politik des Alltags verkörpert die externe Perspektive auf die multiplen, individuell erfahrenen und mit Bedeutung ausgestatteten alltäglichen sozialen Interaktionsprozesse. Aus der emischen Perspektive bilden diese von den Teilhabern einer bestimmten sozialen Gemeinschaft geteilte Lebenswelten. Sie sind deshalb ebenfalls Arena-spezifisch, bezeichnen jedoch nicht den Ort, sondern die intersubjektiv geteilte Erfahrung, das darauf aufbauende Wissen und die Gewissheit über das Verhalten anderer Teilhaber, die die gleichen Interessen und Deutungsmuster haben. Hinzu kommt im empirischen Teil der Arbeit die Konnotation der Lebenswelt als Alltagswelt vor dem Hintergrund, dass die vorliegende Analyse das ‚Banale‘, also alltäglich gebrauchte Ressourcen aus der natürlichen Umwelt und deren umstrittene Zugangsmechanismen sowie Verteilung und Reproduktion in den Mittelpunkt stellt.

Das Kapitel führt schließlich die Konzepte Basislegitimität, Ordnungswert und Ordnungssicherheit ein, wenn es um vorhandene Erklärungsmuster für abweichendes Verhalten und die Langlebigkeit von sozialen Ungleichheitsstrukturen geht. Demnach erkennen Betroffene trotz sozialer Benachteiligung durch die Zumessung von Basislegitimitäten die Umstände ihrer Unterdrückung und die damit verbundene Machtordnung grundlegend an (Konformität) und lehnen sich nicht dagegen auf, weil sie damit eine gewisse Ordnungssicherheit verbinden. Die Idee des Ordnungswertes, der vor

diesem Hintergrund sogar ungleich unvorteilhaften Kontextbedingungen zugeschrieben wird, hilft zu verstehen, warum im Rahmen hier diskutierter sozialer Ordnung/en Veränderungen und sozialer Wandel praktisch nur inkrementell stattfinden, große oder spontane Umbrüche aber weitgehend unwahrscheinlich sind.

Kapitel 3 diskutiert methodologische Aspekte. Nach einer Zusammenschau der Orientierungsthesen aus dem vorhergehenden Kapitel mit Methoden der Datensammlung (u.a. anthropologische Feldforschung, biographische und mündliche Geschichtsinterviews) und Datenanalyse, werden der Zugang zum ‚Feld‘ und Limitationen der praktischen Forschung vor dem Hintergrund der kontinuierlichen Verschlechterung der Sicherheitslage in Afghanistan während des Untersuchungszeitraums 2006-2009 diskutiert. Zentral für das Verständnis wie die empirischen Daten im weiteren Verlauf, insbesondere in Kapitel 6, präsentiert werden, ist die Einführung des von mir so bezeichneten ‚Franzosenzopf-Ansatzes‘ (*French braid approach*) als methodologisches Hilfsmittel zur Abbildung gesellschaftlicher Komplexität und für die subsequeute Sichtbarmachung interstitieller Merkmale (des ‚Unsichtbaren‘) von Interaktionsnetzwerken. Auf der einen Seite sind diese weder institutionalisiert noch für den Beobachter offensichtlich, auf der anderen Seite bilden sie einen wichtigen Teil sozialer Interaktionsprozesse, sind bedeutungsvoll für lokale Politikgestaltung und gewichtige Charakteristiken der lokalen sozialen Ordnung. Der Vergleich mit dem Flechten eines sogenannten Franzosenzopfes (dabei wird mit jedem Flechtschritt etwas Haar hinzugenommen, wobei der Zopf natürlicherweise aufgrund der Haarstruktur mit der Länge am Ende dünner wird) drängte sich auf, weil nach Zugrundelegung des empirischen Kontextes einschließlich der Bestimmung der Analyseeinheiten und Analyseebene in Kapitel 5, mit jedem Teilkapitel und Unterabschnitt in Kapitel 6 weitere Erkenntnisse in die ursprüngliche deskriptive Darstellung der empirischen Realitäten in den Fallstudien eingeflochten wurden. So entstand aufgrund der Zunahme an Komplexität durch die allmähliche Einführung neuer empirischer Dimensionen und vorläufiger analytischer Erkenntnisse ein umfassendes Bild, das zu einem tieferen Verständnis lokaler Politikprozesse des Alltags beiträgt als lediglich die Analyse der Summe selektiver Einzelaspekte.

In Kapitel 4 wird der Forschungsstand zu lokaler Politik bis zum Ablauf der ersten längeren Feldforschungsperiode Ende 2007 zusammengefasst. Dabei fällt auf, dass das Erkenntnisinteresse im Hinblick auf durch Machtbeziehungen strukturierte *local governance*-Prozesse ein völlig neues ist, das in der Vergangenheit, d.h. vor Beginn des Gewaltkonfliktes in Afghanistan 1978, von Forschern so nicht untersucht wurde. Dies ist nicht zuletzt den disziplinären Moden der Vergangenheit, die sich auch in der Erforschung Afghanistans niedergeschlagen haben, geschuldet. Auch die vorhandenen Auslegungen der ‚Revolution‘ einschließlich der 1980er Jahre, des Bürgerkriegs oder auch der post-Taliban-Zeit sind im Hinblick auf lokale Politikprozesse nur bedingt erhellend, in dem Fall vor allem, weil ab 1980 kaum Forschung stattfand. Nichtsdestotrotz führt das Kapitel in die grundlegenden Stränge zur Deutung von Organisationsprinzipien auf lokaler Ebene im ländlichen Nordostafghanistan ein. Die Bedeutung von *qawm* versus Ethnizität, die Irrelevanz von Klassen als Analysekatgorie gegenüber Abhängigkeiten und Patron-Klient-Beziehungen, sowie die Relativität von religiöser Ideologie und stattdessen die Bedeutung von Islam als Kultur sind die wichtigsten Punkte, die für die Vorkriegsperiode

identifiziert werden. Der Abschnitt 1978 bis 2001 stellt einen Versuch dar, die anfängliche Mobilisierung im lokalen ländlichen Raum nachzuvollziehen. Darüber hinaus wird die soziale Transformation infolge der Bürgerkriegsökonomie nachgezeichnet, bevor der Fokus auf das Staatenbauprojekt und Regierungsführung (*governance*) nach 2001 fällt. Es wird herausgestellt, dass das verfügbare Wissen weder konsistent noch kohärent erscheint und die lokale Ebene kaum berührt. Der Krieg hat die ländliche Gesellschaft stark geprägt, aber wie genau ist der Literatur bis 2007 nicht zu entnehmen.

Der empirische Analyseteil (III) beginnt nach einer Einführung in das Forschungsgebiet und die Siedlungsgeschichte mit einer Klärung der Analyseeinheit – Interaktionen um umkämpfte Ressourcen in Arena-spezifischen Gemeinschaften – und der Analyseebene (Kapitel 5). Letztere bilden die lokalen Nutzergemeinschaften von Ressourcen des Alltags, also zum Beispiel (a) die Ackerbauern im Einzugsgebiet eines Bewässerungskanals, die auf dessen Wasser angewiesen sind, (b) die Eigentümer von Vieh, die die gleichen Weidegründe nutzen, oder (c) die Gemeinschaft der Haushalte, die ganz bestimmte Berghänge und Täler zur Beschaffung von Holz und Biomasse nutzt. Kapitel 6 stellt eine dichte Beschreibung diverser Fallstudien unterschiedlicher Intensität dar, deren Sequenz zunehmende Komplexität generiert. Dabei werden vor allem emische Befindlichkeiten und Kategorien dargestellt, die im Verlauf der Langzeitbeobachtung im Feld identifiziert wurden (, vom Wassermanager zum lokalen Kommandeur‘). Die Forschung fand in sieben Distrikten der drei Provinzen Kunduz, Takhār und Baghlān statt. Neben drei Fallstudien aus dem Bewässerungssektor (Kapitel 6.1), beruhen die Aussagen zu der Regulierung von Zugang zu Weidegründen wie auch zu Feuerholz auf Forschung in respektive zwei Distrikten. Die Holz- und Weidearenen wurden unter der Rubrik ‚*Mountain resource governance*‘ in Abschnitt 6.2 zusammengefasst, da sich einzelne Berghänge und Täler der Vorgebirgsregionen als Ressourcenquelle und eigene ökonomische Einkommenseinheiten erwiesen – besonders im Vergleich zur Oasenlandschaft in Kunduz.

Vorläufige Analysekomponenten, die bereits in der dichten Beschreibung in Kapitel 6 Eingang finden, beziehen sich in den Irrigationsfallstudien auf eine erste Kategorisierung von Ältesten und lokalen Repräsentanten, auf die Analyse von Gründen, warum Reformen des Bewässerungssektors nicht greifen, sowie auf die Umkämpftheit ländlichen Eigentums, die nur teilweise dem Nexus von Wasser und Land geschuldet ist. Um Konflikte geht es auch bei der empirischen Betrachtung dreier Fallstudien, bei denen Bergressourcen im Mittelpunkt stehen. Die Fallstudie zur Brennstoffökonomie im Fulol-Tal zeigt auf, dass der oftmals vermutete Zusammenhang zwischen Armut und Ressourcendegradation nicht trägt. Zudem werden Normativität und Realität für den Zugang und die Nutzung der Gebirgshänge (*rangeland*) diskutiert. Den Abschluss beider Unterkapitel bilden Zusammenfassungen, in denen Überschneidungen und Aspekte der mikropolitischen Ökologie – dem Zusammenhang zwischen Ressourcennutzung, Macht und Politik – herausgearbeitet werden. Die dichte Beschreibung mit zunehmenden analytischen Elementen in Kapitel 6 stellt einen Wert an sich dar, wenn die in Kapitel 3 erwähnten Schwierigkeiten beim Zusammentragen wie der Aufbereitung dieser Daten, die nur einen fragmentarischen Teil des insgesamt vorhandenen Materials darstellen, berücksichtigt werden. Darüber hinaus erlaubt die Darstellung erstmals Einblicke in Strukturierungs- und Organisationsprozesse von Ressourcennutzergemeinschaften auf der lokalen Ebene. Dies

stellt eine wertvolle Quelle, beispielsweise für interessierte Entwicklungshelfer im Bereich ländliche Entwicklung, dar.

Kapitel 7 kondensiert auf der Basis der Datenlage im vorherigen Kapitel Modalitäten lokaler Politik heraus. Die Analyse des Zugangs potenzieller Nutzer zu natürlichen Umweltressourcen des Alltags ist dabei nur der erste Schritt.

Die in Abschnitt 7.1 zusammengefasste Betrachtung von Durchsetzungsmechanismen lokaler Machtausübung in Entscheidungsprozessen und realen Bewässerungspraktiken, die zuweilen normativen Vorgaben diametral entgegenstanden, erlaubt den Schluss, dass die Ausstattung mit Machtressourcen einzelner bzw. einer Gemeinschaft darüber entscheidet, wer warum im Vergleich mit anderen besser in der Lage ist, von einer Ressource zu profitieren. Zu den ausschlaggebenden Machtressourcen gehören ortsbasierte Faktoren (Umweltbeschaffenheit, Lage), die Zugehörigkeit zu einer sozialen Gemeinschaft (Identität), Autorität, sozialer Status (Netzwerkbeziehungen) und ökonomische Ressourcen wie Immobilien-, Land- und anderer Besitz sowie Geld. Derjenige oder diejenige Gemeinschaft, die über die vorteilhafteste Ressourcenausstattung verfügt, ist auch in der Lage, am meisten vom Zugang zu Alltagsressourcen wie Bewässerung, Weide und Wald zu profitieren. Die Analyse zeigt, dass es für die Regelung von Zugang und Nutzung eine Menge ungeschriebener lokaler Prinzipien und Regularien gibt, die nicht legalistisch abgesichert sind, sondern meist nur auf Brauchtum und Tradition beruhen. Trotzdem Ressourcen in der Regel umstritten sind, und der Zugang zu ihnen umkämpft sowie in der Durchsetzung oft ungerecht ist, hat sich gezeigt, dass alle Teilhaber bemüht sind, Konflikte nicht gewaltsam eskalieren zu lassen – ein offensichtlicher Widerspruch zum gängigen Stereotyp einer ‚Kultur der Gewalt‘ der Afghanen. Dieses Ergebnis wird als ein Indikator dafür gewertet, dass sich die benachteiligte Partei des Machtungleichgewichts durchaus bewusst ist und sich aufgrund des zugemessenen Ordnungswerts in die bestehenden Abhängigkeitsverhältnisse fügt, um das wahrgenommene Maß an Ordnungssicherheit nicht preisgeben zu müssen.

Zugangsregelungen für Holz und Biomasse oder auch Weidegründe, die ursprünglich durchgängig offen (*open access*) für den ersten Fall und Gemeindegüter im Falle der Weidegründe (*common property regime*) waren, unterliegen gegenwärtig Veränderungen, da sich in beiden Fällen lokale Nutzergemeinschaften gegenüber externen Nutznießern (Nomaden, Holzfäller aus Orten jenseits der unmittelbaren Nachbarschaft) zur Wehr setzen. Der Ausgang der beobachteten Wandlungsprozesse ist ungewiss. Vor dem Hintergrund fehlender staatlicher Gesetzgebung für Land, Weideflächen und Wald (*rangeland*) zum Zeitpunkt der Feldforschung bis 2009 kommt Unterkapitel 7.1 zum Ergebnis, dass lediglich lokale Rechtsnormen für den Zugang und die Verteilung natürlicher Ressourcen des Alltags eine Rolle spielen. Diese stellen allerdings normative Regularien dar, die in der Praxis durch relationale Zugangsmechanismen über persönliche Beziehungen und die Verfügbarkeit von (Bündeln von) Machtressourcen ausgehebelt werden. Dabei zeigt sich eine starke Verwobenheit der Ressourcen Reichtum, Status, Autorität und offensichtlich (deskriptiver) Macht.

Dass die Regierung und ‚der Staat‘ nur eine Größe unter vielen im lokalen Akteursmix darstellen, machen sowohl die Ausführungen zu Konfliktmediationsmechanismen (Kapitel

7.2) und zu Repräsentation (7.3) deutlich. Im Falle von Bemühungen zur Konfliktbeilegung verweisen Regierungsbeamte auf die lokale Ebene und bitten Älteste um Schlichtung. Die Tätigkeit der Ältesten (*muysafēdi*) und die Rolle von Mittelsmännern erweist sich als zentral für das Verständnis lokaler Politikprozesse in Afghanistan. Die Beziehungen zwischen Staat und lokaler Ebene haben sich seit der Vorkriegszeit stark gewandelt. Von einem ursprünglich mit göttlicher Autorität versehenen Herrscher und dazugehörigem Staatsapparat, der vor Ausbruch des Krieges auf lokaler Ebene jedoch nur mehr geduldet wurde, hält heute eine kleine Elitenschicht die staatlichen Positionen auf lokaler Ebene besetzt (*state-capture from above*), nachdem für die Periode nach Ausbruch des Bürgerkrieges 1992 bis Ende 2001 unter den Bewohnern Nordostafghanistans die Wahrnehmung vorherrschte, dass in dieser Zeit kein Staat existent war. In diesem Zusammenhang ist das Aufkommen einer neuen Kategorie von Ältesten (*novel elders*) auf lokaler Ebene wichtig, deren Autorität oftmals auf eine Vergangenheit als lokale Kommandeure (im Widerstand gegen die sowjetische Besatzung, als Mudschahedin oder unter den Taliban als Parteigänger oder als deren Opponenten im Kreis der Nordallianz), den in diesem Zusammenhang erworbenen Ruf und den damit verbundenen Zugang zu materiellen Gütern zurückzuführen ist. Der Abschnitt diskutiert den Rollenwandel verschiedener Typen ländlicher Eliten über den Zeitraum 1977-2007. Konventionelle (traditionelle) Älteste erfuhren einen Statusverlust, wenn sie nicht vergleichbare Machtressourcen aufbieten konnten.

Die emische Unterscheidung zwischen ‚guten‘ und ‚schlechten‘ bzw. nicht vorhandenen Ältesten ist insofern wichtig, als dass sich herausstellte, dass lokale Gemeinschaften aktiv Repräsentationsmöglichkeiten gegenüber Außenstehenden (Regierungsstellen und INROs) suchen. Beispielsweise bemühten sich die Bewohner eines Siedlungsclusters darum, genügend Geld zu sparen, um sich selbst einen Regierungsposten für einen ihrer Repräsentanten zu erkaufen. Ein Vergleich der sechs Distrikte, in denen vorwiegend Feldforschung stattfand, im Hinblick auf den Zugang zu Regierungsbehörden zeigt, dass die zwei Distrikte, aus denen die zweite Riege der Nordallianz-Kämpfer stammte, außerordentlich gute Beziehungen nach Kabul unterhält, während Distrikte, deren Loyalität unter den Taliban nicht eindeutig der Seite der späteren Gewinner zugeordnet werden kann, kaum über Verbindungen verfügen, schon gar nicht über Direktverbindungen in die Zentralregierung. Für die lokalen Gemeinschaften bedeutete dies praktische Nachteile, beispielsweise eine Marginalisierung beim Zugang zu Projekten im Rahmen von Hilfsprogrammen durch (I)NROs oder selbst durch die Regierung.

Unterkapitel 7.4 reflektiert über die Mehrdeutigkeit von Legitimität, die aus dem empirischen Material ersichtlich wurde. Machtausübung und lokalen Politikprozessen liegen diverse Legitimitätsquellen zugrunde. Die Analyse demonstriert das Vorhandensein eines Normpluralismus und den Wandel der Legitimität von lokalen Akteuren in den letzten 40 Jahren auf einem Kontinuum zwischen völliger Zustimmung, leidlicher Konformität und dem Vorenthalten von Legitimität. Während die Regierung in Kabul vor dem Ausbruch des Krieges über weitgehende Legitimität verfügte, wird ihr sowie den lokalen Beamten heute nur mehr mit Konformität begegnet. Ähnlich, aber nicht ganz so gravierend hat sich die Anerkennung religiöser Akteure gewandelt. Klar entzogen wurde Legitimität zum Zeitpunkt der Feldforschung bis 2009 den ehemaligen ‚schlechten‘

Kommandeuren, die ihrerseits ihre Machtressourcen – meist durch DIAG und DDR – eingebüßt hatten. Teilweise konformes Verhalten aufgrund von Angst wird nach wie vor aktiven ‚schlechten‘ Kommandeuren entgegengebracht und auch *arbāb*. ‚Gute‘ Älteste und Kommandeure hingegen erfreuen sich einer gewissen Legitimität über das Niveau von Konformität hinaus (Tabelle 13). Eine weitere Beobachtung betrifft die Unterscheidung von moralischer versus administrativer Legitimität und der nachgewiesene Bedeutungswandel des emischen Konzepts *salāhiyat*, das ursprünglich für normative Legitimität stand, mittlerweile aber aufgrund von Venalität und infolge der damit konnotierten Zuschreibung durch Regierungsangestellte untergraben wurde. So wurde *salāhiyat* 2009 vermehrt mit Reichtum verknüpft. Dies kann als Indikator dafür gewertet werden, dass Geld eine zunehmend wichtige Rolle in sozialen Beziehungen spielt, weitaus wichtiger als Verwandtschaft oder Identität und Gruppenzugehörigkeit.

Die Zusammenfassung der Modalitäten lokaler Politik in Abschnitt 7.4 betont die Rolle von Moralitäten und die Bedeutung relational-struktureller Faktoren für den Zugang zu Ressourcen im Gegensatz zu rechtsbasierten. Die Akkumulation von Machtressourcen verbunden mit der Ausweitung persönlicher Netzwerke oder die Notwendigkeit, sich über Netzwerkbeziehungen mit Personen, die gewisse Ressourcen kontrollieren, selbst Zugang zu diesen zu beschaffen, bestimmt somit den Alltag der Afghanen im ländlichen Raum. Die Rolle von Mittelsmännern und administrative Korruption sind signifikant, gewähren dem Durchschnittsbewohner aber auch ein gewisses Gefühl der Berechenbarkeit des Vertrauten und somit Ordnungssicherheit. Die diskursive Betonung von Werten wie Gemeinschaft, Einheit, Solidarität, Hilfe und Brüderlichkeit steht den praktizierten ungleichen Zugangsbedingungen und Ungerechtigkeiten diametral gegenüber. Abweichendes Verhalten sowie Gegenwehr finden lediglich im Rahmen der bestehenden Machtverhältnisse statt, aber fördern sie nicht heraus. Plurale Normenstandards, ihre Fluidität und die Interpretation der Normen durch lokale Eliten (*arbāb*, *muysafēd*, mullahs, Beamte) relativieren den Spielraum für Widerstand, genau wie Ritualismus und die habituelle Unterstützung dieser Personengruppen durch die Landbevölkerung. Das Streben nach Ordnungssicherheit und nach dem Erhalt (des Ordnungswertes) der bestehenden Verhältnisse durch Konformität und eine gewisse Basislegitimität bestätigt die Grundfesten der sozialen Ordnung stetig neu. Vor diesem Hintergrund verliert die Fremdwahrnehmung von lokalen Zuständen in Afghanistan als anarchisch und chaotisch ihre Relevanz. Die Situation kann vielmehr als mit einer gewissen Berechenbarkeit und Stabilität (an Erwartungen und Wandlungspotenzialen) versehen interpretiert werden.

Nachdem die Funktionslogiken der lokalen sozialen Ordnung in ländlichen Ressourcennutzergemeinden explizit herausgearbeitet wurden, geht Kapitel 8 auf die den Hilfs-, Entwicklungs- und Wiederaufbauprogrammen zugrundeliegende Interventionslogik der internationalen Gemeinschaft ein. Erneut wird hier deutlich, wie sich die beschriebene soziale Ordnung der ländlichen Gesellschaft in Nordostafghanistan inklusive ihrer Politikmechanismen an die Ein- und Durchführung von Programmen wie NSP und KRBP angepasst haben, die mitunter dafür entworfen wurden, die althergebrachten ungleichen Verteilungs- und Zugangsstrukturen sowie die Dominanz traditioneller Eliten zu brechen. Ausgehend vom Paradigma des gemeinschaftsgesteuerten Wiederaufbaus (*community-driven reconstruction*) in Verbindung mit der Annahme hoher Legitimitätsgeltung der

Regierung sowie der Sinnhaftigkeit der Etablierung von Eigentumsrechten wird anhand des Kunduz River Basin Programs (KRBP) die Interventionslogik vorgestellt. Sie beruht u.a. auf der Bildung von lokalen Gemeinschaftsgremien (Wassernutzerassoziationen, Kanalkomitees, sogenannte Ressourcenmanagementräte), die jedoch in der Lebenswelt der Landbewohner kaum Bestand haben und nach Beendigung der Maßnahmen jedwede Daseinsberechtigung einbüßen.

Im Unterkapitel 8.3 wird herausgearbeitet, dass es deshalb zu keinen nennenswerten Veränderungen der lokalen Machtstrukturen kommt. Allein die lokalen afghanischen Mitarbeiter internationaler Organisationen können als neue Machtakteure bezeichnet werden, stellen sie doch Mittler (*broker*) zwischen der Organisation und den ihr zugrundeliegenden Arbeitslogiken auf der einen Seite, und der ländlichen Bevölkerung mediatisiert durch Mittelsmänner, also lokale Eliten (Älteste, Kommandeure etc.), auf der anderen Seite, dar. Als Entwicklungs- und letztlich Staatsaufbaumakler sind sie es, die anstelle der nach demokratischen Prinzipien lokal etablierten Gremien die eigentlichen Vorreiter und Wegbereiter des Wiederaufbau- und Staatsbildungsprozesses in Afghanistan sind. Es wird argumentiert, dass beide Gruppen – lokale ländliche Eliten und die nationalen Mitarbeiter internationaler NROs an der Schnittstelle zwischen ihrer Organisation und der Zielgruppe – das, was aus der Ferne als ‚Entwicklung‘ und Staatsaufbau in Afghanistan wahrgenommen wird, gegenseitig aushandeln. Diese Aushandlungsprozesse sind nur bedingt bewusst gesteuert, denn sie richten sich danach, wie die typischen Entwicklungsmakler – Gemeindearbeiter, Ingenieure und Übersetzer – ihre Projektziele selbst verstanden haben. Die lokalen Ältesten wiederum besitzen die Interpretationshoheit über lokale Bedarfe, auf die die (I)NRO-Mitarbeiter für die Berichterstattung und Bedarfsformulierung zur Beurteilung der Notwendigkeit von bestimmten Projektaktivitäten angewiesen sind. Im Ergebnis finden Wiederaufbau und ‚Entwicklung‘ oftmals nur vermeintlich statt. Aggregiert zeigt sich hier, wie in Afghanistan das Abbild staatlicher Strukturen errichtet wird, ohne dass diese dem entsprechen, was die Außenwahrnehmung transportiert, nämlich Erfolge im Staats- und Institutionenbau.

Kapitel 9 schlägt den Bogen zum konzeptionellen Rahmen der Arbeit und fasst den methodologischen, inhaltlichen und wissenschaftlichen Mehrwert der Dissertation zusammen. Dabei veranschaulichen die Analyse der Politik des Alltags im ländlichen Nordostafghanistan und die Schlussfolgerungen über die Beschaffenheit der lokalen sozialen Ordnung die Grenzen gemeinschaftlicher Organisation im Untersuchungsraum. Die Kernkonzepte – soziale Ordnung, *local governance*, Politik und Konflikt – werden abschließend noch einmal miteinander in Beziehung gesetzt. Der Ausblick in Unterkapitel 9.3 reflektiert die Ergebnisse der Arbeit im Hinblick auf die Entwicklungspraxis und soziale Wandlungspotenziale. Abschließend werden nach wie vor offene und weiterführende Forschungsfragen skizziert.



## Acronyms

ACTED	Agency for Technical Cooperation and Development
Afs	Afghāni (Afghan currency), 2006-12 average value: US\$1 = 50 Afs
AKDN	Aghā Khān Development Network
ANDS	Afghan National Development Strategy
AREU	Afghan Research and Evaluation Unit
BfE	Bundesamt für Entwicklungshilfe
CC	Canal Committee
CCC	Canal Communication Center
CDC	Community Development Council
CDP	Catchment Development Program
CDR	Community-Driven Reconstruction
Ch./Chs.	Chapter/Chapters
CoP	Commander of Police
DDC	District Development Council
DDP	District Development Plan
DDR	Disarmament, Demobilization, Reintegration (Program)
DIAG	Disbandment of Illegal Armed Groups (Program)
Dr	Dr med
FATA	Federally Administered Tribal Areas
fig.	figuratively
fn.	footnote
FP	Facilitating Partner
GAA	German Agro Action
GoA	Government of Afghanistan
GRSP	Ghazni Rural Support Program
GTZ	Gesellschaft für Technische Zusammenarbeit
HJK	Hāji Jum'a Khān
IARCSC	Independent Administrative Reform and Civil Service Commission
ICARDA	International Center for Agricultural Research in the Dry Areas
ID	Irrigation Department
IDEAS	Integrated Development, Environment And Sustainability
IDP	Internally Displaced Person
IMF	International Monetary Fund
INGO	International Non-Governmental Organization
(I)NRO	(Internationale) Nichtregierungsorganisation
IWRM	Integrated Water Resources Management
KM	Katja Mielke (author's initials)
KRBP	Kunduz River Basin Program
MEW	Ministry of Energy and Water
MoEc	Ministry of Economy
MoF	Ministry of Finances
MoI	Ministry of Interior

MRRD	Ministry of Rural Rehabilitation and Development
NATO	North Atlantic Treaty Organization
NDPA	National Democratic Party Afghanistan
NGO	Non-governmental Organization
NRM	Natural Resource Management
NRMC	Natural Resource Management Council
NSP	National Solidarity Program
OECD	Organisation for Economic Co-operation and Development
PDC	Provincial Development Council
PDP	Provincial Development Plan
PDPA	People's Democratic Party of Afghanistan
PRSP	Poverty Reduction Strategy Paper
SMWA	Social Management of Water in Afghanistan
UN ESCAP	UN Economic and Social Commission for Asia and the Pacific
UN	United Nations
UNHCR	Office of the United Nations High Commissioner for Refugees
US\$	US dollar
USAID	United States Agency for International Development
WUA	Water User Association
WUG	Water User Group
ZEF	Zentrum für Entwicklungsforschung/Center for Development Research

## Acknowledgements

I cannot thank by name all the people who have helped me with the research for this book. Yet, I would like to acknowledge the hospitality, generosity and openness of my interviewees in Afghanistan, who also fed, hosted, advised and protected me many times. The book does not tell much about how I as a researcher experienced ‘the field’: the wedding party I happily danced at in Chārdara in 2007 or the *buzkashi* games I could still enjoy in Kunduz in 2009. I hope to be able to return the patience and trust of my hosts and respondents and have a chance to revisit their locales to give evidence that I have finished writing up my thesis. I had promised to read parts of it to them. They will find it prosaic and might not agree or appreciate my form of interpretation. But nevertheless I hope they see value in depicting the mundane perspective of everyday politics and how it sheds light on the usual constraints in which ordinary rural dwellers find themselves caught up in present-day Afghanistan. This perspective helps to comprehend rural society, the intervention, the responses it raised or did not raise, and the course of the overall state-building and reconstruction process with all its attendant detours over the last ten years.

I am thankful to Volkswagen Stiftung and the Center for Development Research (ZEF) for their financial support of my PhD-project. I owe special thanks to Nasrat for his company as a research assistant throughout most of my time in Afghanistan. My friend Barbara has been an inspiration for new thoughts and ideas with every new encounter; I hope for many more occasions to ponder on ‘things’ in the years to come. My parents deserve mention for their support and acceptance of what I do, though I cannot claim that they understand what drives me. Except for curiosity, I am not too sure myself. For academic input and encouragement I would like to thank my colleagues of the Amu Darya group at ZEF: Hafiz Boboyorov, Henrik Poos, Bernd Kuzmits, Andreas Wilde, and Conrad Schetter. Conrad trusted my abilities to carry out fieldwork in Afghanistan and to write up this book. I would have never been able to do so without his backing, moral support, and patience. Helena Cermeño did an excellent job assisting me with the maps. To Usman I am grateful for the poetry, and for the stories.

Finally, I take sole responsibility for the shortcomings, any errors, or misconceptions that the book may contain. To protect interviewees, throughout the text pseudonyms are used for all lay people who were alive at the time of finalization of the manuscript for submission (October 2012).

## Notes on transliteration

In this study, the transliteration of Dari and other local language terms (Uzbeki, Pashto, Turkmani, and Tajik) as recorded during field research is preferred to standardized transcription in order to enable the reader to recreate the respondents' accounts as closely as possible. The Dari (script) writing of the terms as they are used and pronounced in local parlance were transcribed following the Persian-German transcription suggested by Alavi and Lorenz (1994) with some minor adaptations for single letters, as displayed in Table 1.

An attempt has been made to transliterate all local terms, except for topographic names that have a proper and known counterpart in English (e.g., Hindukush, Kandahar, Kabul, and Wakhan) and terms designating ethnic group-belonging (Hazara, Uzbek, Turkmen) or local concepts, but with likewise common usage in English (mujahedin, jihad, Taliban). The plural of local terms has neither been Anglicized (*arbāb* to *arbābs*) nor indicated as local plural – whether normal or Arabic form – to avoid confusion for the reader not familiar with the local languages. For example, whether the word *muyṣafēd* designates one or more elders must be concluded from the relevant verb.

In quotations from secondary literature the spelling and plural forms used by the author were adopted, even though they might differ from the writing in the main text.

All transliterated terms, except for names, are listed in the Glossary (A2).

US English is used throughout the text.

**Table 1:** Transliteration of Dari letters

Dari	English
ا / آ	‘ (ā)
ب	b
پ	p
ت	t
ث	s
ج	j
چ	ch
ح	h
خ	kh
د	d
ذ	z
ر	r
ز	z
ژ	zh
س	s
ش	sh
ص	s
ض	z
ط	t
ظ	z
ع	‘ <sup>1</sup>
غ	gh
ف	f
ق	q
ک	k
گ	g
ل	l
م	m
ن	n
و	w/o/u <sup>2</sup>
ه	-/h
ی	i/y/ē/e ( <i>Ezāfe</i> )

<sup>1</sup> Except before capital letters.

<sup>2</sup> Depending on pronunciation.

# **Part I: Introduction**

## 1 – Introduction

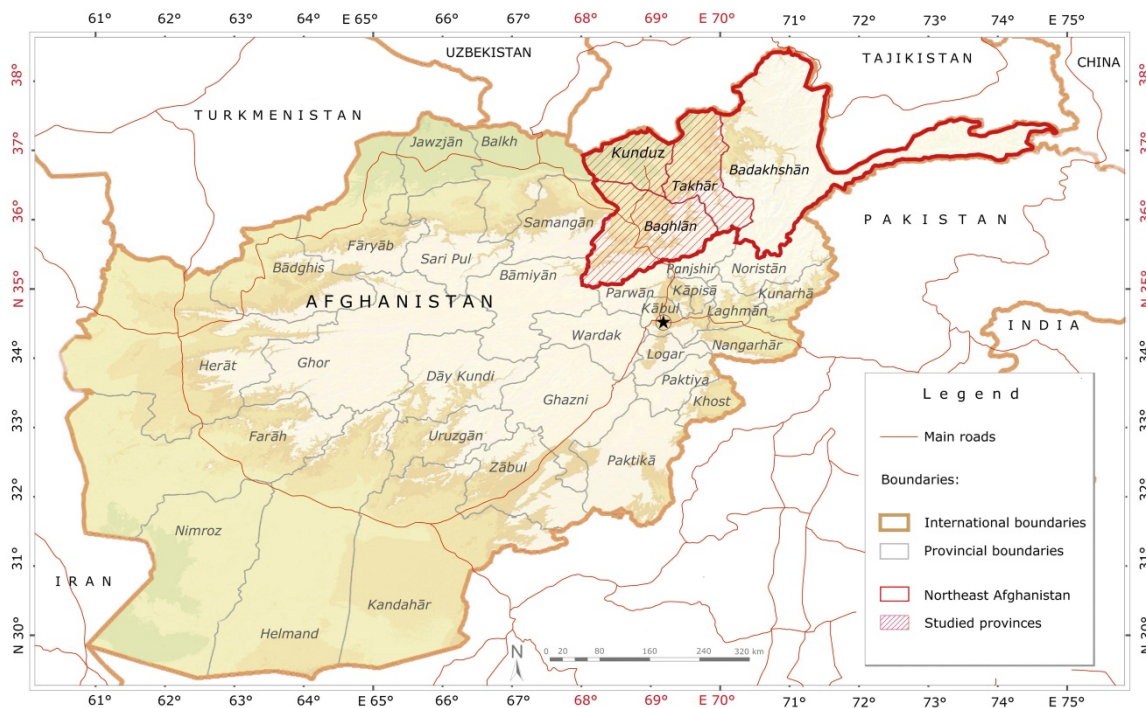
While I was rewriting the introduction to my thesis for the umpteenth time, suddenly the news announced that commander Muhamad Dāod Dāod had been killed along with the police chief of Takhār and several other officials, including members of the international forces, by a suicide bomber in the Tāluqān headquarters of the provincial governor. During my fieldwork, the presence of Dāod was interwoven with events and oral history accounts about local politics and changes in northeastern Afghanistan since 2001. He had lately served as the highest police officer in Afghanistan's north after completion of a term as Deputy Minister of the Interior in Kabul in charge of narcotics control. He started his political career as a body guard and later was regional sub-commander of Ahmad Shāh Mas'ud, the head of the Northern Alliance who was killed by two attackers disguised as journalists in Khoja Bahā'udin in northern Takhār two days before 9/11. Because the ordinary people of the northeast deemed Dāod as Mas'ud's heir apparent, he inherited the latter's prestige and respect, which rested to a large extent on the common perception that Mas'ud had been the only jihad-commander at the time of the Soviet occupation who had stayed in Afghanistan to organize military resistance from the battlefield and not a residence in Peshawar. Similarly, his military successes throughout the fighting against Soviet troops, during the subsequent civil war, and, finally, against the advancing Taliban made him famous while alive, and a martyr after his lifetime. Dāod had been on Mas'ud's side from early on, though not in any crucial position. At the national and international level, he became widely known after Mas'ud's death when he fought back the Taliban forces from Tāluqān towards Kunduz and finally helped to oust the Taliban from Kunduz in one of the fiercest, last battles of 2001. News reports<sup>3</sup> disclosed that Dāod had threatened to 'wipe out the Taliban from Afghanistan's north' anew only days before his death. In hindsight, it seemed logical to assume that he had fallen victim to the Taliban. However, rumors suggested that rival Uzbek factions were behind the attack. After all, it remained unclear whether he was the prior target of the attack in Tāluqān on 28 May 2011 or the German general and several soldiers who also attended the security dialogue meeting with the Takhār police chief, the governor and others. Clearing up the question is not important for this thesis. I chose to include the circumstances of Dāod's death in the introduction because it frames the location, the ramifications of political events and the actors in which my own fieldwork was situated.

This study relies on more than 14 months of fieldwork between 2006 and 2009 in three provinces of northeast Afghanistan: Kunduz, Takhār and Baghlān (see Map M1). During this period, post-Taliban northeastern Afghanistan witnessed a gradual deterioration of the security situation amid the presence of German military forces and the activities of dozens of international development organizations. In addition to the foregoing violence following a protest in Tāluqān against night raids by international forces a week before, the described incident on 28 May 2011 constituted a culmination of these deteriorating conditions. Before mid-May 2011, Tāluqān had rarely made it into international news because it was

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<sup>3</sup> See headlines and reporting in different news portals on 28 May 2011, e.g. "Afghanistan: Suicide blast kills top police commander", and "*Na severe Afganistana ubit general Daud Daud*" (Russian).

considered ‘generally peaceful’, especially in contrast to Kunduz, which had gradually gained the reputation of being highly insecure since mid-2006. The main stakeholders in the described incident were ‘the Taliban’, government representatives of all rank and style, international forces and an uprooted crowd of demonstrators. They displayed the common pattern used to interpret events in Afghanistan as a conflict between ‘us and them’ (that is democrats against Taliban, good versus bad, secularism versus Islam, developed versus backward people), which was based on tentative differences in culture, development and religion. However, analyses that were culturally more informed elaborated on the northerners’ (non-Pashtun) interests versus Pashtun agendas in the struggle for national domination, thus following mainly an ethnic view of the conflict. The resurgence of anti-government and so-called Taliban forces in Afghanistan’s north since 2006 is commonly interpreted as a consequence of failures of the Government of Afghanistan and the international military intervention from 2001 onwards. This indicates that the national and international context at government level is commonly taken as frame for investigation, thereby disregarding local-level processes and ignoring historical path-dependencies.



**Map M1:** Northeastern Afghanistan with provinces of field research 2006-09

When I began this PhD on local governance in October 2005 and started to conduct fieldwork in Kunduz, Takhār, and Baghlān in mid-March 2006, knowledge and information about local-level politics, ordering mechanisms and decision-making was sparse. Moreover, more than 25 years after the outbreak of violent conflict in Afghanistan it was uncertain how the war had affected rural societies and their community structures, people’s worldviews and mental cognitive schemes: in short, their life-worlds. This uncertainty was reinforced by the absence of scholarly work at the local level because of ongoing fighting and insecurity since the late 1970s. Prior to the 1980s, Afghanistan had been a popular area of study among German, American and French geographers, social anthropologists, and economists who generated extensive insights into local tribal and

economic structures according to the disciplinary research questions and theoretical paradigms of that time. During and after the conflict, research focused mainly on geopolitical questions. In a similar vein, discussions on state-building, failure, and development assistance dominate what has been published on Afghanistan since 2001. Macro-level studies with an emphasis on state functions and government agendas are on par with security-focused analyses related to terrorism and the so-called Taliban resurgence in the Afghanistan-Pakistan region. However, the subjectivities of ordinary Afghans within this political context, their perspectives on the war, on the promise of peace after 2001, and on the resurgent and currently worsening armed conflict have been understudied.

Nevertheless, as Dāod's career demonstrates, local people cannot be treated apart from the historical context of events in Afghanistan over the past 30 plus years. They are products, agents and subjects of this particular historical trajectory. Dāod was born in a locality called Taganchak in one of the side-valleys of Takhār's Farkhār district, which happened to be one of my main fieldsites. He made his way from being 'the driver of Dr Hussain' to a bodyguard of Mas'ud during the resistance against the Soviet army, to sub-commander during the ensuing civil war, to provincial commander (*amir*) fighting against the Taliban in the second half of the 1990s, to Chief of Police (*qomāndān-e amniya*) of Kunduz province (2004), to Deputy Minister of the Interior (2004-2009) in the Karzai administration. By the time of his death, he was the highest-ranking police chief of the 303rd division in north Afghanistan. Dāod's story is an example of how life stories in this part of Afghanistan have been intertwined with the broader political context and even international politics. However, at the same time his life path followed the common pattern of personalized network relations and factional appointments in order to maintain legitimacy and outbalance rival power claims.

As the title of this thesis suggests, I intend to (re-)locate and position rural Afghans' life-worlds (*Lebenswelten*), that is, everyday practices as well as the cognitive interpretation frames, worldviews and moral dispositions within the context of what is perceived to have taken place in Afghanistan since 2001. According to the mainstream interpretation, we witness state-building processes and development efforts, although their limited success is largely acknowledged. I take a critical stance towards this macro-perspective by supplementing it with a view 'from below'. My approach rests on my personal conviction that an inside perspective on what seems to an outsider to represent state failure, terror, underdevelopment, food insecurity, scarcity and Islamist ideological beliefs, allows the researcher to investigate the collective perceptions of locals, the categories they employ to make sense of the world surrounding them, and the events they are drawn into and affected by. Thus, this approach seeks to reveal the fabric of community relations and the local grammar of understanding and interpretation within this society.

This thesis traces the evolution of the social order approach as a conceptual framework. The idea for establishing social order as conceptual framework took its origin from my earlier studies of Eastern European transitions and is based on theoretical considerations of order in stateless societies that I encountered during my first months as PhD-student at the Center for Development Research (ZEF). Subsequently, new insights gained from my fieldwork substantiated this concept and motivated me to look into questions of order once



again from a theoretical perspective and even motivate my colleagues to do so. The result was the initiation of a long-lasting process of discussion within our project group at ZEF on the topics of social order, statehood, and institutions, which were augmented by empirical insights from the Āmu Daryā border region.

This thesis is one of three case studies in the research project ‘Local Governance and (fragile) Statehood in the Amu Darya Borderlands’, funded by Volkswagen Foundation and carried out at ZEF at Bonn University. The project goal was to trace similarities and differences in state-society relations and their institutional underpinnings north and south of the Āmu Daryā because the region once shared the same social, economic and cultural institutions. Guided by several dichotomies implied in the original funding proposal I began to study state-society relationships in the scope and role of formal versus informal institutions. What I found during fieldwork, however, was that it was naïve to conceive ‘the state’ as something external from society and that the somewhat normative bias underlying the distinction between formal and informal institutions is more confusing than heuristically useful. Consequently, one of the main arguments in this thesis is that these dichotomies do not hold. Instead, they obstruct a view of deeper explanatory factors and power relationships that inform local governance structures and politics.

In this thesis, I describe and analyze in detail the mechanisms underlying everyday resource governance in selected sites of seven districts in Afghanistan’s northeast. The result is a field-specific micro-analysis of power derived from different empirical case study vignettes of local resource-user communities. The rationale for focusing on ordinary environmental resources, such as water for field irrigation and rangeland for livestock, fuel wood<sup>4</sup> collection and dry-land farming, is that the large majority of population in northeastern Afghanistan depends on these resources for their everyday livelihoods, which are at the subsistence level. In the absence of other significant income-producing sectors, agricultural produce, including the environment, forms the mainstay of the incomes of average households. However, these resources become increasingly contested, sometimes temporarily as in the case of irrigation water in times of drought, but more permanently in the cases of pasture grounds and wood or plant fuel.

The title of this study, “(Re-)Constructing Afghanistan? Rewriting rural Afghans’ *Lebenswelten* into Recent Development and State-making Processes. An Analysis of Local Governance and Social Order”, summarizes the research objective as well as a part of its main message, and it also hints at the ethical-methodological considerations I had in mind when I conducted the research and progressed to writing this thesis. The latter allude to my interpretation of the interview data, documents and other material, as well as the recognition and reflection of the fact that it always constitutes a second order construction (see Ch. 3). Given the research objective of understanding local governance processes and the make-up of rural society’s social order, the analysis aimed to take stock of the differences that are characteristic for the post-2001 rural society in contrast to earlier accounts about rural Afghan society, which were collected and represented by pre-war anthropologists and representatives from other disciplines (see Ch. 4). Against this

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<sup>4</sup> In this thesis, I speak of fuel wood as entailing wood fuel and non-woody fuel plants. See Ch. 6.2 for details.

background, the query ‘(Re-)Constructing Afghanistan?’ makes sense. However, even more plausible is the second semantic dimension of the term, which refers to the literal reconstruction of the country Afghanistan – of its polity, economy, infrastructure, and so on. One of several assumptions behind the rationale of the international intervention in Afghanistan after 2001 was that the country and its people had experienced a total breakdown. This referred not only to the physical infrastructure but included the human capital and governance dimensions as well. Moreover, the perception of an institutional void spurred the design of good governance components as part of large-scale rural reconstruction programs. It was commonly assumed that community organizations should be established from scratch in order to replace bad governance structures with democratic ones (see Ch. 8).

However, the results of this thesis clearly negate this assumption, demonstrating that in rural Afghan communities, there is no dearth of governing rules, regulations, and normative principles for organizing everyday communal coexistence and the access to resources. In addition, the insights derived from the fieldwork show that an active construction process within the framework of rural development measures has been established. At the national level it provides evidence of putative state-building, which I term ‘state-making’ given its negotiated character at the local community level (see also Ch. 8). A main conclusion of the thesis is that rural society in northeastern Afghanistan is characterized by highly unequal power structures that manifest in social inequalities and non-solidary behavior within and between communities. Furthermore, it was found that the programs and projects of the international development intervention serve to buttress and reconfirm existing inequalities, instead of altering and modifying them—despite their good intentions.

The effort to trace the underlying processes of local governance leads to several conclusions about the mechanisms and characteristics of the social order of northeast Afghanistan’s rural society. Power relations are constitutive of social order. However, contrary to authors who are of the view that power is ubiquitous (e.g., Foucault 2008), the empirical analysis led me to the conclusion that the idea of omnipresent (relational) power is heuristically not very helpful for detecting it. The empirical data showed that a thick description (Geertz 1987) and analysis of power are by no means sufficient to use the term power as such. Instead, relevant representative concepts such as the notion of power resources and bundles of power resources are necessary to develop an operative concept of power in relationships.

### *Thesis outline*

The thesis is subdivided into four parts that could be also read separately, depending on the reader’s primary interest. First is the conceptual framework (Ch. 2), which represents the theoretical underpinnings of the predominantly inductive empirical inquiry, including its methodological dimension (Ch. 3). Second, Chapter 4 presents a review of the relevant literature and a state of the art scientific inquiry into questions of social order and local governance in rural northeast Afghanistan from the pre-war decades until 2007. The third major part comprises the presentation of the empirical data from the case studies (Chs. 5 and 6), and the subsequent analysis (Chs. 7 and 8). Part 4 is the conclusion (Ch. 9).

## *Chapter outline*

**The second chapter** introduces the basic analytical categories – social order, local governance, *Lebenswelten*, power and legitimacy – and discusses their interrelationships. I rely on the notion of social order for framing my research on a meta-conceptual level, which provides for elaborating guiding theses and possibly a figuration of how local governance, the idea of life-worlds (*Lebenswelten*), and power can be separately conceptualized and mutually positioned in interaction with the respective other. To elaborate this analytical framework and do justice to the cognitive and discursive elements of social order, values, norms and moralities are also clarified. These elaborations serve to provide transparency regarding my own theoretical biases and academic socialization as a political sociologist by interest and training.

In **Chapter 3** I discuss my methodology, that is, first, the entry into the field and limitations of practical fieldwork that were caused by deteriorating security conditions in the research area between 2006 and 2009. Second, I discuss the application of a methodological approach that I called the ‘French braid approach’. It was developed to grasp the complexity, emergent structures and the non-visible of the logic underlying everyday local politics in rural Afghanistan. The metaphor is simple: in a French braid, every new step in the braiding process gathers additional hair, making it thicker at first and in its main part, subsequently forming a thinner end held together by a hairband. Similarly, the empirical data was presented as combination of thick description with increasing complexity by subsequently adding preliminary analytical thoughts. On this basis, few main analytical strands could be singled out for abstraction beyond the natural resource realm (see Ch. 7).

**Chapter 4** provides a literature review and summarizes the state of the art of academic insights related my local governance in northeastern Afghanistan as conceptualized in this thesis (Ch. 2). It is subdivided chronologically into three bodies of literature: 1) academic publications on local governance-related themes until the early 1980s; 2) scholarly writings based on research during the subsequent 20 years of war in Afghanistan; that is under Soviet occupation, in civil war, during Taliban-rule; and 3) the post-2001 literature. The chapter concludes that the available knowledge at the time I conducted my own research was neither consistent nor coherent; neither was it concerned with questions of governance as conduct and everyday political processes. The war has affected local society strongly, yet the literature and available knowledge until 2007 does not specify the ways in which it changed.

Based on a mix of empirical insights and further readings of conceptual literature, **Chapter 5** clarifies what constitutes ‘the local(e)’, that is, a meaningful level and unit of analysis for this research. After introducing the geographical characteristics and settlement history of the research area, the discussion focuses on the contrasting notions of community from an emic versus an administrative perspective and the fluidity of place-based notions of locality. By concluding on user communities as place-based levels of analysis, I highlight that they combine dimensions of territoriality (village) and social interdependence or power in networks (community) while operating on various scales. The latter depend on the territorial expansion of the use practices for a resource in question, for example, a

command areas in canal networks, or mountainsides, valleys, and slopes that are used by fuel wood collectors or rangeland user communities.

In **Chapter 6** I present the case studies for three different resource-types, that is, regarding the access, allocation and distribution of irrigation water, pasture land and fuel wood, at different sites. I illustrate how access to and distribution of everyday environmental resources is governed. The amount of detail offered throughout Chapter 6, is meant to provide the interested reader with a thorough introduction to emic concepts and normative notions that guide the actors' subjective motivations and rationale for social interaction (*soziales Handeln*). Based on the elaborations in Chapters 2 and 5, local governance is operationalized as the exercise of power manifest in the structuring and structured ordinary practices to regulate access, of environmental resources within resource user communities in Kunduz oasis and Takhār's and Baghlān's mountainsides. The presentation of the data – based on the empirical question 'Who gets what and how?' – focuses on irrigation water governance in the first part (Ch. 6.1) and mountain resource governance, such as pastures and fuel wood, in the second part (Ch. 6.2).

**Chapter 7** provides in a first step (Ch. 7.1.) a comparative analysis of access patterns to irrigation water, grazing land and fuel wood. Resource users' varied abilities to derive benefits from these resources are discussed by looking at the underlying 'bundles of power resources', such as place-based factors, the belonging to a social community, authority, social status and economic resources. In a second step, I abstract from the realm of natural resources access patterns and deduct general mechanisms that shape local governance processes and the rural social order. These include mechanisms for dispute resolution (7.2), the mediation of access in social relationships at the community level, aspects of representation, especially towards the government and by the state towards the people (7.3), and pluralistic and contested legitimacies (7.4).

In **Chapter 8**, I show how the depicted rural social order and local governance mechanisms have adapted to the introduction of programs designed to challenge and alter traditional local social structures in the framework of the post-2001 development intervention. I contrast the intervention logic with empirical examples of three projects of the Kunduz River Basin Program (KRBP) to point to the gap between *de jure*, assumed and *de facto*, putative state-building in Afghanistan's rural areas. It results in mere state-making by middlemen and brokers who negotiate the interface between local social order and international development paradigms.

In **Chapter 9**, I reconnect the empirical findings with the social order approach outlined in Chapter 2 in several steps that unfold the methodological, content, and scientific contribution of the thesis to different strands of scholarship. The thesis concludes with recommendations for further research.

## 2 – Conceptual framework

In this chapter, I detail the scientific theories I have referred to in the research presented in this thesis. The research was embedded in a broad conceptual framework to allow inductive<sup>5</sup> inferences. In the first step (2.1), the three-fold meaning of the term social order will be introduced in order to convey its significance as an analytical framework within which several premises about the configuration of order will be established. In the second step (2.2), I conceptualize power as fundamental tenet underlying social order and determining the working mechanisms of governance and legitimacy, which also reproduce social order. The third subchapter will elaborate on the normative framework that I subsume as moralities to show how it qualifies the assumption of rationality in all social action processes (2.3). In this context, by emphasizing the harmonization of rationality and moralities, I reason against a culture-based or culturally biased interpretation (2.3.1). To demonstrate how, from the external perspective, seemingly irrational behavior, such as the tolerance of unequal power relations by highly unequal distribution patterns of resources by the disadvantaged can be explained by rational logic in the internal perspective. I introduce several approaches in 2.3.2. Because such relationships are not abstract, but related to the organization and ordering of various facets of everyday human life, I will refer to them as mundane. To capture this aspect, as well as to operationalize the subjective perspective of everyday experiences, I emphasize the notion of *Lebenswelt/en* (life-world[s]) (2.3.3). It represents a cognitive locus where experience, values, and knowledge inform social interaction (*soziales Handeln*) and attach meaning and significance to them. In the fourth step, I use the theoretical underpinnings to derive a concept of local governance for the subsequent analysis of my empirical data (2.4). The last paragraph will summarize the main points of this chapter (2.5) and provide guiding theses for the empirical analysis following in Chapters 5-7.

### 2.1 Framing the meta-concept: Social order

In the social sciences, discourses on the problem of order have been dominated broadly by two underlying notions: One notion connotes order and ordering and has stipulated order as the antipode of chaos, disorder, fuzziness and violence.<sup>6</sup> In contrast to this predominantly

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<sup>5</sup> The seeming contradiction of inductive inference and the introduction of conceptual-theoretical underpinnings provided in this chapter will be dissolved throughout the following elaborations. The concluding guiding theses of the conceptual framework summarize the assumptions I carry, without them determining the content of my inquiries. Thus the conceptual frame allows a hermeneutic understanding of local governance and social order of rural Afghan society that is based on empirical observation and close interaction with ‘the field’ and its agents.

<sup>6</sup> The antipode has been topic of inquiry in mathematics and natural science disciplines, especially chaos theory, however, with changing objectives. While the binary contrast dominated until the 1970s, since then chaos and order have been seen as complementing each other, a hidden order is sought in chaos, and chaotic processes in seeming orderly contexts are investigated. See Kriz (1995) and Anter (2007: 50).

normative perspective on order, the second notion emphasizes the constructivist aspect of order, according to which it forms at cognitive levels in the observer's mind and thus implies subjective meanings. Both notions are neither mutually exclusive nor are they homogeneous concepts. Viewed from a scientific-historical angle both notions can be positioned in chronological order. The first is affiliated with modernist scientific thinking and the second is attributed to post-modernity's post-structural approaches. Nevertheless, the latter does not necessarily escape a normative bias, as individual processes of ordering are likely to make use of normative frameworks for orientation in everyday life. The identified overlap suggests the existence of a multitude of phenomena of order. In addition, semantics provides for the existence of several parallel meanings of order in popular versus academic accounts (Anter 2007: 23).

I do not intend to explore this binary artifice further because it is to some extent artificial and random. Moreover, if it is used to reflect upon societal phenomena, it subsides to highly complex entanglements that structure social logic empirically. Instead, I argue that the rejection of popular dichotomist conceptions has the potential to integrate disorder, violence, and fuzziness within a conception of order. I will call this concept 'social order' throughout the thesis. The sections provide lengthy theoretical exploration and intensive discussion of the issues of order, state-society-relations, institutions, and cognitive aspects among members of the Amu Darya project group at ZEF between 2006 and 2010. The preliminary results are published as a ZEF-working paper titled "Dimensions of social order: Empirical fact, analytical framework and boundary concept" (Mielke et al. 2011). The conceptual considerations I unfold in the subsequent paragraphs take the joint elaborations further in order to develop my empirical analysis.

### **2.1.1 Social order as distinct from binary notions of orderliness versus chaos**

In social theory and sociology, ontological aspects of social order and its constitutive components have been the subject of extensive debates in spite of the apparent omnipresence of conflicts, societal changes and multi-level complexity (Münch 1996: 127). Although a theory of social order has not yet been developed, several sociologists and academics in related subjects (e.g., anthropology, political science, law and economics) have proposed various ideas about how to grasp the concept of social order from an epistemological point of view, particularly how social order is possible (Parsons 1951) and how it can be investigated.<sup>7</sup> The idea that social order provides a stable equilibrium between ordering and disordering moments lies at the core of the majority of sociological thought (Anter 2007: 50). Put differently, order is seen as a gradual phenomenon, which implies the absence of order as a negative outcome and the achievement of peaceful relations between individuals as a positive outcome (Wrong 1994: 2, 20). Social order is commonly seen as a matter of degree in which different levels can be crafted and sequenced according to criteria such as the collective

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<sup>7</sup> For both, the ontological and epistemological inquiries into social order see exemplary the reader compiled by Hechter and Horne (2003).

orientation of action. Consequently, a common reading argues “the more (...) individual behavior is collectively oriented, the higher the level of order” (Hechter and Horne 2003: 27). Underlying this interpretation is Thomas Hobbes’ conception that the individual is at war with every other man – a war of all against all. To counter this concept, in his *Leviathan* Hobbes outlines the idea of a strong central force that tames people’s destructive behavior (Hobbes 1962 [1651]). Hobbes is regarded as the first to have posed the problem of order and in the *Leviathan* offered a solution that has enlightened different thinkers in political economy (Marx, Engels, Hayek), ethnomethodology (Mead, Goffmann), general sociological theory (Durkheim, Weber, Merton 1968), and system theory (Luhmann, Parsons). Essentially, the repertoire of resolutions is broadly norm-based,<sup>8</sup> holding that large-scale social consensus provides the prerequisite to societal integration.

In close affinity with Hobbes’ idea of the Leviathan as absolute sovereign, modernity has conventionalized the state as the main norm-setting and -enforcing institution (Weber 2005 [1922]; Jellinek 1900; Almond 1988; Skocpol 1985). With the historical dominance of Western political thought and the subjugation of territories worldwide during the last two hundred years, statehood came to be seen as the principal model for the social organization of societies,<sup>9</sup> in both academia and politics. From the peace treaty of Westphalia to decolonization, the idea of the nation state as the political vehicle that integrates politico-administrative, economic, legal and social functions within a sovereign entity towards the outside, that is, other states, derived universal status and value. As a result, the project of statehood is unquestioned in today’s global politics, even if the steering capacities and regulatory functions of nation states have become increasingly questioned beyond the constitutional regime level, such as security and economic affairs, and have tendencies towards supra- and trans-nationalization of governance. The stipulation of statehood as the main ordering principle by the authors mentioned above has been epitomized in the recent debate among political scientists around state-failure and weaknesses. The discipline internalized the Weberian concept of the state (*Anstaltsstaat*, literally: *Anstaltsbetrieb*) (Weber 2005 [1922]: 39). Macrosociology’s preoccupation with methodological nationalism, that is, taking the modern nation state as frame of reference for historical, political, and sociological inquiries (Mann 1990: 15; Zangl and Zürn 2003), further consolidated both states and statehood as units of analysis. The topics of statelessness and stateless societies have been addressed by social anthropologists (Halbmayer 2003; Sigrist 1979; Elwert 2001; von Trotha and Klute 2001) and social scientists in all disciplines, who have analyzed the long *durée* phenomena (Mann 1999, 1991, 1998, 2001; Elias 1997, 1997a; Popitz 1968/2004).<sup>10</sup>

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<sup>8</sup> Representatives of this category are Durkheim (1992 [1930]), Merton (1938), Parsons (1937), Weber (2005), Habermas (1995 [1981]) et al. For Thomas Burger’s critique on Parsons see Burger (1977, 320); Durkheim’s ideas and Merton’s conceptualization of anomie were developed further by Richard A. Cloward (1959).

<sup>9</sup> For my own understanding of societies, which does not follow the assumptions of methodological nationalism, see below.

<sup>10</sup> In the political sciences’ school of International Relations, French researchers were among the first who wrote about the peculiarities of statehood in non-OECD areas, particularly Africa, and were able to show that the

Although the above discussion is general, I will link the nuances by introducing my own approach regarding the nexus between social order and statehood in subsequent paragraphs. It follows the example of ethnographers, anthropologists and sociologists who carry out micro- and meso-level studies with a primary focus on individuals and groups (local societies). In their works, statehood is either qualified by ignorance because it does not constitute a variable for the particular research, or statehood is studied ‘from below’ at state-society interfaces through an analysis of everyday practices and modes of representations of a particular state and its policies (Ferguson 1994; Scott 1998; Gupta 2003; Christophe 2005).<sup>11</sup> Given the context of my research on local governance in northeastern Afghanistan, the state cannot be ignored. However, here the significance of the state is questionable and thus government institutions, their representatives and everyday state-society interactions pose one among several research threads. In this context, I want to point out the heuristic value of the social order concept as an analytical framework. The previous remarks indicated that different disciplines deal with aspects of social order such that they try to comprehend the status of certain social environments. Applied and policy-related researches more often than not include an implicit normative understanding of social order and see it as gradual phenomenon. Most contemporary theoreticians agree that social order is to be treated as a non-normative concept but not as given. For example, Rehberg (1994: 47) stated that social order embodies any durable structuring activity (*dauerhafte Strukturierungsleistung*) in social relationships. His view represents a neutral approach that is usually not taken for granted, given other researchers’ preoccupation with attempts to solve the problem of order by identifying causes and outcomes to deduct possible social policy implications,<sup>12</sup> or equating the meaning of social order with that of system, regularity and predictability (Wrong 1994: 37; Anter 2007: 42).

I propose to distinguish the normative status description of social order as a factual issue, that is, how it is discussed by philosophers and how it is seen by public perception, from social order as an analytical framework<sup>13</sup> and its potential use as an interdisciplinary and possibly transdisciplinary boundary concept (Mielke et al. 2011). Consequently, I understand social order as an empirically observable web of social fields consisting of social structures (ibid: 2)

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standard state centric assumptions are not fruitful for political analysis. See for an early example the joint volume of Bayart et al. (1999).

<sup>11</sup> Gupta’s ethnography of the Indian state through a study of bureaucratic practices, the state’s institutional culture and its representation in the mass media is most interesting in this regard. See Gupta (2003 [1995]). For the former Soviet Union Ledeneva (1998) showed how informal contacts (*blat*) and personal networks subverted the ideological and moral foundations of Soviet rule and the implications for ‘reconstruction’ (Easter 2000) of the post-Soviet Russian state in the 1990s. This state-building process followed network patterns similar to the ones identified as crucial for the evolution of the Soviet state in the 1920s (ibid.).

<sup>12</sup> Hechter and Horne’s reader (2003) assembles texts of different authors into five categories of solutions for the problem of social order.

<sup>13</sup> As noted by Mielke et al. (2011) the social order concept does not in any way claim to provide a theory. This idea is close to the realist theory’s understanding of theory as ‘ordering framework’, according to which theory does not order given observations or data, but instead negotiates their conceptualization, even as observations. See Sayer (2010: 53, 84).



and define it as the structuring characteristic of individual group members' and collective actors' socially constructed reality. As structuring device, social order provides the frame and basis of social interaction processes (*soziales Handeln*) that shape outcomes, depending on the interplay of social practices and cognitive factors. Conversely, social order is influenced and restructured by these same processes and outcomes. As a result, social order constantly reproduces itself but never ceases to exist. It is not a universal phenomenon but is subject to specific contextualization – cultural, historical or regional – possibly all at the same time and changing over time. Thus, not only one but also several social orders can be imagined. I use the subjunctive here because viewing social order from a researcher's perspective always depends on the research interest, specific research questions, and the unit and level of inquiry. These determine the context that is deemed relevant and valid. However, in marked contrast to Anter (2007) and many other authors who conceptualized social order as, for example, 'three fundamental orders of modernity', that is, modern economy, law, and the state (ibid.: 7), my concept of social order positions the individual and social groups of individuals in the center. Consequently, the concept of social order is configured from the perspective of collective action, as experienced by the subjects who are members of the same community (see Chs. 5.2 and 5.3).

Correspondingly, the idea that social order always persists (ibid: 5) has two implications: One, in contrast to Anter (1997) and Hechter & Horne (2003), I do not conceptualize social order as a phenomenon with characteristics of increasing or decreasing qualities. Thus, I reject the idea of gradual change in the status of a certain order that moves between complete order and the absence of order, that is, disorder or anomie (Merton 1938). A social order is characterized by a complex interplay of processes that link regulatory practices and rules in the form of norms, values and underlying cognitive factors. Thus, social order is not judged by the outcomes and results of these processes, albeit they could be captured at one point in time, that is, from a snapshot perspective. Social order as a process is constituted by the mechanisms and practices (incl. discourses), that shape everyday social interactions. In settings where an observer seems to witness anomie, chaos and the like, social order cannot be deemed absent. Instead, social order follows rules and regulations that the outside observer is not able to perceive immediately, because he is not familiar with the context and may be insensitive towards non-institutionalized practices. Therefore, he cannot grasp its meaning by short-term observation. He would also be well advised to not fall into the trap of passing judgment on the normative, moral or other quality of the society in question without learning about the perspectives of those directly involved in it. Second, also in contrast to Rehberg (1994), I propose that because a social order does not change rapidly. Instead, I ascribe a major role to structural variables linked with cognitive factors. They make incremental adaptations of the structuring-restructuring mechanism more likely than sudden radical shifts in the regulation of daily affairs among members of a certain society (see below).

Before explaining my understanding of how social order is constituted and reproduced, two other parameters underlying this research are summarized briefly. These are the sociological premise and the anthropological premise (Mielke et al. 2011: 5). The first relates to the

theoretical approach of ontological constructivism (Finn 2008) in its moderate form. It views social reality as socially constructed through the practices and knowledge of social actors (ibid: 31). This moderate reading of social constructivism does not extend to physical reality, however. Thus, physical surroundings, that is, landscape and nature, do not reflect a construction of any kind, but provide the materialist framing and background setting in which social relations are embedded. In the tradition of Berger and Luckmann (2001), social order is thus to be understood as “the structuring device for processes and realities that are constantly being (re-)constructed by its individual or collective protagonists” (Mielke et al. 2011: 5). The analysis will partly include a heuristic constructivist approach to show how such construction processes are accomplished in rural society of northeastern Afghanistan (see methodology, Ch. 3). The conception of humans as social, but not necessarily societal beings (Mann 1990: 34) delineates the core assumption of the anthropological premise. It assumes that individual human beings are always part of interrelations with other individuals or groups; nobody lives in isolation. However, there is no necessity for the existence of large-scale collective action units like societies on nation-state level or other aggregated, sub-state social totalities. Social interaction – even if it takes place indirectly at times – is part of daily life and constitutes human existence. It might imply, to put it in popular non-academic terms, hostile or friendly relations. From a sociological perspective, social interactions can be conceptualized as reflecting power relationships. By exploring the concepts of omnipresent power, power in networks and fields of power (Foucault 2005; Bourdieu 1987; Mann 1990), I will show how all social connections that humans enter can entail power relationships (section 2.2). By combining these insights with considerations of theories of action and the life-world-concept, I propose that different manifestations of social order can be grasped and analyzed (section 2.3).

### **2.1.2 Unpacking social order: Towards a post-institutionalist perspective on politics**

The concept of social order must be unpacked to render it empirically investigable. In a previous publication, my co-authors and I suggested that the structuring and structured character of social order is determined by the interoperation of institutionalized practices, that is, institutions, and cognitive factors, which make up a specific worldview. The assumption is that social order can be traced empirically in human interactions (Mielke et al. 2011: 7-8). Institutions and worldview are mutually enforcing and interdependent. Furthermore, I argued that their distinction as constituents of social order serves analytical purposes only (ibid.). However, when exploring the history of theoretical research on institutionalism(s), the question ‘How to differentiate ‘worldview’ from ‘institutions’?’ also arises on the practical analytical level. I show in the next paragraphs that the distinction is not clear cut. Consequently, I argue that it is appropriate to use a slightly different terminology throughout this thesis.

For a rapprochement of the concepts of institutions and worldview, it is worthwhile taking a closer look at three disciplinary strands produced by conventional institutional thinking: historical, sociological and rational choice institutionalism (DiMaggio and Powell 1991;

Ornert 2006; Srivastava 2004). Political analyses of institutions have heavily borrowed from all three branches at different times to varying extents. In the 1950s, theorists who sought to understand politics and its outcomes, such as economic and political performance, concentrated on an analysis of material and formal structures in the tradition of so-called old institutionalism. However, they were not very successful because their analyses tended to be descriptive and a-theoretical in nature (Easton 1971; Eckstein 1979). The next two decades witnessed the predominance of behavioral approaches in political science to explain political outcomes by focusing on the behavior and beliefs of groups and individuals. However, these studies did not explain differences in performance or policy outcomes among countries and societies; therefore, institutionalism was newly revived with a focus on organization studies. In the 1980s, the dimension of power and its interrelation with institutions were used as variables in investigations (Wrong 1979). Since the 1990s, North's interpretation of institutions as rules of the game has reset the focus of institutional thinking on individuals and incentive systems (North 1998).

The prominence new institutional economics (NIE) gained after Douglass C. North (together with Robert W. Fogel) received the Nobel Prize award for their new economic theory on institutional change in 1993 has to some extent overshadowed other traditions of institutional thinking in neighboring social science disciplines. North's success has to be seen in close connection to the failure of other scientists and conventional neo-classic economic models to foresee the dissolution of the Soviet Union (North 1993). His distinction of informal versus formal institutions as incentive structures that shape human interaction represented a broadening of the explanation of economic performance by adding the idea of slow-changing cognitive factors, necessary legitimacy patterns and respectively evolving path dependencies, the role and combination of which enabled a new understanding of long-term processes of economic change (North 1993, 1998). Subsequently, it provided new insights into why some states are better off than others. North's widely adopted definition of institutions as rules of the game and their clear distinction from organizations (players in the game) marked a major contrast to earlier conceptualizations of institutions by conventional theories of institutionalism and institution, especially in political science. Given North's reservation about classical rational choice assumptions as well as the emphasis he placed on the importance of ideas, mental models and collective learning processes, NIE occupied a center position between classical rational choice institutionalism on the one side and traditions of historical and sociological institutionalism on the other side (North 1993; Denzau and North 1994). The introduction of the formal versus informal institutions distinction became a paradigm of new institutionalism, with the effect that a generation of scholars in the last twenty years has grappled with this distinction and applied it to processes of political change, particularly, but not exclusively, in post-socialist transition contexts.

As this brief overview shows, political institutional analyses traditionally focused more or less on material and formal aspects and lately predominantly organizational aspects related to macro- and meso-polities. Given that my own research originates from the micro-level of politics and is widely concerned with immaterial structures, particularly the process

dimension, it is relevant to explore the tradition of sociological institutionalism at this point.<sup>14</sup> Sociology was once coined by one of its main founding fathers, Emile Durkheim, as the science of institutions (Durkheim 1995 [1935]: 100). The discipline has conceptualized institutions as beliefs, values, ideas, and cognitive scripts that are assumed to affect actor behavior and thus to have explanatory value for understanding macro-sociological phenomena.<sup>15</sup> In this view, the broader institutional context affects material and organizational structures, but this linkage also functions in reverse. Distinct from rational choice institutionalism, and the historical strand, sociological institutionalism does not simply presume the existence of institutions. Instead, it aims at explaining the generation and persistence of institutions (Nee 1998: 1) and the consequences they have for social and economic actions and thus social change. Hence, it is plausible that power has been conceptualized as embedded in institutions rather than as manifest in individual behavior (Ornert 2006: 451). In addition, the idea of multiple layers of institutions that form highly diverse figurations depending on the characteristics and directions of causal links in different empirical settings is central to the sociologists' view (ibid.).

In their reading, informal institutions or constraints (North 1993, 1991), ideas, values, and symbols are assumed to embed formal institutions (Srivastava 2004: 17). The emergence of concepts, such as shared mental models (Denzau and North 1994), habitus (Bourdieu 1987), structuration (Giddens 1997), habits and frames (Esser 2004), and symbolic universes (Berger and Luckmann 1966) proves the high degree of relevance sociologists ascribe to cognitive patterns in understanding individual behavior, societies, and politics. However, although sociological institutionalism offers a non-functionalist view of the emergence, persistence and change of institutions, it also has been criticized for neglecting factors of human agency and ideas (Srivastava 2004: 3). Underlying this observation is the insinuation that the acceptance of the rational choice paradigm forestalls an understanding of complex dynamics in society and the role of culture in social change processes (ibid.: 12-17).

Indeed, the question of rationality, or assumptions about its degree, demarcates the three branches of institutionalism most emphatically. Obviously, rational choice institutionalism assumes complete information about the acting individual and neglects transaction costs, as in classical economic theory. In this functional reading, institutions provide constraints and opportunities for choice-making and thus determine the behavior of every single individual and his or her gain-maximizing strategies. Accordingly, institutional change sets in when conventional institutions have become dysfunctional and are automatically supplanted with a functional alternative to solve collective action dilemmas (Ornert 2006: 452; Srivastava 2004:

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<sup>14</sup> There has not been any explicit relation between anthropology and institutionalism until the end of the 1990s. According to Mehta et al. (1999: 6) anthropological works related to natural resource management often considered institutions as practices determined by social, cultural and political factors. In contrast, however, anthropological analyses of socialism often relied on neo-institutional approaches, uncritically so as Thelen (2011) pointed out.

<sup>15</sup> Such phenomena include, for example, social development, economic performance, political outcomes, the modes of societal production and reproduction (*Vergesellschaftung*).

21). In contrast, historical institutionalism acknowledges not only the possibility of unintended consequences of institutional constraints and of tensions resulting from the multiplicity of institutions with distinct patterns, but also their dependence on external cause variables (ibid.), which are all held to account for causing change. In the sociological tradition, however, change is generated from inside the institutional framework because of variations in the perception of surrounding conditions and the way these are translated into preferences, which then – as evaluated information – determine a certain decision. Classical rational choice theories are distinguished by the fact that they treat the perception and evaluation, that is, the processing of information and the formulation of preferences and interests, like a black box. The differentiation of interest and preference formation, the value assigned to ideas, and as a result the recognition that preferences are socially constructed is the merit of the sociological school and in part are also shared by representatives whose works fit the historical branch (North 1993).

None of the three institutional branches adequately considers factors of human agency. Several frameworks have been put forward that acknowledge the need to combine institutionalist approaches with actor theory, including cognitive factors, such as perceptions and preferences. For example, Renate Mayntz and Fritz W. Scharpf termed their approach ‘actor-centered institutionalism’ because it combines institution-centered analysis with a strong actor focus (Scharpf 1997; Mayntz and Scharpf 1995). Similarly, Ostrom et al. developed the Institutional Analysis and Development (IAD) framework based on extensive research on the access and distribution of common-pool resources emphasizing the diversity of action arenas<sup>16</sup> for institutional analysis (Ostrom 2005). It is remarkable that North’s concept of institutions as formal rules, informal norms and enforcement mechanisms has been widely cited in defining institutions as ‘rules of the game’. Even though North himself elaborated in depth on the challenges of ‘typically imperfect’ enforcement in the economic realm (North 1990: 54), I argue that it is exactly in the stage of rule-enforcement that new institutionalism lacks analytical clarity regarding agency. Given that “Human agents actively interpret the world and develop discourses that justify the particular worldview that they hold” (Chang and Evans 2000: 18, cited in Srivastava 2004: 20), the roles of mental models and human cognition deserve more systematic attention.

According to Orner (2006: 450), analytical confusion was caused by the fact that cognitive factors were commonly subsumed under the label informal rules, which, along with so-called formal rules, have been categorized as institutions. However, the confusion arises only partly because of the lack of a coherent definition of institutions. It is mainly caused by a normative bias that attributes a negative connotation to the informal and a positive one to the formal. The origin of this normative categorization goes back to the efficiency-oriented perspective of institutional economics, which conceptualized informal institutions predominantly as constraints to economic growth. Nevertheless, Helmke and Levitsky highlighted the

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<sup>16</sup> Ostrom conceptualizes different action arenas – each consisting of participants and the respective action situation – as possible levels of analysis (Ostrom 2005: 13).

potentially positive and enabling contributions of informal institutions as potentially complementing weak formal institutions, accommodating the functioning of organizations, and substituting dysfunctional formal institutions (Helmke and Levitsky 2004: 727ff). Hence, it seems inconsequential to differentiate cognitive patterns or an ascribed worldview from institutions per se because in the sociological tradition the former constitute institutions as well.

In this thesis, I intend to put forth the argument that the widely popular distinction between informal and formal institutions is inconsequential and should be abandoned. In an earlier paper, I used the labels institutions and worldview (while acknowledging their mere analytical distinction and subsequent institutional characteristics) to replace the distinction of formal and informal institutions, respectively. In the present empirical investigation of local governance processes, I propose to go a step further and suggest dissolving the idea of the binary composition of the concept of social order by turning to the concepts of life-world and moralities (2.3) and embedding both in an action-oriented (agency) approach. Consequently, conceptualizing institutions as social practices and moralities as cognitive factors without the formal-informal binary could be a first step towards a new, post-institutionalist perspective (Mehta 2007: 661) on collective action and agency. Underlying this proceeding is the consideration that my research, because it is designed empirically, takes a clearly inductive-hermeneutic perspective (see methodology Ch. 3), focusing less on policies as content and outcomes, and more on politics as the process dimension of local governance (2.5).

## **2.2 The political and the social: Power relationships and legitimacy**

In this subchapter, I will elucidate my understanding of power as a concept in order to substantiate the proposition that social order is ordinarily structured by power relations. The explanation requires several steps. First, I should clarify what I mean by politics and ‘the political’ (2.2.1). Furthermore, the distinction of the political from the social deserves a brief elaboration in this regard. Second, I will discuss the notion of power by reviewing the works of selected authors (2.2.2) that are the most relevant for my intention of further conceptualizing social order. The ultimate aim is to anchor social practices and cognitive factors (i.e., moralities) in a micro-analysis of power. Third, the aspect of legitimacy will be introduced as a key concern in my effort to develop an empirically applicable conceptualization of power (2.2.3).

### **2.2.1 The political and the social**

Consistent with the social order framework, my understanding of the political escapes narrow terms of political science. The common assumption in political science is that politics is embedded in society in a multi-dimensional way via institutions, norms and processes that are limited to a political field of action. This differentiation complies with the distinction of three

main dimensions of politics in the German political science tradition: polity (form), politics (process), and policy (content). This conceptualization separates political action from economic or social action and subsumes politics to entail the totality of actions that bring about binding decisions among the members of a certain society for the benefit of society as a whole and for the purpose of enhancing public welfare. However, underlying notions of interests, preferences, and preference formation are usually assumed and are not linked to resources and subsequent struggles over these resources. If the role of interests, preferences, values and ideas is considered more closely, the delimitation of the political from the economic and the social becomes untenable.

Instead, the diversity of interests, ideas, values and subsequent preferences in any single society (see 2.4) is tied to competition and conflicts about existing and available resources among the members of that particular society. Thus, the mitigation of the conflict between this diversity on the one side and the inter-subjective social character of humans, who live in constant interaction with others, on the other side (Popitz 1980: 50), is what I conceptualize as the political. According to Leftwich, politics entails “all the activities of conflict, cooperation and negotiation involved in the use, production and distribution of resources, whether material or ideal and whether at local, national, or international levels” (Leftwich 1994: 365). This definition renders the delimitation of a political sphere from an economic or social field artificial. Conflict over resources is a characteristic of everyday life and even if it is not obvious, it is assumed to exist in latent form and yields the potential for escalation and surfacing (Cosser 1956, Dahrendorf 1994). The way in which conflict is mediated is inherently political. The assumption that everything in principle is political does not foreclose that actions, resources or conflict also become politicized by certain agents because of their own interests and rationalities (Sennelart 2006: 486). According to Foucault, everything can be politicized.<sup>17</sup>

Thus, the political and power relations (see 2.2.2 below) are closely interwoven and multi-dimensionally entangled with social structure. Although some authors introduced distinctions between culture and social structure, I want to propose that they belong together and fuse with the political. For example, Luckmann (2007: 139) attributed symbols to culture and norms to social structure, both providing meaning for daily social interaction. However, culture is also constituted by institutionalized collective action embodied in norms and rules (ibid.: 143). Accordingly, social realities entail social, cultural and political dimensions. Thus, for the remainder of this thesis, the question is not whether something or some action is political, normative or social, but in which way and from which perspective it is deemed so and how this affects the peculiarities of local governance and social order in certain localities.

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<sup>17</sup> This idea was sketched out by Foucault as part of his manuscript on governmentality, pp. 22-24, and added in between the published lectures No. 7 (of 21 February 1979) and No. 8 (7 March 1979) of Foucault (2006) (edited by Sennelart), see fn. 133, 139 ibid.: 484, 486.

### 2.2.2 Social order is structured by power relations

My understanding of the political is that it penetrates social structures in every corner of societal relations. I employ a view of social power as a relational and dispositional concept (Poggi 2001: 12). The well-read reader will tend to put my approach in the ‘Foucault-Lukes-Bourdieu-box’ as this view implies that power is not something a person can possess and use as a resource. In this reading, neither does power necessarily have something to do with conflict, violence, or domination and authority (*Herrschaft*), nor does it occur episodically (Wrong 1979: 2). The academic discussion on power is largely dominated by a binary stylization between theorists who associate power with conflict on the one side (Wrong 1979; Hobbes 1962 [1651]) and those who emphasize the ordering dimension of power on the other side (Parsons 1969; Foucault 2005, 2005b, 2005c). However, if the discussion is followed closely, this it is not unequivocally dichotomist. Among political theorists, it is almost a truism that Max Weber, one of the main sources of inspiration for sociological and political thinking in the 20th century, remained vague on this issue. He defined power as the ‘probability (*Chance*) within a social relationship of realizing one’s own will even against resistance, regardless of the basis on which this probability rests’ (Weber 2005: 38).

The debate on power is entrenched in several major cleavages: one is constituted by contrasting perspectives on whether power is integrated in societal structures (Foucault 2005, 2008; Bourdieu 1998; Lukes 2005) and characteristic thereof or whether it is a characteristic assigned to a person (Wrong 1979: 1), that is, the ability to do something (such as in terms of potency versus mastery<sup>18</sup>). In this case, the lines of contention resemble the structure-agency debate in sociology (Giddens 1997; Esser 2004, 2004b). Following this idea, one is tempted to advocate the elaboration of an understanding of power to bridge these two seemingly antagonistic poles. One pole puts the intentionality of exercising power in the center and is thus closely linked to ‘doers’ and agency (Bourdieu 1998, Lukes 2005a). The other pole emphasizes multi-level linkages of structured figurations as an outcome of power execution (Foucault 2008a; Elias 1997, 2006).<sup>19</sup> A second cleavage manifests in the question of whether the execution of power is a resource and an end in itself (Weber 2005 [1922]; Arendt 1970) or a medium the usage of which rests on certain resources (Giddens 1997 [1984]; Uphoff 1989; Mann 1990; Bourdieu 2005 [1992]).<sup>20</sup> Various types and forms of resources have been

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<sup>18</sup> Among the authors who considered the potency factor are Arendt (1970) and Parsons (1969); the prominent domination or mastery-perspective of power is represented by Hobbes (1962 [1651]), Weber (2005 [1922]), and others.

<sup>19</sup> I owe this idea to Rehberg (1994: 71) who pointed out the basic distinction between power in the form of action-oriented enforcement intentions of will (*handlungsbezogene Durchsetzungsorientierung/akteursbezogenes Machthandeln mit Betonung der Willensdurchsetzung*) and solidified multi-dimensional figurations of power relations resulting from actions (*geronnene Machtbeziehungen/durch Machthandeln hervorgebrachte Spannungsverflechtungen*).

<sup>20</sup> In popular usage it is common parlance that achieving power is an end in itself (*Machtstreben*, i.e. ‘striving for power’). Michael Mann mentions military power that becomes an end during the process of power accumulation because at that emergent stage it constitutes a major organizational means to achieve other ends (e.g. deterrence, respect, authority and domination etc.). See Mann (1990: 21).



introduced into the discussion. For example, Uphoff (1989) distinguished six kinds of material and immaterial resources corresponding to six main kinds of power: political (authority), moral (legitimacy), physical (force), informational, social (status) and economic power. According to Mann (1990: 21), power is sought within social relationships at a point when its potentiality (Poggi 2001: 11f) to become a means to achieve a certain end has become evident. Put differently, social relations as such are conceptualized as resources for goal attainment achieved with the help of medium sources of power and its organizational means, which are a variety of ideological, economic, political and military factors (ibid.: 46-56). Thirdly, attempts to distinguish power from related concepts – influence, authority, domination, violence, force, coercion and even ‘state’ – have repeatedly brought new impulses to the debate.<sup>21</sup> A fourth cleavage manifests in differences about how the generation of power and authority is conceptualized if it is not taken to be something primordial altogether.<sup>22</sup>

As this overview of selected lines of discussion in the debate on power already suggests, no coherent and widely accepted definition of the concept exists (Wrong 1979: 1-20; Poggi 2001: 1; Lukes 2005: 15; 2005a: 61). It has become quite common among scholars to emphasize its contestedness (Lukes 2005: 110-124, 2005c: 477); it is seen as complex (Alber 2003), diffuse (versus authoritative in Mann 1990: 24f) and multi-dimensional (Lukes 2005c).<sup>23</sup> Such general categorizations are of little value, however, even if they qualify traditional mainstream thinking and invite new ideas. For example, the constructivist contribution that even the fact that what counts as power and being powerful matters, although it is usually also highly controversial (Guzzini 2005: 511), is a case in point. Guzzini pointed out the performative role or function of power in discourse. According to Guzzini, “how we conceive of power makes a difference to how we think and act in general, and especially in political contexts” (cited after Lukes 2005c: 477).

Hence, I follow Norman Uphoff’s conclusion to view power as a descriptive term that is not itself explanatory (Uphoff 1989: 321). According to him, “context and norms are major influences on any power-wielder and on his or her power means” (ibid.: 321f). Furthermore, I propose to speak of power relations as those in which power is being exercised. In this sense, my concept of power always alludes to *social* power relations.<sup>24</sup> Foucault (2005: 255f) defined

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<sup>21</sup> The spectrum of studies cannot be summarized at this point. See Uphoff (1989) for an attempt to clarify the concepts of power, legitimacy and authority.

<sup>22</sup> Giddens, for example, conceptualized structures of domination (*Herrschaftsstrukturen*) as a precondition for the existence of power. See Giddens (1997: 314 [1984: 257]).

<sup>23</sup> Weber himself characterized power as ‘sociologically amorphous’ concept and assigned less explanatory precision to it than to the concept of authority (*Herrschaft*) (Weber 2005: 38).

<sup>24</sup> I conceptualize social power relations further below as including both – constructive and domination aspects. Against this background, for example Poggi’s definition of social power relations as existing “wherever some human subjects (individual or collective) are able to lay routine, enforceable boundaries upon the activities of other human subjects (individual or collective), in so far as that ability rests on the former subjects’ control over resources allowing them, if they so choose, to deprive the latter subjects of salient human values. The chief among such values are bodily integrity; freedom from restraint, danger or pain; reliable access to nourishment, shelter or other primary material goods; the enjoyment of a degree of assurance of one’s worth and significance.”, is unsatisfactory because it entails only the domination perspective (Poggi 2001: 12).

power relations as action oriented towards influencing action (*auf Handeln ausgerichtetes Handeln*), what he called ‘strategic’ action.<sup>25</sup> He built his power analytics around the distinction of strategic power relations from rule or, in his words, ‘states of authority and domination’<sup>26</sup> (*Herrschaftszustände*). However, contrary to other classical thinkers like Weber (2005), Foucault introduced an additional dimension labeled ‘technologies of government’ (*Regierungstechnologien*)<sup>27</sup> and located it in the intermediate zone on the implicitly contemplated continuum from power to rule or authority.<sup>28</sup> Thus, he conceptualized rule or authority as an outcome and concentration of the technologies of government, which successfully stabilize and systematize strategic power relations. These governmental techniques include all forms, modalities and possibilities of guiding humans to regulate their behavior, to constrain their actions, and place reflexive reactions upon constraints (Foucault 2006: 13). However, they have not yet taken the form of institutionalization, that is, durable and stable modes of power execution, which is characteristic of states of rule and authority.

Foucault assumed that strategic power relations were a precondition for the existence of society and took the omnipresence of power as a given that constantly reproduces itself (Foucault 2008: 1090ff.)<sup>29</sup> Popitz, although he saw power in all social relationships, emphasized the origins and genesis of power, defining the latter as the ability to change something, including certain situations (Popitz 1968, 2004). Thus, although both authors share the assumption of omnipresence of power, Popitz’ view contains a fruitful bias towards agency, whereas according to Foucault power can only be traced in modes of action (Foucault 2005b: 255), which are abstract (e.g., traceable exclusively in discourse) and of structural nature, such as *gouvernement (das Regieren)*. Nevertheless, the approaches of both authors allow the conceptualization of forms of power execution that are not fully institutionalized to the degree that they represent states of authority or domination or even institutionalized rule of

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<sup>25</sup> Foucault speaks of strategies with regard to power relations against the backdrop that power relations include the exertion of influence on possible and expected action of others. See Foucault 2005: 261, also 2008: 1100.

<sup>26</sup> According to Foucault, such ‘states of authority and domination’ describe what is popularly meant with ‘power’ or ‘to possess power’. See Foucault (2005: 298), cited after „L’*éthique du souci de soi comme pratique de la liberté*” (Conversation with Helmut Becker, Raúl Fornet Betancourt, Alfred Gomez-Müller, 20 January 1984) in: *Concordia. Revista internacional de filosofía*, No. 6, July-December 1984, 99-116.

<sup>27</sup> Foucault’s concept of government is very broad because it includes all kinds of dimensions, from how wife and kids are mastered to how an institution is managed (Foucault 1984: 298). The modalities of guiding people, the steering of their behavior, the restriction of their actions and reactions, resemble systematized, regulated and reflected forms of power execution below the threshold of authority (*Herrschaft*) and above the threshold of spontaneous power enforcement.

<sup>28</sup> Despite the fact that his writings focused largely on power relations, Foucault did not elaborate any ‘theory of power’, neither did he publish coherently on it. Instead, he deduced concepts like discourse, dispositive, and governmentality from his concrete analyses. See Lemke 2005: 319f. Thus, it is no surprise that the volume ‘Analytics of Power’ (published in German 2005) is merely an assemblage of diverse fragments such as lecture scripts, articles and interviews with Michel Foucault on and related to power (Foucault 2005).

<sup>29</sup> Foucault’s thoughts on a ‘genealogy of power’ consequently comply with his assumption of the ever-existence, constant reproduction and thus omnipresence of power as a given (2008: 1098) because the genealogy is merely concerned with the theorizing of the historical changes of power mechanisms, not any possible initial evolution (of power mechanisms).

state (i.e., Weber's *Herrschaft*: institutionalized political power and authority).<sup>30</sup> Popitz (2004: 236ff) introduced the idea of different stages of institutionalization of power<sup>31</sup> (from power to legitimate authority to political societal entity [*Verband*] and state or government rule). As mentioned above, for Foucault, the dimension of 'technologies of government' was prefixed to a state of rule. Both authors stressed the process dimension of power, that is, what actually happens when somebody is said to exercise power over others, and how the institutionalization of power relations takes place (ibid.; Foucault 2005: 251). Accordingly – and in contrast to Giddens, who sees institutionalized authority or rule as precondition for power (fn. 22) – authority and rule (*Herrschaft*) do not necessarily have to evolve; a concentration can be lacking depending on the degree of institutionalization of power and its negotiated distribution in social relationships. Uphoff suggested that one can have power without authority and authority with little<sup>32</sup> or no power, assigning authority the status of a possible power resource (among many others, see above) (Uphoff 1989: 315). In this sense, power always refers to the (assumed or de facto) capacity to exercise power and not to the due exercise of power alone. Using the empirical example of the Yukpa tribe in the border area between Venezuela and Columbia, Halbmayr (2003) pointed out that the traditional leadership exercised power without having established authority structures. At the same time, government-appointed *cacique*<sup>33</sup> were imparted with legitimacy by the government, but unable to exert any influence on or direct the conduct of the members of the tribe, thus possessing authority void of power (ibid.: 97). In the case where power can be exercised without authority, the access, use and control of sufficient other power resources is secured, possibly even to a greater extent than would be possible for agents endowed with authority (Uphoff 1989: 315).

With his theory of social fields and symbolic power, Pierre Bourdieu (1998) added another dimension to this view of power. However, it is located neither beyond nor beneath the level of authority, but generally avoids such categorization.<sup>34</sup> Accordingly, power is constituted in a

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<sup>30</sup> Throughout this book 'rule' shall denote what Weber called *Herrschaft*—domination in the sense of fully institutionalized political power (Weber 2005: 157; Poggi 2001: 29). Terminology, especially even among German sociologists who have written on power, authority, rule and domination is incoherent and confusing at times. For example, Popitz clearly distinguishes power from authority in the sense of Weber's *Herrschaft*, yet he identifies four different basic 'anthropological' forms of power, e.g. power of action (*Aktionsmacht*), instrumental power (*instrumentelle Macht*), authoritative power (*autoritäre Macht*), and data setting power (*datensetzende Macht*) independently of the institutionalized stage of *Herrschaft* (Popitz 2004: 22-39). Against this backdrop translation is often difficult.

<sup>31</sup> Popitz understood institutionalization as increasing de-personalization, formalization and integration and on these grounds suggested that the identification of 'stages' of institutionalization and their model-like description must be possible (Popitz 2004: 236).

<sup>32</sup> Authority with 'little' power can be imagined if legitimacy is the only source of power and no other sources can be tapped additionally. See Uphoff (1989: 319).

<sup>33</sup> *Cacique* (Spanish) is a title of indigenous leaders in Latin and South America.

<sup>34</sup> Bourdieu did never systematically distinguish authority from power in any of his works. Though he occasionally speaks of the ruling classes (*herrschende Klassen*), the logic of social fields which assigns the position for classes and their endowment with different capital and power renders the idea of authority as separated from power redundant. He uses power and authority synonymously at times, for example in Bourdieu (2005: 86) where he exchanges the hidden mechanisms of 'power' with 'authority'.

field of relational forces that are embodiments of historical cultural practices. The respective positioning of these forces towards each other and the situation of actors moving within these fields are objects of fierce competition and a function of the accumulation of different types of cultural, social, and economic capital. However, only if these are legitimized and acknowledged does symbolic capital form a basis for symbolic power. Symbolic power unfolds at a level of meaning and cognition and by being claimed and acknowledged at the same time ensures that the structures of the social world are never questioned in any critical way (Bourdieu 2005: 82). By introducing the concept of habitus, Bourdieu (1987) proposed that habitual specific patterns of perception, evaluation and thinking sustain the structural distribution of power. Accordingly, power is attributed to structures and produces effects through normalization and penetration of everyday routines that are not reflected upon. Hence, habitus produces a certain worldview and value system, which legitimizes the domination of one group by another, whereby the former accept their situation as ‘natural’.<sup>35</sup> Similar to Foucault’s view that there is no escape from domination, Bourdieu allows the possibility that structured structures can be undermined – albeit only in theory – by a change of habitus. In practice, he is skeptical that habitus can be altered in any substantial way, except over a long period of time or in revolutionary circumstances of societal transition (Bourdieu 1987). Consequently, the scope for agency in Bourdieu’s concept of power is also very limited.

Thus, rule as institutionalized power and authority as claims to power that are more or less complied with (Popitz 2004) – including all political power institutions such as the state – can indeed be treated as special cases of power (Weber 2005: 691) and subsequently be marginalized in an analysis of less institutionalized social relations that are more concerned with forms of power and less with the political execution of power (Alber 2003: 151).<sup>36</sup> However, in Mann’s view, institutionalization is necessary to solve collective action problems (Mann 1990: 23). I will return to this point below (2.4). So far I have argued that power does not have a ‘locus’, meaning it is not possessed by individuals or institutions, but is inherent in social relations and fuels their internal dynamics of change. Moreover, based on the writings of Foucault, Bourdieu and Popitz, I have suggested that there are several degrees of institutionalization of power relations in the preliminary stages to rule (*Herrschaft*). I have emphasized the aspect of agency with what I called the relational dimension of power relations. It entails individual and collective actors who dominate or are dominated by the structures of power relations in which they are embedded.

Though this may seem quite abstract, this relational dimension of power relations captures the multi-dimensionality and inter-connectedness of different levels of interaction and dependencies similar to Mann’s concept of societies (Mann 1990: 33), which I intend to

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<sup>35</sup> Han (2005: 56) elaborated on the somatic dimension of Bourdieu’s concept of habitus (Bourdieu 1987).

<sup>36</sup> It probably deserves a special remark that Weber did not devote any thoughts worth of mentioning to forms of power and its mechanisms beyond what he saw as institutionalized power/authority (*Herrschaft*). See Alber (2003: 151). Because Weber did not – contrary to Popitz, who was actually trained in philosophy (Pohlmann 2006: 14) – conceptualize stages of institutionalization he plainly distinguished power from authority as power’s institutionalized form.

employ throughout this thesis (see section 2.4). In Mann's view, societies are made up of networked figurations that emerge from interactions among people within more or less fixed socio-spatial boundaries (ibid.).<sup>37</sup> What matters is that, according to Mann, not the institutionalization of interactions, but the desire of humans to establish and enter diverse forms of networks of power relations is what functions as the mainspring of societies. Institutionalization tends to arise only with growing complexity at different levels and in its process induces unintended results. Consequently, heterogeneous, overlapping networks of interaction and power relations evolve and are sustained (ibid.: 37). It is this complexity at the heart of power relations and their effects that first I want to argue qualifies the binary view of power-holders versus sufferers, and thus shifts the attention towards underlying structures (Alber 2003: 156). Second, it dissolves the pivotal controversy among theorists about whether phenomena that are not directly visible and observable can be attributed to the quiet working of power figurations and relations. In my view, this is the case.<sup>38</sup>

My standpoint is that the complexity of social relationships, especially given the overlaps and multiple layers of networks of power relations as conceptualized by Mann (1990) and in different social fields as suggested by Bourdieu (1998), provides agents – whether they are regarded as able to bring about significant effects<sup>39</sup> (powerful agents) or unable to do so (powerless agents) – with a wide range of possibilities for action (Alber 2003: 159). Therefore, the scope of action is not limited to the usual unambiguousness that the powerful are endowed with the capacity to exercise power over the powerless (deprived of power resources) and the latter to suffer and endure the consequences. On the one hand, several authors provided empirical evidence of the scope of action of the putative powerless. For example, James Scott, in his seminal work *Weapons of the Weak* (1985) gave an account of the resistance patterns of subordinate rural peasants. Albert Hirschman (1970, 1981) showed that exit is another option in cases when resistance in the form of voicing discontent does not bring about the desired effects (Alber 2003: 152).<sup>40</sup> On the other hand, underlying the complexity of power relations are two essential assumptions: First, power can be exercised unconsciously through implicit societal values, norms and interests (Lukes 2005, 2005b).<sup>41</sup> Second, power in its broad

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<sup>37</sup> Mann, in his socio-spatial conceptualization of society, spoke of 'interaction ditches' with regard to the periphery and border zones of societies marking the transition from one society to another. See Mann (1990: 33). For a more in-depth reflection on Mann's concept of society see section 2.4 below.

<sup>38</sup> This discussion is one of the most fascinating and interesting I came across when writing this thesis. I have not come to a final conclusion, but hope that this thesis, in a way, can shed more light on how power relations can be studied. See 2.3 for further details. My impression is also supported by Bierschenk's remark about the methodological tightrope walk when trying to empirically record non-events (Bierschenk 2003:5), see also Ch. 3 for a methodological operationalization.

<sup>39</sup> In his late essay, Lukes (2005b: 65) re-defined power as the "agents' abilities to bring about significant change effects, especially by furthering their own interests and/or affecting the interests of others, whether positively or negatively."

<sup>40</sup> However, it would be misleading to assume that exit is always an available option.

<sup>41</sup> For a detailed discussion to what extent interests can be assumed to influence decision-making processes, how and by whom, see Young (1978). The issue relates to what Steven Lukes (2005) has called the third dimension of power.

understanding as capacity may be exercised or not,<sup>42</sup> but “you can be powerful by satisfying and advancing others’ interests” (Lukes 2005: 12), which are, however, “multiple, conflicting and of different kinds” (ibid.: 13).<sup>43</sup>

Rehberg (1994) pointed out that the fields of forces that entail discourses, symbols, exercises and performances of power, that is, that are *dispositive of power*, by far surpass intentional interaction processes between two or more agents. This implies that the idea of power as exclusively executed in binary social relations should be abandoned because such negotiations form only one specific case among manifold options to exert power in relationships. Instead, the exercise of power can be defined as the relational ability of individuals or groups to exercise control over actions and resources within highly complex social fields (as characterized above following Lukes) that include multi-faceted social relationships (Alber 2003: 158). With intensifying complexity, power becomes increasingly more fragmented and dispersed (Han 2005: 24ff); consequently, it cannot be measured. Power phenomena dispose of ordering aspects in the broadest sense, including factual and normative power, to shape a certain kind of order<sup>44</sup> (Popitz 2004), discourse (Foucault 2008a [1969]), and communication (Habermas 1995 [1981]). As Poggi (2001: 32f) observed,

Perhaps a further reason why political power appears as social power par excellence is exactly that it must confront in a particularly explicit fashion the problem of the incompatibility of power relations with an assumed equality, a problem that in principle affects social power in all its forms. Being constructed and managed largely through communication, political relationships must also, to a greater or lesser extent, communicate about themselves, and most particularly [...] about why they are intrinsically unequal.

In brief, I hope to have demonstrated how social order is structured by power relations. However, in everyday routines, the domination and rule aspect is not perceived as such. It is usually only conceived in crises and conflict situations. Similarly, the exercise of power is ordinarily passive, without needing a person to exercise and consciously enforce it.

### 2.2.3 Forms of legitimacy

The modes in which power relations exist and power is exercised vary depending on the context of the social field and resources. Whereas Weber captured it as the realization of a person’s will (see above), in other contexts, power relations might work via the accumulation of prestige, wealth, knowledge, and so on in order to bring about a certain effect or bolster a

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<sup>42</sup> Lukes points to what he calls the ‘exercise fallacy’, he blundered into himself with his 1974 book. Accordingly, “Power is a capacity not the exercise of that capacity (it may never be, and never need to be, exercised)” (Lukes 2005: 12).

<sup>43</sup> As a consequence power can be accumulated or transformed without depriving somebody else of it, thus power relations do not necessarily embody zero-sum-games as the popular reading suggests. See the empirical example of Alber (2003: 161).

<sup>44</sup> Popitz (1992: 22-39) distinguishes four kinds of power: authoritative, data-defining, instrumental and proactive power (*Aktionsmacht*). In relation to their ordering function, they can be analytically separated into factual (*Gestaltungsmacht*) and normative power (*Definitionsmacht*).

claim and hence enforce contestation. In any case, the enforcement of power relations, including the reliance on certain resources, indirectly or directly requires justification, consent, and compliance or acceptance by individual and collective agents inhabiting and sharing the same social environment in the same social fields. Power in the form of domination involves both the dominating and those who are being dominated, the acknowledgement and acceptance by the latter of the former's rule, and the legitimating processes that secure that rule. Similarly, for the execution of power as the general ability to further interests and bring about significant change, effects must rely on certain resources. Access to these resources similarly requires either active or silent consent by others who might claim access to the same resources. Here, again, it should be considered that the execution of power is as fluid as the concept of power. It can take on various shapes: coercion (the enforcement of domination by violent means), persuasion under threat of force, voluntary compliance with or without threat, unconscious subordination, and conscious consent. Thus, any kind of social inequality, which is conceptualized throughout section 2.2 as the presence of social power relations in multi-dimensional social fields, involves the question of legitimacy: in Lukes' words, "How do the powerful secure the compliance of those they dominate" (2005b: 110) and "How do they secure the latter's willing compliance?" (Lukes 2005: 12). As indicated above, the question of the enforcement of legitimacy entails two dimensions: legitimation and acceptance. The former is the need for justification of actions by the powerful or those who control the resources in a particular social field; the latter is affirmation of this ability by the dominated or by those who do not dispose of the same opportunities or resources.

Max Weber did not concern himself with power in its non-institutionalized form prior to the stage of rule (*Herrschaft*). He proposed three ideal types of legitimate authority for modern societies, based on the belief in and different possible claims to legitimacy, and distinguished them accordingly (Weber 2005: 157). The first type, rational-legal authority, is based on the belief in the legality of an existing order and the rightfulness of the claim of instruction and orders by those legally endowed with authority. The second type, traditional authority, rests on the mundane belief in divine qualities of applicable traditions and the legitimacy of the ones empowered to rule by those traditions. Third, charismatic authority relies on thorough and extraordinary devotion to the divinity, heroism or exemplariness of a person and the associated rule system (ibid.: 159ff). In his writings, Weber stressed that these identified ideal types of authority hardly ever appear in pure form (and have never done so historically).<sup>45</sup> To demonstrate the bricolage character of empirical legitimacy Weber, for example, elaborated on the prosaic modification of charismatic authority, which in its pure form is thought to lie beyond prosaic influences (ibid.: 182ff). Because of everyday practical necessities, charisma transforms by mixing with elements of other types of legitimacy. Interestingly and often overlooked, Weber did not suggest that legitimacy rests on full belief at all times by

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<sup>45</sup> Ibid. Nevertheless, he argues, the formulation of ideal types, a sociological typology, is useful for scientific analysis. Given that the singular concepts can never capture all aspects of empirical reality, Weber stresses that at least the descriptive notions need to be unequivocal in order to analyze what the empirical reality is like, e.g. what is charismatic about a certain form of government, in what sense of charisma (inherited, patriarchy, other) etc. (ibid.: 160).

everybody. Instead, he stated quite realistically that compliance can be simulated as an opportunistic strategy, to further material interests, for example (ibid.: 158). It is not clear whether Weber had both the pretension of compliance and of claim in mind, that is, whether he thought opportunistic behavior possible from the perspective of the subordinate on the one hand as well as from the ruler or ruling class on the other hand. In empirical cases, especially where traditional and personal charismatic legitimacy dominates, rich opportunities for manipulation can be assumed. For example, a charismatic leader may exploit the people's recognition and trust by directing their behavior and attitude according to personal benefit at the cost of his followers, despite claiming (and thus legitimizing his prior role by saying) the opposite.

With regard to power and legitimacy underlying the stages of rule, Popitz' concept of basic legitimacies (*Basislegitimitäten*) and, related to it, the notions of *Ordnungswert* and *Investitionswert* (Popitz 1968), provide valuable elements for my analysis. In contrast to Weber and others (Uphoff 1989, Parsons 1969) who are mainly concerned with rule as institutionalized power, he takes the notion of legitimacy beyond the vertical top-down versus bottom-up dichotomy. In his 1968 short book on the genesis of power, Popitz demonstrates that the principle of legitimacy (*Legitimitätsgeltung*) is rooted in reciprocal social relations among initial equals some of whom come to mutually recognize privileges over time and subsequently validate power relations and patterns of rule (*Herrschaft*).

Corresponding to his thoughts on process-style power formation, Popitz locates what he calls basic legitimacy, in midrange between the full formation of the types of legitimacy Weber suggested and a mere conformity of interests and habits (Popitz 1968: 38). According to Popitz, power and authority are generated when the internal acceptance of power figurations (*Machtordnung*) by the subordinated and underprivileged sets in; power subsequently consolidates or increases with proliferating acceptance. The rationale behind this acceptance lies in the fact that the disadvantaged powerless – in a sense of self-justification with the aim to preserve their own dignity and self-recognition – at some point start to reinterpret their own subjugation as voluntary compliance.<sup>46</sup> A precondition to enact such legitimation processes manifests in the perception of certainty about regular arrangements of order. For this certainty to take effect, agents must be sure of what they and others are allowed and obliged to do. In short, they dispose of a certain stability of expectations and orientation with regard to their everyday routines. Once this is achieved, predictability acquires valence, which is a value of stability and certainty (*Ordnungswert*) the subjugated attach to the predictable circumstances ('orderliness', *Ordnung*) surrounding them (Popitz 1968: 35).

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<sup>46</sup> In original Popitz (1968: 34, fn. 3) formulated this idea as follows, „Der Ansatz eines Legitimitätsglaubens kann gerade bei extrem unterdrückten Gruppen eine gewisse Parallele zu der beschriebenen Selbstanerkennung der Privilegierten aufweisen: Auch die extrem Unterdrückten beginnen eventuell die Legitimität einer Machtordnung anzuerkennen, weil sie sich selbst anerkennen.“ (emphasis in original). It remains open whether this reinterpretation is undertaken consciously or sub-consciously. In section 2.3 this thought will be taken up again.



In addition to the general predictability of others' actions and certainty regarding expectations, a scope of action opens up for the relatively disadvantaged and they reacquire agency.<sup>47</sup> Naturally, *Ordnungssicherheit* – the predictability of actions and certainty of expectations – forms the background of investments that agents usually make with the aim to improve their particular position in different social fields.<sup>48</sup> These investments spawn additional valence, a value of investment (*Investitionswert*) connected to the agents' life-world, in particular social fields (ibid.: 36). Investments increase with enduring stability. They indicate neither consent to existing circumstances nor a high degree of opportunism. Instead, as Popitz pointed out, conformity is sufficient to bring about this special state of mind that allows individuals to create an interest in the kind of order subjugating them (ibid.: 37). No matter how subjective the values attached to a certain order, the recognition of such basic legitimacy forebodes the acceptance of the greater structural totality of power relations. In the next sub-section (2.3), I will elaborate this state of mind, which produces basic legitimacy, in more detail. The acceptance (from the outside perspective) of unjust or unequal power relations and incidences of affirmative (re)actions by the disempowered in cases when the structures that shape their life-worlds are threatened by change, is connected to the question of what I suggest are moralities and (bounded) rational behavior. Moreover, the question of subjective awareness, that is, whether unequal power relations are constantly reproduced consciously or unconsciously, deserves elaboration with regard to rationality.

### 2.3 Social action and *Lebenswelten*

Power relations and structures of legitimacy are inherent in all social action (Foucault 2005b: 255; Giddens 2001: 66). Power relations manifest in inequalities that might be overt or covert when ingrained in the structural relations of a social order and embedded life-worlds (see 2.3.3) such that they do not surface in individual perception. In most of these cases, if inequality is not enforced by violent means and coercion, it requires more subtle forms of legitimation and acceptance processes. Resources for both can be material and cognitive. Material resources include natural resources and raw material found in the surrounding natural environment, such as material production and reproduction tools, including technologies, and manufactured goods. Immaterial or cognitive resources entail the complete normative framework that influences human social action, such as values and norms. I propose the term 'moralities' to refer to this normative framework (see 2.3.1).

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<sup>47</sup> The degree or amount of agency that can be reacquired is considerable, given that it never vanishes even in situations where uncertainty prevails to large extent. Alber (2003: 153, fn. 4) gives the historical example of scopes of action that are known to have even existed among inmates in concentration camps.

<sup>48</sup> 'Social fields' is used here in line with the logic of the argument I intend to unfold in this thesis (see 'on complexities...' above). In Popitz' parlance *Ordnung* (order, social environment/framework) is the proper term. It is important to stress that Popitz' interpretation of power and 'order' are characterized by an underlying (system oriented) understanding as put forward by system theory (Pohlmann 2006: 31, fn. 36). This is the reason why – in my view and thus being the interpretation unfolded throughout the book – his sociological ideas require amplification.

Before I explicate the dimensions of moralities, however, I feel that a few words are necessary to introduce the concept of social action and social relations in more detail. Though subject to scholarly debate, in this thesis, social action is defined as meaningful behavior that considers others' meaningful doings (Weber 2005: 16f) including communication.<sup>49</sup> Moreover, Weber also categorized forbearance and quiescence as forms of social action (ibid.: 16).<sup>50</sup> Situations that entail more than two agents engaged in social action as defined above are termed 'social situations' (Esser 2000: 2). The agents thereby enter social relations with each other for a specific reason (in addition to the general motive to achieve some kind of goal) and with whatever character (Weber 2005: 19). This emphasis on the openness of the character of any social relation allows for all kinds of characteristics, ranging from conflict to cooperation.<sup>51</sup> Put differently, social action can also be conceptualized as the conscious or unconscious meaningful mutual interaction of persons and groups of persons by using certain resources for achieving implicit or explicit ends by influencing other people's actions. In mutual relations of contingency, which is a characteristic of unequal relations and social relations in general, the minimal aim is to preserve the status quo of a person's positioning in the respective social situation and the wider environment of interfaces of diverse social fields. This minimal aim is the worst-case scenario for any agent, despite striving for maximal interest realization and subsequently improvement of the situation. However, if things do not turn out as envisaged, the outcome may revert to the desired preservation of the status quo, thus resulting in a significant deterioration of the individual's position. In other words, conscious or unconscious interests perceived by individuals are directly or indirectly used in interaction processes to acquire material or cognitive resources in order to gain, establish, or enhance social control, to reduce or maintain inequality, or – in most cases – to maintain equilibrium regarding the mental and cognitive structures of relevance and meaning (Esser 2004a: 79).

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<sup>49</sup> Communication is thought alongside with internal and external action. The latter refers to action that impacts upon the immediate material environment whereas internal action does not carry this dimension but refers mainly to thoughts, feelings etc. Weber (2005 [1922]), Habermas (1995), Luckmann (2007), Giddens (1997) and Popitz (2004) also interpret communication as form of action. Especially Luckmann argued that communication generates and reproduces social structures (2007: 20) through which traditions, knowledge, and the moral belief system of a society get passed on. Often this is expressed in codes such as in jokes, proverbs, gossip. See also ibid.: 255ff.

<sup>50</sup> Social (inter-)action is assumed to be the regular form of action in societies, even though empirically, it is not the rule in all cases, as Esser notes (Esser 2000: 5). He states that due to the fact that humans are not interested in their co-inhabitants but only in the resources these others have at their disposal, other humans are more often than not treated (ignorantly) as objects rather than equal subjects (ibid.). Nevertheless, the aim of accessing other actors' resources implicitly considers the others' existence, and for this reason, I nevertheless frame any such kind of action as social action.

<sup>51</sup> Weber's proper definition of social relation reads "The term 'social relationship' will be used to denote the behavior of a plurality of actors insofar as, in its meaningful content, the action of each takes account of that of the others and is oriented in these terms. The social relationship thus consists entirely and exclusively in the existence of a probability that there will be a meaningful course of social action – irrespective, for the time being, of the basis of this probability." (2005: 19). Therein nothing is mentioned about actors' solidarity.

### 2.3.1 Rationality bounded... by moralities

Social action theories differ in the extent to which they employ assumptions about rationality to explain meaningful human behavior and its outcomes. As I have shown above, rational choice-institutionalism has particularly tended to borrow heavily from neo-classical models of price and economic theory. It assumes that the actor disposes of complete information and stable, hierarchically ranked preference sets that allow an objective cost-benefit calculation prior to decision-making regarding a certain action, and consequently the best outcome. However, most other social action theories subsume a more realistic idea of man that refrains from the ideal notion of unbounded rationality in classical rational choice theory. Instead, the individual is assigned mental abilities and processes of perception, evaluation, and preference formation. Thus, decision-making is suggested to take place based on subjective perceptions of reality, not objective reality. A review of social action theories and some of their elements, especially social norms, emotions, and motivations for social interactions (Scharpf 2000: 148f), showed that scientific concepts cannot grasp this wide array of subjective mental processes entirely (Mielke et al. 2011) and some would even argue not nearly satisfactorily enough (Elster 1999: 61). This shortcoming – that social scientists can only model standard expectations in contexts that are limited in space and time – has been countered somewhat with the notions of bounded rationality and subjective expected utility (Esser 2004b: 50). Underlying both concepts is the assumption that, as a rule, action is always rational from the actor's point of view, yet naturally conditioned by his beliefs and the available evidence for taking a decision and acting in a certain way.<sup>52</sup>

This includes the subconscious dimension and its potential influences on the normative framework at the actor's disposal as part of his life-world (see 2.3.2). Weber's definition of a social relation as the chance that social action takes place based on whatever motive (see 2.3) encompasses the idea that this action is guided by fixed ideas, prior established bonds, or preference sets, such as friendship, piety, class companionship, competition, struggle, enmity, and so on (Weber 2005: 19). Here, the link with emotions and with what Scharpf called 'motivations for social interaction' (*Interaktionsorientierungen*), such as individualism, solidarity, competition, altruism, and enmity is obvious (Scharpf 2000: 152). In addition, the contribution of social constructivists' ideas about how sense and meaning find expression in social action have directed attention to the dimension of sedimented knowledge based on past experience. Their point is that individuals always dispose of a stock of types of experiences and templates of social action, which constitute problem solving schemes that form a subjective repertoire of knowledge (Luckmann 2007). Moreover, the assumptions of social action theories (as expressed in an idea of man) suggest that rational decision-making or the realization of a person's desire, which is considered the best achievable result, is not necessarily limited to the realizations of someone's personal well-being. Instead, the

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<sup>52</sup> Accordingly, in this book I take the perspective that social action theory and rational choice do not contradict each other, but rather constitute complementing views. See Scharpf (2000) and Esser (2004a, 2004b).

individual may value common goals more than personal goals. Similarly, long-term interests may be given preference over short-term benefits.<sup>53</sup>

Esser introduced the concepts of frames, framing and habits to demonstrate how individuals simplify complex situations (Esser 2004b) to offset their bounded rationality. Framing is a conscious process of refining the complexity of a situation and the formation of artificial assumptions about the environment that enable the actor to take a considered decision to act (that is, to select the right script) against the backdrop of the limited information available in a particular situation. Normally, frames already exist as part of the actor's stock of knowledge as institutionalized structures of relevance (*Relevanzstrukturen des Alltags*) significant in everyday interaction. Different frames and scripts for action are available for different situations of everyday life. These frames can be understood as preference rankings that are chronologically and situationally contextualized and provide an orientation for action. The underlying idea is that individuals are overstrained by always seeking to obtain complete information about a certain situation. Hence, institutionalized frames provide the possibility of taking individually perceived best decisions in everyday contexts by choosing the adequate script. Similarly, according to Esser (2004b: 53-61), habits comprise all unconscious routine actions that take place without reflection and cost-benefit analysis. That the reliance on habits and frames can be viewed as rational is based on the notion of institutions and institutionalization. Accordingly, an institutionalization of routines and actions takes place when it is neither wasteful nor costly, but is instead efficient in providing certainty in expectations and when it is normatively substantiated (ibid: 55).

Viewed from this perspective, even Alfred Schütz' theory of action in everyday life (Schütz 1991), which ascribes more or less all social interaction to institutionalized routines that are not being reflected upon consciously, comprises rational motives. With his notion of the 'unquestionably given' knowledge of the ordinary individual about his or her environment (life-world) and the conceptualization of responding recipes for typical action in typical situations, Schütz included all phenomena that Esser categorized as habits, such as habitualization, automatism, and half consciousness. Although the actor may not be conscious of it, these action orientations are possessed as a result of past experiences of social conflict (Knight 1992). These experiences have acquired the status of institutionalized, sedimented knowledge and are not longer reflected upon as long as they prove to be sufficient for everyday problem-solving.<sup>54</sup> Similarly, Edelman (2005), in his analysis of the role of symbols

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<sup>53</sup> Lukes (2005: 81f) distinguishes three ways to conceptualize interests: One, as preferences; secondly, as necessary condition for human welfare; thirdly, "as constitutive of well-being" (ibid.: 82), which he conceptualizes as living a vision of a worthwhile life. This may be costly in terms of personal energy, resources and money and consequently actually turn out to be detrimental to the concerned person's well-being.

<sup>54</sup> Schütz (1991 [1932]: 80ff) emphasized that the acquisition of new information for decision-making processes is fostered as long as a satisfying problem solution is not found. However, if – based on acquired knowledge and information – a situation is thought to be manageable to a satisfying and sufficient degree, the further accumulation of information is not pursued. As a result, the average person can be considered as highly or well informed only for few relevant fields of their everyday life. For the major part, he must be viewed as a layperson navigating his way through (Esser 2004b: 92). Here, the difference between 'satisficing' as 'principle of choosing

in politics, found that symbols and signs, as result of stereotypes, simplifications and placation, provide the means with which groups cope in complex situations that they are unable to understand rationally or even perceive fully. Thus, both aspects, conscious choice and unconscious decision-making, aim to maximize subjectively expected utility.<sup>55</sup> Decision-making and most action is based on the subjective weighing of situational context factors and the abilities of the actor on the one hand against potential gains, which results in flexible preference ranking regarding available alternatives on the other hand (Esser 2004b: 50ff). Consequently, according to Esser, “the knowledge of an individual who acts and thinks in his life-world of daily interaction, is prevalingly incoherent, only partially clear and not free of contradictions”, although it is usually fully sufficient (Esser 2004a: 92). Cost-benefit interests in goal achievement and low input costs are assumed to guide any kind of social action, whether consciously or unconsciously. Moreover, all social action processes entail symbolic (see below) as well as material motivations (*Orientierungen*) (Esser 2000: 15).

Kron criticizes Esser’s framing approach by stating that it should not be the concern of sociologists to explain why certain frames are selected by individuals; this puzzle should be left to psychological research. Instead, sociologists should work with given frame assumptions, that is, the processing of a certain chosen script in social interaction (Kron 2004: 201). In my view, this criticism is consistent with how unconscious decision-making and action are modeled by habits or what Schütz called ‘unquestionably given’ knowledge. Likewise, when it comes to norms and emotions (see above), sociologists refrain from asking how it is that certain motivations prevail and take them as givens.<sup>56</sup> However, the difficulty for the researcher lies in knowing what types of motivations apply in which situations. He or she is confronted with fuzzy logic<sup>57</sup> and tries to make sense of individual decisions. Accordingly, much more attention needs to be paid to the situational contexts in which agents are embedded (ibid.; Schmid 1989: 133) in order to learn about the structural constraints to which their scope of agency is subjected.

The most common and uncertain, that is, fuzzy logic to which such constraints are attributed concerns social norms. Whereas Elster proposed that norms are a result of “psychological propensities about which we know little” (Elster 1999: 123), other authors referred to norms as cultural phenomena and explain their emergence from values (e.g., Hechter and Horne 2003:

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something that is good enough’ and maximizing as components of rational choice models becomes rather clear (Elster 1999: 35).

<sup>55</sup> Esser (2004b: 50) calls this the ‘SEU’ (subjectively expected utility)-version of rational choice theories.

<sup>56</sup> In this regard, Esser’s action theory falls short of a plausible explanation for his assumption about single motivations. According to Kron (2004: 201), more consideration needs to be given to the empirical likelihood that it is usually not only just a single motivation which fuels action, but several at the same time.

<sup>57</sup> Fuzzy logic refers to the haziness, ambiguities, paradoxes, and marginal and borderline cases that characterize the social and its complexity. Fuzziness is thus conceptualized not as an exceptional state, but as a typical status attribution of the social as holistic object of inquiry in sociological analyses. It acknowledges uncertainty and enables the study of diversity. Kron (2004: 199f) uses the fuzzy logic argument to reason for a way of simple modeling of actors’ decisions.

91-100; Heintz 2009: 4).<sup>58</sup> In this reading, both values and norms determine appropriate and inappropriate behavior. The difference is rooted in the sanctioning mechanism attached. Norms are often conceptualized as institutionalized rules that guide human interaction. In the case of non-compliance, such as disobedience, sanctions will be enforced (Popitz 1980: 25). In contrast, values are thought to be internalized codes of behavior that are constantly enforced through feelings of guilt and shame, and subsequent self-control (Hechter and Horne 2003: 94f); thus, external sanctions are not necessary. From the perspective of rational choice, which implies internal and external sanctioning mechanisms, norm-following can and must be interpreted as rational behavior.<sup>59</sup> Hence, social norms (including values) can be conceptualized as the background folio underlying social interaction.<sup>60</sup> Every social actor is endowed with these values through internalized cognitive characteristics and mental models (Denzau and North 1994) and meaning. These comprise assumptions, perceptions, and evaluations of the world that an actor shares with others in the immediate environment (life-world) because they are born into and socialized in the same group.

In an earlier publication, this endowment was termed ‘worldview’ (Mielke et al. 2011: 8). It subsumed the cognitive dimension of social order as a way of thinking and perceiving, a construct comprising ideas, belief systems, norms, and so on (ibid.: 9ff), which relies on notions of habitus (Bourdieu 1978), shared mental models (Denzau and North 1994), Durkheim’s distinction of *solidarité mécanique* versus *solidarité organique* (1992), Scharpf’s (2000) thoughts about motivations of social interaction (*Interaktionsorientierungen*), Berger and Luckmann’s symbolic *Sinnwelten* (2001), Esser’s ‘habits and frames’ (2004a, b), and Giddens’ thoughts on structuration (1984) (ibid.). However, I want to argue that in retrospect both the term and the concept worldview, as elaborated earlier, insufficiently capture the everyday practice dimension of social order.<sup>61</sup> In the following, I will provide my reason and suggest the term ‘moralities’ instead.

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<sup>58</sup> For a detailed account on the origins of norms and values, see Hechter and Horne (2003: 91-100), who refer to the works of Sigmund Freud and Emile Durkheim, among others, to shed light on value-creation, and assign institutionalization and inter-subjectivity a crucial role for norm-generation. Due to limitations of space and limited relevance in conjunction to what Kron’s critique stated above – that it is not the sociologists’ task to enter psychologists’ domain and explain the origin of norms and action motivations – I will not elaborate this topic further.

<sup>59</sup> From a narrow rational choice-theory perspective, subjective factors like emotions and motivations for social interaction on the one hand and inter-subjectively shared norms on the other hand, are often interpreted as ‘failure’ of rationality. For example, see Elster (1999: 30). Lukes pointed out that power could induce and encourage ‘failures of rationality’ (Lukes 2005b: 123). (See the section on Understanding deviance (2.3.2) for further elaborations in this direction.) Instead, bounded rationality assumes – given the limited capabilities of human beings with respect to information – that “an individual only ‘intends’ to be rational, and ‘the intended rationality’ of an actor requires him to construct a simplified model of the real situation in order to deal with it” (Kato 1996: 576, citing H.A. Simon 1987: *Models of Man. Social and Rational*. New York: Garland Publishing, 198.).

<sup>60</sup> This is not to argue that social norms are static, though. For further details see below.

<sup>61</sup> I do not argue that it does not relate to the practice dimension at all. The authors of Mielke et al. (2011) have made it very clear that the distinction of institutions versus worldview is merely analytical and that empirically, both can hardly be distinguished (Mielke et al. 2011: 8). However, the social action dimension was largely

My research focuses on the analysis of everyday practices of rural society in northeastern Afghanistan. For the purpose of this empirical investigation, I insist that the prevailing concept of worldview needs to be refined, that is, differentiated. I do not intend to deconstruct the umbrella-view notion argued previously (Mielke et al. 2011). However, based on the discussion of rationality provided above, the idea of seeming irrationality or failing rationality and its contextual contingency deserves further attention. An argument based on cultural traits, that is, psychological characteristics and social values of the individual members of a different society, is common in the event that incompatibility between the behavior and choices (ir/rationality) of members belonging to one society has to be explained.<sup>62</sup> If the same society is viewed using a choice-theoretic approach, the picture can just be the opposite, however (Kato 1996: 565):

That is, ‘behavior that has been interpreted to be the result of tradition, passed on by socialization and learning, can instead be interpreted to be the result of choice.’ More specifically, individuals in agrarian societies in Africa, if they resist modernization, ‘choose to do so’ instead of suffering from misinformation or ignorance. Applications of the assumption of individual rationality (...) leads to a successful demonstration of the similarities in the pattern of individual behavior across different societies and to a refutation of the uniqueness of the case studied. (ibid.).

I argue to combine both, assumptions about the rationality of individual and collective action in social practices and constraints and qualifications of rationality by cognitive, contextual factors that I call moralities, that is, the role of values and norms as particularities of a specific environment in which social action is embedded. Moralities can be broadly understood as a normative framework that guides social interaction and not as invocation regarding a desirable conduct (moralization). Moralities define what is right and wrong, such that from the outsider perspective, ‘right’ does not necessarily match rational behavior or action; neither does ‘wrong’ match seemingly irrational conduct.<sup>63</sup> To define what I mean by the term moralities more specifically, I follow Heintz (2009) and Howell (1997) to some extent. They subsume ethics, values, social norms, and moral orders, including reasoning, emotionality and moral discourses, within the field of moralities. For my purposes, moralities integrate all normative aspects that guide human interactions. Moralities include social norms that are implemented inter-subjectively and shared by members of a certain group (including, for example, shared mental models), and which are at least partly sustained by their acceptance or disapproval.<sup>64</sup>

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neglected in these early elaborations and the here proposed ‘post-institutionalist’ perspective allows to re-emphasize agency.

<sup>62</sup> An example from the past is the explanation of a society’s low level of economic and political development with cultural factors like attitudes, social values, and vague concepts of ‘culture’. See Bates (1983).

<sup>63</sup> For the English language, the Oxford Dictionary (2000: 826) gives three meanings for morality: “(1) principles concerning right and wrong or good and bad behavior; (2) the degree to which something is right or wrong, good or bad, etc. according to moral principles; (3) a system of moral principles followed by a particular group of people.” Heintz (2009: 3) points out that because such principles and judgments are based on cultural concepts and beliefs, terminology varies accordingly in different languages. The sentences following this footnote in the text above clarify that I distinguish moralities from the narrower concept of ‘morale’.

<sup>64</sup> Elster points out that social norms are typically “also sustained by the emotions that are triggered when they are violated: embarrassment, guilt, shame, anger and indignation” (Elster 1999: 113).

Furthermore, moralities encompass values and morals underlying social norms. They guide individual motivations for interaction, actions and reactions, such as emotional and spontaneous acts, including communication and discourse. Depending on the context, different moralities can be operative; moreover, several can operate at the same time in the same context setting or social situation, possibly accepted according to variable strength and validity by different reference groups.

Thus, the concept of moralities first integrates the dimension of collective action as well as subjective acts and individual motivations.<sup>65</sup> Second, I argue that moralities can only be understood by considering the particular cultural contexts in which they are embedded. Morality and even morale as such, in the sense of a universal definition, does not exist. Instead, it is a question of validity in a certain social environment and depends on existing social norms in that environment. This does not mean that I take the stance of cultural relativism.<sup>66</sup> As already pointed out in the previous paragraph, context matters, but all social action can be interpreted as rational to the extent that it is conditioned by context-specific moralities and their distinct resources. Consequently, moralities both enable and constrain individual selves (Howell 1997: 4) and thus shape social action through choices and practices, including discursive ones. They are lived and relational, instead of clearly conceived.<sup>67</sup> Third, from the outside perspective, moralities are hard to trace empirically, for they seem entirely entangled with social action (Heintz 2009: 2),<sup>68</sup> even the actor is not always fully aware of which normative rules he or she is following when interacting with others. Moralities thus encompass all cognitive factors that affect how an individual or collectivity engages with others, whether consciously or unconsciously perceived or at least acknowledged as legitimate by all involved.

Viewed from this perspective, the advantage of employing moralities instead of worldview as conceptual lens rests on two aspects: One, the notion of worldview as employed by Mielke et al. (2011) was conceptualized as an abstract component of an analytical framework developed to complement institutions in a *concept* of social order. On the contrary, the notion of moralities is more concerned with real life, that is, mundane existence as it guides choices and

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<sup>65</sup> Gerecke (1998) distinguished norm sets the individual ought to follow (*Motivmoral*) from norm sets immediately underpinning social interaction and thus acting like de facto incentives (*Anreizmoral*). The latter constitutes the totality of legitimate social norms in any one society, including all 'institutions' and the norms internalized with socialization. All action within the scope of alternatives following these norms is rendered moral. Action transcending given alternatives are thought immoral (Gerecke 1998: 351f).

<sup>66</sup> Rather, speaking with Heintz (2009: 5) I see myself clinging to a 'weak' form of cultural relativism, that is 'methodological relativism'. It avoids ethnocentrism by putting emphasis on "thick description" of beliefs or values that would enable them to appear meaningful in their cultural context: the other is rational (or moral), but he sees the world differently and understands it differently."

<sup>67</sup> I borrow this idea from Bourdieu who, in his writings on honour in Kabyle society, discussed to what extent values of honour are consciously accepted and respected versus remaining in the unconscious and "colour one's attitudes without ever being formulated" (Bourdieu 1965: 231).

<sup>68</sup> At times moralities are linked to illusive values and not always spelled out. It is a methodological challenge how to trace them and identify empirical manifestations of moralities (see Ch. 3). Often they are accepted as tacit or hidden knowledge (Heintz 2009: 3).



social practices. The inherent focus on making practical distinctions between right and wrong is essential for humans to meet the ordinary challenges of everyday life. In this respect, the symbolic dimension is more significant and the tension between an individual and group perspective is mitigated. Second, in the approach of methodological relativism, indigenous moral precepts, codes and values can be explored without falling into the trap of cultural relativism. Thus, it is possible that normative concepts of meaning that underlie social action in contexts other than that of the researcher can be grasped in more depth.

The belief in legitimacy at large includes the rightfulness of a certain order reproduced by social action. The situationally perceived rightfulness of a social act, which is contingent upon moralities, cannot be underestimated. It also ensures that inequalities are disguised. Furthermore, the relational dimension of norms, that is, that they are not necessarily just and based on morals that are held legitimate, has resulted in a cynical view of norms as tools of manipulation. According to Elster, "... if nobody believed in norms, there would be nothing to manipulate" (1999: 118). Other cultural contexts are not necessary in order to recognize that rational decision-making and actions may result in seemingly irrational outcomes (Olson 1968).<sup>69</sup> As Elster and Douglas pointed out, rationality is a notion defined for individuals, not collectivities (Elster 1999: 29; Douglas 1986: 9).<sup>70</sup> The explanatory value of assumptions based on the rational choice theory of collective behavior is inane. According to Scharpf (2000: 51), individuals are capable of ignoring their own survival interests, and they are also capable of violating institutionalized rules and social norms, even if they have to pay a price for it. Based on these assumptions – that subjective rational action can well run contrary to the interests of collective well-being in the short, medium, and long term – individual phenomena, such as deviant behavior by individuals and in societies and the persistence and substantiation of inequalities and hierarchies can be conceptualized and understood.

### **2.3.2 Understanding deviance and the persistence of social inequalities**

As pointed out above (2.2.3), legitimacy can be interpreted as a condition of all social relations because it combines claim to and acceptance of power, rule, and – according to the same logic – all underlying social actions (2.3). In the discussion of moralities as a normative framework (2.3.1), I have indicated what might be called the relativity of social norms and their potential for manipulation. If all aspects of moralities are considered, that is, not only manipulation but also competing interpretations of norms, values, and moral codes, competing rationalities regarding the selection of a certain norm or ethical practice to guide decisions, and historically evolved patterns of legitimacy attached to certain moralities are significant in the analysis of how the normative framework affects social action and vice versa. Bourdieu, in contrast to

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<sup>69</sup> The nexus was made prominent as collective action dilemma or free-rider problem by Mancur Olson (1968).

<sup>70</sup> It is closely linked to methodological individualism (Popper 1934) which argues that social phenomena cannot be explained sufficiently by assuming homogeneous patterns to exist among actors acting in concert. Instead, situational logic (agents' cognitive features and environmental setting) have to be considered in order to assess a situation as objective as possible from a scientific point of view.

Weber, reasoned that the recognition of legitimacy is not a conscious act, but is a result of the mental and behavioral absorption of certain structures of inequality by individual members or groups of societies over generations. The effect is that the surrounding socio-political and physical environment is perceived as objectively given and – except in crisis situations – no longer reflected upon (Bourdieu 1998: 119). This unquestioned legitimacy feeds into the persistence of inequalities as expression of power relations. It determines that these inequalities reproduce the same patterns of social action and legitimacy and results in habitual compliance to exercised authority. In other words, consent among the members of a society regarding the social order in which they are embedded underlies legitimacy. Thus, legitimacy is a social construct. This is particularly obvious in the case of violence and force which are not exceptions with regard to legitimacy, but they can be deemed legitimate even by those subjugated by such means. How can seemingly irrational consent be explained rationally?

Several authors in different social science disciplines have (both directly and indirectly) provided insights that can help shed light on the question of why inequalities and hierarchies persist (e.g., Gramsci 1991, 1992; Bourdieu 1987, 1998; Foucault 2005e; Mann 1990; Lukes 2005, 2005a, 2005b; Popitz 1968; Douglas 1986). All allude to the unconscious sphere of social behavior and action, which accounts for differentiated forms of consent to structural givens, including power relations. Furthermore, in each concept, the potential and power of agency are largely neglected or at least qualified by structural or symbolic influences. Legitimacy on the collective scale encompasses several dimensions that can be differentiated between the poles of full consent or acceptance and resignation.<sup>71</sup> Following Merton (1968), I suggest distinguishing among conformity, ritualism, and retreat<sup>72</sup> as analytical interpretative lenses to group the approaches of these authors.<sup>73</sup>

The three concepts are closely related because conformity and retreat may have become ritualized in many instances. Lukes, as the most recent<sup>74</sup> author who reconfirms his argument by critically reviewing the like of Foucault (Lukes 2005a) and Bourdieu (Lukes 2005b) follows the idea that (through the operation of social forces, institutional practices or individual decisions) preferences of subjects are systematically influenced such that their

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<sup>71</sup> Resignation might encompass being dominated through symbolic violence as conceptualized by Bourdieu (1998: 173ff; 2005: 82). In that case, the effect and conditions of its efficacy are durably and deeply embedded in the body in the form of dispositions, and generate the respective practices.

<sup>72</sup> In the context of his structural strain theory, Merton elaborated five types of reactions for the case that the objectives ('cultural goals') and available legitimate means to achieve them do not comply anymore and the subsequent evolution of a gap between claim and acceptance. Accordingly, much in compliance with rational choice theoretic assumptions he interpreted deviance as a social vehicle for mitigating tensions in any given society (on deviance and my related evaluation of the other two reaction types – rebellion and innovation – see further below). Note that in line with such functionalist reasoning deviance can act as catalyst for social change.

<sup>73</sup> If we assume that deviance can act as catalyst for social change, the identified dimensions of consent and resignation present the view from below. From the 'above-perspective', they would focus on social control, hegemony, rule, authority, and power in order to enforce conformity among the members of a given society.

<sup>74</sup> Note that the second and third essay (2005a, 2005b) were indeed authored recently and arranged to complement the new publication of his 1976 book *Power: A Radical View*. They can be read as Lukes' reaction to the long and involute debate his book had evoked and as the reaffirmation of the validity of his 1976-argument.

willing compliance with inequalities and domination (in his terminology) is produced through the exercise of power and consequently does not evoke conflict or resistance, not even in its covert version (Lukes 2005: 11).<sup>75</sup> Interest formation is an unconscious process. Therefore, the securing of consent to domination by willing subjects caused by employed ‘strategies’ might be even more effective because they work indiscernibly. According to Lukes, this failure of rationality is induced by power: “Power can be deployed to block or impair its subjects’ capacity to reason well, not least by instilling and sustaining misleading or illusory ideas of what is ‘natural’ and what sort of life their distinctive ‘nature’ dictates, and in general, by stunting or blunting their capacity for rational judgment” (Lukes 2005b: 115). In essence, here Lukes expresses what he (2005a; 1974) initially conceptualized as the third dimension of power: the possible distortion of people’s judgment through the imposition of internal constraints. It refers to the existence of societal values and individual interests that remain in the sphere of unconsciousness of agents, but nevertheless because of their characteristic potentiality, determine how consent to domination among willing subjects is formed by leading them “to acquire beliefs and form desires that result in their consenting or adapting to being dominated, in coercive and non-coercive settings” (ibid.: 13).<sup>76</sup>

In contrast, the works of Foucault and Bourdieu offer insights into how voluntary compliance is ensured through non-obvious mechanisms from an internal subjective perspective, although it is also largely determined by objectivist structuring by symbols and remains in the unconscious.<sup>77</sup> Bourdieu’s ‘construct’<sup>78</sup> of habitus has explanatory value for understanding typical everyday behavior that is not reflected upon and not carried out consciously, but

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<sup>75</sup> Lukes (2005b: 69) pointed out that “social life can only properly be understood as an interplay of power and structure”, though at the same time he noted the opaqueness of the relations between both and the role of agency (ibid.: 68).

<sup>76</sup> With what he conceptualized as third dimension of power, Lukes assigned interpretative responsibility to an external observer to case-specifically trace and uncover these invisible power structures (Lukes 2005, 2005b: 146f). This is problematic and has raised valid criticism; see for example Young (1978) and Scott (1990, 1985).

<sup>77</sup> Despite writing from an internal subjective perspective, the focus is not on agency per se. In Foucault’s writings, largely concerned with the investigation of disciplinary practices, the assumption of omnipresent power, which reproduces itself from within even the bodies and minds of individuals, has given priority to structures over agency. Since even individual identities are seen as determined by power relations, the autonomous actor is non-existent (Lukes 2005b: 89) and agency redundant. The claim of ubiquitous power makes it difficult to distinguish power relations from general social structure in its totality; and it puts the use of power as analytical – even descriptive – concept under scrutiny (Alber 2003: 156). Reviewing several Foucault-inspired empirical analyses, Lukes concluded that Foucault’s notion of disciplinary practices was unfit for studying real-world social phenomena. He suggested that Foucault was first and foremost interested in the design of disciplinary practices on a more or less abstract-rhetoric level, but never tried to trace ‘government techniques’ etc. empirically. Bourdieu’s ideas of symbolic power and habitus can similarly be interpreted to evade agency because the habitus is conceptually located in between structure and agency (see next fn.) and not assigned a ‘free will’, but determined by structural-relational factors (Bourdieu 1987, 1998).

<sup>78</sup> ‘Construct’ is written in inverted commas here because habitus according to Bourdieu has always been an auxiliary, abstract notion which he made very clear does not have empirical substance as a ‘thing’, but resembles the link between structure and agency, which is subject of structured structure (*opus operatum*) and operator of structuring structure (*modus operandi*) at the same time. See Bourdieu (1984, 2005: 31).

legitimizes existing figurations of social inequality and power.<sup>79</sup> Habitus is the principle that social groups are specifically oriented towards perceiving, thinking, and acting in typical ways. Moreover, habitus is a reflection of the social structures ingrained in the bodies and minds of individuals as the result of group-specific practical experiences over long periods of history into which they are born and by which they are socialized throughout childhood. As such, habitus resembles a disposition of preferences (including tastes) and subsequent regular behavior shared by members of a more or less clearly distinguishable social group (e.g., milieu) that inhabit diverse social fields (Bourdieu 1987). In *La distinction* Bourdieu (ibid.) demonstrated the ways in which status distinctions are maintained and reinforced as people tend to position themselves in a classification scheme exposed ‘naturally’ by their social surroundings. Thus, two kinds of objectifications exist: inside bodies and minds (habitus) and in the surrounding structures, that is, organizations, institutions, and fields (Bourdieu 1993: 106). They are mutually conditioned and object to the same socially structuring processes. A person’s habitus enables him or her to generate diverse situation-specific patterns of behavior that are stored and constantly updated, that is, reconfirmed or adjusted in the social group’s collective memory as a repertoire of experiences for effectively dealing with and assessing practical challenges in current and future interactions.

Among such experiences is the subconscious recognition of the symbolic quality of various possible resources and thus the acceptance of certain value judgments as unquestionable facts. According to Bourdieu, ‘capitals’<sup>80</sup>, which can be understood as resources of diverse social fields, shape these fields from the inside and consequently also generate the habitus in a deterministic manner that is similar to a closed circuit. In the case where a type of capital and its distribution and structures within a certain social field has ingrained itself so deeply into social patterns of perception, evaluation and categorization that no external legitimation is necessary, the capital in question takes on symbolic status. Once this is achieved, the specific symbolic capital legitimizes and re-affirms the same structural distribution of resources and power relations for the respective social field and symbolic power is exercised. Bourdieu assigned to the ‘symbolic order’, which is generated by these processes, the status of a legitimating authority underlying the political sphere, embedded in basic and general everyday social interaction processes (Kraemer 1994: 180). Distinct from Weber, Bourdieu explicated that legitimacy does not entail conscious acceptance and claim of action as legitimate. Instead, it results from the pre-reflexive congruence of incorporated structures, which do not surface in human consciousness (Bourdieu 1985: 199).

This unconscious legitimacy provides the grounds for ritualistic, but still meaningful behavior, which follows largely circular logic in its underlying production and reproduction (that is, structuring and being structured) patterns. Consequently, in theory the disposition of the

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<sup>79</sup> Bourdieu called the acceptance of something as ‘given’ and as seemingly natural social environment ‘doxa’. It conditions that the social world the individual is embedded in is neither questioned nor its functioning reflected upon. See also 2.3.3.

<sup>80</sup> Bourdieu distinguished three broad categories of capital (cultural, economic, and social), which entail many more specific capital sorts each. See Bourdieu (1998).

habitus of members of a certain social group ensures that they perceive their conditions and the power relations in which they are embedded as ‘natural’. This explains unconscious anticipatory obedience and conformity of marginalized and excluded groups with the symbolically structured relations that make up their social world, and thus stabilize inequality. ‘Poverty’, for example, could become a self-chosen way of life and force, coercion and exploitation experienced as freedom (Sen 2002; Nussbaum 2000; Han 2005: 56). The habitus generates certain mental attitudes and value assumptions that facilitate the broad acceptance of power relations that favor others over members of one’s group.

Similarly, Foucault emphasized disciplinary techniques and related manipulations of biopolitics (Foucault 2004). Claiming that power operates through individuals’ souls and bodies, in his late works he focused his argument on processes of subjection and objectification that are grounded in specific forms of daily conduct and lifestyles, particularly technologies of the self. The latter enable the individual to make his or her body, soul, thinking, behavior and existence seem life-fulfilling (Foucault 2005a: 966). However, the technologies of the self should be seen in close relation to the technologies of power, of sign systems and of knowledge production.<sup>81</sup> He explained the linkage between technologies of the self and technologies of subjugation as control mentality (ibid: 967). Accordingly, in everyday life individuals are categorized, assigned an identity, tied to this identity and exposed to a reality they constantly naturalize for themselves, and through which others see them. Consequently, individuals become objectivized subjects subjugated to and dependent upon the rule, power, or authority of others, and at the same time, submitting by means of the identity they accept as their own (Foucault 2005b: 245). Thus, for Foucault subjection means the subjugation of subjectivity, that is, in a subjugating and submitting – actually objectifying (ibid.: 246) sense where the scope of agency and resistance is clearly limited. In particular, with the assumption that individual identity is already a product of power relations, Foucault’s approach does not allow conceptualizing individuals as autonomous decision-makers but as subordinates to bounded rationality within the framework of the power structures to which they have been subjected. Consequently, structuration processes and objectification overrules agency and its potentialities more strongly than in Bourdieu’s habitus, which at least allows for limited creative potentials and incremental change. In the context of Bourdieu’s habitus as production and reproduction of ritualistic features, Foucault’s technologies of the self can be read as a more totalizing, retreating form of consent, that is, as one form of legitimacy attribution.

The idea of conformity as a loose form of consent broadly resembles Popitz’ explanations (2.2.3) of how individuals generate interests in a certain order and start investing in it. Consequently, individuals attach value to both individual investments and the broader circumstances, despite subjection and inequality. The value attached to an existing order (*Ordnungswert*) is evident in everyday experiences. It is fueled by individual investments in

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<sup>81</sup> However, Foucault did not confine subjectivation processes to harsh disciplinary practices and their normalization per se, but included also lifestyle practices through which contemporary states establish safeguarding societies (*Absicherungsgesellschaften*). The difference lies in the latter’s tolerance towards deviance within certain boundaries, which do not put imposed control under scrutiny (Foucault 2005d: 141).

the very small everyday acts that create a net of interdependencies that not only becomes tighter but also enlarges over time. Popitz emphasizes that such action neither implies affirmation by the respective order, nor should it be interpreted as pure opportunism. Because it is not the acceptance of the conditions that create a certain order, which have to be enforced and accepted, but more significantly, their mere interpretation and meaning (Popitz 1968: 38).<sup>82</sup> Thus, full conformity is sufficient. The subjective interests underlying conformity guarantee overall stability because they are interwoven with societal structures. Popitz argues that this explains why the prospect of another, ‘better’ social, political or economic environment hardly convinces individuals to object their position or even to rebel. Different milieus can be assumed to have generated basic acceptance and legitimacy patterns (ibid.).<sup>83</sup> They are not willing to risk existing investments in an order that ensures them planned security and certainty of expectations. In an imaginary prospective order, they would have to start investing from zero without certainty regarding potential benefits (ibid.: 36f). Because even the subordinated and disadvantaged have come to accept their condition as natural and indeed have come to value it, they prefer to maintain this inequality and all subsequent effects instead to rebel or resist.

Related arguments can be found in the works of Douglas, Gramsci and Mann, although these theorists are mainly interested in the symbolic and historical dimensions of internalization and the persistence of inequalities. To underline their argumentations, all authors refer to aspects of power, social control and sometimes violence. With the notion of hegemony, Gramsci (1991: 101f; 1992: 752) alluded to structural social inequality as a historical product of how social life is organized. He suggests that ‘reality’ is disguised by structures with the help of control rituals that make the hierarchical structuring of power appear natural because of its penetration of the consciousness of the subjugated (Pfohl 1985: 352). According to Pfohl, “The penetration is often as subtle as it is deep” (ibid.). Mann, in his multi-volume opus magnum on the history of power (1990, 1991, 1998, 2001), cites the example of the working class, which failed to revolt against exploitation and miserable social working conditions throughout various periods of history because it was not able to organize adequately. He concluded that individual rational action does not necessarily result in collective rationalities. In this reading, the individual interests of members of the working class who are most often concerned with modest survival above all, are likely to cause them to refrain from organizing against the propertied industrialist class. In addition to the lack of organizational capacity, Mann mentions several other reasons that could account for this non-action, including the likely lack of full confidence in abilities and organizing capacities, fatalistic feelings of powerlessness given the particular conditions of the socio-political framework, and motivations for free-riding, which is a classical problem of collective action (Mann 1990: 23).

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<sup>82</sup> To quote the original text from Popitz (1968: 38), “*Der Ordnungswert der bestehenden Ordnung wird als alltägliche Erfahrung evident, und zwar so, dass seine Bedingungen – die bestehende Machtordnung – mit in diese Erfahrung eingehen. Durchzusetzen bleibt nicht die Anerkennung dieser Bedingungen selbst, sondern ihre Deutung und Bedeutung.*” Here again, similar to Bourdieu, the symbolic dimension of social action is considered highly significant.

<sup>83</sup> Note the similarity of Popitz’ milieus (*Mentalitätslagen*) with Bourdieu’s ‘construct’ of habitus.

Finally, Douglas (1986) spoke of the social control of human cognition through institutions, organizations and other collectivities that provide ready-made classification and knowledge schemes in all spheres of social life. According to Douglas, human beings only act within the framework of the given schemes, and are thus bounded with regard to freedom of choice. She concluded that conflict mediation should focus less on individuals' attitudes and more on institutional change because incompatible principles are at the heart of any conflict in situations when institutions are assumed to decide life and death issues and 'do most of the thinking' (Douglas 1986: 125). For example, humanitarian crises, such as famines have repeatedly not resulted in rebellions of the starving against the propertied, which external observers would evaluate as rational action because it complies with objective ideas of equity. Instead, as Douglas points out, "Crisis behavior depends on what patterns of justice have been internalized, what institutions have been legitimated" (ibid.: 122).

In brief, the approaches presented above explain the persistence of inequality and - viewed from the external observer's perspective - that irrational behavior relies on assumptions of internal constraints that influence individuals' preference formation. In Lukes' words, "they address the ways in which domination can work against people's interests by stunting, diminishing and undermining their powers of judgment and by falsifying, distorting and reducing their self-perceptions and self-understanding" (Lukes 2005b: 123). The constraints in question can be read as generated by and actively generating moralities that both affect and reproduce power relations. Active rebellion, that is, conscious resistance to domination, disadvantages, exploitation, and unequal treatment in general thus is an exception and seems unlikely to occur. A limited scope of agency exists only within a given state of affairs structured by certain moralities. Viewed in the context of this normatively legitimated meta-structure, it can only surface as acts of deviance dissociated from consent. Recalling Merton's types of action (see above fn. 72), I have argued that rebellion must be ruled out. However, I suggest that deviant behavior can be read as innovation.<sup>84</sup> To show how, I limit myself in the following paragraphs to introducing two ideas: the popular 'weapons of the weak'-resistance perspective of James Scott (1976, 1985, 1990) and the 'leveling' phenomena described by Miller and Cook (1998) and Elster (1999).

Both demonstrate that even in situations where (social) force prevails, in totalitarian settings and highly exploitative circumstances, the scope of agency with which individuals are endowed should not be assumed to be zero. As Giddens put it, individuals can act even when they do not seem to have a choice: "To 'have no choice' does not mean that action has been replaced by re-action" (Giddens 1984: 15). Similarly, Alber (2003: 53) admitted that all social

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<sup>84</sup> The main difference between rebellion and innovation is that the latter remains within the 'structurally given' framework of actions whereas the former rejects this framework based on conscious reflections about its constraining nature (Merton 1938: 676). Rebels might use illegitimate means: civil disobedience, sabotage, assassination, hijacking, kidnapping etc. and usually seek to replace the societal goals, not to put themselves on top of the hierarchy reinforcing these goals (Pfohl 1985). In distinction, 'innovators' follow goals within the realm of what is deemed legitimate in the respective context. However, they also employ illegitimate methods and means to realize their aims (Merton 1938: 678).

relations more or less entail multi-layer dependencies in which not only one side is able to enforce its interests all the time. Thus, contrary to Weber, who conceptualized social (power) relations as limited to connecting rulers and followers or interest enforcers versus those who obey, Alber refers to the ‘power of the weak’, which likely manifests itself even in situations characterized by ‘naked violence’, such as in concentration camps (ibid.). On the one hand, the scope of action of the dominated<sup>85</sup> is never only limited to reactions that express full obedience. On the other hand, agency in the form of deviance occurs within the scope of existing norms, thus to label it ‘pro-active’ would be an exaggeration.<sup>86</sup>

In his seminal book on the everyday forms of peasant resistance, which he described as ‘weapons of the weak’, Scott (1985) identified a number of low-profile techniques used by subordinates to exploit small advantages through non-compliance. These techniques entail two dimensions: actual deception through dissimulation, desertion<sup>87</sup>, pilfering, slander, arson, piecemeal squatting and sabotage (Scott 1985: xvi); and false compliance in the moral sphere and symbolic opposition expressed by the creation and dispersal of proverbs, folk sayings, oral history, legends, jokes, ritual, religion and language. Scott relates both dimensions to the content of what is being communicated and the style or aesthetic forms of expression (Scott 1976: 238). The argument for the latter should be understood against the backdrop of Scott’s book on the moral economy of the subsistence ethic (Scott 1976).<sup>88</sup> Scott argued that questions of exploitation and rebellion must be tackled by studying peasant culture and religion because they provide a symbolic refuge, an alternative moral universe (ibid.: 240), the understanding of which would enable the researcher to trace the differences between the moral universes of the peasants versus those of the landholders. Although Scott’s research was carried out from a class-struggle perspective,<sup>89</sup> his findings can be related to other situations of

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<sup>85</sup> I am toiling with the selection of adequate terminology to capture the ‘dominated’. The term is used here for lack of better alternatives which could be ‘weak’, ‘disadvantaged’, ‘subaltern’, ‘dependent’, ‘subordinated’, ‘powerless’, but all are the same ideologically underpinned. In the subsequent paragraphs they are used synonymously, but meant to be value-free.

<sup>86</sup> In line with how I conceptualize deviance here – by not going beyond the given normative framework or trying to replace it – other forms of outright ‘dysfunctioning’ like Foucault’s mental ill or criminals are excluded from the discussion (Foucault 1996). The question that automatically arises is when and how does deviance turn into ‘rebellion’ and can this be recognized? Thus, where is the dividing line between ‘deviance’ as conceptualized above and the reaching of a tipping point for ‘revolutionary’ social change? Scott (1976: 238ff) raised related questions. From a social-functionalist perspective it could be argued that deviance is quite normal (Durkheim 1992 [1930]) and serves a purpose in society because it can become an exit valve for social change – again depending on many variables, among them the socio-political setting. If the focus is more on everyday-practices of deviance, it can serve to solidify valid norms and solidarity among the norm-obedient. In this case ‘deviantization’ – the process of labeling members of society as rule-breakers – is used as a strategy by the group that can rely on ideological and normative power sources to affirm what is right or wrong. Again, here it becomes quite clear that deviance is socially constructed and can only be defined in distinction to dominant, valid norms in any one society (Pfohl 1985).

<sup>87</sup> Desertion equals the ‘exit’-option in Hirschman’s parlance above (2.2.2). See Hirschmann (1970: 17).

<sup>88</sup> The empirical research for the 1976 book was carried out in lower Burma and Vietnam; the *Weapons of the Weak* (1985) relies on material collected during a two years field stay in Malaysia.

<sup>89</sup> The perspective of class-struggle can be interpreted as narrow power-lens. It distinguishes rich versus poor without attributing external agents, such as the government, a role within the local social unit of analysis. While



inequality that are not confined to monolithic local classes. This particularly concerns his reflections on the nature of everyday deviances: First, they usually do not constitute collective violations, but some form of individual self-help in the realm of subsistence economies, impoverishment and rights deprivation. Second, as a rule, such resistance actions do not require coordination and planning because they rely on informal network relations and shared alternative moral universes. Finally, non-compliance remains hidden below the surface of open confrontation with superiors, the more powerful, and the better-off (Scott 1985: xvi).

Scott took these ideas further in the distinction between hidden and public transcripts and the assumption of a dialectic relationship between both (Scott 1990: 27). Hidden transcripts – discourses in form of gesture, speech, and practices – are a result of the exercise of power. Accordingly, Scott ascribed not only subordinates but also the powerful with the development of a backstage discourse, as opposed to a public transcript, in which ‘carefully calculated conformity’ (Scott 1985: xvii) prevailed. By connoting the different patterns of disguising insubordination with ‘tactics’ (1990: xii), Scott came to speak of the ‘infrapolitics of the powerless’ (ibid.: 184). It includes phenomena, such as the self-interest of the subordinates, which more or less actively reinforce the appearance of being disadvantaged because this provides space for unnoticed, backstage petty deviances. Accordingly, infrapolitics entails the hidden cultural and structural underpinnings of more visible political actions:

Because open political activity is all but precluded, resistance is confined to the informal networks of kin, neighbors, friends, and community rather than formal organization. Just as the symbolic resistance found in forms of folk culture has a possibly innocent meaning, so do the elementary organizational units of infrapolitics have an alternative, innocent existence. The informal assemblages of market, neighbors, family, and community thus provide both a structure and a cover for resistance. Since resistance is conducted in small groups, individually, and, if on a larger scale, makes use of the anonymity of folk culture or actual disguises, it is well adapted to thwart surveillance. There are no leaders to round up, no membership lists to investigate, no manifestos to denounce, no public activities to draw attention. These are, one might say, the elementary forms of political life on which more elaborate, open, institutional forms may be built and on which they are likely to depend for their vitality. Such elementary forms also help explain why infrapolitics so often escapes notice. If formal political organization is the realm of elites, of written records, and of public action, infrapolitics is, by contrast, the realm of informal leadership and nonelites, of conversation and oral discourse, and of surreptitious resistance. (Scott 1990: 200).

The described everyday behaviors of deviance, including ‘infrapolitics’, can be read as innovative practices developed and conducted more or less strategically by the disadvantaged to mitigate inequalities. A related phenomenon on a collective level was identified by Miller and Cook as intentional ‘leveling’ in trying to answer the question of the extent to which coalitions of the weak can exert political power and induce social change (Miller and Cook 1998: 71). According to them, leveling occurs instrumentally as part of spontaneous coalitions of ‘the weak against potentially powerful actors’ and in already existing hierarchical settings. Intentional leveling aims at checking in the sense of constraining a potential leader’s advance

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Scott started out his research career based on such rather monolithic assumption, he later shifted towards hegemonic arguments (Scott 1990).

on the hierarchical ladder of power (that is, by accumulating power resources) and may entail ridicule, avoidance, subterfuge and sabotage (ibid.: 72). These behaviors constitute mechanisms that do not require organization, which are very similar to the techniques identified by Scott. However, leveling is a collective strategy, that is, “Individuals who seek to undermine leaders or potential leaders by gossip, ridicule, economic boycott, or social shunning may collectively bring a leader down without organizing to do so” (ibid.: 92).<sup>90</sup> The authors argued that the threat of social ostracism conditions those outside, who proclaim an egalitarian ethos underpinned by a public script, whereas below the surface, efforts are made to prevent the evolution and disguise the existence of differences in wealth and power. The underlying rationale is constituted by the social norm that something ‘isn’t done’ (Elster 1999: 116); differences in wealth would disturb social relations among neighbors if they were too blatantly displayed.

Thus, in theory the threat of leveling applies to anybody who seeks leadership positions, visibility or socio-economic and political status claims, resulting in ‘a noticeable under-provision of leadership, collective action and public goods’ (Miller and Cook 1998: 92).<sup>91</sup> However, this model also allows an explanation of the evolution of hierarchies by assuming that in practice, natural coalitions fail to check on advancers because they accept side-benefits (ibid: 71). Accordingly, it is in the interest of those accepting side-benefits to generate gradual differentiation of leaders from followers, because leadership in egalitarian settings may be perceived as reducing uncertainty through patronage. This idea is very similar to Popitz’ concept of the process dimensions of the institutionalization of power (2.2.2).

### 2.3.3 *Lebenswelten* as subjectively experienced arenas of practice

Having explained how power relations have been conceptualized (2.2) and embedded in a framework of social interaction processes from a theoretical perspective in the previous section (2.3.1), I now want to introduce the notion of life-world(s) (*Lebenswelt[en]*)<sup>92</sup> as the mental arena of mundane everyday practices.

Since its origin, the concept of *Lebenswelt* has been closely connected to the German philosophical tradition of phenomenological thinking. The notion was first introduced around 1920 (1917, 1920/1924) by Edmund Husserl as synonym for an under-defined idea of ‘natural world’ (Welter 1986: 78f). Because Husserl’s definition was ambiguous, the *Lebenswelt*-

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<sup>90</sup> The underlying assumption is that social sanctions based on crosscutting ties, cheaply available information, the spread of gossip and an egalitarian code of conduct in a given community, ensure collective action (Miller and Cook 1998: 92). Against the backdrop of what I have stated in the previous sections, this is a vague assumption that I do not share. It seems that Miller and Cook treat the subordinate ‘powerless’ as homogeneous social entity without allowing for differentiations in preferences etc.

<sup>91</sup> Evidence has been collected and the point is proven for small-scale societies. For example, see Banfield (1958), who showed how the competition among inhabitants of one Italian village enslaved them as “prisoners of their family-centered ethos” (in a state of culture Banfield coined ‘amoral familism’) and prevented ‘economic development’ (ibid.: 163f).

<sup>92</sup> Both terms will be used interchangeably throughout the thesis.

concept gained different meanings among philosophers and sociologists. Today, the debate about its ontological features (following Husserl) and the variety of content characteristics is ongoing (Blumenberg 2010; Welz 1996). Major milestones in the subsequent discussions have been the evolution of different strands in the tradition of interpretative sociological research, such as symbolic interactionism (Mead 1973 [1934]; Blumer 2005 [1973]; Whyte 1961) and ethnomethodology (Garfinkel 1967).<sup>93</sup> For some, *Lebenswelt* acquired a broad general meaning as ‘universe of natural givens’ (*Universum von Selbstverständlichkeiten*), which is constantly reproducing itself and increasing (Blumenberg 2010: 146), or, put differently, as a historically determined, socio-cultural environment in its totality (Bergmann 1981: 69). However, more focused writings, such as Schütz’s work paved the way for an empirical understanding of life-worlds and caused other sociologists to pay scholarly interest to the everydayness of life and social interaction processes – the mundane – as well as related challenges regarding content and methodology.<sup>94</sup>

For the purposes of my thesis, I understand *Lebenswelt* as a subjectively experienced locus of daily social interactions that entail two main dimensions: First, it is composed of the background knowledge and ideational reality surrounding individuals, which is perceived or unconsciously accepted as given (*doxa*). This ‘reality’ consequently frames mundane inter-subjective behavior and communication within the different local realms of everydayness and thus leads to further (re-)production processes of reality through thought and action (Schütz 1991 [1932]; Berger and Luckmann 2001). The second dimension relates to the physical and structural textures of the social realms that form the arena (*Schauplatz und Zielgebiet*) of all social interaction, including the material surroundings, that is, social and natural environments (Schütz and Luckmann 2003: 46).<sup>95</sup> Hence, life-worlds are always contextualized in time and space and thus are specific to respective fields of practice orientation. However, as subjective life-worlds structure and are structured by inter-subjective social action processes (Schütz and Luckmann 2003: 29, 48ff; Vierhaus 2005: 14), they are never static, but highly dynamic and subject to changes through action caused by outside influences or internal processes (*ibid.*). Both dimensions, the given background and ensuing perceived reality, which is experienced empirically by the members of groups of people ‘inhabiting’ certain life-worlds in physical environments, resemble collective constructions of meaning.<sup>96</sup> The assigned meaning is the

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<sup>93</sup> See Welter for an informative categorization of the different disciplinary strands of life-world ‘theories’ (Welter 1986: 224ff).

<sup>94</sup> Schütz initially spoke of the perceived social reality of daily life as ‘social world’. See Schütz (1991 [1932], 1971, 1972) and the edition Schütz and Luckmann (2003), prepared and published *post mortem* by his student Thomas Luckmann.

<sup>95</sup> To put it differently: my understanding aims to combine (1) the (broad) phenomenological notion of life-world defined as the underlying or background notion of sedimented experience and knowledge, which is always interpreted already according to symbols and which leaves no questions to be asked, and (2) the empirical realm of everyday action which is not seen as something extraordinary, unheard-of or charismatic, but concerned with average (ordinary people and action) and daily routines.

<sup>96</sup> Habermas stresses that communication serves as precondition for collective interpretation processes and the assignment of meaning (*ibid.*). The respective ‘life-worldly’ background provides the source and origin for the definition of situations, which are subsequently recognized by the concerned persons as unproblematic.

result of a collective's sedimented interpretations of past experiences, which are taken for granted and usually not questioned. All members of a social group have the same underlying perception regarding the relevance of a certain issue and on this basis deduce certain interests and actions (Schütz 1971; Schütz and Luckmann 2003: 99). Accordingly, a particular *Lebenswelt* thus encompasses all unproblematic issues in the everyday life of its inhabitants (ibid.: 29).

However, as I pointed out in 2.3.1, perceptions of the problematic or non-problematic are not clear. I have proposed, with reference to Foucault, Lukes and Bourdieu, that power relations are embodied in all social structures and fields, including those that are apparently unproblematic and unchallengeable. Thus, just as social interaction and practice, power relations are inherent to life-worlds. Life-worlds are formed by inter-subjective social worlds (the assigning of meaning) in different realms of everyday life (Schütz and Luckmann 2003: 44). Here, intersubjectivity relates to the idea that the same experiences are shared among a number of individuals and are thus not subjective in the sense of private. Vested with a 'natural worldview', all people sharing the same life-world normally know what the others do, why they do it, why they do it at a certain point of time, and under what circumstances (ibid.). It is further assumed that they share the same interests: for example, how they make sense of the world around them against the backdrop of past experiences and present co-inhabiting of a joint material and social world. Within a life-world, its members are able to reach an inter-subjective understanding because communication is possible and resembles a form of social action (Habermas 1995: 107; Schütz and Luckmann 2003: 29, 659ff).<sup>97</sup>

I follow Schütz in his idea about the parallel existence of different life-worlds with self-contained meanings.<sup>98</sup> He distinguishes the worlds of everyday life (*Alltag*), with worlds of imagination (e.g., play and religion) and the world of dreams (ibid.: 61ff). Though he conceptualized these spheres as distinct 'provinces of meaning' with mutual overlaps as the exception instead of the rule, he assigns elevated status to the everyday life-sphere as 'paramount reality', because it frames the world of operation where agency produces change<sup>99</sup>

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<sup>97</sup> According to Habermas, inhabitants of a life-world form a communication collective (*Kommunikationsgemeinschaft*) (ibid.); the public discourse expresses the collective will. This is in contrast with Foucault's concept of discourse, which is rather structurally determined and not consciously influenced by actors, thus lacking agency and directed at exclusion of unwanted knowledge and facts (Foucault 2008). For the role of language see Schütz and Luckmann (2003: 659ff) and Luckmann (2007: 13, 19f).

<sup>98</sup> Much in distinction to Husserl (1950, 1954), Schütz speaks of several worlds with own 'provinces of meaning'. Besides the ones mentioned in the next sentence he also added the worlds of science and art (Eickelpasch 1994: 131). However, it remains unclear to what extent there are not significant overlaps with the notion of everyday life-worlds. It is plausible, though, that an individual's life-world is formed by the inter-subjectively constituted social world and multiple realms of reality beyond the scope of everydayness.

<sup>99</sup> Welter (1986: 185), pondering about the question which use the label '*Lebenswelt*' potentially has in distinction to '*Alltagswelt*' (everyday life-sphere) – admittedly a German discussion – concludes that it can only be seen in the life-world's potential totality of penetration of human action arenas. Nevertheless he holds the label to be unfit and states it is just a popular phrase connected to an underlying primary association with the unspectacular normalness of everyday-life in the sense of *Alltagswelt* (ibid.: 205). Similarly Grathoff (1995, 1978) sees a close link between everyday life and life-world, proposing to treat both as a unitary issue in phenomenological social theory (Grathoff 1995: 93ff). The German sociological school, which focuses on

(ibid.: 132). Moreover, I assume the *Alltagswelt* to contain several fields depending on the societal context, such as the fields of science, production, resource management and so on. Moreover, I add another connotation: I locate my understanding of life-worlds in the framework of the world of mundane practices and everyday life where inhabitants are ‘forced to act if they want to live’ (ibid.: 447). Subsequently, the everydayness I am interested in focuses on the conduct and perspective of life and lifestyles of the average person, that is, the ordinary man and woman. Central to my approach is the perspective of individuals as agents and participants in the social world surrounding them, which both enables and constrains, and structures and reproduces them. It is thus plausible that everyday life-worlds contain spheres and fields of action for which every individual is competent as agent (Hammerich and Klein 1978: 12). Every person disposes of different field-specific experiences that are subjective in nature but derived from the social, that is intersubjective, action and which are consequently also shared inter-subjectively. The introduction to Chapter 6 connects the life-world concept to the sphere of natural resource management. I will argue that the highly environmental resource-dependent context in which my study population lives, frames the scope of everyday livelihood and survival practices and moralities, and consequently shapes these rural dwellers’ life-worlds (see Chapter 6).

## 2.4 Local governance in societies

This subchapter will elaborate the concept of governance and the relation of what I hold to encompass *local* governance with the notion of life-worlds (2.4.1). A subsequent section will distinguish the notion of local governance from that of local government (2.4.2). First, however, I want to introduce my understanding and use of the term ‘society’ in this thesis. I alluded to it in 2.2.2 in my discussion of the different levels of interdependencies underpinned by power relations. By defining these terms at this point, I also hope to preclude confusion regarding the distinctions among the three terms: life-worlds, local governance, and society.

By ‘society’ I mean ‘rural society’ and the inhabitants of the rural countryside in my study region of northeastern Afghanistan. By employing the term in this way, I follow Mann’s criticism of the unitary understanding of society in the sociological mainstream, according to which society is viewed and analyzed from a system perspective. As such, it is self-sufficient and carries the attributes of a closed entity (Mann 1990: 32ff, 58).<sup>100</sup> The conventional usage

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research related to everyday-lives, has its root in the phenomenology of Husserl and Schütz, but expanded its scope to the investigation of everyday phenomena on the micro-societal level. Against this background, a debate about proper not only labeling, but also contents has arisen from the 1970s. A product of this debate is the special edition of the journal *Kölner Zeitschrift für Soziologie und Sozialpsychologie* in 1978 which provided ‘materials for a sociology of everyday-life’ with the same title (see Hammerich and Klein 1978). The positions differ on how a sociology of everyday life (*Soziologie des Alltags*) can actually be conceptualized and which dimensions can be attributed to it. See also Elias, who questions the universal applicability of a narrow notion of *Alltag* in other cultural contexts (Elias 1978: 29).

<sup>100</sup> Similarly, the political philosophers Laclau and Mouffe (2006: 130) argue in their ‘radical democracy program’ against conceptualizing ‘society’ as evolving totality of its sub-processes (*als fundierende Totalität ihrer Teilprozesse*) and suggest instead to acknowledge the openness of ‘the social’ as constituting existence.

of this understanding of society equates society with the population of a nation-state. In contrast, Mann argued that society could be more usefully conceptualized as consisting of multiple overlapping interaction networks of people that share manifold linkages giving it a ‘confederal’ character.<sup>101</sup> Thus, it is appropriate to not only think of societies in the plural and assume that they exist and operate in specific geographic and spatial frames (‘scales’) of interaction (ibid.: 58), which share the same characteristics, but also to imagine these societies as traversed by multiple social fields. Subsequently, it is essential to break up the conventional nation-state society construct into smaller units that more closely resemble interaction networks in different socio-spatial scales. The latter do not necessarily have to divide along classic lines of social and spatial organization, but can be formed by identity and their belonging to different user communities that commonly establish intersubjectivity and thus also frame life-worlds (see Chapter 5).

Thus, my use of the term society refers to the rural society (which is assumed to be traversed along many social lines; see above) of northeastern Afghanistan. In this study, rural society includes not only the population of the countryside, but also of the towns and municipalities in the three sample provinces (Baghlān, Kunduz, and Takhar) because their lifestyle<sup>102</sup> is largely characterized by agricultural and subsistence production, rural income, and consequent lifestyle patterns. Although the mundane practices of bazaar traders versus peasants or nomads differ, they are subjected to the same structural influences and moralities. In that sense, I speak of rural Afghans and rural Afghan or local society.<sup>103</sup> As its complementing counterparts, camp society in camps of internally displaced persons (IDPs) or refugees, Kabul ‘high’ society (e.g., new rich or intellectuals), religious society (religious authorities) or emigrant societies in the diasporas, among many others, could be distinguished if necessary. With regard to investigations into social differentiations, which form a main thread throughout this thesis, I use the notion of life-worlds to refer to groups of people who live in different localities and practice a certain occupation or share other field-specific commonalities. This frame makes it possible for a person to relate and activate different life-worlds against the background of his or her greater societal belonging. According to Popitz, human beings live in a plurality of imagined belongings and are able to accommodate all resulting diversities, possible

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Their radical stance encompasses that ‘the social’ rather manifests in a symbolic than essentialist order, constituted through discourse alone. For my however slightly different elaborations on ‘the social’ (see 2.2.1 above), I see discursive *and* materialist dimensions linked to the social. However, I share Laclau and Mouffe’s skepticism regarding the fragmentariness and incompleteness of presumably ‘totalitarian’ concepts which involve social units.

<sup>101</sup> Despite of the view of societies as nets of multi-dimensionally overlapping social networks which are never fully or even sufficiently institutionalized, Mann assigned such ‘figurations’ (actually he suggested abandoning the term ‘society’ altogether) relatively fixed spatial boundaries (Mann 1990: 15).

<sup>102</sup> Weber already spoke of visible differences in the everyday lifestyles (*Alltag*) of groups of people. See Weber (2005: 309).

<sup>103</sup> However, I do not intend to claim to speak for the whole rural population of Afghanistan, but limit myself to my empirical field sites in northeastern Afghanistan, that is, in particular the Kunduz oasis and the Pamir/Karakoram foothills. On the specific characteristic and socio-geographic and economic background of northeast Afghanistan see Chapter 5.

contradictions and discrepancies (Popitz 1980: 83, 86). However, it is important to emphasize that *Lebenswelt* does not at all resemble a reductionist version of society. Instead, it is necessary that I integrate the notion of life-world into my conceptual framework because it allows me to capture subjective, everyday perspectives on mundane activities in specific fields of social action arenas, particularly the significance agents attach to certain dimensions of action, symbols, and meanings in addition to observable events.<sup>104</sup>

#### 2.4.1 Governance as the exercise of power in specific social action arenas

Based on the previous discussion, I am now able to deduce a rather ample understanding of governance. At its base, it is constituted by the assumption of the ever-present circumstance in social settings that one individual or group influences on the lives of another or others, which always then involves the exercise of power. As suggested on a more abstract level regarding power and social order, governance is not restricted to selected, separate spheres of social life, such as politics or the economy. Instead, it is inherent in human bodies (Foucault 2005c) as well as in mundane practices of everyday conduct, whether in harsh conditions where survival is always at stake, or in peaceful, economically prosperous societies. It is constituted and constantly reproduced by social practices and moralities and is to great extent synonymous with what Foucault termed *conduite* (Foucault 2005b: 256). The ambiguity of the term *conduite* should be seen as strength here because it extends from conduct to leadership to governing, and further encompasses notions of self-control, supervision, steering and regulation, and management. Thus, it encompasses the potential to integrate different subjects and objects or subordinated at the same time. It can not only entail force and coercion but also refer to agents' self-conduct as a result of cognitive factors (ibid.) and discourses, in the presence or absence of a central authority.

Governance as the activity of governing or the way something or somebody is being governed in the sense of being directed, guided, or – depending on the perspective, even – controlled, is a manifestation of power relations, that is, of the exercise of power. Consequently, in any governance analysis, the broad question is *how* power is being exercised (ibid.: 251).<sup>105</sup> Moreover, governance carries with it a strong process dimension.

At this point, I feel it necessary to stress that in my view, governance also entails subjectivation which objectifies the subject and processes of subjection and subjugation, that is, how subjects govern themselves and others, are at the same time subjugated and evolve as selves (see 2.3.2; Dean 1999: 12). These processes can underlie voluntarism or enforcement by coercion and be brought about from the inside or externally, conscious or unconsciously. Hence, they are a disciplining element that provides for the organizational and ordering dimensions of governance. The orientation of conduct is guided by moralities; it results in the

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<sup>104</sup> According to Sayer (2010: x). See the methodology chapter for further elaborations.

<sup>105</sup> Yet again, if power is assumed ubiquitous, the methodological challenge of how to grasp power arises. For a discussion of this issue see the methodological remarks in Ch. 3.

situational definition of what is right and wrong or good or bad and translates into certain configurations and characteristics of social order. Whereas in my view, social order encompasses all sorts of meaningful behavior, governance is limited to social actions that organize the collective coexistence of communities and societies, thereby aiming (or claiming to aim) at the organization of collective wellbeing in and among societies. The dimension of collective well-being refers to the organization and decision-making processes related to the provision of collective goods, such as safety and security, dispute resolution, and joint usage of resources, that is, their allocation, distribution, and access. Whom the collective includes in a particular context is an empirical question. It is not bound to a totalitarian entity of society (whatever its scale even on the sub-national level), but it might refer to socially stratified groups and communities within any society (see Ch. 5.3).

This definition also implies that governance is always bound to specific social fields (2.2.2) or action arenas.<sup>106</sup> Accordingly, in an analysis of governance, the particular arena of social action has to be specified, that is, in addition to ‘how’, it is useful to ask ‘governance of what?’ However, a sole concentration on the arena question of (governance of) ‘what?’ is never sufficient, because it potentially ignores the interstitial characteristics of interaction networks and their working logic (Mann 1990: 56).<sup>107</sup> As Mann pointed out, this interstitial and difficult characteristic can be traced to the fact that the origins of many interaction networks can only be located between the sources of power and between institutionalized power structures (ibid.). A look at either one and even both concurrently remains insufficient in so far as it does not take into account the dynamics that a) preclude the shaping of both and b) arise as the result of the multiple rationalities underlying social interactions. Similarly, Kraemer proposed that social practice evolves based on the reciprocal mutuality of symbolic *and* material societal conditions, which he termed ‘materiality of practice’ and to which he assigned an inherently societal character (Kraemer 1994: 179). In line with Bourdieu, he suggested that social facts are not merely ‘things’, but are located in individual forms of practices (ibid.). Long (1989b: 228f) spoke of the importance of ‘emergent structures’ in this regard. Accordingly, unintended consequences of interactions and some properties of social institutions cannot be grasped and described by simply following micro-events by observation, descriptions or by drawing facile conclusions.

Applied to the local level, governance thus means the governing (in the sense described above) of all affairs concerning a certain social action arena within a bounded socio-spatial scale – that is at the meso-level of local social organization (beyond the core family), which is

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<sup>106</sup> Following Bierschenk and Olivier de Sardan (2003) I will use the metaphor of ‘arena’ throughout this study to capture a great number of interactions between agents of various statuses, heterogeneous resources, and dissimilar goals. For how my own usage of the concept of ‘arena’ differs from Olivier de Sardan’s and Bierschenk’s explorations will be illustrated in Ch. 5 where the level of analysis for this research is discussed. See Chs. 5.2 and 5.3.

<sup>107</sup> In this study the empirical investigation of governance arenas as environmental resource user communities (see Chs. 5 and 6) is taken as useful starting point, though cross-cutting issues like conflict mediation etc. are not confined to such social action arenas but traverse them. For this reason the inter-linkages of action arenas will be taken into account.



defined according to situation. In Chapter 5, I will elaborate the relevant indigenous socio-spatial empirical categories and the understandings of ‘local’ that I explored in my research area. ‘Affairs to be governed’ relate to the collective behavior of social groups and the provision of collective goods at the community level. Several spheres can be distinguished, such as the management (usage, access, and distribution) of common property resources, the organization of security, and the negotiation of disputes.<sup>108</sup> At this point, I merely want to stress the connection with social life-worlds for two reasons: First, it renders the distinction of public versus private – which is not clear cut and indeed rather is a misconception in my study area – irrelevant. In conjunction with the concept of life-world, I use the term ‘community’ to signify that its members share a joint reality of experienced daily interactions in a specific arena of action (life-world). Second, it is important to keep in mind that life-worlds differ from local governance in ontological content. Whereas life-worlds are constituted by the individual’s subjective experience of mundane interactions, local governance transverses these experiences. In particular, it is a notion imposed from the outside to grasp the processes of decision-making and enforcement of the collective good in certain social action arenas or fields (see Ch. 6.1). In my understanding, local governance mechanisms – the exercise of power for the purpose of organizing communal coexistence by aiming at the organization of collective well-being – in a to-be-detected social field or arena constitute the unit of analysis for this thesis. Hence, the social fields governed concern everyday issues in interaction with the local environment, and can thus be called ordinary and mundane.<sup>109</sup>

Moreover, by using a perspective on the local in the sense of relatively clear socio-spatial boundedness, power can be assumed to be exercised in less institutionalized forms, that is beneath the level of full-scale rule (*Herrschaft*). Following Popitz (1992: 238f), of the three preliminary stages of power exertion below the threshold of institutionalized authority, the first stage encompasses the sporadic exercise of power, which is limited to one or few occasions without being repeated regularly. In these singular cases, opportunity provides that somebody in the situation has immediate access to resources to determine the conduct of others in a specific moment. The second stage, the norm-setting exercise of power, is reached when power can be exercised such that the behavior of dependents is successfully standardized. This requires the general availability of power resources, their regular application, and the ability to enforce compliance and to limit the mobility to increase the dependence of the subjected (ibid. 237f). This type of power exercise ensures that some degree of certainty about mutual expectations develops. The third stage marks the de-coupling of the norm-setting power exercise from a specific person (that is, de-personalization). Instead, the exercise of power is tied to a position, such as an office, within which the normative effects solidify (ibid.: 255). These differentiations serve to introduce the next section, in which I

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<sup>108</sup> In line with fn. 107, the latter type of collective good mentioned here, i.e. conflict mediation, is not a clearly distinguishable governance arena of its own right, but rather a cross-cutting issue permeating all other governance efforts in the various fields (governance of livelihood or environmental resources [see Chs. 6 and 7], aid governance [see Ch. 8] and so on).

<sup>109</sup> For the selection of action arenas for this study see Ch. 6.1.

attempt to distinguish governance from government because the latter is more often than not used as a synonym for state or at least is closely linked to its institutions, practices and agents.

#### 2.4.2 Local governance is more than local government

Due to the widespread synonymous usage of governance, government, and the latter's popular signification of sovereign national politics (that is, state-related processes, institutions and agents), I hold that the distinction and clarification of both terms is necessary, not least to demonstrate the integrative dimension of local governance and its usefulness as an analytical lens in this thesis.<sup>110</sup> Particularly when focussing the discussion on the local level, the distinction between local governance and local government is commonly blurred. 'Local governance' has emerged as a dazzling term that is widely used by social scientists and policy makers alike, but without a clear definition. It has become an almost empty signifier. Because of its popular usage, the contents of the term are heterogeneous, and in most cases local governance is viewed in narrow terms as connected with a state's penetration of the sub-national levels of *government*, often in the context of 'decentralization'.

In the following, I briefly review the popular understandings of local governance in order to determine the surplus and value of my own definition. The existing literature on local governance can be divided loosely into three broad strands:<sup>111</sup>

- a. Political science analyses concerning aspects of political steering in Western (European) contexts, especially the European Union;
- b. Social-science cum policy analyses of transition processes and social change in non-Western (post-colonial, post-communist, and post-authoritarian) settings, and very closely related to the latter,
- c. A narrow understanding of governance in development, which is propagated for example as 'good governance' with related dimensions implicitly attached (see also Ch. 8). At the local level, it is understood as community governance or community-driven development by international financial and development institutions, such as the

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<sup>110</sup> My argument and the way I conceptualize governance crosses the terrain of few authors, who deduce the meaning of 'government' from its etymological roots, the Latin '*gubernare*' and thus come up with definitions closer to that of Foucault's *conduite*. Mitchell Dean, in her homage to Foucault's thinking, accordingly defined government after the phrase 'conduct of conduct' (Dean 1999: 10). Her thus defined understanding of 'government' (ibid.: 11) largely complies with what I understand to be encompassed by 'governance'. What I call 'arenas of social interaction' or 'social fields' overlaps with her 'regimes of practices'. For example, for contemporary liberal-democratic societies, she mentions regimes of practices of punishing, of curing, of relieving poverty, of treating mental illness and maintaining mental health, etc. "These regimes involve and link up particular institutions so that we can talk of a 'criminal justice system', a 'health system', a 'social welfare system' and so on. However, such regimes are never identical with a particular institution or even system." (ibid.: 21).

<sup>111</sup> I do not sharply distinguish academic or theoretic from policy considerations of governance because, as Chibba (2009: 104) found, theory does to some extent underlie all aspects: metrics, advocacy, research and analysis.

World Bank and other multi- and bilateral stakeholders that comprise the international ‘development’ community (Chibba 2009: 85).

The strands are detailed in brief in the following paragraphs:

- (a) The discussion on local governance refers to modes of decentralization of central government functions in European states by which political decision making is transferred to lower level government administration and offices (Lindner 2004; Kjellberg 1995). The reallocation of competencies upwards, downwards and sideways from central states has become commonplace and centers around a discussion of the organization of multi-level governance (Hooghe and Marks 2003; Scharpf 2000a, 2001). Fiscal or administrative decentralization processes that assign certain responsibilities to subordinate entities in the administrative hierarchy are believed to enhance democratic participation. The term ‘local governance’ is used because of the inclusion of local societal actors in these multi-level governance processes. These are, for example, municipal administrations or community representatives, and in the same context, organized societal interest groups, social movements, and so on. Thus, in this reading, local governance nevertheless deals mainly with administrations, political agents and bureaucratic aspects of government.
  
- (b) Particularly in non-Western, developing and transition countries, the democracy and institution-building imperative implies that local governance institutions are seen as vestiges of the past ascribed to colonial, communist, or generally authoritarian settings. The rationale then is that these have to be replaced or at least modified with democratic institutions of governance (Bardhan and Mookherjee 2006; Brinkerhoff 2005). Because of this emphasis on the ought-to-be nature of institutions as democratic, inclusive, equitable, and just, already existing local, that is, traditional institutions are in most cases rendered unfit and thus are ignored outright. The assumption of institutional and power vacuums in such settings, particularly in post-conflict countries, explains the resulting dominant logic that governance can only be achieved by the delegation of competencies from the top down. Thus, for example, Lister (2005) analysed local governance structures in Afghanistan from the perspective of decentralization and distinguished different forms, including (i) de-concentration as an administrative type of decentralization, (ii) devolution, which carries a political and fiscal dimension sometimes manifesting in federalism and a democratic dimension through involving elected bodies at the local level, and (iii) delegation of competencies to non-state actors.<sup>112</sup> In these interpretations, the modern state serves as a precondition for governance. Empirical research suggests, however, that local realities differ substantially from the assumptions of institutional vacuums in post-conflict (Hohe 2002) and post-colonial states (Bierschenk and Olivier de Sardan 2002, 2003). Several authors described the role of traditional structures in local contexts (Lutz and Lindner

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<sup>112</sup> For a review of how local governance has been conceptualized in ‘Afghanistan studies’ see Ch. 4.3.

2004; Nixon 2006; West and Kloeck-Jenson 1999) and their influence on decentralization, democratization, development, and state-building processes. Others at least acknowledged that ‘context’ matters (Grindle 2004; Chibba 2009: 104).

- (c) Partly as an effect of these empirical insights and previous reforms of the initially dominating development policies, with an emphasis on economic growth, agendas of international institutions, such as the Washington Consensus of the World Bank, which showed mixed results at best (F. v. Benda-Beckmann 1994), the so-called Post-Washington Consensus focused on good governance and administrative and fiscal decentralization. In its framework, communities were assigned central responsibilities for their own development (Shah and Shah 2006). The labels ‘empowerment’ and ‘participatory development’ came to embody norm, such as equity, voice and inclusion. They also introduced respective tools to apprehend local needs, for example through participatory rural appraisal techniques, and implemented effective measures to meet them, for example, the set-up of community development organizations. Nevertheless, the critiques of such approaches indicate that despite the inclusive rhetoric and emphasis on the dynamics of bottom-up development, programs and logical frameworks rarely allow the actual participation of local actors and the realization of local needs (Cooke and Kothari 2001, 2001a; Cooke 2001; Cooke 2003; Hickey and Mohan 2004). Instead, they follow formalized top-down templates and development thus remains a technicist illusion (Leftwich 1994: 364). Hence, this policy understanding of ‘good’ local governance also includes mainstream political and governmental bureaucratic techniques, such as community-budgeting and the local administration of projects (Ch. 8) as well as the set-up of local organizing structures.

In summary, the way the term governance, particularly local governance, is commonly used in political science and development studies is largely connected to the content and meaning policy-makers ascribe to it.<sup>113</sup> Even when it is defined in a presumably open and neutral manner, such as “the way decisions are made and implemented by or on behalf of people in a local area” including “the allocation of authority to decision makers” and as exercised by “a variety of civil society institutions” (Helling et al. 2005: 6), it carries a technicist notion of effectiveness. Hence, it is first and foremost concerned with aspects of formalized government that is concerned with outcomes, accountability, agents, and templates for implementation. Thus, despite the fact that even the World Bank not long ago realized that local governance is more than local government (ibid.), the discursive scientification of such insights only leads to status descriptions of the obvious, in contrast to grasping what is formed in the interstices of the observable. Local interests, preferences, cultural scripts, the broader socio-geographical context underlying the formation of individual preference, political bargaining processes, and so on are usually not considered in the mainstream understanding of what is termed local

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<sup>113</sup> Because much of academia largely tries to describe and model politics and related processes and is less creative and pro-active to provide policy-advice on own initiative or preceding policy interventions, especially not in the field of ‘development’. For a discussion of the concept of ‘development’ see Thomas (2000, 2000a).

governance. Hence, the popular notion of local governance actually implies and can be reduced to signify local government. Consequently, I argue that the understanding of local governance that I outlined above has the advantage of embodying a more inclusive approach; it is not limited to merely spatially defined communities, aspects of local government and conventional mainstream aspects of local governance depicted above.

By using three examples from the realms of environmental resource governance and by synthesizing two cross-cutting fields of aid governance and conflict mediation, I will show (Chs. 6-8) that governance can be traced in certain modalities and entails state as well as community actions to regulate the access to, distribution of, and usage of all kinds of resources. Without forestalling the analysis and considerations of the methodological section (Ch. 3), it is safe to state here that it is actually often at the interface of state and local interactions (Long 1989a: 5) where empirical analyses for understanding governance prove very fruitful.

## 2.5 Summary and guiding research theses

In this chapter, I have developed the initial concept of social order as proposed by Mielke et al. (2011) and suggested using a different terminology, replacing ‘institutions’ with ‘social practices’ and ‘worldview’ with ‘moralities’. The main reason is the finding that the concepts of institutions and worldview were not delimited clearly and thus overlapped to large extent. Elements incorporated in the concept of worldview were usually assigned to represent informal institutions or everything below a certain but not clearly defined degree of institutionalization. Consequently, status descriptions of institutions (formal versus informal) were mingled with stages of institutionalization. The hint that both concepts – worldview and institutions – can only be distinguished analytically served auxiliary purposes.<sup>114</sup> With the now proposed, likewise analytical, distinction of social practices and moralities, these difficulties can be overcome while the idea of institutionalizing practices and norms is maintained. That means, I can make use of the idea of institutionalization without having to employ institutional theories.<sup>115</sup> Consequently, in the previous sections, I tried to fit the analytical dimension of the social order concept to the needs of empirical research in order to elaborate guiding theses for the subsequent empirical analysis (see below).

The modified conceptualization of social order as combining social practices and moralities is less ambiguous because practices include regular social actions, the rules of which are shared by the members of a specific community (see Ch. 5) and they are relatively stable with regard

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<sup>114</sup> In the previous publication Mielke et al. (2011) did not elaborate in detail on the dual face of institutions as proposed by neo-institutional economics and explicitly North (1993, 1998). Due to lack of a solution, the authors stuck to the concept of ‘institutions’ and avoided further explanations.

<sup>115</sup> Besides what has already been highlighted against an institutional approach, in my understanding it always carried unease because it is associated with effectiveness, efficiency and performance, thus implying a very functionalist and problem-solving focus.

to mutual expectations and duration. Communication is assumed a type of social action (see Chs. 2.3 and 3). Social practices relate to material as well as immaterial ‘doings’, such as thinking, feeling, acting, or refraining from action in a certain way. An additional advantage compared to the view of institutions is that social practices are constituted by institutionalized as well as non-institutionalized practices and thus constitute actions following the entire range of institutionalized and non-institutionalized rules. Moreover, moralities provide the normative underpinning of all social action, just as moralities provide legitimation. As I have argued above, moralities encompass the entire normative framework at the agents’ disposal. Social norms<sup>116</sup> (here synonymous with moralities) have the effect that conflicts, which have been proposed to be a universal feature in any society, remain latent and are largely prevented from surfacing or escalating. Hence, given previous conceptualizations of local governance, an adequate analysis of social order and local governance cannot be limited to obvious or open conflicts but must take into account that most contestations of interests and preferences are hidden from direct view. Following mainly the ideas of Lukes, Bourdieu and Foucault, I have sketched several ways in which power works to reproduce itself and the social practices and moralities by which it is constituted. In this regard, it is important to bear in mind that even practices of deviance and resistance as documented by Scott and described by Pfohl normally take place within the framework of existing power relations and hence do not challenge them. Using the example of deviance, I have highlighted the factor of agency and its importance for understanding social order on any scale because it is underpinned by power relations that can have enabling as well as constraining effects, and thus escapes the perspective of sole domination.<sup>117</sup>

However, several challenges are connected with this approach. The difficulties are at least two-fold: First, as Alber (2003) pointed out, the assumption of ubiquitous power makes it hard to locate it between the continuum of violence and open conflict on the one hand and power merged and embodied in the social structure on the other hand. Secondly, most applicable to the latter is the challenge of tracing covert social action. I have introduced the concept of local governance to pin down social order in an empirically investigable manner. Accordingly, local governance patterns embody social order on a micro scale in a community that disposes of socio-spatial boundaries. However, because local governance is field-specific, it relates to the regulation or ordering of something manifest in arenas of social interaction. Thus, the concept of local governance embodies the external, that is, the researcher’s perspective on multiple and individually experienced social interaction processes in everyday life inscribed with particular

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<sup>116</sup> Similar to his view on power, Popitz distinguishes institutionalized norms (*Rechtsnormen* versus *Sittennormen*) differently based on institutionalization processes in which regulations for the setting and enforcement of norms take shape, eventually by association with already existent permanent social arrangements (Popitz 1980: 31). Accordingly, legal rules are associated with the state and customary norms prevail in less institutionalized environments. For the purpose of this thesis, I adopt the idea of different degrees of institutionalization of norms, but do not share the binary vision of legal versus customary rules. Instead, further differentiations must apply.

<sup>117</sup> The power as domination-perspective largely complies with Foucault’s analytics of power. Critics have referred to this obviously limited – because normative – idea as ‘Foucault’s hole’, for example Dowding (2006: 141).

meanings, which in the minds and inter-subjective contexts of members of a certain community constitute what I call life-worlds. By focusing on the moralities aspect of social order and consequently local governance, I am able to include life-worlds in the analysis. I believe that this is necessary because the notion of life-world allows me to capture the significance that individual members of a specific community attach to particular types of actions. It accounts for the emergent structures (Long), interstitial characteristics of interaction networks (Mann), and materiality of practice (Kraemer), which are neither institutionalized nor obvious in any way, but weighty and determinant of social interaction, local governance, and thus the characteristics of a specific local order.

I am aware that these elaborations are quite abstract and exclusively theoretical.<sup>118</sup> However, given that this thesis is first an empirical study and follows an inductive<sup>119</sup> analytical approach, the purpose was to formulate a very open conceptual framework that nevertheless would inform the reader about basic underlying assumptions of the researcher's approach towards comprehending and analyzing aspects of the experienced (by agents as individual life-worlds) and observed<sup>120</sup> (by the researcher as local governance mechanisms) realities.<sup>121</sup> Accordingly, for the present study, I refined the concept of social order as elaborated previously (Mielke et al. 2011). In addition, I located the notion of local governance within its framework to make it empirically operative for my research interest. Thus, I am now able to formulate the following theses<sup>122</sup> (T1-T6) which will guide the data collection and subsequent analysis, and the review of the relevant literature.<sup>123</sup>

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<sup>118</sup> The notion of theory ('theoretical') alludes to the realist perspective's sense and usage here, according to which not cause-effect relationships are in the foreground and guide analysis but mechanisms as ways of acting (Sayer 2010: 104f).

<sup>119</sup> Inductive here refers to not conducting theory-led/'deductive' research, but possibly contributing to theory-building, here through a hermeneutic case-study approach.

<sup>120</sup> Observation is understood here in its commonsense meaning as "an insight or piece of information recorded by the researcher about a specific feature of the phenomenon or process being studied." (Collier et al. 2004: 250). See also section 3.1 for a further specification on the methodological aspects.

<sup>121</sup> Behind this lies the conviction that no matter how open and neutral a scientist wants to approach a topic of research, he or she always carries assumptions (a worldview) due to socialization processes as an individual during childhood and as an academic throughout training (disciplinary and interest-driven). The conceptual framework thus indicates how I perceive reality, which relationships I think are important and against which background assumptions I collected and analyzed the empirical data.

<sup>122</sup> The concluding 'guiding theses' are by no means hypotheses in the narrow sense because they do not entail if-then causal statements. See Mielke et al. (2011: 6) where it was specified that a 'social order approach' could provide guiding theses about how 'the world' is structured. Ideally, these guiding theses help the researcher to deduce questions that can be empirically investigated by consulting other, existing social science theories and concepts. I deducted several consequences for my methodological approach, that is, the selection of methods for data analysis and data gathering (see Ch. 3).

<sup>123</sup> The social order analytical framework evolved in the course of research conduction through constant re-adjustment of my initial assumptions about how to investigate local social order phenomena with a state-distant bias. By deducting such guiding theses at this concluding point, I acknowledge that my conceptual framework in a sense is theory-laden (Sayer 2010: 83) which – as I would like to stress following Sayer (ibid.) – is distinct from being theory-determined and, naturally, from being theory-neutral or void of any theory. Nevertheless, the surplus of this conceptual approach as I see it is that it allows for inductive inference (Ch. 3) and does pre-empt

- T1 Some type of social order of whatever kind and at whatever scale always exists, such as social practices that are predictable and known to the agents who interact in different local arenas and who share the same set of moralities. Power relations guide these interactions. Rationalities are bounded by underlying flexible moralities that legitimize certain actions. However, given the problematic nature of double hermeneutics,<sup>124</sup> the attempt to understand and research governance processes in a culturally distinct social order setting requires a high degree of reflection about potential cultural biases inherent in the research design (and the researcher's mind) and encountered by the subjects investigated in the field (that is, their perception of power differences). I propose that these requirements call for the elaboration of a different epistemology of local governance: ways of knowing and reflecting on its mechanisms in specific arenas of action. Theses T2-T6 present initial ideas about how this epistemology could be eventually constituted in the future and further explain T1 and social order as an analytical approach as well as its potential usage as an epistemological category.
- T2 The idea that disorder, power vacuums, chaos, and so on do not exist, implies that ordering practices and moralities can be detected in any social setting. Accordingly, I propose to allude to the entangled social logic approach introduced by Olivier de Sardan (2005) in addition to Esser's notion of complexity (2000). According to the former, bare of all romanticism and ideological underpinnings, the embeddedness of social logic is assumed to require analysis. Thus, not only the mere interaction but also its integration in and generation of structural contexts are essential to consider. These mechanisms can best be traced in particular action arenas. A multiplicity of rationalities and legitimizing patterns of reasoning are assumed available. Put differently, this research does not aim to reduce complexity, but to acknowledge and address it as best as possible. Complexity refers to the multiplicity and variability of action alternatives and action results as well as their associated risks and uncertainty (Esser 2000: 5). It is assumed that bounded rationality enables the actor to survive, that is, to manage his or her life by relying on fuzzy logic in situations that usually comprise multiple dimensions, non-transparency, and a certain degree of blindness.

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any requirement or need for deduction. It is along these lines of thought why I do not label the chapter 'theoretical approach', but – more openly – 'conceptual framework'. In the conclusion of this empirics-based study, the usefulness of the concept will be revisited, see Ch. 9.

<sup>124</sup> I adopt Giddens' idea of double hermeneutics. According to him every social science research entails a cultural-anthropological aspect, which refers to the actors' repertoires of daily knowledge and interaction that is already endowed with meaning (first order). Any scientific observer entering a research locale carries his own backpack of meaning-construction, i.e. concepts of second order. Giddens suggests that the 'hermeneutic' character of any interaction between researcher and subject lies in the chance that the former adopts second order concepts into first order concepts through 'translation' processes of interpretation while sharing first order life-worlds. The double-aspect of hermeneutics derives from the fact that the social scientist then (after understanding first order concepts) needs to 'translate' first order concepts back into meaning-categories and frameworks of sociological theory. See Giddens (1997: 338, 429f).



Consequently, following the social order approach, cause-effect relationships and classic causalities are not at the heart of scientific inference here. Instead, understanding of and reflection about a society are underpinned by distinct social order(s) and context settings. The analysis of local governance patterns in a given society in social action arenas enable the understanding of the meaning that agents attach to their everyday actions and activities. The social analysis is generated from the thick description of individual (as group or society members) and group actions. By closely following of emic concepts, multiple transversal logic of action should become detectable and understandable without the need to assign its agents the status of victims or pity them (Bourdieu 2005a: 13). However, in relation to T1 – that a new epistemology might be necessary – the aforementioned description must make use of indigenous concepts. It is possibly that the notion of power would not exist as such in the society under investigation, which is a strand this research intends to clarify. However, as explicated in Chapters 2 and 2.2 with reference to Uphoff (1989), power is not used as an explanatory concept, but merely as a descriptive one that aids the larger understanding of societal dynamics and processes connected to authority and rule. Accordingly, to make sense of the current situation and conflict in the study region of northeastern Afghanistan, an analysis with previously determined actor categories and ordering concepts would not yield innovative heuristic value. Instead, the intrinsic ordering ideas, structures, modalities of power of these rural societies, and the mechanisms of the formers' conversion (Alber 2003: 160f) must be identified, understood and reflected upon.

- T3 The perspective of governance as conduct enables a bottom-up horizontal view of ordering processes of social organization and thus qualifies the role of the state as primary form and ordering force of social organization. By conceptualizing governance as the ordering and organization of various facets of everyday life, it can encompass all regulative action and intervention in social interaction processes between individual and/or collective actors and organizations. With regard to defined action arenas at the local level, governance includes all processes of binding and thus legitimate decision-making and enforcement via mechanisms and routines of all stakeholders involved. In these processes, a certain dynamic of negotiation processes among agency-endowed individuals is assumed to play a role in determining decisions, outcomes, and their enforcement.
- T4 All social action is assumed meaningful and carried out according to particular (consciously or unconsciously) prevailing motives that are determined by moralities. In this interpretation, social order is always reproduced by social interactions. Power constitutes the fundamental tenet underlying social order and determines the working mechanisms of governance and legitimacy. Social inequalities and resources inequity can be traced back to differential power relations and appear rational.
- T5 The attempt to conduct non-partisan research without bias for a dominant perspective of what constitutes the state (that is, methodological nationalism) requires a high

degree of reflection on the part of the researcher. Cultural biases and power imbalances need to be documented in the research design as elements of a power-reflective approach. It would be an illusion to assume that the researcher can rid herself of her cultural ‘backpack’ because it contains specific moralities by default and – as elaborated in 2.3 – these are likely to remain in the subconscious. Attempting to trace emic moralities requires innovative methods of data collection and the posing of new and different questions to the already collected material in the field (i.e., interviews and observations) in order to analyze the data from a new angle.

- T6 The unit of analysis for a study on local governance in a framework of social order is constituted by local arena-specific and crosscutting governance processes. The level of analysis is in accordance with the particular social action communities that share everyday experiences and particular life-worlds. In this study, environmental resource governance in three fields and crosscutting aid and conflict governance will be investigated in resource user communities of rural northeastern Afghanistan (see Ch. 5). The local actor-perspective implies that the community of average rural dwellers and their everyday activities is at the center of analytical inquiry. The mundane life-world is the cognitive and practical context of all social action and interaction. Consequently, individual community members can be assumed the most competent in their daily lives (in this case environmental resource management) and thus offer informed accounts. Hence, they are interviewees of special value for the researcher.

The framework described above is very ambitious, and I do not claim to be able to apply it to the fullest extent. Hence, this framework is used only partially and for selected elements of specific action arenas. Nevertheless, I propose that the endeavor of elaborating this framework was worthwhile because if it is found applicable and proves useful, a starting point for the elaboration of social order as an epistemological category can be provided. I hope to contribute a bottom-up, life-world analysis of rural Afghan society based on my empirical insights collected and analysed according to this conceptual framework. In so doing, the present research will contribute to the recognition of emic realities that are traceable in social practices and intrinsic moralities, which so far have been disregarded in analyses of contemporary Afghanistan and related diagnoses of state failure, dysfunctional institution-building, and what is currently perceived as under-development. Hence, the sub-title of the thesis, “...‘rewriting’ rural Afghans’ *Lebenswelten* into recent development and state-making processes” refers to my objective of shedding light on how local rural life-worlds are constituted and the aim of raising readers’ awareness of why these are important.

### 3 – Methodology

In this chapter, I will give an overview of how I approached the topic of local governance methodologically. It is guided by the epistemological assumption that the way I investigate social order and local governance will affect my findings. I explained above that I modified the initial institution-centric perspective after I gained first insights from fieldwork (see Chapter 2, fn. 123). Because the initially planned mapping exercises of institutions and actors became entangled and resulted in somewhat confused preliminary findings (see section 3.3), I have adopted the post-institutional approach described in the previous chapter. This entailed several implications: One was the abandonment of the distinction of formal versus informal institutions. Another was the constant reformulation of my sub-questions during the fieldwork, including the extension of my initial focus from state-society relations (a distinction that I later abandoned as well<sup>125</sup>) to moralities and cognitive aspects that reflect and shape rural dwellers' life-worlds.

The research was concerned with two main tasks: first, generate basic data for analysis, evaluation, and, second, contextualize the findings in the overall framework of research.<sup>126</sup> Given the obstacles to carrying out research during most of the roughly 25 years prior to my own fieldwork from 2006 onwards, a lack of knowledge persisted regarding local social structures, their dynamics, the mechanisms of local politics, and the changes they underwent throughout the period of violent conflict. Afghanistan has been caught up in wars since the late 1970s, first in broad-based resistance fighting against the Soviet intervention from 1979, a civil war and unfolding ethnic factionalism in the years after the Soviet withdrawal in 1989, in violence connected to the advance of the Taliban and their large-scale rule from 1996,<sup>127</sup> and the intervention of NATO-forces to help overthrow the Taliban regime in late 2001. By early 2006, when I entered the field, four years had passed after relative peace had set in in most parts of the country following the ousting of the Taliban. However, academic engagement and social science research resumed slowly. Consequently, knowledge about local conditions remained minimal (see Ch. 4). Thus,

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<sup>125</sup> My initial orientation hypotheses and assumption had been different from what I now elaborated for 2.5. Thus, already the conceptual framework is an outcome of insights from the field. In particular, this entailed the abandonment of the formal-informal divide, of the neo-economics-driven institutional approach, of the state-society and society-individual distinction, and the subsequent favoring of a post-institutional approach, that is, the view that both, society and individuals, are embedded and emergent part of the other and the state.

<sup>126</sup> Based on the design of the comparative research project 'Local Governance and Statehood in the Amu Darya Borderlands', my PhD-research was projected as a single case study for the northern region of Afghanistan due to be put into context with topic-wise similar case studies for southern Tajikistan and southern Uzbekistan.

<sup>127</sup> With their seizure of Kabul in 1996, the Taliban formed a government and established formal statehood as Islamic Emirate of Afghanistan. Their territorial rule expanded north and by 1998 covered almost the entire territory of Afghanistan, except the northeast where the Northern Alliance resisted the Taliban's onslaught successfully. See Ch. 5 for further background information.

comprehensive data collection, mapping, and accumulation of evidence were the main purpose of fieldwork in the early stage.

The attributes of the conceptual framework outlined in the previous chapter led to an array of methodological consequences, mainly concerning the process of data analysis (see 3.3). The shift towards moralities and cognitive factors required an analysis of the interviews, observations, and collected documentation from an additional angle. Another consequence of the concept I adopted in my practical research design was the choice of a qualitative approach that relied mainly on inductive anthropological fieldwork methods in order to comprehend and depict the intrinsic perspective of local politics in northeast Afghanistan's rural society (Bierschenk 2003: 5). The underlying assumption was that changing power relations and dynamics of decision-making processes and related mechanisms cannot be grasped using quantitative methods because of the sensitivity of the topic. Moreover, as was reconfirmed during the fieldwork, the distrust and suspicion of the sample population would cause interviewees to give wrong numbers in household surveys and questionnaire-style collected data sets, for fear of being taxed, fined, or otherwise harassed by authorities in the future (see also Ch. 8.3.1).<sup>128</sup>

I also assumed that a qualitative research design generates data that can fruitfully contribute to understanding the mechanisms of rural society and to enable an analysis of the working mechanisms of local governance, instead of detecting singled-out cause-effect relationships between variables (Sayer 2010: 104f). The assumption of bounded rationality, for example, requires a third way to bridge both methodological individualism (that is, the idea that every actor is fully informed and able to establish a preference ranking and act accordingly) and methodological collectivism (that is, the assumption of structures determining individual choices of action depriving the latter of agency) to understand social action in a specific society. The notion of life-world emphasizes the challenge of placing individuals and social groups in the foreground of action analysis; otherwise, no account of life-world realities is possible.<sup>129</sup> I concluded that for the investigation of the perceptions of individuals and groups, which play a significant role in understanding considerations, meaning-giving and aspirations, the anthropological distinction between emic and etic viewpoints offers a useful entry points into a prudent and sensitive methodological procedure. Whereas the emic perspective focuses on words, distinctions and intrinsic cultural labels used by members of the society under investigation and what these mean in the respective societal context, the etic perspective entails the disciplinary background of the individual researchers and enables them to share their insights with other academics. However, the etic concepts usually neither have a vernacular equivalent nor are they known by the people of the society under investigation. Accordingly, from the

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<sup>128</sup> Furthermore, the emic concepts of household possessions and especially income usually do not correspond with the categories employed in surveys and questionnaires, because non-monetary 'income' is not viewed as income by the surveyed population. Similarly, employment is not regarded as such if the labouring is reimbursed in kind, i.e. not in cash.

<sup>129</sup> According to Vierhaus (1995: 11f) the comprehension of life-world realities involves also taking into account the perceptions and experiences of those involved in events and its ramifications. The idea of reconstructing single events from mere facts by assuming that events bundle circumstances, motivations for social action, coincidences, and impacts, would thus be insufficient. Instead, an analysis of the conditions of possibilities to understand realities and their meanings around an event is needful.

outset my research aimed at detecting emic concepts and ideas related to governance, which I assumed would be different in terms of content and meaning from the ones that are familiar, that is, popular Western and etic social scientific understandings of concepts, such as poverty, gender, democracy, power, widows, aid, projects, and so on. For data analysis, the translation of emic into etic understandings by interpreting meanings posed the main challenge.

Following Sayer, who pointed out that concepts in any society “must be explained at their ‘own level’ (...) their meaning must be understood” (ibid.: 135), the underlying motivation for tracing moralities was to understand the intrinsic, emic meaning of observed and reported social practices. Consequently and naturally, ideas, beliefs, perceptions and reasons were assigned the role of explaining ways of acting and other mechanisms, which in my case were governance processes from a local perspective. They enabled understanding and reflections on concrete events, experiences and practices, even though these may have been conditional and situated. Consequently, lived experiences and their firsthand accounts on the one hand, and interpretation of particular ways of acting and reflecting on the other hand were inseparable for weaving the analytical narrative (Robben and Nordstrom 1995:4) of this study (see Ch. 3.3). I therefore relied on thick descriptions of emic ideas, concepts and resulting practices and a theoretically informed interpretation of emic concepts based on the guiding theses of the conceptual framework (Ch. 2).

The understanding of entangled social logic as outlined above (Ch. 2) required that the analysis and its methodology use multidisciplinary sources. The problem-oriented research topic of local governance, the aim of qualitatively explaining social phenomena in the realist sense of understanding, and my own academic inclinations demanded that the researcher be a political sociologist in outlook, an area specialist, historian, ethnographer and critical development researcher in approach, and a modern anthropologist in method. The reader may conclude that my thesis does not perform these roles satisfactorily. However, I compromised with the intention to offer an insightful, informed, interdisciplinary account of local governance mechanisms in my study region of northeastern Afghanistan. However, the steps towards achieving this aim represent conventional description followed by an analysis of the empirical data, which I hoped would enable me to relate the empirical results to the conceptual framework and to reflect on its fruitfulness. The underlying motivation was the intention to show how my empirically based analytical approach – the development of categories and ‘causal’ links from my interviews and other collected primary data – could contribute to theory-building.<sup>130</sup>

If successful, this study could be the first step towards establishing a different epistemology<sup>131</sup> of governance and local politics. Taking the concept of social order as the point of departure, I attempt to develop a tentative analytical grammar (Goodale 2009:

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<sup>130</sup> Often qualitative case-study methods are seen as vehicle for generating valid theory, because they allow a stronger empirical grounding. The underlying rationale is that more comprehensive and more detailed contact with concrete instances of the events and behavior about which we wish to generalize helps sharpen distinctions, stimulates fresh concepts, typologies, and hypotheses. This way the contribution to theory-building is most often constituted by refining already existing theoretical approaches.

<sup>131</sup> Understood as ‘way of knowing’, and consequently enabling understanding.

198) that would facilitate describing social practices and moralities as local governance phenomena embedded in social order(s) with some degree of precision. This goal is ambitious, and I am not sure that I will be able to accommodate all aspirations, given that the mere description is already complex. It stretches over distinct levels of scales of action from the individual actor, collective actors and social groups to communities bound to distinct social action arenas, rural society, and overlapping societal groups that are generated by and constitute social order simultaneously. Nevertheless, I believe it is worth trying to complete the exercise and to start developing complementary epistemological categories as embodied in the social order framework. Newly gained insights might serve as a point of departure for future studies in a similar vein. Finally, I should mention that I am well aware that every attempt at comprehending social situations or orders, even those aimed at alternative or analytically inductive ordering resembles a process of ordering nevertheless.

In the following, I will explicate my approach to the design of the data collection method and its adjustment to local circumstances after I entered the field (3.1). Section 3.2 reflects on the consequences for the practical fieldwork of the increasingly deteriorating security situation in my study region from summer 2006. Finally, the last subchapter will provide information on the methods I used for analyzing the collected data.

### **3.1 Approach to data collection and modifications in the process**

The fieldwork for this study was carried out over a period of 14 months between March 2006 and November 2007 in Afghanistan. Two short-term visits were made to the field in 2008 and 2009. Because my home institution (ZEF) was concerned about my safety, my entry into the field was facilitated through a second research project that was a joint undertaking by ZEF and German Agro Action<sup>132</sup>, a German humanitarian relief and development organization active in agriculture-related rehabilitation efforts in Afghanistan. Welthungerhilfe was one of four international non-governmental organizations (NGOs) that had been granted a working package within the framework of the newly launched Kunduz River Basin Program (KRBP)<sup>133</sup> funded by the European Commission. The specific sub-project foresaw the implementation of new water management structures in several local irrigation systems in the three provinces: Takhār, Baghlān and Kunduz. The project was titled Social Management of Water in Afghanistan (SMWA). My home institution was asked to carry out complementary research on the design and performance of the local irrigation systems, local livelihoods and governance patterns. The academic project members were invited to attend the implementation process of irrigation management reforms in a study on the local governance dimension.<sup>134</sup> While two Master's

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<sup>132</sup> At the time I started this research, German Agro Action (GAA) was the name used by the German NGO Deutsche Welthungerhilfe e.V. outside of Germany. However, since lately the label has been corrected and the organization presents itself globally as '(Deutsche) Welthungerhilfe', I will use the short name Welthungerhilfe in the subsequent chapters of this study when mentioning the organization.

<sup>133</sup> For the objectives and significance of KRBP see section 6.1.3-b and Ch. 8.2 below.

<sup>134</sup> A second collaboration with Concern Worldwide and Welthungerhilfe on a research component 'Power, Governance and Conflict' in two upper catchment districts of the Kunduz river basin had also been fixed prior to my entering the field in this area in September 2006.

degree students conducted the research in the first two topics, I was expected to contribute results on local governance. I participated in this project for two reasons: One, Bonn University allowed me to undertake fieldwork in Afghanistan only on the condition that I would be incorporated under the security umbrella of Welthungerhilfe. Secondly, because of my open-minded conceptual framework, I did not have a fixed predetermined research plan in the narrow sense and thus entered the field with the idea that particular threads worth following more closely would arise in the process of the fieldwork. Thus, my approach strategically incorporated the idea of ‘accidental anthropology’ (Robben and Nordstrom 1995: 16). From the beginning, I did not intend to limit my data collection to particular questions, such as the study of the competencies and functions of local water managers. I wanted to be alert to the wider socio-economic, cultural and political context of observed social interactions as a precondition for inductive understanding. Consequently, at the outset I viewed the opportunity to start my fieldwork within the SMWA-project as a welcome opportunity to enter the field and come into close contact with rural society in northeastern Afghanistan.

My approach was to allow issues related to local governance to arise inductively from observations and interviews with members of the rural society, which would give me insight into their subjective views and perceptions of what was significant and meaningful and what was not. In hindsight, the approach worked well. The arguments are developed processually throughout the empirical analysis (Chs. 5-8) and the conclusion (Ch. 9). I call this approach *Franzosenzopf-Ansatz* (‘French braid’ approach), because just as a particular type of plait is braided by adding in every step of braiding more hair from the entire mass of hair available, so every chapter and subchapter gains in complexity by the subsequent introduction of more dimensions and additional analytical pre-findings. Just as French braiding results in a beautiful braid (plait), my approach to integrating complexity into the local governance mix led to a deep understanding of local governance in the particular areas I investigated in this thesis. Moreover, as every plait thins out in the end, I determined with a few well-arranged threads that point to a conclusion. Because every research project is a process, it was necessary to take account of this process dimension. Nevertheless, generalizations from my findings must be undertaken with reservations because, of course, what I present is my own interpretation of an already (by the interviewees) constructed reality. Thus a kind of second-order construction or reconstruction was inherently part of the research. Given the theory-laden nature of observation (Sayer 2010: 83) and my cognitive biases, this reconstruction is to some extent subjectively biased and thus uncertain; its general validity has to be scrutinized by follow-up research in a similar vein.<sup>135</sup>

In practical research terms, at the beginning of my fieldwork I moved in uncertain, unfamiliar, and undetermined thematic territory. However, by being part of the SMWA-project and participating in the rural field site visits with the other two researchers during the initial period of my stay ensured that I encountered the local and I was able to record a

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<sup>135</sup> Given that I proposed a new approach to study local governance processes, the results were very much uncertain. However, King et al. (1994: 6) have stressed that this kind of studies can be very useful, as long as the uncertainty in outcomes is honestly acknowledged and reported about.

vast amount of data.<sup>136</sup> Naturally, I started trying to grasp the organizational structure of water management as an entry point for digging deeper into local governance issues. Admittedly, at that early stage of my research, I was still unsure of what would constitute data for my particular research topic. Subsequently, I tried to record as many observations and oral accounts of the people I talked to as I could. In addition, the other two researchers and I daily exchanged and discussed field notes from our visits at different locations along the irrigation canals. I used mainly anthropological methods of narrative and semi-structured interviews, participant observation, field notes, participatory rapid appraisal-exercises, and focus group discussions. In retrospect, I consider the first two months of my field research as a period of settling in and familiarizing myself with local rural society. In this period, I went to the three different irrigation systems in Kunduz province almost every day. It might not have been very professional and possibly unfair with regard to the people I met and interviewed during this period; however, these two months also resembled a trial and error approach to my field research, which is best captured in the phrase ‘learning by doing’. This early fieldwork included the attempt to clarify relevant data, where to look for it, what sorts of questions to ask, how to behave and represent myself (as a female), who to ask, how to react in unexpected situations, how to evaluate respondents’ answers, how to record and store data, how to find and work with a research assistant, and so on. At the same time, I encountered a vast range of unexpected ethical dilemmas that were crucial at this early stage and led to important consequences for the remaining fieldwork.

Admittedly, I might have been, and probably was, quite naïve when I started research that was integrated in an NGO framework with all its technocratic and modernization-inspired attitudes towards development. The NGO’s internal politics purposely exploited power differences between expatriate managers and locally employed staff, the power imbalances between NGO-staff and local rural target groups, and the NGO’s reasoning pro and contra certain development measures that were dominated by putative security considerations. In the view of local rural dwellers, I was one of the expatriate NGO managers visiting their settlement when I embarked from a hired car that displayed the NGO logo in the windshield in areas where perhaps one family in hundreds possessed a car. My appearance signaled to the locals that they would have to push the right buttons to convince me to fund their irrigation infrastructure or any other development scheme they would claim to be in dire need of. Although this reception was understandable and my fault as a naïve researcher, my PhD-project in general and the collaboration with Welthungerhilfe in particular would lead to more serious consequences in the form of existential dilemmas of conscience.

My location for field research, northeastern Afghanistan was my first encounter with a post-war ‘third world’ country and the development and aid business. I had no choice but to grapple with perceptions of me being perceived as part of the latter, but I also had the opportunity to observe for the first time its mechanisms and logic from halfway inside, that is, witnessing a reality that is usually denied to aid workers because of their narrow professional perspective. I arrived there with a backpack full of reports and analyses and

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<sup>136</sup> I recorded field notes in serial diary notebooks, interviews were taped with a voice recorder.



training in critical development studies at ZEF. I then faced locals approaching me with needs and requests from their families and communities, but I was tasked to function as a researcher who was ideally impartial, neutral and objective.<sup>137</sup> At best, I wondered what I was doing there. I scrutinized the potential value of my particular research interest in local governance, and I came to doubt my role and objectives as a researcher in many ways. On the one hand, it was clear that my research would not immediately help any of the persons I had met, who were willing and patient to share their views and discuss and answer all my questions. Although in a different context, Smith observed “Taking apart the story, revealing underlying texts, and giving voice to things that are often known intuitively does not help people to improve their current conditions. It provides words, perhaps, an insight that explains certain experiences – but it does not prevent someone from dying” (Smith 1999: 3). I realized that it was one thing to read the phrase ‘research is a social practice’ and another to understand fully its practical meaning: research can never be neutral in any sense, that it is not an innocent exercise, but an activity that has something at stake and occurs in social fields structured by multiple power relations (see Ch. 2). I found myself caught in the middle of varying interests – those of the NGO manager and his logical framework, the rural populace, the rural elites, and my own. My attempt to do justice to these diverse interests not only became impracticable and contradictory but also resulted in my inner conflict.

My intended neutrality was compromised by my association with the NGO and the fact that I was conducting investigations as part of a research component in an aid-infrastructure project. The NGO manager was keen to learn about local power relations at the tail and the head end of the irrigation canals. I was asked to identify agents of development and spoilers, get numbers on land and animal property, and personified patterns of local rule and authority. Such requests naturally clashed with my ethics as a researcher. I intended to build trustful relationships with my interviewees and revisit them regularly throughout the duration of the fieldwork; I ensured them anonymity. At the beginning of each meeting, I introduced myself and explained that my primary motivations were academic and scientific. I tried to explain to the project manager that I would be able to clarify de-personified mechanisms of local irrigation management and governance, but that I would never mention people’s names or cite concrete sources. However, he did not accept my point about protecting respondents and disliked my request to keep them anonymous. Neither was there understanding with regard to my concerns about handling data, that is, it should be done with care since data relating to power-relationships and shifting power structures are highly sensitive. I was ignored at best after a series of discussions about these points. I was not taken seriously as a researcher and the practitioners’ attitude towards my research was that it should play merely an accommodating role. The risk that my research would merely be considered if it was found to support the project implementers’ agenda, and thus constitute drudgery and window dressing, gave me twinges of conscience. At the same time, I became aware of the

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<sup>137</sup> See Foley and Valenuela (2008: 288) for a discussion of objectivity and critical ethnography. They argue, “... Because all standpoints represent particular interests and positions in a hierarchical society, they are ‘ideological’ in the sense that they are partial. Once an ethnographer abandons the positivist fallacy that research techniques can produce a detached, objective standpoint, it makes little sense to ignore more intuitive or subjective ways of knowing.”

dilemma the project manager faced; he had to meet deadlines and write monthly, quarterly and semi-annual progress reports to his head office in Kabul, the management in Bonn, Germany, and the European Commission, which was the main donor.

Furthermore, explaining to my counterparts and interviewees the future benefits of research – even if indirect – posed another challenge. One of my key informants grasped the heart of the dilemma, which was that the current injustices experienced by local communities would not be eliminated by my research. He stated, “You can write a book about it, but they will continue to steal water” (see 6.1.1). I usually introduced myself at the beginning of each interview stating that I was a PhD-student and not an NGO worker even if the car that brought me was sometimes also used by an NGO; that I did not have a monthly salary; that I would not be able to build a bridge, school or clinic or have it built. Although I repeated these statements several times during the interviews, people kept asking why I asked the kinds of questions I did and why I did not focus on what I could do for them. The concept of what research is and how it could benefit average rural dwellers, which constituted my main discussant group, was unknown among respondents. However, how could I blame people for not grasping the benefits of research and academia given that I even had many doubts, which constantly reappeared, sometimes stronger and sometimes weaker? Some had heard about universities and internships in the last year of study for field investigations in order to collect data for a thesis. Some even had sons or relatives seeking education at a university abroad, although such cases were an exception. The confrontation with an outsider coming into their community and not having an aid agenda, that is, not having money to distribute via projects was new to the communities and individuals I approached. Suspicion was a constant companion during my field research; my mere presence frequently raised it, although rarely openly.

I have never really determined whether their kindness, friendliness and hospitality made my Afghan respondents appear to understand what I said in the beginning of a meeting. Obviously, further questions in the course of the conversations showed that they were not convinced buying my explanations. They sometimes became impatient waiting for me to lift the veil and uncover the hidden agenda they suspected me to have. Why would anybody want to come to the remotest areas and ask people what they were thinking about, what had happened to them in the past, enquire about their difficulties, offer the opportunity to set the interview agenda, ask about what was on their minds, give them a voice – even if only for a couple of hours and while a PhD-student recorded what they said in a field diary? My own doubts surfaced regularly. Even though I tried to explain my objectives, I could not deny that research often seemed a selfish undertaking to earn a degree. The questions of how I would benefit the people I met and what my contribution could be to ease their situation remained unanswered in most cases because all I could do was refer to some future job and the book I was going to write, which would offer other academics and practitioners my insights so that others could gain a better understanding of local life-worlds without having to spend as much time in the field as I did.<sup>138</sup> I was not able to give the requested help and aid in terms of concrete actions or money although I did offer to get somebody to a clinic or doctor using the car I had hired.

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<sup>138</sup> This objective was one of the main reasons why I decided to represent the material in such detail in Ch. 6.

I encountered further conflicts with the NGO manager because in his view, I had undermined his authority among the staff by talking to them regularly and at length, which he had never done. After listening to their worries and thoughts, I occasionally supported staff members in private matters, who then got into trouble and were forbidden any contact with me. In one case, I agreed to teach somebody German, which was not approved by the project manager although the lessons were not during working hours. This resulted in several discussions with him until finally the lessons were taught in secret. After two months, I decided to act on what I had learned from these initial experiences and to detach myself from the NGO. I employed my own car and driver as well as a research assistant and began to move around independently. Coincidentally, I made this decision at the time when the first serious worsening of the security situation occurred. The same NGO then started receiving serious threats and was advised to stop its work in the Qarayetim and Sofi irrigation systems of Chārdara district in late May 2006. As a result of several single incidences, the collaboration with ZEF was frozen for some time, and the two students were sent home. I successfully argued to stay in the field and remained detached and independent after I had used the first months to establish my own security (see 3.2). Throughout the last weeks with the NGO in May 2006, I had actually felt more unsafe and more insecure than I felt on my own.

I have described my practical entry to the field<sup>139</sup> at some length here to encourage other researchers not to shy away from seemingly overwhelming challenges when planning to conduct fieldwork in difficult environments. I also wanted to demonstrate the learning process I underwent in a very short time. That is not to say that after the initial two to three months, I carried out ideal fieldwork, but I built on the special insights from the intense and conflictive first experiences. Hence, I was able to avoid many mistakes when I engaged with another NGO, Concern Worldwide,<sup>140</sup> in two districts of Takhār province in a later stage of my research. Besides this interaction, which had been arranged prior to my leaving Germany in March 2006, I did not actively seek, but instead in many instances actively avoided any affiliation and contact with international organizations working in my study region. I had realized that the normative assumptions these organizations carried and the organizational frameworks they embodied potentially distorted my own approach towards research and thus would likely affect my findings and results.

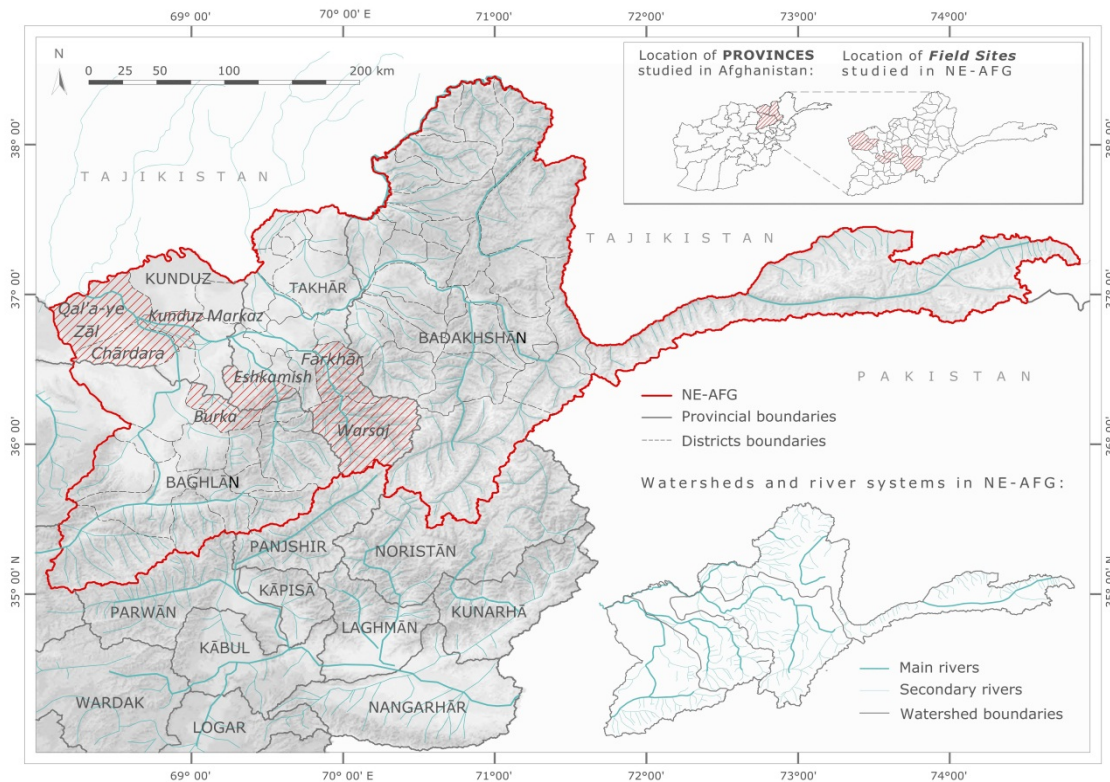
With regard to my research topic, after I had started working in irrigation systems, the second project with Concern Worldwide linked me to mountainous upper catchment areas where the management of pasture land played a significant role in the subsistence lives of local community members. Towards the end of my field research period in late summer 2007, I chose to add a third case of natural resource management to investigate patterns of

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<sup>139</sup> The immediate entry into local communities and guesthouses was facilitated by the generous hospitality I was treated with throughout my stay. Cultural codes demanded respondents to greet me as a guest (*mehmān*) and ‘traveller’ requiring the support of the respective host. As often as possible I tried to repay the hospitality with photographs I took, printed in Kunduz and brought again on a next visit, which in turn provided me even further access.

<sup>140</sup> Concern Worldwide and Welthungerhilfe jointly carried out the project Integrated Development, Environment And Sustainability (IDEAS) as both organizations are partners in Alliance 2015 – a network of European development NGOs with a special code of ethics – however, Concern Worldwide took the lead in this project and recruited the project management. Welthungerhilfe recruited the deputy.

access and use of fuel wood in two upper catchment districts of Baghlān and Takhār province.<sup>141</sup> In short, I started fieldwork with a focus on state-society relations, concentrating on the role of the state, that is, its agents and representations in the daily existence of rural dwellers. The research assumption then was that state-local relations provided a fruitful entry point for tracing and observing governance processes, such as the negotiation between statutory and local law in legal affairs. Moreover, I wanted to trace power relations in indigenous rule enforcement and conflict mediation mechanisms and by observing decision-making processes. I gradually recognized that the state and its legal regulations, material evidence and representatives that rotated among duty positions were not the most relevant for tracing local governance processes. Instead, I saw that ordinary people’s imaginings about the state, its assumed sanctioning and control capacities, and its wished-for security provision affected the life-worlds of local community members – besides the actual practices carried out by local government employees and position holders (see Ch. 7).



**Map M2:** Field sites overview in seven districts

Even after I had chosen to carry out field research independently, I did not decide to live in single settlements for long periods (as an anthropologist likely would have done). Instead, I revisited the settlements regularly and spent an average of one to three days with each community.<sup>142</sup> In order to collect data on pasture access and use, I accompanied herders to

<sup>141</sup> The entry into the field in Burka and Eshkamish was facilitated by Mercy Corps’ Catchment Development Program (CDP) project that sought assistance in conducting a study on fuel wood usage in its project districts.

<sup>142</sup> In support of my approach I refer to Herzfeld (2000: 225) who argues after Gupta and Ferguson (1997) that social intimacy acquired through new, but intense forms of ethnographic fieldwork may well replace

to different pasture areas and stayed several days with their families. A longer stay that I had planned in a settlement cluster near a downstream irrigation canal was forestalled by an abduction threat I faced in late summer 2007 (see 3.2). Throughout the field work, I conducted more than 100 interviews and conversations, which I recorded. The interview situations were rarely classical one to one interviews; I often encountered interview situations where I had to handle several male adults of equal status at the same time. The coming and going of listeners in and the curious were very common and often required me to introduce myself several times if the late arrivers were respected persons or people of importance. I always worked with a research assistant who was both a translator and male guide (*mahram*).<sup>143</sup> As an unmarried woman, my reputation and status would have suffered immensely if I had decided to move around and approach male interviewees on my own. Equipped with several years of university Uzbeki, in addition to Tajik and Dari language skills, I could follow conversations quite well. However, making myself understood without a translator was a different matter because of my accent and the unfamiliar local dialect. Throughout the duration of the field research, I improved my vocabulary and my ability to speak Dari. However, since most interviewees, especially elderly males who constituted my preferred interlocutors were more comfortable communicating with me through my male assistant, my language skills did not improve as much as they could have if I had been forced to conduct the interviews on my own. I learned to appreciate the company of a male research assistant, and he became an important source of knowledge and its facilitation, not the least of which was the value of discussing and reflecting upon daily insights gained from the joint interaction with individuals and local communities. Just as the interviewees whom I recurrently revisited or the groups of people with whom I spoke wanted to have some benefit of me bothering them, my assistant supposedly learned as much as I did from our work and his professional interaction with me.<sup>144</sup>

Although in his early twenties – thus quite young in a society that values seniority – I persisted in the collaboration with this research assistant because he was an offspring of an average family, a part of which lived in a village not far from Kunduz, and still made a living from agriculture. At the time I employed him in May 2006, he was living with the other part of the family and was busy in retail shop keeping in the Kunduz bazaar. In my view, his motivation to learn, his treatment with respect of the people we encountered in the field, his ability to accept criticism, and his patience certainly made up for his comparatively young age. If he was not competent to discuss some of the interview topics, he was always ready to make new contacts and ask informed persons. Moreover, his ethnic identity as Uzbek did not pose a special problem in encountering unknown persons in, for example, Pashtun-dominated communities, although it might have been the case the other way around. His command of Uzbeki, Turkmani, Dari, and basic Pashto was in most cases

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conventional fieldwork requirements of bounded residence. Moreover, the deteriorating security situation did not allow me extensive stays in local communities, see 3.2.

<sup>143</sup> See Cooke (2004) for a discussion of the research assistant's role in generating data.

<sup>144</sup> The research assistant has benefitted from a wide array of capacity-enhancing skills he learned during the research and follow-up projects. For example, besides English-tutorials, research skills teaching, and a visiting scholarship at ZEF/Bonn, he received the opportunity to co-publish several papers. Inspired by learning, he subsequently took up studies at Kunduz University and has since been working with international organizations in Kunduz.

more than sufficient to facilitate conversations and to translate in interviews. Thus, when I mentioned interpretations of a second order, or re-constructions above, these were co-facilitated by my working with an assistant. Although some readers might interpret this as a further distortion of the experienced reality of local persons in the sense of potentially adding a third order dimension to the interpretation, in my opinion, it instead helped my second-order view to come as close as possible to first-order interpretations.<sup>145</sup>

To trace indigenous concepts and values, I employed several other strategies connected with interviewing, two of which I want to highlight here. First, I applied a life-history approach (Hammerich and Klein 1978: 16), which connects oral history with biographical interviewing. My intention was to learn about local history from individual perspectives and at the same time find out how the respondents positioned themselves in the course of events and among other members of their local society. Especially given the gap in research and of understanding about local socio-political dynamics throughout the war decades in Afghanistan, I reckoned that biographical interviews could shed light on how affected individuals handled and reflected upon the events and how they made sense of and perceived the complexities.<sup>146</sup> In line with the assumption of my life-world approach that everybody is an expert on his own life, I targeted primarily interlocutors of old age. The second group of interlocutors selected for the narrative biographical interviews consisted of informed elders and local leaders that I assumed would have a qualitatively different degree of reflection regarding local events and their own position in them. I hoped that their subjective viewpoints would thus enable the emic classification of events, people, and their interrelationships.

Second, the way in which I asked questions and conducted interviews (both semi-structured and narrative) was intended to establish social relationships in which I positioned myself as learner and listener, thus placing the interlocutor in the role of an expert of his own life, livelihood-making, and everyday social affairs. I entered communities and interview situations by introducing myself as a student and explaining my interest in learning about the history of a place and individuals' biographies, current issues in a community and so on. By emphasizing that I was not an NGO worker or government representative and thus not a stakeholder in the development business, I tried to offset the inequalities in power that usually underlie situational encounters between insiders, that is, local community members and outsiders in the Afghan context. I was conscious of the fact that every interview situation inevitably constitutes a social relationship that affects the information collected by the interviewer (Bourdieu 2005b: 394). I was therefore keen to prevent my own biases from dominating or even structuring the conversation. For example, to avoid classifications from the beginning, I preferred

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<sup>145</sup> See on double hermeneutics Ch. 2.5. A first order construction is that of locals', the second order construction that of the researcher, yet the research assistant can help mitigate the distance of the second from the first order construction in the process of anthropological research. For insights on the 're-translation' of first order accounts to second order sociological concepts see Ch. 3.3

<sup>146</sup> I remain vague here with my language, e.g. speaking of complexities and not spelling out 'two and a half decades of fighting and war' instead because this is exactly the question I intended to look into – how the war was subjectively perceived and made sense of and how exactly the big picture 'war' (which I as outsider and non-stakeholder read about in history books) trickled down in personal lives (loss of family members, land, flight, refuge, encounters with occupiers, crime) and the meaning it subsequently occupied.

narrative interviews, which gave the interlocutors the opportunity to speak about what they wanted to tell me. After they had done so and pondered whether that was actually what I was interested in, they were suspicious that I had patiently listened and asked a few questions to follow their line of argumentation. I then started asking other purposeful questions with the effect that what had started out as narrative interview was modified in the process to a semi-structured interview.

However, aware of the relativity of my own knowledge and categories, I asked questions from a position of artificial ignorance (Hitzler 1997: 17) in order to be told about processes, such as the appointments of local water managers, events, such as the occupation of a settlement by the Taliban, or the factionalism that dominated refugee camps in Peshawar throughout the 1980s. Similarly, I enquired about moral reasoning in behavioral conduct in order to learn how individuals, groups, and communities justified particular decisions; my objective was to learn what might constitute moral dilemmas. This attitude of artificial brutishness was put into practice by asking vaguely phrased questions that sought both facts and opinions and allowed the interlocutor to determine what and whom he wanted to talk about, such as his own situation or that of a third party. Sometimes, especially on first encounters, interviewees were obviously unsure about deciding which version of a story they should tell me, and they either tried to remain vague in their answers or stated that they were unsure that they could give me a correct answer. In such situations, I tried to build trust and confidence by emphasizing that I was not looking for the truth and that there was no such thing as right or wrong answers, but that I wanted to know how they, from their own perspective or that of the community, had experienced a certain situation or event. When I told them about my academic objectives and my aim to understand constraints in the local environment, the argument from diverse truths usually prevailed and stimulated further talk and discussion.

Finally, another strategy to build trust and stimulate talk, which I had no choice but to apply, was the entering into a reciprocal relationship by offering something to my interview counterparts in return for their tolerance, time, and information. This exceeded my role as patient on-listener of individual and collective grievances, anger, perceptions of injustice and deprivation, in addition to my display of moral support and acknowledgements. Beyond that, I acted as a resource person for insights regarding all aspects of life in the West in general and Germany in particular. In contrast, my interviewees asked very concrete questions (for example, 'How much is a salary/car in Germany?', 'How much do you(r parents) earn?') and expected concrete answers, an expectation I would often shatter with differentiated explanations and insights into the diversity of situations. I also became a source of information regarding the mechanisms of aid projects and NGO development work. Here, too, while their questions were very concrete and reflected the encounter of local communities with an aid organization or even somebody's experiences of being employed by one, I was often the first person to inform them about the wider picture of international aid and its mechanisms. Some of the most commonly discussed topics were 'what a project is' and 'where the aid money comes from'. As an informant, a source of moral support, a listener and diverter of frustration and for some of the anger that surfaced in our talks, I represented a kind of entertainment for my counterparts, not the least because of my gender. In this regard, too, the people I spoke

to were interested in me personally and often expressed that I must really have vital reasons to visit them and ask the questions I ask, because in their eyes I was to be pitied for being so far away from my family and dependent upon the goodwill of strangers. Perceiving me as a kind of third sex, they tolerated me as a woman speaking to men and their respected authorities. I was not a woman in their view because I did not comply with the Afghan idea of womanhood and related concepts of honor. My frank behavior entailing talking with, sitting among, and eating with men; voicing opinions and representing myself as informed, knowledgeable person for my own life-world, was also visible in my dress. I did not wear a burka-type face veil but just covered my head with a headscarf as only old women or young girls are allowed to do. Hence, my in-between gender position enabled me to socialize with both men and women.

My respondents in the resource use arenas I selected for this study were almost exclusively men. Because they are members of resource user communities, women's voices are also acknowledged throughout this study. However, women's status within households and decision-making units at the family or community level is subordinate to that of men; they do not irrigate or decide on the pasture sequences within one season or collect wood without the permission of men. Given these structural conditions, most interviewees were male respondents of all ages. In anticipation of feminist critiques, I would like to stress that my interest in the subjectivities of local dwellers of necessity did not incorporate gender as a determining dimension in their lives (Daulatzai 2008: 428). Thus, my study means both men and women when referring to effects of specific modes of local governance of rural society.<sup>147</sup>

The research topic focused on subjective everyday experiences of average rural dwellers and thus emphasized cognitive factors, such as perceptions and resulting motivations for social action. The focus included questions about the validity of data, representativeness, and to what extent the triangulation of data is a relevant issue.<sup>148</sup> I argue that both data validity and representativeness can be achieved by a large number of interviews and complementing primary accounts, such as conversations<sup>149</sup> and observed practices by process-tracing<sup>150</sup> (Benetton and George 1997; Varshney 2002) in different locations and action arenas. The underlying assumption is that relevant data sets emerge from commonalities in behavioral discursive and non-discursive patterns, moral reasoning and the significance attributed to certain acts, ideas and symbols, all of which are observed and

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<sup>147</sup> Nevertheless, the male pronoun is used throughout this thesis for reasons of simplicity.

<sup>148</sup> See Steinke (2003: 324ff) for a discussion of quality factors in qualitative research. She stresses that quantitative criteria for 'good science' like objectivity and confirmability of qualitative studies, reliability and auditability, internal validity and credibility, utilitarian aspect and applicability are inadequate to assess qualitative research. Instead, alternative criteria have to be in line with the character, the goals, science-theoretical and methodological assumptions of qualitative designs. For an inter-subjective comprehension of research results, traceability of the research process should be warranted through documentation (of assumptions, methods of data collection and analysis, context of data collection, rules of transcribing data, data documentation), member checks and the use of codified scientific-methodological procedures (e.g., semi-structured, narrative interviews).

<sup>149</sup> For how interviews and conversations are analyzed from a critical discourse perspective see Ch. 3.3.

<sup>150</sup> Process tracing involves the case-specific tracing of chronologies with the aim of trying to establish why conflicts took particular trajectories, and to examine how different actors (villagers, facilitators, local leaders) together negotiated or failed to negotiate different types of conflicts in diverse settings.



recorded in different situations and in different locations. During my field research, these patterns, that is, the interconnected arenas of natural resource management, conflict mediation and aid intervention, were subsequently investigated in detail over time. A coherent account of the life-worlds of members of rural society can only be deduced (that is, [re-]constructed) from the combined analysis of cognitive, discursive, and performative action elements. Their consideration provides for an innovative type of triangulation (Van Dijk 2006: 359f; see 3.3). Nevertheless, all attempts at reconstructing and tracing meaning are interpretative and must convince the audience by the plausibility of arguments and, in writing, the persuasiveness of rhetoric.

### 3.2 Fieldwork in increasingly insecure environments

My methodological approach, the selection of locations for fieldwork, and subsequently the focus on topics that were relevant in the study area and not elsewhere, all resulted from the constraints of increasing insecurity in northeastern Afghanistan beginning in mid-2006. I briefly want to describe the effects of these constraints on my fieldwork and how I dealt with this situation.

I had always felt safe in Afghanistan in my fieldwork and travel there. However, a difference must be assumed between feeling safe and actually being safe. I had to acknowledge this difference on 18 August 2007 when I learned about plans to abduct me in one of my study sites in Takhār, four hours away from Kunduz city. Even though I was unable to verify this threat, it was too serious a matter to ignore, because I was responsible for the safety of my driver and research assistant. Consequently, my perception of security changed from one day to another. When I first went to northeastern Afghanistan in early 2006, it was relatively peaceful and secure although all-out war was being carried out in the southern parts of the country, and several dozens of people were killed weekly in interactions between different warring factions, including NATO forces and so-called Taliban fighters.

During my initial connection with Welthungerhilfe for security reasons, I had felt increasingly uncomfortable moving around in NGO cars.<sup>151</sup> My impression was that designation as an NGO does not minimize the risk of being targeted, but instead heightened it, which was an effect of the negative sentiments that had developed throughout Afghanistan during recent years. The situation worsened with the realization that aid efficiency and actual benefits of the intervention on the ground in local communities was limited. People learned from radio broadcasts how much money had been pledged to the Afghan government by different donor countries at several big donor conferences that took place in OECD capitals, such as Tokyo and London. Thus, arriving in a village in an NGO car raised expectations and destroyed most of the generalized trust

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<sup>151</sup> The security provisions foresaw traveling in NGO-cars, even if it was not the classical white land cruiser but hired four-wheel drive cars. A4-size stickers with the NGO-logo were put in the windshield, sometimes complemented with a German ensign. At that point of time, some people in the official aid community took the view that German organizations or their staff and vehicles would not face trouble, on the contrary, that the flag would be helpful winning people's support when needed.

that might have been there from the outset. The security regulations of the NGO foresaw that I would not be allowed to stay overnight in villages, which otherwise would have provided an excellent opportunity to establish deep relationships with interviewees and entire village populations. I would have been able to learn more about their lives and gain their trust in order to discuss with them sensitive topics related to my research interest. Although NGO representatives claimed that we researchers would sometimes create security risks, during my field research under the NGO umbrella I perceived the situation as opposite, that is, I was at risk because of NGO patronage. This issue surfaced when the security situation in the command area of the Sofi-Qarayetim irrigation canals worsened. The local big man (*qomāndān*) Rahmat Bāy claimed that he would no longer be able to guarantee the security of any foreigner in this particular district. At that time, military vehicles of the International Security Assistance Force (ISAF) moving in the area were attacked on different occasions and nobody was sure about the extent to which attacks would exclusively target the military or possibly be directed at humanitarian agencies and their field staff.

I already mentioned that I gained independence from the NGO and its security framework after two months. After becoming acquainted with the research sites and intensive fieldwork, I had gained a good impression of how information flows were transmitted, and who would possibly have a special agenda in channeling some information and withholding other information. My direct, regular contact with locals, my first moves to build trust relationships with communities, my proactive stance on distancing myself from foreign and local security units, intelligence services, NGOs and armed groups, my style of dress and the seemingly non-political nature of my research all contributed to my particular position and my exemption from harm. Although in hindsight, it may seem that I was overly confident, my perception must be understood in the context of the process of settling in, in which these big questions were broken down to immediate daily needs and security considerations, and thus seemed manageable. Of course, for security reasons, I also undertook cautious measures such as not disclosing daily travel plans, switching travel patterns and movements in irregular fashion, and not establishing routines.

Prior to leaving Germany for the field research in Afghanistan, I had the opportunity to take part in a three-day security course for foreign aid workers, which provided an overview of situations and taught certain behavioral patterns, such as how to behave at checkpoints, how to act in minefield areas, and so on. I was somewhat disappointed in the course outcome because no panacea had been offered, and I had to accept that the security issue would not be dealt with by attending a course that served no more than to raise my awareness of security risks. I perceived as inconvenient and disturbing that there would be no way to avoid every security threat by behaving in a certain way because of the arbitrariness of terrorist attacks. However, I also thought that unforeseen disasters would always pose a threat whether I stayed in Germany or worked in Afghanistan. I had the impression that my home institution viewed my participation in the course as a consciousness-soothing remedy, which would prove beneficial during my field research in the case of serious harm. Nevertheless, I felt uneasy and all too aware that measures to ameliorate the potential security risks in Afghanistan were merely window dressing. However, because I was the first person in my department to have had security training,

and because aid workers enjoyed the same treatment, I told myself that nothing more could be done before my departure. I admit that I too was influenced by the news accounts in the international press about the situation in Afghanistan. Though well informed and prepared, I could not know what the situation on the ground in my research area would be like when I arrived and how it would develop. Thus, I first went to Afghanistan ready to retreat in any case of substantial danger. Conscious of the potential threat that the security situation could become volatile, especially during the first few months, I hastened to complete my fieldwork and constantly thought about how to organize my research in order to collect enough data as soon as possible in case I would have to leave and would not be able to return for security reasons.

However, during the first months of my field research, I was constrained less by the actual security situation than by its perception abroad. Given the negative media-coverage of events in Afghanistan without differentiation regarding the conditions in different parts of the country, the supervisors and colleagues at my home institution in Bonn were very worried about my wellbeing. Any incident with considerable civilian and military casualties, no matter where in Afghanistan, made it into the international news and contributed to the renewed scrutiny by ZEF regarding research done in this part of the world. In November 2006, after another news scandal regarding a series of incidents in which German soldiers were involved, I was finally pulled out by the director after eight months and only allowed to continue the field research the following year (2007) without a scholarship, the deprivation of which relieved ZEF from legal responsibility for my stay in Afghanistan. The advantage of this solution was that regarding security issues, I was no longer held accountable by anyone regarding where I went, with whom, and for how long. For the remaining period of field research, I made decisions according to my own assessment of the security situation, while consulting with other people, especially my research assistant, driver and other local persons. However, because I was responsible not only for myself but for my staff, I never consciously took risks or wittingly brought us into any situation that would have endangered our lives.

After the abduction threat was disclosed to me by representatives of the German foreign office in Kunduz,<sup>152</sup> I did not travel to the suspected area again. I provisionally stayed in Kunduz city, but even there I did not feel safe anymore, as I noticed for the first time that I was followed by different people in the bazaar while I shopped. At that time, in the second half of August 2007, NGO foreigners no longer visited the bazaar. In May 2007, a suicide attack had killed several German soldiers in the bazaar. This incident had also changed local attitudes so that some foreigners were advised to stay away from their shops because they felt endangered by the foreigners' presence. I personally did not receive this warning, possibly because I was on foot and dressed like a local, so I did not draw nearly as much attention as did foreigners in NGO cars and accompanying staff driving at pedestrian speed through the crowded alleyways of the bazaar.

I left Afghanistan on 8 September 2007 after another five and a half months of research and returned on 24 October the same year for another month. My six-week absence was an effective break and helped me to refocus and reflect on the circumstances. Fortunately,

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<sup>152</sup> The circumstances cannot be detailed here, only that clear and convincing evidence was not furnished.

after my return I experienced no uncomfortable encounters in public, and I never again had the feeling of being followed. I returned a fourth time to Afghanistan in spring 2009, including to the study region where I putatively was about to be abducted two years earlier. It was a strong indicator of the worsening security situation that when I visited a local *buzkashi* game in Farkhār on the second day of the new year festival Nawroz in 2009, for the first time ever some individuals told me to my face that I probably should leave because I would only attract the attention of possible suicide attackers and thus endanger them all. In the following years, it became more and more impossible to revisit my field sites in the northeast because of the large-scale dwindling of mutual trust among community members and even neighbors. I have revisited Kabul again in 2010. Interlocutors in my study region who I used to stay with for several days and had established trust-based relations with, as well as my research assistant and driver, discouraged me from coming to see them because it would be too dangerous. ‘You cannot trust anybody anymore’, was the common reply to my inquiries. They were unsure of who would possibly tell anti-government forces of my presence.

In summary, when I had just selected my field study sites according to the peacefulness of the local environment and pursued various strategies to build trust and establish my own security among the different stakeholders, deteriorating security conditions linked to international military intervention and growing resistance from anti-government and anti-foreign forces overrode all my attempts to neutralize these influences. In the end, I saw no other option but to leave in order to ensure the security of my assistant, my driver, my interlocutors – who would be suspected by certain anti-government groups of collaborating with foreigners when they learned about my visiting them – and myself, of course.

### 3.3 Data analysis

Part of the analysis was done during the fieldwork but was constantly extended through new questions I brought to the data collection. Against the backdrop of my special entry into the field (3.1) and subsequently deteriorating security conditions (3.2), the most feasible way to examine local governance patterns was through an investigation of environmental resources governance (see the introduction of Ch. 6 for details). This approach did not seem political. Because of the way in which the people viewed me, it did not put me under heightened suspicion and offered a way of studying power relations without enquiring directly about local political leaders. Neither did it require that I investigate their power bases in forms of alliances, sources of violence, followership, histories of political and violent events, and so on. Hence, I gave no one reasons to suspect that I was in the service of foreign military or was an intelligence agent<sup>153</sup> – which would not only have endangered myself, my assistant and other contacts, but also would have influenced the conversations. Interlocutors would have been less likely to express their views, instead offering some artificial and distorted facts and opinions. Second, the focus on ordinary natural resources complied with my aim to examine every day social action

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<sup>153</sup> Such common suspicions by the population are not unfounded since many anthropologists have enlisted in the U.S. army’s so-called human terrain teams in Afghanistan. See Peterson (2007) and Whitehead (2009).

patterns because in the socio-economic context of northeastern Afghanistan (see Ch. 5), livelihoods are mostly subsistence-based and thus highly dependent on available natural resources in the immediate environment. The management of natural resources – particularly access patterns – determines the positioning of individuals, social groups and communities in social fields at the micro-scale of human interaction. I conducted fieldwork in rural areas of northeastern Afghanistan that rely on distinct sources of income. In the Kunduz oasis, irrigation water linked to agricultural land was the main resource used for livelihoods and further marketing of agricultural produce. In the remote mountainous areas of Warsaj district and Farkhār district of Takhār province, livestock constitutes the main asset for producing income and is dependent on access to rangelands. In Burka district (Takhār province) and Eshkamesh district (Baghlān province), livestock was more important than crop cultivation. However, in the absence of considerable income opportunities in both districts, I focused on fuel wood which was actively marketed and obviously represented the main source of income for the majority of families in the particular valleys that served as my research sites.

Preliminary research findings on observable mechanisms of resource access to irrigation water, pasture land and fuel wood were partly published previously in working papers and contributions to joint articles with colleagues in edited volumes.<sup>154</sup> In addition, I have used selected data from my fieldwork as topics for workshop and lecture presentations, including conference papers, on different occasions throughout the past several years. However, these early publications did not offer a comparative view of natural resource governance patterns and the findings were superficial and partial, because I took only a small amount of the collected data into account. In addition, the moralities dimension was not analyzed previously. To grasp its content, in the quest of the non-obvious, the same collected data had to be analyzed from a distinct perspective and complemented by oral history accounts included in biographical interviews and conversations with local leaders and elders (see below).

I assumed that differences in local stakeholders' perceptions and attitudes would most likely show in cases of conflict and encounters with different or new propositions for ordering or regulating local resource distribution. In the data analysis, I identified local conflict mediation and aid intervention as two further foci, which – although closely intertwined with environmental resources governance – yielded valuable insights, particularly in the moralities dimension. From an ontological point of view, the introduction of the two fields, conflict mediation and intervention, added the perspectives of two moral orders. First, the indigenous perspective focused on issues around which conflict evolved in communities untouched by intervention measures from outsiders. The second perspective focused on effects of the confrontation with the interventionist (moral) aid order by examining conflicts in communities selected for the implementation of aid projects. Observed practices and recorded, focused conversations and discussions constitute the type of data that allow tracing individuals' values and the norms they apply in certain situations by analyzing the opinions and views uttered in these instances.

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<sup>154</sup> See Mielke et al. (2007), Mielke (2007), Mollinga et al. (2009), Mielke et al. (2010), Yarash et al. (2010).

To detect the underlying motivations and normative concepts (that is, moralities) in the production of meaning and social action in rural dwellers' everyday lives relative to local governance (as conceptualized in Ch. 2), I have established my own discursive<sup>155</sup> analytical approach and applied it to interview fragments. This procedure partly relies on elements of critical discourse studies.<sup>156</sup> It also follows the assumption that local governance has a discursive dimension, which – in addition to an analysis of the actors and social processes on the one hand and the inclusion of situations and context in the analysis on the other hand – comprises a third core issue of the triangulation structure proposed above (see 3.1). Thus, from a methodological point of view, the tracing of social practices is closely interlinked to events and discursive patterns, which resemble a repository field for data generation. With regard to my research, discursive patterns could be found in speech, that is, fragments of interviews and conversations, because oral communication dominates the everyday lives of Afghan citizens. Even agreements in writing are usually not attributed higher value and recognition given their general voidability because of legal pluralism (see Ch. 7.4).

The procedure I used for the critical analysis of text fragments comprised the identification of crucial terms, phrases (metaphors), typical narrative patterns, classifications and expressions that are linked to power and dependency discourse and reflect the embeddedness of actions, the self, and societal structures. According to Howell (1997: 13), moralities can be traced in speech acts, attitudes, and a range of orally transmitted exemplars of good behavior that individuals choose and recapitulate. Examples are sayings of famous personages or “identifying simple sentences that both capture indigenous norms and universal concerns and which lay bare the clear dominant social values of a group” (ibid.). With the focus on moralities, the identification was to some extent theory-driven (according to my guiding theses T3-4 in the conceptual framework, see Ch. 2) and focused on fragments that occurred regularly in the audio files of my interviews. I have made partial, topic-focused transcriptions of the interviews because of time constraints, the extensiveness of the interviews (durations of 3-4 hours were no exception), and for the reason that I never intended to do a narrow conversational analysis with linguistic interest. Instead, my concern was to pay attention to the concepts and verbatim wording of my interlocutors and thus integrate the emic dimension through terms and connected meanings into the broader investigation on local governance processes.

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<sup>155</sup> I understand ‘discourse’ as institutionalized language use regarding statements that claim some form of validity. Discourse analysis potentially discloses emic accounts which can be made part of the appraisal of other forms of data presentation (context and background, process tracing, biographical interviews, etc.) while they are at the same time generated by the latter. Discourse is language use and social practice (Foucault 2008a) at the same time. Context and discourse are dialectically linked with the result that discourse is structuring and being structured by social context and society on a more general level (Keller 2004: 28). According to Fairclough (1992: 64), discourse is “a practice not just of representing the world, but of signifying the world, constituting and constructing the world in meaning.”

<sup>156</sup> The reference to critical discourse studies instead of only critical discourse ‘analysis’ purposefully follows Van Dijk in his argument that a critical approach “not only involves critical analysis, but also critical theory, as well as critical applications” (Van Dijk 2009: 62).

In the next step, I selected single interview fragments that I thought were significant and representative in their use and in their embeddness in context<sup>157</sup> for detailed analysis and subsequent representation in the text. Moreover, interview fragments were complemented with notes from my field diaries to substantiate the context (that is, who said what when, how, and where for which audience) and to extract relevant notes. I was not able to record all interviews and conversations, so the number of notes I considered as original texts of the interview and oral account analysis was quite substantial. This process was followed by interpretation and interpretative reconstruction (Luckmann 2007: 306). Ways to validate the interpretation were included in the triangulation of data and subsequent analysis. Giddens' caution regarding double hermeneutics nevertheless applies (Giddens 1997). Social researchers are always challenged to mediate between their own frames of meaning and those of the subjects of the study (Van Maanen 1988: 138). Hence, first-order interpretations can rarely be fully grasped. In the last analytical step, selected fragments and data samples were integrated in the final text of the dissertation as examples enriching other sequences of storytelling and narratives.<sup>158</sup> In line with Scott (1985: xviii) that "an example is not only the most successful way of embodying a generalization, but also has the advantage of always being richer and more complex than the principles that are drawn from it", I thereby aim to provide a sound basis for the reader's understanding of local governance in northeastern Afghanistan (see Chs. 5-6) or, more precisely, my interpretation of it (Vierhaus 1995: 11).

In conclusion, I hope to have demonstrated that the data collection, analysis, interpretation and representation are closely intertwined and that the conceptual approach and the methodological consequences elaborated above showed that I tried to reflect upon this nexus (after Spivak 1988, cited in Robben and Nordstrom 1995: 6).

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<sup>157</sup> According to Luckmann, the methodology of interpretative reconstruction defines context as context of agents' construction of meaning (*Sinnzuschreibungen der Handelnden*) or the contextual knowledge which allows comprehension of the text (Luckmann 2007: 307). Not contradicting Luckmann, in Van Dijk's view the context of discourse is constituted by the cognitive and social dimensions (Van Dijk 2009: 65). The production of meaning is always closely interrelated with the local context, that is, in terms of place, time, and involved persons. "Local meanings are a function of the selection made by speakers/writers in their mental models of events or their more general knowledge and ideologies." (ibid.: 69). See also Van Dijk (1996) on discourse, power and access.

<sup>158</sup> Narratives do not necessarily resemble facts (Poovey 1998), but interpretations and perceptions the particularity of which risks to get lost once it is written (Young 1992). The trickiness of narratives is compounded by the already mentioned issues of authenticity and veracity.

## **Part II: Literature Review**



„In our history books it says we shall not reach the year 1400 [A.H.]. Shortly before it is due, the end of time will arrive. The mullahs can't agree... they are no use, and we have no sheikhs or prophets now to guide us. Those we do have are not straight; they say one thing but have another in their hearts. God knows what is in their hearts. The world is coming to an end. ... Our books say that at the end of time, truth will be lies, people will abandon right and do wrong, brothers and fathers and sons will fight together. That is the way things will be, they say – but look around now! Not one person in ten prays. The world is coming to an end.”

(Statement of a Durrani village headman 1972 [quoted in Tapper 1984: 245])

## 4 – Local governance in northeastern Afghanistan: State of research

This chapter reviews the literature relevant to the study of local governance processes as conceptualized in Chapter 2. Thereby, I consider publications available at the time of my entry into the field (March 2006) and those that had been published by the end of 2007. Because my own data collection took place in the three provinces of Kunduz, Takhār and Baghlān, I will concentrate mainly on the literature available for these parts of northeastern Afghanistan (that is, the historical Qataghan, see Ch. 5). A few exceptions focus on north central and north western Afghanistan as well as Badakhshān.<sup>159</sup> In addition, for depictions of pre-flight, that is, pre-war social relations (4.1) and the war period after the Soviet invasion (4.2), I also rely on articles written on the basis of fieldwork conducted in Pakistani refugee camps with persons originating from these provinces (Rasuly-Paleczek 1994, 1994a, 1996, 1998; Centlivres and Centlivres-Demont 2000). Sources from the period since 2001 vary in their approach regarding the local level, the type of source (e.g., consultancy type versus research paper on macro state-building or micro local decision-making) and data usage, that is primary versus secondary data. Hence, the literature considered for the latest period in a few cases also goes beyond the limits of the three provinces (4.3). I deliberated whether I should offer a thematic review without including the periodization of events or provide a chronological review. I chose a version with bias towards the latter for two reasons: First, from a scientific point of view, it is interesting to relate certain types of research questions to different time periods. I propose that research questions and approaches mirror disciplinary trends (see also 4.4) in the social sciences. Second, since the late 1960s, indeed since the end of World War II, events in Afghanistan have been closely interlinked with world politics<sup>160</sup> and have tremendously affected the country's population. For these reasons, I chose to base the literature review on topics with a rough periodization of the available literature into these three phases: pre-1978, 1978-2001, and post-2001.

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<sup>159</sup> Though I did not carry out field work in Badakhshān proper (that is, in the far northeast province of Afghanistan, see Map M1), my field sites in Takhār (Farkhār and Warsaj district) bordered Badakhshān, displayed very similar natural-geographic and livelihood features, and – more importantly even – were under the political control of Ahmad Shāh Mas'ud and his forces throughout the period until 2001. Against this backdrop, the comparatively large amount of research about Badakhshān is fully included in this review.

<sup>160</sup> The creation of Afghanistan as a state in 1880 can be interpreted to be the result of international (geo)political dynamics, that is, the Great Game between Czarist Russia and British India. See Ch. 5.

In my review, I will not summarize each single publication. Instead I will attempt to identify and summarize the main points that align with my own interest in the topic of local governance. The relevant themes include state-local society relations, emic perspectives of social relations and perceptions of social change, *Lebenswelten*, politics, the government administration, moralities as can be deduced in values and normative frameworks, community governance and power relations, social group cohesion, questions of legitimacy of rule and decision-making, social stratification, intra- and inter-group solidarity, and so on. I will refer to the relevant literature throughout the subsequent analytical chapters. An introduction to regional history and geographical features will be provided at the beginning of Chapter 5 before a brief summary of the research-related state of the art is presented in subchapter 4.4.

#### 4.1 Governance-related academic writing accounting for the period before 1978

Broadly, the state of research that can be depicted from the pre-war<sup>161</sup> literature in most cases resembles multi-faceted descriptions of single aspects of social relations in the societies of northeastern Afghanistan. The tribal society (Barth 1959, 1969; Steul 1981) and nomadic pastoralism (Jentsch 1973; Jettmar 1969; Glatzer 1977) constituted the main topics of interest among anthropologists, ethnographers and geographers. Regarding the northern areas, the analyses of ethnic groups (Orywal 1986; Centlivres 1975; R. Tapper 1984; Shalinsky 1986; Barfield 1981; Shahrani 2002 [1979]), marriage and kinship relations (Christensen 1982; Ferdinand 1982; Rasuly-Paleczek 1990s; Tapper, R. u. N. 1982; Olesen 1982; Anderson 1982), and to a lesser extent rural communities (Davydov 1963; Anderson 1978; Centlivres 1981) stand out.<sup>162</sup> Most previous research comprises single case studies<sup>163</sup> that focus on little (ethnic or tribal) communities (Redfield 1989).

In addition, German geographers in different specializations, such as development economists and human geographers have worked extensively on Afghanistan. The results

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<sup>161</sup> 'War' is a relative term and dependent upon definition as I was able to reconfirm through experience during fieldwork. While in peace and conflict studies different models exist according to which a certain number of casualties resulting from violent fighting define war, local respondents had different views as to when 'fighting' started. Some dated the outbreak of turmoil back to 1974 (Daud's coup d'état), others to the 1978 *Sawr*-revolution (*enqelāb*) – the incident of the coup d'état or rather when they became infringed by its impact in their daily lives (as a rule, only months after the 27 April 1978 coup). Given this perception, this subchapter's focus is on local affairs during the three decades preceding the 'revolutionary' events and its impacts. My intention is not to trace historical trajectories of domestic politics since Afghanistan's foundation as a nation state under Abd'ur Rahmān in 1880. Brief historical background information will be provided at the beginning of Ch. 5. For a discussion of the actual non-adequacy of the common translation of *enqelāb* with 'revolution' see Grethemeyer 1980: 155. The majority of my interlocutors used the term *enqelāb* synonymously with (resistance) fighting and war, see Ch. 5.1. Thus, in locals' perceptions the popular Western reading of the start of war in Afghanistan – with the Soviet invasion on Christmas 1979 – turned out to be contested. Accordingly, I speak of 'before the war' for the period until roughly end of April 1978 which was characterized by 'peace' in absence of large-scale turmoil and fighting.

<sup>162</sup> Afghan social scientists are not known to have conducted local-level research on related topics. With the exception of long durée historical overviews, local scholars' writings are not available and thus could not be included in this review.

<sup>163</sup> Given that the anthropological research of the pre-war years dealt with phenomena that were considered to be 'exotic' in a way that they were not to be found in the researchers' home societies, one might claim that academic research tended to be caught up in some kind of 'othering', not to say 'orientalism' at that time.

were published as a series of books called *Afghanische Studien* starting in 1963.<sup>164</sup> Their activities must be seen in close connection to the German development and bilateral aid projects in different economic spheres during the 1960s and 1970s<sup>165</sup> and a conflated general interest in development issues in the Afghan state. Some representative topics in this series were industrial workers (Büscher 1969), spread of forests in east Afghanistan (Fischer 1970), academic elites (Sawitzki 1972), increase in agricultural production and processing (Kraus ed. 1972), the influence of transport investments for economic development (Fitter 1973), state revenues and their impact on economic development (Glaubitt et al. 1975), development and structure of Afghanistan's industry (Stilz 1974), settlement policy in Helmand and Baghlān (Kraus 1975), role of energy resources development (Arens 1974), and problems of regional development and urban geography (Grötzbach 1976). However, although not primarily concerned with economics in the narrow sense, Jentsch's work on the economic and livelihood situation of nomads in Afghanistan (Jentsch 1973), Knabe's analysis of women's emancipation (Knabe 1977), and Grötzbach's findings on cultural-geographic change in northeastern Afghanistan since the 19th century (Grötzbach 1972) were also part of the series.<sup>166</sup> Mechanisms of local representation at the national level have been described by Centlivres and Centlivres-Demont 1981; Shahrani 1987, 1998; Barfield 1984, 2004, and Rathjens 1990.

Without deep conceptual embedding of the research design and its results, which is characteristic of the approach of social anthropologists and ethnographers, several case studies entailed important material and findings regarding local power relations, social organization at the local level and the nature of administrative control. With regard to both social practices and moralities (see 2.3.1), the analyses of Azoy (1982), Shahrani (1978, 1984), Grevemeyer (1990), Tapper R. (1984), Tapper N. (1991), and Olesen (1982) were particularly instructive. Representative of findings regarding power structures in Afghanistan was Barfield (1984). Based on his extensive fieldwork between 1975 and 1976 in Kunduz and Emām Sāheb on adaptation of the Arab pastoralist lifestyle to changing economic circumstances (Barfield 1977, 1981), he identified local government administration and regionally indigenous tribal or village structures as distinct sets of parallel existing power structures (Barfield 1984: 170f).

In this literature review, I have tried to trace the mechanisms of how power relations manifested and shaped local governance processes through what I conceptualize as social practices and moralities in the pre-war period. As a result of my review, I identified the following topics: the notion of *qawm* and multiple social identities (4.1.1), the diagnosis of dependency structures fuelling patron-client relations (4.1.2), and the influence of Islam in legitimizing power relations (4.1.3).

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<sup>164</sup> The series was edited by Fischer, Jettmar, König, Kraus, and Rathjens; in total 18 books were published in the series.

<sup>165</sup> Then in charge of German-Afghan joint projects was West Germany's Federal Agency for Development Assistance (BfE) headquartered in Frankfurt. One of the prestigious projects included reforestation measures in Paktiya by the *Grop-e jangalāt Afghānistān* (German forestry group Paktia), see BfE 1972.

<sup>166</sup> I will refer to the latter quite frequently in the subsequent chapters because Grötzbach collected his field data in some of the same valleys in Warsaj (Takhār province) where my research was located. Once during dinner with selected male guests in a local elder's guesthouse, one of my interlocutors even referred to Grötzbach and remembered him staying in his village (Emund).

#### 4.1.1 Multiple social identities and *qawm* versus ethnicity

Pre-war studies of local adaptation processes have provided insights into the multiple perspectives of local rural society. These include the commercialization of pastoralism as in the case of the Arab nomads from Emām Sāheb (Barfield 1981), changing socio-ecological conditions as with the Kyrgyz in the Wakhan Corridor and in Pakistan after 1978 (Shahrani 2002 [1979]), 20th century state-led development policies throughout Afghanistan (Grevemeyer 1990 [1987]) and especially its northeast (Grötzbach 1972), technological innovations, such as the introduction of agricultural machinery as described by Anderson (1978) for Ghazni, and the acculturation of Durrani (Pashtun) women in Uzbek-dominated Jawzjān province (N. Tapper 1983). Hence, assumptions about conflict, ethnic diversity, and identities based on clan and tribal belongings featured among the elements to which the greatest research attention was paid. Shahrani's conclusion regarding a discussion on ethnic relations and access to resources in the Wakhan in northeastern Badakhshān is indicative: He stated that local politics and socio-economic relations have been traditionally determined by ethnic and tribal conflicts and the resulting competition for power, privilege and access to strategic resources (Shahrani 1978: 25). Particularly in the area around Kunduz, the so-called internal colonization of Pashtun settlers from eastern and southern regions of Afghanistan<sup>167</sup> caused many researchers to investigate ethnic differences of macro-ethnic groups (Roy 1992: 75), thus interpreting conflict and local tensions primarily through the essentialization of ethnic differences and identities (N. Tapper 1983; Barfield 1984; Grötzbach 1972; R. Tapper 1984; Centlivres and Centlivres-Demont 1988 [1981]; Shalinsky 1982; Pierre Centlivres in Bourdieu and Centlivres M.&P. 1982: 24, 27).<sup>168</sup>

Interestingly, however, Shalinsky and Nancy Tapper, among others, also stressed the relative fluidity and shifting (Shalinsky 1986: 294) of identities, which is a plausible observation given the effort required for adaptation. Consequently, the usage of self-imposed identity labels shifts according to the assumed or known social belonging of the interlocutor and thus depends on case-specific social contexts (ibid.: 299). Over a longer period of time, marriage arrangements and the control or non-control of women affect the sustenance of a man's or even a family clan's identity in a positive or negative way (N. Tapper 1983: 41). For women, identity 'switches' were normal: they were married into and subsequently entered the household and family (*khānawāda*) of an ethnically distinct husband (ibid.: xvi).<sup>169</sup> The diverse sources of identity formation and shifts derive not only from northeastern Afghanistan's ethnic identity but also from linguistic and religious heterogeneity. Canfield associated social identities,

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<sup>167</sup> For the context and reasons, see the brief introduction to the history of the region in Ch. 5.

<sup>168</sup> Shalinsky (1982, 1986), in her work on the *muhājerin* (literally: refugees), Uzbek and Tajik families which fled Soviet repressions in the decade between 1928-38 and settled down in and around Kunduz, showed that these groups were unlikely to support the Marxist government of Taraki or his *khalq*-wing of the NDPA due to the domination of Pashtuns and the perception and experience of being discriminated against by them (e.g. regarding land distribution).

<sup>169</sup> Similarly, Rasuly-Paleczek (1998) observed changes in identity construction and self-representation of the Chechka-Uzbeks, an ethnic sub-group with a strong and previously fixed identity, which – after the Uzbeks' decisive contribution to the victory of the mujahedin to capture Kabul in 1992 – overstepped their narrow clan-identity by using the term *qawm* to group together as Uzbeks versus Tajiks or Hazara, Pashtuns etc. (ibid.: 221).

... with several kinds of ideal groupings: with territorial groupings suggested in the word for homeland, *watan*; with kinship groupings of varying scales suggested in the word for patrilineal kinship group, *qawm*; with Islamic sect affiliation suggested in the word for doctrinal tradition, *mazhab*; and with the followers of a 'saint' who call themselves *hampir* in some contexts or *tariqat* members in others (Canfield 1988: 186, cited in Rasuly-Paleczek 1999: 183).

Because of widely practiced bilingualism among the inhabitants of north and northeastern Afghanistan, the significance of language as a marker of ethnic identity should be qualified. Instead, locality, residence and territorial ties were found to be more critical (Tapper 1984: 239f) and could be claimed to have added to the multitude of identity prescriptions available to individuals, which was mentioned by Canfield. In everyday life, these identities fused within one person beyond single, ideal identity markers and ethnic categories (Schetter 2003).

The affiliation with a certain *qawm* is typical in the northeast of Afghanistan and crosses various social identities, particularly from a historical perspective with regard to the patchwork-style settlement patterns (see Ch. 5). Although some authors who worked in northern Afghanistan assigned it the limited meaning of ethnic and tribal identity (see Canfield 1988 above), Roy (1992) pointed out that unlike strictly tribal societies, such as the Pashtuns of southern Afghanistan where the term *qawm* is used to designate a real or believed common descent of tribe members, in the north, it means group solidarity. The group "could be an extended family, a clan, an occupational group, a village etc. *Qawm* is based on kinship and client/patron relationships... *qawm* affiliation is the rule of the political game at the grassroots level" (ibid.: 75, 77). Roy's statement that "*Qawm*, and not ethnic affiliations, explain local politics," (ibid.: 76) must be considered, while keeping in mind the timely observation of firm resistance of Afghan citizens of all ethnic groups united against the Soviet occupants throughout the 1980s. The significance of ethnicity as a primary determinant of domestic and local politics intermittently lost explanatory power and in hindsight allowed the concept of *qawm* to gain more attention, even though *qawm* had always been a firm point of reference in analyses of pre-war local politics and social relations (Shalinsky 1986: 296; Centlivres and Centlivres-Demont 1981, 1988; Rasuly-Paleczek 1990).

Given the obvious significance of ethnic and kinship relations (Dupree 1970 [1966]: 377), *qawmi* ties, and social networks in northern Afghanistan and their instrumental role in political relations against the background of evolving statehood and the central government's attempt at penetrating all layers of society, pre-war researchers were occupied with various study interests. This led to a bias towards analyzing the political elites in local tribes or other social groups and the strategies they used to adapt to changing circumstances, maintain power, and retain as much autonomy from state interference as possible.<sup>170</sup>

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<sup>170</sup> The striving for (the preservation of) local autonomy throughout the pre-war decades was pointed out by Grevemeyer (1980) and Rasuly-Paleczek (1996, 1998) for northeastern Afghanistan in particular. Here insufficient traffic and transport infrastructure, the natural-geographic conditions and late attempts at political centralization favored the stability of traditional vertical dependency structures in rural communities (Grevemeyer 1980: 158, 163) as opposed to other, less remote areas like the countryside in the proximity of Herat in northwest Afghanistan (ibid.: 167).

### 4.1.2 Dependency and patron-client relations versus class

In this regard, strategies included the double role of local elites in the state. They occupied political functions while preserving the interests of their local clientele, that is, rural society. However, local elites included two groups: religious leaders (*pir, mullā, sayed, khoja, eshān*) and secular oriented elites, both of which were chosen by the residents of a social community and confirmed by the government administration or some kind of 'natural' middlemen (latter: *khān bāy, bēk, muysafēd, rishsafēd, āqsaqāl*; former: *arbāb, malek, muysafēd-e qawm*).<sup>171</sup> Commonly, the former religious establishment was ascribed divine authority for the spiritual and cultural dimensions of commoners' lives. The legitimation of the authority of both groups rested on charismatic leadership traits, abilities in conflict resolution, and personal integrity. Azoy (1982) pointed out the significance of individual reputation (concepts of *hisiyat, e'tebār*) for local, regional and national level politics prior to 1978. In his interpretation "the Afghan form of authority resided neither in permanent corporations nor in formal statuses, but in individual men..." (Azoy 1982: 25). The secular elite took on mediator and middlemen positions in the hierarchical structure of government rule as they served both as patrons of their populace and as clients of the central government in facilitating interactions between the local government administration at the provincial and district levels on the one hand and rural communities on the other hand (Centlivres and Centlivres-Demont 1981; Grevemeyer 1980).<sup>172</sup>

Adding to the significance of personal relationships and social support networks, marriage relations were described as driven by strategic motives (Rasuly-Paleczek 1994, 1994a; N. Tapper 1991). They established political alliances to build and extend networks in order to maintain and enlarge a clan leader's power base, which would be constituted by a growing number of followers (*qawmi'at*).<sup>173</sup> Olesen (1982) demonstrated the significance of

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<sup>171</sup> Barfield describes how two role models, that of traditional versus government-recognized middleman (*intermédiaires obliges*, Centlivres and Centlivres-Demont 1988: 242) could quite often be found to vary with individual office holders. For example, an *arbāb* who acts as intermediary between the community and the government administration might derive legitimacy from holding the office of *arbāb* and use his position to make money. This model is contrasted by the *bāy*-type *arbāb* whose legitimacy originates in his traditional noblesse that obliges him to help handle affairs of his local community. In this case, the title of *arbāb* links the *bai* to dubious practices and he usually abstains from calling himself *arbāb* (Barfield 1981: 151f). *Muysafēd, rishsafēd* and *rishsafēd-/muysafēd-e qawm* are self-evolved leaders of local communities deriving their recognition mostly from seniority, which is associated with experience, wisdom and knowledge and necessary asset for dispute resolution, mediation of community affairs and decision-making. Furthermore, they dispose of the material means to host guests (food provision, guest house), have relationships with other elders and government officials, dispose of rhetorical skills and the ability of persuasion.

<sup>172</sup> According to Grevemeyer (1990: 64) the central government's reliance on middlemen and members of the traditional nobility decreased significantly between 1949 and 1978 through the capacity-building and employment of new bureaucratic elites in administration and army. However, Rasuly-Paleczek's (1994a) and Centlivres & Centlivres-Demont's (1981, 1988) research indicate high levels of influence of middlemen in local administrative affairs that enabled local tribes like the Chechka-Uzbeks even to preserve some kind of quasi-autonomy from government interference in pre-war north Afghanistan.

<sup>173</sup> Contrary to some earlier published analyses, such as of Rasuly-Paleczek, Andreas Wilde (forthcoming) suggests that the utilitarian dimension of marriage exchanges is a rather new phenomenon that correlated with the government's attempt at penetrating the northeast and establishing government offices in Kunduz which offered the prospect of gaining additional resources for members of local elite families. With the example of the Arzbegi clan from Kunduz, Wilde shows the salient wedding matches of the sons to daughters of governmental office holders (e.g., the provincial water manager) and *arbāb*. His analysis is impressive as he gives other examples of the marriage networks of the *mir* of Bangi and Farkhār. These obviously followed

aspired-to socio-economic security as a motive for marriage alliances, particularly from the women's perspective.<sup>174</sup> The literature suggests that patron-client relations, middlemen, strategic marriages and kinship were used instrumentally because the socio-political and economic environment beyond the realm of the family was perceived as volatile, particularly in situations when resources were distributed, redistributed or defended against others' claims.

However, despite the sensitivity of researchers regarding the segregation of local rural society into a small stratum of elites versus a seemingly large stratum of ill-defined others, the analysis of social differentiations within one fragment of society, such as a clan, tribe, or village, were rare and only partially conducted. Researchers started to consider the non-elites, that is, ordinary people, as social bases of potential support groups only after the so-called *Sawr*-revolution in 1978.<sup>175</sup> With its binary emphasis on class, Marxist scholarship offered an obvious analytical lens for this endeavor. Richard Tapper (1984) was the first of the pre-war generation of Afghanistan researchers to analyze his and others' empirical material with the premise that class divisions cut across ethnic boundaries. He described the emergence of a fourfold class structure as the result of population growth since the beginning of the 1970s, consisting of:

... a traditional elite of land owners, tribal chiefs, wealthy merchants, and other regional leaders; a 'bourgeoisie' of independent propertied tribesmen and peasants and established traders and artisans; a propertyless and dependent rural and urban 'proletariat'; and a new 'intelligentsia' of young, educated townspeople, especially teachers and some officials (ibid: 238).

However, corresponding local perceptions, that is, class consciousness or feelings and expressions of class unity rarely surfaced. As Tapper states, in the 1960s and 1970s the "... *qawmi* mode of association and of conducting political business was contrasted with the *rasmi* (official) mode. 'Class' as a concept was not explicitly recognized except by newly educated urban youth." (ibid.: 244). Accordingly, one could conclude that before the outbreak of war, solidarity rested primarily with *qawm* and family-clan-tribal members based on joint identities in particular situations. The transverse solidarity of poor or ordinary folk versus rich elites was not particularly evident.<sup>176</sup> According to the sources,

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more traditional customary motivations. However, these also aimed at broadening a clan leader's or influential figure's *qawmiyat* as political support base.

<sup>174</sup> Based on fieldwork in Khulm/Tashqurghan, Olesen's study is remarkable because she gives evidence of women's agency by describing how women establish networks and alliances through extra-marital affairs in their local community, to secure their own (family's) economic survival and socially-situated well-being (status). Her findings qualify writings that take *purdah* norms to reason women cannot be independent social actors in local cultural settings and thus put the asset function of daughters/women and their value as symbolic capital (in Bourdieu's sense, see Rasuly-Paleczek 1994: 210) in the foreground. Nancy Tapper's analysis (1991) of Maduzai Durrani marriages and women's perspectives can be read to confirm both dimensions: One, the aspect of exchange which includes a view of women as one in a pool of available resources that contribute to survival but at the same time also oblige the possessor to efforts of control (in the case of women for the sake of honor). Two, a degree of agency of women wed into weak and vulnerable households who then engage in creating own ties through illicit relationships with wealthier and more powerful men (Tapper 1991: 289).

<sup>175</sup> The event points to the coup d'état on 27 April 1978 in the Afghan month of *Sawr* (21 April-20 May).

<sup>176</sup> See the anecdotal evidence given by an Uzbek as recorded by Jarring (1939: 79): "... if a rich man is rich, he is considered a man (*adam*). If he is a poor wretch, he is not considered a man. In some cases, they consider him equal with dogs, donkeys or other animals. ... if they prepare a wedding, they only call for the *bāy* and give them fine dishes to eat. But for the poor there is nothing to eat at these occasions. ... if a poor



mobilization against oppression took shape selectively and was locally bounded. It was not clear which social status groups were involved and to what extent small acts of resistance were successful in countering inherent social differences among individuals in the group of participants.<sup>177</sup> Rubin (2002: 43) argued that because of specific patterns of *qawm*-based patronage, peasant rebellion against landlords did not occur despite growing social inequalities, which apparently were not perceived as such by the majority of the rural population.

Not only hierarchical social relations among different ethnic and kinship groups but also hierarchical social stratification (that is, horizontal inequality) among members of these individual groups was fueled by dependency and patron-client relations. The latter appear to be pivotal ordering principles for pre-war rural society in northern and northeastern Afghanistan. Regarding social stratification within tribal<sup>178</sup> and kinship groups, one thread in the literature links resource scarcity and population growth with rising material inequality and an ever-increasing need for the dependent poor to seek multiple exchange relations with those who were better off. Based on research on the Chechka-Uzbeks in northeastern Afghanistan, Rasuly-Paleczek (2004: 12 [unpublished script]) pointed out that the leaders of rurally based social groups managed to transform themselves into an economical entrepreneur-like stratum through credit operations and the monopolization of bazaar trade, which fostered patron-client ties and deepened dependency over time. Regarding the 1950s and 1960s, Hahn (1970, 1972) identified increasing trends of pauperization among the vulnerable majority of the rural population, indicators being landlessness, rain-fed sharecropping, and the fragmentation of land property as result of Islamic inheritance law. The pauperization was caused by rising prices for goods and food<sup>179</sup>, the lack of income sources, and subsequent spiraling mutual indebtedness. Among non-proprietor leaseholders of agricultural land, more than 70 percent were with an

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man dies, some four or five men will take him away and bury him. They say that no one knew that this man died. But if a rich man should die, many people gather and read prayers over the corpse. But before them the mullahs have gathered at the corpse and perform the ceremonial which is customary at this occasion.” I chose to quote the Uzbek’s view here at some length because the described behavior, especially at funerals and weddings, creates a contrast to religious and cultural norms of solidarity (see below).

<sup>177</sup> Tapper mentions *wulus* [‘people’, crowd, followers (Turkic origin)] as example for a concept of solidary community action among Pashtuns. It was especially used to describe resistance against *khān* and government actions (Tapper 1984: 244).

<sup>178</sup> The common descent of members of a tribe and thus the construct of ‘tribe’ as agnatic patrilineal kinship group was scrutinized by Davydov (1979, following Kosven) early on with the notion of patronymic. For a discussion see Gawecki (1988: 16f).

<sup>179</sup> Afghanistan regularly experienced droughts that caused grain shortfalls and severe losses of livestock, e.g., in 1969-72 (Dupree 1997: 665; Emadi 1996: 207). However, for the period discussed (1950s-1970s), the extent of land reclamation, in the northeast in particular, can be assumed to outweigh a) losses caused by floods or water scarcity in some years, b) rising needs due to the rapid population growth, and c) the extension of non-food cash crop cultivation (cotton and sugar beet) versus grain (Grötzbach 1972: 158). Rather, because to inflation and lacking government revenues from taxes – for example land taxes amounted to 1.2 percent of total domestic revenues in 1970/71 (Glaubitt et al. 1975: 218) – effective levying was impeded because of a large-scale absence of land statistics and registers (ibid: 97, see also section 5.2.1 below). Despite investments and the introduction of five-year plans in 1956/57 to jump-start the Afghan economy, the development of taxes retrogressed between 1962/63 and 1970/71 (ibid.: 215) and the economy was heavily dependent on foreign borrowings and grants while at the same time it had to serve continuously rising debt payments. For a concise overview of Afghanistan’s agricultural policies in the period 1953-78 see Grethemeyer (1990 [1987]: 99-118).



average of 11.300 Afs in debt, which was equal to the value of about two tonnes of wheat at that time. More than 50 percent of peasant families who cultivated their own fields had accumulated average debts of 15.200 Afs (ibid.: 230). According to two village surveys, 53 percent (1971 Baghlān) and 57 percent (1968-69 Kunduz) of all families had incurred debts (Toepfer 1976: 71). Families in the irrigated areas tended to have fewer debts than in rain-fed regions (ibid: 72).

In his political history of Badakhshān<sup>180</sup> until the incorporation of this far north eastern region into the newly established state of Afghanistan in 1883, Grevemeyer (1982) identified mutual assistance (*Gegenseitigkeit*) as the key principle in any reproduction process and social life in local communities. Throughout history, and with no less validity in the decades prior to the governmental takeover of the People's Democratic Party (PDPA) in 1978, this assistance (*kumak*, '*ushr*, *zakāt*, *khairāt*)<sup>181</sup> was granted and reciprocated on bases of kinship and patron-client ties and legitimated by the social imperatives of Islam (Grevemeyer 1980, 158ff). Leaseholds (*geraw*) and loans (*qarz*) constituted crucial social practices that established the particular socio-economic interdependency among different rural strata, such as shopkeepers, landholders, landless and smallholder peasants, and religious authorities (ibid.). However, ambivalent features can be detected in the framing of the high levels of indebtedness mentioned above as granting and receiving of assistance (*kumak*). Despite evidence of the increasing pauperization of the rural population in the pre-war decades and a widening gap between the socio-economic status of elites and their populace, the relative remoteness and the lack of economically stimulating outside interference allowed for a relative equilibrium of economic and social dependencies in which no particular dimension was dominant (Grevemeyer 1980: 158).<sup>182</sup>

Outside the few big cities, such as Kabul, Kandahar, Herāt and Mazār-e Sharif, Afghanistan's social landscape was characterized by a rural lifestyle, which – especially after Muhammad Dāod became Prime Minister in 1953 – was increasingly exposed to new influences. Following reforms, such as pro-women's rights and modernization attempts in the economic sector (e.g., foreign economic engagement in forms of grants, loans and advisors), the traditional urban-rural divide widened. There is evidence of a widely perceived abasement of traditional values, including religious piety, social group solidarity,<sup>183</sup> and traditional leadership among the rural population (Tapper 1984: 245; Grevemeyer 1990: 252ff). Famously, Dupree (1997 [1973]: 248ff) attributed to

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<sup>180</sup> Historically, Badakhshān included the territories of today's eastern Takhār Province and the Gorno-Badakhshān Autonomous Oblast' of the Republic of Tajikistan.

<sup>181</sup> '*Ushr*, *zakāt* and *khairāt* embody Islamic notions of voluntary assistance to community members; '*ushr* refers to levies by some political or religious authority, imposed on income from agricultural produce ('land' tax).

<sup>182</sup> Due to the existence of this balance, the interpretation of the local rural order as 'feudal' is not appropriate (Bourdieu and Centlivres M.&P. 1982: 27). It is reductionist as it focuses on the economic dimension of local society and ignores the social. Soviet scholars – both, because of personal persuasion and for political reasons – applied the 'feudalism' lens. Its limited explanatory value became visible in the aftermath of the reforms introduced by the newly established PDPA-government in 1978, when it turned out that the loyalties of the landless and poor who the reform was aimed at, remained with their landlords for fear of losing everything in an uncertain future. See Beattie (1984), Barfield (1984: 180).

<sup>183</sup> Tapper mentions the breakup of families and declining religiosity (Tapper 1984: 245).

Afghanistan the label of an inward-looking society because non-literacy was predominate, over 90 percent of the population were mainly engaged in basic food production, and there was an obvious lack of occupational, political and social mobility (albeit he acknowledged the existence of limited economic, geographic and social mobility).<sup>184</sup> According to this logic, government officials are described as an outward-looking group (ibid.: 251). They were mostly Pashtuns from other Afghan regions and were perceived as alien by the rural inhabitants of northern Afghanistan, who were of mainly Turkic and Tajik origins (Centlivres and Centlivres-Demont 1981: 518; Barfield 1981: 151, 1984: 174; Shalinsky 1982: 80).<sup>185</sup>

### 4.1.3 Traditional political culture and folk Islam versus ideology

Until it was challenged by the Soviet invasion, Islam did not play a crucial role in local politics (Naby 1987: 127). In the rural areas, it was usually restricted to the cultural-spiritual sphere<sup>186</sup> and a way of life in which Islamic concepts were embodied in everyday practices and lifestyles traditional Islam.<sup>187</sup> In this sense, Islam has always been fundamental (Roy 1985: 29). Through a certain moral appeal that could legitimately demand a person to act against self-interest, and by using it as a means for coping with personal distress (efficacy), Islam pervaded all social life and structured individual behaviour (Canfield 1985: 67). According to Canfield, “Islamic concepts of authority, responsibility, and status are implicit in notions of kinship and tribe, household and community, leader and follower” (ibid.: 57f), endowed with accompanying normative notions of piety, but in Olesen’s view also “*local customs, superstition and the worship of holy men*” (1995: 219). Mystic elements and Sufi brotherhoods (*tariqa*) led by *pir* and *eshān* played an important role in local Islam (ibid.: 162, Wieland-Karimi 1998).<sup>188</sup> In northeastern Afghanistan, traditional families of landholding elites often traced their genealogical lineage from the Prophet and conflated an elite figure and religious authority in one person or family, such as the *sayed*, *eshān*, *pir*, and *mir*. However, local communities were nevertheless served by at least one mullah (*mullā [emām]*), who was a prayer leader, mosque warden, advisor for ordinary dwellers in everyday affairs and instructor of Koran lessons for children. He could potentially influence public opinion and

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<sup>184</sup> Dupree contrasts the meaning of ‘inward-looking society’ as a ‘society into which a man is born into a set of answers’ with ‘an outward-looking society’, or a set of questions’ and links this dichotomy to the distinction of developing versus developed societies (Dupree 1997 [1973]: 250).

<sup>185</sup> The dislike of official office holders and rural populace was mutual, just like the latter viewed the former as alien, overbearing and corrupt, the former considered the rural population backward (Barfield 1984: 173). For an overview of the different population groups settling in northeastern Afghanistan see Ch. 5.1.

<sup>186</sup> Canfield (1985) distinguishes between traditional and progressive Islam. According to him, the former was practiced by the great majority of Afghans, especially in the rural areas; the latter variant was an exclusively urban phenomenon. Because of the problematic connotation of the term ‘traditional’, I will use ‘folk Islam’ in this thesis.

<sup>187</sup> All family and daily affairs were influenced by Islam: “In Imam Sahib nothing was ever completely secular: slaughtering a sheep, praying to finalize a contract, or giving money in thanks for good fortune – all had some religious overtone.” (Barfield 1984: 181).

<sup>188</sup> Even though this type of folk Islam always included pre-Islamic and non-Islamic practices, local knowledge of Islam was transmitted as a body of rules through popular Islamic texts and accompanying social discourse related to questions of justice, liberty, ethics and humanity (Shahrani 1991: 181f).

drew his legitimacy from varying degrees of religious knowledge obtained by special education and, if he was of *sayed* descent, from family ties (Gawęcki 1988: 29).<sup>189</sup> Mullahs were often hired from outside the community and were highly dependent on the local elites for their salary and housing. Hence, some authors suggested they merely served as a tool in the local hierarchy of economic dependencies and that they were used to endow their patrons with an aura of piety (Azoy 1982: 29) because their power was limited to the immediate locality and the populace they served (Grevemeyer 1980: 171).

According to Roy (1985: 35), the term *shari'at* is used rhetorically in everyday affairs. In Muslim law, however, it provides the general frameworks of common and penal law. Rural people seek justice according to a complex universe of ethical beliefs and understanding:

Islam conveys an ideal of social justice, but it does not, in itself, have a blueprint for a state to rival the state which actually exists. It does not promise a utopia that involves upsetting society, for the peasant is not revolutionary; neither does he present a political programme of the kind espoused by the Islamists, because the peasant regards the reform of personal behaviour as being more important than the transformation of social structures. ... It little matters that very few people who exercise power act justly. What is important is that the peasant should be able to judge, and, even when he is defeated, refuse to approve of injustice. Thus, when the peasant appeals for justice it is on ethical grounds. He has little knowledge of the intricacies of the *shari'at* and they do not interest him; for him it is sufficient that a concern with justice should characterise the 'Muslim'. (ibid.: 28f).

Remote from urban influences, such as the university, the press, and parliament, which increasingly criticized Islam as it was traditionally practiced for its irrelevance (by arising leftist movements) or its impurity and corruption (by the Islamic movement), and the spiritual universe in the rural northeast remained quite stable. Throughout the 1960s and 1970s folk Islam was the only non-ideological resource in the absence of other ideological influences and politicization tendencies.

To some extent, contrary evidence was observed in Badakhshān. Shahrani (1984) argued that after the introduction of government schools in the province, the attitudes of many members of the traditional elites shifted, and education was firmly embraced, including graduation from institutions of higher education in Kabul with the effect that by "... the early 1960s there were several hundred students, teachers, professors, and bureaucrats from Badakhshān living in Kabul. Many of them became actively involved in the national political movements of the 1960s and 1970s, and soon political ideologies and organizations were taken into the province." (ibid.: 154). This development occurred in coincidence with the political and ideological crisis (Olesen 1995: 216) among the educated urban population in the aftermath of Dāod's (1950) reform attempts, which had devalued democracy and resulted in the rise of a dogmatic confrontation between leftist and Islamist groups.<sup>190</sup> However, to what extent these ideological trends gained

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<sup>189</sup> Believed to be linear descendants of the Prophet, *sayed* (Pl. *sadāt*) were thought to be equipped with *barakat* – an extraordinary blessing that provides strong defence skills against evil influences and ensures that their prayers are heard by Allah (Gawęcki 1988: 30).

<sup>190</sup> Besides Islamism and an Afghan version of Marxism-Leninism, Olesen mentions Pashtun nationalism as third major ideological trend gaining in influence among urban dwellers since the 1960s (Olesen 1995: 217 after Barry 1980). This is informative with regard to the Pashtun newcomers holding government offices versus traditional domiciled groups of Turkic, Tajik and other non-Pashtun origin in the northeast mentioned above, because a) it seems to support the view of occurring tensions based on ethnic identities; and b) it undergirds why Setam-e Melli as anti-Pashtun party possessed a considerable followership in Badakhshān.

prominence among the rural population of Badakhshān is uncertain and rather doubtful, given Azoy's appraisal of the *khān*-centered local social order (Azoy 1982: 22-42). According to this logic, ideological influences affected mainly members of the elite, but to a limited extent. Nevertheless, the adherence to the elite by commoners ensured that the rural population could be mobilized on the basis of *qawm*-related sentiments of kinship, friendship, residence, ethnicity and religious-sectarian alliances (Shahrani 1984: 166).<sup>191</sup>

According to Azoy (1982: 35), local power relations and authority rested with individual reputation (expressed as *nām* and *qawmiyat*), which was constituted by normative notions of *e'tibār* (credit or respect) and *hisiyat* (character) that alluded to piety, generosity, credibility and wisdom. Based on the control of economic, that is, the mainly agricultural resources of water, lands, livestock and women (ibid.: 34), a reputation provided the means to ensure compliance and attain or widen influence. Indeed, "In the absence of institutions which specify authority, this critical element is vested instead in individuals who cast themselves as leaders and bolster their claims by acquisition of followers." (ibid.: 30). Traditional political culture combined codes of honour (*nang*) and local understandings of sharia rules, kinship norms, language, and religious-sectarian distinctions (Shahrani 1998: 5). In the local context, the notion of honour is widely associated with the maintenance of autonomy and integrity among all social groups of rural Afghanistan. Therefore, it encompasses autonomy not only from the state but also in relation to other members of the local community (Christensen 1988: 146). Whereas the former mode of autonomy-seeking brings about unity, the latter discloses local rivalries for influence, leadership and control over resources. With the example of Pashtun society, but not limiting his argument to Pashtun-inhabited areas, Christensen explained this ambiguity, stating that despite the widely advocated norm of solidarity, interests primarily determine the relations between supposed equals (ibid.), thus causing rivalries and resulting in a factional mode of politics (ibid.: 147). He concluded, "... the dilemma of choice posed by the notion of honour generates factional rivalry, which in turn provides a social setting which admits of various solutions to the ideological inconsistencies to function as alternatives. Viewed from this perspective, Pakhtun culture in the sense of a unified, consistent, and shared system of meaning does not exist." (ibid.: 153).<sup>192</sup> Again, this finding would also hold valid for non-Pashtun population groups inhabiting Afghanistan.

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<sup>191</sup> It can be assumed that mobilization for the resistance followed these same rules. See, for example, Roy (1992: 81ff). For an example of sectarian differences, see von Moos and Huwyler (1983) on the Ismaili of Munjān in Badakhshān.

<sup>192</sup> Christensen goes on to conclude: „Culture and ideology instead have to be understood as heterogeneous systems of meaning which contain inherent contradictions, ambiguities, and dilemmas, all of which are resolved in different ways by the members of the society in question. Moreover, such alternative ideological versions are always associated with and defined by specific interests, which they in turn serve to legitimate.” (Christensen 1988: 153f). Though not spelled out as such, this finding nicely deconstructs the idea of culture and it determining everyday life and social interaction. Hence, it introduces considerations of bounded rationality (see Ch. 2.3.1).

## 4.2 Interpretations of the ‘revolution’, war and development(s) until 2001

The regime change introduced by the Marxist coup d'état that came to be called the *Sawr*-revolution (*enqelāb*),<sup>193</sup> the subsequent socio-economic impact of the reforms that began in summer 1978, the initial (not eminently negative) reactions to it and their later large-scale rejection received less attention in academic writing than did the following invasion of Soviet troops in Afghanistan, the ensuing resistance, and macro-political developments. Shahrani and Canfield's volume on the causes and early consequences of the 'revolutions and rebellions in Afghanistan' is an exception in this regard (Shahrani and Canfield 1984).<sup>194</sup> However, although this volume relies to large extent on data collected before April 1978, the data is either analyzed in the context of the 1978 coup, such as Barfield's contribution on the northeast (Barfield 1984), or it is complemented by interviews conducted with mujahedin who hailed from Badakhshān staying in Peshawar and Gilgit during the summer of 1980 (Shahrani 1984: 139). In contrast, only Beattie (1984) reported first-hand accounts because he witnessed the implementation of reforms in Nahrin (Baghlān) during the late summer and autumn of 1978.

### 4.2.1 Initial mobilization at local level and ensuing militarization of rural society

All accounts of the 1978/79 events in Afghanistan concur in their observation that the initial coup d'état on 27 April 1978 raised little reaction among the majority of the Afghan population. However, the onset of the implementation of the economic and social reforms, which began in the northeast in spring 1979, was perceived as extraordinarily intense and rapid and thus as threatening the existence of the rural population (Grevemeyer 1990: 129; Beattie 1984: 203).

The Revolutionary Council's initial thirty-point programme of reform included measures that upset traditional rural culture and norms, for example, Decree No. 6: the regulation of debt obligations (credits and mortgage on land); Decree No. 7: the abolition of bride prices and the encouragement of freedom of choice in marriage; and Decree No. 8: the confiscation and redistribution of land. Several other reform policies were not part of any formal decree but nevertheless encouraged by the new government, such as female education, the abolition of *arbāb* as middlemen, the introduction of price controls in the bazaars, the fight against corruption. All of these measures built on previous reform attempts by the regimes of Dāod (1973-1978), Amanullah (1919-1928) and Amir Abd'ur Rahmān Khān (1880-1901), dating back as early as the end of the 19th century (Beattie 1984: 196, Grevemeyer 1990 [1987]: 120ff). Besides the severity and speed of the government's interference in people's lives by attempts to implement the reforms, several authors connected the start and origin of the rural rebellion in summer 1979 to questions of Islam and legitimacy, purges of traditional local elites (*mir*, *'ulama*, *khān*), and simultaneous efforts at population census by the government (ibid.: 203; Roy 1985: 96;

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<sup>193</sup> For a brief introduction into emic periodization of events, see 5.1. The heading of this section refers to the 'time of the revolution' – a period according to locals' understanding from 1978 until the withdrawal of the Soviet forces in 1989.

<sup>194</sup> The volume actually dates from a symposium of the American Anthropological Association held in 1980, see Tapper and Canfield (1984: ix).

Shahrani 1984: 161). The reforms were interpreted as an attack against Islam because they questioned the local social structure, particularly with regard to the position of women in society and bride price (Beattie 1984: 203).<sup>195</sup> Given the mental and spatial distance of the government from the rural population and its resulting weak enforcement capacity (Barfield 1984: 182; Glatzer 1995, 2002: 109), its legitimacy was subordinate to local ideas structured by folk Islam. The battle for social control in the countryside (Rubin 2002: 115) revolved around the government's intention to replace the traditional elites and middlemen and to redistribute land to establish its own power bases. However, since this intention was grounded in the assumption that traditional power structures lacked local legitimacy because they were interpreted by the Marxist elites in Kabul as feudal, unjust, and oppressive, local realities were completely misconceived (Barfield 1984; Roy 1985: 88; Braun/Ziem 1988: 136). Consequently, the rebellion surged because peasants joined ranks with their putative oppressors (Grevemeyer 1990: 127). In Badakhshān, the first armed attack on an army post took place as a direct reaction to the purges of opponents of the dominating Khalq regime and resulted in unprecedented retaliation measures by the army ranging from imprisonment and torture to the systematic murder of local elites (Shahrani 1984: 161; Dorronsoro 2005 [2000]: 96).<sup>196</sup> This initial resistance against government-proposed reforms had a unifying effect: it bridged not only horizontal cleavages between the traditional religious and anti-Khalq sections of the new educated elite, but also social differences between ordinary peasants and local elites. However, specific to Badakhshān, Shahrani noted that the battle lines also followed linguistic-sectarian alliances. The Ismaili population and Wakhi in the Wakhan corridor did not revolt against the new government, and the Kyrgyz simply escaped to Pakistan in anticipation of oppression. At the same time, Tajiks and Uzbeks<sup>197</sup> were mobilized and took up the fight against the implementation of new government reforms (ibid.: 162). Similarly, the Tajiks initiated resistance activities in Takhār in August 1979. Local Uzbeks reportedly sympathized with the new regime (Giustozzi 2000: 15). In contrast, Kunduz was not affected by resistance activities until the Soviet invasion (Roy 1985: 101).<sup>198</sup>

The invasion of Soviet forces, which began on 27 December 1979, marks a significant break in the line of events considered in this literature review. In its aftermath, local society changed markedly for the first time. Before the renewed coup d'état in January

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<sup>195</sup> Emadi (1996: 209) also mentions cases where peasants burned their certificates of land ownership issued by the new regime because they perceived the redistribution of land as illegitimate and expected that the seizure of others' property – though mediated by the state – would be sanctioned by religious norms as a sin.

<sup>196</sup> The scope of systematic murder became visible when the Amin-government in November 1979 published lists with 12,000 names of people who had fallen victim to the purges since April 1978 (Dorronsoro 2005 [2000]: 96).

<sup>197</sup> While Roy (1985) argues that the Uzbeks of Takhār were less inclined to resist the new order, Shahrani (1984: 167) mentions that the domination of the NDPA's Khalq and Parcham factions by Pashtuns, though of different tribal background, was the main guarantor for non-participation and lack of sympathy from most parts of the population in Badakhshān. Accordingly, in Takhār it was particularly the Tajiks and Uzbeks who were reluctant towards the pro-communist government and its coup labelled '*Sawr*-revolution'. In the past their families had fled the first wave of Soviet repression in Bukhārā in the 1910s and in a second wave they escaped collectivization efforts by the local Soviet administration north of the Āmu Daryā between 1928 and 1938, (Shalinsky 1982: 81).

<sup>198</sup> According to Giustozzi (2000: 6), "By autumn 1979 rebel formations were active in twenty-five provinces out of twenty-eight, while at the end of the year seventeen provinces were basically under mujahidin control, as well as more than half of the district centres and most of the villages."

1980, which replaced Hafizullah Amin with Babrak Karmal as Soviet-backed head of state, the resistance was directed against central government authority and aimed at the preservation of the status quo of traditional rural power relations (Grevemeyer 1985: 119). The Soviet intervention provided the grounds for the large-scale political mobilization of the entire population. The mobilization centered on the claim that the occupation threatened Islamic values, people's honor (*nang*), and for the first time, the notion of homeland (Christensen 1988; Centlivres and Centlivres-Demont 2000). Thus, the invasion also paved the grounds for the increasing significance of ideological factors. Before the invasion, the support and popularity of Jam'iat-e Islāmi and Setam-e Melli in Badakhshān, for example, had resulted from the insensitive treatment of the population by *khalqi* forces, not because the parties had a convincing program or offered a vision for ordinary citizens (Shahrani 1984: 160). Consequently, researchers were able to observe the rise in importance of local 'ulama (Roy 1985: 48, 150) and rebellion not only in the name of jihad<sup>199</sup> (Dorrnsoro 2005 [2000]: 354) but also as part of the counter-ideologization by the PDPA regime by exploiting progressive clerics (Giustozzi 2000: 61).

The initial mobilization and resistance to Soviet and Afghan forces under the Karmal government took shape locally in social communities led by religious figures and extended to valleys and social entities, that is, tribes and solidarity networks on *tariqa*- and *qawm*-basis. These moves were soon overtaken by the militarization of rural society in the first half of the 1980s that also concerned its traditional hierarchies and leadership.<sup>200</sup>

The thus newly evolving societal stratum of commanders (*qomāndān*, *amir*) possessed various assets with regard to their social origins. They either originated from the traditional or educated religious milieu or belonged to traditional secular elites (*khān*, *muysafēd-e qawm*) and the secularly educated groups of society (Dorrnsoro 2005 [2000]: 111). Some authors interpreted the increasing significance and professionalization<sup>201</sup> of the military traits of the resistance movement to have bridged fragmented *qawm*-loyalties (Shahrani 1984: 164), others argued that this had not reduced intra-factional differences within the resistance movement (Roy 1985: 172), but had actually increased the reliance on primary social networks (Rubin 2002: 188). Both accounts seem true. In different periods, *qawm* networks enabled mobilization for causes that were superior to their own solidarity group. Grevemeyer provided the insight that the village, valley and *manteqa* were not the main issue of contestation; the state, homeland, *watan*, and society at a whole, were threatened (1985: 127).<sup>202</sup> At the same time, social entities built on *qawm* always carried the risk of

<sup>199</sup> Giustozzi (2007: 1) distinguishes between the grassroots notion and an ideologized notion of jihad. While the former was initially widespread, perceived in a non-ideological way because it merely embodied the meaning of 'just war', the latter was proposed by the Islamists and associated with the struggle for an Islamic state.

<sup>200</sup> Reportedly, the government also relied on women militias, for example in Badakhshān's Kurān-u Munjān area, a female unit fought against Ahmad Shāh Mas'ud's troops in 1987 (Giustozzi 2000: 21).

<sup>201</sup> See Dorrnsoro (2005 [2000]: 124) for a discussion of two models (patrimonial versus institutional) of military organizations headed by commanders in Afghanistan. Despite the professionalization attempts as depicted in the institutional model, traces of patrimonialism remained and constituted important compromise factors in interactions with the local rural population (e.g. through use of charisma, cult of personality, propaganda of a moral code) (ibid.: 128f).

<sup>202</sup> Grevemeyer (1990 [1987]: 129) speaks of de-villagization (*Aufbrechen der Verdörflichung*) in this regard, that is, a breakup of the fragmentation of action arenas into very small localized spaces as has been common since the 19th century for all parts of Afghanistan.

fragmentation along basic *qawm* identities, which remained the essential baseline along which mobilization occurred (Rasuly-Paleczek 1996: 187). This is linked to the finding that neither in the initial uprising nor in the time after 1979, local commanders were controlled or even influenced by the different parties' headquarters in Peshawar (Dorrnsoro 2005 [2000]: 123; Rubin 2002: 189).<sup>203</sup> Thus, ideological factors other than Islam played an inferior role in the resistance. Similarly, Christensen (1988: 143) found that although the concepts of Islam, honor, and homeland motivated the resistance, they also explained the disunity of its constituent groups and the political fragmentation. He ascribed the reason to a lack of consistency in all three notions, which he argued do not embody a commonly agreed ideology or system of meaning (ibid.: 153; Centlivres and Centlivres-Demont 2000: 424). Based on the dialectics of unifying and fragmentizing trends within the resistance, Grevemeyer (1985: 115) suggested speaking of resistances in the plural against the backdrop that the cleavages between different resistance groups have proven to be more significant for the political situation in Afghanistan than their efforts against foreign occupiers.

Local military resistance units (*jabha*) usually consisted of 20 to 60 men (Rubin 2002: 188) and aimed at liberating their local areas. They were constituted by solidarity networks in the first place. However, intensive fighting did not occur all the time and for this reason, military mobilization varied, depending on the locality. Where permanent mobilization or the organization of weapons and food supply was necessary, bases were established adjacent to settlement areas (ibid.: 229). These bases fulfilled rudimentary administrative functions that either covered several villages or – in cases where more than one base existed in a settlement – the population of the *qawm* or members of the party the head of the base belonged to (Roy 1985: 160f). The supply of the bases with food, fuel and fighters had to be ensured by the populace of the adjacent area (Dorrnsoro 1999: 140f).<sup>204</sup> Because military leaders relied on a discursive recourse to Islam, they depended on religious authorities and *'ulama* to legitimize their actions (ibid.: 232f).

After 1981, the government gradually revoked all major reform attempts because of the limited outreach at the local level, the lack of support for government policies, and the resistance activities against government programs and institutions, such as previously established cooperatives (Giustozzi 2000: 18, 24-32). In the years that followed, a strategic switch to an incentive-style land distribution<sup>205</sup> for willing followers of government policies took place (Grevemeyer 1990 [1987]: 128). However, between 1982 and 1986 the regime engaged in an economic war against rural communities (Majrooh n.d.: 152).<sup>206</sup>

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<sup>203</sup> Of the minimum 6,000 mujahedin commanders in Afghanistan in the mid-1980s, about one third did not have any affiliation with any of the Peshawar parties; most of the remaining two thirds maintained only loose links (Giustozzi 2000: 242).

<sup>204</sup> At the stage of initial mobilization for jihad and years into the resistance against Soviet forces, these supplies were granted voluntarily, partly as *zakāt* and *'ushr*. The local commanders were heavily dependent on it until the mid-1980s when external assistance – cash, military as well as food aid – from the parties' headquarters in Peshawar became more significant in the northeast. After the Soviet withdrawal, the population was often forced to ensure supplies of daily necessities through taxes that undermined the legitimacy of local commanders and their superiors (*amir*).

<sup>205</sup> For a detailed overview of the different stages of land reforms in Afghanistan see Braun and Ziem (1988: 138-146) and Grevemeyer (1990: 118-128).

<sup>206</sup> For the non-armed activities in this economic war see Giustozzi (2000: 129).



Fields, irrigation systems, orchards, houses and animal herds were systematically damaged and destroyed. The result was a massive wave of refugees into camps in Pakistan and Iran<sup>207</sup> and a complete breakdown of the national economy. Economic assets other than mineral resources in the command area of a certain commander (lapis lazuli mines in the northeast) thus dwindled. When the regime changed from Karmal to Najib (later Najibullah) in 1986, the land reform and other attempts to transform the countryside were simply laid to rest.<sup>208</sup> Subsequently, a renewed reliance on loyalty set in, which was based on patronage and brokerage fueled by assets provided by the government and its patron, the Soviet Union (Rubin 2002: 172; Giustozzi 2000: 172).

In parallel with this policy shift to pacification (ibid.: Ch. 12), in 1987 the PDPA regime started to form rural militias and set them against the resistance forces with the objective of expanding its influence in the countryside (Giustozzi 2003: 5, 2000: 48ff). This counter-insurgency measure yielded significant consequences for ordinary people. They were caught between mujahedin and government-formed militias who fought each other. Hence, local self-defense groups were established. There is evidence that as early as 1988, 3,000 village militias existed, which neither supported the government nor the mujahedin, but simply protected villagers' property in the immediate locale (Giustozzi 2000: 218). Upgraded to the status of regular army units, several of the government-initiated militias evolved as significant players in the initial period after the withdrawal of the Soviet forces (1989) and helped the Najibullah government to stay in power for another two years despite reduced Soviet subsidies (ibid.; Barfield 2004: 284) and their final cut off in January 1992.<sup>209</sup> The shifting of alliances of roving commanders, who depended on access to assets for redistribution among their clients and followers, was a common feature during this period (Barfield 2004: 283). Thus, it is not surprising that a local leader would possess the membership cards of various parties (Glatzer 1995: 2).

#### 4.2.2 Social transformation within the realms of an evolving war economy until 1992

A deep social transformation of northeastern Afghanistan's rural countryside took place during the 1980s. In the early years, many representatives of the traditional elite had been murdered or imprisoned; others became military commanders. Nevertheless, these new military authorities had to cope with a shifting asset structure during the ensuing period. A leader's legitimacy was now determined not by the control of agricultural resources but by the extent of access to external supplies (ibid.: 229). This explains why the significance of leaders with a traditional secular-economic power base and political significance (e.g., *khān*) declined sharply if they did not become local commanders. In comparison, leaders who had been locally appointed (*arbāb*) reportedly maintained their roles as village

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<sup>207</sup> Braun and Ziem (1988: 136) mentions the number of 4.5 million refugees in Pakistan and Afghanistan in 1988.

<sup>208</sup> Giustozzi (2000: 192) shows that provinces were affected by this policy at different times, e.g., Badakhshān from 1983-1988, Kunduz from 1987-1988, Takhār from 1987-1991, and Baghlan in 1987. The intensity of the 'pacification' process varied and in some places it only after the announcement that the Soviet troops would withdraw at the end of 1987 (ibid.: 178).

<sup>209</sup> Najibullah's regime was finally overthrown on 28 April 1992 and succeeded by mujahedin groups that competed for central state control.

community representatives. Their political significance was limited and their position was not endangered by the take-overs by religious figures (Roy 1985: 150).

From the mid-1980s, legitimate leadership at the local level became more and more based on the ability to overthrow a predecessor and to provide peace, security and material resources within the territory of a commander's rule. Consequently, stability and temporary peace relied fully on the charisma and ability of individual military leaders to deter competitors (Glatzer 1995: 2). However, the proportion of and extent to which weapons and the threat of armed intervention confirmed legitimacy of rule at village level versus traditional leadership traits, such as abilities in peaceful dispute resolution, personal integrity, and rhetorical skills, was not investigated. There is evidence of growing arbitrary violence carried out by militias, such as in Baghlān as early as 1987 (Giustozzi 1992: 227). Generally, the literature base regarding local-level processes is very thin regarding the period from the mid-1980s until the ousting of the Taliban regime. In addition to geopolitical analyses, academic attention refocused on national-level politics, the role and politics of the opposition parties in Peshawar, the analysis of Soviet-Afghan relations and situational assessments of resistance activities and their meaning for national-level politics.<sup>210</sup> Assessments of social transformations during the war years are largely inconsistent. For example, the finding that in 1984 the massive flight of Pashtuns from north Afghanistan, who had constituted the 1920s settler generation, restored the balance between different population groups (Roy 1985: 169) became simply outdated by the events: First was the initial massive return of Pashtun refugees from Pakistan after the withdrawal of Soviet forces.<sup>211</sup> Second was the Taliban's advance from 1994 onwards. Their ranks comprised mainly Pashtun tribesmen.<sup>212</sup> Similarly, the conclusion that the militarization of rural society reduced social inequality (ibid: 169) seems too general; evidence for it remains unclear.

Giustozzi's analysis of Soviet archival material provides a rich source for understanding the success and failures of the PDPA governments between 1978 and 1992 (Giustozzi 2000). Giustozzi gives a strong impression that the dichotomous image of resistance and unquestioned support of the population for the mujahedin against the occupiers, the PDPA regime and Sovietization is too superficial to grasp the social dynamics of that time. For example, the report that the mujahedin assassinated a group of village headmen on their way to the commander of the Soviet Afghan forces in order to force a cease fire so crops

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<sup>210</sup> Dorronsoro's book (2005) is indicative for the issues which focused attention and were analyzed with reference to the war period between 1991 and 2001 in Afghanistan: the formation and typologies of *jihadi* parties (also among refugees), the nature of the Kabul regimes under Karmal and Najibullah, guerilla dynamics (mujahedin rivalries and inter-party cooperation), and the Soviet withdrawal. First-hand sources were confined to journalistic accounts and reports from foreigners who had worked in Afghanistan. Furthermore, publications of resistance groups, which were produced in Iran and Pakistan, provided limited information (Grevemeyer 1985: 127).

<sup>211</sup> Reportedly, about 2 million refugees of all ethnic groups returned from Pakistan and Iran to Afghanistan after 1992 (Dorronsoro 1999: 125).

<sup>212</sup> Many refugees followed the Taliban movement from Pakistan into Afghanistan simply because they wanted to return home by any (logistical) means. The majority of refugees in Pakistan were Pashtuns due to the language-affiliation and the settlement area of Pashtuns along the Afghanistan border in Pakistan (North-West Frontier Province and Federally Administered Tribal Areas). At large, the Taliban movement was ethnically heterogeneous. Particularly in the northeast, the majority of local Taliban-followers comprised Tajiks and Uzbeks.

could be harvested, shows the blurring of ‘front lines’ between putative factions (ibid.: 152).

Given the militarization of rural society, the large-scale loss of productive infrastructure and the absence of any kind of regular or licit asset base throughout the 1980s, rural society and local level dynamics in general had become highly dependent on external factors, such as the provision of resources from party headquarters in Peshawar or government payments. Thus, with the withdrawal of Soviet forces, military aid from both sides ceased; Western and Soviet subsidies were no longer paid after 1990. In addition, a food crisis had already begun in 1989 and resulted in a famine in 1991 because the Soviet Union did not supply the amounts of wheat it had previously granted on an annual basis.<sup>213</sup> These conditions of overall scarcity favored the economization and criminalization of local and regional military structures and the continued reliance on patron-client relations in military hierarchies. A famous example is the desertion of large numbers of the 55th Division of the government’s army in Takhār to Ahmad Shāh Mas’ud’s forces in 1991 after they had not been paid for months by the government (Giustozzi 1992: 233). That Mas’ud could provide pay and food to his units was because he controlled the lapis lazuli mines within his sphere of influence in Badakhshān.<sup>214</sup>

#### 4.2.3 Dwindling knowledge about local dynamics in the context of civil war and Taliban rule

The unfolding civil war in Afghanistan can be explained by a market model,<sup>215</sup> which interprets the competition of strong, vested interests in the various war factions as the driving factors behind the continuing violent warfare and the expanding war economy<sup>216</sup> (Glatzer 2003, 2005; Goodhand 2000; Schetter 2002). Commanders on every scale of influence, whether it is the localized *qawm* or *manteqa*, a party (sub-)faction, or a regionally established sphere of influence are seen as entrepreneurs who seek personal material gains and the maintenance or extension of their influence in various socio-spatial networks. According to Glatzer (2003: 4), the market rationale assigns irrational factors, such as tradition, religion, or ethnicity, a secondary role in motivating violence. These factors are only relevant when they are strategically mobilized through politicization by the different entrepreneurs of violence.

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<sup>213</sup> From the mid-1980s, annual wheat imports from the Soviet Union had accounted for an average of 250,000 tonnes (Giustozzi 1992: 233).

<sup>214</sup> It was estimated that Mas’ud generated up to US\$200 million annually from lapis lazuli trade in the 1990s (Schetter 2002: 117).

<sup>215</sup> Common metaphors used in this regard were Elwert’s markets of violence (Elwert 1999) or ‘bazaar economy’ by Schetter (2002).

<sup>216</sup> Defined as illicit economic practices and carried out by all members of a society under conditions of war (Schetter 2002: 110). However, an important characteristic of the Afghan war economy was its increasing interwovenness in global networks of illicit trade.

The 1990s saw a clear politicization of local affairs,<sup>217</sup> in which a person or social group was forced to take sides. This manifested in the identified ethnicization of conflict (i.e., from ideological to ethnic conflict)<sup>218</sup> during the civil war period. Moreover, the meaning of *qawm* had obviously shifted. By the mid-1990s it was used in ethnic terms (ibid.: 110). However, Rasuly-Paleczek (1996: 187), using the example of the Chechka Uzbeks, pointed out that even in areas where different *qawm* had united and taken joint action as an ethnic group, these formations disintegrated again by the early 1990s. This was apparent in the fluctuation of loyalties when Jam'iat-e Islāmi and Hezb-e Islāmi (Gulb'udin Hekmatyār) followers joined Rashid Dostum's forces, thus qualifying the ethnic factor. In contrast to ethnicity, Islam was no longer important in politicization given the weakness of the Islamists' organization (Giustozzi 2007).<sup>219</sup> Kunduz, Takhār and Badakhshān witnessed the increasingly evolving direct correspondence between ethnic identity and political affiliation. Nevertheless, material interests prevailed over ideological ones, as the constant shifting of loyalties demonstrated, particularly between Hezb-e Islāmi Gulb'udin and Jam'iat-e Islāmi on the one hand and Dostum's Junbesh-forces and Mas'ud's Shurā-ye Nazār<sup>220</sup> on the other hand.

Authors' accounts of the livelihood bases of average people seem somewhat contradictory for the civil war period (1992-1996). The dominant narrative is that of an expanding war economy with further destruction of infrastructure, continuing erosion of social norms, and predatory behavior of local commanders' units (Glatzer 2005: 12) because of the over-supply of young men with no other possibility for employment and an abundance of weapons.<sup>221</sup> However, there is also evidence of large-scale development activities after Western aid agencies moved into the country following the withdrawal of Soviet forces (Noelle-Karimi 2006: 8; Dorronsoro 1999: 134f).<sup>222</sup> The seeming contradiction in these narratives dissolves if it is considered that often NGOs were instrumentalized by local

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<sup>217</sup> Partial evidence of politicization existed already in the 1980s, for example Grevemeyer (1990 [1987]) noted that the dominance of political, religious and ethnic cleavages within the resistance was already apparent in 1986.

<sup>218</sup> Hence, the formerly ideologic underpinning of the conflict came to be dominated by ethnic factors. Dorronsoro remarks that such interpretation of the civil war in Afghanistan as ethnic conflict as done by Roy is itself an ideological perspective (Dorronsoro 2005 [2000]: 15).

<sup>219</sup> Similar to what has been said above regarding the role of patrimonial style of organization that even rooted in professional military units, Giustozzi (2007: 17) ascribes patronage politics the main role for the weakening of the *jihadi* movement and the subsequent failure to oust the PDPA-regimes. He concludes, "A strong and shared ideological worldview within the *jihadi* ranks was the missing ingredient in the recipe for polity building" (ibid.). Interestingly, the same applied to the Marxist ideology of the PDPA in the early 1980s during the attempt to build up a social support base: "...whatever expansion the party was achieving in the countryside, it was based on recruitment for patronage rather than ideology" (Giustozzi 2000: 47, also 52f on the role of patronage for party-organization in the countryside).

<sup>220</sup> Shurā-ye Nazār (literally: 'Advisory/Supervisory Council' is used brief for *Shurā-ye Nazār-e Shamāli* (Supervisory Council of the North).

<sup>221</sup> According to Giustozzi (2000: 245) around 2 million weapons circulated inside Afghanistan in the early 1990s, including thousands of heavy weapons.

<sup>222</sup> After development aid had been replaced by emergency relief in 1980, the initial situation in the 1990s caused several donors to fund again development-oriented projects, for example measures to return large swaths of land for renewed cultivation to enhance food security (Dorronsoro 1999: 135). Through the regional mechanization of agriculture and the introduction of improved seed varieties, Afghanistan regained the ability to support itself for a variety of agricultural produce and even started exporting rice to Pakistan (ibid.: 124).

commanders and thus merged with the war economy (ibid.). Aid came to be an important resource of the unfolding war economy. Commanders not only taxed local production but also ran NGOs or NGO-outlets like private businesses, for example by recruiting several family members of a commander as executives and assistance staff and by exploiting the security argument in their favor (ibid.). Other resources were directly provided to influential commanders and military factions from neighboring states, partly based on ethnic solidarity (Iran, Uzbekistan, Pakistan), or by other international stakeholders to the conflict, such as Russia, the United States, and Saudi Arabia. For example, the Uzbek Dostum and his locally established administration in north-central Afghanistan on the border with Uzbekistan were supported by the Uzbek government and the Russians. Mas'ud, an ethnic Tajik, received assistance from Russia and Tajikistan. Because a high degree of strategic external control of the various factions in the Afghan civil war did not exist, this aid was utilized to furnish the temporary individual goals of the commanders. In addition, local resources, such as gem stone mining and poppy cultivation provided the asset base of commanders for redistribution to their clients. Particularly in Badakhshān, poppy cultivation and the opium trade gained extraordinary significance during this period (Goodhand 2000: 272).

Caused by the civil war and regional fragmentation, two main spheres of influence evolved in north-central and northeastern Afghanistan: General Dostum's regime based in Mazār-e Sharif and Masud's administration headquartered in the Panjshir and Tāluqān. For local communities in the northeast, the confrontation between both leaders meant constant fighting and forced conscriptions of ordinary boys and men into their military units. These practices increased after the Taliban seized Kabul in 1996 and advanced further into north Afghanistan

It is plausible to assume that beginning in late April 1992, the role of pre-war middlemen who had been occupying the intermediate position between the central government and local constituencies had lost relevance in the contestation of the large mujahedin groups for the central government in Kabul (Rasuly-Paleczek 1996: 199). Many middlemen were commanders that became regional warlords and politicians, such as Ismael Khān in the northwest, Abdul Rashid Dostum in the central north and Ahmad Shāh Mas'ud in the northeast. However, the role of middlemen and mediators in the newly emerged sub-national spheres of influence remain unclear. For example, what their role was in the administrative organizations at local government level, in local communities, and in conflict mediation. Dorronsoro emphasized the role of *'ulama* and Islamist commanders among the new elite. They replaced traditional notables in the sphere of conflict resolution and at the same time noted that political authorities did not always respect their might and edicts (Dorronsoro 1999: 126). Other available narratives related to local governance processes during this period vary in their content. Glatzer (1995, 2002) discussed the emergence of alleged pre-state structures in a situation of turmoil and diagnosed a breakdown of political and social institutions (ibid. 2002: 110). However, in the same article he admits that such pre-state structures had never actually lost importance (ibid.: 114) even before the outbreak of conflict. According to Schetter (2002: 122), the emerging Kalashnikov culture resulted in the collapse of traditional social structures, their replacement by warlords, and the brutalization of Afghan society.

Goodhand (2000) provided the only empirical insights regarding the effects of the war on the socio-economic situation of local communities in the northeast. Based on first-hand fieldwork in one village in Badakhshān, his findings contradict the common argument of eroding social structures. He observed a still functioning traditional leadership. It was constituted by village elders and other community representatives who effectively mediated between the local community and the outside world (ibid.: 274). In comparison, the local military leadership was said to be accorded less respect because of its perceived lack of accountability and reciprocity in the eyes of average rural dwellers (ibid.: 275). Competencies of the traditional leadership at that time included tax collection, recruitment for the local *jabha* (military unit), dispute resolution, and the facilitation of public works in the community, such as road construction. With regard to the family level, Goodhand observed traditional strategies to spread risk. Not only did different individuals possess various party memberships, but also economic diversification was apparent in the distribution of the occupations of family members. For example, one family member might have been a migrant, a second the member of a local military unit and thus eligible to a regular salary, a third might have been a farmer growing poppy (ibid.: 272, 275).

Social differentiations had surfaced amidst the tensions. Examples were 1) the inter-generational conflict, manifest in increasing confrontation between old and young men (fathers and sons); 2) decreasing solidarity that was tangible in the decline of mutual self-help activities (*hashar*) within the community; and 3) in the breakdown of traditional rules. The latter was related to the similarly observed degradation of common property resources, such as grazing land, and subsequent contestations of access for usage (ibid.).<sup>223</sup> Environmental pressures,<sup>224</sup> population growth, and ensuing scarcity form a common narrative that implies a chain of effects, leading to intense competition for resources and hence the breakdown of traditional resource management regulations in the civil war context (ibid.: 272). In areas where Pashtuns had received land by the government in the first half of the twentieth century, the land was re-appropriated by former owners or others, mostly non-Pashtuns, who thought the Pashtuns' possession of the land unjust (Dorransoro 1999: 126). Furthermore, shifts in political power at the local level often resulted in the arbitrary appropriations and redistributions of land plots and homesteads by local commanders (Schetter 2002: 122).

There is an absence of literature on the effect on social dynamics of the occupation of north and northeastern Afghanistan (except for some areas of Takhār and Badakhshān) by the Taliban forces. The lack of timely empirical research performed inside Afghanistan marks a return to macro-categories of explanation for the second half of the 1990s. Hence, the ethnic lens (Roy 1985) regained popularity, as did state-centric narratives in a regional fragmentation perspective (Rubin 1995, 2000 [1995]). Local-level dynamics during Taliban

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<sup>223</sup> Goodhand also described how the exposure of local communities to outside contacts had impacted on locals' attitudes and behavior in a way that they turned to become 'more religious' (Goodhand 2000: 275). Yet, it is not quite clear what is meant here by 'religious' in the first place, whether it is the bethinking of 'true Islam' versus folk Islam, or some other dynamic. Labor migration to countries, such as Iran, Pakistan and the Gulf nations, has yielded similar impacts since the 1960s.

<sup>224</sup> Environmental stress was regularly enhanced by natural disasters, for example, the long drought period from 1997 until 2001 (Baldauf 2005: 13; Schetter 2002: 125).

rule have remained largely unknown.<sup>225</sup> For example, there is no conclusive explanation of how Mullā Umār enforced the poppy growing ban throughout the country in the 2000-2001 cultivation season.

### 4.3 Focus on state-building and governance in the post-Taliban period

The 23 years of continuous war in Afghanistan resulted in more than two million fatalities, the exodus of more than one quarter of the population, the devastation of settlements and economic infrastructure, the arbitrary proliferation of 10 million land mines across the country (Schetter 2002: 111), and an unknown quantum of millions of arms in the possession of both militias and ordinary people. In the immediate aftermath of the overthrow of the Taliban regime, about 20,000 Pashtuns were forced to flee northern Afghanistan because of the ethnic cleansing in February 2002 (Dorransoro 2005: 342). In addition to these quantifiable outcomes, several socio-economic consequences can be listed:

- The spread of the opium economy
- Enhanced aid dependency
- Outsourcing of public services to NGOs (education, training, occupation, agriculture, irrigation) (Schetter 2002: 111)
- The existence of strong regional identities through formation of regional power centers with local strongmen at different levels that resulted in a ‘localization’ of politics (Allan 2003: 201)
- Increasing competition for scarce resources and subsequent conflicts because of the arrival of 2 million returnees in 2002 (Goodhand 2003: 11)

In the context of these indicators, it was widely assumed that a complete breakdown of infrastructure, social structures, and political institutions had occurred in the period 1978-2001 (Giustozzi 2007a: 84). The remedy proposed was the building of the state and institutions from scratch. Consequently, in the framework of state-building efforts that were supported by international political and military interventions, the following years witnessed the implementation of multiple projects, including the launching of the Disarmament Demobilization and Rehabilitation (DDR) program in 2002 and its successor, the Disbandment of Illegal Armed Groups (DIAG). The first post-war national elections were held in 2004, and several comprehensive programs were launched, such as the Interim Afghan National Development Strategy (I-ANDS) and the Afghanistan Compact in 2006. New road-maps for Afghanistan’s reconstruction and development process followed after several international donor conferences (Schetter and Mielke 2008).

With the onset of peace in northeastern Afghanistan in the post-2001 period, the possibilities for empirical research re-emerged. Nevertheless, until 2007, academic

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<sup>225</sup> The common narrative explaining the Taliban’s initial success and prominence in the different regions of Afghanistan is traced back to the war-weariness of the population and a general desire for stability and peace, which seemed palpable with their monopolization of the security in the areas occupied by them. Furthermore, the Taliban’s claim of superior morale transported by their radical Islamic worldview and speedy justice provision based on sharia was decisive. See Glatzer (2005: 7).

accounts based on fieldwork remained insignificant.<sup>226</sup> Instead, field-based studies became the hallmark of the primarily policy-oriented Afghan Research and Evaluation Unit (AREU) in Kabul that had been founded in 2002. The variety of governance-related studies included working papers on land rights (Wily 2004), assessments of local administrations ('governance' structures) (Lister 2005; Lister and Wilder 2005), and reports on the implementation of development programs (Boesen 2004; Kakar 2005).<sup>227</sup> A third field in which considerable data was generated was the consulting sector. It produced reports for individual international governmental and non-governmental development organizations in the framework of particular sector programs and projects.<sup>228</sup> However, the outputs in this field constitute grey literature and were not compiled in accordance with academic standards.

The mainstay of the available literature is closely connected to the political events of the post-Taliban period. It tried to grasp the essence of these events and contextualize them for the interested Western audience.<sup>229</sup> A division according to topic can be made between publications that documented and investigated the Afghan government's attempts to overhaul local governance structures in order to establish local government institutions on the one hand and those which focused on impediments to effective state-building at the local level. I will now briefly summarize both types of writing with regard to the local level and my research area.

The premise that all social and political structures had broken down focused the attention of researchers on reconstruction processes that were initiated externally by either international organizations or the Afghan government. For example, Article 140 of the Constitution of Afghanistan (2004) stipulated the formation of councils at village, district and provincial levels through free, direct and secret elections as a major tool of citizens' participation in the political process. These councils would provide a way for the centralized government in Kabul to reach out to its people.<sup>230</sup> A major program to achieve this outreach, the National Solidarity Program (NSP), was launched in 2003. It foresaw the establishment of democratically elected Community Development Councils (CDCs) as new decision-making bodies that were supposed to replace customary structures of local-level governance (*shurā* and *jirga*) as well as 'existing structures of politics, power and dependency' (Boesen 2004: 58). Measured against highly normative democratic standards, these customary power and dependency structures were assessed as examples of bad

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<sup>226</sup> The publications of Giustozzi (2003, 2004); Noelle-Karimi (2006) and Baldauf (2005) constitute few exceptions. However, longer-term anthropological field research at community-level was not carried out.

<sup>227</sup> For an overview of AREU's activities and publications see the website: <http://www.areu.org.af>

<sup>228</sup> In this review, I do not include consultancy studies except three studies produced by USAID's Afghanistan Rule of Law Project (ARoLP) under the lead of Thomas Barfield (Barfield 2003, 2006, USAID 2005). I refer to few other consultancy studies in the empirical part (Chs. 5-8) of this thesis.

<sup>229</sup> In stark contrast to the previous decades, developments in Afghanistan received wide attention since 2001 because of the international intervention and the presence of international troops.

<sup>230</sup> Full quote of Article 140: "Councils shall be established to organize activities as well as attain active participation of the people in provincial administrations in districts and in villages, in accordance with the provisions of the law. Local residents shall elect members of these councils for three years through free, general, secret as well as direct elections. Participation of nomads in these local councils shall be regulated in accordance with the provisions of the law." However, according to Article 136 the 'local administrative unit' is the (not so local) province. See <http://www.embassyofafghanistan.org/constitution.html>



governance.<sup>231</sup> Research completed in connection with the NSP did not generate broad-based data on actual local level governance processes, but merely assessed the success and problems of the NSP's implementation processes (Boesen 2004; Kakar 2005). However, an investigation into the perceived problems of the implementation process drew conclusions about local-level conditions in the period from 2003 to 2005.<sup>232</sup> Accordingly, local strongmen exerted their influence on many communities. Their intimidation caused eligible voters to decline participation in the program, vote for the candidate favored by the commander, or spend funds granted for development measures in ways that would benefit only certain members of the community (Boesen 2004: 60). Kakar (2005: 40f) similarly identified traditional power holders as potential impediments to successful program implementation. She distinguished local stakeholders, that is, those "who genuinely are working to integrate into peacetime leadership roles as opposed to those who are seeking to abuse the system for their own benefit" and recommended to integrate the former as program advisors (ibid.).

The literature is contradictory regarding elections of the new village institutions and their potential suitability to Western administrative concepts. Although Boesen (2004: 61) admitted that "an election with universal voting rights and secret voting is a new and Western-based concept", she found that "it seems to go well with traditional Afghan values and norms, and by and large the rural Afghan communities have taken to democracy 'like ducks to water'". In contrast, Noelle-Karimi (2006: 9) noted that the Western concept of majority as an inherent component of any election is "entirely alien to the consensus embodied in traditional councils". Such contradictory findings automatically call for close examination of the legitimacy of the CDCs. However, the optimistic accounts given in the available literature would tend to override skepticism and thus compromise any view that customary structures<sup>233</sup> might have simply been turned into NSP councils,<sup>234</sup> the members of which then would potentially 'learn democracy' (Boesen 2004: 62). Nevertheless, both Boesen and Noelle-Karimi noted an increasing acceptance of local government institutions and even a demand for them, possibly because of the arbitrary rule of commanders, whose frequent reliance on force was perceived as unjust. However, these discussions fail to consider previous experience with the establishment and the use of local councils by international aid agencies since the 1990s. Noelle-Karimi (2006: 8) emphasized that, following a United Nations (UN) directive of 1990, which decreed that all aid should be

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<sup>231</sup> Including the foreseen participation of women in decision-making and elections, this posed a challenge for gender norms of rural Afghan society (Boesen 2004: 62). For a more detailed discussion of the NSP against the backdrop of my own research findings see Ch. 8.

<sup>232</sup> NSP was supposed to last three years and to be completed in 2006/07. However, due to the ever deteriorating security in different parts of Afghanistan the program has not been completed up to the time of writing (December 2010). The limitation to the period 2003-05 here is because this review considers publications up until the end of 2007 (the empirical data for which dates most often from not later than 2005/06).

<sup>233</sup> As opposed to 'existing structures of politics, power and dependency', see above (Boesen 2004: 58).

<sup>234</sup> The terms CDCs and NSP councils or NSP-*shurā* are used synonymously throughout this thesis. The Dari expression for CDC is *shurā-ye 'enkeshāf-e dehāt* (literally: assembly or council for the development of villages/rural settlements). For the etymological origins of the term *shurā* (incl. versus *jirga* and related terms) and its historical significance see Noelle-Karimi (2006) and Wardak (2004). For practice-rooted definitions, the experience with and view of local councils in the context of development programs during the Soviet intervention see Carter and Connor (1989).

disbursed through local councils (*shurā*) throughout Afghanistan, councils often were created for the purpose of accessing prospective aid. In an example, Noelle-Karimi (ibid.) mentions the case of a local commander in Baghlān who had ordered the establishment of several local councils in his area in order to tap local aid flows.<sup>235</sup>

The review also found incoherent accounts regarding the operational concept of community in implementation processes of various aid programs. Boesen (2004: 61) pointed out that the NSP definition of community (that is, CDCs comprising 20-300 houses) would reflect locals' perceptions of social organization and accommodate concepts such as *qawm* and *manteqa*. In Favre's perspective, the NSP process foiled previously established *shurā*-structures that followed the larger territorial unit of *manteqa* (Favre 2005: 9; see Ch. 5.2.3). In the *manteqa* model, the established main council (*shurā-ye manteqa*) comprised a number of smaller satellite *shurā* in each village or settlement that had a stake in the central council by delegating individual members to take part in *manteqa*-council assemblies.<sup>236</sup> The idea of the NSP was similar to the model described by Favre, with the exception that according to the constitutional Article 140, the NSP foresaw the creation of councils according to the envisaged future administrative organization of the country. This implied a to-be-established sub-national hierarchy of CDCs, District Development Councils (DDCs), and Provincial Development Councils (PDCs) for the future. It did not ascribe significance to the *manteqa* as an administrative entity.

Because of their policy orientation (Kakar 2005; Boesen 2004), AREU reports were often written from a perspective that did not question the form or content of any element of the project interventions introduced in Afghanistan. Feasibility and commensurability are taken for granted. Accordingly, the vision of a nation-state organized around a centralized government demands investigations of how and against what odds sub-national administration could be strengthened. In their analysis of the implementation of the Public Administration Reform (PAR), Lister and Wilder (2005) identified 'warlordism' (Giustozzi 2003, 2004, 2005; Schetter et al. 2006) as a major drawback in implementing the reform package over the long term. Because of the persistently strong military and economic positions of many warlords and their partial transformation into politicians (e.g., Dāod Dāod or Dostum<sup>237</sup> in my research region), Lister and Wilder speak of the commanders' increasing de facto and de jure influence and control in their former and current areas of authority as of 2002-03 (Lister and Wilder 2005: 41f). Control manifests

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<sup>235</sup> From the perspective of the international actors, these *shurā* assumed fixed characteristics resembling those noted by Elphinstone (1972[1815]) for the *jirga* almost two centuries earlier. They were perceived as quasi-governmental bodies arranged in a hierarchy based on districts and provinces. Some observers even endowed them with the ability to take on rehabilitation projects (Carter and Connor 1989: 4). Equally problematic was the equation of the local councils with democracy. While international observers tended to view *shurā* as an expression of the inherently egalitarian nature of Afghan society, the Afghans themselves did not share this optimistic assessment. In view of the war-time origins of these councils and the power exercised by the commanders, there was a strong sentiment that the different *shurā* merely reflected and served the clientelistic networks generated by the military elite (ibid., Nölle-Karimi 2006).

<sup>236</sup> Apparently, the *manteqa* model was implemented by World Food Program (WFP) in cooperation with Afghan NGOs in the 1990s. It is unclear which areas were covered by this model and thus how relevant Favre's demur regarding NSP-council establishment is.

<sup>237</sup> Takhār became dominated by Dostum's Junbesh in summer 2003 after alliances of several influential commanders had shifted newly (Baldauf 2005: 13).

in the abilities of strongmen to influence and manipulate the appointment system such that loyal followers obtain crucial offices, for example, CoP, head of intelligence, and other civil-administrative positions at the province and district levels. Viewed from below, local commanders were most likely eager to strengthen their patron-client ties in order to benefit from the resource flows available through office positions. However, because of the weak financial position of sub-national administrations, their administrators were primarily connected to prestigious power positions, such as in the police, security and intelligence organs, and to development-related positions in NGOs. The latter administered foreign aid projects or aid money at the local level. The close collaboration of commanders at different levels with NGOs represents a win-win situation for both the NGO and the commander while the sidelined government agency suffered in prestige (ibid.: 43).<sup>238</sup> The DDR and DIAG programs provided commanders and militia leaders the opportunity to legitimize their armed followers as army or police units, which subsequently increased a commander's clout. These loyalties did not shift even if weapons and basic salaries were now provided by the government.

The literature on 'warlordism' is rich although there is a strong concentration on the big warlords who had been anti-Taliban commanders before 2001 and controlled large territories in Afghanistan's central and northern areas. After the ousting of the Taliban regime, they had become the main partners of not only the international community and its forces but also the government of Afghanistan. Their mission was to maintain peace, establish security and build the state. The ensuing debate about warlords gathered currency among academics because it soon turned out that the warlords were also the main spoilers in the post-war state-building process (ibid.: 46; Giustozzi 2004: 6).<sup>239</sup> Regarding the pre-war period, Glatzer (2005: 4) compared them with the traditional *khān*, who acted as mediators between the central government and the local population. Giustozzi (2007a: 78f) investigated the integration of war economy actors into the peace economy after 2001. The local resource bases of the warlords continued to be derived largely from the drug economy, custom duties, mining (e.g., lapis lazuli and salt), and unofficial taxing of diverse activities (Lister and Wilder 2005: 45). The evolving patterns equaled mafia networks (Giustozzi 2007a: 83f) and undermined the peace process. In a context where official income sources were limited, the shift from a war economy to a shadow, coping economy was not surprising (Goodhand 2003). New sources of revenues included the government administration, international reconstruction projects, NGOs, and provisions of the Afghan National Army (ANA) and Afghan National Police (ANP), which integrated former militias.

Little attention has been paid to micro-level dynamics in northeastern Afghanistan. Schetter et al. (2006) pointed out the diversity of local security arrangements and forms of individual leadership. Research conducted in Kunduz in 2005 showed highly fragmented

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<sup>238</sup> Allan (2003: 200) noted the role of international aid agencies in this process and stated that a regionalization of foreign aid became apparent in Afghanistan's north in late 2002. Accordingly, Dāod (in Kunduz and Khānābād) and Dostum (Mazār-e Sharif) received support from Russia at that time.

<sup>239</sup> Several distinctions have been proposed in the debate: For example, Giustozzi (2007: 2, 2005, 2003: 2) elaborated a typology of warlords (warlords, strongmen, commanders) with different asset bases and patterns of legitimacy and proposed to reserve the definition of warlords for legitimate military leaders (Giustozzi 2005: 17).

power structures; every village had preserved a big man and consequently the rules of the game appeared localized (ibid.: 6). Giustozzi (2004: 16) observed that traditional elites in Nahrin (Baghlān) were eager to reclaim the authority they once possessed, and they tried to control the activities of local authorities and appointment procedures. In one case, they objected the local CoP and were able to mobilize support for their aim of removing him from office. From 2006, as observers' sensitivity towards local dynamics grew and more fieldwork was conducted, some analyses found that customary structures seemed to regain ground. For example, Nixon (2006: 12) noted that apparently strong non-state structures could take on local government functions because they embodied 'enough representation, responsiveness, accountability and effectiveness' in the face of a general weakness of the administration at the local level.

Regarding dispute resolution and the provision of security in particular, a possible reliance on non-state structures entered policy-oriented popular thinking (ibid.: 16). The literature review yielded related research on informal versus formal justice of the US-financed Afghanistan Rule of Law Project from 2003-2009 (e.g., USAID 2005) and the Rule of Law Program of the US Institute of Peace (Barfield 2003, 2006; Barfield et al. 2006; USIP 2006). For example, based on data collected during a short field trip to Balkh, Kunduz and Takhār provinces, Barfield found that the formal and informal justice systems were deeply interwoven (Barfield 2006: 3) and concluded that the principles of customary and state law in principle did not contradict each other because of their similar referrals to sharia norms (ibid.: 11). This was confirmed by the observation that court officials would send cases to a local *shurā* (ibid: 3).<sup>240</sup> Finally, in addition to warlordism and the underlying patron-client relations and shadow economic activities, systemic corruption at all levels of state and society became recognized as the third major impediment to successful state-building (Lister 2007: 4), including the creation of a new, post-war justice system. Consequently, by 2007 local government reforms were seen to have failed because of 'complex and contradictory local processes' and the mode of involvement of the international community (ibid.: 15). Instead of successful state- and institution-building, a further fragmentation of power with fewer capabilities to enforce order and the subsequent continuous deterioration of local security was observed (Baldauf 2005: 14).

#### 4.4 Conclusion

The literature review shows that the available knowledge on local governance in northeastern Afghanistan is neither consistent nor coherent. Trends in disciplinary research in the manner of the descriptive social anthropological approach of the 1960s and 1970s provided partial insights into local politics although power relations and politics were rarely objectives of inquiry (Centlivres and Centlivres-Demont 1981, 1988).<sup>241</sup> Instead,

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<sup>240</sup> Similar findings were reported from the USAID-survey (2005: 11) carried out in Kabul, Nangahar, Herāt, Jawzjān and Logar. However, according to Carter and Connor (1989: 7) among Uzbeks and Turkmens it used to be common in the past to refer with legal issues first to the government for resolution because in non-Pashtun areas the government exerted more influence.

<sup>241</sup> A good impression for how detached research was from conceptual underpinnings that reflected on the political and related research to contemporary questions of politics and society provides the discussion

human-geographic studies on socio-economic change in this area focused on the exotic, that is, little communities, such as nomadic groups, small-town inhabitants, tribal women, bazaars, and so on. Not until political changes imposed by the government on the local ground in the wake of the regime change in 1978 a mobilization and politicization of the population set in, which in turn sparked research interest. However, because of the mounting insecurity during the war period, no in-depth research on the micro-level was possible. Instead, scholarly analyses focused on macro-categories at nation-state or international levels. Moreover, because of the ideological bifurcation imposed by the cold war political situation, research was politicized in the 1980s, as were the evidence-generating aid workers who often constituted the only source of information on local-level processes in the 1990s. When I entered the field in 2006, research had not reemerged in the style of socio-scientific and anthropological studies at the local level; instead, need-based assessments of local conditions for development organizations and policy-oriented appraisals were given priority.<sup>242</sup> These analyses provided anecdotal evidence of local affairs. In addition, within the framework of the intervention, the interest in development projects in Afghanistan was and still is closely connected to the local deployment of international military forces.

The contrast between pre-war with post-war knowledge regarding local governance processes shows that the war changed local politics and society; however, the consequences are unclear. The following lists the incoherencies in the literature published during the period after 2001:

- The role of traditional versus new elites that were still partly militarized
- The liveliness of local decision-making bodies<sup>243</sup> and the roles of their members
- The relationship of the state (that is, central government agencies at different administrative levels) with rural society
- The legitimacy of the new state- and institution-building efforts by the international community and the government of Afghanistan among different groups of rural society
- The significance of *qawm* and patron-client networks in the everyday ‘coping’ economy
- The characteristics of the rural coping economy and livelihood-making
- The degree of politicization and meaning of ideological factors, such as ethnic nationalism and differing interpretations of Islam

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between Pierre Bourdieu and Pierre and Micheline Centlivres (1982): P. Centlivres admits that contemporary anthropologists’ analyses are often highly normative and seek to display some type of equilibrium of social forces – an interpretation subsequently failing to explain sudden disruptions or crises (ibid.: 22).

<sup>242</sup> The deployment of anthropologists with armed troops, especially in the U.S. army’s so-called human terrain systems has sparked a debate about scientific ethics. See Whitehead (2009), Price (2011), and the contributions of Mitchell and Kelly, Griffin, González, Price, and Fosher in Kelly et al. (2010).

<sup>243</sup> Glatzer (2005: 16), for example, states that manifold and efficient political institutions in Afghanistan’s rural areas enabled the survival of the population during the war decades and keep on to exist. This contradicts the common narrative of breakdown of social institutions.

Thus, by taking into account the diversity of actors and the dynamics of Afghanistan's recent history of war, my main research interest aimed at understanding how the war had changed social relationships, which are assumed to be inherently power-laden (see Ch. 2), at the local level and subsequently focused on the following research questions:

- What drives local politics?
- How is social life at the local level regulated?
- By which mechanisms are interactions being negotiated for communal 'good', such as peace and welfare, in specific action arenas?
- What are the underlying principles of local decision-making and implementation?
- What exactly is the role of the state?

## **Part III: Empirical Analysis**

“As soon as our attention turns from a community as a body of houses and tools and institutions to the states of mind of particular people, we are turning to the exploration of something immensely complex and difficult to know. But it is humanity in its inner and more private form; it is, in the most demanding sense, the stuff of community.”

(Redfield 1989: 59)

## 5 – Where is the locale? – Seeking units and levels of observation

By reconnecting to the conceptual framework (Ch. 2) and theoretical attempts of its operationalization (Ch. 3), this chapter will pave the way for the empirical analysis of local governance in the remaining part of the thesis (Chs. 6-8) and will clarify the locale<sup>244</sup> of research. Two tasks are involved: First, although Chapter 4 provided an area-based historiographical overview of local governance structures to outline the state of research on this topic, an introduction to the geographic-ecological, historic-demographic, and social context conditions of northeastern Afghanistan is required, which subchapter 5.1 will provide. Second, the units and levels of observation and analysis in the local governance research (Chs. 6-8) need to be elaborated according to the outline of the social order approach (Ch. 2). Thus, in order to locate social order and my local governance analysis, a clarification of the concepts of community, place, space, and arena from within and outside ‘the local/e’ is indispensable (see Ch. 5.2).

In line with the proposed entangled social logic approach outlined in Chapter 2, which involves local governance mechanisms (in to-be-detected social fields or action arenas) as units of analysis, the spatial concept of community or the reference to an ecological system are not acceptable. Instead, the social dimension, including moralities, historical path dependencies, ethos, and personal-biographic aspects of members in these respective communities and their life-worlds should be taken into account (Redfield 1989 [1960]).<sup>245</sup> Subsequently, after introducing the discussion of place and locality versus community and its relevance to local governance research (5.2), local concepts of place and place-bound community in northeastern Afghanistan are reviewed (5.2.1). The argumentation will highlight the fluidity of place-based notions of locality. This again requires an examination of the history of Afghanistan and its governmental attempts at territorializing the

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<sup>244</sup> Locale in this context is chosen as a neutral term to define the place where something happens, both in territorial terms and as social action arena. Because notions of place do not necessarily correspond to social action arenas, this chapter aims to explore emic concepts of space in order to determine the adequate level and unit of analysis for the empirical investigation of local governance dynamics.

<sup>245</sup> Similarly, Redfield (1989 [1960]), one of the last proponents of socio-anthropological community studies before the demise of this approach in sociology during the 1960s (Day and Murdoch 1993: 83), neatly argued for a holistic comprehension of community. He conceives it as constituted by an ecological system, social structure, “the way men and women enter and pass through a social structure” keeping in mind their biographical life-experience (ibid.: 52), the reflections about ‘insiderness’ (ibid.: 64) and ‘outsiderness’, and “how, in general, men do think and feel” (ibid.) and what they hold desirable (ethos). Added to all these dimensions is the conception of human settlements as subjects of history (ibid.: 96). Despite his exclusive focus on ‘little communities’ he acknowledged aspects of difference and distance, similar to the concepts of we-groups and out-groups that are common in anthropology and sociology.



countryside (5.2.2). I explored these issues at the outset of my fieldwork because, given the many unknown variables determining my study, one main question concerned what would comprise my data, that is, the unit and level of observation. Initial inquiries showed that using a classical anthropological village study would lead to the fallacy of space, an idea that I subsequently abandoned, but which calls for detailed elaboration because of its originality in the Afghanistan research context (5.2.3).<sup>246</sup> In conclusion (5.3), I will define why and how I employed the concept of environmental resource user communities. The discussions in this subchapter are based on a combination of primary field research data and a review of the secondary literature.

## 5.1 Background of the research area

The research sites are located in today's Kunduz, Takhār and Baghlān provinces (see Map M1, M2), which formerly belonged to Afghan (lesser) Turkestan (Qataghan) and the Kingdom of Badakhshān. Until the 1860s, the region had not been subjugated by the rulers of Kabul. Bordered by the Emirate of Bukhārā in the north and the Kingdom of Kabul on its southern fringes, the territories of Turkestan and Badakhshān were subject to constant contestation among the local khanates and small chiefdoms, which were highly flexible in spatial outreach and did not have any fixed or demarcated borders at that time.<sup>247</sup> As Shahrani (1978: 17) noted, "... no single defeat was seen as final. The various khanates of Turkestan all lacked a centrally organized administrative structure."

A centralized territorial entity called Afghanistan was established in 1880 as result of the delimitation of fixed zones of influence by the neighboring empires of British-India and Czarist Russia. The first government of Amir Abd'ur Rahmān Khān refrained from using the term Turkestan and instead used *manāteq-e shamāl* (literally: *manteqa* (Pl.) of the north; that is, northern regions and areas) to designate the vast space of what today is called northern<sup>248</sup> and northeastern<sup>249</sup> Afghanistan.<sup>250</sup> In the course of subsequent efforts at state formation, the northeast was administratively conjoined with the dual province Qataghan-Badakhshān in 1881 (Adamec 1972). However, the central government did not manage to gain full control of the northeast until 1888. Amir Abd'ur Rahmān Khān had to

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<sup>246</sup> Initial findings from research sites in Kunduz Province alone were published as Mielke (2007) and Mielke and Schetter (2007), the latter under the programmatic title "Where is the village?"

<sup>247</sup> For a historical read several editions of primary sources from the 19th and early 20th centuries (Adamec 1972), and travellers' (Elphinstone 1815, Wood 1872) as well as early researchers' accounts (Jarring 1939) and historical monographs that focus on that time period (Noelle 1995, Holzwarth 1990, Grevemeyer 1982) are available.

<sup>248</sup> In administrative terms, north Afghanistan includes the provinces Balkh, Faryāb, Jawzjān, Samangān, and Sar-e Pul.

<sup>249</sup> The four provinces Kunduz, Takhār, Baghlān, and Badakhshān designate the northeast.

<sup>250</sup> These circumstances how Afghanistan acquired de jure statehood are reflected in Allan (2001: 545f), who asserts that "Afghanistan is a space, not a place..." or nation-state. Related, from a political scientists' viewpoint, Jackson's concept of quasi-states holds the idea that juridical statehood merely provides negative sovereignty without empirical statehood which he suggests is derived from a monopoly of violence that needs to be achieved in contrast to juridical statehood that is given. See Jackson (1993).

quell a revolt by his governor in northern Afghanistan whose rebellion was aided by several local notables from among the Qataghan-Uzbeks (Rasuly-Paleczek 2004: 22).<sup>251</sup>

In the following decades, the administrative boundaries in the northeast changed several times according to new shifts in the state's development and administrative policies. For example, provincial government structures were assigned various names over time (Shahrani 1978: 20), and different degrees of districts (*'alāqadarī*) were introduced and then abandoned.<sup>252</sup> In Qataghan-Badakhshān, the dual province-status was abrogated in 1963, and by 1970 Qataghan was split into the three provinces Kunduz, Baghlān and Takhār.

The discussion of the spatial and social characteristics of the research area in the following subchapters follows an important note on local periodization during the last 30 to 35 years. My research showed that the local perception of major events leads to an emic periodization that consists of four main phases:

- **1978-1989 revolution period**  
The 'revolution' period (*waqt-e 'enqelāb*), which marked the episode from the coup d'état in April 1978 and the period of the Soviet intervention until the withdrawal of Soviet forces from Afghanistan in 1989
- **1989-1997/98 mujahedin period**  
The mujahedin period (*waqt-e mujāhedin*), which designated the civil war period (popularly labeled *jang-e barādar* [literally: war of brothers] in emic terms) from 1989 or 1990 until the Taliban appeared as an ordering force in the northeast, and many of the mujahedin commanders defected from previous party affiliations to the Taliban (depending on location in 1997/1998)
- **1997/98-2001 Taliban period**  
The Taliban period (*waqt-e tālebā/n*) from 1997 to 98 until late 2001
- **Since 2001 Karzai government**  
The Karzai period (*huqumat-e Karzai*), which encompassed the provisional administration and the first two terms in office of the Karzai government since 2001

This emic periodization contradicts the common Western perspective of the Afghan conflict, which first tends to blanket the period from 1979 until 1989 as 'Soviet occupation'. Second, if not the former, the outside view attributes significance to the Najibullah government until 1992 and places the civil war in the period between 1992 and 1996. This view, third, homogenizes the historic experience of the civil war period and disregards regional differences.

I have adopted the emic periodization throughout the thesis because the design of my research (see Chs. 2 and 3) determines that I mainly rely on locals' accounts and narratives, which are closely entangled with their temporal positionality. Hence, I use 'revolution period' and 'mujahedin period' instead of Soviet occupation or civil war.

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<sup>251</sup> All of them fled north across the Āmu Daryā river to take refuge in Bukhārā (Rasuly-Paleczek 2004: 22).

<sup>252</sup> For a comprehensive overview of administrative categories until the 1960s, see Dupree (1973: 158).

### 5.1.1 Geographic characteristics<sup>253</sup>

Kunduz province lies at the fringes of the northern foothills of the Hindukush and comprises fertile lowland stretches along the Kunduz (Surkhāb) and Āmu Daryā rivers and semi-deserts (*dasht*). The latter belong to Turkestan plains that stretch south of the Āmu Daryā from Andkhoy in the west to the foothills of the Pamir in Badakhshān and east Takhār. The region around Kunduz was known as a malaria swamp; a common saying went, ‘If you want to die, go to Kunduz’.

The research sites in the mountainous districts of Takhār and Baghlān and the plains of Kunduz’ oasis landscape are characterized by a long-lived dialectic between the people inhabiting the lowland river valleys of historical Qataghan and the highland Badakhshān mountains, all of which constitute today’s northeastern Afghanistan. The three Takhār districts investigated in the fieldwork and the Burka district in Baghlān are part of the landscape climbing from the foothills of the Afghan Turkestan plains into the Hindukush, with several side valleys leading into Badakhshān, Panjshir, and Chitral in Pakistan. Remote areas were traditionally governed differently than were the plains, which were much more vulnerable to shifting power holders and their rule. Interactions between the inhabitants of both regions took place in the form of frequent political strife among the local Uzbek and Tajik *khān* and *mir* families of Turkestan and Badakhshān as well as raids of Turkmen slave traders. Consequently, during the 19th and early 20th centuries slave raids and the malaria pandemic on the plains of the region of what is Kunduz province today largely depopulated the area (Adamec 1972; Kushkeki 1926: 19; Alekseenkov 1933: 24 quoted after Grötzbach 1972: 71).

Given the prevailing geographical conditions, two major categories of livelihood reflected the dialectical difference in lifestyles found in the northeast: the mostly semi-sedentary lifestyle of the residents in the foothills and the mainly nomadic pattern of the population inhabiting the plains. In the past, the former made a living from livestock tending, dry-land farming, fruit tree cultivation, and handicrafts. In contrast, the latter lived exclusively on animal husbandry in *qeshlāq*<sup>254</sup> in the plains during the winter months when the danger of epidemics was minimal. They moved up to the high pastures in Badakhshān for the summer. The relative fertility of the northeast turned the region into an economic hinterland (Rasuly-Paleczek 2004: 23), which the central government became successively interested in because of its potential agricultural development in cotton plantations and as a source of tax income and foreign cash earnings.<sup>255</sup> In the subsequent decades, Kunduz became the center of cotton growing in Afghanistan; Khānābād became the major rice-producing area. This agro-industry required massive investments in irrigation and resulted in an ecological transformation, the effects of which are still visible today (see Ch. 6).

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<sup>253</sup> For a detailed characterization of the research sites, see the introductory parts of each subchapter in Ch. 6, that is, sections 6.1.1-a, 6.2.1, and 6.2.2.

<sup>254</sup> Barfield (1978: 27) gives an account on how refugees from the Emirate of Bukhārā took advantage of the sparsely populated swamp and steppe land of Qataghan to establish winter quarters (*qeshlāq*) where they pleased.

<sup>255</sup> Export products from the north of Afghanistan then included natural gas, carpets, karakul, skins, cotton, lapis lazuli and melons.

### 5.1.2 Population and settlement history

At the end of the 19th century, the main population groups of Qataghan consisted of Uzbeks, Tajiks, and Arab (Barfield 1978: 28). Because of the ecological characteristics of the landscape, sedentary village settlement patterns run in linear lines along major rivers or are clustered around market places.<sup>256</sup> With regard to my research sites, although this is truly the case for Farkhār and Warsaj, Kunduz displays features of relatively recent settlement, which set in at a broader scale at the end of the 19th century. However, it accelerated in the early 20th century in the wake of governmental development efforts, particularly after the building of the first motor highway across the Salang pass in the 1930s. Development measures in Qataghan included the expansion of cultivable land by draining the swamps and initiating the construction of irrigation canals in order to increase production of cotton, wheat, and other crops (see Ch. 6.1).

These processes were connected to a considerable influx of population from other parts of Afghanistan. In the 19th century, the low population density and high fertility of the river valleys of Qataghan had already given rise to voluntary immigration from neighboring regions as well as attempts by local rulers at the forced settlement of mountain people. However, with the establishment of the Afghan state, a more organized settlement policy set in. Because of its scope and effect, a far greater degree of ethnic heterogeneity followed the large influx of mainly Pashtun tribesmen from the southern provinces. This migration is most often referred to as internal colonization or even ‘Pashtunization’ (Barfield 1978). In the last decades of the 19th century and during the subsequent thirty years, larger numbers of Ghilzai Pashtuns, Moghol,<sup>257</sup> other Pashtun groups, and Pashto-speaking Baluch herders<sup>258</sup> reached the Kunduz area. However, the biggest wave of settlement started in the 1930s in parallel with the government’s development efforts. Different waves of refugees from the former Emirate of Bukhārā who were Uzbeks, Tajiks, Turkmen, and Arab added to the ethnic patchwork of settlers south of the Āmu Daryā. However, their arrival was unplanned and their movements were not regulated by Afghan government policy.<sup>259</sup>

The government’s motives for setting incentives for large-scale population changes within Afghanistan, mostly from south to north, were manifold: In addition to low population density and rich soil, which could potentially be turned into a breadbasket for the whole country, defense considerations of securing the northern border towards the Soviet Union played a role. Moreover, the large-scale land allocations have been interpreted by many authors as part of the state’s attempt to provide a counterweight to the Turkic population in

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<sup>256</sup> Dupree (1975: 399) distinguishes linear and nuclear patterns of sedentary settlement and claims, “The nucleated pattern is dominant in Afghanistan.”

<sup>257</sup> According to Grötzbach (1972: 79), Governor Shēr Khān invited 2,000 Moghol households to settle in Qataghan province, in the vicinities of Kunduz and Baghlān town.

<sup>258</sup> See Shahrani (1978: 18). According to the same source, Pashtun colonies already existed at the turn of the 20th century, hosting military and administrative personnel of the new state administration throughout Turkestan (ibid.).

<sup>259</sup> However, Kraus (1975) described in detail a land reclamation and settlement project in Baghlān, which benefitted landless Afghan farmers and Uzbek and Kazakh immigrants who had fled the Soviet Union during the 1930s (ibid.: 30f).

the northern areas. Hence, the monarchical government hoped to expand the control of the royal family, which is traditionally Pashtun, and thus construct and consolidate the Afghan state on the basis of kin and tribal affiliations.

After the establishment of the Spinzar cotton company in Kunduz (1933-1936/37) (Grötzbach 1972: 69), Pashtun settlers started cultivating the river valleys, which had been left fallow (Schetter 2003: 298). Irrigation canals were constructed to exploit fertile lands to the largest extent possible. These expanded in the subsequent decades until the early 1970s. Examples are the main Chārdara canal and the canals studied in the research for this dissertation, that is, the Asqalān canal in Kunduz Markaz (central) district, the Sofi-Qarayati irrigation network in Chārdara district, and the Qal'a-ye Zāl structure in Qal'a-ye Zāl district. According to one informant in the Department of Land Affairs in Kunduz, land allocations for settlers were tied to their commitment to drain large land plots and construct irrigation systems.<sup>260</sup> As a rule, conditions for land sales and allocations were quite favorable and included reduced prices per *jerib*<sup>261</sup> land, credit schemes for deferred payments over a period of five to twenty years, cash loans for the relocation and set-up of homes, and exemptions from taxes and military service (Grötzbach 1972: 66).

Consequently, the population in former Qataghan increased substantially; between 1921 and 1965 the number of people doubled (ibid.: 79) and even tripled in the lowlands (Barfield 1978: 29). Northern Qataghan experienced the biggest influx of Pashtuns in the 20 years before the revolution (1978), which led to extensive ethnic heterogeneity around Kunduz. The formerly dominant Uzbek population clearly gave way to the Pashtuns as result of the settlement incentives put forward by the Afghan government. Accordingly, at the end of the 1970s, 65 percent of the cultivable land was owned by Pashtuns (Khan 1992: 58). Although in Kunduz and Khānābād, the Pashtun population quickly constituted large populations in some places, Uzbeks remained the majority in Tāluqān, which had not been part of the reclamation project of the 1930s. Moreover, ownership structures varied in the districts of Kunduz. In Chārdara, for example, 12 percent of all landowners owned plots larger than 10 hectares, whereas in Kunduz Markaz district and Khānābād district, small plots dominated; only 2 percent of the landowners possessed 10 hectares or more (Töpfer 1972).<sup>262</sup>

As I will show in Chapter 6, the course of the irrigation canals investigated mirror the settlement history and ethnic composition. For example, throughout the Asqalān irrigation network, Tajiks and Turkic people (Uzbeks/Laqai and Turkmen/Qongherāt)<sup>263</sup> are predominant, with some Pashtun and Aymāq in the upstream area. Exclusively, Pashtuns

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<sup>260</sup> According to this government policy, settlers had to agree to live on and cultivate the allocated land plots for 20 years and only afterwards would receive a valid ownership document. Thus, settlers who did not accomplish the 20 year-period before the onset of the revolution period do not dispose of any ownership documents and face difficulties claiming 'their land' today (Interview in the Kunduz Department of Land Affairs, 29 November 2006).

<sup>261</sup> Local measurement area for land: 1 *jerib* is equal to 0.2 hectare, that is 2,000 qm, at present. Until 1992 (1371) it was calculated with one *jerib* amounting to 1,936 qm.

<sup>262</sup> For an overview of spatial stratification of landownership in Takhār and Baghlān see Grötzbach (1972: 231f). According to the shift in population structure, most large landowners in Takhār were Uzbeks, whereas in Kunduz also many Pashtuns were among the largest possessors of agricultural land.

<sup>263</sup> Laqai constitute a sub-tribe of an Uzbek clan, Qongherāt a sub-tribe of a Turkmen clan.

live downstream towards the tail end of the canal in Tobrakash Manteqa. The names of mosques in Tobrakash are taken from the names of important elders who live in the area. Thus, this may be an indicator of very recent settlement because the names of mosques in upstream Asqalān are not those of contemporary elders in the area. It can be assumed that the mosques' founders passed away and the names of new elders came to designate the settlements.

However, the history of settlement in the area does not explain current communal patterns. Moreover, population reshuffles, major exodus and return movements, and the destruction of many villages and settlement clusters since the onset of the revolution period in 1978 partially explain the present situation. Following the invasion of Russian planes, tanks and other war material across the Āmu Daryā, the settlements in Kunduz province suffered from large-scale destruction. They were not only often depopulated but also abandoned and devastated. According to Majrooh, in 1984 over one third of the villages of Kunduz province were in ruins or seriously damaged by military operations. By the end of the same year, over 10,000 inhabitants of Kunduz province had been killed, and many more had left the area (Majrooh n.d.: 57).

The extent of this migration and subsequent population growth can not be determined because government agencies have always had only limited administrative capacities to measure population dynamics. Before the onset of fighting, new settlers were registered only if they bought government land. Those who settled on privately owned land that belonged to larger landowners or companies avoided registration. It can be assumed that the settlement clusters that formed because of unregistered settlement have gone unnoticed in official records as well. Village lists were compiled in the late 1960s and 1970s but were rarely updated after 1979.

In Farkhār and Warsaj, changes in settlement dynamics were only partly registered by the government even after the initial village lists<sup>264</sup> had been set up. This happened mainly in cases of natural disasters when the government provided assistance to the affected local area. Other occasions for village registration involved NGO projects and surveys and villagers' requests for official notification of a new settlement. Compared to Kunduz and other districts of Takhār and Baghlān, Farkhār and Warsaj were less affected by destruction and devastation during the war years. Taliban and Soviet forces only briefly entered the area of Farkhār, and most intra-district violence took place among different civil war factions after the retreat of Soviet forces.<sup>265</sup>

In the middle of the last decade, the population of Takhār and Kunduz was estimated at approximately one million inhabitants per province. However, the available official figures for Kunduz from 2004 were lower, tabulating a total population of 772,635 people (Larsson 2004: 8).<sup>266</sup>

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<sup>264</sup> Based on these lists, the administration reportedly began to disseminate identity documents (*tazkera*) in 1354 (1975/76) (Interview NSP-head of office for Concern Worldwide, Farkhār, 8 March 2007).

<sup>265</sup> In the wake of the ousting of the Taliban, local Tajiks expelled Pashtuns and Gujars from villages. See Ch. 6.2.

<sup>266</sup> Larsson received the tabulated data from the Central Statistics Office; the reliability of the numbers must be questioned.

## 5.2 Locating social order: the fuzziness of place

When discussing community or ‘the local’<sup>267</sup>, the conventional distinction is always one between territorial-based and social interaction-based spaces, that is, in old-fashioned parlance, the emphasis on locality versus community. The former was commonly associated with a primarily geographic-spatial meaning before it became conflated with the term community (Day and Murdoch 1993: 85). Community has been and is popularly associated with spaces of social action shared by several members of a community, thereby alluding to the wholeness of social life and the significance of place. An entire school of community studies emerged in sociology in the first half of the 20th century<sup>268</sup> but was abandoned in the 1960s. The defeat was caused mainly by one-sided criticism that accused community scholarship of romanticizing community because it neglected social realities, such as social fragmentation and mobile lives. Community maintained the idea of homogeneous social groups in which conflict did not occur, autarkic life was possible, and each community was unique and separate, which rendered scientific comparison useless (ibid.: 83). Because of the insinuated close link of community to a fixed territory, the whole concept appeared static, ‘traditional, pre-modern’ and unscientific (ibid.) and was subsequently abandoned and not replaced.

Classical village ethnography, the boom in studying peasant societies (Scott 1976; Wade 1988; Corbridge 2005; Popkin 1980) and the preoccupation of researchers with communal solidarity, collective action, and possible resistance circumvented the conventional community concept somewhat, but could not offer a better alternative for conceiving of certain unique qualities of social relationships instilled by place. Even if community is conceptualized as ‘networked’, community members need to be based in a certain place or several places at different times. Thus, if the unique territorial fixation of place is removed, actors can be imagined as interacting within manifold networks – social, political or economic – across different socio-spatial scales (Day and Murdoch 1993: 109). Several authors, particularly in the field of development anthropology, developed the arena metaphor to both follow the logic of interaction networks and escape the fallacy of space (Bierschenk 1988; Bierschenk and Olivier de Sardan 2003; Olivier de Sardan 2005). Distinct phenomena, such as single social events, a village, and local development can be analyzed in the context of the arena concept. In each case, the arena in local space revolves around a contestation of resources<sup>269</sup> among its members, who are grouped in social units that are flexible in regrouping by negotiation and/or confrontation, as well as the forging of new alliances and loyalties, depending on what is at stake. Agents who are involved in

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<sup>267</sup> In the following I operationalize local space as a concept of ‘intermediate’ scale above the household with its actual scope depending on its physical extension. See also section 5.3.

<sup>268</sup> Tönnies (1922) with his famous pamphlet on *Gemeinschaft* versus *Gesellschaft* (community versus society) can be assumed to have been one of the pioneers of this branch of sociology. According to him, community constitutes the familiar, the organic co-living within the family from birth until death, based on harmony, tradition (*Sitte*) and religion (ibid.: 247).

<sup>269</sup> Resources, here, refers to material and immaterial stakes the appropriation of which is being contested among community members. Olivier de Sardan (2005: 190) also states that “Village power is an arena”. However, because of my previous elaborations on the concept of power and its non-dispositional character (Ch. 2.2), I cannot agree with this view. Instead, I suggest that the village itself and power resources can be analyzed as arena.



particular social interactions that take place in certain sites form the corner stones of a particular arena. Thus, in the arena concept, it is paramount to consider that, depending on the issue being negotiated or the object of mutual acknowledgement and recognition, every actor can be part of manifold arenas that transverse each other.<sup>270</sup>

Seen from this perspective, for example, a village does not correspond to the idea of a community united by tradition, cemented by consensus, and organized around a worldview held in common and governed by a shared culture. On the contrary, it is perceived as a heterogeneous settlement with a socially stratified population with divergent interests, outlooks on the world, and social relationships in addition to different degrees of influence by outside factors and exposure to environmental and cultural difference. Thus, although the village might be commonly understood as the smallest administrative entity in a governmental hierarchy, the village community designates something else.

In the following section, I present an overview of local concepts from the research area. Many examples serve to illustrate the overlap, fluidity, and subsequently arising complexity of existing emic notions of place and community.

### 5.2.1 Empirical evidence of place-based locales in the research region

A variety of concepts can be used to designate the socio-spatial loci of rural community life in Afghanistan. The most common are *qarya*, *qeshlāq*, *manteqa* and *kelay* (Dupree 1973; Favre 2005).<sup>271</sup> These concepts have usually been indiscriminately translated into English as ‘village’. During the field research in the northeast, I encountered only the first three terms, which were usually used interchangeably. *Kelay* is the Pashto word for village, but although there are significant numbers of Pashtuns, particularly in Kunduz province, I never heard an interviewee use the term *kelay*. Another term, *deh*, also means rural settlement and is translated as ‘village’, but it is commonly used as proper noun to specify a place, such as ‘Deh Ta’, the name of a settlement in Warsaj.<sup>272</sup>

Interviewees in Kunduz province used *qarya*, *qeshlāq* and *manteqa* interchangeably to designate their place of residence. The context is decisive, however, because local identities are always situational: the choice of terminology very much depends on the setting and the person who asks. If an outsider asks, respondents will reply with the wider area they are from, whereas they will be more exact if they are talking to a person from their own region or when questioned for details by a researcher.

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<sup>270</sup> The idea is similar to Norbert Elias’ concept of figuration. See Elias (1997, 2006). However, the arena is situated within local space, whereas figurations as entangled networks of human agents can stretch unbounded and ramify.

<sup>271</sup> Further categories include for instance *mahalla* (neighborhood) and *gozar*, which designates a watering place for animals in the rural areas within and outside of settlements (information recorded in Asqalān and Tarboz Guzar). According to Stanfield (2007: 3) municipal districts are constituted by several *gozar*, which can best be conceived of as municipal neighborhoods.

<sup>272</sup> According to Makhmadshoyev (2001: 109) *deh* is the ancient Tajik name for rural settlement, etymologically sharing the same root with *dehqān* (farmer, ruralist). In contrast, *qarya* is an Arabic term that initially designated any settlement with a mosque. Only in the 8th century has the term become synonymously used with *deh* (ibid.).



The notion of *manteqa* is very prominent among the people and hints at the fact that their local social identity is tightly bound to this unit of spatial cognition (Allan 2001: 554). However, in empirical terms, no concrete indicator of self-enforced institutionalization of the *manteqa* beyond the mental image could be found. The research found no institutionalized *shurā-ye manteqa* or even *musafēd(hā-y)e manteqa* distinct from, for example, *shurā-ye qarya* or *musafēd(hā-y)e qeshlāq*.<sup>273</sup> In many cases, the term *manteqa* is used to designate the wider region or place-based communal cluster of belonging.<sup>274</sup> For example, people living in the Sofi-Qarayetim area<sup>275</sup> of Kunduz province in Chārdara district (see Map M6) claim either Chārdara as their *manteqa* or Qarayetim/Sofi. However, Madrasa/Umarkhēl, a ‘village’ in Qarayetim that goes by both names, is also called *manteqa* as well as *qarya* and/or *qeshlāq*. A similar situation was found in the Asqalān canal area (see Map M5).<sup>276</sup> The Asqalān irrigation network consists of two parts with a different person in charge of water management in each: one oversees the upstream area called Asqalān, which is inhabited by Tajiks, Pashtuns, Uzbek, Laqai, Aymāq, Qongherāt, and Turkmen; the second is responsible for the downstream, which is comprised of Pashtun settlements. However, respondents in both areas called Asqalān their *manteqa*. On other occasions, people from downstream would say their *manteqa* was Tobrakash, and people from upstream said they belonged not to Tobrakash, but to Asqalān *manteqa*. Another example for differentiation is Wulus, a settlement located in the middle of the Asqalān canal where Turkic-speaking people live (Uzbeks, Laqai, Qongherāt, and Turkmen). It has also – among other settlements along the canal – been labeled *manteqa*. In another example, the area around Ālchin bridge, located between Asqalān and Kunduz city was described as *manteqa* that is subdivided into three, more or less clearly delimited parts. Individually, these three parts can also be called *manteqa*, for example, one part is named after one of the local elders and interchangeably designated as Qeshlāq-e Mullā Sardā or Manteqa-ye Mullā Sardā. It was also reported that these individual *manteqa* consist of several *qarya*. The same holds true for designations in Burka’s Fulol valley. The valley is viewed as a larger-scale *manteqa*, but Upper (Fulol Bālā) and Lower Fulol (Fulol Pāyin) are referred to as villages (*qarya*) as well as *manteqa* (see section 6.2.2-a and map M11).

Compared with *manteqa*, the terms *qarya* and *qeshlāq* designate more compact settlement patterns. In an administrator’s office, I was offered the following explanation: ten families, that is, one or two mosques, would make one *qeshlāq*; one *qarya* then would comprise ten *qeshlāq*.<sup>277</sup> This information should be received with caution because other respondents,

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<sup>273</sup> Favre (2005: 6) claims that communal structures, such as schools and bazaars exist only at *manteqa* level. My own research, which included a review of the emic usage of the term, does not support this claim.

<sup>274</sup> According to Allan (2001: 554, 2003: 196) the notion of *manteqa* is not unique to Afghanistan, but designates an idea of shared space – a conflated image of neighborhood, landscape and cultural uniformity – throughout the Muslim world.

<sup>275</sup> Sofi-Qarayetim area encompasses the territory that is irrigated from Sofi-Qarayetim canal system consisting of two more or less independent smaller systems (Sofi and Qarayetim) which share intake and a diversion structure. Qarayetim canal (also called Umarkhēl canal) is further divided in two sub-canals – Nahr-e Madrasa and Nahr-e Surkhak (see Ch. 6.1.2)

<sup>276</sup> Asqalān designates the territory irrigated from the canal of the same name in Kunduz Markaz district.

<sup>277</sup> Interview in Land Affairs Department of Chārdara, 10 May 2006.

among them also government officials, would use *qeshlāq* and *qarya* synonymously. According to another interpretation, in which the source did not differentiate between *qarya* and *qeshlāq*, one *manteqa* consisted of ten *qarya/qeshlāq*. My initial idea that because *qeshlāq* is an Uzbek term and it would therefore be used mainly by Uzbeks or Turkic-language speakers also did not prove valid. Fārsiwān (Tajik, Aymāq et al.) and Pashtuns also refer to settlements as *qeshlāq*. Because Afghan society has been largely nomadic and semi-pastoral, it is appropriate to investigate interpretations of the word *qeshlāq*, which originally means ‘winter quarters’ as opposed to *aylāq*, which denotes summer quarters on the pastures. An *aylāq* can be two hours away from the ‘village’, which is in Kunduz and Takhār the permanent settlement of at least a part of every family occupied in animal husbandry. At the other extreme, an *aylāq* can also be located high up in remote mountain areas that can be reached only after several months of meandering climb.

In addition, to complement people’s perception of the notion of village it must be mentioned that no matter what a certain settlement area is labeled in terms of *manteqa*, *qarya* and/or *qeshlāq*, the same village can have different names. One of the most prominent examples I encountered is a settlement called ‘Madrasa’ in the Qarayetim canal area. It is also known as ‘Umarchēl’ and ‘Qarayetim’. Several possible explanations come to mind: 1) the name Umarchēl was attributed by non-Umarchēl from surrounding places because Umarchēl<sup>278</sup> tribesmen built the canal and subsequently settled there. Thus, neighbors of other ethnic origin, such as Uzbeks, Tajiks, and Aymāq might have used the designation ‘Umarchēl’ in an effort to dissociate themselves from the other community, although the Umarchēl had given the settlement the name ‘Madrasa’. 2) The designation ‘Madrasa’ was possibly chosen by the Pashtun settlers because it was the place where they built a *madrasa* or a mosque. 3) Before the construction of a mosque, that is, in the early stage of settlement, the place might have been called Qarayetim, which literally means ‘village/settlement of orphans’. With every step in the settlement process and because attributions of place by others merged with self-attributions of place, the usage of three names for the same place can have plausibly formed a habit. Understanding the origins of this nomenclature is of minor importance and may well remain subject to speculation. However, these place names demonstrate a high degree of fluidity of local notions of place and attendant concepts at the time of fieldwork. Names and concepts of rural settlement clusters are not only used interchangeably by their inhabitants, they also reflect the extent of identification with a local space of social interaction in contrast to mere territorial limits.

Temporally changing designations of *qarya/qeshlāq/manteqa* adds another dimension to this fluidity and multiple names of settlements. It is very common that a village is named after an important elder, *arbāb*, mullah, local commander and so on. In most cases, over time the village ceases to carry the name of the famous person after his death and takes on a new name. It can either be the name of the son of the dead elder or the name of the successor in the position of the deceased, that is, of the newly appointed *arbāb* or mullah. If a settlement is named after a very famous commander who originated from a particular

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<sup>278</sup> Umarchēl is the name of a Ghilzai Pashtun sub-tribe.

village, the name tends to remain in use also after his demise, such as (*qarya/manteqa/qeshlāq*) Qalij Āghā<sup>279</sup> in Asqalān.

Asqalān is the name of not only (1) the irrigation canal and (2) the socio-economic space that includes the entire command area of the canal, as expressed in the discursive formation ‘Asqalān *manteqa* is famous for its melons throughout Afghanistan’. Asqalān also designates (3) settlements proper, known as Asqalān I and Asqalān II. However, as mentioned above, if Asqalān refers to the irrigation network, the canal area can be subdivided into two *manteqa*: (4) Asqalān upstream and Tobraakash downstream. These names can also be found in the cadastral register in Kunduz; smaller settlement units and those which were established later are not listed. Thus, in order to find a person living in the settlement Wulus in Asqalān *manteqa*, the cadaster clerk looks through the entire cadastral register of the Asqalān entry. In the Land Affairs (*mudiryat-e emlāk*)<sup>280</sup> and Cadaster Departments (*mudiryat-e ‘umumi kādestar*), all landowners of a certain area are listed as belonging to the respective area designation. It largely corresponds with the notion of *manteqa* and thus does not correspond with local positionalities of belonging to a place because settlements have split up and multiplied.

In contrast to the research sites in Kunduz, which are concentrated along irrigation canals, Warsaj and Farkhār (see maps M8 and M9) are mountainous districts in the remote southeast of neighboring Takhār province. Eshkamesh also lies in Takhār towards the southwest and north of Baghlān’s Burka district. These sites form part of the transitory landscape, which climbs from the plains of southern Turkestan to the high mountains of Badakhshān. Ecological conditions have constrained sprawling settlement patterns, but have not prevented population growth. The amount of arable land is limited. Advanced natural resource degradation – caused by traditional overpopulation and wartime fighting during recent decades – puts severe pressure on local livelihoods (see section 6.2.1-a).

Because of fixed territorial delimitations that can be explained by geographical conditions (see section 5.1.1), the spatial forms of villages or rural settlements are not contested to the extent observed in Kunduz province. In Farkhār and Warsaj, one *manteqa* comprises several side valleys that are located along one local road which leads to a main road and eventually the district and provincial centers. For example, the settlement cluster Mashtān in Farkhār consists of five *qarya* scattered in five sub-valleys that are accessible by a single road from the main roadway along the Farkhār/Warsaj river. The five *qarya* have two Friday-praying mosques and one NSP council. Compared to research sites in Kunduz, the situation in the mountainous districts of Takhār was amenable to finding locations and asking people about whereabouts, which made the orientation much easier.

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<sup>279</sup> Qalich Āghā ranks as most reputed and famous leader of the resistance against the Soviet occupation from Asqalān. He was provincial-level commander and switched from Hezb-e Islāmi to Junbesh in the 1990s before he was reportedly murdered by Aref Khān (himself Hezb-e Islāmi) when the Taliban took over Kunduz.

<sup>280</sup> At the time of fieldwork, the Land Affairs or ‘Properties’ Department (short: *emlāk*) at district and provincial levels was part of the Ministry of Agriculture. Operating according to the valid Land Act of 1935 (1316), it was in charge of registering changes in landownership by sale or inheritance to establish a data base for future tax collection. For this purpose, the department keeps copies of cadastral records, particularly hand-drawn maps. Landownership is recorded according to the category of land (1-3), not the exact physical location. For a review of the history of rural land administration and the role of the Land Affairs Department see Stanfield et al. (2008: 9-15).

The research in Warsaj revealed the prominence of the concept of *hawza*<sup>281</sup> as locally used term for village clusters, comparable to the usage of *manteqa* in the research sites in Kunduz province. However, the term *hawza* is used twofold: on a meso-scale to designate a village cluster and on a macro-scale to designate official police precincts. As a former, it refers to a semi-administrative territorial unit that comprises several *qarya/qeshlāq*. In some areas, *hawza* reportedly represents the level at which people from several villages share a Friday-praying mosque and appoint different governance institutions, such as road keeper, wheat keeper, and forest guard, all of which are officially registered with the district administration. For example, the five villages of *hawza-ye* Rubata-Enjin-Yawand-e Sēbdara-Mulkik share one school, a road keeper to maintain the main roadway leading out of the remoteness of the valley, a wheat warden, and a forest guard (Ch. 8.2.2). In official terms, the district of Warsaj is subdivided into four *hawza* (police precincts) according to local geographic conditions, that is, each of the three larger valleys (Taresht, Miyānshahr, Qawnduz) and the district center Khānaqāh from one *hawza*. In the past, when each village cluster in Warsaj was organized as *hawza* and headed by a commander, strict boundaries were created.<sup>282</sup> During the mujahedin period, *hawza* boundaries grew even more rigid because different warring factions appointed local commanders according to *hawza*-units.<sup>283</sup>

In summary, the differences in how the rural areas are structured in the research sites in Kunduz province and in the upper catchment districts of Farkhār, Warsaj, Burka and Eshkamesh are significant. In Kunduz, the concept of village is fluid and contested. The notion of bounded rural settlement is transparent in Farkhār, Burka and Eshkamesh and even more so in Warsaj. Although in the latter districts, competing concepts of locality exist simultaneously, they are not mixed to the extent as in Kunduz' irrigation areas. As a rule, they do not bear different names and name changes; in short, village labels are more stable. Natural geographic conditions can be assumed to ensure compact and stable settlement and identity patterns in the foothill sites. Here, out-migration is the rule, and in-migration does not occur. In contrast, Kunduz' oasis landscape is a place of relatively recent settlement that attracted decade-long, large-scale population migration from other parts of Afghanistan, which resulted in fast-growing settlement clusters along irrigation canals and an ethnically mixed population.

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<sup>281</sup> *Hawza* literally means 'zone' and has been used initially in Afghanistan's urban areas to designate police precincts.

<sup>282</sup> Reportedly, though, the number of *hawza* varied according to the population figures, which at times reached a low of only 5,000 people in the entire Warsaj district. It remains open for investigation, to what extent the militarily organized resistance against the Soviet forces and later on local commanders who belonged to different warring factions actually operated from a territorially fixed base where they exercised authority over a supporting population or people from whom they extracted taxes and supplies.

<sup>283</sup> The following anecdote seems to support this point: When I revisited Mulkik another time, I talked to a young respondent who did not experience the war years in his home area. He claimed that there are no *hawza* on smaller scale than the three side-valleys, such as Taresht. His opinion corresponded to the official view of the district administration. However, *hawza-ye* Rubata-Enjin-Yawand-e Sēbdara-Mulkik had taken shape as zone of influence of one former commander and persisted as such in the minds of people. This can be counted as another indicator of fluidity on the one hand and of the close entanglement of personal and relational factors with the surrounding social and administrative environment on the other hand. The examples show how local spatial categorizations of identity, notions of space, and one-time labels might change, whereas the social space persists unaffected (Interview, Mulkik, 11 April 2007).

The next section sheds light on heterogeneous local situations and the government's attempts at territorializing the rural areas before the outbreak of large-scale violence after the coup d'état in April 1978.

### 5.2.2 Previous attempts at territorializing Afghanistan's rural areas

The rationale for governments to territorialize space corresponds with the aim to govern by administering people in 'national' space. The concepts of nation state, national citizenship, refugees, and tax revenues are ample evidence of biopolitics and governmentality (Foucault 2006). In Western contexts, the village is often the smallest unit of governmental administration as well as an entity of communal identity and local self-government. With regard to Afghanistan, the Provincial Gazetteer of 1975 recounted the definition of village by the Ministry of Agriculture and Irrigation as

The smallest administrative unit with human habitations in one or more 'qala' (fortified house) as well as isolated houses served by one or more headmen. It was found that often several villages were under the jurisdiction of one headman, and conversely that some individual villages had more than one headman. The association of scattered dwellings and villages was a difficult problem, because on occasion even the inhabitants could not make the identification. (cited in Favre 2005: 16).<sup>284</sup>

However, the authors of the article in the Gazetteer, although charged with defining districts and listing all villages, failed in this attempt because they recognized the flaws of the village census in systematizing and delimiting the boundaries of rural units.<sup>285</sup> In Article 136, the 2004 (1382) constitution specifies, "the local administrative unit is a province". Thus, officially, the country has a two-tier governmental system consisting of national and provincial administrations. Lower-level government bodies are specified in by-laws and include the district level as a third administrative tier (*wuluswāli*). These sub-provinces usually, but not necessarily, comprise one district center or rural municipality (*shār wāli*, *wuluswāli*), where a main bazaar and adjoining settlements are situated. Rural and provincial municipalities are legally recognized elements in the formal administrative system. Beyond the district level, however, an administrative territorial penetration of the entire rural space by the government has not taken place since the inception of the Afghan state. At the time of writing, villages did not constitute legally recognized units of sub-national administration in Afghanistan.

The only previous attempt at territorializing the rural areas of Afghanistan took place in the late 1960s but was discontinued with the coup d'état in 1978. As a result of the implementation of the National Demographic Survey Project, the Afghan government began publication of the Provisional Gazetteer of Afghanistan in 1975 (Favre 2005: 15), which for the first time included all districts of Afghanistan as well as a basic mapping of respective village (*qarya*) lists. The validity of this original information must be seriously questioned however. Apparently, village lists were established according to data held by ministries, and not on the basis of actual surveys in which officials would go out into the

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<sup>284</sup> In this limited sense that villages were equated with their respective headman who had ties with the government, the villages could be seen as 'administrative' entities.

<sup>285</sup> The village census was carried out as part of the National Demographic Survey Project, see below.

countryside to take stock of the number, names, and population of the settlements in each district. Ministries probably relied on data collected in village surveys during the early 1960s by government and international agencies prior to the reorganization of administrative districts and provinces. According to Dupree (1973: 144), the Population and Agriculture Survey of 500 Villages in 1963 (1342) listed 1,417 villages in Qataghan province.<sup>286</sup> Dupree assumed the data was reliable because random cross checks in the course of his own fieldwork more or less confirmed the survey results.

Administrative reforms prior to the National Demographic Survey Project established a new provincial system in 1964, sub-dividing the former 14 provinces into 28. Successive territorial changes have led to the establishment of 34 provinces to date. The number of districts is still constantly changing because district borders are being re-negotiated according to powerful local interests and preferences regarding representation. Thus, at the outset of my research, no up-to-date information regarding villages and local population patterns was available. The only available demographic survey had been collected from two thirds of the population in the sole attempt at a census in Afghanistan in 1979 and recent surveys connected with voter registration (pre-poll census and voter's registry) for the 2005 parliamentary elections. A scheduled census for 2006 was rescheduled to 2008 but could not be implemented to date.

Previous attempts at administering the rural areas of Afghanistan involved, first, efforts to survey and register landholdings as well as determining the number, population and location of rural settlements. Until the early 1960s, systematic information about land ownership structures, village borders, and rural areas in general was broadly lacking because the government did not have qualified staff, techniques, or know how about how to conduct large-scale land surveys. Consequently, the government and its local administrations were deprived of the possibility of effective resource allocation in the form of taxation. In the past, land had been allocated to people according to estimates. Exact, uniform measurements of use areas could not be carried out. Thus, the taxes paid by landowners were based on the amount of land stated in his ownership document, although in most cases, the taxpaying landowner had much more land under cultivation. As long as the Land Affairs Department was sub-ordinated to the Finance Ministry (until 1978), the organizing pattern it applied to rural space was that of 'tax-units', "which in many cases corresponded with what local people called a village" (Stanfield 2007: 2).

The introduction of survey techniques and a training facility run by USAID and the Afghan government in Kandahar enabled large-scale training of surveyors and knowledge transfer regarding the equipment utilization and map making. Furthermore, a National Cadaster office was set up in Kabul in 1963 (1342). Sub-departments of the central office were established at regional levels. The one in Kunduz was reportedly in charge of land surveys in all four northeastern provinces until the early 1980s.<sup>287</sup> According to McEwen and Whitty (2006: 51f), the Land Survey and Statistics Law of 1965 prompted a nation-wide cadastral survey. However, because the progress in clarifying property rights was slow, an additional land inventory project was launched in 1967 (Glaubitt et al. 1975: 97).

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<sup>286</sup> Qataghan was split up into the three smaller provinces of Kunduz, Baghlān and Takhār in 1970.

<sup>287</sup> The information is derived from own interview data. The Kunduz cadaster office was still formally responsible for Baghlān and Kunduz provinces at the time of this fieldwork (2006-07).

Between 1963 and 1978, cadaster department staff managed to survey 35 percent of Afghanistan's territory. In this exercise, the new survey techniques enabled the government to verify landholdings and to assign everybody the amount of land that was stated in the land document. Excess land was re-assigned to the government and returned to the state's pool of land reserves. In Kunduz province, the surveyed land amounts to 923,233 *jerib* or 184,647 hectares.<sup>288</sup> This represented the larger part of the arable land at that time and is equivalent to about 23 percent of the total area of today's Kunduz province (804,000 hectares). After 1979, land surveys and the determination of village locations and borders stopped because of decreasing security. The cadastral register has not been updated since 1976 (1355), although the Land Affairs Department has kept a record of officially notified property changes throughout the years of turmoil.<sup>289</sup> Reportedly, the largest deficits regarding the amount of surveyed land exist in Emām Sāheb district, which shares a border with Tajikistan along the Āmu Daryā river. By 1978, only 10 out of 159 villages had been covered and their land holdings registered. Similarly, rain-fed areas and settlements in Khānābād had not been surveyed entirely.

It cannot be assessed whether the information given and recorded during the limited surveying activities until 1978 was correct. What holds true for all figures and statistics regarding Afghanistan is that they need to be treated with skepticism (see Ch. 3). Nevertheless, the numbers and landholdings registered based on the surveys have become official and thus have shaped social reality, as exemplified by the re-assignment of land the government had previously appropriated from rural dwellers to reward loyal figures. The recordings in the cadaster book are the only ones available to date.<sup>290</sup> In the course of the 40 years that have passed since the initial surveys,<sup>291</sup> local environments, including agricultural and settlement patterns have changed considerably. Wartime destruction, population dynamics of flight, return, and general population growth left its marks on the physical and social landscape. At the time of this field research, the most pressing concerns were illegal land seizures by local commanders and intra-family disputes about land that had been occupied by members of the family who had not emigrated to Pakistan or Iran and who refused to yield the land plots to initial owners returning from abroad. However, the capacity of government departments to mitigate these conflicts and administer land efficiently is limited at best.<sup>292</sup> In addition, confronted with the challenge of local development projects, the inability of the cadastral and land registration departments to

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<sup>288</sup> Interview with the head of the cadastre department in Kunduz, 16 May 2006.

<sup>289</sup> The cadaster data serves mainly as reference point for land disputes. In this context the *mantega* maps that have been drawn based on land surveys that were conducted in the ten years between 1966 (1345) and 1976 (1355) are of special value.

<sup>290</sup> The Rural Land Administration Project (RALP), carried out in Afghanistan between 2006 and 2007, attempted to introduce community administration of property records that would be assisted but not guided by the government. Measures included the documentation of local ownership rights, the delineation of privately owned parcel boundaries with the help of satellite images, getting community approval, and registration with the cadaster office. See Stanfield et al. (2008). To date this project did not have any impact beyond the selected trial communities.

<sup>291</sup> According to an interviewee in the Kunduz cadaster office, the determination of village borders set in after 1966 (1345) (Interview, 16 May 2006).

<sup>292</sup> As I will show below (Chs. 6 and 7), the high degree of venality of government employees is one of the main factors inhibiting administrative efficiency.

provide information regarding villages, public land and local settlers has had a significant impact on reconstruction projects because they rely on spatial approaches.<sup>293</sup> Consequently, the absence of updated village lists and the myriad of local spatial concepts have led to growing confusion about what constitutes local intervention units for aid practitioners. At the time of this field research, it seemed that the implementation of the NSP program had been a measure towards resolving this dilemma.

### 5.2.3 Villagization in the framework of NSP implementation

The National Solidarity Program (NSP) was launched as a nation-wide development program in 2003 for an initial three years with the vision of reaching every single ‘village’ in Afghanistan, the number of which was estimated to approximate 20,000. By May 2005, the NSP was working in approximately 8,100 communities (AREU 2005: 49). Run by the Ministry of Rural Rehabilitation and Development (MRRD) and funded by a group of bilateral and multilateral donors (see Ch. 8.1), the program aimed to bridge the gap of sub-national governance between the population and the central government through the community-based provision of services and local grassroots democratization. The objectives were two-fold, but interrelated:

- NSP sought to promote local-level reconstruction, development, and capacity-building in order to improve the living conditions of the population and thereby enhance the legitimacy of the central government. Considerable funds were made available for this purpose via block grants to communities.
- The planning and implementation of projects was intended to be undertaken in a participatory manner by the communities themselves. To facilitate this process, representative decision-making bodies (CDCs) that involved both male and female community members were supposed to be democratically elected at the community level. The elected CDCs were designed as tools to overhaul ‘traditional’ community governance structures in the medium to long terms.

When reviewing the implementation and progress of the NSP, it is important to take account of its process dimension and to distinguish the initial ambitious visions from incremental modifications of the program outline.<sup>294</sup> As just one example,<sup>295</sup> if at the outset of the program in 2003, the existence of approximately 20,000 villages served as the basis for planning, the NSP Manual of 2006 stated that by December 2005 the number of rural settlements was estimated at 38,000 (MRRD 2006: viii). The NSP Manual further stated,

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<sup>293</sup> Most public sector and development assistance institutions organize their work in sectors. In contrast, the complex demands in an intervention context (where “everything is connected to everything else”; Helling et al. 2005: 10) require participatory approaches which can best be achieved by spatially limited interventions.

<sup>294</sup> This section cannot give a full review of or assess the NSP. Also, not all dimensions of the program and its details can be depicted here because of space constraints. For an excellent overview over the program’s components, how it unfolded, and first evaluations see Wenzel (2008).

<sup>295</sup> Other examples refer to the timely prolongations of the Program. By the end of December 2011, NSP had reportedly covered 75 percent of the rural population (the program is not introduced in urban settings), after it had been extended twice (NSP I was extended until March 2007, followed by NSP II from April 2007 until September 2011). See AREU (2012: 62). According to the same source, NSP III (2010-2015) was designed to cover the approximately 16,000 communities that had not benefitted from either NSP I or II (ibid.)



“No accurate census data is available and it is unclear if consensus has been reached on a working definition of ‘village’.” (ibid.).

Despite the explicit aim of overhauling ‘bad’ local governance structures through the creation of CDC communities with participatory decision-making structures, it has not been an NSP priority to revamp local administration completely. It is unlikely that government personnel were even aware of the complexity of spatial local structures (see Ch. 5.2.1) or of their consequences. Instead, every program document as well as strategy papers from the MRRD, the Afghan government, facilitating partners (FPs)<sup>296</sup>, international consultants, and the World Bank assumed quite naturally the existence of clear-cut ‘villages’ as a basic form of social organization and administration at the local level that could serve as adequate spatial units for the establishment of CDCs and CDC-communities.

In the NSP-framework, the term ‘community’ was used for a unit of at least 25 families<sup>297</sup> who were eligible for a block grant calculated at US\$200 per family. In the process of NSP-implementation, the inhabitants of rural settlements with more than 25 families were asked to form clusters (*hawza*)<sup>298</sup> of 10-30 families (Karmacharya 2007: 219), who then selected one representative for the CDC, which was to be held accountable by its ‘village’ constituency. Because US\$60,000 was the maximum amount that would be allocated to a single community, the maximum number of families in any community was to be 300. Settlement clusters that contained less than 25 families were asked to combine neighboring communities to establish a joint CDC. If a locality was large and exceeded 300 families, more than one CDC community could be formed.

This shows that the council formation and NSP-community set-up has been designed as a technical process that is instituted from above and does not take into account local identity patterns of *qarya*, *qeshlāq*, *manteqa*, and so on. In addition to the guidelines and definitions in the NSP operational manual, implementing agencies have been confronted with the task of making sense of local conditions and environments and to fit those to the guidelines. In the course of NSP implementation at the time of fieldwork, FP staff members were usually provided with 30- to 40-year-old village lists from the respective MRRD line ministry at province level or the district administrations. However, because of the changes occurred in the rural areas over the last forty years, the use of these lists turned out to be highly limited. Thus, FP community mobilizers eventually had to search for the villages on the lists, only to discover that they either no longer existed, had a new name, had formed several sub-villages and new settlement clusters, or never actually existed by the name on the list. As a consequence, it was up to the community mobilizers to ‘find’ actual villages for which they had no definition. This process closely resembled an outright

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<sup>296</sup> Twenty five FPs were contracted to implement NSP I. At the time of this fieldwork, the FPs in Kunduz province were the French NGO ACTED, which covered the two districts of Emām Sāheb and Dasht-e Archi, and GRSP (Ghazni Rural Support Program), an Afghan NGO in charge of the rest of the province. The FP in Farkhār and Warsaj was Concern Worldwide. ACTED covered also Burka and Eshkamesh.

<sup>297</sup> At the start of the NSP in 2003, block grants were allocated to ‘villages’ of over 50 families (MRRD 2003: 6).

<sup>298</sup> Thus, the term *hawza* has also been newly introduced in the course of NSP implementation, now as a household cluster several of which underlie a larger NSP-community. In the following, when referring to this secondary meaning of *hawza*, I use NSP-*hawza* (see Table 2).

invention of villages and communities that was forced upon the FPs by the guidelines. As a result of this policy, newly-registered local communities of 25 to 300 families and represented by a single CDC appeared. The elected council members were asked to agree on and register a name for their CDC community at the provincial MRRD department. A subsequent approval letter would symbolize the formalization of a village for NSP purposes. Because NSP – according to its official mandate – sought to establish links between CDCs and other government offices, in particular the departments of the Central Statistics Office, information about the newly established NSP communities was passed on to different government departments with the potential to establish a systematic database in the future. In the local context, it led to the creation of a new type of community with village features. These communities materialized by means of a particular name in record books.

In cases where CDC communities do not conform to local entities and imagined identities in the sense of belonging to a certain *manteqa*, *qarya*, *qeshlāq*, and so on, a new name was often found and added to existing local designations in another example of relabeling (see Ch. 5.2.1). Where a village comprised one or more CDCs depending on population size, or shared a CDC with a neighboring community, the name of the newly-registered CDC-community does not necessarily match the previous name/s of the rural settlement. For example, NSP councils in Chārdara, where the NSP implementation was nearly completed by the end of 2006, are most often named after respected mujahedin commanders (see Ch. 7.3), important elders, the NSP head, or the CDC's geographical location ('upper', 'lower', 'center', etc.), compounding the confusion over names and labels. In Qarayetim, the newly-formed NSP community 'Lower Qarayetim' (Qarayetim-e Suflā) comprised the settlements of Usmān Khēl, Zābudin Khēl, and Esā Khēl. In the two Takhār districts of Farkhār and Warsaj, the NSP implementation process was nearly complete at the end of 2006, and almost every *qarya* or *qeshlāq* had formed a separate NSP-community, the name of which in these cases naturally matched the existing village names. Because of the communities' reasonably fixed delimitations and its high settlement concentration there was no need to split up or pool several clusters together and subsequently invent new names for the CDC communities. Reportedly, in Warsaj, 72 NSP communities were sufficient to cover the entire district population that inhabits the districts 94 'villages'.<sup>299</sup>

Hence, although CDC communities are set up by FPs, they are officially registered with the government and constitute the first data-base on local communities after the attempts to conduct broad-based village surveys in the 1960s and 1970s. Local perceptions, positionalities, and identity units are not always taken into account when CDC communities are established. It remains to be seen how effectively these new structures will administer *qarya*, *qeshlāq*, and *manteqa* units and whether overlapping notions dissolve into a fourth administrative tier consisting of an official 'village' that is the CDC

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<sup>299</sup> Interview with the FP's head of office in Farkhār, 8 March 2007. In an earlier interview with FP staff, slightly different figures were given, according to which 74 CDCs in 98 settlements (*qarya*) have been established. The minor variation might be the researcher's fault of recording or due to inaccuracy of the community mobilizers at an earlier stage of project completion. However, it could also be an indicator of the fact that there is at least a certain amount of uncertainty surrounding the concept of 'village' in this region as well and that there is scope for the FPs and community mobilizers to influence the process of CDC establishment in terms of which village clusters unite or split up and which do not.

community. When this fieldwork was carried out, there was no coherent view among donors, policy makers, and aid practitioners as to what roles CDC communities should play in the years to come, especially how they would mesh with the central government administration and myriad newly-elected bodies of different scopes and the traditional governance bodies (Lister 2005: 6f; Nixon 2008, 2008a). In 2006-07, the MRRD proposed transforming CDCs into sustainable, self-sustaining structures by pooling them into newly-established Community-Led Development Departments (CLDD) at the district level under the supervision of the provincial MRRD's Social Development Departments (MRRD 2007). This particular idea was never implemented, but similar ones did come to fruition (see Ch. 8.2.1). Moreover, a CDC by-law was issued in January 2007 (MRRD 2006a), giving CDCs "formal organizational existence over and above their relationship with NSP. In terms of this law, CDCs may receive funds from a variety of sources, have planning, allocation and project implementation powers for their areas, and are given some administrative responsibilities in areas such as births and deaths registration." (World Bank 2007: 24).<sup>300</sup>

In theory, the process of establishing NSP-communities and CDCs could be read as first step in efforts at creating a top-down administrative hierarchy that would reach the local level (household clusters of minimum 25 families) and be able to incorporate local bodies into the government structure. The sustainability of newly-established CDCs will foretell how successfully central government organisms penetrate the rural areas and administer them in the future. One side effect of NSP implementation is thus a first-time large-scale territorialization of rural Afghanistan below the district level. Given the complexity depicted above, where the different notions of village – *manteqa*, *qarya*, *qeshlāq* – and place are contested locally, the recent process of CDC-community establishment has the potential to partly eliminate the confusion, at least in a top-down perspective. If and how the creation and organizational upgrading of CDCs affects ordinary people's perception about belonging to a certain *qarya*, *qeshlāq*, or *manteqa* as opposed to an NSP community remains to be seen (Bosen 2004: 61).<sup>301</sup>

### 5.3 Conclusion: The stance for user communities in local governance arenas

Each section of subchapter 5.2 has been primarily occupied with place-based notions. I have shown that for inhabitants of northeastern Afghanistan's rural countryside the locale includes a spatial-territorial dimension and how newly-established units known as CDC communities were envisaged to become the smallest administrative units of government. However, what has been left out so far is a social interaction concept which encompasses the micro- and meso-scales of social interaction, such as families, households, kinship groups, and other social groupings and interaction networks. Their space of social action (*sozialer Handlungsraum*) does not simply replace territorially-fixed boundaries; rather it is fluid and changes according to the situation, contextual conditions, and need. Rural society in northern Afghanistan is characterized by face-to-face relationships and

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<sup>300</sup> According to Stanfield (2007: 1) the law also included the registration of marriages.

<sup>301</sup> See Chs. 8.2.2 and 8.3 for my findings in this regard.

structured by social networks and community bonds manifest in the notion of *qawm* (see Ch. 4.1.1). I have elaborated in Chapter 4.1.1 that the significance of *qawm* goes beyond the tribal and family lineage and it is not limited in place, but transverses specific geographical spaces. As Roy (1985: 25) has pointed out, “The *qawm* is a network, the village a territory, and even though the two are often one and the same (for very frequently, but not necessarily, the village corresponds to a *qawm*), their mode of functioning in relation to politics is very different.”<sup>302</sup> Consequently the non-territorialized *qawm* does not succumb to governmental subjection; rather, it is precisely the opposite, where the “*qawm* as solidarity group is able to penetrate to the very heart of the state” (ibid.).<sup>303</sup> That means that solidarity groupings in Afghanistan’s rural society transcend spatial limitations and cannot be captured even with the compound notion of the ‘village community’.<sup>304</sup>

Table 2 reflects an attempt to summarize the diversity of the different notions of locality and community encountered in the field and presented so far in this chapter. The first column introduces the analytical distinction of three scales – micro, meso, macro – of what constitutes ‘local’. The previously-elaborated fluid notions of ‘village’ in Afghanistan extend to all scales, from the nucleus of the family and clan (the micro layer) up to the meso and macro scales, which can extend to include several settlements and hundreds or even thousands of people, but still might be considered a ‘village’. Examples of these local perceptions are listed in the second column, which presents a broad overlap of concepts of place-based notions. Furthermore, it shows that *manteqa* is used by locals for denoting bounded space, the boundaries of which are well-known, but invisibly located in between the micro-cosmos of daily life and the wider region of origin. In some cases, *manteqa* describes a naturally-bounded system of joint resource use by a group of people, such as an irrigation system or common pastures upon which a community depends. *Qarya* and *qeshlāq* are concepts used primarily for comprehending the micro and meso local levels, which can be as small as a single *qala*, that is, a fortified house or large compound surrounded by four walls. If slightly larger, it might match a mosque community or something an outsider and sometimes the locals themselves would call a sub-village. On a next higher scale – the meso-level – this could also amount to a Friday-praying mosque community that comprises several ordinary mosque communities.<sup>305</sup> The third column is

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<sup>302</sup> ‘Village’ here can be equated with *manteqa* as well as other notions of locality, i.e. *qarya*, *qeshlāq*, etc.

<sup>303</sup> I illustrate this point of state-seizure by or via *qawm* in Ch. 7.3 with two prominent examples of non-lineage *qawmi* networks, so-called mujahedin *qawmi* networks.

<sup>304</sup> The idea of ‘villages’ as solidarity units features prominently in the work of several scholars: Favre describes *manteqa* as “an element shaping identity and solidarity” (Favre 2005: 6); Davydov speaks of communes in the Tajik areas of Afghanistan organized along principles of joint residence and farming and undivided land tenure of peasant neighbors in the same village (1963: 121). Canfield (1985: 62) defines community bonds as the prevalence of strong common interests backed up by kin and marriage relations whereby social unity found expression in public Islamic ritual. For a qualification of this view of villages as homogeneous entities, see below.

<sup>305</sup> Note that mosque communities and NSP communities constitute two cross-cutting categories with community connotations. NSP communities have been reviewed in depth in Ch. 5.2.3. The religious community constitutes of mosque visitors who attend their nearest mosque and one particular Friday-praying mosque. However, even in this case the spatial boundedness of the ‘community’ is not fixed: men do not seem to always attend the same mosque for Friday prayers and nowhere near all Afghans pray or pray in the mosque; women, for example, do not pray in public. Furthermore, it is unknown if and how people who tend to turn to the same mosque for prayers share a sense of belonging to one individual community and based on which local scale.

concerned with perceptions of social action units and networks that are not necessarily fixed to a particular place. On the micro-scale, one such unit is the household, family or clan, or any small identification-unit resembling *qawm*-ties, including neighbors and *hashar*-partners. The decreasing validity of these social action units at larger scales is self-explanatory, but for the natural resource user group. It designates a group of people depending on each other for the allocation of the same resource type, such as irrigation water or mountain resources (pasture, fuel wood, and so on). The usage and allocation of the specific resources requires some type of coordination and collective action (see Ch. 6), such as annual agreements on a rotation schedule for times of water scarcity, contributions to irrigation infrastructure maintenance, or adherence to temporal access restrictions in areas of rangeland overuse.

**Table 2:** Overview of the different notions of locality and community in rural settings

<b>Local Scale</b>	<b>Perceptions of Locality</b>	<b>Perceptions of Social Action Units and Networks</b>
<b>Macro</b>	<i>Manteqa</i> , <i>hawza</i> , Friday-praying mosque community, local NSP council area	<i>Qawm</i> , natural resource user group
<b>Meso</b>	<i>Qarya</i> , <i>qeshlāq</i> , <i>manteqa</i> , <i>hawza</i> , local NSP council area, mosque community, Friday-praying mosque community	<i>Qawm</i> , <i>clan</i> , natural resource user group, <i>hashar</i> -partners or neighborhood
<b>Micro</b>	<i>qarya</i> , <i>qeshlāq</i> , <i>manteqa</i> , sub-village, <i>qeshlāq</i> , local NSP council area, NSP- <i>hawza</i> , mosque community, <i>qala</i>	<i>Khānawāda</i> , <i>qawm</i> , clan, family, <i>hashar</i> -partner or neighborhood

Although the resource user group in the narrow sense includes only the individual farmers, livestock herders, or wood collectors, these men allocate and use resources as heads of families and even clans. Thus, to describe and analyze local governance mechanisms, I propose to take user communities of natural or environmental resources as point of reference that include the inhabitants of a resource catchment area, that is, those who are dependent on the particular resource for their livelihoods. Consequently, varying local scales of social interaction of natural resource user communities constitute my level of analysis, whereas the unit of analysis is made up by the ‘stuff of community, the interactions within and its governance mechanisms (see Chs. 2 and 7).

Thus, I return to the concept of community. I have demonstrated the heterogeneity and complexity of both indigenous notions of locality and community. Aware of the limitations of both dimensions and that a middle ground is necessary to investigate social action and local governance ‘somewhere’, I assume that belonging to a particular physical location is an important aspect of rural dwellers’ everyday experiences. This implies that actors perceive resources and constraints from their local ‘bases’, especially in the subsistence livelihoods framework that the majority of northeastern Afghanistan’s rural population is caught in. Moreover, the criticism raised against ‘community-studies’ of the 1960s can be

rebutted entirely if the conceptual framework of Chapter 2 is considered. Consequently, I assume communities to be conflictual, heterogeneous social spaces, the ‘members’ of which are socially differentiated and belong to many other communities, because they are mobile and multiply stratified. With this understanding of community, I also comply with the branch of community-based natural resource management studies in development research. This domain’s primary critique has been the neglect of power relations, conflict, and differential access and social stratification in the study of common property resources and their corresponding natural resource user communities (Mehta et al. 1999: 34; Kumar 2005: 279). The advantage of the concept of resource-user community over that of the village community lies in the collective action focus regarding the management of presumably contested resources. It can serve as a magnifier to understand local power relations that transcend different governance arenas, places, and communities. Consequently, I conceive the resource-user community as a group of individuals who – through their interdependences in a socio-environmental and economic space – constitute a local governance ‘arena’ (see Chs. 2 & 5.2).

Throughout the study I use the term ‘settlements’ to designate the physical base of members of resource user communities. In Chapter 7, once I conclude the focus on resource user communities (Chs. 7.2-7.5), I employ the term ‘communities’ the more general social spaces that actors share. This is based on the assumption that beyond the narrow subsistence livelihood realm multiple types of communities exist which intersect in certain places through individuals’ belonging to different identity or user groups. Among those, resource user communities form only one type.

## 6 – The scope of resource-governed rural life-worlds

In this chapter I present the empirical data I collected in seven districts of northeastern Afghanistan (see Map M2). Based on the elaborations in Chs. 2 and 5, local governance is operationalized as governance processes, defined as the exercise of power that manifests in the ordinary practices through which access to environmental resources within resource user communities is regulated. The presentation of the data in subsequent sections of Chapter 6 focuses on the empirical questions: Who obtains what, and how do they do so? Chapter 7 completes the analysis by investigating why those outcomes are what they are.

Why this thesis focuses the analysis of local governance on rural dwellers' ability to benefit from somewhat ordinary environmental resources can be summarized in three points: First, there are no other crucial resources in the research sites that could be controlled for allocation, distribution, redistribution or exploited as resources for wealth and power. As elaborated in the previous chapter, the three provinces of Baghlān, Kunduz, and Takhār are mainly agricultural provinces with minor sectors of trade and negligible industry.<sup>306</sup> The majority of the population lives from subsistence agricultural activities, laboring at home, or work migration in urban centers and abroad. Thus, unlike areas rich in natural resources like Africa, where a political economy of resource exploitation (oil, diamonds, coltan, timber, etc.) offers a unique study perspective (Duffield 2000; Keen 2000; Reno 1998), my research region is instead characterized by opportunities for rent-seeking through the aid and military agencies active in all three provinces, and for profit-seeking from illicit activities such as the opium poppy and heroin trade, secret poppy cultivation<sup>307</sup> and smuggling of all sorts of consumer items, money, and weapons to and from Tajikistan. Against this backdrop, the second reason for focusing on everyday livelihood resources – feasibility – is self-evident. Given the post-war context in northeastern Afghanistan in early 2006, the dearth of clarity about armed groups' activities, their aims and goals, not to mention the level of insecurity and danger a field researcher would face, I chose not to inquire into matters of illicit trade, the drug economy, and the dynamics of armed groups and power struggles of local warlords or even village-level commanders directly.<sup>308</sup> Thirdly, in the context of general asset deprivation after a decade-long war and assumed high levels of poverty,<sup>309</sup> as well as the paucity of other economic

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<sup>306</sup> Baghlān province has a coal mine near and a sugar factory in Pul-e Khumri. However, in terms of economic output and employment creation, they are not significant resources for individuals.

<sup>307</sup> Officially, Kunduz province was declared poppy-free in 2007 (UNODC 2007: 6). Nevertheless, in various hidden locations, i.e., far from the main road and any district or administrative center, poppy was still grown (as it was in the other two provinces) throughout the 2006-2009 period of fieldwork.

<sup>308</sup> See Ch. 3.2 for a discussion on security measures during fieldwork.

<sup>309</sup> The overall level of poverty – apart from the fact that the concept of poverty as such is problematic – in Afghanistan is deemed among the highest worldwide. However, detailed, systematically-collected, and representative data are largely missing. The National Risk and Vulnerability Assessment Report 2007/08 established the national average poverty line at 1,255 Af\$, i.e., US\$25 in annual income, equal to the cost of 2,100 calories per person per day and some basic non-food items (see Icon-Institute 2009: xix). According to the report, household size and the number of children are among the main factors that correlate with poverty. With the national Gini index at 29, the population is likely to possess an overall low level of asset disposability. Substantial inequalities are however presumed to exist in shares of consumption (ibid.: 57).

assets available to the members of rural society at large, environmental resources are unquestionably key livelihood resources around which everyday activities, such as production, allocation, contestation, consumption, and alteration unfold. Consequently, for understanding everyday governance processes, politics and the nature of local life-worlds, the distribution, control and overall management of environmental livelihood resources provides a revealing window onto the broader situation.

In the course of fieldwork three topical case studies, each relying on a different component of the natural environment, that is, irrigation water, pasture land and fuel wood, were conducted at different locations in a multi-sited approach for each resource. These natural resource cases represent different degrees of subsistence and thus dependence on the natural environment, in the most extreme circumstances for simple survival. In the case of irrigation water, the users are ultimately landowners engaging in agricultural production for profit. They conduct all farming activities either as self-employed or employers for sharecroppers, laborers, relatives, and so on. Unfortunate climatic conditions and pests might diminish their yield, but in most cases the land is an asset and the ultimate survival of the entire family in one year does not depend on the outcomes of one harvest. While agricultural plots are privately held, rangeland areas represent common pool resources that are jointly used by members of the same community of herders, livestock owners and fuel collectors. Pasture usage and livestock breeding are income strategies that are being pursued in the absence of opportunities for profitable farming based on irrigation (see the introduction of Ch. 6.2, and also section 6.2.1). Thus, the dependence of the bulk of the local population in mountainous locations on access to pastures for livelihood-making is higher than that of settlers in the Kunduz oasis to irrigation. Finally, the de facto dependence of every household in rural areas on fuel wood and consequent access to rangelands (see Ch. 6.2), or a bazaar,<sup>310</sup> implies that everyday practices of access regulation for fuel collection are likely to reveal different dynamics. Pastures face increasing pressure from trends of overgrazing caused by the peace dividend of increased livestock herding (see Ch. 6.2.1). The availability of fuel wood is limited because of large-scale deforestation during the war years, a lack of alternative fuels, and increasing demand, which is partially also a consequence of peace after 2001.

Chs. 6.1 and 6.2 reveal that paucity-enhancing factors such as natural disasters, overgrazing and logging because of unchecked demand create contestations and a politicization of access to these everyday livelihood resources. Such conflicts provide the researcher a magnifying lens for closer investigation because conflict situations reveal dynamics which are otherwise invisible to the outsider or even the long-time local observer. Moreover, the insights thus generated are not limited to the contested issue per se but help to identify dynamics and mechanisms of authority and power which can be generalized as underpinnings of the functioning of rural society on a larger scale, going beyond specific resource user communities (see Chs. 7.2-7.5).

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<sup>310</sup> Purchase of fuel wood at a local bazaar requires money that most of the families either do not have or do not want to spend for wood given the availability of biomass at nearby collection sites. For bazaar-fuel wood supply relations in the area of study see Yarash et al. (2010).



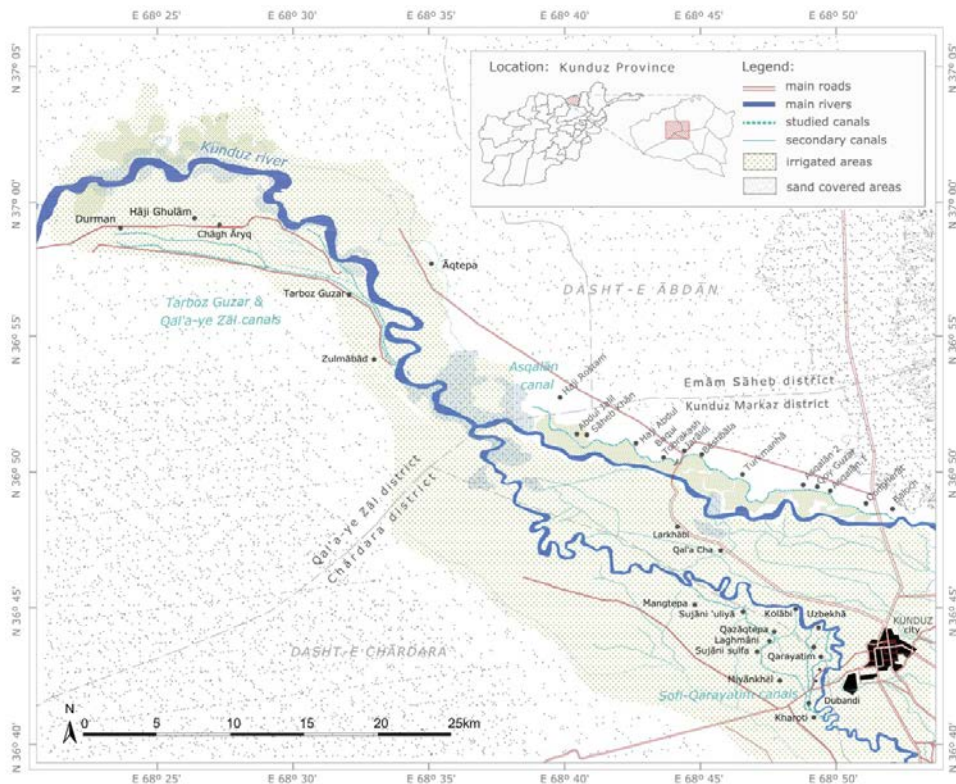
In line with the overall logic of this study with its two-fold aim of contributing to empirical knowledge generation on aspects of local governance, everyday politics and power in subsistence economic contexts in Afghanistan, and testing the assumptions of the social order framework by using empirical case studies – Chapter 6 ventures deep into the complexities of local life-worlds and everyday resource struggles. It first describes the settings and social relations prevalent in the resource user communities. Section 6.1.1-a details the results of oral history interviews and local perceptions regarding the genesis of the Asqalān irrigation network and settlement patterns, because it is representative of the historical dynamics in other water user communities of the northern region. Moreover, given this study’s methodological assumptions (see Ch. 3) and what the ‘(French) braiding approach’ detailed above, merely descriptive data presentation soon gives way to analytical considerations in the course of each of the subsequent sections of each case study. This technique enhances the complexity of reading and representing the data, while detailing the steps of inductive inference and analytical abstractions from the thick description offered beforehand. Besides focusing on the practices and moralities dimensions in the case studies, the sections on the preliminary differentiation of elders (section 6.1.2-c), on the travails of water management reforms (section 6.1.3-b), on the normative ideas as opposed to observed practices of rangeland use (section 6.2.2-b), and the summary in Chapter 6.2.3 combine to pave the way for the analysis in Chapters 7 and 8 and the concluding remarks in Chapter 9.

## 6.1 Irrigation water and irrigated land in the oasis of Kunduz

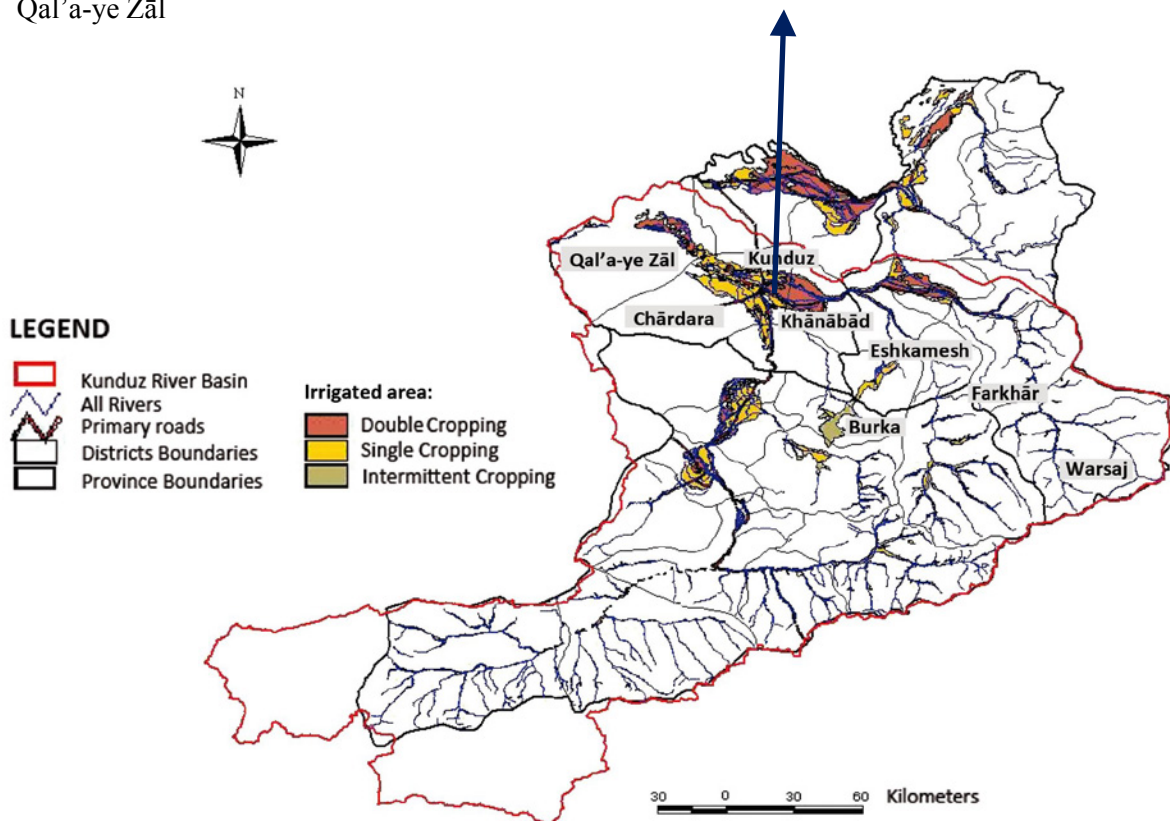
This section presents three case studies of irrigation water governance located in the Kunduz oasis (see Maps M3 and M4). The situation in one irrigation network – Asqalān – will be described in detail, while the other two – Sofi-Qarayetim and Tarboz-Guzar/Qal’a-ye Zāl – serve as control cases. They expand the focus on water distribution to take account of the water-land rights nexus and consequent conflicts (Ch. 6.1.2) and the question of water management reforms (Ch. 6.1.3), which affect all five canals in the three irrigation systems studied in this fieldwork.

The absolute vitality of irrigation water (*āb*), efficient management, and distribution and network maintenance stems from the fact that over 80 percent of the Afghan population is dependent on agriculture and 85 percent of all crops need irrigation (Rivière 2006: 42). The availability of water at water course level, that is at the farmers’ field sites, where crops are grown, depends first of all on precipitation. Eighty percent of Afghanistan’s surface water resources are stored as snow in elevations above 2,000 meters (MEW 2007: 3). In the Kunduz river basin, these are found especially in the high mountain areas of the upper catchment districts of Warsaj and Farkhār (see Ch. 6.2). However, due to regularly occurring droughts, water availability is limited and depends on the management capacities of local user communities. When this study was undertaken, the received wisdom was that both irrigation infrastructure and local governance mechanisms had totally broken down as result of the decades-long fierce conflict in Afghanistan. However, the research found that, first, the infrastructure has always been very primitive in the sense that it comprised mainly earthen structures, which were complemented by poles, carpets, sandbags, reed, straw, and

mud blocks. Secondly, water allocation at the community level and agricultural production did not in fact cease during the war years.



**Map M3:** Field study sites in irrigation canal areas of Asqalan, Sofi-Qarayetim, Tarboz Guzar, and Qal'a-ye Zāl



**Map M4:** Kunduz river basin and irrigated areas (Source: Landell Mills Ltd. 2005)

### 6.1.1 Kunduz Markaz: Asqalān canal

Asqalān<sup>311</sup> melons are famous for their sweetness in Kunduz province, the whole northern region (*samt-e shamāl*), and are traded even beyond the Hindu Kush in the bazaars of Kabul. Accessible only a few hundred meters behind the gates of Kunduz after passing Ālchin bridge on the road to Emām Sāheb and the Tajikistan border post Shēr Khān Bandar, the Asqalān canal stretches from its intake at the Kunduz (Surkhāb) river northwest towards the direction of Āqtepa in the Qal'a-ye Zāl district (Ch. 6.1.3, see Map M3). The genesis of the canal itself and its history of settlement reflect the development of Kunduz oasis in an exemplary manner (section a). Moreover, I intend to argue below that the way irrigation water has been 'governed' in recent years, that is the social practices and moralities regulating its access, distribution, and usage reveal the entangled logic of social relations that characterize rural society throughout northeastern Afghanistan. I would like to draw these complexities out with an empirical analysis of access (section b) and a depiction of local life-worlds from the perspective of a downstream water manager (*mirāb*) (section c).

#### a. Genesis and characteristics of Asqalān

According to my interviews, the first intake construction of the main Asqalān canal started in 1929/30 (1308) and canal digging progressed up to the settlements called Asqalān I (*awwal/bālā*) and Asqalān II (*duwum/pāyin*) also known as Sāheb Khān until 1935/36 (1314). By this time Shēr Khān<sup>312</sup> had been appointed governor of Qataghan (see Ch. 5.1). Both historians and locals ascribe the development of Kunduz in the 1930s to his personal efforts. At his initiative the biome, largely forested swamps were turned into arable land, and accompanying measures like the foundation of the Da Kabul Bānk/Bānk-e Melli Afghān and the consequent establishment of the Sherkat Pomba (later 'Spinzar') Cotton Company in 1936/37 ignited agro-industrial production. The initial land reclaimants who started digging the canal appear to have been members of various quasi-indigenous settlement communities around Kunduz. Due to the high volatility of population movements in the preceding decades (see Ch. 5.1.2), several Uzbek and Turkmen clans as well as Chahār Aymāq<sup>313</sup> can be presumed to have made up the indigenous population. They were mainly livestock-owning joint families living and tending their herds in the

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<sup>311</sup> As a place, Asqalān is not an administrative unit, but refers to an area (*manteqa*) irrigated by one main canal by that name. However, the residents of the upstream canal area, beyond the road at Ālchin Bridge, are considered to belong to Ālchin *manteqa*, though they initially used the canal for irrigation (Balochhā, see below). Asqalān *manteqa* is further subdivided into Tobrakash and Asqalān proper. If not otherwise indicated I use 'Asqalān' to mean the whole canal system and *manteqa* including both Tobrakash *manteqa* and Asqalān *manteqa* proper. For the concept of *manteqa*, see Ch. 5.

<sup>312</sup> Shēr Khān, also known as Shēr Khān Nashir Ghilzai (Kharoti) from Ghazni, was appointed governor of Qataghan by Nāder Shāh (1930-1933). He was one of three landmark entrepreneurs who jump-started Afghan industrialization in the 1930s. He succeeded Abdul Aziz Londoni as President of the Kunduz Cotton Company, after he had enabled the founding of Sherkat Pomba and the large-scale growing of cotton around Kunduz. See Dupree (1973: 471-474).

<sup>313</sup> Tribally-structured Tajiks subdivided into four tribal segments, *chahār* meaning 'four' (tribes).

dense forested swamps and the steppe north of Kunduz town.<sup>314</sup> However, with the Soviet advance into Central Asia and the occupation of the Emirate of Bukhārā by Soviet forces after the Russian Revolution in 1917, the first wave of refugees from Bukhārā (*muhājerin*) settled south of the Āmu Daryā. They presumably integrated quite well with the local population because of kin relations, similar modes of livelihood-making<sup>315</sup> and the generally low population and consequent availability of pasture resources (fodder) and settlement land.<sup>316</sup> In the late 1920s and early 1930s, a second wave of ‘Turkmen’ refugees from Faridaryā of the former Emirate of Bukhārā and by then incorporated under Soviet rule, coincided with Shēr Khān’s land reclamation plans, including the beginning of works at Asqalān canal.<sup>317</sup>

Thus, by the mid-1930s the succession of settlements along Asqalān from head to then-tail – in Wulus, a place near today’s Bēshbāla (Map M5) – included Fārsiwān, such as Larghābi-Aymāq and other Tajiks, but the majority belonged to Turkic-speaking groups. Among them were Qongherāt, Laqai, and other Turkmen as well as Uzbek tribesmen<sup>318</sup> who had arrived in 1929. The internal colonization policy (see Ch. 5.1), paired with Shēr Khān’s vision of Kunduz as the breadbasket for Afghanistan resulted in the further allotment of land and settling of Pashtun tribesmen throughout Kunduz oasis.<sup>319</sup> Hāji Muhamad Sarwar from Maymana<sup>320</sup> was reportedly the first elder of subsequent waves of Pashtun settlers to appear in Asqalān in the second half of the 1930s.<sup>321</sup> He started out living among the inhabitants of Wulus and expanded the Asqalān canal from there in the decade 1938/39-1948/49 (1317-27). According to the government policy of the time, vast plots of land were allotted to whoever would commit to turning these lands into arable fields for cash crops, especially government-subsidized cotton. Descendants of the first Turkmen settlers reported that their grandfathers were allocated 6,000 *jerib* of land in

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<sup>314</sup> At that time the seat of the governor was in Khānābād; the provincial administration was shifted to Baghlān in 1938 (Grötzbach 1979: 77). Until the establishment of the new city from 1934, Kunduz was not important as town (ibid.: 78).

<sup>315</sup> The refugees from Bukhārā – members of different Turkmen and Uzbek tribes and Farghānachi – were offspring of very well-to-do families who had owned large herds in Bukhārā. Although the losses of family members and livestock during the flight when crossing the Āmu Daryā river were significant, they started over with livestock-rearing because they found the area suitable.

<sup>316</sup> However, one interview showed contradictory evidence according to which the Qongherāt from Bukhārā had to purchase land from the Turkmen and were initially harassed and rejected by them. These accounts referred to the second wave of refugees (Interview in Wulus/Asqalān, June 2007). Today the Qongherāt (‘Uzbeks’) settle downstream from the Turkmen.

<sup>317</sup> Hāji Qara, reportedly an ‘Uzbek’, is known to be the founder of Asqalān canal (Interview in Wulus/Asqalān, 10 April 2006).

<sup>318</sup> Respondents referred to these ‘other’ early settlers as Turkmen, but it remains unclear whether this view accords their self-identification at the time of their arrival south of the Āmu Daryā.

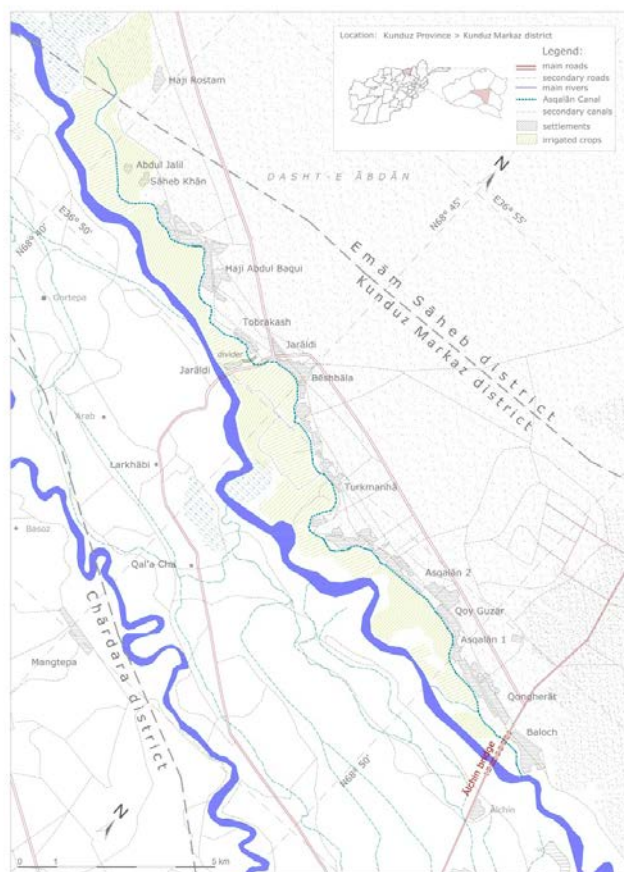
<sup>319</sup> However, the common interpretation that only Pashtuns were settled and treated preferentially is not correct. In addition, other population groups like the Moghols (or Mongols) (see Schurmann 1962) or Aymāq from Paghmān, as one elder reported, were also given land during that period (Interview, 15 April 2006).

<sup>320</sup> Originally, Hāji Sarwar came from Kandahar, but first headed towards Bādghis where he and his followers stayed for a short period before settling down in Maymana. Whenever they moved on, some of their relatives decided to stay behind so that they spoke of Musazai relatives in Kandahar, Bādghis, and Maymana at the time of fieldwork.

<sup>321</sup> Ethnic differences were reportedly not an issue at that time.



Asqalān by the government;<sup>322</sup> others remembered that individuals had bought 5-10 *jerib*. Similarly, Hāji Sarwar and his people (Musazai Pashtuns) were allocated between 6,000 and 10,000 *jerib*<sup>323</sup> of land by Shēr Khān in the adjacent area on condition that they successfully reclaim it for agricultural production.<sup>324</sup> It is important to stress that cultivation of the land was not initially of much significance to these early settlers, including the newly-arrived Pashtuns because their dominant mode of life was semi-pastoral livestock-rearing. Thus, the allocation of land for which taxes had to be paid to the government was not as much such a fortune as it might appear in hindsight. In interviews this was repeatedly evoked with the saying that ‘we did not know how sweet (*shirin*) the land could be’, meaning that its productive potential was not recognized at that time.



**Map M5:** Asqalān canal

Nevertheless, Hāji Sarwar with the initial few (100-200) families from Maymana and other tribal relatives arriving from Kandahar started to extend the canal from Wulus. According to his son, laborers (Arab) from Chārdara, Khānābād, Archi, and other places around

<sup>322</sup> Reportedly, Turkmen’s initial ownership documents for 6,000 *jerib* are dated 1314 (1935/36).

<sup>323</sup> The amount of *jerib* reported to have been allocated to Hāji Sarwar are somewhat contradictory; for example, Hāji Rahmat Khān stated it to be 6,000-7,000 *jerib*, while Saifudin claimed it had been 10,000 *jerib* (Interviews, 10 April 2006, 15 April 2006, and 8 May 2007).

<sup>324</sup> Ownership titles were only given after successful reclamation. See Ch. 5.

Kunduz were hired with Shēr Khān's help for *hashar*<sup>325</sup> in canal digging.<sup>326</sup> As a result, after several years of work, Hāji Sarwar reclaimed approximately an area of land roughly equal to the original upper part; it consisted of 6,000 *jerib* split among 14 families who registered the land in the name of 120 households.<sup>327</sup> The extended canal from Asqālān further downstream and the adjacent settlement (*manteqa*) area came to be known as Tobrakash.<sup>328</sup> Early 'settlement' was in practice confined to the erection of the settlers' tents or straw shelters along the area cleared from forest at the border between steppe and irrigable land. Only with the passage of time and the transition towards agricultural crop production did permanent homesteads appear and significant population growth begins. Subsequently, the Tobrakash settlers concluded a second agreement with the government to reclaim another 1,000-2,000 *jerib* of forested swamps for cultivation. It is unclear whether any special bond existed between Shēr Khān and Hāji Muhamad Sarwar, besides the fact that they were both Pashtuns and likely referred to a shared *qawm*-belonging<sup>329</sup> as opposed to the population groups described above as indigenous and quasi-indigenous. Given that the available literature (see Ch. 5.1.2) emphasizes the strategic motivations of the government for the internal colonization and settlement of Pashtuns in Afghanistan's northern provinces, the common reading tells that Pashtuns received preferential treatment in comparison with the other groups on ethnic grounds.<sup>330</sup> This is supported by reports of complaints by neighboring groups of adjacent areas about the amount of land Hāji Sarwar and his *qawm* received from Shēr Khān. For example, settlers from Āqtepa (either the Turkmen who constitute the majority of the population in Āqtepa today or other non-Pashtun settlers) and from Jangi Āryq who had actually helped dig the canal demanded their share of land from Hāji Sarwar. He rejected the first group's claims, but gave away 300-400 *jerib* to the latter who reportedly had come from Paktiya. Well after Shēr Khān's time as governor of Qataghan, a final influx of Pashtun settlers (*nāqel*)<sup>331</sup> at the tail-end of the Asqālān canal (Tobrakash *manteqa*) is reported as late as 1957-60 (1336-1338).

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<sup>325</sup> *Hashar* – usually mutual self-help employment and/or communal work within one residential cluster – was forced upon laborers here (Dupree 1973: 474), because they did not receive any adequate payment. Hāji Rahmat Khān reported that his father had to host and feed the workers.

<sup>326</sup> Reportedly Shēr Khān himself regularly came to oversee the work from a settee set up above the gully-works. The area that was worked on was difficult terrain, where water had washed away considerable stretches of land before and considerable manpower was necessary to make an impact. The Turkmen of the adjacent canal area had previously failed to reclaim the land. In the renewed effort the workers used casks (*tobra*) (see fn. 328) in a line of up to 40 men to pull the soil out from 20-25 meters below.

<sup>327</sup> Interestingly, different interview accounts report that by the time these Pashtun settlers (*nāqel*) arrived, the whole upper Asqālān area had already been cleared of trees and forest, except for one mound where the newly arrived Pashtuns first dug a pond to water their livestock.

<sup>328</sup> The designation Tobrakash literally consists of *tobra* – the type of cask used to pull out soil and carry water – and *kash* from the verb *kashidan*, to pull something.

<sup>329</sup> One interviewee claimed that Hāji Sarwar's people (Musazai) were the relatives of Shēr Khān's uncle (Interview Wulus, June 2007).

<sup>330</sup> Because ethnicity was not important at that time, a reassessment in terms of tribal, *qawm*, and kinship terms is more adequate.

<sup>331</sup> The terms *nāqel*, Pashtun(s), and Kandahari are often used interchangeably by locals, both Pashtun and non-Pashtun. Strictly speaking, though, *nāqel* were those who migrated from southern and eastern Afghanistan on invitation of the government and confident of being allotted government land on favorable terms.

It must be assumed that, over the years, the canal and irrigation command area changed shape and appearance due to regular high flooding in summer.<sup>332</sup> Moreover, the intake (*sarband*) from the river shifted with its course. High levels of siltation in the secondary and tertiary canals add to the reasons why the landscape level has changed significantly over the last seven decades. Due to its proximity to the steppe, Asqalān soil is especially sandy and only partially loam, as clay dominates. As a result of the described land reclamation efforts, Asqalān canal (including both, Asqalān and Tobrakash) extended over a length of approximately 20 km.<sup>333</sup> In 2006, the area comprised fifty mosque communities, more than 6,000 families,<sup>334</sup> and a command area of 27,000 *jerib* of land,<sup>335</sup> not all of which was being cultivated.<sup>336</sup>

Population numbers are in constant flux due to the arrival of returning refugees and renewed departures from settlements along the main canal and its command area. Interviews revealed that during the Soviet intervention, the Soviet forces had a base near Tobrakash in Dasht-e Ābdān, and the local population suffered considerable casualties on a daily basis. This led most families from Asqalān to flee to Pakistan and/or Iran, with only the nomadic and semi-nomadic pastoralists (*kochi*) reportedly staying behind initially.<sup>337</sup> After the Soviet withdrawal many families returned but left again during the civil war or the Taliban period. For example, one respondent mentioned that 500 families from upstream Asqalān had fled the country because of a drought that occurred and the rule of commanders who used to enlist people's sons for their turf wars during the mujahedin period.<sup>338</sup> Since the establishment of the Karzai government in 2001, people have started to

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<sup>332</sup> During the interviews, several incidents were mentioned when a number of homesteads had been washed away by water in different years.

<sup>333</sup> Different figures for the canal length were recorded by Welthungerhilfe field staff (18 versus 21 kilometers). Regarding the technical set-up of the canal, 40 offtakes (diverters for secondary canals) and six *band* (dams) in the upper part (Asqalān) and 27 major offtakes plus four *band* exist in the lower (Tobrakash) part. As a rule, the individual names of the offtakes and *band* match the names of the owner of the adjoining land plots and often also change with inherited ownership from father to (mostly the eldest) son (Interview, 17 April 2006).

<sup>334</sup> Family is defined here as household, i.e. several couples with children and possibly multiple generations who live together and use a joint cooking facility. In another document, the number of core families is given as more than 9,000 in 3,100 housing units. The contradiction cannot be resolved, but provides ample evidence of how carefully all figures have to be treated in Afghanistan.

<sup>335</sup> According to a survey conducted by Welthungerhilfe (internal documentation of Site Selection Cluster List, August 23, 2006).

<sup>336</sup> Land which is likely to not get water in a given season is left fallow. That is why the number of irrigable versus irrigated *jerib* at any point of time may vary considerably. For Asqalān and Tobrakash differing numbers of *jerib* were reported, depending on the agenda and knowledge of the interviewee. For example, Saifudin stated the cultivated area has increased due to the extensive use of water pumps, which alone would irrigate 4,000 *jerib* (Interview, 2 September 2007). Moreover, he stated that he reported the number of 20,000 *jerib* to account for the entire irrigation system to the NGO because he felt this would aid his cause of having as much infrastructure as possible overhauled. According to the calculations of Abdullayev et al. (2007), the command area of Asqalān canal in 2006-07 (1385-86) was only 14,500 *jerib*.

<sup>337</sup> According to a different account (from upstream Asqalān, non-Pashtun respondent), approximately 50 percent of the families left for Pakistan during the time of the Soviet occupation. They stayed three to four years in Pakistan and returned during the mujahedin period, only to leave again after the rise of the Taliban. Finally, they came back under the new Karzai government.

<sup>338</sup> Interview, 15 April 2006.

return in large numbers.<sup>339</sup> According to the Kunduz Provincial Department for Refugee Affairs, considerable numbers of people have registered as returnees in Asqalān proper, in four sub-communities of Qoy Guzar, and in Tobrakash and Baloch.<sup>340</sup> Table 3 gives an annual breakdown of returning refugees in Kunduz Markaz District from 2002-2006, a total of 43,292 people (UNHCR 2006).<sup>341</sup>

**Table 3:** Number of returning refugees, Kunduz Markaz, 2002-2006

Year	2002	2003	2004	2005	2006 <sup>342</sup>
Returning Refugees	9,221	6,946	17,094	6,951	3,080

However, in conversations during 2006 and 2007, it was generally assumed that about 50 percent of the inhabitants of Tobrakash and Baloch from before the war had not yet returned or had returned and found their existence in Afghanistan to have no prospect with houses destroyed, land broken and dry, and no support from the government, so that they ultimately went back to Pakistan.<sup>343</sup>

At the time of fieldwork, the following groups<sup>344</sup> inhabited the command area along the Asqalān canal: high on the hillside near the intake is a Baloch settlement (named ‘Baloch’). Asqalān-inhabitants claim that the Baloch are landless, while the Baloch claim that they had farmland on the other side of the stream and river, but lost most of it because the river changed its course. They are mainly livestock owners, with animals herded year-round in the steppe (Dasht-e Ābdān) behind the dwellings in the direction of Shēr Khān Bandar. Originally, the Baloch emigrated from Mehmani near the Iranian border. Over four generations they have lost their Baloch language and speak Pashto and Fārsi today. The main road to Shēr Khān Bandar and Emām Sāheb cuts their settlement area off from the rest of the Asqalān-canal residential clusters. In the *manteqa* of Asqalān proper highly mixed settlement structures dominate. A second cluster can thus be identified with a mixed settlement of Fārsiwān (Tajiks and Uzbek sub-tribes) and Pashtuns. The previously mentioned Larghābi-Aymāq and Turkmen sold some of their land to arriving Uzbeks

<sup>339</sup> The political situation and instability in the border regions and tribal areas of Pakistan (FATA), where most of the refugee camps were originally located, have resulted in return movements. In Waziristan and FATA in general all people have left those camps; they either returned to Afghanistan or diffused into Pakistan’s urban centers.

<sup>340</sup> Interview with deputy from Provincial Department for Refugees in Kunduz, 1 September 2007.

<sup>341</sup> The number of officially registered returnees in Kunduz Markaz district is higher than in any other district of the province partly because of the attraction of the provincial municipality. However, interview accounts also indicated that a considerable number of people returned to the rural areas, especially the Asqalān canal area. The other Kunduz districts with considerable officially-registered returnee numbers were Khānābād with 43,068 returnees, Emām Sāheb with 38,530, Archi with 34,806, Chārdara with 31,342, Aliābād with 25,968 and Qal’a-ye Zāl with only 6,475 people (data from UNHCR 2006).

<sup>342</sup> As of 30 September 2006.

<sup>343</sup> These are up to 500 families in Pakistan mainly working in construction and other laboring jobs. There is significant reluctance to come back to Afghanistan because of fears that Pakistani authorities might deny them access back into Pakistan should they need to return.

<sup>344</sup> Self-designation of respondents, presented here in five ethno-social settlement clusters. The cluster denomination is simplified for demonstrative purposes: in reality, though, the clusters are not ethnically homogeneous.



because they initially could not afford to pay the taxes on it.<sup>345</sup> This has resulted in a highly mixed settlement pattern of Uzbeks (e.g., Qongherāt, Laqai), Aymāq (e.g., Larghābi), and members of different Turkmen tribes in the other areas. A third cluster is clearly dominated by Turkmen (around ‘Turkmanhā’),<sup>346</sup> a fourth by Qongherāt and Uzbek sub-tribes (Wulus, Bēshbālā) at the end of upstream Asqalān *manteqa*. Asqalān *manteqa* (proper) from the road up to Jarāldi is home to approximately 9,600 people.<sup>347</sup> Downstream Tobrakash *manteqa* is inhabited exclusively by Pashtuns, numbering approximately 7,800 people<sup>348</sup> at the time of fieldwork. The Pashtuns in Tobrakash belong to five different *qawm*, which are segmented into at least 15 sub-tribes (*qabila*): Baloch,<sup>349</sup> Taraki, Lodin, Tonzai, and Watak are the largest in numbers, while others are Pirozai, Shashbār, Shimālzai, Babrakazai, Musazai, Umarzai, Delagharmai, Kharoti, Salālzai, and Jalālzai.

From a livelihood perspective, most of the residents along the canal are presumably landless. For example, only 120 families of the estimated 1,500 families inhabiting Tobrakash are said to own land, while others are *kochi*, sharecroppers, or daily laborers. The proximity to Kunduz and the bazaar provide opportunities for off-farm work as traders, shopkeepers, and wage laboring in the town or other villages. The landless from the middle-section of the canal in particular are reported to seek daily laboring jobs in Kunduz, Kandahar and Kabul. From Bēshbālā alone, 40 people were said to be in Kandahar, where jobs with a daily wage of up to 500 Afs were easily found, whether at construction sites like the U.S. airfield in Kandahar, in poppy harvesting, or by joining the army (ANA). Livestock is currently more profitable than in the past and a very flexible source of income which can be exchanged for cash instantly in an emergency. cursory inquiries into livelihood patterns showed that people who also own considerable land plots

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<sup>345</sup> The taxes charged by the authorities of the day reportedly forced many families that had received land on preferential terms to sell part of it because they were unable to meet the tax demands. This was also the reason why Hāji Muhamad Sarwar split up the land among his tribesmen. According to various respondents, one *jerib* of land was sold for one Kabuli Afghāni at the time of Shēr Khān. Taxes amounted to 6-10 cents per *jerib*. If someone failed to pay taxes, soldiers with sticks were sent and “took people like sheep tied in ropes.” However, instead of being jailed these people were asked to sell livestock in order to pay the taxes: “Cash was not available. It was difficult to pay the taxes. One *chārak* cooking oil was 1 cent and one kg of meat was 3-5 cents. I remember we had taken barley and maize to Kunduz and could not sell it for one cent in the bazaar. (...) My father purchased one goat for one Kabuli Afghāni and sold it for two. He sold one sheep to Qal’a-ye Zāl for two to three Kabuli Afghāni.” (Interview Wulus, June 2007).

<sup>346</sup> According to locals, four Turkmen villages and mosques are located (Roz Alam, Nazar Bāy/Malakh, Awalgēldi/Qyrq, and Muhibullah) around the Roz Alam Friday-praying mosque. Except for the Turkmen living in Muhibullah, they all belong to the bigger Khazān tribe which belongs to the Qara Bēka Gul branch of Turkmen tribal society. Three Turkmen villages have very close relationships, which find expression in intermarriages and coming together for social gatherings and festivities. The Muhibullah Turkmen are reportedly excluded from these social rituals because they belong to the Awaltepa tribe, which has traditionally had a lower social status among different ethnicities. Both groups of Turkmen have relatives in Tarboz Guzar of the Qal’a-ye Zāl district and in Chārdara, with whom they also intermarry. For example, the *mirāb* of Tarboz Guzar, Wahid Mirāb, belongs to the Dali-sub tribe of the Qara Bēka Gul/Khazān branch, as do many other Asqalān Turkmen.

<sup>347</sup> Population figures are taken from SMWA-project documentation (Table: Side Selection Cluster with Sub-Mosques in Asqalān and Tobrakash Villages, 23 August 2006).

<sup>348</sup> Ibid. Tobrakash residents claim to be 3,000 families in 1,000 households, though SMWA-data as well as preliminary estimations of GRSP for the implementation of the NSP suggest that there are no more than 1,500 families.

<sup>349</sup> The Tobrakash Baloch are related to the Baloch, who live near the intake area. They have visiting and marriage relations.

generally engage in livestock rearing as well. While in upper Asqalān *manteqa* there is hardly evidence for the existence of households that rely solely on animal rearing, in Tobrakash entire *kochi* communities exist which in the past migrated from Dasht-e Ābdān to Badakhshān. Most stay in Dasht-e Ābdān because of disputes over pastures and the denial of access in Badakhshān and other *aylāq* destinations. Turkmen women engage in carpet weaving, though not to the extent and as professionally as in Qal'a-ye Zāl and Tarboz Guzar (see below). Contrasting accounts were recorded regarding remittances being sent from Pakistan to Baloch and Tobrakash families. Some stated that their relatives in Pakistan are not in a financial position to send money, while others claimed that as much as 50 percent of the households in Tobrakash receive remittances.

In political terms, the local rule of commanders has shaped local relations of power and dependency over the course of thirty years. According to some informants, these commanders are still feared. The pattern of political influence matches the politicizing and ethnicizing influences during the civil war period. For example, one of the most famous commanders from Asqalān was Qalich Āghā, a Turkmen who made his name in the resistance against Soviet forces as Hezb-e Islāmi commander when Hezb-e Islāmi of Gulb'udīn Hekmatyār – himself a native of nearby Emām Sāheb – was most prominent and embodied the violent resistance.<sup>350</sup> During the civil war, Qalich Āghā became the commander of Dostum's rising Junbesh forces in the area, constantly defending Junbesh's influence against Mas'ud's Jam'iat-e Islāmi and other power seekers. At that time, Qalich Āghā was the most influential commander in Kunduz besides Said Hamidullah from Harakat and both ruled over the province with the help of local sub-commanders until the Taliban came and reportedly killed both men.<sup>351</sup> At the time of fieldwork, upstream inhabitants claimed that the Pashtuns in Tobrakash had joined the Taliban when they took over the government in Kunduz. However, the most influential Taliban commander in Asqalān, commander Raof, originated from an upstream community (Bāy Merzā). A common discursive framing is, “after he joined the Taliban we appointed him our commander.” This account of residents of Bēshbālā, who claim to be Uzbeks, with regard to Raof suggests that the local ‘rise to power’ of so-called Taliban did not necessarily involve oppression or any kind of subjugation by force or ideological means (see also Ch. 7.3). For Asqalān it can be summarized that the conflict patterns which evolved over the war period (1978-2001) and especially after the Soviet forces' withdrawal resulted in a sharp division of upstream and downstream communities manifested in strong identities of Tobrakash (downstream) and Asqalān proper (upstream).

## **b. Irrigation water governance**

In this section, I use fieldwork data from Asqalān to describe who is able to get water for irrigation, when, and how. Therefore, not only events and incidents that could be observed

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<sup>350</sup> One interviewee reported that Qalich Āghā had been his soldier at one time and told him that Hezb-e Islāmi had ordered him to burn down the local school. He followed the order and killed two guards (Interview with Qāri Rahmatullah, 17 May 2006).

<sup>351</sup> Qalich Āghā reportedly succeeded Said Hamidullah as provincial commander (*amir*) until he was killed by Aref Khān (see 6.1.2-c).

during fieldwork are taken into account, but in addition reported developments in previous years are considered.

1385 turned out to be a water scarce year. At the time I started my fieldwork in the last days of March – just days after the Afghan New Year (Nawroz) on 21 March 2006 (1st *Hamal* 1385) – every day approximately 200 laborers came by bicycle and motorbike on non-existent roads from as far as the tail end of the canal in Tobrakash to fix its intake at the Kunduz river site before the start of irrigation season. The number of workers (*mardikār*) mobilized for intake construction and repair works is directly related to the size of cultivated land in the canal system.<sup>352</sup> Likewise, the amount of water to be allocated in times of scarcity according to a pre-determined irrigation schedule is dependent on the size of land to be irrigated. Both aspects are overseen by locally appointed *mirāb* (water manager/s; literally: water lord/s) for the main canal, assisted by several *kokbāshi* for a number of sub-canals and monitoring tasks along the main canal.<sup>353</sup> *Mirāb* and *kokbāshi* embody the customary mechanisms of water management in the absence of enforced statutory regulations.<sup>354</sup> They are responsible for intake construction, canal maintenance, and overall repair works as well as the ‘rightful’ distribution of water in times of scarcity.

Where usually one *mirāb* (also called *mirāb bāshi*, *mirāb-e ‘umumi*, and *mirāb-e kalān*) would be in charge of water distribution and maintenance for each canal system, landowners in Asqalān appointed two *mirāb*, reflecting the strong division between the upstream (Asqalān proper) and downstream (Tobrakash) *manteqa*. Varying accounts exist regarding when this new tradition began and at whose initiative. Interviewees from Tobrakash stressed the unjust move by upstream farmers to install their own *mirāb* during the revolution period despite the previous widely recognized practice that the *mirāb* would have to be appointed from downstream. By contrast, farmers from the upper Asqalān *manteqa* claimed that at one point of time not a single elder remained in Tobrakash who would have had the ability to supervise water distribution. They argued that since the appointment of the *mirāb* had always followed qualification and competence criteria rather than considerations regarding the *mirāb*’s origin and location of land, a candidate with inadequate qualification was not acceptable. Thus, they justified their move to appoint their own *mirāb*, who according to the prior customary regulation could have only served as *kokbāshi*<sup>355</sup> for the entire canal because his lands are located upstream. No matter how it

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<sup>352</sup> When I talk of ‘canal system’ or ‘irrigation system’, I refer to the main canal with its web of secondary, tertiary, and further minor branches, offtakes, dividers, dams, etc., which are used to divert the water to the field sites within the canal’s command area.

<sup>353</sup> The main canal itself branches off along dozens of offtakes which give way to secondary streams from which tertiary ditches channel water to fields farther away. For a detailed description, see Ter Steege (2006) and Abdullayev et al. (2007).

<sup>354</sup> Two Water Acts had previously been decreed in 1981 (1360) and 1991 (1370), see GoA 1981, GoA 1991. However, the degree of enforcement remains unclear. Since then, no new national-level Water Law was issued until 2009 (see 6.1.3-b).

<sup>355</sup> The *kokbāshi* is usually thought to be in charge of strictly technical tasks but not decision-making in water-provision. However, this division of labor differs in the various irrigation systems, depending on the size and the consequent command area that the *kokbāshi* controls. See especially the case of Qal’a-ye Zāl in section 6.1.3-a.

began,<sup>356</sup> the ongoing intake reconstruction in spring 2006 was supervised by Sofi Ghulām Nabi (*mirāb bāshi*)<sup>357</sup> from Asqalān proper – and there assisted by Murad Khān (*kokbāshi*) – and Fazl Jān (*mirāb*) of Tobrakash with two *kokbāshi* and several other helpers. Both *mirāb* had been newly appointed approximately half a year earlier.<sup>358</sup> Given that their predecessors, *mirāb* Saifudin Mirāb<sup>359</sup> in Asqalān and *mirāb* Ustād Qadir in Tobrakash, had served for more than ten and three years respectively, the appointment of two new people who had not been *mirāb* or *kokbāshi* before, was remarkable and called for an inquiry into the motives for this shift in personnel (see further below).

Over the course of long-term fieldwork, it became clear that intake construction measures and canal repair before and during irrigation season (10 to 20 fixes per year) require high inputs of manpower and time from the water users' side, thorough planning when possible, and constant monitoring and oversight by the *mirāb*. At times when water availability is limited, the three months of canal digging from 20 February onwards until the time of the wheat and sesame harvest at the end of May or early June are followed by the *mirāb*'s and their assistants' regulating the water flow by damming it with simple straw, wood, or carpet constructions that are regularly swept away by the flood from the snowmelt arriving in summer.<sup>360</sup> Subsequently, new check dams have to be set up and the intake repaired for the irrigation of the second crop.<sup>361</sup> Often, sandbags are used, which had been requested from the provincial government's Irrigation Department (ID) or purchased with financial contributions of water users. The *mirāb* collect the money from the landowners based on the amount of land cultivated by individual owners. Depending on the sum of money needed for the purchase of tools, sacks, or – in exceptional cases – machinery rental, the *mirāb* calculate a contribution for *qulba*-units of 40 *jerib*. For example, if a farmer cultivates 120 *jerib* of land and the *mirāb* requests a contribution for intake maintenance material (e.g., for sacks) of 100 Afs per *qulba* (40 *jerib*),<sup>362</sup> the landowner would owe 300

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<sup>356</sup> During the long drought period in the late 1990s, the Taliban governor of Kunduz, Aref Khān had reportedly ordered the Asqalān water users to appoint two *mirāb* after upstream water users had submitted a petition to solve their water conflict. A subsequent assembly (*jalsa*) of local elders decided on a water rotation that gave Tobrakash six days water and Asqalān five, a reasonably equitable solution because the water needs about a day to even reach downstream Tobrakash.

<sup>357</sup> The term *mirāb bāshi* literally means 'head *mirāb*' and is traditionally connoted with a superior position of one *mirāb* over other water managers in the same irrigation network. A synonym in the proper sense of meaning is *mirāb-e kalān* ('big *mirāb*'/'elder *mirāb*'). In common parlance both terms, *mirāb-e kalān* and *mirāb bāshi* are used synonymously with *mirāb* and that is how I will use it throughout the thesis, i.e. without making a distinction if not indicated otherwise.

<sup>358</sup> Sofi Ghulām Nabi was appointed in *Mizān* 1384 (23 September-22 October 2005), Fazl Jān in the following month of *Aqrab* (23 October-21 November 2005).

<sup>359</sup> A person's title often merges with his name, especially if a the function designated by the title is carried out over a long period of time, e.g. *mirāb* Saifudin is also called Saifudin Mirāb, but not so *mirāb* Fazl Jān or *mirāb* Abdul Salam in Tobrakash. Similar cases have been recorded for Wahid Mirāb and – given their significance – for different commanders and 'General' (the latter titles precede the actual name, e.g. General Dostum). Throughout this thesis I adopt locals' usage of terms, names, and titles.

<sup>360</sup> The Kunduz river tributaries originate in the mountain ranges of the central Afghan Hindu Kush and are carrying water from glacial melt and the previous winter's precipitation in the form of snow.

<sup>361</sup> Typical crops, besides rice, include wheat, melons, grapes, cotton, and vegetables.

<sup>362</sup> Indeed, contributions for maintenance usually amount to two to three Afs per *jerib* of cultivated land. The money is collected by the *mirāb* according to when he can afford the time. I met Fazl Jān, the Tobrakash *mirāb*, when he walked from house to house collecting the contributions one day. According to him, it takes

Afs. If his neighbor only cultivates 10 *jerib*, he is asked to contribute 25 Afs. *Qulba*<sup>363</sup> is also the reference unit for manpower contributions at the intake. Accordingly, one laborer per *qulba* has to be sent by the landowner if he does not participate in the ongoing works himself. The 120 *jerib*-farmer (3 *qulba*) thus sends three laborers per day for the duration of intake works, the 10 *jerib*-farmer only has to go every fourth day because he cultivates only a quarter of a *qulba*. Throughout Asqalān, the *qulba*-unit always remains fixed at 40 *jerib*. No distinction is made with regard to the land quality and location of irrigated fields. Consequently, water users from Tobrakash expressed a high degree of dissatisfaction and frustration in April 2006 given that they had not received their rightful share of water in the previous two years despite contributing equally to maintenance and repair works.

The interviews revealed several factors that influenced the disproportionate availability of water in the tail-end communities of Tobrakash despite existing and mutually agreed-upon rules for allocation in times of scarcity.<sup>364</sup> One, as already mentioned, was that the rule for *mirāb*-appointment from the downstream area was changed during the revolution period. Several accounts recall that in the early 1990s Asqalān proper alone had as many as seven *mirāb* at the same time, because almost every commander insisted on having an own water warden during the mujahedin period. Local commanders were appointed in each village by more senior superior commanders, who belonged to different factions of the former mujahedin. The ensuing ethnic differentiation of the successive years (see the example of Qalich Āghā above) with a further fragmentation of political belonging and regular switching or ‘buying’ of political allegiance between Hezb-e Islāmi (Gulb’udin Hekmatyār) and Junbesh which both fought Jam’iat-e Islāmi and Harakat, resulted in first-come, first-served irrigation practices and a neglect of infrastructure maintenance. Venality, that is, the purchasability of loyalty, mostly for weapons,<sup>365</sup> a growing selfishness among members of local rural society, and resultant highly fluctuating personal loyalties characterized the mujahedin period. The appointment of *mirāb* Saifudin, Sofi Ghulām Nabi’s predecessor as Asqalān upstream *mirāb*, dates back to this time. Prior to 1978, Saifudin had served as *kokbāshi* under a Tobrakash *mirāb*, and in the 1990s, he evolved into one of the most influential people in all of Asqalān, holding, for example, the post of upstream *mirāb* until mid-2005.<sup>366</sup> Given the circumstances described, it is obvious that at the time of the mujahedin in the mid-1990s, a person appointed *mirāb* had to be a supporter of the commanders’ interests in (exploitative) local cash crop production.

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him a full week to collect the money. He usually first has to pay out of his own pocket (Interview with Fazl Jān, 15 May 2006).

<sup>363</sup> Literally: plough. As area measurement unit for water allocation, the *qulba-jerib* ratio varies in different irrigation networks (e.g., Asqalān versus Qal’a-ye Zāl), depending on the quality of land, etc. In Asqalān and most other cases one *qulba* is fixed at 40 *jerib*.

<sup>364</sup> ‘Scarcity’ is used here to mean low water level in the canal due to both constraints in actual seasonal water supply in the river (caused by late snowmelt, etc.) and management shortcomings in the broadest sense. The usual rotation schedule in case of normal water availability (80-90% of expected water flow) envisages rotation every eight hours, while in times of low water flow, six hours is the agreed norm and in abundant water conditions, 12-hour-turns apply (Mielke et al. 2010: 196).

<sup>365</sup> According to one former commander in Tobrakash, careers could be made at that time by specializing in weapons trade. Interview, 17 April 2006.

<sup>366</sup> According to his own accounts, Saifudin (Aymāq) has worked 33 years in local irrigation management, as *kokbāshi* and *mirāb*.

It is unclear how water distribution towards the canal's tail end was negotiated in times of scarcity. Presumably, just as reported for the fieldwork period, the fixed rotation times for 'low' water of six hours would have been observed only after upstream commanders had taken sufficient quantities of water for their own crops. In any case, sophisticated negotiation between tail-end users and upstream landowners would have been required to ensure access to water in times of limited availability. Interestingly, some interview accounts suggest that in individual incidents, sub-commanders in Tobrakash and Asqalān proper who were subordinate to the same provincial-level commander, that is, of the same faction, were more likely to find an agreement for sharing water than members of head-end versus tail-end communities in one irrigation network.

The increased cultivation of rice<sup>367</sup> was one feature of the unfolding rural war economy. Local rice yielded high prices during the war and thus constituted a valuable source of income for local commanders who had the means to enforce water allocation. At the head end of Asqalān, rice cultivation expanded considerably at that time, given the favorable water situation near the intake and the soil composition<sup>368</sup> in this area. The impact of extensive rice-growing posed not only a major problem for downstream water users, who were deprived of considerable amounts of water needed by the rice-growers. It also caused the water table to rise and consequent water-logging so that at the time of fieldwork, no other crop would actually grow on this soil but rice. The growth of the rice crop to the detriment of others created a situation which again reinforced the pressure on and contestation over irrigation water, which might partially explain why the farmers who own land closest to the intake in upper Asqalān reject any demands of the downstream water users to cut back and cease rice cultivation (which is no longer profitable). An appeal of the Tobrakash farmers to the ID to intervene and prevent water-intensive rice cultivation at the head end of the canal has been successful in the sense that the government agency indeed issued such a decree in spring 2007. However, the upstream landowners argued that due to their location at the head end, they naturally have a right to abandon rotation among themselves and thus to use more water, even if the downstream water users depend on rotation: "*Gap-e zur ast, gap-e qānon nēst.*"<sup>369</sup>

Another aspect stemming from the past that determined access to irrigation water and local power relations at the time of fieldwork seemed to be the rice-growing commanders' special relations with and influence in the bazaar of Kunduz. Because of its strategic location at the east-west connection from other northern districts of Afghanistan towards

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<sup>367</sup> Under previous regimes, i.e., during the reign of Zāher Shāh, Muḥamad Dāod, and Najibullah, the focus on cotton as the primary cash crop did not allow for the possibility of rice cultivation. Whether it was actually forbidden, remains unclear from the interviews.

<sup>368</sup> The soil is more saline, less fertile, and more suitable for rice cultivation than for other crops. Neighboring cultivators downstream of the rice fields are affected because their soil will also increase in salinity, causing crop losses and water-logging over the medium and long term. Thus, at many levels rice-growing results in conflicts and decisions to grow rice by a single farmer must be agreed to by the cultivators of the plots adjoining his fields in order to prevent conflicts in the long term. Noted down by Shah, Asqalān, 27 June 2007.

<sup>369</sup> The words of a young farmer in Sāheb Khān of upper Asqalān *manteqa*, "It is a matter of force, not the law." *ibid.* Another farmer added the view that since they contributed to canal intake construction and repair works, they have the right to grow the crop of their choice, "*nahr-e khudemān ast, mā haq dārem*" (literally: "It's our stream, we have the right").

Badakhshān and its central position on the north-south axis from the border of Tajikistan towards Pul-e Khumri, Chārikār, and Kabul, the Kunduz bazaar was the main trade center. Interviewees (from the middle part of the canal) claimed that large landowners from upper Asqalān enjoy very good relations with ‘very powerful people’, such as government officers, members of the secret service, and police departments, who support rice cultivation at the cost of downstream water users.<sup>370</sup>

Despite the fact that maintenance and repair works keep a *mirāb* busy before and throughout the entire irrigation season, the significance of his job is most obvious during the implementation and enforcement of rotation schedules when limited irrigation water is available. In these circumstances, tensions among farmers run high because crops threaten to fail and livelihoods are endangered. Water shortages occur for several reasons besides the already mentioned rice cultivation and long-term drought: every irrigation season carries the risk of late snowmelt, low precipitation, unseasonal heat, or damage at intake constructions causing periodic water scarcity in the fields. In such cases, clear rules for regulating scarce water resources exist.<sup>371</sup> If water is sufficient and flows abundantly in the canals, no intervention by the *mirāb* takes place and no other rules apply to regulate water distribution. Nevertheless, the appointment of a *mirāb* is a strategic decision from the perspective of the large landholders, who constitute the most asset-endowed stakeholders within any irrigation system. The common narrative about *mirāb* ‘elections’ in Asqalān runs as follows: all the people (*kul-e mardum*) gather in a big Friday-praying mosque and take part in the selection. The decision is taken unanimously, even if more than one candidate is proposed. In the end, all people present give their consent and accept the final choice by jointly praying for him. The newly appointed *mirāb* must swear not to take bribes.<sup>372</sup> A joint meal with food sent by the nearby households completes the event. Naturally, the ‘*kul-e mardum*’ includes only males, but it is also limited to large landowners who are at the same time representatives and elders of the different communities along the canal. In both Asqalān proper and Tobrakash, approximately ten elders are involved in the appointment of the *mirāb*. Thus, the participatory dimension which is suggested by discourse is not present in practice.<sup>373</sup> Moreover, the possibility that controversial opinions surface or that rival candidates are being advanced in such an appointment meeting is preempted by prior negotiations and pre-selection of one or two candidates.

The Asqalān *mirāb* were appointed in separate meetings (see fn. 358) after prior negotiations between landowners, elders, and potential candidates. The incumbent *mirāb* from upper Asqalān, Saifudin Mirāb, had lost support because he was found to have

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<sup>370</sup> Noted down by Abdullayev in Asqalān, 27 June 2007.

<sup>371</sup> In 2006, a large gathering (*jalsa*) of the elders of all communities along Asqalān canal took place on 29 March, where the joint rules for rotation during the 2006 irrigation season were reportedly discussed and agreed.

<sup>372</sup> This ‘swearing’ was only mentioned in Asqalān for the particular year. However, in other irrigation systems farmers also referred to the criteria that the *mirāb* should not be a ‘bribe-eater’. See Chs. 6.1.2 and 6.1.3 for further reference to the criteria a *mirāb* should fulfill.

<sup>373</sup> From a different angle, this means a man (*mard*) is only someone with wealth, estate, land, followers (*nafar*), and elder status.

misused water users' money on a grand scale. In local terms, he had been 'selling *mardikār*', that is, he had claimed to need an inflated number of laborers at the intake over a certain amount of time and reportedly taken 10,000 Af\$ per laborer from landowners who could not spare anybody at the time, ostensibly to hire laborers. According to one account, only 30 people actually worked at the intake while Saifudin had received money for 200 laborers.<sup>374</sup> He put the money in his own pocket and did not spend it for hiring laborers or for buying materials. It is likely that Saifudin had been practicing this trade in laborers for several years – in fact, it appears to be legitimate to some modest extent (see below) – and interviews suggested some hidden agreement between landowners and the *mirāb* candidate. Accordingly, a *mirāb* is sanctioned to pocket money for ten laborers.

However, in Saifudin's case the disproportionate trade in laborers coincided with unsatisfactory delivery of water in the 2005 irrigation season and neglected maintenance measures, but also an increasing politicization of local water management practices with the soaring frequency of visits from foreign NGOs in Asqalān. Taken together, these factors prompted the elders to choose somebody new for the 2006 season.<sup>375</sup> Why they selected Sofī Ghulām Nabi – a very shy man and not obviously endowed with many of the characteristics crucial for a person who needs to represent water users and who by position embodies the interface between farmers and the government and foreign organizations – can only be understood by considering his family background and local power relations in Asqalān. Sofī Ghulām Nabi's brother was a famous and likewise important mujahedin commander during the 1980s, which brought his family the eminently respectable status it still possesses. Sofī Ghulām Nabi succeeded his brother as commander for 12 years. Being a Qongherāt (Uzbek subtribe), Sofī hails from Bēshbāla in the middle section of Asqalān canal, near where his family also owns land (Wulus).<sup>376</sup> He thus fulfills many of the criteria of a *mirāb*: he is a landowner and able to make a good living, he has experience with crop cultivation, has reached a certain age (likely his mid-50s), and is literate. However, he lacks any noticeable charisma and assertiveness to carry out the obligations his position as *mirāb* demands, such as the mobilization of laborers or the collection of his salary at year's end. According to an account of one of the elders present at the election, other elders offered to assist Sofī Ghulām Nabi in dealings with the ID and the like if he would agree to do the job. Sofī himself stated that he had not volunteered for the position and had to be convinced over several days to become the favored candidate. This suggests that he was mainly installed because he is considered a candid person with a good reputation ('Sofī') who enjoys respect, but usually keeps quiet and does not interfere in

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<sup>374</sup> Every landowner who can afford it or does not have sons or male relatives in his household to send to the intake for construction works and contribute to annual canal repair works can pay a laborer for a whole season to work for him under the *mirāb*. The expense for such a laborer in Asqalān was reported to be around 10,000 Af\$. The *mirāb* hires the laborer himself, so there is no control whether or not the *mirāb* employs sufficient workers to account for the money he received to hire them. Apparently, Saifudin Mirāb was suspected of not having employed adequate amounts of laborers and had the small landowners do all the work (Interview in Wulus, 20 July 2006).

<sup>375</sup> One interviewee linked Saifudin's dismissal to the decreased influence of commanders, stating, "There is no power for the commanders anymore. They have no guns anymore; we can even strike the commanders. Saifudin was a stealer" (Ibid.).

<sup>376</sup> Sofī himself claimed to own 10-12 *jerib* of land. Another interviewee said he additionally cultivates 50-60 *jerib* of an absentee landowner who lives abroad. The figures are likely nowhere near correct.



others' wrongdoings as long as his immediate environment and benefits are not negatively affected. Put differently, he was strategically chosen by the large landowner elders as a proxy to act in their interests.<sup>377</sup> In their eyes, his decent appearance, the fact that he is not interested in self-promotion in front of the government or foreigners and NGOs, and neither neither is nor claims to be more influential than other elders of Asqalān, all distinguished him from Saifudin. The fact that Murad Khān, the previous *kokbāshi*, was not dismissed with Saifudin Mirāb, only supports this interpretation. Furthermore, Sofī Ghulām Nabi was reconfirmed as *mirāb* at the end of 2006 to serve a second term in the 2007 irrigation season.

In the case of Tobrakash, the appointment of Fazl Bāy as *mirāb* was preceded by serious disagreements among the downstream water users. While there seemed to be a consensus that his predecessor Mohsen should be dismissed because the tail-end farmers had not received water for more than two years, only approximately half of the Tobrakash elders backed Fazl Bāy. What arguments his supporters had to enforce their will, given that the other faction even sent petitions to the government to prevent Fazl Bāy from becoming *mirāb*, remains unclear. Nevertheless, these incidents preceding Fazl Bāy's confirmation as *mirāb* highlight the level of discord among the downstream water users. Because of the petitions Fazl Jān's adversaries had sent to the government, the ID became involved and followed up the selection procedure. Several respondents suggested that since the authorities also were opposing Fazl Bāy, it was finally agreed that Sofī Ghulām Nabi was registered<sup>378</sup> as *mirāb-e 'umumi*, that is *mirāb* of the whole canal, and Fazl Bāy as secondary *mirāb* (of Tobrakash). However, the established divisions of work and competencies between them were continued at the day-to-day level; Sofī Ghulām Nabi was responsible for mobilization of Asqalān laborers for the intake, Fazl Bāy for the Tobrakash laborers. Other repair works were supervised individually by them within their own area of jurisdiction, and Sofī's salary was to be obtained from the upstream users, Fazl Bāy's from Tobrakash. Both were present when the agreement for the rotation system between upstream and downstream users was agreed upon by the elders. However, Fazl Bāy as downstream *mirāb* also has to determine the hierarchy of the irrigation sequence within the Tobrakash part of the canal system during the eight-hour rotation when water is sufficient. To ensure that all farmers have access to an ideally equal amount of water, this involves the opening and closing of offtakes and establishment of check dams according to a predetermined scheme agreed upon by the water users of Tobrakash. As reported above, the upstream area, that is, Asqalān proper does not apply any special measures when sufficient water is available. Farmers open and close their offtakes independently or arrange matters among themselves. The interviews provided ample evidence that elders in Asqalān take three hours more water than normal farmers without this 'rule' being contested by anybody.

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<sup>377</sup> The candidacy of Zāher Pahlawān, a former commander who had been discussed as the other potential choice for the *mirāb* position, was also dropped in favor of Sofī Ghulām Nabi.

<sup>378</sup> The s/election is concluded by the elders issuing a letter about the results to the Kunduz ID. It has to be signed by several elders, and the newly appointed *mirāb* has to carry it to the irrigation department for official registration. Then and there, he receives his *mirāb*-identification card.

During the critical period in 2006, when there was not sufficient water in the canal, the *mirāb*'s authority and orders were ignored and many farmers opened offtakes when they were not entitled to, because they saw their crops dying. The farmers of Tobrakash lost their crops before the water level improved. If during a rotation turn, insufficient amounts of water or none at all, reach the downstream area, the *mirāb* and farmers from the tail-end patrol the Asqalān part of the canal to check whether offtakes have been opened and absorb water. Quarrels and violent disputes – the hitting of each other with sticks and threatening to open or close offtakes at gunpoint – occur regularly during this period, with and without the involvement of the *mirāb* or the *kokbāshi*. One absentee landowner (living in Kunduz with fields cultivated by his son and sharecroppers in an upper Asqalān settlement nearest the intake) claimed that it used to be and partly still is common practice to position '*askar*' ('soldiers', actually armed laborers) at the offtakes who demand money from farmers if they want to irrigate their fields. This indicates that the *mirāb-e 'umumi* is hardly respected by any of the large landowners in Asqalān proper, not to mention the *mirāb* of Tobrakash.

Water-deprived farmers along the Asqalān canal, especially in the tail-end sections of Tobrakash, have started to build tube wells to be able to save their crops when insufficient water is provided by the canal. However, tube well irrigation without electricity<sup>379</sup> is very expensive, because diesel generators must be used. Building a tube well that irrigates five to ten *jerib* (depending on the water needs of the crop cultivated) costs 30,000 to 40,000 Afs. Diesel prices are at around 35 Afs per liter and a generator needs six liters per hour, amounting to costs of 210 Afs (approximately US\$4.20) for one hour of pumping water. This is hardly affordable by any of the farmers. Crop failure due to late water provision often means that the farmer loses his entire investments in seeds. Returnees from refugee camps in Pakistan reported that they had seeded 60 *jerib* of wheat annually during recent years and worked three to six months at the intake and widening the canal branches downstream, but lost the entire crop and thus all the investments they had made in seeds. Many families take up loans with other clan members in order to buy seeds fit for rain-fed cropping and consequently are afflicted with high debt, upwards of 50,000 Afs in some cases. The lack of money and accompanying measures, such as the need to sell other assets, put increased pressure on households and undermines their resilience towards external 'shocks'. For the newly-arrived returnees who could not get a foothold on their lands because of crop failure for several seasons in a row, returning to Pakistan with the whole household was seen as the only option to ensure their families' survival.

At the head-end of the canal, the Baloch were entirely excluded from the Asqalān irrigation community at the time of fieldwork. They were reportedly denied irrigation during the revolution period and have not been able to reestablish their access ever since.<sup>380</sup> The Asqalān landowners merely allow them to use water pumps or fetch water by donkeys for drinking, livestock, and gardening purposes.

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<sup>379</sup> At the time of fieldwork there was no regular electricity available throughout Asqalān away from the main Kunduz-Shēr Khān Bandar road (vicinity of Ālchin bridge). Only few households had a generator and would afford generator electricity at times.

<sup>380</sup> It remained unclear whether the Baloch were actively denied their water rights. Evidence from the interviews suggests instead that the water rights were lost because the majority of the residents of the village had fled to Iran and Pakistan at the beginning of the Soviet occupation and cultivation did not take place.

### c. Fazl Jān's life-world

In the previous section I have tried to portray the setting in Asqalān and to weave different aspects into a narrative to provide preliminary evidence for answering the question of 'who is able to get irrigation water, when, and how'. I will now use several in-depth interviews with Fazl Jān and others speaking about his activities as *mirāb* to give an account of the everyday (life-world) context in which he acted, the difficulties he faced, and his subjective experiences being *mirāb* of Tobrakash. The conversations with him<sup>381</sup> were always exhilarating because in a way he was a fresh-faced naïf among the established large landowner cum commander cum elder elite of Asqalān. He maintained his opinion in the face of pressure from elders, foreign NGO staff, and influential landowners when necessary, based on his conviction that he was doing 'the right thing', that is, trying to ensure that enough water flowed in the canal to reach Tobrakash. Moreover, he openly reflected about everything connected to irrigation and his role as a newly-appointed *mirāb*, who eventually was not reconfirmed for a second term in the 2007 irrigation season.

However, already by late July 2006, after tail-end farmers in Tobrakash had lost the first harvest that year, Fazl Jān complained that the *mirāb* job was wearing him out (*delkharāb*). As much as he had tried to prepare the intake, to clean the canal, and oversee the regulators and offtakes during irrigation peak times, he had failed in the end and spoke of his task as depressing and being full of difficulties. Four months earlier he had shown a very optimistic attitude, displayed a high degree of commitment, and attempted to do everything right in his ambition to achieve equitable provision of water to all farmers up- and downstream. When I first met him, he hardly had time to speak to me because the supervision of laborers at the intake construction site took up all his time, and so he suggested fixing another appointment two days later at 8 o'clock in the morning. When I arrived 15 minutes late for this appointment due to problems with the car, he was extraordinarily upset about the delay and pointed at his wristwatch. In our early conversations he reported on the ideal management conditions stressing for example that his election as *mirāb*, despite the initial support of only half of the downstream water users, nevertheless gave him a mandate for water regulation during the current year. He

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After the return of the Baloch at the time of the civil war, the rule of commanders in Asqalān and Tobrakash did not allow renewed tapping of the canal. One of the arguments brought forward openly by Asqalān water users against the Baloch's desire to take part in irrigation management is that they belong to Ālchin *manteqa*, presumably because their (former) farmland is registered as belonging to Alchin. A hidden motive for excluding the Baloch reportedly surfaced in Najib's time when – after starting crop irrigation from the canal – tail-end water users from Tobrakash fiercely opposed it in fear they their water demands would become even more endangered.

<sup>381</sup> To give some background on his personal situation derived from several interviews: in 2006, Fazl Jān was in his early forties, a caring father of four children, husband of two wives (one had suffered a stroke, the other had just lost a daughter 15 days after her birth when irrigation was at peak time), and elder of five or six families. His house was located in Nawābād, one of the tail-end communities of Tobrakash, where he owns 50 *jerib* of land and mainly cultivates wheat, almonds, and grapes. At his location, the most beneficial crops are fruits, i.e., grapes, but also plums and almonds. He spent 120,000 Afs on a water pump three years earlier, with which he is able to irrigate 20 *jerib*. During the war, he went to Iran and Pakistan, but at times also positioned himself as commander of his 'sub-village', apparently also during Taliban rule. According to one anecdote he told, he was looking for a bank in Iran and asking people for help without recognizing that he was standing right in front of the bank he had been looking for. That is why he reasoned he had to educate his sons and reportedly sends them to school every day despite elders in his immediate surroundings claiming that education would turn the children into non-Muslims.

compared his own appointment to that of the President of Afghanistan, who also had been agreed upon as a compromise figure despite the fact that not 100 percent of the people favored him. The final vote for Fazl Jān can be interpreted as a consequence of desperation among the downstream farmers, given that they had not been able to derive benefits from their fields the previous years due to insufficient amounts of water reaching their crops at the necessary time. In contrast to the previous *mirāb*, who owned land in both the upstream and downstream portions of Asqalān, Fazl Jān has his own land at the very tail end of the canal and he himself mentioned that one major reason he was appointed was the fact that tail-end farmers trusted that he would not take any bribes from upstream landowners to divert water. Before one of our initial meetings, Fazl Jān had worked ten days day and nights, assisted by two *kokbāshi*, without seeing his home and family. In his view, canal and offtake repair work<sup>382</sup> at the different sites and the daily supervision of intake construction demanded his permanent presence. Almost proudly he reported of the joint meeting of elders where he and Sofi Ghulām Nabi were the main people in charge of facilitating the rotation schedule for the upcoming season.

A topic notably downplayed in the daily efforts to secure water provision at field-level after 21st March was the constant need to attend meetings with government deputies and NGO representatives at the office of the Kunduz ID. Already in the preceding month of *Hot* (20 February-20 March), and thus before annual intake works started, weekly briefings with the head of the Kunduz ID, Engineer Amir, had taken place after settlers near the intake had reported they saw Chinese engineers wandering around the area. According to Fazl Jān, the Chinese had promised him to start fixing the intake within two weeks' time, which turned out not to be true. The failure to attract any construction company to cement the intake then and throughout 2006 was accounted for by stating that it is too difficult to fix the intake and that the Asqalān intake is one of the most complicated in Afghanistan.<sup>383</sup> Similarly, but showing farsightedness, Fazl Jān seemed to show sympathy for palpable attempts to overhaul the current irrigation management system as he remarked in reference to post-war water scarce conditions: "today not only the whole infrastructure is wrecked, but also the institution of the *mirāb* is completely corrupted." Often, *mirāb* would turn a blind eye on those removing water from the canal illegally. The notion that Asqalān faces the worst difficulties in all Afghanistan was extended to issue and he stated that fixing just one side of the complex problem, whether the governmental and institutional side or the canal infrastructure, would not suffice as a solution. Instead, it would be necessary to overhaul the entire system from the top down, from the government to the *mirāb*.<sup>384</sup> However, at other times, Fazl Jān referred to the head of the ID as helpful in the way that he would make water users aware of whatever resources he could tap and distribute, for

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<sup>382</sup> The number of offtakes in Asqalān alone is considerable. There is ample evidence that Sofi Ghulām Nabi delegated considerable responsibility to Fazl Jān and his own *kokbāshi* Murad Khān.

<sup>383</sup> The significance of a cement and steel intake construction became obvious in interviews during 2006 with Hāji Rahmat Khān, the main elder of Tobraakash. When he complained about depressed earnings because of low yields and besides stressed that everything else was missing: schools, a clinic, roads, and bridges; one year later, in 2007 he only talked about the intake and how important it would be for Asqalān farmers to have it built by a construction company (Interviews 11 April 2006, 8 May 2007). For further analysis with regard to outsiders' intake construction measures see section 6.1.3-b and Ch. 8; for Hāji Rahmat Khān view the subchapter on elders in Ch. 7.3.

<sup>384</sup> Interview with Fazl Jān in Nawābād/Tobraakash, 19 April 2006.

example, sacks for intake repair or direct NGOs to help locally.<sup>385</sup> Confronted with the opinions of a Deputy Minister for Irrigation<sup>386</sup> who spoke on the occasion of one water workshop in Kunduz Hotel on 22 July 2006, Fazl Jān expressed that he had no particular expectations of the central or provincial governments and just hoped that they would not impose any demands on *mirāb* (ibid.).

On a previous occasion during pre-irrigation season, Fazl Jān had reported that his authority included the fining of people who took water illegally, that is, at times when the water is not assigned to them, in the amount of 5,000 Afs.<sup>387</sup> He reported that in such cases – which occurred 10 to 15 times annually – the *mirāb* sends a signed note to the ID in Kunduz<sup>388</sup> from where it would be forwarded to the Security and Police Department, which would then send a policeman to levy the money from the offender and hand the sum over to the *mirāb*. He would keep it in his budget and spend it on building materials, sacks, plastics, and rent for machines, if necessary. Similarly, absent intake laborers would be fined 500 Afs for each day they missed during intake work. Given that Sofi Ghulām Nabi was registered as *mirāb bāshi* that year, he was entitled to the first right for punishment and fining, although the usual procedure would be that each *mirāb* is responsible for his own area of jurisdiction. Despite the existence of these rules, in subsequent conversations with Fazl Jān and with former *mirāb* Saifudin and others, it turned out that neither punishment is enforced as described. Instead, deviance and obvious rule-breaking is subject to negotiation between rule-violator and *mirāb*.

Whereas the missing one day of intake labor contribution is a minor offence – often excused with the break-down of the motorbike en route or the urgent need to search for missing livestock – and does not occur on a larger scale, water theft is at times strategic and can thus be called systematic. The main reason for its being systematic lies in the fact that neither *mirāb* has the final say over ultimate enforcement and, thus, actual punishment capacity, in times when the water level is low and offtakes are opened on a regular basis in disregard of agreed-upon water turns. A famous saying in Afghanistan that Fazl Jān mentioned in one of the later interviews goes, “if your father is *mirāb* your land should be upstream”. He brought it up in the course of a long discussion between him and Sofi Ghulām Nabi after the first harvest failed.<sup>389</sup> While it signifies the insight of everyday folk wisdom expressed in a proverb, the importance of his mentioning it at this point of the discussion was the undertone of resignation in his voice and the related information he supplied. When he, at the same occasion, reflected on the reasons why he and Sofi Ghulām Nabi had been appointed *mirāb* for the 1385 irrigation season, Fazl Jān gave the following, somewhat different account compared with the initial version reported above: “in recent years, the people chose *mirāb* who took their work seriously, but put money into their own

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<sup>385</sup> Interview with Fazl Jān and Sofi Abdul Hakim in the latter’s house, 25 July 2006.

<sup>386</sup> The relevant ministry is the Ministry of Energy and Water (MEW); it is allotted competencies in irrigation. See section 6.1.3-b.

<sup>387</sup> Interview with Fazl Jān at the Asqalān canal intake, 12 April 2006.

<sup>388</sup> Asqalān belongs to the Kunduz Markaz district which has no own district administration because of overlap of district headquarter and provincial capital in the Kunduz administration. Thus, the provincial ID in Kunduz is in charge for Asqalān.

<sup>389</sup> Interview, 25 July 2006.

pockets. This year they chose me and Sofi Ghulām Nabi because we are quiet and do not have loud voices. People are more powerful than us.” The quote from the interview substantiates the *mirāb*’s dependence on the large landlords and their de facto lack of enforcement of irrigation turns against the landowning elite’s desire.

Both *mirāb* agreed that they were chosen because landowners assumed they would close their eyes and remain silent, “We have to apologise if we want to enforce water turns and have no authority in the event people with a beard break offtake seals to take water illegally.” Although it is considered un-Islamic to take water by force and steal it from the users entitled to it, water theft happened regularly during the first irrigation period in 2006. Fazl Jān ascribed this phenomenon to water users’ ignorance of the existing rules and the *mirāb*’s oversight task, which is to ensure equal access for all users. “These people don’t know anything. They think the water just comes from the canal, they don’t see how a *mirāb* is involved in the whole process of water delivery and distribution.” Asked how this is possible, given that the *mirāb* is appointed by ‘these people’ he replied:

The *mirāb* is elected by maybe ten to twenty elders. How should all the people know about it, if only 10 or 20 were present during the selection? When I catch anybody taking water illegally and opening offtakes I tell them to stop, if not because of me, then in the name of God. We can strike that person, close the offtake, but they do not respect us. As soon as we turn our backs, the seals are broken again. People who take water out of turn are not the big landlords, they send laborers and sharecroppers, or it’s the small farmers. If a person does not have a beard, we can slap him; if he has a beard, we can just ask politely if he is not familiar with the rules. I have not been beaten by thieves so far; only at the intake four laborers fought back after I had struck them.

He explained further that some elders expressed disappointment with the *mirāb*’s work because they did not channel irrigation water in favor of the elders: “We did not go to the elders asking ‘Hāji Sāheb, are you getting enough water or not?’ Rather, we had to walk constantly along the canal and distribute water.” Fazl Jān nevertheless emphasized the differences between himself (as ‘independent’) and Sofi Ghulām Nabi whom he accused to his face of acting self-interested (‘old person thinks first and foremost of his property, his dying crop, and his home’) and consequently avoiding any confrontation with powerful figures along the canal. However, when in the discussion several farmers from the downstream area opined that Sofi Ghulām Nabi actually stole their water by not enforcing the rotation schedule and not stepping up against others who would open and close offtakes according to upstream users’ needs, Fazl Jān placated the angry farmers by saying that Sofi Ghulām Nabi does not take the water for himself. The incident displayed a hint of fatalism on the part of Fazl Jān, demonstrates the relative powerlessness of the *mirāb* institution, and highlights the lack of solidarity between large landowners at the head-end of the canal and tail-end water users.<sup>390</sup> The latter impression was further supported by reference to how a glass of water or tea was shared among all community members at the time of the Prophet Muhamad (PBUH) or before the revolution period, whereas “now it is different. Everybody only takes for himself.” Accordingly, several people along the canal confronted Fazl Jān during his oversight work with the argument that he had to solve their particular

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<sup>390</sup> The following quote likewise reflects the notion of differential power as experienced by Fazl Jān: “I am *mirāb*, elder of five to six houses, but I cannot take water illegally” (Interview, 25 July 2006).

problem and should not worry about the others. He went on to describe his helplessness with two more examples:

These people are ignorant, they don't use their mind. They don't have a mind. There were incidents where farmers allowed their neighbors' crop to die because they used all the water and did not grant the water turn to the neighbors. Or, there were two plots of land; one of the owners had worked a lot at the intake and the other not at all, that one but insisted that I allocate all the water to him.<sup>391</sup>

The general consensus between both *mirāb* was that, compared to some distant past, the *mirāb* is no longer respected:

At the time of our grandfathers, a *mirāb* received lots of respect [*ehterām*] from all community members. Today people, who grew up during the time of fighting, don't respect the *mirāb*. Formerly, if a *mirāb* ordered that an offtake be closed, his orders were followed and not questioned (ibid.).

Asked why they had established the rotation schedule before irrigation season, given that it was not observed at the time of water scarcity and how they collaborated, Fazl Jān used the image of a man and his son to explain their relationship: when a drowning father saw the water rising up to his teeth, he stepped on his son to save himself. Sofī Ghulām Nabi's behavior was thereby framed and legitimated through the discourse of necessity. Fazl Jān stressed that while both *mirāb* fought verbally with each other during times of insufficient water, they worked well together when the water level was normal. The fact that Fazl Jān narrated these incidents in Sofī Ghulām Nabi's presence calmly and almost wearily without any visible anger suggests a considerable degree of surrender to the shape of dominant local power structures. The sadness of his apparent resignation rests in the impression that he had previously made, before the irrigation season started, when he tried seriously to challenge existing obstacles but apparently had to realize that 'good' intentions were not enough to deliver water according to sharia, customary norms, and the objective rotation schedules agreed upon among the elders. In the following quotation, he reflects on his situation:

In our country [*mulk*] all people are depressed. But the *mirāb*-job is really one of the worst. When I had just half the bread I have now and was not *mirāb*, I was happy, but now I am facing many problems. In Afghanistan, they just call themselves Muslims, but they are actually not. People are stealing the water, do not use their mind, are ignorant, and illiterate. How can you deal with an ignorant? (ibid.).

Eventually, from Fazl Jān's perspective even the anticipated salary for the *mirāb* did not compensate for the job's unpopularity. A preliminary payment of reportedly 50,000 Afs after the appointment is augmented with the right of the *mirāb* to collect 10 *sēr* wheat per *qulba* after the harvest. Reportedly, Fazl Jān planned to collect 1,200 *sēr* of wheat, of which he would receive 600 *sēr* and the other 600 *sēr* would be equally divided among his

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<sup>391</sup> Interview, 25 July 2006. Adding to that, a conversation with Iskandar Abdullayev of ZEF one year later (2 August 2007) Fazl Jān is reported as saying: "It is difficult to convince people to not open the offtake if it is not their turn. You can write a book but they will continue to do what they want. They could have used guns to get water. They never obey anybody's advice."

two *kokbāshi*.<sup>392</sup> However, he stopped halfway through the attempt to actually collect the amount because downstream water users denied him payment.<sup>393</sup>

Despite the resignation apparent in Fazl Jān’s reflection on local power structures along the Asqalān canal discussed above, he made a strong point about equal treatment of upstream and downstream water users in meetings with Welthungerhilfe’s SMWA project staff.<sup>394</sup> Accordingly, during a discussion regarding construction plans for cross-regulators (offtakes) in Asqalān, Fazl Jān resisted the pressure of all elders, deputies of the construction company, the irrigation department, and SWMA project members present when he demanded an equal amount of cross-regulators to be constructed in the lower Tobrakash part of the canal as was planned for the upstream part. He emphasized strongly his responsibility towards the water users he represented, stating, “I will not sign the agreement because my people would ask me about this problem [the unequal number of offtakes proposed by the NGO],” and insisted, “... if your office agrees to implement the other 11 cross-regulators in Tobrakash, I will sign the agreement letter as well.” (ibid.). This statement derives its significance from the fact that two elders of Tobrakash were also present at the meeting and did not oppose the plans to construct fewer offtakes in Tobrakash than in Asqalān and subsequently signed. No matter whether fewer or more cross-regulators could be justified by any of the stakeholders (which in fact reflects the degree of antagonism between Asqalān and Tobrakash), Fazl Jān’s passionate stance for equal treatment of both parts of the canal and his emphasis on his accountability towards the downstream water users provide a strong account of the sincerity of his efforts as *mirāb* to do his job ‘right’.

### 6.1.2 Chārdara: Sofi-Qarayetim irrigation system

Sofi-Qarayetim is the name of the second irrigation system I had the opportunity to study closely and use as a control case and for possible comparison with the Asqalān ‘system’. The term ‘system’ denotes a physical design of one or more main canals with respective secondary and tertiary canals plus minor draining channels at field level, all of which are fed by one joint intake. While the Asqalān system embodied one main canal and sub-streams in its full canal length throughout the command area, the Sofi-Qarayetim system includes two main canals – Sofi and Qarayetim – which both share one intake (see details below). The Qarayetim canal is sometimes called Madrasa or Umarchēl, which corresponds to the naming practice of the adjacent settlements or *manteqa*.<sup>395</sup> The main canal’s command area tends to be equated with the two main settlements (Umarchēl I and Umarchēl II, or Madrasa I and Madrasa II, or Qarayetim I and Qarayetim II) (see Map

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<sup>392</sup> Interview, 12 April 2006.

<sup>393</sup> Noted by Abdullayev, 2 August 2007.

<sup>394</sup> Minutes of meeting, 11 July 2006.

<sup>395</sup> In this case, Qarayetim *manteqa* and Sofi *manteqa* refers to the respective command area and inhabitants, that is, all water users of the main canals. However, as described in Ch. 5 and illustrated here, once inside the respective *manteqa* other *manteqa* connections are distinguished in addition to this ‘meta-frame’. Thus, ‘Qarayetim I’ and ‘Qarayetim II’, which are also distinguished by locals besides further differentiations, present ‘second-order’ *manteqa*.



M6).<sup>396</sup> Umarkhēl is the dominant Pashtun (Ghilzai) tribe in both the Sofi and Qarayatim command area or *manteqa*. However, the co-settlement of more than a dozen sub-tribes of the Umarkhēl and the prevalence of a large number of other ethnic groups along the Sofi canal qualify the initial impression of overall ethno-social homogeneity.

As part of the Chārdara district, Sofi-Qarayatim is located not too far from Kunduz city (parts of the Sofi canal were said to be about nine kilometers away). Before 1978, the Chārdara district was the mainstay of Kunduz province's cotton economy and hosted a company branch of the Spinzar Cotton Company.<sup>397</sup> Of the ginning and milling facilities and the 23 apartment buildings that once existed for the Spinzar staff, nothing but ruins remain today.<sup>398</sup> However, the cotton economy and the monopoly status of Spinzar as the buyer and processor of raw cotton seem to have brought much benefit to local farmers, not least due to long-term favorable price guarantees and the provision of fertilizer and seeds.<sup>399</sup> The importance of cotton was also underlined by the fact that a model farm on the outskirts of Kunduz city specialized in the growing of cotton as early as the late 1930s. It served the efforts to improve the technical dimension of cotton cultivation, its general prominence, and better control of pests and vermin (Grevemeyer 1990 [1987]: 98). Interestingly, the nationalization of Spinzar after 1973 coincided with the government's intensified attempts to establish cooperatives (*koperātif/hā*) which offered farmers seeds, fertilizer, machinery in the form of tractors, and sugar, and required them to sell their harvest to the government.<sup>400</sup> At the time of fieldwork, the Spinzar Company was in the

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<sup>396</sup> Qarayatim literally means 'orphan's village'. The word's construction itself is a compound of *qarya* plus *yatim* (*qarya-ye yatim*). According to local lore, the first settlement was founded by an orphan sheikh.

<sup>397</sup> See Barfield (1981: 140f) for an account of the significance of Spinzar for the regional cash economy before Dāod's nationalization of the company. Accordingly, since the 1940s, Qataghan (since 1970, Kunduz) "was a company province" where Spinzar and its management "acted like a feudal lord" (ibid.: 140).

<sup>398</sup> The Chārdara district center is not de facto a town, but an aggregation of several buildings (the district administration and several other district government offices like the police commander, the local cadaster office, etc.), on different sides of the manned main intersection. The location's insignificance is highlighted by the fact that nobody lives there and the site does not have a bazaar. The nearest bazaar locations are Kunduz (7 km, Monday and Thursday), Chārshanba Bāzār (19 km, Wednesday) and Jum'a Bāzār (approximately 13 km, Friday). However, at the time of the 2006 fieldwork, plans for a new city named Khoja Kaftar (after the nearby shrine in the desert of that name) had been developed. If realized, the new town would stretch over 200 hectares in two kilometers distance from the district office or nine kilometers away from Kunduz city and be complemented with a road connection to Mazār-e Sharif, which would shorten the travel time from Kunduz to Mazār-e Sharif immensely and replace travel via Pul-e Khumri (Conversation with the district governor of Chārdara, 22 May 2006). Meanwhile, the deterioration of the security situation in the subsequent months and years, including insurgency and counter-insurgency measures, has made any planning obsolete. Chārdara was a Taliban stronghold by 2009, Sofi and Qarayatim likewise.

<sup>399</sup> Prices were fixed for a period of three years. According to a former *arbāb*, the Spinzar Company also provided 14 *sēr* animal fodder, 10 pieces of soap, and 10 kg cooking oil for every tonne of cotton a farmer sold to the company (Interview in Mangtepa [Sofi], 26 May 2006).

<sup>400</sup> Local accounts indicate that both options (Spinzar and cooperative) were available and used by farmers. Cooperative-farmers were required to register with the cooperative, which involved a small annual monetary contribution. Moreover, both supplied farmers in the same shop during NDPA rule under Soviet occupation (Interview in Mangtepa, 26 May 2006). Despite the fact that the first cooperatives were established in the 1950s and then represented a merger of private capital and government subsidies, serious efforts for the promotion of cooperatives set in after the Republican government of Dāod decreed the Law on Cooperatives in 1974 (*Qānon-e koperātifhā* 1353). For details, see Grevemeyer (1990 [1987]: 108). According to Wiebe (1984: 69), five cooperatives existed in Kunduz province in 1977. The Taraki government (1978) integrated

state of being rehabilitated<sup>401</sup> at its main production site in Kunduz. At the same time, the existence of cooperatives was evident and farmers could again enter agreed-upon production and input arrangements for cotton growing with both institutions. From the commercialization of agriculture in Chārdara (as compared to Asqalān) and the emphasis on the cash crop cotton, combined with the establishment of industrial infrastructure in the vicinity, the state's high interest in local production and thus irrigation efficiency can easily be deduced.

Irrigated land is highly valued. According to one official of the local cadaster office, Qarayatism holds the most expensive land in Chārdara with one *jerib* worth as much as 10 *jerib* of land elsewhere.<sup>402</sup> However, it was also evident that land conflicts are especially prevalent in the district as a whole and in Sofi-Qarayatism in particular. For this reason and to recognize the close interrelation of water and land rights, I dedicate the second section (b) of this subchapter to elaborating the types and mediation mechanisms of conflicts over irrigated land. In the third part (section c), I introduce the perspective of another local representative, Hāji Jum'a Khān, a respected elder of the conventional kind,<sup>403</sup> who was entrusted by water users of both the Sofi and Qarayatism command areas to solve a long-standing conflict with a third party after a flood in 2005 had moved the riverbed and consequently stirred up new conflicts. By narrating the mediation efforts in which Hāji Jum'a Khān was involved, I attempt not only to shed light on the dimensions of conflict mediation as part of governance, but also on his responsibilities, activities, and experiences as an elder<sup>404</sup> which, I will argue further below, reflect the life-world of an 'endangered species' in the local social order.

#### **a. Features of water management along the Sofi and Qarayatism water courses**

Just as in Asqalān, the beginning of fieldwork in Sofi-Qarayatism coincided with the time of infrastructure<sup>405</sup> reconstruction works in late March 2006. Yet, here the flood of the previous year had heavily damaged the area around the intake location because of a shift of the riverbed. As a result, it did not make sense to start rehabilitating the previous intake, but it was necessary to lay out an entirely new intake and dig a new channel to reconnect it to the parts of the previous structure that had not been damaged. Laborers were busy with canal digging in the first place because word had spread from the ID that a foreign NGO would take over the construction of the intake.<sup>406</sup> This prospect mobilized local farmers to

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Dāod's cooperatives initiative into the wider program on land reforms and credits to overhaul the perceived feudal structures, and met fierce resistance (see Ch. 4).

<sup>401</sup> Reportedly, French investors had restarted operations of the Spinzar Company by 2006.

<sup>402</sup> Interview in Chārdara, 10 May 2006.

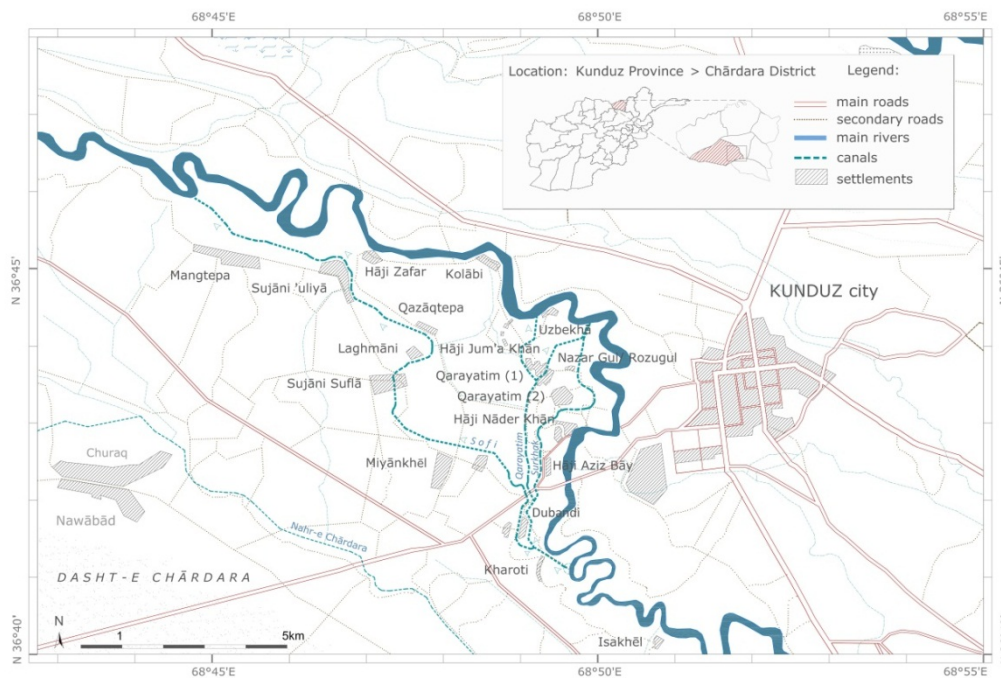
<sup>403</sup> For the distinction of 'conventional' versus 'new' elders see the elaborations below in section c and in Ch. 7.3.

<sup>404</sup> The activities are in total referred to as *muysafēdi*. See section c.

<sup>405</sup> What is meant by infrastructure here are the basic structures, cuts, and physical shape which are upset regularly due to damages from floods and siltation caused by the high amounts of sediment in the water. In comparison to Asqalān, Sofi-Qarayatism already consisted of considerably more concrete at the time of field work, largely constructed by Welthungerhilfe in another program prior to 2006. See ter Steege 2006: 8.

<sup>406</sup> Noted by ter Steege in Surkhak, 21 May 2006.

put efforts into canal construction, because in their view a fixed intake would relieve them of regular, highly labor-intensive intake repair work which was usually washed away two to three times a year.<sup>407</sup> At the time of fieldwork, approximately 250 people were working on the canal daily.



**Map M6:** Sofi-Qarayetim irrigation system

As mentioned above, the physical outline of the Sofi-Qarayetim system is marked by two main canals (Nahr-e Sofi and Nahr-e Qarayetim) which share the intake until a diversion structure (*dubandi*) divides the initial canal just under one kilometer from the previous intake. Historically, both canals relied on separate intakes from the river as the Sofi was established prior to the Qarayetim canal. Even a third canal (Surkhak, also known as Hāji Sawz Hassan), which at the time of fieldwork had long become a main branch of Nahr-e Qarayetim, originally had its own intake. Surkhak became connected with the Qarayetim canal because the intake constantly shifted westwards, given that the riverbed regularly changed significantly during peak water flows. The full length of both main canals and the adjoining command areas are not as extensive as the Asqalān total. The Qarayetim stretches over 8.3 kilometers supplying a command area of approximately 10,200 *jerib*, while the Sofi canal serves 6,800 *jerib* of land. Nahr-e Qarayetim flows between the Sofi canal and the left bank of the Kunduz river (see Map M6). Moreover, the system is embedded in a complex web of further irrigation canals, the command areas of which partly overlap and partly only border the Sofi-Qarayetim agricultural land. For example, the Sofi canal network of secondary and tertiary streams in the west borders an area irrigated from the Chārdara main canal (Kanal-e 'umumi-ye Chārdara)<sup>408</sup> and its

<sup>407</sup> Myopically, the usefulness of a concrete intake structure in a setting where the river regularly meanders and high siltation occurs was not questioned by the water users.

<sup>408</sup> The Chārdara main canal is exceptionally long, with its intake as far away as Aliābād. Under Dāod Khān, it was part of a planned large-scale scheme called Gawargān-Chārdara with the aim to claim and irrigate several hundred thousand *jerib* of waste and desert land. The project plan also foresaw building roads on both

subbranches. The settlements of the Mangtepa and Qazāqtepa at the tail end of the Sofi main canal are connected via tertiary canals with the Chārdara main canal, the intake of which is located further upstream of the Kunduz river, that is, to the south in Aliābād district. In Mangtepa, farmers irrigate equal amounts of land from different canals: 20 *qulba* (á 40 *jerib*) from Sofi canal and 20 *qulba* (80 *jerib* per *qulba*) from Chārdara. Aqueduct (*gotarma*) constructions add to these kinds of overlap as they respond to the landscape's specificities of high-level fields which are impossible to irrigate from a canal by conventional means. The prevalence of aqueducts in Sofi-Qarayetim is quite high, yet in most cases they channel water from the Chārdara main canal to fields in the Sofi and Qarayetim areas. In times of scarce water, the plots in question are also irrigated by pumps from either the Sofi or the Qarayetim main canal.

The usual upstream-downstream power dynamics in Sofi-Qarayetim are expressed not only in terms of location along each of the main canals, but in addition with regard to water allocation from the joint intake. Sofi, with an obviously smaller command area to be irrigated than Qarayetim, but also with less powerful figures residing in its command area, had regularly experienced disadvantages in water allocation since the joint intake was first established decades ago.<sup>409</sup> The amalgamation of the canal networks into one intake structure required an extension of the intake due to larger irrigation needs. Nevertheless, between 1986/87 and 1999, Qarayetim's water users largely denied Sofi-farmers access to irrigation water altogether and left the latter with no other choice but to plant rain-fed (*bārāni*) crops, mainly wheat, if they could not rely on other means of irrigation (aqueducts, pumps, or links with second and alternative main canal). The conflict over water allocation was finally settled after the concrete *dubandi* diversion structure was built as a result of effective interference by Hāji Umar, the district governor (*wuluswāl*) of the local Taliban government.<sup>410</sup> Reportedly, no previous regime had been able to appease all parties to the conflict in a way that the suggested solution could be enforced and was accepted by all. The still acting head of the Chārdara ID, Engineer Abdul Wahid,<sup>411</sup> designed the dual diversion structure at that time, which, since its construction in 1999, provides proportional water inflows for Sofi and Qarayetim at a ratio of 2:3. The lands of

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sides of the stream, and an Indian company was awarded the contract. Reportedly, just when all the machinery was already at the site, the coup d'état happened and the revolution period started. Consequently, the project was never realized (Interview with assistant of head of district Irrigation Department, Chārdara, 11 June 2006). Also see Wiebe (1984: 53) for details of the planned project. According to the chief of the district ID, the GoA had planned to take up the project anew at the time of fieldwork. This plan is also mentioned by MEW (2007: 18).

<sup>409</sup> The uneven power structure between Sofi and Qarayetim is discursively framed as the difference between the poor and marginalized and the rich. Reported by Qarayetim elders when asked for the reason of their long-standing enmity with Sofi-farmers (Interview in Qarayetim, 7 May 2006).

<sup>410</sup> Hāji Umar was the brother of Aref Khān, the governor during the Taliban period in Kunduz from 1997/98. He succeeded his brother as governor after his death in Peshawar in April 2000 (see 6.1.2-c). In 2006, Hāji Umar was a Member of Parliament (Interviews, Sofi, 26 April 2006). Another version goes that the Sofi farmers appealed to Hāji Rustam, a sub-commander of Aref Khān in Qarayetim, who then sent a note to the Governor Aref Khān on the local people's behalf to get involved in resolving the long-standing conflict (Interview, Laghmāni, 27 April 2006).

<sup>411</sup> Engineer here refers to the title of the person. It is assigned independently of whether or not the technical degree actually has been awarded. Engineer Abdul Wahid is also known as (Mudir) Abdul Wahid Khān and, according to his assistant he has been 20 years in office (Interview with assistant of the district ID, Chārdara, 11 June 2006).

the residents of Kharoti village along the connecting Sofi-Qarayetim canal portion between the *dubandi* diversion structure and the intake (approximately one kilometer) do not benefit from the canal because the land is too high. Instead, an aqueduct was put in place to provide irrigation water from Chārdara canal (see section b below).

Within each of the canal networks that unfold after the diversion point *dubandi*, upstream-downstream dynamics play a role. However, the outline of the system and the overlaps of the command areas of Nahr-e Sofi and Chārdara main canal considerably mitigate water shortages at the tail end of Sofi. Nevertheless, the overlaps are not limited to the technical and landscape dimension, but are reflected in the responsibilities of different *mirāb* and *kokbāshi* as well. Practically, this means that a landowner in Mangtepa or Qazāqtepa is required to contribute to intake repair and canal maintenance work not only along the Sofi canal or at the Sofi-Qarayetim intake, but also along Chārdara main canal and at its intake. Likewise, payments have to be made to both *mirāb* and their respective *kokbāshi*. The Chārdara canal *mirāb* is also in charge and to be referred to in those cases where water users in the Sofi area use water from Chārdara by means of aqueducts. Before going more deeply into an analysis of the upstream-downstream dynamics in Sofi and Qarayetim, the population and social conditions along both canals are introduced briefly.

The dominant Umarchhēl are a subunit of the Ghilzai Pashtuns, but divide further into several subtribes and clans. Reportedly, a first wave of Umarchhēl arrived in the Kunduz area in the early 20th century, when it was a rather inhospitable place given the fens, dangerous wildlife, and malaria (see Ch. 5.1.2). Reportedly, due to these reasons, the first Umarchhēl migrated with their livestock across the Āmu Daryā into the Emirate of Bukhārā from which they returned to Kunduz, seeking refuge during the Basmachi revolt at the time of Ebrāhim Bēk. As this coincided with the initial development efforts around Kunduz, the drainage works for Sofi canal were started by these early settlers. The subsequent settlement history represents itself very similarly to what was described for Asqalān above. By contrast to that area, however, Pashtun settlers currently dominate in each case in the head and middle sections of all the three formerly separate canals (including the Surkhak). Therefore, it is known at least from Qarayetim that when the wave of settlers from Maydānshahr<sup>412</sup> (who left their home area due to land scarcity and whose descendants reside there now) arrived, the land had already been drained and put under cultivation to some extent.<sup>413</sup> The Surkhak canal was established by members of the Surkhabi tribe of the Totakhēl Pashtuns from Paktiya. The fact that their members largely feel dominated by the Umarchhēl adds another dimension to the upstream-downstream dynamics. In Sheikhhā, located in the upper part of Sofi, another wave of Pashtuns with origins in Paktiya's Sayed Quram district could be identified. Tail-end settlers along the Sofi canal are mainly Arab

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<sup>412</sup> They originated from villages in Maydān, today's Wardak Province.

<sup>413</sup> It is unclear how they acquired the land, whether due to an affirmative action government policy that gave the Pashtuns preferential treatment over non-Pashtuns or whether the initial settlers who reportedly were refugees from Bukhārā indeed left the land because they were eager to return to their previous home area and believed advertised offers of land by the government north of the Āmu Daryā. This information was reported by an Umarchhēl interviewee. However, accounts of 'Uzbek' settlers in two villages named Uzbekhā (I and II) at the tail end of Qarayetim seem to confirm the loose attachment of Bukhārā-born early residents with the land. According to them, some of their ancestors never bought land because they hoped to return to Bukhārā (Interviews, 7 May 2006).

(in Mangtepa), Uzbek (in Qazāqtepa), and Chahār Aymāq from Ghor (in Sujāni ‘uliyā) who are all Fārsi speakers (*fārsiwān*) and partly Uzbeki speakers for their first language and expression of identity, as opposed to Pashto-speakers. The reality, however, has it that all *fārsiwān* can communicate in Pashto as the Umarkhēl also use Dari when interacting with non-Pashtuns. Population numbers are uncertain; according to local accounts, the Qarayetim *manteqa* (without Surkhak) has twelve mosques, Surkhak seven, and Sofī between eight and ten.<sup>414</sup>

The Sofī downstream communities of Mangtepa, Sujāni ‘uliyā, Sujāni sulfa, and Qazāqtepa<sup>415</sup> share one rotation schedule for their 40 *qulba*. This is distinct from water distribution in the upper reaches of Nahr-e Sofī (settlements of Sheikhhā, Karkar and Sofī), which also irrigate 40 *qulba*. Conscious of their upstream position, the farmers in the head section of Sofī canal do not adhere to agreed-upon rotation schemes between upstream and downstream users. Similar to the situation in Asqalān, in Sofī-Qarayetim rice-growing is a revealing indicator of local power relations.<sup>416</sup> They manifest in the observation that most upstream farmers are able to grow rice, though sometimes they have been forced to as their fields suffer progressive water-logging; further downstream (in Sujāni) only a few large landowners can grow rice crops. The latter are locally labeled as the ‘more powerful’. Cotton cultivation is resurging along the Sofī, but despite the fact the water demand for cotton is considerably lower than for rice, insufficient water provision provides merely modest harvests. A local farmer gave the example that he harvested only one third of the usual yield (40 instead of 120 *jerib*) in 1384. At the time when irrigation would have been most needed, the canal in his section did not carry water and he was not in a position to afford to rent a water pump. Reportedly, rice is also the most accepted currency for the payment of the *mirāb* and *kokbāshi*. In Qarayetim, the rationale is that since rice-growing is an indicator of water availability which results from successful water management, payment in rice – 10 *sār* per *qulba* (20 *jerib*) – is the highest form of compliment. Contradictory accounts regarding alternative payment modes exist. According to one version, even if a farmer cultivates only melon and wheat along Qarayetim, he has to give the equivalent of the rice payment in cash.<sup>417</sup> However, a contrary version has it that where

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<sup>414</sup> The range in reported figures hints at the dynamics of population and settlement growth (see Ch. 5.2.1).

<sup>415</sup> Note that each community forms a separate *manteqa* if viewed from its individual residents’ perspective, but a joint *manteqa* if referred to in a rotation regime framework.

<sup>416</sup> In a conversation, the deputy head of the district ID expressed confidence that the government could enforce a rice-growing ban with the support of the police. However, this has not happened in the time period since 2001 to date. Interestingly, though, local strongmen had previously enforced such a ban at different times of scarce water conditions, e.g., commander Rahmat Bāy in 2002. However, in this instance only the crops of ‘the poor’ were destroyed by his subordinate large landowners to show effect of his ordered ban. During the Taliban rule, which coincided with a long-term drought, rice fields were destroyed as well (Interview in Chārdara, 11 June 2006).

<sup>417</sup> The incidents of the previous year, when the rice crop of several farmers suffered in 2005 because of the destruction of the intake after the snowmelt had caused large-scale flooding, show that even the so-called powerful who can allocate water when it is insufficient for all, always run the risk of crop failure due to circumstances they simply cannot influence, such as snow amounts, precipitation, and other climate-related factors (e.g., locusts). Furthermore, for the ones regularly getting less water it is no option to grow only melon (which is a very lucrative cash crop as well), because melons emaciate the soil and require rotation with another crop, preferably rice, in the second year. Fertilizer inputs are also immense and melon would only grow well with American fertilizer, which is more expensive than Russian products. Large landowners can grow rice and melon the same year and spread risk of water shortage by rotating their plots; small

due to soil conditions only cotton can be grown, the *mirāb* has to be paid in wheat.<sup>418</sup> Along Surkhak, the major subbranch of the Qarayetim main canal, farmers who do not grow rice do not pay their *mirāb*. In Sofī, rice growers pay between 15 and 20 *sēr* rice to the water manager and his assistants, depending on local arrangements with the *kokbāshi* about his own share.

As opposed to Asqalān, all *kokbāshi* in Sofī (four)<sup>419</sup> and Qarayetim (two)<sup>420</sup> are appointed by farmers, not by the *mirāb*, for the simple reason that the *kokbāshi* are paid by landowners along the particular canal branch of which the *kokbāshi* is in charge. In one interview, the respondent argued that if the *mirāb* wanted to appoint the *kokbāshi*, the *mirāb* should also pay him.<sup>421</sup> This indicates that the *mirāb* in Sofī and Qarayetim are rather detached from their constituency, that is, from the farmers and water users, and that the latter inevitably interact closely with and even depend upon the negotiation capacity of their local *kokbāshi* to allocate water. Ideas of legitimate water supply, accountability, and illicit water theft are projected upon the figure of the *kokbāshi* rather than the *mirāb*. It is the *kokbāshi* who annually determines the rotation schedule jointly with local elders (one to two elders from every mosque community using water from the stream in the *kokbāshi* mandate). Moreover, the interviewees emphasized, especially for Sofī, the particular *qawm*-belonging of the local *kokbāshi*. The role of hierarchy in competence is more marked in Sofī-Qarayetim than in Asqalān. First of all, as noted above, the *kokbāshi* has greater importance for water users. This is also reflected in the greater share that local water users pay the *kokbāshi* as opposed to the *mirāb*.<sup>422</sup> Secondly, the quasi-legal *kokbāshi-mirāb* distinction is grounded in different appointment mechanisms: landowners along a joint stream appoint ‘their *kokbāshi*’ whereas the most ‘powerful’ land owners residing in the command area of the main canal determine who will serve as the *mirāb*. Thirdly, the *mirāb* does not have a direct link with the provincial ID in Kunduz, but with its subordinate district representative, the head of the district ID in Chārdara (Engineer Abdul Wahid) and his deputy. *Mirāb* appointments are reported to the district ID which then notifies the provincial ID in Kunduz for the issuing of a *mirāb* identification card.

Likely, due to ‘foreign’ interests in reconstruction efforts in the wider framework of national state- and institution-building, 2006 happened to be the first season for which the

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farmers can only grow one crop and rotate melon with wheat and rice (Noted by ter Steege in Sofī Miyānkhēl, 29 May 2006).

<sup>418</sup> However, the interviewee mentioned this to be the case in Chārdara in general, including Qarayetim.

<sup>419</sup> The downstream communities of Mangtepa (10 *qulba*), Qazāqtepa (15 *qulba*) and Sujāni (15 *qulba*) have one *kokbāshi* each who cooperate closely in daily interaction. The usual saying goes that ‘every *manteqa* has its own *kokbāshi*’, while the meaning of *manteqa* is triple-laden comprising the socio-ethnic composition, the oftakes and substreams, and local place names. For example, the name of the *kokbāshi* of Qazāqtepa is Zāher. His place of residence as well as his ‘command area’ and the sub-stream he is responsible for are also commonly called Zāher. The upstream command area has just one *kokbāshi*, who is either the son of the *mirāb* himself or whose helper is a son of the *mirāb*.

<sup>420</sup> Surkhak does claim its own *mirāb* due to traditional separation of the stream from Qarayetim. However, in practice the *mirāb* acts as *kokbāshi* because he is subordinate to the Qarayetim *mirāb*.

<sup>421</sup> Interview, 11 May 2006.

<sup>422</sup> Accordingly, the *kokbāshi* receives 10 *sēr* rice or wheat per *qulba*. In Laghmāni Payān farmers reported paying their *kokbāshi* 14 *sēr* rice and the *mirāb* six *sēr* because that the *mirāb*’s command area is much larger and so is the amount of overall payments.

provincial ID took a stake in the Sofi and Qarayetim's *mirāb* elections. The administration even organized the elections for the *mirāb* of the Chārdara main canal, who would be in charge of the most complex, largest in size, and thus most strategically important irrigation network in the district. Interference in the *mirāb* elections for Sofi and Qarayetim was limited to the provincial ID's expressing a desire that they take place on the same day and that the results be announced on Kunduz television. Traditionally, the elections took place in *Hot* month (between 20 February and 20 March), in most instances on 20 February, the first day of *Hot*.<sup>423</sup> However, according to the planned and selectively-publicized reforms in Afghanistan's irrigation management sector (see section 6.1.3-b) *mirāb* elections were shifted to the end of an irrigation season, that is, to take place in the months of *Aqrab* and *Qaws* (23 October until 21 November). The reforms also entailed the introduction of ballot box voting to prevent the influence of commanders and other factions. According to local farmers' accounts, the ID had made an attempt to implement the reform and announced *mirāb* elections in October-November 2005. However, the attempt failed.<sup>424</sup>

The acting *mirāb* at the time of fieldwork – Shāh Abdul Hekmat of Sofi, Mas'ud in Qarayetim and, subordinate to him, Surkhak-*mirāb* Muhamad Rashid – were appointed according to tradition in Hot 2006 (20 February-20 March 2006), that is, immediately before the start of the new irrigation cycle. Respondents in Sofi-Qarayetim claimed that the geographical origin of the *mirāb* candidate – whether from the head or tail end of the canal – is not important. The main criteria for the appointment was said to be competence. Nevertheless, quite a few of the respondents were familiar with the custom of appointing the *mirāb* from downstream. Some even claimed that a rotation exists between the tail, middle, and head of the canal with regard to *mirāb* appointments and concluded that because Mas'ud had been appointed from the middle section of the canal for 2006 and his predecessor was from upstream, it would be appropriate to select the 2007 *mirāb* from the tail section. However, past evidence and accounts from Sofi suggest that, in practice, the selection of the *mirāb* does not follow any particular rotation scheme based on the location of a candidate's land. Shāh Abdul Hekmat had his house and land in Miankhel, in the upper part of Sofi. Appointments, as was observed, were clan-based. For example, the previous *mirāb* Abdul Ghafar belonged to the same clan, the Shēr Khān Khel, as Mas'ud.<sup>425</sup> The Shēr Khān Khel tribe members constitute the dominant faction of the local Umarkhēl tribal community. Factionalism is also evident as the *mirāb* and his 'friends' and family members are reported to deviate from local rules that are binding on all other water users. Accordingly, those who have a 'good relationship' with the *mirāb* are not required to take part equally in canal cleaning and intake labor. Their deviation is tolerated without the

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<sup>423</sup> The traditional agricultural and irrigation cycle timed the *mirāb* selection to take place on 20 February (1st of *Hot*), followed by the start of canal cleaning until the end of the month of *Hot* and the subsequent 'opening of the water' on 21st March (1st *Hamal*).

<sup>424</sup> For example, one respondent claimed that the election had taken place at the end of the 1384 irrigation period and that ballot boxes were used (Interview in Qarayetim, 08 May 2006).

<sup>425</sup> Ibid.



usual sanctions, such as a fixed 300 Afs fine for not attending canal cleaning works in Qarayatism and 400 Afs in Sofi.<sup>426</sup>

As newly appointed *mirāb* of Sofi, Shāh Abdul Hekmat succeeded his brother. Their father had been *mirāb* for many years in the past and Shāh Abdul Hekmat as his eldest son<sup>427</sup> appeared to be a highly versatile elder. Not only was he *mirāb* at the time I met him, but also NSP chief and a respected elder and representative of the area in general. His household's wealth was conspicuous and showed that he was a well-connected man with access to all kinds of local stakeholders, including foreign NGOs in Kunduz and district government officials in Chārdara.<sup>428</sup> Shāh Abdul Hekmat's brother, Hāji Tahir, had previously served as *mirāb* for four years and was apparently favored by the downstream water users again in the elections for the 2006 season. The reason why his brother was appointed instead can partly be traced to rumors and events occurring in the aftermath of the intake destruction in 2005, according to which a public announcement over the radio discredited the *mirāb*'s initiative of canal and intake reconstruction. Government officials and the radio broadcast stated that an aid project worth US\$50,000 would be implemented. This raised high expectations among the water users along the Sofi. However, the *mirāb* had started collecting money (400,000 Afs combined from Sofi and Qarayatism) from water users before this announcement and partly invested the money into gabion structures that later turned out to be impossible to fill with stones because the transportation costs were too high. Some farmers suspected him of diverting the money for his own purposes. Consequently, one interpretation of why he was not re-elected was because some landowners were dissatisfied with his performance in 2005. In addition, my own analysis based on interviews with different stakeholders and field observations, suggests that the elder brother took over because at the time of the elections for the upcoming 2006 irrigation season all available information indicated that 2006 would be a decisive year for farmers' future irrigation means. Rumors about foreign involvement with high cash inputs solidified, the provincial ID showed increased interest in local water management issues, and NSP had started showing benefits in the area. Given these indicators, irrigation water management became duly politicized and the takeover of a 'strategic' elder<sup>429</sup> accounted for the rising interests at stake. As a result, Hāji Tahir's popularity among small landholders due to his reputation of being a hard-working and honest character lost its

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<sup>426</sup> Besides the labor contribution, 50 Afs per *jerib* were collected from every landowner to finance the tracked excavator that was hired from tribal relatives in Khost for two weeks that year. The rent was 2,500 Afs per day (Interview with *mirāb* of Sofi at newly built head canal of Sofi-Qarayatism, 28 March 2006). The fine for not attending intake construction amounts to 400 Afs. In addition, an amount between 50 and 60 Afs per *jerib* was collected for sandbags near the intake construction site in 2006 whereas traditionally, 100 Afs per *jerib* was requested from landowners with less than 40 *jerib*, and 50 Afs from landowners with more than 40 *jerib* (Interview with Sofi's *mirāb* in Sheikhhā, 25 April 2006).

<sup>427</sup> He also 'inherited' their father's land title document from the time that he first settled in the area. Although the father divided the land among his eight sons, the document stayed with the eldest (Interview with Hāji Tahir, Sofi, 26 April 2006).

<sup>428</sup> Shāh Abdul Hekmat owned two tractors and showed me two large fish ponds behind his house, the construction of which had just recently been completed. A fish stock of 32,000 was brought the day before I visited him and his family (25 April 2006). For the construction of the ponds, Mercy Corps paid 140,000 Afs and Shāh Abdul Hekmat had to invest 60,000 Afs. The agreement is that once the fish can be sold after about six months, the benefit would be shared evenly between Mercy Corps and Shāh Abdul Hekmat.

<sup>429</sup> For the discussion on a preliminary distinction of elders see below (section 6.1.1-c).

importance under those circumstances. The seniority of his brother and related conventional respect due to age added an additional dimension. It remains unclear to what extent the interference of civil servant officers from the ID triggered the strategic choice of the *mirāb*. However, given that uninvolved elders from Laghmāni and Mangtepa explained Hāji Tahir's non-reelection by stating that the *mirāb* was this time nominated by merely three people, among whom one was said to belong to the district government,<sup>430</sup> government influence was likely.

While the above indicates that in Sofi one of the most influential elders and landowners took over the position of *mirāb* himself, the situation in Qarayetim presented itself slightly differently, although the same pattern of strategic selection is noticeable. The appointed *mirāb* Mas'ud had not even been one of the initial five or six candidates for the position, but was forced through during the appointment process by Ahmad Shāh. Ahmad Shāh was an influential figure in Chārdara who resided in the upstream *qarya-ye* Hāji Nāder Khān, a settlement named after his father and situated alongside Surkhak canal. Reportedly, most landowners had favored the *mirāb* Abdul Ghafar from the previous year, and a considerable other number of elders supported the candidate Abdul Qayum during the appointment meeting in the mosque of Madrasa. Ahmad Shāh himself bragged about having 'made Mas'ud the *mirāb*' by 'commanding the elders' to agree on his choice.<sup>431</sup> He was initially supported by just a few influential people, however it took five to six instances of praying until all 50 elders present were convinced and joined in and agreed to Mas'ud becoming *mirāb* of Qarayetim that year.<sup>432</sup>

#### b. The land-water rights nexus: conflicts over irrigable-land

*“Dushmani dāri? – Ne, bacha-ye koko dāri. Bacha-ye koko dushmanat ast.”*  
[Whether I have enemies? No, I have cousins. Cousins are the enemy.]  
Interviewee in Madrasa/Qarayetim, 8 May 2006

In addition to the features of water management stated in the previous section, the research in Sofi-Qarayetim shed light on the diversity and flexibility of local water rights arrangements. While in Asqalān, the *qulba-jerib* ratio was fixed with one *qulba* accounting for 40 *jerib* in the entire command area, the interviews and observations along the Sofi, Surkhak, and Qarayetim canals showed that the *qulba* unit is not only assigned different fixed amounts according to the location along each canal, from as much as 80 *jerib* per *qulba* at the head,<sup>433</sup> 40 *qulba* throughout much of the command area's middle section, and

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<sup>430</sup> The other two elder-landowners involved were Arbāb Ghayor from Mangtepa and Muhamad Rashid, reportedly the second most important person in Sujāni, besides commander Rahmat Bāy (Interview in Laghmāni Pāyin, 27 April 2006).

<sup>431</sup> Interview in Hāji Nāder Khān, 7 May 2006. Finding an agreement usually involves a consensual meeting at the end of which everybody joins in the sermon to sanction the choice of *mirāb*. In this case, reportedly 50 people were present and successfully convinced so that nobody complained after the selection of Mas'ud as the new *mirāb*. After the *mirāb* (s)election process, the elders sign a paper that has to be taken to the district ID. In the past it could only be taken to the provincial ID in Kunduz.

<sup>432</sup> The number of 50 elders taking part in selection was mentioned by Muhamad Rashid Bāy, an important elder of Madrasa (Interview in Madrasa, 8 May 2006).

<sup>433</sup> Not observed in Sofi-Qarayetim, but reportedly the case for upstream land in Chārdara main canal area.

20 *qulba* at the tail end.<sup>434</sup> The rules and practices of water allocation are much more flexible: as indicated previously, it actually depends on the level of the land because the difference in the height above the water level determines how much water reaches a particular field plot.<sup>435</sup> Another, less noted indicator that further determines how much water the soil absorbs in different locations is the soil composition and quality. All the same, a more complete understanding of the linkage between land and water rights can be derived only when the land-labor nexus is factored in. Given the rule that one laborer per one *qulba* of land has to be contributed for daily manpower during intake construction, the common perception among water users is that with this contribution, they acquire the right to their share of water, no matter which crop they decide to grow in a particular season. As one elder from downstream Laghmāni Pāyin put it, “if we appoint the *mirāb*, work at the intake and contribute money, we have the right to get water for irrigating our rice.”<sup>436</sup> Evidence from a Surkhak canal branch where one farmer had his six *jerib* of land registered as one *qulba* suggests that the *qulba-jerib* ratio can be defined very individually. Consequently, the six *jerib* plot gets the amount of water a 20 or 40 *jerib* plot receives elsewhere, according to the local rotation scheme.<sup>437</sup> The only condition is making the full manpower contribution to the intake and canal repair works and any required payments for material or machinery.<sup>438</sup>

While this shows that generally no conflicts occur over the *qulba-jerib* ratio including the allocation of water ‘rights’ for individual users to irrigate their fields (from a theoretical rights perspective), the title to the land itself is often contested.<sup>439</sup> In the following, I give some examples of how this issue can occur. I already indicated above that the interviews suggested the dominant type of land conflict occurs within the extended family network. Despite the fact that I did not ask about ownership conflicts in my interviews, I came across examples of land conflicts at every turn. While conflict cases were often simply narrated to me, at times it also happened that during the interview with an elder someone approached with a petition (*‘ariza*) to ask for advice and mediation for a current problem. For example, when I visited the Sofi *mirāb* Shāh Abdul Hekmat at his home, one farmer,

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<sup>434</sup> Based on speculation that canals at the tail end are smaller and water is divided according to time, thus to irrigate the same amount of land more time is needed at the tail-end section of a canal. Likewise the assumption is that in equal time less water reaches the tail end and lands at a higher-level position. However, where water needs more time to reach the right height for irrigation, a correction can be introduced by decreasing the *qulba-jerib* ratio (noted by ter Steege, 26 April 2006; see also Mielke et al. [2010: 196]).

<sup>435</sup> Note that the level is subject to change over time given the high occurrence of siltation throughout the Sofi-Qarayatim system.

<sup>436</sup> The statement was made in a way of realization and calling into memory the customary rule, despite the fact that earlier the conversation broached the issue that farmers in Laghmāni Pāyin do not get enough water for rice cropping (Interview in Laghmāni Pāyin, Sofi, 27 April 2006).

<sup>437</sup> In this setting along Surkhak during the 2006 irrigation period, the normal rotation was fixed at two hours every three days. In other parts of Surkhak, e.g., in Hāji Nāder Khān village one *qulba* was usually 20 *jerib* (Interviews Surkhak, Sofi, April and May 2006).

<sup>438</sup> Interview in Nāqelān, Surkhak, 6 May 2006.

<sup>439</sup> Not to mention that of course conflicts about water distribution during rotation, that is, related to timing and opening and closing of offtakes are quite common. These are usually labeled ‘water theft’. However, since such instances of water theft have been described for Asqalān at length and given that the basic pattern does not differ in Sofi-Qarayatim, water distribution conflicts are treated secondarily in this subchapter. Nevertheless, the subsequent examples show that land and water conflicts are closely entangled.

Hāji Chāri, came up to seek urgent advice in a legal case against his brother.<sup>440</sup> This dispute was in fact related to the irrigation water supply in the first place. The brother, whose six *jerib* of land were located above Hāji Chāri's three *jerib* of land, denied the latter water, because he did not want Hāji Chāri to channel the water along the edge of his six *jerib* from the same offtake. This practice had been in place for 40 years. After the same conflict had already been mediated by the elders three years ago – at that time the *mirāb* and elders decided that Hāji Chāri's water should travel over/along the edge of his brother's land – the elders this time reportedly suggested that Hāji Chāri should turn to the government first and make the conflict 'official'. Having done that, Hāji Chāri turned up in Shāh Abdul Hekmat's guesthouse with a letter from the head of the district ID, Engineer Abdul Wahid Khān, ordering the Sofī *mirāb* to solve the dispute and report the solution back to the department. Hāji Chāri's brother demanded that Hāji Chāri build a dam and dig his own stream to his three-*jerib* plot from further down the secondary canal. In contrast, the latter argued that his land was too high to be irrigated from a separate stream. His brother's hostility left him perplexed and complaining.

I would like to add three more examples of intra-family conflict occurrences and two between parties that can be described as power actors, to be able to identify some general patterns of dispute resolution efforts and the involved actors (see Ch. 7.2). Both types of contestation, intra-family conflicts and land disputes between non-family parties, are most often related to illegitimate appropriation of land that was temporarily abandoned by its owners during different periods of the war years when families sought refuge in Pakistan or Iran from violence at home. Although it was a common practice in all areas that the head of the family or male family members would at least try to return annually to sow and bring in a harvest if possible, in many cases and for different periods the land of these families was cultivated either by extended family members who stayed behind (with the owners' approval) or seized by others. Consequently, upon the return of families from exile, different modes of (quasi-)appropriation caused tensions and regular disputes of different severity, most often within families and clans.<sup>441</sup> According to local accounts, returnee numbers in Sofī and Qarayatim around the time of fieldwork were considerable. The number of registered returnees in Chārdara between 2002 and 2006 amounted to 31,342 people (UNHCR 2006).

**Table 4:** Number of returning refugees, Chārdara district, 2002-2006

Year	2002	2003	2004	2005	2006 <sup>442</sup>
Refugee Returnees	14,045	3,038	6,808	5,770	1,681

In one instance, one brother who had fled to Iran and was able to earn some money there had asked his older brother at home to buy land for him in his absence. After his return from Iran, he found that the brother had not bought any land and that the money was gone. The brother offered him some of his land, which was worth much less than the money

<sup>440</sup> Interviews during visit at *mirāb*'s home and at conflict field site in Sheikhhā, 25 April 2006.

<sup>441</sup> Interview with cadaster officials in Chārdara, 28 May 2006.

<sup>442</sup> As of 30 September 2006.

would have purchased. So the returnee brother consulted the local elders about the case who then made a decision that was not accepted by the older brother as it adjudged the younger brother's claim: they demanded that the elder brother either buy an adequate plot of land or return the full money amount plus five sheep as compensation to his sibling. Subsequently, the younger brother then approached the district governor who sent a written note back to the elders asking them to take care of the case and find a proper solution. This time, the elders demanded that the older brother buy land for his returnee brother according to the money initially sent from Iran and to give him 10 sheep as compensation. Despite the fact that this decision was even more costly to the older brother, he reportedly accepted it.<sup>443</sup> In a similar case, a person had sold his cousin's land in the latter's absence out of necessity and was unable to buy it back by the time his cousin returned from Pakistan because his financial situation was very tight. He referred to the local elder of the Hāji Nāder Khān community, Ahmad Shāh, who accompanied him to the district office without consulting with other elders and without sending a petition to the district administration first. I met both on their way to the district governor's office in Chārdara to discuss the issue with the parties involved. It was concluded that, given the original owner's financial means, he should buy his former land back. At the same time, the bankrupt cousin was committed to repay him continuously in piecemeal style whenever he earned some money. Both parties agreed to this settlement.<sup>444</sup>

In another example, an inheritance dispute about a large piece of land was solved by the single-handed intervention of Arbāb Sofi Muhamad of Mangtepa after an initial mediation attempt by the elders and the *arbāb* was not successful; the conflict had then been simmering for about half a year until the district administration became involved. One person from the local *qawm* had asked the sons of his maternal uncle for the inheritance rights of his mother.<sup>445</sup> The sons of the uncle insisted that the rights had been granted previously by their father when he was still alive. However, they could not prove their claim with any documentation. On behalf of the government, Sofi Muhamad finally managed to convince the brothers that they would not have to split up their land, but compensate the cousin by paying him 80,000 Afs. He accepted and both parties exchanged documents stating that their rights were determined through this settlement and that they would not fight each other in the future. Thus, the conflict was settled. The *arbāb* sent a report about the agreement to the district administration. The brothers paid the taxes which were incurred by the sale to the government.<sup>446</sup>

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<sup>443</sup> Interview with cadaster officials in Chārdara, 28 May 2006.

<sup>444</sup> Interviews at district administration office, Chārdara, 10 May 2006.

<sup>445</sup> According to Islamic law, the inheritance share of a sister is half the amount of a brother. A widow receives one eighth of the bequest. However, in practice, the rights of female family members are not widely recognized or granted. Interviews in Department of Land Affairs in Chārdara, 10 May 2006, 25 May 2006. See also McEwen and Whitty (2006: 33f).

<sup>446</sup> Interview with Arbāb Sofi Muhamad in Mangtepa, 26 May 2006. Whenever land is officially sold (with issuing and registration of *shara'i*-documents), the government collects a 10 percent fee from 100,000 (one *lakh*) Afs plus taxes, that is plus 1% from one *lakh*, 5% from five *lakh*, from 5.5 *lakh* 6%, etc. (Interviews with clerks of Chārdara cadaster office, 10 May 2006; clerk of provincial revenue authority (*mustofiyat*), 21 July 2006).

Crucial for the understanding of land conflicts and associated mediation efforts – despite a lack of legal regulations and given the absence of systematic land documentation as a result of the war – is the differentiation between *'urufi* versus *shara'i* titles. The latter refer to registered title deeds with any legal department of the government, the former to the realm of everyday practices and de facto ownership, which is not recognized officially and thus not binding in the framework of statutory law. However, *'urufi* documents, if non-controversial, are recognized by courts and government offices involved in conflict resolution efforts. From an ordinary citizen's perspective a robust *shara'i* document would only be desired in case of predictable conflicts and contestation of property rights within the family, especially among brothers and cousins, or in cases where not agricultural but land for commercial purposes is acquired. The process of pursuing official ownership documents (*waziqa-ye shara'i*) is costly due to a government fee of 10 percent per 100,000 Afs of the value of the land transfer. Furthermore, it requires the testimony of elders from the particular locale.<sup>447</sup> Against these difficulties, the majority of land and property transfers remain *'urufi* arrangements. They rely on documents issued by local elders. The disadvantage of *'urufi*-confirmed ownership also lies with the chance that documents can get lost and given that, unlike *shara'i*-documents, no copy in a land register exists, the owner may consequently have difficulties in proving his claims. Similarly, when each witness passes away, the *'urufi*-document becomes vulnerable to counter-claims.<sup>448</sup>

The disputes described in this section so far did not involve deeds of ownership or land titles because intra-family issues were concerned.<sup>449</sup> Also, they were mostly mediated by local elders and in exceptional cases involved the district administration. A second major land conflict category, however, concerns disputes between non-family parties over legal ownership. Here, the local cadaster office, the Land Affairs Department and the courts at different administrative levels can become involved. During one interview in Laghmāni, respondents emphasized that contesting claims over land have occurred, especially since 2003, and pointed towards a plot just opposite from where we were sitting in the shade of some mulberry trees. After 2001, Hāji Abdul Jalil, a local strongman and cousin of commander Rahmat Bāy, a famous and important mujahedin commander of the area, occupied 11 *jerib* of land which the owners had been cultivating for some 70 years. The

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<sup>447</sup> Interview, Chārdara, 25 May 2006.

<sup>448</sup> Interview with Chief of the Justice Department in Kunduz, 31 May 2006.

<sup>449</sup> As already noted in one instance above, within joint families, in particular concerning the household of one father and his several sons, the land might be divided equally between the sons, but the ownership document is usually not changed and is issued in the name of the father or even an ancestor grandfather. Modes of production – whether joint or individual – vary from family to family. Often, the inheritance progression does not provide all male family members with a sufficient piece of land to earn a living. For this reason, one son might be asked to buy his brothers out. In many instances, production and consumption are not split up and families cope, for example, by having one son cultivate, a second one work as a laborer in Kunduz, and a third one send money from migratory labor in Iran. Against this background, ownership documents and the preliminary conclusions one could draw from looking only at the cadaster data give merely a partial account of the complex realities of property rights. It is not only that the procedure for individuals to change land titles would involve a great deal of bureaucratic interactions (authentication, production of witnesses) and a considerable amount of money. It would also mean conceding that, de facto in most cases, the property is fragmented and no longer supporting anyone by any substantial means. Furthermore, it would enforce the formalization of precarious property situations and in the process demand a clarification of which brother should actually hold a title deed. Such a process would likely cause many more conflicts to develop and escalate.

three aggrieved parties had *shara'i* land documents issued from the time of Zāher Shāh. Nevertheless, they did not dare to challenge the illegal occupation of their land as long as Commander Rahmat Bāy had not joined the DDR process. Once it was reported that he had handed in his weapons in 2003, the rightful owners consulted with local elders about Hāji Abdul Jalil's illegal appropriation of their land. The dispute resolution process involved several meetings with the elders and finally the landowners' party and Hāji Abdul Jalil were asked to appoint a representative (*wakil*) who would be sent to the government and involve the courts. Despite the fact that the title-holders' deeds were reaffirmed and they could again cultivate the land plots, they expressed fear of acts of retaliation by Hāji Abdul Jalil at the time of fieldwork, because he had threatened to reignite the conflict on the next available occasion.

In Nāqelān, a substream community of Surkhak, three local commanders had divided up the land of all families who had migrated to Pakistan among themselves in the 1990s.<sup>450</sup> Once the households returned, the larger part of these lands was given back to them, with the exception of 60 *jerib* because two elders of Nāqelān had been forced at gunpoint to sign sales documents that confirmed the commanders' lawful appropriation and cultivation of these 60 *jerib*. In the view of the aggrieved, they did not have a chance at court because the newly-issued deed would overrule their own document and they did not feel that they had good enough contacts and authoritative representatives to support a claim for justice.<sup>451</sup> In cases when a conflict cannot be solved locally by elders' consultation and consequently the government administration is consulted in land conflicts, the Land Affairs Department<sup>452</sup> will be approached via a petition. This department usually sends one of its staff members with another representative from the law section and one from the attorney's office to the conflict site to see which party holds what kind of document.

Similarly, in cases when the land use is contested between cultivators and herders,<sup>453</sup> the district governor is usually notified with a petition letter first, who then passes it on to the Land Affairs Department with an order that both parties should furnish their documents. If

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<sup>450</sup> During the civil war period, the front line between Dostum and Rabāni was near Madrasa *manteqa*. This commonly resulted in a situation where commanders from opposing factions competed with each other for '*ushr* (land tax). If landowners were away for the long term in Pakistan or Iran without cultivating and harvesting crops on their land, local commanders used to occupy the land and rent it out to sharecroppers for additional income, plus the '*ushr*.

<sup>451</sup> Interview, Nāqelān, 6 May 2006.

<sup>452</sup> In Chārdara, the Land Affairs Department included actually both the land registration (*emlāk*) and cadastral unit, which stores detailed maps of landholdings, at the time of fieldwork. Changes in locally-registered land, e.g., as a result of court decisions or inheritance changes, are reported to the provincial Land Affairs Department in Kunduz on a regular basis, including the deposit of copies of all land documents issued. Thus, should documents have been lost due to wartime events or for some other reason; a copy can be requested from Kunduz (Interviews with official of the Kunduz Cadastre Department, 15-16 May 2006; with representative in Land Affairs Department, 29-30 November 2006).

<sup>453</sup> Common disputes arise over the marked category of land, whether it is registered as irrigable land for cultivation (*zamin-e ābi*) or *malchar* (public land not suitable for cultivation, but used as pasture [*alafchar*]). No tax levies apply to the latter. As per the rule, all other land types (allocated, private and *nāqel*-land) would be taxed under one of the three different land categories at an average of 50 Afs per *jerib*, at least before 1978. By the time of fieldwork, tax collection attempts had not recovered, and between 2001 and 2006 no land taxes were collected. The drought was named as the official reason for this policy (Interview with clerk from Kunduz tax department (*māliya*), Madrasa/Chārdara, 21 July 2006).

the officers conclude a case but the person who appealed to the sub-governor does not accept the decision, he can refer the matter to the elementary district court in Chārdara. The next step in the hierarchy would be the provincial court in Kunduz, followed by the Supreme Court in Kabul. Several cases are known where people have appealed to the highest court. For example, 10 years ago, a person named Ali Muhamad referred to the Chārdara court after the Land Affairs Department adjudged a conflict in favor of Hāji Umar, who they concluded had the proper documents. After Ali Muhamad signaled that he would not accept the decision of the district court either, his files were sent to the provincial court in Kunduz. However, the judges also decided in Hāji Umar's favor. Following this, Ali Muhamad was given 20 days to file a protest. It took another four months to address the conflict in Kunduz again. Overall, the conflict was settled after eight years of proceedings with Ali Muhamad winning the case, because in the end his documents were found to be correct.<sup>454</sup>

In the next paragraph I would like to describe one dispute which I have tried to trace during the time of my fieldwork in more detail. In my view it is worth detailing because it shows how issues of land, water, physical-geographic factors, and local governance patterns are interwoven in a complex manner. Furthermore the example takes account of events in the past and the way these events determined the attempts at conflict resolution I could observe and document.

With the complete destruction of the Sofi-Qarayetim intake and the shifting of the riverbed in 2005, agricultural land had been washed away and remained under water, but the meandering river also opened up new land. Both eventualities raised competing claims as to who should compensate the losses on the one hand and who owned the re-allocated land on the other. As mentioned earlier, the Kharoti aqueduct was also destroyed by the flood. Initially it had been built by Sofi-Qarayetim water users as compensation to Kharoti farmers, whose fields were cut off when the former constructed their joint intake in 1989-90 (1368) and the connecting canal until the *dubandi* diversion structure (see above).<sup>455</sup> Before, the farmers of Kharoti were irrigating from a substream of the Chārdara main canal. Once the Sofi-Qarayetim connection canal was built, they were allowed to use water from this canal. However, since their lands were so high, both parties agreed on the aqueduct to provide water from Chārdara canal.<sup>456</sup> The land for the intake and the canal (13.5 and 1.5 *jerib*) were bought by Sofi-Qarayetim representatives from the Kharoti elders and one farmer. At that time, the whole area was under the rule of individual commanders from different parties<sup>457</sup> and the Kharoti landowners had mostly taken refuge in Pakistan.

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<sup>454</sup> Interviews at Land Affairs Department in Chārdara, 10 and 25 May 2006.

<sup>455</sup> In addition, the aqueduct had been rebuilt twice already by Sofi-Qarayetim in the aftermath of floods during the previous 15 years.

<sup>456</sup> Two other aqueducts exist in Kharoti and channel water from Chārdara. The entire irrigation of Kharoti lands relies on these three aqueducts. The described dispute revolves around the one which was built by the Sofi-Qarayetim farmers in 1989-90. Another concession in the agreement allowed Kharoti farmers to use pumps to access water from the Sofi-Qarayetim canal in times of low water in Chārdara. In practice, the Qarayetim-*mirāb* would have to be consulted and for such cases local farmers would need to rent pumps from Umakhēl or Kunduz.

<sup>457</sup> Reportedly, Qarayetim *manteqa* alone had about 18 commanders (Interview with Hāji Jum'a Khān in Madrasa, 4 June 2006). Fifteen commanders signed or put their fingerprints on the letter addressed to all



That is why the deal over 13.5 *jerib* was endorsed by the provincial-level commanders (*amir*) of the different parties. It was agreed that the Sofi-Qarayetim people would pay the full amount of money (10 *lakh*, that is, one million Afs per *jerib*) to three elders and one commander who agreed to disburse the money to the individual owners once they returned from Pakistan.<sup>458</sup> The remaining 1.5 *jerib* were paid for with 750,000 Afs by the elder Hāji Jum’a Khān on behalf of the Qarayetim farmers in 1990-91. At the time of fieldwork in 2006 the following claims were raised:

- One farmer, Najib, from Kharoti who had recently returned from Pakistan and whose land had been sold by the commanders back in 1989-90 claimed that he never received any compensation for his four *jerib* of land. He referred the matter to the district governor demanding to be compensated;<sup>459</sup>
- Representatives of the Kharoti farmers demanded that the Sofi-Qarayetim farmers reconstruct the aqueduct in time for the upcoming irrigation season at their own cost, referring to the 1989-90 agreement;
- Moreover, the size of the land sold by the commanders was disputed. None of the parties could supply a sales document.<sup>460</sup> The only document that was preserved by Hāji Jum’a Khān was one dated July 1368, stating that Sofi and Qarayetim laborers would be working to create a new intake and dig a canal at the particular site, notifying the different sub-commanders about it and requesting them not to harm the laborers. The document was signed by the local *amir* of the area – Besmellah, a commander of Hezb-e Islāmi (Gulb’udin Hekmatyār), signed for Kharoti, and Faiz Umarkhēl (Etehād-e Islāmi of Sayyaf) as dominant *amir* of Qarayetim. Furthermore, for Harakat commander Rahmatullah was involved and signed.<sup>461</sup> Since an accurate measurement could not be undertaken in 1989-90, the Kharoti representatives now claimed that only 10 *jerib* were sold collectively at that time, whereas the Sofi-Qarayetim elders claimed it was 13.5 *jerib*, or 15 *jerib* in total. In addition, given that two of the three elders who were involved in the settlement (besides one local commander) had died in the meantime, one party’s word stood against the other;

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*jihadi* commanders requesting their followers and subordinates not to interfere in the canal construction works in Qarayetim in 1989-90 (1368). See Appendix A1-a for a translation of the letter including a list of those who signed.

<sup>458</sup> Apparently, most of the landowners returned during the mujahedin period and were then compensated (Interview with Arbāb Ghayor, 22 May 2006). This claim could not be verified in detail. However, in the absence of counter-claims, there is no reason to dispute it. According to the Sofi-Qarayetim elders, the aqueduct was also reconstructed for 4,000-4,500 *lakh* Junbeshi in cash during the Rabāni period (1992-1996) after it had been washed away.

<sup>459</sup> According to two of the elders charged with mediating the conflict, the land had previously been under water and now resurfaced, however washed out (Interviews with Arbāb Ghayor in Mangtepa, 26 May 2006; with Hāji Jum’a Khān in Madrasa, 4 June 2006).

<sup>460</sup> Statements about sales documents vary. One version goes that upon the return of the Kharoti landowners during the mujahedin period individual sales documents were signed and the agreement about the construction of the aqueduct was fixed. These are all ‘*urufi*’-documents.

<sup>461</sup> The process was actually that local commanders assembled and wrote the letter which was then signed and stamped by their superior, provincial-level commanders (*amir*). Other authorities did not exist at that time; moreover, nobody seemed to bother about proper documents since the word of the *amir* was authoritative and counted as ‘law’. This might also explain why – unlike the deal about 1.5 *jerib* made with Najib and certified with the issuing of an ‘*urufi*’ document – no document may have been issued in the case of the 13.5 *jerib*.

- The Sofi-Qarayatism faction was interested in exactly measuring and marking their presumed 15 *jerib* of land. A considerable portion of it had now resurfaced after the riverbed shifted with the 2005 flood. The elders of Sofi-Qarayatism, however Qarayatism-dominated, sought for legal recognition of their ownership, including *shara'i* documents;
- A landowner from Kharoti claimed that he lost four *jerib* of land because of the washing away of the intake;
- In addition, the river's movement opened up four new *jerib* of land, the ownership of which was unclear.

The situation demanded urgent clarification and settlement because on 7 May 2006, the head of the provincial ID Engineer Amir had called the elders by phone announcing that a foreign NGO had committed to constructing a concrete intake and repairing the aqueduct. This forced the elders of Sofi and Qarayatism to act quickly and come to an agreement with the Kharoti farmers, because for the construction site of the new intake an additional 1.5 *jerib* of Kharoti land were needed (in between the new river course and their previously acquired 15 *jerib*). They were willing to purchase it from the Kharoti farmers.

Following the announcement of foreign NGO involvement in the reconstruction of the complete irrigation infrastructure in Sofi-Qarayatism and the prospect of getting a concrete intake, a gathering of the Sofi-Qarayateem elders with the district governor took place in the latter's office in Chārdara the very next day. A first site visit was scheduled two days later. Hāji Jum'a Khān, a respected elder of the Qarayatism *manteqa*, was appointed representative of the Sofi-Qarayatism water users and – accompanied by other elders – charged with the settlement of the issues under dispute with the Kharoti.<sup>462</sup> Throughout May 2006 he went to the district governor's office almost every day, oftentimes in vain because nobody from Kharoti came. Even though the district governor invited all the elders, the consultations had to be postponed several times. It took more than three weeks to arrange a meeting with both Kharoti and Sofi-Qarayatism representatives attending. By that time the basic position of Sofi-Qarayatism had been discussed several times. Among the elders everyone was eager to settle the land conflict and to find a temporary solution for the aqueduct issue, so as not to endanger the NGO's involvement. There were plans to collect money from water users in Sofi and Qarayatism (1,000 Afs per *qulba*) to buy a generator for a water pump and a medium-sized tank to provide to the Kharoti farmers. Since everybody was assuming that the NGO would construct a permanent aqueduct structure in the near future, this was intended as a temporary measure to ensure the Kharoti farmers could irrigate their land for the time being.<sup>463</sup>

At least two field visits were undertaken to the site where the river had changed its course. The second field visit took place in the framework of the larger meeting where deputies of all stake-holding factions were present. This time a land surveyor was also taken along to actually measure the land plots in question. It turned out that the size of the land bought by

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<sup>462</sup> On the background, motivation, and life-world of Hāji Jum'a Khān as an elder see the discussion below in section c. He had also been one of the elders involved in the buying of the land in 1989-90 and the payment of the money to the Kharoti during the mujahedin period.

<sup>463</sup> Estimates suggested that the construction of a permanent intake would take between six to twelve months.

the elders of Sofi-Qarayetim in 1368 was only 10 *jerib* and two *biswa*, thus approximately five *jerib* less than they had paid for. In contrast, the land Najib had sold them was half a *jerib* bigger than paid for and stated in the *'urufi* document. The land of the Kharoti farmer who initially appealed to the district governor turned out to be slightly larger than four *jerib*. The representatives of Sofi-Qarayetim had entered the negotiations stating that they would be ready to pay the difference if the land they had acquired was larger than the 15 *jerib* that they had paid for. They expected to be compensated by the Kharoti farmers should it turn out that they the Sofi-Qarayetim people had actually paid too much. Regarding the four *jerib* of land of that farmer who claimed not to have received compensation from the commanders, the Qarayetim elders insisted that this was not their issue since they paid the full amount of money to the Kharoti representatives. The Kharoti would have to solve this issue among each other and possibly provide a list of those whose land was sold and which share of the money each former owner received. After all this effort, no agreement other than about the short-term construction of the aqueduct could be reached. The Kharoti elders demanded that Sofi-Qarayetim water users should buy the four *jerib* of land that had newly surfaced, which was rejected. Regarding the five *jerib* Sofi-Qarayetim had previously overpaid for, Hāji Jum'a Khān (of Qarayetim) offered the Kharoti elders to use the money they would have to reimburse Sofi-Qarayetim to settle the issue with their own farmer who lost about four *jerib*. Nevertheless, a settlement about the land was not achieved as long as I was able to observe the meetings.<sup>464</sup> With regard to the aqueduct, it was agreed that Sofi-Qarayetim would build a temporary structure from barrels that should last until the NGO could build a permanent one. The *mirāb* of Sofi and Qarayetim (including Surkhak) were ordered to buy the barrels and organize their welding (see below).

Now that I have described the subject of the conflict and the position of the stakeholders, I present two excerpts recorded and transcribed during gatherings of the elders with the district governor in his office. The transcripts shed light on the mediation process of this conflict as they capture the interaction between elders and the district governor.<sup>465</sup> Since Hāji Jum'a Khān plays an extraordinary role in this undertaking and much of the extracts are his articulations, I hope to be able to give an insight into his motivation and scope of agency in the conflict and his own perception of it. The fact that Hāji Jum'a Khān was charged with leading the negotiations highlights not only his importance but also implies a wider recognition and perceived necessity of elders' work (*muysafēdi*). Based on his own background and impressions from interviews and interactions with him, I discuss his status as elder and compare his profile with that of other elders from Sofi-Qarayetim.

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<sup>464</sup> For security reasons, I had to stop traveling to Chārdara and visiting stakeholders in this conflict after 15 June 2006. A joint hearing was scheduled then, but its outcome remained unknown. According to Hāji Jum'a Khān's son, the conflict remains unsettled until this date (mid-2011) because of the growing insecurity in Chārdara that had started in summer 2006.

<sup>465</sup> The interaction between local representatives with government agencies is the topic of a separate subchapter on issues of representation in Ch. 7.3. The discursive dimension of the excerpts below is also analyzed in Ch. 7.

### c. Hāji Jum'a Khān's *muysafēdi* and a preliminary differentiation of elders

The following conversation took place at the office of the district governor in Chārdara immediately before the first outing to see the site of the contested land near the intake on 22 May 2006.<sup>466</sup> Of the conflicting parties only Hāji Jum'a Khān (HJK) was present at around 9 a.m. It was a normal reception day in the district governor's office, when anybody who has an appeal can bring it to the district governor's attention. Thus, several other people were sitting on the sofas at both sides of the room. The name of the district governor is Faiz Muhammad, a Turkmen from Qal'a-ye Zāl.<sup>467</sup> I had the permission to observe the audience session and to ask questions.<sup>468</sup> Shortly after the beginning of the session a group of elders from both Qarayetim and Sofi arrived. Later on, representatives from Kharoti joined in the meeting.

**Katja Mielke (KM):** What is happening today? Will the issue with the Kharoti people be addressed?

**District governor (DG):** Both parties are not present to talk about that issue. Only Hāji Sāheb [referring to HJK] has come this morning, nobody else. The Qarayetim people promised to erect an aqueduct with barrels this year to enable the Kharoti farmers to irrigate their lands. An organization promised to construct a permanent aqueduct structure next year. So once they make a concrete aqueduct next year, the problem will be solved finally and the conflict between the Nahr-e Sofi and Qarayetim water users and Kharoti farmers will come to an end. Isn't it true, Mawlawi Sāheb [addressing HJK]? An organization promised you the construction, right? Here are the elders of Nahr-e Sofi and Qarayetim coming. The elders of Kharoti have not come today, they have another problem.

**KM:** So without the Kharoti people nothing can be decided today?

**DG:** The aqueduct issue has been solved already. I commanded the representatives of Sofi-Qarayetim to make an aqueduct with barrels this year.

**HJK:** Engineer Amir [head of Kunduz ID] invited me three days ago. I went, accompanied by three or four elders. An engineer informed us that a tender call has been processed and I... we closed a contract to have the canals, our intake, and offtakes and the aqueduct constructed. They start, *enshā'allah* [God willing], when the water level decreases. He assured us.

**DG:** Hāji Sāheb, do you have a car at your disposal? Are you ready to go on a visit to see the land?

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<sup>466</sup> As the transcript indicates, the outing was not planned, but rather a spontaneous decision of the district governor during the meeting in the morning. The outing was attended by several elders from Sofi-Qarayetim and Kharoti, district government staff (deputy head of district ID, assistants), the researcher and her assistant.

<sup>467</sup> Faiz Muhammad was appointed district governor of Chārdara in the first half of March 2005 (end of 1383). He was respected and enjoyed high popularity because of his fair and service-minded behavior towards everybody without ethnic or other bias and his striving for justice based on very clear moral and transparent legal principles. In the past, he had been an important mujahed and Jam'iat commander in his home district Qal'a-ye Zāl where he is a legend among fellow Turkmen.

<sup>468</sup> I had met with the district governor previously and asked him if I could join some of his regular reception hours in order to get an overview and learn what kind of issues were being discussed, how, which procedures applied, and which steps were taken. Faiz Muhammad granted me access without restrictions. Regarding the interviewing style, by asking two open questions in the beginning I tried to open the discussion to a broader scope.

**HJK:** I am ready anytime, every day, but they are not present. Najib wasn't here yesterday as well and they were not here the day before yesterday.

**DG:** We should go to see the site at once.

**HJK:** It would be good if Najib was here. He could point out the four limits of his land and indicate his neighbors' land, saying, 'This is my land, this is Hāji Sāheb's land...'

**Another elder:** Let's apologize and ask them to wait until the water has gone back, and then visit the site. We shouldn't create additional problems. They are already on the alert and annoy us much.

**DG:** I am personally distressed that you are exposed to a great deal of annoyances and always have to travel forth and back to the district administration. If you think I don't mind your troubles, no, I do. I am very much aware of it because you are respected elders of the *qawm*. When you visit me I feel humbled, face-to-face with you I shrink. I am embarrassed if you do not let me see the site, I have the responsibility. Let us go at once to see the location. I am sure that we will have good discussions and can find an agreement with the Kharoti people afterwards.

**HJK:** Look, we have accepted thousands of problems. We agreed to build the aqueduct; we have done this and that. Now the only thing we need is the 1.5 *jerib* of land. We, the owners of 15,000 *jerib* are stumped and wonder what to do. If this 1.5 *jerib* of land would not have been under the river at that time, we would have already purchased it back then. Now it lays open after the river shifted its course. What have we done wrong? We have accepted to build the aqueduct in exchange of the land. We rebuilt it for them after it had been washed away; we reconstructed it a second time. We paid money as well. Wuluswāl Sāheb, I swear we are no trouble-makers [*yāghi*]. We deserve fair treatment. We try to behave well with them as much as possible, we apologized. We treat them like our *qawm* and brothers. They are our brothers. They all are the light of our eyes. I am in bewilderment about this 1.5 *jerib* of land.

At this time, when some representatives from Kharoti entered the room, Hāji Jum'a Khān and another Sofi-Qarayati (SQ) elder suddenly shift the topic saying to the sub-governor that they had heard he went to his home in Qal'a-ye Zāl, but found this to be untrue, only to believe he had gone to Kabul, which also was not the case. On top of that, they claimed to have heard that he had been changed to another position and somebody else had been appointed district governor of Chārdara. This was followed by comments of Hāji Jum'a Khān on how hard it is to get a (government) job these days and which influential figures have not succeeded in it so far.<sup>469</sup>

**Kharoti farmer:** We have no pipe for the water. There is no elder, no *arbāb*, and no *mirāb*.

**HJK:** We have talked with our *mirāb* about it. He is in charge of making the aqueduct. He is not here now, he went to Kabul.

**Kharoti farmer:** The crops will die. There is no barrel. They still have not started their works. I am not lying to you with this white beard.

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<sup>469</sup> To quote: "It is very hard to get a job. I have seen it. If it was easy, Shēr Muhamad Arab could get a job. He is rich." Another person adds that commander Rahmat Bāy is also trying to get a job. It was concluded that it is very unpleasant for someone to try so hard to get a job ("so much running around and after other people"). This sudden shift in the conversation obviously was an attempt to vindicate the Sofi-Qarayati elders' presence at the meeting and suggests that they might have claimed towards Kharoti representatives that Faiz Muhamad was not available. See Hāji Jum'a Khān's second reply thereafter.

**HJK:** I heard the district governor is in Qal'a-ye Zāl, but he says he was not in Qal'a-ye-Zāl and he was also not in Kabul. Do I lie to you? This was what I heard. I am not dishonest ['I do not make my face black']. I had asked the *mirāb* to take care of it. Now everybody says the aqueduct will be built by an organization. Nobody has started reaping wheat so far. It will be built on time. They have transported the barrels to the site.

**Kharoti elder:** Hāji Sāheb, there is not a single barrel!

**Qarayatism elder (Abdul Azim Bāy):** We heard that barrels have been welded. I do not know where they store them.

**SQ-elders:** Wuluswāl Sāheb, you have to issue a note to invite the *mirāb*. No, do not write Mas'ud's name, he is in Kabul right now. If the soldier ['*askar*'] goes to his place, they will send him away and he will come back without a result. Write the name of his *kokbāshi*, Hāji Muhammad Rashid. He is available, he would come.

**DG** [to his office clerk]: Take this note to the commandership, they shall bring him here.

**Kharoti elder:** Wuluswāl Sāheb, I am full of respect for you and as far as I am concerned personally, I would accept any harm and difficulties without referring to the government. I try to solve small things within our *qawm*, we usually do it on our own. I say let us not bother anyone. I usually want to live up to my name and not lose my honor. But if my kids die from hunger, I cannot sit at home. This guy surveyed the fields and is a witness that there is no water. What to do?

**Elder:** Wuluswāl Sāheb, write a letter to Muhammad Din from the criminal investigation department to solve this problem. Both parties are present and the Nahr-e Sofi people are his relatives. He should solve the issue. It is not necessary to send a soldier.

After the audience session all stakeholders went to the site of the damage to study the situation. Afterwards, the district governor and the Sofi-Qarayatism elders went back to the district administration and had this conversation:

**DG:** Hāji Sāheb! Can Najib be reached today? I will ask the commandership to send someone with a note to bring Najib.

**Elder:** Wuluswāl Sāheb, you have a sincere heart and good intentions but nobody is listening. You have to take care of one thing, God willing, you have to get hold of those five or six landowners from the past who received the money for the 15 *jerib* of land, call them in. First, the Kharoti have to provide a list of the people whom they paid money. Second, it is unknown whether the person who appealed for compensation has ever received his share or who kept it. They have to give us our entire land; if the land is not complete, we are obliged to return the land to him. You have to fix a date and invite us and the others. If no one comes, he should be punished. One day, one person doesn't come; another day, another person doesn't come. One says: "I am a shopkeeper and I am not free", another one simply wants to elude and lies.

**DG:** Do you want justice?

**Several elders:** Yes, of course.

**DG:** Justice is no easy thing. It requires careful consideration of all facts and negotiation.

**Elder:** You have to invite those people. We need to know once and for all whom they paid the money and whether they will give us a land document or not.

**HJK:** Wuluswāl Sāheb! We will solve the problem once this information is provided. Either we pay the difference or they pay this guy.

**DG:** Hāji Sāheb, now I have understood everything. I learned that this Najib sold 1.5 *jerib* of land; however, it might not be 1.5 *jerib*. They sold you 13.5 *jerib* of land which might also not be quite 13.5 *jerib*, thus the question is whether the total was 15 *jerib*. It was said that the stream is 40 meters, yet, possibly it is even longer, maybe 50 meters. After the field visit the issues have become clearer. Najib's land is located where there is a bend in the stream. Maybe the Kharoti elders at that time thought it was the land of another person because they had issued this other person a corresponding land document previously.

**HJK:** This side might be his land, but that side is not his land. His land is on this side where the newly dug stream is located.

**DG:** Right. The land which is in this direction is the land of that person and Najib has received the money for it. The land wasn't there at that time, it was in the river.

**HJK:** I did not even want to ask them about the land document and I did not want to request that the land is measured. But they force me to. One of them comes saying "I have my three *jerib* of land here", another one comes and says "I have my *jerib* there". Next year another two people will come and claim land. I am obliged to get a document from them, no matter whether they have sold their own land or someone else's land. I am forced to take rigorous steps. It is not only me who is bewildered, you are also astonished. The river moved 1.5 *jerib*, an amount we will need to buy in addition. But they make a mountain out of a molehill.

**Elder:** The stream itself is a document.

**Another elder:** Now once the former landowners have been identified, we will not allow others' claims. Otherwise there is no end to the claims in the future.

**HJK:** Yes, we will not allow it. I wouldn't need to get the document. For us it does not make such a difference whether it is 10 *jerib* or 11 *jerib* of land. We receive our water. What does a blind person want to have? Two seeing eyes. We had to refer to the district... we paid the money at that time, ten *lakh* per *jerib*. Ten *lakh* Afs was a lot of money then, but we were obliged to pay it, we did not have a stream, no water at that time, so we purchased this land.

**DG:** Invite Najib.

**HJK:** Yes, invite him. Najib's land should be demarcated.

**Elder:** The problem cannot be solved with Najib alone, Hāji Sāheb.

**HJK:** Invite Najib together with the other four to five people who sold the land. Write down the name of Ghamai, commander Miyā Rasul, Muhamad Jān... Muhamad Jān died... write Aowrang.

**DG:** I noted down Aowrang.

**HJK:** Write the name of Muhamad Jān also.

**DG:** You said he died.

**HJK:** If he died his sons would come. Whom did we pay the money? Whom did our fathers pay the money?

**Elder:** No, the sons are in Pakistan.

**Another elder:** I had sold 116 *ser* of wheat to make a payment to Salem.

**DG:** Who is Salem? The commander?

**Elder:** No. He is a person from Kharoti, not a commander. I had sold 116 *ser* for 600 Afs per *ser* and paid the whole sum to Salem. He has not returned one Afs so far.

**Another elder:** Salem is not here, he is in Pakistan.

**HJK:** We people from Qarayetim paid the money at once, but the people from Sofi paid it in three rates. I myself paid our total amount in the bazaar. Meanwhile, our elder died, he had all the documents and we are left without any proof. Once the *mirāb* is back from Kabul, I will introduce some more elders, I am tired of this. It is not the matter of one day; it is the matter of a hundred days.

**DG and several elders:** You were appointed by the *qawm* to solve this issue.

**HJK:** The *qawm* also knows that this is not the issue of one day.

**Elder:** Hāji Sāheb, we people from Nahr-e Sofi support you. We have appointed you as our elder and we will share your happiness and your sadness until we die. If we die, of course, that's another thing.

**DG:** I understood that Najib's land might not be quite the size he claims. The land was part of the river when you made the joint intake at that time.

**HJK:** Have you seen how hard our laborers are working at the intake now? We wanted to cement our intake last year but they wouldn't allow us. Our *mirāb* coordinated the works at the intake for two months last year, the Kharoti people did not allow us to make a concrete intake. What is the name of my nephew, that Kharoti? Miyā Khān. Yes, Miyā Khān Kharoti also did not allow us to concrete our intake.

**Elder:** Wuluswāl Sāheb, this stream was not damaged a lot, it was straight. But when the river washed some parts away, the stream was also affected, including the aqueduct.

**HJK:** When you say the stream might be 50 meters, it is 50 meters, it is not wrong. The sides were washed away. Had it not been washed, people's houses would have been destroyed and the total damage would have been long-lasting. And our intake will again be washed away, either by the water alone or boosted by other factors.

**DG:** Where, in which part?

**Elder:** Our new intake is further up the newly-dug stream and the intake near Jangalak. There will be another wash. The land to its east belongs to *qarya* Gharmatepa. There, 40-50 meters of land are left.

**HJK:** It will be washed away.

**DG:** If it were washed away, what would happen?

**HJK:** Our stream would go to Isakhēl.<sup>470</sup>

**Elder:** It would go even beyond and reach Angorbāgh.

**HJK:** Will we be able to convince people and find a solution? Everybody would say our land is now out of the river and some would say my land is washed away by the river. How we can deal with them?

**Elder:** Let's rely on God's help. We will see. We will sell the remaining lands and pay them.

**HJK:** It is our loss and people's loss as well. Now, let's go. Wuluswāl Sāheb, don't be disappointed with us. If I am wrong one day tell me that I am wrong. I will not get angry about it.

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<sup>470</sup> One minor of the five main canals (*nahr*) in Chārdara district, that is, Chārdara main canal, Qarayetim, Sofi, Isakhēl, and Basqom.



**Elder:** Wuluswāl Sāheb is the head of the *manteqa*. He is the same for me, for him and for you.

**DG:** I am the same for all of you.

**Elder:** He is district governor, *mawlawi* and a very knowledgeable and well-versed person.

The two conversation excerpts detailed several dimensions of the conflict between Kharoti and Sofi-Qarayati water users and are revealing with regard to everyday interactions among the government and local farmers via their representatives (see Ch. 7.3). Concerning Hāji Jum'a Khān's role in the negotiations, the excerpts not only provide a rich source for analyzing the representation dimension, but also allow for conclusions about the normative underpinnings of his demeanor and the reasoning (moralities) that make him a 'conventional' elder.<sup>471</sup> It is striking that Hāji Jum'a Khān was careful to emphasize his striving for a solution without blaming the Kharoti farmers or their representatives who attend the meeting. He did not attack any of them personally; rather he expressed his deep bewilderment about the fact that they have to make such a big fuss about a point that should not be an issue at all, given that he – as representative of 15,000 *jerib* – is 'forced' to bargain about 1,5 *jerib*. In his mind, the aqueduct repair had already been checked off the list. Hāji Jum'a Khān's assurance to the Kharoti representatives that steps have been taken and that everything would be done in time for the next crop's irrigation showed his confidence about his power of delegation from elder to the *mirāb*, upon which the water manager would presumably implement the issued commands. Further, Hāji Jum'a Khān emphasized the good intentions of his constituency in Sofi-Qarayati by referring to the *qawm* and brotherly relations of the Sofi-Qarayati people with the Kharoti. With such reasoning, he sought to highlight harmony and was eager to avoid endangering it even when he mentioned that his nephew, who was also a farmer in Kharoti, had been among the ones who prevented the Sofi-Qarayati landowners from making their concrete intake the previous year when they had planned construction. He apparently also felt the necessity to mention that he had had no alternative but to involve the district government, given the manifold claims of the Kharoti. The penultimate utterance of Hāji Jum'a Khān in the second excerpt underpins his and the other elders' own perplexity and the supposed limits of their usual dispute-solving capacity in this case. While all this suggests the government was involved given the potential never-ending claims in this land-conflict, the underlying motivation was grounded in the prospect of foreign NGO-involvement and of making their intake concrete soon. A remark by Faiz Muhammad during our next conversation supports

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<sup>471</sup> Hāji Jum'a Khān was born in the area known as Qarayati today in 1925 (1301). His great-grandfather's generation had already been living in the Kunduz area; however, when the government of Abd'ur Rahmān Khān started to levy *khasbur* (duty on cultivated land to be paid as proportion of the harvest) in an indiscriminate manner, the families fled north across the Āmu Daryā and settled in the Emirate of Bukhāra in the area of Kulāb. With the overthrow of the Emir's rule and the takeover of Czarist Russian administrators, they escaped again south because they feared for life and property – only to return to Kulāb eighteen months later after reports had reached them that the Russians would not bother rural dwellers. Once they returned, they discovered this to be false and finally emigrated for good in the early 1920s. HJK was raised by his uncle because his father had died in an accident before his birth. The uncle saw to HJK's education in Kunduz's Takhāristan Madrasa and bequeathed him 10 *jerib* of land. Besides, HJK had a fatherly relative of whom he bought another 30 *jerib* of land for himself and 15 for his uncle. According to his own accounts, HJK had made a living from farming all his life. His two sons and cousins had been with the mujahedin during the 1980s resistance. Except for two years early in the war, HJK stayed permanently in the area, but never took on a role as local commander or *arbāb* himself.

this interpretation. He stated that in his own native area, Qal'a-ye Zāl, the river would meander on a regular basis as well, but nobody would make a serious issue out of it because washed land is not very good for cultivation. Instead, locals in Qal'a-ye Zāl would content themselves with the idea that "it was God's will and action" and do not create any problem.<sup>472</sup> Against this background, the agitation of Hāji Jum'a Khān and fellow elders from Sofi and Qarayetim is obvious. Hāji Jum'a Khān's rhetoric demonstrates his wit, first of all, because what he actually wanted was to make sure that the Kharoti agree on the transferal of the 1.5 *jerib* (which would close the gap between new intake site and canal for the Sofi-Qarayetim stakeholders) as soon as possible. Behind that was politicization of the land and aqueduct-issue because of the prospective NGO-involvement. The worry that Kharoti landowners could scupper that prospect explains the decision to take the dispute to the district government, which in local terms means 'to make it official'.

When Hāji Jum'a Khān expressed his dissatisfaction and impatience with the process by hinting at how it tires him and that he will possibly delegate the oversight to more elders, his fellows as well as the district governor assured him of their support. It was noted that Hāji Jum'a Khān had been charged by the *qawm* to settle the dispute. It is not entirely clear why he, instead of any of the other elders present, was given the task, but three factors are obvious: first, he had been directly involved in the affairs of the land purchase by the Sofi-Qarayetim elders from Kharoti elders; he had an excellent record in *muysafēdi*; and he was the most senior among his fellow elders (*muysafēd*).

The following example supports the second point before the scope of issues handled through *muysafēdi* is broached on this basis in more detail. The case from the time of the Taliban was narrated by Hāji Jum'a Khān at another occasion<sup>473</sup> and I quote him here in full, in order to provide a comprehensible account of how he told it:

We had a district governor, his name was Abdul Aziz. He was a Kandahari from Chārdara; he is still alive. I met him at a wedding. He said, "I need ten elders from Qarayetim tomorrow to accompany me to the governor. The governor has invited somebody – a guest [from Kabul] will be coming." I said, "Okay we will be there", but warned him that we would make an open request to the governor at this occasion and he or the governor or anyone else should not take offense at it. He asked me what my complaint would be about. I said I would tell them the fertilizer which is being sold to us is produced in our country, made from our own resources. It shouldn't be sold at a market price of 600-700 Afs but at 200 Afs. It has been about two or three years now since the government has been on its feet to some degree and we have not demanded anything yet. The district governor supported my plan and suggested we write a petition letter. We went to the governor's office in the city and exchanged greetings, but the meeting was almost finished when we arrived. Aref Khān was governor at that time. He is not alive anymore. The letter was with one of the elders and he passed it to him. The governor read it and said, "If you had come yesterday, we could have done something about it because the Deputy Minister of Agriculture was here. It is his job, not the competence of these representatives" [the guests]. He played around with our request letter and I became angry and said, "Who would have known that the Deputy Minister would come and talk with farmers or elders or village people? No one informed us. We came with the district governor today because he said ten elders would be needed." I took the letter out

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<sup>472</sup> However, nobody had promised the water users of Qal'a-ye Zāl (yet) to install the concrete intake (Interview with Faiz Muhammad in the afternoon of 22 May 2006, after returning from the field site and the elders' departure).

<sup>473</sup> Interview with HJK in Madrasa, 4 June 2006.

of his hand. The head of court, an old person like me, but with a black beard was sitting next to him. I asked him, “Why have you come to this meeting?” He asked me to come closer to him. There were a lot of people there. He asked me, “What do you want *bāba*?”<sup>474</sup> I responded that I had brought this letter. “Fertilizer is necessary for agriculture. People here are poor and cannot afford to purchase it. When there was fighting, people fled and left their land uncultivated. Today, they have returned and cannot afford to purchase a sack of fertilizer. This government should help these people.” He said, “This is true” [good work]. He took the letter and passed it on to the Minister. We are still waiting for the fertilizer to get cheaper.

Even though the *muysafēdi* apparently did not lead to the desired correction of fertilizer prices, it cannot be called unsuccessful because Hāji Jum’a Khān did all he could in this case. It was beyond his ability to influence price policies himself or to reach the Ministry of Agriculture. This was out of his scope of action at the time of the Taliban regime. And the fact that he did take the initiative to appeal to the governor in the presence of guests from Kabul must be interpreted as adding to his ‘excellent’ *muysafēdi* record.<sup>475</sup> On several more recent occasions he had been involved in conflict mediation processes that repeatedly required him to attend meetings at the governor’s (Engineer Umar) home in Tāluqān or his office in Kunduz. Almost mischievously, he reported that he told the governor that he was neither a commander nor an *arbāb* and that he did not care if the governor judged him inferior for this reason. Everybody knew that he had no special respect for commanders. This account can be read as another indicator of Hāji Jum’a Khān’s authenticity and credibility as a major elder (*muysafēd*) and man (*mard*) of principles with a decent reputation (*nām*).<sup>476</sup>

As the examples in this section suggest, *muysafēdi* is carried out on different scales: usually a distinction is made between ‘blood issues’, that is, murder cases, and a three-step spectrum of disputes or other issues (‘minor-big-bigger’) that depends on the severity and respective involvement of insiders and outsiders if viewed from the locale where the dispute occurred or whose residents are otherwise concerned. In the case of Qarayatim, Hāji Jum’a Khān gave the following overview of who would be invited to join in the consultation to mediate in the different types of conflict and consultation regarding issues of different levels:

- ‘Blood issues’: one or two elders from the *manteqa* and villages (mosques) involved in the conflict between the two or more conflicting parties, and the issue will be solved by elders;
- Minor disputes and other issues of ‘public’ (i.e., *manteqa*-wide) relevance: in the case of a dispute within Qarayatim *manteqa*, four to five elders from the *manteqa* come together and solve the issue, such as, about water, the stream, a fight between two people, and so on. If an issue – not necessarily a conflict, but simply a decision that concerns the entire *manteqa* is at stake, such as the water rotation schedule or intake works – one or two elders from each mosque in the *manteqa* come together;

<sup>474</sup> *Bāba* means grandfather, gaffer.

<sup>475</sup> However, he himself as a landowner, was not disinterested in the issue of course and the ‘poor’ he noted comprised the landowners and farmers in the first place. Thus, it reflects his subjective perspective.

<sup>476</sup> Azoy (1982: 22) first pointed out the significance of having a name (*nām*). The concept entails having followers and a reputation.

- Big conflicts (such as the land-aqueduct issue with the Kharoti described above): managed by one or two elders from Nahr-e Sofi;
- Bigger conflicts: one or two elders (*arbāb*) from Mangtepa<sup>477</sup> (downstream, of Sofi) and one or two elders from Chārdara.

Similarly, there is a distinction between different *muysafēd* according to their scope of action, which is closely related to the reputation or *nām* (‘name’) that they have made by their *muysafēdi* record, experience, seniority, and so on. Hāji Jum’a Khān, for example, is also considered an elder among his relatives’ (*qawmi*) *manteqa* in Aliābād and Chārdara, and has been invited when a conflict requires the greater involvement of ‘outsiders’.<sup>478</sup> In addition, he has been invited to mediate in Chārdara between Arab. Other elders might have a limited arena of action where they do *muysafēdi*, restricted to the local mosque community or the wider *manteqa*, but not beyond it because their competence and status are not, or not yet, as fully established as some peers. They most likely are younger and have less experience.

Related to all the above, what I have called the ‘delegation’ of elders is a conspicuous phenomenon that deserves attention. It was evident in the run-up to the *mirāb* ‘elections’ and in the fact that Hāji Jum’a Khān was appointed to be in charge to solve the dispute with Kharoti about the land and the aqueduct.

The *mirāb* appointment is an issue that concerns the entire *manteqa* where water users’ fields are situated. According to different interview accounts, elders from each mosque delegate their elders by entrusting them to make the ‘right decision’. However, this is a two-stage process with first a passive and then an active element. At a first-level, the delegation of elders from mosque communities generally entails the unquestioned agreement that if somebody is older he is entrusted with certain uncontested rights and possible obligations to represent his *qawm*.<sup>479</sup> Consequently, at a first-level the delegation is not a matter of active choice but exists as a passive automatism. At a second-level, the delegation for *mirāb* appointments depend on what is at stake in an individual water user community (like the NGO prospects in Sofi-Qarayetim in 2006) and which other interests are of importance. For example, there are several accounts of this delegation process taking place,<sup>480</sup> but, as the case of Ahmad Shāh and his one-man regulation of Mas’ud as Qarayetim *mirāb* shows, there is also evidence for the involvement of merely selected individuals or elders. The answer to the question of how such independent efforts and effective will enforcement of individual elders can be realized, given other elders’ presence comprises several dimensions. One is inherent in the differential power relations of the individual elders (see below), another (related to the former) is the fact that some elders are

<sup>477</sup> Referring to Arbāb Imām Qul and his son, Arbāb Sofi Muhamad, from Mangtepa (see Figure 2 below).

<sup>478</sup> The insider-outsider distinction was noted by HJK. He emphasized for minor issues that “we ourselves among four to five elders solve issues in our *manteqa* [Qarayetim]. In such cases it is not necessary to involve outside elders.” (Interview with HJK in Madrasa, 4 June 2006).

<sup>479</sup> One interviewee put it like this: “People say, ‘He is my elder, he can select whomever [he thinks is right]”. (Interview with assistant of district ID, Chārdara, 11 June 2006).

<sup>480</sup> These accounts are summarized from different systems and water courses (Asqalān, Sofi, and Qarayetim). See the discussion in Chs. 6.1.4 and 7.1.

easily manipulated, because they are first of all self-serving and “love money a lot”.<sup>481</sup> In any case, a dominant indicator for the involvement of any individual in the *mirāb* appointment is land ownership: “The landowner has *salāhiyat*,<sup>482</sup> not the sharecropper”.<sup>483</sup>

Against this background, it is possible to delineate a differentiation of elders on an empirical basis in the following paragraphs. The Ahmad Shāh case and previously presented empirical evidence from Asqalān (Ch. 6.1.1) suggest that, as far as the *mirāb* appointment is concerned, local elders who are at the same time large-scale landowners are in position to exert influence on who will be nominated and finally selected as *mirāb*. However, there is the case of Hāji Jum’a Khān, who owns about 40 *jerib* of land – not an extraordinary amount compared to others’ estates – and was appointed for the resolution of a dispute of great importance for all water users of the entire Sofi-Qarayatism system. Thus, there are different ‘types’ of elders which can be analytically distinguished according to separate competencies, scopes, and scales of action, and qualification. Notwithstanding the diverse vernacular terminology (see Ch. 4.1.2), I use the all-inclusive term *muysafēd*, because the particular activities and duties that elders carry out are commonly expressed with the verb *muysafēdi kardan*: (‘to do *muysafēdi* [elders’ work]’).

The first and most basic differentiation is between conventional elders (like Hāji Jum’a Khān) and novel elders (like Ahmad Shāh). In the micro-realm of social organization, each household (or core family) has a head, and each extended family an elder who is approached in case of conflict and who takes decisions as necessary on everyday basis. Beyond the family level, each mosque community has one or two elders, the most important one being either the mosque founder himself or one of his offspring in the second or third generation, after whom the mosque and local *manteqa* is usually named.<sup>484</sup> At the *manteqa*-level, comprised of different mosque communities, several elders can be approached and among them reputation, problem-solving capacity, and seniority are decisive factors for involvement in certain issues which might be negotiated within the *manteqa*, or with the participation of outside elders (see above) or even involve turning to the district and higher administrative authorities (provincial and capital-level). A conventional elder of at least *manteqa* significance must possess the material means to host guests and other elders for consultations and for travelling to places where he is invited or where he has to attend to the interest of his *qawm*, whether at the district administration, the governor’s office in Kunduz, or the governor’s home in Tāluqān (see above).

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<sup>481</sup> Interview, Madrasa, 4 June 2006. Analogously, I quote Muhamad Rashid Bāy, a fellow elder of Hāji Jum’a Khān from Madrasa, who stated, “Today, anybody can become *mirāb* if you only invite the elders for *palaw*.” (Interview with Muhamad Rashid Bāy in Madrasa, 8 May 2006).

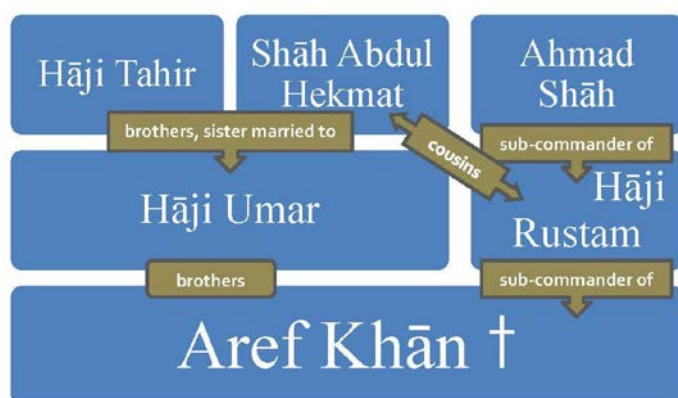
<sup>482</sup> *Salāhiyat* here refers to assigned authority understood as the ability to exercise power and the capacity to act based on recognized legitimacy. For a discussion of the concept versus *qudrat* (ability to exercise power based on force) see Ch. 7.4.

<sup>483</sup> Interview with assistant of the district ID, Chārdara, 11 June 2006. A landowning elder in Qarayatism vividly sums up the importance of land: “The difference between my life and the life of my [landless] farmer is the difference between the earth and the sky”, (Noted by Shah, Madrasa, 28 April 2006).

<sup>484</sup> Thus, the nexus between elder and head of family is revealed. At the smallest social scale, every family has an elder, and a large enough family founds a mosque for its wider family network and constitutes the basics of a clan and *qawm*.

This is likewise true for the novel type of elders. However, the empirical material derived in Chārdara and Asqalān suggests that the main distinction between them is the origin of their reputations and problem-solving capacities, thus their source of legitimation. However, individual motivations also differ to some degree. In the case of conventional elders, their reputation is based on authenticity and credibility and a record of serving the *qawm* in the first place. They have usually stayed behind in their home *manteqa* during the war decades (with perhaps one to two years absence in exceptional cases), often supported the resistance-mujahedin as much as they could with the means at their disposal,<sup>485</sup> and organized local self-defense and protection.<sup>486</sup> A few also made a name for themselves by joining the mujahedin, but, as a rule, quit after the Soviet forces' withdrawal and returned to an ordinary existence as farmers or something similar. An important criterion of a conventional elder is his 'good' behavior towards people.

By contrast, the novel elders I met and have included in the analysis thus far<sup>487</sup> were previously commanders of at least *manteqa*-significance at the time of the Taliban regime. However, interestingly enough, their fathers had all been locally very important mujahedin commanders during the revolution period. A rough consideration of their networks and relations with other important men, organizations, and administrative authorities in their respective home districts suggests their particular reliance on resource-endowed connections and their preference to serve the interests of these networks first. For example, the people who can be attributed to the major profit-making (resource-endowed) network in Sofi-Qarayetim include Hāji Rustam, Shāh Abdul Hekmat, and Ahmad Shāh (Figure 1).



**Figure 1:** Selective overview of local family cum commander ties

Hāji Rustam, sub-commander of Aref Khān<sup>488</sup> – the acting governor of Kunduz during Taliban rule in the second half of the 1990s – was the dominant figure of the local profit

<sup>485</sup> The life-histories of Hāji Jum'a Khān and other elders I met during my extensive fieldwork are cases in point.

<sup>486</sup> Self-defense and protection were reportedly needed against a third conflict party besides mujahedin and government forces, i.e., ordinary robbers who tried to gain from the confusing situation and insecurity.

<sup>487</sup> They include Ahmad Shāh, Hāji Rustam (both Qarayetim), and Hāji Rahmat Khān (Tobrakash).

<sup>488</sup> Before he became Taliban governor of Kunduz, Aref Khān was one of the influential Jam'iat commanders of Kunduz province. He started his career as an agricultural officer in Emām Sāheb and Khānābād from 1976/77-1978/79 (1355-57) before joining the Jam'iat party and getting involved in jihad in Nurestān, Badakhshān, Andarāb, and other areas throughout Afghanistan's northeastern region. After the withdrawal of the Soviet forces, Aref Khān was appointed commander of the 6th Army Corps in 1992-93 (1371). He was

network during the time of fieldwork. With his family, he owned petrol pumps, dairy farms, fish ponds, greenhouses, and high-yield seed plantations.<sup>489</sup> He functioned as the local Chārdara agent of ICARDA,<sup>490</sup> an organization involved in trial plantations of high-yield seeds and a variety of other agricultural research activities. Reportedly, he used his position to unfairly assist his relatives (see Figure 1), patrons, and friends,<sup>491</sup> but largely denied seeds and expertise to those who did not have the adequate political or family connection with him.<sup>492</sup> The riches of Shāh Abdul Hekmat have been noted above. However, it is worth indicating that he was not among the group of Sofi-Qarayatism elders who were trying to resolve the conflict with Kharoti, despite his obvious importance at the local level, given he held the positions of *mirāb*, *arbāb* and NSP chief in spring 2006. Figure 1 depicts his family relations with some of the most influential people of the area. Besides being the cousin of Hāji Rustam, which granted him access to the resources the latter controlled, his sister was given as wife to Hāji Umar, brother of the late Member of Parliament Aref Khān.<sup>493</sup> There is no evidence of Ahmad Shāh having familial relations with any of the other people depicted in the above figure. He was famous as the sub-commander of Aref Khān throughout Kunduz. However, he was said to have family ties with the governor of Kunduz, Engineer Umar (Sayaf).<sup>494</sup> The strength of his economic position can be deduced from the fact that he financed several concrete offtakes for his and his father's land along the Surkhak subcanal.<sup>495</sup> The fact that he was appointed as NSP chief in his area, his obvious jurisdiction as local elder<sup>496</sup> and his enforcement of Mas'ud as Qarayatism *mirāb* that year give ample evidence of his socio-political position.

To put it simply, it could be concluded at this point that novel elders are more occupied with the tasks of power, those activities having to do with personal benefit and effective rule, while conventional elders deal with matters that involve some idea of justice and harmony. Their regulation of land conflicts and their consultations regarding, for instance, the fixing of a rotation schedule, pertain to the whole community and carry a normative dimension including some wider, public responsibility in the name of ordinary residents.

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reportedly killed in a suicide attack in Hayatābād (Peshawar) in 2001-02 (1380). According to a different source, Aref Khān served as governor from 1997 until his death in 1999 and was succeeded by his brother Hāji Umar, who served as governor until the end of Taliban rule in late 2001 (Interview in Kunduz, April 2006).

<sup>489</sup> Besides, he was said to have only eight *jerib* of land in Sofi (Interviews in Madrasa, 28 April 2006).

<sup>490</sup> ICARDA's presence in Kunduz (head office) and Chārdara (greenhouses and trial plots) was part of the international agricultural rehabilitation efforts in the area.

<sup>491</sup> The local term for such mutual beneficial relations or gentlemen's agreements between wealthy people is *sharikān* (Interview, Chārdara, 28 April 2006).

<sup>492</sup> According to accounts of Madrasa elders (Interview in Madrasa, 28 April 2006).

<sup>493</sup> Hāji Umar (Zoakhēl) rented one of his compounds and land to the German Provincial Reconstruction Team in Kunduz. Furthermore he reportedly handled the entire provision of the PRT with gas and diesel.

<sup>494</sup> The family link between Ahmad Shāh and Engineer Umar could not be confirmed in other interviews.

<sup>495</sup> Ahmad Shāh owned at least approximately 80 *jerib* along the Surkhak canal in upstream Qarayatism (Estimate noted during walkthrough survey by ter Steege, 21 May 2006). Detailed figures were not available; however, it is likely that Ahmad Shāh owned land in several locations within Sofi-Qarayatism's command area.

<sup>496</sup> As noted previously, Ahmad Shāh was involved in the resolution of a land conflict and had come directly to the office of the district governor to clarify the issue, without involving other local elders.

From the responsibilities undertaken, it is obvious that the conventional elders aim more<sup>497</sup> at community integrity and equity to some extent than obviously preferential treatment of a few individuals by advancing their narrow interests over community interests. In addition, the generational difference in the observed cases is salient. Seniority is common to all conventional elders, but not necessarily so to novel elders.

Yet, the distinction of conventional versus novel elders should not be taken as establishing absolute categories. The empirical reality is too complex for the imposition of ideal typologies. The cross-cutting cases of Shāh Abdul Hekmat and Saifudin (Asqalān), to give just two examples, demonstrate that there are elders who do not boast a recent commander-origin, but are just as self-centered and network-focused as the novel elders type. For all *muyṣafēd* (of both ideal types), the problem-solving capacity necessarily requires relations and networks that enable elders' access to governmental, non-governmental, and elder authorities outside their own local realm or *manteqa*. In the case of Hāji Jum'a Khān and Ahmad Shāh, for instance, I observed that both could approach the district governor without a written petition, which is the standard procedure for ordinary people.<sup>498</sup> Despite all the differences regarding sources of legitimation and individual motivation for *muyṣafēdi*, it would be unfounded to speak of competition or disunity among the different elders in Sofi-Qarayetim.<sup>499</sup> Even during the war, the elders reportedly took care that the commanders did not fight with each other. Unity (*ettefāq*) was observed to be a strong norm that was thought to ensure protection from outside attackers and from conflict escalation within the community. Thus, its members seemed well-connected to the outside and related well among themselves. The effect is particularly remarkable if Sofi-Qarayetim is compared with Asqalān: infrastructure projects (roads, schools, irrigation, that is, check dams, offtakes, dividers), NGO involvement (NSP, ICARDA, Welthungerhilfe, Mercy Corps, etc.), connections with government agents in Kunduz and Kabul, and political interests were evident throughout Sofi-Qarayetim. By contrast, Asqalān's elders were reportedly disunited and, with very few exceptions, such as Hāji Rahmat Khān (see also Ch. 7.3), did not have the good relations and access needed to benefit the local populace.

Another aspect that has become evident from the elaborations in this and the previous sections of Chapter 6 are role-overlaps as depicted in Figure 2. It shows the *mirāb* position holders, *arbāb*, and *muyṣafēd* at the time of fieldwork.<sup>500</sup> The commander category is added for its significance to the differentiation of elders introduced above.<sup>501</sup> As *muyṣafēd*,

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<sup>497</sup> However, this is not to argue that conventional elders always act completely out of altruistic motives.

<sup>498</sup> For a contextualization of this observation, see Ch. 7 on issues of representation and access.

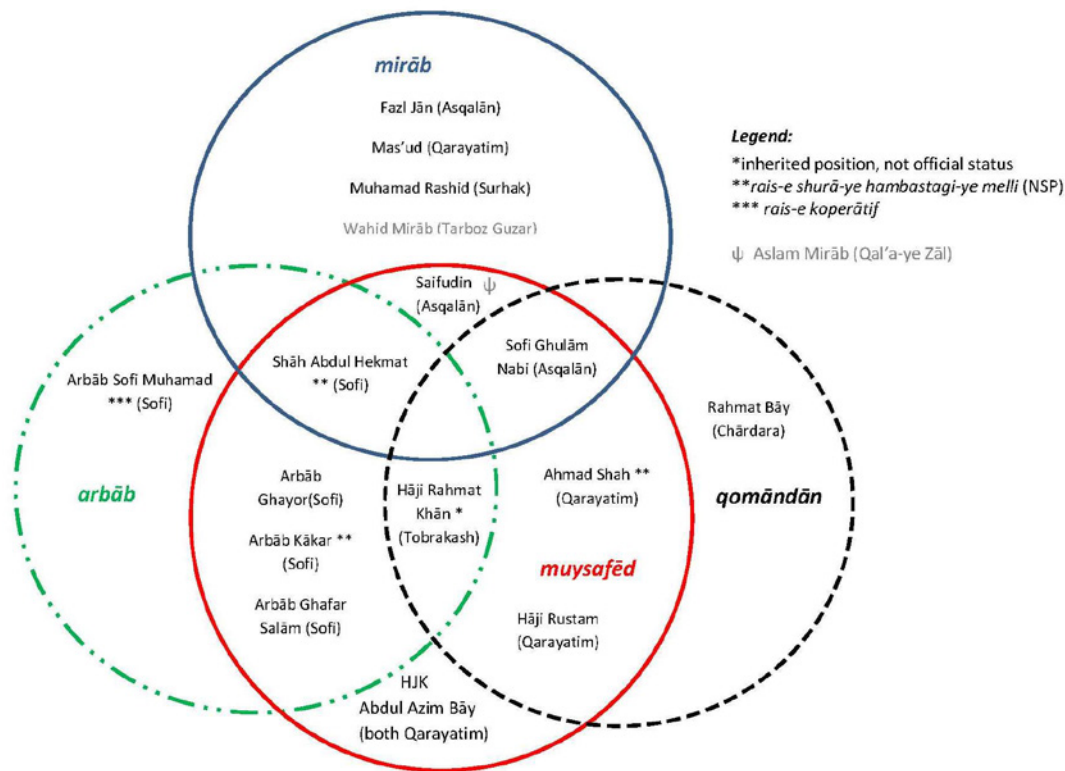
<sup>499</sup> As the case of Mas'ud's appointment as *mirāb* showed, consent and unity are situationally produced and ensured with the help of symbolic rituals (e.g., the joint praying for a candidate) and thus stylized as a social norm of rural society. The same rituals are also used in Asqalān (Ch. 6.1.1) and Qala-ye Zāl (Ch. 6.1.3).

<sup>500</sup> This does not exclude the possibility that some individuals served as *mirāb* for a term in the past; for example, Ghayor Arbāb was also at one time *mirāb*.

<sup>501</sup> However, '*qomāndān*' as a role activity, was reportedly not existing anymore at the time of fieldwork, particularly since the DDR process progressed. I do not presume to be able to assess the DDR process at that time, but merely recount that the official rhetoric was of disarmament, demobilization, etc. Thus, the common narrative suggested that existing commanders would be a remnant from the past that are still around because titles (*arbāb*, *qomāndān*, *mirāb* etc.) usually persist in Afghanistan. One obvious example from the Sofi-Qarayetim area was the case of (commander) Rahmat Bāy.



only those with greater significance beyond the local mosque community are included in the red circle.<sup>502</sup>



**Figure 2:** Intersection of roles of rural elites in Sofi-Qarayetim and Asqalān

I refer to the graph in Figure 2, and especially the *arbāb*-position, which unlike Asqalān is a peculiarity of Chārdara district and Sofi *manteqa* in particular, in more detail in Chapter 7.3.1. At this point, I merely want to highlight the diversity of local positions and the extent of intersections as evidence for the manifold roles of individual elders. It is important to understand that *mirāb* and *arbāb* positions can only be gained with elders' consent; they are appointed and controlled by elders and as a rule registered with the district administration.

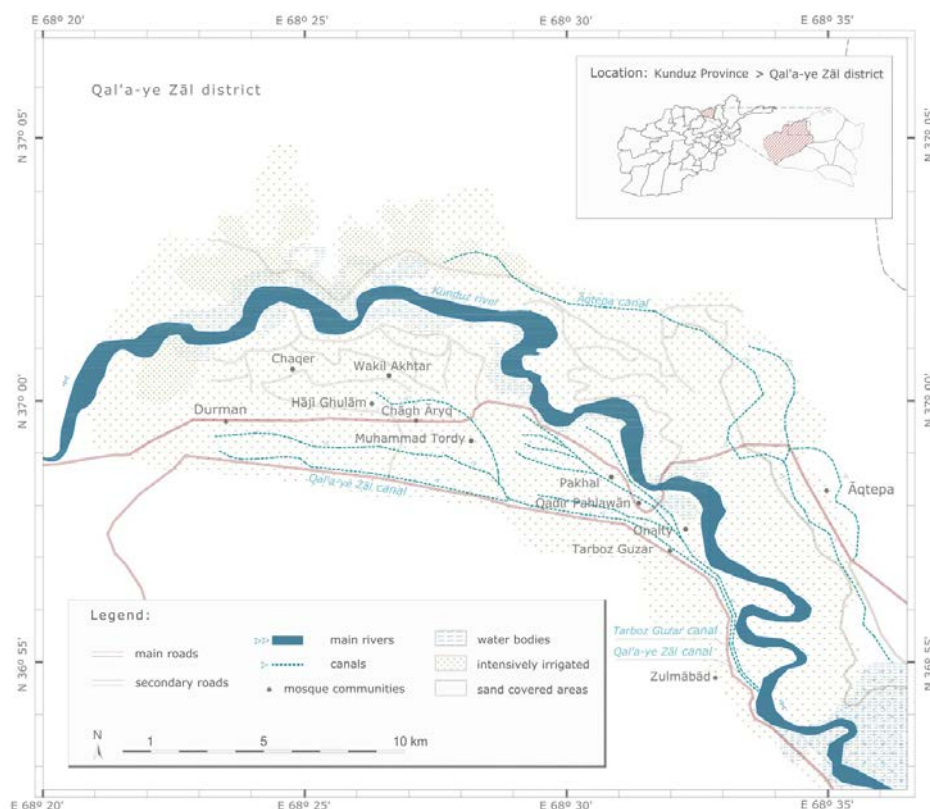
### 6.1.3 Qal'a-ye Zāl: Tarboz Guzar and Qal'a-ye Zāl irrigation canals

I devote this third subchapter on irrigation water governance to research locations in Qal'a-ye Zāl district<sup>503</sup> because the situation along the two main canals of Tarboz Guzar and Qal'a-ye Zāl adds nuances to the previous findings in several important dimensions. These canals on the left bank of the Kunduz river present contrasting layouts with regard to size and infrastructure complexity, which consequently impact on maintenance and management procedures (section a). Even though differences can also be traced to the social composition of the water users, the residents of both canal command areas share

<sup>502</sup> For this reason, for example, Fazl Jān who is an elder of five families, is not part of the red circle, but merely included as *mirāb*.

<sup>503</sup> The district consists of three main *manteqa*: Āqtepa (district center, bazaar location, and area along major canal of the same name), Qal'a-ye Zāl proper (along the canal), and Tarboz Guzar.

important socio-political features and not least show a comparably high degree of tranquility. One likely explanation is the way in which livelihoods are earned and the fact that income from cereal cropping is enhanced by other income sources, primarily carpet weaving and almond growing but also livestock in upstream Qal'a-ye Zāl.<sup>504</sup> In the second part (section b), I use a representative depiction of how water reform implementation in both systems progressed and the results it showed until the end of the second observed irrigation season in late summer 2007. I thus demonstrate how calmly the communities dealt with it compared to Asqalān and especially Sofi-Qarayatim, despite struggling with high water and insufficient material to prevent their irrigation works from being washed away.



**Map M7:** Tarboz Guzar and Qal'a-ye Zāl irrigation network

### a. Proving the diversity of water management arrangements

At the time I entered the field in Qal'a-ye Zāl in April 2006, a separate intake for each canal only a few meters apart could be distinguished. By design, the Tarboz Guzar intake is situated a bit north of the intake of Qal'a-ye Zāl, so that at times of low water levels in the Kunduz river, Nahr-e Qal'a-ye Zāl would absorb river water first and diminish the amounts of water flowing into the Tarboz Guzar canal network. However, since both intakes reached between 100 (Qal'a-ye Zāl) and 250 meters (Tarboz Guzar) into the river, the whole area resembled a lake-shaped body of water when the river was high. On such occasions, as at peak water flow season of 2007 (1386) in late July, the water users were

<sup>504</sup> Qal'a-ye Zāl has an excellent reputation for its carpets all over Kunduz province and even beyond. The 'Salt-fort/hill' – as Qal'a-ye Zāl is literally translated – is also widely known.

struggling to prevent a major breach that would wash away their canal infrastructure and were thus trying to dam the river with sand sacks, reed braids, and wood (see Photo P1).



**Photo P1:** Flooded intake of Tarboz Guzar and Qal'a-ye Zāl irrigation canals

With a command area of approximately 48,000 *jerib* and 32 sub-canals, Qal'a-ye Zāl is the largest of all canal systems studied. Its total length is 39 kilometers, as opposed to mere 18 kilometers and a command area of 7,000 *jerib* with six major sub-canals in the case of Tarboz Guzar.<sup>505</sup> The first evidence of difference from the irrigation systems introduced previously (6.1.1, 6.1.2) is epitomized in the water allocation unit *bēl*. Similar to *qulba*, it determines the amount of water allocated for contributing one laborer for maintenance work at the intake for a predefined size of land. This size varies, however, depending on different criteria in both systems. As a rule, in Tarboz Guzar one *bēl* can comprise<sup>506</sup> either 10 *jerib* for land higher than the canal, 20 *jerib* for land situated at the same height as the canal, and 30 *jerib* for land below the water table. The corresponding water discharge in normal times is four hours per *bēl*. In Qal'a-ye Zāl, not only the land level plays a role, but also the quality of the local soil. Thus, a distinction is made between three zones: one *bēl* of sandy soil is 30 *jerib* and entitled to eight hours (4 centimeters) of water in normal times (12 hours when the water level is low, 16 if even lower). If the land lies above the water level, one *bēl* comprises 60 *jerib* and gets four hours (2 centimeters) water (six hours or eight in the other conditions). If the soil consists mainly of clay and is able to conserve water well, one *bēl* becomes 80 *jerib* entitled to receive three hours (1 centimeter) of water (four and a half to six hours if there is less water available).<sup>507</sup>

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<sup>505</sup> All numbers are official figures and could not be verified (Welthungerhilfe 2006). The size of the irrigated area of Tarboz Guzar is just slightly larger than the Sofi command area of 6,800 *jerib*.

<sup>506</sup> The correct terminology should be 'one *bēl* can irrigate' a certain number of *jerib*, as it does not designate the area unit, but the amount of water given for labor contribution and a certain water requirement determined by land area unit (*jerib*-size) depending on the land level and the soil quality. *Bēl* is literally translated as 'shovel'. Interestingly, the amount of water is measured in centimeters. Historically, though, the water amounts supplied were measured by the time water was dropping from a jug (*koza*).

<sup>507</sup> The information on the centimeter amounts is derived from the *mirāb* of Qal'a-ye Zāl (Interview, 27 August 2006).

Without wading into the technical details of irrigation here, this section adds another two dimensions of entitlement patterns to highlight the complexity and diversity of locally-practiced allocation mechanisms for irrigation water.<sup>508</sup> In contrast to the command-area sizes that were indicated for both canal networks in *jerib* above, the size of irrigated land of both systems is given in *bēl* measurements in the subsequent parts of this case study because *bēl*-amounts are likely to be more reliable and an ex-post conversion of *bēl* into *jerib* amounts risks distorting the figures disproportionately.<sup>509</sup> The following list of *bēl*- and *jerib*-sizes for the six sub-command areas of Tarboz Guzar gives an example of such inconsistency.<sup>510</sup> According to the *mirāb* of Tarboz Guzar, Wahid Mirāb, the *bēl* command area of Tarboz Guzar is 200 *bēl*, for the sub-canal command areas he gave the following figures and information:<sup>511</sup>

- Panja Bālā/Qotarma: 400+1,400 *jerib*, *kokbāshi* Mustafa
- Onalti: 35 *bēl*, 900-1,000 *jerib*, *kokbāshi* Norullah
- Pakhal: 60 *bēl*, ca. 2,000 *jerib*, *kokbāshi* Wahid Mirāb
- Juy-e Jangal: 700 *jerib*, *kokbāshi* Nader Pahlawān
- Toza Aryq: 900-1,000 *jerib*, *kokbāshi* Said Murād
- Jangal-e Bālā: 700 *jerib*, *kokbāshi* Emām Qul

In comparison, the command area of Qal'a-ye Zāl covers approximately three times the area of Tarboz Guzar. According to the *mirāb* of Qal'a-ye Zāl, Aslam Mirāb, it amounts to 600 *bēl*<sup>512</sup> and he is assisted by 32<sup>513</sup> *kokbāshi*. In Tarboz Guzar, *mirāb* Wahid Mirāb serves also as *kokbāshi* of Pakhal<sup>514</sup> canal, the largest secondary canal in the Tarboz Guzar

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<sup>508</sup> Along both canals, the complex *bēl* entitlements, perfected by an elaborate technical infrastructure, ensure relatively stable water distribution during irrigation seasons. See Abdullayev et al. (2007).

<sup>509</sup> The local figures hardly allow for conclusions to be drawn of the total size in *jerib*, because of the different values for *bēl* presented above. Moreover, *bēl* can be even more flexible and become situationally defined depending on the landowner's will and the *mirāb*'s agreement. See Mielke et al. (2010: 194ff). The only way to determine the approximate *jerib*-amount of irrigated land in a certain season would be to consult all the *kokbāshi* in both canal areas, because they have a record of landowners with *bēl* sizes and knowledge about local *bēl*-*jerib* ratios in their sub-canal command area. However, the number of *kokbāshi* was with more than 35 simply too large to verify the sizes of sub-canal command areas. Other ZEF-researchers, who focused on the technicalities of water management, and Welthungerhilfe staff, had also not systematically traced the *kokbāshi*'s knowledge about their respective areas.

<sup>510</sup> The term 'inconsistency' is used here because the *bēl*-*jerib* ratio for the substream cases where both figures were given and noted turns out to be 25-28 *jerib* per *bēl* for Unalte and 33 *jerib* for Pakhal. The calculation does not resolve neatly into 20/30/40 *jerib* per *bēl* since the quality of the land is not known and apparently varies within individual sub-command areas. Other conclusions cannot be drawn for the same reason, and how the figure of a 200 or 216 *bēl* command area is derived for Tarboz Guzar cannot be deduced from the figures given.

<sup>511</sup> Interviews with Wahid Mirāb, 03 April 2006, 28 August 2006, 29 July 2007.

<sup>512</sup> Estimates by Welthungerhilfe that were derived from different surveys amount to 216 *bēl* for Tarboz Guzar and 588 *bēl* for Qal'a-ye Zāl.

<sup>513</sup> The number 32 was given by Aslam Mirāb, while his assistant clerk spoke of 33 *kokbāshi*. It is likely that the system is constantly extended and if recognized and registered by the *mirāb*, a 'new' *kokbāshi* will be acknowledged as well. See below the case of the newly-dug canal Nahr-e Jadid which alone has added 11 *kokbāshi* to the social irrigation infrastructure of Qal'a-ye Zāl.

<sup>514</sup> The canal was named after the tribal name of its founder, Ali Muhamad Pakhal (Mirāb) from Shortepa, who started digging the stream with 18 Turkmen tribesmen and served as its first *mirāb* for about 20 years. The canal was originally started from a spillway from Qal'a-ye Zāl canal that existed prior to Pakhal.



network. Besides, he is the son of the biggest landowner (700 *jerib*) in the Pakhal command area. In the 2007 irrigation season, he served the third year of his third term as *mirāb* of Tarboz Guzar after he had been appointed *mirāb* for six and two years in a row in the past.<sup>515</sup>



**Photo P2:** Canal bank erosion Qal'a-ye Zāl

The second piece of evidence of difference between these two and the other systems introduced previously is that the chain of command between *mirāb* and *kokbāshi* appeared very robust in both Tarboz Guzar and Qal'a-ye Zāl, with a clear division of labor discernible. For intake construction, up to 800 laborers are mobilized over several days and weeks. Similarly, the second major problem in both canals, the high amount of siltation, is being tackled with regular canal repair and de-siltation works organized locally by the *kokbāshi*.<sup>516</sup> Before the start of irrigation season, the laborers reportedly start digging the canal from the sub-canals and continue together in the main canal until they reach the intake.<sup>517</sup> As a rule, it is the *mirāb*'s job to notify<sup>518</sup> the *kokbāshi* about planned works and they then mobilize the laborers in the secondary and tertiary canals. The supervision of the laborers along the main canal and at the intake is also the duty of the *mirāb*, while the various *kokbāshi* are in charge of day-to-day water distribution in the secondary and tertiary canals and at field level. Because he is acting at the interface with water users on a day-to-day basis, the *kokbāshi* is appointed locally by the water users in his area of command. The *mirāb* does not have veto power in the appointment of the *kokbāshi*, though he can recommend somebody. The annual appointment or confirmation of the *kokbāshi*

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<sup>515</sup> Interview, 28 August 2006.

<sup>516</sup> The high silt amounts of both water systems are problematic and demand regular time-consuming desiltation and canal repair works. On average, the canals have to be cleaned as many as ten times a year, and in some months, farmers and laborers reportedly spend up to 20 days on this activity in order to ensure that water reaches their crops.

<sup>517</sup> This implies that the laborers hired by head-end landowners also have to work at the tail-end for canal cleaning.

<sup>518</sup> In Qal'a-ye Zāl the *mirāb* orders his scribe (*katib*) to send a letter to the *kokbāshi* to inform them of the locations of planned measures (Interview with Aslam Mirāb, 27 August 2006).

provides him the legitimacy to mobilize laborers and collect his salary. Given Nahr-e Qal'a-ye Zāl's vast extent and highly hierarchical canal structure, the position of third-level (tertiary) canal warden or *chakbāshi* is common and held by an additional person.<sup>519</sup> Furthermore, a guard (*qoruqmāl*) is appointed by both landowners and the *mirāb* to protect the physical integrity of the main canal, because severe canal bank erosion due to the grass-cutting poses a serious problem in the sandy areas (see Photo P2).

The salaries of the *mirāb* and *kokbāshi* are paid partly in cash (at the beginning of the season) and in kind (after the harvest).<sup>520</sup> In case a landowner does not receive water for some reason (e.g., because of drought, low water levels, destroyed offtakes or dividers, high silt load), he is exempted from the payment. Yet, since intake construction and canal maintenance are carried out before the start of the irrigation season and continue in both systems throughout the year, no landowner can deny his laboring contribution,<sup>521</sup> because even if water is not received during the first turn, the farmer can do nothing but hope he will get water during succeeding turns. Wahid Mirāb noted that locals actually call this labor contribution *hashar* (communal work),<sup>522</sup> which carries the normative notion of reciprocity. Indeed, the social dynamics in Tarboz Guzar appeared offset in a way and the upstream-downstream inequities observed in the other systems (Chs. 6.1.1, 6.1.2) were not observed. The main reason for this contrast can be traced to the geographic situatedness of Tarboz Guzar, in particular the fact that its downstream area borders on overgrown wetland areas (*zābur*). Here, many families have started to grow rice because of natural water-logging. Others have made small streams in the overgrown swamp area and channel water to neighboring fields so that even during severe water shortages it is not the tail-end cultivators who are the most vulnerable. Beyond the small size of the system, another factor that likely creates some sense of common purpose as expressed in the *hashar* norm,

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<sup>519</sup> The *chakbāshi* fulfill the same tasks in tertiary canals as the *kokbāshi* do in secondary canals, though the *kokbāshi* is often also in charge of the relevant tertiary canal oversight. Where the *mirāb* is also the *kokbāshi* he takes care of the whole network originating from the secondary canal in his command area. For example, Wahid Mirāb oversees the tertiary canals of the Pakhal main and secondary stream. In Qal'a-ye Zāl, several secondary canals have one to four tertiary canals and *chakbāshi* appointed, as in Wakil Akhtar area. Faisair, a secondary canal splits into Arsari, Chalish, Ketab, and Ortabos with one *chakbāshi* each, while one person is in charge of the two tertiary canals (Qal'a and Said Qabool) of Chaqer secondary canal (Data (including transliteration of names) according to the Welthungerhilfe village assessment of Qal'a-ye Zāl, May 2006).

<sup>520</sup> In Qal'a-ye Zāl, Aslam Mirāb is paid one Af\$ per *jerib* at the beginning of the irrigation season after the canal and the intake have been dug. However, information on the total amount varies between 35,000 Af\$ (according to Aslam Mirāb) and 40,000 Af\$ (according to his scribe, Sakhi Jān); it is divided between both the *mirāb* and his assistant scribe. The annual cash payment for the *kokbāshi* is negotiated locally and was reported in one instance to amount to 8,000 Af\$ calculated on 5 Af\$ per *jerib*. In addition, a remuneration in kind of one *sēr* wheat per *bēl* for the *mirāb* and up to ten *sēr* for the *kokbāshi* (depending on the yield) is given at the end of the season after the harvest. Wahid Mirāb of Tarboz Guzar received 20,000 Af\$ cash as the *mirāb* (100 Af\$ per *bēl* for an assumed total of 200 *bēl* in Tarboz Guzar) at the beginning of the season, plus 7,000 Af\$ and 120 *sēr* wheat in his second function as the *kokbāshi* of Pakhal. How the *chakbāshi* is remunerated is not known, though it is likely in a similar fashion. The warden is paid three *sēr* wheat per *jerib* (Interview with school headmaster and Aslam Mirāb in Durman, Qal'a-ye Zāl, 27 August 2006).

<sup>521</sup> By now, with this third case study on local water management, the reader should be familiar with the labor contribution mechanism: the sending of one laborer (*mardikār*) per *qulba* or *bēl* for the duration of intake construction works or canal cleaning entitles the farmer to a pre-determined amount of water. Landowners who can afford it hire a laborer for the whole year for a sum of between 5,000 and 7,000 Af\$ in Tarboz Guzar, 10,000 Af\$ in Asqalān, 6,000-10,000 Af\$ in Sofi-Qarayati, and 8,000 to 12,000 Af\$ in Qal'a-ye Zāl.

<sup>522</sup> Interview, 28 August 2006.

and thus facilitates good cooperation among water users of Tarboz Guzar, is the socio-ethnic homogeneity of its population; all the residents along the canal belong to different Turkmen tribes.<sup>523</sup>

On the contrary, the settlement patterns of Qal'a-ye Zāl canal are highly heterogeneous and ethnically mixed in almost every place in the command area: Pashtuns, Turkmen, Uzbeks (Qongherāt), Tajiks, 'Hazara', and Arab reportedly all share mosques except for five mosque communities that are used only by one *qawm* (two Turkmen, two Kandahari, and one Nāqel). In upstream Zulmābād, Keshāni, and Hāji Ghulām as well as in the settlement cluster of Wakil Akhtar,<sup>524</sup> Pashtuns (Kandahari, Kākarkhēl) dominate and have land as well as large numbers of livestock (cattle, sheep, horses, camels, and donkeys).<sup>525</sup> The areas further downstream house smaller shares of Pashtuns and are highly mixed communities. Here, access to irrigation water reportedly varies from *manteqa* to *manteqa*, though the *mirāb*, his *kokbāshi*, and the laborers work hard to provide water. For example, in downstream *manteqa* Chāgh Aryq the main income sources are reportedly laboring (40%) and livestock (40%), and only 20 percent of the households can make a primary living from agriculture. Most of the people are reported not to own land. Especially during the mujahedin and Taliban periods *manteqa* Chāgh Aryq experienced disadvantages because at times of low water the upstream water users ('*qomāndān*') would not employ a rotation scheme. The *mirāb* of the day was a puppet of these upstream landowners and reportedly took money for prioritizing their water needs over those of the downstream users. Instead of a proper maintenance crew, he had a maximum of 70 young boys working at the intake and along the canal, despite receiving the full amount of money for several hundred adult laborers.<sup>526</sup>

In the years of severe drought in the second half of the 1990s, the Chāgh Aryq landowners referred to the district governor and even the governor of Kunduz several times to ask for intervention, but without success. Finally, the situation escalated so that one of the large local landowners, Mullā Ergash, mobilized his fellow landowners to dig a separate sub-canal by the name Nahr-e Jadid. According to local accounts, 2,000 laborers, landowners

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<sup>523</sup> The main Turkmen tribe in the irrigation areas is the Qara Bēka Gul, it is the same that the majority of Asqalān Turkmen belongs to. Subtribes are the (Pakhal) Dali and the Khajambal/Alam (Interview with Wahid Mirāb, 28 August 2006). Fifty percent of the initial Turkmen settlers along Tarboz Guzar came from the Emirate of Bukhārā, and the other half is said to be from Aqcha in Faryāb province and Shortepa towards Mazār-e Sharif. In total, between 900 (according to the *mirāb*) and 1.250 (according to Welthungerhilfe) families live along the canal, or roughly 5,000 people. According to Wahid Mirāb, 440 families live in the NSP cluster Tarboz Guzar Bālā (Upper TG) and 460 families in Tarboz Guzar Pāyin (Lower TG) (Interview, 28 August 2006).

<sup>524</sup> Wakil Akhtar is the home *manteqa* of Khalilullah Gul, who is Member/Senator of the Meshrāno Jirga (Upper House of Afghan Parliament). He was delegated as Transitional Member to the Meshrāno Jirga after the 2005 (1384) Provincial Council elections.

<sup>525</sup> Of many families one male member still migrates with the herds to pastures in Badakhshān over the summer months. The Kākar first came with their animal herds to the area approximately 150 years ago. Over time, they adapted a partly sedentary lifestyle, recognized the value of land ownership and diversified their livelihoods. More Pashtuns came at the invitation of Shēr Khān approximately 70 years ago, about the same time that members of other ethnic groups came to settle along the canal. Although the second wave of Pashtuns also arrived with larger numbers of livestock, they are not pastoralists today, but live mainly on agriculture and trading (Interview with Keshāni landowner and Kandahāri in Keshāni, 26 August 2006).

<sup>526</sup> Interview with headmaster of school in Durman, 27 August 2006.

and farmers were involved in the digging during the summer of 2000 (1379). They were confronted by an equal number of upstream residents who demanded to stop the canal digging because they faced a lack of labor contribution for canal cleaning from the neighbors downstream. By the time the confrontation began and both sides faced each other armed with hooks and other working tools almost on a daily basis, the tensions could only be resolved through the intervention of a high-level Taliban commander who threatened to jail some of the upstream landowners should they continue to interfere with the digging of Nahr-e Jadid. Because the Taliban governor of Kunduz at that time (Hāji Umar, see Ch. 6.1.2) was not able or willing to solve the conflict, the water users managed to involve the deputy of Mullā Fāzl who was the highest-ranking Taliban commander in northern Afghanistan at that time. Reportedly, he had to desert the frontline in Bangi halfway between Kunduz and Tāluqān/Takhār to come to Qal'a-ye Zāl to settle the issue.<sup>527</sup>

A markedly high sense of community and solidarity among the downstream population can be deduced from, among other indicators, the fact that several families who had been residing in the tail-end area but were displaced as a result of fighting during the mujahedin period, found shelter and settled in the Turkmen-dominated cluster Tayebābād until their return as late as mid-2007.<sup>528</sup> At the time of fieldwork, considerable pressure on the system was reported due to returnees' settling throughout the command area, but especially in the upper part. Two mosque communities were newly established by returnees from Pakistan with 20-25 families each. As in other regions, the number of family members had multiplied considerably. While some families had relocated from Iran and Pakistan under the Mujadedi government in 1992, most only returned after the ousting of the Taliban. Table 5 shows 2002 to be the peak year for individual returnees to Qal'a-ye Zāl district in the aftermath of 2001. However, compared with other districts, such as Chārdara (see Ch. 6.1.2), the refugee and returnee numbers of Qal'a-ye Zāl were much lower, as the district population is less in general.<sup>529</sup>

**Table 5:** Number of returning refugees, Qal'a-ye Zāl district, 2002-2006<sup>530</sup>

Year	2002	2003	2004	2005	2006 <sup>531</sup>
Refugee returnees	2,902	675	1,356	1,059	483

During the mujahedin period, the canal had three *mirāb* because the different parties (Jam'iat-e Islāmi, Harakat, Hezb-e Islāmi) dominated separate stretches of territory along

<sup>527</sup> It remains unclear how the landowners of Chāgh Aryq managed to attract the Taliban commander's attention, that is, whether they had appealed to him directly or via Hāji Umar or someone else.

<sup>528</sup> Reportedly, the families that could afford to flee Afghanistan during the time of the Soviet occupation and thereafter were mainly from upstream areas; hardly anybody from downstream had the means.

<sup>529</sup> The estimated population of Qal'a-ye Zāl in 2006 was 34,439 people, compared to 117,230 in Chārdara and 288,361 people residing in Kunduz and the surrounding villages (Kunduz Markaz). See UNHCR (2006).

<sup>530</sup> The data is taken from UNHCR (2006). In contrast, the Provincial Department for Refugee Affairs in Kunduz officially registered only 964 families as returnees in Qal'a-ye Zāl between 2002 and late August 2007 (Interview with deputy of Provincial Department of Refugee Affairs in Kunduz, 1 September 2007).

<sup>531</sup> As of 30 September 2006.



the canal. Each *mirāb* collected money for maintenance and his salary in his own area. Whenever there was some disagreement over a *mirāb*'s and thus party's mandate, house to house fighting (*khāna jangi*) broke out among their various followers. Reportedly, since party adherence did not overlap neatly with the borders of individual settlements or even family boundaries, such conflicts regularly involved intra-family and intra-*qawm* killings.<sup>532</sup> When with General Rashid Dostum's establishment of the Junbesh movement out of his former militia an additional player entered the scene in north Afghanistan, the confrontation between Jam'iat-e Islāmi and Junbesh escalated violently. According to local accounts, Qal'a-ye Zāl *manteqa* served as the regional frontline between both. Tarboz Guzar suffered from heavy fighting after their commander Rahim Pahlawān changed sides from being with Aref Khān (then Jam'iat-e Islāmi) to allying with Dostum, for which Aref Khān took violent revenge. In local memory, a second major breach in the frontline occurred at the time when Junbesh fought the Taliban in the area. Again, the local commander of Junbesh defecting to the Taliban caused heavy destruction and casualties throughout Qal'a-ye Zāl *manteqa*.

Against the background of these reported events, one could sense a considerable degree of grievance still existing throughout Qal'a-ye Zāl in 2006-07. Nevertheless, these grievances were apparently not translated into major differences over the obedience to local water allocation rules,<sup>533</sup> and there was hardly anybody who would speak a bad word about Qal'a-ye Zāl's *mirāb* Aslam Mirāb.<sup>534</sup> It has not been fully understood which factors were responsible for Aslam Mirāb's ability to enforce the fixed framework of rules effectively. On the one hand, these rules were highly complex, as they defined the interdependence of upstream and downstream water users in joint canal maintenance and intake works while taking into account manpower, nature (soil, gravity, water table), and different water supply situations. On the other hand, the rules were easy to follow for anyone because they were highly transparent and promised equitable and just water allocation for individual cultivators. Aslam Mirāb emphasized that he would be working very transparently because his assistant scribe, Sakhi Jān, would take care of accounting and always be ready to provide an overview of money raised from water users and expenditures for material and transport costs. This was very much in contrast to his predecessors until 2001-02, who accepted bribes and were in no need of observing accountability because they were known to be henchmen of the local commanders (*barādar-e qomāndān*).

Aslam Mirāb was described as a hardworking, poor old man,<sup>535</sup> humble and honest, who treated everybody equally and thus deserved respect and obedience. His sanctioning powers in cases of deviance and illegal watertaking consisted of the ordinary *mirāb* instruments: denying the water thief his turn during the next rotation cycle, fines, and possibly the involvement of district authorities. However, if somebody were absent for

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<sup>532</sup> Interview with Aslam Mirāb and headmaster in Durman, 27 August 2006.

<sup>533</sup> This conclusion is supported by the findings of Abdullayev and Shah with reference to consensus and equity rules. See Abdullayet et al. (2007).

<sup>534</sup> Aslam Mirāb's grandfather was a Turkmen from Kabadiān district, Sharituz Province of Bukhārā (today's Tajikistan).

<sup>535</sup> At the time of fieldwork he was 71 years old. He had served as *kokbāshi* during the government of Zāher Shāh.

intake or canal repair work he gave everybody a chance to make up an absence, for example by doubling their manpower the next day. Fines were imposed by considering the situation of the deviant individual in order to treat him fairly. Thus, instead of imposing a fixed rate, fines could vary between 100 and 400 Afs. Not least due to these equational activities, Aslam Mirāb won respect and was valued as a *mirāb* and *muysafēd* who was able to integrate divergent interests and avoid an escalation of conflicts. He was reconfirmed as the *mirāb* of Qal'a-ye Zāl for a fifth year in a row in 2006. His own land and place of residence were in the lower part of the canal. However, and in contrast to the situation in Asqalān, no special rule existed in Qal'a-ye Zāl that required the selection of the *mirāb* from the downstream area.

There is no evidence that Aslam Mirāb ever employed force or involved the district administration in local conflicts over water or outstanding intake and maintenance contributions.<sup>536</sup> Yet, these did occur and were the order of the day, though perhaps less often than in the other systems given the fortunate morphology and the *bēl* system. For example, the scribe Sakhi Jān accused the Kandahāri landusers of regularly skipping intake works. In addition, many illegally-built structures for water diversion existed. To assume that such free-riding could be thwarted in any effective way by the *mirāb* or that persuasion might be effective in this case is naïve. Hence, despite the above considerations the source of Aslam Mirāb's power remained sketchy. Nevertheless, the circumstances of how Aslam Mirāb became *mirāb* in the first place help to understand his position and status. Accordingly, shortly after Nahr-e Jadid was completed the Taliban were ousted from the province and other people gained influence, among them Faiz Muhammad, now the district governor of Chārdara, who at that time was the local Hezb-e Islāmi commander in Qal'a-ye Zāl. In the event of the *mirāb* election in 2002, he demanded to have five candidates presented and subsequently installed Aslam Mirāb as new *mirāb* of Qal'a-ye Zāl canal. This appointment and Aslam Mirāb's status benefited from the reputation of the appointee.

At the time of fieldwork, Faiz Muhammad was highly respected and only spoken of well by everybody because 'he treated everybody from the most different *qawm* the same'.<sup>537</sup> In contrast with the then current situation (2006-07), the time Faiz Muhammad<sup>538</sup> was district governor of Qal'a-ye Zāl was cherished, as the following quote indicates:

When Faiz Muhammad was here, everything was good. When Faiz Muhammad was reassigned to Aliābād, it was like the sun had set and darkness had come. When you go to the district administration today and want to scratch your skin, they think that you are taking money out of your pocket to bribe them. There is lots of bribing.<sup>539</sup>

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<sup>536</sup> Even though one account was recorded in the field stating that Aslam Mirāb would bury deviants up to the neck in sand as punishment (Recorded by Shah, see Abdullayev et al. [2010]).

<sup>537</sup> Evidence from several respondents, e.g. Hāji Abdul Haq in his *manteqa*, upstream Qal'a-ye Zāl, 26 August 2006.

<sup>538</sup> The same Faiz Muhammad who was district governor in Chārdara during my fieldwork in 1385-86 (see Ch. 6.1.2). With the advent of the Karzai government he was first appointed district governor of his native Qal'a-ye Zāl, then moved to Aliābād and rotated on to Chārdara in 1384.

<sup>539</sup> Interview with Hāji Abdul Haq in his *manteqa*, upstream Qal'a-ye Zāl, 26 August 2006.

The ubiquity of bribe-giving and -taking was noted by all respondents when talking about the district administration in Qal'a-ye Zāl, in particular with regard to the CoP and his staff. Aslam Mirāb explained that this was also the reason why he refrained from contact with the district administration, except for the district ID in Āqtepa. In the view of the locals, all positions were filled with former, 'bad' commanders<sup>540</sup> of the mujahedin period (see above). The administrative corruption (*fasād-e edāri*) was said to be rampant, and still 'force would rule on force' (*enjā zur bālā-ye zur ast*) when the district government became involved. This reportedly resulted in a situation where rich people would buy justice and elders consequently lost significance in local conflict resolution and decision-making affairs because affluent people could afford appeal to the district administration for conflict settlement with their financial means at hand. Thus, they could confidently ignore or not accept an elders' ruling, turn to the district administration instead and be sure that there any conflict was decided in their favor.<sup>541</sup>

In the following, I cite as a third piece of evidence that accounts for the differences in irrigation water governance of Qal'a-ye Zāl and Tarboz Guzar the distinct role and motivations of the respective *mirāb*. Aslam Mirāb and Wahid Mirāb are able to manage water distribution and maintenance in a much more authoritative way than their colleagues in the other canal systems (see Table 6). The overview of what I have called 'individual motivations' listed in Table 6 moreover suggests that the office of water manager and the performance of its normative task portfolio,<sup>542</sup> that is, not only maintaining the system and distributing irrigation water but also allocating water in an equitable manner and serving small and large landowners alike, is dependent upon the appointed individual, including his status in the community and his personality. Fazl Jān had sincere ambitions, but failed (x<sup>f</sup>) to provide the tail-end farmers in Tobrakash with water because the upstream landowners in Asqalān were in cahoots with Sofi Ghulām Nabi and effectively controlled him. In Qarayatim, Mas'ud was appointed *mirāb* by one influential landowner and former commander, ignoring all qualifications and interests that favored other candidates. Similarly, Shāh Abdul Hekmat appointed himself with the backing of other influential people in Sofi. Because he was *arbāb* (x<sup>a</sup>), head of the local NSP council, a large landowner, and the son of a pre-war *mirāb* he took over the position from Hāji Tahir, his brother, who had served the previous terms and was much favored by smaller landowners. Wahid Mirāb was both qualified and successful (x<sup>s</sup>) in providing stable water amounts to the fields in his constituency. However, he was great helped by the morphological properties of his canal area and its comparatively small size. Aslam Mirāb was the only of the six *mirāb* studied, who had the status of a conventional elder due to his age, the respect he enjoyed, and his social abilities to mediate in conflict situations. Performing as *mirāb*, he could count on the backing of other *qawm*-leaders and elders, like his scribe Sakhi Jān, who were likewise much concerned with equity values. Nevertheless, his appointment as

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<sup>540</sup> For a basic distinction of different types of commanders ('bad' versus 'good') see Ch. 7.4.

<sup>541</sup> Several interviewees stressed this point, e.g., Aslam Mirāb who himself acted as *muysafēd* in conflict arbitration (27 August 2006), Sofi Anārgul of Zulmābād, likewise an elder of his *qawm* (23 August 2006), and Hāji Abdul Haq, (*qarya-ye Hāji Ghulām* [26 August 2006]).

<sup>542</sup> Criteria commonly cited to characterize the person occupying the *mirāb* post include land ownership, honesty, and a helpful attitude, as well as good relations with all water users and the government administration.

*mirāb* five years earlier was eventually aided by Faiz Muhamad in his position as commander at that time.

**Table 6:** Individual motivations of acting *mirāb* in irrigation season 2006 (1385)

Irrigation canal	<i>Mirāb</i>	Novel elder	Conventional elder	Puppet of landowners	<i>Mirāb</i> -ambition
Asqalān	Sofi Ghulām Nabi	x		x	
	Fazl Jān				<sup>f</sup> x
Qarayatim	Mas‘ud			x	
Sofi	Shāh Abdul Hekmat	<sup>a</sup> x	x		
Tarboz Guzar	Wahid Mirāb				<sup>s</sup> x
Qal‘a-ye Zāl	Aslam Mirāb		x		

Finally, when talking about the ‘authoritative’ capacities of a local *mirāb*, the relation between elders and *mirāb* deserves special attention. From Aslam Mirāb’s case in Qal‘a-ye Zāl the conclusion could be drawn that where the *mirāb* is at the same time a conventional elder, the equity dimension is inherently met. I have also shown for Qarayatim (6.1.2) that the elders seem to control their *mirāb* (Mas‘ud) and were able to order him to fix the Kharoti aqueduct, for example. However, it has not become entirely clear whether the conventional elders (Hāji Jum‘a Khān et al.) indeed had full command over the *mirāb*’s activities. It is also possible that they instead fell prey to a classical principal agent dilemma in which the agent, that is, *mirāb* Mas‘ud, merely makes the appearance of following orders fully but deprives the principal *muysafēd*, that is, Hāji Jum‘a Khān et al., of complete information about his activities,<sup>543</sup> which allows him to push his own agenda. The influence of large landowners (partly novel elders) on who gets appointed as *mirāb* is striking. That Fazl Jān (in 2007) in Asqalān and Hāji Tahir (in 2006) in Sofi were not reappointed despite bold ambitions and their support from the majority of small-landowner water users suggests that large landowners were ready to put intra-community peace and harmony at risk for the prospect of ensuring at least their own share of the envisioned benefits from foreign involvement with infrastructure constructions along their canal. Consequently, with this politicization caused by the prospect of NGO activities,<sup>544</sup> the likelihood of smaller farmers, tail-end water users, or farmers with high land to choose a person they would trust to allocate water according to their needs, decreased. The above Chs. 6.1.1 and 6.1.2 provide evidence in this regard for Qarayatim and Asqalān. However, in Qal‘a-ye Zāl and Tarboz Guzar, a similar effect was not discernible.

### b. Water management reforms (not) touching ground

The background of the prospected construction interventions was set by the government’s plans for water management reforms. By March 2006, a policy document entitled ‘Strategic Policy Framework for the Water Sector’ had been drafted, pointing out future

<sup>543</sup> This explains why the Kharoti claimed no barrels had yet arrived for the construction of a temporary aqueduct.

<sup>544</sup> This refers to NGO activities under the umbrella of KRBP, which is introduced in the next section. For the general framework for foreign involvement in local areas throughout Afghanistan see also Ch. 8.

directions and reform intentions in the water sector. Among the latter were the revision of the 1981/1991 Water Law, irrigation regulations, and the introduction of Water User Associations (WUAs) at watercourse level.<sup>545</sup> While the policy framework was approved in November 2006, the drafted Water Law remained blocked in parliament throughout the research period.<sup>546</sup>

With the magnitude of the national-level aid interventions of the international community in Afghanistan in the framework of institution and state-building after 2001 (Schetter and Mielke 2008), the transitional government adopted the Integrated Water Resources Management (IWRM) approach as a blueprint for all water sector reforms, including irrigation. This decision had tremendous consequences, because the IWRM-paradigm entailed the administration and management of water resources within the natural boundaries of river basins and not along the conventional administrative lines of provincial and district boundaries. Subsequently, the creation of agencies according to river basins and hydrological networks as geographical entities had to be inaugurated, spanning from the central to local levels. In a first step, a sub-division of Afghanistan's water resource landscape into five river basins took place as early as 2002-2003,<sup>547</sup> including the Āmu Daryā basin and within its meso-catchment ('watershed') the Kunduz river basin.<sup>548</sup> The institutional design of this new water management format is depicted for the Kunduz river basin in Figure 3.

The organizational hierarchy in place during fieldwork comprised the Supreme Council for Water Affairs Management (SCWAM) reporting to the Ministry of Energy and Water (MEW) and the SCWAM-Technical Secretariat in charge of coordination between MEW and other national ministries related to water resources.<sup>549</sup> At the sub-national level the water management departments of the MEW line ministry (IDs) functioned at the provincial level. In the districts where I worked (Qal'a-ye Zāl, Chārdara) even district level irrigation departments (in Chārdara and Āqtepa) were in place and working under the Kunduz ID. The reform plans envisaged the provincial IDs conceding their water management competencies to a River Basin Authority which would be formed at river

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<sup>545</sup> USAID had proposed a WUA Charter based on project activities in Kandahar parallel to the new Water Law draft. See Rivière (2006: 51).

<sup>546</sup> The law was not passed for several years until its final approval and announcement in the Ministry of Justice *Official Gazette* No. 980 on 26 April 2009. See Ministry of Justice/GoA (2009).

<sup>547</sup> Based on the second pillar 'Physical reconstruction and natural resources' in the transitional government's National Development Framework, which was presented in April 2002. See Rivière (2005: 13, 16).

<sup>548</sup> The five river basins were the Āmu Daryā river basin, Northern river basin, Harirod-Murghāb river basin (sometimes called the Western river basin), Helmand river basin, and Kabul river basin (aka 'Eastern' river basin) and are further subdivided into 41 watersheds (defined as meso-catchment areas). The delineation into river basins, watersheds, micro-catchments, and community water points was institutionalized with the editing of a watershed atlas for Afghanistan (Favre and Kamal 2004), available at: [http://aizon.org/watershed\\_atlas.htm](http://aizon.org/watershed_atlas.htm). For a clarification of the terminology, i.e. river basin versus watershed (US-terminology) versus catchment (UK-terminology), see *ibid*.

<sup>549</sup> These were the Ministries of Agriculture, Animal Husbandry and Food (MAAHF), of Rural Rehabilitation and Development (MRRD), of Mines and Industry (MMI), of Urban Development and Housing and Kabul Municipality (MUDAH). See also MEW (2007: 9) and Varzi and Wegerich (2008: 51) for a similar chart as well as a map of the Kunduz river basin and its three sub-basins.

basin level over the medium term. At the next lower level, three sub-basins<sup>550</sup> were carved out according to hydrological criteria, despite the Kunduz river basin actually comprising seven rivers and about 50 smaller water courses (Varzi and Wegerich 2008: 52).<sup>551</sup> Contrary to the setup of a government-directed basin and sub-basin authority, the complementary council structures (river basin council, sub-basin councils) were envisaged as assemblies of non-government stakeholders (private sector entrepreneurs, such as construction companies, NGOs, and representative structures like *shurā*, *jirga* and associations of *mirāb*), which would have to be formed once their legal basis was established by the government.<sup>552</sup> At the operational level, the reform was oriented towards participatory stakeholder involvement in the irrigation schemes, with user communities forming representative local bodies in the form of *shurā* or WUAs in order to co-determine the regulation of water use and users in line with the regulations of the Water Law.

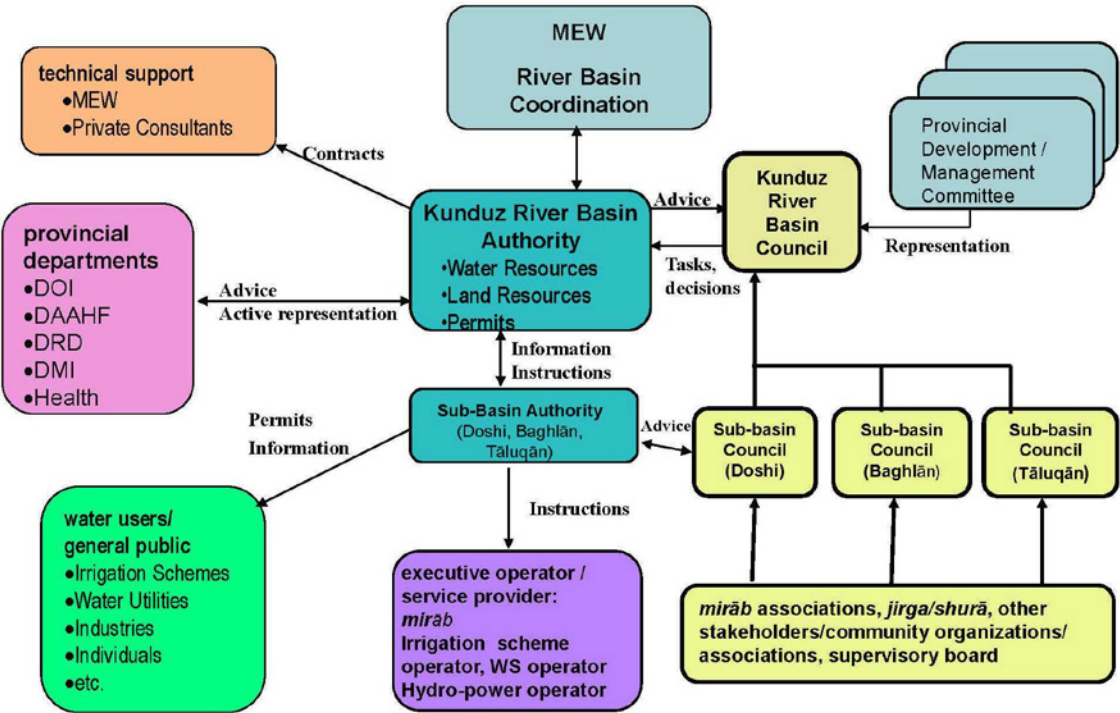


Figure 3: River basin institutional arrangement (adopted from KRBP presentation)

<sup>550</sup> The study canals were supposed to be part of different sub-basins, i.e., Asqalān to be managed under the Tāluqān river sub-basin, and the Qal’a-ye Zāl and Chārdara schemes by the Baghlān sub-basin authority (Noted by Shah in SMWA Team Meeting in Kunduz, 23 July 2007).

<sup>551</sup> According to the authors, the Tāluqān (12,919 km<sup>2</sup>) and Baghlān catchments (28,441 km<sup>2</sup>) were identified as bases for the definition of sub-basins: the area of the Tāluqān-catchment was incorporated fully to become the Tāluqān sub-basin, whereas the Baghlān catchment was split up into the downstream sub-basin Baghlān and its upstream counterpart Doshi-Bāmiyān sub-basin (ibid.). Despite the fact that this way of dividing the sub-basins would have touched on Bāmiyān province and its provincial ID as part of the Kunduz river basin, the subsequently established KRBP (see below) limited its activities to the three provinces Kunduz, Baghlān, and Takhār. It thus contradicted its own IWRM-approach of following hydrological boundaries (ibid.).

<sup>552</sup> From a functional perspective, the reforms propagated a split between (1) the legal and policy functions of the MEW, (2) the organizational tasks of the river basin management, and (3) service providers and implementers charged with operational tasks (MEW 2007: 16).

The overall aim of the reform was that such a new setup would facilitate a more effective, integrated and sustainable management of water resources given the high losses and other shortcomings described above, such as regular water losses and infrastructure damage. The assumption was that this in turn would provide greater reliability in water supply for agriculture, enhance production, farmers' welfare, and food security. According to MEW's Water Sector Strategy (2007) the national river basin management programs which were launched from 2004 on were expected to affect the organizational and technical landscape of water management with the establishment of river basin management institutions, the rehabilitation of traditional irrigation schemes, and the formation of WUAs.

The Kunduz river basin was selected to be the first site for the implementation of described reforms through the European Commission-financed Kunduz River Basin Program (KRBP) starting from June 2004.<sup>553</sup> Among the five components covered by the program,<sup>554</sup> in terms of irrigation, the improvement of infrastructure and water management in 10 to 15 small to medium irrigation systems were included. The irrigation schemes of Qal'a-ye Zāl and Tarboz Guzar along with Asqalān, Sofī and Qarayatim were among the few canals selected<sup>555</sup> to be part of the pilot program for implementing and testing the institutional and organizational changes.<sup>556</sup> By 2006 – the time I was conducting fieldwork in all five canal networks – the government was forced, for several reasons, to compromise on the balance between infrastructure construction, institutional development, and capacity building for the delivery of physical works and rehabilitation of infrastructure in the implementation process. The main issue was that the MEW as well as the national river basin program managers<sup>557</sup> and subcontracted NGOs for the mobilization of WUAs<sup>558</sup> felt they had to respond to water users' expectations first (MEW 2007: 7), even

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<sup>553</sup> KRBP started with a budget of €12.5 million, granted by the European Commission to the MEW for an initial five years, that is, until 2009. Why the Kunduz river basin was selected might have been connected with the German Technical Cooperation's Agency (GTZ) leading the Water Sector Reform Project and the overall emphasis of German engagement in Afghanistan's northeast, see MEW (2007: 7).

<sup>554</sup> The other components included (1) the preparation of a river basin water management plan and setup of the River Basin Authority, (2) the improvement of the operational efficiency of water use from irrigation schemes, (3) capacity development of provincial line ministries of MEW, river basin councils, and WUAs, and (4) the regeneration and selection of upper catchments (Rivière 2005: 35). The latter is relevant for Ch. 6.2 and will be discussed in more depth in the subsequent sections of Ch. 6.2.

<sup>555</sup> According to Varzi and Wegerich (2008: 53), 33 out of a total of 213 canals in the Kunduz river basin were included in the KRBP, accounting for 30 percent of the irrigated area in the basin. Contrary to Rivière's report that 10 to 15 small to medium schemes would be selected, the MEW and the consultant in charge of KRBP referred to the rehabilitation of eight to 12 medium- to large-scale schemes (MEW 2007: 16, Interview with this consultant, Kunduz, 19 April 2006). Among the selection criteria for the irrigation networks were the size of the command area, landholding size (rather small, including returnee population), ethnic balance, and assumed goodwill and cooperation of local *mirāb* (ibid.; also see KRBP 2006). In Kunduz Province, only four of the 33 canal networks (Qal'a-ye Zāl, Tarboz Guzar, Sofi-Qarayatim, and Asqalān) were integrated into the Kunduz river basin pilot program.

<sup>556</sup> The underlying rationale was that if the program should prove successful in the water management realm, it could be adopted as management model for other natural resources as well.

<sup>557</sup> The MEW subcontracted the British-based international consulting firm Landell Mills Limited to implement the KRBP.

<sup>558</sup> Two out of the five KRBP components were subcontracted to NGOs: the SMWA and Upstream Water Catchments' protection and forest regeneration. Welthungerhilfe won the bid to implement the SMWA project in the five irrigation canal areas discussed in this thesis for Kunduz Province, and further in Takhār's Sharawān canal (Welthungerhilfe 2005: 3). A complementary assignment was given to the Aghā Khān

though the plan was to also realize the institutional and capacity-building objectives. However, since the latter related to the ‘software’ of irrigation, that is, the local management capacity and social aspects, it required much more time and trust-building with the communities. The implementation of the ‘hardware’ components was thus considered to be the carrot that would bring the communities on board with the reforms (see Ch. 8). Furthermore, the fact that the organizational inventions (river basin councils, river basin authority, WUAs, etc.) were not legalized in any way because the Water Law awaited ratification in Parliament, undermined their effective propagation and formation considerably.<sup>559</sup>

The background of the expected building of concrete intakes, offtakes, dividers, and other infrastructure in my study canals has been sketched out. My elaborations throughout Chs. 6.1.1 to 6.1.3 suggest that the KRBP was largely perceived as a construction NGO. In the following, I discuss on the basis of my admittedly and necessarily selective empirical insights how the water management reforms materialized locally until fall 2007.<sup>560</sup>

Few changes that were however only indirectly related to the larger reform project had already been introduced in the preceding years. For example, the traditional time of *mirāb* ‘election’ was already altered in Asqalān for the 2006 irrigation season with the appointment not being made in the month before the start of the irrigation season and new year in late February, but already in the preceding fall between late September and end of October 2005 (Ch. 6.1.1). In Chardāra and Qal’a-ye Zāl districts, *mirāb* appointments for the 2006 season were conducted according to the traditional timeline. However, by 2007 the time-shift of the appointment to the end of the preceding irrigation season was enforced in all four schemes and consequently took place in autumn 2006. According to my interview accounts (see sections 6.1.1-b, 6.1.2-a, 6.1.3-a) ballot-voting was not practiced for choosing the *mirāb* in either season, although the provincial ID had tried to popularize ballot-voting on the occasion of *mirāb* elections for Chārdara main canal in fall 2006.<sup>561</sup> In another example for reforms, the identification cards for *mirāb* were introduced and handed out the first time in 2006. Previously, the name of the person selected as *mirāb* had been certified first by the district ID and then by the provincial ID. Now, a card with a photograph was issued for the position holder so he could be identified by anybody upon need and he could prove his identity. The underlying rationale was to facilitate the communication and negotiation process of local water managers with government

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Development Network (AKDN) in cooperation with the French organization Groupe Urgence Réhabilitation Développement (URD) in Baghlān and parts of Takhār (ibid.: 7).

<sup>559</sup> At the sub-basin level, working groups were established for the time being until the approval of the Water Law would allow their transformation into sub-basin councils (MEW 2007: 20). For a review of these working groups see Varzi and Wegerich (2008).

<sup>560</sup> Because it was not the objective of this PhD-thesis to assess water management reform implementation, I did not gather data systematically and did not trace the implementation process in detail. For this reason I will use ZEF-researchers’ insights in addition to my own to support the analysis in the next paragraphs (Abdullaev et al. 2007). See Chs. 8 and 10 for a discussion of the reforms in the framework of the overall development intervention.

<sup>561</sup> Whereas the Chārdara elections were fully covered with video and audio by the local news outlet Kunduz TV, other *mirāb*-election results were merely announced on the news. The impression was that the Chārdara elections were meant to have a demonstrative and role-model effect to teach democracy and voting.



departments, NGOs, and construction companies. Interestingly, these procedural and practical inventions were not only established for *mirāb* of the KRBP-selected canals, but for water managers in all schemes. This can be read as an indication of the prevalence of other programs and projects in the irrigation sector, as evident for example in the NSP and other NGO-led project interventions with a selective, local focus.<sup>562</sup> Moreover, the head of the provincial ID in Kunduz stated that those NGOs which circumvented his administration could usually not be monitored and there were many complaints from local communities regarding the inferior quality of the structures that the NGOs built.<sup>563</sup> Accordingly, in his view one of the main tasks of his department consisted of liaising between NGOs, donors, and local communities for the irrigation sector.<sup>564</sup>

In the summer of 2006, an increased mobilization in the water user communities along the study canals set in because Welthungerhilfe was beginning its community-specific activities in the SMWA project. As elaborated above, in anticipation of timely intervention with considerable cash input and infrastructure output *mirāb* positions were filled strategically in Asqalān (Sofi Ghulām Nabi), Sofi (Shāh Abdul Hekmat), and Qarayatim (Mas'ud). However, due to delays in project implementation, including challenges in conducting baseline surveys (see Ch. 5), the expected outputs were not materializing quickly.

SWMA was charged with enabling and enhancing communities' "sustainable social and technical rehabilitation/improvement of medium-sized irrigation schemes by including all water users and [to] ensure that their local water management bodies have access to the participation mechanisms of the Kunduz river basin management institutions." (Welthungerhilfe 2005: 4). At the local level, the stated aim was to build "more democratic social water management structures" by achieving equal representation of water users in the communities (ibid.). One instrument proposed in the initial project proposal was the establishment of cluster-based Community Water Management Committees. On the one hand, these were projected to implement small- and medium-sized water infrastructure projects. On the other the idea was to thus create representative bodies which could liaise with different interests along individual canals and between water users and external (private and government) agents (ibid.: 9). With the issuing and circulation of a Draft Water Law in 2006, the terminology changed slightly from Community Water Management Committees to WUAs. At the pre-WUA stage and due to the failure to enact the Water Law for the 2006-2007 period, the establishment of Water User Groups (WUGs, *kumita estefāda kunandagān-e āb*) and Canal Committees (CCs) was spurred. However,

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<sup>562</sup> SCA, Mercy Corps, Welthungerhilfe, AKDN, CARE, ACTED, et al. (all NGOs with local offices in Kunduz city) had a broad project portfolio centering on agricultural rehabilitation which also allowed for activities for irrigation system improvement. Thus, throughout the described canal areas individual infrastructure components (diversion structure, offtake, spillways, gates etc.) had been constructed with the help of these NGOs prior to 2006 and in parallel with KRBP. For example, Welthungerhilfe had worked since 2002 in Baghlān, Takhār, and Kunduz province with a focus on the rehabilitation of water resource systems (Welthungerhilfe 2005: 9).

<sup>563</sup> Complaints were also encountered during fieldwork in different locations, where it turned out those concrete structures had already ceased functioning several months after being built. According to the locals' opinion, these failures were often because the NGO and construction company engineers would ignore local idiosyncrasies and the farmers' experience.

<sup>564</sup> Interview with Engineer Amir, head of the Kunduz provincial ID, Kunduz, 22 April 2006.

given the vagueness that characterized the available draft of the Water Law at that time, the future role of the *mirāb* and *kokbāshi* remained unclear both to the NGO manager and their community-mobilizers in charge of implementing the social dimension of the reform.

To what degree of clarity the aims of the program were communicated and perceived is doubtful, because none of my interviewees referred to the program's social dimension in particular.<sup>565</sup> The hardware component and heightened expectations of construction NGOs dominated the discussions. The mobilization of those *mirāb* whose canals were selected for the Kunduz river basin pilot program from Kunduz province was successful in a way because they met regularly with the head of the provincial ID.<sup>566</sup> Furthermore, the *mirāb* from all chosen canal systems in Baghlān, Kunduz, and Takhār were invited to several key workshops where the KRBP, its objectives, and benefits were introduced and discussed. In the following, I quote the wrap-up speech of the deputy head of the Kunduz ID at one of those coordination meetings of KRBP-stakeholders. It was attended by representatives of the implementing NGOs, the *mirāb* from the pilot schemes in Kunduz, Takhār and Baghlān, government deputies of the MEW, such as the Deputy Minister Muhamad Akbar Barakzai, of the respective provincial line ministries, such as the heads of the three provincial IDs, and the deputy governor of Kunduz.<sup>567</sup> The speech sheds light on several aspects, including the appeal to the water users to show solidarity, unity, and some sense of self-reliance arguing that no one but them could fix their own problems and ensure the common well-being. Another important point is the allusion to water rights as *haq āba*.

My dearest countrymen! I would like to use the opportunity of this day – which is a historical day for water resources – to present my cause as a fellow countryman, not a manager or an employee in front of His Eminence Deputy Minister of Water and Energy. My dearest countrymen, you are the heirs of Afghanistan. We are Afghans and Afghanistan is our country. Previously, this country was with our fathers and ancestors. We had everything. We had irrigation systems. We had *haq āba*-designations. We had elders. Everything we had was ordered and organized. We know that the 30 years of imposed wars, in which the foreigners also had their hands, destroyed our country. Today, everyone from everywhere has arrived in our country for reconstruction based on the assumption that we are weak and unable. That is not true. We own everything. Firstly, we are Muslims. We have the best and most comprehensive law, the holy Koran. We are following the Koran and the rules and explanations it contains. If we respect God's law, we will not face any problem. It is neither the matter of the Chief of Police, of the governor, the Irrigation Department, the Ministry of Water and Energy nor mine, it depends on you. You should have solidarity. As the Deputy Minister said, you should be organized and united. And as the head of the Kunduz ID said, if we respect our brotherliness and each other's *haq āba*, problems will not arise.

On Thursday, I went with a few people to a village named Kanām. I saw a rice plot, next to which two to three *jerib* of land were lying dormant. When I enquired why the land was left fallow, local people answered that the land does not get water. The landlord of the rice plot doesn't give water to his neighbor. I saw that water is going from the rice plot to the river and that it is lost, even though the rice plot is situated higher than the fallow field which could have been irrigated by the water. If you do not believe me, I will show you the place.

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<sup>565</sup> For a more comprehensive reflection on the aid intervention in local communities and the consequent effects see Ch. 8.

<sup>566</sup> Meetings were scheduled twice a year with all *mirāb* at the provincial ID office, while weekly meetings with district staff were conducted (Interview with Engineer Amir, 22 April 2006).

<sup>567</sup> The meeting was held on 22 July 2006 at the Kunduz Hotel, Kunduz city.

[...] If this is the kind of solidarity and brotherliness we have, we will not be able to achieve anything. This way we cannot solve our problems.

As I mentioned previously, we had everything in the past. Now different countries have intervened claiming to be our friends despite the fact that each of them has its own agenda. Some of them have provided long-term loans which will have to be paid back at some point in time. Some have raised donations and established organizations which if they spend ten Afs for us they spend 90 Afs for themselves. We should not be disappointed, however. This country will be fixed with the support of God. The owners of this country will shape the country. Our country was destroyed several times and has been rebuilt. Alexander the Great, Chengiz Khān, Timor [Tamerlan], and hundreds of others have come like the Russians. We have seen them all. None of them could solve our problems [‘fill our holes’]. The Irrigation Departments say ‘We do not have working tools’, and they are right. Our ministries have problems. The Ministry of Energy and Water announced that they will divide the *haq āba*. They have received two and a half million dollars. Why is it not possible to purchase two bulldozers for each provincial ID? If it is being purchased, we do not have any other problem. Then, in emergency cases, we have our bulldozers and human manpower, we can construct our intakes. The big money is being spent for nothing, like they say ‘We assign *haq āba*.’ What kind of *haq āba* will they assign? We have our own measurement tools, like one *bēl āb*. We have good and educated people. We have engineers. The truth is that they [the foreigners] do not have the intention and do not want to have fundamental works done.

During the time of Suleiman, Peace be upon him, an old woman approached him complaining that her house had been washed away by a mudslide. The messenger of God ordered one of the *dēw*<sup>568</sup> to rebuild her house. The *dēw* made four stone walls and erected the house and asked the woman if she is satisfied. She replied ‘yes’ and the *dēw* destroyed the house. After the same procedure was reenacted several times the old woman decided to turn again to the messenger to tell him what had happened. On her way to him, a man saw her and asked what she was up to. The old woman told him her story and the man advised her to answer the *dēw* that she is not satisfied with the house, to claim that it is not complete and to indicate some more works to be undertaken. So when the *dēw* returned once again to rebuild the house, by the time it was finished the woman claimed it was not complete. Once the old woman went to sleep she handed the *dēw* a fan demanding to fill up her body orifices [hole] with air.<sup>569</sup> Not having achieved this yet [because it cannot be achieved] and having already been asked to get some further jobs done, the *dēw* finally escaped. Thousands of *dēw* will escape this country. None of them can solve our problems. I have nothing more to say. Thank you.

In its broadest sense, the address is a deeply revealing indicator of the role and status of government officials in the reform process, their states of mind, and their comprehension of the reform (see Ch. 7.3). Moreover, the vocabulary and content he employs to persuade the *mirāb* in the audience to cooperate with the department suggests conclusions regarding the government officials’ perception of their constituency. The aforementioned persuasion includes elements of blaming vague donors (‘foreigners’) for the inefficient use of money and the implication that foreign stakeholders’ intentions are bad and – indirectly – that thus they cannot be fully trusted. The reference to the Koran and the Muslim law serves its purpose to give confidence in self-reliance. The anecdote in the end seeks to underscore the entire argument.

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<sup>568</sup> *Dēw* is a legendary figure in local fables, meaning roughly spirit, genie, or ghostly monster, here under the command of Suleiman the messenger.

<sup>569</sup> The exact expression related to a woman’s private parts. The story is *highly* unusual to be told in an official meeting like this.

I had the opportunity to discuss the notion of *haq āba* with both Fazl Jān and Sofi Abdul Hākīm in the presence of a couple of other people in a group interview just a few days later.<sup>570</sup> The concept was not familiar to either of the two Asqalān *mirāb*. After a long discussion, the technical translation of the term into the meaning ‘right to water’ was concluded and acknowledged; however without them being able to relate to it much. Finally, it was related to the eight-day rotation schedule between Asqalān and Tobrakash that gave the downstream or upstream community the particular water right on a given day. The *haq* notion in and of itself, was highly valued in a normative sense, though, and the Koran as well as sharia law were cited to stress equal rights for everybody, including equal access to irrigation water, whether irrigating at the tail end or head of a canal.<sup>571</sup>

Prior to the concluding address of the deputy head of Kunduz ID and as an outcome of the meeting, a 13-point ‘Resolution for water management and effective use of water in times of scarcity and emergency cases’ was announced. Among other points, it included the prohibition of rice cultivation in specific areas as defined by the agricultural and irrigation departments, justified by the violation of tail-enders’ rights. Furthermore, the selection procedure for *mirāb* and their deputies were designated ‘very old and traditional’ and not meeting modern requirements. The subsequent proposition suggested the necessity to define and publish precise rules for the selection of the *mirāb* and the establishment of water user committees.

For Kunduz, the meeting also served to usher in the mobilization process of water users with the aim of establishing WUGs coordinated by a CC in each of the four canal clusters (Asqalān, Tarboz Guzar, Qal’a-ye Zāl, Sofi-Qarayatim).<sup>572</sup> Because of the deterioration of the security situation in Chārdara at the same time, SMWA community mobilizers were focusing on Sofi-Qarayatim first and managed to set up six WUGs, three along each sub-canal, through 10 September 2006. Until mid-September, six WUGs were also established along Asqalān (three in Asqalān *manteqa*, three in Tobrakash). In Tarboz Guzar, two WUGs (Tarboz Guzar Bālā, Tarboz Guzar Pāyin) were created, and in Qal’a-ye Zāl four (see Table 7). Though both WUGs and CCs were registered with the provincial ID, they did not acquire any legal status.

From the table the disproportionate distribution of WUGs relative to canal command area is evident. Whereas Asqalān and Sofi-Qarayatim, each with a similar amount of irrigated land, had six WUGs formed, Qal’a-ye Zāl with far more than the double command area, comprised only four WUGs. This type of cluster formation must be understood as a consequence of the local conflict potential sensed by the Welthungerhilfe’s community mobilizers. In addition, the *mirāb* of Qal’a-ye Zāl reportedly suggested Welthungerhilfe to

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<sup>570</sup> Interview, 25 July 2006.

<sup>571</sup> The limitation and thus the highly normative nature of that rule was expressed in the follow-up explanation above, that is, the statement that it is applied in times of sufficient water availability (see 6.1.1 b). During scarce water conditions, water theft and deviance according to a farmer’s abilities and relations is the norm (Interview with Fazl Jān and Sofi Abdul Hākīm, 25 July 2006).

<sup>572</sup> The mobilization component was paralleled with conducting participatory needs assessments regarding infrastructure in water user communities. Training and assistance for agriculture started after the establishment of the WUGs, as did the assessment for CCCs and additional infrastructure rehabilitation measures.

include the entire command area instead of small-scale clusters and for this reason proposed to split it up into four secondary networks, which each consist of greater subnets and diversified branches.<sup>573</sup> Thus, because the conflict potential was estimated to be low, four WUGs were created in Qal'a-ye Zāl. In contrast, because of contestations that were perceived in Sofi-Qarayetim and between Asqalān and Tobrakash, each was assigned six WUGs.

**Table 7:** Overview of WUGs and CC leaders as of late summer 2007

Canal network (approximate size)	No. of WUGs		WUG-name	WUG-heads <sup>574</sup>	CC- chairman
<b>Asqalān</b> (20,000 <i>jerib</i> )	6	Asqalān	Sāheb Khān	Saifudin Mirāb	Saifudin Mirāb & Hāji Rahmat Khān
			Madrasa Turkmanhā	Nazar Bāy	
			Beshbālā	Sofi Ghulām Nabi	
		Tobrakash	Hāji Rahmat Khān	Hāji Rahmat Khān	
			Norullah	Norullah	
			Hāji Gul Khān	Hāji Gul Khān	
<b>Qal'a-ye Zāl</b> (48,000 <i>jerib</i> )	4		Wakil Akhtar	Khalilullah Gul	Sakhi Jān
			Wortabuz	Abdul Qudus	
			Olam Shakh	Niamat Bāy	
			Chāgh Aryq	Aslam Mirāb	
<b>Tarboz Guzar</b> (7,000 <i>jerib</i> )	2		Tarboz Guzar Bālā	Abdul Jabār	Wahid Mirāb
			Tarboz Guzar Pāyin	Wahid Mirāb	
<b>Sofi-Qarayetim</b> (17,000 <i>jerib</i> )	6	Sofi	Khair Karan	(Hāji Rustam*)	(no data)
			Sofi Abdul Dayān	(Sofi Abdul Dayān)	
			Mangtepa	(Arbāb Sofi M.)	
		Qarayetim	Hāji Shēr Ali	Ahmad Shāh	
			Madrasa-ye Qarayetim	(Mas'ud*)	
			Kulābi	(Hāji Murād)	

A further look at the table shows the significant difference of CC chairmanship between Asqalān and Qal'a-ye Zāl/Tarboz Guzar. Whereas in the latter the *mirāb* Wahid Mirāb and Aslam Mirāb's assistant, Sakhi Jān, were charged with the task of representing the water

<sup>573</sup> See the European Union interim narrative report, submitted by Welthungerhilfe to the European Commission in January 2007.

<sup>574</sup> Because of security reasons, I was unable to follow up the WUG formation process in Sofi-Qarayetim. The CC- and WUG-head positions remained unknown except for Hāji Shēr Ali WUG which became known to be led by Ahmad Shāh (see 6.1.2 c) through an interview with the SWMA community mobilizers in charge of Sofi-Qarayetim during summer 2006 (interview conducted by Abdullayev, Welthungerhilfe Kunduz office, 17 June 2007). In brackets, I mention elders and big men of the respective mosque communities (introduced in 6.1.2) who belong to the individual WUGs. The ones marked \* have been representing local water users at meetings with SMWA project staff in Kunduz. However, it is not clear whether they were chosen to be heads of WUG (not likely in case of Hāji Rustam because of his multiple other activities). In addition to those mentioned, commander Rahmat Bāy was also present in Welthungerhilfe-Qarayetim meetings; Hāji Jum'a Khān (see 6.1.2 c) attended both, Sofi-Welthungerhilfe and Qarayetim-Welthungerhilfe meetings (according to Welthungerhilfe meeting reports of 19 and 27 June 2006).

users of the entire canal, in Asqalān the two main representatives of upstream Asqalān *manteqa* (Saifudin) and downstream Tobrakash (Hāji Rahmat Khān) nominated themselves, confident of the consent of their respective populations.<sup>575</sup> In conversations with both, they regularly disputed which one of them was actually the chairman and who the deputy, similar to the discussion in Asqalān about who is the head-*mirāb* in one year and who gets registered only as deputy (see Ch. 6.1.1). Moreover, in Tobrakash it was clear that the most significant elders took over the WUG leadership position. This explains the consonance of the WUG name and its appointed leader Hāji Gul Khān and Norullah (Hāji Rahmat Khān's cousin). They also dispose of guestrooms (*mehmānkhāna*) to host and feed visitors in time of need and can provide security for outsiders in the tail-end area of Asqalān canal.<sup>576</sup> The acting *mirāb* do not play a role in the WUGs in either part of Asqalān. The upper three *manteqa* Sāheb Khān, Madrasa Turkmanhā, and Beshbālā represent areas of influence of locally influential commanders, who are at the same time large landowners: commander Raof 'commanding' Saifudin<sup>577</sup> and Sofi Ghulām Nabi, with Roz Alam (see Ch. 6.1.1 b) having sway over Nazar Bāy.

Although cursory and admittedly incomplete, this view of representation patterns clearly suggests that the WUGs were hijacked by local strongmen. Ahmad Shāh in the position of the Hāji Shēr Ali WUG leader is a further indicator from the Sofi-Qarayatism canal system. A closer look at Qal'a-ye Zāl and Tarboz Guzar provides additional evidence, although the nature of the elite capture is different in the way that the elites here are mostly conventional elders or related to them, and as a rule not of the novel elder type (see section 6.1.2-c). Thus, for example, the Wakil Akhtar WUG is headed by Wakil Akhtar's son, Khalilullah Gul, a younger brother of the tribal elder and Meshrāno Jirga member Khalilullah Gul (see section 6.1.3-a). Wakil Akhtar was the first WUG formed in Qal'a-ye Zāl, reportedly because of its strategic location in the middle section of the canal and the disseminator effects this location offered for the establishment of further WUGs up- and downstream thereafter. The respect and authority that Aslam Mirāb enjoys throughout the canal area has already been elaborated on above. Indeed, he had been the first choice of the local elders for the position of the head of the CC, though he declined and instead nominated Sakhi Jān, his assistant. Khalilullah Gul, Sar Mal'um Norullāh, and Sakhi Jān were determined to be the primary contact people for outsiders and responsible for meeting and hosting them during visits.<sup>578</sup> In Tarboz Guzar, Wahid Mirāb is the offspring of a traditional large landowning family and respected acting *mirāb*. Qāri Rahmatullah, who leads the WUG of Lower Tarboz Guzar (Tarboz Guzar Pāyin), inherited the position from his father, a former *mirāb* and significant conventional elder, who had been appointed head of the WUG initially, but died suddenly after the appointment. In Qal'a-ye Zāl and Tarboz Guzar, the WUGs comprise *mirāb* and *kokbāshi* to a large extent; for example, all

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<sup>575</sup> Interviews with Saifudin Mirāb at his home in Asqalān, 2 September 2007 and with Hāji Rahmat Khān at his home in Tobrakash, 8 May 2007.

<sup>576</sup> Hāji Rahmat Khān is reportedly elder of eight mosque communities, Abdul Jalil of seven.

<sup>577</sup> Saifudin had been the active *mirāb* when commander Raof was at the height of his influence in upper Asqalān during the mujahedin and Taliban periods. See Ch. 6.1.1.

<sup>578</sup> Noted by Abdullayev in interview with WUG-assistant Qurbān Nazar (WUG Wortabuz) in Āqtepa, 9 August 2007.

members of Wortabuz WUG, including its head, Abdul Qudus, were acting *kokbāshi*.<sup>579</sup> The explanation for this and why the CC chairmen in Tarboz Guzar and Qal'a-ye Zāl were both *mirāb*, was put simply: since the positions were unpaid, nobody would volunteer for such a potentially time-consuming duty. Thus the *mirāb* and deputies were the right people for the job (Shah 2007).

Beyond the organizational setup of the WUGs and CCs, their mandate as assigned or de-jure authority, and benefits remained largely unclear even after a year into their existence in fall 2007. In some cases, WUG members were not aware of the fact that they were part of a water regulating body for their canal area that was supposed to take over governing functions at some point of time. Very often, respondents who claimed to be WUG members could not explain its aims and purposes. Only a few figures – Hāji Rahmat Khān, Saifudin, Sakhi Jān – fully understood the local implications of WUG introduction. Even on the side of SMWA management, the scope and legal status of the WUGs and their future relation to the *mirāb* were somewhat uncertain. This resulted in diverse narratives offered to the water user communities as time progressed. In one instance, WUG members were able to report that WUGs would be effective for five years and then replaced by WUAs (not the CC).<sup>580</sup> Others reported that the main task of the WUG would be the monitoring of construction projects for which private companies and engineers would be hired. In this sense, WUGs were referred to as 'construction-councils (*shurā-ye sākhtemāni*).<sup>581</sup> The establishment of CCs remained largely under-reflected throughout the first year, though some respondents were optimistic about the chance of unifying the communities when referring to WUGs and CCs.<sup>582</sup> However, from the time of fieldwork until fall 2007, the WUG members did not appear proactive; moreover, because the local perception was that there was no need to become active as the water availability was satisfactory and an immediate benefit not visible.<sup>583</sup> Thus, in most cases the WUG members only gathered once the SMWA community mobilizers arrived for some training session or other.<sup>584</sup>

SMWA's promise to have a canal communication center (CCC) constructed in each particular canal area left the communities unimpressed and instead provided an additional reason to remark that, so far, there had been much talking but little in the way of concrete results. If anything, the prospect of having a CCC stirred conflict because of the multiple

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<sup>579</sup> However, contrasting with this statement, none of the members of the Wakil Akhtar WUG was serving as *kokbāshi* (Interview by Shah with the head of Wakil Akhtar WUG, 20 July 2007).

<sup>580</sup> Abdullayev, interview with Qurbān Nazar, 9 August 2007.

<sup>581</sup> Among the many empirical examples for this account is Qāri Rahmatullah's (head of Tarboz Guzar Bālā WUG) elaboration on the functions of WUG as to taking care of the spillways, painting the gates of offtakes, and greasing the gates. Noted by Abdullayev during interview with Qāri Rahmatullah, 8 August 2007.

<sup>582</sup> The CC members were recruited by one to two delegates from each WUG along an individual main canal. A contradiction was inherent in the intention of SMWA to integrate a conflict resolution dimension into WUGs, because water distribution conflicts were commonly considered to be of minor importance and solvable in the jurisdiction of the *mirāb* and – in more complicated cases – with the help of local elders.

<sup>583</sup> Noted and concluded by Abdullayev on the occasion of SMWA meeting with WUG and CC heads of Asqalān, 26 June 2007.

<sup>584</sup> Author's interviews, see also Shah (2007).

opinions and interests regarding where it should be located and which size and status it should receive.<sup>585</sup>

To sum up, the anticipated but not forthcoming benefits of WUG formation left many of the locally-mobilized WUG members skeptical. A considerable difference in the degree of agitation could be observed between Asqalān and Sofi-Qarayetim on one hand and the irrigators of Qal'a-ye Zāl and Tarboz Guzar on the other. It was obvious that in the latter cases, the SWMA was perceived as one among many typical construction projects without even the prospect of building necessarily long-lasting, good-quality infrastructure. In Asqalān and Sofi-Qarayetim, the degree of politicization and elite interest in the possible benefits of constructions was disproportionately higher.<sup>586</sup> It urged local stakeholders not only to take anticipatory measures like the aforementioned appointment of *mirāb* who could be expected to ensure that the elite's interests were served (Sadiqullah in Tobraakash in 2007, Shāh Abdul Hekmat in Sofi, Mas'ud in Qarayetim), but also to take on the role of deputies themselves. For example, Saifudin and Hāji Rahmat Khān (along with Sadiqullah) acted as representatives of Asqalān despite not being the acting *mirāb* in the first place. Similarly, meetings of Welthungerhilfe with representatives from Sofi and Qarayetim were dominated by large landowners *cum* commanders from the upstream parts of the canal networks. As a preliminary conclusion, the water management reform project can be characterized as having had little of the intended impact on the ground through late 2007. It was not communicated broadly and the perception was largely hampered by wishful thinking on the part of local irrigators and landowners whose primary needs rested with infrastructure improvement, ideally concrete fixes. A detailed discussion of the reforms' effectiveness follows in Chapter 8.

#### 6.1.4 Summary of cross-cutting issues related to irrigation water governance

In this section I limit myself to the summary of cross-cutting issues related to irrigation water governance. A more comprehensive analysis, taking into account other aspects of local governance presented in the previous sections, follows in Chapter 7 based on the empirical data of both water and mountainside resources (Ch. 6.1.2).

The empirical insights from the five irrigation networks strongly endorse the hypothesis of multiple rules being well-established and well-known in the local realm. To what extent they are actually practiced is another matter, it is discussed at greater length below. The appointment of a *mirāb* and assistants, the delegation of water allocation competencies, maintenance measures, and dispute resolution responsibilities to them, described payment modalities, the sanctioning and fining mechanisms for missing labor contributions during intake and cleaning works, and the assigned land-water-labor nexus, all prove the existence of a relative complex set of local rules. Moreover, the evidence of their viability even

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<sup>585</sup> Interviews with Hāji Rahmat Khān, 8 May 2007 and Saifudin Mirāb, 2 September 2007; similarly, interview by Abdullayev with Roz Alam, 16 August 2007. For Qal'a-ye Zāl: interview notes by Abdullayev, 9 August 2007.

<sup>586</sup> In the words of Saifudin: "...*bāyad, yak chiz mesha*" ('possibly something is coming out of it'), a thought he expressed when explaining the possible benefits of the WUG/WUAs for me; in particular, he hoped for a salary for himself (Interview with Saifudin at his home, 2 September 2007).



throughout the years of conflict and massive depopulation because of war-induced flight demonstrates the robustness of those practices.

The diversity of water management arrangements depicted in the three case studies covering five canals demonstrates the existence of a large scope for flexibility and negotiations at the local level. I have shown that the personal motivations and performances of appointed water managers can be traced back to the local communities' contextual conditions, that is, power structures and assumptions about investments. The *mirāb* position itself is quite attractive for its remuneration in cash and kind and the opportunity it offers to extract even higher rents if the position-holder accepts bribes. However, as the example of Fazl Jān showed, payment is denied when water users are not satisfied with the *mirāb*'s performance, even though he may have tried his utmost not to compromise his principles of equitable water distribution and to sincerely serve faithfully the tail-end constituency. While the *mirāb* is appointed by a few large landowners of an entire canal network, *kokbāshi* are often selected by a representative number of farmers at the field level in their mandate. Their enforcement capacity for water distribution according to a pre-agreed rotation schedule for periods of water shortage depends on power dynamics and their own status. For example, the enforcement capacity of a *mirāb* who is also a respected *muysafēd* like Aslam Mirāb of Qal'a-ye Zāl is unquestionably greater than that of Sofī Abdul Hākīm of Asqalān, who functions merely as the extended arm of large upstream landowners. Given the Qal'a-ye Zāl *mirāb*'s obvious integrity (not accepting bribes), he thus could credibly argue that the fields of a person who takes water out of turn should be skipped from irrigation during the next rotation cycle. Similarly, Aslam Mirāb's response to how he handles absences at intake work and canal cleaning – he conceded that this happens rather regularly, but he would oblige the absentees to make up for non-attendance by bringing an additional person the next day – shows a degree of give and take and the willingness to compromise on monetary mechanisms which were also commonly known but hard to afford. Other *mirāb* gave the impression of being forbearing with individual cases of absenteeism despite the fact that they emphasized the protocols for fines and sanctioning mechanisms, including the documentation of the absence in a special notebook, notification to the responsible ID, and their sending of a policeman to levy the due fine on the rule-violator.

I take this notion of flexible and negotiated modalities further to argue that what characterizes local irrigation systems and their management necessarily includes and in fact depends on downright vagueness in at least two dimensions. However, this vagueness or fuzziness, rather than weakening the overall system, induces robustness and is crucial for the local functioning of community-based irrigation management and thus ultimately is an advantage. First, it refers to the aforementioned delegation of water allocation competencies and entire irrigation oversight to the individual holder of the *mirāb*-position. It can be read as an indicator of the customary nature of local irrigation management that the *mirāb*'s authority does not usually face scrutiny and he can exercise control of and even exert some physical force upon rule-breakers at offtakes (see 6.1.1-b) if necessary and if justified by local norms. These are usually interpreted to be more binding on small landholders, sharecroppers, and other ordinary water users than on the large landlords, who after all appoint the *mirāb*. Because of non-literacy, traditional socio-political status

attributions, and related patterns of representation, they fully rely on the *mirāb*'s goodwill, orientation towards justice and commitment to equity in water distribution. However, as related by Fazl Jān, these ordinary irrigators can also turn out to be a *mirāb*'s worst nightmare because they do not understand the wider causal connections between water delivery and irrigation management (see sections 6.1.1-c and 6.1.3-a). Thus, the vagueness can be traced to a disconnect between the extent of the average farmer's knowledge related and the logic of water distribution in an entire canal network. This disconnect is largely a function of social differences among water users (see below).

Second, vagueness largely characterizes every type of information related to water flows at basin and canal level, amounts of precipitation, drought forecasting, local measurement of water discharge into offtakes, the size of seasonally-irrigated lands and fallow areas, as well as crop-water-*jerib* ratio calculations. Metering devices at intakes, at least at the river basin level, are non-existent and thus the overall amount of water that is actually available and used remains unknown (Varzi and Wegerich 2008: 59). The reasoning of the Kunduz ID in cautioning farmers not to grow water-intensive crops for a second yield (see appendix A1-b) is based solely on a commonly-perceived amount of precipitation in the previous year, which nevertheless serves as the sole basis for the prediction of seasonal water scarcity. Similarly, the Deputy Minister of the MEW on the occasion of the *mirāb* meeting related above noted the general lack of information and the problems that would create on a routine basis. Starting from statistical information from the provincial IDs about problems with irrigation, water amounts in the Āmu Daryā river for any one of the last five years including the year of fieldwork, water flow in the canals in the peak season from 22 June until 22 July (*Saratān* month), the number of canals in the provinces and other data would be lacking.<sup>587</sup> At the canal level, the situation is even more complex, because recent decades saw not only a considerable extension of the command areas despite fighting and turmoil, but also uneven and unsanctioned infrastructure adjustments in the form of new or enlarged offtakes for rice fields and for the irrigation of other crops.

My attempt to sketch an idea of the actual command area of a system as small as Tarboz Guzar (section 6.1.3-a) provides evidence of the limitations of available area sizes. It revealed a likely discrepancy between *bēl* units and *jerib* amounts, with the former more fixed because of its linkage with contributions of laborers to intake and canal repair works. However, the *jerib* amounts are largely unclear not only because of the reluctance of local landowners to report on their property, but also because oftentimes concrete measurements never have been and still are not conducted by a professional surveyor. Consequently, all kinds of intentional and unintentional slight adjustments over the last two to three decades have been integrated into the new contours of command areas, but the effects of how these changes will play out over any time horizon is unknown. While at the canal level, this was not perceived as difficulty or special challenge by interviewees, it does offer an explanation for the varying command area specifications given by different respondents.

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<sup>587</sup> The way these issues were noted of course served the aim of the Minister to distract the audiences from shortcomings of his own department and his management of it; it suggested that the information flow was stuck at the provincial line ministry level and not reported regularly. "You should give us the information daily or at least once a week. This is really important [...] if we have this information we can gather the ministerial staff from irrigation, hydrology, etc., and try to work out a solution regarding water shortages." Field notes, speech of MEW-Deputy Minister at the Kunduz Hotel, Kunduz city, 22 July 2006.

At times, people of influence noted that they had indicated the size of their command area with a certain *jerib* amount, for example, Saifudin insisted on Asqalān and Tobrakash each comprising 10,000 *jerib*, although he must have known better and the command area has likely extended largely in the tail end in Tobrakash in recent years. However, given that even the Global Positioning System (GPS)-survey of Welthungerhilfe that measured the amount of *jerib* irrigated by each offtake produced incoherent data once it was related to the sum total of the command area, the numbers' reliability as to the extent of exactness and validity for more than just one season must be called into question.

Saifudin's statement that "in the past we did not relate the number of *jerib* to the amount of water, but now since we have these numbers, we can calculate...",<sup>588</sup> suggests that such a disconnect does indeed exist and, furthermore, that the gap between completely traditional, community-managed, and smaller-sized canal networks and large, originally highly technical systems, was never closed.<sup>589</sup> Against this background, the discrepancy between Aslam Mirāb's salary, which was said to be based on a calculation of one Afs per *jerib* and to total between 35,000 and 40,000 Afs, and the amount of *bēl* (600) he takes as the baseline for the contribution of laborers, becomes comprehensible and cannot but be described as a highly pragmatic approach. The toleration of such discrepancies, which turn out to be highly context-bound for each individual system, can be summarized as a precondition for local irrigation management.

This observation blends with the finding of various norms for water allocation and maintenance conduction. I discussed above the *qulba* (6.1.1-b), the *bēl* (6.1.3-a), and situationally-defined *qulba* and *bēl* ratios that are assigned a certain amount of water, measured in allocation time rather than volume. The differences across canal networks and the rules' responsiveness to local conditions on the one hand, combined with the fixed *qulba-bēl-laborer* connection on the other, suggest that water allocation has been determined by the social contribution (in terms of labor) in the first place. At least at the time of fieldwork, the water-land ratio seemed unquestionably less concrete. However, this is not to argue that individual landowners did not recognize the possibility of ill-willed manipulation of the *jerib-qulba/jerib-bēl* nexus. Nevertheless, even in these cases they were obliged to send as many workers as the area they claimed to cultivate in *qulba* or *bēl*.

Consequently, the sometimes highly-abstract norms have to be squared with actual practices. When looking beyond the usual degree of flexibility which I have argued the local structures and norms allow, deviance becomes especially obvious and common during periods of water shortages. It comprises many forms from the oft-noted water theft by various means, such as the breaking offtakes at night (Ch. 6.1.1), the violation of the rule that the *mirāb* should be from the tail-end of a canal network (Ch. 6.1.2), the proverbial preferential treatment by the *mirāb* of his own network of family and friends (Chs. 6.1.1 and 6.1.2), the interference of large landowners by bribing or obliging their

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<sup>588</sup> Interview about the progress of local water management reforms with Saifudin at his home in Asqalān, 2 September 2007.

<sup>589</sup> In the past, especially under Soviet influence (see the 1981 Water Law), water sector development relied largely on an engineering approach that idealized technical fixes and prioritized large-scale schemes (Rivière 2005: 16).

sharecroppers to take water illegally (Chs. 6.1.1-6.1.3), the selective non-contribution of laborers at intake works and for canal cleaning (ibid.), the resigned concession of small landowners, sharecroppers, and tail-enders to connive their own de jure right and give in to the de facto right of the rich and the powerful (Chs. 6.1.1 and 6.1.2 in particular). Then again, these kinds of water conflicts were considered to be minor (section 6.1.2-c) with the *mirāb* being responsible in the first place and possibly the involvement of few elders from the local mosque community, but without larger outreach, that is, the involvement of conventional *muysafēd* from other *manteqa*. As elaborated above, in some cases it was mainly the large landowner elders themselves who steal water (section 6.1.1-b).

This comparison of norms and practices establishes that a heuristic ‘rights’ perspective, that is, the conventional discussion of water rights from a property rights perspective, will not yield much insight or explanatory power for understanding who obtains access to irrigation water, why, when, and how. I had attempted to apply the classical bundle of rights perspective in a previous publication (Mielke et al. 2010). However, in addition to the difficulty that I had while grappling with the distinction of normative (de jure) and practiced (de facto) customary rules in the absence of statutory law, the whole design of scientific inquiry remained rather artificial due to the compulsory inclusion of the statutory versus customary law perspective. Consequently, that article concluded that water rights have been, if at all, only weakly defined (ibid.: 206), depriving customary rights any relevance in a specifically formal property rights-based framework of inquiry.

In this chapter (6.1), I have demonstrated with the three empirical case studies above that irrigation water governance was largely a matter of customary use practices throughout Afghanistan’s history and was still so at the time of fieldwork. A statutory Water Law had been issued in 1981 and 1991 without much effect on field-level practices; and the delay of ratification of a revised version during 2006-07 did not influence the situation on the ground in any significant way either. Consequently, governance of water resources in the canal systems studied can best be described as self-governance in the absence of statutory regulations and especially legally defined rights. The everyday perspective of attempts to access water surely includes expectations from local government bodies and NGOs, though at a somewhat elusive distance of wished-for rather than actual assistance. Among farmers, the consciousness of the necessity of self-reliance prevails. Local norms and rules are established and serve as a frame of reference as long as water flows sufficiently in the canal. As soon as it gets scarce, disputes occur and power relations become relevant as they determine the means and processes by which irrigators are able to gain access, use, and withhold water.

As a consequence, in the absence of legally-defined, statutory rights, mechanisms based on customary laws<sup>590</sup> and structural-relational mechanisms do not merely deserve attention; they flatly demand it. Here it is striking that although from a system design and infrastructure point of view, existing irrigation networks are notably low-tech, they are managed in a complex way by communal social practices. The social component and

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<sup>590</sup> Defined as “popular normative pattern that reflects the common understanding of valid, compulsory rights and obligations” (Orebech and Bosselman 2005: 23) as a consequence of which the public acts as if the observance of this custom is legally obligated. Orebech and Bosselman discuss and identify a point at which a custom attains the status of customary law. Cited after Tarlock and McMurray (2005: 742f).

interdependence – manifest in the mobilization of hundreds of workers along each canal and functioning *mirāb*-appointment, payment, and deviance-sanctioning mechanisms – are very strong; self-reliance, community labor and self-help mechanisms play a vital role in contemporary small- and medium-scale irrigation systems. The details of customary law-based and structural-relational access mechanisms are analyzed in Chapter 7. Related to that element and before closing this subchapter, the last topic emphasizes the social differences among members of water user communities. Socio-economic differences are very strong and account for inherent inequalities and the high levels of inequity that play out in differential access to water. The differences are not exclusively determined by location (head versus tail-end users), but also by the straightforward socio-economic status of wealth versus subsistence livelihoods. There is a strong correlation between land ownership and wealth, explaining for example why the residents of Uzbekhā in the tail-end of Qarayetim canal are largely excluded from water allocation and participation in water-related decision-making. Then again, wealth might enable downstream landholders to use tube wells in times of acute water shortages to save their crops and thus their income. The distinction of returnees versus old residents with vintage title deeds adds another dimension to the types of social differences that influence access and ‘rights’ to water.

## 6.2 Mountainsides in the foothills of Takhār and Baghlān

This subchapter focuses on the governance of mountain resources, that is, access patterns to pastures and fuel wood in four districts of northeastern Afghanistan. The vernacular term for mountainsides, mountains, slopes, etc. is *koh*. From the local residents’ perspective, mountainsides are comprised of several resources with varying significance; they are not only used for grazing of livestock, but provide the main fuel source, subsistence timber, rain-fed farming, medicinal plants, springs (drinking water for human and animal), and wildlife. In distinction to water access rights that rest on private land ownership, access to grazing grounds and fuel wood has traditionally been steered by common property and open access regimes. The following subsections demonstrate that both types of access regimes have recently experienced changes and that uncertainty over the direction of these transitions prevails. Moreover, the different sections elaborate the close linkages between the natural environment and governance processes. I summarize these in the final section on the micro-political ecology of mountain resources (see Ch. 6.2.3)

The case studies are not depicted in as much detail as in the previous subchapter 6.1 in order to not confuse the reader with too many names and characters. I provide a basic descriptive introduction to each research setting, but the analysis of access issues is presented more selectively, despite the fact that I was able to conduct fieldwork over just as long a period as I was in the canal networks.

## 6.2.1 Rangelands in Farkhār and Warsaj district

The territories of the adjoining Farkhār and Warsaj districts stretch along the Farkhār river, which forms one of the largest valleys of the northwest slope of the Khoja Muhammad Mountains in the central Afghan Hindu Kush, over a total length of about 150 kilometers (Grötzbach 1965: 279). The glaciers in the upper part of the mountains (5,800 m and higher) in Warsaj provide the main source for the river and an important upper water storage catchment for the entire Kunduz river basin from the Anjuman Pass (ca 3,000 m). As a watershed the pass represents a natural administrative boundary between historical Qataghan and Badakhshān and between the provinces Badakhshān and Takhār today (see Ch. 5). Thirty percent of the land cover of Warsaj is made up of rock and permanent snow, while in lower lying Farkhār the amount is considerably lower at only eight percent. While Afghanistan's rangeland territories<sup>591</sup> comprise deserts as well as wetlands and forest areas, for the reasons indicated above, I relate the term 'rangeland' in what follows broadly to mountainsides, including all land cover types except irrigated land and gardens, bare rock, and permanent snow cover. Accordingly, rangeland makes up 62 percent of land cover in Warsaj and 86 percent in Farkhar;<sup>592</sup> Warsaj consisted of 72 villages with 30,000 inhabitants, Farkhār of 56 villages with a population of 38,000, according to the 2003 estimates from the Government's Central Statistics Office.<sup>593</sup> The landscape in Warsaj is naturally divided into three main valleys (Miyānshahr, Taresht, Qawnduz), and Qawnduz splits up further into four subvalleys of significance: Emund, Anuy, Pyu, and Khakhund (see Map M9). For Farkhār, including the main river valley, two *manteqa* are distinguished as on a par with each other: Tagaw-e Chap and Tagaw-e Rāst, which opens up into Warsaj. All valleys split up further along different streams into smaller subvalley *manteqa* (see Map M8).

### a. The socio-economic and political context in Farkhār and Warsaj

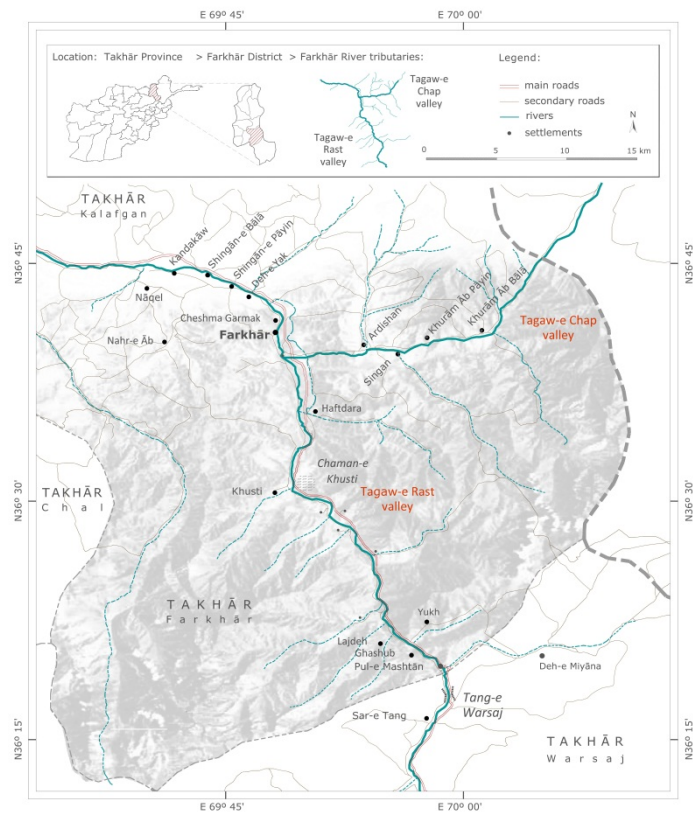
In sharp contrast to the socio-economic situation in the irrigated areas in the Kunduz oasis, where large-scale agricultural production is possible and forms the mainstay of the rural population's earnings and welfare, the income opportunities in Farkhār and especially Warsaj are very limited due to the natural conditions and provide mainly subsistence

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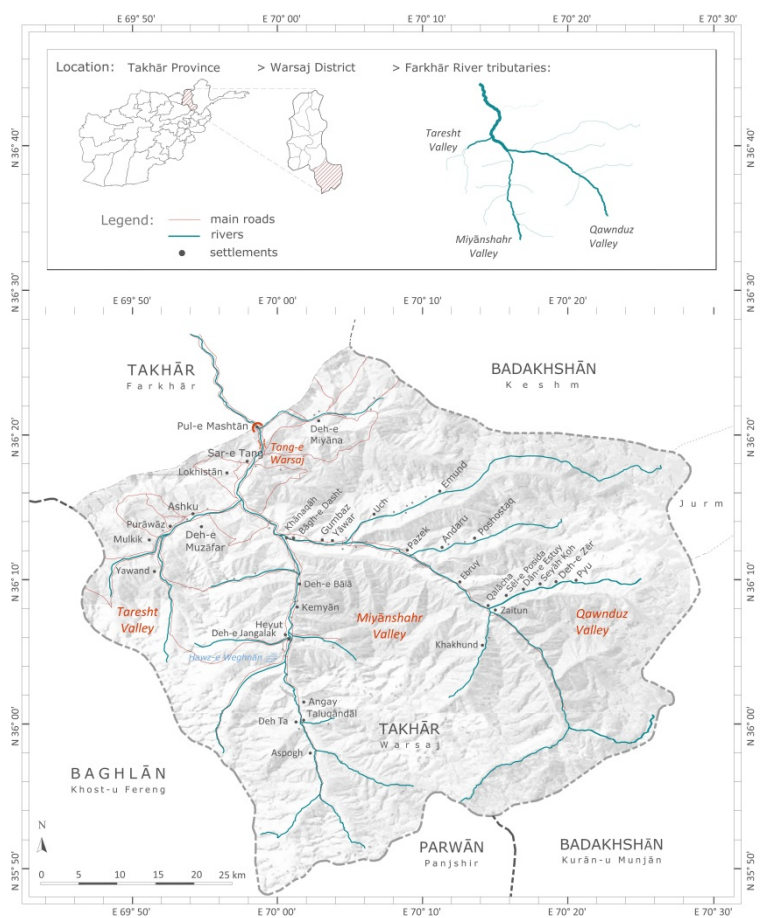
<sup>591</sup> In general rangeland is viewed as grazing land characterized by aridity and only in exceptional cases fit to be used for cultivating crops or timber. Climatic conditions with extremely hot and cold temperatures, natural-geographical conditions like salinity or soil characteristics mean that most rangelands are grass- or shrub-lands, savannas, or deserts; other ecosystems summarized under the label rangeland include forests, alpine and arctic grasslands, and wetlands.

<sup>592</sup> The figure includes areas suited to rain-fed farming (30% in Farkhār) as well as woodland (*jangal*) (10% in Farkhār). The respective rain-fed and *jangal*-areas in Warsaj amount to 1 percent of the district's total land cover each and have been included in the indicated 62 percent. For the figures see the IDEAS Grant Application Form of Concern Worldwide (2003: 9).

<sup>593</sup> At the start of fieldwork no other source of population estimates was available than that of 2003. See Concern Worldwide (2003: 8). The most recent estimates of the Central Statistics Office for 2011-12 indicate 36,300 residents for Warsaj and 44,800 for Farkhār. See <http://cso.gov.af/Content/files/Takhar.pdf> [accessed on 3 May 2012]. While many of the statistics are based on 'guesstimates' and thus subject to large-scale speculation, the trend of population increase suggests very high birth rates.



Map M8: Farkhār



Map M9: Warsaj

livelihoods. During the fieldwork period,<sup>594</sup> the main income that could be derived locally and excluding remittances from abroad was from livestock breeding. This is interesting in so far as Grötzbach during his extensive studies in the Farkhār valley in the 1960s, had identified agriculture and a marked prevalence of craftsmanship like cotton-weaving and traditional crafts based on wood and metal as the main income sources.<sup>595</sup> However, even back then he noted, echoing earlier travelers from the 1920s and 1930s (Kushkeki 1926), the tendencies to overpopulation throughout the area, especially in Taresht and Miyānshahr (Grötzbach 1968: 121). Given that small-scale farmers and sharecroppers or peasants could not produce self-sufficiently any longer, due to land plot fragmentation as a result of inheritance and the harvest would only allow two to six months food security, additional income sources were sought. Horticulture in the form of fruit trees and to some extent animal husbandry provided complementary opportunities. However, only with the opportunities for seasonal labor migration as a consequence of the development efforts in the irrigated plains and the growing industry in the towns of Kunduz and Takhār did a crucial exit valve finally open up.

Yet, the most considerable effect on local residents' welfare and worldview was brought about only later still by large-scale migration to Iranian cities. From the late 1960s, this trend opened up qualitatively new opportunities for income generation and consequently transformed the social relations between the traditional landowners (*eshān*, *mir*) and their laborers (*muzdur*). The entire Farkhār river valley, today's Farkhār and Warsaj districts,<sup>596</sup> is special in this regard, because the density of local notables, such as *eshān* and *mir* who settled in the valley is largely unequaled in Afghanistan. *Eshān* families – linking themselves to holy descent, many call themselves *sayed* – were already residing in different locations throughout the Farkhār valley<sup>597</sup> when two Uzbek *mir* brothers arrived and all landholdings were formally conferred to them by the king Amir Habibullah Khān as family property.<sup>598</sup> Nevertheless, the *eshān* and *mir* families did not enter any relationships of superiority or subordination with each other. Rather, they are said to have co-existed and tolerated each other. For example, in Warsaj, Eshān-e Nabi reportedly possessed more prestigious landholdings than Mir Abdurrahim Khān and the *eshān* were exempted from tax collection by the *mir*.<sup>599</sup> The offspring of both, however, are said to be enemies (see Ch. 7); the previous generation was killed after being imprisoned during early

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<sup>594</sup> Extensive fieldwork was carried out in 2006 and 2007 with a short return visit of two weeks in March 2009, as security conditions permitted travelling in both districts.

<sup>595</sup> See Grötzbach (1965: 299f, 1968: 122-130, 1972: 249ff) for an overview and specifics of the crafts.

<sup>596</sup> Warsaj was traditionally subordinated administratively to Farkhār as an '*alāqadāri* (sub-district) until it received district status as result of the 1963 administrative reorganization.

<sup>597</sup> Historically, the entire valley is famous for its spiritual places and activities of Sufi-orders headed by the *eshān*, such as the shrine of Hazrat Sheikhullah in Khānaqāh, the modern district center of Warsaj.

<sup>598</sup> The grandson of Mir Zākhēr Khān narrated his family's history to me (in several interviews, this one on 16 April 2007 in Khānaqāh/Warsaj). After his ancestors (*mirhā-ye Qataghan*) returned from exile in Bukhārā and were not allowed to settle together anywhere at the time of Amir Habibullah Khān (1901-1919), six brothers split up in pairs of two and settled in Kobāi, Tāluqān/Bangi, and Farkhār respectively. Reportedly 160 elders from Farkhār signed the ruler's order (*farmān*) which transferred the entire landholdings of Farkhār valley to the two brothers. My respondent maintains a 17-generation family tree.

<sup>599</sup> The *mir* were in charge of (in-kind) tax collection and its submission to the storage and collection point in Khānābād. Ibid.



*khalqi* activities after the 1978 coup d'état. Given this sharp social differentiation between *mir* and *eshān* as landowners on the one side and the rest of the population on the other, the latter did not have much choice but to work on the formers' land. Interview accounts bear witness to locals' perception that in hindsight this situation was demeaning, especially working in the *mir* and *eshān* households and tending and feeding their animals. The labor migration income leveled these economic inequalities to a large extent. *Eshān* and *sayed* still have sharecroppers (*muzdur*) working for them, but reportedly for mutual advantage and based on mutual respect. Over the last decades, descendants of the *mir* had to sell considerable portions of their ancestors' land due to family needs. Since the cultivable land in the valley is limited, remittances have been used to finance estates, land, and shops mostly in Tāluqān, not in Warsaj or Farkhār. As a result, a considerable proportion of the population has established its own pillar for income generation in Tāluqān and the links to that city are very strong (see below and Ch. 7).

The livelihood patterns observed by Grötzbach were thus already undergoing major changes before 1978. Nevertheless, today's situation can only be comprehended if one takes into account the special features of Farkhār and Warsaj as backcountry and as the base of Ahmad Shāh Mas'ud's forces and the related features of the local war economy, including its organizational aspects. While limiting the degree of detail, I make the argument that in addition to evidence of decades-long overpopulation and a presumed lack of management (see section 6.2.2-b), the rangeland conditions deteriorated immensely throughout the last 30 years, first and foremost as a direct impact of the war. Although in Farkhār and Warsaj the fighting was comparably less during the time of the resistance against Soviet forces and the Taliban, the strategic importance of the two districts for the resistance and later the Northern Alliance in terms of sheltering and training troops and the recruitment of fighters in these districts both left their marks on the local population and their asset base. Mujahedin fighters had to be fed by local communities in rotation, requiring food and fuel wood in large amounts. Sons were recruited for the mujahedin, and multiple members of each household smuggled weapons and supplies across the mountains to and from Pakistan.<sup>600</sup>

A very prominent example in this regard is the quasi-private, exploitative mining of lapis lazuli (*lājwar*) in Badakhshān by various commanders.<sup>601</sup> Under these circumstances, most of the pasture areas fell fallow after 1978. Family livelihoods diversified by necessity. As a rule, while one male family member was fighting with the mujahedin, another went to Iran to earn money. A third perhaps stayed home to cultivate land if the family had any or transported weapons and other goods to and from Pakistan to Warsaj via the nearby

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<sup>600</sup> From the narrated accounts it appears that smuggling and cross-border trade with Pakistan formed the mainstay of locals' income during the war years. During the early years, the route was used by refugees. Families were taken on donkeys to Chitral via Cheshma Garmak. After the Soviet forces' withdrawal precious stones like lapis lazuli were the main transport item. On the return trip, weapons and money, organized by the different parties' offices through local representatives, were brought into Warsaj and distributed from the military bases. During the Taliban period, food-supplies (oil, rice) gained importance on this route because the route from bazaar locations in Farkhār and beyond was controlled by local Taliban.

<sup>601</sup> The lapis lazuli mines in Kurān-u Munjān and Sar-e Sang in Badakhshān, close enough to Warsaj that several people I met engaged in mining activities and transportation, were reportedly rented out on temporary basis (*ejāra*) to the highest bidder. That person then sought to get the most profit out of them and used explosives and similar exploitative techniques (Interviews in Warsaj, 10 April 2007 and 11 October 2006).

mountain passes. The mountainsides became transit places for armed groups and smuggled goods. Summer camp shelters of herders were turned into temporary shelters for mujahedin groups and into bases for military training.<sup>602</sup> Viewed in hindsight, the strategic significance of both districts in the events of the last decades in Afghanistan and the fact that Ahmad Shāh Mas'ud resided in the area for 11 years<sup>603</sup> account for the close interconnections of locally prominent men with the course of post-9/10 events<sup>604</sup> in the country and their domination of local, provincial, and even some national politics today (see Ch. 7.3). The close relations of local actors through Shurā-ye Nazār and, later, the Northern Alliance which with US-assistance ousted the Taliban government in Kabul in late 2001, accounts for the special influence of and access by a small elite network from Farkhār and Warsaj to post-2001 governments and local politics.

Like the previous *eshān/mir-muzdur* dichotomy in socio-economic status, the Kabul ties of the small elite network from Warsaj and Farkhār contrast with the political insignificance, lack of voice, and de facto deprivation of political rights of the average local resident and his relatives, who had been confined to the ordinary soldiers' ranks. As the political significance and the possibility of establishing and fostering patronage networks provides access and results in further socioeconomic benefits, the gap between those with links to the local elite and those without also finds empirical support. Locally-conducted income and wealth rankings<sup>605</sup> provide the following insights. A salient distinction between perceptions was that in Farkhār participants identified four wealth groups including a distinction between better-off and more genuinely middle-income households, whereas in Warsaj only three groups were clearly differentiated: well-off, poor, and poorest. The wealthy of Farkhār rely to a large extent on income from agricultural produce cultivated on their own irrigable and rain-fed land and complement it with earnings from livestock and

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<sup>602</sup> Warsaj and especially Pyu *manteqa* housed several training bases, weapon dumps, and prisons used by Mas'ud's forces due to its direct access from Pariyān and Panjshir. In the 1990s, the main base of Ahmad Shāh Mas'ud was located in Chaman-e Khusti, Farkhār. The entire valley beyond Chaman-e Khusti was covered with a web of wartime military infrastructure, including several prisons like the one in Lajdeh (see Afghanistan Justice Project 2005: 57).

<sup>603</sup> Mas'ud reportedly came as early as 1980/81 (1359) to the upper valley to gather followers who joined him in Eshkamesh; in 1981/82 (1360) he was said to have started jihad from Warsaj. From 1984/85 (1363) Mas'ud's family residence was in Cheshma Shāhān/Ebruy, after he had married a wife from Panjshir in Ebruy the same year. Cheshma Shāhān was a traditional hunting base occasionally used by King Zāher Shāh (Interviews 30 September 2006, 8 October 2006).

<sup>604</sup> Ahmad Shāh Mas'ud was murdered on 10 September 2001 in Khoja Baha'udin (northern Takhār). For a journalistic background account see Coll (2004: 574-584). After his death, Mas'ud's aides and comrades continued his efforts. First and foremost was Marshall Fahim, later Foreign Minister in the interim government and Vice-President from late 2010 during Karzai's second term in office, but at subnational level local figures like Dāod from Farkhār's Tagaw-e Chap and Dāktar Muhammad from Taresht in Warsaj acquired considerable importance. See below for empirical evidence (6.1.1-b/c) and an actor-network overview in Ch. 7.3.

<sup>605</sup> Obtained through participatory methods. The participatory rapid appraisal exercise focused on having participants rank the household within the community according to wealth. The participants' perceptions about wealth differences stemmed from their knowledge of the differing assets and income ranges in the village. This was used not only to learn about different household types according to their wealth, but also to gain insight into how households within each ranking gained their income. The exercises were not conducted with a representative sample of communities; instead, eight communities (in Farkhār: Deh-e Miyāna, Deh-e Yak, Khuram Āb Pāyin, Khuram Āb Bālā; in Warsaj: Purāwāz, Lokhistān, Deh-e Zārān, Deh Tawa Talukandāl) were chosen by random sampling for in-depth two-day appraisals with female and male respondent groups in July 2007.

orchards. The middle-class group in Farkhār relied on cropping where possible, or largely on remittances from Iran and in both cases on animal husbandry. The better-off in Warsaj earned a similarly mixed income generated from cultivating their land, livestock, and remittances from Iran. In addition, income from shop rentals in Tāluqān, from vehicle and driving services, or from laboring by individual household members was reported for this group. As a rule the empirical data from the examples suggests a correlation of the diversity of income sources with the wealth ranking of income groups; the more diverse the sources of income a household enjoys, the better off its members are economically. By contrast, poor households in both districts owned considerably fewer animals and a small plot of land (if any),<sup>606</sup> and their members contribute to the family income by seasonal laboring and farming other people's land as sharecroppers. Savings from Iran add to the available assets on daily basis. The poorest often seek work as livestock herders or sharecroppers on a daily laboring basis. They lack the necessary assets to undertake long-term labor migration to distant destinations.<sup>607</sup> In Farkhār they rely more on charity (*zakāt*) than in Warsaj.

The large majority of households in each surveyed community of Warsaj (80-90%) and a lower number in Farkhār (35-60%) consist of the poor and poorest. While the middle-income and better-off households can afford a relatively comfortable living, as they produce surplus or can at least absorb sudden shocks with the sale of assets without going into deep debt, the poor and poorest groups are highly vulnerable to indebtedness. The vulnerability is socially determined by the number of household members and especially by the share of male earners in any individual household. Viewed from this perspective, the number of sons is an important indicator for potential social upwards mobility. Shop owners and moneylenders rate clients accordingly. Moreover, also from a local point of view, the rich-poor divide of villagers manifests itself first of all in a household's food (in-)security, expressed in the type of daily food intake. A common threefold distinction is, for example, between *qorma-khor* (including meat), *palaw-khor* (flour, oil and rice are in stock, but cannot afford to eat *qorma*, that is, a meat dish), and those who often do not have anything to cook at night because they lack the resources.<sup>608</sup> Similarly, other local categories offered, such as in Pyu, included consideration of a household as rich if it disposes of cash money for emergency cases like urgent medical care and if the money does not have to be borrowed from someone else. The basis of such wealth could be at least 50 to 100 animals or far more than 100 animals (goats, sheep, and cattle). Usually the

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<sup>606</sup> This means agricultural land for cultivation. As a rule, each rural household owns the plot of land where the family compound is located. Thus, any reference to landless is about cropland.

<sup>607</sup> These include costs for travel and visas for Iran, both usually provided by a smuggler. With the crackdown on illegal Afghan immigrants in all major Iranian cities since 2006 this option was significantly reduced and resulted in increased joblessness and many youth sitting in Iranian prisons while others escaped and returned home without much hope of going back to Tehran, Mashad, Isfahan, and so on. In many cases, they had to leave their recent earnings behind because Iranian law enforcement officials forced them to leave immediately if they did not want to be taken to prison.

<sup>608</sup> The example is drawn from Deh-e Bālā, one of the main villages of Miyānshahr (Warsaj). The fact that 'wealth' is directly linked to food-intake in locals' perception is an indicator for the relatively modest degree of welfare and the significance of food security in and of itself. Discussing socio-economic changes over the last decades during interviews, many respondents recounted how they used to eat bread from *patek* (a fodder crop) and barley in the past and only slowly began to afford wheat bread, though at times they would still fall back on *patek* if nothing else were available (Interviews in Pyu, 29 September 2006; Emund 9 April 2007).

richest family in a community owns a car; in Pyu proper and Dān-e Āb only one person has a car. In contrast, the very heterogeneous group of ‘poor’<sup>609</sup> people has less than 50 animals per household. It consists of different clusters: the best-off among the ‘poor’ households consist of three to four people with 30-40 animals, followed by large households with up to 20 people and 20-40 animals. The numbers alone indicate that livelihoods cannot be secured by income from livestock in this wealth group; instead, laboring is a major income source. In many cases money has to be borrowed from other people and returned from off-farm labor income. A third group of poor includes households with less than 20 animals. Depending on the number of household members, people cope by seeking additional income in off-farm labor abroad or in other regions of Afghanistan.<sup>610</sup> The average extent of indebtedness is likely to be extremely high.<sup>611</sup>

A crucial addition which interviewees also made is that whether a person or family was considered (and actually was) ‘poor’ or better off does not depend on the number of animals. More important is what people earn off-farm, so that neither livestock nor farming was decisive in their perceptions. This local reality is reflected in families’ and households’ livelihood choices and coping strategies. For example, one of the well-off people interviewed had accumulated comparative wealth on the grounds that his three sons sourced out family income by diversification. One son had twice been laboring in Iran, thus providing off-farm income to secure basic survival needs and beyond that to gain a capital basis for affording animals; a second son is engaged in animal guarding as shepherd (*chupān*) and in livestock trading in the surrounding area, while the third son stays at home and runs a shop in Pyu proper, where he is also responsible for irrigation of the family land plot in the village. This example shows a very common pattern of coping with the limited opportunities available. Again, it is striking that people with many sons have generally better baseline conditions for household income generation.<sup>612</sup> Until late 2006, the number of sons working in Iran and wiring money to their families in Warsaj and Farkhār was roughly the determining factor for the notion of wealth. It was not unlikely that a household without assets like agricultural land and animals but with two or three sons working in Iran was doing better economically than families without sons of working age.

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<sup>609</sup> This ranking reflects local villagers’ perceptions of wealth categories. While most use sayings like ‘we are all poor, we don’t have any rich people in the village’, the distinction between poor and rich is based on their own accounts, in which the ‘poor’ always constitute a very large group of many sub-categories.

<sup>610</sup> The changes and restrictions for laboring in Iran which began in 2006 threatened to have a significant impact on income generation in both districts at the time of fieldwork in autumn 2007. At the same time, the immobility of some men was compensated for in the short term with pragmatic shifts to seasonal labor on the wheat harvest and rice paddy planting in Kunduz and Takhār.

<sup>611</sup> Due to the sensitivity of the topic and feelings of shame associated with debt and lack of resources, the extent of indebtedness is hard to trace at the lowest local levels. In addition, informal credit practices (and even how they are labeled) are not stable but subject to constant changes depending on the opportunities individual families have. Anecdotal evidence collected during this fieldwork supports the argument of Klijn and Pain (2007: 40) that “...a household can be a creditor and debtor at the same time.” In fact, the mutual dependency through borrowing and credit is at the root of social relations in much of Afghanistan and likely an important factor why inequalities are there to stay.

<sup>612</sup> For a discussion of other factors (marriage relations, political alliances, etc.) that determine social upward mobility and well-being see Ch. 7. Furthermore, in remote valleys such as Pyu the location of the land determines the benefits one can get from it. Whether the land is on the sunny side (in Pyu called *pitaw*) or in the shade (*nishr*) determines the choice of crops, as wheat cannot be grown on the shadow mountainsides and only potatoes yield an acceptable harvest.

Given the unclear situation regarding remittance flows in the future, the extraordinary importance of animal rearing comes into sharp focus. Since the advent of the Karzai government, but especially after the drought years that lasted until 2003, livestock numbers increased dramatically, even twenty-fold according to local accounts: “When in the past people had five to ten sheep, they now have 100-200.”<sup>613</sup> Off-farm labor has enabled families who formerly did not own animals to invest in livestock and to build up a mix of income strategies related to it. Animals have proven to be valuable assets which can be sold on short notice for cash generation in cases of emergency. Moreover, animals produce dung that is used for heating, cooking, and baking. For some families, living in areas that have been completely deforested, dung cakes – a mix of straw and dung – are the only source of heating and thus very precious. In other places or where people own many animals, surplus dung is also used as manure for crops and fruit trees. The renewed popularity of livestock rearing can be seen as an indicator of at least four tendencies: 1) increased peace and security; 2) trends of relative economic improvement among different parts of the population; 3) a self-insuring behavior by households towards external shocks; 4) a perception of high vulnerability among the rural population, connected with uncertainty about the future in their immediate local surroundings and in Afghanistan as a whole.<sup>614</sup> Prices for sheep, cattle, and goats were said to have increased considerably.<sup>615</sup> At the same time the carrying capacity of rangelands in the two districts studied has already been reached in many locations, given the increase in both population and livestock. The pressure is likely to mount if the Iranian government effectively blocks worker migrants from Afghanistan. Given that a large percentage of the districts’ population lives at subsistence level without cash money to purchase food, fodder, or fuel, livestock and fuel resources like bushes and wood derived from mountainsides become existential assets for securing day-to-day rural food and fuel security.

#### **b. Land use of mountainsides and access to pastures**

In every community local inhabitants have a clear-cut and collective understanding of ‘their mountains’ (*koh*) and corresponding pasture (*alafshar/aylāq*)<sup>616</sup> or open woodland (*jangal*) areas. In the rain-fed hills throughout the entrance areas of Farkhār valley, in Tagaw-e Chap, and to some extent in Tagaw-e Rāst also, the so-called *jangal* features a sparse covering of pistachio trees. Its density varies highly, but sparse well describes the

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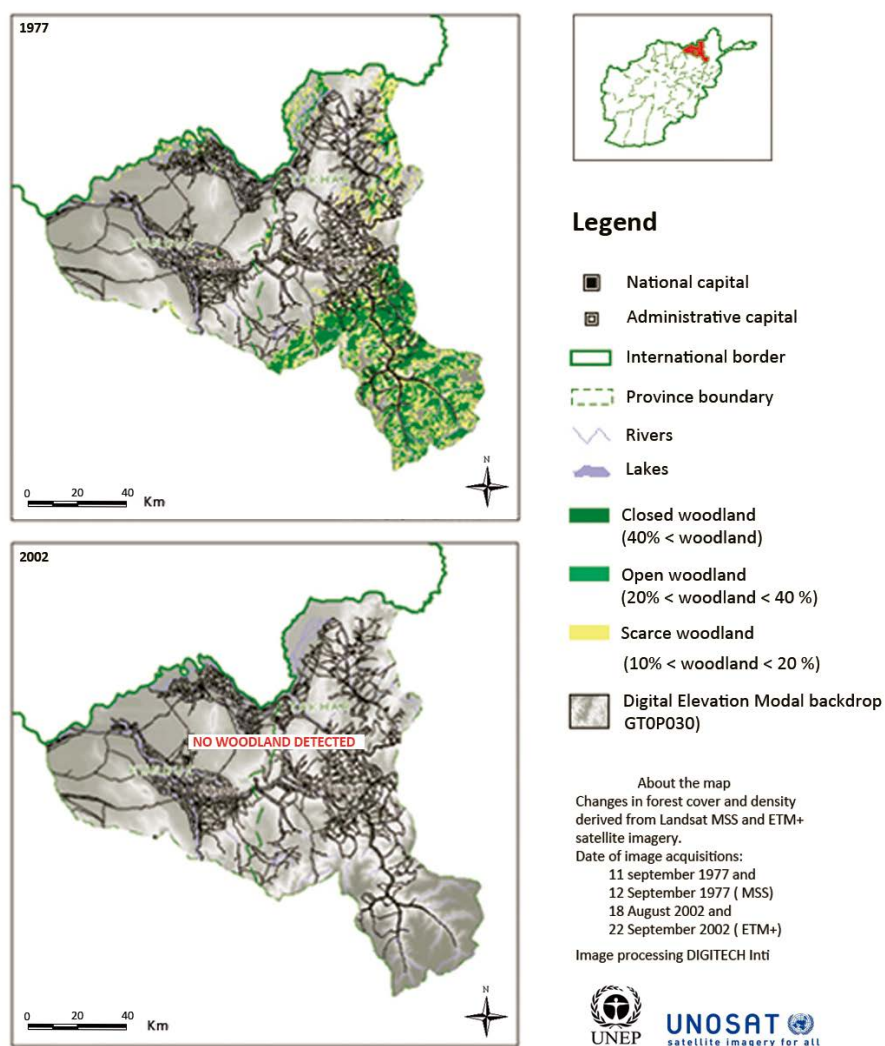
<sup>613</sup> Interview, 26 September 2006.

<sup>614</sup> As one respondent put it, “People here live on their animals; they buy a certain amount of wheat and rice annually. From their land, if they have any, they harvest a maximum of 60-70 *sēr* of barley which they use as winter fodder. But from the sale of animals they can buy foodstuffs.” (Interview, 29 June 2007).

<sup>615</sup> While shepherds in the past received half a *sēr* of wheat per sheep and half a *sēr* of barley per goat for guarding, arrangements have changed in their favor since 2001, as one sheep could now be sold for 3,000-4,000 Afs. At the same time, consumer prices in general have risen and gains and expenditures are reportedly kept in balance. In Warsaj and Farkhār, *sēr* is the measurement unit for cultivated crops (the sown seed is squared with a certain land size).

<sup>616</sup> *Alafshar* designates the nearby grazing area that animals go to for a day and return to stables at or near the owners’ houses for the night. *Aylāq* literally means summer quarters that are usually farther away from the core settlement and only used seasonally for a couple of months depending on the local grazing cycle. Dwellings at *aylāq* sites are basic and range from cave-like or stone-built unroofed camps to different types of tents.

densest condition to be found, totaling only one percent of Farkhār district’s land cover. Nineteenth-century travelogues, oral accounts of the developments over recent decades, and the latest measures with satellite tools paint a picture of systematic and continuing clearing of this tree-cover. While Grötzbach (1972: 44) still speculated that the entire foothills had consisted of forest-like vegetation (implicating a dense pistachio-tree cover stretching between 1,000 and 2,000m) and that farming areas were initially gained by large-scale deforestation, a satellite-aided post-2001 Environmental Assessment could not detect any of the woodland that once covered 37 percent of Takhār province in 1977 (UNEP 2003: 64f; see Figure 4 below for the satellite imagery). At the time of fieldwork residual trees grew largely scattered on grazing grounds in the otherwise bare foothills (see Photo P3).<sup>617</sup>



**Figure 4:** Woodland cover change, Takhar and Kunduz provinces, 1977 and 2002 (UNEP 2003: 66)

<sup>617</sup> Satellite imagery can detect tree cover at a minimum density of 40 trees per hectare. Consequently, UNEP gives an estimate of 20-40 trees per hectare for Farkhār (UNEP 2003: 64). The deforestation increased during the war years because logging became a pillar of the local war economy. Parallel, the natural population increase and the simultaneous lack of alternative fuels contributed to the overall decline of forest vegetation cover. The lower Farkhār valley was the site of the main front lines between Soviet and Afghan forces and the resistance throughout the 1980s, and between Mas’ud’s forces and Taliban in the late 1990s. For more details on fuel resources, see section 6.2.2.



Despite the evidence for degradation and the seeming insignificance of pistachio trees, they remain a highly valuable monetary asset for their owners, that is, for the communities on whose mountains they grow, because pistachio nuts can be sold at high prices. Consequently, the rights to harvest certain trees are often contested among neighboring communities.<sup>618</sup> The common perception holds that while the trees are owned by the government, local communities have the right to harvest and sell the nuts from the trees within the limits of ‘their’ mountains for their own benefit. Thus, different communities with joint grazing areas also commonly enjoy access to the trees growing on it.<sup>619</sup> Out of fear that the yield will get stolen in a good year,<sup>620</sup> local communities appoint their own forest wardens as the harvest approaches. In addition, the district forest department (a subdivision of the agricultural line ministry in Tāluqān) employs guards who are in charge of the entire district year-round.



**Photo P3:** Erosion in Farkhār mountainsides with few Pistachio trees remaining

The government fixes the date for the start of the harvest which is then announced by one of the guards after he is given a notification by the forest officer. However, in a discussion with the latter he admitted that the government’s announcement would be ignored by local people and that he was obliged to report about the harvest procedure after the date set by the government, despite the fact that by that point of time the harvest would have already

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<sup>618</sup> Interviews in Shingān-e Bālā, 22 and 23 September 2006. However, harvests are reportedly irregular because trees do not yield pistachios every consecutive year.

<sup>619</sup> The usage of certain hillsides and grazing areas in the vicinity of settlements is determined by custom (see below for details).

<sup>620</sup> Reportedly, 2006 had been such a relatively good year, with a satisfactory yield of three to five *sēr* (21-35 kg) per family (Interviews in Shingān-e Bālā, 22 and 23 September 2006). Unfortunately, fieldwork was only started after the harvest time in 2006. In the following year, the harvest failed and yields were less than 1-1.5 *sēr* could be harvested (Interview in Haftdara, 3 August 2007).

been finished.<sup>621</sup> Given that I did not observe the harvesting itself during fieldwork, interview accounts concerning possible intra-community contestations over individual family and household shares remained inconclusive. Interviewees claimed that within the *manteqa* everybody had an equal right to harvest from any tree as much as possible on a first-come, first-served basis. For example, in the case of Shingān-e Bālā this applied to the residents of four Tajik-populated communities (Shingān-e Bālā, Shingān-e Pāyin, Deh-e Yak, and Cheshma Garmak). Interestingly, the two communities that shared a Friday-praying mosque with Shingān-e Bālā and Shingān-e Pāyin (Nāqel and Kundakaw) were not considered eligible to take part in the pistachio harvest.<sup>622</sup>

Given the backdrop of the significance of livestock, I now focus on grazing as dominant land use type and the practices and norms regulating it.

Grazing lands and the mountains with their various resources in the study area represent common property regimes distinct from open access regimes because they can be used by members of certain communities that exclude nonmembers from resource use, or include them by explicit choice. The exclusion of outsiders follows customary use practices and local rights perceptions. In the old statutory Land Laws of 1965, 1970, 1993, and 2000, which also include provisions about forest and grazing areas, all grazing land is legally considered to be government property but people are allowed to use the pastures for livestock herding in accordance with the provisions of the respective law. For example, statutory legal regulations foresee that buying and selling of pasture areas is illegal, except for government projects and public works projects.<sup>623</sup> Similar to the situation in irrigation water governance (Ch. 6.1), in the absence of statutory legal regulations the guiding legal framework is constituted by local law, the practiced interpretation of what is normatively claimed to be binding. Consequently, two major cleavages exist; first between a user community and outsiders who contest local usage and claim equal access, and, secondly, within each user community.

A look at regular patterns of rangeland use in Warsaj first shows that animal owners in the three sub-valleys (Miyānshahr, Qawnduz and Taresht) usually confine pasture use (including fuel collection) to their respective valleys. A slight exception occurs with the case of some powerful Taresht livestock owners who push into pasture areas around Lokhistān and Sar-e Tang at the entrance of the upper Farkhār river valley past Tang-e Warsaj (see Map 9 and below). Even in the subvalleys of Qawnduz, herders normally confine livestock rearing to the boundaries of their mountainsides in the respective sub-valley *manteqa* (Emund, Anuy or Pyu). Only the upper Emund pastures (3,300-3,500 m) are still used by *eshān* families' livestock and arrive seasonally from Khānaqāh and the surrounding settlements of Yāwar-e Suflā, Yāwar-e Pāyin, Gumbaz, and Bāgh-e Dasht.<sup>624</sup>

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<sup>621</sup> Interview with head of district forest department of Farkhār at his home in Haftdara, 3 August 2007.

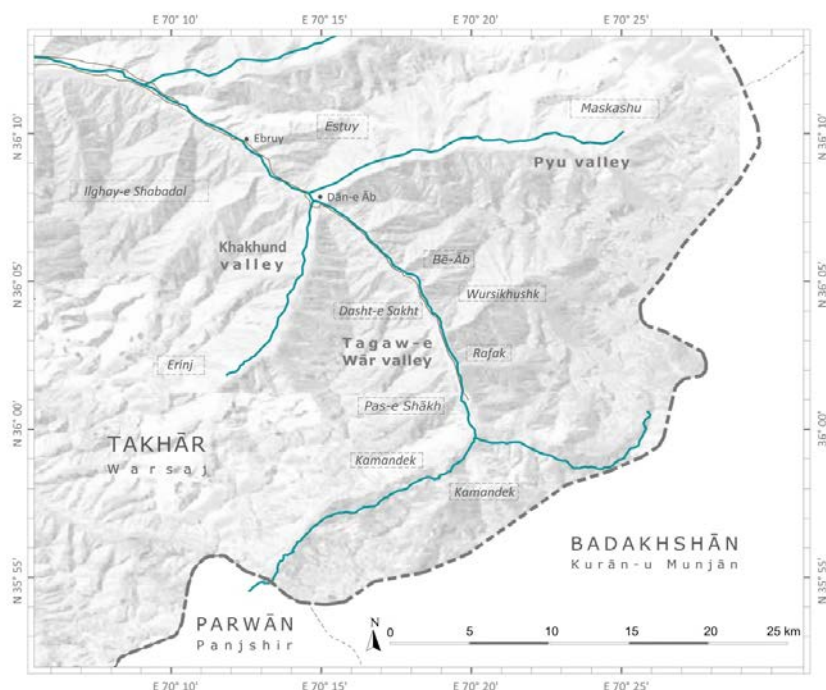
<sup>622</sup> The reasons for this exclusion are likely long-standing ethnic animosities related to the differences in settlement history.

<sup>623</sup> No Rangeland, Grazing or Pasture Law existed at the time of fieldwork. A draft was reportedly crafted according to the Indian model, though. See Chs. 6.2.3 and 7.

<sup>624</sup> Descendants of the *eshān* reside mainly in the district center Khānaqāh and Bāgh-e Dasht and their land is mainly located in the Miyānshahr and Taresht valleys. In Qawnduz, they owned only the best grazing areas



The rural lifestyle of the Ismaeli population of Pyu *manteqa*<sup>625</sup> is largely characterized by settled transhumance. Grötzbach had already noted that Pyuchi were considered the wealthiest livestock owners in terms of number of animals in the 1960s (Grötzbach 1965: 297). At the time of fieldwork Pyu *manteqa* was said to host approximately 2,000 goats and sheep,<sup>626</sup> and livestock rearing was still the main and most important activity for the majority of the local population, despite its having always been complimented with modest cultivation of grain and fodder crops to the extent local climatic and environmental conditions allowed. Livestock owners move with their animals and family members between at least one and in most of the observed cases two seasonal summer camp settlements as well as the permanent settlement in winter which is used all year around by the household members who do not join the pasture migration. In addition, single male members of the household also tend the animals at the winter pasture on a rotating basis. People with lots of livestock sometimes divide herds and do some outsourcing of animals, especially sheep, to other herders for seasonal grazing at different *aylāq*.



**Map M10:** Pasture migration sites in Pyu *manteqa*

above Emund (Grötzbach 1965: 297). The *eshān*'s flocks likely herded there because Emund is the closest sub-valley in Qawnduz to Khānaqāhh and possesses the largest pasture areas. Grötzbach noted that landowners from Bostansar at the entrance of Emund valley correspondingly owned land plots and traditionally used the pastures of upper Anuy, the second Qawnduz sub-valley (ibid.).

<sup>625</sup> Pyu *manteqa* comprises a sub-valley of Qawnduz in Warsaj of several communities: Pyu proper (at 3,050 m), Deh-e Zēr, Sēyāh Koh, Sēl-e Posida, Qalācha, Qir-e Qāh, Zaitun, Bed-e Ashuk, Cheshma Angusht, Yuruz(ik)/Āb-e Yuruz, Ebruy. The residents are almost 100 percent Shia Ismaeli. Elsewhere in Qawnduz Ismaeli appeared to be the majority in Khakhund and about 20 families residing in Anuy. At the time Grötzbach did his field study, Pyu proper only consisted of a few houses and was not settled permanently (Grötzbach 1965: 297); in 2006/07 at least 70 permanent homesteads (each hosting several families) were counted (Interview, 15 April 2007).

<sup>626</sup> All numbers are based on respondents' information; they are at best estimates and cannot be verified since people are wary of giving anything close to correct information about their livestock in fear of future tax collection. Consequently, the figure of 2,000 animals is certainly too low an estimate and the real number must be much higher.

Map M10 gives a general overview over the Pyuchi's pasture migration area. They leave their winter quarters and homes around 21 May (1st *Jawzā*) – depending on when the initial crop sowing can be finished – to one of the six camps in Tagaw-e Wār where they stay for approximately two months until around the 22nd of July (the end of *Saratān*). From there the different communities split up for their second summer pastures; Khakhundis have their own area up beyond their settlement areas in the Khākund subvalley. Livestock owners from upper Pyu (Pyu proper) tend to move beyond the village to one of the six campsites of Maskashu. People from Ebruy and lower settlements at the entrance of Pyu *manteqa* use the surrounding mountains in the local vicinity with pasture places like Ilghāy-e Shabadal or Kharghān above Estuy and Deh-e Zēr. For Tagaw-e Wār the particular grazing grounds for each livestock-owning family are reportedly assigned in a meeting of elders which takes place in Dān-e Āb's *madrasa* around 21 May (1st of *Jawzā*) before the herds leave the permanent settlements.<sup>627</sup> During the meeting families with different flock sizes are matched together to fit individual rangeland sizes and pasture camps.<sup>628</sup> For the secondary pastures in Maskashu a similar gathering of elders, but on a smaller scale is said to usually be organized to determine who goes to which second pasture for the remaining grazing period from late July until the end of October. However, this meeting had not taken place in 2007 and everybody apparently went where they wanted to go with their flock or where they use to go traditionally. The grazing period is followed by a five to seven months stay in the winter quarters. Between winter and summer pasture migrations, the animals graze on the stubble and crop residues of harvested plots. The winter camps are located outside the permanent settlements and, in the case of Pyu, are situated in the same fixed locations every year because these are the areas that get direct sunshine throughout the winter season. During the winter months the families remain in their permanent houses and the livestock is tended by herders on a family rotation system. Reportedly, the animals move to the winter quarter in Tagaw-e Wār after 7 December (15th of *Qaws*).

The example of summer migration in Tagaw-e Wār is described here more in detail to demonstrate how a grazing area is shared. At the time of fieldwork, people differentiated six *aylāq*: Aylāq-e Bē-Āb, Dasht-e Sakht, Wursikhushk, Rafak, Pas-e Shākh, and Kamandek (see also Map 10). The first three comprised a collective base for small-scale livestock owning families from different communities of Pyu *manteqa* under the guidance of one guardian (*sarparast*), who was formerly one of Mas'ud's clerks. For example, the 18 families who camped at Dasht-e Sakht originated from Pyu proper (5 families), Dān-e Estuy (1), Bed-e Ashuk (5), Qalācha (5) and Seyāh (2). They reported using the Estuy pastures as a second seasonal grazing ground after leaving Tagaw-e Wār. Pas-e Shākh has traditionally been used as *aylāq* for Khakhund herders. Reportedly, 24 out of 60 livestock owning families from Khākund came to Pas-e Shākh, while the others went to Dar-e Erinj, a grazing ground off the Khakhund settlements. Khakhundi herders who come to Pas-e

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<sup>627</sup> Interview with the camp guardian of the first three pastures Bē-Āb, Dasht-e Sakht, Wursikhushk in Tagaw-e Wār, 29 June 2007.

<sup>628</sup> The gathering also serves as forum to discuss related issues like fuel collection, potential conflicts over grazing areas, and community defense strategies (see below). For the latter two purposes, non-livestock owning community members (or those with just a milk cow that stays in the village) are said to take part in the meeting as well.

Shākh use Erinj as a second seasonal pasture and move even further up for a third grazing area called Chārmaghz. Herders at Kamandek emphasized that the upper pastures do not have a guardian in charge; instead, all families are equal. The family of the biggest local commander and other owners of large sheep herds (*gosfanddār*) camp at Kamandek.<sup>629</sup> Every family was said to have their own shepherd – usually a family member – unlike at other *aylāq*, where the shepherd is shared and determined on a rotation by day and family. In addition, small goats and sheep always have a special herdsman (*chupān*), as do cattle (*padawān*). On second seasonal pastures, animal owners tend to hand over their entire flocks to the herders, because they are busy with cultivation-related activities. A professional shepherd at Ilghāy-e Shabadal reported earning two *sēr* of wheat per sheep plus one lamb for each 10 small sheep under his custodianship during the second seasonal pasture migration.<sup>630</sup>



**Photo P4:** View of pasture camp Kamandek (Tagaw-e Wār, Warsaj)

Livestock owners in other high-mountain valleys in Warsaj and the lower hills in Farkhār use the pastures less extensively in terms of the time spent in the upper camp site. Usually the grazing areas in the vicinity of the settlements are the ones most frequented. In general, and this is certainly true for Pyu as well as all other areas in the study region, the duration, departure, and return times for summer grazing depend on the specific year's climate and weather conditions. Consequently, the dates above are not to be taken as fixed, but instead reflect average indications that normalize annual fluctuations. The first move in the spring must often begin early because winter fodder stocks have run out. Households with only a few animals usually sell them off during the winter in order to stock up with foodstuffs. In spring they restart the livestock-keeping cycle over by taking care of other people's flocks,

<sup>629</sup> To give an example of one *gosfanddār*, a person from Dān-e Āb (Sar Muhamad) owned 300 sheep, 250 goats, more than 10 cows of one kind and 20 of another kind. Furthermore, his wealth is based on property of 25 *jerib* land and a large timber tree plantation in Sēyāh in Lower Pyu. Despite this obvious wealth, respondents almost expressed pity for this person during different conversations, stating that he has nobody to work on his land and noting that his sons were still young (Interviews 2-10 July 2007).

<sup>630</sup> As recently as five to six years preceding this fieldwork, the rates for the shepherd's salary were considerably lower: half a *sēr* of wheat per sheep and half a *sēr* of barley per goat. The increase is due to increased revenue that can be derived from livestock, with prices up to 3,000-4,000 Afs per head of sheep (Interview at Ilghay-e Shabadal of Estuy, 8 August 2007).

fodder collection, and related tasks for which they might receive two small goats in exchange. With these they go up to the pastures during summer in order to sell them again in winter. One underlying reason for this practice is the fact that larger-scale livestock-keeping is only possible with availability, access, and storage capacity for fodder over winter. Consequently, a regime for access to forages, hay-making, and cultivation of crops must be in place to permit keeping larger stocks of animals.<sup>631</sup>

In places other than Pyu, such as Wēghnān, the availability of winter forage is a serious problem and causes many livestock owners to sell the entire flock before the winter because hay-making on the rangeland is not possible or not practiced, buying fodder from Tāluqān is too expensive given that transportation costs are higher than the purchasing price, and the fact that the climatic conditions do not allow for sufficient rain-fed cropping. Several respondents in Farkhār and from the other valleys of Warsaj (Taresht and Miyānshahr) reported that they would send their animals to people they knew during winter season and pay them accordingly.<sup>632</sup> Pasture productivity varies and has to be looked at in detail locally. For example, whereas Pyu's first seasonal pasture, Tagaw-e Wār, consists mainly of artemisia steppe today with hardly any other forages, pastures in Farkhār's Khuram Āb region were partly covered with high-growing grasses. Asked for their opinion regarding how land cover and pasture conditions have changed over the last three to four decades, respondents recounted that 40-50 years ago the rangelands were densely covered with trees. Tagaw-e Wār was said to have had chest-high grasses only ten years earlier. This claim contradicts Grötzbach's observation of early overgrazing in Tagaw-e Wār (1972: 43), but given the absence of grazing during the roughly 25 years of war, a partial recovery seems plausible, although the long drought period until 2002 likely affected the recovery process.

Activities other than herding at the campsites fall largely to the women.<sup>633</sup> The female labor force forms the backbone of the pasture economy during the different seasonal migrations. With this insight it is also easier to comprehend why pastures fell fallow during the revolution and mujahedin periods. According to the locals' explanation, women could not be taken up to the pasture camps during that time because the entire mountain area served as a transit zone for mujahedin and as a location for related activities, such as smuggling, training, and weapon storages. Hence, the risk of women's exposure to men

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<sup>631</sup> Livestock is marketed through traders visiting the pastures during seasonal grazing. Two kinds of traders are involved: First, local traders from Qawnduz, from Deh-e Gaz or from Mashtān in upper remote Farkhār who sell the acquired livestock in Tāluqān's bazaar. Second, non-locals, often Pashtuns, come and take flocks to the central provinces (e.g., Kapisa, Khost, Chārikār, Jalalabad, Sroch past the Salang Pass, and Kabul). Some traders have long-established relations with livestock owners and communities; others come only in one year. In the former relationships, money is often paid directly by the trader. In case no previous relationship between animal trader and members of a local community has been established, money is usually only paid after the flocks have been sold. All distances, that is, to buy animals, to take them to the bazaars, and to deliver the money, are usually covered by the traders on foot.

<sup>632</sup> Reported for example in Deh-e Bālā/Miyānshahr, where respondents claimed that because their own grazing area is limited, they hand their animals over to their acquaintances in return for payments in kind, e.g., for oil, tea, or sugar. In addition, the shepherd of the person with whom they made the arrangement, gets two *sēr* of wheat (if wheat happens to be expensive at that time, cash is paid instead; if wheat is very inexpensive, more than two *sēr* are handed over).

<sup>633</sup> In addition, children bear responsibilities for animal guarding from early ages. The schooling cycle is partially tailored to their summer camp stays.

from outside their home-community was too high to be acceptable to male family members. With the onset of peace after 2001 pasture migrations slowly resumed and the productive function of the livestock economy once again rests with the female members of flock-owning households. Women are on the pastures for up to six months, and depending on the household's migratory preferences live either in one or two seasonal camps during this time. Their daily activities include the milking of goats, buttering and dairy production, chores related to the camp household organization, such as baking, cooking, and washing, and occasionally weaving of different types of carpets.<sup>634</sup>

In elevated pastures that are situated a long distance from the permanent settlements like Kamandek in Tagaw-e Wār, which is seven hours by foot from Pyu proper, women are accompanied by husbands or male family members for longer terms. The bulk of the herds comprise goats and sheep which are guarded separately. While the goats are brought to the camps twice a day for milking, sheep usually stay up in the higher pastures above the camps and the ones without milk will stay overnight.<sup>635</sup> Besides taking turns in herding at the first seasonal pasture, Pyuchi men devote their time to either firewood collection or hunting. By contrast, during the second pasture migration, where the destination is usually closer to the permanent settlements or near rain-fed farmland,<sup>636</sup> there is often not a single man present at the campsites during the day. Instead, they take care of farming and irrigation, construction, fuel collection, and harvesting in or around the villages. The daily coming and going of menfolk to the second pasture-site ensures the transportation of dairy products, fuel wood (*chub-e sukht*), medicinal plant stocks and charcoal to the permanent houses for winter storage.

Among communities of the same *manteqa*, and within user communities, social differences account for differential access to pastures. These social differences can be traced to family origin (*eshān* or *mir* gentility), war-time careers as commanders (*amir* and *qomāndān*) of some significance, to close personal or military relationships of the formers' family networks (as is the case with Ahmad Shāh Mas'ud), and in material wealth. The latter might be earned through different means, such as 1) smuggling of weapons, lapis lazuli, food items, and money in the past or as human traffickers related with Iranian labor migrants in the present; 2) income from labor migration earned by as many male family members as possible; or 3) current positions in government departments and NGOs that offer not only a regular salary but above all a chance to extract material resources both indirectly and directly.

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<sup>634</sup> Children are taken up to the pastures if they are not attending school, independent of age. It is not unusual for women to even give birth during seasonal pasture migration as I could observe in Farkhār. At several camp sites women also collect and dry medicinal plants.

<sup>635</sup> Cattle graze largely uncontrolled, because due to their size they reportedly are not attacked by wolves as easily as sheep or goats. Another category of pasture animals were said to be so-called 'wild cows' (*ghaj gāw*, i.e., Yaks) which are up in the mountains permanently and taken down to the settlements in very harsh winters only. Grötzbach (1965: 294) noted that Yaks were brought from the Wākhān-corridor and symbolized superior welfare among local people in the 1960s.

<sup>636</sup> Rain-fed cultivation of barley and beans is very common in the lower rangeland stretches. Crops on rain-fed plots are mostly grown by households that do not own livestock. Livestock owners usually also have some irrigable land.

In local terms wealth is equated with ‘power’ (see Ch. 7). A closer look at Maskashu – the main second seasonal pasture area of the Pyuchi – serves as an example. A comparison of historical and contemporary pasture features backs the interviewees’ claims regarding the increased significance of livestock and a corresponding growth in flock numbers. While in the 1960s Grötzbach (1965: 297) observed only three pasture campsites, at least six campsites could be distinguished in 2007, of which two had only been established within the last decade and inevitably rather close to existing camps because of spatial limitations.<sup>637</sup> The additional site of Passe Ambyk was established just between the main traditional pasture ground of Ilghay-e Kalān and its upper branch Ilghay-e Āliya.<sup>638</sup> At the time of fieldwork, Passe Ambyk was used by the livestock and womenfolk, including children, of the one-time leading commander and contemporary elder of Pyu *manteqa*, Zāher. Zāher’s brother and his other relatives stayed with 14 families in nearby Sar-e Hawz camp, the most distant campsite at the foot of the glacier. The second campsite that was newly used, Gabar, is somewhat remote and high above Pyu. In 2007 it hosted 12 families, nine from Pyu and three from Cheshma Angusht (lower Pyu). According to one key informant, Gabar was revived<sup>639</sup> because the main site became overcrowded with flocks and traditional users had voiced reservations about the shepherd, which they then used to justify a separation from the other Pyuchi flock owners. In general, the richer livestock owners have a tendency to separate and establish their own *aylāq* when they can and to send their flocks independently. This requires the hiring of separate herdsmen or the appointment of family members for the job. For example, even above traditional Ilghay-e Kalān (used by 30 household units) a separate *aylāq* by the name Aylāqek which was reportedly only occupied by two families who ‘can afford their own shepherd’ (a metaphor for wealth) was identified.

Even though interviewees unanimously stressed that not one single *aylāq* has its own assigned area and that the mountains are used jointly, differences were perceived and caused tensions which until the 2007 pasture season seem to have been voiced only sporadically. The main tension revolved around herd size. Average livestock owners, who now dominate the once-exclusive Ilghay-e Kalān, complained that owners of the largest stocks should move higher up the mountainsides and have their animals graze in distant places.<sup>640</sup> Yet, respondents did not expect that a mere verbal appeal to large flock owners would be sufficient. “The rich people have *salāhiyat* [legitimate authority, KM], they can do whatever they want; the rights of the poor are always trampled on by them (*pāymāl*)”.<sup>641</sup> Aware of the increasing overuse of grazing land in the vicinity of the main

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<sup>637</sup> Physically, camps consisted of ramparts made of and covered by stone, with fencing for animals of the same type. See Photo P4.

<sup>638</sup> Also known as Maskashu proper, which suggests that Ilghay-e Kalān had indeed been the main pasture place in the past. In local parlance, Maskashu does not otherwise designate a specific location, but the entire uphill area beyond Pyu which is used for grazing and contains the campsites described above.

<sup>639</sup> Reportedly, Gabar had been used in the past, but its original users had died off.

<sup>640</sup> Interviews, Warsaj, 4-8 August 2007.

<sup>641</sup> Ibid. One interviewee went on to explain that the rich he is talking about were not rich before the revolution period and are thus not the descendants of gentility, but the new rich who found wealth during the years of the revolution, e.g., through remittances from sons laboring in Iran. At another occasion, the distinction between ‘dirty rich’, that is, ‘dirty’ elders versus normal or traditional rich elders was noted.

camp grounds due to higher livestock numbers, the same respondent from Pyu proper wondered whether they might have to split up pastures (between rich and poor) in the future and that he should make a corresponding proposal to one of the rich men from Dān-e Āb, whose livestock had recently been grazing at the Ilghay pasture. This reveals a cleavage in social status between livestock owners from Pyu proper and those from Dān-e Āb, which was further indicated in one respondent's quoting their elder Aref from upper Pyu saying that the people from Dān-e Āb despise them because they are comparatively poorer.<sup>642</sup> However, I was asked not to note that there is no solidarity among the factions, as the Pyuchi did not want to appear disunited. However, they admitted to not trusting their elders of the *manteqa* who happen to reside in Dān-e Āb; they suspected them of mediating in a conflict for their own personal advantage and thereby consciously accepting disadvantages for the constituency of people they were supposed to represent.<sup>643</sup>

It is striking that apparently no collective decision-making took place through which *aylāq*-destinations for the second main pasture migration were fixed. The choice was left to each individual livestock owner. Moreover it was reported that stock owners would often decide rather spontaneously where to go, making their decision dependent on pasture conditions in a given season. This flexibility is aided by the fact that the shelters and enclosures at the campsites are reportedly not owned by individual families but were open to anyone based on availability.

Now that empirical evidence has been given with regard to pasture access patterns within user communities, I turn to the broader context of inter-community pasture use, including interaction with non-community actors. The following Venn diagram maps the basic types of actors that the pasture usage communities of Warsaj and Farkhār typically deal with to different degrees.

The size of the circles in the diagram and the extent of overlap with the circle symbolizing the user community indicate the perceived importance of the different stakeholders in the local realm and life-worlds. The role of government actors is discussed below (section c) in more detail, as their intervention is best characterized as ambivalent with regard to local conflict dynamics. On the one hand, evidence suggests that they cause and reinforce conflicts, and local communities try to avoid them for these reasons. On the other, government actors at different administrative levels are appealed to as mediating authorities if a conflict cannot be solved by local means.<sup>644</sup> Another striking example for rangeland usage in which local communities try to circumvent the government is local contracting with commercial medicinal plant collectors. The latter approach selected communities directly with the request to grant them permission to harvest a particular

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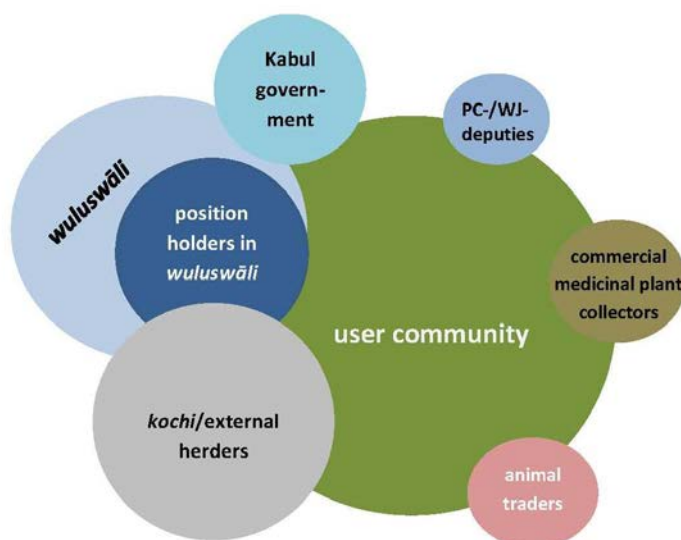
<sup>642</sup> Interview, 14 April 2007.

<sup>643</sup> See section c below for a case study on the specific conflict.

<sup>644</sup> Animal diseases pose a major constraint for the local livestock economy. In 2006, many animals had died from an unidentified disease, even though at some stage an NGO had provided veterinary assistance at the request of government authorities. As a consequence of the disease and moreover given that the news of a mysterious disease had spread throughout the province, livestock could not be sold that year. This had a considerable impact on people's livelihoods and asset bases throughout the next winter and beyond. At the time of the first fieldwork period in 2007, several goats suffered from diseases and were killed as not to lose the meat (Interview, Kamandek, 30 June 2007).



valuable plant species or to extract parts of it in the appropriate season.<sup>645</sup> Since the collectors offer a considerable amount of cash money for the communities, some rent out whole mountains. The underlying rationale is that if the responsible government department were involved in the deal with medicinal plants, communities would benefit considerably less, because the contracting parties would be the government and the pharmaceutical company and money would only be paid to the government and the hired day laborers for cutting.<sup>646</sup> This provides an obvious incentive for the communities to conclude secret deals with pharmaceutical entrepreneurs. The money is reportedly used for communal expenses, such as the hosting of guests, the invitation and payment of government deputies (such as in Dān-e Āb, see below), repair works on mosque buildings, and so on.<sup>647</sup>



**Figure 5:** Venn-diagram of stakeholders in rangeland usage

However, the main type of collective renting out of grazing land is to *kochi*.<sup>648</sup> According to locals' accounts it has been practiced widely in the past, even in Warsaj. At the time of

<sup>645</sup> The main species eyed by commercial plant collectors in Warsaj is *chayir*. It does not have medicinal value itself but it is usually mixed with similar-looking and high-value devil's dung (*heng*) which reportedly achieves a 24 times greater price. The bazaar price for one *sēr chayir* is 500 Afs, whereas devil's dung costs 12.000 Afs per *sēr*. The plant is reportedly exported to India where it is used as an ingredient in pulmonary medication for treatment of tuberculosis and bronchitis.

<sup>646</sup> According to an official in the provincial forest department in Tāluqān, his department is in charge of contracting with pharmaceutical enterprises. The same official mentioned that the new law, which is currently being drafted by the government, foresees a 12 percent tax on everything that locals sell for profit from the mountains (Interview, Tāluqān, 16 August 2007).

<sup>647</sup> It goes without saying that these business activities contribute to further degradation of the rangelands. The harvesting practice is not sustainable, because in many cases the plants are being pulled out by the roots.

<sup>648</sup> *Kochi* are often denied access to their traditional grazing areas in Badakhshān. They are thus looking for alternatives and enter annual agreements with communities that have excess rangeland as in Mashtān. For example, one of the *kochi* caravans that herded its livestock in Mashtān possessed documents for Dasht-e Arām between Farkhār and Warsaj and for some Shiwa pastures in Badakhshān. They were denied to both places access by locals at the time of fieldwork, this is why they seasonally rented pastures in Mashtān (Interview with *kochi* herder from Nāwābād-e Chārdara (Kunduz Province), Farkhār, 3 August 2007). During fieldwork I documented several other cases when *kochi* were denied access to pastures even if they offered to



fieldwork, evidence for pasture arrangements with *kochi* herders from Kunduz' districts (especially Chārdara) was found in Farkhār's Khuram Āb and Mashtān; one Taresht *manteqa* (consisting of Purāwāz, Urghāb, Ashku, and Sar-e Hesār) hosted nomads from Baghlān, Kunduz, Khānābād, and Tāluqān on their joint pastures for around three months. Before 1978, their elders had had an oral agreement with Hazara from Khost-u Fereng in Baghlān, but began to deny them access in the late 1980s.<sup>649</sup> Any lease arrangement depends on individual communities' disposal of surplus grazing land and the incentive the potential income provides for the lessors. For example, locals from Mashtān stated they would have enough pasture grounds with one valley for their own animals, and a second valley that they could afford to rent out to the incoming herders with their camels and sheep from Chārdara.<sup>650</sup> The money charged<sup>651</sup> is reportedly spent for a broad variety of community expenses, ranging from simple mosque repair and buying fodder in Tāluqān<sup>652</sup> to hosting and feeding of guests, and even the intended buying of government positions was noted as a major aim, in order to compensate for the lack of 'good' elders.<sup>653</sup>

The renting out of pastures thus represents part of the collective coping strategies locals have developed in response to urgent livelihood and food insecurity, which they say they cannot meet with animals alone;<sup>654</sup> other income sources must be found instead. Another component of the Mashtānis' coping strategy is an established rotation system that foresees alternating land use of the different sides of their valley: one year one side is used as pasture whereas the next year they use it for rain-fed cropping. In this system, the manure of their animals and that of the *kochi* flocks provides a natural fertilizer for the subsequent cultivation turn. Despite this seemingly clever system of local needs met by local coping solutions, the government – or rather its agents, that is, government position holders – are also an important stakeholder in this matter. Claiming official property rights of the government (“*mulk-e dawlat ast*”), government representatives demand 50 percent of the payments received by the Mashtānis from the *kochi*. All five villages of Mashtān *manteqa* have their own mountains which they rent out separately to different *kochi* groups each

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pay for access, for example, in Deh-e Zārān (Warsaj) *kochi* groups from Nahrin, Eshkamesh, and Khost-u Fereng (all Baghlān) were each turned down (Interview, 12 July 2007).

<sup>649</sup> Interview with residents of Purāwāz of Taresht/Warsaj, 18 June 2007.

<sup>650</sup> What they did not mention in the interviews was that they had obviously expelled Gujars who had traditionally been using these pastures and resided in Gurdara where people from Mashtān have now settled (Interview with Gujars in Chehraz, 30 September 2006). For more background information on the local Gujar population and their violent eviction see below.

<sup>651</sup> According to *kochi* from Chārdara, who stayed with 550 sheep, 15 cows and 20 camels for two months in Mashtān, they paid 'between 50,000 and 60,000 Afs' rent, an equivalent of US\$1,000-1,200 (Interview, 3 August 2007).

<sup>652</sup> Winter fodder has to be bought at high prices in Tāluqān and transported all the way up to Mashtān, a side-valley leading up from the river at the very end of Farkhār district on the border with Warsaj (see Deh-e Miyāna, leading up from Pul-e Mashtān, Map M8).

<sup>653</sup> Interview, 25 September 2006.

<sup>654</sup> It remains unclear how the money is distributed inside the community, that is, whether all is used for communal expenses from which every community member can benefit or whether there are some people who profit more than others, and if so, how and why. Further research is needed to understand more fully the intra-community social relations.

year.<sup>655</sup> This private taxing of the local communities by government agents appears to be common practice not only in Mashtān where even one person was appointed for collecting the government agents' cut, but also in Purāwāz, for example. Here, the district governor of Warsaj annually allows *kochi* with 4,000 sheep to access the pastures of Purāwāz and the other villages with which they share their grazing area. Similarly in Warsaj's Wēghnān (Miyānshahr), the district officials, reportedly the CoP, take such taxes directly off the *kochi* for issuing written notes to the local communities that this herder with such and such number of animals has been allowed by the district authorities to graze his animals on the community's pasture land. This demonstrates that especially the district administration (*wuluswāli*)-circle in the Venn-diagram above (Figure 5) includes an agglomeration of individual position holders who act according to their own personal interests and not for collective benefit or according to official legal regulations.

Whereas in Farkhār local communities that dispose of large grazing areas enter into mutual arrangements with *kochi* who come for a period of approximately two months,<sup>656</sup> many communities in Warsaj and some in Farkhār have inter-community agreements with non-community members for using their pastures or parts of them. These agreements are typically not between two communities but between the community that holds the target grazing area and individual herders. The latter might take care of the livestock of several owners from one or more communities. For example, in Deh-e Yak (Farkhār), local livestock owners were forced to seek more distant pastures because large parts of their grazing land had been washed away by flash floods. For the second pasture stay they thus concluded an agreement with the neighboring communities of Shingān and Nahr-e Āb to have their flocks use the latter's grazing areas as a second seasonal pasture against a payment per head of livestock. Claims of entitlements to certain pastures, on the basis of which belonging to one community and not a neighboring one is determined, are often underpinned with documents about tax payments for particular plots in the past. The logic behind this can work two ways. For example, in Tagaw-e Wār and the pasture grounds of Deh Ta in Wēghnān (Warsaj) pasture areas that had come to be used as agricultural rain-fed plots had once been registered and noted for tax levying. In another case, inhabitants of Deh-e Yak stated that they had bought agricultural land in the mountains from the local rulers (*mir*) and turned it into pasture land. In both cases the claimants have some written evidence in the form of either tax receipts or the sales document.<sup>657</sup>

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<sup>655</sup> The fact that Mashtānis do not enter into any longer-term relations with *kochi* can be seen as indicator of two trends: a certain greed factor, as they are allowed to change the rent price every year according to their wishes and rent to the highest bidder; and, though no evidence for this view has been derived from the interviews, they may be eager to avoid any institutionalization of relationships on the basis of which *kochi* could claim access rights in the future.

<sup>656</sup> Such arrangements have become rare in Warsaj and if *kochi* herds arrive, they are generally forced upon local communities' grazing grounds by permission of the district administration officers (district governor and CoP), who rent out pastures at their own discretion. See below.

<sup>657</sup> It is unlikely that any of these written proofs would hold in legal cases because of overlapping legal provisions of different regimes. It has been determined, for instance, that all grazing areas are owned by the government and that changing land use patterns from pasture to crop cultivation is prohibited.

### c. Conflict case studies: Pyu, Wēghnān, Khurām Āb

In this section, I highlight three conflict case studies because they feature distinct dimensions of stakeholder involvement (see the Venn diagram in Figure 5). The pasture conflict of the Pyuchi is interprovincial in scope and has been taken to the national level for attempts at resolution, while in the case of Wēghnān *manteqa* the local user community perceived their grazing grounds to be contested by *kochi* herders from various provinces who were under the patronage of the Warsaj district administration. The example of Khurām Āb draws attention to the previous ousting of the livestock-herding Gujar/Asmāri population from Farkhār, the appropriation of their pastures by local commanders and the consequences of those actions for contemporary conflict dynamics connected to mountain usage in Farkhār's Tagaw-e Chap valley.

#### *Case 1 – Pasture conflict Pyu-Anjuman*

At the time I visited the pasture areas of Tagaw-e Wār in 1386/2007, the conflict with herders from Anjuman in neighboring Badakhshān's Kurān-u Munjān district was entering its third year. It started in 2005 when Anjuman herders and their livestock crossed the old Qataghan-Badakhshān border coming down from the Anjuman pass (*kotal*) to use the upper grazing areas at Tagaw-e Wār. As has been elaborated above, the Pyuchi consider Tagaw-e Wār their traditional pasture area and use it collectively for the first seasonal migration. The number of families who had crossed from Badakhshān was small (5-6 families compared to 120 Pyuchi families throughout Tagaw-e Wār). Nevertheless the Pyuchi were outraged and interpreted this as an opening gambit of the Badakhshāni livestock owners to take over their pastures, since relevant verbal claims had reportedly been addressed to them even before 2005.

These claims were traced back to some Anjuman families' upper Tagaw-e Wār pasture usage during the revolution period and sporadic usage during subsequent years. The Pyuchi argued that they had allowed Anjuman families access to their pasture areas because they also sheltered them at the time when Anjuman was under heavy bombardment during the *khalqi*-offense and the subsequent occupation of the district in 1978. Reportedly, the Pyuchi hosted families from Anjuman on their territory between Dān-e Āb and Cheshma Angusht for two years at that time. During the war years, the Pyuchi did not use the higher pastures for the reasons noted above (section b) and apparently did not care if other herders from elsewhere used it since they could not use it on a regular basis. By the time the Khakhund herders (since approximately 1996 [1375]) and the Pyuchi (since around 2001 [1380]) resumed pasture usage at Tagaw-e Wār, some minor contestations occurred. When the Anjuman herders crossed the mountain pass and appeared in upper Tagaw-e Wār in 2005, the Pyuchi mobilized 40 to 60 armed men ('*askar*') among themselves,<sup>658</sup> the sight of which were said to have caused the Anjumani to

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<sup>658</sup> They were said to have mobilized fellow herders and people throughout the entire Qawnduz valley. This included the most important elders from Qawnduz valley and armed guards from the entire Pyu *manteqa*, whether livestock owners or not. The underlying rationale for the latter to take part was reportedly that, first of all, non-livestock owning families use other mountain resources like fuel wood and rain-fed agricultural plots as well, so it was also their land under threat. Secondly, their children might have livestock one day after they acquired wealth and would have a right to use the pastures then, thus, so defense was necessary now.

leave. It remains unclear what exactly threatened the conflict to escalate in spring of the second year (2006): according to some accounts Pyuchi's livestock was stolen, stabbed and killed that year, according to others a larger unit of armed Anjumani were seen at the pass. Whatever the chain of events was, both sides agreed to solve the conflict among themselves peacefully, with the involvement of their respective elders. The Pyuchi were represented by Mawlawi Nikmat and elders from Dān-e Āb (Sar Muhamad) and Pyu proper (Aref). Reportedly, both sides agreed that in the future the Anjumani would be tolerated on the lower Tagaw-e Wār pastures. The agreement was not fixed in writing, but customarily oral (*muwāfiqa*).

However, immediately after the conclusion of the peace agreement in 2006, Pyuchi lost their livestock and claimed that the Anjuman faction had stabbed their horses and stolen three cows on their way back across the mountain pass. One horse died, two other injured horses could reportedly be saved. On this pretext, they renounced the agreement and Pyu elders sent a petition to the district administration stating that they would not allow any Anjuman herder on their mountainsides anymore. In hindsight, several respondents stated that it was Mawlawi Nikmat's mistake that he had conceded pasture usage to herders from Anjuman in the elder-negotiated agreement of 2006. The common perception among the Pyuchi was that they had used the mountains since Amanullah's time and they had always belonged to Qataghan. Lacking of any ownership documents, the proof they could offer for their traditional attachment to Qataghan (besides the obvious geographical location on their side of the mountain pass) was the fact that they had paid tribute and taxes to Farkhār in the past.<sup>659</sup> The receipts of tax payments for rain-fed plots (*asnād-e zerā'ati*) were taken to confirm their rightful usage of these mountainsides. Thus, the main justifying argument consisted in the proven claim to belong to Qataghan and now Takhār ("*i qawm-e mā, i watan-e mā, i Qataghan ast*").<sup>660</sup> Mawlawi Nikmat's conflict resolution rationale was based on the idea of *zuliyat*, that is, the principle that a person or community is entitled to ownership of a property after 40 years of customary usage of public land. As both Pyuchi and Anjumani users were not the owners and did not have any proper, that is, legally binding, ownership documents (*asnād-e khati*), he had suggested to tolerate some limited pasture usage by the Anjumani, because if the government were consulted the Pyuchi would risk to have to make even bigger concessions towards the Badakhshāni conflict party. Two factors that would help the Anjumani were considered by the Pyuchi: first, they were settled closer to the contested pasture area (only two to three hours distance as opposed to the Pyuchi with a minimum of seven hours walking distance). Secondly, it was widely known that the village of origin of the Anjuman conflict party was the same village that the district police chief and district governor came from, so strong political backing for the Anjumani's claims against all justice (location of the mountain pass, traditional usage, etc.) was feared. Why the initial agreement said the Anjumani would be allowed only on

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<sup>659</sup> Apparently, before 1961 (1340) Pyuchi's in-kind levies went to the grain storage in Farkhār, and after 1961 they had to pay 10 Afs per *jerib* as monetary tax for rain-fed land. Livestock was formerly taxed per head, i.e., per animal. See Grötzbach (1965: 294).

<sup>660</sup> "This is our *qawm*, this is our homeland, this is Qataghan." (Interview, 6 August 2007). Related versions of the argument emphasized the mountain pass (*kotal*) as the natural boundary of the provinces, that God had made the border since it demarcates the watershed and that the agricultural department of Tāluqān would have a map that proves the Tagaw-e Wār pastures' belonging to Warsaj.

the lower pastures (where small livestock owners prevailed), remains vague; possibly, the elders themselves had their stocks herd in the upper parts of Tagaw-e Wār and did not want additional livestock on their own grazing areas.

After the agreement was broken in 2006, the Pyuchi started to lobby actively with the district administration to obtain support, but the district governor proved helpless. Subsequently several elders from Pyu went to the Ministry of Agriculture and Animal Husbandry in Kabul on this matter, but only later that year, at the end of November 2006, did some government officials and elders from all of Warsaj (Taresht, Qawnduz, and Khānaqāh) arrive at the conflict site and travel to Badakhshān afterwards to investigate the claims. As a result of the government officials' investigations, the Pyuchi's claims to the grazing land were confirmed as legitimate and this was put down in a written document. The decision was not accepted by the Anjuman party, however, and subsequently they went to Kabul to refer to the concerned government ministry in spring 2007. The ministry did not undertake any other action but to refer the issue back to the provincial authorities of Takhār and Badakhshān.

When in summer 2007 some Anjuman families were again seen in the Pyu area, the Pyuchi fired at them and reportedly caught some people. Despite this incident, the owners of the cattle that had been stolen a year ago were compensated by the Anjumani. At the time of fieldwork at Tagaw-e Wār, the Pyuchi were on high alert, given that the conflict was still unresolved. They had armed guards in the mountains day and night.<sup>661</sup> Around the same time another three families from Badakhshān appeared with only four to five animals each. However, given that an entourage of provincial government officials (agriculture, justice, cadaster department, etc.) along with the district governor and eight elders from wider Pyu was on its way up to the conflict site to meet with the representatives and elders of the Badakhshān side at the mountain pass, no action was taken. The delegation of government officials was supposed to move on further to the district center of Kurān-u Munjān and on to Faizābād (the administrative center of Badakhshān province) to resolve the conflict. Although on his return to Warsaj, the district governor (who did not follow on to Kurān-u Munjān) claimed that the conflict had already been solved with an agreement that from the coming year on, the Anjuman families should remain to their side of the mountain, it turned out later that the representatives from Badakhshān had not come to the mountain pass, where the meeting had been scheduled to take place. Consequently, the Pyu elders decided to turn to Kabul again together with their Member of Parliament-deputy Shirin Bāy. The Anjuman people did the same because they also did not accept the second resolution against them.

This rough account of the narrated events outlines those involved, their interests, and the focus of conflict. The underlying motive for the livestock theft of the Anjumani after the conclusion of the first agreement could not be clarified – whether it was greed or the selfish action of individuals from the Badakhshān side or a more calculated provocation

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<sup>661</sup> To add to these often contradictory accounts regarding the attitude of Pyuchi towards people from Anjuman, they hosted a single man from Anjuman at Kamandek camp when I stayed there. He had lost his cow and was now searching for it on their side of the mountain pass. After he had left early the next morning, the Pyuchi were arguing whether they should have searched him before he left, because some suspected he would stab some of their cows on the slope or kill a goat (Conversation at Kamandek, 1 July 2007).

because some herders from Anjuman were not satisfied with the agreement that the elders had reached. The latter interpretation would imply that the enforcement capacity and recognition of the Anjuman elders is generally weak. Another possible explanation was that the Anjumani had intended to break the agreement, possibly even with the elders' approval. Finally, a third explanation that was considered related to the already-noted fact that the district police chief and district governor from Kurān-u Munjān come from the same place as the families that crossed the Anjuman pass to have their flocks graze in Tagaw-e Wār. According to this reading, the common origin and likely *qawm* and family relations of the intruder families with the district officials would explain the Anjumani's confidence in resolving the conflict to their advantage, because their connections with local position holders that are most likely part of a larger vertical network with their people in the central government who would support their claims for access. Against this backdrop, it is hardly pointless, from the Anjumani's perspective, to press their initial claim.

This reasoning and the idea that better connections in Kabul might be decisive in the end for how the conflict will be resolved becomes even more comprehensible if one considers that the summoning of government representatives from the central, provincial, and district administration by the Pyuchi carried high financial expenditures. The Pyuchi had to pay the district governor and each government official from Tāluqān a honorarium of US\$200 and US\$400 for the men from Kabul for coming to the conflict site, plus all expenses for transport and lodging.<sup>662</sup> They had reportedly raised the money from contributions by every household in Pyu *manteqa* (300 Afs per household) and earnings from subletting a mountain to *kochi* for 250,000 Afs (US\$5,000) the previous year. According to numerous accounts, it would be hard to obtain any representative's support without financial reward. Thus, even elected local deputies to the Parliament (Wolesi Jirga) and the Provincial Council and people related through the Mas'ud and Taresht networks (see below) only served as entry figures, able to connect locals with responsible government officials. These networks merely ensured access, but did not predetermine the decision-making process and its outcome. For effective action at community level, material means were obviously needed, in addition to personal relations. This is likely another indicator why conflicts begin with efforts at local resolution through elders' arbitrations. As one Pyuchi reportedly had argued with the local Anjuman representatives, "If you want force (*zur*) we can give you force, we are prepared to fight; if you want to involve the government we all need to spend money, why not resolve our disputes locally? We are ready to do this."<sup>663</sup>

The consideration of dealing with the conflict violently must be read as an attempt to show off and impress the Anjuman faction. The Pyuchi were actually reluctant to undertake any violent escalation as the first agreement well indicates, because in their view the Badakhshāni "don't care about the sharia and the government. They said they would take the pasture back by force (*bā zur*)."<sup>664</sup> Behind this fear was the prevailing assumption that

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<sup>662</sup> The average transportation cost amounted to about 5,000 Afs per person (US\$100) (Interview with Pyu elder in Dān-e Āb, 2 July 2007).

<sup>663</sup> Interview at Kamandek camp site, 30 June 2007.

<sup>664</sup> Interview at Kamandek, 29 June 2007. The reference to the Badakhshāni not caring about Islamic Law relates to their breaking of the first agreement that was mediated by Mawlawi Nikmat and reasoned on sharia-basis.

the Badakhshāni still had their guns while they themselves had turned in most of their arms in the DDR process.

The assembling of elders and government officials in Pyu must be viewed as a success for the Pyu faction in the conflict. Besides, the presence of elders who otherwise reside in Tāluqān<sup>665</sup> or Kabul, such as the locally prominent sub-commander of Mas'ud, and their meeting with the government deputies' delegation was meant to impress and flatter the latter. The involvement of government officials indicated that locals were eager to take any chance possible to lobby on behalf of their outlook; it was but one of several tracks that were followed in this matter, if evidently the priciest one. At the same time, local elders were aware of the limited enforcement capacity of the government deputies. Mawlawi Nikmat, the local cleric and relative of the aforementioned leading commander, summarized this notion by stating, "All these conflicts happen because we do not have a strong government. The government has no power (*zur*), it is weak (*quwat nēst*). They have no cars; our people pay their travel expenses, food, and everything. If we had a strong government it would be able to take care of these things by itself."<sup>666</sup> Further, he stated this would be the main motive why people in Afghanistan tried so hard to avoid any conflict if possible. If an issue nevertheless escalates, local mediation would be the first choice, the involvement of the government only a last resort. In this respect it is indicative that in the Pyuchi's lobbying process for support the provincial administration was clearly skipped and the elders referred the matter directly to Kabul. Likewise, six weeks after the visit in summer 2007, when the next trip to Kabul was in the preparation stage and I enquired who among the elders would be going, my key informant stated that it was not yet known. They would first meet in Dān-e Āb, then at the district administration office, and immediately move on to Kabul,<sup>667</sup> another indication of the perceived redundancy of the provincial administration.

The direct link to Kabul was facilitated by still active mujahedin-networks stemming from Mas'ud's presence and military administration in the *manteqa* and the entire district, manifest for example in the links of commander Zāher, who himself stayed in Kabul most of the time.<sup>668</sup> Furthermore, the Pyuchi used traditional influence networks that had existed before Mas'ud's time, were absorbed into the civil-military administration during his

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<sup>665</sup> Several respondents expressed the close relationship with Tāluqān and power structures there by saying '*Tāluqān nang dorēm*', that is, 'we have supporters in Tāluqān', literally: 'our honor can be defended from Tāluqān if necessary'.

<sup>666</sup> However, the *mawlawi* denied having paid 'bribes' or a honorarium to the government representatives (Interview with Mawlawi Nikmat, Cheshma Angusht, 2 July 2007). Nikmat received his religious training in Pakistan, as is common for the majority of mullahs from Warsaj and Farkhār. Asked about his people's particular confession (Ismaili Shia), he was not concerned and largely downplayed any differences. The quality of religious education is taken very seriously in both districts, and from most *manteqa* several young boys were reportedly being educated in Pakistan at the time of fieldwork. The returnees receive much respect among the local population, but given the tangible glut of mullah and *mawlawi*, many had started working as teachers and in local NGO offices. Acting mullahs and *mawlawi* were prominently consulted in local conflict resolution matters by elders. In comparison with study sites in Kunduz, the religious authorities played a greater role.

<sup>667</sup> Interview at Maskashu, 6 August 2007.

<sup>668</sup> He did not occupy an official position, but networking and other activities kept him in Kabul with regular visits at his home. I met his wife, children, and female relatives, supported by few male family members, at the different pastures camp sites.

leadership, and branched out again from the successor network of the inner circle around Mas'ud after his death. The two most prominent supporters for the Pyu side in the conflict with the Anjuman herders were Shirin Bāy, elected as deputy to the Wolesi Jirga in the 2005 parliamentary elections from Taresht, and his supporter and relative Dāktar Muhamad.<sup>669</sup> Shirin Bāy had called the district administration to inform the Pyuchi elders that an Anjuman delegation of elders headed by their Member of Parliament had arrived in Kabul. Reportedly, though, they had not approached the responsible government ministry, but went to Dāktar Muhamad's home asking him to persuade the people of Pyu to share their pastures with the Anjuman herders. Upon learning this news, the elders from Pyu made a plan to gather at the district administration office and call Dāktar Muhamad before immediately leaving to see him in Kabul, confident that he would make peace and find a compromise.<sup>670</sup> By this time, the information that on the Anjuman side 100 households would be eager to get permission to use the pastures at the other side of the mountain pass, was increasingly alarming the Pyuchi. For this reason they had used the six weeks since the officials' visit to lobby with other deputies but the success of these efforts was not known at the time of the interviews.

Notably, the choice of elders from Pyu to be sent to Kabul was secretly discussed and controversial because it turned out that livestock owners from upper Pyu (Pyu proper) suspected that one of the main elders, Sar Muhamad, was on the side of the Anjumani and that he would allow them to buy into the Pyuchi's pastures. The failed agreement of Mullā Sarwar, who is Sar Muhamad's relative, was interpreted as a case in point because it had already conceded the lower pastures to joint usage (see above). Dāktar Muhamad was trusted with more confidence than Sar Muhamad in representing the Pyuchi's interests.<sup>671</sup>

#### *Case 2 – Pasture conflict Wēghnān/Miyānshahr (Warsaj)*

The *manteqa* known as Wēghnān consists of six communities at the far end of Miyānshahr with a direct link to the valley of Panjshir and, beyond that, to Kabul (see Map M9). The communities share the distant first seasonal pastures of Hasht Dara ('Eight Valleys'). Traditionally, rich livestock owners from Dar-e Āb and Khānaqāh (Warsaj's district center) as well as *kochi* from Tāluqān, Khānābād, and Chārikār near Kabul, send their animals up to these grazing areas. Recently, however, the livestock owners of Wēghnān *manteqa* decided that from spring 2008 onwards they would no longer allow any outsiders to use their grazing grounds. The claim was that the pastures would be overused despite a slight improvement of pasture conditions, but since their own flocks had increased, the

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<sup>669</sup> Since respondents referred to Ahmad Muhamad always as Dr Muhamad, that is, 'Dāktar Muhamad', I also use this name. In Afghanistan, it is very common to add a title to the name of a person who enjoys great respect and is assigned some (even imagined) competency, although the person might not have the actual formal qualification to bear this title, e.g., engineer, doctor, etc. A detailed attempt to map the local actor network with the different kinds of relationships and a brief description of the individual characters is offered in Ch. 7.

<sup>670</sup> Interview at Maskashu, 6 August 2007.

<sup>671</sup> It should be noted at this point that Wakil Shirin Bāy and Dāktar Muhamad themselves were known to be no dark horses. For example, when Shirin Bāy was CoP in Warsaj (at the time of Mas'ud's presence in Warsaj), he ordered the elders of Lokhistān (near the entrance of Taresht valley) to cede a pasture which people from Taresht had occupied and to sign over the corresponding documents to the new owners (Interviews in Lokhistān, 12-13 August 2007).



local herders could hardly find enough to feed their own animals. To enforce this decision, herders arriving with their animals from Khānaqāh who usually grazed their livestock at the Wēghnān pastures for three months, were stopped at Angay, the first of the six Wēghnān villages, in 2007. While the herds were halted for two days, elders from Wēghnān went to the district administration to complain about outsiders using their pastures for already 21 years in a row now and that enough was enough. They announced that flocks would be denied access in the future. After this incident, *kochi* from Chārikār were stopped on the same basis in Deh Ta by local elders for two days, who then informed the district governor. The district governor issued a letter to the *kochi* saying that they should not come again in 2008; they would, however, be allowed for the current year to stay and use the pasture for their approximately 5,000 sheep.

In an interview, the district governor of Warsaj spoke of four large flocks that had been allowed access to the district's pastures in 2007, with one in Wēghnān and the other three in Taresht.<sup>672</sup> The district governor's seemingly immediate succor to the complaint of the Wēghnān livestock owners can be understood against the background of past *intra-manteqa* contestations over pasture grounds. Two villages, Deh Ta and Taluqandāl, had a conflict with the other four communities over grazing rights in the early 1990s. The Deh Ta and Taluqandāl herders had even at that time claimed to have exclusive rights to some distant areas because they had paid taxes for its rain-fed use in the past. After the conflict had turned violent leaving several men dead, the district governor sub-divided the entire pasture area among the six communities.<sup>673</sup>

### *Case 3 – Resource conflicts in Khuram Āb/Farkhār*

Khuram Āb with its two constituent settlements of Khuram Āb Bālā and Khuram Āb Pāyin is exemplary of many Tajik communities in Farkhār who ousted the Gujar<sup>674</sup> population from the surrounding mountainsides during the late 1990s. Their livelihood was mainly livestock-based and relied on semi-nomadic seasonal pasture migration high up in the mountains. Around Farkhār they settled at points far from other villages, though behind

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<sup>672</sup> Interview, 14 August 2007. In Purāwāz/Taresht this information was partly confirmed as respondents mentioned that the district governor would allow 4,000 sheep of *kochi* herders from Baghlān, Kunduz, Khānābād, and Tāluqān to access the Taresht pastures for three to four months. In the grazing grounds of Purāwāz proper, however, another conflict existed because the contemporary livestock owners denied Hazara *kochi* from Khost-u Fereng (Baghlān) access, and the latter had an age-old agreement about joint pasture usage with their ancestors. The Hazara were reportedly prevented access with the onset of the revolution, but their claims have amplified in recent years. Reportedly, the decision is enforced with guns. As in other cases, none of the disputing parties possessed documents. If anybody, only the grandfather of Dāktar Muhamad and father of Wakil Muhamad Ayub Khān, Hāji Emām Ali Bēk, was trusted to have had any document in the past because of his close relation with the royal dynasty (Interviews, 18-19 June 2007).

<sup>673</sup> This was the only case found during fieldwork where mountains were said to be clearly sub-divided for grazing purposes. Usually a clear demarcation of land (though not necessarily physical) could be found for rain-fed plots with the annual shifting of sides between the respective slopes.

<sup>674</sup> The fully nomadic ancestors of the Gujars, who are also known as Asmāri (ICG 2003: 5), originate from the Gujarat region of northwest India, but have long had a presence throughout Afghanistan, and in Qataghan specifically since the 1930s. The Farkhāri Gujars' grandfather generation had reportedly come from Laghmān or Kunar, where a larger Gujar community resided (Interview with Gujars in Chehraz, 30 September 2006). Fischer (1970: 29) and Grötzbach (1972: 96) estimated their total number in northeastern Afghanistan at 5,000 people in 1970, while for Farkhār Grötzbach noted 40 families (*ibid.*), which is close to the Gujars' own account of having initially arrived in Farkhār with 35 households.

Pul-e Mashtān (towards Warsaj, see Map M8) they had reportedly been living near the river on the valley floor before their expulsion. The livelihoods of local Tajiks and Gujars had been mutually complementary: Tajiks were primarily into crop cultivation and the Gujars served as their livestock herders when taking their own animals to the pastures. Farmers of rain-fed plots high up in the mountainsides had Gujars harvest their crops for a share of the harvest. Both groups shared Friday-praying mosques and fought jointly in the resistance against Soviet-Afghan forces during the revolution period. Later on, Gujars fought on the front line with Mas'ud's Jam'iat and Northern Alliance forces against the Taliban.

Nevertheless, and although the Gujars are not related to Pashtuns in either ethnic or linguistic terms,<sup>675</sup> they became increasingly equated with Pashtuns in the 1990s. They were accused by Tajiks of stealing livestock and cutting down trees, and lumped together with *kochi* on the one hand and with being Taliban and Al Qaeda sympathizers on the other. The verbal accusations and demands for them to leave the area were followed by violent action, with houses burnt down and several people dying in the fires. In Khuram Āb, different rumors were spread, according to which the Gujars would take sides with the Taliban when they gained a foothold in Farkhār, that they would take Tajiks' wives and daughters to Pakistan, and that they already had a plan for dividing the Tajik villagers' property among themselves.<sup>676</sup> They consequently became highly vulnerable to persecution throughout the district. In Khuram Āb, the two dominant local commander factions attacked the Gujars and ousted their leader commander Ghulām, who they claimed had taken money from Dāod as well as from the Taliban, who Dāod's forces were fighting against. After Ghulām and ten of his followers were killed in the fighting, the Gujars reportedly were not seen again in the area and their pastures were distributed among the livestock owners of Khuram Āb Bālā.<sup>677</sup>

These and other pasture areas ('mountainsides') were disputed between the commander of Khuram Āb Bālā and Khuram Āb Pāyin at the time of fieldwork. The conflict escalated in 2006, after the commander of Khuram Āb Pāyin unilaterally allowed Arab<sup>678</sup> herders from Kerāni in lower Farkhār to use some of the upper pastures in the Khuram Āb area in return for an informal tax. This was seen as an offense by the commander of the upper settlement who alone wanted to tax any incoming herders in the upper pastures after his followers had appropriated them from the Gujars. Only with the mediation of elders from entire Tagaw-e

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<sup>675</sup> Gujars have similar physical features to Pashtuns, but speak Dari in a dialect very similar to Hindustani/Gujarati.

<sup>676</sup> Interviews, 14-17 July 2007.

<sup>677</sup> It remained unclear if the hostility towards the Gujars was deliberately launched; however, in hindsight the actual motivation to displace the Gujars seems to have been locals' demand for their grazing areas. In 2006/2007, only few Gujar families were still living in other areas of Farkhār, e.g., in Chehraz above Khusti and Hafdara, but they were often heavily discriminated against, as for example in Hafdara. The ousted Gujars from Farkhār were said to live in the IDP-camp Bāgh-e Sherkat near Kunduz. After several attempts by the government and international organizations to reconcile the disputing parties had failed, the Gujars in Bāgh-e Sherkat still waited to get resettled in Farkhār, though some had already moved to Sharshar (Eshkamish), Darqad, and Yangi Qal'a (Interviews 30 September 2006, 29 November 2006, 1 August 2007).

<sup>678</sup> They are Tajik-speaking and claim to be descendants of the Arab Abbasi tribe. Their self-designation is Arab. Several Arab communities are situated at the valley entrance of Farkhār district behind Dasht-e Rubāh, and faced similar accusations as the Gujars, apparently due to their being non-Tajik.

Chap could a violent escalation of the conflict be prevented and the status quo of de-facto divided areas of pasture control by the rivalling commanders be re-established.<sup>679</sup> Consequently, the commander of the lower settlement controlled the traditional pasture areas of Khuram Āb proper, while the commander of the upper settlement oversaw the stretches once used by the Gujars at four to six hours walking distance from the village. While on the lower traditional grazing grounds Khuram Āb livestock holders had traditionally shared the pastures with livestock owners from other Farkhār villages, such as Shingān-e Bālā, Hafdara, and Khānaqā-ye Farkhār, the commander of Khuram Āb Pāyin had recently denied them access. Instead, he was said to have rented out pasture land to *kochi* from Kunduz, Baghlān, and Takhār in exchange for cash. Other respondents claimed that the Farkhār CoP, a key patron of the Khuram Āb Pāyin commander, would make the rent arrangements.<sup>680</sup> However, the local Arab herders from Kerāni, who had traditionally grazed their flocks on the high-mountains pastures above Khuram Āb based on customary arrangements with the Gujars, were now forced to seek new arrangements with the commander of Khuram Āb Bālā.<sup>681</sup>

The cases of pasture usage comply with the examples elaborated earlier where local power elites effectively appropriated grazing land for personal profit. Thus, the cases highlight a pattern of ongoing redefinitions of different types of livestock-owners' access to pastures by local strongmen, either former commanders, government agents (district governor or CoP), or both. The role of government officials is at least highly ambiguous in this regard (see Ch. 7). With recourse to the Venn diagram in Figure 5, however, it is obvious that government officials can be said to act largely according to their personal interests and not for the public good. In Farkhār, contestations over resources are closely interlinked with complex conflict structures that can be traced back to earlier feuds and the competition of more diverse interests than in Warsaj. The conflict between the commanders of lower and upper Khuram Āb, for example, had roots in an old rivalry about *'ushr* between the upper commander and the father of the lower commander, who were both famed during the anti-Soviet resistance. In the course of events, the brother of the upper commander killed the father of the lower commander when the latter was a boy. The boy fled, became a trained fighter who earned himself much respect and fame throughout the northeast in early battles against Taliban. He arrived back in Khuram Āb and killed the son of the murderer of his father, that is, the nephew of the upper commander, in revenge. Reportedly it was commander Dāod who mediated a truce between the two Khuram Āb commanders and convinced them to join his forces against the Taliban (in which the Gujars appeared to become the 'collateral' target as described above). After 2001, the cold peace between both commanders remained rather fragile as both the above and the following incidents demonstrate.

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<sup>679</sup> In 2007, Arab tents populated the pasture grounds opposite of the grazing areas of Khuram Āb.

<sup>680</sup> Interview, 17 July 2007.

<sup>681</sup> In Kerāni, shifting power structures during the revolution period and the related heavy armament of local residents had encouraged the Arab to contest the *mir*'s exclusive possession of all rain-fed land in the village's surroundings earlier. Hence they broke with the customary sharing arrangement and denied any shares to the *mir* families explaining, "Since they are weak, they cannot enforce their share. They have not tried it since then. But even if they tried, they would not be successful. The Afghan document is a PK and an AK-47." (Noted by Glassner [2009: 15]). The acronyms PK and AK-47 refer to automatic machine guns.

Preceding the 2006 incident was a similar unilateral decision of the upper commanders' brothers, elders, and youth, to prevent their fellow villagers in the lower section from taking any more firewood down from 'their' mountains in the previous year. They reportedly stopped twenty donkeys loaded with wood and had the Khuram Āb Pāyin residents leave the wood fuel loads in the upper village. In response, the brother of the local Khuram Āb Pāyin commander turned up with 20 armed men in the upper village demanding the 20 donkey-loads of wood. He was shot by the brother of the rival commander from Khuram Āb Bālā, which led to serious fighting between both factions that involved the use of heavy artillery.<sup>682</sup> The casualties remained surprisingly low with only the accidental killing of one old woman. Women, children, and everybody who was not directly involved in the fighting had gone up into the mountains for the time of the confrontation, because the front lines passed between the two sub-villages.

The two examples of renewed conflict escalation show that perceived resource scarcity (in the case of fuel wood) and greed for taxing resources (Arab's pasture access) obviously triggered violence. By the time of fieldwork, residents of Khuram Āb Pāyin were again able to collect fuel wood from the mountains and a guard (*muhāfez-e kohestān*) had been appointed to control wood-cutting by neighboring communities in the adjacent valleys. The main incentive to appoint a local guard, as opposed to relying on one of the government guards, was to prevent wood stealing, but also reportedly the fear that Gujars might return from beyond the pass in Keshm (Badakhshān). The guard and his helper were paid one *sēr* of wheat per household from Khuram Āb Bālā. According to the guard, the community decided to limit fuel wood withdrawal to one day of the week (Monday) and one donkey-load per household.<sup>683</sup> The significance of fuel resources and observed communal regulations for access are discussed in the following subchapter, based on the example of Fulol valley in Burka district of Baghlān.

## 6.2.2 Fuel resources in the foothills of Burka and Eshkamesh

With this last case study on fuel wood (*chub-e sukht*)<sup>684</sup> I complete my inquiry into local communities' everyday use-practices of natural resources. In addition to the resources presented so far (irrigation water, pasture land for livestock grazing), fuel wood is not only used by all households regardless of their social status, but also the basic subsistence component of fuel security for the majority of rural households. I show below that the

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<sup>682</sup> This and the other facts of the story were reported by residents of both parts of the settlement, including elders and the commander, in several interviews and conversations throughout 15-17 July 2007. The degree of armament in the area was tangible.

<sup>683</sup> Interview in Khuram Āb Bālā, 16 June 2007. Nevertheless, the researcher witnessed donkeys carrying wood into the village on a Tuesday as well.

<sup>684</sup> *Chub-e sukht* literally means firewood ('wood for burning'). In the area where primary field data was collected (Burka and Eshkamesh districts), the term refers to any material that produces heat or power when it is burnt, including animal manure and different plant fuels besides wood. In the following, it is designated accordingly as fuel wood, that is, including wood, non-woody fuel plants, and manure. If reference is made to fire wood from trees it is called wood fuel. Timber is not considered in the elaborations below; its cutting, distribution and trade follows a different logic and is rather insignificant in terms of everyday local life-worlds and livelihood-making. For basic empirical evidence on timber in the research districts, see Yarash et al. (2010).

politico-economic context in Burka and Eshkamesh further conditions the local fuel economy in a way that also makes it the mainstay for basic income generation for many rural dwellers, although with local specializations and a division of labor depending on the distance from the still fuel-bearing mountainsides in a few remote side-valleys.

A previous study investigated the different fuel uses, changes in use patterns over time, the amounts of biomass withdrawn from the mountainsides, and the consequent degrees of degradation in both Burka and Eshkamesh districts (Yarash et al. 2010). The quantitative study found evidence of a dramatic shift in biomass composition of fuel wood between 1977 and 2007 and alarming rates of annual fuel withdrawal for local needs within the districts.<sup>685</sup> Large-scale depletion of forest trees has led to sole reliance on juniper trees (*archa*), artemisia (*posh*),<sup>686</sup> and different kinds of animal manure as the main types of fuel. The further degraded an area, the less wood is actually used and compensated for by bushes, shrubs, and other elements of natural vegetation with increasing reliance on animal manure.<sup>687</sup> Moreover, the research found that over a year, 67 percent of households collected more wood fuel than they used, 65 percent collected more artemisia than they used, 50 percent collected more of other types of bushes than they used, and 67 percent collected more manure than they used (ibid.: 29f). The surplus indicated by the difference between the amount of biomass collected and cut, and the amounts used, suggests that for many rural dwellers fuel-trading constitutes an additional component of local rural livelihood-making in an otherwise resource- and employment-scarce environment. Qualitative interviews and participant observation in the five major valleys of Eshkamesh and the main valley of Burka (Fulol) confirmed this finding and shed further light on the economic and livelihood dimensions of local fuel harvesting and marketing in neighboring villages and the local bazaar in Burka.

In the following sub-section, I focus on the case study of Fulol valley to highlight the main governance characteristics of the local fuel economy in Burka district. It adds value to the previous analysis because it shows the interlacing of local government actors into the fuel economy. Where applicable, data and insights from Eshkamesh are used to buttress the argument. The investigation into local attitudes and practices to preserve mountain resources in the next section relies on data from all rangeland districts, and thus also includes insights collected from Farkhār and Warsaj.

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<sup>685</sup> For details on the amounts and composition of fuel types' withdrawals see ibid.

<sup>686</sup> Artemisia (*posh*) is a perennial bush (*beta*) with a perceived high fuel value and is preferred for boiling water and heating to substitute for juniper, if its wood is not available, as opposed to cooking and baking. The research showed that it is increasingly harvested through uprooting, thus causing permanent damage to the plant cover and contributing to soil erosion (Ibid). Artemisia and juniper are the most common and most popular fuel types and combined account for 44 percent of all fuels used (23% juniper, 21% artemisia) (Ibid: 28).

<sup>687</sup> In communities where irrigated agriculture is possible, crop residues are traditionally used for heating in winter. The use of coal, diesel, petrol, and oil is very rare, limited to specific purposes, and dependent on availability in terms of both supply at the local bazaar and a household's ability to purchase.

### a. Case study: The fuel economy of Fulol valley

Fulol is the main valley of Burka district with regard to forest resources, both wood fuel and other non-wood types of fuel. It largely provides the population of Burka town (district center) with fuel resources. However, within the valley increasing degradation and forest depletion has caused progressive dependence of local communities on those communities with more direct access to ‘forested’ mountainsides further away from Burka town and the valley entrance in Nawābād-e Fulol. The valley’s middle section is called Fulol proper and leads via Fulol Pāyin and Fulol Bālā towards *manteqa* Sāi-ye Hazāra at the far end of the valley. Sāi-ye Hazāra includes several settlements, the farthest and highest up the mountainside, Dān-e Kor, (Map 10) is populated by Gujars. Gujars account for approximately 12 percent of the population in Burka, while 30 percent are Hazara (residing mainly in settlements of Sāi-ye Hazāra proper, that is, in the lower parts of the main back valley), 50 percent are Tajik (mainly in Fulol Bālā and Pāyin), and about 8 percent Uzbek (at the valley’s entrance).<sup>688</sup>

According to an NSP survey,<sup>689</sup> the valley, including the settlement Nawābād-e Fulol, has a population of about 3,000 families.<sup>690</sup> The amount of biomass collected and used annually throughout the entire valley was calculated to be 68,400 tonnes or 22.8 tonnes per household.<sup>691</sup> As Table 8 shows, this total amount can be split up further:

**Table 8:** Annual fuel use amounts calculated for Fulol valley (Yarash et al. 2010: 31)

Fuel category	Amount used in one year in Fulol (based on 3,000 households) in tonnes
Wood	23,550
Non-woody plant fuel	23,430
Manure	21,420
<b>Total</b>	<b>68,400</b>

The figures highlight the magnitude of deforestation and progressive degradation of the overall vegetation cover. 23,550 tonnes of wood (equaling 15,000 trees<sup>692</sup>) and 23,430 tonnes of bushes and other fuel plant material is withdrawn by the Fulol valley inhabitants

<sup>688</sup> The figures are taken from a Baseline Survey conducted by Mercy Corps for its project settlements in Burka in 2007. See Smith and Natori (2007).

<sup>689</sup> In the framework of the NSP, the Fulol valley was one of four zones into which the district was subdivided for the program’s implementation. The FP was the French NGO ACTED. Typically, a baseline survey is conducted before starting any CDC establishment and subsequent infrastructure development measures (Interview with ACTED staff member in Burka, 30 March 2009).

<sup>690</sup> The exact number is 3,028 families for NSP zone of Fulol, including the valley and a few villages at the entrance to Fulol valley. Ibid.

<sup>691</sup> In order to calculate a fair minimum of fuel use and avoid the risk of overestimating the use and to keep it reasonably simple, this calculation is based on the assumption that one household is equal to one family. However, the empirical figures are slightly higher: 69 percent of all households surveyed in the fuel economy research were said to consist of one family, 17 percent of two, and the remaining 14 percent of more than two families. See Yarash et al. (2010: 31).

<sup>692</sup> Calculated with one tree on average equaling  $2.5\text{m}^3 = 1.57$  tonne of wood (conversion rate:  $1\text{m}^3 = 0.628$  tonne).

annually. If it is considered that individual households only use a share of what they actually harvest in the mountains, the losses are even bigger.<sup>693</sup> At peak times in autumn – as was the case during fieldwork, even though it was Ramadan – in places like Sāi-ye Hazāra at the remote end of Fulol, 70-100 donkey-loads<sup>694</sup> of juniper were transported to houses for use and storage for the winter every day five to six days a week. The investigation into seasonal collection patterns did not provide evidence for any wood-cutting in winter, though nearer destinations are targeted in the sunny parts of the mountains.<sup>695</sup> In spring and summer, other livelihood and income-generating activities compete with fuel collection, that is, in spring the sowing of crops and the first pasture migration with livestock keep at least one or two males in each household occupied. In summer, labour migration to near-by Kunduz, Khānābād, and Tāluqān for wheat harvesting and paddy-planting offers employment. During these seasons, fuel collection relies either on additional male household members, if there are any, or solely on female household members who cut different types of non-wood fuel plants near their houses. Given that the peak heating season starts in late autumn and lasts until early spring, the fuel demand in the remaining months is comparably lower and limited to fuel for cooking, water-boiling,<sup>696</sup> and baking.

The access patterns of fuel resources can best be comprehended with a look into the past. The common narrative, derived from dozens of interviews during fieldwork, runs that extensive cutting of trees and subsequent heavy degradation set in only after the start of the revolution when the government-appointed forest guards had disappeared. Reportedly, before the revolution the forest guards possessed a considerable degree of enforcement capacity in protecting the mountainsides from illegal cutting. This referred to the cutting of so-called ‘fresh’ wood; the collection of old or dry wood and the cutting and sale of artemisia and other bush varieties (*beta*) was not sanctioned by law. The enforcement capacity rested on fear among ordinary members of rural society towards the government, which was known to punish and arrest people for violating laws.<sup>697</sup> Nevertheless, the degree of obedience to or violation of the law appears to have been highly dependent on the location of respondents’ houses even then, as residents close to resource-rich locations appear to have flouted the law. Some respondents, although they were from Eshkamesh,<sup>698</sup>

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<sup>693</sup> However, even if all the households and families use fuel for heating, cooking, baking, boiling water, etc., by no means all of them harvest fuel because the town population has other income possibilities and lacks the means of both labor and time to collect fuel themselves.

<sup>694</sup> For the methodology of estimating donkey-loads etc. see Yarash et al. (2010: Appendix 5). The average of one donkey-load equals 10.31 *ser* or 70 kg, the daily wood harvest amounts to 722-1,031 *ser* or 5,052-7,217 kg or 5-7 tonnes.

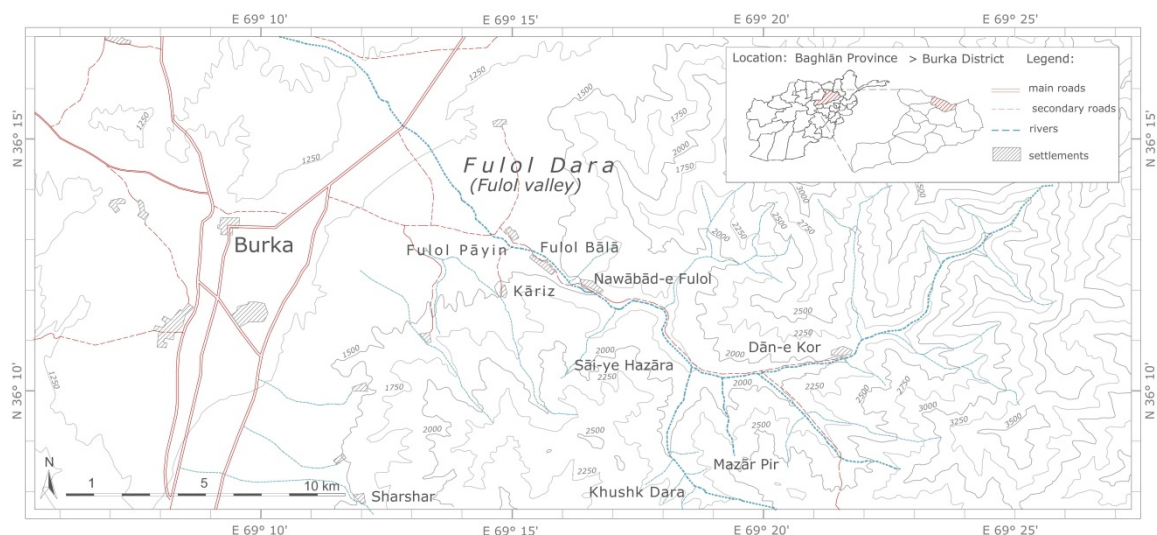
<sup>695</sup> To give just one example from Gujar villages in Sāi-ye Hazāra, the respondents stated that households usually go out twice a week for cutting wood during the winter months and obtain four donkeys loads.

<sup>696</sup> It would be wrong to underestimate the fuel use amounts for boiling water for tea. Given the cultural context where tea is one of the basic and most commonly-used food items, a kettle remains almost permanently on the fireplace – and thus continuously consumes fuel wood.

<sup>697</sup> If a wood-thief were caught by the local forest guard, he had to pay a fine of 50 to 100 Afs, and the price of two donkey-loads of wood equaled 50 Afs at that time. Sometimes the thief was reportedly jailed and the local elders had to appeal to the district administration to free the person.

<sup>698</sup> Interviews conducted in Eshkamesh permit the hypothesis that fuel resources have traditionally been in higher demand in Eshkamesh than in Burka, possibly because of its bigger size and better connection to the

admitted that even then it was common to steal wood, mostly through cutting and removing trees during night hours. In their oral accounts, they legitimized such theft by the fact that the dry wood available for legal harvesting was nowhere near enough for individual households' demands and that the cutting of trees was not noticeable, because at that time a dense forest tree cover existed. Others however emphasized that stealing was rare because there was enough dead wood available and that the demand was much lower, given that stoves for heating were not yet in use.<sup>699</sup> In any case, no wood was sold, only artemisia for Burka townspeople. Nightly wood sales set in by late 1979 when the government reportedly had lost influence in the rural communities because of the local mobilization and resistance against the Khalq government's reform package (see Ch. 4). Parallel, the first trucks with fuel wood were reported to have left for Kunduz once a week since this time. In addition, throughout the revolution period villagers from locations without direct access to resource-rich mountainsides appeared in places near to the forest and harvested wood for their own needs and for selling at the local bazaar.



**Map M11:** Fulol valley with side-valleys

An outright commercial selloff of wood from the local mountainsides started at the time of the mujahedin after 1992. Locally this meant a shift in power structures from Hezb-e Islāmi to Jam'iat-e Islāmi, reportedly first of all caused by Jam'iat's massive distribution of weapons throughout the district. The Hezb-e Islāmi commanders who had spearheaded the revolution in the area were either disarmed, forced to flee, or switched alliances and joined Jam'iat-forces over the subsequent years. Reportedly, Jam'iat's district-level commander Arbāb Safar initially enjoyed influence and support throughout Fulol-valley and the entire district, including in Kāriz, another small side-valley with considerable fuel resources. After he was killed in combat with the Hezb-e Islāmi commanders, Majid Khān became Jam'iat commander at district level. In Sāi-ye Hazāra Sayed Faqir (formerly Harakat) became known as local Jam'iat sub-commander. Under him and throughout the mujahedin

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larger urban centers like Khānābād, Takhār, and Kunduz. Eshkamesh district had three officially appointed forest guards under Zāher Shāh and Dāod.

<sup>699</sup> Cooking and baking in the same room as living and sleeping, houses had largely only one room which in hindsight economized much wood. Manure was not in use then, either.



period wood-cutting was not sanctioned. Given that the representatives of the government administration did not possess any enforcement capacity because ordinary people were heavily armed, deforestation progressed without limit. Local commanders were reportedly selling wood to Kunduz, Baghlān, and Mazār-e Sharif. Only Tāluqān was a less targeted bazaar place for local wood because its bazaar was flooded with wood from nearby Namak Āb district and consequently the prices were comparatively low. Besides this profit dimension, different accounts were recorded regarding the restrictions of cutting for locals' fuel wood purposes. Whereas according to one version, local commanders reportedly restricted the cutting of wood to local households in a particular zone of influence, another version recounted the exploitation by force of local mountains by non-local wood-cutters who were heavily armed and locals, likewise armed, were eager to avoid violence.

The confrontation between mujahedin military units and Taliban troops advancing towards Burka town and Eshkamesh in the second half of the 1990s had a severe impact on fuel stocks. The long-term front line in Sāi-ye Hazāra and Sharshar (a valley in southern Eshkamesh towards Sāi-ye Hazāra) implied the presence of about 40 commanders and 2,000 soldiers in this area who needed fuel, money, and food over a period of approximately 18 months. One respondent from Eshkamesh's Āluchak Bālā area (see Map M11), described for example how the 50 mujahedin groups present in the vicinity of Āluchak bought as many as 50 to 60 donkey-loads of wood from the local population per day.<sup>700</sup>

A renewed shift in access patterns set in once the Taliban forces had occupied the district center and the Taliban government gained more influence in Burka. Consequently, former Hezb-e Islāmi commanders were reinstated in many places as Taliban commanders, as was true of the commander in Fulol Bālā. In Dān-e Kor, at the very far end of Sāi-ye Hazāra, Akhundzada, a former comrade of Sayed Faqir in Harakat (during the revolution) and Jam'iat-e Islāmi (at the time of the mujahedin), took over. Himself a Gujar,<sup>701</sup> he prohibited tree-cutting for outsiders in his area (Mazār Pir and Khushk Dara sub-valleys), reportedly arguing that it leads to degradation, one effect of which would be recurring mudslides in Mazār Pir. He forced locals to use exclusively non-wood fuel plants, such as artemisia or great blue lobelia (*sabzgul*), and dung cakes (*tapi*) for fuel purposes. Still,

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<sup>700</sup> Interview, 21 October 2007. The front line continued between Khānābād and Eshkamesh near Sandoq Sāy. At that time money does not seem to have been a major problem for the local mujahedin groups, as they were financed by headquarters from Peshawar. Gaining money and profit-making had previously been a major motivation for deforestation, in the first half of the 1990s.

<sup>701</sup> Similarly, once the Taliban forces seized Eshkamesh, in the far-end valley areas with primarily Gujar populations, like Sharshar, the local Gujar commander joined Taliban forces. This, however, was a strategic decision, based on the intention to protect the local population. The case of Sharshar is exemplary in this regard: formerly the main residence of the local Uzbek *mir*-family who left the far-end valley to move up to Koka Bulāq at the entrance of Sharshar valley, the hinterland became a base of a powerful resistance commander during the revolution period. After he was killed in a bombing Mir Abdul Khānān succeeded him. The local Gujars were loyal to both and fought at their side against first the Soviet-Afghan forces and then rival mujahedin factions. Once the Taliban advanced, the *mir* and Gujars reportedly agreed that it would be to the advantage of the entire valley population if the Gujar commander joined the Taliban and thus avert further assaults on the local population. (Interviews with Gujar commander in Sharshar and with members of the *mir*-family in Koka Bulāq, July 2007). The validity of the reports is supported by the fact that even at the time of the interviews the *mir* had a close relationship (*rafta-āmad*) with the Gujar commander (own observation, July 2007).

local accounts suggest a difference in enforcement capacities between mujahedin and Taliban commanders with the latter embodying stronger and the former weaker ability to protect the wood stocks. Consequently, the selling of wood fuel was again not possible, and in Mazār Pir/Khushk Dara and Sharshar even cutting was largely prohibited.<sup>702</sup> However, for the drought years it was reported that if households did not have animals that they could sell or several male family members to send off for labor migration, selling wood remained the only option for income generation. During fieldwork and from analyzing the data collected, it remained unclear whether the prohibition of wood-cutting was eased by the local Taliban strongmen or whether the evidence referred to areas where the prohibition had never been as strong as in Mazār Pir/Khushk Dara and Sharshar.

The ousting of the Taliban government meant another gap in fuel wood protection because renewed uncontrolled cutting set in and reportedly continued throughout the first two years of Karzai's interim government, until 2004. One interviewee in Sāi-ye Hazāra reported that five trucks with wood were leaving the area daily to Kunduz, Baghlān, and Takhār.<sup>703</sup> The transitional government prohibited wood-cutting and re-appointed forest guards to the government payroll. Despite the cutting ban excluded all non-wood fuel-plant varieties, such as hawthorn (*erghay*) and artemisia, it was largely ignored until the time of fieldwork for this study in 2007 and throughout 2009, at the time of a follow-up visit. The discursive framing of this nexus was usually comprised in the saying '*I[n] beta mushkelāt-e mardum hal namēkuna[d]*',<sup>704</sup> (literally 'these bushes cannot solve people's problems'). Non-woody fuel resources were thus perceived to be nowhere near sufficient to meet local households' fuel needs, not to mention the needs for income generation and basic food security. Against this background it can be drawn that the government-appointed forest guards were perceived to lack sanctioning capacity as they faced whole communities where each individual household transported wood from the mountainsides to their houses. Local narratives implied that there was nothing any forest guard could do to prevent cutting and that "the forest guard knows that there is nothing for people to burn besides wood and bushes from the mountainsides".<sup>705</sup>

The situation throughout Fulol valley at the time of intensive fieldwork in autumn 2007 is summarized in Table 9. At a general level the overview suggests that livelihoods throughout Fulol valley are directly linked to access to fuel. A simple typology of three main degradation stages<sup>706</sup> – with the boundaries between them being fluid – was combined with findings on the role of the district government, its forest guard, and

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<sup>702</sup> In Eshkamesh, the local Taliban government appointed an officer in the agriculture department who was connected with a subordinate forest guard in Sharshar valley by radio. The latter reported illegal wood-cutters, who were then fined between five to eight *lakh* Afs (500,000-808,000 Afs) or arrested and detained for two to three days (Interview Sharshar, 6 October 2007).

<sup>703</sup> Interview during fuel transect walk in Mazār Pir, 13 September 2007.

<sup>704</sup> Written as spoken, i.e. grammatically incorrect and slang.

<sup>705</sup> Interview, Burka, 5 September 2007.

<sup>706</sup> Two categories – on one pole 'environment under stress' as preceding the 'beginning degradation' category, and on the other pole 'total degradation' as describing a situation where soil cover, vegetation, and biodiversity have been completely eroded – have been deliberately left out of the overview.

resource conflicts (in the three lower clusters of the table) to establish an overview of the nexus between basic governance patterns and advancing fuel resource depletion.<sup>707</sup>

**Table 9:** Characteristics of governance and advancing fuel resource depletion throughout Fulol Valley

Fulol Valley locations →	Fulol Pāyin/Fulol Bālā (Entry to middle section of valley)  ----- <i>next to total degradation</i>	Dar-e Kāriz (Side-valley of upper Fulol)  ----- <i>advanced degradation</i>	Sāi-ye Hazāra to Dān-e Kor (end of Fulol valley)  ----- <i>advancing degradation</i>
<b>Fuel use</b>	<ul style="list-style-type: none"> <li>▪ Wood fuel is almost nonexistent</li> <li>▪ Artemisia cannot be found in close proximity either, thus non-wood fuel-plant use is highly diversified and on decline if it cannot be bought</li> <li>▪ Consequently the demand for and use of alternatives in animal fossil fuels is high, to the detriment of non-livestock owning households, and even dried pellets of sheep or goat dung are collected in all seasons</li> </ul>	<ul style="list-style-type: none"> <li>▪ The juniper to be found is all small, fresh trees, no timber usage</li> <li>▪ Artemisia is small and ‘green’, with less fire value</li> <li>▪ Other non-wood fuel plants are used all year around</li> <li>▪ Livestock owners do collect manure to dry up and store it for fuel use purposes in the winter</li> </ul>	<ul style="list-style-type: none"> <li>▪ Juniper, partly also hawthorn, and some third group of tree species (<i>bashāl</i>, Ephedra (<i>matraq</i>), or maple (<i>zarang</i>) as well as artemisia with long roots and strong branches can be found and are used in relative abundance</li> <li>▪ Fuel users do not have to diversify their fuel resources (no or next to no manure use), can use juniper for timber as well</li> </ul>
<b>Fuel collection</b>	<ul style="list-style-type: none"> <li>▪ Juniper is only found in neighboring valleys or at very remote locations, thus the effort in labor and time it takes to collect juniper has grown enormously</li> <li>▪ Different non-wood fuel-plant species are collected where available</li> </ul>	<ul style="list-style-type: none"> <li>▪ Walks of 5-10 hours one way</li> <li>▪ Cutting wood and loading a donkey takes a long time</li> <li>▪ Most households close to mountains and without any other income possibilities go for cutting of last available mountain resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Wood fuel collected at relatively far distances from the settlements</li> <li>▪ All households collect wood fuel and artemisia or other non-wood fuel plants as well as timber from the mountains</li> </ul>
<b>Vegetation cover</b>	<ul style="list-style-type: none"> <li>▪ Collection patterns for non-wood fuel plants prevent their recovery as perennials and support decreasing fuel value and long-term vanishing of non-wood fuel plants</li> </ul>	<ul style="list-style-type: none"> <li>▪ Other tree species besides juniper have vanished due to extensive cutting in the past</li> <li>▪ Varieties of non-wood fuel plants also have to be collected from locations far off</li> </ul>	<ul style="list-style-type: none"> <li>▪ Near the settlements deforested area</li> <li>▪ Only non-wood fuel plants are left in close proximity, including artemisia</li> </ul>
<b>Harvesting practice</b>	<ul style="list-style-type: none"> <li>▪ Stems and roots from trees cut years ago are pulled out by force for fuel purposes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Artemisia and other non-wood fuel plants are pulled out with roots for additional fuel value</li> </ul>	<ul style="list-style-type: none"> <li>▪ Axes to cut fresh wood</li> </ul>
<b>Impact of degradation</b>	<ul style="list-style-type: none"> <li>▪ Loss of rain-fed and pasture land due to mudslides, loss of houses and settlement sections, displacements</li> <li>▪ Soil erosion</li> </ul>	<ul style="list-style-type: none"> <li>▪ Plant loss of non-wood fuel-plant varieties, including artemisia</li> <li>▪ Mudslides occur on more regular base</li> <li>▪ Houses shifted to higher parts</li> </ul>	<ul style="list-style-type: none"> <li>▪ Occasional mudslides damage houses and agricultural lands and gardens</li> <li>▪ Advanced degradation in Sāi-ye Hazāra</li> </ul>

<sup>707</sup> The aim is not to suggest that there is necessarily a causal connection between governance, households’ livelihood situation, and fuel wood depletion, although a correlation is obvious. For a further discussion see below.

<b>Livelihoods</b>	<ul style="list-style-type: none"> <li>▪ Labor migration to Iran and Kabul as alternative livelihood strategy pursued by the majority of local males due to lack of alternative income possibilities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fuel harvesting is part of household livelihood strategy, though seasonal, as about one third of what is cut in autumn and/or winter is being sold</li> <li>▪ Localized and diverse, including laboring in Kunduz/Takhār during summer months</li> </ul>	<ul style="list-style-type: none"> <li>▪ Subsistence livelihoods from selling wood and artemisia at Burka bazaar or to households of neighboring villages during the night, for many Sāi-ye Hazāra households one way of generating cash to afford foodstuffs and pay off debts</li> </ul>
<b>Role of forest guard</b>	<ul style="list-style-type: none"> <li>▪ Government-appointed forest guard has assistant from Fulol Bālā (2007), Fulol Pāyin (2009)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Appointed government forest guard is never seen in Kāriz</li> <li>▪ Elders drafted request letter to police chief/district governor to have forest guard appointed for Kāriz (September 2007)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Forest guard appointed by local user community of Sāi-ye Hazāra, rejection of government-appointed forest guard</li> <li>▪ Taxes wood withdrawal per donkey-load</li> </ul>
<b>Resource conflict</b>	<ul style="list-style-type: none"> <li>▪ Conflicts over access arise with communities whose mountains still dispose of fuel resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Search for alternative mountain in neighboring Gudri, likelihood of violence in case Kāriz cutters are caught</li> </ul>	<ul style="list-style-type: none"> <li>▪ Request to district administration to stop other villagers' cutting in Dān-e Kor mountains (2008)</li> <li>▪ Gujars face extraordinary taxes</li> </ul>
<b>Role of district government</b>	<ul style="list-style-type: none"> <li>▪ Sale of juniper wood prohibited: during day-time police can confiscate wood/ fine sellers or will ask for bribes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Seen as enemy of local users, stopped donkeys with non-wood fuel plants even and confiscated it (2009)</li> <li>▪ Sale of juniper wood prohibited: during day-time police can confiscate wood/ fine sellers or will ask for bribes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Police chief/district governor demand timber and wood fuel from locals</li> <li>▪ Sale of juniper wood prohibited: during day-time police can confiscate wood/ fine sellers or will ask for bribes</li> </ul>

Decreasing extents of degradation from the settlements close to town further into the valley and up into side valleys in the remotest ends of Fulol could be observed. Dependence on diversification of fuel types obviously decreased with distance from town because residents of the remotest locations had direct access to fuel resources simply by living near forested areas. The population of Burka town and residents of the middle section of Fulol valley were not in such a favorable position and needed to rely on stocking up for emergency needs and the cold season by buying fuel wood from the communities close to the forest. In the economic chain of fuel supply and demand, the residents of Fulol Bālā took on the role of intermediaries as they bought wood from community members at the far end of the valley and resold it to clients in town or even transported wood on to Kunduz and Takhār. Artemisia was often already being sold by the person who harvested it on the way to the bazaar in one of the lower villages. The livelihoods of tail, middle, and head-enders of valley inhabitants thus presented themselves as directly interlinked and complementary. A rising use of animal manure fuels could be traced from the remote end of a valley to the lower entry sections. In line with this logic, the inhabitants of areas near the forest – mainly livestock-rearing Gujars who live at the far end of Fulol valley in Sāi-ye Hazāra, in Bostān of Dar-e Kalān (Eshkamesh), and in Sharshar (Eshkamesh) – were said not to be using much manure for fuel purposes as they had enough artemisia and

juniper available, even though their livestock would have theoretically enabled them to use manure and dung cakes in self-sufficient manner.<sup>708</sup>

The number of livestock-reliant households that actually use manure for fuel purposes was found to be non-Gujar livestock holders in the lower parts of the valleys. Nevertheless, popular local claims that the Gujars are to be blamed for the bulk of wood fuel usage must be revised as the comparison of fuel use for the three different income groups (based on income mainly derived from either livestock, diversified sources, or agriculture) undertaken in a previous analysis does not show any significant differences in average use patterns (see Yarash et al. 2010: 29ff).

Besides the information in the table, the accounts of the local forest guard who had been appointed by Fulol elders alongside the government-appointed forest guard is very insightful and provides a meatier account of the economic dimension of fuel cutting and degradation. For the whole district only one forest guard is paid by the government and charged with overseeing all forested areas throughout Burka district. Thus the appointment of a local guard to assist the government-appointed district guard is plausible and legitimized by tradition as a conventional practice (see also Ch. 7). He is to be paid by local households. Before delving into the experiences of this local forest guard<sup>709</sup> the contradictory responses regarding who appointed him should be noted to demonstrate the diversity of perceptions about him throughout the valley. These perceptions determined how locals made sense of his professional conduct, even while local payment modes demanded by the forest guard in turn reinforced individual perceptions. As an example, interviewees from Fulol proper (Fulol Pāyin and Fulol Bālā) stated that the local guard had been appointed by their community, that is, the elders of the mosques in the Fulol middle section (Fulol proper). In contrast, Gujar respondents from the remote end of Sāi-ye Hazāra reported that the official forest guard had appointed the community forest guard as his assistant without consulting any local elders.

This view fits well with the unequal allocation practice of the salary payment for the locally appointed forest guard and might even have been recounted that way despite the source knowing better, in order to meet and accommodate the normative orientations of upper valley respondents. Residents of Fulol proper did not have to pay anything to the forest guard, whereas Sāi-ye Hazāra households officially contributed one *sēr* grain per household. Unofficially, though, several interview respondents noted that one timber log would have to be provided by each household from Sāi-ye Hazāra, in addition to the grain. On top of that, Gujar households were charged another 500 Afs per year on the grounds that they were commonly suspected to carry out most of the cutting since they lived in the most remote, highest-up areas throughout the Sāi-ye Hazāra side-valleys, such as in Mazār Pir and Khushk Dara. In the perception of individual local households throughout Sāi-ye

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<sup>708</sup> The relationship between fuel, degradation, and the livestock economy has not been investigated in this study and thus is not fully understood in terms of if and how overgrazing and increasing livestock numbers impact on deforestation and loss of vegetation cover in the two districts.

<sup>709</sup> The forest guard, a resident of Fulol Bālā, himself emphasized his legitimacy through the elders' selection when reporting in the interview that he had just resigned two weeks earlier and now the government guard had indeed appointed an assistant without consulting the Fulol elders. The consequences of this action were not yet known at the time the interview was conducted.

Hazāra, the grain-contribution and allocation of a salary to the forest guard was rather seen as a bribe and consequently designated as *'dud puli'*.<sup>710</sup> This perception was interlinked with their daily experience of paying the forest guard for every donkey-load of wood brought down from the mountainsides during daylight hours. Whoever among the Sāi-ye Hazāra residents did not pay the local forest guard a bribe between 20 and 50 Afs per donkey-load would lose their wood. This 'guarding' practice had at least two effects: on the one hand, the main transportation activities of wood from the mountainsides to individual homes took place mainly at night, with people leaving their homes to obtain the wood stored in a nearby side-valley between 8:00 and 10:00 pm. On the other hand, the bribing of the forest guard by Sāi-ye Hazāra wood-cutters sanctioned his corrupt and highly unequal and discriminatory practices of bribe-taking. By going along with his rules, the Gujars put up with being charged extraordinary taxes, and all community members of Sāi-ye Hazāra thus accepted being charged for the salary allocation of the forest guard alone while the wood-cutters from lower villages (Fulol Bālā and Fulol Pāyin etc.) did not have to pay anything.

In an interview, the community forest guard reported to have resigned from his post 15 days earlier out of fear that the government would hold him responsible for the extraordinary high amount of juniper cutting that occurred that year in his area of responsibility.<sup>711</sup> When asked to explain, he first stated that when he was forest guard no Gujar family was allowed to construct a house, but in the current year they had already built 20 houses in Khushk Dara and Mazār Pir, all with juniper logs as the main building material. He felt he was obliged to report his observation to the official forest guard's superior, the agricultural extension officer<sup>712</sup> in Burka town, who did nothing but to extort a payment of 17,000 Afs from him in return for not reporting him to any higher authority. Furthermore, in the course of the interview it turned out that actually the dissatisfaction of the government-appointed guard with him was behind this resignation which was thus in fact a dismissal. The local forest guard had withheld considerable amounts of money taxed from Sāi-ye Hazāra wood collectors from the government-appointed forest guard who would have expected to get at least 50 percent of the profit. Given that in fall, at the time of fieldwork, 100 to 150 donkey-loads of wood were transported down the mountainsides during the daytime daily, the profit that was at risk of being lost that year provided a clear incentive for the government-appointed forest guard to replace the local guard two weeks before the day of the interview. Other respondents from Sāi-ye Hazāra spoke of the local forest guard as a *reshwatkhor* (bribe-eater) who had 'rented out the mountain'. They added that locals would be content with paying the forest guard because the majority cut the wood for profit making and sold it to traders from Fulol proper who would come to Sāi-ye Hazāra twice a week and buy it for 25 Afs per *sēr* or up to 250 Afs per donkey. In Kunduz city, the wood could be sold by the Fulol traders for 60 Afs per *sēr*.<sup>713</sup>

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<sup>710</sup> Literally: 'vaporizing money', meaning money paid for no reciprocal exchange service or good.

<sup>711</sup> Interview with locally appointed forest guard, Sāi-ye Hazāra, 12 September 2007.

<sup>712</sup> The provincial agricultural department of Takhār has one agricultural extension officer in every district (Interview with the provincial forest officer in Tāluqān, 15 July 2008).

<sup>713</sup> Group interview with Sāi-ye Hazāra residents in local mosque, 12 September 2007.

Other interviews throughout Sāi-ye Hazāra confirmed that Fulol valley is apparently one of the most significant transfer sites in the local wood economy. According to one respondent:

People of Sāi-ye Hazāra go to the mountains every day. If there is one person [youth or adult male, KM] in the household, one person goes, if there are five people in one household, all five go to the mountains for wood-cutting. People collect at least 15 donkey-loads of wood each week, store it intermediately at their houses and then sell it at night. Forty to fifty donkeys with wood leave Sāi-ye Hazāra for Fulol every night. There, some people pay 30 Afs per *sēr* and afterwards sell the wood in Kunduz for 50 Afs. The forest guard gets paid 30 to 40 Afs per donkey-load of wood.<sup>714</sup>

The accounts suggest a division of tasks among residents from different parts of the main valley. The residents of the middle section of Fulol valley (Fulol proper), where the last trees had reportedly been cut ten years ago, had since specialized as traders between the upper part of the main valley in Sāi-ye Hazāra and Kunduz, bypassing the market in Burka town. The supply and selling of wood in Burka was carried out at night by the same sellers from Fulol, Sāi-ye Hazāra and Kāriz who would sell artemisia during the first half of the day twice a week on bazaar days. The five permanent eateries (*hotal*) in Burka in particular were the most lucrative customers to sell wood and artemisia to, but they were said to have fixed suppliers. To locals' minds fuel wood trading was considered a good income source, as some households were thus able to earn up to 600 Afs per night or at least 900 Afs per week.<sup>715</sup> For those households that do not sell any other assets like livestock or land, wood selling can generate the entire household income. According to several Gujar respondents from Mazār Pir, one of the valleys that still have abundant juniper stocks, 600 households from Sāi-ye Hazāra and 700 households from Fulol would be in their sub-valley, at least in autumn, to obtain wood fuel.<sup>716</sup> This shows that besides the specialized wood traders from Fulol – who represent the richer stratum of local inhabitants because they need to possess a pickup truck in order to bring the wood to Kunduz – a considerable number of ordinary residents also cut wood in the remote side-valleys of Sāi-ye Hazāra, both for their own firewood purposes and to sell it to Burka town people.

Seen from a different angle, it could be argued that the more advanced the degradation (for example, in Fulol Pāyin or Nawābād-e Fulol), the more money is involved in the fuel economy along the entire valley, because not every household can spare time and labor to harvest fuel. Consequently, households in valley entrance settlements would rather buy from neighboring Fulol Bālā and in particular Sāi-ye Hazāra, whose residents go to the mountains regularly and sell in the villages on the way to the bazaar in Burka town at lower prices than at the bazaar proper.

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<sup>714</sup> Ibid. The wood is not openly sold in Kunduz (Yarash et al. 2010), but supplied to fixed customers like bakeries and eateries (Interview in Fulol Bālā, 16 September 2007).

<sup>715</sup> Interview in Fulol Bālā, 16 September 2007. There are at least 15 households in Fulol Bālā which make a living like this, cutting wood every second day on the mountainsides and collecting three donkey-loads two to three times a week. In contrast, respondents from Kāriz considered selling fuel wood a poor income source, as it would only allow affording basic necessities like tea, sugar, and diesel (Interview in Kāriz, 20 September 2007). From this follows that again the location of wood-cutting and access likely determines the potential benefit, because the quality of the wood and the labor and time spent on cutting differ depending on the degree of wood abundance.

<sup>716</sup> Interview during fuel transect walk in Mazār Pir, 13 September 2007.

Various accounts mentioned that Gujars were not involved in the wood fuel business. However, they were selling juniper timber logs for 300 Afs apiece<sup>717</sup> and sometimes bartered one log for a sack of chaff (*kāha*) for their livestock. The seemingly disproportionate barter suggests the relatively low value of juniper timber logs for the Gujars and, thus, that they must be disposing of juniper trees in great abundance while the lower parts of the valley have experienced progressive and near-complete deforestation over the last decades. Another indicator for the normality and necessity of the daily cutting of wood, despite its official prohibition by the government and the usual taxing of the local forest guard, is the fact that respondents performed *hashar* for members of their communities who were not able to go to the mountains to cut firewood themselves. In local parlance these are people ‘who don’t have a son or any helper’. In practice, co-villagers use one or two days before the winter to provide 20 to 40 donkey-loads of juniper wood for the household in question.<sup>718</sup>

The ‘guarding’ attitude of the government-appointed forest guard and his superior, the agricultural officer of the Burka district administration, has already been described. The night sales of wood in Burka town indicate furthermore that the police are also part of the local fuel economy. In theory they were said to demand a considerable fine of 200 to 300 Afs for wood-selling during the day and that they would take the wood from the wood seller for their own purposes. Should a seller refuse payment of the fine, the police could take the person to the district governor who would then order his arrest for several days until an elder from his village came for him. However, none of the interviewees could remember even one such incident. Nevertheless, the shifting of all major trading activities to night hours must be understood as a reaction to this imagined police threat.<sup>719</sup> Moreover, the regular wood transports from Fulol to Kunduz simply could not go unnoticed by local police at checkpoints. Therefore it is highly likely that the police are paid money or wood at these checkpoints in order to let the pickups pass.<sup>720</sup>

A revealing and exemplary account of how the district administration is involved in the local fuel economy was recorded from one of the Gujars of Mazār Pir. He complained about the re-appointed CoP, who had recently sent a notification that he expected one big juniper tree to be provided from each Gujar household of Sāi-ye Hazāra, of which there are about 200. He would have the stems picked up by his armed soldiers (*‘askar*) with a truck and brought to his private residence. The interviewee stated that almost the same thing happened already two years ago when the commander had been CoP previously and requested two trees per household, which were then picked up on two different dates. When the Gujars had reportedly made the point that juniper-cutting is illegal and

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<sup>717</sup> As a rule, though, only people with sufficient cash money would buy timber from the Gujars; normally everybody who is in need of timber would go to cut it himself.

<sup>718</sup> Group interview with residents of Sāi-ye Hazāra in local mosque, 12 September 2007.

<sup>719</sup> However, one incident was reported from two years back when the agricultural extension officer stopped two cars with juniper wood in the bazaar on bazaar day and distributed the wood among the bystanders. Apparently since that episode, the trade was shifted to the darkness of night.

<sup>720</sup> Fieldwork could not investigate this dimension of the local fuel economy; however, there must be several checkpoints on the way from Fulol/Burka to Kunduz that could tax the drivers. Consequently, the profit margin must still be large enough, with reports 15-20 Afs per *sēr* juniper wood purchased in Sāi-ye Hazāra and 60 Afs per *sēr* sold in Kunduz.



forbidden, the reply by the police chief was ‘We are the government and we did not prohibit the cutting of mountain wood.’ A similar scenario appears to have taken place in Eshkamesh’s Sharshar valley, still fairly rich in juniper and primarily Gujar. There, the local commander had ordered 100 trees and one truck of fuel wood to be cut for his private use.

The empirical examples reveal two main motives for lumbering, both of which are often shared by one and the same wood-cutter. The first is to secure his family’s fuel needs, while the second is to gain an extra income through selling additionally cut wood and artemisia. A common arrangement is that male household members cut fuel wood two days for their family’s consumption and two to four days for selling. Although a distinction has to be drawn between income groups meaning that ‘the rich’ do not (have to) go cutting themselves but can afford to buy wood and artemisia off the actual cutters, the former provide a considerable incentive for cutting more than is actually locally needed. The traders who own pickups and make money by selling wood from local mountainsides to Kunduz, for example, belong to the more affluent households in the middle or entry section of Fulol. Thus, while every household relies on fuel wood for fuel security, no clear ‘poverty-degradation nexus’ can be determined to exist. It is not the poorest who claim and enforce disproportional access and who can alone be blamed for the extensive cutting. Nevertheless the interviews indicated that households without any other income from livestock or land would be obliged to go to the mountains in order to ensure their families’ food security by selling juniper to end users or traders.

Spot-checks with shopkeepers in the Burka bazaar showed that fuel-selling is a cornerstone of the local economy of indebtedness.<sup>721</sup> According to the local distinction between being able to make a living as opposed to being able to buy only the most necessary things like sugar, tea, and diesel,<sup>722</sup> average clients balance their borrowings by bringing non-wood fuel plants or wood instead of cash repayments.<sup>723</sup> The small cash amount received from buyers enables ordinary wood-cutters to service some of the many debts rural families have with each other, with several shopkeepers, with doctors and others, as to restore, at least partially, their credibility when necessary. Even so, for many rural dwellers fuel-selling more or less constitutes their entire livelihood and survival basis in these resource- and employment-scarce surroundings. However, interviewees also indicated that much lower numbers of local males would be going away for work migration<sup>724</sup> to Iran and

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<sup>721</sup> The survey showed that the indebtedness of people with shopkeepers in Burka is not any less than what is known from other locations in Afghanistan, and there is a high interdependence of families where usually everybody is both debtor and borrower at the same time (Klijn and Pain 2007). One shopkeeper stated his outstanding amounts receivable at 320,000 Afs (US\$6,400). The bulk of his 500 debtors are managing to live by fuel-selling, from which they pay back small amounts every bazaar day in order to maintain creditworthiness for further purchases, which sometimes take place on the same occasion or are otherwise seasonally concentrated.

<sup>722</sup> The popular discursive framing for this type of subsistence livelihood was that people have “*zendagi bukhor wa namir*”, best translated as ‘to lead a hand-to-mouth existence’ (Several interviews in diverse locations, e.g., in Mazar Pir, 13 September 2007).

<sup>723</sup> Interview, Burka bazaar, 31 March 2009.

<sup>724</sup> As one respondent put it, “The people of Fulol valley are not interested in going for labor migration because they have their family and would rather cut wood, no matter whether fresh or dead, for sale in the bazaar. These people who sell wood cannot make a living exclusively from this activity; at least one other

Pakistan, suggesting that the exploitation and possibilities of marketing of fuel resources mitigate the overall level of desperation and food-insecurity. The division of labor among Fulol residents throughout the valley, the locally existing concentration of forested rangeland (juniper), and the largely unlimited access regime to fuel resources for anybody in the valley comprise the cornerstones of the local fuel economy. Locals' understanding is such that in principle any resident from Fulol – and according to some accounts even Burka town residents – is entitled to cut and use fuel wood from any place anywhere in the valley. Thus, it is merely the obvious distances and consequent inconveniences of transportation that prevent, for example, Burka townspeople from going to Sāi-ye Hazāra to collect artemisia and other fuel wood types.<sup>725</sup>

This kind of open access regime applies to the same mountainsides that are otherwise understood as common property grazing grounds of individual communities. Furthermore, the mountainsides often hold individually-assigned rain-fed areas where biannual cultivation takes place in turns with grazing (see section 6.2.1-b). During the initial fieldwork period in 2007, only one case was registered where a conflict had actually escalated between local users in the Chap Dara valley of Eshkamesh and those claiming access from their more distant residences in Zarmukh (see Map 10). In Kāriz (Burka) elders stated that they had jointly decided to write a letter to the district administration, specifically the CoP and the district governor, to complain about the ruthless logging and to demand that the government appoint an additional forest guard for Kāriz because the existing one never came to their valley. In his explanation, one of the Kāriz elders, who was among the people who initiated the note to the district administration, emphasized that they did not have the fantastic goal of stopping the logging entirely. However, they hoped to cause fuel wood users shift to other types of fuel wood, especially dung cakes and animal manure and spare the small ('green') juniper trees.<sup>726</sup> Attempts of the local elders and religious authorities to caution wood-cutters against extreme logging failed because when confronted with the request to refrain from cutting small green trees, the cutters reportedly accepted it but continued as before out of necessity. Local interpretations more often than not suggested a link between poverty and logging, and sometimes added that dry wood had not been found for years. Similarly, interviewees in Dān-e Kor expected the government to 'appoint a good Muslim' as forest guard, one who would protect the trees and not oversee the tree stocks' selloff.<sup>727</sup>

This, and new evidence collected during a short follow-up visit to the research area 18 months later at the end of March 2009, indicates a renewed change in access patterns which is possibly better described as a progressive transition, given its slow and incremental process. The trend is towards limiting the once open access regime for fuel

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male household member should be having some other income, such as from daily laboring nearby. But people can afford their basic necessities, like tea, sugar and salt, from wood selling". (Interview with shopkeeper in Burka bazaar, 17 September 2007). Another interviewee reported from Eshkamesh's Dar-e Kalān valley that "of the 210 households in Dar-e Kalān, 200 sell juniper wood during the night." (Interview, 2 October 2007).

<sup>725</sup> For a discussion of legal provisions see below.

<sup>726</sup> Interview with local mullah/NSP cashier in Kāriz, 19 September 2007.

<sup>727</sup> Interview in Fulol Pāyin, 4 September 2007.

wood collection to local users in the immediate vicinity of the fuel-yielding mountainsides. For example, in summer 2008 Gujars from Dān-e Kor referred to the district administration requesting such restrictions for fuel wood collectors after they had tried to stop wood-laden donkeys coming down their mountain, which had caused those wood-cutters to turn to the district administration first. The Gujars' complaint was that about 200 donkey-loads with wood were extracted on a daily basis from their mountainside, although other parts of Sāi-ye Hazāra and Fulol Bālā would still contain considerable fuel wood as well. During a large gathering they reportedly reached an agreement, according to which fuel wood collectors were to stick to their immediate surroundings for harvesting.<sup>728</sup> How this was supposed to be enforced remained unclear, but a new forest guard from Fulol Pāyin had been appointed by local communities and was said to take his job seriously.<sup>729</sup> In Fulol proper, the communities had reportedly agreed on a ban on cutting and selling juniper to start with the New Year on 21 March 2009. Given the high dependence on fuel resources for basic fuel security and basic income generation for many households and the consequently perceived necessity to cut wood despite prohibitions, the effectiveness of these new measures must be regarded with doubt. Nevertheless, their establishment and the ongoing discussion are indicators of local residents' increasing awareness of the finiteness of most natural fuel resources, in particular wood, the alarming extent of degradation, and its negative consequences for the local residents by 2009.

#### **b. The normative idea and observed practices to access and use rangeland**

Related to what has been said so far in this subchapter, this section focuses on the disconnect between observed practices for rangeland access and the normative underpinnings, both rights-based and moral-based. Given the trend of an ever-widening incoherence despite the attempts noted above to stop resource degradation, the analysis highlights the high degree of uncertainty for future access modes.

Conventional access practices to rangeland resources as described above entitle the residents of certain communities to use customarily-designated grazing areas for livestock herding and fuel withdrawal. How large individual communities are, for example, whether they consist of just one relatively compact and bounded settlement, several settlements or an entire valley, depends on – besides natural-geographic conditions – historical factors, including socio-political considerations like different types of past and enduring conflicts. In some locations, as in Eshkamesh's Āluchak Bālā and Pāyin, grazing is restricted to certain users, but for fuel collection the mountainside is open access. For dry-land agriculture, quasi-private areas are used, though no legal ownership is held. The example of Fulol shows that access to fuel resources depends on several factors, one of which is the location of the residence, and another the ability to adjust to increasing levels of

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<sup>728</sup> Interview in Dān-e Kor, 31 March 2009.

<sup>729</sup> He was chosen by the local communities and introduced to the government for appointment; that is why his salary is paid by the government. Furthermore, he chose two assistants who are paid by the population, one from Fulol and another one in the pistachio-growing areas near Chulāt. According to his accounts, together they are in charge of guarding the entire district. In addition, locally appointed forest guards appeared also paid by local households, for example, in Fulol Bālā and Kāriz. (Interview with local forest guard in Fulol Pāyin, 31 March 2009).

degradation. However, in contrast to access to pastures, where wealth as an expression of power is the major precondition, but belonging to certain influential familial or military networks also matters; fuel resources are more equitably accessible for anybody who accepts the labor and efforts involved in it.<sup>730</sup> Thus, the number of sons or male household members is an important factor for fostering access (see above). The common legal understanding of interviewed rangeland users in Takhār and Baghlān included the idea that all land or the mountain is either God's land in the first place and the government's land in the second place or that the land does not have any owner (*lāmālek*).<sup>731</sup> In either case, local residents are perceived to be the rightful users of the mountains and rangelands. As one mullah in Dān-e Kor put it, "God is the owner of everything; the land and the sky and whatever is in the mountain is God's property, then the government's, but we use it."<sup>732</sup>

As in the case of irrigation water, a statutory legal void existed at the time of fieldwork because of the lack of a revised and enforced rangeland law.<sup>733</sup> The latest pre-revolution version of 1970 decreed in Article 3 that all grazing land is public property, but that people would be allowed to use it in accordance with the rules framed by the same law. The 1970 law was amended in 2000 by a 'Law on Pasture and Maraa'<sup>734</sup> issued under Decree No. 57. It introduced a distinction between public and private pastures (*maraa*), the latter restricted to usage for residents of adjacent communities, and the former referring to barren lands (*mawaat*). The 1970 regulation seemed to have been internalized not only by local rangeland users but also government workers.<sup>735</sup> However, as noted with the notion of *lāmālek* (no owner) but for God or the state, a tentative distinction between what might be meant by public and governmental property was made by some respondents. Given the users' concern with their own role, that is, their access and use rights for rangeland, it can be argued with validity that the reference to government versus public property was used interchangeably. No far-reaching distinction between public and governmental land was made. From a legal perspective, it is interesting that government land is not defined in the constitution, but instead a category of 'state land' was introduced by different political regimes (ADB 2005) which has caused some confusion throughout the last decade.<sup>736</sup> Furthermore, the matter is complicated by the fact that the Afghan constitution of 2004 lacks a clear definition of what precisely is meant to be public property. Given the idea that the access to public land is established through traditional user rights shared by both settled

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<sup>730</sup> At the same time, the income that can be derived from fuel collection is very low when compared to other labor, especially payments received for laboring jobs outside the valley.

<sup>731</sup> Several interviews, e.g., in Deh-e Bālā/Warsaj, 20-21 June 2007.

<sup>732</sup> Interview with local mullah in Dān-e Kor, 11 September 2007.

<sup>733</sup> What I call 'rangeland law' here is sometimes also called pasture law ('Law of Pasture Lands'), see Wily (2004: 94).

<sup>734</sup> *Maraa* was designated as public property with its usage patterns governed by sharia provisions. It was specified *not* to mean government-owned land. The term referred to unoccupied land for public purposes, so besides pastures it also included dumps and graveyards. As local public land, *maraa* fit the category of private pastures versus *mawaat*, characterized as public pastures with open access for everybody (Ibid.: 96f.).

<sup>735</sup> Interview with the head of the provincial forest department in Tāluqān, 15 July 2008.

<sup>736</sup> Consequently, state land could designate land which is registered under the ownership of a government agency as opposed to land over which the state claims the right of administration, including the right of disposal. It could be defined as land which does not fall into the category of government-owned land (registered on behalf of a government agency), but over which the government claims custodial right.

local communities and semi-nomadic pastoralists, their customary and unwritten style have made them become highly vulnerable for contestation by rival interest groups (see sections 6.2.1-b/c and 6.2.2-a), not to mention other influences, such as natural hazards (mudslides, floods, droughts) and increasing demographic pressure.<sup>737</sup>

In 2008, a draft Forest Law (which had never before existed separately) and a draft Pasture Law were submitted for discussion in parliament and subsequent ratification.<sup>738</sup> According to the provincial forest officer of Takhār, the new law was crafted after the Indian Rangeland Law and would imply a complete overhaul of the old forestry legislation. In the meantime, the Presidential Decree of the Interim President No. 736 on the prohibition of forest harvesting constitutes the only valid document since 2002.<sup>739</sup> Apparently, many of the interviewees in Burka and Eshkamesh, and in Warsaj and Farkhār, referred to this decree when mentioning that the new government had prohibited the cutting of juniper (again).<sup>740</sup> With this ban in mind, local fuel wood users had apparently tested the local government agents' enforcement since it was reported that until 2004/05 juniper wood could be openly sold in the bazaar. Only when juniper sellers (both with donkeys and pickup trucks) were fined and their wood taken from them and distributed among passers-by, a shift of juniper trading to night hours occurred. Consequently, one could speak of a shadow economy of fuel wood trading in Burka and Eshkamesh. It has become clear that the current access practices, which mainly consist of outright theft from a legal rights-based perspective, contradict existing legislation.<sup>741</sup>

Local communities try to deal with the situation by introducing seasonal wood collection restrictions and a general surplus allocation restriction. Besides the relevant examples that have been noted in the earlier section on Fulol, in Warsaj's Pyu, all Pyuchi were said to have the right to collect firewood in the higher and lower parts of Tagaw-e Wār up to Qalācha and in the side-valleys. However, for the summer months collecting fuel was prohibited in lower Tagaw-e Wār and in the nearby settlements in order to be able to find fuel materials in close proximity with less snow to overcome during the winter months. Traditionally, the first seasonal grazing period was used to stock up firewood for the next winter because after sowing in spring the men had hardly another agricultural activity. In 2007, large-scale fuel collection of firewood during the first grazing period had been prohibited, though, because some people obviously piled up excessively large stocks

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<sup>737</sup> The ADB-typology of different land ownership categories further distinguishes 'communal land' assigning it a more robust property characteristic of 'ownership' than just use rights in the 'public' land category. Thus, communal land in the initial sense of the category was granted to one or two villages. In contemporary (non-legal, but users') understanding communal is also actually public land that has been quasi-appropriated by villages for communal usage at some previous point of time. See ADB (2005).

<sup>738</sup> To date (March 2011), neither law has passed parliament and Meshrāno Jirga.

<sup>739</sup> This Interim Decree of 7 August 2002 reiterated the earlier Decree No. 405 of 24 January 2002. See GoA (2009: 23).

<sup>740</sup> It was commonly known that juniper-cutting had already been prohibited under the government of Zāher Shāh. This rule caused the intense cutting of all other tree species like Ephedra (*matraq*) varieties and *bashāl*, for example and led to a situation where those have largely vanished from the landscape throughout the northeastern districts. However, also livestock damage should be considered, as it is reported that the Gujars' animals loved Ephedra.

<sup>741</sup> Thereby it does not matter whether the old legislation or the one in draft stage is considered. Both are being ignored and violated.

despite their households consisting of only a few people. This surplus allocation restriction was also observed in Burka's Dān-e Kor and Farkhār's Khuram Āb (see section 6.2.1-c), among other places. In Kāriz and in Dān-e Kor, the district administration was requested to support the enforcement of the local banning decision, and the sanctions were similar in all places. For example, in Pyu the sanction mechanism that was put into effect for non-obedience of the fuel cutting and transportation ban was that if somebody got caught with a donkey-load of firewood in the village during daytime before the end of the grazing period in Tagaw-e Wār, the wood would be taken from him and used for communal purposes, such as in the mosque. The Pyuchi also appointed a local forest guard, a practice that was common in most places throughout the four districts under investigation. Immediate government involvement was not discernible as a motive to appoint a local guard. In Koka Bulāq, the *mir*-residence in Eshkamesh, the *mir* family had newly broadened the mandate of two guards (*mirāb*) in charge of overseeing the water pipes coming down from the mountains to the village with the additional task of controlling fuel withdrawal.<sup>742</sup>

The position of the forest guard – especially the government-appointed forest guard and assistants he has chosen himself without prior legitimation from the local community – embodies the incoherence between the intentions of forest resources regulation from the side of the government and the locally perceived and practiced necessity to involve in a shadow economy of juniper trading and a creeping but systematic depletion of other fuel plant stocks. The office of forest guard had been established under the government of Zāher Shāh in the 1960s. In Farkhār and Warsaj, appointed forest guards were in charge of enforcing the ban on cutting pistachio trees and juniper. As one result of this policy all other trees were cut heavily throughout the region until the revolution period began. In Fulol, the forest guard prior to 1978 had come from Kabul and was residing in Fulol proper; he was said to be incorruptible and capable of enforcing the cutting ban, including the execution of sanctions and punishments for violating the law. Today, the duty of the official forest guard who is part of the district-level agricultural department and his workers suffers from a lack of training and the absence of resources to move around in the district. Because of these working conditions, including the rather low salary<sup>743</sup> of government officers, the fact that the local population's demands for fuel cannot be compensated for by alternative energy provision in the short and medium terms, and the fact that the forest guard is usually one of the local residents, the enforcement capacity of the government and its appointed guards is weak at best. From the users' perspective the lack of alternatives at the same cost, that is, basically no cost, as wood fuel gathered by users themselves, is the strongest argument for cutting – the issue is discursively framed in terms of necessity. Thus, for example, in Farkhār I conducted an interview during the heating period in the district administration's agricultural department and witnessed how the government-appointed forest guard himself brought and burned freshly-cut wood.<sup>744</sup> Fining takes place only on a cursory basis and is generally actually carried out when

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<sup>742</sup> Interview in Koka Bulāq, 6 September 2007.

<sup>743</sup> The argument is not that the salary is too low, but as a salary it is already an assumed resource. It is the use of the office for extracting further financial gains that is most important and makes a government position attractive.

<sup>744</sup> Interview, 11 March 2007.

personal enmities and antipathies are involved or wood-cutters decline to pay the usual bribe to the local forest guard who ‘taxes’ donkey-loads of wood. In Burka, the profit orientation of the government-appointed forest guard was obvious in the fact that he appointed his assistant from Fulol (proper) to check fuel withdrawal in Sāi-ye Hazāra while he expected to receive at least 50 percent of the money taxed from local wood-cutters (see above). Less lucrative areas, such as Kāriz, were left to themselves. Based on these observations, the venality of government representatives can be described a fixed cornerstone of the local fuel economies.

In comparison with access to mountainsides for grazing, where local rules seemed both to exist and to be enforced, the widely-practiced ignorance of rules for fuel wood withdrawal represents a collective failure of local authorities, that is, government representatives at district and community levels, elders, and religious authorities. At the time of fieldwork, none of them was able to enforce surplus collection restrictions or the juniper cutting ban in any meaningful way, first of all because elders, mullahs and local forest guards were all part of the local fuel economy, because of their fuel dependence as users (necessity-discourse and lack of alternatives). Moreover, often times they also were involved as surplus benefactors.

The situation presents a serious dilemma with uncertain outcomes. The mullah and *mawlawi* regularly try to raise awareness about the situation during Friday prayers in the local mosque, appealing to the community members to limit their cutting to personal fuel wood needs and not cut for profit because this practice does serious harm and causes degradation. Part of the argument was also the demand to restrict fuel collection to dead parts of the trees, to preserve young ‘green’ trees, and abstain from uprooting artemisia. All violations and cutting beyond one’s own needs would be a major sin [*gunāh*] in this world and in the next. The interviewee who gave these accounts added, “But what can the *mawlawi* do more than this [preaching]? They do not have guns to punish people. People still cut the trees.”<sup>745</sup> The reference to having a gun as precondition for rule enforcement is meaningful in this context. It relates not only to the physical possession of a gun, but also includes the willingness and readiness to use it for enforcing one’s position. Otherwise, the carrying of a weapon by ordinary police and many forest wardens (depending on the area where they are on duty<sup>746</sup>) would be misinterpreted. Furthermore, attempts at enforcing cutting restrictions on settlers adjacent to the forest-bearing mountainsides in favor of more distant fuel wood users suggest a high potential for violent escalations of such conflicts. The use of force induces further violence, as the example of Khuram Āb (section 6.2.1-c) showed. At the same time, local accounts bear witness of a general fear of force and violent conflict, and attempts to avoid it whenever possible (see above). It must be read as an indicator of the extent of desperation that local community elders, who themselves depend highly on fuel resources, turn to the district government which is obviously highly ineffective in enforcing official policies, to have their demands for access and cutting restrictions on fuel users from neighboring communities supported and enforced. These

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<sup>745</sup> Interview with Gujar in Dān-e Kor (upper Fulol/Burka), 11 September 2007.

<sup>746</sup> For example, the locally-appointed forest guard in Khuram Āb Bālā carried a gun with him walking the mountains above the Khuram Āb settlements; the guard in Fulol who strolled around in Sāi-ye Hazāra proper taxing the incoming donkey-loads of wood did not carry a weapon (own observations).

neighboring communities have at least temporarily and often for much longer terms shared the same access rights by custom until they became contested, providing for the above-noted transition in access patterns evident throughout the period of fieldwork from 2006 until 2009.

In the research districts there was no evidence of management mechanisms other than the spontaneous punishment of wood thieves, the issuance of a cutting ban, the sanctioning of other violations related to the pasture areas (Art. 19-25 of 1970 Law of Pasture Lands), legislative regulations forbidding the conversion of pastures or rangeland into cultivation areas (Art. 9 *ibid.*), and a prohibition to graze goats and camels in forest areas (Art. 18 *ibid.*). Measures linked to sustainable use of rangelands, eventual reforestation, and basic environmental awareness-raising are largely nonexistent. The idea of sustainability seemingly doesn't inform legal or other management provisions. The forestry legislation and practices under King Zāher Shāh and Dāod through 1978 did not foresee active preservation measures in the area, but were limited to restricting the extraction and cutting of trees; in those days, the rules were more faithfully observed and successfully enforced.<sup>747</sup> In interviews, Gujars referred to their local norm of using only dead wood instead of cutting fresh wood. Otherwise a common response to the question of what will happen if the last trees are cut on the mountainsides was 'God is kind' (*khudā mehrebān ast*). The phrase can be read as an expression of fatalism, but it also conveys a certain amount of desperation and a high degree of uncertainty; it is simply not known what will happen in the future. Furthermore, the attempts described above to limit fuel usage to personal needs and consumption by adjacent residents suggests that fatalism is not something with which the local population is content.

Instead, with the progressing degradation and negative consequences thereof, signs appear which hint at an emerging sense of environmental value that locals attach to tree and plant vegetation. It is rooted in experienced harm, especially recurring flash floods that often wash away agricultural land and houses. In Dar-e Kalān, the interviewee who reported that 200 out of 210 households would regularly be logging, pondered that if the cutting continues unabated the trees will be finished in two years' time and "not one house will be left standing because of mudslides".<sup>748</sup> The Gujars of Dān-e Kor blamed the loggers from Sāi-ye Hazāra for excessive cutting mainly for profit purposes and opined that their own houses and livestock would be affected by mudslides first as they live closest to the mountainsides. Consequently, they spoke of their expectation to have 'a good Muslim' appointed as forest guard by the government.<sup>749</sup> The expression alludes to the normative idea that a 'good Muslim' would never accept bribes and be able to enforce a cutting ban as necessary.

Thus, it can be concluded that many wood fuel users seem to be aware of the long-term harm caused by daily logging. In local parlance this idea found expression in the phrase "*tisha dar pāy khod zadan ast*" (literally 'cutting a tree is like striking with an ax at one's

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<sup>747</sup> Reported in qualitative interviews with respondents of Dar-e Kalān, Sharshar, Āluchak (Eshkamesh), 21-23 October 2007.

<sup>748</sup> Interview, Kochihā, 3 October 2007.

<sup>749</sup> Interviews, 12-13 September 2007.



own feet’).<sup>750</sup> Even so, the principle of necessity was emphasized and used as an argument to ensure basic food needs of the family in Fulol and Eshkamesh. By contrast, in Farkhār and Warsaj the marketing aspect was not evident, though the fuel needs for personal consumption showed similar cutting patterns, degradation, and increasingly contested access (see section 6.2.1-c).<sup>751</sup> The moral dilemma between perceived necessity and violating the law found expression in the shift of trade activities to nighttime hours. But this shadow characteristic of the fuel economy does not fully explain the moral tightrope walk of the wood-cutters between being aware of violating the cutting ban and the need for survival in a subsistence economy where everything that is earned one day (whether in cash or kind) is spent almost instantly to maintain survival. In addition, the awareness of inflicting the most severe harm directly on oneself and one’s *qawm* over the middle to long terms added a third dimension to the predicament of locals residing in the areas closest to the forested mountainsides. A fourth dimension of this dilemma relates to the patterns of resource extraction and rent seeking that were essentially localized in nature because of the relative isolation of local elites within both districts who were not good at fostering relations with patrons, elders, deputies, friends, former commanders, and so on in Kabul. Instead, the lack of representation at any administrative level was deplored which, if compared to the situation of Warsaj and Farkhār (see Ch. 6.2.1), might partially explain the degree and profit-orientation of local fuel exploitation.

### 6.2.3 Summary: The (micro-) political ecology of mountain resources

Given the high dependence of the rural population in Burka, Eshkamesh, Farkhār, and Warsaj on resources from mountainsides for subsistence livelihoods and surplus income generation, the access patterns to fuel wood and pastures are summarized from a human-environment perspective below. The main argument is that the environment, in this case the mountainsides bearing fuel wood and grazing land, is becoming increasingly politicized. The politicization is based on a contestation of customary access patterns due to perceived increasing scarcity of available wood and pasture resources by the immediate inhabitants of the resource-bearing locations. There is an imperative political question as to how the conflicts over access to resources are and will be mediated, because given the irreversibility of the land cover degradation these conflicts are likely to increase in frequency and intensity in the future.

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<sup>750</sup> Interview, 4 September 2007. Residents of Fulol Pāyin and Fulol Bālā expressed awareness of the nexus between illegal cutting (including artemisia) and land cover erosion with subsequent occurrences of mudslides that had damaged houses and fields of local residents in the past.

<sup>751</sup> Wēghnān in Warsaj, for example, yields similar characteristics as Kārīz in Table 9 above. Local residents reported that the wood stocks had largely run out by the end of the 1970s. When in the past people in Wēghnān burned whole trees before the introduction of wood stoves (*bukhari*), in the last three and a half decades they have relied mainly on non-wood fuel plants for heating and cooking. But even non-wood fuel plants are reportedly about to run out and already do not cover their fuel needs. Lately wood fuel and non-wood fuel plants are increasingly compensated for by dung. In this view, a higher number of animals secure more fuel from animal manure. Since the winter is particularly harsh in this remote area and neither man nor beast can leave the house for about four months during the winter, the piling up of firewood and fuel is one of the main activities throughout the remaining eight months (Interview with Deh Ta and Tāluqāndal representatives, 8 July 2007).

The conflicts observed in the field and described above form the basic indicator of politicization. All these conflicts are fundamentally a contestation over fuel wood or grazing grounds<sup>752</sup> and the underlying access mechanisms between distinct social groups, which at least temporarily and often over a longer period of time had shared access based on customary joint practices. It is the mutual agreements, assumed to underlie these customary access patterns that have recently become concretely contested by open violation. The examples above demonstrate that the conflicts are not limited to competing user communities within a local realm or rivalries between members of different social status groups within one user community. Many of the conflicts also involve outsiders, such as incoming herders, *kochi*, wood traders, commercial medicinal plant collectors, and local government representatives.

However, it is important to note in this argument about newly-evolving conflicts, which could fuel violence at any point, that the previous decade-long violent conflict actually created the prerequisites for the current situation. The war years meant a quantitative and qualitative shift of resource exploitation. While the revolution period was significant for pasture recovery, the onset and ceasing of mujahedin rule created milestones for the exploitation of fuel resources. Anecdotal evidence collected during fieldwork suggests that before their reign (and in Farkhār and Warsaj again after 2003) logging was mostly done for individual households' fuel security and for survival reasons, though theft and individual cutting for profit certainly occurred. During the mujahedin period, however, logging and the exploitation of local fuel resources became an intrinsic part of the war economy with the main focus on logging for profit. Viewed from a natural resource-violent conflict linkage perspective, one could thus argue that the exploitation of fuel wood resources in the four study districts contributed at least partly to the indirect financing and sustaining of the war at the local level (see sections 6.2.1-a/b). It can be assumed to have been of significance especially during the onslaught of the Taliban in the mid-1990s and again their ousting from the districts of Burka, Eshkamesh, and Farkhār in 2001, because the front lines<sup>753</sup> passed directly through the area. Shifting power relations at the local level were another widespread consequence of the war. The intimidation and partial disempowerment of traditional elites like *mir* and *eshān* has been reported in several communities; for example the case of Kerāni (see 6.2.1-b) showed how *eshān*'s traditional land use rights were contested by members of an armed local group who claimed it for their flocks. Similarly, in Deh-e Gumbaz villagers denied *eshān* access to the grazing areas they had used exclusively until a few years earlier, reasoning that a new need arose for them because they had purchased livestock and needed pasture areas.<sup>754</sup> In a similar pattern, the exclusion of customary pasture users with their herds from other districts and provinces and the maintenance of local hostility towards them even when in many instances they offered money, points to a shift in local perceptions regarding the ability and necessity to restrict access to local resources for outsiders as well.

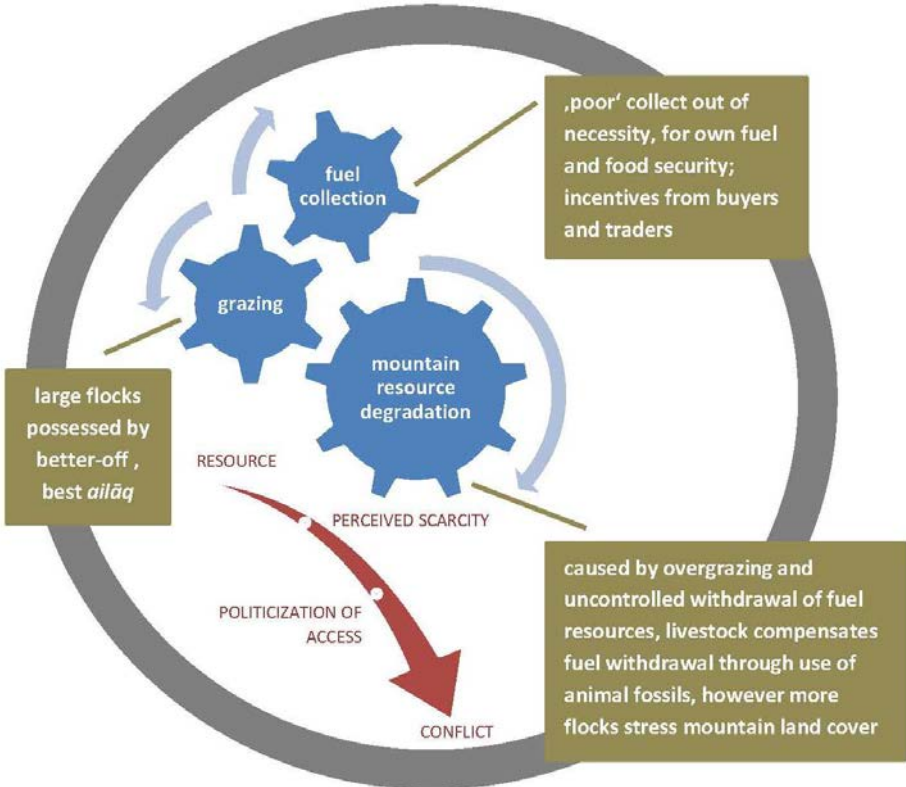
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<sup>752</sup> In the case of Khuram Āb, the conflict over resources overlapped with an existing family feud. The contestation over resources acted as trigger for a renewed escalation of violence.

<sup>753</sup> The front lines between different mujahedin groups and Taliban forces in second half of 1990s; the front lines between Northern Alliance and Taliban troops at the end of 2001.

<sup>754</sup> Interview, Deh-e Gumbaz, 10 August 2007.

The exhaustive wood logging and fuel selloff during the 1990s and tendencies of overgrazing due to the tremendous increase of livestock on the pastures since the onset of peace and in the aftermath of the latest droughts (until 2001 and again in 2006-08) precipitated the creeping degradation and land cover change underway since the early 20th century (see section 6.2.1-a). Against this background, scarcity is increasingly perceived by local users and causes them to undertake attempts to restrict access to other user groups. Figure 6 depicts a simplified view of these linkages in a rack-wheel and the respective text boxes belonging to each wheel.<sup>755</sup> As the previous sections elaborated, any direct nexus linking poverty and degradation cannot be detected. The case of Pyu showed that the largest flocks and the best pastures belong to the better-off members of local communities.



**Figure 6:** Micro-political ecology of mountain resources

Likewise, though the actual loggers are people who often do not have any other income option, the incentive for surplus cutting (i.e., more than needed for own fuel purposes) is largely generated by the rural elites in Burka and Eshkamesh who possess cars and connections to buyers in Kunduz and other urban centers in the region. Their profit

<sup>755</sup> The entire complexity of the relationships which capture the politics of human-environment interaction (political ecology of mountain resources) cannot possibly be portrayed in one graph. For example, the underlying causes for degradation are not fully captured by just focusing on the fuel economy, deforestation phenomena and over-grazing. In addition a whole set of interrelated dynamics and motives must be taken into account, i.e. rain-fed cultivation practices up on rangeland plots, usage of other mountainside resources (water, timber, medicinal plants), seasonal use patterns (including livestock winter pastures), and hazards (mudslides) caused by soil erosion. Mudslides have come to be looked at by local stakeholders as causes and consequences of degradation at the same time. I tend to interpret this as further indicator of the complexity of local environmental issues.

orientation is a more significant driver for wood fuel degradation than the actual logger-laborers' cutting of firewood for personal or household purposes.

Remarkably, the roles of local rural as opposed to administrative elites in Farkhār and Warsaj differ from the situation in Burka and Eshkamesh. While the administrative agents (district governor, CoP) show the same rent-seeking attitude, the rural elites of Burka and Eshkamesh, such as the *mir* family in Eshkamesh, local elders and former commanders, are rather disconnected from influential networks and power relations. In contrast, in Warsaj and Farkhār the mujahedin-connection and the legacy of personal relations with Mas'ud have ensured direct links with very influential position holders in the central government (see Ch. 7 for details). Thus, rural elites in Farkhār and Warsaj are able to seek and derive rents from office appointments and administrative security in terms of legal backing in conflict cases. The conclusion from Burka and Eshkamesh was that logging and the admittedly illegal 'shadow' trade of wood fuel constitutes about the only rent-seeking activity among the few available possibilities for income generation.

The perception of increasing scarcity and damage to the land cover by the residents of adjacent to the mountainside communities in the first place has led to attempts to restrict resource usage for others, whether loggers, artemisia-harvesters, and flock owners from neighboring communities, or *kochi* from Kunduz, Baghlān, Kāpisā, and other places. As a result of such attempts, a transformation of common property (grazing land) and open access (fuel wood) regimes is currently underway in many locations of the districts discussed. The mediation of conflicts that arise out of the contestation of access rights is all but uncertain, given the complexity of interests and motivations underlying the continuing resource depletion. It is on the one hand directly abetted by government officials as the example of the police chief in Burka or district administrators in Farkhār and Warsaj demonstrated. In all the described cases, the public servants draw legitimacy from their office and use it for their own personal economic gain in the local pasture and fuel economies. Most obviously in Burka, the administrators (police chief, district governor, government-appointed forest guard with assistant/s) could draw upon the same legitimacy to sanction excessive logging activities, but they do not and their behavior does not meet open opposition from any quarter. However, a perception of injustice of these actions among the local populace certainly exists, framed by phrases like '*zur kam zur mēkhora*' ('the powerful suppress the ones with less power'). On the other hand, a high and usually-misunderstood degree of the complexity of local power relations must be concluded from the observation that despite all these shortcomings of local government actors and their immediate roles in the local fuel and pasture economy, local communities appeal to them to seek support and what they feel would be just access arrangements, whether restricting outsiders' access to pastures and fuel resources or to appoint a 'good Muslim' as forest guard. The disconnect between normative expectations towards the government as an abstract concept while at the same time being aware of the practical behavior of government officials presents an opaque behavior pattern which is examined in more detail in Chapter 7. Against this background, the outcome of the observed politicization of access and resultant evolving conflicts is highly uncertain. Consequently the prospects for effective management or control of the decreasing resource stocks, including access, are very low.

“If you wash your hands, you hope to eat something.”

Interview with Shāh Abdul Hekmat, *mirāb* of Nahr-e Sofi, 25 April 2006

## 7 – Modalities of local governance in Afghanistan’s rural society

In this chapter, I conflate the main strands of the empirical material presented in Chapter 6 by identifying what I call the modalities of local governance. The first part (7.1) concerns a comparative analysis of access patterns to irrigation water, grazing land and fuel wood. I will discuss the protagonists’ varied abilities to derive benefits from these resources and analyze the reasons for the observed differences in access patterns. In the remaining sections, I will abstract from the realm of natural resources access patterns to discuss more general mechanisms that shape local governance processes and the rural social order. These include the following: mechanisms for dispute resolution (7.2); the mediation of access in social relationships at the community level and aspects of its representation, especially by the people to the government and by the state to the people (7.3); pluralistic and contested legitimacies (7.4). The chapter unfolds the mechanisms of power in everyday life and demonstrates the crucial role of moralities in the enforcement of access to collective goods. The conclusion provides a summary of the main points in this chapter (7.5).

### 7.1 A comparative analysis of access patterns to natural resources

The preliminary analysis of irrigation water and rangeland governance indicated the existence of a multitude of local arrangements and rules that are often community-based and not backed by any legal basis other than custom and/or convention. Statutory laws regulating the access and use of productive natural resources in the form of a legal code for water, pastures, or forests were de facto absent because under revision within the framework of Afghanistan’s National Development Strategy (ANDS) (see Chapter 8). In Chapter 6, evidence of the domination of access patterns to resources by some users – what I subsequently call differential access patterns – was found in the theft of water by upstream users at times when insufficient water flows in the irrigation canal and rotation schedules apply; socially differentiated pasture use in Pyu and Farkhār’s Khuram Āb; place-based access to fuel resources by Gujar communities; and economic incentives for logging provided by middlemen residing in the middle of the Fulol valley. Despite the existence of local rules concerning intra-community access, which in theory apply to every community member equally, on the one hand, and the existence of provisions that regulate the rights-based access for different parties (outsiders and community members) in a balanced equalizing manner on the other; the empirical material showed that some individuals are better able to benefit from the resources in question than others. This leads me to ponder the question why some resource users are able to benefit more, that is, have ‘better’ access – or indeed access – than others who are disadvantaged or even become excluded. It is obvious that the enforcement dimension, that is, how rules are perceived,

interpreted, implemented and practiced, is crucial in any discussion aimed at clarification of this question.

For example, in the case of the allocation of irrigation water, existing arrangements of *qulba/bēl*-laborer ratios, the appointment and communal payment of a *mirāb* and a *kokbāshi* to oversee water distribution and ensure maintenance work, and local norms alluding to offsetting upstream-downstream imbalances in access (e.g., the rule that the *mirāb* ought to hail from downstream), have not prevented significant inequalities in water provision when it is contested (e.g., during droughts, seasonally low water levels, etc.). The elaborations of irrigation water distribution in all five canals in the three case studies showed that large landowners with farmland in the upper section of the canal usually benefit disproportionately and are likely able to irrigate their fields, whereas the crops of tail-end users die. However, the ability of these individuals (who so far have been lumped together in the ‘large landowner’ category) to get sufficient water when it is needed, rests on distinct factors in the various canal schemes.

The material presented on Asqalān (section 6.1.1) showed considerable disparities in water allocation during times of scarcity not only between upstream and downstream users but also among head-end and tail-end farmers. It was suggested that a strong correlation exists between the amount of land owned and the status of landowners as elders and commanders. Moreover, the data indicated that returnees from Pakistan and IDPs were largely excluded from water distribution, as are the Baluch who reside near the intake. The contestation over water allocation not only between upstream and downstream communities but also among the members of individual communities suggests that local rivalries are rampant and that highly fragmented solidarity patterns exist. The fact that the person in charge of overseeing irrigation practices, the *mirāb*, is appointed by the large landowners is reason to scrutinize the entire allocation regime, not only in times of contested water distribution. The *mirāb*’s position could be interpreted as the invention of large landowners because several arrangements with mutual payoffs exist among them. The appointment of *mirāb* not only is rewarded with a considerable amount of money (see section 6.1.2) but also allows unscrupulous water managers to extract additional monies by taking larger or smaller ‘fees’ from different water users in return for timely allocation. Furthermore, the selling of laborers guarantees an additional source of income sanctioned by the largest landowners. These kinds of arrangements are closed at the expense of small-scale landowners and tail-end users. Although they have to contribute equally to the *mirāb*’s regular salary, they are systematically disadvantaged. Dissatisfaction with this situation led to the downstream users’ denial of payment to the *mirāb* of Tobrakash in 2006. Ironically, he was doubly inflicted because he owed his appointment to the smaller landowners’ attempt to enforce their interests by appointing their favored candidate whom they trusted to be honest in bringing water to tail-end users. However, structural factors, such as the upstream-downstream power dynamics manifest in Fazl Jān’s subordination to Sofī Ghulām Nabi caused Fazl Jān’s failure to deliver, although he tried hard to be a worthy *mirāb* (section 6.1.1-c).

Access to irrigation water when crops need it thus depends largely on whether a user is a landowner who appoints the *mirāb* or has ‘good’ (e.g., family) relations with him. Indeed, the *mirāb* is the direct, personified link between water in the canal and its allocation at

field level. The largest landowners with a stake in everyday irrigation affairs had been commanders at some point in the past.<sup>756</sup> However, as the example of Fazl Jān showed, being elder and having been commander and even being acting *mirāb* are not sufficient for a landowner to enforce his own water rights in accordance with the rotation schedule. Instead, obviously, not only a mere bundle of factors determines who can enforce the allocation of water and who cannot but also how the different components in the bundle are arranged, that is, the weight of single components in proportion to the weight of others. These components can be thought of as diverse assets, which – because of their unequal distribution among different individuals – underlie socio-economic differences among community members and determine power relations. The empirical analysis demonstrated that despite existing tensions and a clear perception of injustice on the part of those deprived of water, the disadvantaged farmers seemed to have acquiesced and submitted to the situation according to the motto, ‘It is a matter of force, not of the law’ (*gap-e zur ast, gap-e qānon nēst*). The interview statements of Sofī Ghulām Nabi and Fazl Jān (section 6.1.1-c), in which the latter discloses that Sofī is stealing water and explains his motivations with more empathy than grievance, serve as a case in point.

In all three irrigation networks (that is, five canals), conflicts about water allocation do usually not escalate violently. Except for verbal and physical quarrels at offtakes, single casualties or cases of collective violence have not been reported. Local practices, such as the privileges of so-called ‘elders’, who by convention take three hours-worth of more water in upstream Asqalān than is their allotment, the employment of armed men at offtakes by large landowners to enforce their illegal claims for water out of turn, and the cultivation of rice by head-end farmers at the expense of downstream users, are not met with discernible objections beyond selective rhetoric. Against this background, it is valid to conclude that reoccurring deviances are sanctioned and social differences and differential de facto ‘rights’ to water are acknowledged. For example, farmers who grow rice in upstream Asqalān claim their right to more water and take it illegally by breaking seals at offtakes and destroying dams during nighttime hours. Such incidences were justified by the landowners, who asserted on practical grounds that indeed they had more rights as upstream residents than did downstream landowners simply because their fields are located upstream, that is, closer to the intake.<sup>757</sup> These accounts were supported by water-deprived downstream users who admitted that location de facto determines the amounts of water allocated.

The question of why the water-deprived landowners refrain from enforcing the rotation schedule agreed upon before the start of the irrigation season comprises at least two dimensions. The first is that they do not form a collective action group but are individual entrepreneurs. They depend on the performance of the *mirāb*,<sup>758</sup> but if he is not able to

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<sup>756</sup> Several cases of extensive landownership by absentee landlords (overseas) have been reported. With regard to the landownership-commander correlation, there is no automatic causal nexus between having been commander and now owning the biggest land plots. When all data collected in this study were taken into account, it became evident that many (superior) commanders (e.g., *sar-e grop*) were actually the offspring of endowed families. See 7.3 below for a discussion of the role and authority patterns of commanders.

<sup>757</sup> See the empirical evidence as described in sections 6.1.1-b and 6.1.2-b.

<sup>758</sup> As respondents along the Surkhak canal (Sofī-Qarayatim) reported, a *mirāb* must first be skillful in negotiating with upstream-water users to allow water flow to the tail-end sections of the canal (Interview, 6 May 2006).

enforce the schedule they have no legal and only limited illegal<sup>759</sup> means to enforce it themselves. Some interviewees admitted that the cited theoretical option of the *mirāb* involving the ID and the police in cases of any violations of rotation times or other transgressions was not practiced along the Asqalān or any other canals. Second, if they can afford it, landowners buy a water pump to cope in times of insufficient water in the canal, as does Fazl Jān, the downstream *mirāb*, for example. Such an ‘exit’-option outbalances the temporary lack of irrigation water, albeit at a high monetary price (section 6.1.1-b). Against this background, it is evident that again farmers who have the smallest assets – owners of small land plots and sharecroppers who do not have the means to afford a water pump – lose out. The recognition of such unequal access to water can be deduced from the fact that conflicts about irrigation water are usually not considered as significant and not worth the involvement of elders as mediators (see section 6.1.2-c). The most important factor is that claims are not openly contested, which would be the precondition to the involvement of mediators in the conflict. Instead, claims are expressed directly through actions and the begetting of facts, with the difference that downstream claimants have few to no options for taking meaningful action to save their crops.

However, it is peculiar that water theft and illegal withdrawal are carried out with impunity, obviously sanctioned, and do not lead to larger-scale violence or conflicts that are locally characterized as ‘blood-issues’. The connivance and absence of escalation despite perceived injustice and concrete material losses (crops) suggest that local stakeholders in irrigation governance throughout Asqalān are well aware of their limited scope of action and the domination of structural-relational factors over rights-based ones. Although in the popular perception Afghan societies are often attributed a special ‘culture of violence’ in which everyday casualties are not uncommon; violence flares quickly and is accepted as an everyday normalcy. However, the empirical data presented throughout Chapter 6 evinces a surprisingly different impression. It suggests instead that strong efforts are made locally to avoid open conflicts and violence whenever possible. Farmers deprived of irrigation water resigned themselves to accepting their inferior status in the local allocation hierarchy, which was determined by special bundles of assets. The apparent contention with this situation can also be read as an indicator that any type of objection and resistance by concrete action (e.g., illegal water withdrawal or use of force) is perceived to put at risk whatever it is that the individual holds dear, for example, land property, harmonious relations with fellow water users, family relations, and so on. Conversely, open conflict and violence are avoided because in the perception of the disadvantaged individual, this person has either too much to lose or has generally resigned to believing that nothing could alter the unequal allocation practices he is faced with.

As I previously discussed, the influential figures living along both canals at Sofi and Qarayatim managed to appoint two new *mirāb* in 2006, one of which was loyal to the largest landowners (*mirāb* Mas’ud in Qarayatim) and the other of which was a large influential landowner himself (*mirāb* Shāh Abdul Hekmat in Sofi). The appointment that year was strategic because the local big men expected infrastructure measures to be implemented with foreign aid money in the upcoming irrigation season. Their aim was to

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<sup>759</sup> Stealing water does not make sense for tail-end users because there is usually no water in the downstream part of the canal during the rotation period of the upstream users.



influence the distribution of measures (offtake construction, intake concrete, and so on) indirectly through the person of the *mirāb*, who was the ID reference person at the canal level and would certainly be involved in the planning and implementation of measures. In contrast to Asqalān, the access patterns in Sofi and Qarayetim were eased slightly by the overlap of the Qarayetim irrigation network with that of the Chārdara main canal. Consequently, downstream water users in Qarayetim had the option of relying on water allocated by either canal (see section 6.1.2-a). In contrast to Asqalān, *kokbāshi* play a greater role in local water allocation in Sofi and Qarayetim because they are appointed by the landowners along the sub-branches of the canal, not by the *mirāb* as in Tobrakash and Asqalān. This practice outweighs the unilateral intervention of Ahmad Shāh and the big men behind Shāh Abdul Hekmat to appoint loyal followers at canal level because at the field level, more legitimated figures were selected as *kokbāshi* in charge of establishing a rotation schedule with elders and allocating water according to the agreed-upon turns.<sup>760</sup>

The relatively authoritative allocation of water by Aslam Mirāb in Qal'a-ye Zāl and Wahid Mirāb in Tarboz Guzar was discussed at length in section 6.1.3-a. The strong social identity caused by the ethnic homogeneity of the population throughout Tarboz Guzar and a favorable layout of the canal, given the possibility of growing rice in the swampy tail-end areas, seems to have resulted in only rare cases when water is seriously contested. The ability to irrigate was ensured through contributions to maintenance and to the salaries of the *mirāb* and the *kokbāshi*. In Qal'a-ye Zāl, the size of the system necessitated a high degree of hierarchical outsourcing of water management oversight. Subsequently, a high degree of delegation of tasks to the 33 *kokbāshi* and several *chakbāshi* made the *mirāb* appear effective and able to enforce equitable water distribution.<sup>761</sup> The high flexibility of the *bēl*-unit, a favorable irrigation network design that incorporated natural physical conditions, the *mirāb*'s personality (respected *muysafēd*), his pro-transparency stance and being assisted by a scribe (*kāteb*), all worked in favor of the impression that inequalities in access to irrigation water were much less pronounced in Qal'a-ye Zāl – and likewise in Tarboz Guzar – than in Asqalān, Sofi or Qarayetim.

However, in the case of irrigation water, the availability of the resource depends to a great extent on external, that is, climatic-geographic factors, including amounts of precipitation, weather, and related snowmelt-timing; moreover, wood fuel, fuel wood in general, and pastures constitute finite assets the availability of which rarely varies. How selective different members of the community are in using the pastures and making use of fuel wood was summarized in sections 6.2.1-b and 6.2.2-a. The notion that the pastures are God's property and are not owned by anybody and that local residents are privileged to use the mountainsides for their own needs (of grazing; fuel wood, herbs and medicinal plants collection; hunting; rain-fed cultivation; and pistachio harvesting) in accordance with their

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<sup>760</sup> To what extent the *kokbāshi* are complicit with the largest landowners along the sub-branch of the canal of which they are in charge, could not be investigated in depth because of time constraints. It goes without saying that their appointment likely follows the same motivations of resident landowners as does the *mirāb*-appointment at the canal level. The extent to which he serves his mandate or acts in the sole interest of large landowners in his area and sub-branch of competence thus depends on the person of the *kokbāshi* and his principles.

<sup>761</sup> However, at the field level, this could not be investigated systematically because of time and organizational constraints. See the above the discussion of the role of *kokbāshi* at the field level in Qarayetim and Sofi (section 6.1.2-a).

social identity of belonging to a certain community (which claims use rights for customarily defined mountainsides) suggest the ability of all to make use of the attached resources. However, the data revealed in Chapter 6.2 indicated that access to mountainsides is also partially unequal. At the time of this fieldwork, access practices to pastures were determined by previous intra-community contestations (e.g., in the case of Weghnān's past conflict) or other factors that likely caused an uncontested redefinition of access and pasture use. For example, in the case of Pyu, the location of pasture camps at Tagaw-e Wār is based on belonging to a local group and wider network of people with a common past as companions of Ahmad Shāh Mas'ud. The members of this group dispose of a whole bundle of power resources, such as authority,<sup>762</sup> legitimacy, force, social status and economic resources (wealth), which support their claim for access and its enforcement.

Thus, access depends on place-based and authoritative factors. In particular, given the absence of a rangeland law at the time of this field research, the access of outsiders to mountainsides, which the local communities perceived to belong to them because of their geographical proximity, became increasingly contested. Here again it is quite remarkable that force and violent means to deter rival claimants were avoided with much effort, even if it meant involving the local government,<sup>763</sup> such as in the cases of Pyu and Weghnān. Indeed, this restraint is noteworthy given the perceived scarcity of rangeland that caused local communities to contest *kochi*'s and neighboring communities' customary rights to graze flocks on 'their' pastures (Weghnān). The contestation was justified with necessity. Based on the same principle of necessity, in the case of wood, a ban on cutting issued by the government was largely ignored throughout the research area. In contrast to irrigation water, which can be seen as a strategic resource for commercial agriculture that is linked to private entrepreneurship, landownership, and land-labor relations, mountain resources have traditionally been more accessible; for example, pastures were seen as common property and fuel resources even as open access resources. Consequently, if differences within local user communities are considered, the notion of necessity, that is, the perceived lack of alternatives and the significance of resources for survival, translates into conventionally more equitable access mechanisms at the community level.

However, in section 6.2, I argued that these property perceptions are currently undergoing transformation. Resources are increasingly contested not only by outsiders (in the case of pastures), but even among and within local user communities (see sections 6.2.1-c, 6.2.2-a). In the particular case of fuel wood and the underlying open-access regime for non-wood fuels, the war resulted in a blurring of the original user community which had been defined according to locational proximity. Because of progressive depletion caused by excessive logging for profit connected to the economic incentives of war, the availability of fuel wood was expanded considerably to entire valleys. For example, the mountain trees of Sāi-ye Hazāra in Fulol have come to be cut by loggers from throughout the valley. Similarly, in Kāriz or the five valleys of Eshkamesh, fuel wood increasingly originates from the last few side valleys, which still contain varieties of wood and non-wood fuel plants. Access to

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<sup>762</sup> Here, authority designates a mix of factors: not only influence and decision-making competence, but also legitimacy based on charisma and tradition or convention, in addition to co-notions of force and social status (see also below).

<sup>763</sup> For a further discussion of why the involvement of government agents in conflict cases is really an exception and remarkable, see subchapter 7.2 below.

grazing land is increasingly restricted to members of local communities, whereby anybody who decides to buy livestock enjoys the right to have his flocks graze in the mountains adjacent to the community. From pasture-scarce communities, such as Khānaqāh in Warsaj or different locations in Farkhār, livestock owners usually send their animals to the pastures of friends, clients and other people they ‘know’ and with whom they have relations. Accordingly, the incorporation of occasionally significant numbers of non-community flocks by community members on community pasture land is common, but has not been the subject to open debate so far.<sup>764</sup> Despite indicators that deteriorating pasture conditions and recurrent drought<sup>765</sup> have led to local considerations of seasonal access limitations for selected pastures, the exclusion of local community members’ flocks is not an issue. Access restrictions are enforced by selective appointments of local forest guards as was shown for Pyu, Fulol, and Khuram Āb Bālā.

Against the background of increasing resource depletion especially in the case of wood and other fuel resources, the transformation of access remains highly inconclusive regarding where it will evolve and which implications for modes of resource distribution and local peace will develop in the future. The involvement of the government in many cases where pastures and fuel wood access has become contested among user communities both near mountainsides and farther away, could be interpreted as indicators of desperation. The government has traditionally been a last resort in cases of conflict (see section 7.2) because of its incapacity to enforce rules, its interest in seeking rents, the self-interest of its representatives, and the general suspicion of local community members regarding exposure to government attention.

In summary, I have identified three features that are shared by all of the presented case studies on environmental resource governance:

- Illicit access prevails over licit rights-based access mechanisms;
- Relational access mechanisms prevail over licit and illicit rights-based mechanisms;
- Open conflicts and violent escalation of contestations is largely prevented by major efforts in peaceful conflict mediation by all stakeholders involved (see section 7.2).

The first point concerns the absence of statutory legal regulations for resource access and use, that is, for water, rangelands and forests, and the identified gap between customary conventional legal regulations and access enforcement (de facto practices). To recap the examples in telegraphic style: Water theft is widely practiced despite local norms and established agreed-upon rotation schedules and the annually appointed *mirāb* and *kokbāshi* to enforce the respective communal agreements. Juniper wood is cut despite the governmental ban on logging, and locally appointed forest guards rent the right to cut the forest instead of restricting cutting. *Kochi* are denied access to pastures they have customarily used and for which they even hold documents and title deeds. The differential access patterns within local user communities furthermore highlighted that even if the ability to benefit from irrigation water or mountain resources is based on de facto

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<sup>764</sup> It is likely that the rejection of single flocks in the matter of unrelated outsiders is because he has to accommodate his own livestock, so he refuses the additional burden of animals or entire herds on a pasture with limited available space and fodder.

<sup>765</sup> Droughts have repeatedly resulted in large-scale losses of animals.

violations of local norms and regulations, it is not sufficient to understand why some resource users benefit unduly compared to others. The latter can only be understood when the significance of structural-relational factors is taken into account. Location, authority or social status, social identity and economic resources endowment have been mentioned to be components or branches which form bundles of power.<sup>766</sup> The fact that this study departed from natural resources governance naturally resulted in the importance of physical geographical locations and place-based factors for the general availability of the resources in question. Within the research framework, which relied on local user communities as primary level of analysis in small-to-medium-scale resource exploitation settings, it was found that the limits of local self-management and the absence of ideas of sustainable management (sections 6.1.3-b and 6.2.2-b) caught local users in the trap of the desire to practice equal resource distribution (as indicated by local norms and de jure distribution mechanisms) but the inability to do so because of various constraints.

Table 10 provides a simplified overview of the factors that enabled local community members to benefit from resources, as outlined in Chapter 6:

**Table 10:** Overview of factors underlying access mechanisms to natural resources

<b>Location</b>	<b>Factors that enabled individuals to benefit from resources</b>	<b>Remarks</b>
<b>Asqalān</b>	<ul style="list-style-type: none"> <li>▪ Upstream location of field plots</li> <li>▪ Authority derived from (former) commander status, ‘elder’ status</li> <li>▪ Appointment of ‘weak’ <i>mirāb</i> loyal to large landowners</li> <li>▪ Unduly claim of water by cropping rice without effective sanction</li> </ul>	<p>... commander-status related with potentiality/threat of force</p> <p>... fragmented, mosque-based commander influence in Asqalān</p>
<b>Sofi-Qarayatim</b>	<ul style="list-style-type: none"> <li>▪ Upstream location of field plots</li> <li>▪ Authority derived from (former) commander status, ‘elder’ status</li> </ul>	<p>... more influential (than in Asqalān), supra-mosque commander-patterns</p>
<b>Tarboz Guzar &amp; Qal’a-ye Zāl</b>	<ul style="list-style-type: none"> <li>▪ Social identity/community belonging</li> <li>▪ Location of fields/geo-physical outline of both canals</li> <li>▪ Enforcement capacity of respected <i>mirāb</i></li> </ul>	<p>... in Tarboz Guzar stronger social identity based on exclusive Turkmen population; mixed in QeZ</p>
<b>Farkhār and Warsaj (pastures)</b>	<ul style="list-style-type: none"> <li>▪ Social identity/community belonging</li> <li>▪ Relations with residents of places which have access to pastures</li> <li>▪ Authority derived from belonging to former commander-networks</li> </ul>	<p>(of Ahmad Shāh Mas’ud and Dāktar Muhamad, see 7.3)</p>
<b>Burka and Eshkamesh (fuel wood)</b>	<ul style="list-style-type: none"> <li>▪ Remote place of residence (Gujars)</li> <li>▪ Social identity/community belonging</li> <li>▪ Number of sons/male helpers in household</li> <li>▪ Relations with wood-selling loggers of Sāi-ye Hazāra and Dān-e Kor</li> <li>▪ Relations with buyers in Kunduz</li> <li>▪ Cash resources/wealth enable to buy fuel from sellers at bazaar</li> </ul>	<p>... different fuel purposes determine unchecked demand for various fuel types incl. juniper wood</p> <p>... owning of transport vehicle as precondition for fuel trade</p>

<sup>766</sup> I owe this notion to Ghani (1995) (cited in Ribot and Peluso [2003: 158]). However, although he spoke of a ‘bundle of powers’, I would not support this pluralization or apply it in my own study (see Ch. 2.2.2) without specifying that it designates a bundle or bundles of power resources. In contrast to power, which only exists in relationships, power resources can be possessed by individuals and collective/corporate actors.

Table 10 shows the close interconnection between wealth, status, authority, and power. The single factors are linked in multiple, overlapping ways; they are mutually constitutive and form a complex pattern underlying the local governance of these natural resources. In individuals, different factors overlap in what I argue are bundles of power. From this perspective, individuals can be viewed as nodes in larger webs of social relations where power manifests. The distinction of individual factors or power resources being bundled in individuals is a purely analytical, albeit useful, exercise to understand differential access patterns and their dynamics (Ribot and Peluso 2003: 158).

I will now leave the realm of natural resource management behind and extend the perspective of this chapter to power mechanisms that transcend the governance of resources. The examples of Ahmad Shāh and Hāji Rustam in Qarayetim (Figure 1) resemble preliminary attempts to map bundles of power resources in single individuals. They showed that a longitudinal view of changes in available power resources and their support in deriving further benefits is fruitful for analysis. For example, Ahmad Shāh's father was an important commander during the revolution period, which entailed a leadership role for his son, who then took over as commander during the period of the Taliban government. Strategic family relations and their pro-active ties led to the creation of the web of power relations in which Ahmad Shāh and Hāji Rustam are important nodes. As such, they determine the modes of local governance beyond the local arena of natural resource management. In the subsequent sections, I therefore discuss patterns of conflict mediation (7.2), representation (7.3) and legitimacy (7.4).

## 7.2 Mechanisms for conflict mediation

Cases of conflict arise in the governance of natural resources and contestation over increasingly scarce assets, such as cultivable land (because of advanced plot fragmentation as result of inheritance, arrival of returnees from exile in Pakistan and Iran), fuel wood, and the deterioration of pasture areas, accompanied by a dramatic increase in livestock numbers. The mediation of such conflicts marks a significant cornerstone of local governance in the society under investigation. The previous section elaborated that contrary to the popular perception of a 'culture of violence' characterizing the population of Afghanistan, everyday conflict behavior strives to avoid violent escalation. The mechanisms and motivations underlying conflict mediation efforts will be discussed in the following paragraphs.

The case studies analyzed in Chapter 6 revealed the following pattern of how disputes are addressed: In the majority of cases and whenever possible, local communities and conflict parties try to find solutions to issues among themselves, without exposing the object of the conflict or disclosing disunity among *qawm* to the outside – whether neighboring communities or the government.<sup>767</sup> Instead, the aggrieved person usually consults the local elders, who listen to versions of the conflict and possibly consult further witnesses before

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<sup>767</sup> See the statement of the Kharoti elder addressing the district governor in section 6.1.3-c.

deciding on a verdict. The most common object of conflict was found to be land,<sup>768</sup> and to great extent, within one extended family (see section 6.1.2-b). Conflicts over water, detached from land rights, are not considered big issues, so they are usually left to the jurisdiction of the *mirāb*. If conflicts over resources arise between different user communities or claimants (such as in the case of *kochi*, or in the case of Sofī-Qarayetim with rival claims to water because of the joint intake), or because of transforming access regimes (e.g., change of access to fuel wood from open access to common property regime of a narrower user community in Fulol), outside mediators, such as *muysafēd* from both conflicting parties and possibly even from a trusted third party with a good reputation, get involved in the mediation of the conflict. One indigenous differentiation of conflicts was elaborated in the example of Qarayetim, as reported by different elders (section 6.1.2-c). Accordingly, three socio-spatial scales are distinguished: 1) conflicts among parties within the same (mosque) community; 2) conflicts among parties from different mosque communities but the same *manteqa*; 3) conflicts with involvement of parties of different *manteqa*. With the increasing scope of a conflict, depending on the issues at stake and the behavior and background of the conflict parties, elders from the respective communities as well as elders from a third and possibly fourth location are asked to participate in negotiating a settlement of the dispute in question.

The district administration becomes involved either after one of the conflicting parties does not accept the elders' decision or from the very outset, if the aggrieved party does not consult the elders first but immediately appeals to the district governor. In the former case, either the elders or the aggrieved person sends a letter to the district governor asking for assistance with the clarification of claims. In the latter case, either the aggrieved person or somebody he knows would send a letter to the district head. The mode of appeal depends on the socio-economic status of the complaining party or his relations with influential big men. For example, in Chapter 6.1.2-b the observation was reported that Ahmad Shāh had taken one of his followers to the office of the district governor without first sending a letter. In this case, he had direct access because of his social position as former commander. He was still an influential person because he belonged to a network of big men in Qarayetim and owned a considerable amount of land. Similarly, Hāji Jum'a Khān, who was charged by his *qawm* and the water users of Sofī and Qarayetim to mediate the land issue with the Kharoti people, approached the district governor directly.<sup>769</sup>

As described at length above (in section 6.1.2-b, c), the district administration was involved in mediating the conflict over the aqueduct. It was not addressed with severe measures, such as threats or violence, despite the uneven distribution of strength (arms and

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<sup>768</sup> For an impression of the proportion of land versus other objects of conflict consider the number of cases addressed by the sub-national government departments. Accordingly, of the 1,664 petitions filed in the Kunduz Provincial Justice Department and the six district offices of the department in 2005-2006, 1,053 concerned land disputes. The remaining petitions related to loans and trading (561) as well as family issues (38). Of the 1,664 petitions, only 295 were handed over to the court. All others were solved without the involvement of the provincial court (Interview with the head of the provincial justice department in Kunduz, 31 May 2006). Courts cannot be approached directly by a private person. According to the head of the Land Affairs Department, the only exception is when a couple wants to marry without their parents' consent (Interview in Kunduz, 29 November 2006).

<sup>769</sup> That said, the importance of middlemen and representation becomes evident. It will be discussed in the next subchapter (7.3).

manpower, that is, number of followers) among the conflicting parties, in this case the landowners of Sofi and Qarayetim on the one side and the few farmers of Kharoti on the other side. One indicator that could answer the question of why no force became involved was the existence of family ties, as mentioned by Hāji Jum'a Khān in the office of the district governor when he alluded to his Kharoti nephew. This case supports the notion that local conflicts (in the broader sense) within user communities are usually contained. If violence occurs, the escalation usually cannot be traced back to the contestation of resources alone, but is conflated with several other factors. Often a politicization of the conflict is boosted by animosities between families, as in the case of Khuram Āb in Farkhār. If the administration learns about a conflict in which human casualties are involved, it will take action by jailing the murderer and processing a court sentence. Local dwellers in the most remote places reported that the local government would have to be notified of any such cases and the security organizations would be involved.

Hence, in addition to cases, which are categorized by the elders' socio-spatial outreach from an emic point of view, the administration distinguishes murder and criminal cases that involve the police from rights cases that concern family matters such as divorces, land disputes (either between two individuals or land disputes between individuals and the government), and corporate rights in business (e.g., bazaars), in addition to loan-issues. The basic distinction is between *huququllah* and *huquq'abed*. Conflicts that fall in the latter category can be settled by elders through conventional compensation strategies, sometimes involving the district or even higher administrative authorities. *Huququllah* refers to murder cases that require punishment as capital crimes. Exit options, such as the self-ransoming of murderers who dispose of considerable monetary and relational assets, are not sanctioned legally. The reality, however, does often not meet these normative legal standards, although the government is obliged to jail and punish the offender even if the afflicted party – that is, the family of the killed person – settles with the murderer's family.<sup>770</sup> As a rule, such cases are treated by the provincial or Kabul prosecutor; district authorities do not have the competence to address *huququllah*.

Land conflicts between the state and individual owner-claimants are rampant because under past political regimes in the mujahedin and Taliban periods, government land was sold or appropriated by government representatives. There is a plethora of documents, some of which are considered illegal because the issuing authority is not recognized by the present government authorities. Some are faked and are often based on claims that elders closed the deal, but are now passed away. In the absence of a land-record administration (see Ch. 5.2.2) there is no possibility to verify their fingerprints, and other witnesses usually can not be found.<sup>771</sup>

All interview respondents perceived that the law enforcement capacity of the government was very weak, regardless of whether they were villagers who solved their issues with local elders or if they were government deputies. Once any government department becomes involved in the mediation of a conflict, justice can be bought by the person who offers the highest amount of money or is meted out to the person who has relations with

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<sup>770</sup> Interview with district governor of Chārdara, 22 May 2006.

<sup>771</sup> Interview with head of Department of Land Affairs in Kunduz, 29 November 2006. For a discussion of matters referred to as legal or norm pluralism, see Chapter 7.4 below.

more influential persons.<sup>772</sup> This practice causes many ordinary aggrieved persons to use the mediation efforts of local elders. However, it depends on the characteristics of the local elders whether or not justice would guide the mediation process. Self-interest, greed and possible bias are endemic if family or other social relations of the elder side with one of the conflict parties. A decision taken at the communal level usually depends on local power relations that are reflected in the composition of the council of elders tasked to solve the conflict. That leaves the choice of local conflict resolution by elders with only three advantages – less time needed, peaceful solution, less expenses – to be weighed against a similarly corrupt outcome in cases when the government is involved. Another possible effect of local conflict resolution, which is occasionally enforced through the exchange of daughters, is the fostering of ideally concordant family relations between initial conflict parties.

The data collected during fieldwork demonstrated the tendency towards turning to the government for conflict mediation. However, this alternative is pursued by persons who can afford it, hoping to buy justice and rights. This is also an indicator that mediation efforts by local *muysafēd* are not necessarily corrupted, that is, not every elder can be bought. By referring most of the conflict appeals involving the local government back to the community level for clarification by local elders, the government compensates for its lack of capacities and resources, and at the same time strengthens non-governmental, that is, elders' authority. In such cases (see section 6.1.2-b), elders are requested to 'solve' an issue and report back to the concerned government department at the district-administration level via written notice. However, the data collected in the interviews in Qal'a-ye Zāl, Tarboz Guzar, and Sofi-Qarayatim revealed an opposing trend; cases were reported in which elders' decisions were not accepted by wealthy persons.

Related, another question concerns for whom the government authorities at the district-administration level are accessible. I have described the reception hours of the district governor in Chārdara. However, social differences and the differential power of individuals automatically urge the less endowed with power resources to seek access through somebody who dispenses direct access – in this case to the office of the district governor. Otherwise, they do not appeal to the government and thus must submit to disadvantages of injustice and unequal power relations. In this respect, the changing role of elders and other middlemen must be considered.

### 7.3 Representation: Interfaces between community members and 'authorities'

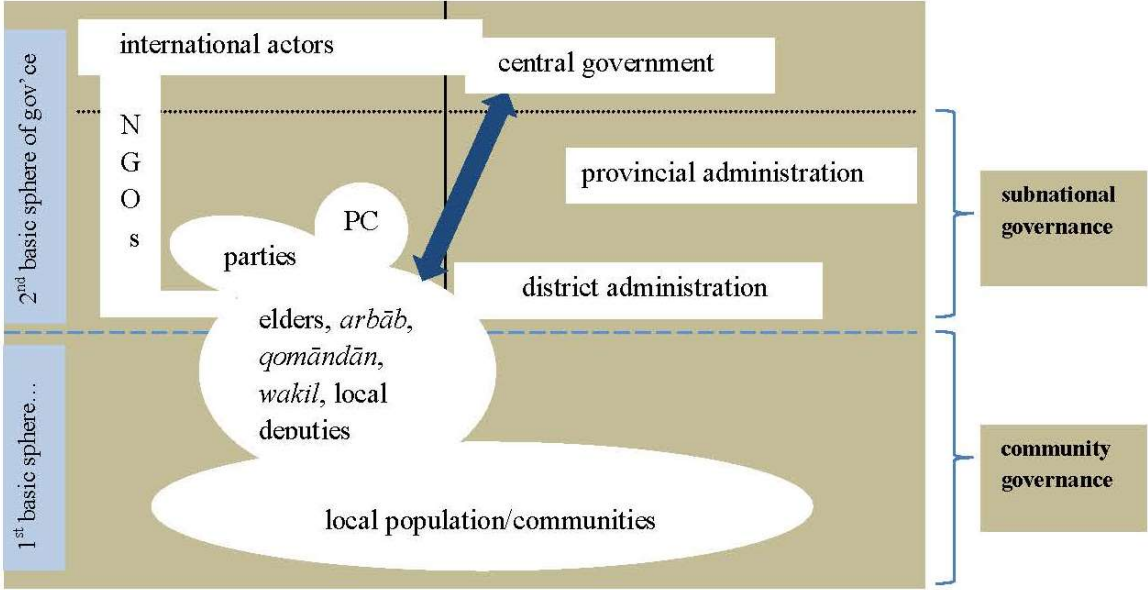
The preliminary analysis of elders' mediation activities (*muysafēdi*) at the interface of local communities and the Chārdara district government or other 'outside', non-community

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<sup>772</sup> The Director of the provincial Land Affairs Department, gave several examples of high government officials sending letters to his department even before a case was submitted to his office in order to support a conflict party, which is often the criminal charged. Subsequently the Director has to submit to the 'order' from above or otherwise put the case to rest for a long while before taking it up again. If criminals are sentenced to prison terms, they are often set free again after a short period. The provincial Head of Department of Government Affairs admitted, "This is the reality: most cases are solved by order (command), not on the basis of law" (Recorded during a workshop organized by Mediothek Afghanistan in Kunduz, May 2007).



agents discussed in section 6.1.2-c revealed the crucial role middlemen play in Afghan rural society. Figure 7 presents a simplified depiction of their position within the wider scheme of the political actors' landscape in Afghanistan.



**Figure 7:** Political actors' relations in Afghanistan 2006-09

In the above figure, the dashed horizontal line demarcates the limits between two basic spheres of governance. One is restricted to encompassing the average local community and its representatives, here designated community governance (see 7.3.2).<sup>773</sup> The other sphere relates to the 'outside' world beyond the community's physical and social boundaries, which includes political actors of all kinds, such as the local government administration (district and provincial government), parties, Provincial Councils, NGOs, the central government in Kabul, and international actors (7.3.1). The identification of these two spheres of governance is an analytical exercise to distinguish between the intra-community levels of representation on the one hand and the community versus outsiders-relation on the other hand. In the latter case, the schematic depiction of the main actors illustrates that these spheres are linked by community representatives (elders, commanders, *arbāb*, deputies, etc.) who mediate on behalf of locals and outsiders and similarly communicate outsiders' demands to their respective constituencies (see Ch. 8.3). The continuous line cutting horizontally through the identified 'second basic sphere of governance' separates the central government in Kabul and international actors from sub-national government actors and non-government actors, thus establishing a distinct arena where decisions about programs and policies are taken and passed on to the sub-national government agencies, that is, the provincial and district level administrations. This arena of national governance is largely detached from local realities and follows a separate logic, guided mainly by requirements and opportunities provided by the various facets of the 'international community' in Kabul (see also Ch. 8). The government agencies at different administrative levels, as shown in the upper right of Figure 7, are nevertheless not to be understood as

<sup>773</sup> Note that here 'community' refers to local socially and physically bounded communities (the 'local level') that transgress the different resource-user-type-communities conceptualized in Ch. 5 and focused on in Ch. 6.

merely organizational bodies that follow an institutionally predetermined agenda. Instead, the individual interests of office holders determine the individual government department's performance and functioning (see below). On the other hand, the access of local communities to government departments depends on their representatives' connections to office bearers and officials.

### 7.3.1 The representation of ordinary community members

This section focuses on details of representation of community interests and mediation with government actors (that is, 'crossing the dashed line' in Figure 7). However, first, the idea of representation as encompassing surrogateship, delegation, leadership and authority within communities, including the execution of responsibility and accountability, is discussed as a main dimension of community governance.<sup>774</sup> The preliminary analysis of different types of elders in section 6.1.2-c, as shown in Figure 2, depicted the intersection of rural authorities in Sofi-Qarayetim, Asqalān, Qal'a-ye Zāl and Tarboz Guzar. An apparent effect of the analysis so far concerns the role of *arbāb* in the study sites and how their position relates to *muysafēd*, commanders, and *mirāb*. The interviews and discussions with rural dwellers found that in general *arbāb*, *mirāb* and elders ('conventional elders') have altogether lost significance in comparison with the time before the revolution period. Thus, a timeline is used to discuss the various stages of elders' significance, roles, and tasks in the communities, and how their declining role was manifested during the field research.

The distinction between elders and *arbāb* shown in Figure 7 is somewhat artificial because it depends on both the circumstances in a specific locality and the time frame. For example, in Warsaj and Farkhār, conventional elders, who were then also acting as *arbāb*, were *eshān* (*sayed*) and heads of *mir*-families prior to and during Zahēr Shāh's reign. Elsewhere, especially in the newly 'colonized' settlement areas along the irrigation networks in Chārdara and Qal'a-ye Zāl district, single individuals were appointed by the government with local leaders' consent to act as *arbāb*. The case of Hāji Rahmat Khān's father, Hāji Sarwar, in Tobrakash (see 6.1.1.-a) who was known to be the leader of the settlers from Maymana, evidences that it was regular practice that tribal leaders or persons already holding elite status within a social group and having contacts with government representatives were appointed *arbāb*. Hāji Sarwar bequeathed the position to his eldest son who was killed during the revolution period.<sup>775</sup> The overlap of sources of authority extending to 'conventional' elders and *arbāb* before 1978 mainly applies to some of these omnipresent leaders. They mediated in local disputes and made decisions on behalf of the community, but they also protected their people from harassment by the state. The table therefore includes the hint 'either distinct or overlapping array of responsibilities' in the *muysafēd*-row-box 'before the revolution', which refers to the time before 1978. An ideal

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<sup>774</sup> Interactions 'across the dashed line' also constitute a part of actual community governance; however, for the reasons mentioned in the previous section, an analytical distinction is introduced here in order to elaborate meaningfully on the topic.

<sup>775</sup> Interview with Hāji Rahmat Khān, Tobrakash, 11 April 2006. He said in the interview that after the death of his father and eldest brother he has become known as *arbāb*, although it is not an appointed position in Asqalān. Local dwellers endowed him with the title.

categorization would describe the *arbāb* as a local community member in charge of communication of government issues to his fellow community members. In contrast, local conventional elders (*muysafēd*) would be consulted in decision-making and conflict settlement tasks. The common perception of the all-powerful state prior to 1978 among local rural dwellers was that in their view, the *arbāb* was endowed with unpredictable loyalty towards the government,<sup>776</sup> whereas a *muysafēd* would have appeared more trustworthy in resolving local matters. However, the roles of both, elders and *arbāb*, had changed significantly by the time of the field work performed for this study.

The role of *arbāb* as liaison person and ‘tool of communication’ on behalf of the government administration ceased with during the revolution period, because the government was declared the ‘enemy’ in the process of ideological mobilization of the Islamist parties. Among the initial tasks of the *arbāb* was reporting murder cases to the district administration, ensuring law and order, confirming a person’s father’s name for the issuing of identity documents (*tazkera*), providing proof of identity in cases when local residents needed a guarantee or guarantor, and helping implement different government policies in the local realm (e.g., designating villagers for road-building and anti-locust measures).<sup>777</sup> These government activities as well as the *arbāb*’s role as liaison became irrelevant from 1978 onwards. The collected interview accounts of local community members, who themselves or whose relatives never held the position of *arbāb*, indicated a generally unfavorable attitude towards *arbāb*, including during the time prior to 1978. As Hāji Jum’a Khān put it, *arbābi* is the job of “somebody who could lie and tell the truth when mediating between the government and the people”, and lying is not in the nature of a ‘good Muslim’ or a proper ‘good’ elder.<sup>778</sup> Some of the *arbāb*, like some of the conventional elders, became active in the resistance as commanders. Ghayor, the *arbāb* of Mangtepa at the tail-end of Sofi canal, became head of the local cooperative at the time of the Najibullah-government (1986-1992), but otherwise none of the initial tasks and responsibilities he had fulfilled as *arbāb* during Dāod’s reign was revived.

During the mujahedin period, the commanders had a military hierarchy in place to function according to governmental administration logic. Their local counterparts were *qomāndān-e mahalli* at the community/‘village’ (*mahalli*) and/or *manteqa* levels, and *sar-e grop/amir* at

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<sup>776</sup> Interview, Qarayatim, 4 June 2006. Reportedly, one of his main tasks was to ‘identify people of the local community’ in the case that the government had any request, such as to find a criminal or to conscript locals into army service.

<sup>777</sup> Interviews, Qal’a-ye Zāl, 11 June 2006; Sofi-Qarayatim, 26 May 2006. There is indication of a further distinction between *arbāb* and elders prior to 1978: the *arbāb* would charge community members for their services. In Warsaj, respondents reported that they used to pay their *arbāb* 5 Afs for settling a conflict and not letting police men (*‘askar*) enter the village and bother them in such matters (Interview in Mulik, 11 April 2007). Sofi *manteqa*’s *arbāb* Ghayor (Mangtepa), who served from 1970-1977 in this role and whose son was newly appointed *arbāb* under the Taliban regime, stated that he received 200-500 Afs per year from every household in his constituency, depending on the financial situation of the individual household. No extra charges would be imposed for his involvement in dispute resolution cases. How far these accounts can be generalized is not certain because it is not known whether conventional elders also received remuneration for their services.

<sup>778</sup> HJK continued by saying, „Why should I do it [the *arbāb*-job, KM] and go to the government and lie with this white beard or swear all day from morning to evening?” (Interview, Qarayatim, 4 June 2006).

Changing role of rural authorities within local communities	'Before the revolution' (pesh az 'enqelāb)	'During the revolution' (dar waqt-e 'enqelāb)		'Time of the mujahedin' (waqt-e mujāhedin)	'Time of the Taliban' (waqt-e tālebān)	Karzai government (hukumat-e Karzai)
		Najib's government				
	1978	1986	1989/1992	1997	2001	
<i>arbāb</i>	interface of govt w/ local community, approved by elders and sub-governor, reporting to latter, e.g., authorized <i>mirāb</i> 's letter to govt, charged with security-oversight, brought people in front of district governor, high authority	no role as interface because govt-local community link was cut off by organizing resistance movement and subsequent hijacking of local representation functions by commanders			<i>arbāb</i> newly appointed on request of Taliban administration	--govt newly requested to appoint <i>arbāb</i> in Chārdara, QeZ/TG, though <i>arbāb</i> position is one of many offices govt engages with in local arena  --multiplied numbers of so-called <i>arbāb</i> without comparable authority as prior to 1978, at same time no exhaustive coverage of rural areas with <i>arbāb</i> (no role in Warsaj, Burka)
<i>muyasafēd</i>	'conventional' elder in charge of representation bottom-up, on par with <i>arbāb</i> , with either distinct or overlapping array of responsibilities	--many 'big' elders target killed by <i>khalqi</i> regime 1978-79  --became commanders or contact persons of resistance fighters' units in villages, organized shelter/food for troops		appearance of 'novel elders'  elders' opinions and authority largely ignored, disrespected	instant justice and enforcement capacity of Taliban-deputies further rendered 'conventional elders' redundant	--regained some respect, e.g. were requested to identify <i>arbāb</i> , though respect is less than prior to 1978, money and material wealth determine status, influence and justice in local community, partly distrusted to act according to self-interests
<i>qomāndān</i>	none	--military organization of resistance, local station commanders appeared  --ordinary people referred to local <i>qomāndān</i> for problem-solving (disputes etc.)	--build-up of military organiz. hierarchy and paramilitary public administr. (Warsaj, Farkhār)  -- <i>qomāndān</i> as advocate of ordinary people because concentrated power resources	--'good'/'illiterate' jihadi commanders ceased fighting and went to Iran or became farmers again  --'literate' ones started fighting for booties against each other, ' <i>ushr</i> ' burden on communities	--in Taliban-dominated territories were checked with elders re local people's satisfaction with <i>qomāndān</i>  -- ' <i>ushr</i> '-load on communities  <i>Shurā-ye Nazār</i>  <i>khāna jangi</i>	DDR-process, gave in weapons, keep armed groups of loyal followers secretly, in public turn from <i>ghairi rasmi</i> to <i>rasmi qomāndān</i> occupying government positions at different administrative levels (famous for administrative corruption), fear of ordinary people towards <i>qomāndān</i> somewhat mitigated, though latters' influence still remains, ' <i>ushr</i> '-collection largely given up (until 2009)

Figure 8: Changing role of main rural authorities 1977-2007<sup>779</sup>

<sup>779</sup> The periodization in the table follows the emic periodization narratives that are used throughout this thesis. The subsequent years are based on events in northeastern Afghanistan, i.e., Taliban forces did not have major influence before 1997 although they had taken over the central government in Kabul in 1996. The transition from revolution to mujahedin period is blurred because the mujahedin commanders, who were designated as 'mujahedin' when they were perceived to be no longer fighting jihad, began to appear during Najibullah's government after the withdrawal of the Soviet forces in 1989.

the district and provincial levels. Only with the onset and relative stabilization of Taliban rule in the areas of the northeast included in this study did the *arbāb*-position gain new clout in Sofi-Qarayetim and Qal'a-ye Zāl. Apparently, the Taliban administration intended to gain a foothold in local communities and requested local elders to appoint a person as *arbāb*. The appointments favored whoever volunteered for the position because "good people at that time did not want to be *arbāb*".<sup>780</sup> The re-invention of the position by the Taliban seems to have discredited it even further in the sense that it lost its initially monopolistic gatekeeper function in liaising with the government. According to HJK,

"In Qarayetim three people have been appointed newly as *arbāb* by this government [Karzai government, KM]. But today *arbāb* do not go to the government unless a conflict or problem occurs. There is security and so there is no work for *arbāb*. Only sometimes the government asks the *arbāb* to send laborers for locust killing. ... Now people are also smart. They might select an *arbāb*, but they themselves go to the government. They know the government better than any *arbāb*."<sup>781</sup>

The multiplication of newly instated *arbāb* in some districts continued clearly to qualify the status and significance of the *arbāb* position. In the Chārdara district, for example, where there had been one *arbāb* serving more than 20 villages in the entire district in Zāher Shāh's time, reportedly 40-44 were appointed in 2006. An elder in Warsaj's Miyānshahr expressed a similar idea stating "We call everybody *arbāb* today. He is a person in charge of a village. I am an *arbāb*, the other elder as well."<sup>782</sup> However, Arbāb Sofī Muhamad, son of Ghayor and head of the local cooperative, embodied a kind of unofficial *arbāb* in 2006 because he had been appointed during the Taliban time and had not been reconfirmed since then in his position by the district administration. This deprived him of the legal right to act as deputy in court of any of the local dwellers in his constituency. Nevertheless, he saw himself within a good hereditary tradition by acting as *arbāb*. In the interview, he reported recent conflict cases he had solved by himself after the government had not been able to find a settlement. Therefore, Sofi Muhamad did not see himself in opposition to 'elders' (both conventional and novel) and admitted that in cases when a dispute was very complex he would consult the elders and even pass the issue on to them if necessary. In nearby Laghmāni, Arbāb Kākar was appointed *arbāb* by local people after the request of the district governor in 2005.<sup>783</sup> At the time of this field research, Arbāb Sher was also known as *muysafēd* and NSP-chief. In a contrary case, in a neighboring hamlet, the district administration refused to reconfirm Ghafar Salām as *arbāb*, who had been appointed under the pre-2002 administration in 2000-2001 (1379).

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<sup>780</sup> Reportedly, elders would just introduce any volunteer to the Taliban administration in order to not be bothered further and to fulfill the request for appointment. Interview with HJK, Qarayetim, 04 June 2006.

<sup>781</sup> Ibid.

<sup>782</sup> Interview in Deh-e Zārān, 12 April 2007.

<sup>783</sup> Historically, the *arbāb* was obliged to submit proof of his acceptance in the local community by providing fingerprints of the elders to the district administration (Sofi-Qarayetim) or a collection of identity cards (*tazkera*) of his supporters (Warsaj). It remains unknown whether this is still practiced after 2001. At least in Warsaj, *arbāb* were not formally reinstated; instead, the district governor possessed a list with elders' (*muysafēd*) names and their fingerprints, from each community. From the sub-governor's perspective, the purpose of having this list was likely not different from appointing an *arbāb* as the district governor would contact the elder in his list regarding a certain issue. However, from the perspective of the community, the difference between *muysafēd* and *arbāb* is usually significant. Moreover, Warsaj used to have a few *arbāb* who at the same time were conventional elders (*eshān*, *mir*; see above) in the past.

Eldership must be understood as a position of scale. As described previously (see sections 6.1.2-c, 6.2.1-c), a community elder's significance and mandate can be limited to the households of his immediate mosque-constituency, expanded to the populace praying in one Friday-praying mosque, and beyond that to a wider *manteqa* level (however encompassing it would be defined by its dwellers according to the situation). An elder of larger significance is likely to possess better access to higher-level decision-makers and persons of influence, whether government officials, armed strongmen or NGO-representatives, because of his reputation (see 7.3.2). The source of the individual's reputation can include a long-term relationship, a kin-relation with the influential person in question in case of a conventional elder, a joint party belonging and history of fighting (*qomāndān-sar-e grop* bond) for a novel elder; having a good *muysafēdi*-record, that is, problem-solving capacity; and the ability to bring about harmony and unity to the *qawm* and its conflicting factions.<sup>784</sup>

Within communities, elders are not appointed, but derive their status from two main factors. One is a certain conduct and behavior over time, which thus consequently engenders legitimacy (see below 7.4). Secondly, their status of material endowment can rely on inherited wealth, land, business, possibly war booty, and so on; it most simply manifests in the possession of a *mehmānkhāna* (literally: 'guestroom'; which includes the means to host and feed guests) and the means to travel for visiting government offices or dispute sites. This is true for novel and conventional elders alike.<sup>785</sup> They embody legitimate representation functions of their particular constituency for regulating *qawm*- and community affairs, a phenomenon that I refer to as 'delegation'. This delegation could be passive or active and find expression in acceptance and respect as credit given to authorities. The interviewees' responses showed that 'to accept elders' means accepting their choice of action on behalf of the community, even if it might not be agreed upon or seem rational in the eyes of the members of the respective constituency. In most cases, the majority of a constituency's members would not consider the decisions or actions of an elder in terms of its being 'right' or not. Credibility and trust – in some cases mere compliance without necessarily agreement – are advanced on an interpersonal basis and related assumptions of reciprocity. Delegation and assigning elders' credibility does not involve generalized trust. Elders of various status ('scales') are mandated with appointing community-bound office holders for certain areas of responsibility, such as irrigation management (*mirāb*), forest guarding (*muhāfez-e jangal*), road-keeping (*sarakbān*), wheat-guarding (*qoriqmāl*), etc.<sup>786</sup> However, no general rule and appointment cycle for all offices exists; appointments depend on the local circumstances. Where irrigation agriculture

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<sup>784</sup> Increasingly 'good eldership' is also related to the cashing in of projects. See 7.3.2 and Ch. 8 for further elaborations.

<sup>785</sup> Given the commander-elder nexus, i.e., the fact that one and the same person can be both at the same time or might have turned from being elder to commander (and possibly back again), the statement is also partially valid for the commander category. However, additionally, at least two distinct patterns of appointment of commanders can be deduced from cases documented during the fieldwork: a) from above; commanders can be instated by a higher authority, whether it is a governmental body or a provincial-level commander (*amir*); b) from below; as reported in cases where local influential big men were requested by the population to act as their commander and represent communal interests in the competing claims of other factions. See the second column in the table of Figure 8, section 6.1.1-b and further below.

<sup>786</sup> The delegation of outsiders follows a similar logic. See section 7.3.2 on state-local relations.



provides the main livelihood, the *mirāb* is selected annually on a certain date (see 6.1). In areas where subsistence livelihoods depend on the usage of mountain resources (pasture, fuel wood, rain-fed cropping, and so on), the appointment follows local needs and seasonal cycles. On the one hand, not all necessity-based recruitments are undertaken by elders because not every task concerns all members of a community. A wheat-keeper charged with guarding the wheat against birds and other theft once harvest time is near is usually hired by wheat cultivators. The data showed that in many communities that had constructed small hydropower projects in the framework of the NSP (see Ch. 8), the position of a *mirāb-e barg* ('electricity manager') was created in order to have a person in charge of collecting monthly fees for electricity usage.<sup>787</sup> A road-keeper for inner-village roads might be appointed when repair works are needed. On the other hand, for roads significant to local inter-village mobility, especially roads that connect remote areas to the district center, the post of roadkeeper is often registered with the district administration (see Ch. 8.2.2).

One office that is universally filled by appointment by elders is the position of mullah.<sup>788</sup> The mullah or *emām-e masjid* is appointed from within the community if there is a suitable candidate available, but more commonly from elsewhere. To find a qualified candidate is often very challenging because knowledge about Islam, that is, the content of the Koran and hadiths, is generally rather limited. In addition, the mullah must agree to the package offered by the community for his stay. He usually is provided with a residence, food, a monthly salary and the skins of sacrificed animals during the second *Eid* (*Eid-e qurbān/Eid ul-adha*). In return, he leads the prayer and teaches the children the Koran. Often, the mullah resides with his family in the community and has a second source of income from small-scale farming, livestock or crafts. The relationship between the elders and the mullah/*mawlawi*, that is, the extent to which the religious authority<sup>789</sup> is consulted in legal and decision-making cases, varies from *manteqa* setting to *manteqa* setting and has often changed over time.<sup>790</sup>

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<sup>787</sup> In the initial phase of NSP, in places where micro-hydropower could not be established, the communities were often advised to buy electricity generators. In such cases, the *mirāb-e barg* would be charged with collecting money for diesel fuel. However, because of high fuel prices, the communities stopped using these generators soon after the initial project money was spent.

<sup>788</sup> As mentioned previously, in localities where the district government requested the appointment of an *arbāb*, elders are in charge.

<sup>789</sup> Religious actors are 'authorities' by default because they are perceived to embody Islamic knowledge, morals, and thought.

<sup>790</sup> Religious authorities (mullahs/*emām-e masjid*, *mawlawi*) were not included in the timeline in Figure 7 because of space constraints and the overall impression that their role does not compare to that of *arbāb*, *muysafēd* and commanders in the research sites. As a rule, mullahs and other religious authorities have always been sub-ordinate to elders – as well as to commanders during the revolution period and Taliban time – and restricted by the latter to service (school, prayer) and consultation functions. However, few regions in Farkhār and Warsaj have a very high number of trained mullahs. For decades, they have been attending Pakistani *madrasa* to attain a proper Islamic education. At the time of this fieldwork, mosque construction activities, the local recruitment of young boys for *madrasa* training in Karachi and other Pakistani cities, and newly circulating ideas that 'real Islam' condemns women's weekly pilgrimages to local shrines indicated that the future might see an increasing influence of religious actors who claimed moral superiority derived from 'true' religious knowledge and possibly contest both elders' 'wisdom' and the folk Islamic tradition popular in the area to date.

The timeline provided in Figure 8 shows that in the aftermath of the coup d'état in 1978, many of the previously mentioned traditional local leaders, respected figures and local elites were murdered by the *khalqi* government. Rural elites were constituted by large landowners who became labeled as 'feudals' and were targeted by the six *jerib*-policy of the regime. The oral history cited in the interviews collected for this study indicate that traditional leaders of great clout, literate persons, Islamic scholars and intellectuals in the provinces were particular victims of arrests and murder. By the early 1980s, an entire stratum of traditional rural elites had vanished from the countryside. Those who were not targeted either took up arms and turned into commanders or organized support for the resistance in the subsequent revolution period. As the revolution period waned, and the individual commanders' interests connected with the incentives and partial legitimacy of Najibullah's reign (see Ch. 4) became increasingly fragmented, the precondition for the evolution of a new type of elders – designated as novel elders throughout this thesis – was created. The interviewees reported that after the withdrawal of Soviet forces, the previous *muyasafēd* turned *qomanāndān* were said to have left the battlefields to become farmers, herders, Iran-migrants and *muyasafēd* again. Other persons who had made a career as commander and had been ordinary peasants or laborers before, continued as 'mujahedin' and engaged in the civil war economy that followed after Najibullah's government broke down. During the 1990s, the opinions and experience of conventional elders were largely disregarded in local governance affairs. Only the Taliban's practice of inquiring about a local commander's legitimacy in the eyes of his 'constituency' limited the arbitrary influence of the local commanders. At the same time, the enforcement of speedy justice for conflict cases that had been simmering for years without progress or solution prior to the Taliban's taking root in the northeast, robbed conventional elders of their main traditional responsibilities and often made them appear redundant. On the one hand, the request of local Taliban administrations to have *arbāb* appointed further solidified this trend; on the other hand, it quasi-mandated elders with the *arbāb*'s appointment and thus reconfirmed the formers' role.

As result of the merging and partial overlap of the authorities of *muyasafēd* and commanders over time, the situation during 2006-09 was characterized by the co-existence of conventional and novel elders as shown in Figure 2 regarding the irrigation field sites (see 6.2.1-c). During the revolution period, commanders had replaced traditional elders – sometimes as the same person. Because they concentrated all power resources on enforcement, ordinary people turned to them for support and help in dispute resolution or decision-making.<sup>791</sup> The commanders' legitimacy rested on their possession and active employment of arms, their ability to lead a group of follower-fighters, and their access to material and financial support. Similar to the above description of elders' positions, commanders also embodied positions of scale because of the quasi-military hierarchy according to which they organized. However, this hierarchy of *amir/sar-e grop/qomāndān*, and so on eventually permitted the replacement of arbitrary commanders who had records of bad conduct towards their populace at the local level, by which local elders appealed to the senior position holder in the concerned hierarchy. This replacement required only two

<sup>791</sup> The previously mentioned examples of implementing the *dubandi* structure in Sofi-Qarayetim (6.1.2-b) and the support of irrigators working on Nahr-e Jadid (Qal'a-ye Zāl) by Mullā Fazl's deputy are representative of the second half of the 1990s.



pre-conditions: 1) the misbehaving commander was not the patron of the local elders or possibly the elder-turned-commander himself; 2) the senior position holder was receptive to justice appeals of conventional elders. The evidence gleaned from the interviews indicates that the exchange of local (*mahalli*) commanders upon the request of the local populace was common practice. Along a similar line, narratives about commanders, some of which were told by (ex-)commanders, often suggested that they had been approached by ‘the people and begged to be their commander’. This occurred mostly during the time of the Taliban’s advancement into the northeast.<sup>792</sup> Hezb-e Islāmi and Etehād-e Islāmi commanders often carried out this function.<sup>793</sup> If they more or less showed ‘good conduct’, that is, not exposing the local population to arbitrary violence and injustice, and possibly even trying to protect ‘their people’ from oppression, they were perceived as stabilizing figures and enjoyed legitimacy.

The same pattern I described in section 6.1.2-c, with the example of Ahmad Shāh and his father, can be discerned in the notion that commanders during different regimes were often offspring of the same family. A father who fought against Soviet army bases during the revolution period was succeeded by his son who was a commander of any of the fighting factions during the civil war, which was manifest in *khāna jangi* (house-fighting) at the local level close to the frontline. Thus, it was often necessary to be a commander (*qomāndān-e mahalli*) or group leader (*sar-e grop*) in order to defend against looters. As far as my field sites are concerned, during the second half of the 1990s, a son was either with the Taliban on any of the Islamist parties’ ticket, with General Dostum or with Mas’ud’s Jam’iat-e Islāmi.<sup>794</sup>

With the undifferentiated US support for the Northern Alliance against the Taliban at the end of 2001, many of the local commanders (*qomāndān*, *sar-e grop*, *amir*) in and around Kunduz were able to extend their influence and reconfirm their clout. Once the fighting was over, these influential commanders did not just return home, but used their resources to secure assets in Afghanistan’s immediate post-war order. As explained in Chapter 4 and section 6.1.2-b, the so-called warlords occupied large amounts of land illegally and used their deterrence potential to intimidate the average population, not the least through the collection of ‘*ushr*. Only with the DDR process starting in 2003, during which they submitted their weapons to the police, did the pressure on local communities notably slacken. The evidence from Chārdara shows how crucial a power resource the possession of guns was for a commander in maintaining his authority. After 2003, average dwellers dared to voice contesting claims over land against commanders, such as commander

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<sup>792</sup> For example, in upper Asqalān, elders requested commander Raof to act as their ‘Taliban-commander’ (Interview, 20 July 2007). In Burka, the heads of the *mir*-family in Kokah Bulaq had an agreement with a Gujar commander who previously had fought jointly with them in the resistance against Soviet forces to act as Taliban commander for the Fulol Valley and ‘save its population’ from harm (Interviews 5 September 2007, 26 March 2009).

<sup>793</sup> For the provincial (*amir*-)level, see the example given for Kunduz in section 6.1.2-c. Because there was no such thing as a membership in the Taliban, it did not matter which Islamist party a commander (whether *qomāndān* or *amir*) belonged to under their administration.

<sup>794</sup> After 2001, the generalized stigmatization of commanders as cruel butchers (*sarkush*) and that of the Taliban as oppressive Islamist fanatics led to dissimulation, deception, and denial on the part of former followers and ‘members’ regarding foreigners.

Rahmat Bāy, because they knew he had turned in his weapons. Similarly, the collection of *'ushr* and other taxes ceased because of problems with enforcement and the need for former commanders to legitimize using measures other than force in the mid to long term. With the ousting of the Taliban, the reshuffle of local positions, the subsequent formation of the transitional government, and the prospect of occupying government positions provided opportunities. In local parlance, commanders turned from being *ghairi rasmi* (without official status) to occupying *rasmi* (officially assigned) positions in the government administration (see section 7.3.2 for examples). Nevertheless, several of these formerly significant commanders secretly sustained armed groups. They had already revived training camps in their areas of influence and still possessed loyal commanders at the village level at the time of this field research (2006-2009).

Regarding the significance of conventional versus novel elders (including all types of commanders) from a representation perspective, the study found that the delegation function had become fragmented over time. In 2006-2009, conventional elders were largely disrespected by wealthy and otherwise power resource-endowed community members who could support their own causes and interests, such as the payment of money for justice (see 7.4). Subsequently, their general reputation suffered because of a visibly growing lack of enforcement capacities. As one respondent said, "Today elders are not respected if they have no money. In the past, if the handkerchiefs of elders were worn out, people would gift a new one for them. Now people laugh and make fun at the back of the elders."<sup>795</sup> Similarly, in the case of the make-shift aqueduct, the conventional elders of Sofi-Qarayetim ordered the *mirāb* Mas'ud to take care of it. This indicated that *mirāb* Mas'ud showed proper conduct towards the elders by saying he would take care of it, while behind their backs he followed his own interests and delayed the repair. He could allow himself this disrespect because he had been appointed against the initial interest of all other landowners by the novel elder and former commander Ahmad Shāh.

### 7.3.2 The mediation of local-state relations

The previous discussion demonstrates why some communities complained about not having 'good elders' in 2006-07. Beyond the intra-community affairs elaborated above, this related especially to local-state-relations where middlemen act as gatekeepers who mediate access to the local (that is, the district and partially the province) government and the mediators' grasp on local community members. In the local view, useful 'good elders' do have access to government departments and allow the community to benefit through development projects, such as the construction of roads, schools, clinics, and cash-for-work schemes for community members. Thus, lobbying, interest representation and advocacy aimed at the government and non-government actors constitute the middlemen's main tasks in addition to their involvement in conflict resolution. One group of middlemen (see Figure 2) includes elders on a broader scale, ex-commanders, and community-appointed position holders charged with the oversight of limited governance arenas and interaction with the local government administration (e.g., *mirāb*, *arbāb* and local forest guard). Elected deputies from the area constitute a second group, that is, Provincial

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<sup>795</sup> Interview, Qal'a-ye Zāl, 26 August 2006.

Council members and delegates to the Meshrāno Jirga. Furthermore, appointed officials are assigned to be in charge of any local community (CoP, district governor).<sup>796</sup>

I have shown for the cases of Pyu/Warsaj and Farkhār that elders (both conventional and novel) in some places have direct ties with position holders in the central government in Kabul (see Table 11 and Figure 9 below). The empirical analysis detected a striking difference in access to high-level government authorities in Warsaj and Farkhār versus Eshkamesh and Burka. The latter lacked access and ‘good’ elders from the local point of view. Similarly, in Asqalān, water users complained that they did not have ‘good elders’ in comparison with Chārdara, which was eventually indicated by the unequal number of projects and NGOs perceived to be directed to that area by the government.<sup>797</sup>

Table 11 presents a simplified overview of local communities’ accessibility to the government by the different districts of my field sites.<sup>798</sup>

**Table 11:** Access of natural resource user communities to government offices

NR-user communities in →	Qal’a-ye Zāl, Tarboz Guzar (Qal’a-ye Zāl)	Asqalān (Kunduz Markaz)	Sofi-Qarayetim (Chārdara)	Farkhār	Warsaj	Burka
District	-	+	+	+	+	-
Province	-		+	+	-	-
Kabul	+	-	±	++	++	-

Instead of aiming at a robust comparison, the table depicts basic differences in the connectedness of local communities to office bearers at different administrative levels. During my field research in Warsaj, I was able to trace cases in which a central government official and a Member of Parliament originating from the area were directly involved in local issues. One was the Pyu-Anjuman pasture conflict (see 6.2.1-c); the other incident occurred in the aftermath of a major landslide (see below). In the case of Farkhār, former local commander turned General Dāod, Deputy Interior Minister, was the overarching figure to which local people’s aspirations of access became connected (see below, section 7.3.2).

The connections of user communities in Qal’a-ye Zāl and Sofi-Qarayetim with Kabul are potentially established through representatives (*wakil*). Examples are the son of Wakil Akhtar of Qal’a-ye Zāl who became a member of the Meshrāno Jirga via delegation from the Provincial Council, and Faiz Umarkhēl of Qarayetim, who had no office at the time of

<sup>796</sup> An additional group of middlemen could be categorized as consisting of newly appointed local governance bodies, such as NSP-heads or heads of NRM-councils, WUGs/WUAs, etc. However, because of the broad-based hijacking of these positions by elders (section 6.1.3-b, also see Ch. 8) I refrain from including them as a separate category at this point.

<sup>797</sup> Interview, 11 June 2006. The NGO-dimension and representation will be dealt with separately in Ch. 8.

<sup>798</sup> Given the differences in user communities and density of my data, the table should not be taken as a basis of comparison in order to make statements about the state of representation and connectedness for all localities in the districts Qal’a-ye Zāl, Kunduz Markaz, Chārdara, Farkhār, Warsaj and Burka. Accordingly, it is not valid to say that Burka is the least connected and Chārdara and Farkhār the best connected because the quality of a (and possibly only a single) connection is much more significant than the existence of linkages to (office bearers at) all administrative levels.

this field research but has been (Constitutional) Loya Jirga deputy from Kunduz and elected chief of the Islamic Council of the People of Kunduz (*Shurā-ye Islāmi Mardum-e Kunduz*).<sup>799</sup> He failed to win a seat in parliament in the 2004 elections, but his influence stemmed from being the representative of Etehād-e Islāmi (Sayaf)<sup>800</sup> for the whole northeast of Afghanistan, the same party to which the Kunduz governor, Engineer Umār, also belonged. In addition to what I have already indicated in section 6.1.2-c (Figure 1) about the connections between Qarayetim-landowners and strongmen in official positions during the Taliban-administration in Kunduz,<sup>801</sup> the figures of Faiz and other Provincial Council members provide another insight into the mediation of local issues in the post-2004 period. When the NSP-program introduced a possible scope of activities in Qarayetim, but did not meet locals' prior needs, that is, the provision of electricity because of program limitations, their deputy reportedly lobbied the responsible government departments in Kabul to seek exceptional permission for using NSP-funds to provide electricity.<sup>802</sup>

Local community residents in Fulol/Burka and Qal'a-ye Zāl/Tarboz Guzar reportedly refrain from appealing to the district or even higher government authorities because of the high level of administrative corruption. These interviewees not only reported the lack of 'good elders', that is, local leaders not only with the authority (reputation and relations) to lobby at the district level for local causes, but also the financial means to bribe government officials. On the contrary, in Mashtān at the far end of Farkhār towards Warsaj, local residents were able to buy government positions to pursue their interests better.<sup>803</sup> The case study of the Pyu-Anjuman conflict (section 6.2.1-c) showed how expensive it could be to acquire the support of government officials.

I would like to take the example of Dāktar Muhamad and General Dāod to provide insight into the genesis of one part of the post-2001 government elites, specifically those connected to Ahmad Shāh Mas'ud and his Northern Alliance. Both Dāktar Muhamad and General Dāod are offspring of Mas'ud's hinterland (the upper part of Farkhār valley in today's Warsaj) and made post-2001 government careers after being high-level commanders throughout the 1990s. Figure 9 shows the main steps in their careers and the relations they had established by the time of the field research in 2006-07.

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<sup>799</sup> Faiz Umarkhēl was an important person during the decades of turmoil. Stemming from Qarayetim, he had been nominated to participate in the Rabāni Jirga, the Loya Jirga and the Constitutional Loya Jirga. Reportedly, the first joint intake of the Sofi-Qarayetim canal was built under his local commandership.

<sup>800</sup> Etehād-e Islāmi was one of the allied parties in the Northern Alliance. The Kunduz Governor Engineer Umār, hailing from Takhār/Tāluqān, belonged to Etehād-e Islāmi after he had been with Jam'iat-e Islāmi for a short period.

<sup>801</sup> Moreover, the special relations of Chārdara people with the Taliban administration (Figure 1) caused Pashtuns from Zulmābād at the head-end of the Qal'a-ye Zāl canal to move to Chārdara for the sake of security during the late 1990s when their *manteqa* had turned into one section of the frontline (Interview, Zulmābād, 23 August 2006).

<sup>802</sup> Interview with HJK, Qarayetim, 4 June 2006.

<sup>803</sup> In an interview they claimed to use earnings from renting out pastures in one valley for the bribes necessary to have their local strongman appointed in a government position (Interview, 25 September 2006).



interpreted as a showdown between Dāod and Dāktar Muhamad, who were considered rivals. Reportedly, it ended in a standoff because after several weeks in which his local followers staged regular demonstrations, Saifullah was said to have been reinstated in his post; moreover, it was assumed that Dāod had lobbied intensively for him at upper administrative levels.

Dāktar Muhamad hails from a respected, landed family of *wakil* from Ashku, a small settlement in the Taresht valley (Warsaj). His father, Muhamad Ayub Khān, and his brother, Wakil Tura, had enjoyed close relations with the former King Zāher Shāh and the pre-revolutionary governments in Kabul. With the coup d'état and the formation of resistance combat units against the Soviet and Afghan armies, Dāktar Muhamad was reportedly one of the first figures to run a military base (station) in Warsaj before the first arrival of Ahmad Shāh Mas'ud in the area in the 1980s and the latter's subsequent build-up of Warsaj and Farkhār as the hinterland of his main military base and retreat center. At the time of Ahmad Shāh Mas'ud's stay in Warsaj, Dāktar Muhamad was first made district *amir* and was subsequently sent to Peshawar as the representative of Takhār province. When the Taliban forces approached Takhār, he is said to have fled with his family to Iran. Under the transitional government, he was initially appointed Afghanistan's Ambassador in Iran and reportedly used his office to enroll 18 students from Taresht in Iranian higher-education institutions. A brief posting as Minister of Education in Kabul followed before he was appointed head of IARCSC with the first full establishment of the Government of Afghanistan after the Presidential elections in October 2004.<sup>807</sup>

Through an extensive network of family and marriage relations, Dāktar Muhamad established a solid base of loyal followers throughout Warsaj. His position allowed him to strengthen these relations by placing some of his relatives in government posts. The number and density of positions in Warsaj and Farkhār assigned to members of his personal network and close relatives is striking. Also from Ashku, his cousin was appointed CoP Warsaj in 2005 and was succeeded by Dāktar Muhamad's nephew after the former was promoted to Head of the Criminal Investigation Department in Tāluqān in April 2007. A second nephew was in charge of the MRRD line ministry in Warsaj from 2005, a position that otherwise did not exist at the district level.

In the parliamentary elections in 2005, of the four candidates from Warsaj, three were related by family to Dāktar Muhamad (see Figure 9). However, only one, Shirin Bāy, who in the end succeeded in winning a seat, was supported by him. Everybody who did not support Shirin Bāy during his election campaign was actively sanctioned against at the time of this field research, reportedly entire villages fell out of favor. Dr Yaqub, a physician who made a name for himself by helping people in his district and whose sister had married Dāktar Muhamad's grandson, was opposed because he dared to run in the election against the candidate patronized by Dāktar Muhamad. Similarly, Anwar Khān, the husband of Dāktar Muhamad's sister, also residing in Ashku and one of the major commanders with a base station under Dāktar Muhamad before Ahmad Shāh Mas'ud's arrival, had a strained relationship with the head of the family. Both Anwar Khān and

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<sup>807</sup> Dāktar Muhamad is still in this office at the time of writing (2010). That he was also appointed chief of the Anti-Corruption Task Force in 2006 does not conflict with his position as an official in IARCSC.

Shirin Bāy had subsequently been CoPs in Warsaj at the time of Ahmad Shāh Mas'ud. Also hailing from Ashku, the fourth Wolesi Jirga election candidate, Mawlānā Jār Muhammad, had been district governor in Warsaj in the same period. His candidacy was supported and reportedly entirely financed by Yonus Qānoni,<sup>808</sup> a big figure in Jam'iat-e Islāmi and the Northern Alliance who was elected speaker of the new parliament (Wolesi Jirga) in 2005.

The involvement of Shirin Bāy and Dāktar Muhammad in the mediation of the Pyu-Anjuman pasture conflict at the Kabul level was discussed in section 6.2.1-c, where I showed that the provincial administration was entirely left out in this case, and local people directly activated their ties with patrons in the national administration and parliament to lobby on their behalf. In April 2007, in a similar case, a major landslide occurred in a Taresht village, washing away the road, homes and the mosque. Villagers then called Dāktar Muhammad via satellite phone to request help. Subsequently he ordered a bulldozer from an Indian construction company that was hired to construct the main road between Tāluqān and Farkhār to be sent to the village and start the clearing-up operation.

Dāod was said to have good personal relations with Anwar Khān, Dāktar Muhammad's brother-in-law, and Mawlānā Jār Muhammad. However, because Anwar Khān's relationship with Dāktar Muhammad had soured (for unknown reasons), he was not well esteemed by the local population. He was said to be bad tempered and had been involved in a major fraud with the NSP money allocated to his cluster (*hawza*) in 2006. In contrast to Dāktar Muhammad, Dāod made a career from being driver of Dr Hussain in Farkhār to becoming district-level commander in 1996 (1375). He was one of the main sub-commanders of Ahmad Shāh Mas'ud's Northern Alliance fighting the Taliban in the area (see Ch. 1). According to local accounts he became 'famous' when he gave BBC interviews during his efforts of fighting the Taliban on the way from Tāluqān to Kunduz after 11 September 2001. Following the logic already explicated above, he was subsequently rewarded with the post of CoP in Kunduz and in 2007 was elevated to Deputy Interior Minister Counter Narcotics. This position allowed him to undertake rent-seeking activities and sponsor several clients, such as his former sub-commanders, the most obvious cases of which are presented in Figure 9. Besides Saifullah, the CoP of Farkhār, one of Dāod's former sub-commanders (SC 1) from Kerāni (Farkhār), was appointed to the lucrative post of Chief of Border Police in Shēr Khān Bandar, the border crossing and custom station to Tajikistan. A second sub-commander (SC-2) became the appointed head of criminal police in Kunduz; a third (SC-3), brother of the former and a Hezb-e Islāmi renegade in Jam'iat, served as governor in Parwān. Finally, the former commander from upper Mashtān (SC-4) was posted as CoP of Badakhshān and Ghor province. Among the lower-level clients of Dāod and his sub-commanders, many were employed in government offices of the security and anti-narcotics forces. In a group interview, respondents provided anecdotal evidence that a co-villager who was employed in the provincial anti-narcotics unit in Tāluqān (*Riyāsat-e*

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<sup>808</sup> Yonus Qānoni, a Panjshiri and close comrade of Ahmad Shāh Mas'ud, became political head of Jam'iat-e Islāmi after Ahmad Shāh Mas'ud's assassination on 10 September 2001. He had initially been appointed Interior Minister in the transitional government after the Bonn conference in 2001, but then served as special adviser on security and as Minister of Education before being elected to the Wolesi Jirga and becoming Speaker of Parliament. See also Adamec (2006: 315).

*mubāreza* ‘*alaye mawād-e muhader*) helped the community with 20,000 Afs to fix the motor of the hydropower installation after he received a substantial bribe from a drug-trader.<sup>809</sup>

Both Dāktar Muhamad and Dāod were usually called ‘our big elders (in the government)’ by the interviewees, suggesting that they had established favorable patron-client relations with their loyalists among the local population. Because interviewees in Warsaj and Farkhār were proud to have resisted Soviet and Taliban attempts to penetrate their area, they generally disguised animosities between party followers at the local level as well as the exploitation and fostering of family feuds under the umbrella of party-differences.<sup>810</sup> Only a few respondents mentioned that, for example, Dāktar Muhamad was a ‘big butcher’ (*sarkush*) and complained that justice could never materialize in post-2001 Afghanistan, given that all the *jihadi* commanders would now be occupying government posts.<sup>811</sup> Such statements are reminders of the commonplace insight that alliances and networks are often selective and only benefit those who have ‘good relationships’ with an influential figure. Nevertheless, organized resistance at the community level offered ordinary peasants and young men (e.g., Dāod, Anwar Khān) opportunities to advance their social status and earn respect based on their ‘ordering’ influence, that is, their rule-setting and enforcement capacities. These included military strategic successes and the successful running of the local para-military administration.<sup>812</sup> In addition, Dāod was said to have had the talent to unite brawlers and mediate different factions of commanders as well. The case of the Khuram Āb commanders of the upper and lower village is an illustrative point (see section 6.2.1-c).

The data collected in all the cases explicated in this subchapter revealed that local access to government departments and offices is largely dependent on personalized relationships with government office holders. After 2001, the population in Warsaj and Farkhār benefitted from the Jam’iat- and Northern Alliance connection of their former commanders, because of their above-average representation in government positions. In Burka and the districts of Kunduz that were investigated in this study, single figures with the ‘right’ affiliation (e.g., Faiz Umarkhēl and Ahmad Shāh) qualify as patrons, but are

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<sup>809</sup> Interview Anuy, 14 April 2007. The example of the anti-narcotics department employee represents a typical pattern of how former commanders’ clients have been provided jobs that offer the opportunity to earn a great deal of money. In this case, the regular salary of the person amounted to 3,000 Afs (US\$60) per month. However, bribes would sometimes allow the employee to earn US\$60-70,000 in a single month. Thus, not surprisingly, most of the former sub-commanders throughout both districts possessed landed property in Tāluqān. See also the backgrounds of elders in Pyu (section 6.2.1-c).

<sup>810</sup> The differences and turf wars between Jam’iat-e Islāmi and Hezb-e Islāmi (Gulb’udin Hekmatyār) loyalists led to Mas’ud entrance into the local political arena whereupon he had many of the Hezb-e Islāmi commanders systematically murdered after inviting them under the pretext of personal talks (Interviews, 9-11 October 2006).

<sup>811</sup> Interview Heyut/Miyānshahr (Warsaj), 12 April 2007.

<sup>812</sup> During the period when Ahmad Shāh Mas’ud took refuge in Warsaj and Farkhār and organized the resistance from there, he established a para-military administration in four *hawza* (Markaz, Miyānshahr, Qawnduz, and Taresht) with quasi-governmental functions. Not only did the already mentioned registration of local positions, such as roadkeeper, take place, but Mas’ud also had schools, health stations and roads (to Khost-u Fereng) built. Many respondents – although likely biased – claimed that he was the first to have local people benefit from the idea of ‘government’ (Interviews Andruy/Anuy, 14 April 2007).



comparably less influential than former commanders from Warsaj and Farkhār.<sup>813</sup> However, those communities without enough elders with higher-up patrons are disadvantaged and can compensate their lack of access only by money (bribes). The venality of government officers, as demonstrated in the cases of Pyu (6.2.1-c) and of district officials in Qal'a-ye Zāl, Farkhār and Warsaj,<sup>814</sup> in addition to the vested interests of the CoP, forest guard, and agricultural extension officer in Burka (6.2.2-a), indicates that financial resources are an important precondition for interest representation at any administrative level. At the same time, ordinary residents expressed a high degree of dissatisfaction with this type of administrative corruption. Even if somebody chose to refer to the government for assistance in a dispute resolution case or similar event, without prior consultation of local elders, the district authorities would usually send a policeman who himself would charge 100 Afs for the return trip.<sup>815</sup>

There is no difference in the relation of local communities with elected deputies versus appointed government officials, except for the disappointment that many of the former's members expressed about their failed expectations of deputies. "Our *wakil* sold us..." was the response of residents in Qal'a-ye Zāl, "...he had promised to construct the road and bridges. Now he is residing in Kabul most of the time and gets a salary in dollars. He does not remember his promises. Our *wakil* sold us."<sup>816</sup>

#### 7.4 The ambiguity of legitimacy: Norm pluralism, forum shopping, uncertainty

The previous discussion might lead to the somewhat simplified conclusion that 'traditional' representatives lost significance and that legitimacy of government representatives and middlemen (conventional and novel elders) was largely forfeited. They either could not live up to the expectations of their constituency or increasing distrust and doubts regarding their motives and honesty had surfaced (section 6.2.1-c, Chs. 7.1 and 7.3). However, a closer look at the resources and effects of the observed trends reveals several ambiguities connected with legitimacy and the underlying exercise of power.

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<sup>813</sup> Against this backdrop, this study adds valuable empirical insights for understanding the structure of government-making during the interim and transitional government phases after 2001. It helps to understand not only that the top-placement of government officials (usually the vice-president and the heads of ministries) who were recruited from the so-called Panjshiri faction of the Northern Alliance, but also that Farkhār and Warsaj were significant as zones of refuge and training for Mas'ud's forces and the close network of allies he had built up in the area and which helped his military success. One could conclude that Warsaj and Farkhār served as recruiting source for second and third tier positions, e.g., the level of Deputy Ministers, task forces and independent government commissions. The superficial tracing of a few branches of the network between the local and government levels illustrates the penetration of patron-client ties to the community level in the areas of this research and proves the close interconnectedness of putative 'state' and 'society' structures. See subchapters 7.5 and 9.2 for further elaboration.

<sup>814</sup> This refers to cases reported by interviewees, e.g., the taxing of *kochi* for pasture usage while claiming to act on behalf of the local pasture user community, and in parallel, the taxing of earnings by local communities for renting out their pastures. Several respondents in the districts of Kunduz stressed that they would only see the point of referring to the Kunduz ID if they knew they could get access: "You only go there if you have access and know somebody." (Interview 7 May 2006).

<sup>815</sup> Evidence was provided from Qal'a-ye Zāl and Warsaj (Interviews 26 August 2006, 14 April 2007).

<sup>816</sup> Interview, Qal'a-ye Zāl, 26 August 2006.

Legitimacy has been defined in Chapter 2.2 as having two sides: legitimation is the attempt at, or process of claim-making and enforcement on the one hand, and on the other hand, the acknowledgement and acceptance of the respective claim. The latter reflects the belief in the rightfulness of a certain order, that is, the authority roles (claim to establish and occupy unequal positions) characteristic of a particular order, its incumbents (the enforcement of the claim), and their commands and actions (Uphoff 1989: 312). However, the empirical examples given throughout Chapter 6 showed that several normative orders are utilized in order to validate a certain social action or claim to authority. In practice, these normative frameworks include mainly two dimensions: customary law (if argued from a legal pluralism-perspective) and sharia, that is, Islamic law.<sup>817</sup> I have discussed the role of largely absent statutory law in regulating the usage of different environmental resources.<sup>818</sup> However, the prevalence of ‘legal pluralism’ in the narrow sense of its meaning is limited.<sup>819</sup> Nevertheless, what matters are perceptions and ideas, such as the potentiality of government administration. This is captured by the observation that even though the state is not necessarily viewed as legitimate and although it is not endowed with the powers to (re-)distribute any resources to the wider public, it certainly is perceived as being able to provide legitimacy to individual office bearers (administrative legitimacy, see below). In this context and given that legitimacy does underlie the exercise of power and the degree of authority depends largely on the degree of legitimacy, the heuristically more significant question concerns who can validly claim to define what is legal, ‘right’ and ‘proper’ and what is not (power of interpretation and definition) by relying on which resources.

The empirical insights presented in the previous chapters have led me to adopt the idea of a ‘fluid’ legitimacy of position holders on a continuum between two poles: full-fledged legitimacy and the withholding of legitimacy (see Table 12 below).<sup>820</sup> The transitory space is a two-way (but never exclusively one-directional) incremental process of forfeiting or increasing legitimacy in the eyes of the populace. For the purposes of analysis, I distinguish an in-between extent of the legitimacy of local governance actors as ‘mere conformity’ with their representatives and those respective actions. It means that the belief in the rightfulness of an incumbent to occupy a certain position or the rightfulness of his actions is for some reason shattered. Thus, I suggest a distinction between moral versus administrative authority.<sup>821</sup> In the case of the ‘mere conformity’ by people towards

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<sup>817</sup> Islam as practiced in everyday lives in the research region, that is, folk Islam, would include both custom and *shari’at* for decision-making or dispute resolution.

<sup>818</sup> Likewise, international law does not play any role in everyday social interactions at the local level. However, international concepts and ideas, such as IWRM, have some repercussions given their guidance of local NRM-projects.

<sup>819</sup> I speak of ‘norm pluralism’ for this reason.

<sup>820</sup> Needless to say, legitimacy is always a question of perspective. That something, an act, or somebody is considered legitimate always implies that there is a contrary view. From a different perspective, the same thing, person, or act could be considered illegitimate. See Ch. 2.2.3 for a theoretical elaboration of this point. In addition, whether or not some claim, relation, or act is ‘legal’ determines who has the right to exercise political control over people and resources, such as land, forest, and water in order to draw economic benefit from them.

<sup>821</sup> I derived this distinction from the empirical data.

political leaders at the local level, one of the two types of authority is missing.<sup>822</sup> However, given the power resources available to the actors or leaders in question, the complete withholding of legitimacy is not an option for the population. For example, a corrupt government (represented by its venal local officials) usually loses its moral authority among those suffering from injustices because of the venality of individual position holders. However, administrative authority (resting on the fear of sanctions in case of contestation, even though that sanction is likely to be derived only from the relation network of the position holder) still exists and discourages open contestation of the government's (including its office-holders) legitimacy. The table depicts an attempt to map the changes with regard to the legitimacy of different actors in local politics in the research sites from before 1978 until 2009. It is based on emic perceptions I documented at the different field sites and summarizes several findings from the empirical analysis.

**Table 12:** Change in legitimacy of different local governance actors over time

	Full legitimacy	Mere conformity	Withholding of legitimacy
<b>&lt;1978</b>	King Zāher Shāh <i>arbāb</i> , mullah local elders (,traditional' elite)	government representatives (district administration)	
<b>,revolution'</b>	,good' <i>qomāndān</i> , <i>sar-e grop</i> , <i>amir</i> <b>mullah</b>		<b>government representatives</b> ,bad' <i>qomāndān</i>
<b>,mujahedin'</b>	,good' <i>qomāndān-e mahalli</i> <b>mullah</b>	,bad' <i>qomāndān</i>	<b>government representatives</b>
<b>Taliban</b>	,good' <i>qomāndān-e mahalli</i> <b>mullah</b>		<b>government representatives</b>
<b>2002-2009</b>	,good' elders ,good' <i>qomāndān</i>	<b>government representatives</b> <b>mullah</b> <i>arbāb</i> ,bad' <i>qomāndān</i>	former ,bad' <i>qomāndān</i> , <i>sar-e grop</i> , <i>amir</i> etc. (who submitted weapons in DDR process)

Table 12 not only shows the changing degrees of legitimacy that the listed types of actors enjoyed at different periods over the last 30 years but also reveals basic emic normative

<sup>822</sup> Consequently, full legitimacy is constituted by the prevalence of both administrative/'structural' and moral authority. The former refers not only to 'government-imposed' legitimacy (what corresponds more or less to Max Weber's ideal form of rational-legal authority) but also to customary ('traditional', traditional-legal) and 'charismatic' authority, as the examples in the column demonstrate. Thus, the sources of individual position holders' authority/power as members of the local governance 'elite' play a crucial role in determining their ability to exercise power and to benefit from access to resources. For example, the authority of King Zāher Shāh – and of local mullahs, and traditional elders and elites (*eshān*, *sayed*, *mir*) in the period before 1978 – largely relied on the then common belief in divine authority, which encompassed both the moral and the administrative/structural dimension.

distinctions in different actor categories, such as the ‘good’ versus ‘bad’ commanders, mujahedin and elders.<sup>823</sup>

In the words of Sofī Ghulām Nabi,<sup>824</sup> which are representative of other accounts collected throughout the field research, a ‘good’ commander is one “who has not bothered people and not taken property by force. Bad commanders are those who have disturbed people and arbitrarily harassed and punished them.”<sup>825</sup> Fazl Jān added regarding the authority of a commander, “Each mosque had one commander who was like a king. If you lost something or if you needed something, you would appeal to the commander, the king. He could do anything he wanted. When you went and opened the offtake, the commander caught you, beat you and fined 5,000 Afs. If the *mirāb* complained to him about anybody, he got hold of this person and imposed these same punishments. Such a commander was considered bad.”<sup>826</sup> Similarly, several interviewees normatively disqualified the behavior of ‘bad’ commanders by mentioning that they kill people’s sons and take ‘*ushr*’ by force. Thus, the disregard and disrespect for people’s property, lives, and privacy can be summarized to characterize a ‘bad’ commander. “Good commanders still have the power; they are still the elders of the people. They have *salāhiyat*.”<sup>827</sup>

Judging from the interview responses and several focused discussions throughout my stay in Afghanistan, the meaning of *salāhiyat* is ambiguous. In the local realm, it can best be described as moral authority, although recently an official dimension seems to have been added, shifting its content towards ‘legitimate authority’, that is, authority relying on at least on one type of legitimacy (moral or administrative/structural legitimacy) as iterated in Table 12. For example, whereas before 1978, the king as an abstract idea with assumed divine powers/origin<sup>828</sup> was said to have had *salāhiyat*, today’s government is somewhat automatically assigned *salāhiyat* because of the existence of its polity,<sup>829</sup> the constitution, and the government incumbents’ assumed powers, including their abilities to derive benefit from their respective individual positions. The moral dimension, which I argue was

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<sup>823</sup> Note that according to the logic examined so far in this study (especially in 7.3), elders are not listed in the revolution, mujahedin and Taliban-periods because of the negligible significance of their authority in their roles as elders in these years. As pointed out above, they became commanders (at various scales) who largely took over the tasks and functions of classical elders.

<sup>824</sup> See section 6.1.1. Sofī Ghulām Nabi had six brothers; one of them was *amir* for several years during the mujahedin-period. A second brother, who fought in the resistance against the Soviet occupation, was killed after less than two years, and Sofī then inherited the commander-position (“People appointed Sofī commander”, stated by Fazl Jān in interview with Sofī Ghulām Nabi and Fazl Jān, Asqalān, 25 July 2006). Sofī held the position for 12 years until Sebghatullah Mujadedi became interim President for two months in 1992: “When Mujadedi came to power I put my guns in the ground and started farming” (Sofī Ghulām Nabi, *ibid.*).

<sup>825</sup> *Ibid.*

<sup>826</sup> *Ibid.*

<sup>827</sup> Words of Sofī Ghulām Nabi (*ibid.*).

<sup>828</sup> See Olesen (1995) for an excellent overview of the relationship between ideology/Islam and the state in Afghanistan since 1880. Based on Islam, Abd’ur Rahmān Khān presented himself as a God-entrusted *amir* deriving and needing legitimacy only from Him. Although this mode of legitimation definitely shifted under successive governments starting with Amanullah (1919-1929), from the point of view of rural dwellers, Zāher Shāh still possessed much of this divine, i.e., moral authority.

<sup>829</sup> Polity here refers to the totality of the system of authority, that is, governmental structures (organizational hierarchy) and authority roles (offices).

important in the past, mainly signified respect (*ehterām*). This can be detected in the authority that reportedly used to be assigned to community actors, such as ‘traditional’ *arbāb*<sup>830</sup> and *mirāb*. Accordingly, one *mirāb* could tie up 20 persons and deliver them from the remotest village to the district administration if need be. Nobody would have dared to resist his order.<sup>831</sup> Similarly, a mullah would always have been described as having *salāhiyat* because he represents Islam.

The concept of *salāhiyat* is closely connected to *qudrat*, which is best translated as power understood as the product of a combination of different resources.<sup>832</sup> *Qudrat* designates authority that is taken based on the endowment with certain resources but not necessarily legitimated through consent. *Salāhiyat* can exist without *qudrat* according to the traditional understanding that it simply signifies the moral authority assigned to a person by external forces (divinity) or the belief in the competence of the person to whom people ascribe *salāhiyat* thereby imparting legitimacy and authority that does not need other power resources. *Qudrat* can likewise exist without *salāhiyat* because it can rely on a variety of combinations of resources, only one of which could essentially be authoritative. Compared to the past, today *salāhiyat* in its extended meaning with the prevalence of moral, administrative and structural authority is furthered by *qudrat* (different power resources). Subsequently, full legitimacy could only be deduced in the empirical cases in which the actors enjoyed both *qudrat* and *salāhiyat*. In the period when this fieldwork was conducted, the actors who came closest to the ideal embodiment of both dimensions of legitimacy were the so-called ‘good’ elders and ‘good’ commanders, as Table 12 shows. During the time of the revolution all types of resistance fighters fit into this category; they were succeeded by only ‘good’ commanders at the time of the mujahedin and the Taliban. The slight positional shift in the legitimacy of the ‘good elders’ and ‘good commanders’ during 2001-2009 towards ‘mere conformity’ takes into account the detected loss of influence and authority of conventional and new elders (including commanders), even the ‘good’ kind as elaborated throughout this study (especially in section 6.1.2-c, Chs. 7.1-7.3). ‘Bad’ commanders had to be endured during the first half of the 1990s once the resistance fighting transformed into a war between local commanders allied with different parties and the so-called warlords at the sub-national level. People’s conformity with ‘bad’ commanders was caused by the commanders’ exercise of structural authority based on threats of force, which allowed the potential arbitrary violent subjugation of the local populace.<sup>833</sup> After the DDR-process started in 2003, this situation changed in many cases when former commanders turned in their weapons and therefore their main means of

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<sup>830</sup> The examples in which respondents described the omnipotent powers of the *arbāb* were all collected in communities that used to have ‘traditional’ *arbāb*, i.e., where a respected elder or leader of the extended family/*qawm* was charged with acting on behalf of ‘his people’ as a middleman for the local government administration.

<sup>831</sup> Interviews, 20 July 2006, 27 August 2006. Similar stories were reported about *arbāb*, e.g., in interviews on 26 May 2006 and 11 June 2006, and about armed guards (*askar*), e.g., interview with Hāji Jum’a Khān, 4 June 2006.

<sup>832</sup> The local notion of ‘*qudrat*’ encompasses descriptive/factual content, i.e., of factors, which according to the elaborations in Chapter 2, could be understood as power resources. Thus, *qudrat* does not capture the exercise of power.

<sup>833</sup> Including the forced recruitment of sons, forced ‘*ushr*’ collection (partly arbitrary amounts), illegal land grabbing and arbitrary violence as described above.

deterrence according to the point of view of ordinary people (see section 6.1.2-c, Ch. 7.3.2).<sup>834</sup>

As far as religious authorities (*mullā emām, mawlawi*)<sup>835</sup> at the community level are concerned, the data analysis also showed a trend to loss of authority and legitimacy in most parts of my study region.<sup>836</sup> The traditional moral authority (*salāhiyat*) that religious actors had been endowed with before the revolution period and the initial confirmation of their legitimacy because of their role in the jihad and their declaration that the Soviet intervention was directed against Islam disintegrated in the subsequent decade after withdrawal of the Soviet forces. I could not detect a particular increase in the acceptance of the moral authority of religious actors during the years of Taliban rule in the Kunduz districts. Instead, the common narrative of ordinary people reiterated that they blamed the mullah and *mawlawi* for deceiving them into jihad and a war from which none of them profited except for few persons who also used religion to legitimate their own enrichment at the expense of the larger share of the population. Ordinary rural dwellers found themselves only the foot soldiers of commanders.

Another trend discernible in my data analysis was that *salāhiyat* has increasingly become related to wealth, however from a distinct perspective (that is, ‘top-down’ directed towards ordinary people, not their outlook). For example, some interviewees stated that in the eyes of the government the landowner would have *salāhiyat*, not the sharecropper. Similarly, in line with the venality described above, a common narrative stressed that government officials would respect only individuals with money.<sup>837</sup> These observations added a certain ambiguity to the concept of *salāhiyat* as moral authority. From an outsider’s point of view, one could conclude that the concept has become hollow and corrupted. However, this perspective should not be rendered insignificant because ordinary individuals give *salāhiyat*, meaning they assign certain actors different degrees of legitimacy because of moral authority, whereas government position holders discern only materially endowed persons and offer them a kind of *salāhiyat* that enables the former to deal with the government and influence its members according to their needs. In contrast, ordinary, poor persons were labeled supplicants (*darbadar*).<sup>838</sup> In short, this reportedly meant that people without money or material wealth would neither be able to irrigate their fields nor enjoy

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<sup>834</sup> Not everyone submitted their arsenal. Many former commanders (at different scales) kept their armory and – more importantly – their followers, partly by integrating them into regular combat and security forces of the government, i.e., the police (Afghan National Police, ANP) and Afghan National Army (ANA), partly by maintaining secret training camps.

<sup>835</sup> In Table 12 all community-based religious authorities are captured by the term mullah because of limited space.

<sup>836</sup> It is hard to generalize in the case of religious actors because piety, habitual respect towards the moral authority of Islam (folk Islam, see Ch. 4.1.3), and the different degrees of importance the investigated communities gave Islamic scholarship does not allow coherent conclusions. For example, as a marked exception, I reported that some communities in Warsaj have a substantial number of mullahs who had been educated in Pakistani *madrasa*, and who at the time of the field research have already, because of their disproportionate numbers (the rest of the male population was largely absent because they were labor migrants in Iranian cities) suppressed folk Islamic traditions claiming full moral authority by their knowledge of ‘true Islam’ (see 7.3.1).

<sup>837</sup> Interview, Qal’a-ye Zāl, 26 August 2006.

<sup>838</sup> Interviews, 11 June 2006, 13 May 2007.

any esteem by position holders and organs of justice and the law. Put differently, they would not have competence, because nobody assigned them legitimate authority.

After legitimacy was withheld from government representatives throughout my study area during the 1980s and most of the 1990s, they were met with due conformity because a formal governmental structure was established and individual position holders relied on other power resources. However, the relationship between the rural population and the government was paradoxical. On the one hand, the expectations placed on the government were immense. They extended from technical and welfare assistance (e.g., machinery, price checks for fertilizer and petrol, agricultural loans, provision of development infrastructure like schools, hospitals, clean drinking water, employment, etc.) to the claim of elite figures to be provided with a government job after they had been unsuccessful in parliamentary or provincial council elections.<sup>839</sup> The non-performance of the government because it lacked capacities, such as personnel and a budget, and the large-scale venality of its representatives diminished its legitimacy. Nevertheless, as the following example of Taresht, the home area of Dāktar Muhamad (see 7.3.2), shows, the intersection of multiple loyalties and feelings of belonging and identity ensured habitual support for rural elites. One respondent stated, “Dāktar Muhamad does not do anything for us people here, though he must know how we live”, emphasizing in the next sentence that locals are too proud to appeal to him and to ask for assistance (“*mā mardum-e nangistēm*”; literally: we are honorable people and deserve respect), yet, “in case he should need us we will be there and support him”.<sup>840</sup> Underlying this paradox is habitual loyalty, which fuels political credit, despite the fact that the normative expectations of the people are not met. They complain about injustice and *jihadi* commanders in the government as well as all kinds of administrative corruption, while at the same time they consciously attempt to amend their own positions in this set-up. One such similarly dubious strategy has been identified as collective position buying in Mashtān, where the community felt they lacked ‘good elders’, that is, access to governmental resources. They subsequently collected enough money to buy the way of a person from their community into a government position (see 7.3). The second and most commonly applied alternative is the strategic maintenance of personal network relations with persons who control access to resources, according to the logic that many individuals and communities have no other option but to maintain access through those who hold bundled power resources and thus exercise control.

I have elaborated on actors’ legitimacy patterns from the perspective of the authority that the average population assigns to its representatives and agents of local governance. I will now focus on the legitimation of the actions ordinary members of rural society employ. In this regard, the empirical data showed two main arenas of social action with distinct justification patterns. One concerns the mediation and settlement of disputes; the second involves the distribution, use and exclusion patterns in natural resource usage, that is, resource access. In both arenas, both individual users and entire user communities can revert to several sources of legitimacy. As mentioned at the beginning of this subchapter,

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<sup>839</sup> Interview, Kunduz, 5 June 2006.

<sup>840</sup> Interview, Warsaj, 4 April 2007.

theoretically three coexisting normative sources can be identified: the Islamic law-system sharia, customary norms,<sup>841</sup> and statutory law.

However, even sharia law cannot be considered an unequivocal legal source because of the limited knowledge that ordinary Islamic clerics possess. At the community level, the average rural mullah in my study area<sup>842</sup> was not literate in Arabic<sup>843</sup>; Islamic knowledge was disseminated based on the customary interpretation, common sense, and credibility generated by degrees of authority religious figures traditionally enjoyed. As the example of Pyu showed, putative Islamic competence put Mawlawi Nikmat into an uncomfortable position because his interpretation of a solution to the Pyu-Anjuman conflict did not hold and was contested by conflict mediation authorities and norms (e.g., lobbying government representatives embodying administrative authority with an assumed backing of their action by a statutory legal framework). Other cases, especially family conflicts, have been reported, in which a local religious figure would be consulted for his opinion by the mediating elders. However, as elaborated in Chapter 7.2, with the tendency of conflicting parties to contest an elders' verdict and appeal instead to the district administration, religious law was no longer considered binding. Thus, on the one hand, the limited knowledge of sharia law leaves space for ambiguous customary interpretations and dispute settlements. On the other hand, and in addition to the former, the awareness that religious actors have forfeited moral authority has furthered the attraction of alternative normative frameworks. Moreover, not only has it raised awareness among ordinary people, but also and most important among those potentially able to buy justice, it has fostered the existence of a kind of legal pluralism (in the broad sense of plural normative interpretations).

In the case of statutory law, the situation is also ambivalent. I have shown that the validity and application of statutory law depends on the personal interests of any office holder, whether he is working for the collective benefit or following his own personal interests. Furthermore, over the period discussed in this study, different governmental regimes and partial regional and localized rule dominated. As a result, one regime often questioned the validity of the previous regime's legal framework and made decisions (e.g., the ruling in property and rights cases) according to self-serving interpretations and newly issued regulations of law. The effects were evident in contesting property documents for land at the time of this field research. The prevalence of *'urufi*-type documents and connected ambiguities (see section 6.1.2-b) add another dimension to the complex multiplicity of reference systems.

The literature on legal pluralism (e.g., Benda-Beckmann, F. 2001; Benda-Beckmann, K. 1981) has coined the term 'forum shopping' to describe the activity of some actors in selecting the arena of law, custom, or convention that will favor their objectives. However,

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<sup>841</sup> Although throughout Afghanistan customary norms may vary widely depending on location and cultural background (e.g., origin, sect, and ethnicity of the social group in question; possibly also the history of power changes), no major differences and subsequent effects of governance were discernible in the research region.

<sup>842</sup> The above-mentioned exceptions for several communities in Warsaj and to lesser extent in Farkhār apply.

<sup>843</sup> Arabic is the language of the Koran and is read and reiterated by the majority of the Afghan population, including its ordinary religious establishment, often without knowing the meaning of the words. The decade-long violent conflict and illiteracy can be assumed to underlie this gap in knowledge.



my data indicated that the idea of forum shopping is related not only to the existence of multiple coexisting legal systems and their interconnections but also the demand by different arenas for different sources of legitimacy or ‘legal forums’. Examples are the distinct jurisdiction of criminal cases versus water rights and contested natural resource distribution cases (7.1). Although the former lies with statutory law, because of the lack of resources and competence (administrative authority with little power-resources to rely on) it will usually be referred back to a community elders’ council (*shurā, jirga, jalsa*). Furthermore, the demonstrated flexibility of customary rules for irrigation water allocation (6.1.1-6.1.4), the coexistence of government-initiated rules for fuel withdrawal, locally additional appointed forest guards, and the annual re-definition of pasture usage indicate that a high degree of negotiation and brokerage is involved in the local governance of natural resources. Nevertheless, as I have shown, the outcome of such bargaining and negotiations as well as local customary law and applied interpretations of Islamic law more often than not support local elites endowed with power resources and authority. Power resources are used to legitimize unequal access and deviance. Hence, benefits are derived from resource access facilitated by the de-facto structural power relations, without necessarily having a legitimate right.

Furthermore, the empirical data also showed that rural elites get away with far higher levels of nonconformity with local laws in comparison with individuals who are less endowed with power resources. I want to argue that this situation can be viewed as a structural deprivation of the majority of rural dwellers who are relatively less empowered. The subjection is largely habitual and is hardly ever contested. Indeed, the research revealed a variety of subconscious strategies rural dwellers employed to justify the inequality of access and their own conformity with it. The shift in meaning of *salāhiyat* is one indicator. A second indicator is the acceptance of place-based rights to irrigation water for upstream farmers (7.1) despite local norms condemning water theft from downstream cultivators (6.1). A narrative frame employed to mitigate this injustice was the claimed observation that the worm pest that had befallen the melon crop in 2006-07, had spread only to the fields of water thieves.<sup>844</sup>

A related type of conformity could be understood by the notion of ritualism (see Ch. 2.3). A case in point is the ‘praying for the *mirāb*’-practice that was observed in Qarayatin in 2006. Ahmad Shāh enforced the appointment of the *mirāb* against the will of every other elder (6.1.2). It shows, on the one hand, how a ritual can be used to manipulate decision-making processes even among the rural elites. On the other hand, the example highlights the strategic usage of Islam for the enforcement of individual agendas to achieve the compliance of others with these subjective aims. It supports my earlier finding that diminished moral authority is attached to Islam and qualifies it as source of authority and power. Religious authority was used discursively in various instances to support normative attitudes. For example, diverse resource users stressed the importance of having a ‘good Muslim’ appointed as *mirāb* or forest guard. However, ‘good’ commanders were never associated with being ‘Muslim’. Instead they were assigned the characteristic of humanity determining their conduct.<sup>845</sup> The moral authority of Islamic values and local mullah lost

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<sup>844</sup> Reported in several interviews, e.g., Chārdara, 11 June 2006.

<sup>845</sup> Interview in Deh-e Zārān/Miyānshahr, 10 April 2007.

regularly when it came to justifying resource depletion and progressing erosion caused by pasture overuse and extensive fuel exploitation. Thus, although the mullah in Fulol reiterated in his Friday prayers and sermons that it was unlawful to cut fresh trees, villagers would reason by a discourse of necessity that they were left with no choice but to cut trees, including saplings and artemisia with entire root stocks because of their subsistence-based livelihood needs. The fact that the family members of the mullah and the staff of the forest officer in the district administration of Farkhār also admitted to cutting wood illustrates the dilemma of legitimacy. Similarly, in poppy-growing communities, cultivators used to say that they had no choice, “We are obliged [*majbur*]”, despite its non-conformity with Islam, as local religious figures reportedly reminded people of on a regular basis.<sup>846</sup> The justification narratives say ‘better grow poppy/cut trees than die of hunger’, and ‘better steal water than have your crops die’. They are associated with reported sayings from the Koran, which stress that Islam allows a person to save himself from death by taking exceptional measures.

A still further enhanced type of legitimacy can be seen in ‘fatalistic’ retreat. Resource users are in most cases conscious of the damage their practices cause to the environment and their children’s prospect of finding fuel resources on the mountainsides. However, at the same time, they are not able to limit cutting in the absence of alternatives for heating, let alone to enforce any cutting-restrictions at the community level. This leaves them with the phrases “*khudā mehrebān ast*” (‘God is kind’), and “*Mā dar dast-e khudā hastēm*” (We rely on God).<sup>847</sup> These expressions serve the purpose of disguising helplessness and the general uncertainty about the future of resource usage and prospective modes of access. The case studies on irrigation water allocation, pasture usage, and fuel wood harvesting mark increasing degrees of uncertainty regarding access regimes. Because of the obvious finiteness of fuel resources in the short term, the future of fuel wood was the most uncertain at the time of fieldwork.

## 7.5 Conclusion: On the moralities of everyday politics

To summarize the previous subchapters (7.1-7.4), local governance in northeastern Afghanistan comprises the following main features: the ability to derive benefit from resources, meaning that access to or the governance of irrigation water, pastures and fuel wood resources depends more on structural-relational factors than on actual users’ rights (7.1). Existing rules of open access and common property regimes are opposed by contradicting de facto enforcement patterns of access, which reconfirm differential access and socio-economic inequalities. The extent to which an individual is able to enforce his use and withdrawal rights for a particular natural resource depends on the user’s bundle of power resources. The less power resource-endowed were found to have acquiesced to the prevailing inequity and obvious deviance of fellow resource users because they

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<sup>846</sup> Several interviews, May and August 2007. Interview locations are not given in order to protect the respondents. Local leaders throughout Kunduz reinforced this line of reasoning by complaining about the provincial government’s falling short on its promises for local development after the farmers had stopped poppy cultivation.

<sup>847</sup> Literally: ‘We are in God’s hands’ (Interviews, 18 April 2007, 29 September 2006).

acknowledged their lack of capacity to exercise power and were often reduced to employing force (*gap-e zur ast, gap-e qānon nēst*<sup>848</sup>). In the case of irrigation water, they do not form a collective action group, but depend individually on the *mirāb*'s performance. The exit option is to buy a water pump, or in the fuel case, coal or gas; however, even this is a matter of financial affluence – itself a resource of power. Thus, the fact that some individuals control resource access because of their possession of power resources<sup>849</sup> leaves others with no choice but to try to gain access by building relationships and maintaining them with those in control. The rural elites – *muysafēd*, commanders, *arbāb* – in their position of elders and middlemen play a crucial role in this regard. Employing statutory legal mechanisms is not an option for disempowered users because the large-scale absence of statutory law, a weak judiciary, and the described deficiencies and incapacities of the government administration. Open conflicts and violent escalations of conflicts are usually avoided, which leads to further perpetuation of the inequalities of access (7.2). In the cases where conflicts are mediated within the community (either initially or referred to the elders by the government) or where community-wide decisions have to be made, the communities rely on traditional authority roles by calling in a *jirga* or *shurā*, but the incumbents filling the position of elders are often novel elders.

Their agendas might be in the interest of the community or they might not. Rural society is mediated by middlemen that ordinary dwellers cannot fully trust, but must rely on habitually. Representation is better achieved through patron-client relations, and interest enforcement is ensured by financial payments. The corrosion of different government administrations with individual position holders that first follow their own agendas must be seen in close interplay with the vast amount of administrative corruption commonly perceived by ordinary people. The allocation and distribution of resources, the mediation of conflicts, and the dispensation of justice are highly negotiable, often more readily in personal relations and return service. The validity of available sources for norms and rules are a matter of interpretation. Consequently, those endowed with the most and best power resources define and enforce the application of local law in their own interest.

These features are the political corner marks of the rural society in northeastern Afghanistan. Given the persistence and stability of these features, they frame everyday affairs by providing a comfortable 'state of consciousness' (*Bewusstseinslage*) through tacit and explicit knowledge about basic certainties in daily interactions. In other words, the predictability of what is and could be provides certitude regarding the social order (*Ordnungssicherheit*; Popitz 1968: 35).

*Ordnungssicherheit* includes the acknowledgement of inequalities within local society. Values such as unity, association, participation (*kul-e mardum*), solidarity, equity, assistance, and brotherliness are emphasized on a discursive level, but they do not materialize in community-level interactions involving contested resources; therefore, when irrigation water is scarce, pastures are overgrazed and fuel resources are increasingly depleted. Once open access and common property regimes are contested, community members who might have equal rights from a normative theoretical view are excluded and

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<sup>848</sup> Translation: "It is a matter of force [physical force/power], not of law."

<sup>849</sup> These actors can be imagined as nodal points in the web of power relations, where several strands or branches of power bundles intersect. See section 7.3.1 above.

denied access (see Ch. 9.2). With reference to James Scott's concept of the moral economy among peasants (Scott 1976), one could conclude that no such solidarity is manifest in the everyday life-worlds of the communities investigated in this study. However, in contrast, the 'rational peasant' (Popkin 1980)<sup>850</sup> is also not embodied in any of the rural dwellers, since their agency is limited by the boundaries of the prevailing power structures present in their local environments. The power structures in which they are embedded are often not perceived as unjust or unequal, but as providing patronage, protection, and security. Thus, rationality is indeed bounded by the normative moralities of local life-worlds. As shown in the example of forum shopping and the significance of individual authority of interpretation, deviant practices and any form of 'resistance', such as objections, take place within the existing framework of power relations and do not challenge them at their root. In this context, the plural standard of local rules, the fluidity of norms, and their interpretation through local elites (*arbāb*, *muysafēd*, commanders, mullah, government position holders) qualifies deviance.<sup>851</sup> Similarly, the distinction between state and society is often made obsolete by the intermixing of government and personal agendas and the prevalence of webs of relationships that connect office holders and a constituency instead of electoral mandates based on programs and policies. Decisive power resides in the tightly knit web of relationships because this mode allows reliance on several power resources (administrative legitimacy and resources held by the office-bearer and his cronies). However, not all constituencies/*manteqa* have a person in government offices (e.g., Burka and Asqalān), causing some to buy a position if the community possesses the necessary financial means (e.g., Mashtān).

Hence, it is rational that ordinary members of rural society attempt to accumulate power resources. The most promising strategy uses economic resources because the other main resources – social status, force, legitimacy and authority – require collective wealth if a person was not born into a family already endowed with social status and authority. Thus, money is earned through labor migration (e.g., laborers, farming and livestock-rearing families) near and afar, by charging others (e.g., for pasture usage, as practiced by government officials and local communities), selling the forest (by government appointed forest guard), water allocation, selling laborers (by *mirāb*), and selling daughters,<sup>852</sup> to name only the most common strategies encountered during fieldwork. It is obvious that different social groups rely on different strategies to extract rents<sup>853</sup> or earn incomes. Because labor migration is crucial for the survival of many families and upward social mobility, sons are a highly valuable asset for ordinary families (see 6.2.2-a). Parallel strategies to broaden the individual's repertoire of power resources include establishing marriage relations with influential persons in order to build networks or become part of

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<sup>850</sup> For an overview of the debate on peasants' moral versus rational motives for (non)cooperation, see Edelman (2005) and the earlier discussions by Feeny (1983), Fafchamps (1992), and Lichbach (1994).

<sup>851</sup> Moreover, one might add that solidarity or orientation towards some kind of communal well-being cannot be detected, not even in the name of ideology. Instead, short-term alliances of self-interested individuals predominate and align according to interest and need.

<sup>852</sup> It was not mentioned previously, but families or heads of households also capitalize on daughters in the absence of other means (Interview, 1 October 2006).

<sup>853</sup> It needs no further explanation that these small-scale rent-seeking activities perpetuate and enhance the wide-spread venality (see 7.4) and show the systemic character that marks the rural society's social order.

already existing power networks (see 7.3.2). All these activities can be described as responsive because they express conformity with the prevailing conditions characteristic of local governance patterns and the local social order. From an agency perspective, they can be read as investments in a social order that provides individuals with certitude (Popitz 1968: 36).

The existence of such investments by which society members strive to improve their lives imparts legitimacy on the existing order. The dynamics of legitimacies were discussed previously in Chapter 7.4. Although the identified ambiguities shed light on several contradictions, such as administrative authority and moral authority, I want to argue here that they generate (not merely by their sum, but by what evolves from it) the type of basic legitimacy Popitz (1968, 2004) introduced in the theoretical discussion on power and authority (Ch. 2.2). Therefore, it is necessary to take into account the subjectivity of the basic legitimacies of social groups and individuals because the content and significance might vary from person to person. This also depends on the power resources and frames of interpretation available to an individual. For example, a local strongman would resort to the threat of force and his personal relations in order to influence the outcome of a conflict mediation process, such as the exclusion of tail-end water users from rotation after his armed laborer had been caught opening the offtake valve out of turn. The tail-end farmer on the other hand would not even bring this deviance to the notice of any administrative or local authority other than the *mirāb* and even then both would be aware that the right or more precise the claim of the stronger prevails.

The certitude and predictability that characterize the perception of a local social order, as well as investments in it, create value (*Ordnungswert*), which is evident in individuals' everyday experiences. Social practices and moralities provide for multiple, individually experienced social interactions of everyday life. Because these interactions are inscribed with differing particular content and meaning, which are held legitimate, they underpin individuals' life-worlds. Thus, at the societal level, social order is both the state of awareness provided by the sum of basic legitimacies of the various social groups and individual members of a local society and the potential generic effects of the interplay of legitimate social practices and moralities. Against this background, moralities and legitimacies constitute a reference of consequence for local politics because assumptions about legitimate authority directly affect the evaluation of situations and the scope of agency available to an actor. Furthermore, as a reference the interplay of moralities, practices and legitimacy sheds light on specific local patterns and frames of interpretation of social action and by 'indigenous logic' and the rationalities that underlie local politics.

This highlights an important contrast: In the outside view, chaos and anarchy are seen as determining patterns of local order that result in an uncomfortable feeling caused by the perceived unpredictability of political outcomes and high degrees of uncertainty. The inside view entails a set of basic legitimacies and prevailing values of certitude, stability, and predictability (*Ordnungswert*) for the members of rural local society.

“If they do not have a community, we make them one.”  
Community mobilizer in Farkhār (Interview 11 April 2007)

## 8 – Intervention logic meets local social order

The analysis of local governance in northeastern Afghanistan would be incomplete without taking into account the ramifications of recent development interventions,<sup>854</sup> which are manifest in the results of programs and projects that target local communities. In this chapter, I intend to show how the rural social order and local governance mechanisms (Ch. 7) have adapted to the introduction of programs designed to challenge and alter traditional local social structures.

In the following sections, I will explain the intervention logic and its emphasis on community-driven reconstruction, government legitimacy, and the fixing of property rights (8.1). Next, in order to highlight normative-theoretical pretensions (8.2.1) and empirical observations (8.2.2), I will focus on the formation of local councils as a core idea in the participatory management of local resources and development using the example of three projects of the Kunduz River Basin Program (KRBP) (see Ch. 3 and sections 6.1.3-b, 6.2.2-b). Subsequently, in section 8.2.2 policy communiqués about the ‘progress’ of state-building in Afghanistan are discussed in the context of the perceptions of community members and their strategies to incorporate intervention logic into their life-worlds and local governance mechanisms. Given my previous discussions in Chapters 6 and 7, it will not be surprising that middlemen act as development brokers (Bierschenk et al. 2002) in the interface between local needs and international aims. Their influence and power resides in their position and skills in dealing with ‘the other’, that is, the interventionist social order, its rules, practices, and agents (8.3.1). Finally, following Franz von Benda-Beckmann (1994: 62), who called upon researchers not to stop pondering once deviances between normative and actual behavior were identified and analyzed, I focus on the social, economic and political ramifications of such disconnects. I argue that the putative state-building in the recent decade in Afghanistan can at best be grasped as negotiated state-making between two tiers of local elites (8.3.2). The outcome of this negotiation process is far from certain, but it certainly will not be what the international community envisages in terms of stability, government legitimacy, equity-focused poverty alleviation, and so on.

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<sup>854</sup> As the international intervention(s) since late 2001 can be conceptually distinguished into the three categories of military, economic civil, and political (Schetter and Mielke 2008), the latter two are summarized here as ‘development’ intervention, which broadly aims at state- and institution-building at national and sub-national levels as well as at reconstruction and reconciliation in communities.

## 8.1 State-building through community-driven reconstruction and the definition of property rights

State-building<sup>855</sup> has been one of the many unprioritized objectives of the international intervention in Afghanistan. It started to gain prominence only recently (Schetter and Mielke 2008), although the overall destruction narrative provided plausible grounds for starting holistic reconstruction and state-building from what was perceived to be a zero baseline. The ousting of so-called Taliban and al-Qaeda elements from Afghanistan was the prior aim of the military intervention. The ensuing state-building efforts were meant to deliver basic administrative competencies and the establishment of a functioning government bureaucracy to administer the country, including capacity-enhancing measures in the human resources sector. In addition to the political intervention were socio-economic programs to jump-start the economy and achieve food security as well as create employment, education, and health facilities.

The state-building paradigm had emerged prior to the need in 2001 to adapt it to the situation in Afghanistan. War-to-peace transitions and state-failure processes in many countries of Africa (e.g., Rwanda, Burundi, Democratic Republic of Congo, and Somalia), former Yugoslavia and South-Asia (Timor-Leste and Sri Lanka) had raised awareness and caused conceptual and policymaking responses. As a result, many analyses in academia and think tanks were put forward by the scientific community (Milliken and Krause 2002; Ottaway 2002; Spanger 2002; Pugh 2000; Anderson and Spelten 2000). In addition, templates for dealing with conflict-affected countries and failing or failed states had been provided by international organizations, such as the World Bank and the UN, and governments since the turn of the century in 2000 (Cliffe et al. 2003). The idea of maintaining statehood, that is, keeping states from collapsing or to provide cures to reverse their courses from failure to stabilization and reconstruction smoothly merged in the political-economy-shaded paradigm of good governance.<sup>856</sup> Typically assigned (normative) features of good governance included the principles of participation, rule of law, transparency, accountability, equity, consensus-orientation, responsiveness to people's needs, and valid degrees of effectiveness and efficiency (UN ESCAP).<sup>857</sup> Although good governance was initially used as term to subsume criteria for establishing conditionalities for aid provision in so-called developing countries, this original idea turned from being a

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<sup>855</sup> For this thesis, I understand state-building as the formal top-down process aiming at the establishment of political control over a territory and its people and the attempt to create a monopoly of violence, without the need to obtain the subjects' acceptance for this process. According to this definition, it is not contradictory that state-building is attempted by bottom-up participatory development and reconstruction programs among other elements and strategies (e.g., military and diplomatic). In Afghanistan, state-building is driven by international intervention; the central government has been elected and appointed by the facilitation of the international community. Consequently, it has more external than internal legitimacy because it is recognized politically and *de jure* by other states, yet the extent of legitimacy it enjoys among its populace is debatable (see 7.4).

<sup>856</sup> The paradigm can be assumed to have taken root after the introduction of the post-Washington Consensus (see Ch. 2.4). Franz von Benda-Beckmann (1994) provides a concise overview of how the World Bank's legal constraints have resulted in a specific normative construction of the linkage between good governance and economic development.

<sup>857</sup> Effectiveness and efficiency refer to meeting societal demands with the studious utilization of available resources, including the sustainable use of natural and environmental resources. See UN ESCAP (undated).

means of achieving development to an end in the context of post-conflict countries and state-building. Moreover, with the establishment of the Millennium Development Goals (MDGs) in 2000-01, community empowerment and decentralized governance were regarded as mainstays of participatory development. Thus, the rationale for community-driven reconstruction (CDR) in countries like Afghanistan was “to make peace sustainable, countries face even stronger imperatives to rebuild social capital, empower and provide voice to communities, and generally rebuild the social fabric torn apart by violent conflict.”<sup>858</sup>

In the context of my empirical findings, which were explicated in Chapters 5-7, the above assumption about a fragmented social fabric and the implication that community-based resource provision had been dysfunctional and broken, is a misconception. The same World Bank document continued, “In situations where a new state is being built, such as in Afghanistan and Timor-Leste, it can be used to design a new local governance structure that is decentralized and participatory from the outset” (Cliffe et al. 2003: 3). Thus, an undifferentiated concept of community-driven reconstruction and (in an envisaged next step) community-driven development underpinned the intervention practice in Afghanistan. In seeking to bolster government legitimacy with the main aims of “(i) speedy and cost-effective delivery of reconstruction assistance on the ground; and (ii) building a governance structure that stresses local choice and accountability” (ibid.: 2), CDR relied on supposed core skills, incentives and unity in local communities, which it assumed only needed empowerment. Afghanistan’s NSP is based on the CDR blueprint. One goal was to enhance the government’s credibility (on the ‘how’ see Chs. 5.2.3 and 8.1.2). The major ‘design elements’ of CDR projects included support for “the democratic selection of local community councils, including measures on the representation of women, youth or other disadvantaged groups” and the provision of “resources in the form of block grants directly to community councils such that they can plan and manage their own reconstruction priorities” (ibid.).

Moreover, decentralized and participatory community-support approaches for the governance of local environmental and natural resources implicitly aimed to fix property rights because they were regarded as an incentive and decisive factor in mobilizing local action for sustainable resource allocation and usage (Coward 1986: 501). However, as I will show below, attempts at irrigation development, reforestation projects and pasture regeneration conflicted with the existing governance patterns in local communities because they aimed at the complete re-organization of resource usage and the expansion of proprietary interest<sup>859</sup> through the creation of new property objects and an inherent equity-norm in its participatory approach. The underlying assumption for the restructuring of the property regimes is that well-defined property rights – which not only refer to statutory

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<sup>858</sup> Foreword by Ian Bannon, Manager of the Conflict Prevention and Reconstruction Unit of the World Bank, in Cliffe et al. (2003).

<sup>859</sup> Coward (1986: 493) coined the term ‘property-creating processes’ based on his empirical work on irrigation development. Accordingly, property creation through ‘development’ measures results in new relationships among new and old users, even in public property joint use arrangements (e.g., common pool resources, also open access).



rights, but also non-governmental ‘customary rights’<sup>860</sup> – offer management incentives, provide ‘ownership’ in the sense of responsibility and authority on behalf of the ‘owners’, and possibly allow the extraction of income for maintenance services (Meinzen-Dick 2002: 228).

The donor community’s awareness that property creation might result in conflicts was implicitly acknowledged by measures, such as stressing the importance of ‘right’ context factors. According to Cliffe et al. (2003: 3), “The CDR approach has a stronger positive long-term impact on local governance if the right preconditions exist.” These preconditions included security, local representative leadership, governance characteristics, and an available cadre of project workers (ibid.: 4-7). No reference was made, however, to the then already very prominent ‘Do no harm’-approach (Anderson 1999) in international development practice. Instead, the solution for an effective CDR-approach was seen in the context-specific adaptation of design elements for community-driven measures (Cliffe et al. 2003: 7). One such design decision concerned the selection of a community-inclusive versus sectoral model for creating community councils (see 8.1.2).

In hindsight, but without prejudice to my argument, the specific characteristics of community governance in Afghanistan were assumed instead of documented. The origins of rights, the significance of normative pluralism, local characteristics of leadership patterns and representation were not acknowledged, but ignored. Moreover, the capacities and objectivity of local communities as well as project facilitators (local workers and community mobilizers of international NGOs) had been largely overestimated by the selective perspectives of authors who created logical frameworks while sitting behind desks at international organizations.

## 8.2 Case study: The Kunduz River Basin Program

Halfway through the first decade of the new century, northeastern Afghanistan was becoming a vanguard for reconstruction programs, not the least of which was indicated by the number of international and domestic NGOs (further designated as INGOs)<sup>861</sup> working in the area as well as the selection of this region for the EC-funded Kunduz river basin pilot project for water sector restructuring. As previously mentioned in section 6.1.3-b, the Kunduz River Basin Program (KRBP) aims to implement an IWRM-approach based on the hydrological unit of a river basin that is believed to facilitate more efficient management and enhanced sustainability of water resources. The Kunduz river basin stretches over large territories of northeastern Afghanistan, including the upper and lower catchment areas, and thus comes under the jurisdiction of provincial government agencies in Baghlān,

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<sup>860</sup> There are a variety of property rights concepts and distinctions, such as public versus private, control versus use, *ususfruct* versus *usus* and different shadings of the ‘bundle of rights’ perspective. See Meinzen-Dick (2002), Ostrom (2000), and Schlager and Ostrom (1992).

<sup>861</sup> It would be more correct to talk of (I/N)GOs because a wide variety of corporate organizations are active in the development sector. However, because in the three KRBP sub-projects that were studied only non-governmental international organizations play a role, I will use the easier abbreviation, INGO, in the rest of this chapter.

Kunduz and Takhār. The KRBP consists of several components, three of which overlapped the area of my field research:

- the Social Management of Water in Afghanistan (SMWA) project as implemented by Welthungerhilfe in five irrigation schemes in Kunduz and Takhār<sup>862</sup> (see 6.1.3-b)
- the Integrated Development, Environment And Sustainability (IDEAS) project in the two upper catchment districts of Farkhār and Warsaj in Takhār province, jointly managed by Concern Worldwide and Welthungerhilfe
- the Catchment Development Program (CDP) of MercyCorps active in the three upper catchment districts Eshkamesh (Takhār), Burka and Khost<sup>863</sup> (Baghlān).

The two micro-catchments<sup>864</sup> in Takhār and Baghlān form tributaries of the Khānābād river, which joins the Kunduz river near Qal'a-ye Zāl (see Map M2). The rationale for including micro-catchments in the generally water-focused KRBP is rooted in the conviction that massive deforestation and a gradual loss of vegetation cover have caused erosion, increasing run-off rates, and a heightened frequency of floods with massive silt loads, resulting in higher demands for maintenance in the lower basin.<sup>865</sup> KRBP's objectives<sup>866</sup> and prime focus on water complies with the latest international development standards (IWRM, see 6.1.3-b), which were formulated and implemented after recognizing and accepting that water resources are under pressure and face shortages. Unsustainable management has caused the potential for large-scale food insecurity and future conflicts among water users on global, international, and local scales. Underlying the motivation to implement large-scale water sector reform is the aim to contribute to poverty alleviation via the improvement of food security and rural development. Consequently, all three KRBP components share this objective; however, because they have different foci, they employ distinct strategies.

SMWA “aims at building sustainable social and technical water management capacities” (SMWA 2005: 3) in the five canal systems in Kunduz and Takhār (Shah 2009). This will be achieved through the introduction of more efficient and equitable irrigation

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<sup>862</sup> SMWA focused on five schemes, four in Kunduz (Sofī-Qarayatim Asqalān, Qal'a-ye Zāl and Tarboz Guzar) and the Sharawān canal in Takhār. The Sharawān irrigation area was not part of my field research area.

<sup>863</sup> Because I did not work in the Khost district of Baghlān, subsequent statements and findings with regard to CDP do not relate to Khost.

<sup>864</sup> For an overview of the terminology and definitions (river basins, watersheds, micro-catchments etc.) see Favre and Kamal (2004).

<sup>865</sup> In addition, the formation of ravines and subsequent loss of agricultural land as well as houses and pasture areas impacts negatively on local people's livelihoods. As obvious solutions, the introduction of community forestry and reforestation projects, innovations in rain-fed farming techniques, use of alternative energy sources and sustainable rangeland management practices, including livestock-keeping, have been proposed for human capacity building.

<sup>866</sup> The overall objectives include the establishment of a river basin plan with the creation of river basin organizations; the initiation of upper catchment conservation and reforestation; the improvement of irrigation schemes management; the rehabilitation of 10-15 schemes; and capacity-building of the MEW and river basin organizations (see KRBP 2006). The KRBP was funded with €12.9 mio in the first phase (2004-08) and an additional €12.1 mio in the second phase (2006-09) (ibid.).

management and system maintenance, which builds on the implementation of bottom-up stakeholder participation of all user groups and institutional bodies by WUGs, canal committees, and so-called basin and sub-basin authorities. The label ‘social’ water management alludes to the aim of building on enhanced participation and engaging all stakeholders, including non-farming households, in an equitable manner for the effective and sustainable use of surface water.

IDEAS has clear priorities for the implementation of natural resource management measures to protect the basin’s upper catchment, where the main tributaries of the Kunduz river originate in the high mountains of Warsaj. In this upstream area, two watersheds form the natural boundary of Takhār province, one with Panjshir province, the second with Badakhshān (see Map M9). The IDEAS project focuses on protection measures, such as reforestation, introduction of alternative fuels and their use, as well as general land use and land management practices. CDP has the same objectives of installing incentive structures for upper catchment residents for sustainable natural resources governance, thus contributing to improving water management in the entire river basin, but in another upper catchment area further south in Baghlān (Burka and Khost districts) and Eshkamesh district of Takhār.

### **8.2.1 The community-based management paradigm: WUGs, CCs, WUAs, NRMCs**

All three projects aim to support local stakeholders in the efficient management of natural resources – irrigation water, pastures, fuel resources, rangeland, and land in general – with an emphasis on equity and livelihood sustainability at the community level. Furthermore, the objective of creating or regenerating physical capital (e.g., canal and dam infrastructure, reforestation, and disaster risk reduction infrastructure), the building up of organizational capacities at ‘village and district levels’ (IDEAS 2003: 5) and human capital through specific training, constitute the most substantial elements of the project’s objectives.

As indicated previously, the first dimension – infrastructure improvement – is based on the assumption that the pre-war infrastructure was completely damaged or destroyed and rendered dysfunctional. Thus, reconstruction efforts begin at the bottom, whether they entail concrete and steel irrigation structures, check dams, dividers or the construction of electricity poles and micro-hydropower facilities. These kinds of development activities serve a double purpose. On the one hand, they are an incarnation of Western mainstream development practice (Thomas 2000), which is a product of modernization-inspired thinking. On the other hand, the local worldview (moralities) is being attended to because it has maintained a strong belief in technical, concrete, and steel solutions to any kind of rural development ‘deficit’. Interestingly, this perception originates in the experience of the state-led facilitation of development initiatives under the Najibullah regime during the second half of the 1980s (e.g., embodied in cooperatives, see Ch. 6.1.2).

To build organizational and human capital, the SMWA project envisages that “Intensive training, workshops and activities on water management will include all especially poorer sections of the community with equal representation of their interests in the accessibility of

water and thus contribute to establish functioning problem solving and mediating mechanisms at community level” (Welthungerhilfe 2005: 9). The expected results include the mobilization, training and empowerment of target communities to ‘successfully manage their water resources’ (Result 1 of five expected results). Furthermore, “Community solidarity is enhanced by local problem solving mechanisms, joint management and participation of all water users” (Result 3), and the successful functioning of five model institutions that ensure participatory and representative local water management (Result 5) (ibid.: 10). Similarly, two (of three) intended results in the IDEAS project proposal specifically focus on the enhancement of the human, social and political capital of local community members. Result No. 1 states “Local stakeholders will have the organizational capacity (that is, social and political capital) they need to lobby for resources and changes in order to sustainably manage natural resources and their livelihoods” (Concern Worldwide 2003: 10). One indicator of this aim in terms of village level participation is the ability of 80 percent of all local council members (*CDC/shurā*) and at least three non-members to explain the village’s Natural Resources Management (NRM) plan (ibid.). The human capital dimension refers to knowledge and attitudes local stakeholders will have gained, which will enable them to implement best-practice solutions to their local NRM problems and lack of sustainable livelihoods (ibid.).

Examination of the human resources and organizational capital support dimensions reveals the role of local bodies, that is, different kinds of councils at the community level. As explained in Chapter 6.1.3, for the implementation of social water management reforms, the establishment of WUGs and CCs was actively undertaken during the period of the present field research between 2006 and 2007. Both types of local councils were supposed to lead to the formation of WUAs and merge into the hierarchical institutional arrangement of the Kunduz river basin administration over the medium term (see Figure 3 in Ch. 6.1.3). Similarly, the program objectives of IDEAS and CDP anticipated and implemented different types of NRM Committees (NRMCs) in the upper catchment areas.

INGOs implementing these programs found different preconditions for the establishment of councils in the KRBP-framework. For example, in Farkhār and Warsaj, where Concern Worldwide led implementation of the IDEAS project jointly with Welthungerhilfe, it had the option of relying on formerly established CDCs. Concern Worldwide was established as FP within the NSP-framework (Concern Worldwide/Welthungerhilfe 2007: 8; Ch. 5.2.3). However, the local state of implementation of NSP projects varied to large extent. In some communities, CDCs had only been formed recently, in others the community had already spent all the grant money and viewed the project as lapsed after having had varying effects and successes. In a third category of communities, the consultation process with the FP-NGO and the MRRD was ongoing because council members were either preparing for selecting councils, formulating their village development plans and prioritizing their needs, or were on hold waiting for a reply from MRRD Kabul to get their budget approval. SMWA faced different situations in its canal clusters: Whereas in Sofi-Qarayatim, NSP-implementation was proceeding and partly finished, it was only beginning in Qal’a-ye Zāl and Tarboz Guzār, but not foreseeable in Kunduz Markaz/Asqalān<sup>867</sup> (see also 7.3.2). In

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<sup>867</sup> The implementation of the NSP followed a district approach. Accordingly, international and local NGOs were assigned by district as FPs to implement the program on behalf of the GoA. They were financed by

Burka district of the CDP area, ACTED was quite advanced in implementing local measures of the NSP, that is, by mid-2007 CDCs had already been established and had articulated their infrastructure needs throughout Fulol.

Underlying the establishment of CDCs in the framework of the NSP was the governance objective of the CDR-approach (Ch. 8.1). Accordingly, by taking a lead in physical reconstruction projects, democratically elected local councils were supposed to strengthen reconciliation needs within communities by finding a local consensus on the definition of physical reconstruction priorities. Furthermore, CDCs were implicitly envisaged to become forums for collective problem-solving within communities and thus were to supplant traditional decision-making and problem-solving structures, such as conventional elders' councils and commanders' rulings. Hence, with NSP, local councils oriented towards good governance-norms came to form the centerpiece of Western state-building visions, such as CDCs, NRMCS, WUGs, WUAs and CCs, which can be characterized as collectively forming the vanguard of state-building from an interventionist perspective (Agrawal 2001: 35). They therefore suited the design template of hierarchical state structures manifest in the formation of councils and the establishment of development plans at various administrative levels. Figure 10 shows this hierarchy, pointing out prescribed interactions among the different levels.

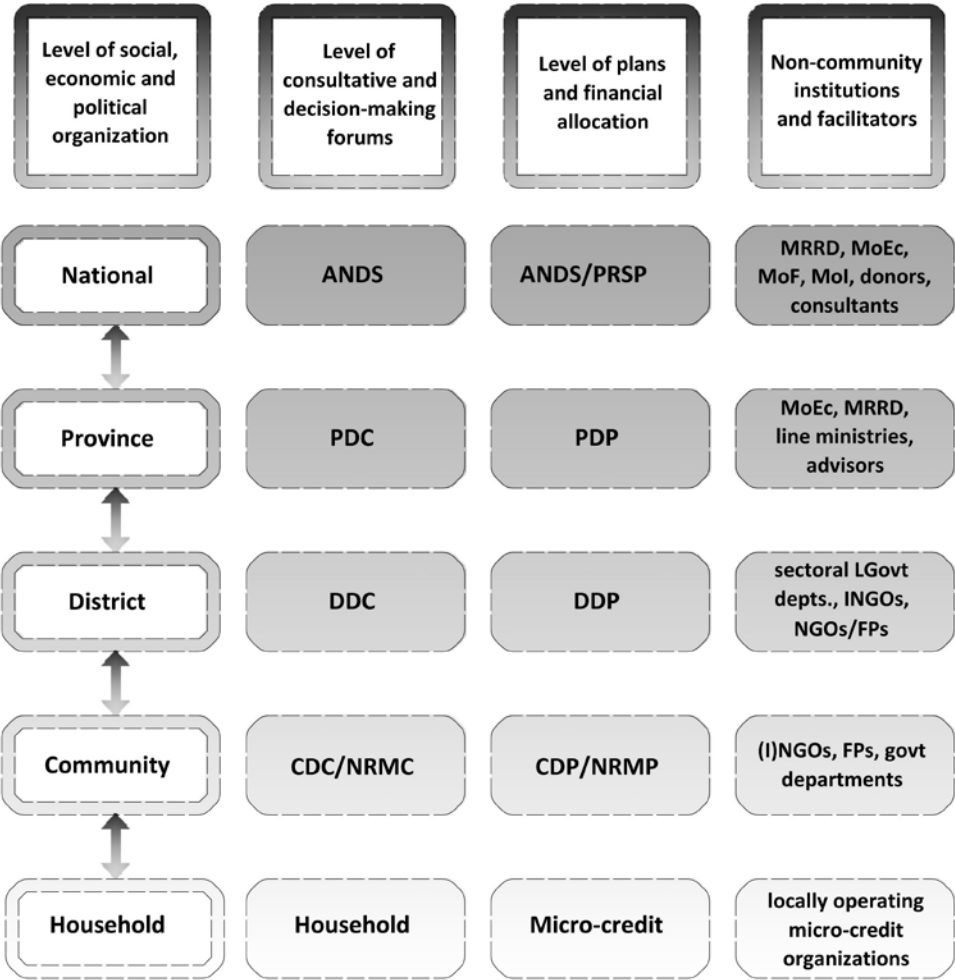
The second column in Figure 10 stands for the supposedly coherent hierarchy of development councils at different administrative levels. The creation of councils was envisaged at these levels (community, district and provincial) with the prior aim of forging level-wise development, including sector-specific plans within communities (Figure 10, third column), in accordance with ANDS (see section 6.1.3-b, which also served as Poverty Reduction Strategy Paper [IMF 2008]). Subsequently, Provincial Development Plans (PDPs) were intended to form the framework for District Development Plans (DDPs) and CDPs. For this purpose, Provincial Development Councils (PDCs) with members drawn from provincial line ministries, UN-organizations, Provincial Reconstruction Teams (PRTs), INGOs and IGOs were created within the provincial administrative structure for the elaboration of five-year PDPs.<sup>868</sup> Nevertheless, the NSP is the principal element in governmental development outreach to the local level. Because of security and logistical challenges, the program, which was supposed to be fully implemented nationwide by the end of 2006, lagged behind and was considerably delayed. The intended elections of district-level councils (DCs) were not conducted in the framework of the 2005 national elections. In 2007, district development assemblies ('councils') were in the process of initiation throughout my research area. These were meant to provide a superstructure for

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international donors (see Ch. 5.2.3). In the project region, these were ACTED (Qal'a-ye Zāl, Burka), GRSP (Chārdara, Kunduz Markaz), and Concern Worldwide (Farkhār and Warsaj). GRSP was one of only two Afghan NGOs that were acknowledged as FPs the NSP-process at the time of fieldwork.

<sup>868</sup> Tension arose from the fact that while the governor was supposed to take charge of the PDC, the PDC-secretariat in charge of coordinating the different sector working groups had been subordinated to the provincial line-ministry of the Ministry of Economics, not the MRRD. In Kunduz, eight such sector working groups officially existed in 2007, including security, governance, economics, education, society, agriculture, the private sector, and infrastructure/natural resources. However, only the agriculture working group was active. Two years after the initiation of the PDC in 2005, its venue and budget had not been determined, despite the fact that the PDP should have been drafted by 2007 (Interviews in Kunduz, 5-6 November 2007).

CDCs at the district level and consisted of 25 delegates who were mostly chairmen or deputies of selected local CDCs.<sup>869</sup>



**Figure 10:** Levels of interaction in Afghanistan’s state-building and development template<sup>870</sup>

Thus, in the natural resource management sectors, the NSP served as template for a meta-development project that encompassed both objectives of development, the infrastructure overhaul and governance reform.<sup>871</sup> Statutory law, which was in the process of drafting

<sup>869</sup> At the time of field research, this process was more advanced in Kunduz and Takhār compared to provinces in the southeast, such as Paktiya and Khost. DDAs had been established in Warsaj and the Emām Sāheb district by 2007. However, this build-up of sub-national governance institutions followed very technical procedures. One indicator was the formation of DDAs in some districts, e.g., in Farkhār, where not even CDCs had been established exhaustively throughout the whole district, thus obviously depriving communities (which were without CDCs at the time of DDA-formation) of potential participation. The reason for this non-concurrent timing can be traced partly to the fact that the implementation of sub-national governance structures was guided by different partners. Consequently, the different timelines of FPs in charge of CDC-formation and NSP-implementation at times collided with those of UNDP and other international organizations in charge of DDA creation. See Mielke et al. (2008).

<sup>870</sup> Adopted from a GTZ power point presentation, no author or date was indicated. NRMP stands for Natural Resource Management Plan.

<sup>871</sup> However, both dimensions have been met with different rates of success. While the governance component showed mixed results, the infrastructure building component can be regarded as more or less successful, given that almost complete destruction constituted the baseline level. In addition, the level to

and revision during the period of this field research, was meant to support this ideal development scheme. For example, the draft Forest Law of 2008 prescribed the formation of Community Forest Associations (CFAs), which would then have to apply for forest resource rights to manage local forest resources (Bowling 2008). Alternatively, existing organizational bodies, such as WUAs, CDCs or cooperatives, were considered eligible for managing community forest resources productively and sustainably, if they appointed a special sub-committee with a chairman, and would register both with the district administration's forestry section of the Agricultural Department (*ibid.*). In the case of the water law, at least two different draft versions with varying content can be distinguished. The first draft of 2005-2006 explicitly included the objective of establishing local councils and WUAs as part of the river basin approach (MEW 2005). Later versions in 2007 and 2008 (MEW undated; MEW 2007) contained optional wording that stated 'water user associations can be established' and if they are being established, this should take place according to rules agreed upon in the particular local context, that is, river-basin specific. At the time of this field research, SMWA was in the process of establishing CCs and WUGs as WUA-precursors (see 6.1.3).<sup>872</sup> However, as was the case with other local natural resource-councils (e.g., NRMCs), WUAs and CCs could not fall under the authority of CDCs because they transgressed the boundaries of NSP communities.<sup>873</sup>

In comparison, the strategic purpose of NRM committees in the upper catchment project districts Warsaj, Farkhār, Burka, and Eshkamesh of KRBP seemed vague about their actual strategic role within the hierarchy of consultative and decision-making bodies of the envisaged sub-national administration. Throughout 2008,<sup>874</sup> IDEAS community mobilizers made efforts to establish community and sub-catchment pasture agreements in the framework of NRM sub-catchment associations. For the non-cost extension period 2009, their link with sub-basin committees was planned (Concern Worldwide/Welthungerhilfe 2008: 4, 6). Given that details about the proposed rangeland and forest law (section 6.2.2-b) were largely lacking at the time of the project intervention, the further intention of NRMCs was unclear not only to project management staff but also local government representatives and local NGO-workers.

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which infrastructure construction and its implementation status can be ranked meaningfully in order to compare it with achievements in the local governance realm must be put under scrutiny, including an audit of the actual and accounted-for costs and the quality of implementation of infrastructure projects.

<sup>872</sup> The finally issued Water Law of 26 April 2009 states in Article 18: "(1) Water User Associations and irrigation associations can be established in accordance with this law. (2) The manner of activities, extent of duties, authorities and other associated issues related to Associations will be established by their respective charter in accordance with this law." (GoA 2009). However, while this article seems to allow the formation of WUA on an optional basis, Article 20 addresses the conversion of irrigation water rights to permits for which only WUAs are eligible to apply. Article 23 speaks of 'irrigation associations' which "may delegate the responsibility for the management and distribution of water rights to a Head Water Master (*Mirāb Bashi*) or Water Master (*Mirāb*) who are designated by the irrigation associations" (*ibid.*).

<sup>873</sup> See Mielke (2007) and Ch. 5.2.3 for what I have called the territorization and villagization of rural areas by the NSP.

<sup>874</sup> Including the six-month period of a non-cost extension, IDEAS was implemented from 1 April 2005 until 30 September 2009. By the end of 2008, nine 'sub-catchment committees/associations' had been established (Concern Worldwide/Welthungerhilfe 2008: 1).

## 8.2.2 Perceptions of aid intervention components in northeastern Afghanistan

The first part of this subchapter will focus on two effects of the implementation of KRBP components in the three projects: One effect is the perception of community members that the implementation of the projects has been detrimental to communal unity. In some locations, the projects have caused intra-community conflict, hostility towards project implementers, and general disappointment. Second is a remarkable perception of separateness regarding the mandates of *qawmi* ('traditional' and customary) councils versus newly established CDCs, NRMCs or WUGs and CCs. This is noteworthy because according to the logic of intervention (see 8.2.1) the latter were supposed to supplant and replace the former.<sup>875</sup> It was also assumed that traditional local decision-making structures were corrupted and resource allocation mechanisms had hence ceased to exist, had failed, or had broken down (see 8.1). In the second part of this subchapter, the empirical bottom-up perspective that this thesis has so far pursued is complemented by an external analytical view by applying the notion of development brokers. It leads to the finding that despite good intentions, the unintended consequences of the observed early KRBP activities resulted in the opposite effect, that is, the strengthening of existing social differences and traditional power structures.

The objectives of the projects were efficiency and equity, that is, to create sustainable natural resource management patterns that benefitted all stakeholders, even beyond the resource user community. The projects engineered 'hardware' and 'software' types of intervention measures. SMWA provided or improved irrigation infrastructure through the construction of intakes, stone walls, check dams, bridges, canal-lining, offtakes and canal committee communication centers (CCC). CDP and IDEAS created hardware that included the construction of protection walls from mudslides, bridges, fencing, and gabions as well as the establishment of nurseries, the planting of trees, and alfalfa seeding. All these measures touched upon ownership issues of land: ownership of existing property and ownership of new property. In the case of SMWA, the water user community, that is, the irrigators were distinguished from the non-irrigators<sup>876</sup> as members of WUGs and CCs. While irrigable land is always private property, the canal and its infrastructure had been created in the past by communal work under the guidance of a *mirāb*.<sup>877</sup> Subsequently, the water sector reform strategy foresaw the assignment of responsibilities for newly created infrastructure to the respective irrigation associations, such as WUGs.<sup>878</sup> Even if in some

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<sup>875</sup> Not mentioned above, but insightful in this regard is the 2009 decreed Water Law Chapter 6, Article 34/35, in which WUAs are assigned a dispute resolution authority, thereby further mentioning the assistance of WUAs by the *mirāb* and sanctioning/fining mechanisms backing the assigned authority. See GoA (2009). However, in this case the articles refer to disputes that arise regarding the usage of water.

<sup>876</sup> This approach nevertheless entailed faults because another meaningful distinction must be made between landowners and sharecroppers and their respective representation in WUGs and CCs.

<sup>877</sup> As explicated throughout Ch. 6, a *mirāb* was in charge of mobilization and maintenance works. However, the number and quality of constructed 'illegal' structures during the last two and a half decades, i.e., the disproportionate widening of offtakes etc., could not be checked and prevented by the *mirāb* because of his limited authority over the largest landowners.

<sup>878</sup> According to the recently decreed Water Law 2009, the construction, rehabilitation, development and protection of irrigation networks rests with the Ministry of Agriculture, Irrigation and Livestock, presumably in close cooperation with WUAs at the local level. See GoA (2009), Article 11.



locations, the construction aided particularly and exclusively one or several large landowners whose fields were attached to a certain offtake or spillway, the idea was to cover all maintenance costs relevant to all irrigators through WUG budgets, which were supposed to be derived mainly from farmers' financial contributions.

Chapter 6.1.3 described how access to herding and pasture were regulated based on traditional ideas of common property held by members of the same community,<sup>879</sup> which excluded 'others', such as *kochi* who customarily used the same pastures, and sometimes held title deeds. For the case of fuel wood collection, I revealed an ongoing transition of open access regimes towards common property regulations (Chs. 6.2.3 and 7.1). However, contrary to irrigation sector interventions, the upper catchment project measures requiring maintenance and cooperation by the local communities also involved long-term horizons and uncertain property relations. For example, the planting of tree saplings for reforestation within the framework of the IDEAS project was an objective: 270.000 saplings were planted during the first three years (see Concern Worldwide 2009). However, at the same time considerable damage was done to forestry plots by livestock because plantations on common land were not protected by local dwellers. Several explanations have been offered from non-cooperation because of lack of faith in the future and the project's sustainability connected to the finding that locals have no sense of ownership of the newly planted seedlings (ibid.: 14), to misperceptions regarding local communities' own contributions to NRM projects. The common perception among locals was that their contributions referred to their labor during immediate project implementation, such as the planting of trees or the construction of a protection wall. However, the payment of a tree-warden for a nursery did not fit into this mental concept of community contribution. Subsequently, with the withdrawal of immediate daily interaction with local NGO workers after the guard had been appointed, the salary of the guard was not paid by the community. Instead they accepted that the trees died because they either did not get enough water or were eaten by grazing livestock.<sup>880</sup> In short, the NRM-project interventions were not very successful, even with the incentive of receiving five Afs per surviving tree for the community budget. Consequently, the project focused on the establishment of private nurseries, the precondition of which was of course land plot ownership or exclusive use rights.<sup>881</sup>

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<sup>879</sup> I also elaborated that the idea of community in this case is mainly territorial and includes the nearby village or hamlet. However, the cases where local livestock owners take in animals from relatives and friends show that the territorial principle is being undermined by social relations and network principles. See Ch. 5.2.

<sup>880</sup> I recorded several examples of where this happened, such as Kaj Dara/Farkhār or Yukh (Warsaj) (Interview Yukh, 24 March 2009).

<sup>881</sup> Needless to say, with this focus on private nurseries, the poor and most vulnerable population groups were excluded from benefits of the aid intervention. Posed to nursery owners was the possible condition that they would have to give a certain number of saplings to 'poor' people free of charge, but it was never implemented. In addition, the NGO's claim that nursery owners were mostly women could not be verified in spot-checks during my field work. See Daulatzai (2008) on the complex problems that the exclusive privileging of gender in development work might and do actually rise in the case of Afghanistan. Although I did not collect systematic data on gendered perspectives (see Ch. 3.1), the insights I gained during my own field research on men's and women's subjectivities (admittedly mostly aggregated at the user-community level) confirm Daulatzai's elaborations. In particular, I found that, locally, the concept of widow does not match the aid practitioners' understanding of widow as an unsupported female having to bear alone the burden of household chores and everything related to them.

After an initial period of one year, the implementing NGO recognized that it had ‘proven difficult to persuade communities of the benefits of NRM’ in Farkhār and Warsaj (Concern Worldwide/Welthungerhilfe 2007: 11). Adding to the complexity of local perceptions was the fact that local community members felt uncertain regarding their future access and use rights to the mountainsides, which was caused by the reforms and property overhaul that were being carried out at the time of this field research.<sup>882</sup> Furthermore, tax receipts from earlier farming of rain-fed plots in the mountains were used by various families to claim private ownership and thus exclusive access in the case of other, competing claims.<sup>883</sup> The ‘potentiality’ of future claims originates from the understanding that it does not make sense to insist on family-wise compartmentalization of mountainsides, such as aiding the conversion of rangeland to rain-fed plots, because the benefits of keeping livestock outnumber those derived from rain-fed farming. Only at community level, boundary-drawing practices – to exclude other user groups or to selectively allow outsiders to access communal pastures – make sense and protect single communities’ natural resource base. Project activities, such as the seeding of alfalfa for subsequent pasture regeneration, which required the introduction of fallow seasons and the erection of boundary protection walls in some locations (e.g. Burka), and rotational herding for selected trial plots were also not very successful.<sup>884</sup>

In particular, the attempt to create inter-community agreements and committees (*anjuman*) involved the tightening of what had been a loose mutual understanding of pasture and tree usage.<sup>885</sup> Consequently, various conflicts surfaced and escalated because of the dissatisfaction of local community members. For example, in Farkhār local NGO staff crafted a joint pasture agreement between three communities and thus established a committee named ‘*Anjuman ba nām-e Ahmad Shāh Mas’ud*’ (‘Ahmad Shāh Mas’ud-association’). However, mutual suspicion among members of different participating communities and the arbitrary lambasting of the deputy head of the *anjuman* by neighboring villagers caused one community to leave the grazing arrangement because of

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<sup>882</sup> Thus, for them, the question was whether they would be the beneficiaries of long-term regeneration efforts that required commitment without immediate results and benefits.

<sup>883</sup> As early as the 1950s and 1960s, by growing crops on rain-fed land, locals established private ownership rights on plots that were traditionally common property for the first time. Accordingly, Article 64 of the first Land Law from 1965 prohibited the conversion of pasture land into farmland. See Land Survey and Statistics Law 1965 (31 *Jawzā* 1344), Art. 64; Jentsch (1973: 50). Against the general trend towards the conversion of pastures into rain-fed agricultural plots, which had been observed in other areas of Takhār, the opposite was detected in Warsaj, and partly also in Farkhār. Given the popularity and profitability of livestock (see section 6.2.1-a) few people, only the poorest, would try to cultivate in the mountains of both districts, where yields are low and wheat and other food items would have to be bought at the bazaar. In the past, the main incentive to cultivate rain-fed mountain plots had been the production of wheat and grains for selfconsumption because at the national level the demand of the population could not be met. Thus, the post-2001 decade has seen the distortion of local wheat markets by food aid, which resulted in the fact that even wheat cultivators in the lower catchment’s oasis were not able to profit from their wheat crop because of artificially low wheat prices. See Yarash and Mielke (2011: 26).

<sup>884</sup> Interviews in Koka Bulāq and Kunduz, September 2007. Apparently, the implementing NGO had chosen the land of the local influential *mir* family for the implementation of the pasture project – without knowing on whose property it was active. Their selective communication strategy to interact with only few elders had ensured that nobody informed the NGO representatives about the true ownership situation. The information was simply withheld.

<sup>885</sup> This relates to pistachio and fuel harvesting.

lack of cooperation and suggestions of the dishonesty and unfairness of co-*anjuman* members in other settlements.<sup>886</sup> Thus, the attempts at fixing and breaking up customary management patterns, that is, from *anjuman*-crafting to the ‘privatization’ of natural resources, in my field sites led to open conflicts.<sup>887</sup> In many cases, jealousy and competition arose over the unequal distribution of funds and material aid, leading not only to disunity within communities, but also to large-scale disappointment and hostility towards implementing NGOs and their staff. Respondents in Kaj Dara complained, “The organizations have spoiled us. It is good if the organizations don’t come anymore, if they have spent all their money. It made us disunited.”<sup>888</sup> In this respect, the distribution of livestock for ‘poor widows, the disabled and the most vulnerable people’ (Concern Worldwide/Welthungerhilfe 2007: 10) was also questionable because the definition of these categories usually lay with the head of the local NRMC or *anjuman* (see below). According to the logic of the social order in local rural society, the preferential treatment of family members, clients, and friends is obvious.<sup>889</sup>

In the case of the SMWA-project, property renegotiations were conducted to prepare the construction of Community Communication Centers (CCCs) in the project area.<sup>890</sup> The transfer of titles from private owners to a future WUA with unclear legal and official status seemed difficult.<sup>891</sup> Even more contentious was the inter-community decision regarding how many CCCs should be built and where, that is, in which *manteqa* and on whose land? The following statement of the WUG-leader of Wakil Akhtar (Qal’a-ye Zāl) exemplifies the irrigators’ perspective:

We have not reached a decision about the CCC in our meeting with the NGO. The canal is 10 kilometers long, it is impossible to have only one CCC. We expect three CCCs from GAA [Welthungerhilfe, KM], it is impossible to have only one. ... If they want only one, in this case it is better to construct it in the bazaar so that everybody can visit. ... We had no WUGs for 200 years; we have not used CCC, why do we need it now? If you will not construct the CCC for us, we will not attend your meetings. We had no WUGs for 70 years, nothing will happen now also.<sup>892</sup>

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<sup>886</sup> Interviews in Kaj Dara and Kundakaw, 27-28 March 2009.

<sup>887</sup> This is not to say the conclusion would be to refrain from intervention in NRM realms. The strengthening of customary tenure arrangements definitely makes sense because it can be read as a minimal advantage for the actual poor of the respective community in that the current governance system of the pasture and forest resources, as communal commons, entitles them to collect fuel, pistachios and herbs etc., even though they might not own land and/or livestock. However, the ‘how’ of this kind of intervention makes the difference. See also Ch. 8.3.

<sup>888</sup> Interview in Kaj Dara, 27 March 2009. Distrust often arose from non-transparent budget allocations and spending, resulting in a lack of accountability.

<sup>889</sup> Because of the nature of the issue at hand (moral misconduct), it is not possible to make statements about the degree of this practice, much less to quantify cases (which was also not within the scope of my research). However, such grievances were voiced in several locations from people whom I had visited several times and with whom I had built basic trust. Against this background, I suggest considering their perception valid and representative of the ordinary community members’ views.

<sup>890</sup> CCCs were meant to provide “public spaces for larger and open meetings, which are accessible for all groups of water users ... at central locations.” See Welthungerhilfe (2005: 15).

<sup>891</sup> Field notes from the SMWA-project meeting on 23 July 2007.

<sup>892</sup> Noted by Abdullayev, 9 August 2007.

Similarly, in Asqalān the representatives of Tobrakash and Asqalān proper felt that they were not taken seriously by the project management because their suggestion for a certain size of a CCC was not accepted. Consequently, the irrigators did not see the point of using the new venue as they already had several venues of nearly the same size along the canal.<sup>893</sup> The previous statement also hints at what I want to elaborate next: the perception of newly established councils (WUGs, CCs, NRMCS, and CDCs) and their respective mandates. In the above case, the objectives of WUG establishment do not seem to have resonated with the respondents; the mandate of the SMWA-project and collateral interventions were not understood. Although this cannot be generalized to all water users in the irrigation schemes, a distinction is necessary. When the SMWA project's objective of improving irrigation management and water distribution was grasped by water users, it was taken for granted that the means for achieving these objectives included technical solutions and improvement of infrastructure, but not necessarily entirely new decision-making structures.

In this context, WUGs have been perceived as alien, a necessary nuisance to tap aid flows for infrastructure measures. The following statements illustrate this point. According to the head of the Orta Bēk CDC, "The WUG idea is of GAA, because they have taken care of the meetings, asked to organize the WUG. ... Until now they have not submitted the WUGs to communities." Adding further, "GAA has promised that they will take care of infrastructure, not community. The maintenance of the infrastructure can be taken care of by the community. The community expects from the WUG that they will bring the money from outside, not collecting money from the community."<sup>894</sup> An elder of Haji Sāheb Karam *manteqa* gave the following account,

The WUG was organized one year ago; I participated in this meeting. I am a *kochi*, at times I am away for pasture migration. The WUG should liaise with foreign organizations and bring help to the communities. We do not need cash money, we have our own money. They should build the bridge over the canal, should properly manage water; they should build the toilets, we do not have toilets. ... It is six months now that our spillway is not ready and our canal is being silted. ... At present, the WUGs do not have the capacity to solve our problems. Elders can solve our problems; they can speak to everybody while the WUG is only for our *manteqa*. It does not have the authority to decide; its members can only discuss, but they have no power to command people.<sup>895</sup>

Given that by design, the initial program proposal of the SMWA project included few physical construction measures (Welthungerhilfe 2005), the common perception of Welthungerhilfe as a 'construction-NGO' is remarkable. It can be traced to the demands voiced by target communities on one hand and incremental acquiescence by KRBP and SMWA to these demands on the other (see Ch. 6.1), probably at the cost of negligence in 'software-engineering', meaning the creation of sustainable social water management capacities through community mobilization. Furthermore, despite the fact that

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<sup>893</sup> Conversations with Ghayoor and Hāji Rahmat Khān on 2-3 September 2007. These venues included Hāji Rahmat Khān's guesthouse and Friday-praying mosques.

<sup>894</sup> Noted by Abdullayev during a meeting with the head of Orta Bēk CDC, Qal'a-ye Zāl, 9 August 2007. The implicit complaint that WUGs ought to be financed by the communities themselves can be read as a further indicator of the non-comprehension of the program's objectives by local users to that date.

<sup>895</sup> Conversation with Hāji Sāheb Karam as recorded by Abdullayev, Hāji Sāheb Karam *manteqa*, Qal'a-ye Zāl, 9 August 2007.

compromises regarding infrastructure creation and technical improvement to unforeseen extent bought cooperation in the project, local communities perceived KRBP's selective interventions as the unconditional aid they had been familiar with for decades.<sup>896</sup> Thus, although the community entered into necessary negotiations and set up respective structures (in this case WUGs and CCs; in other cases NRMCS, CDCs and other councils) for the duration of the implementation of an intervention component, the lack of persuasion about the benefits of social project components ranked the KRBP and its projects among all previous unconditional aid interventions, undermining the sustainability of any project.

Since the outbreak of resistance fighting, it had become common that humanitarian assistance and small-scale reconstruction projects were implemented by the aid community (represented locally by different NGOs) with an increasing emphasis on councils because these were deemed more representative and could check the influence of commanders (Carter and Connor 1989: 1). Consequently, after 25 years of selective exposure to foreign aid at the local level, many local communities disposed of multiple committees or councils (*shurā*). These had existed at one point in time, but after NGO withdrawal they simply ceased to exist or were newly launched under a different name with new objectives by another NGO offering assistance. Thus, at the community level several NGOs had implemented community councils even before the onset of NSP with its subsequent creation of CDCs.<sup>897</sup> Possibly related was a common scenario I observed, that is, the parallel existence of several *shurā* with different sectoral mandates that were initiated by different NGOs, which according to their portfolio represented specific programs (water versus health versus education versus agricultural rehabilitation etc.) and distinct donors.<sup>898</sup>

Significant for the recent reconstruction and development attempts throughout Afghanistan, particularly my research sites, was the side effect that established councils were perceived as being forced to hold assemblies and meetings. Representative of the attitude of several interviewees, one respondent offered, "We only meet when the NGO-people or foreigners come."<sup>899</sup> It is in the interest of communities to meet any organization's demand to form councils in order to tap program funds and undertake certain development measures. One-time budgets within the NSP-framework for the

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<sup>896</sup> See Johnson and Leslie (2002) for an overview on the legacy of aid intervention during the 1980s and 1990s. The authors stress the tightrope walk between dependence on local elites ('faction commanders') and the ethos of impartiality commanded by the international community's standards in circumstances of increasing aid conditionality towards the end of the 1990s. Carter and Connor (1989) explicitly examine the experience of establishing local councils by the aid community throughout the 1980s. They found, for example, that in the 1980s most councils had been set up by commanders for military organizational purposes, with varying degrees of outreach to tackle socio-economic issues. Furthermore, the councils were of a temporary nature and were constituted based on needs.

<sup>897</sup> The crux was not the prior existence of *shurā* itself, but their redundancy in the process of NSP implementation. In cases where formerly established *shurā* had gained some clout and were working to some extent, such FP practices caused confusion among local community members and perpetuated the locals' perception of temporariness and donor demand-driven *shurā* establishment as a necessary evil that did have not much to do with their usual life-worlds and actual needs.

<sup>898</sup> This was felt especially at the district-level. For example, in 2007, in Khoja Ghar, a northern district of Takhār and town with the same name, one NGO had established the DDC, a health committee, an education/school committee, and another district council. At the same time, the NSP-FP ACTED was establishing the DDA for the district.

<sup>899</sup> Interview Warsaj, 26 March 2009.

completion of an infrastructure measure, such as the digging and lining of an irrigation canal were funded for several months by cash-for-work financing and material input. Once the project was finished, the communities saw no sense in continuing the council (CDC, NRM, etc.). Similarly, ordinary community members who were not elected CDC-representatives usually saw the latter merely as contact persons for foreigners and NGOs visiting a certain location for the initiation of future projects or the implementation of already existing ones.<sup>900</sup> A group interview in Pyu (see 6.2.1-c) revealed that local dwellers shared the common perception that NSP members were no longer in charge since all the project money had been used for the construction of the road. Some members of the ‘former’ CDC were said to be in Kabul to find an activity or job, while others had remained in Pyu without tasks, responsibilities, or authority.<sup>901</sup>

To illustrate the proportion of disconnect between imposed structures and local rural life-worlds, I recount an interaction with elders of several communities who had recently formed a sub-catchment NRM committee of eight neighboring villages, which was registered with the NGO under the name *Anjuman-e Farhangiyān* aka *Salman-e Fars*.<sup>902</sup> I had met them on the way to a communal canal cleaning in Taresht (Warsaj), where landowners from several settlements along the same canal had been mobilized to help on that day. Interestingly, not the head of the *anjuman*, but the deputy’s nephew, himself an elder with a white turban, had initiated the cleaning. A discussion ensued about local responsibilities and project measures. For example, 8,000 meters of water pipes for irrigation and drinking water as well as a water tank had been provided by IDEAS, and a livelihood program had been implemented by the German Technical Cooperation Organization (GTZ). Past and ongoing activities included tree planting, check-dam construction, and poultry distribution. Regarding organizational issues, the laborers and elders insisted that their joint canal cleaning, although it was on supra-village scale, had nothing to do with the NRM association (*anjuman*). They distinguished sharply between *kār-e dehqanhā* (literally: farmers’ work) and *kār-e rasmi* (official business or work). The latter would involve dealings with outsiders, such as NGOs. The latter entered local communities and were met by the head or representatives of the local body formed for these purposes. Recently, these included the *anjuman*, before it referred mostly to the NSP council and the local NRM. They insisted that there was no other purpose for these bodies but to please NGOs and tap funding opportunities. Subsequently, the *rasmi shurā* materialized in situations, ad hoc and demand-based, involving the appearance of project workers or other potential donors in the local realm. A change of *shurā* every three years or so had been observed by the respondents. In contrast, *kār-e dehqanhā* was described as a constant phenomenon, independent of outside intervention and having no intersection or overlap with official (*kār-e rasmi*-type of) activities.

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<sup>900</sup> Interview in Mulkik, 11 April 2007

<sup>901</sup> Interview in Pyu, 15 April 2007.

<sup>902</sup> The association had been formed in 2008 (1387) and included Shagan, Deh-e Merān, Deh-e Muzāfār, Miyāndeh, Deh-e Uzaq, Magharzar, Deh Khān plus an eighth village (Interview, 26 March 2009).

A brief look at the essence of so-called *kār-e dehqanhā* in this particular example<sup>903</sup> shows the variety of activities that were undertaken and apparently successfully managed at the community and supra-village levels (Table 13). The list is not intended to be exhaustive. Nevertheless, it can serve as another example of the common assumption that the total breakdown of local social and governance structures is inaccurate.

**Table 13:** Examples of locally appointed positions and payment rates (Taresht)

Appointed position	Local Dari term	'Salary' contribution per family
ranger (chief forest guard)	<i>jāngalwān-e 'umumi</i>	0.5 <i>sēr</i> wheat
(agricultural) warden	<i>qoriqmāl-e zamin</i>	1 <i>sēr</i>
water warden (guarding and overseeing water pipe system)	<i>mirāb-qoriqmāl</i>	0.5 <i>sēr</i>
official water manager (in charge of irrigation canal)	<i>mirāb-e rasmi</i>	depending on individual farmer's yield
road keeper <sup>904</sup>	<i>sarakbān</i>	0.5 <i>sēr</i>
shepherd	<i>chupān</i>	1 of 20 sheep per year plus food plus 1 <i>chārak</i> wheat per household
cow herder	<i>padawān</i>	1 <i>sēr</i> wheat per calf, 2 <i>sēr</i> per cow
mullah	<i>mullā-emām</i>	1 of 20 sheep, 3 <i>sēr</i> wheat

Three position holders, the forest guard, the *mirāb* of the irrigation canal, and the agricultural warden were reportedly registered with the local district government. The forest guard is in charge of the command area of 12 villages and the *qoriqmāl-e zamin* is appointed to guard the crops of four villages. In the latter's case, registration with the district authorities was explained as the need to provide him with the backing of the government, that is, legitimacy in the event that he would have to strike somebody and use force in defense of a farmer's crop yield. The four individual villages that shared one irrigation canal had a *mirāb* each<sup>905</sup> in addition to the oversight *mirāb-e rasmi*. Furthermore, in other locations, such as Miyāndeh or Heyut, a *mirāb-e barg*, the person in charge of switching the electricity on and off and overseeing the maintenance of power supply lines and the hydropower system maintenance had been appointed and was rewarded with 0.5 *ser* wheat per family.<sup>906</sup> One of the elders mentioned that he would spend as much as 25 *ser* of wheat per year for the payment of communal matters.<sup>907</sup> The individual in charge was appointed according to demand and urgency. There was no annual meeting when all positions were filled or reconfirmed. All these activities passed for *kār-e*

<sup>903</sup> In other places it is called *kār-e qawmi* and includes all kinds of mutual self-help or communal organization of a socio-economic nature, and is not particularly limited to the realm of agricultural farming. For example, in conflict cases, respondents from Pyu drew a clear distinction between *kār-e qawmi* – the seeking of local solutions as a matter of reputation – and appealing to the government (Interview at Maskashu, 5 August 2007).

<sup>904</sup> In this particular case, it was reported that the main responsibility of the road keeper was to prevent farmers from opening their offtakes towards the side of the road because the water would damage the road by hollowing it out from below.

<sup>905</sup> This *mirāb*, designated interchangeably as *qoriqmāl-e jāngal*, seems to have been in charge of both water distribution and, as forest guard, guarding the mountainsides.

<sup>906</sup> Interview in Heyut/Miyānshahr (Warsaj), 12 April 2007.

<sup>907</sup> Interview in Deh-e Muzāfar/Taresht (Warsaj), 26 March 2009.

*dehkanhā* or *kār-e qawmi*, both of which always have a communal dimension. In contrast, the mutual helping of community members during harvest time (*darāw-hashar*) was said not to belong to the same category because it benefits only one person or family at a time.

These examples affirm that the mechanisms and processes by which aid interventions were implemented contributed to an overall dissociation from outside-induced measures and bodies. In Ghashub/Farkhār, respondents reported that by the end of 2008, an inter-village agreement between two villages and a management body (*anjuman*) had been established by community mobilizers of IDEAS. However, the real purpose and function of both remained obscure for the community members affected. Reportedly, the NGO-workers had fixed the agreement and had not been seen since (*jur kard wa raft, nafahmidēm...*).<sup>908</sup> Thus, it is not surprising to read about difficulties in the formation of sub-catchment NRM committees (associations or *anjuman*) in the third annual IDEAS project report (Concern Worldwide/Welthungerhilfe 2008: 14). According to this source, local people cannot be convinced of the need to establish the associations and committees to sustainably manage natural resources.

### 8.3 State-making as a dual process: The construction of the image of a state

The setting up of new councils does not affect local recruitment and decision-making structures or management procedures. Neither does it penetrate the life-worlds of rural dwellers. As the examples from Warsaj and Farkhār showed, even within the same areas and sectors, a clear distinction exists between what people hold as legitimate and valid for their intra- and intercommunity living and what is demanded by different NGOs and projects. Local councils established by NGOs more often than not constitute artificial constructs that are activated only when NGO or project workers enter single communities to communicate relevant project information to solicit cooperation. The NSP and KRBP projects would have succeeded in their objectives to ‘overhaul’ local governance structures had NSP-heads supplanted the positions of local elders, *arbāb*, and commanders. However, they did not because of the comparatively short-term horizon of the NSP measures at one location, which left the newly established communities with insufficient sustainability in funding and training. Another factor was the hijacking of local councils by local elites (section 6.1.3-b). Furthermore, the NSP and other large-scale reconstruction and development projects exacerbated existing inequities. Consequently, local power-structures remained unchanged, that is, concentrated in few individuals who are able to exercise authority. The only fragmentation of power resources and authority could be attributed to a stratum of development-brokers who were recruits from local realms, that is, Afghan NGO staff (see below). At the same time, these development brokers – a dual tier of rural elites in charge of *kār-e rasmi*, and local NGO-staff in close interaction with rural communities – bridged the disconnect between local governance mechanisms and those of the NGOs, including the underlying norms and vision of the international aid community concerning

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<sup>908</sup> Literally: “They fixed it [founded the association, KM] and left. We don’t understand...” The conversation with the respondents took place a couple of months after the incident in March 2009.



local development.<sup>909</sup> In this respect, the development brokers not the community councils (see Ch. 8.2.1) could be validly called ‘vanguards’ of state-formation in rural Afghanistan from an emic perspective.

It is necessary to linger on the subject of development brokers<sup>910</sup> for a few more paragraphs in order to elaborate on the rationale underlying their role in the observed development and putative state-building processes.

### 8.3.1 Construction of counterparts, communities and target groups

In Chapters 6-7, I described at length the phenomenon of new rural elites as consisting of ‘conventional’ and ‘novel elders’. Together, they form the first group of development brokers. They originate in the logic of the local social order of rural society in northeastern Afghanistan. As individuals, not part of a coherent group, they are entrusted with legitimacy by the local populace. This legitimacy is rooted in their successful handling of the interface between community members and outsiders. Success, in this context, means the achievement of allocation and (re)distribution of benefits from projects, such as food aid (e.g., food for education), roads and trees, which strengthens their reputation and therefore their authority. Elders traditionally (*arbāb*, *bāy*, *wakil*) attended to the interface between local social arenas and outsiders (e.g., district administration and aid agencies) because of leadership skills, such as speech, good relations, extensive networks for securing resource access, as well as the authority ascribed to experience and age. Moreover, the ‘novel elders’ rely on the same social logic and mechanisms. However, many belong to the nouveau riche, the wealth of which was acquired either by violent means during the last roughly 30 years or by payoffs from labor migration to Iran and the Persian Gulf states during the same period. The latter development has perpetually altered rural class relations and resulted in the steady improvement of rural livelihoods over the last decades, despite the long-lasting civil war. A contributing factor in this process has been the unscrupulous exploitation of natural resources, especially wood, causing major challenges to livelihoods and subsistence of the majority of the rural population today. Furthermore, the exile in neighboring countries and overseas of many Afghans has provided new knowledge, know-how, and often literacy for the younger generation. After 2003, this experience and knowledge became power assets in purposeful negotiations of the rural elites within the thriving rural development sector. The emergence of ‘novel elders’ did not alter traditional representation mechanisms in rural communities because

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<sup>909</sup> Thomas (2000) introduced the differentiation of vision, process, and practice of development in order to make the concept more tangible. As I will show below, the practice dimension that NGOs are in charge of regarding the implementation of development projects deviates greatly from the vision of development that is prominent mostly in distant policy circles of the international aid community.

<sup>910</sup> I borrow the term from Bierschenk et al. (2002). However, to distinguish from the original concept, which was limited to ‘local development brokers’ signifying mediators who represented the local population towards the development institution, I include local mediators of the development sector in this term as they are working at the same interface. Olivier de Sardan (2005: 166f) distinguished development agents from local development brokers (ibid.: 173f) and emphasized the formers’ role in transmitting technical project knowledge into popular knowledge. However, the author, despite a critical stance towards the role of development agents and the scope of their shaping the technical knowledge they are supposed to transmit, remains neutral regarding the effects of the inherent principal-agent dilemma (see below). For this reason, I will refer to both types of mediators as development brokers.

their evolution was not contingent upon the active delegation of voice and power by the rural populace. Instead, because of local communities' inertia, anyone could become a 'novel elder' as long as he actively sought this position by claiming decision-making and enforcement power, and possessing the resources to maintain it.

The second group of development brokers is comprised of the national staff members of aid organizations. They particularly include local staff who are in contact with the population. These so-called social mobilisers or community mobilisers (*kārmandān-e ejtimā'i*) include engineers and translators. Their significance derived from working at the interface between interventionists, that is, aid agencies representing international development paradigms, and subjects. As practitioners of development, INGOs occupy the interface between the vision and practice of development (Thomas 2000). Given the lack of the capacity of government agencies and the results of tenacious capacity building undertaken so far, these aid organizations have taken on the role of proactive agents in sectorised institution-building, partly bypassing or even replacing government agencies. This places them at the interface of the two distinct orders that were described above: the local social order and the interventionist ideal image of order, which has the community management paradigm and related concepts (empowerment, human development, ownership, participation etc.) at its heart. Because they are located at the nexus of intervention and subjects, INGOs hold a strategic position. Thus, the work of local personnel who implement development programs and projects is decisive for the successes and failures in the political and economic dimensions of the state-building project in Afghanistan. Consequently, they are responsible for the kind and quality of legitimacy the intervention acquires. Thus, the national staff members of aid organizations may be viewed as development brokers.

I argue that both groups jointly determine the effect of the intervention. By withholding or passing on information as they understand it and as it fits their interests in daily working practices and benefits, INGO-staff members subsequently transform the objectives of projects and programs. Thus, as crucial agents at the interface of practice, the implementation of the intervention is in their hands. Similarly, because rural elites adhere to the local logic of representation and legitimacy, they conform to the aims and demands of community mobilisers, engineers and translators in order to gain the best benefit for themselves and their populace. Their own legitimacy is reinstated and confirmed because they have managed to allocate 'goods' to 'their' people.

It must be emphasized that membership in both groups – rural elites and local INGO-workers – is not mutually exclusive. Empowered by the intervention, they act as gatekeepers in two directions: INGO personnel withhold information and impede knowledge transfer between INGO project-management and rural population target groups or its representatives. Hence, they actively construct target groups and 'communities' in two ways: First, they are power conscious and practice selective communication. Secondly, they construct target groups unconsciously and accidentally because of the staff's limited understanding of project objectives. Within KRBP, this can be demonstrated in all three projects discussed here. The establishment of so-called NRM-committees in the five upper catchment districts and the creation of WUGs, CCs and WUAs in irrigation schemes are cases in point. Moreover, as I have described in Chapter 5, even before physically

encountering segments of the rural population, the INGO found it difficult to define the spatial unit of intervention. For example, the settlement sprawl that occurred during the last decades along irrigation canals in the target area of SMWA forced different challenges upon the implementing INGO than those faced by other agencies that worked in remote high mountain areas. Because pre-war village lists and settlement maps that are partly preserved in the districts' Land Affairs Department are outdated, before an intervention, the INGO needed to decide whether spatial (e.g., village, valley), social (e.g., of a mosque community) or action (e.g., user group of a particular natural resource) frames should be applied in the implementation of selective development interventions within one canal area. For SMWA, this meant considering hydrological units, social factors and land ownership and cultivation patterns because they determine irrigation water use. The resulting cluster formations were based on a mix of all three elements. However, these formations clustered around local centers of power, such as the homes of important elders; subsequently, the initially established WUGs were captured by local elites, that is, the big landowners who were heads and deputy heads of these councils. I have demonstrated their vested interests in project implementation (section 6.1.3-b). However, the short-term thinking underlying the large landowners' initial active engagement to secure their stakes causes doubt about their long-term commitment and willingness to participate in the larger administrative framework of KRBP. It must be said that until 2009, WUGs neither represented all water users nor did they yield disseminator effects. Furthermore, their aims and benefits were not understood by the concerned population.

In comparison, CDP in Burka and Eshkamesh and partly IDEAS followed the existing CDCs that had been established during implementation of the countrywide NSP since 2003. Here, different patterns can be observed: First, community mobilisers insisted on the establishment of sub-councils of the CDCs to be responsible for natural resource management tasks in the framework of their particular project activities. Second, in other localities, CDCs became NRM councils. The risks both of these versions carried were that in various cases, the locally appointed or elected CDC-members had lost the trust and legitimacy of their constituency because they had either misused funds or hijacked the NSP-implementation process from the beginning to ensure 'their people' got elected. Thus, a rift between the rural population and their local representatives became a common pattern in the study area. Although they sensed these rifts and were cognizant of disunity in local settings, community mobilisers all too often proved ignorant and consequently employed these problematic structures in the framework of the project with which they were engaged. They were charged with the enforcement and implementation of equity-objectives.

A third variation of creating project counterparts in the localities entailed meetings with the local elders, which were often ad-hoc and without prior notice. Social mobilisers would talk about their project objectives and indicated that in order to implement the project they would need to establish a local council to be in charge of project implementation. The researcher witnessed cases in which social mobilisers, in the course of local non-committal needs assessments regarding potential project measures in the framework of the IDEAS project, set up NRMC lists for the attendees to sign or fingerprint in order to submit these to their management as indication of work they had done and of local needs and statements

of preparedness for collaboration by the communities they had visited.<sup>911</sup> What is extraordinary and remarkable about this is the fact that discourse and project mandates foresaw the ‘democratic election’ of such a committee by all members of the community after everybody was informed about the goals and purpose of the project and possible interventions. Instead, in this case, community mobilisers attempted to skip several links in the chain of engagement with the rural population in this locality because it would have required more visits and explanations of the project regarding its aim and benefits for local people. The above-mentioned case of Ghashub in Farkhār, in which mobilizers had originated an inter-village agreement during a meeting and left without ever being seen again, is another example.

I have described above (Ch. 5.2.3), how in the framework of NSP-implementation local dwellers were usually requested to define clusters (*hawza*) in the preparation stage for the establishment of NSP councils. For example, in Tobrakash (Asqalān), the inhabitants had been asked to establish five *hawza*. However, the particular criteria for these *hawza* remain at the discretion of the FP’s community mobilizers who engage at the interface of the MRRD, and local communities. Sketchy concepts of the local frame of reference (see Chs. 5.2.1 and 5.2.3) leave enough scope for the FP staff to co-determine at least the agenda of CDC-community formation. Thus, the FP’s implementation practices have to be viewed as hovering between the fulfillment of official guidelines (NSP manual, see MRRD 2003; MRRD 2006) and the personal objections of sub-contracted community workers, who have to negotiate implementation processes with local communities. Presumably, local elites’ priorities are mirrored in the practice of who determines which clusters are formed and who unites the populace for the election of representatives in one NSP council.

From the local elders’ (both novel and conventional) perspective, any INGO engagement with their community is welcomed because it promises funds that if necessary can be diverted to communal or personal needs. Furthermore, the successful attraction of a project or intervention measure in the immediate environment of the community endorses the elders’ authority. Following this rationale, rural elites eagerly show interest in any enquiry by INGO staff, and they are ready to conform to demands to set up councils and point out needs,<sup>912</sup> in addition to appointing or electing representatives. Hence, a mutual construction of target groups and communities and definition of counterparts as well as of reconstruction and development needs by both groups of development brokers takes place.

Another example from the irrigation realm was the suggestion of an eloquent person as participant in the *mirāb*-training courses and irrigation management workshops in Mazār-e Sharif, which were organized by KRBP. This person was said to be the local *mirāb*, but this was merely a claim; instead, the *mirāb* himself was illiterate, elderly, and not interested in travelling long distances. INGO staff accepted the rural elite’s choice of

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<sup>911</sup> The criteria for the selection of IDEAS’ target communities included need, proximity to the main road, and local community members’ willingness to cooperate with the INGO.

<sup>912</sup> For example, in the middle of the Fulol valley, a large-scale cash-for-work-project was carried out, the objective of which was to build an irrigation canal over several kilometers in order to irrigate some land and enhance its productivity. Local dwellers working on the canal admitted that the water would never reach the fields, but they needed the opportunity for employment, and thus the canal digging was not scrutinized (Interview in Fulol, 1 April 2009).

delegation for the workshop and legitimized the attendance of the eloquent character by not calling the attention of the project management to this replacement. Here again, the mutual silent agreement of rural elites and local project staff worked to ensure that both sides were bothered less in their daily undertakings and derived the maximum benefit. Social mobilisers benefitted by saving time and efforts and rural representatives benefitted by setting the agenda hand-picking their candidate.

Similar phenomena were observed during the preparation of infrastructure measures, such as a road building contractor entering a community and demanding the consent of the local elders and a letter of agreement signed by a representative who would serve as contact person. Even in the absence of the latter, locals would never admit that the person was absent but present another elder who would put his fingerprint under the name of the one who was absent. Therefore, they would ensure that ‘their’ development broker, who was absent in the first encounter, maintains his role as middleman. He would meet the road builders the next time they appeared, providing workers for cash-for-work contributions with the road-building project. This example highlights important features of the local social order, its representation mechanism, and the underlying habitus of the rural majority.

The above analysis of the different types of councils showed the following: 1) they were means for the construction of target groups, communities, and needs; 2) they embodied failed participation; 3) they facilitated the overhaul of property rights by aiding property-creation and revamping the usage and management patterns with varying amounts of success. A fourth finding showed that local development councils – whether sectoral or representative models or mixed – represent challenges to the assumption of ‘good’ local governance and administration, which was elaborated throughout Chapters 6 and 7.

As indicated above, the setup process of NRM committees and representative councils in general would usually include a definition of needs in order to determine whether a certain community was more vulnerable to natural disasters, for example, than a neighboring community and if so, whether including this particular community into a NRM project would be justified or not. In this context, local INGO-staff apply superficial participatory and rapid rural appraisal techniques. This partly serves as a legitimizing tool for project management and staff. It is included in regular project reports in order to validate the INGO’s activities from the donor’s perspective as it links with the mainstream discourse on local ownership, community driven development, and the emphasis on participation and capacity building. It is mutually constitutive that neither INGO-management nor local INGO-staff are very interested in deeper engagement with communities, which would mean insisting on compliance with internationally fixed standards, rules of community representative elections, and so on. It is not clear whether this relaxation of guidelines at the interface of the interventionist order on the one hand and the local social order on the other hand is chastened by the perception of insurmountable differences between the two orders. Furthermore, it is unclear whether this circumvention is consequently mitigated by its adoption by INGO personnel and rural elites, whether deliberately or intuitively. I do not intend to argue that any kind of deliberated adoption of seemingly incompatible demands should be equated with large-scale misuse for the personal gain of the INGO-workers or with corruption. These observations are made to emphasize the capacities of

power and negotiation that development brokers have come to possess. It can be characterized as ‘interpretative power’; rural elites or local INGO staff are entitled to construe and ascribe meaning to challenges or demands originating in both mainstream international development practice and local social order.

### 8.3.2 Negotiated and appropriated state-making instead of state-building

I have shown that intervention measures largely perpetuate existing power structures, differential access to resources, and inequities in rural Afghan society. Furthermore, the state is seen as resource that can be extracted from within and used for personal objectives by office-holders. Thus, the state- and institution-building paradigm, which dominates the intervention and the international reconstruction paradigm, must be closely examined. Policy communiqués about the progress of state-building in Afghanistan have been clearly qualified by my data. The perceptions and strategies of local community members work to incorporate intervention logic into their life-worlds and local governance realms. In particular, these strategies refer to the demand-based formation of mostly non-representative local bodies, the construction of target groups, development and reconstruction needs, counterparts and communities, as well as the mental and practical separation of official versus communal dealings (*kār-e rasmi* versus *kār-e qawmi*).

Consequently, the concept of state-building (see 8.1) as a top-down administrative approach of ordering does not fit the reality in the areas studied in this research. Instead, I suggest the term state-making. State-building is thought to be independent of the subjects’ agreement, which objectifies them (see Chs. 2.2, 2.3.2). State-making is understood as a negotiated process dependent on the subjects’ partial willingness and acceptance, thus leaving scope for local arrangements and interpretation. The entering into negotiations of locals in state-building attempts from above thus leverages the idea of successful outcomes after enough time has passed. In addition to this reading, the notion of state-making acknowledges the space of negotiation between full agreement to state-building attempts from above and partial willingness and acceptance by the subjects of such attempts. Accordingly, the outcome of the process is not fixed, but open in all directions. Agrawal dwelled on the concept of state-making in his paper on forest governance in the Kumaon Himalaya in India, stating that it describes “... processes of extension of formalized control, but always through partial willingness and acceptance of those subject to the extension of such control” (Agrawal 2001: 35).<sup>913</sup> However, contrary to Agrawal, whose analysis is state-centric, my data does not indicate a linear progression and deterministic end of these state-making processes in post-intervention Afghanistan and, hence, the culmination in successful state-building according to the development vision inherent in

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<sup>913</sup> Agrawal entitled his paper ‘State formation in community spaces?’, yet he stressed that the difference between state formation and state-making as he saw it is negligible, although some authors would prefer to talk of state-making to emphasize its negotiated character. See Agrawal (2001: 35, fn. 32). I follow him in this claim. The empirical context of Agrawal’s study is that the creation of local forest councils as a negotiated outcome of the state’s trying to extend its control over forests and at the same time villagers’ attempts to reassert their control over forest resources has changed the incentive structures, interests and strategies of all stakeholders involved and brought about a new relationship between state and community actors. In Kumaon, this resulted in the sedimentation of state-control on the local ground and included the locals’ internalization of rules introduced by the councils.

the intervention agenda of the international community. Instead, what is achieved can at best be called a mocking extension of formalized control. Agreement with and acceptance of intervention measures by the population take place only partially and according to local needs and understandings, as I hope to have been able to demonstrate.

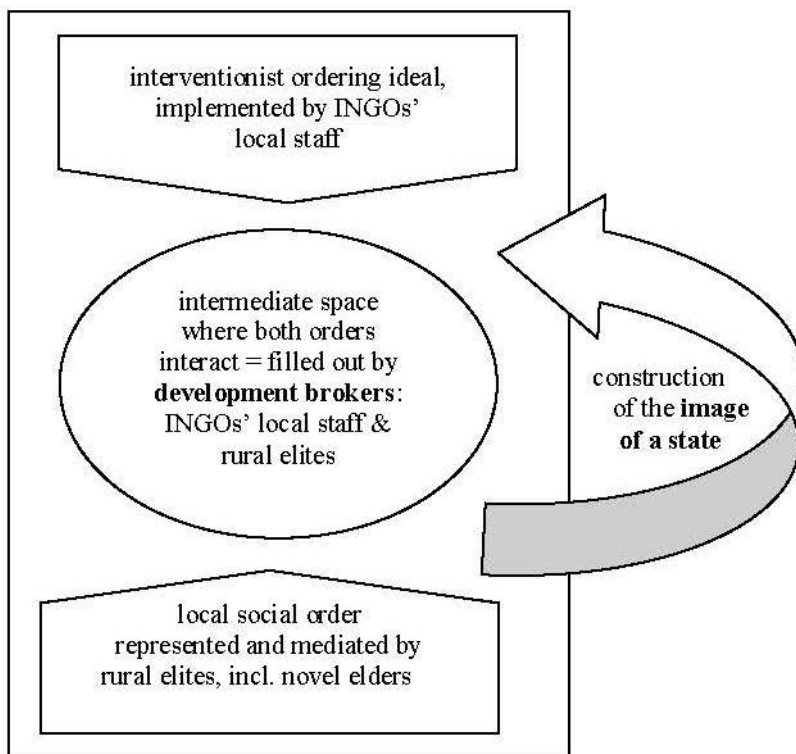
Local development brokers take on the role of active agents of state-making, yet only as far as their own interests go, according to how they interpret the challenges that require confirmation or rejection in their daily life-worlds and which meaning they ascribe to the former. As a result, locally controlled state-making or the creation of the image of a state is assisted by organizational personnel and local elites (Figure 11). Moreover, this process has been conceived of as successful intervention strategies and state-building by the international community. However, this is a misperception.

The rural populace's habitus enabled the emergence of novel elders among the rural elite. The logic of the international intervention, with its INGO-habitus of being trapped in principle-agent dilemmas, promoted the accumulation of power among its staff working at the interface between INGO-management and target populations. Both groups of development brokers benefit from compliance with the state-building agendas of the international community. As development brokers, they form a new stratum in Afghan rural society because they are endowed with power resources related to their intermediate position. Because of the brokers' respective conformity, which is distinct from full agreement, to the challenges that are rooted in the intervention logic and existing social order, they actively reconfirm the kind of existing order according to their own background and needs. In this intermediate space, rural elites, including novel elders, are faced with the personnel operating in the development sector, such as social mobilisers, engineers and translators. Local INGO-staff are expected to implement development measures, that is, establish the social and political standards envisaged by their organization's management and headquarters according to the projects' established logical frameworks.

The INGO-personnel negotiate how much control they dispense to higher levels, which – unconsciously – depends on their understanding of projects, programs and the purpose of development intervention, including its goals and mission, as transmitted to their counterparts and respective target groups. Thus, on one hand it is a function of the INGO's habitus and internal logic that principle-agent patterns take effect; on the other hand, the provenance of local INGO-staff in a local social order shapes their perception of management and higher levels as well as development activities and interventions. In many cases, Afghans who work with organizations are from rural as opposed to urban settings and belong to a family network of rural elites.<sup>914</sup> Moreover, it is not uncommon that a person from a rural locality working with an organization enjoys the status of an elder among his fellow community members because he or she also has an above average education and is ascribed with good judgment and knowledge regarding options of resource allocation, which might benefit the wider clientele of his or her family and network of relatives and other dependents.

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<sup>914</sup> Accordingly, it is obvious that these mobilizers will approach the big men of the community and put participatory appraisals and participatory needs assessments on the back burner.



**Figure 11:** Afghan post-intervention state-making

In contrast to the bird-eye view of intervention from above, in the perception of the rural population hardly anything has changed in terms of control and the alteration of governance patterns. Nevertheless, this can be seen in a positive light, given that the characteristics of the local order, which constitute a value, are being preserved. The field research found that state-making, as partially agreed or negotiated process, let alone state-building with all its connotations, is not a concern of the ordinary rural populace in Afghanistan. Rural dwellers are not actively engaged in the state because they rely on their representatives (middlemen) to provide a buffer between local society and the outside order. This does not mean that only identified development brokers transgress the boundaries between the logic and order of local society and that of development intervention. Instead, the latter escapes intervention logic and its cultural positioning because it is not transmitted through projects or programs. Instead, it enters local realms selectively by exposing the people to other orders, experienced, for example, during migratory labor or by media exposure, such as TV, radio, and increasingly ubiquitous mobile phones. Local elites show a certain willingness to work with projects and INGOs because in addition to personal material profits, they benefit from reconfirming their leadership and authoritative status. The superficial acceptance of social mobilisers' ideas and concepts bridges intervention and target group or communities. However, it is clear that the information passed on to INGO-representatives is determined by the rural elites. This can concern various things, depending on the program's objective, such as the number of livestock (if livestock and food security measures are planned), families, children, information on 'the poor', 'the most vulnerable community members', 'widows', the number of female-headed households, and so on. The definition of these categories is owned by the local elites; thus, they have a monopoly on interpretation.



In summary, the logic of the local order as mapped in Chapters 6 and 7 features a two-tier system of conformity that allowed the emergence of development brokers and the subsequent construction of the image of a state (see Figure 11). This happened on demand and situational according to interventionists' interests and funding, which was conveyed by local INGO staff and accepted by rural elites. Consequently, the recent attempts at state-building and development could have yielded the opposite effect on the objectives in northeastern Afghanistan. The intervention has generated a new social stratum of development brokers who occupy the sphere of negotiation between interventionists and Afghanistan's population at the interface of two distinct social orders. Nevertheless, the way local politics in Afghanistan's northeast works has enabled the international community to plan and advertise the political and development intervention successfully for several years. However, the common underlying perception was that more needs to be done in an extended timeframe; nevertheless, infrastructure building would continue and governance effects would be irreversible. The negotiated image making of the state occurs even without direct the direct involvement of donors, aid organizations, or the government. It is negotiated and appropriated by two groups of development brokers. The fragmentation of power resources in rural society, which have become personified in local INGO-mobilizers, engineers and translators, has caused a further alienation of the Afghan government from local development and target communities. Organizations replace the services of government agencies, and in the eyes of local communities, the financial and material resources of INGO staff are more substantial than any resources government representatives can offer. Investigations in all three project areas showed that the central government today is apparently much weaker in the local arenas than it was before the outbreak of violent conflict in 1978. In the past, the government could extract resources and enforce control via potent middlemen, which is no longer the case (see Chs. 7.1-7.4, Table 12). In contrast, the government is now seen as a resource for individual self-service.

## **Part IV: Conclusion**

“... there are limits to customary social organizations. While they can provide certain kinds of public goods and act as a deterrent to disputes and other conflicts, they are not a panacea. The next problem is explaining the limits of community organizations.”

(Brick 2008: 36f)

## 9 – Conclusion: (Re-)Constructing Afghanistan?

This thesis depicts the complex logic of local governance and social order in northeastern Afghanistan. Any attempt at generalization or efforts to reduce the complexity by higher level abstraction would be contrary to the epistemological approach of this thesis (Ch. 3). As an academic study, this thesis is unique in several respects:

- **Methodology.** The research for this thesis was designed as a bottom-up analysis based on long-term qualitative fieldwork. In this regard, three points are remarkable: First, the main data collection took place in 2006-2007, a period which in hindsight constituted a window of opportunity for the conduct of anthropological-type field research. After this period, deteriorating security prevented any meaningful first-hand inquiries in the research area. Second, the conceptual framework assumed that social order is generated by mutual processes of structuring and being structured by social practices and moralities, which allowed for scientific inference with the aim of understanding local governance processes. The study is to some extent theoretically framed because the conceptual assumptions underlying the research were made transparent and reflected upon at the outset. However, the content of this conceptual framework did not provide hypotheses about the relationship of the empirical findings. Instead, the relationships are reconsidered in Chapter 9.2. Third, closely related to this type of research design is the method used to present the data – what I called the ‘French braid approach’. It began with an empirical description of natural resource governance in all three resource-type arenas, but added more analysis in every section. Thus, each new section built on the the previous ones. The aim of this presentation of cumulative complexity was to offer the reader the opportunity to comprehend the topic of local governance and social order by accessing selected, meaningful aspects from as close an emic perspective as possible. In other words, I hoped that by acknowledging emic categories through sensitive research I would be able to discern the emergent structures of meaning, subjectivities, and ideas about locals’ positionalities. These insights into rural Afghan life-worlds and local conduct are not visible to the short-term visitor or aid worker. Similarly, they are not comprehensible to researchers following a mechanistic description of failed state characteristics or using culture and religion as explanatory variables.
- **Relevance.** The topic of this research is novel in its investigation of local governance defined as the exercise of power to organize collective coexistence in local communities. Its unique characteristic arose from the distinction of local government and technicist local governance understandings, on the one hand, and

the consideration of conduct and of the significance of moralities in interplay with social practices, on the other hand. Also innovative is the focus on the execution of power and its operationalization. However, it is also an uncertain dimension, which will be reflected upon in Chapter 9.2.

- **Content.** I wanted to provide an empirical analysis of local politics and an insightful and thick description of the opportunities and constraints of ordinary Afghans' livelihood-making. Hence, the thesis attempted to solve the puzzle of local politics from an emic perspective. Research on Afghanistan was constrained for decades and post-2001 studies often focused on categorizing rural society according to Western frameworks, such as state(-building), development, rule of law and security, thereby focusing on functionality and efficiency and consequently 'othering' customary organizations, Islam, and local structures (see Ch. 4). This study intended to allow a deeper understanding of rural Afghan society because it began asking questions at the point where other studies had stopped (see epigram on this chapter).
- **Scholarship.** This research project has proven to be a partial testing ground for the usefulness of several concepts that are well known in social science: institutionalism, property rights theory, state-society relations, and community studies. The research even ventured into political ecology because of the nexus of the material world and social practices in the realm of environmental resource governance (see below, Ch. 9.2). However, as most significant venture, I see farther than these piecemeal contributions to different sub-strands of scholarship. I mean the attempt to generate a conceptual tool that can serve as a basis for a qualitatively different engagement with Afghanistan and its societies, and possibly beyond Afghanistan. The social order approach requires reference to contemporary events in their historical, natural-geographic, political and social contexts. The contribution of this research project is not only to acknowledge cognitive factors, that is, Afghans' subjectivities, but to relate them to everyday practices and local power relations (see below).

I will try to reconnect the empirical findings with the social order approach outlined in Chapter 2. Instead of another summary of aspects of local governance in my research sites, I offer selective reflections about power, politics and everyday life in northeastern Afghanistan (Ch. 9.1). First, the guiding question of this section is 'What unique insights have I gained'? Second, I ask 'How do these findings contribute to theory development and the existing scholarship'? I answer this question by critically addressing the concepts of power, authority and legitimacy (9.2.1). I will revisit the relationship between social order, local governance, and politics (9.2.2) in light of the empirical findings. Finally, I will reflect upon the implications of my findings for development practice in rural Afghanistan (9.3.1) and recommend topics for future research (9.3.2).

## 9.1 Everyday politics in rural northeastern Afghanistan

In this thesis, I have used case study vignettes to show the variety, complexity, and co-implications of local governance arrangements – what I called ‘modalities of local governance’ in Chapter 7. The perspective included temporal and topical views, that is, I investigated selected fields in social action arenas of environmental resource governance in the context of historical events and contemporary developments since 2002. The empirical findings are summarized in Chapter 7. In the course of my research, I have gained insights about the processes and mechanisms characterizing local governance and social order in rural northeastern Afghanistan.

I used the concepts of mundane practices and life-worlds to make the daily life of ordinary rural dwellers tangible. Because of the latter’s embeddedness in subsistence livelihoods, local governance processes of environmental resources, which most of the population in adjacent communities depend on, delineate the arena where contestations between different user groups take place. Hence, I attributed to individual life-worlds not only a cognitive disposition (subsuming experienced practice, see Ch. 2.3.3) as members of certain communities (social space), but also showed their nexus with place-based arenas of environmental resource governance. By investigating access patterns to natural resources, which are necessary for community members’ livelihoods, I discerned empirical modalities of governance in rural northeastern Afghanistan and aspects of their transformation over time (Ch. 7).

The comparative summary of access patterns to irrigation water, pastures and fuel wood showed that neither statutory nor customary rights determined community members’ ability to benefit from the respective resources. Instead, personalized relations with actors who were in control of the resource in question determined access. The underlying explanation can be traced to the latter’s repertoire (‘bundle’) of power resources (see below). Consequently, the analysis revealed a significant gap between rights-based egalitarian claims to access via community membership versus de facto enforcement mechanisms of access (see 7.1, Table 10).

Resulting and thus perpetuated social inequalities are so far largely accepted by average community members for the sake of preserving peace and avoiding violent escalation of conflict. Personalized relationships and efforts at personal network maintenance are characteristic of local social order and underlie the ordinary community member’s attribution of value (*Ordnungswert*) to that social order. Community members are aware that justice can be bought or accessed via ‘the right people’, such as patrons, friends, and brokers. Similarly, the personal accumulation of wealth and the association of one’s family to powerful networks are strategies that overshadow discursively claimed values of solidarity, brotherliness, equality, and equity. Consequently, existing inequalities are further perpetuated (see Chs. 7.1, 7.2, and 7.5) and the structuring features of the local social order are affirmed. The recent development intervention has further reinforced differential access mechanisms through reconstruction and social mobilization projects despite its aim to equalize resource allocation (Ch. 8.2).

State-local relations and the role of rural authorities underwent significant changes over time (see Figure 8 in Ch. 7.3.1; Table 12 in Ch. 7.4). In the past, the state under King Zāher Shāh enjoyed legitimacy at distance because of its assumed ‘divine’ origin. Government representatives at the district-administration level were tolerated at best and usually avoided by the average rural dweller. Government-appointed local representatives efficiently occupied the interface between the government and rural society. Before 1978, the co-existence of government and society was mediated by a few authoritative middlemen. However, when local elders, who were already endowed with status and wealth, were appointed as representatives (*wakil*), the relationship between local elites and the king in Kabul was tightly interwoven, thus stretching beyond co-existence. During the revolution period, the militarization of rural society took effect as commanders ascended from among the rural population, based either on former status as elder or qualification as a successful fighter. Both government representatives and traditional middlemen were of negligible significance in subsequent years. Only with the re-instatement of a transitional government in which many of the local protagonists in my field sites occupied posts, did government representatives regain administrative legitimacy by default, which was fostered by the establishment of a polity and the high expectations of it. At the time of fieldwork, government structures were largely captured by individual position holders during the Karzai-period (2002-2009). The mujahedin network of the former Northern Alliance and Jam’iat-e Islāmi around Ahmad Shāh Mas’ud has penetrated all ranks of local government in the three northeastern provinces under investigation as well as central government ministry posts. My data provided unique insights into how the second tier of the Northern Alliance’s and Jam’iat’s big men, namely those from Warsaj and Farkhār as opposed to the first tier, which hailed mainly from Panjshir,<sup>915</sup> has taken control of sub-national governments in Kunduz and Takhār (see Ch. 7.3.1 and Figure 8). At the local level, the rise of a new stratum of ‘novel’ elders has discredited the conventional elder position to some extent and the traditional status of elders in general. However, in terms of legitimacy, the emic distinction is not between novel and conventional elders, but between ‘good’ and ‘bad’ elders, based on the assessment of their conduct towards the rural population they claim to represent.

The dichotomy of state versus society must be differentiated according to local socio-political and historical contexts. The case studies showed that, because of the elite capture of Mas’ud’s second tier followers from Farkhār and Warsaj, the appointment of Northern Alliance-affiliated figures to crucial local government posts (district governor, CoP) throughout Takhār and to a large extent Kunduz province have facilitated different degrees of access to the central government, its agents and resources. Thus, it is striking that Burka, Asqalān and to some extent Sofi-Qarayati have no representatives or effective relations with central government position holders. The state is less accessible for them than for an average elder from Warsaj or Farkhār. Asqalān is even more sidelined as part of Kunduz Markaz district because of its direct sub-ordination to provincial authorities without the intermediate tier of district administration. The latter works well for people from Sofi-Qarayati, although the appointed district governor had been Hezb-e Islāmi commander

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<sup>915</sup> Dr Abdullah Abdullah, Foreign Minister, Yonus Qānoni, Interior Minister, and Muhamad Fahim, the Defence Minister in the first Karzai government emerged from the so-called Panjshiri faction of Jam’iat within the Northern Alliance. The Panjshiri military arm of Jam’iat-e Islāmi captured Kabul in late 2001.

and thus an opponent of the victorious Northern Alliance in the past. Nevertheless, he earned a reputation by just governing and was appointed to head districts (e.g., Archi and Chārdara), the elites of which had not been henchmen of the Northern Alliance. Furthermore, I have shown that even outside the formal government realm, ranks of government officials can be accessed via non-government offices and statuses (see the case of Faiz Umakhēl of Qarayatim in 7.3.2). Finally, money has been shown to constitute an effective means of gaining the attention of government officials and to influence their decisions and actions (see the case of Pyu in 6.2.1-c).

*Salāhiyat* was detected as emic notion of assigned legitimate authority and capacity to act. However, its meaning has broadened in two respects compared with the time before 1978. On the one hand, originally designating moral authority, the notion of *salāhiyat* was locally extended to administrative authority, which the government was acknowledged by default because of its institutions (see 7.4). On the other hand, *salāhiyat* was increasingly becoming associated with material wealth, which was necessary to accomplish anything involving the government. The latter meaning of *salāhiyat* was reported by ordinary people as the perspective of government officials and thus was used as a new (corrupted) signifier for *ehterām* (respect) from the top down. One could conclude that in the common perception of ordinary rural dwellers money rules social relations to large extent and it has become nearly as significant as social network relations (*qawm* in the widest sense) based on kin, friendship, common experiences, and so on. Indeed, one could claim that money had been fueling social relations recently, whereas considerations of kinship and identity had become secondary. Such diverse sources of legitimacy, which underlie the execution of power and originate in a fluidity of norms, could be interpreted opportunities to avoid pre-determined outcomes (e.g., in conflict situations). According to this logic, forum shopping enables local individuals to choose the best available option. Norm pluralism provides evidence of a myriad of local rules which structure social interaction within local communities. However, the application of one or the other rule – if connected to mediation or the purchase of justice – again depends on the endowment with power resources of the person who has the choice (see 7.4 and below).

This study did not seek to derive a functional assessment of whether local governance in Afghanistan is functional ('good') or dysfunctional ('bad'), but to examine underlying mechanisms and emic perceptions from a process perspective. The findings cannot be reduced to simple clear-cut propositions. Following Ribot and Peluso's idea of access as the ability to benefit from a certain resource (Ribot and Peluso 2003), I have traced the exercise of power in environmental resource-user communities that were conceptualized as local governance arenas by looking at the enforcement and realization of access (Ch. 6). In this case, it was feasible to take into account power resources when determining who was better able to benefit from a resource than were co-community members, and why. I listed factors underlying access in the empirical case studies in Table 10 of Chapter 7.1. Given the spatial dimension of natural resource usage, the identified factors ranged from place-based determinants to social identity, authority, social status (especially social network relations), and economic resources.

The habitual reliance of ordinary community members on middlemen and local brokers, even though they are not always trusted to work for the benefit of the community, has

facilitated piecemeal negotiations for the (re-)construction of infrastructure and selective development measures at the local level as well as negotiated state-making at the national level. Despite this seemingly self-referential closed circuit logic of the social order, which is constantly reinforced by everyday practices in line with relative stable, dominating moralities, the scope for change or at least outside influences often comes from ‘exit valves’, such as the migration of a large share of the districts’ population to labor in Iran at the time of this field research. Other outlets that allow exposure to different orders are media broadcasts and mobile phones. These factors provide a potential for agency and the possibility of incremental change, which is likely not going to be as significant in 35 years as past adaptations in local social order were in the period beginning in 1978. In hindsight, although gradual, the shift in power structures that I delineated throughout the thesis and summarized in Chapter 7 was heavily facilitated by large-scale mobilization in the name of defending Islam. Although facilitated by the same logic – via patron client networks, personalized relations and middlemen – events and processes as the murder of an entire stratum of local elders and middlemen or the outside supply of weapons and money from the party headquarters in Peshawar, which provided power resources to different commanders a couple of years later, constituted major factors in changing local power structures. The recent development intervention may be a third factor that affected local power dynamics and rural elites during the last decade. It largely reinforced existing social inequalities in ‘target communities’ and facilitated the rise of a new group of development brokers, namely local INGO-personnel working at the interface between the international aid community, embodied by the INGO local office and the rural populace targeted by development projects.

It is most remarkable that in the scenario outlined in the previous section, these three outside factors – labor migration, the quasi-extinction of a whole stratum of traditional elders in 1978 and 1979, and the military and socio-economic aid intervention since 2001 – have not transformed the social structure entirely. Instead, in every case, adaptation took place within the very same logic of everyday social practices and moralities. Hence, murdered elders and middlemen were replaced by sons and brothers in hereditary fashion; weapons and money reached commanders who were family members of Peshawar-based party and district envoys; Afghan community mobilizers, translators, and engineers working for INGOs referred to rural elites for the implementation of project objectives.

In conclusion, adapting to challenges to mechanisms of a social order is normal and carried out according to the logic of that order. Within Afghanistan, even long-term violence and war have not challenged the framework and legitimacy of the rural social order in any substantial way. When broadly Marxist ideology fueled the coup d’état in 1978, and reforms were subsequently introduced at the community level, the challenge to the local social order was blighted. Since then the prospects for the reduction of in-built inequalities in the prevailing social order have not improved.



## 9.2 Revisiting categories and analytical concepts

This thesis began with the explicit assumption that social order is constituted by power relations. Consequently, the assumption of power as a relational concept was introduced, wherein power nests in the mutual interplay of social practices and moralities that shape local governance mechanisms and reinforce certain social orders according to the surrounding context. The ability of individual community members to benefit from resources in specific local governance arenas was found to be determined by the availability of power resources. Given the identified flexibility and plurality of local norms and legitimation processes, rights-based access mechanisms played a minor role in the empirical case studies when compared with the structural-relational preconditions for access. Based on the results of the empirical analysis, the following two sub-sections discuss the main analytical concepts used in this thesis and answer the question, ‘What does the analysis contribute to scholarship?’, that is, both sections provide a selective reassessment of the conceptual framework.<sup>916</sup>

### 9.2.1 Power, authority and legitimacy

In this thesis, I attempted to decipher the logic and local mechanisms of power. Based on the findings, I conclude that in a thick description and analysis of power, it is by no means sufficient to use the term power; instead, representative concepts and terms are necessary to develop an operative concept of power. Consequently, the relational concept of power and the implication that power cannot be possessed but manifests in social relationships has been useful. My own case studies revealed that the idea of power as a medium to achieve goals and influence others’ actions while based on certain resources seems most plausible. I have subsequently integrated the idea of different power resources as constituting branches of bundles of power into the analysis. Not only the quantity of these branches, that is, the availability of power resources to a person but also the quality, that is, the type of specific resource endowment determine the potency and probability of influencing others’ actions. However, those endowed with power resources do not have to be consciously aware of them. Power resources might reside in a person’s status or origin. Uphoff’s elaborations on political resources (Uphoff 2001: 316f) were a useful starting point in distinguishing resource categories (economic resources, social status, force, legitimacy and authority) and how they are manifest. I showed how closely interwoven are the categories of social status, legitimacy and authority. In particular, the latter two are awarded and acknowledged within social relations and are thus often

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<sup>916</sup> Auxiliary concepts, such as life-world and rationality, which underlie the case studies as well as the social order approach, have contributed significantly to the results of this study, but they are not discussed separately here as concepts in their own right. In particular, the idea of individual life-worlds can be seen as a first-order construct constituted by diverse and overlapping arena-based (non-scrutinized) experiences of practice. Hence, I distinguished the life-world perspective as an emic construct mirroring Afghans’ subjectivities, whereas I considered the local governance-perspective an etic viewpoint that is selectively and validly employed by the researcher in order to concentrate on one or more local governance arenas. Both perspectives are mutually complementary and together constitute the moralities and social-practices dimensions of the social order approach. The allusion to *Lebenswelten* in the title of this thesis refers to the idea of everydayness entailed by the ambiguity of meaning inherent in the popular versus scientific usage of the term life-world.

dependent on prevailing moralities. In short, social power in northeast Afghanistan's rural communities resides predominantly in social networks, personal patron-client relationships, and material wealth.

The concept of bundles of power is very appropriate to my case study of rural communities in northeast Afghanistan because of the large-scale absence of statutory law and the disconnection between normative local rules emphasizing equal rights and entitlements on the one hand and de facto practices of unequal access on the other hand. An examination of power relations, particularly the power resource bundles available to different actors or groups of actors, can help explain how the relationship between rules and enforcement plays out in everyday resource-use patterns. It was subsequently found that the more heavily a person is endowed with power resources both quantitatively and qualitatively the better he or she is able to enforce access – even beyond the discursively defined entitlements and normative rules attributed to the particular user. As examples from the different NRM arenas in this study have shown, local norms such as the equal treatment of tail-end and upstream water users (even written in jointly agreed rotation schedules), joint usage of pastures and open access to fuel collection have been adjusted for everyday practice. Therefore, the most serious contestations occur in cases of irrigation water, and the least serious contestations involve fuel wood, probably because the exclusion of users from biomass collection at mountainsides would deprive them of the means to heat and cook in the absence of alternative energy sources. A focus on the bundle of powers, instead of employing the popular bundles-of-rights perspective, explains the ability of local actors to benefit from community resources, no matter whether they have rights to them or not. In short, any enforcement of rights depends on the availability of – or endowment with – power resources.

The role of property in contexts with no robust enforcement of property rights (rule of law frameworks), affects branches of development studies that are concerned with common property regimes and community-based natural resource management. First, representatives of such approaches often employ an undifferentiated community perspective in which power does not figure. Second, they do not define the social or other boundaries of the community in question but take their existence for granted. My thesis provides a basis for arguing that power is crucial in understanding local resource access and use dynamics and, thus, de facto property rights. Hence, I argued that research on community-based natural resource management should be free of the biases of property rights theory and homogeneous notions of community. Instead, it should acknowledge the possibility of social differences within communities and underlying power resources. This thesis suggests that community studies could be more fruitfully conducted from a local governance perspective wherein rights-based mechanisms would figure as only one of several factors under investigation. They could be observed in the social practices of deviance and control with regard to community resources. In addition, I demonstrated the blurring of boundaries (fuzziness of place) in determining communities. For example, the village can be considered a socio-spatial entity and the resource-user community can be unit of empirical observation and analysis. The advantage of 'the resource-user community' is that it can be implemented in data collection. It can also be acknowledged

as only one piece of the puzzle of manifold governance arenas of which individual rural dwellers are a part.

A further unique finding concerns the relations among power, authority, legitimacy, wealth and local governance. First, regarding the authority-power nexus, I found that moral and administrative authority can be attributed to a person without significant power resources and thus the ability to exercise power. For example, in war-time conditions, conventional elders could not face commanders meaningfully if the latter was ready to use force to represent his interest against the interests of the elder or those on whose behalf an elder tried to mediate. In peace-time conditions, however, moral authority can be a resource of power if the social environment acknowledges the elder's moral authority and obeys it. Similarly, government representatives at provincial and district-administration levels were endowed with administrative authority by default because of the very establishment of government institutions. However, depending on their conduct in office, they were either acknowledged or denied legitimate authority. Only both types of authority would have lent a higher degree of legitimacy to their actions; however, full legitimacy was unlikely to be achieved because in the absence of material resources from which the populace could benefit diminished the government representatives' legitimacy. Few government representatives have earned legitimate authority by balanced decision-making (e.g., Faiz Muhamad, see 6.1.2-b/c) that was perceived as just. Others possessed advance credit despite non-performance in office because they had been 'on the right' side during the war – an impression that was shared by the majority of the concerned office-holder's rural constituency, such as in the case of the CoP Warsaj. Moreover, the administrative authority these office-holders received by default once they entered their position was subsequently enmeshed with their own clout as local big men who had been able to ascend to the post by using their own power resources, which comprised family relations or the war-time military command network, in addition to money (see 7.3 and 7.4).

In contrast, legitimate power can be exercised with only little authority or without any at all in the view of those benefiting from its usage. In this case, the action would be less legitimate in the eyes of the majority, but would find approval with those who benefitted. In an (admittedly idealized) in-between stage where power (i.e., the use of resources to influence others' action through action) relies on one type of authority – either administrative or moral – actions or the holding of a position are not perceived fully legitimate but are accepted for different reasons (conformity) and in the context of diverse consequences. These findings reconfirm Popitz' concept of institutionalization of power as not necessarily a one-way process that moves between the stages from mere power to authority and subsequent rule (*Herrschaft*, see Ch. 2.2.2).<sup>917</sup> The emic categories of *salāhiyat* and *qudrat* comply with the idea of assigned legitimate authority based on moral factors versus appropriated authority based on power resources without necessarily enjoying wide legitimacy. In addition, *qudrat* is perceived to further *salāhiyat* (Ch. 7.4).

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<sup>917</sup> The rule dimension was not part of this thesis. In the conceptual framework, authority was introduced as the institutionalized usage of power resources. Note that the difficulty in terminology is caused by the overlap of the notions of authority. I discussed authority in relation to legitimacy by distinguishing moral and administrative authority as resources of power. At the same time, authority can be understood as derived from power resources, thus constituting what Popitz (1968/2004) termed institutionalized power.

Because legitimacy underlies the exercise of power, the degree of authority depends on the extent of legitimacy.

Hence, I have conceptualized local governance as the exercise of power with the purpose to organize collective coexistence and provide collective goods in communities in rural societies (see Ch. 2.4.1). The specific governance characteristics perceived from the emic perspective – ‘good’ or ‘bad’ – are determined by and vary with the extent of legitimation surfacing in the different practices inherent in the modalities of governance. The logic of the accumulation of power and its conversion can only be grasped against the background of overlapping social arenas in which different power resources are available and unfold in relationships. One example for the conversion of power resources is the elder-turned commander phenomenon at the onset of war in the late 1970s. In this instance, authority, social status and economic resources coalesced into military leadership. The conversion takes place along the same lines even between different types of military leadership, such as anti-Soviet resistance to the Taliban. In these cases, the conversion is based on authority, the individual’s or his father’s previous reputation as *jihadi* commander, and economic resource endowment. It is perceived legitimate by a sufficiently large proportion of the populace to be acknowledged. Another type of power resource conversion is the appointment of the *mirāb* by the largest landowners cum (novel and/or conventional) elders, thereby using authority and social status to endorse economic prosperity, if necessary at the cost of smaller, less resource-endowed cultivators. Similarly, through employment as local (I)NGO staff, the sons of local elites were able to convert their endowment with information and knowledge because of the better training and education they received. In short, they used their elite status as a power resource to further their own economic and social interests and status.

Chapter 8 focused on the role of local INGO staff as of one group of development brokers (the other being rural representatives and elite figures), thereby evolving into a new social stratum. However, the question is not whether the recent political and socio-economic aid intervention has caused the fragmentation of power resources by adding a new social group to local elites versus the concentration of power resources. Both trends are visible: Aid programs, such as the NSP, and sector projects, such as the KRBP, obviously provide economic resources with the claim to bring equal benefits to a large target group. In fact, many of the resources were hijacked by a small, albeit increasingly diversifying stratum of rural elites. Hence, a more interesting dimension to assess is whose ability to benefit from any resource increases or decreases as the result of aid. My empirical investigation showed that middlemen clearly benefit, as do, though to a lesser and controlled extent, their active supporters. In contrast, passive clients, that is, the average populace with no special relations to any of the local elders or elite figures, are likely to receive minimal trickle-down benefits and these are rare.<sup>918</sup>

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<sup>918</sup> For example, trickle-down effects occur when collective goods are created through the targeting of the entire community by circumventing the usual representatives. However, in local reality this is seldom the case. Most aid programs and projects are sector-based and growth-oriented, which leads to distortions caused by, for example, the exclusive privileging of landowners and livestock holders when improving irrigation canals and pastures. For further discussion, see section 9.3.1 below.

## 9.2.2 Politics, local governance and social order

Within the frame of subsistence economic activities and depleting resource stocks, I have chosen natural resource governance as a promising field in which to observe contestations and negotiations about access and usage because local communities to extents depend on environmental resources for survival. This established a close link with ecological conditions and provided my research with the dimension of political ecology (see 6.2.3). The finiteness of the resources studied, especially fuel wood, and the exhaustion of the carrying capacity of rangelands in the study region cannot be denied. Thus, nature cannot be treated as static and in equilibrium. According to the logic of the local social order, a high degree of adaptation is already observable. However, in line with the same logic, this adaptation does not scrutinize the existing practices and sets of values. Adaptation finds expression in not only exit strategies, such as labor migration and livelihood diversification, but also the shift from wood fuel and non-woody fuel plants to manure for heating and cooking purposes. Adaptation is indicated by the purchasing of tube wells by tail-end water users and by the accumulation of livestock by subsistence farmers and rich families in the upper catchment field sites because of the uncertainty connected with rain-fed farming, the lack of employment opportunities as well as increasing meat prices. However, in the long run these adaptation strategies will backfire because they are not sustainable. For example, the uncertainty connected with mountain resource governance, which I pointed out in Chapters 6.2.3 and 7.4, points to the need for systematically reconciling politico-sociological and ecological perspectives. The interdependence of power, politics, and ecology, including the physical environment, must be acknowledged. Social science researchers should focus on better integration of all three fields.

This thesis demonstrated that the binary opposition between state/government and society (one could extend the argument to a second binary between society and the individual) does not hold and therefore needs qualification. I showed how this binary differed in the research field sites. At present, the state is a source of rent extraction for appointed government staff. Prior to 1978, Roy (1985: 20) diagnosed that “the state exists outside and apart from civil society” and the villages, but members of rural society nevertheless often managed to penetrate the ranks of the bureaucracy (ibid.: 21). The major difference today is the large-scale appropriation of district governments by rural elites with varying degrees of legitimacy. The state or national government administration has passed through a transformation from distant exclusiveness, which more or less embodied an enemy to the ordinary rural dweller in the pre-revolution period, to ‘no state’ (*‘hukumat nabud’*) during the 1980s and first half of the 1990s. Today the state is negotiated. Ordinary citizens connected manifold expectations with the establishment of the Karzai governments after 2001. They have since witnessed the decline of authority and administrative legitimacy of the local government caused by non-delivery of development measures, such as the provision of jobs and basic infrastructure. The NSP was not successfully related to the local government and even its link to the central government has not always resonated with the target population. The allocation of services and the delivery of justice according to the personal network logic of office-bearers in local governments and higher-level administrations deprived the state of its former exclusiveness. Contrary to before 1978, the government after 2001 was not penetrated from the bottom up, but from top down, as the

analysis of the first and second rank of Jam'iat-e Islāmi and Shurā-ye Nazār big men illustrated.

I will now summarize how the social order perspective fared as a conceptual framework underlying the investigation presented in this thesis. What can be said regarding its validity and usefulness? The most significant value is that it provides an epistemological viewpoint and conceptual tool for a thoroughly grounded analysis of local societies and subsequently enables a better understanding of their different contexts. By focusing on the moralities and social practices, the employed life-world perspective acknowledges the emic point of view of the concerned persons who more often than not disappear in formal analyses. In addition, I propose that the social order concept allows the reflection and conscious choice of how a problem is investigated and thus how we know what is presented as research findings. The elaboration of guiding theses in Chapter 2.5 and subsequent considerations for their methodological implementation (Ch. 3) ensured that I approached the field, data collection, and analysis with a focus on emic categories and theory-led inductive inference (see Ch. 2). Hence, my own cultural and theoretical biases were controlled.

In this thesis, the social order perspective has proven useful because the basic patterns of local social organization in rural Afghan society were under scrutiny when I prepared the investigation and entered the field. The inherently non-state-centric approach of the social order concept did not limit me to investigations of local government features, but challenged me to go beyond. Hence I conceptualized local governance as etic manifestation of social order which could be empirically investigated. Hence, social order potentially displays a considerable value in any study of local societies that are distinct from Western cultures because the epistemological toolbox leaves room for an neutral reception of local social realities. Attempts to investigate these from within take into account the cognitive factors of members, as well as the wider historical, socio-political and natural environmental contexts. Moreover, the view that governance as the interplay of social practices and moralities via underlying structures of power relations constantly reproduces social order, allows attributing local governance specific characteristics based on emic categories.

Based on the results of my analysis, I am now able to relate the concept of social order to other concepts used in the study of local politics. Social order provides the conceptual space in which all other phenomena can be (but must not be) embedded and investigated. An analysis of social order – through the mutual interplay of moralities and social practices and generic effects produced by this interplay – prepares the ground for the empirical investigation of social organization (governance as the exercise of power in a certain mode) and includes the entire web of mutually intersected social fields and local governance arenas. Within a society, all sorts of meaningful behavior can thus be observed without any normative bias exposed from the outside. However, local governance analysis is field-related and grounded in patterns of the interplay of social practices and moralities. Hence, treating social order as an analytical framework enables the empirical analysis of local governance.

Local governance of community-relevant social fields does not necessarily entail conflict. If the factor of scarce natural resources in subsistence economies is disregarded, the

regulation of everyday affairs in other fields is unlikely to involve similar amounts of contestation and subsequent degrees of politicization of access (Ch. 6.2.3). In other instances, however, conflicts are assumed to arise out of contestation over resources. The detailed analysis of the field data showed that politics revolves around the mediation of conflicts.

The socio-spatial unit that the term social order refers to in any particular research depends on the definition of the problem and subsequent research question. Social order can be understood as comprising a complex tapestry of overlapping governable arenas of social interaction in a – however large – society. This thesis has approached the organizing principles of rural society in northeastern Afghanistan by examining social practices and moralities in user communities. The auxiliary concept of life-worlds was included to account for the cognitive dimension (mental positioning/subjectivity) and everydayness in ordinary environmental resource governance. On one hand, the significance of natural resources from the local users' point of view provides much scope for contestation. On the other hand, access patterns represent social differentiations within user communities and thus prove a useful magnifier for analyzing power relations. With this focus on the ordinary and not necessarily on open, already escalating conflicts, I was able to trace contestations of interest and preferences that are normally hidden from direct view and thus have not been the subject of research analyses. The heuristic mirroring of rural Afghans' subjectivities by rationales of the aid intervention revealed the prevailing logic of state-making in northeastern Afghanistan. These findings could be a basis for imagining new ways of academic and practical engagement with Afghanistan.

### **9.3 Outlook: Implications for development practice and further research**

Development and its dimensions of practice, process and vision (Thomas 2000, 2000a) were criticized as a form of trusteeship by Cowen and Shenton (1996) and as a mere technology of security by Duffield (2007). Both views hold true for Afghanistan. The effect has been the technicization and depoliticization of aid intervention in general and the socio-economic programs of the KRBP or the NSP in particular.

#### **9.3.1 Lessons for development practice**

Chapter 8 showed how in practice aid intervention is mediated by a small stratum of rural elites and local INGO staff, and the macro-effect of negotiated state-making yields highly uncertain outcomes. It implies broad-based norm diffusion because, on the one hand, the intervention logic embodies the normative preoccupations of the intervention societies inherent in notions such as good governance, growth, democracy, market economy, human rights, and freedom to name the main associated buzzwords. On the other hand, both Afghan rural elites and average rural dwellers bend these norms by appropriating them into their own life-world understandings. Subsequently, a transformation of the intervention objectives and means according to individual needs occurs, both consciously and unconsciously (Ch. 8.3). Consequently, the top-down development template for

Afghanistan (despite existing rhetoric of participation and bottom-up facilitation of development, see Ch. 8) is met by local realities that have been misconceived at best by the former's proponents. The most crucial misconception is of the social differences within target groups. They were found to be largely neglected in the process of project implementation although the mitigation of inequality is a prominent notion in funding proposals and equity is a similarly common *topos* used to describe the normative aim of many intervention measures to enhance pro-poor development. In my explications about local governance mechanisms with regard to environmental resources – and those of conflict mediation and other resource provision, such as access to justice or to aid benefits – I showed how *political* seemingly uneventful ordinary issues can become at the local level. Paucity-enhancing factors played a crucial role in contestations over resources and the subsequent politicization of access (see section 6.2.3). Accordingly, (I)NGOs or other aid agencies that carry out implementation measures that neglect power differentials within communities contribute to the overall trend of depoliticization of target groups and the objectification of recipients. Homogenizing depoliticization can be traced to the concrete practices I alluded to throughout Chapters 6 to 8. A crucial practice is the mode of mobilization of local communities, which occurs only by speaking to the local big men and not involving all community members, despite claims of consulting all the people (*'kul-e mardum'*). Consequently, and in line with the inertia inherent in local moralities, participatory rapid appraisal exercises for communities' needs assessment regularly fall short of the participation dimension. This leads to another consequence resulting from the mediation by development brokers, namely that many aid intervention measures do not reach the neediest social groups but are diffused in the process of project implementation.

In northeast Afghanistan's rural society, rights-based mechanisms are overruled by structural-relational mechanisms (Chs. 6 and 7). The concept of bundles of power puts property rights into perspective (Ribot and Peluso 2003). The latter entail a normative bias assuming the inevitableness of uncontested and fixed property rights. Aid practitioners follow the same paradigm, if not by default assuming the existence of robust rights, then in their vision of development aims. However, I have shown that the vagueness of access and use rights, which results from norm pluralism and multiple potential enforcement bodies (local *shurā*, district government, CoP), benefits those who are the most deprived of power resources and dependent on fuel resources on mountainsides. If the areas in the mountains which are customarily used by one community, were fenced or privatized after breaking up the common territory into individual plots, the poorest families of the community would be deprived of access and thus lose a source of income that was already at subsistence level.

On another level, my research showed that the nexus of poverty and environmental degradation is not as clear cut as (Neo-)Malthusian thinkers have proposed. According to them, degradation and loss of environment and productive land has occurred as an inevitable result of population pressure and subsequent conflict (Homer-Dixon 1999). However, I indicated that although population pressure in the upper catchment districts has existed for almost a century, environmental resources were not a factor in local conflicts in the past 30 years. Instead, different adaptation strategies – albeit not sustainable – have been employed by the local population to cope with decreasing resource stocks. Therefore, it might be appropriate to see the developments as part of long-term land use changes as



have happened elsewhere in the world. The districts of Farkhār and Warsaj can serve as showcase counterexamples for (Neo)Malthusian theory. Moreover, I found that it is not the poorest members of social communities who exploit environmental resources to an extreme degree. Instead, as the case studies on fuel wood and pastures demonstrated, the wealthier strata of local residents put enhanced pressure on the environment because they create a heightened demand for fuel wood, which they sell for profit in the provincial municipalities. The increased pressure is also a consequence of peace (peace-dividend, see Ch. 6.2). Similarly, the large herds of rich livestock owners put higher pressure on the ecosystems than do the few animals possessed by poorer families. Rural development programs are advised to take into account these qualifications and social differences in communities and redesign their programs accordingly. The poverty-degradation nexus needs critical reframing. In another example, one of the measures to enhance local cooperation and mitigate poverty in Farkhār and Warsaj was the distribution of livestock to widows and households headed by women. The effect on the environment notwithstanding, the project had overlooked that the recipients did not possess land to provide for winter fodder for animals.

Of final importance are the implications the social order and local governance analysis have with regard to social change in northeastern Afghanistan. Given the interplay of the local and the interventionist social order and their subsequent mediation towards each other by middlemen, social change as the aim of development programs envisaged by the international community is impeded. Moreover, longer times will be needed to produce the trickle-down effect to the mostly excluded average population, which only benefits if mediators and local elites have been saturated. In the process of implementation, policy programs fail in their equity dimension. Thus, revised programs would be urgently necessary to enhance the impact of aid in Afghanistan, particularly regarding the implementation process and the role of social mobilizers, translators and engineers. In short, aid representatives that work at the immediate interface with the population should have the opportunity to understand fully the programs and their objectives. They should receive better training in methodologies of implementation and incentives to grow and build a career within one organization in order to ensure that employees are working towards the goals for which the funds were allocated.

One could claim that in the long term, the influx of aid money and projects only perpetuates existing inequalities in communities and that social change at the local level is best generated through individual abilities, endowments, and self-help. The effects of labor migration to Iran over the last decades have been shown to offset the traditional relationship between rural elites and laborers in Farkhār and Warsaj. However, I do not recommend stopping all aid, which would be counterproductive. However, by shifting the focus from large-scale infrastructure to more human capacity-building and taking into account rural realities and life-worlds, aid policies could be designed to help people according to their own logic and current aid could be used in more meaningful ways, such as helping Afghan workers in Iranian and Pakistani cities, launching renewable energy projects, providing legal literacy, and, if possible, actively creating local employment markets or acknowledging structural unemployment prospects and building alternative policies (guest worker programs etc.).

Regarding the engagement in Afghanistan at the political level, it might be worth reiterating that this analysis showed how the local social order discards ideology and, thus, religion. In addition to the acceptance of local leaders independent of former and current factional belonging (see 9.1), this finding entails certain prospects for reconciliation and the acceptance of development measures (if conducted ‘right’). However, attempts at social change from the top down or reengineering from below have yielded uncertain generic outcomes so far.

### 9.3.2 Future research programs

As an afterthought to several points mentioned above, the findings of present research point to the need for future research to reconsider notions of ‘village’, ‘poverty’, ‘vulnerable people’ and ‘widows’, which are the most relevant for aid practitioners. In my view, these notions fail as signifiers of concepts of local counterparts. Because the latter are embedded in distinct social realities, their existence and substance need to be acknowledged. My analysis revealed several faultlines. Although poverty is generally defined according to monetary income, the social reality is that families are rich in livestock but have no monetary income or amenities such as electricity. The categories of vulnerable people and widows are subject to definition by the community development broker. No doubt many Afghan women are widows, but they usually do not have to look after themselves alone and can rely on the larger family in rural areas. This is why most programs that target widows benefit selected families that might not be the neediest. From another viewpoint, this type of project often causes women to deny their husbands, old-enough sons, and male helpers in order to benefit from the program.<sup>919</sup> Follow-up studies on these topics in the broader context of local governance in Afghanistan using a similar framework of social order would generate further valuable insights and enable the comparison of my own work with findings from other distinct social arenas over time. At present, however, the possibilities for scholarly work in Afghanistan are severely limited.

Nevertheless, the most fascinating challenge I see for research arising from the insights gained in the present research involves the study of social practices that are vital components in local governance and individual life-worlds. However, this approach does not fit current research paradigms, which usually ‘other’ such practices as belonging to the informal sphere that is not accounted for. The elaborated absence of statutory law and the double standard connected to local norms, that is, the distinction between customary norm and practice, is an example of why the distinction between formal and informal institutions and practices does not have analytical value. Furthermore, this distinction has created confusion in attempts to understand local social logic by previous studies. The crucial point is that even the ‘informal’ includes putative norms and deviating social realities and practices. Thus, within the sphere of the informal, a misalignment is already established, which requires thorough analysis. Moreover, the notion of insufficiency and deviance with which informal practices were associated imparted non-statutory regulations the bias of deficiency and non-functionality.

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<sup>919</sup> See Daulatzai (2008) for an assessment of the impact of this denial on women’s subjectivity and their predicament.

I wrote my empirical data and conclusions (Chs. 7-9) without resorting to the concept of institutions. Instead I spoke of social practices and their institutionalization (see Ch. 2.1.2). The popular understanding of ‘institutions as rules of the game’ does not do justice to the complexity of local practices and their underlying, mutually reinforcing moralities. I have shown that much can be gained from employing the concept of social order as an epistemological approach, without categorizing practices as formal or informal or relying on the state-centric view of methodological nationalism. I advocate the establishment of a research program on ‘Social order and local governance – Learning from the majority world’. This program should include various case studies from rural and urban communities throughout the majority world, that is least and low income country contexts mostly characterized by non-democratic governance, to investigate local self-organization at the community level in relationship to the institutional context of local, national, global political, and socio-economic forces.

Two main assumptions underlie this program: First is the need to acknowledge that the majority of the world’s population lives in the so-called informal sector. Countries such as Afghanistan and Pakistan generate more than 50 percent of all economic activity and output in this sector. Second, although ontological investigations of mechanisms and facts have been carried out by numerous studies, there is a need to develop an interdisciplinary tool to grasp these realities such that they can be communicated to other academics and policy makers in order to lay the groundwork for different forms of academic and political engagement with ‘the informal’. Given the striking prominence of studies explaining failing statehood, perpetuated poverty, consolidation of authoritarianism instead of democratic change, and the gap in between development norms and local realities, the norms themselves must be put under scrutiny. An innovative strategy to accomplish this goal would be to carry out empirical research on normative frameworks, which can be traced only in social practices including discourse beyond the idea of universal isomorphism as propagated by the world polity school (Finnemore 1996; Meyer 2005), and by investigating commonalities of informality patterns in non-Western contexts. On this basis, existing scholarship on sociological institutionalism, patronage, informal institutions, and related concepts, which originate largely in exclusively Western contexts, could be revised or merged into new heuristic paradigms that replace what is known as ‘the informal’. The influence of the policies, cultures and religions of nation-states is likely to be revised in the course of this endeavor. Power relations will figure prominently as they are operationalized in modalities of local governance. The critical hallmark of the proposed research program will be the attempt to make sense of the world from the point of view of concerned individuals and social groups.

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## A1 – Documents

### A1-a: Translation of Letter of major local commanders in Chārdara, 1989

#### Request letter for support

To all Jihadi commanders and the Islamic Party of  
Chārdara

18/7/1368

Order

Greetings! [Peace be upon you]

It has become known that Qarayetim main canal, which used to irrigate 40,000 *jerib* of land, was recently damaged and is currently irrigating 40 percent fewer crops because we could not work on the canal during the revolution.

Currently, we feel it is impossible to irrigate 40,000 *jerib* of land with the existing infrastructure; our crops are dying. For this reason, we have decided to dig a new canal in an approximate distance of 1,000 meters. However, this is impossible without the support of the Irrigation Department and the provision of tools and machinery by the government.

We went to the Irrigation Department and explained the above issue and asked them to provide us with tractors with necessary tools to dig a new canal and thus solve our problems. The Irrigation Department agreed to give us tractors on the condition that the mujahedin commanders of the area guaranteed that they would not destroy the tractors and bulldozers.

Thus, we request from all brothers and Islamic party commanders to state their agreement by undersigning this letter and not create problems.

Related to the above, it is worth mentioning that the new canal will be dug on the lands of refugees (*muhājerin*) [to Pakistan, KM]. In order not to infringe upon their rights, we have agreed to compensate them for the land by paying 20,000 Afs per *jerib*, which is above the current market

The intention of this request letter is the improvement and solution of community-related problems; thus, the provincial-level commander agrees and approves it.

I request the commanders of Khales of the provincial department to inform their armed groups not to create any problem for the bulldozers, because the machinery will be used for the benefit of the local community and to improve its situation. Furthermore, the vehicles have been borrowed by the people from the government in return for a guarantee payment.

*Stamp of Hezb-e Islāmi provincial commander  
Mullā Abdul Aziz*

*Signature of commander of Jam'iat-e Islāmi  
Chārdara [no name written]*

*Stamp and signature of Faiz Umar khēl,  
commander of Etehād-e Islāmi, Zia-ul-Haq  
Shaheed Front*

*Signature of Mullā Khairudin, commander of Dr  
Shams-ul Haq Shaheed Front*

*Signature and Stamp of Ma'lum Samad Khān,  
Provincial commander of Dr Shams-ul Haq  
Shaheed Front*

*Signature of Jum'adin, commander of Hezb-e*

price of land. The *muhājerin* land owners will receive the money upon their return. In the event that our canal cuts the sub-streams of the local farmers, we will build a concrete aqueduct for the owners of the sub-streams. With the proposed measure, we intend to put a halt to the agricultural losses caused by the damages of the irrigation canal, and to compensate financially the owners of the particular plots, which will be used for the new canal construction.

*Islāmi in Isakhēl village*

*Signature of commander Hekam  
(party unknown)*

*Signature of commander Besmellah (commander  
of Chārdara upper street and Aliābād, party not  
known, though handwritten statement that he  
confirms his party's Provincial level  
commander's order)*

*Signature of Abdul Ghafar, commander of  
Hezb-e Islāmi, Dr Abdul Wahid Front*

*Finger print of commander Shamsudin  
(party not known)*

*Shēr Muhamad, military commander of  
Jam'iat-e Islāmi for entire Chārdara*

[Handwritten addition by Shēr Muhamad: "I seriously request all *Jam'iat* commanders not to create any problem for the vehicles which will be brought by the elders for the digging of the new canal"].

*Sofi Madad Khān (party unclear)*

*Rahmatullah, Chārdara Prosecutor*

*Abdul Manān Mujāhed (party unclear)*

**[Two more signatures are on the letter, one belonging to a *Jam'iat*-commander, another not legible, also names are not clear.]**

## A1-b: Translation of Announcement of the Kunduz Irrigation Department, 2006

### Announcement of the Kunduz Irrigation Department

To the attention of honorable farmers:

In *Sawr* this year unprecedented heat caused a rise in the rivers' water level at a time when farmers could not make efficient use of the increased water flow. Moreover, given that we know from last years' precipitation levels that the amount of snow in the mountains is sparse, it is likely that in the case of serious heat, the increase in water level would not be sustainable. Farmers will possibly face water shortages in *Saratān*. After the wheat harvest, if farmers in irrigation areas do not grow crops that require less water and opt for rice cultivation instead, the downstream farmers will suffer from water shortages and crop losses because rain-fed cultivation is limited.

As a result of these recent climatic events, insufficient snow and glacial storage has occurred and the Irrigation Department is compelled to caution all farmers to refrain from rice cultivation after the wheat harvest because it would likely cause water shortages in Khānabād, Aliabād, Chārdara, and Qal'a-ye Zāl.

Since water management at the field level is the responsibility of both the *mirāb* and the farmers, they are urged to work hard to prevent economic losses. The seriousness of the situation should not be underestimated. The Irrigation Department, agricultural extension officers, and district authorities should take concerted action to assist the farmers and water managers in this task.

Respectfully,

## A2 – Glossary & Afghan solar calendar

<i>'ulama</i>	Islamic clergy
<i>'urufi</i>	customary legal status
<i>'ushr</i>	tax on harvested crop (10 percent)
<i>ābi</i>	irrigated, irrigable
Afghāni (Afs)	Afghan currency
<i>amir</i>	provincial commander
<i>anjuman</i>	association
<i>āqsaqāl</i>	elder (Uzbek)
<i>arbāb</i>	village headman (official post before 1978)
<i>arbābi (kardan)</i>	to fulfill the functions/mandate of an <i>arbāb</i> , to liaise with the government administration
<i>archa</i>	juniper ( <i>juniperus excelsa/juniperus communis</i> )
<i>asnād, asnād-e zerā'ati</i>	receipt document, receipt about tax payments for rain-fed plots
<i>asnād-e khati</i>	ownership document
<i>awwal</i>	first
<i>aylāq</i>	summer pasture and shelter for livestock, herders with families
<i>bālā</i>	upper
<i>band</i>	dam
<i>barakat</i>	holy blessing, endowed with special blessing (also: <i>baraka</i> )
<i>bashāl</i>	type of tree species (name could not be detected)
<i>bāy</i>	rich, title for rich person with estate
<i>bēl</i>	flexible area measuring unit for water allocation (40-60 <i>jerib</i> )
<i>biswa</i>	measurement unit, 1 <i>jerib</i> = 20 <i>biswa</i>
<i>buzkashi</i>	horse game (pulling of goat or cow carcass)
<i>chakbāshi</i>	minute taker at tertiary canal level, subordinate to <i>kokbāshi</i>
<i>chārak</i>	measurement unit: a quarter of 1 <i>sēr</i> = 1.75 kg; literally: quarter
<i>chayir</i>	plant harvested as devil's dung-surrogate ( <i>heng</i> ), English equivalent not determined
<i>dasht</i>	steppe, e.g. Dasht-e Ābdān, Dasht-e Archi
<i>deh</i>	village
<i>dubandi</i>	diversion structure; literally: two damns
<i>duwum</i>	second
<i>e'tebār</i>	credit (respect)
<i>ehterām</i>	respect
<i>Eid</i>	Muslim holiday, <i>Eid-e qurbān/Eid ul-adha</i> – Holiday of Sacrificing



<i>ejāra</i>	leasehold of land
<i>emām-e masjed</i>	prayer leader in mosque
<i>emlāk</i>	Department of Land Affairs at district and provincial level under the Ministry of Agriculture
<i>enqelāb</i>	revolution
<i>erghay</i>	hawthorn/cotoneaster ( <i>crataegus</i> sp.)
<i>eshān</i>	alleged descendant from the lineage of the prophet's family enjoying special status
<i>eslāhāt-e edāri</i>	Administrative Reform and Civil Service Commission (IARCSC)
Etehād-e Islāmi	Unity Party; literally: Islamic Unity (Alliance)
<i>Ezāfe</i>	grammatical conjunction of main word with attribute; literally: apposition
<i>Fārsi</i>	Persian
<i>ghairi rasmi</i>	extra-official
<i>gosfanddār</i>	sheep owner
<i>gozar</i>	street demarcating border of neighborhood in city; water point for animals in rural areas
<i>hāji</i>	honorary title, e.g. Hāji Sāheb
Harakat	Harakat-e 'enqelāb-e Islāmi: Islamic Revolutionary Movement
<i>hashar</i>	collective work, mutual help at community/village level
<i>hawza</i>	police precinct in urban areas; semi-administrative village cluster
<i>heng</i>	dried latex ( <i>asafoetida</i> ), exuded from a herbal plant with the same name; popularly known as devil's dung
Hezb-e Islāmi (Hekmatyār)	Islamist Party of Gulb'udin Hekmatyār; literally: Islamic Party
<i>hisiyat</i>	character
<i>hukumat nabud</i>	there was no government
<i>huquq 'abed</i>	code which allows to settle a crime through traditional authorities
<i>huququallah</i>	code for capital crime settlement through statutory legal authorities
<i>jabha</i>	local military resistance unit consisting of 20 to 60 men
<i>jalsa</i>	assembly of wider significance (several villages)
Jam'iat-e Islāmi	Islamist party; literally: Islamic Society
<i>jangal</i>	an area covered by any kind of vegetation, not necessarily trees and dense bushes as the common translation as 'forest' suggests
<i>jang-e barādar</i>	brothers' war (war between brothers), designates civil war period, in local periodization equated with mujahedin-period ( <i>waqt-e mujāhedin</i> ), i.e. 1989-1997/98
<i>jerib</i>	common land area measure, 1 <i>jerib</i> = 0.2 ha
<i>jihadi</i>	related to jihad ('holy war', actual meaning: inner struggle)
<i>jirga</i>	council, assembly

Junbesh	Junbesh-e Melli-ye Islāmi, Party of Abdul Qudus Dostum
Junbeshi	popular name of the Afghan currency issued by Dostum in his area of control between the mid-1990s and 2002
<i>kalān, kalān-e mā</i>	elders, our elders; literally: big [Uzbek term]
<i>kalanhā-ye qawm</i>	elders of the <i>qawm</i>
<i>kanal, kanal-e ‘umumi</i>	canal, main irrigation canal
<i>kār-e dehqanhā</i>	ordinary agricultural chore
<i>kār-e rasmi</i>	official dealings
<i>kelay</i>	‘village’ (Pashto)
Khalq	wing of NDPA; literally: people
<i>khalqi</i>	belonging to the Khalq faction of the NDPA
<i>khānawāda</i>	household, homestead, extended family
<i>kochi</i>	nomadic and semi-nomadic pastoralists
<i>kokbāshi</i>	assistant of water manager ( <i>mirāb</i> )
<i>kul-e mardum</i>	literally: all the people, everybody
<i>kumita</i>	committee
<i>lakh</i>	unit in South Asian numbering system equal to 100,000
Loya Jirga	National Grand Assembly
<i>madrasa</i>	religious school
<i>mahalli</i>	neighborhood -, neighborly
<i>man</i>	weight measure (Pashto) equal to <i>sēr</i> (7kg)
<i>manteqa</i>	area, village, valley, neighborhood, home
<i>maraa</i>	private pasture (Pashto)
<i>mardikār</i>	day laborer, here: laborer/s required for maintenance work in irrigation
<i>mawaat</i>	open access pasture (Pashto)
<i>mawlawi</i>	religious cleric
<i>mehmānkhāna</i>	guesthouse and reception room/room for hosting guests
Meshrāno Jirga	Upper house in Parliament, Senate
<i>mir</i>	past local ruler, traditional title for the leader of a local dynasty
<i>mirāb</i>	water manager; literally: water lord; also: <i>mirāb bāshi, mirāb-e ‘umumi, mirāb-e kalān</i>
<i>mirāb-e barg</i>	locally appointed person in charge of electricity provision (switching on/off and collecting service charges from all users)
<i>muhājerin</i>	refugees, refugee-
<i>mulk</i>	homeland, (land) property
<i>mullā</i>	mullah, head of a mosque
<i>muysafēd</i>	elder

<i>muysafēdi</i>	elders' dealings
<i>muzdur</i>	sharecropper, day laborer
<i>nahr</i>	canal, stream, e.g. Sofi canal (Nahr-e Sofi)
<i>nām</i>	name, reputation
<i>namāyenda</i>	deputy
<i>nang</i>	honor
<i>nāqel</i>	Pashtun migrants from South Afghanistan who were provided land by the government in other provinces
Nawroz	New Year's celebration (21 March according to Afghan calendar)
<i>nishr</i>	shady area
<i>palaw</i>	rice dish
<i>palaw-khor</i>	rice-eater (metaphor for wealth)
Parcham	wing of PDPA; literally: flag
<i>pāyin</i>	lower
<i>pitaw</i>	sun-receiving area
<i>posh</i>	artemisia
<i>qānon</i>	law
<i>qarya</i>	village
<i>qawm</i>	concept of belonging to social group based on ethnicity, lineage, sub-lineage, or local community
<i>qawmi</i>	related to the <i>qawm</i>
<i>qawmiyat</i>	identity based on certain social group ( <i>qawm</i> )-belonging
<i>qeshlāq</i>	'village', originally: winter quarter with permanent houses
<i>qomāndān</i>	commander/s
<i>qudrat</i>	appropriated authority/enforcement capacity/power based on different resources, such as force, education, wealth
<i>qulba</i>	area measurement unit for water allocation, mostly fixed at 40 <i>jerib</i> ; literally: plough
<i>rasmi</i>	official
<i>rishsafēd</i>	elder, respected person; literally: whitebeard
<i>salāhiyat</i>	assigned legitimate authority and imagined capacity to act, traditionally: based on moral, non-material resources, such as conduct, reputation and <i>nām</i> in the rural governance realm; or divine authority and related Islamic norms in the religious sphere
<i>sar-e grop</i>	head of army unit
<i>sarparast</i>	head of socio-economic unit (household, herder community at pasture camp)
<i>sarparast-e aylāq</i>	head of pasture camp
<i>sayed</i> (Pl. <i>sādāt</i> )	descendant/s of the Prophet; group/family name

<i>sēr</i>	measurement/weight unit, 1 <i>sēr</i> = 7kg
Setam-e Melli	Marxist party; literally: National Oppression
<i>shara'i</i>	official legal status
<i>shari'at</i>	Sharia, Islamic law
<i>shurā</i>	council, assembly
Shurā-ye Nazār	Supervisory Council
<i>usufruct</i>	use right of property and right to enjoy the benefits of its usage
<i>usus</i>	usage, use right
<i>wakil</i>	representative, deputy; Provincial Council member, Provincial Council delegate to Meshrāno Jirga
<i>waqt-e mujāhedin</i>	,time of the mujahedin', according to emic periodization from 1989 until 1997/98 (depending on location)
<i>watan</i>	homeland
Wolesi Jirga	Parliament, Lower House
<i>wuluswāl</i>	district governor
<i>wuluswāli</i>	district, district administration, district government

### Afghan solar calendar

season	Afghan solar month	Gregorian equivalent
<b>spring/bahār</b>	<i>Hamal</i>	21 March-20 April
	<i>Sawr</i>	21 April-20 May
	<i>Jawzā</i>	21 May-21 June
<b>summer/tābestān</b>	<i>Saratān</i>	22 June-22 July
	<i>Asad</i>	23 July-22 August
	<i>Sonbola</i>	23 August-22 September
<b>autumn/tiramā</b>	<i>Mizān</i>	23 September-22 October
	<i>Aqrab</i>	23 October-21 November
	<i>Qaws</i>	22 November-21 December
<b>winter/zemestān</b>	<i>Jadi</i>	22 December-20 January
	<i>Dalwa</i>	21 January-19 February
	<i>Hot</i>	20 February-20 March

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