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THE CHANGING FACE OF
LOCAL GOVERNANCE?
Community Development
Councils in Afghanistan

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About the Afghanistan Research and Evaluation Unit

The Afghanistan Research and Evaluation Unit (AREU) is an independent research organisation based in Kabul. AREU's mission is to conduct high-quality research that informs and influences policy and practice. AREU also actively promotes a culture of research and learning by strengthening analytical capacity in Afghanistan and facilitating reflection and debate. Fundamental to AREU's vision is that its work should improve Afghan lives. AREU was established in 2002 by the assistance community working in Afghanistan and has a board of directors with representation from donors, UN and other multilateral agencies, and non-governmental organisations (NGOs).

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Glossary

<i>Afghani</i> (or <i>Afs</i>)	official Afghan currency
<i>alaqadari</i>	rural or urban subdistrict
<i>arbab</i>	village leader; representative between community and central government; maintains communal property; can resolve disputes
<i>beg</i>	large landowner
<i>hamaam</i>	public bath
<i>hausa</i>	subdistrict, historically often used for military or police organisation but without constitutional status
<i>khan</i>	large landowner
<i>jirga</i>	customary council/committee
<i>malik</i>	village leader; representative between community and central government; maintains communal property; can resolve disputes
<i>manteqa</i>	area of living
<i>mirab</i>	customary water rights controller
<i>nahia</i>	urban district
<i>pashtunwali</i>	customary pashtun tribal code
<i>qaryadar</i>	village leader; representative between community and central government; maintains communal property; can resolve disputes
<i>qawm</i>	kinship group ranging in scope
<i>rish-i-safid</i>	elder, literally "white beard"
<i>sardar</i>	landowner
<i>shura</i>	customary council/committee
<i>shura-i-wolayati</i>	Provincial Council
<i>uluswal</i>	district governor/administrator (also called <i>woleswal</i>)
<i>zamindar</i>	landowner

Acronyms

ANDS	Afghanistan National Development Strategy
BPHS	Basic Package of Health Services
CDC	Community Development Council
CDD	Community-Driven Development
CDP	Community Development Plan (NSP)
CLDC	Cluster-level Development Committee (AKF)
DACAAR	Danish Committee for Aid to Afghan Refugees
DFID	Department for International Development (United Kingdom)
DRRD	Department of Rural Rehabilitation and Development (MRRD)
FP	Facilitating partner (NSP)
GoA	Government of Afghanistan
I-ANDS	Interim Afghanistan National Development Strategy
IARCSC	Independent Afghanistan Reform and Civil Service Commission
IDLG	Independent Directorate for Local Governance
IO	International Organisation
Mol	Ministry of Interior
MRRD	Ministry of Rural Rehabilitation and Development
NABDP	National Area-Based Development Programme
NGO	Non-governmental organisation
NSP	National Solidarity Programme
OC	Oversight Consultant (NSP)
PC	Provincial Council

Executive Summary

Since 2004 the Government of Afghanistan (GoA) and its international partners have become increasingly aware that issues and challenges surrounding subnational governance in Afghanistan will be crucial to national development, stability, and security. This period has also been a time of extraordinary change in subnational governance structures. Among those changes has been the introduction and expansion of Community Development Councils (CDCs), established under the National Solidarity Programme (NSP) to approximately two-thirds of the villages in Afghanistan.

This working paper presents findings from AREU research on subnational governance in Afghanistan, including the role that CDCs play at community levels. It is a more detailed presentation of findings that are reviewed in a synthesis paper covering the research on subnational governance as a whole, entitled *Subnational Statebuilding in Afghanistan* (AREU, March 2008). That synthesis report finds that while significant progress has been made towards establishing new institutions, many challenges remain in making subnational governance structures sustainable, coherent and effective. The development of legitimate and effective subnational governance will increasingly depend on a coherent strategy incorporating a shared vision of the role of subnational government entities in various sectors, and their relations with non-state actors and customary governance arrangements. The development of policy toward CDCs must be viewed in the framework of this larger challenge, and solutions to questions surrounding the future of CDCs must be resolved in its light.

Key Findings

The creation of CDCs under the NSP have introduced a dramatic change in the development resources available to many communities in the country, and where these resources have been converted to successful sub-projects, the acceptance and legitimacy of the programme, and by extension the government, has been expanded. However, the relationship of CDCs as a newly introduced institution within the local governance system as a whole is complex and varied.

- Community acceptance of CDCs is conditioned by past experience, comprehensiveness of material and human resources available for facilitation, and local implementation patterns. It is also heavily dependent on the delivery and use of resources, and declines with delays or misuse of resources.
- The implementation of all phases of NSP has been carried out in varied ways, including elections, CDC composition and configuration, development of Community Development Plans (CDPs), and the scope of activities taken on by CDCs outside project selection and implementation. This variation is complex, and making compromises in one area, such as the form of elections held, may facilitate gains in others, such as women's influence on decisions through direct participation in meetings. Local norms and customs are important in determining these outcomes, but also important are the resources, creativity and depth of involvement in the area of the facilitating partner.
- While many CDC members report that they are involved in non-NSP governance functions, such as dispute resolution, these functions are not universal. Where they occur they are often carried out in combination with customary structures and individuals, forming a hybrid form of authority. A partial exception is where previous governance structures were focused on one power-holder; in such instances, CDCs have reoriented the sources of local authority through their collective and elected nature.

- There are barriers to genuine participation of women in both the development functions and governance functions of the CDCs. Women participate less in governance functions than in project selection, and their participation in general appears to be dependent on the quality of facilitation. In the absence of facilitation, women's participation suffers at an even faster rate than overall CDC activity. An exception to this seems to be in a few social protection functions.

A great deal of attention is currently being paid to the current and future place of CDCs in the local governance systems, but this attention has yet to produce a coherent and clear vision for CDCs or their relationships with other levels of government. In discussions of CDCs in Afghanistan, there is an implicit, and at times explicit, distinction drawn between their role in local development and their role as governance institutions. This debate has become unnecessarily and harmfully polarised.

CDCs in their role as managers of the community-driven development process of NSP are already functioning as governance institutions: they are involved in governance for development. In this capacity, CDCs have made considerable contributions to the immediate welfare of community members and made important contributions to the inclusion and representation of marginalised groups, particularly women, in such activity.

Key issues for future policy toward CDCs

It is important to overcome the artificial distinction between governance and development; CDCs already play the role of an institution involved in governance *for* development, with other roles related to that core identity. At the same time, it is vitally important to consider the future of CDCs, and what role they can play in achieving improved development and livelihoods in a context of effective, democratic, and culturally appropriate governance institutions. The establishment in 2007 of the Independent Directorate for Local Governance (IDLG), may help to provide a locus for the development of a policy for the future of CDCs. Such a policy, if it is to enjoy wide political acceptance, must answer several key questions:

- Should CDCs be formally recognised as state institutions? As of early 2008, a bylaw calling for increased formalisation of CDCs was being circulated. This approach, in the absence of a more comprehensive legal framework, stresses the formalisation of CDCs without paying sufficient attention to the local variations in CDC functions, the most appropriate mix of functions for them, and the benefits that may accrue from their status as community-based and not governmental organisations. At the same time, institutional means for supporting CDCs should form part of the mixture of policy options available when determining the future role of these councils.
- What will be the resources, both material and in terms of technical assistance and facilitation, available to CDCs after the end of the NSP? CDCs have functioned most positively in the selection and implementation of NSP sub-projects, and their acceptance, legitimacy, and ability to perform other tasks are all related to the resources they bring to communities. Consideration of the future role of CDCs must include discussion of the range of resources that will be available, and the mix of governmental and non-governmental involvement in providing these.
- What will be the appropriate scale for the delivery of such resources? CDCs are already in some areas combining efforts through joint projects, and in other areas initiatives to "cluster" CDCs are underway. These efforts suggest that clusters that respond to locally appropriate development scales appear more naturally, due to infrastructure or

resource inter-dependencies that may be present at that level. This raises questions about the organisation of development representation below and at the district level.

- Should CDCs perform administrative governance tasks as well as development tasks? Mandating a single universal governance role for CDCs would produce mixed outcomes, due to the variation in how CDCs currently function in relation to customary governance structures. While there is evidence of fruitful governance improvements linked to CDCs, these are often achieved through the implicit or explicit recognition of pre-existing governance patterns, not wholesale attempts to replace them.
- How will the impact of CDCs on the representation of women and other marginalised groups be strengthened? Because the role of CDCs in empowering women and other vulnerable groups is dependent on active facilitation, it cannot be assumed that the gains made to date will persist. As NSP comes to a close, consideration of how to support the broadened inclusion and representation seen in the context of CDCs must continue.

These questions can not be answered in isolation; they are closely related to many other issues of subnational governance policy. These include the roles and relationships of District Governors, the form of district-level elected representation in the future, the fiscal status of subnational state units, and the sequencing of changes in all of these areas. It is hoped that this discussion of CDC functioning over recent years can contribute to this vital process.

1. Introduction

Since 2004, the Government of Afghanistan (GoA) and its international partners have become increasingly aware that issues and challenges surrounding subnational governance in Afghanistan will be crucial to the country's development, stability, and security. This period has also been a time of extraordinary change in subnational governance structures. During 2005-06, Provincial Councils (*shura-e wolayati*) were elected and seated, Provincial Development Committees (PDCs) were established, public administrative reform efforts expanded to some provinces and districts, and the National Solidarity Programme (NSP) and its associated Community Development Councils (CDCs) expanded into larger numbers of communities.

The centrality of governance and statebuilding issues to the development agenda of the Afghan government and its international partners, in combination with the number and complexity of initiatives affecting subnational governance, has meant a definite need for improved understanding of governance at subnational levels to assess what changes these developments were producing or might produce in the future. To address this situation, AREU conducted extensive field research on subnational governance over approximately 18 months from April 2005 to November 2006.

The NSP is one of the most wide-ranging development initiatives in Afghanistan since 2001, and it is regarded by many as one of the most successful. As such, it requires careful analysis. This working paper presents findings on the functioning of CDCs formed under NSP. It provides a more detailed presentation of findings that are also reviewed in a synthesis paper covering the research on subnational governance as a whole, called *Subnational Statebuilding in Afghanistan, 2005-06* (AREU, March 2008). Those who wish a discussion of the place of CDCs in the broader subnational governance and statebuilding environment should refer to that publication.¹ There is some duplication of discussion in the two reports.

The key finding of that synthesis report is that, while significant progress has been made towards establishing new institutions, many challenges remain in making subnational governance structures sustainable, coherent and effective. Governance at local levels still confronts problems of persistent insecurity, informal power relations, corruption and patronage, and inadequate state capacity. Beyond these contextual difficulties, the development of legitimate and effective subnational governance will increasingly depend on a coherent strategy incorporating a shared vision of the role of subnational government entities in various sectors, and their relations with non-state actors and informal governance arrangements. The development of policy towards CDCs must be viewed in the framework of this larger challenge, and solutions to questions surrounding their future must be resolved in its light.

1.1 Key Concepts

Given the attention paid to governance issues internationally and in Afghanistan, it is worth clarifying the conceptual framework used in this research by briefly discussing the concept of governance as well as a few related concepts.

Governance

Governance concerns ways of organising resources and responsibilities towards collective ends. At this broad level, governance can be defined as "*the process whereby societies or organisations make important decisions, determine whom they involve and how they*

¹ This synthesis paper also describes the rationale, conceptual framework, and methodology of the overall research project in more detail.

render account".² All governance analysis therefore involves questions of process, participation, and accountability. However, the analysis of how governance takes place is not meaningful without considering the context and domain that is being analysed. In short, one must always consider the question of "governance *where* and *for what*?"

Governance contexts may include, but are not limited to, households, communities, societies and nation-states, as well as organisations like firms, bureaucracies, religious and non-governmental entities. AREU's subnational research program has examined several subnational contexts – that is, how decisions are made and implemented that affect populations below the national level. The focus of this working paper is the level of the community, as defined by the NSP: a "community" is a grouping of more than 25 families corresponding to existing information about villages.

Statebuilding

Statebuilding refers to efforts to increase the importance of state actors, structures and processes in governance systems: to shift *governance* toward *government*. It is the attempt to reform, build and support government institutions, making them more effective in generating public goods. Statebuilding implies conscious intervention to improve the capacity, reach and performance of state institutions.

Statebuilding is inherently both political and technical. The gap between the political and technical dimensions of statebuilding can be aggravated by the urgent imperatives of "post-conflict" reconstruction – which reduce the ability to tailor programmes to local realities – and the easier transferability of technocratic and organisational lessons than complex political or cultural ones.³ This research aims to analyse the issues that emerge when interventions with statebuilding implications interact with the Afghanistan's complex governance context. This working paper addresses these aspects of statebuilding in relation to the formation of CDCs with the goal of improving local governance.

1.2 Research Objectives and Methodology

The primary objective of the research from which this working paper draws was to identify and better understand key issues affecting statebuilding interventions at subnational levels in Afghanistan. The research also aimed to explore how governance is changing at subnational levels, particularly in response to programmatic interventions, and any implications for current and future governance programming.

Research Methodology

The design of this research included a particular focus on governance changes taking place in relation to the NSP. The research focused on six provinces and several districts within each of those provinces, with the exception of one province (Paktia), where no district work took place. The intention was to have 12 sample districts, though these were not ultimately evenly distributed across provinces. It is important to note that this selection was designed to maximise variation in local conditions within the constraints of security, but is not a statistically valid sample for quantitative analysis.

² T. Plumptre, "What is Governance?" www.iog.ca (accessed 25 February 2008)

³ On the easier transferability of organisational and management lessons as opposed to political knowledge, see F. Fukuyama, *State-Building: Governance and World Order*, London: Profile Books, 2004.

Table 1.1: Field Research Sites

Dates	Province	Districts	Communities
June-July 2005	Herat	Pashtun Zarghun Rabat-i-Sangi Zindajan Injil	1 community 2 communities 3 communities 2 communities
August 2005	Faryab	Almar Pashtun Kot	3 communities 2 communities
August-September 2005	Nangarhar	Surkhrod Rodat	4 communities 3 communities
June 2006	Paktia	None	None
August-September 2006	Bamyan	Yakawlang Waras	2 communities 1 community
October-November 2006	Badakhshan	Faizabad Ishkashem	4 communities 2 communities
Total:	6	12	29

The research objectives of exploring key issues in subnational governance and changes brought about by the interaction of interventions with existing governance contexts called for a primarily qualitative methodology. Specific qualitative tools used in this research included semi-structured interviews, focus groups, oral histories, subject biographies, and journalistic accounts (media monitoring). Specific subject groups identified in relation to CDCs and NSP included but were not limited to the following:

- Key informants (Analysts, NSP staff, Ministry for Rural Rehabilitation and Development, representatives of donors, international organisations and NGOs)
- Provincial officials (provincial line department staff, NSP Oversight Consultants)
- Provincial representatives of international organisations, NGOs and civil society
- District officials
- District-level NSP Social Organisers
- Community Development Councils (CDCs)
- Community members

In total, the research was based on more than 200 interviews and focus groups. Key informants, officials, and community and CDC members were interviewed individually where possible, and focus groups were used with social organisers in each district. The community and CDC-level data was coded and analysed using qualitative data analysis software according to an adaptive coding scheme.

1.3 Political and Institutional Context

The Afghan political context is characterised by formal state centralisation combined with actual fragmentation of power among a changing variety of local and regional actors.⁴ This fragmentation has been expressed in recent AREU work in terms of the distinction between the *de jure* and *de facto* state.⁵ This model emphasises the divergence between formal and actual governance in Afghanistan. Statebuilding in Afghanistan could be described as the progressive attempt to move the formal and the actual closer together.

The formal institutional context in Afghanistan is informed by pre-existing institutional arrangements, and the post-2001 Bonn Process. Afghanistan has 34 provinces, divided into 398 rural districts – although that number has not been ratified by national institutions despite its determination being a short-term benchmark in the Afghanistan Compact.⁶ There are approximately 217 municipalities, divided among 34 provincial municipalities – the capitals of each province – and an unclear number of rural municipalities that often corresponds to the seat of district government. The number of rural communities or villages in Afghanistan is a matter of interpretation. The Central Statistics Office counts 40,020 rural villages, while the NSP counts 24,000 “communities” for the purposes of establishing Community Development Councils.⁷ Though this working paper focuses on the role of CDCs on the community level, it is necessary to consider also the overall subnational governance structure. What follows is a brief introduction to the subnational governance institutions in Afghanistan.

The provincial level

Provincial government consists of the line departments of the main sectoral ministries, the Provincial Governor’s Office, the elected Provincial Council, and in some provinces the local offices of other agencies such as the National Security Department (NSD), the Afghanistan Independent Human Rights Commission (AIHRC), and the Independent Afghanistan Reform and Civil Service Commission (IARCSC). The ministerial departments have responsibility for service delivery in areas such as policing, health, rural development, and education. Until late 2007, the Governor’s Office had the dual role of representing the President and reporting to the Ministry of Interior. Provincial Councils (PCs) were elected simultaneously with the National Assembly in 2005, and have an unclear mandate comprising advisory, conflict resolution and oversight roles. Provincial development committees (PDCs) are not constitutionally mandated but were established to bring order to the disparate coordination and rudimentary planning activities springing up around the country by 2005, and to create a structure for provincial input into national planning processes.

The district level

Districts are currently the lowest level of formally recognised government administration in Afghanistan. Their administrative structure reflects that of the province. Government at the district level consists of district offices of some central ministries, the number of which is a function of the district grade and can vary from only a few departments such as Health, Education and Rural Rehabilitation and Development, up to as many as twenty departments. In addition, there is typically a police department and a prosecutor in each

⁴ For a historical review of centre-periphery relationships see B. Rubin and H. Malikyar, *The Politics of Center-Periphery Relations in Afghanistan*, Washington, DC: World Bank, 2003.

⁵ Evans A., N. Manning et al., *A Guide to Government in Afghanistan*, Kabul: AREU and the World Bank, 2004.

⁶ The number of districts was noted as 364 by the Central Statistics Office, cited in *Service Delivery and Governance and the Subnational Level in Afghanistan*, Washington, DC: World Bank, 2007, vi. At time of publication, 398 districts were reported to by Islamic Republic of Afghanistan, *Census and Election update for JCMB VII*, Kabul: Government of Afghanistan, 2008, 3.

⁷ This discussion of formal institutions draws on the World Bank, *Service Delivery and Governance*, and The Asia Foundation, *An Assessment of Subnational Governance in Afghanistan*, Kabul: TAF, 2007.

district. Currently not all districts have primary courts. The district governor, or *uluswal* (also *woleswal*), has been a representative of the Ministry of Interior, and formally plays a coordinating role.⁸ Informally, the role of the *uluswal* varies depending on relations with the provincial authorities, local customary and informal power-holders, and often includes dispute resolution and other problem-solving activities. In most cases, *uluswals* maintain some kind of semi-formal advisory councils, called *shuras*, or liaise with community leaders – *maliks*, *arbabs* or *qaryadars* – where these remain significant figures. Their relations with CDCs range from close functional cooperation to having no interaction.

The municipal level

Municipal administration is led by mayors, currently appointed by the President. Municipalities have functional and service-delivery responsibility mainly for urban services, and revenue collection responsibilities. Larger (provincial) municipalities are divided into urban districts (*nahia*), and have varying representative systems sometimes including neighbourhood representatives (*wakil-i-gozar*) held over from pre-war administrative systems. All municipalities, with the exception of Kabul, are theoretically overseen by the newly formed Independent Directorate of Local Governance (IDLG).

The village level

Village institutions, largely informal and widely varying across the country, are discussed in more detail throughout this paper. Many NGOs have relied on *shura*-type bodies that are constituted in various ways to assist in community mobilisation and programme implementation. As of early 2008, the NSP had through non-governmental partners facilitated the election of CDCs in approximately two-thirds of the villages in the country.

Constitutional and ANDS provisions

The Constitution provides for increasing representation at subnational levels through the election of representative bodies at village, district, provincial and municipal levels.⁹ Provincial Councils were elected and seated in 2005. As of early 2008, however, elections had not been held for any of the other bodies called for, and there were no firm public plans to do so. Outside of the constitutional framework, the establishment of PDCs, the expansion of the NSP and the creation of CDCs have altered the institutional landscape considerably. Recently, the National Area Based Development Programme (NABDP) has established planning bodies at the district level, and the IDLG has been formed with responsibility for “supervising” the offices of “Provincial Governors, District Governors, Provincial Councils, and Municipalities except Kabul Municipality”.¹⁰

Box 1: The I-ANDS and the Afghanistan Compact

The January 2006 introduction of the I-ANDS and the Afghanistan Compact marked the end of the transitional process governed by Bonn Agreement. These two documents now form “the framework for policy, institutional, and budgetary coordination”. The broad principles guiding this framework include: enhancing government ownership, harmonising donor and government policies, improving development outcomes and service delivery by building capacity, improving information and coordination, and sharing accountability. The I-ANDS stresses statebuilding as defined above but does not give clear signposts regarding an overall policy on subnational governance; for example, what relative resources, responsibilities and roles different subnational units should have in respect to service delivery, representation and accountability. In this sense, the I-ANDS process has not yet substantially altered a subnational governance policy environment that is reacting to events and programming rather than building towards a coherent vision of formal subnational governance.

⁸ *Uluswal* is sometimes translated as “District Administrator” instead of “District Governor”.

⁹ Constitution of the Islamic Republic of Afghanistan, Articles 138-140.

¹⁰ Independent Directorate of Local Governance, *Strategic Framework*, Kabul: IDLG, 2007, 4.

2. CDCs and NSP in the Subnational Governance Context

Community-level governance in Afghanistan involves scales that are – and have historically been – below the established presence of formal state structures, which typically extended to the district, or at times the subdistrict, *alaqadari*, or *hauza* level. During much of the twentieth century, the central government would in many areas have a local interlocutor in the form of a *khan*, *qaryadar* or *malik*. The identification of that individual was based on different criteria and methods in different places. In some cases they would be appointed from the outside, but in most they would have a pre-existing leadership role through heredity, property or some combination of both.¹¹

The limited presence or absence of formal government institutions and officials in communities does not mean that governance does not take place there. Community-level governance in Afghanistan, at least in rural areas, has long been handled primarily by local non-state actors and structures. UNDP has defined local governance as “a set of institutions, mechanisms and processes, through which citizens and their groups can articulate their interests and needs, mediate their differences and exercise their rights and obligations at the local level”.¹² At the community level, a range of non-state actors and structures perform these functions in different governance domains. A partial list of some of these historical governance actors and structures in Afghanistan is presented in Table 2.1. It is important to emphasise the variation in the prevalence and influence of these actors and structures throughout the country. Variation depends not only on ethnic or regional differences, but also on the situation and history of individual communities.

The National Solidarity Programme, a national-level community-driven development programme, was first introduced in some areas of the country in 2003. It expanded in subsequent years, covering up to two-thirds of the communities in the country in early 2008. Community-driven development refers to programmatic interventions that emphasise community participation, empowerment, local contributions, and the development of community capacity or social capital in providing resources for development projects at community level.¹³

This working paper describes the outcomes when a national level community-driven development programme with ambitious goals and complicated implementation structures is introduced in a context that is complex, varied, and dense with non-state governance. The major finding of the research is that even though NSP has a well-developed set of standard procedures and is based on international practice in community-driven development, the reality of Afghanistan’s communities means that its implementation has been varied, and has produced a wide range of different outcomes. This variation is important in assessing the outcomes of the programme itself, the sustainability of the structures it has created, and the place of these structures in the larger framework of evolving subnational governance and statebuilding efforts in Afghanistan.

¹¹ For discussions of local governance patterns in Afghanistan see for example R. Favre, *Interface Between State and Society: Discussion of Key Social Features Affecting Governance, Reconciliation and Reconstruction*, Addis Ababa: AIZON, 2005, and Rubin and Malickyar, *The Politics of Center-Periphery Relations in Afghanistan*.

¹² United Nations Development Programme (UNDP), *Decentralised Governance for Development: A Combined Practice Note on Decentralisation, Local Governance and Urban/Rural Development*, New York: UNDP, 2004.

¹³ Derived from The World Bank Operations Evaluation Department, *Community-Driven Development: A Study Methodology*, Washington: The World Bank, 2003.

Table 2.1: Examples of Community Governance Actors and Structures¹⁴

Actor/Structure	Other Names	Function/Meaning
<i>ashar</i>		Communal labour
<i>commander</i>	<i>qumandan</i>	Local leader with armed followers who draws authority from defence of community or participation in jihad or control of armed men.
<i>jirga</i>		Council that meets as problems arise to solve them. Problems range from disputes to maintenance of communal property.
<i>khan</i>	<i>zamindar, beg, arbab, sardar, nawab</i>	Large landowner who controls resources in the community; may provide jobs to labourers and land to sharecroppers; may also arbitrate conflicts
<i>malik</i>	<i>arbab, qaryadar</i>	Representative between community and central power/government. Can resolve disputes; maintains communal property.
<i>mirab</i>	<i>khadadar, murab</i>	Controller of community water canal; responsible for maintenance of canals.
<i>rawaj</i>	<i>pushtunwali, madaniyat, ma'arifat</i>	Customary law
<i>rish-i-safid</i>	<i>oq sqol, malik-i-gozar, kalantar</i>	Leaders, generally male elders of neighbourhood organizations or tribal grouping. "White beards".
<i>sharia</i>	<i>shariat</i>	Islamic jurisprudence
<i>shura</i>	<i>jalasa</i>	Council, sometimes equivalent to <i>jirga</i> , sometimes with more persistent membership and ongoing governance roles rather than ad hoc problem solving.
<i>ulema</i>	<i>mullah, talib, sufi, mukhi, mukhiyani</i>	Religious leaders who lead prayers, give sermons, and have the power of moral judgment in the community; also involved in resolving conflicts from the point of view of Shari'a law.

2.1 The National Solidarity Programme

The National Solidarity Programme is a national community-driven development (CDD) programme run by the Ministry of Rural Rehabilitation and Development (MRRD) and funded by various bilateral and multilateral donors, in large part through the Afghanistan Reconstruction Trust Fund.¹⁵ The programme is implemented by facilitating partners (FPs) drawn from international and national NGOs as well as one UN agency, UN Habitat. FPs facilitate the election of Community Development Councils (CDCs), help them to identify community development priorities to be addressed by block grant funds delivered in three instalments, and facilitate project implementation.

¹⁴ The author acknowledges work by Palwasha Kakar and Jennifer Brick in preparing this table.

¹⁵ On the NSP programme generally see I.W. Boesen, *From Subjects to Citizens: Local Participation in the National Solidarity Programme*, Kabul: AREU, 2004, and P. Kakar, *Fine-Tuning the NSP: Discussions of Problems and Solutions with Facilitating Partners*, Kabul: AREU, 2005.

The NSP has two stated objectives. First, the programme is a local development initiative: Through the formation of CDCs it supports community input into selection and implementation of "community-managed sub-projects comprising reconstruction and development". Second, the programme is a local governance initiative aiming to "lay the foundations for a strengthening of community level governance".¹⁶ The reality of NSP implementation and the political context of Afghanistan has meant that various ministerial actors, subnational state authorities, facilitating partners, and even communities and customary authorities have differently emphasised these two goals. This ambiguity has adversely affected the integration of the NSP's structures into a comprehensive "vision" for subnational governance in Afghanistan.

Box 2: Origins and progress of the NSP

The National Solidarity Programme was introduced in June 2002 as a component of the Emergency Community Empowerment and Public Works Programme, and in 2003 became one of the six initial National Priority Programmes (NPP) introduced under the National Development Framework (NDF). NSP is based on a combination of customary Afghan practices (shuras, jirgas or councils, and ashar or collective community labour), reference to Islamic principles of consultation and participation, and international CDD experience (such as that of the Kecamatan Development Programme in Indonesia). By March 2007:

- *NSP had been introduced to 16,827 rural communities in 34 provinces, of approximately 24,000 total nationwide (defined as 25 families or more);*
- *16,343 Community Development Councils had been elected and 16,068 community development plans (CDPs) completed;*
- *25,525 subprojects were approved;*
- *10,001 subprojects were completed.*

Source: Weekly status report of National Solidarity Programme, NSP Quality Assurance Unit, 31 March 2007

NSP Implementation

At the community level NSP ideally follows a fairly typical CDD implementation cycle described in more detail in subsequent sections of this chapter. Initially, the NSP FP introduces the principles of the programme to the community. Following this civic education phase, the FP organises an election for the CDC, which then chooses its officers. Through a process of consultation with the community, the CDC identifies community development priorities in a community development plan (CDP), and applies for funding for specific sub-projects to be implemented with an NSP block grant. The sub-project application is vetted by the NSP Oversight Consultants (OC) based on a set of eligibility criteria, and may sometimes need to be modified.

The block grant is delivered in three instalments. The community is meant to handle local procurement and the management of funds during sub-project implementation. The completion of the sub-project(s) is subject to OC inspection, and unused funds are directed to other subprojects. Early provisions in the programme for re-election of CDCs after two years and the introduction of a second smaller block grant have been largely foregone as the programme has been implemented. In 2007, NSP entered a second phase, "NSP II", in which significant aspects of the programme management structure and implementation have been altered for new communities.

¹⁶ National Solidarity Programme (NSP), *Operations Manual*, Kabul: NSP, 2004. Unless noted otherwise, the October 2004 operations manual is referred to in this chapter, as it was the version in effect during the majority of the research period – there have been subsequent editions.

3. Introducing the NSP

When they came it was like many other NGOs before who promised us but did not act on their promises, and this is why we didn't believe them. We thought that if they were really helping us they would give us money directly, and not projects. But once we saw the start of the programme we realized we should participate and help this programme move forward. (CDC members, Nangarhar, 2005)

3.1 Community reactions

The first interaction between the community and the NSP comes as communities are selected for mobilisation and the programme is introduced to them. In the research sites the community responses to the introduction of the NSP varied widely. In a few cases, FPs encountered an outright and persistent refusal to participate. Some communities responded with extreme scepticism, while others sent representatives the local DRRD or the FP to proactively petition for NSP to be introduced in their community. Interviews with community members, CDC members, and focus groups of the social organisers suggested three factors were particularly important in determining the community reaction to the introduction of NSP.

1. History of NGO/UN involvement in the community or district

The most frequently mentioned factor shaping initial community responses to the introduction of NSP was previous experience of NGO activity in the district or the specific community. In the majority of cases where people discussed their initial reactions in these terms this experience was cited as a negative factor. Social organisers from three of the five FPs involved in study communities cited previously unfulfilled NGO promises as a reason for initial scepticism. In most cases these problems did not refer specifically to that organisation, but rather to a generic distrust of NGO activity, rooted in experiences from both before and after 2001.

This finding is supported by assertions in a small number of communities that their acceptance of the programme was heightened by an effective effort by the FP to clarify that the NSP was in fact a government programme, and not simply an NGO initiative. In one case the CDC noted that "80 percent of the community felt the programme would be helpful because [the FP representatives] explained that it was a government programme not an NGO programme" (CDC member, Bamyan, 2006). In one case in Badakhshan the community reported that radio advertisements featuring then Minister of Rural Rehabilitation and Development Hanif Atmar had convinced them that the NSP was a government initiative and prompted them to actively express their interest to authorities in the district centre.

Previous NGO involvement did not always work against programme acceptance, however. Communities under the implementation of two FPs with long-standing and multi-programme involvement in local communities cited the long-standing efforts of these organisations in their districts as contributing to a positive reaction when the NSP was introduced. In short, the historical reputation of NGO or UN agency involvement was an important factor shaping community receptiveness, and could work in both positive and negative ways.

In a very small number of cases the opposite was true – a lack of previous experience with NGO activity contributed to suspicion about the motives of the FP. For example, in one community where the FP had not worked before, early in the NSP, social organisers noted that "the mullah and elders refused us permission to work in that community; they thought we were Christians, that we would teach them lessons unrelated to Islam, and

that we came to the community to carry out our own plans".¹⁷ One FP noted that their implementation plan called for mobilising less remote communities before remote ones so that these communities would gradually become familiarised with the value of the programme.¹⁸

2. Local implementation of NSP

In keeping with this last finding, the research also found a geographic effect in the acceptance of the programme at the time of introduction. That is, in areas where the programme had already been implemented nearby, there was more enthusiasm for the programme and more attention paid by community notables. In cases across two provinces the community petitioned actively for NSP to be introduced on the basis of seeing it implemented in neighbouring communities or neighbouring districts:

We knew that this is a true government programme because we had seen it being implemented in other district villages. So we went and asked [the FP] to implement it in our village too. (CDC member, Faryab, 2005)

Note that this example combines two of the important effects already noted – recognition of the government's involvement and local implementation.

In the case of two of the five FPs involved in study communities, this effect was reflected in implementation strategies. Rather than mobilising on the basis of a needs assessment, the order of mobilisation was based on geographic criteria: either communities were mobilised across an entire district at a time, or contiguous communities were mobilised, generally starting with the least remote:

We get a lot of pressure from villages that are not receiving NSP. We try to cover contiguous villages, and then promise the next side that they will be covered the next year. (FP NSP Manager, Badakhshan, 2006)

This sentiment was echoed by OC offices in Badakhshan and Faryab, who noted that in a given district sometimes "partial coverage causes complaints".¹⁹

In general, contrary to some predictions of resistance from customary or traditional authority figures, the research found that the most common problems encountered in gaining community acceptance appear to have been scepticism and apathy, sometimes coupled with objections to the requirement to include female community members in the elections and resulting CDCs. This latter issue usually arose after initial acceptance of the programme.

3. Increasing acceptance over programme phases

Even when the community agreed to participate relatively quickly, about half the CDCs interviewed reported that they did not take the programme entirely seriously until some later phase of implementation. This effect was more frequently reported from CDCs formed earlier in the life of the NSP (in year 1 and 2 of the programme). Thus there is a temporal effect as well as a spatial one in improving community reactions: the longer the programme was running in a district or province the more accepting communities tended to become.

Scepticism in the early phases of the programme was often overcome only when the first instalment of money arrived in the community, although in a few cases the holding of an

¹⁷ AREU focus group, NSP social organisers, Bamyan (December 2004).

¹⁸ AREU focus group, community organisers, Faryab (August 2005).

¹⁹ AREU Interview, OC officials (2006).

election may also have been an important milestone in acceptance and active participation:

At first we didn't think it was a real programme – we thought these people just wanted to keep us quiet or keep us from our work. We began to trust the programme when we received the first instalment. (CDC member and village elder, Badakhshan, 2006)

...after the election when they took photos was also an important moment. (CDC member, Bamyan, 2006)

The connection between resources and legitimacy is a strong one and supported by the finding that late disbursements of NSP funds had a very negative effect on community perceptions of the programme and its implementers, especially during 2006.²⁰ It is important to consider that community acceptance of the creation of CDCs is intimately related to their role as a channel for resources for the community. The fact that the CDC is elected is a legitimating factor pointed to by some communities and FPs, but not as clearly as the arrival of resources.²¹

3.2 Facilitation times

After the introduction of the programme and the agreement of community leaders to participate, there was also great variation in the time from introduction of the programme to the election of the CDC. In the study districts this period ranged from one to six months. Two factors were identified by facilitating partners as contributing to this variation in facilitation times.

1. FP staffing

In many cases the time period between the initiation of the programme and the election was not necessarily a result of differences in the community's reaction, but rather the staffing levels and capacity of the FP. For example, almost all NSP communities studied had between two and five civic education meetings with the FP before holding an election, but the time it took to conduct these meetings depended on the number of communities to be covered and the number of staff available to do so.

For example, in the district of Ishkashem (35 communities) in Badakhshan it was possible to conduct "3 or 4" civic education meetings in one and a half months. By contrast, a peri-urban district near the provincial capital of Faizabad (187 communities) required six months to reach the election phase despite community members having proactively requested the programme, because the FP was not able to visit each community with the same frequency. In most cases the variation in the introduction period reflected staffing levels and ease of travel more than the community's reaction. This finding is supported by the focus groups of social organisers across the study districts, who never reported that more than five meetings were needed to proceed to the election after initial acceptance of the programme.

2. Female participation

Another issue that influenced facilitation times was the management of female participation in the election and the CDC. In two cases this issue was cited as a problem in the civic education phase of the programme. In both of them, the realisation that the resources and benefits of the programme were real aided in breaking what had been a deadlock:

²⁰ On some reasons for late NSP funds disbursement see H. Nixon, *Aiding the State? International Assistance and the Statebuilding Paradox in Afghanistan*, Kabul: AREU, 2007, 8.

²¹ AREU Interview, FP District NSP Coordinator, Bamyan (September 2006).

When we first started the NSP there was resistance to women's participation. But now people have heard of it and have seen the benefits so the men allow the women and even encourage the women to participate. (Female CDC members, Pashtun Zarghun, Herat, 2005)

In one case in Badakhshan, a mixed community of Ismaelis and Pashtuns were motivated to come to a mutually acceptable compromise on women's participation due to the insistence of the FP that neither could benefit unless they were able to agree on meeting the requirement to form a mixed-sex CDC, which was subsequently elected.²² This represented a dramatic change from the prior situation in which women from the Pashtun portion of the community were not even known by name in the rest of the community.

Interestingly, Nangarhar, with its predominantly tribal Pashtun population, did not feature delays of this type. The reason appears to be that the FP involved mostly operated under an assumption that bringing women into the election process would be fruitless and relied on selection instead: "Women don't know about the elections. We didn't hear about it, we weren't called to have elections, nothing."²³ There is a link between these two factors in that a shortage of female staff is a common FP staffing problem that exacerbates delays by making it difficult to access and mobilise female members of the community.²⁴

In sum, the introduction of NSP becomes progressively easier over both space and time, since there are positive demonstration effects arising from its implementation. In addition, the main source of conflict at the introductory stage is over selection of communities to be mobilised, not within individual communities. Following this reasoning, a geographic approach to implementation is more likely to be successful, because it provides a rationale for the order the programme is introduced that is more comprehensible to the communities involved. It also makes it more likely that communities will know that NSP is more than "unmet promises" when it comes to their turn.

As community perceptions are changeable and heavily influenced by local experience, an important question is whether poor performance in a community may result in neighboring communities rejecting NSP. This is an important consideration given the problems widely cited by CDCs surrounding late grant disbursements, complaints about project selection being overridden but not explained to the community, or outright corruption. In short, the acceptance of NSP will only remain as good as the performance of the programme, and poor performance and negative perceptions will have dramatic repercussions in communities beyond those materially affected through the spread of distrust.

A second conclusion in relation to introducing the NSP is that the resources CDCs can access for the community are an important source of legitimacy. While this connection may seem obvious, the removal of second block grants in NSP II and the slow disbursement of funds show that it has not been adequately reflected in programme design. There has been a relative lack of attention so far to the other source of legitimacy of the CDCs – that they are elected. In no communities visited had a CDC re-election taken place, despite the desire of several communities and FPs to carry out such re-elections. In these cases, the FPs were waiting for guidance from MRRD on the re-election process even after two or three years of NSP facilitation.²⁵

²² AREU CDC Focus Group, Badakhshan (October 2006).

²³ Female community members, Nangarhar, (2005).

²⁴ Previous AREU research on NSP elections found that "Women's participation in decision-making in relation to community development is the most difficult and sensitive problem in the NSP approach to inclusive community development". Boesen, *From Subjects to Citizens*, 57.

²⁵ At the time of writing, some communities had held re-elections, but it is not clear that a systematic or fixed schedule is, or could be, adhered to, given the variations outlined here.

3.3 Establishing Community Development Councils

The process for electing CDCs is well defined in the NSP operations manual, and despite some changes in subsequent editions, has the following core features:

1. Eligibility is the same as for national elections;
2. One person, one vote;
3. Secrecy of the ballot;
4. Women and men are eligible to be elected to the CDC;
5. Candidate lists and electioneering are prohibited; and
6. 40 percent of eligible voters must vote for the election to be valid.

In addition, the programme stipulates that the election be based on “clusters” of not more than approximately 20 families divided on a geographical (i.e. by neighbourhood) basis, each of which elects one representative. The manual outlines some steps to deal with especially large (more than 300 families) communities and allows flexibility in how the ballot boxes and ballots themselves are managed to best allow women’s voting and ensure secrecy of the ballot.²⁶

Electing the CDC members

The principal finding on the election of CDCs is that despite the specific process defined in the operations manual, elections were conducted in a variety of different ways. The way that CDCs were formed varied a great deal among study sites. This variation was often related to the way that women’s participation was handled, but also involved the use of clusters and candidacy in incorporating different population groups. In the research the following types of elections were identified:

- **Standard:** In these cases the elections were conducted largely in line with the NSP manual. The community was divided into clusters of families based on location, and each cluster elected one representative. All electors were able to vote for people of either gender, and candidacy and campaigning were prohibited. It is important that in four of 14 cases this method resulted in all votes going to males, and thus required additional measures to ensure women’s participation in the CDC, either in mixed or separate councils.²⁷ Approximately half of the thirty CDCs visited were elected in line with the operational requirements of NSP, and the resulting councils were sometimes mixed, sometimes segregated and sometimes all-male.
- **Standard with separate male and female elections:** This method echoed the standard election, but in addition to dividing the community by geographic criteria the elections for men and women were separated – men voted only for men and women only for women. In eight of the thirty study communities this method was in used, with variations. In Herat (3 of 9 cases) and Nangarhar (2 of 7 cases) a total of five study communities held separate elections for separate male and female councils of equal size using the same clusters for each. In Faryab, by contrast, in three of five communities studied, 3-4 additional female-only clusters were formed to divide the women of the community into voting groups. This guaranteed female

²⁶ NSP, *Operations Manual*, 15-17.

²⁷ This pattern of a significant minority of elections resulting in all-male winners was broadly reflected in aggregate data where available. For example, in Faizabad municipality 5 of 45 standard elections resulted in no females being elected: AREU interview, NSP Manager, Faizabad, Badakhshan (7 October 2006).

representation but also institutionalised minority status for women. This method represents a local FP adaptation to ensure women were included in a single CDC.

- **Standard with consociational and gender-specific clusters:** In one case visited, also in Faryab, the male clusters were organised by subtribe rather than spatial location, to ensure representation of all community groups at least among males. In addition, three female clusters were identified to ensure female representation, and the outcome was a single mixed-gender CDC.
- **Male-only elections:** In two cases a standard election was held but which only involved male electors elected an all-male council. Where this method was used a separate female CDC was later appointed.
- **Parallel elections:** An innovative case in Bamyan involved two elections, one for a men's council, and one for a women's. Both men and women were eligible for both elections, effectively casting one vote for men, then one for women.
- **Candidacy:** In one case in Herat, the community voted as a whole for candidates who had presented themselves to the community as a whole. There was a separate election for women based on clusters.
- **Cluster selection:** In four cases in Nangarhar, the social organisers identified a candidate for each cluster, and either through voting or selection this candidate was confirmed as the representative. The representation was thus structured as in the manual, but a single candidacy was used in place of an open election, seemingly eliminating the element of choice through secret ballot.
- **Selection:** In one case there was no election, the community and social organisers simply selected the council. This also took place in Nangarhar and reflected a general but not complete pattern of deviance from programme guidelines on the part of the FP (Bangladesh Rural Advancement Committee, BRAC). It should be noted that the districts in question were considerably insecure and this may have affected the process chosen.

These eight election types represent confirmed cases among the study sites, and are not an exhaustive list. Some of these methods do not constitute elections at all, while some, such as separate male and female elections, violate universal principles for a free vote. This finding is important to consider in efforts to scale up the programme or formalise CDCs outside the context of NSP. It is particularly important if CDCs are considered as a possible precursor for the village councils called for in the Constitution, as the majority of these observed variations cannot be considered "general" elections as called for in the Constitution.²⁸

Types of CDCs

Not only did the study communities feature a range of election types, but the way that the CDCs were subsequently organised also varied. FP staff and communities almost always described this variation in terms of the way that representation, communication, and influence between male and female members was organised. These types do not capture variation in the patterns of inclusion and representation of other groups. There were four types of CDCs formed in respect to their organisation of gender representation.

- **Standard mixed CDC:** The NSP operations manual indicates that ideally, each NSP community should have a single CDC and that measures should be taken to ensure that women are able to participate in both electing and being elected to that

²⁸ Constitution of the Islamic Republic of Afghanistan, Art. 140.

council. In one case, where no women were elected, a single all-male CDC was in place.

- **Segregated elected male and female *shuras*:** While formally a single CDC, in practice most CDCs have two bodies that meet separately, one for men and one for women. This is the most common outcome among the study sites. The way that communities describe these councils also varies: the women's council may be called the "women's CDC" or "women's *shura*", or a "sub-CDC". Their participation in decision-making is either limited to sub-projects in the categories for women and vulnerable women, or is facilitated through family go-betweens with the male council.
- **Segregated elected male and appointed female *shuras*:** In some cases the elections resulted in an all-male CDC. This could occur either because electors only elected males, or because the election only permitted males to vote and be elected. In most of these cases, the FP and the community selected a female *shura* in an attempt to meet NSP requirements.
- **Male-only CDC:** In two of the study communities, a male-only CDC was formed. In one community in Faryab this is because a mixed election produced a single, all-male council. In Nangarhar one community simply selected a male council, due to especially strict community norms on women's participation in public activities.

Relationships between election and CDC types

The two tables on the following pages summarise the collected data on the election types and the resulting CDC structure.

The data demonstrate that a range of different election types and resulting CDC structures were found in provinces across the country. The standard model of CDC election defined in the NSP procedures was found in four of the five provinces where communities were studied, but this model only accounted for half of the overall number of communities. This variation appears to be due to local factors that cannot be generalised to the provincial level. A possible exception is Nangarhar, where no communities studied held a standard election.

The second most common model was a separate election among men and women for male and female members, respectively. This model could lead to the creation of either mixed or segregated councils, except a single case where only a male council was formed. The more dramatic deviations from the standard NSP model were relatively infrequent.

The forms of CDC formation that were least inclusive or participatory, or that were not elections at all, tended to be adaptations to restrictive gender norms at the community level: Women's councils were appointed to offset restrictions on women's ability to vote. In Nangarhar, the FP did in three cases forego an election altogether, although the reasons for this are not clear.²⁹

²⁹ Other studies indicates that careful facilitation and use of Islamic teachings can be successful in overcoming these restrictions even in very conservative settings, but require time. Boesen, *From Subjects to Citizens*, 57.

Table 3.1: Observed election and CDC organisation

Election Type	No.	Province/FP	No.	CDC Organisation	No.
Standard	14	Herat/DACAAR	4	Segregated, elected male and female councils	4
		Faryab/ACTED	2	Mixed CDC	1
				Male-only CDC (no women elected)	1
		Bamiyan/UN-H	2	Mixed CDC	2
		Badakhshan/ACTED	4	Segregated, elected male CDC and appointed female council	2
				Mixed CDC	2
		Badakhshan/AKF	2	Segregated, elected male CDC and appointed female council	1
				Mixed CDC	1
Standard Separate	7	Herat/DACAAR	3	Segregated, elected male and female councils	3
		Faryab/ACTED	2	Mixed CDC	2
		Nangarhar/BRAC	2	Segregated, elected male and female councils	2
Standard Consociational	1	Faryab/ACTED ³⁰	1	Mixed CDC	1
Male-Only	2	Nangarhar/BRAC	2	Segregated elected male CDC and appointed female council	2
Parallel	1	Bamiyan/AKF	1	Segregated elected male and female councils	1
Candidacy	1	Herat/DACAAR	1	Segregated elected male and female councils	1
Cluster Selection	2	Nangarhar/BRAC	2	Segregated elected male and female councils ³¹	2
Selection	1	Nangarhar/BRAC	1	Male-only CDC	1
Total:	29		29		29

³⁰ This case combined the second and third election methods: there were clusters based on subtribes among men, as well as three separate female-only clusters.

³¹ These two CDCs were located in a large community that was split into two for implementation, but only one female *shura* was selected between them.

Table 3.2: Frequency of election and CDC organisation

	Mixed CDC	Segregated elected male and female	Segregated elected male and appointed female council	Male-only council	Total:
Standard	6	4	3	1	14
Standard Separate	2	5	0	0	7
Standard Consociational	1	0	0	0	1
Male-only Election	0	0	2	0	2
Parallel Elections	0	1	0	0	1
Candidacy	0	1	0	0	1
Cluster Selection	0	2	0	0	2
Selection	0	0	0	1	1
Total:	9	13	5	2	29

In many cases, it appeared that the FP adjusted the elections procedures away from the standard model in order to facilitate some women's participation in the CDCs. By holding separate male and female elections the FPs were able to create female councils where it might not otherwise have been possible. In less restrictive areas where it was possible to form a mixed CDC through a mixed election, FPs took steps to ensure women would be represented via female clusters, but by community consent limited the number of female clusters to three or four out of a committee of ten or twelve members.³²

Communities willing to create mixed CDCs generally felt that female representatives should be in the minority, forming about one-third of the council.³³ Communities that were planning on creating separate male and female *shuras*, as in Herat and Nangarhar, allowed for equal numbers of women to be elected via two equivalent but gender segregated elections. There is thus a potential trade-off between the degree of participation of women in an election and the way in which their input into the deliberation of the CDC is handled: The more that women's participation in the council was allowed, the less democratic was the structure of their participation in the election.³⁴ By the same logic, the combination of a fully mixed election and a mixed CDC sometimes resulted in a lower number of female representatives than other arrangements.³⁵ This dynamic may have important implications for programme changes aimed at increasing female participation, as such changes may need to decide where to focus attention, on the elections or on the CDC's structure for representation.

The flexibility of FPs in adapting the election system to community views on women's participation is one of the factors that have allowed CDCs to be formed in such a wide

³² AREU interviews, FP Social Organisers, Faryab (August 2005).

³³ This ratio was described as appropriate and consensual by the communities and FPs. The reasons for the acceptance of a two to one ratio of men to women are unclear but it does echo some provisions of *hanafi* jurisprudence in relation to witnesses and inheritance rights.

³⁴ This finding is reinforced by work by McCarthy, who finds that opening spaces for participation happens in a complex and not necessarily linear way: McCarthy, "Spaces of Power and Participatory Development in Afghanistan", 27.

³⁵ AREU focus group, UN-Habitat NSP staff, Yakawlang, Bamyan (11 September 2006).

range of locations, but also has implications for the standardisation of electoral processes. Where FP facilitation was weak and especially where FPs had few female staff, this flexibility did not occur and even prevented the formation of CDCs via any electoral process.

Choosing the CDC leadership

A third kind of variation concerned how the leadership of the CDC was selected. Unfortunately, complete data on the method of choosing the leadership of the CDC was not collected through this study as the research focused on elections. However, an indicative survey of the data turned up the following models:

- **Selection by CDC:** Male CDC members selected their officials by consensus in at least one case in Nangarhar.
- **Selection according to vote totals:** The CDC member who received the most votes became the Chair, the next highest vice-Chair, and subsequently Treasurer and Secretary in at least one case in Herat.
- **Election by CDC:** CDC members voted for officers in a secret ballot in at least three cases in Faryab.
- **Election by community:** Community members voted for the officers from among elected CDC members in at least one case in Bamyan.
- **Officials elected one-by-one:** The community elected each position in turn from among candidates, corresponding with the single case of a community-wide candidacy based election in Herat.

Though this study did not provide sufficient data to draw systematic conclusions on this matter, it is clear that a wide range of interpretations exist among FPs and regions about how to choose CDC officers. The NSP operations manual give relatively little guidance on this issue. Attention to this issue is warranted, however, considering that the selection of the CDC head was a matter of contention in some communities interviewed. A change to the operations manual calling for two of the four officers to be women has in one FPs case reduced their ability to assemble mixed-sex CDCs.³⁶

The primary finding regarding the early phases of the NSP is great variation in the actual implementation of programme provisions regarding the formation of CDCs. The next two sections examine the findings surrounding the two core functions of the CDCs set out in programme documents: community development and local governance.

³⁶ AREU interview, FP NSP Manager, Badakhshan (October 2006).

4. Roles in Community-Driven Development

4.1 Project Selection

Upon the establishment of the CDC, FPs assist in facilitating a series of both CDC and community-level meetings to establish a community development plan (CDP). This CDP consists of a list of sub-projects chosen and prioritised by the community, and should not include projects that are disallowed under the NSP. This plan should also detail community contributions and the manner of inclusion of women and vulnerable individuals among project beneficiaries.³⁷

These requirements have changed over the course of the NSP and have been interpreted in different ways, ranging from an entitlement of 10 percent of the block grant for a “woman’s project” – typically human-capital development – to selecting a second sub-project of varying cost focused on female beneficiaries. An important departure from the original entitlements for women was the curtailment of the proposed “top-up” or second block grants, which were often never disbursed due to extended times administering the first grant, and the subsequent removal of these top-up grants from NSP II.³⁸

This study collected information both on the projects selected, and the dynamics of project selection within the communities. Table 4.1 and 4.2 below indicate the first and second sub-projects in the CDPs prepared by communities. These data do not represent projects approved or implemented, as in some cases projects were rejected by the FP or OC, and in others only the first project was underway at the time of the research.³⁹ The third and subsequent sub-projects were excluded if specified in the CDP because these had not been started in any communities visited and did not seem likely to form an operative part of the CDP in the short-term. Of the 29 communities studied, 27 had selected a first sub-project, and 26 had also specified a second. These 53 sub-projects are grouped by broad category in table 4.1.

Though the sample is not statistically representative, the heavy emphasis on infrastructure over livelihoods, education and health projects mirrors the pattern found for all sub-projects nationally.⁴⁰ In the AREU sample, irrigation figured lower and electrification higher than in a national total, perhaps due to the lack of sample communities in the most arid parts of the south.

Due to the difficulties of collecting comparable data simultaneously from both male and female councils where they sat separately, limited information is available on the incorporation of expressed female priorities into the CDP. Where there were separate female councils, their priorities often differed from men, focusing more on livelihoods and education. An additional gender dimension of sub-project selection involved the location of infrastructure and its implications for access by gender.⁴¹

³⁷ NSP, *Operations Manual*, 11 and 24.

³⁸ Ministry of Rural Rehabilitation and Development (MRRD), *The Expansion of the National Solidarity Programme: Proposal for a 3-Year Programme Extension*, Kabul: AREU, 2006, 20.

³⁹ One example found was the Faryab wells, which were rejected on grounds that were variously reported as engineering complexity or lack of engineering capacity: AREU interviews with FP staff and OC staff, Faryab (2005). A second example was implementation of sheep-rearing projects in Nangarhar, despite it not appearing on CDPs. Reasons given ranged from the requirement of 10 percent of the block grants for vulnerable groups to corruption by employees of the FP. It was not possible to definitively assess these claims: AREU interviews with MRRD, OC and FP officials, Nangarhar (August 2005).

⁴⁰ MRRD, *The Expansion of the National Solidarity Programme*, 7-8.

⁴¹ AREU interview with NGO staff, Faizabad, Badakhshan (October 2006).

Table 4.1: Frequency of project by type

Sub-project by type	Frequency
Power (generator, micro-hydro, solar) ⁴²	12
Water supply and Sanitation (wells, pipe schemes)	11
Transport (roads, bridges, flood protection)	10
Public building (baths, community centre)	7
Irrigation (canals, check dams)	6
Education (schools, literacy)	4
Livelihoods (weaving, tractor) ⁴³	2
Clinic	1
Total:	53

The majority of the 18 segregated councils reported that family go-betweens were the primary means of communication between councils. Only in one case did a female council report that this system did not function. In four of the six cases with good data on female priorities did these make it into the operative part of the CDP, always as the second project, so this form of communication should not be entirely discounted. Five councils noted that the female council also provided written minutes or notes of their deliberations on the CDP to the men, one noted that a single female acted as the appointed go-between, and others noted that exceptional joint meetings were held for project decisions. A key factor in generating some of these joint meetings seemed to be the presence of the FP:

When [the FP] is there it is an extraordinary meeting and women participate, but the women are not told about other meetings. (FP NSP Manager, Badakhshan, 2006)

The separation of male and female councils need not prevent women's priorities being represented, but this representation is clearly generally in a subordinate position. The existence of family go-betweens should not be discounted entirely, but more effective seemed to be some formal mechanism involving minutes, an appointed go-between, or FP facilitation. As will be seen below, these mechanisms have not been as prominent or effective in encouraging female participation in governance activities of CDCs.

Table 4.2 groups first sub-projects with their corresponding second choices by province and facilitating partner, giving a sense of regional or FP patterns. The data on project selection by region and FP reveals that both regional and FP variations may appear at times, but not always. In general, communities choose infrastructure projects suited to local conditions first. Two exceptions that seem to be connected with the FP or a region are a heavy emphasis in Herat communities under UN-Habitat facilitation on community buildings and a strong preference for power sub-projects in both UN-Habitat and AKF communities in Bamyan province. One possible explanation is that these organisations had both engaged in rural development programmes previously in these districts, perhaps

⁴² During the course of research the list of disallowed projects was changed to include diesel generators.

⁴³ By 2004 tractors were also ineligible under the operations manual.

already providing the more basic infrastructure relating to water, transport or irrigation that communities under other FPs had not yet developed. One NSP District Manager also pointed to the particular utility of community buildings for women, perhaps indicating that this previous community work had generated demands for more women's space in the community.⁴⁴

Table 4.2: Frequency of first and second sub-project selection by province and FP

Province and FP	First Sub-Project	No.	Second Sub-Project	No.
Herat - DACAAR	Irrigation	1	Well	1
	Electricity Generator	1	Literacy/Tailoring	1
	School	1	Clinic	1
Herat - UN-Habitat	Public Bath	4	Community Centre	2
			Bridge/Culvert	1
			Irrigation Canal	1
Faryab - ACTED	Not yet chosen	1	Not yet chosen	1
	Road	3	Culvert	2
			Electricity Generator	1
Nangarhar - BRAC	Well	2	Tailoring/Weaving	1
	Electricity Generator	4	Tractor	1
	Drinking Water Pipes	1		
Bamyan - UN-Habitat	Road	1	Road	2
	Not yet chosen	1	Well	2
			Community Centre	1
Bamyan - AKF			Well	1
	Electricity Generator	1	Electricity Generator	1
	Drinking Water Pipes	1		
Badakhshan - AKF	Solar Power	1	Road	1
	Drinking Water Pipes	1	Micro-Hydro Power	1
	Micro-Hydro Power	1	Drinking Water Pipes	1
Badakhshan - ACTED	School	2	Micro-Hydro Power	1
			None specified	1
	Irrigation Canal	2	Check Dam	2
Total:		29		29

4.2 Dynamics of project selection

While the researchers for this study did not directly observe the process of developing CDPs due to their short engagement with communities, qualitative accounts of project selection provided interesting insight into the process of choosing development priorities within Afghan communities under NSP. In all but two cases, the CDC members described a process of consensus-building in deciding on the sub-projects to be included in the CDP.

⁴⁴ AREU interview with FP District Manager, Herat (July 2005).

This process always involved repeated meetings to achieve consensus, and sometimes a large number of meetings or considerable controversy:

Discussion about the CDP took a long time, about three months of weekly meetings. We brought all the villagers together and we made a list of all the village problems, which were 18. ACTED suggested we reduce the number of projects to the most important. By comparing with the budget and referring the list back to the whole village, we gave priority to the three projects of greatest need. (CDC member of mixed CDC, Pashtun Kot, Faryab, 2005)

The discussion for the CDP was very heated. Everyone presses for his/her specific project. After 21 days of long argument we all agreed. (CDC member of mixed CDC, Yakawlang, Bamyan, 2006)

This process of consensus building appeared to aim at choosing projects which would benefit the widest range of community members, and its prevalence suggests that the attempts to build NSP on existing Afghan norms of consensus decision-making are quite well founded. This process of consensus-building indicates some potential for pro-poor development represented by participation of the community in CDP development. As Box 3 shows, in a few cases this norm of equity was specifically referred to as a reason for the prioritisation agreed.

Box 3: A norm of equity in project selection?

In a few of cases, the process of in project selection appeared to be informed by a norm of equal benefit – projects which might have been initially higher on the list were rejected in favour of those that would benefit households equally:

"We chose solar panels for four reasons: fuel for lamps is expensive and bad for our health, we want to enjoy a more modern life, and everyone receives equal benefits." (CDC member, Waras, Bamyan, 2006)

Question: "Why did you give priority to these projects (electrification, literacy and tailoring)? Response: The benefits of both are the same for all residents (poor and rich, landowners and landless)." (CDC member and CDC chairman, Pashtun Zarghun, Herat, 2005)

"Our first priority was electricity for three reasons: we have much water, it was the only project that all the villagers can benefit from, and we don't have much fuel for light and heating." (CDC member, Ishkashem, Badakhshan, 2006)

Interestingly, all three cases in which a norm of equity was explicitly noted as guiding selection involved electrification, possibly indicating that this particular form of development is viewed as particularly equitable in its benefits. However, this finding requires further investigation, and can be questioned in the light of some other AREU research that focused on excludability of the goods in question (See Brick, 2008, forthcoming).

By contrast, research in Herat, where community buildings appeared frequently, indicated that the benefits of these projects were limited for the marginalised. Management plans called for fees to be collected for baths, and the community centres were used by those who were most able to hold larger life cycle events such as weddings.

Despite being more common than other processes, consensus was not used in all cases to choose projects. In one community the CDC described sub-project selection as occurring by a majority vote in community meetings:

We announced the projects by number and then asked all the villagers about them. Finally we listed those projects that the majority wanted. (CDC member, Badakhshan, 2006)

In another case, the CDC determined CDP priorities together with customary leaders:

First, [the FP] gave us a written list of projects and told us to select those of the highest need. The CDC and the white beards met about the CDP. We held three meetings: at the first we 50% agreed, at the second we 75% agreed, and finally at the third we all 100% agreed on our projects. (CDC member, Bamyan, 2006)

This last case was one of the three where a norm of equity was expressed, indicating that such principles may still form part of discussions between elected CDC members and elders. As in most other aspects of NSP operation, considerable variety seems to be the norm in the way that sub-projects are chosen.

4.3 Multi-community projects and appeals outside NSP

While the focus in NSP throughout the first three years of implementation has been on projects within a single community, in four of the communities visited, there were projects either planned or underway jointly with neighbouring NSP communities. These joint projects were sometimes for a single shared project, sometimes for separate projects for joint use. In one case the community anticipated trading project outputs to help fund their own project operations and maintenance.

Some communities combine their community block grants for a joint project. In Faizabad, Badakhshan, three communities agreed to donate land they held in common for a school to be shared among them. Importantly, this was viewed as appropriate in part because these communities had once shared a school that had been destroyed. A system of budgeting and compensation was established which took into account each community's population, and also the third community's need to construct a drinking water project by excusing them a labour contribution in exchange for cash.⁴⁵ Similarly, in Paktia, six communities were reported to have combined budgets to build two high schools.⁴⁶ In Almar, Faryab, one community also reported planning joint projects with a neighbour to provide both electricity and drinking water. In other cases, the communities agreed to build separate projects, but for joint use. These latter arrangements seemed at first glance more prone to cause conflict or dissatisfaction among one of the parties (Box 4).

Box 4: Conflicts over joint projects

In an interesting case in Herat, two neighbouring villages agreed to build separate projects for joint use: one a community centre and one a hamaam. The female members of the CDC in the community which built the hamaam expected that their community would be able to use the other space for weddings and other gatherings:

"We wanted a community centre because we have a problem of space for weddings and funerals...We made an agreement with a neighbouring village that we would build the hamaam which was a second priority in our CDP, they would build the community centre, and we would share the two. But they made the community centre into a mosque - an elder secretly had a mihrab put into the community centre, so when it was unveiled it had a mihrab in it and was a mosque." (Female CDC and Youth Group Member, Herat, 2005)

This conflict appears to have two dimensions: the deception of at least the female members of the second community by the first; and the subversion of programme rules, as religious buildings are not permitted under NSP rules.

A case that was related at second hand by an FP has similar aspects. Two communities decided to jointly build a road by sharing their labour. However, when the road reached the first community it withdrew its assistance, leaving the second community without the part of the road to it completed.

⁴⁵ AREU interview, CDC members, Faizabad, Badakhshan (October 2006).

⁴⁶ AREU interview, DRRD staff, Paktia (June 2006).

In a variation on joint projects, a community in Bamyan that was one neighbourhood of a larger town, installed generators to provide electricity for the adjoining neighbourhood as well as itself, on the basis of a pre-agreed price for electricity of 80 Afghani per bulb, per month. Thus both communities were able to realise benefits while the first could offset its costs and install greater generating capacity.⁴⁷

It is important to note that these examples of joint project selection took place before the introduction of formal programmes to group CDCs together, such as JICA's Inter-Communal Rural Development Programme (IRDP) or the broader National Area-Based Development Programme (NABDP).⁴⁸ They tended to reflect broader FP involvement in communities through broad-based rural development programmes. For example, where FPs implemented more comprehensive programmes, the social organisers viewed CDCs as an institution that goes beyond their role in implementing NSP:

CDCs are an institution in the society in our area. For example, we take plans from the CDC as input to our [capacity building programmes]. We hold the trainings according to outstanding needs identified by the CDC – in effect we fund CDC priorities outside NSP. (Social Organisers, Bamyan, 2006)

In a few other cases CDCs participated in getting non-NSP support from an NGO that was not an FP. In one case in Badakhshan a flood protection project was completed with additional NGO support, in a community also engaged in a joint NSP project.⁴⁹ Similarly, in some cases, other implementers have used CDCs to resolve differences over beneficiary lists. In another case, in Faryab, the CDC contacted the provincial Education Department directly after agreeing to donate land for the building of a school, which was later built by a different organisation.⁵⁰ In most cases, the FP pointed to *mantega*-level common interests derived from geographical or resource interdependence as determining the scale of the group of CDCs involved.

Despite these cases, which seemed to depend on solid facilitation and the availability of other FP or non-FP programming in the area, the relative infrequency of joint projects, and the appearance of some conflict in about half of the cases where they appeared, suggests the goal of intercommunal solidarity is still somewhat distant from the reality of NSP implementation.

⁴⁷ AREU interviews, CDC members in adjoining neighbourhoods, Bamyan (September 2006).

⁴⁸ A study of CDCs with specific focus on IRDP is forthcoming from AREU in mid-2008.

⁴⁹ AREU interviews, OC and CDC members, Badakhshan (October 2006).

⁵⁰ AREU interviews, CDC members, Faryab (August 2005).

5. Roles in Community Governance

Our purpose is to create local governance. (NSP Oversight Consultant Staff, 2006)

As outlined earlier in this paper, the NSP is not only aimed at introducing and managing development projects. It is also a local governance initiative aiming to “lay the foundations for a strengthening of community level governance”. Governance can cover a range of public and quasi-public goods. CDCs affect the process, participation and accountability involved in managing development resources, both internal and external to the community. They therefore play a role in the governance of community development.

The intention of CDC activity in community governance, however, is not limited to managing NSP block grants. These committees may also alter the participation, process and accountability involved in community decision-making in other areas. Of these two NSP goals, there has been far more emphasis on evaluating the CDD aspects of NSP than its governance aspects. This gap is in part due to the different nature of the data involved.⁵¹ Nevertheless, there is significant evidence that CDCs are playing a role in other aspects of community governance. The most prominent domains of community governance activity emerging from the study were dispute resolution, community labour (*ashar*), and social protection for the vulnerable. These domains are discussed next, followed by an analysis of the place of the CDC in the systems of local governance.

5.1 Dispute Resolution

Claims of the involvement of CDCs in some form of community dispute resolution are widespread. The elected and collective basis of the CDC appears to contribute to their role, particularly in areas where previous dispute-resolution mechanisms focused on influential individuals and not collective measures. This is not to say, however, that CDCs or their members solved disputes alone. Much more common is a kind of hybrid arrangement where CDC members may work together with non-CDC customary leaders or other community representatives.

Of the 29 communities studied, only four reported that the CDC did not play any role in dispute resolution. Three of these negative responses were located in a single district of Nangarhar province under a single FP. In this district a clear distinction was drawn between the CDD function and other governance and problem solving:

CDCs are different from other shuras or jirgas in that they plan and organise development projects. (CDC members, Nangarhar, 2005)

The various data collected in this district, however, indicate that the lack of involvement of the CDCs was partly due to prevailing social norms about the appropriate role of such a council, and partly due to weak facilitation by the FP in that district.⁵² In the other, less remote Nangarhar district studied, all communities reported a CDC dispute resolution role.

While some involvement of CDC members in dispute resolution appears to be widespread, the disputes involved and the characteristics of this involvement vary quite widely. All of the disputes reported appeared to fall in one of three broad categories:

- The first type of disputes related to the NSP programme or development activity more generally. These often the allocation of land or other resources for development activities, or the selection of communities for NSP implementation.

⁵¹ McCarthy, “Spaces of Power and Participatory Development in Afghanistan”, 24.

⁵² AREU interviews, CDC members, Social Organisers, Community Members, Nangarhar (August 2005).

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

In many cases the lines between these types of disputes are blurred, as showed in Box 5.

Box 5.1: Selected examples of disputes with CDC involvement in dispute resolution

A) Three small villages combined under the NSP to form a single CDC, and decided on three projects from their budget. But before they began the PRT came and completed a drinking water project in one village with PRT funds. This created a conflict between the three villages because one already had their projects completed before beginning NSP work. The CDC resolved the problem, by allowing the first village to have a second project in road construction. Reconciliation was the key factor – in fact the second two villages did not gain anything new from the solution. (FP NSP Manager, Badakhshan, 2006)

B) We have solved a conflict between our and another village over water. We have built a check dam to hold water for our use, but the excess had caused damage to their cultivated areas, and they wanted us to keep the water away. As we were poor it was difficult to rebuild the water source elsewhere. [The CDCs] selected representatives and estimated the value of the crops and gave them compensation for this year. For the long term we approached Ministry of Agriculture and NGOs to help construct a sound water source to solve the problem. (CDC members, Bamyan, 2006)

C) In a nearby area there were four communities fighting over issues related to women, and there had been nine deaths. Four CDCs were formed and they met as a conflict resolution committee, and they also were given the opportunity to cooperate under [another of the FPs rural development programmes] as a development cluster. The projects helped, though the budget is generally small. (NSP Social Organisers, Bamyan, 2006)

D) One villager contracted with another to give a daughter, and the prospective bridegroom spent many years in Iran. Upon his return the father-in-law increased the bride price to 500,000 Afs, and the bridegroom refused to pay. We negotiated a price of 200,000 Afs between them, and resolved the conflict. We sometimes have up to two such problems a week to solve. (CDC members, Faryab, 2006)

Two characteristics of CDCs appeared to contribute at times to their role in dispute resolution:

- their elected and collective basis; and
- the contribution of NSP resources as incentive to solve conflicts.

The fact that CDCs are elected and have a collective quality seemed to be important in the acceptance that their decisions enjoyed in certain contexts. In areas where communities identified a single *arbab*, *uluswal*, police or local commander as the former main actor in dispute resolution, communities, FPs, and local authorities noted that CDC's decisions over small land and livestock disputes were more accepted due to the elected and collective nature of the council:

Conflict or disputes were previously solved by the arbab's personal decision, or both sides were obligated to go to the uluswal for a solution. Now the CDC is elected by the people, they bring problems there for solution. (CDC members, Faryab, 2005)

CDCs have additional authority due to being elected, and have resolved land disputes because they are seen as representatives of the community. (Social Organisers, Faryab, 2005).

CDCs are better at conflict resolution than qaryadars or arbabs. On the one hand, it is because they are an elected shura, and on the other hand the decision is more acceptable because they are many and not one. (District Governor, Badakhshan, 2006)

In two cases, CDC members noted the importance of project funds in helping resolve disputes within and between communities. Both of these communities had had long-standing conflicts, one of them deadly, indicating poor dispute resolution capacity beforehand. In such cases, the incentive of the project funds can play a role in reconciliation. Several NSP communities, in talking about previous systems, also pointed to bribery or costs associated with dispute resolution services by district officials or local appointees such as *qaryadars* or *maliks* as a factor not present with CDCs.⁵³

An important related finding is that where collective mechanisms such as *shura*, *jirga*, or *jalasa* are used to resolve disputes, they are more likely to be combined with CDC activities, rather than being replaced by them. Illustrating this phenomenon, three different interviewees in a Badakhshan community answered a question about dispute resolution: the first suggested that community elders resolved disputes, the second that the CDC resolved them, while the third explained that because the elders had been elected to the CDC, both were in fact right.⁵⁴ Social organisers sometimes described this model in terms of "conflict resolution committees" including both CDC members and elders, while other CDC members described meeting together with elders to solve particular problems.⁵⁵ Dispute resolution activity thus often involves a mixture between councils and customary leaders.

Ten of the 25 CDCs who claimed a role in dispute resolution clearly stated that they performed this role in combination with elders or religious figures in some way. Based on the frequent attendance of non-CDC elders in CDC meetings during interviews, it is likely that these figures underestimate the amount of involvement of elders in dispute resolution activities. In about half of the total communities surveyed, it seems likely that a hybrid form of customary and elected authority is applied to dispute resolution. In much of the remainder, it seems that previously, disputes were resolved by individual power-holders, not by a collective *shura*.

These characteristics of CDCs appear to increase the acceptance of decisions, even when those decisions do not substantively benefit one of the parties, as in the first example in box 5 above, and below:

A person wanted to build a house on common land near a neighbouring village, but he had not been allowed. Our CDC went and discussed it with them, and they allowed him to build the house. (CDC members, Badakhshan, 2006)

The element of consensus and reconciliation evident here seems to be a repeated pattern, and may form the link with the authority deriving from the representative character of the CDC. In this respect, it was notable that the one district in Nangarhar where none of the

⁵³ AREU interviews, CDC and community members, Nangarhar, Bamyan and Badakhshan (August 2005, September-October 2006).

⁵⁴ AREU interview, CDC members, Badakhshan (October 2006).

⁵⁵ AREU interviews, Social Organizers and CDC members, Bamyan and Faryab (2005-6).

study sites reported a conflict resolution role for CDCs was also the district where their members had not been elected.

Despite these potential benefits of CDC involvement, not all dispute resolution efforts by CDCs were reported as positive:

In our community one resident did not allow our second CDC project, a road, to pass over some land of his, despite it benefiting the community. The first project had been a drinking water scheme, and the members of the CDC resolved to turn off the water to the houses in the group where this land lies, about 15 households in all. We would like to discuss this with the district official, but we have not yet solved the problem. (CDC and community members, Badakhshan, 2006)

A general tendency to obscure unsolved conflicts due to a sense of privacy or collective shame was noted in a number of interviews, so it is likely that the research does not accurately reflect the prevalence of outstanding conflict. It is important therefore not to overstate either the changes or potential for dispute resolution brought by NSP. Nevertheless, taken as a whole, the evidence supports the idea that CDCs or CDC members in combination with others can play a role in dispute resolution, but without displacing the procedures and legitimacy of more customary means.

Limits to female participation in dispute resolution

An important caveat to this finding is that it applies primarily to the role of male CDC members. In part this has to do with the role of FPs. The election of CDCs and decisions about community development priorities occur through a heavily facilitated process with procedures emphasising the participation of women. Without the FP's presence, this participation falls off.⁵⁶

Of the 25 CDCs reporting some dispute resolution role, only two groups of female CDC members reported participating in processes of community dispute resolution. In most places, the meetings on disputes were considered a somewhat separate process, and in two cases the use of predominantly male spaces like guesthouses or mosques reinforced this separation:

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

Beyond this broader conception of community dispute resolution, women in four communities indicated that they did resolve through mediation conflicts with a particularly sensitive gender dimension or other "women's and children's conflicts". In one case, the women's CDC defused tension, created when some boys had made crude remarks about the corpse of a drowned girl, by discussing the matter with the two families.⁵⁷ Beyond these four communities, where women spoke of their role in solving conflicts, further discussion revealed these functions were actually more related to social protection for poor and vulnerable women.

5.2 CDC involvement in *ashar* and social protection

In six of the 29 communities visited, the CDC identified itself as having a role in organising *ashar*, or community labour. Typically this included cleaning irrigation canals and repairing roads. *Ashar* was also explained by some CDCs as a means for mobilising the labour portion of the community's contribution to NSP sub-projects, although acknowledged as a pre-

⁵⁶ AREU focus groups, various social organisers (2005-06).

⁵⁷ AREU interview, Female CDC members, Nangarhar (August 2005).

existing institution. *Ashar* is a relatively widespread phenomenon in Afghanistan, and in the cases where the CDC identified this role it often represents a continuation of previous practice. Where questioned further, most of these CDCs did not differentiate between the functioning of *ashar* under CDC leadership or in its more traditional form. In some other cases, *ashar* projects were incorporated into the CDP, in other cases such projects were envisioned as partly independent. Previous AREU research supports the general finding that *ashar* is a pre-existing institution, but that its scope and productivity may be enhanced by the involvement of CDCs.⁵⁸

A more prominent and novel role of CDCs was in the area of social protection. One working definition of social protection is that it includes "initiatives, both formal and informal, that provide: *social assistance* to extremely poor individuals and households; *social services* to groups who need special care or would otherwise be denied access to basic services; *social insurance* to protect people against the risks and consequences of livelihoods shocks; and *social equity* to protect people against social risks such as discrimination or abuse."⁵⁹ Not all these roles are seen in all places, and others constitute traditional community functions: for example collecting money from the community for funeral ceremonies.⁶⁰ There is significant evidence, however, that CDCs were able to formalise and expand some social protection functions across these categories.⁶¹

Social assistance and social insurance occurred through the CDC's creation of beneficiary lists for various activities – such as NSP training projects or relief in the case of natural disasters – and the collection of money for people suffering illness. Social services and social equity were manifested in some cases by the creation or identification of small jobs in the community for particularly vulnerable individuals, such as widows. In many communities, CDCs maintained a "community box" which was either to collect money for poor families experiencing life cycle shocks or livelihoods shocks such as illness, or to support future community projects (see table 5.1).

Table 5.1: Social protection functions with CDC involvement

Function	No. CDCs	Provinces	FPs
Collection for poor or vulnerable	7	Herat	DACAAR, UN-Habitat
Prepare beneficiary lists	7	Herat, Nangarhar, Bamyan	DACAAR, BRAC, UN-Habitat
Community box	4	Herat	UN-Habitat, DACAAR
Organise employment	2	Herat	UN-Habitat
Organised disaster (flood) relief	1	Bamyan	UN-Habitat

The prevalence of social protection functions seems to be related to facilitation. Overall, with the exception of one case, all social protection functions claimed actively by CDCs occurred under the same three FPs. Several CDCs acknowledged that the community box function was an extension of a customary function of collecting money for mosque functions, funerals, and other immediate needs of families faced with shocks due to illness

⁵⁸ Boesen, *From Subjects to Citizens*, 27-28.

⁵⁹ S. Devereux and R. Sabates-Wheeler, *Transformative Social Protection*, Brighton, UK: Institute of Development Studies, 2004.

⁶⁰ AREU interview, CDC members, Bamyan (September, 2006).

⁶¹ Thanks to Palwasha Kakar for information on social protection practices.

or death.⁶² While the collection of money for the poor and vulnerable on an *ad hoc* basis may be seen as an extension of traditional activity, its institutionalisation in a community box was only seen under two FPs, one of which noted that they had instituted community boxes in “almost all” their communities beyond those surveyed.⁶³ This may indicate that, as with dispute resolution, where customary practices are merged or formalised with CDC functions through active facilitation, they may be more accepted than when introduced entirely anew.

As a small but versatile initiative, the community box was also viewed in some cases as an important ongoing role for the CDC beyond the scope of the NSP:

It doesn't matter if NSP ends. Our CDC is a legitimate shura, it will always function – from now we have plans for creative projects, like a charity box, and we have decided to train our young people in different professional fields. (CDC members, Herat, 2005)

An important feature of the social protection function is that in all cases where CDCs claimed to carry them out, the female CDC members were aware and usually active in performing these functions. In the cases of employment and several of the beneficiary lists (which were for literacy or tailoring training) this function was in fact carried out by the female CDC members. Social protection is thus an area with more women's participation than dispute resolution, a feature that seems also to be linked to the degree of facilitation. An overall conclusion can be drawn that women's participation is most prevalent in the areas where FP involvement is more intensive, suggesting that facilitation is not only important for the scope of CDC activity, but also has important gender implications. In the absence of good facilitation or at the end of FP involvement, it seems likely that the level of women's participation may suffer even more quickly than CDC activity in general.

⁶² AREU interview, CDC members, Yakawlang, Bamyan (12 September 2006); AREU interview, female CDC members, Zindajan, Herat (4 July 2005).

⁶³ AREU interview, Provincial NSP Manager, Bamyan (7 September 2006).

6. Conclusions and Recommendations

The creation of CDCs under the NSP have introduced a dramatic change in the development resources available to many communities in the country. Where these resources have been converted to successful sub-projects, the acceptance and legitimacy of the programme, and by extension the government, has been strengthened. As a relatively new institution within the local governance system, the position of CDCs is complex and varied. Several key conclusions can be drawn from the analysis to date.

- Community acceptance of CDCs is conditioned by past experience, comprehensiveness of material and human resources available for facilitation, and local implementation patterns. It is also heavily dependent on the delivery and use of resources, and declines with delays or misuse of resources.
- The implementation of all phases of NSP – including elections, CDC composition and configuration, CDP development, and the activities taken on by CDCs outside project selection and implementation – has been carried out in varied ways. This variation is complex. It appears that compromises in one area, such as the form of elections held, may facilitate gains in others, such as women's influence on decisions through direct participation in meetings. Local norms and customs are important in determining these outcomes, but also important are the resources, creativity and depth of involvement in the area of the facilitating partner.
- While many CDC members claim to be involved in other governance functions, such as dispute resolution, these governance functions are not universal, and where they occur they are often carried out in combination with customary structures and individuals, forming a hybrid form of authority. A partial exception may be where previous governance structures were focused on one power-holder, where CDCs, through their collective and elected basis, can reorient the sources of local authority.
- There are barriers to genuine participation of women in both development functions and governance functions of the CDCs. This participation is less in governance functions than project selection, and it appears to be very dependent on the quality of facilitation. In the absence of facilitation, women's participation will likely suffer at an even faster rate than overall CDC activity. An exception to this seems to be in a few social protection functions.

A great deal of attention is currently being paid to the current and future place of CDCs in the local governance systems, but this attention has yet to produce a coherent and clear vision for CDCs – in particular their relationship to other governance structures. Until now, consideration of how to bridge this gap and create a strategy for CDCs that combines their role in community development with a permanent place in subnational governance, has lagged behind the advance of the NSP itself.

A reason for this lag has been the lack of a clear shared vision of the future shape of local governance at provincial, district and community level, which has limited the ability to plan for the future of CDCs. There is an implicit, and at times explicit, distinction drawn in discussions of CDCs in Afghanistan between their role in local development, and their role or potential as governance institutions. This distinction is currently central to the discussion about the future of CDCs and the most appropriate programming to support local governance into the future. This debate has become harmfully and unnecessarily polarised.

Governance describes the mechanisms for participation, process and accountability involved in collective action and decisions. An important domain of governance activity at

any local level is the management of resources for local development. CDCs in their role as managers of the Community-Driven Development process of NSP are already functioning as a governance institution: they are involved in governance *for* development. In doing so, they have made considerable contributions to the immediate welfare of community members, though their impact on longer-term livelihoods outcomes may be less clear without reference to the overall rural development context.⁶⁴ They have also made important, if varied, contributions to the inclusion and representation of marginalised groups, particularly women, in such activity.

In some cases, the role of CDCs in governance for development has meant that CDCs have had to engage in the resolution of disputes regarding the disposition of development resources within and among communities. This type of dispute resolution falls within the domain of consensually accepted CDC governance activity. By extension, some CDC members, or in a few cases, CDCs as corporate entities, have come to provide resolution mechanisms of other local disputes. Finally, CDCs have taken on the role of organising communal labour or social protection, again representing an extension or fusion of their role with customary pre-existing governance activity concerning public goods.

It is important to overcome the artificial distinction between governance and development. A first step in doing that is to continue to emphasise the role that CDCs already play, as an institution involved in governance *for* development, with a varying configuration of extended roles related to that core identity. At the same time, with the transition from NSP I to NSP II – and subsequently to a set of successor programmes – it is crucial to consider the future of the institution. What role can CDCs play in achieving the commonly held aspirations of Afghans for improved development and livelihoods in a context of improved, effective, democratic, and culturally and religiously appropriate governance institutions?

The newly established IDLG, in combination with a range of other actors involved in development and governance at the subnational level, may help provide a locus for the development of such a policy. Doing so successfully is a crucial step in Afghanistan's current transition to a development process that realises the strategic interdependence of community governance and development, through the establishment of the "the basic institutions and practice of democratic governance at the national, provincial, district, and village levels for enhanced human development" as demanded by the Interim Afghanistan National Development Strategy (I-ANDS).⁶⁵

There are several key questions that are central to any effort to develop a policy with wide political acceptance for the future of CDCs:

- Should they be formally recognised as state institutions?

A bylaw calling for increased formalisation of CDCs is in circulation. This bylaw calls for the recognition of CDCs by formal state authorities, their designation as the community interlocutor for all development interventions, and grants them some administrative functions. This process is largely driven by MRRD thus far and is yet to enjoy wide political acceptance. It may be that this approach, in the absence of a more comprehensive legal framework, stresses the formalisation of CDCs without paying sufficient attention to the local variations in CDC functions and the benefits of retaining their status as community-based and not governmental organisations. At the same time, institutional means for

⁶⁴ S. Barakat et al. *Mid-Term Evaluation Report of the National Solidarity Programme (NSP), Afghanistan*, York and Kabul: University of York and Ministry of Rural Rehabilitation and Development, 2006, 97.

⁶⁵ Islamic Republic of Afghanistan (2006), I-ANDS, Vol. I, p. 122.

supporting CDCs should form part of the mixture of policy options available when determining the future role of these councils.

- What will be the resources, both material and in terms of technical assistance and facilitation, available to CDCs after NSP?

It is clear that CDCs have functioned most positively in the selection and implementation of sub-projects, and their acceptance, legitimacy, and ability to perform other tasks are all related to the resources they bring to communities. Consideration of their future role must include discussion of the range of resources that will be available, and the mix of governmental and non-governmental involvement in providing these. If CDCs are to continue to function in wide areas of the country, new resources need to be coupled with technical support and an effort to strengthen the capacity of the community and the CDC itself.

- What will be the appropriate scale for the delivery of such resources?

In some areas, CDCs already combine efforts through joint projects, and in other areas programmes to "cluster" CDCs are underway. These efforts suggest that clusters that respond to locally appropriate development scales appear more naturally, due to infrastructure or resource inter-dependencies that may be present at that level. This raises questions about the organisation of development representation below and at the district level, currently addressed piecemeal by NABDP and other clustering programmes without a clear link to plans for district and village level representation in the long term.

- Should they perform administrative governance tasks as well as development tasks?

Mandating a single universal governance role for CDCs would produce mixed outcomes, due to the observed variation in how CDCs currently function in relation to customary structures. While there is evidence of fruitful governance improvements linked to CDCs, this is often achieved through the implicit or explicit recognition of pre-existing governance patterns, not wholesale attempts to replace them.

- How will the impact of CDCs on the inclusion and representation of women and other marginalised community groups be strengthened and deepened?

The role of CDCs in empowering women and other vulnerable groups is dependent on active facilitation. Gains in this area cannot be assumed to be persistent gains, just as the CDC itself cannot be considered a persistent institution without consideration of the factors discussed in this paper. As NSP comes to a close, consideration of how to support the broadened inclusion and representation seen in the context of CDCs must continue.

These questions can no longer be answered in isolation from many other questions in subnational governance policy. These include the roles and relationships of District Governors in relation to other bodies, the form of district-level elected representation in the future, the fiscal status of subnational state units, and the sequencing of changes in all of these areas.

Bibliography

- The Asia Foundation (TAF). *An Assessment of Subnational Governance in Afghanistan*. Kabul: TAF, 2007.
- Barakat, S. et al. *Mid-Term Evaluation Report of the National Solidarity Programme (NSP), Afghanistan*. York and Kabul: University of York and Ministry of Rural Rehabilitation and Development, 2006.
- Boesen I.W. *From Subjects to Citizens: Local Participation in the National Solidarity Programme*. Kabul: AREU, 2004.
- Carter, L. and K. Connor. *A Preliminary Investigation of Contemporary Afghan Councils*, Peshawar: Agency Coordinating Body for Afghan Relief (ACBAR), 1989.
- Constitution of the Islamic Republic of Afghanistan. 2004.
- Devereux, S. and R. Sabates-Wheeler. *Transformative Social Protection*. Brighton, UK: Institute of Development Studies, 2004.
- Evans A., N. Manning, et al. *A Guide to Government in Afghanistan*. Kabul: AREU and the World Bank, 2004
- Favre, R. *Interface Between State and Society: Discussion on Key Social Features Affecting Governance, Reconciliation and Reconstruction*. Addis Ababa: AIZON, 2005.
- Fukuyama, F. *State-Building: Governance and World Order in the Twenty-First Century*. London: Profile Books, 2004.
- Islamic Republic of Afghanistan. *Interim Afghanistan National Development Strategy*. Kabul: Government of Afghanistan, 2006.
- Islamic Republic of Afghanistan. *Census and Election Update for JCMB VII*. Kabul: Government of Afghanistan, 2008.
- Independent Directorate of Local Governance (IDLG). *Strategic Framework*. Kabul: IDLG, 2007.
- Kakar, P. *Fine-Tuning the NSP: Discussions of Problems and Solutions with Facilitating Partners*. Kabul: AREU, 2005.
- McCarthy, J. "Spaces of Power and Participatory Development in Afghanistan: A Case Study of the National Solidarity Programme and (Un)Changing Political Power Structures in Faryab Province". Unpublished Master's dissertation, King's College London.
- Ministry of Rural Rehabilitation and Development (MRRD). *The Expansion of the National Solidarity Programme: Proposal for a 3-Year Programme Extension*, Kabul: MRRD, 2006.
- National Solidarity Programme (NSP). *Operations Manual*. Kabul: NSP2004.
- Nixon, H. *Subnational Statebuilding in Afghanistan, 2005-2006*. Kabul: AREU, 2008 (forthcoming).
- Nixon, H. *Aiding the State? International Assistance and the Statebuilding Paradox in Afghanistan*. Kabul: AREU, 2007.
- Plumptre, T. "What is Governance?" on the website of the Institute on Governance (Ottawa), www.iog.ca (accessed 25 February 2008).

Rubin, B. and H. Malikyar. *The Politics of Center-Periphery Relations in Afghanistan*. Washington, DC: World Bank, 2003.

United Nations Development Programme (UNDP). *Decentralised Governance for Development: A Combined Practice Note on Decentralisation, Local Governance and Urban/Rural Development*. New York: UNDP, 2004.

The World Bank. *Service Delivery and Governance at the Sub-National Level in Afghanistan*. Washington, DC: World Bank, 2007.

The World Bank Operations Evaluation Department. *Community-Driven Development: A Study Methodology*. Washington: The World Bank, 2003.

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