Project for Alternative Livelihoods in Eastern Afghanistan (PAL)

Conflict processing and the Opium Poppy Economy in Afghanistan

Jalalabad, June 2005

Managed by the IS
PAL Project Area in Eastern Afghanistan

ABOUT PAL: The Project for Alternative Livelihoods in Eastern Afghanistan (PAL) is a 9 million €, 3-year project, funded by the European Union and partnered with the Ministry of Rural Rehabilitation and Development. The project works in the Provinces of Nangarhar, Laghman, and Kunar, and is managed by gtz International Services (gtz IS). The PAL Management Unit is located in Jalalabad.

The project goal is "to contribute to the reduction of poverty and facilitate the change from an opium-based economy to an alternative economic and social system". This is accomplished through three components:

- The identification and implementation of community/village development activities with special focus on alternative income earning enterprises and associated infrastructure.
- Capacity Building of provincial and district administrations to assist them prepare and implement their own development plans.
- Policy advice to central and local government.

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PAL Internal Document No. 5

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Jalalabad, June 2005

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Published by:
Project for Alternative Livelihoods (PAL)
Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH,
International Services (IS)
Jalalabad, Afghanistan
Glossary and Abbreviations

CDC  Community Development Council (= 'NSP Shura')
DDP  District Development Plans
DDR  Disarmament, Demobilisation, Reintegration
DDS  District Development Shuras
Hezb Islami  Mujaheddin faction led by the wanted warlord Gulbudin Hekmatyar, Afghanistan
jawzai  here: a credit given in kind (usually opium) for an amount to be repaid later at a fixed rate that is higher than the market value of the in-kind-credit at the time of agreement
jihad  a holy war, struggle or effort for (spiritual) principles
jirga  here: gathering of men competent to reach decision on disputed issues; a procedure to decide conflicts by third-party negotiation
khan  large landowner with political influence
malek  headman of a village
mantaqa  here: village cluster in a valley
Mol  Ministry of the Interior
MRRD  Ministry of Rural Reconstruction and Development
NSP  National Solidarity Programme
OPE  Opium Poppy Economy
PAL  Project for Alternative Livelihoods in eastern Afghanistan (PAL) (in Kunar, Laghman and Nangarhar provinces, financed by the European Union, implemented by the GTZ)
PDC  Provincial Development Committees
PRT  (Military) Provincial Reconstruction Teams (either under Coalition or ISAF/NATO command)
qaria  here: main village or village cluster in the plains
salaam  here: a credit agreement in which future harvest is sold for a cash or opium credit received at about half the value of the future harvest at the time of agreement
shura  council, consultation
SME  Small and Medium Enterprises
ulema  The body of Islamic clerics (mullahs)
ushr  Islamic tax/alms in kind: usually 10% of net harvest from rainfed or naturally irrigated land and 5% of artificially irrigated land of a household paid to poor people and to the Imam
WB  World Bank
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<td>Woliswolli</td>
<td>Administrative district</td>
</tr>
<tr>
<td>Wolliswol</td>
<td>District Governor</td>
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<tr>
<td>zakat</td>
<td>Islamic tax in cash: usually 2.5% of total revenue of one year of a wealthy household (sahib nisab) paid to poor people</td>
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1 Introduction

Afghanistan faces two principle challenges for success in sustained peaceful development: state-building and rapid social transformation.

Both processes are interdependent and are influenced to a significant extent by outside actors. Most state institutions in the making are thus far financed by foreign, mostly Western, countries and shaped significantly by their consultants. Despite the official rhetoric and the spirit of the Bonn agreement thus far there still is a lack of accountable Afghan policy makers that are truly in the ‘driving seat’ of state-building in Afghanistan.

Success in establishing accepted and functional state institutions will only be possible if the Afghan state and society engage with one another in a constructive way. The state has yet to penetrate society with its institutions and it has yet to convince society of the legitimacy of its rules. After years – or decades for many rural communities - of coping without functional state-institutions, this process implies painful social change that directly affects the family, household and community levels. At the same time, sustainable and peaceful social and economic development after years of insecurity, violence and civil war depends more than anything else on successful state-building. Without common peace, the rule of (state rather than customary or Islamic) law and a legitimate state capable of providing essential services and public goods to its citizens, both economy and society will remain power-locked and stagnant at best.

Successfully penetrating society with state institutions at the community level (and it is this level of local governance that most Afghans experience the power or the impotence of the state) is a delicate process of “giving and taking”: bottom-up state emergence and even more so top-down state building is always a demanding, to some extent even a threatening process for local communities. The most visible aspects of state interference, i.e. enforcing rules made up in a distant capital, are perceived as an unreasonable demand or as threat to local ways of doing things (rules such as enforcing state law against customary law, recruiting family and community members into schools and military service, collecting taxes). Coercion must be matched with an output that is clearly associated with the state: security; reliable and accessible procedures to process conflicts by legal principle rather then by power differential; and inclusive institutions regulating access to power and resources must all be visible outputs of the Afghan state.

This discrepancy in the perception of state-emergence as awaited blessing or threatening burden is clearly illustrated in the following quotation about what the new (coalitions-backed) state has on offer to rural communities in return for eradicating opium poppy cultivation:

"I tell this 40 year old guy in the village who looks like 60: you are [done for] anyway. You did not even secure a future for your children from the
money you made with poppy cultivation. But we offer your children a completely new way of life: roads, schools, education, opportunities for your daughters they have never dared to dream of."

(A high-ranking US counter narcotics official, Kabul February 2005, interview notes)

The imaginary interlocutor in the village could, however, perceive this offer as a dire threat. For conservative male villagers, changes that directly question local control over a way of life with regard to women and children is about the most threatening promise state extension into the communities might hold. The bottom line of what the village community (as an integrated group dominated by current moral opinion makers and local political leaders) is prepared to tolerate without some form of resistance is "Do not touch my bazaar, do not touch my mazaar [= the state should stay clear of the way people organise their livelihoods and moral economy (mazaar = grave yard, i.e. customary way of life)]."

This difficult relationship between social change, state-building and development opportunities is of crucial importance in our understanding of the political and social implications of the opium poppy economy (OPE) in Afghanistan and the effects of (national or foreign) counter measures taken.

The core of this matter is a question of causality:

"The cultivation, production and trafficking of illicit drugs fuels disorder and instability in many parts of the world. In Afghanistan, where much of the world’s heroin originates, the drugs trade is a major factor in sustaining conflict [...]." (DFID March 2005: 7)

Is it the drug economy in Afghanistan that is responsible for threats to state building and stable arrangements of good governance or is it the security environment, entrenched "bad" patterns of local governance and state building going astray that shapes the opium poppy economy (OPE) in Afghanistan? In other words, is it the drug economy that is causing conflict or is a political economy of conflict which allows the OPE to blossom?

How this question of causality is answered for the Afghan context of today has serious implications for counter-narcotics measures of which rural development and alternative livelihood programmes are arguably the most vulnerable components. They are vulnerable because in terms of impact, their time horizon is measured in years rather than in months. This report shows how cultivation in one of the traditional poppy growing provinces can be pushed from 100% of farmers involvement to almost 0% in a matter of months, with the "right" system of governance in place. Picking up the pieces after misdirected enforcement and building up capacities for sustainable and socially accepted alternative livelihood strategies takes a decade at best.
"[...] Alternative Development donors and practitioners still underestimate the socio-cultural, economic, political, and environmental milieu in which [Alternative Development] operates. This underestimation invites unrealistic expectations and projects set to fail." UNODC 28.02.2005: 1

Some major findings of this report will question the assumption that the quick success achieved in suppressing cultivation is necessarily a step forward in solving the problem of the OPE; rather, we will show that in Afghanistan it may well constitute a fundamental part of the problem.

1.1. What this paper does

In this report¹ we investigate the nexus between the OPE and conflict dynamics in Afghanistan from three main perspectives: (1) the impact of the OPE on conflict processing at the community level; (2) counter-narcotics measures; and (3) state-formation and anti-state dynamics. The first perspective makes up 'Part I: the View From the Ground' of this report; perspectives two and three are encompassed in 'Part II: the View From the Centre'.

To the best of our knowledge, the question of how (and, indeed, if) conflict and the drug economy are interdependent has not yet been targeted in an empirically grounded and systematic way, even though it is an enduring matter of concern for state-building and development efforts in Afghanistan. A number of plausible and well-founded assumptions on the possible links between the OPE and conflict have, however, been put forward by leading analysts in the field and are crucial in informing the policy debate and policy making with regard to counter narcotics measures in Afghanistan. We will, therefore, borrow heavily from existing analysis on the issue to contextualise the results of expert interviews which were conducted at national and provincial levels and to compare the results of the fieldwork with assumptions on OPE related risks.

The first and most substantial part of the report focuses our attention on the micro level of conflict and the OPE. We concentrate on how OPE-related dynamics affect the scope of choice of actors at the bottom of the value adding chain. We look at the issue of dependency and insecurity from three angles: economic constraints, political constraints and socio-cultural constraints. We then ask how these constraints impact on the conflict processing capacities of households within communities, between

¹ The findings of this report are based on interviews conducted by the author and the head of the GTZ Development-oriented Drug Control Programme in Kabul and in two target provinces of PAL in February and March 2005. A one-week training workshop in Kabul preceded the fieldwork and the findings were extracted and structured during a five day debriefing in Jalalabad after the fieldwork came to a conclusion. The bulk of the empirical assessment at the community level was conducted by the local research NGO CoAR during one month of fieldwork, in accordance with a methodology developed by ARC Berlin for this research. This methodological approach draws on research conducted within the framework of the Volkswagen Foundation financed CSCCA research project at the Free University Berlin. PAL provided all the necessary logistical and moral support for this research. However, any errors, mistakes or possible misinterpretation of field results are the sole responsibility of the author.
communities and between communities and the emerging state on the district and provincial levels.

This local level analysis is grounded in the results of fieldwork and is illustrated by a number of in-depth case studies on conflict processes.

The second part of the report encompasses two perspectives on the OPE as seen from the centre, one on counter narcotics law enforcement activities, the other on anti-state dynamics linked to the OPE.

The second perspective we develop from current central state building and law enforcement activities targeting the OPE in the provinces. The established and probable effects of these efforts on local conflict dynamics are identified. We highlight the relevance of the different conflict dynamics around counter-narcotics measures.

We derive the last perspective on conflict dynamics and the OPE from observations of and assumptions about the anti-state forces allegedly plugging into the OPE to sustain their autonomy vis-à-vis the emerging central state. Here the analytical interest is focussed on the intermediate level between the central government with its international backers and the rural communities going about their daily business of coping with a volatile and unpredictable economy, arbitrary modes of local governance and entrenched relations of local power. The sketchy knowledge we have about the organisation of this intermediate space of provincial rule is then scrutinised for how conflict processes may actually be informed by anti-state forces that achieve their sustainability from taxing or capturing the OPE.

Methodologically, the second and third parts of this report are based on expert interviews, interviews with decision makers at the central and provincial levels and on the existing analyses of the policy dimensions of state responses to the OPE and vice versa.

The paper concludes with recommendations for the implementation of the Project for Alternative Livelihoods in eastern Afghanistan (PAL) in Nangarhar and Laghman provinces.

1.2 What this paper does not do

This paper is not a comprehensive analysis of the political economy of the OPE in Afghanistan. Under current conditions - with opium poppy products as the primary commodity export and dominant feature of the national economy - this would amount to a thorough analysis of the Afghan economy, politics and, indeed, society at national, provincial, district and community levels. While all these levels of analysis are touched upon in this report, we limit our focus to the question of how the OPE relates to conflict processes and conflict risks. We are, therefore, not assessing the risks, the damage or the opportunities and benefits that the OPE entails for Afghanistan as a whole. Rather, we attempt to show whether there is a special
interdependence between conflicts and the drug economy in Afghanistan and if so, what this relationship looks like.

2 Key Concepts and Methodology: Conflict in the Context of Alternative Development Strategies

This report was commissioned by the Project for Alternative Livelihoods in Eastern Afghanistan (PAL), a European Commission financed programme implemented by the GTZ in Kunar, Laghman and Nangarhar provinces in Eastern Afghanistan.

The research was conducted in order to provide an understanding of the interdependency of conflict and the Opium Poppy Economy in the Eastern Provinces of Afghanistan.

From a development perspective, conflict itself is not necessarily the problem. Socially embedded conflict (that is, conflicts that are dealt with or "processed" according to accepted and practised rules in a non-violent way) may be an integral part of development, because it facilitates adaptation to changing environments in a controlled and non-violent way.

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Understanding conflict in the context of Rural Development

Dynamics of conflict. Conflicts – and violent conflicts in particular – follow their own rules and develop dynamics that may be independent from the original causes of conflict. This is why the institutional capacity of communities to process conflict (which may emerge for whatever reasons) in a reliable, predictable and non-violent way is so important in assessing and strengthening constructive conflict management in and between local communities. (cf. Elwert, Feuchtwang, Neubert 1999; Koehler, Zürcher 2003)

Procedures that change (uncompromising) all-or-nothing conflicts into (compromising) more-or-less conflicts are a critical asset for non-violent conflict processing (Hirschman 1994). These procedures make outcomes negotiable in a framework of rules that are independent of the quality and capacity of the parties directly involved in the conflict. Procedures therefore have a higher chance of reaching legitimate and binding decisions on disputes and conflicts than other forms of trying to resolve conflicts. However, a precondition for this is that the procedure is protected from interference by power and the threat of force and that the rules are socially embedded, i.e. widely accepted by society. (cf. Koehler 2004)

Conflict resolution. Some conflicts have clearly identifiable causes which can be targeted and eliminated. For example, when conflict is caused by unchecked competition between groups over a naturally scarce resource, it may be sufficient to increase the amount of the resource at stake. If scarcity is the result of organisational problems, the case is more complicated: conflicts arising out of poorly managed and badly distributed resources require enhanced resource management and the organisation of distribution for resolution rather than increasing the resources available. Other conflicts are multi-causal and multi-dimensional. Under such circumstances, resolving conflicts does not so much mean eliminating their source as the creation of functional political and social institutions that are capable of preventing the clash of interests which escalate into open confrontation. (cf. Ropers 2000)

Conflict transformation refers to (development) interventions that aim actively at changing the way conflict is conducted in or between given target groups. The aim is to discourage destructive and violent or disruptive enactment of conflict and foster constructive, non-violent forms of conflict processing. Conflict transformation understands conflict as a social process which in itself is neither good nor bad. The way communities, the state or society at large deal with conflict may be destructive, constructive or neutral for development goals. Therefore, the concept of conflict transformation is process orientated rather than cause orientated. (cf. Anderson, Spelten 2000, December; GTZ DDC September 2003; Goodhand, Atkinson 2001)
Thus, it is not conflict per se that should be the primary concern for alternative development initiatives but instead, the question of whether conflict leads to violence, or to (non-violent) disruption in social cooperation and coordination because some parties choose to withdraw.

This paper is based on two different units of analysis: firstly, the community level social processes and secondly, the level of governance at provincial and central levels of political decision-making. Both units require different methodological approaches.

2.1 Community level conflict analysis

A central aim of conflict analysis at the community level is to identify not only the conditions conducive for violent strategies of conflict processing but also the potential for local procedures and institutions to successfully deal with conflicts and to suggest approaches on how they can be strengthened with the tools available to Alternative Rural Development Programmes.

Tasks for the empirical assessment at the community level

The first task was to identify conflicts that may be relevant to the political, social and economic development of communities in general and to the formulation and implementation of alternative livelihood strategies in particular. The second task was to assess the way conflicts are actually processed both within and between communities and between communities and other actors. Establishing the connection between violent and non-violent strategies of conflict processing on the one hand and the extent and organisation of the opium poppy economy on the other, was of particular importance.

Constraints on conflict assessments in the target region

There are two main constraints on gathering valid data on conflict processes; both influenced the methods applied during fieldwork. The first is security and the second is the difference between normative representation of conflict and the social practice of conflict.

1. SECURITY. The physical security of the teams conducting the fieldwork and of the people they interview was crucial. Gathering data on the nexus between conflict and livelihood strategies that include aspects of an increasingly criminalised opium poppy economy is difficult and may cause harm by itself. This is particularly the case in a volatile security environment marked by the private capacities of strategic groups to enforce their interests and decide
conflicts by violent means. This is the first reason why no direct approach to gathering information on local conflicts could be applied.

2. **Normative facades and social action.** The way communities deal with and talk about conflict is usually a sensitive issue. Conflict is often concealed behind normative facades that reflect how the respondent imagines things should be rather than how they really are. Trust-building with key informants, cross-checking information and participant observation of social practice help to differentiate norm from deed. However, normative (mis-) representation is not the only problem when trying to analyse the social practice of conflict; the perception people have of conflict also cannot be taken at face value for analytical purposes. Perceptions of a social process (like conflict) should not be confused with the process itself. Perceptions can be assessed in questionnaires; the politics of conflict - i.e. the unwritten rules, constraints and tricks according to which actors "do" conflict - can only be grasped by qualitative case studies.

**Implications for the organisation of the fieldwork**

Valid information on conflict should not and cannot be obtained via standardised questionnaires, directly asking for information about conflicts. More subtle qualitative methods are required to understand the reality of conflict processes – the incentives of actors, the rules and institutions informing the strategies of actors and possible causal links with political, social and economic framework conditions. This is best done by combining information on contextual factors influencing conflict processes with in-depth case studies of concrete conflicts. This approach is, however, more time-consuming than collecting quantitative data by questionnaire. An extended period of fieldwork of four weeks with two people working in tandem for at least ten days in each selected sub-district (mantaqa or village cluster) was therefore essential for collecting adequate data for our analysis.

The connections between levels and types of conflict and the extent and organisation of the opium poppy economy may not be as straightforward as sometimes expected – i.e. they are not directly proportional. The resources generated and organisational changes induced by drug-related activities are one ingredient in the political economy of local conflict processes. This is why we focussed the assessment not exclusively on the opium poppy economy but also on other areas of conflict relevant to the success of Alternative Rural Development strategies. This includes modes of local governance, competition about natural resources, dynamics of state-building and areas of social conflict (such as discrimination, minority relations, the relationship between the sexes and, particularly, between the generations).
Conducting the fieldwork

Organisation

Two geographically distinct locations (village clusters) in each district (a *mantaqa* in Laghman, or *qaria* in Nangarhar) were chosen according to their known or expected relevancy for conflict processes. The districts and most important areas of conflict within those districts were identified during the training (see 'tools').

The qualitative research took into consideration the following guiding differentiations in the selection of interview partners at household level:

- A tandem pairing of one insider and one outsider to the district studied made up each research team.

- The male and female perspectives were both taken into consideration: a team of two female researchers visited each of the male research teams in turn in order to conduct interviews with female representatives of households and communities. The female team did not work in only one district (Ailingar in Laghman) owing to security concerns. The female sample is, however, much smaller than the male sample and very few female members of the community commented on concrete conflicts researched. Despite the difficulty in gaining access to female representatives of households and despite their ignorance of certain economic and political issues, the initial reservation of the local research partner in taking the female perspective into account proved unjustified.
The senior and junior perspectives; the research teams were asked to interview more than one household member according to generation. It proved difficult, however, to conduct interviews with male household members after the head of household had been interviewed. The majority of household interviews were consequently conducted with heads of households.

Note: the term “mother” in the chart indicates mother or the wife of the head of household. Local custom strictly forbids collecting any information on the wives of a household.

The perspectives of different socio-professional groups; the interview teams were asked to also capture the viewpoints of different socio-professional groups in a community, i.e. including traders, craftsmen or civil servants in addition to the majority of farmers and on-farm wage labourers.

The perspectives of different socio-economic groups; socio-economic groups were very roughly divided into relatively rich (landlords and successful traders), average (landowner-cultivators and small traders) and relatively poor (landless) households; this differentiation was first established during an introductory shura group interview in the communities and then verified during the household interviews.

In position interviews, the perspective of involved and neutral parties to a conflict were accounted for; when the teams collected information on a concrete conflict they always interviewed representatives of all involved parties. Also, neutral or mediating parties were interviewed.
The fieldwork lasted for ten to fourteen days per location (village cluster: mantaqa in Laghman or qaria in Nangarhar), with two researchers working in tandem. On average, each team conducted three to four successful full interviews per day, adding up to 359 household interviews and 121 position interviews (see Figure 8 and Table 1).

Tools

The analysis of the micropolitics of conflict is at the heart of this research. Understanding the ways in which communities process conflict means understanding the potential for adaptation and the limitations of communities in 'rapid motion'. In other words, conflict analysis is not an end in itself, it is a 'heuristic tool' for understanding the political, social and economic aspects of community life which are relevant for the success or failure of development programmes. Conflict analysis on this level is not trying to identify the factors causing conflict. Instead, we are examining conflict processes in order to understand how specific aspects of society work or, indeed, fail to work. Here we use community level conflict analysis to understand the impact which the OPE has on inter- and intra-communal (peaceful) development and on the relationship between communities and the emerging (central) state.

Sample selection

In the fieldwork, target communities were selected according to existing or likely conflict and dispute processes. The districts in which the researched communities are
located were identified according the following criteria: (a) accessibility and security, (b) distance from the provincial centre (near versus far), (c) history of opium poppy cultivation (recent versus long tradition), geographical considerations (mountains versus plains) and (d) earlier research already conducted for PAL (with the exception of Alingar which was a new, rather conflict prone and more remote district). During the training, conflict issues in these pre-selected districts were clustered into areas of conflict and aligned to certain geographical locations (for this procedure see Table 3, p. 35). The most relevant areas of conflict identified in the initial training were: (1) conflict over natural resources; (2) conflict within the OPE; (3) conflicts related to state emergence; (4) conflicts about resources and rules introduced by non-government organisations (NGOs) and international organisations (IOs); (5) social conflict issues like value conflicts or discrimination.

The identification of concrete research locations was not fixed. The task of the teams was to focus on locations which had a wide range of conflict areas as well as a particular bias for conflicts connected to the OPE. Where a location turned out to be of no interest for the given research project the teams had the option of changing locations after informing the supervisors and external consultant. However, no such changes were necessary after the fieldwork had started.

Data gathering

The main tools used for the fieldwork were guideline interviews with household members and key informants. A set of guidelines for the household interviews were prepared beforehand and refined during the training. The teams identified the households to interview by socio-economic strata (poor/landless, medium/landowner-cultivator, rich/landlord). There was no ‘conflict bias’ in the choice of respondents for

<table>
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<th>Size of the household</th>
<th>Number of nuclear families</th>
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<tr>
<td>N Valid</td>
<td>359</td>
</tr>
<tr>
<td>Missing</td>
<td>0</td>
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<tr>
<td>Mean</td>
<td>14.99</td>
</tr>
<tr>
<td>Minimum</td>
<td>1</td>
</tr>
<tr>
<td>Maximum</td>
<td>203</td>
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</table>

Figure 9: Makeup of the households
household interviews within communities. In this research context the household refers to a productive unit of people dwelling together in one compound, house or other dwelling. The households often consist of more than one core family (parents with their siblings; see Figure 9).

On the other hand, interview partners for position interviews were identified on the basis of their involvement in or knowledge of conflict and OPE related issues (see Figure 10). Issue areas to be discussed with identified community positions of interest were proposed and discussed during the training; no binding list of guiding questions was drafted for key informant or ‘position interviews’ since the questions depended on context and the particular dynamics of the conflict under scrutiny.

The interview teams summarised the results of each interview in pre-structured reporting schemes and coded the results according to a codebook prepared by the author after the initial training. The local research partner NGO prepared the coded data for processing. Processing and analysis was the responsibility of the author. The interview summaries and coded interviews make up the bulk of the field material.

As the research locations were selected with a bias for identified areas of conflict and because of the specific constraints on conducting interviews on conflict processes, the quantitative results only represent the sample and are not representative of the population at the district or provincial level.

In addition to the interviews, the teams prepared spatial socio-political maps of target villages, village clusters and districts according to model maps introduced and refined during the training. Also, brief pre-structured village histories were drafted, based on an initial group interview conducted with the village council or, if non-existent, with an alternative knowledgeable resource in the village (e.g. teacher, head of village).

Based on interviews, histories and maps, the teams identified any relevant conflict processes and collected information on those conflicts from various perspectives. This body of information and data constituted the basis of the 25 conflict case studies prepared and analysed during the debriefing of the teams after the fieldwork.
Table 1: Interviews conducted per team and district; note: a ‘rotating’ female team visited four of the five districts (all except for A lingar) and conducted 53 household and 2 position interviews which are included in the numbers of interviews shown here.

2.2 Data gathering at provincial and national levels

While the fieldwork data grounded in local perspectives constitutes the main part of this report, in the second part we take a more abstract view on the nexus between conflict and the OPE in Afghanistan. In addition to existing data and available analysis, the perspectives from central and provincial level politics, strategies and state responses to the threats of OPE related conflicts is based on a number of interviews conducted with decision makers and experts in Kabul and the two target provinces from January to March 2005.

The following table reflects the number of interviews conducted at policy and expert level in Kabul, Jalalabad (Nangarhar) and Metar Lam (Laghman). In addition, fourteen interviews were conducted with community level authorities in the 10 village clusters researched.

Table 2: Key informant interviews conducted

Note: The names of individuals in the case studies have been changed. In some cases security considerations compelled us to disguise key informants and the exact names of places.
Part I: The View from the Ground
3 Insecurity and Dependency in the Context of the Local OPE

Afghanistan is an agrarian country. According to official statistics, 78% of the population live in rural settlements with an additional 7% of the population being nomadic people (Central Statistics Office of the Islamic Republic of Afghanistan 2005). Afghanistan is not only an agrarian country, it is also a country marked by a rural economy that is for the most part preoccupied with food security and ensuring basic conditions for physical and social reproduction rather than with investment and profit making.²

Widespread dire poverty amongst the rural population appears to be true even for the vast majority of those involved in the cultivation of the single most profitable cash-crop available to Afghan farmers – the opium poppy. The rise in the OPE after 2001 did, however, initially help many farmers to recover household goods and repay credit which accumulated during years of drought and which escalated following the Taliban ban on opium cultivation in 2001 (Mansfield January 2004; Pain January 2004). The observation of a “poppy bonanza” in 2003, with luxury items like cars becoming affordable to a wider range of rural people, appears to be the exception rather than the rule and short-lived phenomena.³

The farmer locked in poverty is set apart from four categories of actors which, to varying extent, truly profit from the OPE between the farm gate and border crossing. They are: the landlord involved in large scale opium poppy cultivation; the network of traffickers and traders buying, transporting and selling opium and heroin; the small group of professionals running refining labs; and last but not least the political patrons and security services protecting the business in return for shares, bribes or informal taxes.

Little is known about the finer details of the OPE in terms of value adding and the distribution of profit beyond the farm gate.⁴ By contrast, the OPE on the level of cultivation and farm gate sale has been scrutinised by serious empirical research. In the following section we will draw on the main findings of this body of research. While most of findings discussed apply also to other poppy producing regions of Afghanistan, the focus here is on the Eastern Provinces of Nangarhar, as traditionally

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² The pressure during Soviet occupation on vast parts of rural Afghanistan, the insecurity and statelessness of the subsequent civil war and Taliban rule which was hostile to most aspects of competitive rural development, paired with the catastrophic drought of 1998-2001 and the insecurity of post-invasion pressure on the rural population all add up to create this situation.

³ As observed in Jurm district, Badakhshan in 2003; see Koehler April 2004; according to UNODC estimates in 2003 44% of OPE profit (≈1.02 billion $US) remained behind the farm gates while in 2004 the ratio was already down to 21% (≈0.6 billion $US).

⁴ UNODC October 1998 report stands out but has not been followed up. Observations and analysis limited to certain districts are sporadically included as part of wider assessments of the OPE (on the particular case of Wakh in Badakhshan see for example Pain 2004).
poppy cultivating provinces, and on Laghman, as a relative newcomer to the industry. We will also explore the missing aspects of the available analysis. We will then present and analyse the results of the fieldwork and examine how far assumptions about the OPE and conflict are confirmed. Finally we will arrive at conclusions on the risk scenarios that follow from the dynamics of the OPE and conflict processes which were identified at the household and community levels.

3.1 OPE, Debt Dependency and Sudden Poverty

The argument

The OPE in Afghanistan is complex and has a range of different impacts on the actors involved, depending on which time-period, which district and which socio-economic group is scrutinised. As with any complex and differentiated economy these impacts are neither all negative nor all positive for the various actors involved. The main plusses are the marketability of the crop, the cash injection into various levels of the national economy, the stabilising effect on the currency (balancing exports against imports), the durability of the crop for storage (reserve currency in kind) and modest water requirement of the crop. On the negative side, it is mainly the risks and dynamics of dependency on an unpredictable criminal economy that count.5

The groups economically most vulnerable to shifts and changes in the OPE are farmers with little or no irrigated land and households dependent on on-farm wage labour for their existence.6 The main causes of market insecurity beyond the control of those groups are:

(a) crop failure – from drought, lack of irrigation, pest infestation or, potentially, a lack of affordable hired workforce during harvest;

(b) eradication and (law) enforcement pressure on poppy cultivation;

(c) unpredictability of farm gate prices that are subject to state pressure and speculative manipulation of an illegal, power-locked market.

The impact on these most vulnerable groups at the bottom of the value adding chain of the industry is in any case the same: increased dependency and the increased risk of sudden poverty. Dependency refers to a limit of choice in livelihood strategies. Choice is increasingly limited by what could be called the salaam-trap. Salaam is payment received in advance for a product yet to be planted and harvested. The pre-payment is usually roughly half of the price of such a harvest at the time of the deal.

5 For an elaborate overview over the benefits and costs of the OPE see Byrd, Ward December 2004: 37
6 For a detailed differentiation of benefit, profit and risk in the OPE according to socio-professional groups involved see the work of David Mansfield, Mansfield August 2001 in particular.
The same principle also works for leasing land in return for a preset amount of future harvest or the money equivalent. While this is an established credit system for a range of agricultural products, the inherent logic of this system encourages credit-takers to plant the cash crop with the highest expected return on investment. Credit-givers, in turn, indirectly or explicitly limit access to credit on the condition of opium poppy cultivation. If none of the vulnerability-factors of the opium poppy market mentioned above materialise, then this system works for both sides. It is exploitative like most informal credit schemes but it is not punitive or destructive. But credit is given and the return on credit is calculated without a force major clause to the contract. In other words, all risks – ranging from bad harvest to eradication measures – are shouldered by the weaker party, the farmer-credit-taker. Mansfield and Paine provide graphic illustrations of how such credit arrangements easily result in debt accumulation and problematic coping strategies – like the refusal to pay, flight, forced work-migration, the stripping of household assets (from livestock and household items to land) or the sale of underage daughters into marriage (Mansfield March 2005; Pain January 2004). The most dramatic example of this thus far were the mutually reinforcing effects of the drought of 1998 to 2001 and the strict Taliban ban on opium poppy cultivation of 2001 that left many small farmers in dire straits. Increased crop failure from pests (and alleged – but unconfirmed – experiments with aerial spraying in some southern and eastern provinces) and the law-enforcement efforts of this season, unmatched by rural development successes, are adding to the plight of asset-poor farmers.

This volatile situation of being on the verge of or, indeed, facing sudden economic despair not only affects small landowners and landless farmers; it also hits the large group of local or seasonal migrant wage labourers that depend on the cash income from the labour intensive cultivation of the opium poppy.

**Limit of the argument**

While data and analysis of economic incentives and constraints at the lowest level of the drug-production chain is robust there are two major limits of this perspective: first, it does not link the level of small farmers and wage labourers to the dynamics of the OPE higher up the value-adding chain. Also, other socio-professional groups at village level – like craftsmen, shopkeepers, tradesmen – are excluded from this perspective. Interests and constraints informing the strategies of landlords, cross-distance traders and the patrons or protectors of the trade (who often have official portfolios nowadays) are not accounted for. Second, a mainly economic perspective on livelihood strategies and decision making at the household level, is unable to capture relations of power and a socio-cultural context that might be as important in determining how people act (and react) as pure economic interests of profit and sustainability.

Accounting for the politics and norms into which the actors of the OPE are embedded is important in order to understand the full set of motives, constraints and
opportunities of actors in the OPE. Seen in this light, the OPE as the single most important threat to Afghan state building and social peace may well be an (optimistic) overstatement, confusing impact with cause. The OPE as dominant branch of the national economy of Afghanistan appears to be a consequence of rather than the cause of a number of socio-cultural and politico-economic factors. These root causes will not vanish with the eradication of one of its more visible symptoms. For development and peace, these factors are of graver consequence than the OPE itself. For example, what is often referred to as OPE related corruption at district and provincial level is not OPE related but power-related.⁷ Corrupt exchange relations benefiting those with certain official positions will not change in principle even with a decline in the OPE. The unchecked power of well-integrated politico-military strategic groups is the most mobile and flexible resource of all and it can plug into a range of economic activities to sustain itself.

3.2 Power-locked markets and the arbitrary rule by the gun

In terms of livelihood strategies and household or community level decision making neither the local market nor household and community leaders are free from the organised interests of armed powerbrokers. The local market in the eastern regions has been overregulated rather than anarchic and disorganised. Exchange relations are informed by modes of local governance. Local governance refers to the way political and economic power is organised at the local level and how this organisation of power affects society. What local governance and dominant power relations consist of, varies between the provinces and sometimes between districts within provinces.⁸ Laghman or Badakhshan, for instance, are less uniformly controlled than Nangarhar. The impact of local modes of governance on state-building will be discussed at greater length in the second part of this report; here the meaning of informal and arbitrary power of the existing or emerging strategic groups for the choices taken at the household or community levels are considered.

Risk scenario

Existing land shortage is exacerbated by elites that have the resources not to play by existing rules regulating land-tenure and property security. Groups associated with power leaders that emerged in wartime and were empowered by the coalition forces and central government after the fall of the Taliban, might misuse their connections and protection by the power of office or the power of the gun in order to accumulate land. A topical example of two main powerful groups that have emerged after the fall of the Taliban (with the active backing of the coalition forces) in the Eastern Provinces

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⁷ See chapter, reality check, pp. 35 ff
⁸ See also Part II: vicious anti-state circle, pp. 83
are the police force with its protégées and the complex governing and enforcement structures which have evolved around the family of the late former mujaheddin commanders and brothers Abdul Haq and Haji Qadeer. The results of the fieldwork indicate that an association with one of those powerful groups is, indeed, a decisive asset in deciding land disputes to one's advantage.

In addition to the established power centres, new groups might emerge around the cash-intensive drug economy and introduce new rules on access to resources generated, including credit, thereby fostering new relations of dependency. However, we do not have, credible evidence that these groups operate independently from the now state integrated governing structures described above. In tandem with the established power centres, poorer, credit dependent segments of the population have less choice and therefore less control over how to use their arable land. For them, mono-cash-crop dependency on the opium poppy increases.

Under these structural conditions, options for traditional alternative livelihood strategies may no longer be viable. Many households may be forced to sell their land to pay off their debts. Land concentration in the hands of new elites therefore increases. Property insecurity for significant segments of local communities also increases. The new elites and loyal clients under their protection do not only have the money to buy the land but also the political and sometimes military (police, border guards) patronage to exploit vulnerable farmers: to expropriate land outright or to buy it up at below the market value, and to secure the acquired possessions thereafter. Vulnerability to sudden changes, e.g. bad harvest, eradication measures, drop in opium prices, increases for the vast group of dependent farmers. Their livelihood is increasingly pushed beneath the subsistence minimum. If the groups affected are capable of acting collectively, disruptive or destructive forms of coping, such as migration, support for anti-government political and ideological entrepreneurs, or even violent resistance, may well be the consequence.

Debt dependence and related property insecurity, particularly with regard to land, are as much a problem of bad governance as they are an economic problem. From the perspective of local governance, the recent “success” in suppressing opium poppy cultivation in Nangarhar without any sustainable livelihood alternatives in place for most of the affected farmers and small traders was more a reason to worry than to declare a success. The capacity of local strongmen\footnote{We use the term “strongmen” for leadership that is exercised by force of will and personality. In the given context the term always entails a military connotation, i.e. the control over military means of enforcement.} to switch off cultivation “overnight” merely indicates the level of control the provincial government and enforcement structures had managed to establish over the industry since the fall of the Taliban government.

Seen in this light, the rare cases of non-compliance with the opium poppy cultivation ban this year (and in 2001), like the case of Achin, situated in the otherwise closely
controlled Nangarhar, are actually signs of some remaining local independence of farmers from the control of drug patrons turned counter-narcotics enforcers.

### 3.3 Socio-cultural constraints on conflict processing and OPE related dependency

Socio-cultural constraints informing the strategies and decision making of actors involved in the OPE are group specific by definition and cannot be generalised across the board in Afghanistan as a whole or even within provinces. The main groups of reference are larger than the household and community but still smaller than the usually loose and disparate reference groups of tribal and ethnic belonging are (a) clans or sub-tribes, (b) socio-professional groups including former mujaheddin networks, nomadic groups and the social class of service providers within villages, and (c) some small and well integrated sub-ethnic groups, particularly when they are minorities within administrative units.

### Local norms and pressure on land

One set of norms which regulate, at least to some extent, the conduct of conflict within and between kin –groups, is a notion of collective honour, hospitality and the rules of feuding\(^\text{10}\), commonly referred to as *pashtunwali* or "way of the Pashtuns". While this term certainly does not denote an integrated value system for all Pashtuns and depends on circumstances, the social group, and geographic area, there are three norm-related aspects that have an impact on conflict and dependency in the context of the OPE in the target region. They are (1) self-help or feuding, (2) the value of land and rules of inheritance and (3) match-making customs and kin-group competition.

The Taliban enforced a common

<table>
<thead>
<tr>
<th>Social control</th>
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<td>Communities usually have mechanisms in place that punish deviation and encourage conformity with existing rules. If these mechanisms are not enforced by official state bodies, we call them social control. Social control can be used for the mobilisation of collective action (e.g. hashar, demonstrations, or an attack on a neighbouring community). It can also be used to check mobilisation (controlling the hot-heads in a conflict, controlling the access of young men to weapons, etc). Social control can be either social capital or a powerful infringement for development and adaptive change.</td>
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For the analysis of conflict, the scale of social control is important, the sanction capacity of social control is important and last not least the rules of control are important.

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\(^{10}\) Feuding and blood revenge are institutionalised ways of conducting conflicts by self-help, i.e. directly between involved parties (always kin-groups, usually limited to the fathers decent line of the directly involved individuals). The application of violence is regulated and the rules of ending the feud are usually clear and commonly accepted. Since parties confront each other directly in conflict the potential for long-term hostility and frequent outbreaks of violence are, however, likely. In order to end feuds parties often need to turn to third party mediation and regulation (see the *jirga* procedure explained below).
peace even in rural districts of Laghman and Nangarhar, but since their fall, feuding appears again to be a frequent form of dealing with conflicts that at some stage have escalated into bloodshed. The normative corset of rural society is, if effective and undisputed, a powerful basis for social control (see Text Box 1). Social control, particularly over the actions of young men, is an important resource to organise collective action in conflicts that are not referred to third party arbitration. Feuding within extended families or between families does to some extent increase the death toll among young men. But more significantly, the rules for non-violent regulation of a feud require that the close relatives of the side of the perpetrators fathers' line of decent leave the area. Here both the violent option and the exit option for conflict processing reduce pressure on land. They do not, however, change the structural problem of land-shortage and unreliably regulated competition for this vital resource in any sustainable way.

Land shortage in many parts of Nangarhar and Laghman is a structural problem. Naturally, there is a geographic-technical aspect of shortage, namely the limited availability of irrigated arable land, particularly in the highland parts of the provinces. Along side the political factors discussed above and the constraints created by local market institutions, such as the salaam credit arrangement, there are powerful sets of local norms that influence the way competition over arable land is organised. The main socio-economic factors entrenching this problem are the following:

(a) The heavy dependency on agriculture for subsistence which comes from a lack of economic alternatives to agriculture and from the high prestige attached to landownership;

(b) The traditional rules of inheritance provide equal plots of land to all sons of a family, therefore fostering land-fragmentation from generation to generation; at the same time there appears to be no pattern for the inheriting generation to sell unfeasibly small shares of land within the family in order to keep integrated property. Growing families are therefore dependent on acquiring more and more land or they have to move away.

As a result, competition for arable land within and between kin groups and communities is tough.

Conflicts at community level tend to take a violent turn (see the evaluation of case studies on starting on page 35) which is not only fuelled by scarcity of resources, but also deregulated competition on power-locked markets and is encouraged by manipulative and arbitrary forms of governance. While the misuse of power undermines the legitimacy and capacity of local institutions to deal with conflicts as they arise, some aspects of the widely accepted normative order that regulates interaction between families, households and communities is per se conducive to a degree of violent escalation of conflicts. This does have serious implications for the odds of successful state building at local level. Effective common peace provided by
the state will only come at the cost of significant changes in what many see as the moral core of rural Afghan society in Laghman and Nangarhar.

First, there is the accepted institution of self-help (feuding) in conducting conflicts. The ability to stand one's ground and to protect one's interests is directly connected to the social standing of a household within the community, a prestige that is measured in terms of defended honour and lost honour (shame). This social standing is not only a question of reputation by far, but it does have crucial consequences for economic opportunities, social and even physical security and the political weight of a household-family in the wider community. The prestige of the violent enforcer of family honour plays a social function that figures in conflict escalation (see case study 19, p. 51).

Second, customs of arranged marriage within the family (cousin marriage), polygamy, with very high bride prices and securities to be paid, sharpen competition over women. Many conflicts within communities develop around issues of marriage, abduction of brides and bride prices. The combination of preferred marriage within the kin group and feuding as an accepted, even prestigious strategy of conflict processing engrains a high degree of potentially violent competition between members of the same family (there appears to be a pattern of conflict between male cousins).

Third, competition over the most highly priced natural resource, arable land, is aggravated between male siblings of the same father's line by the rules of inheritance that provide each son with an equal share of their father's land.

Fourth, education for daughters is a disputed issue in rural communities. The perception of cultural core values can be used by conservative forces as a bastion against an education that is beyond the control of the household community. The reluctance to female education after the beginning of adolescence is often represented as a security concern - exposing female members of the household to public view threatens her moral and, depending on place and the local strongman in charge, even physical security and therefore the honour of the family to which she belongs. This approach has two implications relevant for this survey: (a) successfully penetrating society with state institutions and state influence at the local level are closely linked to education. Even if education is not provided by the state directly, then it is at least guided and controlled in its curricula by state institutions. Attempts to this effect have in the past triggered violent opposition by conservative community leaders in the target regions (b) the exclusion from education of half of the population (i.e. young women) as a norm runs counter to a whole range of rural development and alternative livelihood objectives.

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11 The forceful abduction of girls by local strongmen has been a serious problem in the region and is often cited by husbands or fathers when explaining their reluctance to send young wives or daughters to school. Under communist rule and mujaheddin resistance, public schools became an ideological target in this war and rural education was highly politicised. The household interviews conducted as a part of this research revealed, however, that local basic education for women also figures prominently as a future plan for the daughters of many households.
During the decades when central state power in rural Afghanistan was absent or misused, adapting local knowledge filled as best it could the organisational voids left by the official (state and later warlord) order. Conservative rural culture has been an effective strategy of survival and at times resistance against distrusted developmental efforts or outright domination of central statehood. At the same time, this conservative distrust has been used and manipulated by power holders, most prominently the mujaheddin in their fight against the communist regime and the Taliban in their fight against the mujaheddin-established reign of war. Far from being a romantic form of egalitarian democracy, the normative context of rural Afghanistan is to an extent also a ‘prison-house’ of culture, entrenching unfortunate modes of local governance, limiting the participation of relevant parts of the community in political decision making (women, young men and certain socio-professional groups), and blocking rural development.

### 3.4 Local institutions of conflict processing and their limits

Conflicts evolving from the economic and political pressure as well as the socio-cultural constraints described above still have to be dealt with. They are the subject of a number of local procedures and institutions that have evolved around the regulation of communal and inter-communal conflict (for a definition of institution see Text Box 2). The fieldwork shows, however, that under current conditions of insecurity, a lack of a state-enforced common peace and the power of the gun, those local institutions are often not up to the task (see the chapter Reality Check, p. 50). Either their procedures to resolve conflicts are corrupted by power or, when they are able to reach decisions by accepted procedure, those decisions lack binding power since they are not monitored and protected by the necessary sanction.
Jirga procedure of conflict processing

A central tool of customary law in the region is the institutionalisation of a decision ruling via third-party negotiation, referred to as jirgas. In principle, jirgas are procedures to produce legitimate decisions on conflicting issues and to ensure that the decisions made are adhered to. Jirgas are conflict related gatherings of representatives of the conflicting parties and competent mediators. They are called for the single purpose of producing an accepted decision on a conflict.

The competency of jirgas may well extend to a whole range of conflicts, they also figure prominently in land tenure disputes. On a community level there are two main types of jirgas – the canonised lara jirga and the more informal wok jirga. In both cases the parties to a conflict formally suspend their right to seek a decision by virtue of their own power and transfer this right to decide the conflict to the jirgamar (the representatives of the jirga). The lara jirga appears to be more formalised with renowned tribal jirgamar as negotiator-judges of a semi-professional status. If the jirga makes a bad judgement, it takes full responsibility and in theory enmity between the original parties to the conflict switches to the jirga. For judgements in either type of jirga the competencies, responsibilities, rights and obligations are accepted in writing by the parties to the conflict (signed by fingerprint) and the representatives of the jirga and often backed up by a public oath of compliance.

Jirga procedures are the principle institution activated in cases where parties are unable to come to a conclusion by ‘fighting it out’. Hence, jirgas treat all sorts of conflicts, including violent criminal offences, as disputes between parties (cf. Rubin, Hamidzada, Stoddard April 2005: 41). Also, when a dispute reaches state administration or, if available, bodies of rural self-government (district shuras) they are often referred to the procedure of jirga to reach an acceptable decision. Evidence from the case studies suggest, however, that despite the efficiency of jirga procedures to arrive at decisions and attempts to secure compliance by threat of sanction, parties tend to withdraw from the agreement. They often initially comply with the ruling of the jirga, but return to self-help (i.e. feuding) if they feel that the power-differential between them and their adversary has shifted to their favour (see chapter Reality Check, p. 40).

Shura as a means of local governance

The second kind of institution, which is often involved in conflicts about land tenure issues, is made up of the arrangements for local self-government within landowning communities. The main body representing the institution of self-government is usually referred to as shura. Shura is an Arabic term meaning ‘consultation’. A formal body for regular consultation on issues of concern is a council. This is still the core meaning of shura. In the Afghanistan of today, the term shura is overstretched and refers to a whole range of organisational forms of public and private interests. For the region
under scrutiny it does not make much sense to differentiate traditional shuras from new ones as it is far from clear whether the local shuras presented today as traditional village councils are not an invention of the 1980s, when the development community once before needed to identify a counterpart at the community level that was more representative than the local mujaheddin-commander. So the mujaheddin commanders may well have ordered the establishing of village (development) shuras. From the point of view of representative self-government, village shuras only make sense if communities are organised as villages. Homesteads standing relatively close to each other do not necessarily make a (social or political) village. They might be very loosely related homesteads where households encompassing a number of families or clusters of such kin-related households are the principle unit of community organisation (as is the case with Shari settlements around the Ahmadzai village in the case study on page 44ff.). Significant parts of the population might be, by principle, excluded from the political life of the community. Apart from women, children and youth, this also could be socio-professional groups other than landowners and farmers, i.e. service providers.

If this is the case – and the fieldwork suggests this is so for at least some communities – it would be wrong to perceive existing local shuras as representative bodies of village communities. They are, however, consultative bodies of one particularly important socio-professional gender and age group, namely the group of senior male landowners.

Shuras representing the interests of certain rural elites are, of course, highly relevant politically. In Nangarhar Haji Nazrulla Baryalai, the influential brother of the governor, established a powerful and well-organised network of shuras as an NGO (Councils of Nangarhar Communities). Popularly sometimes referred to as Shura of the Eastern Provinces it is a powerful non-governmental lobby consisting of influential tribal and community leaders. It is a civilian back-up structure to the military and political might of the other members of the ruling family, a structure that actually reaches village level governance. Such shuras could not, however, be correctly perceived as representative village councils.

Local shuras, whether traditional or not, that exist without international financial or organisational input, can be set apart from the wide range of so-called development

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12 Shuras controlled by local commanders were encountered during an earlier research in Badakhshan (in Khostak, for instance). According to Bernhard Glatzer, back in the 1980s development shuras were also organised in Pashhtun areas by commanders in reaction to requirements of international aid organisations (personal communication with the author).

13 See discussion of fieldwork results on the capacity of local institutions starting at page 50.

14 This structure is seen as a civilian follow-up of the mujaheddin governance structure set-up and lead by the former governor of Nangarhar, Haji Abdul Qadeer in the early 1990s. This power-structure was officially called the Council of the Eastern Provinces or just Eastern Council (Mashreqi Shura). Abdul Qadeer, the brother of Nazrulla and the current governor Haji din Mohammad had been reinstated governor by the transitional government under Hamid Karzai until his assassination in Kabul in 2002. The main commander of this structure was Hazrat Ali, now the head of police in Nangarhar province. He is himself allegedly involved in re-establishing a shura of (former) mujaheddin commanders (a veteran organisation of kinds) as a civilian support organisation.
shuras. Since the 1980s development shuras initiated under various names have been a popular tool for development agencies focussed on community driven rural development strategies. Different from lobby-focused approaches (e.g. setting up initiative groups within communities), the village council approach labour under two major assumptions. First, rural society has to be organised in the form of village communities in the first place (i.e. this approach does not work with nomads or a scattered homestead type of settlement structures). Second the councils must be selected (by appointment or elections) so that they represent the village community as a whole rather then just a part of it. If successful and sustainable, such structures would always resemble in form and function an institution of communal self-governance. The patchwork of development councils initiated by various International NGOs and donor organisations are therefore poised to collide at some point with national decentralisation efforts of government functions and competencies by the emerging state. By far the most ambitious, comprehensive and consequential attempt in engineering community development shuras as proto-type representative self-governance structure of village communities is the National Solidarity Programme (NSP). In theory, the Community Development Councils (CDCs) at the heart of NSP are representative organisations elected by a female and male representative of each family within a community. Internal differentiation of functions and competencies are also defined by voting procedures and the prioritisation of development projects for the community are, in theory at least, arrived at by democratic process. Each CDC is responsible for identifying and participating in the implementation of development projects of a volume of 20,000 to 80,000 US Dollars (more then 20,000 if communities pool resources). NSP is financed by the World Bank as lead donor, implemented by the GTZ as oversight consultant for the Ministry for Rural Reconstruction and Development (MRRD) and facilitated by a variety of partner organisations at the community level (NGOs and International Organisations). While the NSP programme is widely seen as a success in bringing resources into villages via democratic procedures, the trackrecord of success very much depends on the mixture of facilitating partner and the micropolitics at community and district levels. Fieldwork in the Alingar district in Laghman, for instance, suggests that in some cases, the NSP procedure was captured and overwhelmed by existing conflicts for power and prestige at the community level; in these cases there was no backup or enforcement structure in place to protect the procedure from "hostile takeover" and the facilitation partner simply retreated and contended with failure (see Case Studies, p. 51). In Nangarhar districts where the shura of Haji Nazrulla Baryalai was already running strong, the NSP process runs the risk of getting sidelined or becoming subordinate to the existing power structures and relations of authority. In an interview, Haji Nazrulla explained that he considers the procedures of the NSP process too complicated and too culturally insensitive for rural Afghan communities. Instead, his shuras picked up local society from where it actually was.

15 The family as the base unit of reference for NSP is, however, not clearly defined.
4 Reality check on the ground

4.1 General conclusions from the fieldwork

The fieldwork identified 25 conflict case studies for closer investigation in the 10 community clusters (qaria in Nangarhar or mantaga in Laghman) of the two districts under scrutiny.

The following table displays the conflicts under investigation in each district and allocates them within one of the five conflict area that were established as most relevant in the region. The red font colour indicates that a conflict involved a significant though not necessarily lethal level of violence. The numbers in brackets depict cross-relations the case has to other areas of conflict.

The research teams were encouraged to look particularly for conflicts within the context of the OPE. The conflicts studied had to have an impact beyond the personal level, i.e. had to be of relevance for a larger group of people. This relevance has been established via the initial shura group interview and the household interviews conducted in the first days of the fieldwork in each community. The level of violence was not a selection criterion.

<table>
<thead>
<tr>
<th>Area 1 Natural resources</th>
<th>Area 2 Opium-Poppy economy</th>
<th>Area 3 State-building</th>
<th>Area 4 NGO activity</th>
<th>Area 5 Social conflict</th>
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<td>District I: Bati Kot</td>
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<td>District VIII: Alingar</td>
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<td>District V: Qargahi</td>
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<td>total primary conflicts</td>
<td>13</td>
<td>3</td>
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<td>4</td>
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<td>total cross-relations</td>
<td>5</td>
<td>16</td>
<td>16</td>
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Table 3: Areas of conflict
Though by no means a statistical assertion, some trends are reflected in this table that proved to be consistent with the further analysis of the fieldwork:

- The most relevant area of conflict by far is competition over natural resources. More specifically, conflict over agricultural land and, related to this, access to irrigation water comes in first place, while pasture and forest play a role but figure less prominently in the locations chosen. The availability of a contested resource and the demographic pressure on the resource is a first indication for high conflict potential. But regulation of competition and the organisation of access to such resources is even more important for understanding conflict over resources. Where there is an absence of state institutions to provide for regulation and defunct social institutions to control conflict in a reliable and predictable way, increased pressure on a contested resource may, however, translate directly into a higher degree of conflict escalation.

Table 2 also alludes to a geographical difference of issue-areas that are most relevant for conflict processes: conflicts about social issues, discrimination and values figured more prominently in the two districts of Laghman than in the three districts in Nangarhar covered by the survey. This impression was confirmed by the quantitative results of the household interviews. In Laghman roughly 25% of respondents considered social issues to be of pressing importance compared to an average of only 5% in Nangarhar districts. Conflict over natural resources, however, dominates across the geographical board with replies confirming its significance ranging from 56% in Rodat to 69% in Ailingar.

The different conflict sensitivity of social issues, including value differences and matters of discrimination, might have an ethnic minority shading to it. Only in Laghman did the research capture a significant non-Pashtu speaking ethnic minority, the Sharri Pashi-speakers (33% of respondents in Ailingar and 4% in Qarghal district). Amongst the Sharri 58% considered social issues highly relevant for conflict processes and natural resource issues were significantly down to 46%.

The case studies that follow will provide some hints as to why, at this point in time, property security for the Sharri minority vis-à-vis the Pashtu majority appears not to be a burning issue.

- There is a high level of violence as part of conflict processing in all areas identified. Violence may be an indication of dis-embedded conflict, i.e. conflict beyond the social or other institutional control of conflict processing. A constant degree of violence may, however, also simply show that certain forms of violent behaviour in conflicts is socially accepted or even a social norm (as in honour killings or blood feuds).
During the household interviews, the respondents were asked how many conflicts occurred during 2004 that were of concern for the community and how many of these conflicts did in fact include the use of violence. For the whole sample (359 interviews) 216 respondents identified one or more conflicts of concern for their community in 2004. One or more violent conflicts affecting the community were identified by 160 respondents. By comparison, 138 respondents indicated that there were no violent conflicts in their community and 61 who either did not know or were reluctant to discuss this question.

At roughly 50%, Bati Kot, Rodat and Qarghai score equally high on the 'no violent conflict identified' scale, with Shinwar next at about 25%, and Alingar at the bottom with an astonishing 3%. We have to stress, however, that the choice of village clusters and villages is, of course, not representative for the districts in which they are located because the sample was chosen with a conscious pro-conflict bias. But as this proactive sampling was the same for each district, it is still significant to find such discrepancies between the administrative units.

When asked if they were personally involved in conflicts that reached community level institutions (involved shura or jirga procedures) 88% of the respondents answered 'no'. The highest level of personal involvement in such conflicts was noted for the Alingar case studies with roughly 25% of respondents, it was lowest in Qarghai with close to 0% respondent involvement.

A rather startling result with regard to security issues was the reply to questions on the number of armed men in the village and control over weapons in the communities researched. According to our data only one respondent, a housewife in Shinwar district, declared that there are some 20 armed men in her community and only five respondents identified local or outside commanders as exercising control over armed men. The reliability of this result is questionable. While the open demonstration of weapons is clearly avoided today (with the exception of few remote or privileged communities, see p. 85) local respondents and local authorities admit in private conversation that many households still possess arms. The suspicion that the availability of arms encourages the local formation of armed groups around individual strongmen that would be capable of acting collectively (village commanders) has not been confirmed for this sample. Likewise, responses to the question of who is responsible for security in the community overwhelmingly indicated that there was no clear responsibility for community security. Only 6% pointed to the representative of the district governor and, astonishingly, only 2% pointed to the local police commander.
The stated absence of "gunmen" or armed groups in communities is also in apparent contradiction to the replies given when the household members were asked to give their hopes and fears in connection with recent developments. Here the overwhelming concern was the existence of uncontrolled arms and gunmen, without differentiating between those men who were formally under local "state" command or those who were freelancers. This contradiction is most likely linked to the successful concentration and empowerment of certain gunmen in state structures that thus far succeed in suppressing alternative armed groups from emerging. This has not, however, significantly increased the threat-perception at community level.

- The OPE itself was not identified as the most relevant conflict field. Up until February 2005, when this fieldwork was conducted, conflict within the OPE appears not to have been the major concern for the communities. This could reflect the strong social embedding of the OPE in existing and reliable rules of market and trade relations as opposed to less reliable and more ambivalent land tenure security. Even the three cases identified did not involve a high level of escalation and there was no dispute over the basic rules of the trade. This situation does not, however, reflect the (law) enforcement pressure at the lower end of the production chain that has increased significantly since February 2005.

The coded household interview data offers an opportunity to verify this impression which was generated by the case studies. The household members interviewed were asked how they think conflicts were affected by the OPE over the past 5 years (trends). The answers were then coded as 'worsened', 'no change', 'eased' and 'not known'. The overwhelming majority of respondents felt that conflict had not changed with the OPE (42%) or, indeed, that conflict had eased because of the OPE (43%). This picture is consistent throughout the districts with the marked exception of Ailingar in Laghman: here, 90% of respondents found that the OPE has had a positive impact on conflict in the community. This is particularly relevant since Ailingar has only recently started to cultivate opium poppies (from 2 ha in 1998 to 354 ha in 2003 according to UNODC statistics).

Again, in Ailingar the opinion of the ethnic minority group of the Sharri, who are well represented in the sample of that district, is significant: 75% of Sharri respondents felt that the OPE was easing conflict in their community. Since nearly all minority respondents in Ailingar lived close together in the villages of a mantaqa with high population density and little arable land, recent opium poppy cultivation may, indeed, have eased the pressure on available land in the short run by providing
greater income per land unit and by providing seasonal on-farm labour opportunities. This may explain the strong showing.

Checking for different socio-professional groups (traders, farmers, government services) did not produce significant differences and only confirmed that people either think the OPE eases conflict or does not affect conflict for the worse or for the better.

- Most conflicts surveyed do, however, show a strong indirect link to the OPE. This secondary link relates predominantly to the resources generated in the OPE (extra money to bribe, to acquire land or to buy weapons) or the impact of the OPE on other resources (the value of agricultural land and water). There is no strong indication, though, that the OPE thus far has been the main trigger or driver of conflict escalation at the community level. Like any other major economic activity it has an impact on existing conflicts since options, capacities and the incentives of actors in a conflict are significantly influenced by the economic activity in which they engage. This relative calm may well change with sustained counter-measures against the industry (see the discussion of law enforcement related risk factors starting on page 59).

The indirect link of other areas of conflict to the OPE also shows in the household interviews when coded for ‘most relevant resources influencing the outcome of a conflict’. 80% of the respondents considered money to be a prime asset, followed by 60% considering patronage to be a decisive asset. Kinship ties were decisive for 40%, force was decisive for 17% and prestige was not considered a relevant resource in this context. The clear relevance of money and patronage across all districts was most likely to be an indication of the venality of third party arbitration by official and informal institutions. The extra cash generated by the OPE can be used to this effect and affluent patrons have an easier time in assisting cash-strapped clients in need of their protection.

- Of all households interviewed, only five indicated that they are still involved in opium poppy cultivation (all of them in Laghman). This compares with a more than 90% involvement rate in the same districts in Nangarhar and over 70% involvement in two Laghman districts\(^\text{16}\), as shown in a survey conducted in autumn 2004 (Mansfield December 2004: 14). Whether these numbers reflect the full reality, or rather the fear of answering such questions truthfully under tremendous law-enforcement pressure, remains to be seen. For the target districts of this report, the results of the preliminary UNODC assessment cannot verify the indicated total drop in cultivation shown in our household

\(^{16}\) The districts were Garghai and Mehtar Lam instead of Alingar.
interviews. A very significant drop in all target districts of Nangarhar and in Qarghai in Laghman was confirmed while the assessment for Alingar predicts no change in opium poppy cultivated area (UNODC March 2005).

4.2 Results on specific risks

The most relevant risks-scenarios emerging from the conflict-OPE nexus as discussed in the previous chapter is first illustrated by a summarised case study and then analysed and set in the wider OPE-conflict context.

<table>
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<tr>
<th>Local currencies and measures used and their equivalents:</th>
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Conflict within the OPE and its impact on the communities

The research produced evidence of three patterns of conflict directly related to the OPE:

(1) conflict over control of resources generated by the opium poppy and heroin trade;

(2) disputes between creditors and farmers unable to return accumulated debts according to salaam arrangements; and

(3) disputes between traders about contractual arrangements.

Fighting over the turf: district governor versus district commander

In 2004 H. G. was appointed as the new wolliswal (district governor) in a district of Nangarhar province. Before his appointment, government land and the district Bazaar were controlled by the district security commander M.. The market at that time was one of the most significant opium poppy trading place in Nangarhar and had interregional significance for the OPE. The commander benefited from the OPE by taxing the traders at the market and by renting out government land to farmers for poppy cultivation. Before the arrival of the new wolliswal (from a different district), told
the security commander M. that he would be replaced with a commander loyal to the new district governor. The commander refused to step down and conveyed to H. G. that the wolliswal would have to overpower him if he wished to replace him or otherwise put up with him as head of security. H. G. arrived with some 30 bodyguards in his new constituency. He attempted to take over the government land controlled by the security commander, and his “tax collectors” approached traders at the district Bazaar in an attempt to collect the new wolliswal’s share. In an effort to protect the turf of their boss, gunmen of commander M. beat up one of the wolliswal’s tax collectors. In retaliation, the gunmen of the wolliswal killed one follower of the security commander (in Kabul) and injured another; the immediate perpetrators fled to Pakistan. The security commander reacted by ordering a “drive-by” shooting, killing some followers of the district governor. Finally, the provincial authorities intervened and the wolliswal was shifted to the Lalpoora district. The conflict between the immediate families of people hurt or killed in this conflict is ongoing despite the intervention of district elders in an effort to mediate a peaceful settlement. This case was analysed only during the training and not followed up during fieldwork. It is therefore not reflected in Table 2 above. The information has not been crosschecked by interviews with the parties directly involved and has to be treated as merely the (consistent and credible) allegations of local witnesses. We decided to include it as it is a case that graphically demonstrates how local power brokers with official state positions integrate into the OPE and cash over the resources in this economy. The fact that the commander and governor clash over the control of resources generated in the OPE does not, however, necessarily mean that they would not have clashed if extractable resources from another economy had been at stake.

Salaam agreement and debt recovery

In the planting period of 2000, the household of Abdul M. was short of cash after losing part of its earlier harvest to the drought. Abdul M. borrowed 23 seers of opium from the richer farmer A. in a salaam agreement. The price fixed for this amount of opium was 8,699 Pakistani Rupees per seer, i.e. roughly 200,000 Rupees altogether. This value is usually based on the estimated maximum value of opium at the time the credit is due to be repaid. Abdul M. took the opium and sold it for the price of the day, namely 80,000 Rupees. He invested in opium poppy cultivation in order to return the salaam credit the following year. Unfortunately for him (and many like him) in 2001 the Taliban ban on opium poppy cultivation took effect and he lost his harvest again. Thus, Abdul M. was unable and unwilling to pay the agreed amount of 200,000 Rupees back to farmer A.

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17 There are a number of different credit arrangements referred to as salaam. The most often one quoted in reports and literature is receiving a credit on future harvest (i.e., selling future harvest in advance for a considerably lower price than what the crop will likely be worth at time of harvest, usually half of the value of harvest at the time of credit agreement). In the present case, salaam refers to a credit in opium and the value of this opium is fixed at the higher rate expected to be achieved at the time the credit is due (also referred to as jawza).
Farmer A. mobilised 10 relatives and went to the village of Abdul M. to push his claims. They were repelled by about 30 people loyal to Abdul M. Some fighting with minor injuries erupted between the two groups. Farmer A. referred the case to the Taliban district government but it refused to get involved and ordered a jirga on the issue. By that time Abdul M. had returned the initial value of the opium borrowed, the 80,000 Rupees, but farmer A. insisted on receiving the full salaam credit originally agreed. The jirga – here a rather informal “court of arbitration” specialising in business and trade issues and not one of the more formalised inter-communal jirgas – supposed a compromise based on paying half of the claimed interest. Neither party, however, reached agreement and the conflict is ongoing today. For Abdul M. there is the threat the he or some close kinsmen may be taken hostage by farmer A. in order to recover his claim.

Dispute between traders

In 2001 a conflict erupted between two drug traders, E and D, residents of two different villages in the qaria (village cluster) of Zaal Wiala in the district of Shinwar. The issue is about what happened to 70 bags of opium – 420 kg altogether – that E, a newcomer to the long-distance business with Kandahar, wanted to sell. E claims that he gave the opium to D who first took it to a local heroin laboratory and then sold it in Kandahar. Upon return he refused to pay for the opium received from E. D claims that he never received opium from E and that he just introduced E to the big time Kandahari drug traders but E messed up and his business failed. This is why E tries to hold him responsible for the damage incurred.

In 2002 local opium traders held a (trade-) jirga to settle the issue. They imposed a security fine (machlegha) on both parties which they paid without reservation. However, E did not drop his claim on D and secured the support of the district security commander, allegedly by bribing a deputy of the provincial security commander. With mounting pressure, D’s household managed in 2003 to get a close relative employed within the security structure [referred to as the bodyguards or “gunmen”] of Haji Nazrulla Bangalai, the brother of the governor of Nangarhar and head of the Council of Nangarhar Communities. As a result of this manoeuvre, Haji Nazrulla allegedly facilitated the transfer of the dispute from the district level administration to the provincial administration.

E claims that the case is now blocked in the provincial attorney’s office and that he was strongly advised by Haji Nazrulla not to press charges. E claims that he will wait until Haji dikh Mohamed’s rein as governor comes to an end; when D will be without powerful patron he will kidnap him to reclaim his money.

Analysis

• In terms of conflict processing, the OPE is a high-profit high-risk economy for the average traders and farmers. For as poor farmers and other cash-strapped parts of the rural economy, depending on annual loans to get through the winter is more a no-choice high-risk economy. The principle
dependency and exploitation problems that sometimes result in conflicts at the lowest level of the economy would not change with a replacement of the crop. Power – manifest in uniform or without uniform – taps into the local economy via extortion, informal taxation, the manipulation of conflict, patronage and bribery. The vulnerability of local societal institutions for conflict regulation in relation to existing power differentials between the disputing parties is not a result of the OPE, but a legacy of failed state building and successive markets of violence (i.e. exchange relations dominated by the application or threat of violence during occupation, civil war and Taliban rule). This has entrenched the significance of violent self-help in securing ones business interests, the need for patronage to prevail in conflicts and in turn cemented the absence or unreliability of state institutions and reinforced corrupted governance. The very same problems exist in other parts of the economy (see cases below). The causal relationship actually works the other way around: unfortunate forms of governance and community organisation facilitate the existence and dominance of an elsewhere outlawed economy – the OPE.

The quantitative data qualifies assertions on how power holders plug into the local economy. The analysis of long-term conflicts within the OPE does suggest that informal taxation, not only of markets and traders, but also of cultivators, was an important resource flow in the past. Today, however, informal taxes no longer appear to be paid by farmers. No respondent declared that informal taxes are paid to local powerholders in his/her community (the question was about taxes as distinct from irregular bribes and fees collected). This does confirm earlier research conducted in Badakhshan where the 2003 decree of the then interim President Karzai, outlawing informal taxation by local powerholders, did have the same effect on farmers in most districts of that province (Saztonyi, Fararoo April 2004). This said, there still appears to be some uncertainty surrounding this question, particularly in Rodat where 33% did not answer the question and in Alingar where in 22% of households the interviewee did not pose the question because of security concerns. Also, 76% of respondents confirmed that people in the respective communities refused to pay taxes to local powerholders, which, possibly indicates that the issue of informal taxes is not yet fully off the table.

When asked about different kinds of (official and ‘accepted’ informal) taxes like state-taxes, ushr (10% of harvest paid to alik) and zakat (2.5% of one year’s surplus in cash) more than 90% claimed not to have paid any of those in 2004.\footnote{It is likely, however, that ushr to the imam and regular shares of harvest to other service providers (like barbers, blacksmiths, carpenters) were not captured by this question. The question asked for state taxes or taxes to local powerful people. This question was informed by past reports indicating that local policy makers and some heads of households would not challenge the tax payments.}

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\footnote{It is likely, however, that ushr to the imam and regular shares of harvest to other service providers (like barbers, blacksmiths, carpenters) were not captured by this question. The question asked for state taxes or taxes to local powerful people. This question was informed by past reports indicating that local}
• Apart from the usually higher profit margins of the OPE there is one decisive benefit of the OPE that makes it superior to legal alternatives in the eyes of the politico-military patrons of that industry: the market and price level of opium can be readily manipulated via perfectly legal measures – namely by limited seasonal eradication. This control tool in the hands of local strongmen, has been used since Haji Abdul Qadeer was governor of the Eastern Provinces during mujaheddin rule, would not be so easily available to steer and exploit a legal economy.

Using this tool not only hits the indebted farmers who have fixed rates for the annual credit that brought their household through the winter on a speculative assumption of a successful opium harvest. It also hits the credit givers running small and sometimes medium sized enterprises. Very often they are in debt themselves, cannot recover their debts and run into difficulties. The case of an interviewed petrol station owner illustrates this. The petrol station owner had taken a credit of about 5,000 US Dollars to buy petrol. After the poppy ban was announced his business turnover dropped by more than half. He showed us a pile of notebooks in which he kept track of the money he had lent to (opium poppy) farmers and declared with anger and some despair that he will never be able to recover his money and pay back his own debt if this eradication policy continues.

Conflict from land tenure insecurity
Of 25 cases studied in this survey thirteen cases directly related to land tenure conflicts and an additional four cases involved disputes over land as a secondary aspect of conflicts. Eleven of the conflicts which were primarily concerned with tenure issues also related to the OPE. The following cases exemplify most important dynamics in the land tenure conflicts analysed.

Land grabbing

In the garia of Mazina, conflict between the clan of Said Kateb Pacha (of the Sadat tribe) and the mujaheddin commander Moulla Jan (of the Shinwari tribe) over about 4-5 jirbs of agricultural land has been ongoing since 1990. Before the Taliban rule, Moulla Jan, who is affiliated to the mujaheddin party Hisb Islami, used to be the representative of Gulbuddin Hekmatyar in Nangarhar.

In 1990, land belonging to Kateb Pacha’s clan was confiscated by the commander Moulla Jan. The commander claims that this was done in agreement with Kateb Pacha, who had asked the commander to help him remove some 30 houses built by commanders did attempt to legitimize their taxation efforts by calling it zakat or ushr, i.e. donations traditionally meant for the poor or for the communal benefit.
neighbours on land owned by the cousin of Kateb Pacha. In return for his services (forcefully clearing the land and thus creating additional agricultural land for the clan), the commander claimed some of the land on which to build a house. Up until 1993 the relationship between the clan and the commander can be described as a patron-client relation of mutual interest.

In 1994, however, the clan fell out with the commander over the question of who in actual fact held the title to the land in question. Commander Moulla Jan arrested Kateb Pacha and his brother and, allegedly at gunpoint and threat of death, forced them to officially sign the transfer of the land title to him.

When the Taliban came to power, the commander fled the area and the clan reclaimed and cultivated the land, making good profit from it.

In 2001, the fortunes for the parties involved changed yet again with the ousting of the Taliban and arrival of the coalition forces. Moulla Jan was appointed commander of the border troops [or customs office, the information is disputed], and he re-claimed the land and demanded compensation in the form of a share in the profit for the time that the clan used the land in his absence. To enforce this claim he kidnapped two of Kateb Pacha’s brothers and transferred them to a Shinwar village, a community specialised in handling kidnapping cases as a strategy of conflict processing. The elders of the Shinwar community held a jirga that decided in favour of the commander and imposed a penalty of 80,000 Pakistani Rupees on the clan. Upon payment of the money the hostages were released.

In 2002, however, Moulla Jan lost his job as border commander and a brother of Kateb Pacha got a job with the security structure (i.e. the gunmen) of Haji Musa. Haji Musa is the brother-in-law of the then security commander of the Eastern Provinces Hazrat Ali and is considered one of the most powerful people in the province. With the support of these powerful patrons, the clan reclaimed the land. Commander Moulla Jan was allegedly warned by Hazrat Ali and Gul Karim, then security commander of Nangarhar province but now security commander of Laghman, not to meddle anymore.

Land grabbing II

One of the most serious conflicts over land identified during the survey has been evolving in the mantaqa of Charbagh in the Qarghanı district of Laghman province. The conflict has evolved around control over arable land and related natural resources but touches upon issues of prejudice and discrimination between ethnic and socio-professional groups.

The conflict started in 1992 between the village of Ahmadzai and its neighbouring villages in the Charbagh mantaqa. The 200 families living in Ahmadzai village are members of one of the largest Pashtu tribes of the same name. In the past they used to be kochi nomads but this particular community began to settle in the mantaqa in 1919, during the reign of Amanullah, when they bought land from the state. The neighbouring communities, however, still refer to the Ahmadzai tribesmen as nomads (kochis) and consider them to be settlers alien to the region. There are some 40 settlements comprising of 2000 families of resident Pashtuns in the neighbourhood.
In 1992, many former inhabitants, who had been displaced by the war, returned to the mantqad. This included most members of the Ahmadzai community. The Charbahk communities disputed the legality of the Ahmadzai presence and claimed that they misused their kin relations with two powerful local commanders of that time - Zardad and Shamali - to occupy the land, dig wells and cultivate 1,300 jibs of land in the immediate vicinity of their village. They also complained that tribesmen from Logar province settled as newcomers on this land. The Ahmadzai on the other hand insisted that the land they cultivated was rightfully theirs. The Ahmadzai secured support in a letter from the major mujaheddin commander Hekmatyar to the most powerful commander of Laghman, commander Naser. Naser, however, rejected the order of support from Hekmatyar and instead supported the claim of their opponents, who destroyed some of the Ahmadzai wells.

During the rule of the Taliban, tensions were latent. The conflict intensified again in 2001, erupting occasionally into some small violent incidents involving fists, sticks and stones. More importantly, the Charbagh communities improved their organisational capacity by setting up an issue-related shura to progress their interests. The Ahmadzai village turned with a petition of support to representatives of their powerful tribal shura in Kabul.¹⁹

While the situation appears to have been quite even in terms of the power both sides to the conflict mobilised in an attempt to progress their interests, the balance of power significantly changed with the arrival of the transitional government under Hamid Karzai. With coalition support, the anti-Taliban commander Hazrat Ali emerged as the most powerful security chief in the region. The police force formed from loyal militias under Hazrat Ali both in Nangarhar and Laghman provinces is dominated by individuals of the same sub-ethnic group of the commander, i.e. the Sharri or Pashai. They do not perceive themselves to be Pashtuns and speak the Pashi language as their mother tongue. The homeland of the Sharri is a mountainous area north of the Nangarhar plains and East of the Laghman valley. Many of them initially resisted the Taliban and participated under Hazrat Ali and Haji Musa in overthrowing their rule in the Eastern Provinces during the US led military intervention.

Hence, since 2002, Sharri settlers have migrated from the northern mountains to the plains and started to occupy the land which was originally disputed between the Ahmadzai and Charbagh communities. They have taken over nearly all the land cultivated by the Ahmadzai (with the exception of some 150 jibs left to the malek of the village, who found a patron among the Sharri protecting his personal interests). Both the Charbagh communities and the Ahmadzai claim that they are powerless against the Sharri, who are openly armed and have the protection of the most powerful security commander in the region.

An intervention by the head of the tribal shura, Hashmat Ghani Ahmadzai, with the security commander has thus far not defused the situation. In an interview Hashmat Ghani explained that he has asked the head of village not to escalate the situation by raising the issue with the tribal shura because serious bloodshed could be the

¹⁹ A well organised council with political backing from former World Bank executive and, until late 2004, Minister of Finance in the Karzai government, Ashraf Ghani Ahmadzai and representing some 1.5 million tribesmen and nine subtribes according to information received by the head of this tribal Shura, Hashmat Ghani Ahmadzai and brother of Ashraf Ghani in an interview on 26.02.2005
consequence. Instead, a change in power-arithmetic in the Eastern Provinces could unlock the situation and open the door to a negotiated settlement.

Disputed shares of government land between resident and semi-nomadic groups

In the Bati Kot district of Nangarhar province, there is a longstanding dispute over high value agricultural land between the resident qaria (settlement cluster) Saypai and semi-nomadic Kochis living in the vicinity of the neighbouring Chardehe qaria. The Saypai inhabitants belong to the Mohmand tribe and comprise of about 500 families; the Kochis are mainly Ahmadzai tribesmen of about 300 families involved in the dispute.

The disputed land is government land that has been distributed by changing administrative and military patrons among their respective clients. Today the Saypai cultivate an undisputed 500 jirbs while the Kochi control 1600 jirb (according to them) to 4200 jirb (according to the Saypai).

Kochis started to settle in that area from 1985. The conflict escalated only in 1991, after the collapse of the Najibullah government, when the Kochis secured the backing of the local mujaheddin commander Shamali (himself from a Kochi background) to lay claim to the disputed government land. A jirga was organised between representatives of the Mohmand, Shinwar and Ahmadzai tribes. Commander Shamali, however, personally intervened and brought the jirga procedure to a halt. In 1993 the Sapai inhabitants transferred the issue from the district to the provincial administration and then to the central government but to no avail. Commander Shamali was killed in 1994. The Kochis, however, were able to defend their position and keep the land they had occupied.

Under the Taliban, the conflict was frozen but the Kochis claim that the Taliban administration stopped irrigation of the government land claimed by them. The irrigation system has not since been recovered.

In 2002, after the fall of the Taliban, the Saypai inhabitants again approached the government to help them secure the land they laid claim to. The new district governor, himself from Saypai and with a vested interest in that government land, supported the claim. Under ‘police’ protection (gunmen of the district governor) the inhabitants were allowed to build houses on the land which had been claimed by the Kochi. The private police of the governor were, however withdrawn after a few months and the Kochi immediately reclaimed the land. According to the Saypai interviewed, the Kochis are armed, well organised and as traders involved in the OPE have many more resources at their disposal than the Saypai, who used to be just opium poppy cultivators.

The conflict is pending.

Analysis

“Foreigners put pressure on the state and the state got compelled to have us destroy poppy crops and was shouting that we will provide you an alternate livelihood. It neither provided us an alternate livelihood nor helped, but left us idle and without career. If the plight continues to be so despite high prices, I
may probably first mortgage my land and if it doesn't meet my requirements, I may sell it. Ultimately I will leave the country because it was opium which met our life purposes.”

(farmer from Shinwar district in Nangarhar)

- While the link between the misuse of power and land tenure insecurity has been well-established in the case studies, the link to the OPE remains somewhat hazy and a matter of informed speculation. More focussed research is needed in order to find hard evidence of the impact dynamics that the OPE have on land tenure conflicts specifically. Arable land is the most important contested resource already, with or without the OPE. Access to and distribution of this resource have been poorly managed or abused outright by the successive entrepreneurs of violence20 (Soviet occupation, resistance, civil war, Taliban rule and finally coalition military intervention). While we know that the “booty is fattened”, i.e. the potential return on arable irrigated land to those who own or control it has been rising, it is not clear that this in fact escalating conflicts that would otherwise not have occurred or been resolved peacefully.

During the household interviews, the question of land bought and sold over the past five years was discussed. Despite the economic ups and downs since 2000 only 8% of all households indicated that they had sold land and 1.5% (just 3 households) had acquired land in that period. This result confirms the finding that the relationship to family owned land is extremely conservative and that there is not a free or open market for privately owned land. As evident in the case studies, land is not bought and sold but acquired and lost. Concentration of control over land appears to be thus far limited to the so-called government land and does not affect the fragmented land of debt dependent farmers as a mass-phenomenon, as yet. Changing tendencies to this effect, for which we only have some anecdotal evidence from interviews with farmers, clearly have to be monitored.21

When land is the last asset a household releases in order to survive, mortgage levels are a good indication of households on the verge of losing some of their land. Of 275 landholding households interviewed, 51 had 1-10 jribs of land under mortgage, i.e. roughly 20%. Of the 51 households with mortgaged land, 15% owned 1-5 jribs and 25% owned 5-20 jribs per household. In our sample, mortgage incidence increased proportionally with

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20 Entrepreneurs of violence are people who strategically invest in the organisation of violence to pursue their (political and economic) individual or group interests.
21 A farmer in Arbaban pointed to a deserted quarter of the village and told us that a part of the village had already left to Pakistan (6 households). Some wanted to sell land but could not since the price is falling and potential buyers know that it will fall further. Other farmer have indicated that they will have to sell their land because of the ban on poppy cultivation if nothing decisive happens in terms of alternatives this year (see quotation from Shinwar above).
the amount of seasonal credit taken, while the relationship to the amount of
debt accumulated by the household was not so straight-forward.

Work migration, another important coping strategy in the region, also did not
produce dramatic results for the sample. Only 27% of households indicated
that one or more of their members were currently on temporary work
migration (the maximum number was five members, found in just two
households). Among the respondents with very little access to land (land
cultivated per household member < 0.1 jribs) migration was highest (22 of 41
households with a total of 45 members on work migration) while those with no
access to land or more access to land had fewer household members on
work migration (19% of the first, 30% of the latter household-category with
one or more person on migration). This may indicate that the very poor do not
have the initial cash to send someone off to find work, while those with access
to land have more use for family labour in agriculture. The sample is,
however, too small to be confident about this interpretation.

- Before groups in conflict turn to third parties or specialised institutions, they
rely on self-help, and the power differentials between them determines the
initial conduct of conflict. This power differential is defined by a number of
resources in the cases presented: money, arms, the size of the interest
groups and, very importantly, the internal discipline or integration of the
groups mobilised in conflict. In the case of the Saypai inhabitants versus the
Kochi settlers the smaller group of Kochi clearly has resource superiority in
direct confrontation. This superiority stems at least in part from their socio-
economic profile, i.e. long-distance traders allegedly involved in the high-
value drug trade (cf. also the issue of social control of young men below).

The relevance of the resources, money, strength of kin network and weapons
has been confirmed by the quantitative analysis of household interviews on
conflict-resources quoted earlier (page 39).

- The conduct of conflict over the vital resource of agricultural land clearly tends
to involve powerful outside patrons. The quantity of land under dispute is not
the main indicator of high-level patronage. In the case studies, conflicts linking
up to powerful patrons in the region ranged from few jribs to a couple of
thousand jribs. In Nangarhar two powerful networks of patronage with state
positions managed to monopolise control over conflict. This kind of conflict
control has no resemblance to state guaranteed conflict processing according
to legal principle; it involves the manipulation of conflicts, controlled escalation
and the establishing of dependent clients by deciding conflicts as a favour. A
number of case studies also suggest that conflicts are escalated by district
level state officials in order to raise the informal fee collected for bringing the
conflict back under control. Sharing the booty, i.e. usually taking 50% of
disputed land given to the protected party is another strategy local strongmen
with state positions apply to make conflicts useful for them. In short, conflict
control is an integral and important strategy of bad governance. While the results from Laghman suggest that conflict manipulation is less centralised under the control of single patrons, the principle use of conflict as a means of governance appears to be a general problem in the Eastern Provinces.

The problem with deciding conflicts by power and patronage is not only a problem of legitimacy in attempting to establish the rule of law. Such decisions do not resolve conflicts. Instead, they are valid only as long as power relations do not change. This is what we call power-locked conflict processing.

Counter to the argument that conflict re-enters the village by alternative, anti-state enforcement structures like renegade commanders or independent drug barons, this research suggests that alternative enforcement today is provided by organisations within the state structure. For the emergence of healthy and sustainable state-society relations in rural Afghanistan this may be more problematic than renegade anti-state forces.

For the weaker parties in such conflicts (those who were unable to secure protection for their interests) there are two ways to turn: to the central state institutions that for some still appear to be more neutral than the local government. Or, indeed, to local alternatives that are openly hostile to the whole endeavour of rebuilding Afghanistan under Western control. While the support potential for groups like Hekmatyar’s Hezb Islami is strong and possibly growing, the organisational capacity of these groups to operate in the Eastern Provinces has been diminished by the system of governance established under coalition sponsorship.

- We may conclude that land tenure insecurity is a major cause of conflict, but that the link to the OPE is not straightforward. There is a link between arbitrary forms of governance and forced or manipulated loss of land, and it is likely that resources from the OPE are informing the strategies and incentives of actors involved in dynamics of land concentration. This does not, however, follow directly from the evidence found in this research and should therefore be the subject of future research.

The weakness of institutionalised conflict processing
A striking finding from the case studies is that the clear majority of them were referred to official state institutions at some stage. At the same time, nearly all conflicts involved local informal institutions that are considered competent and legitimate to deal with conflicts. In other words, despite the twenty-year history of arbitrary rule by the gun, there appears to be a clear desire and readiness to seek regulated and reliable third party assistance in coming to terms with conflicts that escalated beyond the immediate capacity of the parties directly involved. Self-help, brute power or
seeking patronage detached from any notion of legal principle and justice are not the only and certainly not the preferred options.

However, more striking and somewhat sobering is the finding that none of the conflicts analysed were resolved by those institutions in a truly binding and obligating way that outlived changes in the power-relations of the parties involved. The last two cases presented here shed some light on how institutions, both state and societal, fail in producing binding outcomes.

**Breakdown of NSP procedure**

In 2004, a conflict erupted between the households of two village elders in the Shahi village of the Alingar district in Laghman. The immediate conflict was about control over the NSP process in the village. Both sides in the conflict claimed that during the very substantial escalation of the conflict, resources linked to the OPE (land, money) were used in order to buy weapons and pay bribes.

A meeting of the newly established CDC (Community Development Council) was convened at the place of Zabet Izmatullah Shahi, the head of the CDC. Though not the malek (village head) the year before, he had already been appointed by the village elders to represent the community at the 2003 Loya Jirga in Kabul. By organising the event at his place he wanted to reassure representatives of the district government and the facilitating partner NGO DACAAR that he was firmly in charge, after opposition against his leadership from other elders in the community had been voiced publicly.

One of those elders, Malek Ghulam Ali Shahi, was particularly unhappy with Izmatullah's position as leader of the CDC. Despite the fact that he had supported Izmatullah's candidacy as Loya Jirga representative he accused him of cheating an NGO and grabbing all the poultry delivered by it two months before the CDC was elected, by presenting his female family members as the war widows of the village.

Together with some followers, Ghulam Ali turned up at the convention and claimed that Izmatullah had a record of embezzling NGO resources and therefore could not lead the CDC. The dispute got out of hand when Ghulam Ali produced a gun. Izmatullah's sons forcefully disarmed Ali Ghulam and in the following fight three people on Ghulam Ali's side were injured. The police came and arrested all male members of Izmatullah's family but released them later for a bribe/fee.

Izmatullah approached the former mujaheddin commander Qarar to facilitate a reconciliatory jirga with Ghulam Ali. Izmatullah was connected to this powerful commander via his nephew Barakat, who had worked as a gunman for Qarar's brother at the time the latter was wolliswol of Alingar. Qarar is still an active commander with considerable independent enforcement capabilities. He was unable or unwilling, however, to bully Ghulam Ali into participating at the jirga; instead, Ghulam Ali sent his sons and they (superficially) accepted the power-brokered reconciliation agreement.

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22 Officially Qarar is now Director of the Tribal Department at the provincial level with some 10-15 official body guards but informally he is thought to still control up to 300 armed men. News just in indicates, however, that his brother has been arrested "by the coalition forces" and Qarar left to Kabul.
Ghualm Ali felt compelled to take revenge, notwithstanding, because taking the gun of a man is as shameful for his family as taking the wife of a man. One of the more harmless members of the otherwise fierce Izmaturah family was his son Zalmai, a teacher. So in August 2004 two grandsons of Ghulam Ali stopped the teacher and forcefully took his pistol off him. This incident happened under the watchful eye of an armed police guard of the district administration who was standing only 30 metres away. Allegedly he had received a bribe to mind his own business.

Revenge for the damaged honour had been taken successfully but there was one serious drawback for Ghulam Ali’s family – counter-revenge. From the point of view of Ghulam Ali this problem had a name: Barakat. Izmaturah’s nephew Barakat fulfilled a function in the family that is almost an accepted institution in many powerful local (extended) families – the function of the uncompromising defender of the family honour. Barakat had already taken violent revenge in a number of cases and the family of Ghulam Ali understood that they were in for some trouble. According to the family of Izmaturah, two of Gulam Ali’s nephew’s therefore attempted to kill Barakat. The other side claims that Barakat attacked first. The outcome was that one nephew was shot dead and the other seriously injured by Barakat. Ghulam Ali turned to the police commander for help and they, indeed, attacked Barakat’s house. After a fierce fight they entered the house, arrested the men and took a collection of weapons with them (including a rocket launcher, Kalashnikovs and PPKs). The men were later released and fled the region while the weapons were taken as a bribe in return for the release of Izmaturah’s relatives.

The NSP process in that village broke down as a result of the conflict and has not recovered since.

The last case study neatly illustrates how conflicts may plague and hold captive whole communities over a number of years, if conflict regulating institutions fail or are outmanoeuvred by power.

*Salab Ulya versus Nangadar – the micropolitics of feuding*

The two communities of Salab Ulya and Nangadar are located in the mountain valley of Salab in the Alingar district of Laghman. Nangadar consists of four tribes and 160 families while Salab Ulya encompasses 12 tribes and 450 families. Nearly all inhabitants belong to the Pashi speaking Sharri sub-ethnic group.

The communities have a long-standing dispute over the use of forest and pasture to the north-east of the settlements. Salab Ulya lays exclusive claim to the area while Nangadar insists on having its share in the resource. In 1997, the up-valley Salab Ulya blocked Nagadar’s access to the forest while the down-valley Nagadar used its geographical position to block access to the main road for the inhabitants of Salab Ulya. The Taliban governor of Alingar intervened. He invited the elders of both villages for a local *jirga* and decided that the forest would be split in two halves. As long as the Taliban remained in power this decision was adhered to.
In late 1997, the remaining tension between the communities nevertheless escaladed into another area. In order to hurt the reputation of his adversary, a community leader of Salab Ulya, Mohamed Hashem, helped with the kidnapicing of the daughter-in-law to-be of Malek Abdul Haq, a community leader of Nangadar. The girl, promised to the son of Abdul Haq, was a resident of Salab Ulya. She was abducted by a former jihadi commander – Gulab Alishengi from a neighbouring district, who had the reputation of a professional kidnapper. Abdul Haq approached the provincial level government for help and the Taliban did indeed arrest Gulab Alishengi, kept him for three months in jail and released him again for a fee/ribe of 300 lak (300,000 Afghans).

In 2002, Gulab Alishengi, who had made a lot of enemies in the region, was killed at his home together with all male members of the family. The abducted girl survived and returned to her parents in Salab Ulya a few months later, together with the three children she had delivered to Gulab. Gul Ahmad, the father of the girl, accepted her back but wanted to sell her to the original groom from 1997, the son of Abdul Haq, but Abdul Haq considered that arrangement obsolete and declined the offer. The daughter and her children disappeared from the village, the father claiming that he had sent her to a refugee camp in Pakistan while other villagers believe he sold her to some other man in another village.

Also in 2002, Abdul Haq from Nangadar finally got his revenge on Mohamed Hashem from Salab Ulya for the shame he had endured at Hashem’s hands. This time it was Abdul Haq who kidnapped the daughter-in-law of Mohamed Hashem. He only managed to do this with the help of Baharam, a neighbour of Mohamed Hashem. Hence, the neighbours became sworn enemies. Abdul Haq kept the abducted wife of Mohamed Hashem’s son for three months at his house and then sold her for 100,000 Pakistani Rupees to someone in the community of Togi.

In 2003, Mohamed Hashem approached the wolloiswol for help. This time Abdul Haq was arrested, kept for some months in prison and released for a fee/ribe.

In 2004, the girl abducted in 2002 from Hashem’s household in Salab Ulya managed to flee from Togi and returned home. After one month she gave birth to a child but it died soon afterwards.

The same year Baharam, the neighbour who had helped to abduct Hashem’s daughter-in-law in the first place, called for a jirga to build bridges with Mohamed Hashem’s family. The jirga decided that Baharam had to pay 50,000 Rupees and give his daughter as bad (transfer of a female to end enmity) to Mohamed Hashem’s son. Mohamed Hashem gave his daughter-in-law (who had just returned from Togi) to the son Abdul Haq in Nangadar in an attempt to establish peace. Since Baharam was not trusted, he was requested to nominate a samoanal (a bondsman physically guaranteeing the fulfillment of the ruling of the jirga). Baharam did indeed flee after five days together with his daughter and left the bondsman and his daughter in the lurch to fulfil the obligation.

In August 2004, the escalation reached another complicating climax when Abdul Haq allegedly encouraged (how he did this is not known) his neighbour Delower to shoot Hashim Khan. Hashim Khan survived but does not accept Delower’s explanation that the shooting was an accident.
When we visited the two villages, the conflict was unresolved and the communities were visibly armed, something unusual in contemporary Laghman. The explanation of the young men was that the Kalashnikov is just like wearing a flower behind the ear – one just feels better wearing it.

Analysis

- Local institutions are unable to take binding decisions if the vital interests of conflicting parties are involved. This is a common trait that is manifest in all the case studies analysed. In the example presented above, the NSP process of identifying a representative and accepted community leadership via a voting procedure failed. A group managed to derail the procedure by violent means. This happened in the presence of district state officials and of the facilitating partner NGO. Despite the lethal escalation of conflict over an institution considered an important building block in state-community interaction in Afghanistan, neither the state nor the Western partner were able to bring the situation under control. The partner NGO withdrew and the state performed in accordance with the personal interests of its representatives. Also, the jirga procedure, sponsored by a local strongman, did not produce any binding results.

The results derived from the coded household interviews and the shura group interviews produce an ambivalent picture on the potential of community councils in their various shapes and makings. The shura was seen as being ‘very representative’ or ‘representative’ of the community by 85% of respondent households. In Alingar nearly 100% of the households interviewed felt the shura was representative while in Bati Kot it was 76%. This ‘approval rating’ in terms of the councils’ representivity was only slightly lower for landless respondents (80%). However, data from the shura group interviews show that roughly 1/3 of the shuras did not include non-agricultural representatives and 1/4 did not include landless farmers.

However, the head of the shura did not figure prominently across the board in terms of respect. On average only 10% of households named this function as being held by one of the most respected people in the village, although it was significantly higher (20%) in Alingar. In terms of power, though, the head of shura was considered powerful by on average (20%) of households, but there is strong variation by district: in Shinwar 41% of households indicated that the head of shura was one of the most powerful functionaries in the village which may reflect the strong engagement of the shura initiative of the brother of the Nangarhar governor in that district. In Alingar on the other hand only 1.6% of households felt this to be the case, and the khan (large landowner) and village elders were clearly considered more powerful. Power and respect also appear to be totally unrelated for the spiritual leaders (mullahs, imams): while

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76% of households considered spiritual leaders to be the most respected, only 0.3% considered them to be the most powerful in the village.

An important aspect of this survey is the question of legitimate and independent decision making by local institutions about conflicts. While nearly 75% of the respondent households considered their local shura to be independent from powerful people, only 21% trusted the shura to also find in favour of a weaker party in a conflict (i.e. to decide against the stronger party).

In sum, the data show great ambivalence with regard to local councils, in terms of whom they represent, how independent they are, what defines their legitimacy and how effective they may be in fairly processing conflicts and this finding needs further investigation. This is particularly important for the new state-sponsored, but thus far ill-defined, shuras emerging on village and district levels.

- When institutions fail to decide conflicts in a predictable and accepted way, the parties to the conflict increased investment in self-help – selling resources (land, opium) to acquire weapons and the cash for bribes. In the end it was the private enforcement capacity of both parties that dictated the course of any escalation.

Arguably the most important resource for successful violent self-help in conflict processing was social control over young men. To be successful, the young men in a conflict group need to be mobilised and at the same time “politically” controlled in their actions. The case studies and the coded interviews both suggest that the most relevant conflict groups are households (72% of respondent households considered them to be the prime “suspects” for being collectively involved in conflict), village communities (18%), core families (9%) and extended families/clans (7%). When asked which group was most likely to support you in a conflict an average of 72% respondent households indicated that this would be the family, followed by 11% for neighbours/community. For this sample there was also variation between the districts: the community as a relevant solidarity group in conflict scored much higher in the Qarghal household interviews (24%) than elsewhere.

All indications from the household interviews show that social control over young men both at household and community levels is strong. When the respondents were asked whether young men respect and follow the word of older men in the household, 97% replied ‘always’; for outside their household 92% answered ‘always’. When respondents were asked whether respect for the word of older men had changed over past years 78% said there was no change, and 18% said there was more respect. There is little variation between the districts on this point.

- It is, however, also clear that it is not the OPE that is driving conflicts leading to institutional breakdown. Instead, the corruption of state institutions and the
weakness of informal and new (NSP) institutions is inviting power into the processing of conflicts. Doing well in the OPE is only one source of (financial) power that can be drawn upon in fighting it out to resolve conflict.

4.3 Conclusion: The vicious circle of dependency, insecurity and conflict potential

Taking into account the combined impact of social norms, political processes, and the way the market works, sheds light on why people become dependent on the OPE, adopt certain types of coping strategies, and are hostile to changes to their way of life introduced from outside.

In this largely informal rural economy, opium is merely a cash-crop; from the viewpoint of community, peace and development are the most burning problems and this would not change in principle by cash-crop replacement. From the perspective of rural households, the punitive system of credit, a lack of access to arable irrigated land, power-locked and unrepresentative formal and informal governance, property insecurity, legal ambiguity, a high level of violence and lack of binding decisions in conflict processing are problems that exist with or without the opium poppy as the dominant cash-crop.

From the perspective of conflict processing, the implications of dependency, insecurity and scarcity in the local economy, in part aggravated, in part defused by the OPE, are not straightforward but are rather ambivalent. A number of conclusions on risk scenarios, however, follow from the discussion presented above.

Figure 11: Dependency, property insecurity and conflict potential
Poverty and the scarcity of vital resources like irrigation water and arable land do not automatically lead to conflicts that society is unable to deal with in a predictable, accepted and non-violent way. Instead, it is the management of scarcity and access to resources that is conflict prone. Accepted rules regulating limited access to such resources and functional procedures processing conflict about resource distribution can safeguard social peace. It would be naïve to claim, however, that mismanagement always leads to conflict escalation while fair management of resources always guarantees peaceful communal relations. Exploitative resource management can stay stable for decades as long as the dispossessed and disadvantaged groups are prevented from organising and articulating their interests.

The dynamics in the OPE as a high profit / high risk market under increasing pressure has the potential to change the relative position of strategic groups in the industry, the access and distribution of resources and profits and also the rules of the game – including how disputes and conflicts are dealt with.

From the analysis of the economic, political and social trends in the OPE in rural Afghanistan, four findings about how recent dynamics may relate to conflict processes on community level are clear. The first two risk scenarios are already ongoing processes, backed to some extent by evidence from the fieldwork as presented above. The third and fourth risk scenarios are likely future outcomes of ongoing law enforcement and governance dynamics identified during the analysis of the fieldwork data. It is not possible, however, to argue on the basis of this data that these developments are already materialising. They should, however, be closely monitored because they nevertheless constitute a serious threat to the success of rural development efforts in the target region.

**Increased vulnerability and destructive coping strategies**

**Risk 1:** The dependency and vulnerability of farmers with little or no land has increased with the extent of the OPE. Conflict prone coping strategies applied to outside shocks (eradication, crop failure, price fluctuation) become more widespread as a result of dependency and vulnerability.

The majority of farmers and labourer in the OPE are locked into dependency by forces beyond their control: (a) credit providers; (b) landlords; (c) local armed groups; (d) price fluctuation; and (e) law enforcement measures.

The most vulnerable part of the rural population caught up in the vicious circle of dependency, debt and property insecurity may turn to coping strategies that are conflict prone.
Mass migration to places with limited capacity or willingness to take in work migrants may cause frustration and problems. There is anecdotal evidence from some of the target villages that young men trying to make their way into Iran are turned back in large numbers. The investment in such endeavours is then lost. Frustration, poverty and a sense of lost value within the household economy may compel young men to turn to radical ideologies which provide purpose and value. The exit option of many rural dwellers is also, on the other hand, a safety valve in terms of local conflict processes. Pressure on land and other resources can be eased by out migration. A mass exodus of poorer sections of the rural population is, however, not desirable from a rural development point of view. The mass exoduses of the past (during Soviet occupation and civil war) have been temporary and families are reluctant to sell their land. Upon return a re-organisation of access and distribution will cause problems (as it does with land that had/has to be reclaimed from jihadi commanders and their gunmen who occupied it during the absence of families that had fled the region).

When groups that are capable of taking decisions to act collectively are pushed below what they perceive as being the reproductive minimum they organise resistance. The conflict case studies show that the most likely actors for collective resistance are households, extended families and sometimes villages. Given the history of violent resistance with state interference in livelihoods and the rural way of life, and given the fact that many households do still possess automatic weapons for self-defence, this resistance may turn violent again.

Thus far, protest and resistance is against the state and its foreign backers putting pressure on the rural (opium poppy) economy rather than against the contractual partners higher up the value-adding chain of the opium poppy industry, e.g. traders, landlords or other conditional credit providers that may exploit the dependency of farmers.

A further disruptive coping strategy may be called avoidance and this has an indirect impact on the conflict processing capacities of communities. Rural society might retreat again completely from the state, perceiving it as an essential part of the problem rather than as a solution to problems. Thus far, the expectations of some state services are (often unrealistically) high and people still turn to state agencies for mediation in conflict. The tendency to involve state agencies like district administration in conflict processes appears to be, to some extent, a hangover of Taliban experience, where the government did take legal principles seriously (their version of the Islamic law) and did decide on conflicts. Today, however, state agencies do not appear to process conflicts by legal principle but instead by corruption, by referring it back to community institutions or by principles of favours and patronage. As a consequence, avoiding any state involvement in communal problems could become the chosen strategy of those who have nothing to offer to secure the support of emerging state services.
Institutional breakdown of communal conflict processing

Risk 2: The OPE-related increase of resources for some groups and the OPE-related changes in power-relations between local groups corrupt local conflict processing institutions. Institutionalised conflict resolution becomes unreliable or breaks down altogether.

Local institutions charged with regulating access to resources and processing conflicts at the community level are already stretched beyond their functional limit and cannot guarantee reliable and legitimate regulation of disputes as they arise.

Conflict re-enters the communities via the presence of alternative enforcers (commanders, big-time OPE criminals) while core functions of the state are absent (security, public goods). Conflicts then break out of the scope traditional institutions are able to deal with. This is why the investment in the OPE is negative coping on the side of the farmers (line of argumentation put forward by MRRD minister in an interview of 16.02.05; interview notes)

Higher stakes, higher risks and the potentially higher profit of the OPE may put institutions that regulated rural exchange relations beyond use. The salaam credit system has apparently already been perverted to some extent into a means of dispossessing smaller farmers of their land. Instead of being a representative body of negotiation and consultation, shuras may further change into lobbies of the landholding class, closely cooperating with political and military power holders at district and provincial levels. Jirgas may fully lose their impact as a conflict processing institution by taking decisions without binding power that either no one adheres to or that are considered to reflect by design only the position of the more powerful party. The expectation is that the criminalisation of the OPE and law enforcement activities against parts of the industry will have a general impact on the way communities regulate their local economy in those districts where the OPE has been the main economy and has been practised as a legal economy for the best part of the past 20 or so years. In other words, we would expect the pressure on traditional conflict regulation to increase more in Shinwar in Nangarhar than, for example in Laghman, where larger scale opium poppy cultivation is a more recent phenomenon.

Criminalisation and professionalisation of the OPE

Risk 3: Sustained enforcement pressure against the OPE will make the industry more exclusive (i.e. limiting access to fewer farmers and traders) and will foster tighter internal control and coercion within this criminal economy. The level of violence as a means of coercion increases. The role of political patronage via bribes and blackmail will also increase.
The third risk scenario suggests that increasing pressure from the central state and foreign organisations engaged in enforcement activities will significantly change the positions of actors engaged in or associated with the OPE. One might call this dynamic the ‘criminalisation’ of an informal, regionally dominant and strongly regulated branch of the ‘normal’ economy. The OPE as a criminal economy will become leaner, less inclusive, more professional and more violent.

The pressure on livelihoods that poor farmers and wage-labourers will face by being excluded from the business is one side of the problem. At the community level this process will also affect the function of commanders with their gunmen and the big time landlords. Landlords in coalition with commanders (now often equipped with police ID cards) could take advantage of debt-trapped households by first pushing the price of land down and then by buying up land in large portions. Land concentration in the hands of the resource rich, backed up by semi-criminal and corrupt enforcement structures, could transform landlords into latifundisti, residing elsewhere and controlling their land via mafia-type enforcement borrowed from the gunmen of former commanders. If this tendency is sustained, it would fundamentally change the rural power arrangements that grew from a mix of tradition with the political economy of violence during civil war.

For cynical, minimalist and cost-oriented state builders such an outcome may even be an acceptable option. From a counter-insurgency (or counter terrorist) perspective, an effective ‘mafia’ with state patronage, concentrating and thereby limiting the OPE and keeping tight control over impoverished farmers, is a more attractive option than the loose control which ideologically unreliable former commanders exercise over farmers, who easily shift alliances between patrons.

**Challenging the power of local political elites**

*Risk 4: If political patronage and military protection from official state representatives is withdrawn, the OPE will turn to anti-government groups with enforcement capacity for patronage and protection. The likely candidates are renegade warlords, re-emerging Taliban formations and international terrorist organisations.*

In the first phase of the American led military intervention in Afghanistan, the choice of coalition partners was mainly informed by the logic of firstly defeating the Taliban and secondly the war on terror, i.e. a counter-partisan tactic, combining hit-and-retreat military operations with policing by local proxy. Intense anti-partisan operations in the

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23 In Arbaban village in Shinwar district farmers in need of cash were complaining that they could not sell their land even though they offered it at a significantly lower price than last year. The expectation amongst those able to by land appears to be that the price will fall even further as the economic impact of eradication is fully felt and that land will be increasingly available on the market. This expected process needs to be monitored during the course of the year.
Eastern Provinces and high-profile operations like the unsuccessful hunt for Osama bin Laden around Tora Bora in 2001 did bring a number of local jihadi commanders and warlords into respectable and lucrative positions of official power. As demonstrated above, the power of the gun combined with official office and the material backing of the strongest army in town (the US forces) entrenched control and order, particularly in Nangarhar province. As long as the OPE as the major local economy was not on the radar of coalition backed central state law enforcement, this industry was in significant part at least indirectly under the control of the local strongmen that were at the same time also US allies in the single most important war of that time – the war on terror.\textsuperscript{24}

With the very recent changes in priorities with regard to the OPE on the side of the US led coalition and the central Afghan government this situation might change. Gunman officials interested in keeping their official portfolios might have to detach from the narcotics business for good. If the industry, increasingly under pressure and criminalised, finds itself without patrons it will look for new patrons capable of protecting their interests for a share in the profits. If state officials sustain their recent unwillingness to provide this protection, drug-entrepreneurs may seek allegiances with anti-state organisations possessing their own enforcement capacities. It is unlikely that the central government with coalition support would succeed in swiftly ending the OPE and those alternative enforcement capacities at the same time. A change of direction in the funnelling of resources from the OPE could alter established power relations at provincial and district levels. The established system of control over the rural population could break down. This in turn would encourage conflict escalation.

\textsuperscript{24} Some analysts suggest that the rationale behind relying entirely on the Eastern Council mujaheddin structure had an OPE related twist: the alleged control of this governing body 1992-1996 over the OPE would have provided them with a network of influential people useful for the coalition forces to identify and hunt down, namely Al Qaida and Taliban leaders in that region (Raman 08.07.2002). If this claim is substantiated, the strategy might have failed. According to a high-ranking German intelligence official it failed because (in the case of bin Laden) the network worked the other way round – he could bribe his way out. See Bernstein 12.04.2005.
Part II: the View From the Centre
5 The OPE and Counter-Narcotics Strategies: Interdiction, eradication, persecution and rural development

In Afghanistan, state emergence and law enforcement around the OPE are not necessarily two sides of the same coin; on the contrary, both processes appear to be detached rather than mutually reinforcing at this point in time. Law enforcement is not driven by a realistic assessment of emerging Afghan state potential, i.e. by the political formulation of national interests and the expressed needs of Afghan society. Instead, it is driven by policy priorities formulated elsewhere and implemented - if not altogether by organisations and forces under foreign control - via the central Afghan state. This foreign drive behind controversial state measures, of which eradication is but one example, clearly does not escape the eye of the rural population and appears to be discussed vividly at the village level. The following quote from a tailor in Shinwar district represents a pattern of argumentation which was encountered time and again in interviews:

“There has been drought for about eight years. With my tailoring work, I cultivated some poppy fields; but this year as the government forbade poppy cultivation, I didn’t cultivate the land because wheat cannot meet the costs [of leasing the land]. I don’t own land. I am indebted, too. Thus, I wonder how to pay off the debt. The state hasn’t helped us at all. We were very optimistic for the [presidential] election assuming that a good government would be set up and it would heal our wounds; but they kill us because they grab our livelihood and kill us through hunger. They satisfy their foreign lords and forced us to stop poppy cultivation."

Institutional penetration of rural society by a central state is an endeavour that has failed repeatedly in Afghanistan, either in periods of non-violent disengagement of rural life from urban state emergence or on occasion during violent engagement and institutional breakdown of the state. Put in very simple terms, the success of state emergence, i.e. making state interference in local life acceptable and making state institutions stick, depends on a well-sequenced and well-balanced approach to ‘give’ and ‘take’ (cf. Text Box 3). In the case of contemporary rural Afghanistan, the fundamentals of this deal would read: development and security on the output side in return for law enforcement against an illicit but for many vital

State capacities are defined as the capacity of the state to provide public goods such as social security, physical security and rule of law. A public good is characterised by non-excludability (everybody within the constituency can consume the good, even if he has not contributed to the production / financing of the good) and by non-competition in consumption (the consumption of the common good by an individual does not reduce its worth for another individual). Social security, physical security and rule of law are vital preconditions for stability. For the analysis of conflict it is important to see how many of these public goods are provided by the state. If the state does not provide these public goods, it is important to know whether there are alternative providers.
economy and loyalty to an elected central government on the demand side of the state.\textsuperscript{25}

\section*{5.1 Background: law enforcement and the OPE in the PAL target area}

When we enter remote regions we go in with a strong force of 100-150 men. In advance we request the support of the local khan or other leader. Usually this support works – they are happy to help since they might need the help of the police at a later date.

(Qari Amiri, Deputy Head of Police in Nangarhar Province, interview notes)

Before we can discuss the implications law enforcement activities have for conflict processes in the PAL target region, we need to briefly assess how the significant reduction of opium poppy cultivation in 2005 has been achieved. The following assessment is based on the results of interviews with decision makers and affected farmers at central, provincial and district levels.

First, there appears to be consensus on what had been achieved by March 2005 in most of the traditionally opium poppy cultivating districts of Nangarhar and new cultivating districts in Laghman: a near total halt in cultivation in most districts with the exception of some remote areas close to the Pakistani border (e.g. Achin in Nangarhar) and some areas higher up in the mountains which are either not yet affected by eradication measures or are more difficult to reach for provincial authorities (like Ailingar in Laghman).\textsuperscript{26} The districts in which poppy is expected to be cultivated at the same level as last year appear to be districts marked by generally low authority held by the provincial government.

The official recipe for this success in non-violent and non-aerial eradication is demonstrated in the Counter Narcotics Implementation Plan 2005 of the Afghan Government (Government of the Islamic Republic of Afghanistan February 2005). The document outlines eight pillars of counter-narcotics implementation measures: (1) institution building, (2) information campaign, (3) alternative livelihoods, (4) interdiction and law enforcement, (5) criminal justice, (6) eradication, (7) demand reduction and treatment, and (8) regional cooperation. This strategy, finalised in February 2005, was developed as various aspects of the strategy were already taking effect. These initial activities appear to have been parallel processes suffering from a lack of coordination.

\textsuperscript{25} For an extensive and conclusive line of argumentation giving fundamental state-building and security the priority of the international engagement in Afghanistan see Wimmer 2002, April

\textsuperscript{26} Cf. UNODC March 2005: 11
Hence, the relative success of significantly reduced poppy cultivation in the Eastern Provinces cannot yet be attributed to the integrated, inclusive strategy drawn up only after results had already been achieved. The dramatic reduction in opium poppy cultivation was achieved at break-neck speed against the downside of dire effects on the majority of small farmers and landless wage-labour dependent households. This achievement was possible only by virtue of a two-track process, utilising chiefly informal mechanics of coercion and persuasion.

The first track leads from President Hamid Karzai via the Deputy Minister of the Interior for Counter Narcotics, General Daud, to the governors and police chiefs with their enforcement structures at the province and district levels. In November 2004 the provincial leadership was summoned to Kabul and told that their official position directly depended on their performance in significantly reducing opium poppy cultivation. As far as we know, no demand was made with regard to other aspects of law enforcement activities, like interdiction of opium trade or arrests and persecution of traders and their security providers. This measure, if enforced for one planting period only, mainly hits the livelihoods of cultivators and small traders with no impact on the protected stores of opium. The threat of losing state office at the provincial level did represent a significant incentive for the former mujaheddin commanders and their associates that occupy those positions today to act. There appears to have been a growing understanding that the informal status of the warlord or (jihadi) commander is less secure and in the long run less lucrative than the status of counter-terror or counter-narcotics peace lord with official portfolio.

The second track does not follow a clear line of command but also originates in the presidential office. The thrust of the argument is a moral one but is strongly backed by well-established reciprocal relations of patronage. When Hamid Karzai declared a jihad (persistent struggle) against the OPE two days after his inauguration in autumn 2004 he linked engagement in this industry with a notion of religious sin and collective shame. This speech has been widely broadcast via radio. As part of the counter-narcotics propaganda campaign, the Fatwa of the National Council of Ulema to this effect has been on display in many mosques around the country. More importantly, the local authorities and informal community and tribal leaders who "delivered" the vote in most Eastern Provinces in the presidential elections to Karzai, reminded their "constituencies" that they voted for Karzai's leadership and should now follow court. This line of argumentation was repeated time and again, almost like a canon, in the interviews at the community level. However, granting loyalty is not perceived to be a one-way street; instead, it is perceived as a vertical but reciprocal relationship of dependency that can be revoked by both parties. Compliance with the ban on cultivation is explicitly seen as contingent on the presidency delivering on promises of rapid compensation, alternative income generation and rural development in general. The problem is that (a) these promises made at various levels of government (form General Daud down to district administrators and even village heads / maleks) are unrealistic to be achieved until the impact of all-out eradication is felt hardest and (b) the implementation of the promised programmes are completely beyond the financial
and organisational capacity of the Afghan government and therefore depend on foreign agencies that are not accountable in any meaningful way to the Afghan citizen.

As a result, there is consensus on the fragility of sustaining this immediate success over a period longer than one cycle of cultivation. At this point in time, it is unclear whether the voluntary surrender or involuntary suppression of opium poppy cultivation will be continued when the vital interests of the big time traders and their politico-military patrons will be harmed. Without serious law enforcement and anti-corruption measures targeting the top of the value-adding chain on the provincial level, this would take effect in economic terms only after missing the second harvest period.\(^\text{27}\)

The political fallout, however, could be quicker. If the power of provincial government does indeed depend on their patronage over loyal local leaders, these leaders might withdraw their loyalty. A convenient time for those community leaders to flex their muscles would be the upcoming parliamentary elections in September 2005.

### 5.2 Quick-breeding local capacities

In return for depriving communities in Afghanistan of access to the OPE as one important livelihood strategy, the state has promised to deliver on two common goods: human security and rural development.

Insecurity, both in physical and economic terms, is not (yet) primarily linked to the OPE itself but instead to modes of local governance and social institutions that are not conducive to human security and non-violent conflict processing. With increasing criminalisation and changing patterns of dependency, OPE related insecurity could, however, become a major concern in the future. Thus far, law enforcement, whether conducted by foreign forces or national forces, is perceived to have followed foreign interests (the "war on terror") or particularistic group interests (clan-run border guards or police force) and has been perceived as part of the insecurity rather than part of security as a public good provided by the state.

> Today, many Afghans believe that it is not drugs, but an ill-conceived war on drugs that threatens their economy and nascent democracy.
> (Former Minister of Finance Ashraf Ghani, Ghani 12.12.2004)

Development, on the other hand, is of immediate concern and great urgency in those provinces hardest hit by the successful implementation of the ban. There are three principle tools involved in the counter-narcotics strategy over which the Afghan government has at least some leverage:

1. The new National Solidarity Programme (NSP) prioritises communities in seven poppy growing provinces: NSP is the most sophisticated countrywide

\(^{27}\) Representatives of provincial level law enforcement bodies (police, Ministry of National Security, Counter Narcotics Ministry) were asked for their estimates on the amount of opium stored and, related to this, when they think a consistent ban on cultivation would affect the upper echelons of the value adding chain.
programme with an Afghan state nametag attached to it (Ministry for Rural Rehabilitation and Development / MRRD) that is working in a truly participatory way with communities. The second round of setting up Community Development Councils (CDCs) and issuing block grants to communities (up to 80,000 US Dollars per prioritised project), pays special attention to poppy growing provinces, including Nangarhar. Thus far, most projects implemented via NSP have been, however, infrastructure projects rather than job generation or SME (Small and Medium sized Enterprise) related initiatives.

2. District Development Shuras (DDS) and District Development Plans (DDP): This is a new tool explicitly referred to in the Counter Narcotics Strategy of the Afghan Government. In theory the DDSs should be formed of the heads of NSP CDCs whenever available and otherwise from community representatives appointed by the district governor.\textsuperscript{28} The competencies, responsibilities, budget and institutional relations with district and province level governance structures are yet to be defined cf. Lister March 2005). They should, however, play an advisory (not deciding) role in drawing up District Development Plans (DDP).

3. Provincial Development Committees (PDC): The final say on District Development Plans and Provincial Development Plans has another brand new institution, the Provincial Development Committees chaired by provincial governors. The PDC consists of the representatives of key line ministries, UN agencies, International and bilateral partner organisations, NGOs and PRTs (which are the foreign military Provincial Reconstruction Teams). The procedures, competencies and relations vis-à-vis other government institutions and foreign donor financed programmes have yet to be defined.

\textbf{5.3 Implications for potential trouble ahead}

In the following section, we take a closer look at the characteristics of law enforcement and rural development strategies that have had an expected impact on conflict processes in the PAL target region.

\textbf{Speed and sequence}

Afghanistan does not have the luxury of time for a gradual approach [to deal with the opium poppy economy]. Quick results are needed now. Otherwise the drug-lords will take over and transform Afghanistan into a Narco-State.


\textsuperscript{28} Interview with Omar Sakhel, MRRD Chief Policy Advisor, 16.02.2005
The political weight behind counternarcotics, as well as timing issues related to crop cycles, mean that it is being pushed forward at break-neck speed, often ignoring provincial structures and other government supported initiatives.

Lister March 2005: 8

I have shared this issue with the coalition forces and will convey this to the central government as well: we solved the problem and now nobody is cultivating poppy but if they continue [with house-by-house searches] it will create more problems and may lead to a revolution by the people. At such a time when DDR is taking the guns from the people and at the same time we stop them to grow poppy while expenses for weddings and the like are still pending – when at such a time someone again goes and [forcefully] enters their houses to take out some one or two kg’s [of opium] it means we are actually pushing the people to come and fight me.

(Interview with Haji din Mohammad, 20.02.2005 at the governors office)

The counter-narcotics programme is driven at high speed under UK and US guidance. It is informed by a policy rationale that is far from consensual within the International Community or, for that matter, within the Afghan political establishment, particularly in the provinces. High visibility eradication and law enforcement activity before alternative rural development programmes take effect is advocated by Afghan law enforcement bodies and some US and UK government agencies. However, phased approaches that prioritise sustainable alternative livelihoods and law enforcement against the upper echelons of the OPE over eradication and farmer-level interdiction measures, are widely favoured within the development community and among the political representatives of provincial government. The single most important argument made for the more aggressive approach on the OPE is that Afghanistan simply does not have “the luxury of time” for phased and subtle approaches; the assumption put forward in a number of interviews is that if this war is not won in the next three years, Afghanistan will be lost to drug-lords and the radical anti-Western or generally anti-state forces they will be backing. The pros and cons of this assumption are the subject of the discussion in the concluding chapter of this report. It is a fact, however, that the fear of Afghanistan irreversibly sliding into what is vaguely termed a “Narco State” is driving counter-narcotics operations at this point in time. High-pressure institution building in the counter-narcotics sector aside, the strategies evolving from the narco-state assumption are also pressuring other crucial sectors of state emergence: the thus far German government led training of ordinary police is put under heavy pressure to deliver results more swiftly; the same goes for the thus far Italian government led development of the judiciary system. Even the rushed and thus far under-coordinated establishing of proto-bodies of district self-government (district development shuras) was put in place explicitly to increase local capacities to absorb the significant additional funds made available this year and to soften the effects poppy eradication has on the livelihoods of many rural people.29

29 The establishment of district level development shuras and district and provincial level development plans as part of an integrated alternative development plan entered the initial, law enforcement focussed
The critics of this approach argue that the counter-narcotics programme of 2004/05 has already taken off from the wrong end of the value adding chain (raw material producers) and thus far it rewards those higher up in the production and value-adding chain instead, by co-opting the politico-military patrons of the industry into state positions (see Rubin, Zakhilwal 11.01.2005). While high-ranking Afghan, US and UK officials predict high-profile arrests in the near future thus far, the campaign has stopped short of reaching beyond the local farm-gate, drug-laboratory and bazaar levels. The major donors’ shift in early 2005 towards Alternative Livelihoods and quick impact income measures are seen as too late to counter the damage already done by eradication and planting-suppression measures. Furthermore, the costs involved for sustaining this rushed, undifferentiated all-in-one catalogue of measures for more than one planting season without major setbacks appear immense; major violent setbacks or the withdrawal of the Afghan state from the strategy next year appear likely. In the words of David Mansfield, “Considerable political capital is expended in imposing such hardship on an armed rural population that can shift political allegiances” (Mansfield March 2005: 26).

Last but not least, the counter narcotics measures appear somewhat detached from any grassroots political process within Afghanistan. With the pointed exception of Hamid Karzai’s outspoken opposition to aerial spraying in late 2004, the Afghan central government apparently vests more political capital in coming to terms with the interests of key western allies than in engaging in a sustainable way with its own people. With crucial elections pending during the impact period of eradication, few governments driven by national interests would have taken to target the livelihood of a significant share of the population while having nothing to offer but promises that are not only unrealistic but also way beyond their own capacity and control to implement.

‘The fox in charge of the henhouse’ or ‘On the road to Damascus’?

“It is hard to find Afghans who support [the current eradication] strategy, but we have found one group that does: drug traffickers. [...] The administration's anti-drug policy tries to use force against the profit motive, rather than use the profit motive to support policy. The result is the enrichment of traffickers, warlords and terrorists at the expense of poor farmers.”

Rubin, Zakhilwal 11.01.2005

version drafted by international aids/experts on behalf of the Afghan Government 2005 Counter Narcotics Implementation Plan in late 2004 (See Government of the Islamic Republic of Afghanistan February 2005; Government of Afghanistan 08.12.2004). It has been further refined in the subsequent Alternative Livelihoods Implementation Plan drafted by DfID on behalf of the Afghan and UK government (see DFID 23.03.2005; also MRRD 2005.

30 In an interviews in February 2005 General Daud indicated that high-profile arrests within Afghanistan are unlikely to take place earlier than 2006; a senior US counter-narcotics official promised in an interview with the author a high profile arrest outside Afghanistan already for early 2005, possibly referring to the somewhat hazy arrest of Noorzai in New York in April 2005.

31 See reports on the escalation of violence in Helmand in reaction to the operations of the Central Eradication Force Meo 13.04.2005
In the Eastern Provinces, regional strongmen and their enforcement structures did prove that they are able to “switch off” cultivation, even when this means depriving a large number of households of their livelihoods. The trouble is that nobody we interviewed, including the Western supporters of these regional strongmen, seriously doubted that these power-holders themselves did not benefit from the OPE in the Eastern Provinces and were at least indirectly, as political patrons and providers of security, involved in the business.  

Some senior counter-narcotics officials in Kabul explicitly hailed the performance of the provincial law enforcement bodies in bringing down opium poppy cultivation in Eastern Afghanistan this year. The US led military intervention policing and steering capacities are vested mainly with a number of former mujahedden commanders, some of whom have a history of cooperation with US interests even before counter Taliban and counter Al Qaida operations intensified in the Eastern Provinces. In an interview with the author, one of the leading local commanders in the early ‘counter terrorist’ operations claimed to have changed his activities to commander of a construction business. According to local experts and the complaints of some traders interviewed, he also controls a number of high-value trade operations as a monopolist intermediate trader. Some of the strongmen in charge today have a reputation of impunity, and for arbitrarily using their power to protect their interests and the interests of their clients. The allegations range from the abducting of girls for marriage to protecting the interests of clients that acquired land from villages at gunpoint. Some allegations of abuse have also been documented by human rights organisations (Human Rights Watch 29.07.2003 and the full report Human Rights Watch 2003).  

The moral problem of relying on “gunmen to catch gunmen” aside, there are some very practical risks involved in the central state and its Coalition allies relying on the rule of arbitrary power and impunity to secure their counter-terrorist and counter-narcotics goals in the Eastern Provinces. First, this policy will further lose the hearts of ordinary people and will further convince them that neither the central state nor its Western backers are actually interested in the rule of law. Second, those strongmen could, with some likelihood, produce the same efficiency in kick-starting the opium poppy business again at a time they deem fit and in their best interest.  

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32 These allegations were checked with a number of respondents, including a police general at the central state level and a high-ranking official in the Ministry of State Security at the provincial level. In interviews, other top local officials referred to arrangements they made with cultivators prior to 2005 in a way that clearly showed their leverage over parts of the business. Some analysts looked into the pre-Taliban biographies of these major players and proposed a strong OPE related link ever since CIA and ISI sponsored counter-Soviet operations in the 1980s (see Raman 08.07.2002)  
33 Cf. case studies 11 on page 45 and 22 on page 44
Implementing a counter-narcotics programme that takes off by targeting the weakest part of the industry via the wrong power holders may derail the programme and create perverse incentives: eradication as a starter could work as a price-support programme for traders, protectors and big-time landlords who have the liberty of time in choosing when to produce and sell their product.34

**Broken contracts and false promises**

Our side as a law enforcement agency is to make sure eradication is done and farmers are not cultivating opium poppy. We want to put some 4-5 traffickers in jail from each [poppy producing] province to make an example. [...] The other side is the poverty of the farmers. We, the Afghan state, will do our part, there will be no more poppy cultivation. But what is the responsibility of [...] the big [international and bilateral] donors is to provide alternative livelihoods, alternative crops and development to the farmers, both short term and long term.

(Dep. Minister of the Interior, General Daud, 15.02.2005, interview notes)

[Our community] has a problem. The problem is that everyone knows we had a deal last year with the [provincial] government about the percentage of opium poppy fields we would keep. So everybody knew we have harvested opium. This harvest is with the farmers and landowners at their homesteads. This harvest we have to sell to pay back our debts and to satisfy our daily needs. But today, when we take our harvest to the bazaar we are called drug-dealers and punished. When we keep the opium at home security forces attack and confiscate the harvest and put us in jail. This is a problem for our community and we ask you for your help in this.

(Petition to Haji Nazrulla Baryalai, head of the Organisation of Councils of Nangarhar Communities, read to the author during an interview on 21.02.2005)

Governance in the PAL provinces is largely a matter of the personal authority of leaders. Apart from the executive power of being able to enforce ones will, this authority also depends on the ability of the leader to deliver on promises and protect the interests of clients and followers.

In two separate interviews with the governor of Nangarhar and his brother, the chairman of the Councils of Nangarhar Communities, both gentlemen expressed grave concern about what they described as foreign driven interdiction measures targeting the opium reserves of farmers and small local traders. They argued that farmers accused the provincial government (rightly) of breaking an agreement negotiated and reached during the previous planting period. According to them

34 Having said this, it is also important to admit, that the worst predications concerning soaring opium prices this year have, so far, not materialised. Rubin, Zakhilwal 11.01.2005 Rubin predicted that price levels in April would soar above 600$ per kg and referred to future deals made in January that speculated on such price levels.
community leaders in some main opium producing districts had agreed with the
government to cut back on cultivation by a rate of 30% in 2004. They kept their part of
the agreement. The governor was therefore well aware that they did cultivate opium
poppy last year. Clearly, they did not sell all the harvest that year and kept some
opium as reserve. To fail now in preventing the central state or foreign forces from
searching their compounds on the pretext of looking for opium is breaking the
obligations of last year’s agreement, the interlocutors stated (see also the petition of a
community quoted above and the statement of the governor quoted on page 68). The
main brunt of anger and disappointment is directed against the governor who
negotiated this agreement in 2003. The governor and his brother are clearly
concerned about a loss of trust and respect among the community leaders concerned;
the governor even raised the issue as a matter of urgency with the president.35

While the contractual arrangements with community leaders is more of a concern to
the provincial and central government, unrealistic promises made by local authorities
to convince community leaders to buy into the eradication programme of 2005 is of
direct concern for rural development programmes working in the region. There is a
view among some leading Afghan politicians involved in counter narcotics measures
at national and provincial level that enforcement is a matter for the Afghan side and
compensating with development is the sole responsibility of the international
community, in whose interest the counter-narcotics war in Afghanistan is waged.36
This view appears to have been conveyed as a promise of donor financed
development to community leaders in Nangarhar. The expectation of receiving
“development” that makes good for losses endured from refraining to cultivate opium
are therefore immense and unrealistic. This demand approach, coupled with the
sometimes explicit threat to defect or resist in the next season, is further encouraged
by the ill-prepared and badly communicated initiatives of development agencies
working in the region.37

I told the Minister of Counter Narcotics: You want to compensate [the three main
poppy cultivating provinces of] Helmand, Badakhshan and Nangarhar in return for
eradication measures. It is better to announce straight away that the other provinces in
return are allowed to grow poppy. Everyone knows that Laghman cultivated 60.000 jrib

35 President Karzai did, indeed, bring up this issue in recent statements in which he advocated increased
control of Afghan state agencies over actions taken by foreign forces stationed in Afghanistan (see MEO
16.05.2005). At a press conference at 23rd May 2005 during Hamid Karzais visit to Washington the US
president made it clear, however, that US troops in Afghanistan follow the order of US generals and not
of Afghan officials (see Fletcher 24.05.2005)
36 Interviews with general Daud, the deputy police commander of Nangarhar and the governor of
Laghman in February 2005
37 Two separate “shopping lists” were collected in early 2005 by sending inexperienced local teams into
the villages to collect information on what the villagers actually want in terms of development aid. USAID
collected an immediate needs list with 3037 project ideas and a similar MRRD organised process was
still in the making while the fieldwork for this report was ongoing.
[12,000 ha] opium poppy last year. If we do not receive compensation [in development aid] this year what should I tell the farmers?

(Shah Mahmood Safi, governor of Laghman, interview notes 22.02.2005)

The institutional jungle

There is serious concern over the emergence of parallel structures and stillborn institutions with undefined competences both within and alongside the state (Cf. Lister March 2005). Creating defunct or incompetent institutions of local (self-) governance is potentially very damaging for the legitimacy of the state and could be critical in failing to convince people of the value of democracy and state-guaranteed rule of law. A whole range of institutions is being invented without a clear mandate, without coordination or participation in terms of the principle institutions of the emerging state (legislative, executive and judiciary branches of power at central, regional and local levels). This includes, but is not limited to, (for more detail see table 1):

- Four different branches of counter-narcotics law enforcement agencies, all in theory centrally controlled by different bodies and in theory Afghan operated (however, under the de facto control of US/UK political-military "consultants"); it is absolutely unclear to whom and how these agencies are accountable in their actions against target groups.

- A range of provincial, district and village councils, shuras and committees, all development orientated but without a clear political mandate, defined degree of autonomous decision-making power, budgeting and financing or a legally binding definition of position vis-à-vis each other and towards the central state.

- Public-private partnerships: powerful GoNGOs (i.e. de facto Governmental pro forma Non-Governmental Organisations) that are set up by leaders in an attempt to boost their influence on the emerging state structures and legitimacy among segments of the population. The larger and more influential ones are at risk of copying core functions of statehood (both political and administrative) and performing more efficiently than the resource- and competence-drained state institutions. Examples are the Council of Nangarhar Communities (run by the brother of the Governor of Nangarhar and head of the Abdul Haq Foundation), the Shura of the Ahmadsai tribe and the Shura of the Kochi Nomads (both headed by Hashmat Ghani, the brother of former Finance Minister, now head of Kabul University – Ashraf Ghani Ahmadsai)

Table 4: some of the main central state initiated institutions involved in the implementation of the counter-narcotics strategy of the Afghan Government and the Consultative Group on Counter Narcotics advising it (cf. Government of Afghanistan 08.12.2004)
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<th>Agency</th>
<th>Affiliation &amp; comment</th>
<th>Foreign leads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counter Narcotics Ministry (Minister Qaderi)</td>
<td>Central government, cabinet ministry&lt;br&gt;Newly established ministry that evolved from the Counter Narcotics Directorate</td>
<td>UK</td>
</tr>
<tr>
<td>Deputy Minister of the Interior for Counter Narcotics (General Daud)</td>
<td>Ministry of the Interior; degree of de facto independence from the minister</td>
<td>US, UK</td>
</tr>
<tr>
<td>Cabinet Sub-Committee on Counter Narcotics</td>
<td>Central government</td>
<td>UK</td>
</tr>
<tr>
<td>Counter Narcotics Trust Fund</td>
<td>In the making, affiliation and control are not yet clear</td>
<td></td>
</tr>
<tr>
<td>Central Eradication Planning Cell</td>
<td>Ministry of the Interior</td>
<td>UK</td>
</tr>
<tr>
<td>CNPA = Counter Narcotics Police Afghanistan (Gen. Said Kemal Sadat)</td>
<td>Ministry of the Interior&lt;br&gt;At the time of the research there were 7 functional directorates in 7 provinces (officially in 14 provinces, but 7 were not yet functional)&lt;br&gt;According to the general in charge, the operative capacity of the unit in the provinces is very seriously hampered by the fact that local security chiefs and governors are controlling the flow of information to the centre even within the CNPA. Also, the unit is not yet technically equipped and up to the task. Staffing at the provincial level is de facto overseen by General Daud personally (rather then the responsible deputy Minister of the Interior).&lt;br&gt;According to the 2005 Counter Narcotics Implementation Plan of the Afghan Government, the force should be expanded to 750 officers.&lt;br&gt;According to the same document, national level interdiction capability is to be established within the CNPA with 500 specialised officers, including 200 US trained officers and nine mobile detection teams with more than 100 UK mentored officers.</td>
<td>UNODC, UK, US</td>
</tr>
<tr>
<td>Counter Narcotics Intelligence Fusion Cell</td>
<td>Linked to CNPA&lt;br&gt;no further information</td>
<td></td>
</tr>
<tr>
<td>National Interdiction Unit within CNPA (four units)</td>
<td>CNPA</td>
<td>US</td>
</tr>
<tr>
<td>Central Poppy Eradication Force (CPEF)</td>
<td>At the time of the interview this force was not yet operational.</td>
<td>US</td>
</tr>
<tr>
<td>Afghan Special Narcotics Force (ASNF) (formally under Minister of the Interior Jalali)</td>
<td>Directly answering to the presidential administration&lt;br&gt;According to official sources, this unit destroyed 75 tonnes of opiates, 50 drug laboratories and disrupted 2 opium bazaars by the end of 2004.</td>
<td>UK</td>
</tr>
<tr>
<td>Counter Narcotics Criminal Justice Task Force</td>
<td>This cross-ministerial task force within the criminal justice system is in the making and will include 35 special investigators, 35 prosecutors and 15 judges, all specialised in drug related issues.</td>
<td>UK, US, UNODC</td>
</tr>
</tbody>
</table>
Table 4: Agencies founded on the basis of the counter narcotics strategy of the Afghan Government

| **Provincial Development Committees (PDC)** | Chaired by the provincial governors with the participation of Provincial Reconstruction Teams, main line ministries and main donor organisations. This body is to decide on Alternative Livelihood priorities and strategies, informed by the advice of the District and Provincial Development Shuras |
| **District & Provincial Development Shuras** | At the district level they are supposed to consist of the heads of the CDCs (NSP-shuras at the community level); otherwise members are appointed by the district administrator/governor. Thus far this body's sole function is an advisory role to the PDC on rural development issues. |

The 'rentier state' threat

"Whilst a monopoly of violence may be a precondition for Afghan state-building, the external search for resources to buttress state power, skewed the relationship between state and society. Rentier economies with access to conflict goods do not have to build up a social contract with their citizens."

Cramer, Goodhand 2002: 900-901

"The narcotics industry now equals 60% of legal economic activity. It produces the country's main export. Without macroeconomic support to sustain effective demand and the balance of payments, the currency will crash, prices will soar, and the urban population will suffer along with the rural communities. Such conditions would be as unpropitious for stabilizing the country as the entrenchment of the narco-economy."

Rubin, Zakhilwal 11.01.2005

The emergence of an inefficient, potentially unstable narco-state is not the only serious threat to a viable non-violent future for Afghanistan. There is a clear risk that the Afghan government might be tempted to disengage once again with its society and prefer to leave the financing, organisation and policy of both state-enforcement (security, law-enforcement, institutional penetration) and state-provision (public goods and service provision) to outside or non-state actors. A situation in which the central state is not seen as different from occupying military forces or international consultants in the ministries, poses a problem of legitimacy to state building. A situation in which crucial national output programmes like the National Solidarity Programme (NSP) are perceived as ‘donor-driven’, despite the rhetoric of ‘facilitating partners’ with the ‘main consultant’ on the sidelines and the MRRD in the driver’s seat, would mean that the programme’s main goal – state-building from below – would be in jeopardy.

In interviews conducted with senior Afghan policy and decision makers in the MoI and the MRRD, price tags and time frames for the necessary foreign financed ‘rent on the counter-narcotics policy’ for the Afghan government were floated. The calculation
suggested by the Deputy Minister of the Interior on Counter Narcotics was an annual investment in the Afghan fight against the OPE of 10% of the 35 billion US Dollars spent annually on counter narcotics measures worldwide. The calculation advocated by the Minister of Rural Reconstruction and Development took the volume of the Afghan OPE in 2004 as basis (2.8 billion US Dollars) and suggested two to three billion US Dollars over a period of 7 years, as required to counter the macro-economic effects of a successful eradication of the OPE. This requirement compares to the 5 billion US Dollar annual budget of the ISAF and the 10 billion US Dollar annual bill for the coalition forces in Afghanistan. Both ministers voiced the opinion that Afghan government control over these resources should significantly increase (currently 0.7 billion US Dollars of the 4.2 billion US Dollars are spent via the budget).

Looking at the rapidly expanding institutional jungle around a counter narcotics rationale, shaped and financed by foreign initiatives, the immediate threat to emerging Afghan statehood may well not be the ‘Narco State’, but rather a foreign steered ‘Counter Narcotics Proxy-State’. The legitimacy of Afghan state-building is running the risk of being sacrificed for a quick result ‘counter-narcotics enforcement machinery’ as a detached, foreign equipped and trained, semi-state structure running parallel to the otherwise much more incremental process of Afghan state emergence.

**Local Impact Check I: What Impact Does Counter-Narcotics Law Enforcement have on Conflict Processes in the Target Area?**

"Don’t inform Englishmen and Americans of this matter lest they will forcefully search or attack my house. And if they attack, then my enmity starts with you." It is because four days ago government officials forcefully searched one of his neighbours’ houses and broke all his house concrete and didn’t find any opium in it.

(Minor opium trader in an interview with one of the local researchers, Nangarhar province)

We have stressed the impact which the selective and arbitrary use of district and provincial control and enforcement measures have had on conflict processes in communities. The most problematic impacts identified relate to the entrenchment of relations of patronage, the manipulation of local conflicts for political or financial benefits, and the negotiation of deals with local power-holders on targets and limits of (counter narcotics) enforcement measures according to a patron-client rational.

Apart from local enforcement pressure on the OPE there are three major areas of enforcement operations, some still in the making, that are controlled by central state in cooperation with outside forces but which affect local communities: eradication, interdiction and counter-insurgency measures.
At the time of conducting the fieldwork in February 2005 eradication in the target districts of the research had been achieved mainly by the pressure and persuasion exercised by local authorities. The Central Eradication Task Force had not been in operation in the two provinces at that time. Recent press reports from Helmand suggest, however, that the force is now operational and closely cooperating with private foreign contractors (Meo 13.04.2005). In the reported cases, the force has encountered some violent resistance and eradication measures were put on hold in some places.

Interdiction operations against markets, laboratories, villages and households were, however, a major cause of concern in the Shinwar and Bati Kot districts of Nangarhar (see district maps in the annex) and in Qarghai in Laghman. While locally controlled enforcement agencies (the deputy head of police and the head of the border guards) also claimed to be active in conducting such operations, the major grievance and anger expressed by the people interviewed was triggered by what they perceived as coalition led operations penetrating their private sphere. The expressed anger was directed against the local authorities for failing to protect them against foreign led aggression, against the central government which they perceived as being puppets of foreign interests with total disregard for the basic needs of their own populations and, last but not least, against the coalition forces and representatives of foreign countries in the wider sense.

Information on who in actual fact controls and conducts centrally controlled interdiction measures against targets such as households, markets and laboratories in the region under scrutiny were contradictory. The local perception of not only eyewitnesses but also representatives of the administration and police, clearly felt the measures were either entirely coalition driven or at the least conducted with strong participation from foreign (US or British) troops. The information received at the British Embassy, the leading nation on counter-narcotics measures in Afghanistan, was equally univocal – central interdiction operations are conducted by the Afghan Special Narcotics Force (ASNF, also referred to as Force 333), which is under Afghan command. The operations are conducted by (British trained and equipped) Afghan commandos and there are no foreign officers embedded within those forces.38

In terms of convincing the local population that Afghan long term interests are driving such operations, the perception of people affected is key, and if these are, indeed, Afghan led operations, this message has thus far not been convincingly communicated.

What follows is an eyewitness account of an operation against a number of villages and a district market that took place during the fieldwork in the district of Shinwar:

38 Interview with a senior counter-narcotics official at the British Embassy, 26.02.2005; recent news reports appear to confirm, however, that at least in Nangarhar, US army units themselves are directly engaged in interdiction measures at the community level; see Afghan Islamic Press 26.04.2005.
In the second week of February 2005 I heard the noise of a helicopter when I got up for 5:00 prayer. News spread quickly that the Americans had closed off the qaria of 26th, 27th, and 28th wiala and were conducting house searches for opium. In fact Afghan forces surrounded the villages, one helicopter was hovering above and the house searches were conducted by two foreigners in charge with about 12 Afghan support troops. Some 10-15 houses were searched and in six houses they discovered opium. The foreign troops then moved to the Ghanikhel bazaar. Some people ran away, four of them were caught and arrested. The troops only broke into shops that were closed and left shops open alone. Some opium was found. All the opium was displayed in the village yard, about 60-70 ser (no heroin and no hashish) and burned. The six heads of households in which opium was found and the 4 shopkeepers who were trying to escape were taken to the helicopter and taken away. They were released later the same day and returned home.

The people believe that in the helicopter there is an informant from the village. If he will be identified the villagers would kill him immediately as traitor.

(Interview with eyewitness from Ghanikhel, 23.03.2005 in Jalalabad)

**Counter-insurgency operations** in the Eastern provinces have been ongoing since the fall of the Taliban regime in 2001. Protest and indignation in the past have been connected to operations seen as untargeted or operations that have affected women within the targeted households. The main problem is that the use of force by coalition troops is experienced as arbitrary – accountability to Afghan bodies in any transparent way is non-existent and local citizens who are affected have no possibility whatsoever of seeking justice or protection against unjust treatment by legal procedure. The most visible representatives of countries lobbying for a democratic, accountable state of law are not seen as representing these principles themselves at all. On the contrary, people see that in the fight against insurgents, coalition troops have been forming tactical and strategic alliances with local strongmen who are instead representatives of the rule of the gun not the rule of law. The risk is that to ordinary people in Nangarhar and Laghman the main security concern may appear to be the cooperation between an unaccountable overwhelming foreign force and local strongmen, not the "rebels" against what is locally still widely perceived as military occupation.

Recent reports suggest that serious military operations against insurgents in Laghman have been on the rise again and have led to losses among the coalition troops (NZZ 09.05.2005).

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39 Note: foreign troops are generally referred to as "Americans" in this region. When asked what made him or other villagers think that they were American troops the interviewee explained that he only knew that they were talking in a foreign tongue and looked like Americans – he would, however, not be able to differentiate the US or UK national flag on the uniform.
Conclusions

- **Eradication**: in Nangarhar, the majority of farmers have tolerated the eradication 'contract' this year. Since it is unlikely that the negative effects that this ban has had on many households will be mitigated by quick impact measures this year, a change of strategy for the next planting season is likely. The viewpoints collected in the villages suggest that this change in strategy will include the exit of households to Pakistan or elsewhere, quitting loyalty to the central and provincial government by disobeying (avoiding) the ban, and forceful resistance against eradication efforts by the government. One community leader and former commander pointed to the option of making the free movement of foreigners in the region more difficult next year if the situation does not change.

- **Interdiction**: One key problem with interdiction measures is that there is a lack of coordination between different agencies in terms of who is entitled to do what in terms of interdiction. The interruption of bazaars, the destruction of laboratories and the seizure of significant stores are not the main bones of contention among the people encountered in this survey. The most controversial law enforcement measures are those that target households and village communities in a paramilitary fashion and that penetrate into the private sphere within the compounds. Access to private compounds is a hugely sensitive issue within Pashtun rural society and is even highly restricted for members of the same kin-group beyond immediate relatives. Local enforcement bodies, while selective and corrupt in their application and interpretation of enforcement, tend to respect these essential taboos while foreign and central forces operations are more neutral (or indifferent) to local culture. In societies that link the honour of the family to the capacity and readiness of male members to defend this private protected space (marked by the presence of female household members) the penetration and dishonouring of this space by outsiders is a powerful symbol denoting enmity and hostility. Growing opposition to the provincial government that fails to protect the communities from central state and foreign interference and an escalation of violence against foreigners can easily be fuelled by the image of disrespectful non-believers threatening the honour of households.

- **Counter insurgency**: The military rationale of unconstrained counter-insurgency operations is not compatible with the wider long-term goals of state-building, establishing the rule of law and enhancing the development of rural economies. The image of an impotent Afghan state vis-à-vis foreign military operations and the backing that oppressive forms of local governance receive if they are considered to be of use in the fight against insurgents,
hurts the credibility and legitimacy of the this emerging state. It also hurts the credibility of the (western world) credo according to which the rule of law guaranteed by democratic governments is a precondition for freedom, stability and development in their societies.

- In the household interviews, the respondents were asked which current developments they find most threatening for their communities. The question was open-ended with no pre-selected responses. Of those who agreed to discuss the question (100 respondents), the overwhelming majority of replies were concerned with security related issues. 80% were concerned about the insecurity arising from local arms and gunmen, both within and outside formal state structures. 9% were concerned about the actions of the central state and coalition forces targeting private homes.

Local Impact Check II: What impact do Alternative Rural Development programmes have on conflict processes in the Target Area?

The crucial problem that development programmes in Nangarhar and Laghman face is the lack of institutional capacities to coordinate and absorb the very significant aid reaching the provinces. A part of the problem is the capacity and the capability of government staff on district and provincial levels, as many of them were appointed according to the principle of personal loyalty and patronage rather than principles of ability and efficiency. Another part of the problem is the pressure of time, pushed by a counter-narcotic rationale that is disconnected from development strategies. The pressure to mitigate against the adverse effects of eradication on the livelihoods of farmers by quick-impact measures, feeds into the unrealistic expectations farmers have that have already been nourished by the local administration.

Monitoring the flow of resources under time-pressure is also a problem in a security environment which ranges from difficult to hostile. If the significant flood of money for quick impact measures into the region is not properly monitored, this money will most certainly be pooled by local power holders and their clients. This is a classic bone of contention in conflicts about aid distribution. Lastly, reputation is also a significant problem, for example, by far the most influential development donor, USAID, is embedded with the US forces in Jalalabad and is operating in close coordination with the military. While this does make sense from a military security rational it is also causing security and image problems for other agencies that are working from a less militarised “traditional” development background in close contact with communities. They do not have the privilege of round-the-clock military protection but at the same time bae the risk of being associated with the militarised development machine.
Therefore, there are three main areas encountered during the research that connect rural development programmes to conflict processes. They are (a) capture of assets; (b) conflict over procedure; and (c) association with a controversial military and enforcement rationale.

**Capture of assets**: Four conflicts in the sample of 25 related directly to disputes about control over development aid resources. The conflicts either emerged around allegations of fraud or, more significantly, over attempts to secure infrastructure measures on the territory controlled by one side of a conflict. Conflicts have involved disputes over property rights and entitlements to land in one case over a drinking water pump and in two other cases over the construction of a school. In all these cases, from an avoidable harm perspective, the problem was the fact that the development agency had not managed to identify those issues before project implementation had already started. In all cases the projects came to a halt on account of the conflicts they either caused or fed into.

A further aspect of the capture or misuse of development assets that may have aversive effects for conflict resolution was encountered by the research teams only as anecdotal evidence. A number of villagers complained in interviews that new cash for work programmes were actually being captured by local strongmen – in one case allegedly by the members of the shura and in another case by the local police. The work on the road was being carried out but, according to the allegations, not by the representatives of the local communities involved but instead by clients and relatives of those influential groups. If these cases were exceptions to the rule it would not matter; if they are systemic because projects are (as a result of time and security constraints) routinely under-monitored, it discredits the whole operation.

**Conflict over new procedures**: Conflicts may erupt not only over the material resources which development aid makes available. Fierce conflict can erupt over the rules according to which resources are distributed and access is organised. Since most development aid programmes attach distributive rules to their resources (ranging from community mobilisation to procedures of project identification, prioritisation and administration) development aid interferes with local power structures. As in the case presented earlier, where there was a breakdown of NSP procedures, these new distributive rules need to be protected against “hostile” take-overs by the local way of organising and limiting access. Ultimately, this has to be done by local state institutions, ideally in coordination with the aid-providing agency. If the state is defunct or corrupt, as in the case analysed above, procedures may only be good on paper because they will be vulnerable to and affected by existing power relations.

The introduction of new distributive procedures is connected to potential conflict in yet another sense. They should not copy or duplicate existing and functioning institutions. If, for example, conflicts on the household level are dealt with in a reliable and
accepted way by an existing local procedure there is no need to charge the new CDCs (the so-called “NSP shuras”) with this task. Another example would be cash-for-work measures that duplicate the function of the traditional Islamic institution of hashar. Hashar, or collective community work, could come under commercial pressure in areas that used to be covered by the community free of charge (road repair, cleaning irrigation channels, repairing communal buildings etc.). This would not necessarily lead to conflict but could weaken links between the members of the community that go beyond individual households.

**Lack of distance** from enforcement agencies and problematic forms of local governance: Keeping a visible and credible distance from counter-insurgency and counter-narcotics operations of both foreign troops and Afghan enforcement agencies is an important but delicate task.

USAID is, measured by available resources, clearly the lead donor in the region. Its office in Jalalabad is located on the territory of the US military base and representatives leave this base only under military protection. The principle implementation partner for their Alternative Livelihood projects in the Eastern Provinces with a volume of short over 100 million US Dollars available to spend over a period of four years has rented its warehouse from one of the main regional commanders. In other words, a security rational is clearly informing the dominant development endeavour in the region and this security is sought within military structures and the established system of regional governance.

As the recent outbreak of violence against the local regime and the foreign troop presence has shown other aid agencies – even if they try to keep a distance from politico-military power, they still also become targets. Even worse, since they are not protected by the same powerful enforcement capacities, they appear to be prime targets for anti-government or anti-Western rage on account of their accessibility and softness as a target.

A principle improvement in this situation can be expected only when a change of strategy from a military control rationale to a development focused rationale significantly improves the established mode of regional and local governance in the Eastern Region of Afghanistan.

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40 As has been mentioned earlier there has to be, however, a higher-order decision making body in case parties disagree with the legitimacy of such local decisions.
6 The OPE and Anti-State Forces

"The Afghan opium economy involves three groups: poor farmers, who use cash from opium futures contracts to feed their families over the winter; landowners and traders, who rent land and provide loans against the future harvest; and protectors, including officials, warlords and terror groups, who oversee the trade and export. In the latter two groups are major smugglers and officials. The latter group, not farmers, threatens Afghanistan."

Rubin, Zakhilwal 11.01.2005

"[T]he nightmare scenario [...] is one of an efficient, competitive drug industry increasingly embedded in Afghan society and with low opium prices stimulating world demand. [...] [R]esources for political influence and destabilization would be under fragmented control. Hence there would likely be a pattern of fragmented capture of the state apparatus at the local level and exercise of power by illegitimate drug-financed local and regional authorities."

Byrd, Ward December 2004: 35

The last set of assumptions about the OPE in Afghanistan analysed here for a possible link to conflict processes has thus far been only weakly grounded in the empirical evidence. Nonetheless it appears to be informing the counter-narcotics strategies of leading countries and the central Afghan government more than any other or empirically better founded perspective on the OPE. This assumption is that the drug industry is the single most urgent and formidable threat to Afghan state formation.

In an interview with the author, the Minister for Rural Reconstruction and Development (Hanif Atmar) explained the threat of OPE related state-creation in the following graphic terms:

The Opium Poppy Economy generates 2.8 billion Dollars revenue within Afghanistan. 600 million Dollars stay with the farmers. From farmgate to border 2.2 billion Dollars are generated. This money is used to destroy the state. Roughly one billion Dollars of this profit already finances corrupt government like security forces, governors, ministers. In a very short time drug barons could dominate political institutions like the parliament [to be elected] and sack reformers and pro-western forces in the government. This is why gradual approaches that worked in places like Thailand or Pakistan, where robust state institutions were in place, do not work in Afghanistan and only a shock-therapy can save the state-building endeavour.

(Interview notes of 16th February 2005)

The capture of weak state institutions by a powerful and well-organised drug-mafia, cooperating with other anti-western forces like conservative Islamist and terrorist elements within and beyond Afghanistan’s borders, is one possible scenario of (democratic) state-failure. We may call this the integrated narco-state.

A recent set of documents published by Afghanistan experts at the World Bank elaborate on the narco-state-threat assumption but consider a different model of state
threatening dynamics to be more likely. According to William Byrd and Christopher Ward, dynamics in the OPE in Afghanistan instead point towards a decentralised and competitive criminal economy that captures or corrupts state institutions locally. Hence, from the point of view of national state formation the threat is not so much a hostile take-over of central institutions of government by an integrated narco-cartel but instead the threat is of a patchwork of detached local modes of governance. One possible development would be the capture of district and province level state institutions of government by local drug-lords, possibly with the assistance of renegade entrepreneurs of violence (warlords or commanders left outside the state-building endeavour). This scenario may be referred to as the fragmented narco-state.

Figure 12 illustrates the rational behind both scenarios.

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**Figure 12: Profits of the Opium Poppy Economy (OPE) and risks for the emerging state**

Judging from the situation in Nangarhar, one of the three provinces in which, according to Minister Atmar, poppy cultivation is, indeed, socially embedded, the relations between state emergence and the OPE appear to be slightly different from both the integrated state-capture and the decentralised state capture model outlined above. State institutions at provincial and district levels are dominated not by drug-barons or their political puppets but by former mujaheddin commanders. This is the case not only for the Eastern Provinces but characterises the political landscape of most Afghanistan since the fall of the Taliban.\(^{41}\) The power-base of local strongmen is

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\(^{41}\) For an overview of (former) mujaheddin commanders in governing or policing positions as of 2004 see Schetter 2004

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84
of various sources. Some are somewhat autonomous from the central state; others, like in the Eastern Provinces, very much depend on central state backing and the support of US lead coalition forces. We also find local autonomies, hostile to any kind of outside state interference, within otherwise distinctly loyal provinces; Ghoron in Badakhshan or Achin in Nangarhar would be cases in point. To sustain ones power, to keep a degree of autonomy from attempts by the formally extremely centralised state to extend its power into the provinces and districts, strongmen need to generate resources by plugging into the local economy. If the most important branch of the local economy is the OPE they will certainly tax and control that branch; if control over licit and illicit commodities crossing the border to Pakistan or Iran is the most important resource they will 'own' the border and if it is a Lapis-Lazuli mine, the local strongmen will also participate in that profit.

While the rural economy of Afghanistan at the national level, including the OPE, may be correctly described as competitive (even under-regulated in terms of participation, entrance, exit, mobility) the picture is totally different when one zooms in on the province and district levels. Here we find a highly contradictory picture ranging from the "free" (and usually desperately poor or subsisting) to the "controlled" (and usually much more productive and profitable for those in power) economies. In other words the absence of extractive control over local economies in the Afghan context often is an indication for a lack of interest of local strongmen to invest in extraction simply because the local economy is too poor to exploit. Locally, the power-lock on more productive economic activity does not necessarily hold state office or wear a state uniform. The trend is, however, that local commanders in most parts of Afghanistan today, prefer the position of district governor or security / police commander and to equip their followers with some sort of official identity cards.

The only village we visited where men were openly wearing automatic firearms was a village in Laghman where residents belonged to the same sub-tribe as the police commander; the young men readily produced plastic identity cards indicating that they participated in some sort of foreign sponsored police training in the province centre. Other than this – the card, the Kalashnikov and their tribal affiliation – they had no connection to the official police force whatsoever.

(fieldnotes of author, February 2005)

Thus far it has not been the big time drug-traders or "barons" who are autonomous enough to capture the state; instead, state office is becoming a powerful and attractive resource in the hands of established entrepreneurs of violence in order to tax the local economy. In places where this local economy is dominated by the opium poppy value adding chain, one could argue that the OPE is financing a mode of local government that is problematic for central state building.

However, it would be a misunderstanding to think that the OPE in Afghanistan only finances a vicious anti-state circle of warlords, terrorists and drug-barons. The organisational power of the state can be used to take control over illicit parts of the
economy, not to destroy it but to tap into resources generated by this economy. If these resources are used for private enrichment and the financing of private militias this process would be rightly diagnosed as hostile to the emergence of statehood. If, however, control is established and resources are used to provide collective goods like security, infrastructure, or education to a wide range of people this process could be viewed as some sort of proto-state-emergence, which is at least locally conductive for stability. From the point of view of a weak central government, the provincial proto-state would be seen as more threatening than the illegitimate and exploitive mode of provincial or district governance. The provision of more statehood to significant groups within society by an autonomous provincial government than by the central state — as is arguably the case in Herat — may foster local stability, even domestically-driven development, at the expense of long-term national state emergence.

Since the election of Hamid Karzai as president, the main strategy of the central government in dealing with the provincial autonomous of former jihad commanders and warlords is to co-opt them away from their immediate powerbase into influential and lucrative positions in the central state. Thus far, this strategy has worked well, with significant regional leaders such as Ismail Khan, who established a semblance of statehood in his western “Herat” zone of influence, providing common goods like security and provincial infrastructure with customs and taxes generated and kept locally, now becoming the new Minister for Energy. Also the promotion of the influential commander of Kunduz, general Daud, to one of Afghanistan’s top counter-narcotics enforcer posts, privileged in working hand-in-hand with the top US and UK counter-narcotics officials, has thus far been a success. Appeasing the more intelligent and capable regional strongmen by not only integrating them into the state, but also by offering them credible carrier prospects within the official structures has acted as a powerful incentive.

In conclusion, we think that under current conditions, the major risk for Afghan state emergence is neither an integrated narco-state nor a total failure of central state building and renewed disintegration in all-out civil war. Instead, we think that attempts to establish centralised rule without overt outside interference would lead to strategies of parallel governance, i.e. the central state using extra-legal means ranging from co-opting local strongmen (“buying them”) to physical threat and coercion, in fostering central steering capacity. A gradual withdrawal of international funds and other resources received by the Afghan government as a rent on anti-terror and, more recently, anti-drug state building could motivate the Afghan central state of the future to “nationalise” profits of the OPE. Such attempts appear to have worked in some post-Soviet republics. If this strategy was not successful, the outcome would be ongoing low-level tension and conflict between more or less autonomous provinces and districts that would, however, not challenge the existence of the central state since it is the internationally recognised central state that their relative autonomy is borrowed from. These two possible outcomes are illustrated in Figure 13. A repeat of
Taliban style national integration against the international order or an all out civil war such as that of the early 1990s is very unlikely; it is not and never has been in the interests of the established Afghan political entrepreneurs, including local power-holders. Warlord-breakdown and the underclass-rule of the Taliban were foreign sponsored idiosyncratic accidents to Afghan-style rudimentary statehood.

State-building is always a demanding and threatening process to the established way of life of local communities. In the long run the demands of the state need to be perceived as legitimate, at least by the more influential groups and lobbies within society. Legitimacy of power is a permanent process of providing services and goods in return for what the state demands in terms of loyalty, taxes, obedience to a monopoly of violence and superiority of legal judgement, as well as general changes to the way of life (e.g. shifting gender relations, state-controlled education). This vital legitimacy of state power cannot be achieved if both the demand side (including the threat of coercion) and the supply side (goods and services) are outsourced to non-state (e.g. local strongmen, NGOs) or outside actors (the international community, foreign donors or foreign troops) over a long period of time.
There is one principle source of legitimacy for the power the state can utilise better than internal or external competitors to government: the provision of security and legal procedure as public rather than selective good. Put in place, this adds up to a higher degree of accountability and reliability in regulating access to conflict resources like official posts and other positions of power. This is what potentially provides state power with higher legitimacy than the rule of local strongmen or occupational powers that provide security and fair distributive mechanisms – if at all – as a selective service to loyal clients or otherwise preferred groups.

It is, therefore, crucial that international actors foster a “legalisation” of conflict-processing as well as they can, within state institutions that are accountable to the Afghan citizen rather than to outside powers. The growing perception of a state using force and deciding conflicts in an arbitrary, unaccountable or corrupt way is therefore a very serious obstacle to the emergence of a sustainable state. Perceiving the state as under the remote control of outside interests is a growing problem. Of particular concern are the counterterrorist and now counter-narcotics enforcement activities, locally perceived as foreign driven, arbitrary and beyond accountability to local Afghan state institutions. As long as foreign troops and private providers of violent services operate beyond Afghan law and are not in any transparent way accountable for their actions, it is difficult to imagine how Afghan citizens can develop trust in, respect for and loyalty to the remote central emerging state. The local strongmen that are at least somewhat embedded in society and accountable to some local pressure groups will likely appear to these citizens as the lesser of two evils.

When the Russians came [to the villages] to build roads and plant trees we received them like gods. When they came with tanks and weapons look what happened to them. The Americans and British came with tanks and weapons straight away. If things continue like they are now do you think people like you will still be able to walk around here freely next year?

(Interview with a head of shura and former commander in Nangarhar)
7 Conclusions and Recommendations for PAL

The Project for Alternative Livelihood in Eastern Afghanistan (PAL) is implemented by the GTZ for the European Union in three Eastern Provinces of Afghanistan (Nangarhar, Laghman, and, security permitting, Kunar). The main objective is to enhance the living conditions of the rural population while reducing opium poppy cultivation in the target region.

In this final part of the report we will summarise the most relevant conclusions from the report and extract recommendations to the PAL from that. The recommendations relate to the following subject areas: (1) strategy; (2) implementation & do no harm; (3) security.

Conclusion I: Governance is key and Rural Development or Alternative Livelihood Programmes in the region cannot be politically neutral

The threat of the OPE for state formation in Afghanistan is in part exaggerated. It is exaggerated in the sense that the OPE is not an integrated cartel that produced an autonomous leadership of drug-barons threatening established power structures on national or provincial levels. No drug-baron has yet replaced a commander or governor. A more fundamental threat to sustainable Afghan state emergence is the system of governing by cooption and patronage that was established according to the initial control rational informed by the objectives of the ousting of the Taliban regime and the subsequent war on insurgents. It is this mode of governance, backed to an extent by the control-focussed counter-terrorist rational of a foreign force that is a serious threat to the emergence of a legitimate Afghan state which is accepted and in touch with its own citizen.

In the PAL provinces, it is governance by patronage, devoid of any bottom-up accountability, that locally plugs into the OPE at will and has proven that it can suppress that economy at will, with no regard for the livelihoods of the people affected. Hence, there are two clear conflicts in the objectives for Western-led state building in Afghanistan. The first is the incompatibility of development objectives and the military objectives of unconstrained operations against hostile foreign and Afghan fighters. The second is the simple truth that central control does not equal sustainable state formation: top-down control and stability that has been achieved by co-opting local strongmen, most often former *mujaheddin* commander and former *mujaheddin* governors, undermines the emergence of a state that Afghans can recognise as legitimate.
Recommendations

- PAL has to define its position in relation to emerging local, regional and central state institutions of administration and governance. The identification of bodies that are part of the solution for development problems, as opposed to those defunct institutions that are part of the problem and potentially subversive to rural development goals, is a delicate but necessary task.
  
  o Liaison with the MRRD at central and provincial level should be formalised and expanded.

  o The presence and level of cooperation in the Provincial Development Committee needs to be defined. There is a real danger that this body will be taken over by the governor’s office and/or dominated by the military rationale of Coalition forces in the provinces involved. If this is already the case, cooperation should be strictly limited.

  o PAL should invest in increasing the competence and lobbying power of the newly created District Development Shuras in coordination with the MRRD. When working on community level cooperation with NSP, CDCs must be monitored in earnest since they are the only potentially representative community bodies that are, to an extent, associated with the emerging state.

- Avoid engagement with powerful figures in the state administration that have a violent past and were brought or co-opted into their current position on the basis of a counter-insurgency rather then state-building logic. Cooperation with the office of the governor and, to lesser extent, enforcement structures is, of course, necessary. However, it should clearly be limited to the official functions and competencies those offices provide.

- Identify local institutional and organisational potentials for engaging in a thus far missing political processes (state-society engagement in a political rather than violent, oppressive way)
  
  o Lobby both central and local government to buy into long-term development goals.

  o Political support for PAL strategies needs to be sought in earnest, not as lip service to the government.

  o Check if there are any (embryonic) civil society organisations that are not part of the established governance structure and could be backed in terms of capacity building.

- Invest in building up those capacities for society-state engagement at the district level.
• Identify destructive and obstructive local arrangements of governance and refrain from working with them or strengthening them in any way (through material or non-material support).

• Resources permitting it would be advisable to integrate and train a local “governance navigator” into the PAL team; this individual should have inside knowledge of the power-networks that emerged during the past two decades and should be in frequent contact with decision makers at district and target community level. Analytical capacities should be trained for this position to make it fit to advice PAL leadership on risks and developing threats on time.

• Lobby for a legal mandate and the political backing of democratic, participatory processes in decision making at community and district level.

• Control investment and the conduct of the projects not by proxy, but directly.

Conclusion II: law enforcement which is not informed by realistic development objectives is counterproductive

Law enforcement and the untimely and untargeted eradication measures of 2005 are fostering governance by cooptation and patronage. From the local perspective, the OPE is thus far not a prime area of conflict. Criminalisation of the OPE could change this – the exclusion of farmers and small trades from profit; specialisation; the concentration of resources; and violent internal integration (mafia emergence).

Recommendations

• Keep a marked and visible distance to potentially harmful counter-narcotics initiatives, including law enforcement, quick impact and rushed Alternative Livelihood strategies bypassing Afghan-driven political decision making.

• Stay true to insisting on proper sequencing: alternatives first, eradication last. Law enforcement by foreign forces, their private contractors and a central state that still has to earn its trust with the population cannot start by targeting farmers and small traders. Law enforcement must start at the top of the value adding chain and for the central government and the coalition forces this means redefining the relationship with some powerful allies in the war against the Taliban and Al Qaida.

• Visibility in this strategy is important from a security perspective. The security situation will most likely deteriorate as a consequence of the enforcement and eradication measures taken. Adding to this, the parliamentary elections will be hotly contested in the Eastern Provinces since it is far from clear whether the hand-picked strongmen will be able to deliver the same results to the government as they did in the presidential elections. A marked neutrality with
regard to forces associated with the way those provinces are governed enhances security (though certainly does not guarantee it).

- The break-neck speed set by an enforcement-rationale for quick-impact measures is counterproductive to development. The institutional capacities to absorb the resources in any controlled, accountable or transparent way are missing. It is therefore clearly inadvisable to buy into such measures.

- Bypassing under-capacitated official institutions "in order to get things done quickly" is hurting state building; investment in capacity building and a slower pace of project implementation at the community level is the better strategy.

- Follow up on promising recent approaches to changing the weight and sequence of Alternative Livelihood and law enforcement put forward in Afghan Counter Narcotics Implementation plan, and lobby for an entrenchment of development oriented sequencing and prioritising beyond 2005.

- Follow the development of provincial and district proto-legislative councils (development councils) and the Provincial Development Committee with regard to their efficiency in:
  - Identifying development priorities
  - Engaging state administration and community organisation in a political process.
  - Effectively coordinating development programmes and subordinating donor-particularism under interests formulated by Afghan political process rather than foreign national interest.

**Conclusion III: The development of the local economy and of economic alternatives to the OPE and related dependency requires a change towards accountable and responsible governance**

Parts of the local economy in Nangarhar are power-locked; there is little land-tenure security, entitlements are often ambivalent, power is needed to defend entitlements and patronage informs access to government land. A change of provincial government would therefore again escalate disputes over the distribution of land-resources and access to irrigation. There is no regulated market for land (you acquire or lose land) in Nangarhar and Laghman. Trade, including the drug trade, appears to follow accepted rules and is less vulnerable to conflict escalation than tenure related issues.
Recommendations

- Formalisation of informal market institutions is key: fair credit opportunities and the conversion of accumulated debts via a state-sponsored financial programme. Annulling the debts would send the wrong signal to a widely accepted informal financial institution. Also, a classic micro-credit scheme would not be sufficient to break the salaam trap. The most sensible way out would be a scheme that (1) finances the return of base-credit plus a reasonable, not punitive, percentage return on investment to the credit giver; (2) provides cheap seasonal household credit in the margin of 100-2000 US Dollars (this at least was the span of seasonal credits taken by households in 2004 according to our sample of households). What is essential is that this programme would be state-sanctioned and clearly associated with the central state.

- A long-term solution to tenure insecurity requires a new and binding cadastre registration of private, common and public land. This, of course, is a major endeavour and may meet the resistance of a whole range of actors benefitting from the ambiguous situation today or quite simply those distrustful of central state land registration. The overwhelming majority of respondents did, however, declare that the principle proof of land-titles are state registration documents. This does indicate that legal security still is connected to trust in and demand for state services.

- The development of small and medium sized enterprises must be a long-term priority. Thus far, it is not production but trade that is the main home-grown alternative to on-farm generated livelihoods.

Conclusion IV: backing the legalisation of conflict processing is key

Unreliable conflict regulation is a serious problem for rural development programmes. There is a lack of institutions processing conflicts in a reliable and predictable way. Conflicts tend to be power-locked, open to manipulation and often turn violent. Though a range of communal conflicts are settled by mediation, consultation and jirga-procedures, decisions taken and agreements reached often prove not to be binding. Hence, traditional institutions are no adequate substitute for a legal framework for conflict processing. When parties turn to self-help or outside patronage to manipulate local procedures or break negotiated decisions there is no higher authority that protects and enforces legal principles over brute power.

The emerging state on district and provincial levels has thus far missed this decisive opportunity to foster its legitimacy by providing legal alternatives to self-help and local sub-optimal institutions. Instead, incompetence and corruption are the rule.

The potential of newly invented bodies that resemble first steps towards the institutionalisation of local self-governance and which do offer some procedures of
dispute regulation (voting, prioritising the use of collective assets in the form of development aid) are still embryonic and fragile. Thus far, they have been left in limbo between the status of appendix to international development efforts, a tool for top-down provincial governance and embryonic bodies of community and district self-governance. The role of those semi-official councils in processing non-criminal disputes is undefined.

Recommendations

- Local institutions that regulate disputes through negotiation, compromise or third party arbitration can be a real asset to communal peace; this is, however, conditional on the existence of a higher, state protected authority deciding conflicts in accordance with the law if parties find the decisions of those local institutions unacceptable.

Hence, the legalisation and formalisation of conflict processing by law as a state-protected service has to be (re-)established. This service should not be provided by the representative of the executive power on district or provincial levels. Strengthening district level capacities as service providers also in terms of legal security is therefore important.

Conclusion V: Further research needs

- The risk scenarios outlined in this paper should be tracked, particularly risks related to land concentration, land tenure insecurity and negative coping strategies.

- Unchecked competition about access to and distribution of natural resources was identified as serious cause of conflict escalation. Therefore, the resource base and the way competition is managed should be investigated in target communities. This "conflict resource mapping" should focus on arable land, forest and pasture (if relevant) and on irrigation water.

- Working with standardised questionnaires and structured interviews in order to monitor the impact of project activities on conflict processes (and vice versa) should be informed by the results of qualitative in-depth assessments of risk scenarios. However, even as an assessment tool regularly informing project implementation and programming - qualitative re-assessment on demand might be necessary when framework conditions significantly change or new conflict processes are detected. To reduce the expense of external consultancy, local capacities should be further developed in order to conduct such on-the-spot qualitative assessments of local conflict processes.

- Institutions of government at provincial and district level are evolving. Parliamentary elections most likely bring significant changes to the target
regions. The impact of local forms of governance on development opportunities should always be assessed before investing in local development programmes.

- Developing a checklist of local conflict processing, local modes of governance and institutional capacities available before engaging with communities would be a helpful working tool.

- Before supporting a project, check whom your implementation partner at the community level is representing (a shura may be just be a lobby of the landowning class, the extension of a vertical patron-client network, not representing parts of the community such as semi-nomads, craftsmen or traders at all, or it may be sidelined!).
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