

Peacebuilding and pasture relations in Afghanistan

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This article examines the virtue of attempts to local peacebuilding around issues of pasturelands in Afghanistan. It looks at the value of local empirical research that aims to assess local pasture access regimes to inform peacebuilding approaches that build on local custom. Conceptually, it looks at state-society relations in Afghanistan and proposes the idea of expanding the state to literally encompass its localities, by turning local village councils into public service entities with ongoing responsibilities in pasture management and administration. The argument is anchored both in the technicalities of a peacebuilding approach exercised through the development practice in the context of liberal peace, and in a discussion of the nexus between the state and community that heeds local politics and power relations. The process is illustrated through empirical case studies of local peacebuilding in two villages. It is argued that turning marginal spaces into the state itself in an incremental learning-by-doing approach provides a feasible way forwards to start building peace in Afghanistan.

Keywords: Afghanistan; pasture relations; peacebuilding methodology; land administration

Introduction – liberal peace, local peacebuilding, and the state

‘Peace’, writes Michael Howard, ‘... is not an order natural to mankind: it is artificial, intricate and highly volatile’.¹ Looking at the situation in Afghanistan, the truth in this statement by the British historian becomes quite obvious. In a setting where efforts of building peace are paired with military violence and occupation the deep entanglements of ‘war and peace’ are palpable and felt in the daily lives of a majority among the Afghan population. Global aid institutions as agents of development in Afghanistan protected by the international military have assumed a quite ambiguous role in a process where ‘full-scale armed force has entered the peace-building “tool box” of the 2000s ...’,² and the US-led intervention in Afghanistan and its aftermath has become a prime example about the liberal peace project ‘as a political philosophy of war’,³ and

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¹Michael Howard, *The Invention of Peace and the Reinvention of War. Reflections on War and International Order* (London: Profile Books, 2001), 104.

²Alexander Costy, ‘The Dilemma of Humanitarianism in the Post-Taliban Transition’, in *Nation-Building Unraveled? Aid, Peace and Justice in Afghanistan*, ed. Antonio Donini, Norah Niland, and Karin Wermester (Bloomfield: Kumarian Press, 2004), 143–165.

³Mark Neocleous, *War Power, Police Power* (Edinburgh: Edinburgh University Press, 2014), 7.

the antinomies of development, security, new wars, late modern warfare, and peacebuilding.⁴ However, the question remains what these developments mean for the Afghan people. After all, the Western intervention in Afghanistan lacks behind its promises to improve Afghan lives. On the contrary, there is evidence that livelihoods have even worsened in many rural areas of the country 10 years after the ouster of the Taliban.⁵ At the same time, conflicts in Afghanistan have not ceased at all. On a national level, the insurgency has now spread to virtually all parts of the country including the North that before long was perceived as being immune to Taliban infiltration.⁶ Even more significantly, the level and intensity of local conflicts in the ‘criminalized peace economy’ of Afghanistan⁷ appear to be increasing too, mostly about access to scarce resources particularly land or water, but also about debt, marriage and family disputes.⁸

Against this background, many have argued about the virtue of localised approaches to peacebuilding that in Afghanistan have been implemented only fragmentary and in piecemeal fashion.⁹ Also the recent attempts of the US-military to endorse traditional justice and informal dispute resolution systems in support of military and political goals since 2009 reflect the ‘cultural turn’ in counterinsurgency measures and the military shift to local peacebuilding solutions.¹⁰ Such means of ‘weaponizing anthropology’¹¹ proliferate in Afghanistan through the so-called ‘Human Terrain System’¹² representing

⁴Antonio Donini, Norah Niland, and Karin Wermester, eds., *Nation-Building Unraveled? Aid, Peace and Justice in Afghanistan* (Bloomfield: Kumarian Press, 2004); Mark Duffield, *Development, Security and Unending War* (Cambridge: Polity Press, 2007); Derek Gregory, *The Colonial Present. Afghanistan–Palestine–Iraq* (Malden, MA: Blackwell, 2004); Gregory, “‘The Rush to the Intimate’: Counterinsurgency and the Cultural Turn in Late Modern War”, *Radical Philosophy* 150 (2008): 8–23; Gregory, ‘The Everywhere War’, *The Geographical Journal* 177, no. 3 (2011): 238–50; Florian P. Kühn, *Sicherheit und Entwicklung in der Weltgesellschaft. Liberales Paradigma und Statebuilding in Afghanistan* (Wiesbaden: VS, 2010).

⁵Paula Kantor and Adam Pain, *Rethinking Rural Poverty Reduction in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2011).

⁶Antonio Giustozzi and Christoph Reuter, *The Insurgents of the Afghan North. The Rise of the Taleban, the Self-Abandonment of the Afghan Government and the Effects of Isaf’s ‘Capture-and-Kill Campaign’* (Kabul: Afghanistan Analysts Network, 2011).

⁷Jonathan Goodhand, ‘Corrupting or Consolidating the Peace? The Drugs Economy and Post-Conflict Peacebuilding in Afghanistan’, *International Peacekeeping* 15, no. 3 (2008): 405–23, 410.

⁸Christian Dennys and Idrees Zaman, *Trends in Local Afghan Conflicts* (Kabul: Cooperation for Peace and Unity, 2009).

⁹Colin Deschamps and Alan Roe, *Land Conflict in Afghanistan. Building Capacity to Address Vulnerability* (Kabul: Afghanistan Research and Evaluation Unit, 2009); International Crisis Group, *Peacebuilding in Afghanistan* (Kabul: International Crisis Group, 2003); Matt Waldman, *Community Peacebuilding in Afghanistan. The Case for a National Strategy* (Kabul: Oxfam International, 2008); Matt Waldman and Thomas Ruttig, *Peace Offerings. Theories of Conflict Resolution and Their Applicability to Afghanistan* (Kabul: Afghanistan Analysts Network, 2011).

¹⁰John Dempsey and Noah Coburn, *Traditional Dispute Resolution and Stability in Afghanistan* (Washington, DC: United States Institute of Peace, 2010); Gregory, ‘The Rush to the Intimate’.

¹¹David H. Price, *Weaponizing Anthropology: Social Science in Service of the Militarized State* (Petrolia and Oakland, CA: CounterPunch and AK Press, 2011).

¹²Nathan Finney, *Human Terrain Team Handbook* (Fort Leavenworth, KS: US Army Combined Arms Center, 2008); Thomas Zitelmann, ‘Folgen Der Entwicklungshilfe Reloaded: Das Militär in Der Arena’, in *Auf Dem Boden Der Tatsachen. Festschrift Für Thomas Bierschenk*, ed. Nikolas Schareika and Eva Spies (Köln: Rüdiger Köppe Verlag, 2011), 199–216; Thomas Zitelmann, ‘Ethnologie Im Krieg: Das Human Terrain System und die Darstellung der Paschtunischen “Stammesgesellschaft”’, in *Der Taliban-Komplex. Zwischen Aufstandsbewegung und Militäreinsatz*, ed. Conrad Schetter and Jörgen Klußmann (Frankfurt/New York: Campus, 2011).

a new counterinsurgency doctrine where military success is ‘measured not by the number of enemies vanquished but by the increase in trust and sympathy among native peoples that would wean them away from the insurgents’ influence’.¹³ This is increasingly supported by using ‘money as a weapon system’ and implying a simple logic of friend and foe.¹⁴ However, beyond such military considerations aimed at establishing power and rule there exists no coordinated and coherent approach to address local peacebuilding with a ‘light footprint’¹⁵ and a long-term perspective that builds ‘civil society, strengthens community capacities to resolve disputes peacefully and develops trust, safety and social cohesion within and between communities while promoting inter-ethnic and inter-group dialogue and cooperation with government agencies’.¹⁶

This article examines the virtue of attempts to local peacebuilding around issues of pasturelands in Afghanistan, whose use is often contested and access prone to volatile and recurring conflict in what has been termed the ‘hidden war in Afghanistan’.¹⁷ Specifically, it looks at the value of local empirical research that aims to assess local practices of pasture use and the shape of pasture access regimes to inform peacebuilding approaches that build on local custom.¹⁸ It thereby recognises the fact that pastures are an essential element for social and economic stabilisation in Afghanistan, and that approaches ‘looking for peace on the pastures’¹⁹ need to build on local level strategies that link village and pastoral communities to government agencies in order to establish a trustful relation and to increase the reach and effectiveness of local governance.

The argument of this paper is therefore anchored both in the technicalities of a peacebuilding approach exercised through development practice that relies on workable strategies and is therefore necessarily tied to the broader development discourse, as well

¹³Vicente L. Rafael, ‘Targeting Translation: Counterinsurgency and the Weaponization of Language’, *Social Text* 113 30, no. 4 (2012): 55–80, 56.

¹⁴Marcel M. Baumann and Reinhart Kößler, ‘Von Kundus nach Camelot und zurück: militärische Indienstahne der “Entwicklung”’, *Peripherie* 31, nos. 122/123 (2011): 149–77. The impertinent simplicity of military thinking in this respect is probably best illustrated through a revealing statement of an US-Army commander of the ‘Firebase Phoenix’, given in front of a council of elders in the eastern Province of Kunar and shown in the documentary movie ‘Restrepo’, directed by Tim Hetherington (2010): ‘You, five, ten years from now, the Korengal valley is going to have a road through it that is paved. And you can have more money, make you guys richer, make you guys more powerful! What I need though, is, I need you to join with the government ... And I will pour this whole place with money, and with projects, and with healthcare and with everything’ (scene 14.58–15.21).

¹⁵Astri Suhrke, *The Case for a Light Footprint: The International Project in Afghanistan* (London: School of Oriental and African Studies, The Anthony Hyman Memorial Lecture, 2010); Astri Suhrke, *When More Is Less. The International Project in Afghanistan* (New York: Columbia University Press, 2011).

¹⁶Waldman and Ruttig, *Peace Offerings*, 8.

¹⁷Liz Alden Wily, ‘The Battle over Pastures: The Hidden War in Afghanistan’, *Revue des mondes musulmans et de la Méditerranée* 113 (2013): 95–113; Hermann Kreutzmann and Stefan Schütte, ‘Contested Commons – Multiple Insecurities of Pastoralists in North-Eastern Afghanistan’, *Erdkunde* 65, no. 2 (2011): 99–119; Stefan Schütte, ‘Pastoralism, Power and Politics: Access to Pastures in Northern Afghanistan’, in *Pastoral Practices in High Asia. Agency of ‘Development’ Effected by Modernisation, Resettlement and Transformation*, ed. Hermann Kreutzmann (Dordrecht: Springer, 2012), 53–69.

¹⁸Findings presented here partly build on a project that involved the author of this article. This project was funded by the Asian Development Bank (ADB) and the Department for International Development located at the Ministry of Agriculture, Irrigation and Livestock (MAIL) in Kabul that was carried out in 2007.

¹⁹Liz Alden Wily, *Looking for Peace on the Pastures. Rural Land Relations in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2004).

as in a discussion of the nexus between the state and community that recognises the problematic nature of both these terms in the Afghan context. The former point is used here to illustrate the rationales, empirics and actual technical proceedings of peacebuilding from below. The latter point is conceptually important and connects to debates around the ‘anthropology of the state’²⁰ and the ‘disaggregated state’²¹ where local institutions of governance are identified as functional for ‘everyday forms of state formation’,²² albeit in areas that are conventionally defined through the absence of any state control such as in the Afghan periphery. Contrary to seeing such spaces as ‘holes in the state’, local peacebuilding recognises the complex institutional settings that exist on the local level and aims to incorporate those into what may be termed statebuilding from below.²³ Local peacebuilding around pasture areas aims to arrive at ‘state maps of legibility’ that address what James Scott has described as the exclusion of ‘the fund of valuable knowledge embodied in local practices’²⁴ in most projects of social and developmental engineering, such as those put forward through the liberal peace project in Afghanistan.

However, viewing the state from its margins²⁵ and acknowledging that ‘governance exists where the government does not’²⁶ is particularly relevant in the context of Afghanistan where issues of local governance have long been ignored in the forceful implementation of a liberal peace relying on heavily engineered and centralised governance institutions and frameworks that were installed as part of the peacebuilding and post-conflict reconstruction process.²⁷ However, as a ‘radical agenda of social transformation’²⁸, the liberal peace project in Afghanistan has all but ignored the needs and interests of those placed at the margins where meanings of governance and the state are negotiated rather differently. In a more radical sense, the article lays out procedures for reinventing the Afghan state from its margins through the promotion of local village councils into formalised state entities by assigning them permanent responsibilities in land records administration. This, it is argued, will in fact address two main agendas of liberal peace builders – bolstering the legitimacy of the state and reinforcing the effectiveness of the state²⁹ – albeit in a rather different sense that is not envisaged in the guidelines and ideologies of good governance and liberal peace. However, local practices around pasture use are often not separable from certain forms of domination and

²⁰Aradhana Sharma and Akhil Gupta, eds., *The Anthropology of the State. A Reader* (London: Routledge, 2006).

²¹Akhil Gupta, *Red Tape. Bureaucracy, Structural Violence, and Poverty in India* (Durham, NC: Duke University Press, 2012).

²²Gilbert Joseph and Daniel Nugent, eds., *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico* (Durham, NC: Duke University Press, 1994).

²³Hamish Nixon, *Subnational State-Building in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2008).

²⁴James C. Scott, *Seeing Like a State. How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 6.

²⁵Veena Das and Deborah Poole, ‘State and Its Margins. Comparative Ethnographies’, in *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole (Santa Fe: School for Advanced Research Press, 2004), 1–33.

²⁶Thomas Barfield and Neamatollah Nojumi, ‘Bringing More Effective Governance to Afghanistan: 10 Pathways to Stability’, *Middle East Policy* 17, no. 4 (2010), 40–52.

²⁷Roger Mac Ginty, ‘Warlords and the Liberal Peace: State-Building in Afghanistan’, *Conflict, Security & Development* 10, no. 4 (2010): 577–98.

²⁸M. Duffield, *Global Governance and the New Wars: The Merging of Development and Security* (London: Zed Books, 2001), 12.

²⁹cf. Mac Ginty, ‘Warlords and the Liberal Peace’.

exclusion and characterised by strained intergroup relations. Ways to address those challenges in the creation of a new and shared system of land tenure need strong consideration in order to make local peacebuilding tenable.

The article continues by elaborating on Afghan pasture relations in conflict before analysing a case study combining research and peacebuilding practices that focus on local pasture management in selected areas in the context of Afghan land policy and government land administration. The analysis will focus specifically on the practical issues and challenges of the case study, in terms of lived pasture relations and local power structures and the interrelation between involved actors from Afghan Government, national NGOs, local communities, international aid workers and researchers. It will also provide some insight as to why existing and potentially successful localised strategies around Afghan pastures have been largely ignored by donors and government alike and never been scaled up to address local peacebuilding in a comprehensive way.

Afghan pasture relations in conflict

Pasturelands represent a backbone for the livelihoods of a majority among rural households in the country, with an estimated 68 per cent of Afghan households together raising some 30 million major livestock.³⁰ At the same time, pastures are an increasingly threatened resource in Afghanistan. Somewhere between 45 and 70%, of the country's land area is used for grazing or for the harvesting of bushes for animal fodder or fuel, but access to certain pastures is, today, heavily contested as the site of most unresolved tenure issues in Afghanistan and often the source of volatile conflict.³¹ The truth of this has been repeatedly exemplified by the violent disputes about access to pastures between seasonally migrating Pashtun herders and sedentary Hazara people in Wardak and Bamiyan Provinces, resulting in killings and displacements.³² This specific conflict has its roots in Afghan history when under the rule of the 'Iron Amir' Abdur Rahman Khan (1880–1901) Hazara were violently suppressed and enslaved, and the fertile grasslands of their ancestral homeland distributed and certified among various Pashtun groupings as summer grazing areas.³³ Clashes over land use are not confined to the central highlands but occur in various places fuelled by an overall declining availability of resources. These conflicts are often facilitated through contested forms of legal pluralism when competing written titles for identical patches of land were issued for different groups at different times by different rulers in the wake of war and conflict. Major land grabs by powerful armed strongmen that control access to pastures against payments especially in the north-east add to the problem.³⁴ There also exist forms of community

³⁰Ministry of Rural Rehabilitation and Development (MRRD) and Central Statistics Organisation, *National Risk and Vulnerability Assessment 2007/08: A Profile of Afghanistan*, Cologne: ICON-Institute GmbH & Co KG Consulting Gruppe, 2009, 48.

³¹Alden Wily, 'The Battle over Pastures'; Alden Wily, *Looking for Peace on the Pastures*; Kreutzmann and Schütte, 'Contested Commons'.

³²IRIN, *Afghanistan: Clashes over Pastures Threaten to Ignite Further Conflict* (Kabul: IRIN Humanitarian News and Analysis: UN Office for the Coordination of Humanitarian Affairs, 2007); Khibar Rassul, *Fractured Relationships. Understanding Conflict between Nomadic and Settled Communities in Wardak's Pastureland* (Kabul: Cooperation for Peace and Unity, 2010); Alden Wily, 'The Battle over Pastures'.

³³For details see Liz Alden Wily, 'The Battle over Pastures', 6–10.

³⁴Kreutzmann and Schütte, 'Contested Commons'; Schütte, 'Pastoralism, Power, and Politics'.

pastures that are practiced through local customary law and are also recognised by formal legislation,³⁵ although shape and size of these areas remain unknown beyond the local level and undocumented by government. Lack of documentation and legal protection also leads to conflict over the use of pastures, especially in terms of the widespread conversion of fertile grazing land into low-productivity rainfed agriculture.

Under these conditions, pastoral strategies are characterised by flexibility, dynamic coping mechanisms and adaptive properties in a nomadic-sedentary continuum. People are able to move into sedentarisation and renomadisation in response to changing political, economic and climatic conditions in Afghanistan.³⁶ However, at the same time an exclusionary identity politics persists in conflicts over pasture access that maintains a distinction between pastoralist herder and sedentary farmer.

It appears that many of the problems surrounding pastures appear to result out of missing, unclear or multiple certifications, and the complete absence of pasture user involvement in the development of ways to register rights to pastures in a shared and unanimous manner. The case study analysed below explicitly aimed to address these major shortcomings in pilot-based approaches and involved government, NGOs, international donors and local user communities in a process directed at building peaceful pasture relations through shared systems of land management and administration ‘from the ground up’.

Premises: peacebuilding as gradual process

Local peacebuilding on pasture areas is a consultative process involving a variety of actors whose commitment to the process cannot be presupposed. Historically, the well-being of communities often depended on keeping distance to the state perceived as predatory and oppressive, whereas social protection was largely safeguarded through local solidarity groups (*qawm*) at the community level.³⁷ Also today, state agencies and administrations used to rather extreme forms of top-down polity in the past are often deeply distrustful about the need to involve local communities in governance structures and question their capacities.³⁸ Accordingly, community-based and bottom-up policies and approaches are often adopted only through intervention of international donors and remain largely unnoticed after their formulation.³⁹ Likewise, in light of the multiplicity and regularity of conflicts around pastures and their proneness to violence, the

³⁵Government of Afghanistan, *Law on Pastures of the Islamic Emirate of Afghanistan* (Kabul: Official Gazette 795, Ministry of Justice, 2000).

³⁶Frauke de Weijer, ‘Afghanistan’s Kuchi Pastoralists: Change and Adaptation’, *Nomadic Peoples* 11, no. 1 (2007): 9–37; Bernt Glatzer, ‘Processes of Nomadization in West Afghanistan’, in *Contemporary Nomadic and Pastoral People: Asia and the North*, ed. P.C. Salzman (Williamsburg: College of William and Mary, 1981); Bernt Glatzer and Michael J. Casimir, ‘Herds and Households among Pashtun Pastoral Nomads. Limits of Growth’, *Ethnology* 22, no. 4 (1983): 307–25.

³⁷Marvin G. Weinbaum, ‘Security in Afghanistan: A Historical Perspective’, in *Building State and Security in Afghanistan*, ed. W. Danspeckgruber and R.P. Finn (Princeton: Princeton University, Woodrow Wilson School of Public and International Affairs, 2007), 19–35.

³⁸This has been made obvious during numerous conversations of the author at different levels in Afghan Government. See also A. Wilder and S. Lister, ‘State-Building at the Subnational Level in Afghanistan. A Missed Opportunity’, in *Building State and Security in Afghanistan*, ed. W. Danspeckgruber and R.P. Finn (Princeton: Princeton University, Woodrow Wilson School of Public and International Affairs, 2007), 87–103.

³⁹E.g. the community-based *Policy and Strategy for the Forestry and Range Management Sub-Sectors* (Kabul: Ministry of Agriculture, Irrigation and Livestock, 2006), facilitated by the ADB and FAO.

willingness of different social groups to reconcile their competing interests cannot always be assumed. However, it has been contended that these challenges of reconciliation need to be addressed in locally trialled, practical approaches and in devolutionary and simple ways involving pasture users and public authorities,⁴⁰ allowing experience to be gained, lessons to be learned and methodologies to be adapted. This is in line with broader insights on peacebuilding in Afghanistan after a decade of ‘unlearned lessons’,⁴¹ arguing that ‘Peace will have to be built layer upon layer, district by district, and group by group, in the Afghan way rather than through grand conferences’.⁴² The practicalities of such localised and incremental approaches to the identification and administration of pasture rights work towards the establishment of new forms of working relationships, aiming to bring practical and tangible benefits to the rural people and entailing new and unwonted roles for the Afghan state.

Rural land administration from the ground

The very basic idea for the facilitation of peacebuilding around pastures in Afghanistan is the drafting of shared pasture-user agreements codifying access rights to clearly defined areas, involving all potential user groups, and recording those agreements both at the village level itself and in appropriate governmental agencies. As such, it aims to integrate local village communities into formal local governance structures by providing them with permanent roles and responsibilities as managers and administrators of defined community pastures.⁴³ However, community as important keyword in the vocabulary of culture and society⁴⁴ translates in development theory and practice into the call for decentralised participation that ‘turns on the purported powers of self-governing communities’.⁴⁵ This also evident in the nationwide ‘National Solidarity Programme’ (NSP) through which a majority of Afghan villages have elected so-called Community Development Councils (CDCs) as their representation in an attempt to initiate what is euphemistically called community-driven development.⁴⁶ The NSP is widely represented as a big success in Afghanistan’s rural reconstruction in terms of

⁴⁰Liz Alden Wily, *Rural Land Relations in Conflict: A Way Forward* (Kabul: Afghanistan Research and Evaluation Unit, 2004).

⁴¹Martine van Bijlert and Sari Kouvo, eds., *Snapshots of an Intervention. The Unlearned Lessons of Afghanistan’s Decade of Assistance (2001–11)* (Kabul: Afghanistan Analysts Network, 2012).

⁴²Ahmed Rashid, *Pakistan on the Brink. The Future of Pakistan, Afghanistan and the West* (New York: Viking Penguin, 2012), 136.

⁴³The practice of devolutionary approaches to peacebuilding and pasture management has been trialled in different areas of Afghanistan, with slightly different methodologies. Cf. Liz Alden Wily, *Recommended Strategy for Conflict Resolution of Competing High Pasture Claims of Settled and Nomadic Communities in Afghanistan* (Kabul: UNEP, 2009); ADB, *Islamic Republic of Afghanistan: Capacity Building in Land Policy and Administration Reform* (Kabul: Asian Development Bank, 2007); ADB, *Islamic Republic of Afghanistan: Community Based Approaches for Rural Land Administration and Management in Afghanistan* (Kabul: Asian Development Bank, 2008).

⁴⁴Raymond Williams, *Keywords: A Vocabulary of Culture and Society* (London: Fontana Press, 1976).

⁴⁵Michael Watts, ‘Antinomies of Community: Some Thoughts on Geography, Resources and Empire’, *Transactions of the Institute of British Geographers* 29, no. 2 (2004): 195–216, 196.

⁴⁶Hamish Nixon, *The Changing Face of Local Governance: Community Development Councils in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2008).

developing new decision-making mechanisms at the village level, but has also been frequently questioned in terms of its impacts and proceedings.⁴⁷ As a government programme directed at creating CDCs as new village decision-making bodies, it nevertheless provides a viable and for practical reasons even mandatory entry point for local peacebuilding activities. This is in spite of the programme changing the principles of village social organisation in a non-customary way and largely ignoring local power relations in the competition over scarce resources,⁴⁸ which needs addressing in peacebuilding activities centring around CDCs.

More generally, however, community remains a problematic term in itself that seemingly evokes an egalitarian local life without conflict, distrust or resentment. In Afghanistan, use of the rather complex local term ‘*qawm*’ helps to bring some depth to what the notion of community may entail in the Afghan context. The term is used to ‘... describe any segment of society bound by solidarity ties, whether it be an extended family, clan, occupational group or village. *Qawm* is based on kinship and patron-client relationships; before being an ethnic or tribal group, it is a solidarity group, which protects its members from the encroachments of the state and other *qawm*, but which is also the scene of internal competition between contenders for local supremacy’.⁴⁹ As a ‘flexible concept allowing for strategic manipulations of identity’⁵⁰ and with its ‘porous and flexible boundaries’⁵¹ the term *qawm* essentially resembles what is meant when talking about local communities as the central nodes for local peacebuilding through their formal integration into structures of local governance. However, although the *qawm* as a network and the village as specific territory very frequently correspond, this is not necessarily so and in any particular village there may exist more than one *qawm*.⁵²

Given these premises, the rationale behind enabling rural land administration from the ground is to encompass local communities into government by developing them into formally recognised public service agencies at the village level, in order to (i) further acceptance of the state and its authorities at the local level, (ii) to clarify and register pasture rights at the village level as well as in appropriate governmental agencies and make them readily accessible for local user groups, (iii) to develop village communities into the basic land administration body of the country in a staged approach, and therewith to (iv) contribute to the sustainability of the NSP by assigning CDCs with new and permanent roles and responsibilities.

These are large and ambitious goals confronted with many challenges in the context of a contested and conflict-prone political economy of pasture use. Practically, they rest

⁴⁷Jennifer Brick, *The Political Economy of Customary Organizations in Rural Afghanistan* (Madison: Department of Political Science, University of Wisconsin, 2008), 1. Alessandro Monsutti, ‘Fuzzy Sovereignty: Rural Reconstruction in Afghanistan, between Democracy Promotion and Power Games’, *Comparative Studies in Society and History* 54, no. 3 (2012): 563–91; Mary Beth Wilson, *Impacts of Participatory Development in Afghanistan: A Call to Reframe Expectations* (Berlin: Klaus Schwarz Verlag, 2013).

⁴⁸Monsutti, ‘Fuzzy Sovereignty’, 573; Brick, *The Political Economy of Customary Organizations in Rural Afghanistan*, 11.

⁴⁹Olivier Roy, ‘Afghanistan: Back to Tribalism or on to Lebanon?’, *Third World Quarterly* 11, no. 4 (1989): 70–82, 71.

⁵⁰Richard Tapper, ‘Ethnicity, Order and Meaning in the Anthropology of Iran and Afghanistan’, in *Le Fait Ethnique En Iran Et En Afghanistan* (Colloques Internationaux) ed. J.-P. Digard (Paris: Éditions du CNRS, 1987), 21–34, 27.

⁵¹William Maley, *The Afghanistan Wars* (New York: Palgrave Macmillan, 2002), 8.

⁵²Olivier Roy, *Islam and Resistance in Afghanistan* (Cambridge: Cambridge University Press, 1990).

on the willingness of government and village communities to cooperate and coordinate, involving as it does rural households, community councils and a number of government institutions at national and subnational levels working together on a contentious subject. In any such arrangement, timely and complete contributions from all these institutions are vital.

The achievement of such objectives is very much dependent on workable methodologies assessing the existing local practices as the basis for peacebuilding activities directed at community management of land records in a network of diverse actors and agencies. The concrete procedures and activities are illustrated by focusing on the examples of pastures belonging to particular villages in the Northern Provinces of Takhar and Kunduz.

Ethnographies of peacebuilding: actors and agents

The case study on community-based approaches to land administration involved four major groups of actors – local village and pastoral communities, the Afghan Government and its land-related departments, an Afghan NGO and international donors. Performances of these groups vary and included ritualistic components such as holding workshops bringing all groups together and report writing to document findings, proceedings and progress. When rituals in an abbreviated sense are seen as ‘embodying the essence of culture’⁵³ then holding regular workshops and conferences or writing reports to demonstrate impact form essential part of the culture of good governance. However, rather novel approaches for the Afghan context included the incorporation of social research to examine social practices around pasture use and a general fieldwork-based approach that aimed to bring the different groups together not only in the ritual space of a workshop but also on the ground. This has been perceived as a critical step in light of the ambitious goals put forward, which is however complicated by the bureaucracy and prevailing top-down organisation of involved governmental agencies and the multiplicity of formal responsibilities around land issues. Consolidation of responsibilities has been partly addressed by the establishment of the ‘Afghanistan Land Authority’ in 2010, connected to the MAIL and working as the successor of the Amlak, i.e. the ‘General Directorate of Land Management’. This new office is however largely concerned with attracting agricultural investment through the lease of government land, and it remains to be seen if planned land inventories through the proposed establishment of ‘Land Information Management Systems’ will be transparent and recognise the rights of local user groups to pasturelands. Surveying and recording has been traditionally the domain of the Cadastral Survey Department, formally connected to the Afghan Geodesy and Cartography Head Office, and activities around land improvements rest with the General Directorate of Natural Resource Management as a department of MAIL, and specifically with its Forest and Rangeland Directorate. This multiplicity alone represents problems of sharing and coordination and required cross-cutting official hierarchies and ensuring the support of ministers, directors and department-heads and the allocation of field staff from relevant offices, both at central and province level. Such facilitation of support was the task of the project team working as representatives of the donor agencies and consisting of local and expat members, and went along with making the project rationale viable in higher echelons of government

⁵³Nicholas B. Dirks, ‘Ritual and Resistance. Subversion as a Social Fact’, *Comparative Study of Social Transformations Working Paper 16* (Ann Arbor: University of Michigan, 1988), 2.

and actually preparing local ground-level government staff from the provincial cadastral survey office, the Amlak, and Rangeland Directorate for cooperation in the field with local village communities as equal partners. These activities correspond to the proposed shift in the role of government, from direct involvement in pasture management to one which features supporting, facilitating and coordinating roles. Implicit in this is the expectation that local pasture users will assume greater measures of pro-activity and commitment in organising and implementing improvement of rangelands.

However, clarification was needed as to the presence of different *qawm* or tribal groups in a village territory and their modes of cooperation, as well of institutional and operating relationships between established *shuras* (council of elders) embodying the customary way of community representation in Afghan villages, and the now formalised and non-customary CDCs elected through the NSP-process. The CDC by-law,⁵⁴ in clause 33, allows for the elected CDCs to assume responsibility for things like land records administration, although it does not mention that responsibility specifically. There also is a temptation to assume that the CDC and the *shura* can be regarded as one and the same, and in some villages that situation may be effectively the case. In others, the *shura* and CDC appear to exist, side by side, but in some respects with separate agendas and different groups of people involved. The issue at stake here is the achievement of a proper and viable integration at the village level, which covers both the clarification of village institutional responsibilities and the gaining of experience by CDC representatives of knowledge and experience in land records administration.

Facilitation of the entire process involved an Afghan NGO with experience in community mobilisation. As brokers between government with lack of experience in community development and CDCs that need to develop new skills and capacities for pasture land management and administration, the mediating role of NGOs has been important. Now, involvement of foreign and local experts and NGOs perceived as representing civil society is part and parcel of the liberal peace project, and the role of NGOs in the peace and development process in Afghanistan is highly ambiguous.⁵⁵ In the current project, the term community mobilisation needs to be seen in a literal sense, which may become obvious when comparing it with the experiences in the nationwide NSP-process. There, local and international NGOs were termed so-called ‘facilitating partners’ who in the process were quite literally substituting the government and whose mobilising role essentially was reduced to organising elections of the CDCs and support the implementation of largely infrastructure projects. In contrast, local peacebuilding on pastures needs NGOs to mobilise community councils in *becoming* the state. The major roles of NGOs are as a mediator between village communities and government agencies and as a supporter that helps CDCs to develop into formalised government entities. Mobilisation means here facilitating a rather radical transformation process of filling the ‘holes in the state’.

The interplay between these four groups of actors in the field was characterised by cooperation and consent, but also diversity. Generally, local pasture users across ethnicities and areas highly appreciated the ideas put forward by the project team, and so did local government staff across departments, many of which worked together with their colleagues from other land-related departments for the first time. Furthermore, all

⁵⁴Government of Afghanistan, *Community Development Council's by-Law* (Kabul: Islamic Republic of Afghanistan, 2006).

⁵⁵Antonio Donini, ‘Local Perceptions of Assistance to Afghanistan’, *International Peacekeeping* 14, no. 1 (2007): 158–72.

involved government staff admitted to seek community advice and cooperation for the first time in their working lives. As such, actual fieldwork in pilot villages as laid out in the following section was carried out rather smoothly, with village representatives actively encouraging government and NGO staff to cooperate and share experiences. The project team largely remained in a remote monitoring role during this process and in parallel continued working on some more problematic aspects, especially seeking the consent and understanding of central government actors in Kabul as well as working out the manifold legal ramifications of the novel project ideas of active devolution of powers and responsibilities.⁵⁶

On the whole, bringing the different actors together has proven to provide workable solutions and demonstrated the principal feasibility of local level peacebuilding on pasture areas. In the process, an important distinction between ‘legitimate’ and ‘valid’ holders of rights to land had been encouraged. People may hold rights to land based on valid documents produced according to legal rules whereby people acquire rights to land, or decrees of sovereigns in the past. People also may hold rights to land based on the community views as to the legitimacy of these rights according to local customs and beliefs. Formally, valid rights may be supported by community customs, and customary rights may be supported by formal documents. The emphasis in consultations with both mobile and settled communities is on reaching consensus among community stakeholders as to whom they accept as the legitimate holders of rights to pasture lands, subsequently verified by regional consultations with governmental stakeholders about the lands concerned. This approach highlights the notion of shared agreements about rights to pastures, which are at the heart of the entire process and shall present communities with new and shared documentation of their user rights to be registered both with themselves and with government agencies.

Peacebuilding procedures: encounters

Community consultation for reaching agreements about legitimate users of pasturelands has been tested by implementing a straightforward, simple and localised approach in the field. Obviously, the first step is to ask for local cooperation by approaching the village council. This first encounter involved a cadastral surveyor, a staff member of the local rangeland directorate, and an experienced community mobiliser working in a mediating role and explaining the project rationale and proceedings. Here, the notion of shared agreements as new and formalised documentation about user rights is already introduced, aimed at replacing and superseding all prior documentation that may have been acquired under different legal systems in the past. This corresponds with the high value that is laid on written certification in Afghan society, where the acquisition of tangible proof through official papers and their registration in appropriate offices is perceived as a major means to ensure tenure security. This has been made evident during community consultations and is also exemplified by current social and spatial practices, e.g. in the example of Pashtun mobile pastoral groups from Kunduz who have obtained title documents to pasturelands in Badakhshan issued by the Afghan King in 1951. These documents, albeit unregistered, contain detailed boundary descriptions of certain high mountain pasture areas for their exclusive use, and people carry this document

⁵⁶Yohannes Gebremedhin, *Land Tenure and Administration in Rural Afghanistan: Legal Aspects* (Kabul: Asian Development Bank, Department for International Development: Project Report: Afghanistan Capacity Building for Land Policy and Administration Reform, 2007).

with them ever since although today the ancestral summer pastures are now under the control of powerful Tajik commanders and access is only possible via large cash payments.⁵⁷ At the same time, the shape of such documents serves as an example for the drafting of shared agreements which need contain specification of the pastures in question. As such, the second and crucial practical step is the delineation of pasture boundaries that belong to a certain village community. In the case-study project, the delineation of boundaries has been done physically on satellite imagery containing the areas as well as in a description of the boundary in writing. While the virtue of using sophisticated technology required to obtain, print and digitally store satellite data is debatable, the unanimous and detailed description of boundaries is a necessity and has been used and also tested successfully in a comparable project.⁵⁸ Delineating boundaries involves substantial fieldwork and extended boundary walks, and enables government actors, social researchers and facilitating staff from NGOs to learn about and appreciate the established social practices and customary principles around pasture use and access regulations. These tend to be diverse and are briefly illustrated for two village settings in Takhar and Kunduz provinces, respectively. Fieldwork in these selected villages was carried out by the author and the project team as integral part of the peacebuilding approach. Findings are complemented through information gained in two subsequent individual periods of field research in the same villages carried out in 2008 and 2009.

Practices: pasture boundaries and rules of access

Peacebuilding on pasture areas starts from officially registering what is practiced social custom. The user rights to community pastures in the case-study village located in the Ishkamesh district of Takhar province are exercised by villagers and controlled by the community council (CDC as elected through the NSP process) that consists of all important customary institutions at the village level, i.e. the mullah as religious authority, the *arbab* as village chief, teachers, respected elders and former commanders that have gained reputation during the *jihad* against Russian occupation and the Taliban advance to the North during the 1990s. As such, the non-customary CDC and the customary village council (*shura*) bear quite a resemblance and in the case of this particular village the one has been replaced with the other without bigger changes. In social practice, the pasture access regime controlled by this body works in a rather sophisticated way. Clear and unanimous boundaries of certain pockets of pasturelands are established belonging to specific and extended family related groups that practice animal husbandry and together make up the village community, entirely consisting of people that position themselves as Tajik belonging to the *qawm* of *gudri*. Oral history of the founding period of the village tells that nine original dwellers and their families

⁵⁷Cf. Schütte, 'Pastoralism, Power and Politics'. The issuing of pasture titles is an example of Pashtuns being favoured through state policies during the rule of the Afghan Kings. This is also evident in the making of the Kunduz oasis during the 1930s, where Pashtun settlers were given preference in land distribution and infrastructure, e.g. vis-à-vis irrigation canals, cf. Thomas Barfield, 'The Impact of Pashtun Immigration on Nomadic Pastoralism in Northeastern Afghanistan', in *Ethnic Processes and Intergroup Relations in Contemporary Afghanistan*, ed. Jon Anderson and R.F. Strand (New York: The Afghanistan Council of the Asia Society, Occasional Paper No. 15, 1978), 26–34.

⁵⁸Cf. Alden Wily, *Recommended Strategy for Conflict Resolution of Competing High Pasture Claims*.

established residence in the area and divided the proximate pasture areas amongst themselves. Those family groups that possessed larger amounts of livestock established access to multiple bounded pasture areas, which in some cases and over time were subdivided to accommodate extended progeny. Today, these pasture areas are still referred to with the name of a common ancestor. The boundaries of these pasture pockets have been established and unanimously agreed upon inside the village but also with neighbouring village groups who exercise similar systems for different pastures. Exclusivity of access rights refers to the fertile spring season from March to May, when after sufficient rains grass is abundant. During the rest of the year, when pasture resources are limited everybody is free to use all village pastures. In addition to these specific pastures, there are two separate areas referred to as *qawmi*, i.e. pastures that can be used by all villagers all year round and that are located in the immediate and more easily accessible surroundings of the village (cf. Figure 1).

These practices have been recorded by the field teams in consultation with villagers and certified through the drafting of community agreements that carry the signature or thumb print of all potential users as well as village representatives and third party witnesses to the process. The agreement forms specify who has what rights for what uses to what rangeland parcels for what times of the year. In practice, this means that consultations with neighbouring communities as well as mobile pastoral groups are necessary to arrive at a document that records *shared* agreements. In the study village, this happened through involvement of groups from neighbouring villages with adjacent pasture areas and the local *gujar* population who as recent arrivals in the area⁵⁹ are refrained from exercising rights of direct access to pastures but work as paid shepherds and livestock breeders for individual village households and in the process are allowed to graze their own animals on community pasturage.

Local power structures become palpable here as *gujar* were viewed with suspicion by established groups right from the beginning. As latecomers in an already populated area, territorial competition led to their marginalized and precarious social and economic position in the social setup of Ishkamesh, a fact which was further compounded through their role as mercenaries for the Taliban during their advance to the North in the 1990s.⁶⁰ Social stratification is however also prevalent among *gudri* themselves as a majority of the village population does not possess any significant livestock. However, access of households with smaller numbers is made possible on those parcels designated as *qawmi*. As such, safe pasture access is safeguarded for those with larger livestock properties through shared customary arrangements.

Similarly, access to pastures in the Kunduz oasis (Figure 2) has been recorded on shared community agreements in the residential village of two Pashtun pastoralist groups (*Baluch*, *Achekzai*), where the notion of *qawm* is sometimes used as synonymous for the tribal group (*khel*). The village is an example where territory and tribal networks overlap and the local CDC is made up of both resident social groups. Also here, village notables and elders are represented in the council, but also younger and eloquent persons that had to struggle for their position vis-à-vis the customary power holders but have achieved status because of their learnedness. The village itself is located at the heart of the anti-Western insurgency in the volatile Chahar District and

⁵⁹Daniel Balland, 'Nomadic Pastoralists and Sedentary Hosts in the Central and Western Hindukush Mountains, Afghanistan', in *Human Impact on Mountains*, ed. Nigel J.R. Allan, Gregory Knapp, W., and Christoph Stadel (Totowa, NJ: Rowman&Littlefield, 1988), 265–76.

⁶⁰Stefan Schütte, 'Livelihoods in Scarcity. Combined Rainfed Farming Systems in Ishkamesh, Afghanistan', *Erdkunde* 67, no. 3 (2013): 223–39.

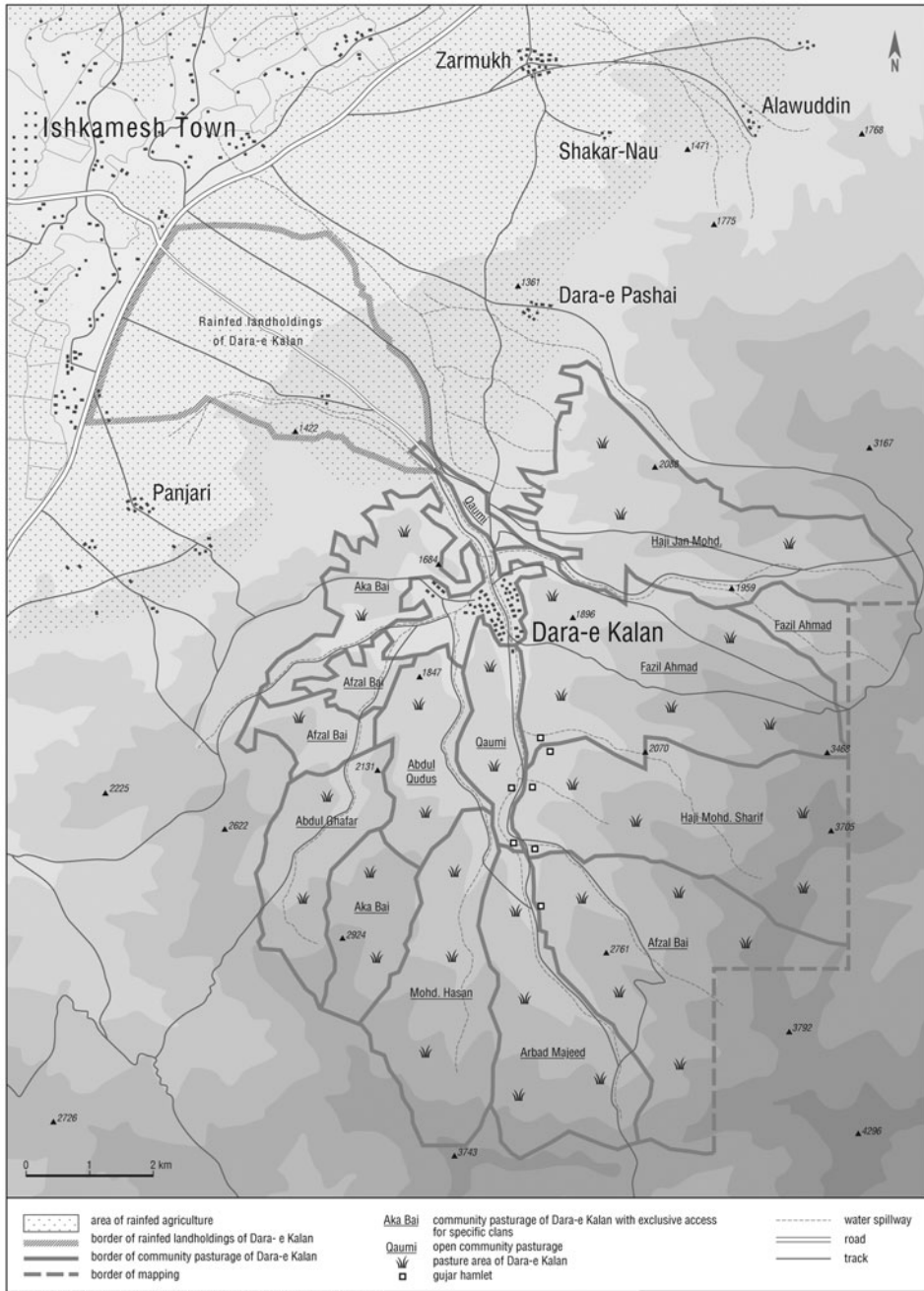
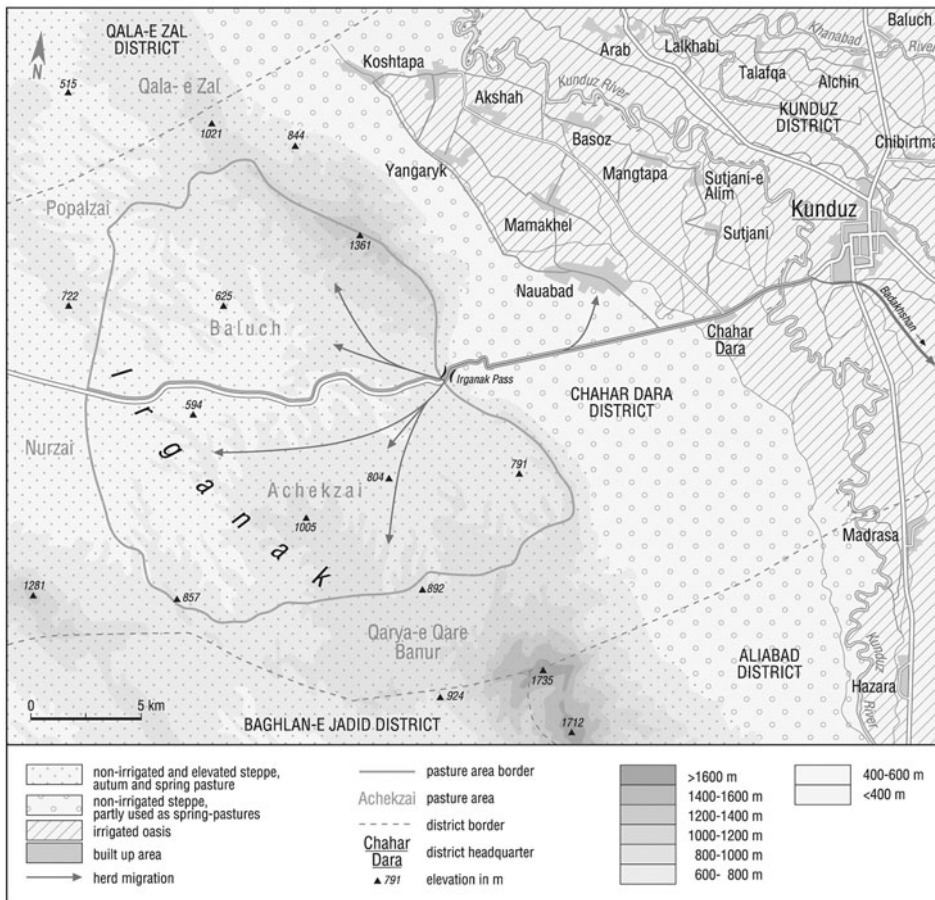


Figure 1. The local resource system of the study village showing the location of its rainfed landholdings and the areas of community pasturage that were mapped together with villagers. The names of clan chiefs refer to the holders of access rights to defined pasture areas over a certain time period. Note that the boundaries of the eastern parcels of pastureland belonging to the village have not been defined exactly, as illustrated through the dotted line.

was prone to Taliban infiltration. Consequently, the German military sought to establish a village defence organisation as counterinsurgency strategy, but people politely declined to act as agents for the international mission. Peacebuilding strategies in terms of pasture use were nevertheless successfully trialled in the area.

In terms of using pasturage, social custom is based on a clear definition of space and territory that is built on tribal affiliation. Certain pockets of pastureland are subdivided through a customary concept referred to in Pashto as *mena*. Literally meaning tent or locale, the term refers to a clearly defined geographic area of pastureland for which the exclusive user rights rest with a specific clan of herdsmen. The shape of *mena* and the location of their boundaries are orally transferred from generation to generation, with the size of each area originally determined by the size of an individual household or clan's herd. However, in the view of Pashtun pastoralists, a *mena* represents not only a specified area, but also a system of rights. People do not claim ownership of the land in question, although the long duration of usage, stretching over many generations, does resemble something like it. Importantly, the shapes and boundaries of



Source: topography based on Generalny Stab 1:50000 Topographic Series 1984-1986

Design: Schütte, cartography: Hilberer

Figure 2. Location of the study village in the Kunduz oasis and the nearby autumn and spring community pastures of Irganak.

these areas have been collectively agreed upon by all pasture user groups residing in the extensive Kunduz oasis and recorded on community agreements signed by all parties. A large meeting of elders from all pastoral groups was summoned by *Baluch* and *Achekzai* in order to reach unanimous agreement on the location of boundaries demarcating the respective areas used by each tribal group and documenting rights of access. In doing so, the user communities established clear pasture territories that belong to certain social groups (Figure 2). It is, in fact, the tribal group that claims the right of use to a specific parcel to be subdivided into individual *mena*, illustrating the modes of social organisation prevalent among pastoral groups in Afghanistan.

The example illustrates how customary agreements have created distinct territories and shared rights to pasture areas that are clearly bounded. Prior to their fieldwork, involved government staff had no idea about such practices around localised ‘politics of space’,⁶¹ but the unfamiliar experience of actually working together with pasture users had been appreciated by what have been in fact lower level officials working in provincial offices but with little outreach to their central departments in Kabul. The examples quite clearly show that the ‘national order of things’ is diverse and made up of contested spaces at the margins of the state. The western imagination about building the Afghan state from the top down to eventually encompass everything, with ‘no more externality, nowhere to escape surveillance and mapped out space’,⁶² is rather illusive. Quite to the contrary, the examples illustrate that peacebuilding is to be seen as essentially local, starting from the margins of the state and not from ideologies of liberal peace implying ‘that some degree of top-down imposition of neoliberal norms and institutions is warranted, because doing so represents international standards and the accumulated ‘scientific’ knowledge and best practices of the (Western-dominated) international community.’⁶³ However, the limited connections of the centre with its margins presented problems at later project stages when policy and legal implications became relevant, but during fieldwork the approach had proved to provide workable methodologies and quite successfully brought together low-level actors from government, village and pastoral communities and NGOs.

Devolutions: archiving pasture agreements and planning improvements

The signed agreements and the delineated images or detailed boundary descriptions have been subsequently displayed in a prominent place in the village in order to give community members the opportunity to take due notice and to contest its contents where there are errors, so that possibly a renegotiation of boundaries, the number of its rightful users or any notice of other concerns with the agreements can take place. A representative of the rangeland directorate also examines the agreements and provides official consent. If there appears to exist some problem with the formulation of the agreements, the pasture specialist will present a memo to the village council describing the problem and how to resolve it. This step is important in view of needed government involvement after having accomplished fieldwork and for addressing issues of

⁶¹Akhil Gupta and James Ferguson, ‘Beyond “Culture”: Space, Identity, and the Politics of Difference’, *Cultural Anthropology* 7, no. 1 (1992): 6–23.

⁶²Finn Stepputat, ‘At the Frontiers of the Modern State in Post-War Guatemala’, in *Anthropology, Development and Modernities: Exploring Discourses, Counter-Tendencies and Violence*, ed. Alberto Arce and Norman Long (London: Routledge, 2000), 127–40, 129.

⁶³Cedric H. de Coning, ‘Understanding Peacebuilding as Essentially Local’, *Stability: International Journal of Security and Development* 2, no. 1 (2013): 1–6, 3.

pasture improvements that are envisaged to become the joined responsibility of government and communities. The same holds for the archiving of the agreements, where multiple copies have to be stored at multiple locations. Most importantly, the establishment of a village-based land office run by selected and remunerated community members under the supervision of the community council presents the novel idea that shall improve structures of local governance in Afghanistan and cooperation with government agencies. Here, the basic body of rural land administration is to be located at the village level and connects to the governmental rangeland directorate, the cadastral survey and the Afghan land authority as holders of further copies of the fieldwork-based agreements.

Recording and registering consensual pasture rights for certain groups of people to clearly defined areas starting at the village level presents a new way of formalising access rights. This shall help to prevent and solve conflicts between different user groups and better connect Afghan villages to the government by turning community councils into official governance bodies with ongoing responsibilities as administrators and managers of their own land. Subsequently, when access and user rights are defined and agreed upon between mobile and settled communities and the government, responsibilities for pasture improvements can be defined and people made accountable. Given that overuse and ecological degradation of many pasture areas in Afghanistan presents critical problems, ways to think about improvements connects local peacebuilding with resource management practices.

The project envisaged the preparation of pasture improvement plans following a simple step-by-step procedure conducted separately for each parcel of pasture land, by the legitimate users of that land, and facilitated by locally based field services technical staff to be established at the rangeland directorate. Here, the formal connection to the policy and strategy for forestry and range management can be established, which states that communities will gain the capacities to plan and implement natural resource management practices themselves, of their own volition, as rapidly as possible, and with the minimum of help from outside.⁶⁴ This principle needs to be adopted from the outset and turns the function of government into a facilitating and advisory role. Simple remedial measures which may be taken by communities to improve the pasture and its productivity depend on the present state of a given pasture area and may e.g. include reducing of animal stocking rates, introduction of rotational grazing practices, planting of shrubs in selected areas, banning of other land uses, and controlling conversion into rainfed cultivation.

Expanding the state? Local governance and peacebuilding

The above discussion in its essence boils down to the central theme of the relations of the Afghan state to its rural periphery, and in terms of local peacebuilding a way is proposed that seeks to formally bind rural village communities into structures of the state by empowering them into agents of local governance. This has to be seen against the background of the 'insubstantial state' in Afghanistan, and the fact that historically '... the state exists outside and apart from civil society... everything to do with administration is isolated from village life, and as far as possible is ignored by the community ... [a] fundamental state of alienation...separates the two'.⁶⁵ The wide separation between

⁶⁴Policy and Strategy for the Forestry and Range Management Sub-Sectors, § B-1.2-b.

⁶⁵Roy, *Islam and Resistance in Afghanistan*, 20–1.

state and rural society throughout Afghan history and the shape of state-society interrelations that occur under such conditions has been subject to many scholarly deliberations⁶⁶ and put into context of the Western intervention, humanitarian politics and the security-development discussion.⁶⁷ It was attempted to resolve the resulting impasse by introduction of the NSP, the biggest development programme that was introduced in Afghanistan after 2001. Formally, a government project run by the MRRD, it was carried out by NGOs organising elections of CDCs who received block grants for their communities to implement mostly infrastructure projects. The problem was that the elected village councils – often literally resembling organisations of the *qawm* – were not endowed with any permanent responsibilities that would make their existence a lasting experience. The idea to endow communities with the task of managing their own pasturelands would address this problem and help to bind the state and village society together around shared roles and responsibilities in land administration. Such empowerment of village institutions in a process of organised devolution around land issues would correspond to an expansion of the state to encompass the local level that reflects experiences of including local communities into state-building procedures made in other countries⁶⁸ and addresses the failures of past interventions to reform local government in Afghanistan.⁶⁹ It would further aim to rectify Afghanistan's contentious relationship with its most marginal regions and their long history of rejecting government control.⁷⁰

However, while certain questions with their attendant technicalities of dividing responsibilities around land management practices, archiving of shared agreements, delineation of pasture boundaries, raising of revenues, and the roles of NGOs as mediators and facilitators remain to be addressed and streamlined when contemplating a scaling up of local level peacebuilding around pastures, there still exist three major preceding issues in need of resolve. These refer to the problem of solving local conflicts between mobile and sedentary populations as well as land grabs by armed power holders, the willingness of the Afghan Government to engage in serious devolution of power that treats local institutions as equal partners, and the seemingly dubious inclination of international donors to finance surrounding activities. In conclusion, these rather profound questions can be addressed when further reflecting upon the experiences made in the pilot-based approaches.

The rationale for local peacebuilding is built on a staged approach, where scaling up such projects has to work gradually, district by district, in a learning by doing approach

⁶⁶E.g. M.N. Shahrani, 'State Building and Social Fragmentation in Afghanistan: A Historical Perspective', in *The State, Religion, and Ethnic Politics. Pakistan, Iran, and Afghanistan*, ed. A. Banuazizi and M. Weiner (Syracuse: Syracuse University Press, 1986): 23–74; Jan-Heeren Greve-meyer, *Afghanistan: Sozialer Wandel Und Staat Im 20. Jahrhundert* (Berlin: WVB, 1990); Anthony Hyman, *Afghanistan under Soviet Domination: 1964–83* (New York: St. Martin's Press, 1984).

⁶⁷C. Johnson and J. Leslie, *Afghanistan: The Mirage of Peace* (London: Zed Books, 2004); Donini, 'Local Perceptions of Assistance to Afghanistan'; Sarah Chayes, *The Punishment of Virtue* (New York: The Penguin Press, 2006); Duffield, *Development, Security and Unending War*.

⁶⁸Cf. for the context of Bolivia: Simon Ramirez-Voltaire, *Symbolische Dimensionen von Partizipation. Aushandlungen von lokalpolitischen Gemeinwesen und Institutionen im Kontext der bolivianischen Dezentralisierung* (Berlin: Verlag Walter Frey, 2012).

⁶⁹Sarah Lister, 'Changing the Rules? State-Building and Local Government in Afghanistan', *Journal of Development Studies* 45, no. 6 (2009): 990–1009.

⁷⁰Thomas Barfield, *Afghanistan: A Cultural and Political History* (Princeton: Princeton University Press, 2010).

that includes all pasture land parcels around all villages in previously selected target districts. Practically, this means starting in those areas of the country where conflicts are rarer, where further experiences in government-community cooperation can be gained, and where those experiences can be expected to spill over and create demand among further communities for participation in such local peacebuilding that also aims at enhancing credibility and accountability of the Afghan Government. Likewise, the facilitation of shared agreements around contested areas such as on the summer pastures in the central highlands or the northeastern high mountain pastures of Afghanistan may not always be straightforward. While there is a strong element of conflict resolution built into the process, the likelihood of cases where no agreements can be reached between contesting parties may be high in certain areas. However, the hypothesis is that these cases can be resolved peacefully through negotiation, but where this is not possible the issue will have to be put on hold and the devolutionary process moved on to the next pasture area. It is the task of researchers to shed light on these contested spaces that need inclusion at a later stage. Even more complicated might be the problem of the huge areas of pasturelands grabbed by armed power holders that exercise control over access such as is the case in the summer pastures of Badakhshan.⁷¹ This process was supported through the redrawing of district borders and the formation of new districts in Badakhshan by the central government, in order to accommodate the interests of local strongmen and military leaders allying with Karzai and to (re)establish a self-serving patrimonial system in Badakhshan, where official positions such as district governors became an attractive resource to be exploited.⁷² The case of land-grabbing is an important example of how Government institutions have been supplanted through power sharing deals by abusive stakeholders, who exert control through violence, patronage and corruption, often enjoying external backing.⁷³ In those areas, reaching community agreements may be factually impossible or they would have no immediate value as mobile pastoralists and sedentary farmers are both subdued by armed strongmen and access either granted against payment or strictly prohibited.⁷⁴ Agreements are further complicated by changes in land tenure systems and the multiplicity of actors,⁷⁵ but recent evidence of consensual conflict resolution between Pashtun pastoralists and *Shugni* residential farmers on the Shewa plateau in Badakhshan illustrates the potential of facilitating shared agreement between communities.⁷⁶

⁷¹Schütte, 'Pastoralism, Power and Politics'; Kreutzmann and Schütte, 'Contested Commons'.

⁷²Antonio Giustozzi and Dominique Orsini, 'Centre-Periphery Relations in Afghanistan: Badakhshan between Patrimonialism and Institution-Building', *Central Asian Survey* 28, no. 1 (2009): 1–16; Jonathan Goodhand, 'Bandits, Borderlands and Opium Wars: Afghan State-Building Viewed from the Margins' (Copenhagen: DIIS Working Paper 26, 2009).

⁷³Antonio Giustozzi, *Empires of Mud. Wars and Warlords in Afghanistan* (London: Hurst, 2009); Nick Grono and Candace Rondeaux, 'Dealing with Brutal Afghan Warlords Is a Mistake', *Boston Globe*, January 17, 2010.

⁷⁴The *Baluch* people of the village in Kunduz were not allowed back to their ancestral pastures around Kishim for the first time in the year 2010, when local strongmen sold the grazing rights to other groups. *Achekzai* continue to use the pasture on the Shewa plateau in Badakhshan against large payments in cash and kind; cf. Kreutzmann and Schütte, 'Contested Commons'.

⁷⁵Mervyn Patterson, *The Shiwa Pastures, 1978–2003: Land Tenure Changes and Conflict in Northeastern Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2004).

⁷⁶Kreutzmann and Schütte, 'Contested Commons'.

The problem of land-grabbing is but one exemplification of a weak government at the centre that nevertheless holds on to ‘excessive centralisation’ with a lack of clarity about the role of different subnational institutions in this centralised context.⁷⁷ Still, the critical role of government in local peacebuilding cannot be overestimated. At the same time, it represents a stumbling block to the process as the required unconditioned commitment to devolution of power in a government fixated on central decision-making is highly questionable. The basic problem here is also a legal one, as the Afghan Government will not back away from the notion that all pastures belong to the state as epitomised in the Pasture Law of 1970 and the revised Land Management Law of 2000.⁷⁸ This is in spite of all rhetoric about community-based approaches formally agreed upon in the National Land Policy of Afghanistan that has been approved by cabinet already in 2007 and that contains some rather progressive elements for the Afghan contexts.⁷⁹ However, it is indicative that in the eight years of its existence, the land policy was never formally acted upon or translated into practical projects, neither from donor nor government sides. Apart from the fact that the productive management of state land through state organisations was never met in a comprehensive way and such state management as did exist broke down completely during years of conflict there exists a barrier that centres on the notion of pasture ownership. State agencies seemingly cannot comprehend passing rights on to communities that resemble something like ownership of what legally is supposed to belong to the state. For communities striving for security of tenure this is not a question, but after having reviewed the agreement forms, the then-Minister of Agriculture felt compelled to introduce a disclaimer, stating that government may take that land, with the agreement of the local community, to ‘establish large agricultural farms, livestock and industrial parks, roads and other infrastructure for the welfare and promotion of the living standard of the people’. This disclaimer might be read with some truth as reverting ‘...to the convention that the State is the only safe guardian of degradable resources, and especially those which are contested’,⁸⁰ and in essence may foil the basic idea of local peacebuilding on pasture areas. The simple fact remains, however, that all trialled pilot projects that focus on local level peacebuilding on Afghan pastures and that advertise devolution of power and formal inclusion of communities into the state-building process have never been followed up upon, in spite of entire proposals inclusive of budgeting have been presented to the government. The schism, it seems, between Afghan Government and its people has not yet been transcended, and donor politics often defined by short-term agendas are not helping either.⁸¹ Further, there exists competition for funding and a clear lack of cooperation between different ministries. For instance, the entire NSP-process organised through the MRRD is viewed with some suspicion by higher representatives of the

⁷⁷Sarah Lister and Hamish Nixon, ‘The Place of the Province in Afghanistan’s Subnational Governance’, in *Building a New Afghanistan*, ed. Robert I. Rotberg (Cambridge MA: World Peace Foundation, 2007): 205–26.

⁷⁸Government of Afghanistan, *Land Management Law of the Islamic Emirate of Afghanistan* (Kabul: Official Gazette 795, Ministry of Justice, 2000).

⁷⁹Government of Afghanistan, *Land Policy of Afghanistan* (Kabul: Islamic Republic of Afghanistan, 2007).

⁸⁰Liz Alden Wily, *Whose Land Is It? Commons and Conflict States. Why the Ownership of the Commons Matters in Making and Keeping Peace* (Washington, DC: Rights and Resources Initiative, 2008).

⁸¹Hamish Nixon, *Aiding the State? International Assistance and the Statebuilding Paradox in Afghanistan* (Kabul: Afghanistan Research and Evaluation Unit, 2007).

Ministry of Agriculture which makes it more difficult to gain acceptance there for empowering CDCs into bona fide land administration bodies.

Conclusions – reading liberal peace differently

What seems clear is the need for a structural approach to local peacebuilding, seeking to formally include village and mobile communities into decision-making and land management and administration practices. The NSP programme provided an avenue for this but the chance of moving CDCs into new and permanent roles was not taken up. The ‘Independent Directorate for Local Governance’ established in 2007 as a new government body seeking ways to address the over-centralisation of the Afghan state seeks to establish and strengthen government institutions at the subnational levels but does not envisage to establish CDCs as permanent land bodies for the sake of still being in the process of seeking ways to ‘define their roles and responsibilities’.⁸² The governmental bodies and agencies are there and filled with expat consultants but curiously do not tend to address local peacebuilding in a comprehensive and structured way. Likewise, the policy foundations to engage in devolutionary practices have been established but donor funding necessary to lastingly empower the local level by assigning permanent tasks to CDCs is seriously lacking. It seems wondrous that in spite of tested approaches in various areas of the country the issue of starting peacebuilding from the ground up is not attractive to large donor agencies.

Meanwhile, the terrain has been captured by the military and their new bottom-up counterinsurgency measures based on Village Stability Operations with attendant ‘clear-build-hold’⁸³ strategies and the establishment of village defence organisations. These are often transitioned into the highly controversial Afghan Local Police further contributing to the proliferation of armed groups in the country.⁸⁴ Local governance is used as for political and military control from a distance with the Afghan population seen as malleable and calculating masses that are subject to manipulation through counterinsurgents if sufficient ethnographic knowledge is available provided by embedded anthropologists.⁸⁵ The whole doctrine of counterinsurgency as ‘armed social work’⁸⁶ is generously funded through the Commander’s Emergency Response Program that between 2004 and 2011 has disbursed of more than 1, 5 billion US\$ in Afghanistan.⁸⁷

⁸²Islamic Republic of Afghanistan. Independent Directorate of Local Governance (IDLG). Five Year Strategic Workplan, 1387–91 (Kabul, 2008). The document also states: ‘A community based process for registration of land in all administrative units and the registration of titles will be started for all urban areas and rural areas by Jaddi 1387 (end-2008). A fair system for settlement of land disputes will be in place by Jaddi 1387 (end-2008). The IDLG will fully support the establishment of a modern land administration system in the country.’ However, such report-talk has never been acted upon.

⁸³Sean R Slaughter, *Expanding the Qawm: Culturally Savvy Counterinsurgency and Nation-Building in Afghanistan* (Fort Leavenworth, KS: School of Advanced Military Studies, 2010).

⁸⁴Human Rights Watch, *‘Just Don’t Call It a Militia’. Impunity, Militias, and the ‘Afghan Local Police’* (New York: Human Rights Watch, 2011).

⁸⁵Laleh Khalili, ‘The New (and Old) Classics of Counterinsurgency’, *Middle East Report* no. 255 (2010): <http://www.merip.org/mer/mer255/khalili.html>.

⁸⁶Ibid.

⁸⁷Inspector General United States Department of Defense, *Management Improvements Needed in Commander’s Emergency Response Program in Afghanistan* (Alexandria, VA: Department of Defense Office of Inspector General, 2012).

In stark contrast, local peacebuilding around the Afghan pastures as a non-linear approach⁸⁸ remains only marginally funded when seeking to find inclusive and localised strategies that bring local and administrative knowledge to the interface of pasture development and management in Afghanistan and that builds on the fact that customary modes of governance continue to function despite the introduction of new technocratic modes.⁸⁹ Building peace around pastures would introduce a new political technology governing Afghan pasture relations that rest both on structures of customary governance and new technocratic projects such as the CDCs.

The fact that the potential of formally including village institutions into local government and administration as a peacebuilding measure still remains untapped might have to do with the more radical empowerment of village councils implicit in local peacebuilding procedures. Bolstering legitimacy and reinforcing effectiveness of the state actually means turning its margins exemplified through local CDCs into actual and formally recognised government entities in a process of bottom-up statebuilding. In doing so, promotion of non-inclusive institutions that e.g. exclude women and may lead to the reproduction of local power structures and social inequalities may provide workable, peaceful solutions outside the framework of good governance. The development buzzword of ‘local ownership’ assumes a quite different sense here too. Rather than being a term that ‘representatives of a given society should be encouraged to voluntarily choose to adopt the neoliberal norms and institutions that the international community has designed for them’, and that ‘no one really expects it to be meaningfully pursued’,⁹⁰ local ownership in building peace on the pastures is to be understood in a literal and practical way. CDCs as land administration bodies may provide a way forward. They are able to speak in the jargon of development by proving impact and accountability through land records maintenance in partnership with other governmental entities, and in the pilots have already proven their ability to manage the rituals of good governance (i.e. reporting, workshops). The need to further devise checks and balances for the drafting of shared pasture agreements aimed at minimising the impact of local power relations and abuse of authority is however evident. In this respect, separation of powers in the peacebuilding process can be achieved e.g. through the controlling function of the CDCs that often comprise customary institutions that are able to constrain one another,⁹¹ paired with the assignment of villagers to run the village-based land office in specific capacities on a day-to-day basis. Again, these problematic issues arising out of unequal power relations and the growing salience of ethnicity in the political landscape of Afghanistan speak for the virtue of an incremental approach that starts in less complicated areas and moves forward based on learning-by-doing and remains open to change in the face of local challenges and power structures.⁹²

The examples provided here are illustrative of two things. First, they show that thinking about peacebuilding from the margins of the state provides a feasible way forward. Looking at the messed up situation in Afghanistan today that quite clearly exemplifies the failure of the liberal peace model, one could argue that such localised

⁸⁸David Chandler, ‘Peacebuilding and the Politics of Non-Linearity: Rethinking “Hidden” Agency and “Resistance”’, *Peacebuilding* 1, no. 1 (2013): 17–32.

⁸⁹Roger Mac Ginty, ‘Hybrid Peace: The Interaction between Top-Down and Bottom-up Peace’, *Security Dialogue* 41, no. 4 (2010): 391–412, 406.

⁹⁰de Coning, ‘Understanding Peacebuilding as Essentially Local’, 1 and 3.

⁹¹Brick, *The Political Economy of Customary Organizations in Rural Afghanistan*.

⁹²Liz Alden Wily, *Land, People, and the State in Afghanistan: 2002–2012* (Kabul: Afghanistan Research and Evaluation Unit, 2013).

approaches to fill the holes in the state represent in fact the only way to move forward, in spite of the male-dominated and non-inclusive institutions that are at the core of the project. Second, they show the need to accompany the process by peacebuilding research aimed at learning and understanding about local situations and showing that the margins of the Afghan state are in itself diverse and complex. Good research however takes the time needed to arrive at such understandings, to examine the actors involved and social practices that prevail on the pastures of Afghanistan, and to make those practices the central feature of a new and radically decentralised system of land administration. Incrementally connecting the local level to the state means reading liberal peace differently. Not as a specific form of liberal governmental power enmeshing NGOs, governments, military establishments, private security companies and business sectors,⁹³ but as a radical devolution of power supported by donors and NGOs that turns contested marginal spaces into the state itself.

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⁹³Michael Dillon and Julian Reid, 'Global Governance, Liberal Peace, and Complex Emergency', *Alternatives: Global, Local, Political* 25, no. 1 (2000): 117–43.