The Role of Civil Society in Promoting Good Governance in Afghanistan

Orzala Ashraf Nemat and Karin Werner

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About the Authors

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About the Afghanistan Research and Evaluation Unit

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AREU was established in 2002 by the assistance community in Afghanistan and has a Board of Directors comprised of representatives of donor organisations, the United Nations and other multilateral agencies, and non-governmental organisations.

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Foreword

Good governance solidifies the legitimacy of state institutions and the democratic accountability of political players. The framework of good governance is strongly anchored in the third Sustainable Development Goal (SDG), namely "Developing the capacity of public and the government at the local level to cooperate in increasing welfare of the people." Further, it is guided by the SDG's objectives, one of which is "to develop on effective government within a democratic system, and to implement sustainable development principles through global partnership." As Afghanistan is one of the 193 countries that are signatories of the United Nations framework to implement actions of the Rio Resolutions and Agenda 21 for real progress toward sustainable development, it is steadfast in its commitment to this initiative. This UN framework is operationalised in Afghanistan through the Governance Forum Afghanistan ("Govern4Afg") programme.

The Govern4Afg, which is being launched by German and Afghan partners, is very timely, as it provides a platform for policy dialogue on governance topics in the country. Researchers and policymakers provide evidence-based inputs to foster dialogue aiming to strengthen development cooperation in the governance sector. One of the six selected essential topics of the Govern4Afg for 2015-16 is the "The Role of Civil Society in Promoting Good Governance in Afghanistan." Through an inclusive approach, this paper examines the roles and challenges of the actors in the civil society and governance sectors in the country.

The paper provides a conceptual understanding of the terms civil society, governance, and good governance as well as state-society relations and how these are introduced and understood in the broader context of conflict–affected settings in Afghanistan. The authors challenge the notion that civil society is often limited to non-governmental organisations. They also reflect on the Afghan government's role in regulating civil society organisations and in opening up a space for constructive engagement with these organisations in the formulation of national policies. The paper concludes that raising awareness about national policies and sectoral strategies, strengthening the capacities of both civil society and government actors and institutions, and expanding the senior government's political commitments across public institutions at both national and subnational levels are key preconditions to ensure the proactive engagement with civil society.

Also, the authors present useful good practices and strategies used by different organisations to influence policy formulations and decision–making. Notable strategies are the initiatives of women-led organisations to collaborate with religious scholars on combating violence against women or CDC conferences that allow local village and district leaders to connect with national senior government officials and other stakeholders.

The Afghan Government is actively committed to promoting good and effective governance, and I therefore believe that expanding and strengthening the collaboration and engagement of inclusive civil society organisations in Afghanistan will substantially support the Afghan Government in establishing such an effective governance structure.

Nader Nadery

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Foreword

Govern4Afg (Governance Forum Afghanistan) as a dialogue platform supports policy reform and implementation in the governance sector of Afghanistan. Good governance, rule of law, accountability and transparency are of paramount importance for the development and stability of Afghanistan. The Afghan people need to regain confidence in state institutions, corruption needs to be fought effectively and reforms need to improve people's daily lives. It is not enough for reforms to be drafted on paper – their implementation needs to take place in the villages and towns of Afghanistan.

The objective of the platform is to foster policy dialogue between Afghan and German 'Drivers of Change' in the field of good governance. Researchers and policy-makers from both countries provide evidence-based input to foster high-level dialogue and consultation in the governance sector. Thus, policy discussions are undergoing a reality check. Ultimately, the platform serves as a vehicle for the implementation of the BMZ Country Strategy for Afghan-German Development Cooperation 2014-2017.

Following upon the successful kick-off workshop in early 2015, six topics (Provincial Planning & Budgeting, Gender Responsive Budgeting, Mineral Governance, Subnational Governance, Civil Society and Civil Service Reform) were selected for in-depth dialogue according to Afghan and German priorities. In the course of 2015, research teams from both countries provided expertise and facilitated discussions between experts and practitioners through several open dialogue panels and other consultation methods, and prepared issue papers with recommendations for policy dialogue.

BMZ is expressing its wish that these issue papers are fostering further discussion in Afghanistan and will enhance donor engagement in the sector.

On this issue paper

In Afghanistan the definition of civil society in the form of organisations and groups also includes shuras, jirgas, Community Development Councils and other traditional structures and representatives such as the ulemah or maliks. Due to traditionally weak state structures, these organisations form a vibrant aspect of Afghanistan's governance system. They have the potential to bridge the gap between the people and the state influencing political decision-making and policy formulation processes according to people's needs. Strengthening civil society can thus contribute to overall accountability and to better service delivery and thereby underpin the legitimacy of the state and its institutions.
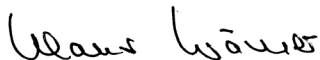
This issue paper on civil society in Afghanistan, presented to the public in July 2016, provides an assessment of the role of civil society in promoting good governance in Afghanistan by critically examining the actors, their roles and strategies, and the challenges that they face.

The main focus of the paper lies on identifying effective and more systematic ways for civil society engagement in governance relations by emphasising the institutional and legal framework, providing a space for meaningful dialogue and interaction across government sectors and levels and offering perspectives on integrating civil society into the government's overall policy and strategies across sectors. With regard to this, the authors conclude that a rethinking of each group's self-perception has the potential to lead to more fruitful dialogue positively affecting governance structures. This insight is already precious for the work of the German Cooperation as one of the components of its Rule of Law programme is working closely with civil society organisations in order to strengthen their role and participation within the broader system of Afghan governance.

The authors develop specific recommendations directed at government institutions, civil society and the international community to address their very own potential for improvement:

- The institutionalisation of democratic dialogue platforms between public actors and CSOs for better information flow, discussion, consultation, and coordination in policy fields by using different techniques such as round tables, working groups, public hearings, advisory bodies, and think tanks at both national and subnational levels;

- Improvement of the capacity of both traditional and modern civil society, as traditional civil society struggle with outdated models, and imported models of modern CSOs are often inoperative in traditional settings. Therefore, they need to work together toward developing an inclusive strategy and improving their capacity in order to play a proactive role in keeping the government accountable;

- Supporting the principle of decentralisation and enhancing the inclusive participation of all segments of civil society at the subnational level in decision-making processes following a bottom-up approach.

This issue paper will serve as a basis for further dialogue not only within the Govern4Afg context but also between governmental institutions of Afghanistan, inside the donor community and the academia. A broad dissemination of the issue paper will foster discussions and policy reforms on and between various levels. Govern4Afg will resume the raised issues and deepen discussions in the course of 2016 along with newly identified topics.

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Acronyms

AIHRC	Afghan Independent Human Rights Commission
AREU	Afghanistan Research and Evaluation Unit
BMZ	German Federal Ministry for Economic Cooperation and Development
CBO	Community-based organisation
CDC	Community Development Council
CSJWG	Civil society joint working group
CSO	Civil society organisation
DDA	District Development Assembly
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
IDLG	Independent Directorate of Local Governance
INGO	International non-governmental organisation
KII	Key informant interview
MoU	Memorandum of Understanding
MoJ	Ministry of Justice
NGO	Non-governmental organisation
NSP	National Solidarity Programme
NUG	National Unity Government
PC	Provincial Council
SMAF	Self-Reliance through Mutual Accountability Framework
UN	United Nations

Glossary

Clergy (*mullah*)	Clergymen or *mullahs* refer to men who lead mosques and daily prayers. Clergymen are not necessarily religious scholars and only have general knowledge about Islam.
Council	Council or *shura* (in Arabic and Dari) or *jirga* (in Pashto) refers to a collective group with a hierarchical leadership. There are various forms of traditional and modern councils in Afghanistan such as the National Council (or Parliament), elders' council, religious council, development council, education council, etc.
Community development council (CDC)	CDCs are village-level councils established through a World Bank-funded and Ministry of Rural Rehabilitation and Development-led programme known as the National Solidarity Programme (NSP). CDCs are considered as a form of modern councils where members are elected by villagers in order to take lead in identifying the needs and priorities of villages and decide about resource distribution.
Jameya-e-Madani	Civil society
Jirgas	Pashto and Dari word for council
Madrasa	Religious school
Malik	A traditional village leader who is often selected by villagers or the village elite to represent their community beyond the village boundaries.
Religious actors	Referring to religious scholars, clergymen (*mullahs*), and members of religious council.
Religious institutions	Referring to mosques, *hossainia* (where men and women congregate for prayers and more often for religious ceremonies), *madrasa* (religious schools), and *shora-e-ulema* (religious council).
Sazman-hai-Ejtemai	Dari expression for social organisation
Shora-e-Ulema	Religious council
Shora-e-Wolayati	Provincial council refers to constitutionally recognised provincial councils where members are elected to form a provincial council. Two members with majority votes per province become members of the Upper House (*Mishrano Jirga* in Pashto).
Shora-e-Milli	Lower House *(Wolesi Jirga* in Pashto) refers to the Parliament.

Executive Summary

Introduction

The absence of state institutions in Afghanistan's localities, both historically and in the contemporary context, has often been translated into the idea of a vibrant and active civil society in governing communities. This has also led to problematizing a *conceptual* understanding of civil society's role where the defining lines between civil society and government appear to be widely blurred. Although in the post-2001 context, non-governmental organisations (NGOs) are predominantly introduced as civil society organisations (CSOs), in reality, the existence of a vibrant civil society predates the emergence of NGOs in the 1980s. From religious scholars in the late 19th and early 20th centuries to intellectual groups and urban elites in 1960s and 1970s, all the way to contemporary actors like NGO leaders, youth and women's leaders, and human rights activists and traditional leaders, different actors have played the role of civil society during the different phases of Afghanistan's history. Playing an intermediary role in bridging the voices and concerns of the people in the political decision-making and policy formulation process, an active civil society is a critical precondition for effective, accountable, and inclusive governance relations in Afghanistan.

Objectives of the study

This study aims to assess the role of civil society in promoting good governance in Afghanistan by critically examining the players, their roles, and the challenges that they face. Finally, it introduces some strategies that various CSOs have used in promoting good governance principals and raising awareness in terms of broader governance relations in the country. The issues paper embarks on a historical analysis to assess the evolution of civil society's role in governance relations and highlights the definition of key concepts such as governance, good governance, and civil society in the broader context of conflict-affected settings. A unique contribution of this paper is its inclusive approach to bring together diverse groups of actors from civil society and government at national and subnational levels to discuss the key questions.

Research Methodology

The study was conducted by a team of Afghan and German experts during the second half of 2015. Based on a qualitative method, the research method included the review of existing documents on the subject and a series of 30 semi-structured interviews with different stakeholders in Kabul and Mazar-e-Sharif. Following a participatory approach, a draft of the initial findings was shared in two public dialogue events held in Mazar-e-Sharif and Kabul (each with 35-38 participants representing different segments of civil society, the public sector, and international community) in order to further enrich the findings from a national and local perspective on how to facilitate a meaningful civil society engagement to promote good governance. The study is theoretically guided by Grindle's concept of "good enough governance" that is applied in conflict-affected settings.[1]

Results

Role of the different CSOs and spaces to promote good governance

The paper first critically examines the term "civil society" and the way that it is used as a tool or means to promote democracy and human rights, particularly in the post-2001 context of Afghanistan. It introduces and discusses the role of the different segments of civil society in governance relations, particularly in promoting accountability, transparency, and effective forms of governance. It then highlights the role of different civil society groups such as NGOs, religious institutions/actors, social organisations, councils, community-based organisations, the private sector, and independent media. The paper addresses some of the existing complexities in defining these roles (e.g., Community Development Councils [CDCs] representing governance structures as well as a community-based CSO).

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1   Merilee S. Grindle, "Good Enough Governance Revisited," *Development Policy Review* 29, Issue Supplement s1 (2011): s199-s221.

Subsequently, the analysis focuses on the technical, legal, and moral space provided by the government to civil society for the promotion of good governance and interactions/negotiations between civil society and government. It highlights the need for national-level policies that reflect subnational policies and practices in terms of ensuring an effective mechanism for civil society's engagement in governance relations. Furthermore, the paper examines the government's role in regulating CSOs and in opening up a space for constructive engagement with CSOs in the formulation of national policies, through Memorandums of Understanding (MoUs) among others. The paper also reflects on the existing patronage-based political and economic systems and the multiplicity of institution-building approaches, viewed as challenges to be addressed by enforcing the rule of law, encouraging merit-based appointments, and ensuring further coordination. Expanding central government's political commitment across the government's different sectors and at different levels of governance will be an important precondition to ensure the proactive and productive role of the civil society engagements in governance relations at national and subnational levels.

Challenges for civil society and government

In terms of challenges, an integrated approach is lacking throughout government institutions with regard to civil society engagements. Based on the reflections made during the interviews and dialogues—as well as the review of secondary literature—the paper identifies the challenges faced in promoting civic participation, which implicate, among others: the overall security situation, the dominance of a culture of impunity in the case of crimes and violations, the centralism of government policy structures, "old-style bureaucracy," patronage-based relations and nepotism, blurred institutional roles and responsibilities at the provincial level, and the lack of a well-defined democratic approach within the government's law-making, planning, budgeting, and accountability processes.

The paper also considers the challenges identified with regard to the CSOs: monopolisation and "pseudo-legitimacy" of CSO voices, media censorship, weak vertical relations between the people and CSOs, the lack of clearly defined positions and in-depth knowledge on governance issues, and the absence of dialogue capacities for effective political participation. Furthermore, the paper addresses the lack of financial sustainability, the possible internal corruption in some segments of CSOs, and the perception of NGOs as donor- or charity-driven, fund-dependant agents, and "imported models."

The weaknesses of the government in its relations with civil society are addressed, namely the ambiguity of roles and responsibilities in provincial planning and accountability, resistance to civil society's inclusive participation in governance-related matters at the subnational level, centralism and "old-style bureaucracy," and nepotism that leads to relatively weak and less meaningful relations between the government and CSOs. The government's negative impressions and misperceptions about the civil society (particularly NGOs) and vice-versa are highlighted. The dominance of patronage-based relations and politics, the involvement of selected CSOs in governance processes, and the possible control of CSOs by local authorities and powerholders are other challenges more specific to the subnational level. The lack of action-oriented and systematic mechanisms for civil society to engage in governance processes risks resulting in a "window-dressing exercise" by government leadership at both national and subnational levels.

Strategies used by civil society and government

Some good practices and strategies are identified with regard to civil society's constructive engagement with the government in influencing decision-making and keeping the government accountable for their actions. Among others, the following practices and strategies are identified: capacity-building approaches of local CSOs, networking as a broker for advocacy, strategic alliances with the media, collaboration between NGOs and religious scholars and *mullahs*, and biannual CDC conferences where village and district representatives gather and discuss their problems and needs with senior government officials in Kabul. These examples are effective platforms for civil society and government that emphasise the importance of such dialogues and connections for the formulation of National Priority Programmes and other government policy formulation processes. The specific role of the Afghan Independent Human Rights Commission is addressed,

including its interactions and collaborations with provincial governance structures in introducing human rights principles and broader democratic values. Finally, several governmental practices are highlighted on the provincial level, such as the cooperation with CSOs in the legal field, participatory planning, and accountability mechanisms.

Recommendations

The recommendations of this issues paper address the broader areas of civil society governance relations in the institutional and legal framework, the need to provide a space for meaningful dialogue and interaction and integrate such dialogues into the government policies across sectors, and the necessity of awareness-raising and capacity-building for the different actors within civil society and government institutions with regard to the importance of civil society engagements in keeping the government accountable.

The two broad recommendations are followed by more specific ones targeting the government, civil society, and international community:

- Government institutions, civil society, and the international community should all acknowledge and follow the broader understanding of civil society in Afghanistan, which is inclusive, community-based, professional, and diverse in all means. They should ensure civil society's proactive role and engagement on a regular basis in the overall policy formulation and decision-making processes.

- The key concepts, actors, and institutions as well as policies, strategies, and practices are changing along with broader political shifts. Therefore, for an effective and successful engagement, civil society and government institutions as well as their international counterparts need to keep themselves updated on these changes by following regular assessments and analysis.

Government institutions (national and subnational)

- A clear action-oriented strategy should be developed and implemented to engage with the different segments of CSOs based on a broader understanding of civil society as a dynamic part of society.

- Institutional roles, guidelines, and frameworks should be clarified for democratic consultation, participation, and accountability processes.

- There should be clarity and consensus on the role and responsibilities of provincial structures, especially Provincial Councils and Provincial Development Councils.

- CSOs should be given open access to information as required for their participation in policy formulation, decision-making, and accountability mechanisms.

- Dialogue platforms between public actors and various segments of CSOs (working groups, "advisory bodies," think tanks, etc.) should be established.

- There should be awareness-raising and capacity-building in government and administration structures regarding the relevance of *inclusive* policy and decision-making processes and the need to address patronage-based challenges.

- An action-orientated follow-up should take place on the use of the MoU signed between the government and CSOs (e.g., civil society joint working group).

- The independent monitoring of state/non-state large-scale programmes should be strengthened and institutionalised through existing monitoring mechanisms.

Civil society (actors and organisations)

- Strong relations and partnerships should be built between traditional and modern civil society in order to work together toward developing an inclusive strategy and improving their capacity in order to play a proactive role in keeping the government accountable.

- An inclusive comprehensive platform should be established so that all segments of civil society play a constructive role in keeping the government accountable, while also being accountable to the people with regard to their own actions.

- The capacities of CSOs should be strengthened in terms of policy proceedings, the effective pooling or negotiation of their proposals, and the enhancement of horizontal and vertical relations.

- There should be a focus on the voluntary means of advocating on behalf of civil society, as financial dependency can undermine the advocacy of CSOs.

- There should be a follow-up on the networking of CSOs and MoUs with relevant stakeholders in terms of giving a voice to them and promoting good practices.

- Regular national CDC conferences should bring local in-depth analysis, concerns, and recommendations to the attention of national government actors across all sectors.

- Afghan academia should employ pro-active approaches to provide a comprehensive understanding of civil society and its role in promoting good governance, particularly through higher education curricula.

- Women's and youth organisations, groups, and actors should be included in all segments of civil society and at all levels (national, subnational, and local levels).

- Strong and sustainable relations should be built with the national private sector in order to ensure that the quality of their services are standard and just, and to seek their assistance in financing public awareness campaigns.

International community

- The different fields of intervention strategies should be specified to enhance the participation of civil society in policy formulation, decision-making and accountability processes (while taking into account the dimensions of the legal or institutional framework, capacity-building of the state, and the empowerment of civil society).

- Exchanges of best practices should be supported in the above mentioned field at the regional and/or international level.

- Continuous support should be given to the structures and proceedings that serve as an interface between civil society and government in terms of consultation, planning, decision-making, and accountability (including round tables and think-tanks).

- Advocacy and accountability networking between CSOs should be supported, including on the South-South and international levels (e.g., in the fields of transparency, women's rights, peace processes, extractive industries).

- In coordination with other donors, an open dialogue should be facilitated on the development of a clear code of conduct for the relations between the government and different segments of civil society on topics like democratic governance, representativeness, and effective participation.

1.   Introduction

Afghanistan's post-2001 context is characterised as a form of internationally funded democracy that is based on the patronage system of rule. On the one hand, this allows democratic government institutions from districts and provinces to the capital to operate. On the other hand, this means that the actors leading and driving these very institutions are appointed to their positions on the basis of political and economic affiliations and alliances with the politico-military elites and not entirely on the basis of merit and professionalism. This characterisation hence requires an open space for an active, vibrant, and dedicated civil society that can contribute to keeping state institutions and actors accountable for their actions and promote principles of good governance such as development, inclusiveness, transparency, and accountability in order to direct Afghanistan's democracy toward a more professional and merit-based system in the longer term.

From a conceptual point of view, the promotion of good governance strengthens the legitimacy of state institutions and the democratic accountability of political players; it makes the actions of government and public administration more transparent, strengthens checks and balances, and allows effective action to be taken against corruption, arbitrary state rule, and the abuse of power. Civil society in the form of organisations and groups as well as individual activists is therefore an important contributor to a constructive and critical dialogue in terms of strengthening legitimacy and accountability, and it plays a crucial role in bridging the voices and concerns of people in policy formulation and decision-making. Following a bottom-up approach from the village, district, and province to the national level, the proactive engagement of civil society actors in governance processes can ensure improved services, accountability, and transparency as a result.

Civic participation in decision-making processes in countries characterised by protracted years of conflict, war, and regime change is far more complex. In the case of Afghanistan, the absence of formal state institutions beyond district headquarters, both historically[2] and in the contemporary context, has often led to a dual role for civil society actors in local settings, as they have taken a governing role in terms of decision-making and resource distribution, and a civil society role in terms of bridging the voices of their local constituents to the state and other institutions outside their communities. Consequently, the defining lines between the civil society and government appear to be blurred.

This issues paper will focus on introducing a clear understanding of civil society's role in Afghanistan where the political and administrative structures encounter a number of challenges and opportunities while entering the "decade of transformation" (2015-24).[3] While the importance of the participation of civil society organisations (CSOs) in the policy formulation and decision-making processes is recognised as an elemental factor for the legitimacy of the government, the practical mechanisms for constructive and more systematic engagement with different segments of civil society is still a challenging task.

This issues paper is based on a brief desk review and primary research conducted between September and December 2015 in Kabul and Mazar-e Sharif,[4] followed by two multi-stakeholder dialogues held at the provincial and national levels. This study was motivated by the following questions: What role do civil society and the government play in promoting good governance? What challenges do CSOs and the government face in promoting good governance? And what strategies do they use to promote good governance?

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2   Senzil Nawid, "The State, the Clergy, and British Imperial Policy in Afghanistan during the 19th and Early 20th Centuries," *International Journal of Middle East Studies* 29, no. 4 (1997): 581-605.

3   The "decade of transformation" is a term used by the Government of Afghanistan to introduce its strategies and policies for the next ten years. The key documents that it refers to are the following: Islamic Republic of Afghanistan, "Self-Reliance through Mutual Accountability Framework," (Kabul: Islamic Republic of Afghanistan, 2015); Islamic Republic of Afghanistan. "Realising Self-Reliance" (London Conference, 4 December 2014), http://mfa.gov.af/en/page/6547/transformation-decade2015-2024 (accessed 28 May 2016); and Islamic Republic of Afghanistan, "Tokyo Mutual Accountability Framework," http://mfa.gov.af/en/page/6547/transformation-decade2015-2024, 8 July 2012 (accessed 28 May 2016). The Afghan Government and international community agreed to establish a Joint Coordination and Monitoring Board for overall strategic coordination and implementation of the Afghanistan Compact, which was endorsed at the London Conference to ensure UN Security Council resolution 1659.

4   For further details on the methodology and selection of sites, refer to Section 3 below.

The unique contribution of this issues paper is its introduction of a broader and inclusive understanding of civil society as well as the fact that the recommendations are the result of an inclusive and interactive dialogue that occurred between different segments of civil society and government actors and institutions at both the national and subnational levels.

The issues paper is comprised of seven sections. In Section 2, following a historical approach, it presents a brief overview of the evolution of civil society and governance relations in Afghanistan followed by a definition of the key concepts and presentation of the framework for analysis. Section 3 highlights the methodological aspects of the study and Sections 4, 5, and 6 focus on the roles, challenges, and strategies of CSOs and government institutions at the national and subnational levels in terms of promoting accountability, transparency, and inclusiveness. Finally, Section 7 presents the conclusions followed by a set of recommendations addressed to the government, civil society, and international community.

2. Civil Society and Governance Relations

2.1 Statement of the problem

This paper examines the role of civil society in promoting good governance in Afghanistan's post-2001 context with a focus on recent years. The paper attempts to provide evidence-based policy recommendations on how further recognition of civil society's role can be ensured in governance processes by the Government of Afghanistan. The evidence for this paper is based on primary research and dialogues with key stakeholders within different segments of civil society, relevant government institutions at the national and subnational levels, and international donors. By following a historical approach, the paper highlights the dynamic nature of Afghan civil society and how it has changed over the course of time. The issues paper discusses the role played by civil society and government organisations and institutions in promoting good governance principles, the challenges that they face, and the different strategies that have worked. Finally, based on this analysis, the paper provides concrete policy recommendations, which are expected to be followed up through further dialogues with the concerned stakeholders within government, civil society, and donor organisations.

Studies and research like this are therefore crucial, as they provide a systematic analysis of the context and open up a space for constructive dialogue between the different actors in the government, civil society (in almost all its entirety), and international community to find out collectively what could be the best way forward.

2.2 Civil society's role in the governance trajectory

The concept of civil society or *Jameya-e-Madani* in Dari, its understanding, and its relations with the state have evolved in the contemporary context. Before the 18th century, civil society corresponded approximately to the state itself according to John Keane.[5] However, later civil society was defined "in contrast to the state," and as a concept, it appeared in the political philosophy of the late 18th and early 19th centuries.[6] For instance, the concept is part of Hegel's *Philosophy of Right*, which was later critiqued by Marx.[7] There are different theories regarding the way in which civil society is defined. Cohen and Arato refer to civil society as a "space" that is independent of the state and market, while scholars like Van Til conceive it as a sector focused on voluntary work.[8] For Uphoff, NGOs do not necessarily represent civil society, as according to him, civil society needs to be understood as an "operational space" between the public and private sectors.[9] Seligman views civil society as "an ethical ideal, which holds the public and private in a balance."[10] In recent years, Putnam has defined civil society as a "network of associations and applications, which safeguard democratic space between the state and the family."[11]

As the above epistemological overview of the term "civil society" informs us, this concept is mainly understood or defined in terms of its relation to the state. In addition, the place of civil society in governance relations has long been a point of discussions among scholars and policymakers. In the context of the Cold War and post-Cold War era, the Global South has witnessed vibrant civil society movements that have evolved as a result of resistance and protests against authoritarian regimes from Eastern Europe and the former Soviet Union to Latin America, the Philippines, and

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5   John Keane, "Despotism and Democracy: The Origins of the Distinction between Civil Society and the State, 1750-1850," in *Civil Society and the State: New European Perspectives*, ed. John Keane (London: Verso, 1988), 35.

6   Michael Bernhard, "Civil Society and Democratic Transition in East Central Europe," *Political Science Quarterly* 108, no. 2 (1993): 308.

7   Bernhard, "Civil Society and Democratic Transition," 307-26.

8   Jean Cohen and Andrew Arato, *Political Theory and Civil Society* (Cambridge, MA: MIT Press, 1992); Jon Van Til, *Mapping the Third Sector: Voluntarism in a Changing Social Economy* (New York: Foundation Center, 1988).

9   Norman Uphoff, "Why NGOs are not a Third Sector: A Sectoral Analysis with Some Thoughts on Accountability, Sustainability and Evaluation," in *Beyond the Magic Bullet: NGO Performance and Accountability in the Post-Cold War World*, ed. Michael Edwards and David Hulme, 17-30 (London: Earthscan, 1995).

10   Adam Seligman, "The Idea of Civil Society" (Princeton: Princeton University Press, 1995), cited in Rajesh Tandon and Ranjita Mohanty, *Civil Society and Governance* (New Delhi: Sarskriti, 2002), 6.

11   Robert D. Putnam, "Making Democracy Work: Civic Traditions in Modern Italy" (Princeton, Princeton University Press, 1999), cited in Tandon and Mohanty, *Civil Society and Governance*, 6.

South Africa. In most of these countries, civil society represents "collective forces of individuals" who aim to reform the existing political order.[12] As Tandon and Mohanty point out, the key purpose for most of these movements has been the promotion of democratic systems.

With the post-Cold War shift toward liberal interventionism, the strengthening of CSOs and civil society groups has become an integral component of broader liberal interventions in conflict-affected countries. For Western countries, the rationale for supporting civil society in the Global South is mainly based on the idea of ensuring that the ruling or governing system in these countries is democratic and accountable toward their population, as a vibrant civil society can ensure participation and accountability.

However, as this paper highlights, the example of Afghanistan informs us that this rationale is not necessarily shared among intervening countries, institutions, and organisations. Consequently, by prioritising the support and financing of the military as opposed to the civilian population, and non-governmental organisations (NGOs) as opposed to other segments of civil society, the implications of these interventions are far more complex than their intended objectives.[13]

The international interventions in post-2001 Afghanistan, although initially started as a military invasion in reaction to the 9/11 terrorist attacks, were later framed as a state- and institution-building intervention approved by a United Nations (UN) Security Council resolution.[14] In this process, a perception evolved among the international donors, government, and local population that NGOs are the equivalent of civil society in its entirety. This is partly related to the NGO's governing role (specifically in terms of service delivery) in the absence of a functioning state during the 1990s. It also relates to the political recognition received by some civil society organisations (CSO) who acted as a bridge between government and people, and received a much stronger funding flow from international donors focusing on financing NGOs for instance. Although religious and traditional forms of organisations such as local councils, intellectual groups of writers, poets, and artists, student organisations, religious affiliated groups like Sufi networks, and so on have been around for a much longer period than NGOs,[15] their voices have received little to no attention from the political decision-makers in comparison to donor-funded NGOs in the post-2001 context of Afghanistan.

2.3 Evolution of civil society and governance relations in Afghanistan: An historical overview

Civil society as a concept and indeed as a discursive practice in the Afghan context has gone through a dynamic process and evolved throughout the different phases of the country's history with a variant meaning and understanding. This perhaps goes too far, but since the 19th and early 20th centuries, scholars have looked at the different actors and institutions representing civil society with the purpose of making people's voices heard to central government.

Nawid, for instance, pointed out that during the 19th and early 20th centuries, although little attention was paid to the role of what she called the clergy as "the guardians of the Islamic order and the representatives of civil society in Afghanistan, they did play an important role in domestic politics and in Afghanistan's relations with foreign powers."[16] She further elaborates on the clergy as a political force during the late 19th century when some of the government-appointed scholars were influenced by the progressive views of the time and allied themselves with the liberals.[17] However, in most cases, the religious scholars remained in their positions to

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12   Tandon and Mohanty, *Civil Society and Governance*, 6-7.

13   Orzala A. Nemat, "Local Governance in the Age of Liberal Interventionism: Governance Relations in Post-2001 Afghanistan" (PhD diss., School of Oriental and African Studies, 2014).

14   See Antonio Giustozzi, *Empires of Mud Dynamics of Warlordism in Afghanistan, 1980-2007* (London: Hurst, 2009), 88-89; UN Security Council Resolution 1378, November 14, 2001, "On the Situation in Afghanistan."

15   Kaja Borchgrevink, "Religious Actors and Civil Society in Post-2001 Afghanistan" (Oslo: International Peace Research Institute, 2007).

16   Nawid, "The State, the Clergy, and British Imperial Policy," 581.

17   For the distinction between politico-religious groups and organisations and traditional religious actors and organisations, see Section 5.1 below.

become a rubber stamp for implementing government policies. This reviewing role played by religious scholars in the late 19th and early 20th centuries informs us that the space occupied by civil society at that time was mainly filled by religious scholars. Or, at least, such an account was acknowledged in the British Empire's policies and historical accounts of the time.

In the later years, especially from the mid-20th century onwards, with the emergence of educated urban elite networks, the concept of civil society evolved with a new understanding. In this period, under the influence of broader global as well as regional political changes, civil society became equated with the secular intelligentsia, that is, professionals, politicians, and artists with a background in the modern systems of higher education.[18] This particularly changed the earlier dynamic, as some of the religious scholars and groups were sponsored by external networks (US and Pakistan) in order to antagonise the progressive urban intelligentsia. The Soviet invasion of Afghanistan in 1978 could be seen as a turning point in terms of these shifts in the definition of civil society actors. During the Soviet invasion (1978-88), religious actors emerged as a mixture of socio-political and later politico-military groups. They operated outside the state and yet also provided support to the population and addressed their needs, not necessarily on the basis of the state's responsibility toward its population, but rather on the basis of patronage and loyalties that continued to be the dominant ruling system between the 1990s and early 2000s at the subnational level. In this period, as the anti-Soviet war was ideologically framed on the basis of religion and nationalism, these actors were seen more in opposition to the ruling regime rather than as reformers of the existing system.

As Roy points out, "civil society" as a term or concept has been used extensively since the 1990s by the international community to promote political and economic transitions in countries that used to be under the former communist order or are recovering from war and violent conflict.[19] The usage of this term as a tool or means to promote democracy and human rights, particularly in the post-2001 context of Afghanistan, could be considered as a significant shift in the understanding of civil society in the Afghan context. During this period, the theoretical discussion of "civil society" as a term did necessarily include broader segments of the civil society. And in practice, Western donors' attention toward funding and supporting NGOs in order to promote democratisation and good governance has given NGOs a salient role among CSOs. Consequently, the gap that emerged during the years of war in terms of civil society's place was gradually filled by other actors such as the different international NGOs (INGOs) and later national NGOs that have become more active in terms of community mobilisation and the delivery of basic services across Afghanistan in the absence of a functioning state and its services.[20] From agriculture to health, and from education to income-generation projects, the UN agencies as well as national and international NGOs have taken an active part not only in delivering these services but also gradually playing a role in mobilising communities, raising their awareness in terms of rights, health, and education, and training people to teach them skills to keep their powerholders accountable.[21] Consequently, the civil society concept, if defined and understood in terms of its role in bridging the voices, concerns, and demands of the population toward the government and vice-versa, has evolved over time. It is neither a new nor an unclear concept in the Afghan context.

Afghanistan's post-2001 context has been the subject of multiple interventions from the military to politics and economics with an enormous flow of funding and financing of varying programmes with different agendas and interests.[22] In particular, many development aid projects based on the good governance rationale have been implemented by national and international NGOs, and certainly this high level of resources being channelled through NGOs has resulted in the overall concept of civil society being equated with NGOs and actors that are part of these types of organisations.

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18   Kristian Berg Harpviken, Arne Strand and Karin Ask, "Afghanistan and Civil Society" (Peshawar and Bergen: Norwegian Ministry of Foreign Affairs, 2002). The authors provide a critique of an Amnesty International report entitled "Human Rights Defenders in Afghanistan: Civil Society Destroyed" (Amnesty International, 1999).

19   Olivier Roy, "The Predicament of 'Civil Society' in Central Asia and the 'Greater Middle East'," *International Affairs* 81, no. 5 (2005): 1001-12.

20   Harpviken et al. "Afghanistan and Civil Society."

21   Roy, "The Predicament of 'Civil Society'."

22   Nemat, "Local Governance in the Age of Liberal Interventionism."

Consequently, a clear understanding of civil society and governance relations is a primary step when looking at the role that different CSOs play in promoting good governance, the challenges that they face, and the strategies that they use to tackle these very challenges. This paper hence does not seek the "right" definition of civil society; it rather aims to address how the understanding of this concept has evolved over time in order to be able to provide evidence-based policy recommendations on the effective role that CSOs play in promoting accountability, transparency, and inclusiveness in governance relations.

2.4   Defining key concepts

An important point to be made here is acknowledging the difference between **government** and **governance**. While the former concept mainly refers to the executive part of the state's triple branches, the latter is an action that is not necessarily bounded or limited to the practices of formal state institutions.[23] Hence, **governance** is generally understood as "the various institutionalised modes of social coordination to produce and implement collectively binding rules, or to provide collective good."[24] The act of governance consists of structures and processes. Governance *structures* refer to institutions and actors, while the governance *process* denotes the coordination between actors in rule-making and the provision of collective goods.[25]

The World Bank defines **good governance**[26] as a "way in which power is exercised in the management of the economic and social resources of a country, notably with a view to development."[27] The UN Development Programme puts further emphasis on different dimensions of governance such as it being "participatory, transparent, and accountable," effective and equitable, and promoting the rule of law.[28] Good governance is a model of governance that promotes the rights of individual citizens and the public interest, and it creates an effective framework that can ensure stable regimes, rule of law, efficient state administrations, and a strong civil society that is independent of the state.[29] Germany's country strategy for Afghanistan 2014-17[30] defines **good governance** among its priority areas that focus on rule of law, political participation, and public administration as the principal pillars. This combined approach aims to enable the state to take account of the needs and interests of the affected population in the planning and decision-making process,[31] while making transparency and accountability key focus areas at both the national and subnational levels.

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23   Nemat, "Local Governance in the Age of Liberal Interventionism."

24   Tanja A. Börzel and Thomas Risse, "Governance without a State: Can it Work?" *Regulation and Governance* 4, no. 2 (2010): 114.

25   Börzel and Risse, "Governance without a State," 114.

26   The discourse around good governance originates from the World Bank's failure in its economic policies in the African countries, where issues such as administrative inefficiency, corruption, absence of rule of law, and lack of transparency have led to the labelling of such nations as countries with "bad governance." Hence, the conceptualisation of "good governance" is linked to the identification of strategies and policies that can tackle these issues. See Tandon and Mohanty, *Civil Society and Governance*, 9.

27   Sam Agere, *Promoting Good Governance: Principles, Practices and Perspectives* (London: Commonwealth Secretariat, 2000), 3.

28   United Nations, "Definition of Basic Concepts and Terminologies in Governance and Public Administration" (Economic and Social Council, Committee of Experts on Public Administration, Fifth Session, E/C, 2006).

29   United Nations, "Definition of Basic Concepts and Terminologies," 4.

30   BMZ (German Federal Ministry for Economic Cooperation and Development), "New Country Strategy for Afghanistan 2014-2017" (Strategy Paper 3, BMZ, 2014).

31   BMZ, "New Country Strategy for Afghanistan 2014-2017."

In the current Afghan context, the authors tend to understand **governance structures** in both the formal and informal sense. Hence, governance structures in the contemporary context of Afghanistan consist of village-level Community Development Councils (CDCs), traditional or local councils of elders, kinship and other groups; district-level councils such as District Development Assemblies (DDAs), Municipality Councils, and other structures established for purposes of delivering projects and negotiating disputes and conflicts in their localities. It also consists of the following formal structures such as the socio-political groups aiming for political representation, that is, the Provincial Councils (PCs) (*Shura-e-Wolayati*) where members are elected as result of nationwide elections, and finally, the Lower and Upper Houses of Parliament (*Wolesi Jirga* and *Mishrano Jirga*) that are national-level institutions and part of the legislative branch of the state. It is the interaction, negotiation, and relation between these structures as well as the actors involved in them that defines **governance relations** in Afghanistan's post-2001 context.

This paper understands **civil society** as a socially and politically constructed concept that in each context, time, and place can include different organisations, institutions, and groups. Or to borrow the definition of Tandon and Mohanty, a collective force of individuals who play a role in keeping the government accountable and aim to reform the existing governance structures and systems.[32]

2.5 Promoting accountability in conflict-affected settings: A conceptual framework

Afghanistan's post-2001 context as framed in the broader international relations field is characterised as a country in need of "post-war reconstruction" or liberal peace-building intervention.[33] These interventions made by countries in the Global North aim to promote liberalisation in all socio-political as well as economic fields in countries of the South, particularly those that have experienced violent conflict. Hence, terms such as "fragile" or "failed" states are used to describe the situation in countries where state institutions do not function in the same way as the Western model of states do. The purpose of liberal peace-building interventions is to build state institutions and liberal forms of democracy and governance systems in such countries. As has been the case in Afghanistan, it is typical for the intervening forces to arrive in a country (with multiple agendas and intentions), often overlooking the existing political and economic conditions and the history of its ruling systems. These interventions result in complex outcomes that cannot be seen as a "success" or "failure," but rather as an outcome that may not necessarily be what was initially intended by international intervention.[34]

When the promotion of good governance agendas becomes non-achievable, some scholars and policymakers then propose "**good enough governance**" as an approach that lowers the high expectation of transforming such societies through the promotion of good governance in a limited period of time.[35] Grindle, for instance, describes "good enough governance" as a minimal condition of governance that is necessary to allow political and economic development to occur, which contrasts with the long and growing list of normative requirements of the traditional good governance agenda.[36] According to Borgh and Aguirre, the "good enough peace" approach views state-building as "an elite-driven process between international actors and local elites."[37] The challenge with such an approach is the lack of clarity on how "local elites" are defined and how a reliance on these local elites could possibly ensure a transparent and democratic governance process.

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32   Tandon and Mohanty, *Civil Society and Governance*, 7.

33   Nemat, "Local Governance in the Age of Liberal Interventionism."

34   Orzala A. Nemat, "Empowering Women and Girls: Challenging the Notion of Victimization" (presentation, Conference on State-Strengthening in Afghanistan 2001-2014: Learning from the Past to Inform the Future, Chatham House, Stanford University, and the United States Institute of Peace, 2016).

35   Derick W Brinkerhoff and Ronald Johnson, "Good Enough Governance in Fragile States: The role of Center-Periphery Relations and Local Government" (presentation, 4th International Specialised Conference on International Aid and Public Administration, International Institute of Administrative Sciences, Ankara, Turkey, 23-27 June 2008), 23-27.

36   Grindle, "Good Enough Governance Revisited."

37   Mariano Aguirre and Chris van der Borgh, "Building Peace, States and Hybrid," *The Broker*, 2 February 2010, http://www.thebrokeronline.eu/Articles/Building-peace-states-and-hybrids (accessed 22 May 2015).

In a broader sense, promoting good governance through interventions could be summarised in three main points. First, these interventions need to look at and address issues based on the fact that the existing system of rule in Afghanistan is mainly patronage-based as opposed to a fully democratic system. Second, as Daxner questions, it is necessary to know whether the government and international donors have the political will to learn lessons from their actions and seek ways to play a far more constructive role in ensuring accountability and transparency and strengthening government institutions.[38] And finally, the Afghan Government and international donors need to reconsider their perception of the recipients of government and international support—i.e., the population—who should be seen as citizens and partners rather than as passive recipients of external interventions.

The Self-Reliance through Mutual Accountability Framework (SMAF) from 2015 outlines six areas of focus to ensure the country's political and economic stability. This framework could be seen as a political commitment from the government and provides a clear outline for assessing the Afghan Government's actions in different areas. These areas relate to improving security and political stability; promoting anti-corruption initiatives, governance, rule of law, and human rights; restoring fiscal sustainability and the integrity of public finance and commercial banking; reforming development planning and management; ensuring citizen's development rights; and guaranteeing private sector development and inclusive growth and development along with development partnerships and aid effectiveness.[39] Although the document mentions the signing of a Memorandum of Understanding (MoU) between the government and civil society as one of its deliverables for 2016,[40] there is a need to ensure that consultation with civil society takes place across all areas mentioned in the SMAF and that it is more systematic and proactive.

This paper will follow Grindle's **"good enough governance"** as a framework for analysis in order to assess civil society's role in promoting good governance in Afghanistan. However, considering the limits of this framework as stated above, it needs to be adapted specifically to the context[41] of Afghanistan, which is characterised by a protracted form of conflict over decades as well as existing confusion or lack of clarify among international donors regarding the prioritisation of interventions in different fields and the assessment of the Afghan Government's commitment to delivering what it promises to the population.[42]

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38   Michael Daxner, "Reclaiming Afghanistan Moving toward Nationhood?," *World Policy Journal* 28, no. 2 (2011): 69-78.

39   Islam Republic of Afghanistan, "Self-Reliance through Mutual Accountability Framework."

40   Islam Republic of Afghanistan, "Self-Reliance through Mutual Accountability Framework," 9.

41   Grindle, "Good Enough Governance Revisited," adds further emphasis to the importance of adapting this framework to specific contexts.

42   The study is also partly guided by BMZ's multi-dimensional approach of constructive state and society relations. See BMZ (German Federal Ministry for Economic Cooperation and Development), "Promoting Resilient States and Constructive State-Society Relations—Legitimacy, Transparency and Accountability" (Special 168, BMZ, 2009).

3. Research Methodology

This research was conducted by two experts from Afghanistan and Germany. The research design included a desk review, interviews with key informants (interviewees), sharing the initial findings in a dialogue with key stakeholders at the subnational level (Mazar-e-Sharif), and presenting the first draft with recommendations at the second dialogue in Kabul. The team started with a desk review of existing literature and reports on civil society's role in governance in the context of post-2001 Afghanistan. A road map was then developed for the study to outline the procedures. It should be noted that this research is in no way or form comprehensive in terms of covering the whole country. This is mainly due to the limitations in terms of time and particularly the security challenges that existed during the field research.

The primary research was conducted from September to November 2015. Despite the challenges, the research team added a subnational angle to the study and selected Mazar-e-Sharif city (provincial capital of Balkh) as an exemplary site to examine the research questions at the subnational level. Hence, Kabul City as the Afghan capital and Mazar-e-Sharif as a provincial capital were the main sites of the interviews and dialogues for the study. A total number of 30 key informant interviews (KIIs) and four observation notes on the dialogue and national events were conducted with key stakeholders in Kabul and Mazar-e-Sharif to cover the national and subnational aspects of the research questions (see Appendix 1).

The selection criteria for identifying stakeholders and locations was based on the expert knowledge of the team, the accessibility of areas due to the security situation, and the need to ensure national and subnational coverage. The study followed a relatively comprehensive multi-stakeholder approach where interviewees (and participants in the two dialogues) were identified from among the government, private sector, national NGOs, community-based organisations (CBOs), Provincial and District Council members, academia, youth groups, religious scholars, and German and other international organisations working on strengthening civil society and playing a role in promoting good governance.

The interviews were guided by semi-structured questions that focused on three main areas:

- How is civil society understood by the different stakeholders and what role does it play in promoting good governance?

- What are the key challenges and obstacles for civil society in promoting good governance?

- What strategies are used by the different stakeholders to ensure an active role for civil society in keeping the government accountable, transparent, and responsive to the needs of its population?[43]

A pivotal part of the methodology used in this study was facilitating an interactive dialogue process among the different stakeholders to discuss the aforementioned questions and suggest recommendations for improving the role of civil society in governance relations. This inclusive approach could be seen as a model for the engagements made between the diverse segments of the government, civil society, and international actors.

Following the KIIs, two public dialogue events were organised where representatives of the above categories were invited to provide comments on the initial findings and final recommendations.[44] These dialogues were held in Mazar-e-Sharif to discuss the initial findings of the study and later in Kabul where national-level stakeholders were invited to comment on the first draft, contribute to the expansion and deeper analysis of the initial findings of the research, and review the recommendations of the issues paper. Both dialogues were led and facilitated by the research team, not only for the purpose of seeking the participants' contribution to the research, but also for the core purpose of facilitating the space for discussion and dialogue between civil society, government, and international actors.

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43   These questions were developed based on the broader research questions stated in the terms of reference.

44   The dialogue in Mazar-e-Sharif was held on 8 October 2015 with a total of 38 participants. The dialogue in Kabul was held on 21 December 2015 with 35 participants, including Village and District Council members sitting around the same table as senior government officials from different sectors.

Afghanistan has just had one of the most violent years since 2001, which undoubtedly had implications on the various aspects of overall governance and development relations, and in particular, on the different aspects of this study. In more specific terms, the time limitation and overall deterioration of the political and security situation in northern Afghanistan did not allow for the expansion of this project beyond Kabul and Mazar-e-Sharif where the team managed to visit and conduct primary research. Although the overall civil society and governance relations may not be largely different in the other regions and contexts, the research team acknowledges that some aspects of the findings and recommendations may not be applicable to all of the organisations, government departments, and actors across Afghanistan. The research team followed an approach of using Mazar-e-Sharif as an example, but this city's overall governance, political, economic, and cultural characteristics should undoubtedly not be generalised as representative of centre-periphery relations in Afghanistan.

4.   Civil Society's Role in Governance Relations

The above contextual part of this paper discussed how the understanding of civil society in Afghanistan has evolved and changed over the past century. In the most recent decade and a half, as the evidence demonstrates, the definition or understanding of civil society has mainly been limited to NGOs, although this does not necessarily mean that in reality, NGOs have been the sole players of civil society.

During the research conducted for this study, it was found that different actors understand civil society in different ways. For example, an independent civil society activist considers it as a democratic framework for all structures and institutions that operate outside the government and that their aim is to improve the status of people's lives and watch over the actions of the government.[45] A government official indicated that when a collective of people gather together to work for a particular aim, their action is considered a civil society action.[46] According to a Member of Parliament from Balkh, the definition of civil society should not be limited to NGOs, individuals, or semi-formal structures; she pointed out that lasting and more sustained forms of CSOs are traditional *shuras* (councils), which take part in local decision-making and influence broader political decision-making at the national level.[47] One of the female informants who plays a dual role of advising the President and leading an active NGO in the field of advocacy indicated the importance of civil society's role in both enforcing pressure over the government's actions through demonstrations and critiques of its actions, as well as influencing policies and decision-making through constructive means. An academic and political leader argued that political parties could also be part of CSOs as long as they are not directly active in the state's executive branch.[48] Within the private sector sphere, there is also a space for civil society where the rights and concerns of traders and business actors are addressed, and, for instance, arrangements such as Private Public Partnership initiatives are watched over for their socio-economic impacts.[49] These varying descriptions of civil society and their roles also confirm earlier research on defining CSOs, which include not only Afghan and international NGOs but also other social, religious, women's, youth, arts, trade unions, traditional, tribal, or clan groups, and others that are active in promoting a common interest or public cause. In Afghanistan, the definitions of civil society can also include *shuras, jirgas,* CDCs, and traditional structures and actors, as well as representatives such as the *ulema, maliks,* individual activists and artists, independent media, and analysts.[50] In sum, while it is important to introduce a comprehensive definition of civil society, it is also necessary to acknowledge the varying perceptions and understandings among different actors in terms of civil society and its role in governance relations.

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45   KII, civil society activist, Kabul, 15 September 2015.

46   KII, senior government official, Kabul, 8 September 2015.

47   KII, Member of Parliament from Balkh, Kabul, 12 September 2015. See also Aarya Nijat, Kristof Gosztonyi, Basir Feda and Jan Koehler "Subnational Governance in Afghanistan: The State of Affairs and the Future of District and Village Representation" (Kabul: Afghanistan Research and Evaluation Unit and German Federal Ministry of Economic Cooperation and Development, 2016).

48   KII, Afghan academic and political leader, Kabul, 15 September 2015.

49   KII, private sector development leader, Kabul, 1 November 2015.

50   Halim Fidai, "How Afghans View Civil Society: Afghanistan Civil Society Assessment Roundtable Discussion Report" (Kabul: Counterpart International, 2006); Elizabeth Winter, "Civil Society Development in Afghanistan" (London School of Economics and Political Science, Centre for Civil Society, and ESRC Non-Governmental Public Action Programme, 2010).

4.1 Understanding Afghan civil society in the post-2001 context

Any organisation or union that is not part of or funded by the Afghan Government should be considered as part of Afghan civil society. Journalists' union, religious organisations, workers' union, teachers' unions, independent journalists, analysts, human rights organisations, local and regional shuras (councils)…[51]

Following on from the earlier discussions on how the understanding of Afghan civil society has evolved historically, in this section, the paper presents a brief analysis of the various groups, organisations, and settings that represent the Afghan civil society in the post-2001 context.

Non-governmental organisations

In general, as this study indicates, the NGOs among other CSOs have played a dominant role in speeding up the different aspects of governance processes. For instance, some NGOs have been at the forefront of raising awareness about rights and civic education, mobilising communities to become engaged in constructive forms of dialogues and advocacy with government and international donors, and delivering services that serve and promote good governance. In addition, some of the national NGOs have contributed enormously to supporting and facilitating government-funded programmes with national coverage such as the National Solidarity Programme (NSP). The role of NGOs as facilitating partners in the overall implementation of this large national programme has been critical, particularly in the earlier years of the post-2001 political settlement when central government's relations with local communities was almost non-existent and when, in terms of human resources, the government was entirely incapable of carrying out the social mobilisation, realisation, and implementation of rural infrastructure projects in technical terms. The reliance on NGOs as facilitating partners for the NSP meant that the government succeeded in reaching out to some of the most remote villages and communities across Afghanistan.[52]

Another example is the role of women in mobilising support to draft the Elimination of Violence Against Women Law.[53] Although this law remains valid through a presidential decree as it failed to gain parliamentary approval, the overall formulation, amendments, and reviews at the initial stage followed by the dissemination and organisation of training and legal educational awareness campaigns to promote this law could be seen as an example of NGOs promoting the rule of law and strengthening the legal aspects of governance.[54]

Some NGOs in the media and human rights sector also played an important role in introducing and then approving the Access to Information Law (signed by the President in December 2014). This law represents a mechanism that results from a long-term advocacy campaign. It aims, among others, to ensure the right of access to information for all citizens from government and non-government institutions, to ensure transparency and accountability in the conduct of governmental and non-government institutions, and to organise request processing and provision of information (Art. 2). Through this law, people can gain access to state and public budgets, and officials are inclined to share information with journalists and citizens. As the implementation of this law poses a great challenge, a joint working force was developed with the presidential office and civil society to monitor its implementation.

The overall boldness of NGOs' actions and the significance of their work are mainly related to their access to financial and technical resources that international donors, mainly of Western origin, provide to CSOs.

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51   KII, independent Afghan journalist, USA (via email), 1 October 2015.

52   Nemat, "Local Governance in the Age of Liberal Interventionism."

53   For further details on the process of the formulation of the Elimination of Violence Against Women Law, see Torunn Wimpelmann Chaudhary, Orzala Ashraf Nemat and Astri Suhrke, "Promoting Women's Rights in Afghanistan: The Ambiguous Footprint of the West," in *A Liberal Peace? The Problems and Practices of Peacebuilding*, ed. Susanna Campbell, David Chandler and Meera Sabaratnam, 106-20 (London, New York: Zed Books, 2011).

54   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

Religious institutions and actors

Religious institutions (mosques, hossainia, madrasa, and Shora-e-Ulema) and actors (religious scholars, clergymen or mullahs, and members of religious councils)[55] have also been active over the past decade and a half in seeking religious justifications and references to the overall national processes of democratisation and governance relations. However, it is important to make a distinction between politico-religious groups and organisations, and traditional religious actors and organisations.[56] While the work of the former is mainly ideological with the aim to mobilise people (particularly the youth) through a more radical and restrictive interpretation of Islam, the latter has been a strong partner with NGOs and other civil society groups in supporting and endorsing their work from a religious perspective. Nevertheless, some still argue that the government and international partners pay much less attention to building a direct or closer partnership with religious institutions in a systematic way.[57] In general, these religious actors often contribute to national processes such as constitution drafting, elections, vaccinations, educational campaigns, and so forth.[58] As one of the religious scholars in the Mazar-e-Sharif Dialogue suggested, it would be helpful to introduce concepts and meanings related to good governance in accordance with people's own understanding and to connect and relate it to Islamic references, so that it will be context-specific and more understandable to people.[59] It has also been common for most NGOs, particularly those working in rural areas, to choose local mosques and religious actors such as mullahs or members of religious councils as their entry point and introductory focal points when launching a programme or project in a given locality.

Social organisations or sazman-hai-ejtemai

Another example of CSOs is known as Sazman-hai-Ejtemai (Dari expression for social organisations). Technically, these organisations are registered with the Ministry of Justice (MoJ). According to their website, 1,913 social organisations or associations are formally registered with the government.[60]

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55   In this paper, religious institutions refer to mosques, *hossainia* (where men and women congregate for prayers and more often for religious ceremonies), *madrasa* (religious schools), and *Shora-e-Ulema* (religious councils). Religious actors include religious scholars, clergymen or *mullahs*, and members of the Ulema Council. Traditional religious institutions and actors generally imply these institutions and actors that have historically been part of Afghan society.

56   Osman provides details on the current trend of Islamist activism where four groups are identified as organisations or groups that use religion (Islam) as an ideological basis for their political mobilisation. See Borhan Osman, "Beyond Jihad and Traditionalism Afghanistan's New Generation of Islamic Activists" (Thematic Report, Afghan Analyst Network, 2015).

57   Mirwais Wardak, Idrees Zaman and Kanishka Nawabi, "The Role and Functions of Religious Civil Society in Afghanistan: Case Studies from Sayedabad and Kunduz" (Kabul: Cooperation for Peace and Unity, 2007); KII, religious scholar, Kabul, 18 October 2015.

58   KII, NGO leader, Kabul, 16 October 2015.

59   KII, religious scholar, Kabul, 18 October 2015.

60   Ministry of Justice, "Jamiyat Ha (Associations)," 2013, http://moj.gov.af/fa/page/registered-political-parties-and-social-organizations/1701, 2013 (accessed 1 May 2016).

Box 1: Private Sector and Civil Society Engagements

"September 1, 2015, Kabul—Harakat—Afghanistan Investment Climate Facility Organisation and Integrity Watch Afghanistan launched the National Conference of Religious Leaders (Ulema), which was a part of Moving Toward Integrity Project on Tuesday in Kabul. The goal of this project is to engage with religious leaders and other influential members of the public to raise awareness about corruption and encourage action at the grassroots level to counter it by using direct outreach and mass communication channels such as public forums, radio, television, social media, website. The Conference was a key part of this endeavor. Mohammad Ashraf Ghani, the president of the Government of NUG of Afghanistan participated in this conference where more than 400 religious scholars from across the country took part. In his speech, president Ghani strongly condemned corruption and called for a "national jehad" to fight the cancer that has gripped the country. He added: "If corruption turns into an organised phenomenon it becomes like a "cancerous lesion" that can threaten the essence of the nation." He urged the religious leaders, the Ulema, to work with the government to counter corruption. President Ghani said that the driving sources of corruption include: procurement contracts, property deeds informality, mining, narcotics, customs and nepotism in the government.""

Source: "President Ashraf Ghani Tackles Corruption at the National Conference of Religious Leaders (Olama)—Moving towards Integrity Project," Harakat, 1 September 2015, http://www.harakat.af/news40f2015072037.html (accessed 4 November 2015).

The main difference between social organisations and NGOs is that the former are not entitled to receive donor funding or have budgetary expenses for development projects. Their role is mainly to promote volunteerism and strengthen efforts toward education, accountability, transparency, and inclusiveness of government. However, when examining the list of registered social organisations, one can observe the diversity in terms of their motivations: ideological thinking, tribal origins, age (e.g., youth and elderly), gender (women), sports, geographical location (village, urban, or rural), vocational businesses, and so forth. For instance, one social organisation in Bamyan city and some of Bamyan's districts created a small local library through voluntary campaigns, and the library now provides villagers with books and journals. The library facility is also used to meet and discuss social and cultural topics.[61]

Private sector

Some segments of the private sector could also be considered as civil society, particularly trade unions, business associations, and networks such as Harakat, which aims to improve the business environment by removing the barriers faced by business communities in Afghanistan.[62] Defending the rights of traders through unions and organisations in the judiciary system is another aspect of their work. During the course of this study, the team also came across examples of charity work undertaken by Afghan traders who use their religious tax funding or *zakat*. For instance, a businessman interviewed in Mazar-e-Sharif explained his role in sponsoring and arranging mass weddings, providing emergency food assistance to refugees from Kundoz, and so forth. Within this sector, another group, particularly a younger generation of entrepreneurs, are emerging and incorporating their innovative skills in the field of arts,

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61 Based on the co-author's doctoral research in the central highlands. See Nemat, "Local Governance in the Age of Liberal Interventionism," for further details.

62 KII, private sector development leader, Kabul, 1 November 2015.

music, information technology, and so on to promote social values and causes. However, as pointed out by Ciarli et al., this entire segment of private sector social entrepreneurship is under-researched.[63]

Traditional councils

Traditional councils, particularly those in local settings, hold a more mixed position between civil society and governance. On the one hand, members of traditional councils take part in governing their localities, and on the other hand, they become voices of their communities beyond their locality in relation to the state and other actors.[64] Afghanistan's history is tied with the history of *jirgas* (Pashto and Dari word for council) or *shuras* (Arabic expression for the same term). Harpviken et al. pointed to the evolution of traditional forms of councils into the modern councils seen in the current form of CDCs in villages.[65]

Table 1 below summarises the characteristics, aims, and functions of traditional and modern councils and highlights the difference between the traditional councils that are more "open" compared with the modern councils that are quite "fixed" in terms of their overall work.

Table 1: Evolution of traditional councils[66]

Membership	Traditional "open" councils	Modern "fixed" councils
Characteristics	Age, religious competence, economic or social power Contact with the authorities	Development vision, modern education, representative of the entire population Contact with agencies
Objectives	Problem-solving and conflict resolution	Planning, implementation, and running of community projects
Function	Reactive.	Proactive

Traditional councils have mainly been involved in conflict resolution and facilitating different development interventions in their communities. Religious actors and institutions such as the *mullahs*, councils of religious scholars, or *Shura-e-Ulema* also play an important role in supporting and cooperating with the government or critiquing and protesting against some aspects of government actions. An in-depth analysis of religious actors in governance relations is beyond the scope of this paper, but what can be stated here is that both the government and religious actors do interact and form relations with the population, using each other for the purposes of justifying their actions and gaining legitimacy to lead the population.

Independent media

An independent media has become one of the most vibrant segments of civil society in terms of both playing a whistleblowing role to highlight issues of corruption, nepotism, and overall poor governance and promoting democratic governance and a stronger role for civil society in governance relations.[67] The media sector includes radio, television, and print media broadcasting. Over the past few years, the use of social media has also become very common, particularly among the urban youth. It should be noted that the development of the media sector since 2001 has also been largely donor-dependent. Nevertheless, some of the large media productions have managed to use innovative approaches to ensure their long-term sustainability. There are different institutions and initiatives for the protection of journalists, freedom of speech, and media accountability mechanisms. Given that the radio is one of the

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63   See, for example, Tommaso Ciarli, Saeed Parto and Maria Savona, "Conflict and Entrepreneurship in Afghanistan" (Helsinki: UNU-WIDER, 2009).

64   Nemat, "Local Governance in the Age of Liberal Interventionism."

65   Harpviken et al. "Afghanistan and Civil Society."

66   Harpviken et al. "Afghanistan and Civil Society," 6.

67   It should be noted that as in many other contexts, Afghanistan also has state-run and funded media, but the aim here is to highlight the role of media as a form of civil society in promoting accountability and good governance.

most accessible forms of media for the majority of the Afghan population, there have been different examples of using radio programming to broadcast advocacy messages across the country. One example mentioned in an earlier assessment is *Tanin* (Reverberation), the national network of local radio stations. This network reaches 50% of the population and aims to focus on the delivery of development assistance programmes by creating a space for the audience and aid workers to publicly discuss matters of accountability and effectiveness of projects.[68]

Afghan academia

Compared to other segments of the civil society, the Afghan academia has been relatively weak in developing an understanding of democratic concepts and how they could be studied, interpreted, and introduced through the higher education curriculum. In Kabul, a university professor discussed the lack of reliable sources due to the language barrier, limited facilities, and lower qualification of teaching staff as challenges to introducing relatively new concepts.[69] In the Mazar-e-Sharif Dialogue, a religious scholar highlighted the importance of incorporating relatively new concepts into the education curriculum so that the younger generations learn about them early on.[70]

Community-based organisations

CBOs and/or CDCs have also become the major hub for the implementation of development and infrastructure projects in their communities. Among other CBOs, the CDCs especially play a dual role of governance (i.e., being involved in village decision-making in terms of the village needs) and civil society (i.e., representing their village concerns and demands at the district, provincial, and national levels).

Box 2: A local initiative: Complaint box established by district civil society organisation

The establishment of a complaint box by the district civil society representative in Balkh District can serve as a good and simple example of addressing the needs of the people. A Member of the District Council provided an example: a young girl put a note in the box saying that her parents did not allow her to go to school. The civil society representative took up the case and discussed it with the family, and after consultations, the family agreed to send their daughter to school.

The CSOs in local and village settings connect the villages to the state and tend to strengthen the perceived quality of state services in their community, without competing with it. However, given the absence of a meaningful delegation of authority to subnational levels, it is difficult to link community planning through districts and provinces with strong centralised public planning and resource allocation.[71]

In the urban setting, modern councils also include different interest groups. However, it is unknown whether all actions and practices of these groups are entirely in line with how civil society defines its aim, which certainly requires further in-depth study. Nevertheless, the presence and activeness of these organisations and interest groups within the context of Afghan civil society should be acknowledged here.

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68   Fidai, "How Afghans View Civil Society," 32.

69   KII, university professor, Kabul, 15 September 2015.

70   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

71   For further details, see Nijat et al. "Subnational Governance in Afghanistan."

4.2   Government's role in allowing space for CSOs

In a democratically elected system where the legitimacy of the government comes from the open and direct votes of its population, it is obligatory for the government to ensure a meaningful and active space for the voices and concerns of civil society institutions and actors to be included in the everyday practices of governance. The more independent, vibrant, and active a civil society is in a country, the greater the legitimacy its government can enjoy. However, in countries with dominant (neo)patrimonial systems where liberal democracies only replace the patronage system of governance through international political, military, and financial sponsorship, overall civil society and government relations are eventually less stable and smooth, and civil society's role in promoting governance is far weaker and complex. It is therefore crucial for the government and its international sponsors to take note of an in-depth understanding of the contemporary socio-political context and adopt policies that can prioritise professionalism, bureaucratic systems, and merit-based appointments over the patronage-based system of governance.

In this section, a brief overview of government procedures for opening up a space for civil society under the current system will be provided.

Registration of CSOs

In terms of the legal framework, there are varying mechanisms in Afghanistan for regulating different segments of civil society. For instance, NGOs (including what is known as "civil society" network and coordination bodies) are registered with the Ministry of Economy, while political parties and social organisations are registered with MoJ.[72] Similarly, labour unions are registered with the Ministry of Labour, Social Affairs, Martyrs, and Disabled, while teachers' associations with the Ministry of Education. Religious councils also have their own system of registration through the Ministry of Hajj and Religious Affairs. The current registration mechanisms are not entirely systematic and efficient in terms of transparency, accountability, and regular assessments of the organisations. It is more of a technical system to ensure that a government institution has a record of the projects, finances, and staff of each organisation.[73]

Civil society at the subnational level

At the subnational level, the line departments of the different ministries operate in a similar manner by registering the activities of CSOs in their provinces. For instance, the provincial department of the Ministry of Economy receives regular quarterly reports regarding the activities and projects that are implemented by NGOs in Balkh Province. However, due to the fact that most of the larger organisations are based in Kabul, the registration mechanism and regulatory procedures are centrally led from Kabul for the most part.[74]

In its policy paper from July 2013, the Independent Directorate of Local Governance (IDLG) introduces a strategy to promote constructive engagement with civil society and human rights organisations at the subnational level. The policy identifies the Afghan Women's Network, *Ulema* Council (council of religious scholars), and media as their partners. It aims to create constructive relations between the IDLG and civil society in order to promote good governance and effective development at the local level.[75] In sum, this research shows that the Afghan Government is not in shortage of policies and strategies of engagement with civil society, although the persistent challenge is to see how such policies are translated into political

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72   According to the law, NGOs are defined as "a domestic non-governmental organisation which is established to pursue specific objectives" (*a tremendously vague classification*) and social organisations as "the voluntary unions of natural or legal persons, organised for ensuring social, cultural, educational, legal, artistic and vocational objectives," cited in Eric Davin, Arezo Malakooti and Alice Plane, "Signposting Success: Civil Society in Afghanistan" (Kabul: Altai Consulting, 2012), 16.

73   Numerous attempts have been made by various donors to support NGOs (among others, CSOs) in terms of their organisational capacity development, but given that most of these attempts are off-budget and donor-funded, their sustainability still remains a matter of concern.

74   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

75   Independent Local Governance Directorate, "Civil Society Engagement Policy in Sub-National Governance" (Kabul: Independent Local Governance Directorate, 2013); KII, senior government official from IDLG, Kabul, 8 November 2015.

commitment by the government across sectors and at the national and subnational levels, with the aim to provide a meaningful space for civil society's constructive engagement in promoting accountability.

Political commitment and consultation of civil society organisations and actors

The overall political commitment of the government is open to interpretation by different actors. Some view the National Unity Government (NUG) as being more open to civil society voices and concerns than the former government, while others express concerns that despite the NUG being receptive to civil society's voices, it still remains weak in terms of taking practical action on its demands and addressing concerns.[76] For instance, nationwide demonstrations organised by various CSOs in condemnation of Farkhunda's heinous murder by an angry mob in Kabul were unprecedented. However, most of civil society's expectations in order to have a fair trial and punish the perpetuators in accordance with the law went unfulfilled. In terms of policy consultations, the dominant practice is still to consult with civil society for a last-minute ticking-the-box type of exercise. This happens as government institutions are often under time constraints to deliver based on donor deadlines and international conferences.[77]

A relatively good example of government and civil society collaboration in a hybrid form has been the civil society joint working groups (CSJWGs) operating in different sectors such as the Media Commission (dealing with public complaints relating to media outlets), the Detention Working Group (dealing with the violations of detainees' rights), and the Violence Against Women Commission, which is a multi-stakeholder group following up individual cases of violence against women and providing support for safe houses or shelters for women at risk. In all of these examples, the representatives of the relevant government institutions and different segments of civil society sat down together and discussed the issues in order to find solutions.[78]

Under the new NUG, due to the long delay in confirming the election results and forming the executive cabinet (i.e., the approval of ministerial positions), along with the deterioration in the security situation, consultations with CSOs have become relatively *ad hoc* and less systematic, which, if continued in this way, could lead to risky implications, although steps like signing a MoU with the Joint Civil Society Working Group could be seen as constructive responses to such challenges. Consequently, there is a stronger need to integrate civil society consultations and address these voices across sectors and areas as well as at both the national and subnational levels.[79] Civil society actors also need to focus on more systematic ways to develop a follow-up mechanism and should move out of their reactive mode of action.

4.3   Conclusion

In sum, this section introduced a contemporary understanding of CSOs and actors in the post-2001 context of Afghanistan, which includes various organisations, groups, and communities that aim to address people's concerns to policymakers and play a role in governance relations. The section also highlighted how CSOs in different parts interact with government to promote accountability, transparency, and effective forms of governance. It also highlighted some of the complexities that exist in defining these roles; for instance, the example of CDCs operating as both a governance structure and a community-based CSO at the local level.

It should be noted, however, that these categorisations should not be seen in a dogmatic manner by assuming that each of these segments of CSOs are completely separated from the others; there certainly are overlaps, intra-relations, and further complexities within these organisations as well as in their relations with the government.

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76   KII, civil society activist, Kabul, 15 September 2015; KII, civil society leader who moved to a government position, Kabul, 8 September 2015; KII, civil society leader, Balkh, 6 October 2015.

77   Based on one of the co-author's observations of the civil society consultations in the development and security sectors. See also Nemat, "Local Governance in the Age of Liberal Interventionism."

78   Based on the general observations of the research team, interviews, and dialogues.

79   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

The second part of this section highlighted different regulatory mechanisms used by the government to legitimise the role of civil society, for instance, by registering these organisations and signing MoUs with groups and networks.

As this section reflected, the NUG's political commitment as reflected in the SMAF and other government policies is expressed clearly, and there is hardly a lack of policy and strategy to promote the values of good governance. However, when looking at the ground realities, neither civil society nor government have succeeded in ensuring accountability, transparency, and follow-up in their actions and practices. Consequently, there is need to translate these broader commitments across government sectors and at the national and subnational governance levels in order to ensure a stronger and more meaningful engagement between the different parts of civil society, the relevant government institutions, and indeed, the people.

5. Challenges for Civil Society and Government

Corruption, insecurity, non-professional employees, and the existence of warlords within the government structure and also some important issues like abusing legal authorities, favouritism, nepotism, lack of public awareness, and many other examples are the key challenges that civil society organisations and actors are facing in Afghanistan due to the fact that Afghanistan is a new standing democratic country.[80]

Afghan civil society and the government both face enormous challenges in promoting good governance, accountability, and transparency. This section will present a general assessment of these challenges, followed by an analysis of the challenges encountered by civil society and government, and finally a reflection on how these challenges can be tackled.

5.1 General assessment of the challenges

As described in the following sections—mainly based on the interviews and dialogue events—the challenges in promoting inclusiveness, accountability, and transparency (i.e., good governance) are not only complex but also multi-dimensional. For instance, during the course of this research, stakeholders referred to the deterioration of the overall security situation, the weak performance of state institutions, the somewhat conflictual relationship between the actors of CSOs and government institutions, and the ambivalent perception of NGOs as the only CSOs and of NGO leaders as the only civil society activists.

The relationship between government and civil society actors is partly marked by a lack of confidence, mistrust, unfulfilled political expectations, a lack of representation, and weak coordination and political will to conduct constructive dialogue processes.[81] Some interviewees from the international community also commented on the limited culture of transparency in political decision-making and referred to accountability as a partly externally imposed agenda.[82] As a civil society expert commented, "NGOs are seen as created from the outside, or they are seen as a source of employment for events, travelling around, etc."[83] This leads to the perception that as externally funded entities, both NGOs and the government are only accountable to donors, not necessarily to the people.

The challenging relationship between government, civil society, and local communities is also due to the dominance of the culture of impunity, in which perpetuators of war crimes, corrupt officials, and warlords or strongmen were never brought to justice, but instead given power positions as a privilege in the post-2001 political settlement. Furthermore, challenges mentioned by the interviewees and dialogue participants refer to the lack of a well-defined democratic approach within the government's law-making, planning, budgeting, and accountability processes, including the absence of a clear code of conduct that clarifies roles, responsibilities, and obligations. The weak relations between the centre (central government) and periphery (or subnational formal and informal governance settings) actors—across all sectors—is another important challenge. This frequently goes hand-in-hand with a weak institutional capacity and capability for effective public services, insufficient or inadequate accountability on all levels, patronage-based relations, and the involvement of selected CSOs in governance processes. Several interviewees referred to the negative perception of CSOs—especially NGOs—as a foreign concept with a donor-driven agenda.

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80 KII, youth leader and human rights activist, Kabul, 22 October 2015.

81 KII, NGO leader, Kabul, 15 October 2015; KII, INGO leader, Kabul, 22 October 2015; KII, civil society activist, Kabul, 15 September 2015.

82 KII, international cooperation advisor, Kabul, 28 September 2015; KII, civil society expert, Kabul, 14 October 2015.

83 KII, civil society expert, Kabul, 14 October 2015.

5.2   Challenges with regard to civil society

Lack of an inclusive concept, lack of legitimacy, and negative perceptions of CSOs among the public

There is no clear understanding and common consensus about who is included (or excluded) as a CSO or actor; hence, the need for an inclusive concept of civil society is widely recognised (see Sections 2.4 and 4.1 above). Various interviewees referred to the negative impression held about NGOs who represent Afghan civil society, and they highlighted the lack of legitimacy due to several factors: misuse of civil society positions for personal or group interests and gains, "government-owned" CSOs, donor-oriented objectives, dependency on external funding and the associated competition, and the negative impact on the traditional self-help culture known as "*Ashar*" or community members working together on a volunteer basis.[84] The eventual disconnection of NGOs from communities—seen as "target groups" for project and fund-raising purposes—seriously affects the representativeness and legitimacy of CSOs, as well as the possible division and competition among them.[85]

Furthermore, especially in the case of NGOs, they are sometimes perceived as actors influenced by foreign cultures, which may explain the resistance of other actors such as traditional and religious leaders to CSOs. It has been urged that if NGOs aim to represent segments of civil society, they need to talk in the language of the common people and respect their traditions and sensitive topics.[86] According to the dialogue participants in Kabul who represented women from civil society, it is not only the NGOs who represent civil society, but also the local community councils and mosques where meetings on public issues are held and decisions are made.[87] They emphasised the importance of presenting a comprehensive strategy that introduces civil society in a more inclusive way. An elderly participant who represented a community council in Kabul's rural districts raised the issue of a disconnection between NGOs and the people, and stated that if NGOs are involved in dividing people rather than uniting them, they cannot be considered as a part of civil society: "If civil society organisations divide different groups, surely people will not trust them...The activities of civil society should not merely be spread around Kabul's elite neighbourhoods like Shahr-e-Naw, Qala-e-Fatullah, and Wazir Akbar Khan areas; these activities should be spread beyond the cities and into rural areas too."[88]

Another important challenge that was highlighted during the course of this study is the issue of overlooking the importance of civil society and private sector relations. One of the dialogue participants pointed out that international funding for civil society activities is not sustainable and will not last forever. Hence, CSOs need to build stronger relations with the Afghan private sector in order to ensure their long-term sustainability. Also, during interviews with some private sector members in Kabul and Mazar-e-Sharif, it was evident that most civil society advocacy to date has occurred in isolation from the civic concerns within the private sector circles. Although there have been efforts within the private sector to bridge this gap by engaging, for instance, with religious leaders and other influential members of the public on issues of transparency and fighting corruption (see Section 4.1 above), there is no systematic relation between the private sector and civil society circles to enhance their reciprocal relations.

Monopolisation of civil society voices, pseudo-legitimacy, and corruption

> *Unless the Afghan civil society organisations, both secular and religious, remain impartial, it will be extremely difficult to mobilise and organise people.*[89]

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84 KII, civil society activist, Kabul, 15 September 2015; KII, NGO leader, Kabul, 16 October 2015; KII, civil society expert, Kabul, 14 October 2015; KII, INGO leader, Kabul, 22 October 2015; KII, civil society network, Balkh, 6 October 2015.

85 KII, civil society leader, Balkh, 4 October 2015.

86 Observation notes from the Kabul Dialogue, 21 December 2015.

87 Female civil society leader, Kabul Dialogue, 21 December 2015.

88 Elderly participant, Kabul Dialogue, 21 December 2015.

89 KII, independent journalist, Kabul, 1 October 2015.

A principal challenge expressed by the interviewees refers to the monopolisation of civil society voices by a group of influential actors who take credit for everything related to civil society.[90] This phenomenon seems to be present at both national and subnational levels. Some interviewees in Kabul and Mazar-e-Sharif pointed out their dissatisfaction with the current role of some civil society activists who claim to represent the Afghan civil society at national and international conferences and events, but have not left Kabul's elite neighbourhoods in years. While these activists build strong relations with donors and government officials, their relations with the population in general and with their own constituencies in particular are very weak or non-existent in most cases.[91] This is partly related to these particular actors' strong relations with donors and/or government officials, but it is also related to the donors and officials who consider these activists as an "easy access" to tick the "civil society consultation" boxes as required for formal reasons. Hence, this leads to the creation of what some interviewees called pseudo-legitimacy, where the mentioned actors are seen as legitimate in their horizontal relations with donors and officials but illegitimate by their constituencies and the people whom they claim to represent.[92]

The lack of transparency and persistent corruption within NGOs, contractors, and government institutions is also widely debated. The corruption blame game is one aspect of the issue whereby members of civil society, particularly NGOs, accuse government officials and ministries of sporadic corruption and nepotism, while government officials likewise charge NGOs with the same allegations. An in-depth analysis of the causes and effects of corruption is beyond the scope of this paper. However, this study found that a lack of systematic mechanisms for transparency and accountability in both horizontal (to government and donors) as well as vertical senses (to the population as recipients of aid) is a significant challenge that causes more conflict and weaker relations between different segments of civil society and government institutions at national and subnational levels. For instance, during the Mazar-e-Sharif Dialogue, participants highlighted how NGOs overlook the demands of PC members to provide them with details of their project and budget information. To their defence, NGO participants during the dialogue stated that first, they are not obligated to provide these details to PC members by law, as they report to the NGO department of the Ministry of Economy; second, they claimed that if they share their project details, then the PC members will pressure them to recruit their relatives and allies or else threaten them with charges of corruption.[93] Consequently, there is a need to focus on the proactive engagement of both sides in order to strengthen a systematic mechanism that promotes accountability and transparency, but prevents the monopolisation of access to information by strongmen, influential politicians, and so forth.

Lack of clearly defined positions, in-depth knowledge of governance issues, and dialogue capacities

Several public and non-public actors highlighted civil society's need to have clearly defined positions and an in-depth knowledge of governance issues (i.e., national priorities, legal and policy issues, government roles and duties). In most cases, civil society actors are only engaged in the government policy formulation process, either after the policy is finalised and approved, or not at all. This view was also shared by subnational actors, including those from government and NGOs, who stated that due to the lack of prior consultations, when they received these policies, they cannot use or deliver them in due time. Moreover, the dialogue participants emphasised the need to have constructive relations with government actors in order to be accepted as a dialogue partner. The human rights activists approached for this study argued that advocacy and accountability are not only a question of "putting pressure on the government," but they need to be understood as a constructive dialogue process based on clear and well-founded proposals and awareness about the role of the actors.[94] This refers to a further challenge, namely the lack

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90   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015; KII, NGO leader, Kabul, 16 October 2015; KII, Member of Parliament, Kabul, 12 September 2015; KII, academic expert, Kabul, 15 September 2015.

91   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015; KII, NGO leader, Kabul, 16 October 2015; KII, Member of Parliament, Kabul, 12 September 2015; KII, academic expert, Kabul, 15 September 2015.

92   KII, academic expert, Kabul, 15 September 2015.

93   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

94   KII, human rights activist, Mazar-e Sharif, 4 October 2015; KII, human rights leader, Balkh, 5 October 2015.

of awareness and capacity among different civil society actors for making constructive proposals in decision-making processes and achieving an outcome in terms of advocacy and accountability. Of course, this is not possible without adequate access to the relevant information,[95] which was legally regulated in 2015 in the Access to Information Law as a result of a long-term joint advocacy process of representatives from the media and other civil society groups.

Adapting and updating lobbying and advocacy strategies

Some of the leading civil society advocates highlighted the need for updated and adaptive lobbying and advocacy strategies. According to one advocate,

> *To lobby the current government on having more women in leadership positions is somehow a waste of time, because the President has already committed himself to ensure a stronger leadership position for women. So the strategy for lobbying should instead focus on how to identify qualified women and introduce them to the government, while keeping in mind all of the different criteria for qualifications, diversity, representation, etc.*[96]

Furthermore, some of the interviewed government actors similarly stated that their meetings with civil society representatives were a "waste of time," because they repeated the same old messages that the government had already committed itself to. This is mainly relevant to NGO actors among other segments of civil society to ensure that they mobilise, facilitate, and provide up-to-date information on the thematic areas that they are advocating. Also, several interviewees complained about the lack of follow-up by the government on the agreement of conferences and announced engagements with the CSOs (including the signed MoU).

Patronage politics and politicisation of civil society's role relations

> *[W]hen constituents provide [members of Parliament] with reports of corruption about a specific ministry's projects, by the time the minister is summoned to the Parliament, he bribes his way out by covering his actions that may have fully breached laws, rules, and regulations using his patronage-based relations. As a result, it becomes impossible to rely on the Parliament for accountability and transparency.*[97]

The existence or rather dominance of patronage-based political relations makes it difficult, among others, for the Parliament as a presumably democratically elected institution to keep the executive branch of the state accountable. As a result, it becomes impossible to rely on the Parliament for accountability and transparency. The patronage-based relations are also seen as a challenge for accountability among civil society, particularly NGOs, who rely on people who are not recruited on the basis of their qualifications or local knowledge for implementation of their projects and programmes. However, when this challenge was discussed among dialogue participants in Mazar-e-Sharif, some NGO representatives stated that they recruit people outside the communities due to a lack of qualified staff in the areas, but some of the district-level civil society members claimed that they can find qualified staff from their own region who could do the job and would be more accountable to their communities to keep them informed about the work. According to one participant, "it is most often the relatives of the NGO leader or, in larger NGOs, the project manager's relatives who take the main jobs, and when there is a fault, the person disappears."[98] In broader terms, this example highlights the challenges in applying good governance principles such as inclusiveness, accountability, and transparency in a context ruled by a patronage-based system that is widespread among government and non-governmental actors and organisations.

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95   See also Anika Ayrapetyants and Idrees Zaman, "Bridging the Gap: Increasing Civil Society Participation in Law and Policy Formulation in Afghanistan," (Kabul: Counterpart International, 2010).

96   KII, female civil society leader, Kabul, 8 September 2015.

97   KII, Member of Parliament from Balkh, Kabul, 12 September 2015.

98   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015; discussion with a District Council Member, Mazar-e Sharif, 6 October 2015.

Additionally, some interviewees also highlighted the politicisation of civil society's public role.[99] This was particularly evident after the 2014 elections when polarisations among the different groups, organisations, and individual civil society actors increased significantly. For instance, despite the fact that most NGO workers who are identified as "civil society activists" are not supposed to take a political stand to support and campaign for a specific candidate, in the second round of elections, almost all of the national NGOs and civil society members allied themselves with one of the two main contenders in the elections, while campaigning for and publicly supporting them.[100] This undoubtedly undermines the principles of impartiality and neutrality that NGO workers and especially civil society actors are generally expected to respect.[101]

Weak vertical relations between NGOs and the people, and difficulties in accessing grassroots organisations

As mentioned above, the weaker vertical relations between CSOs and the people compared to the horizontal relations with the government were identified as a challenge, especially in the case of Kabul-based CSOs. This point raises the important question of legitimacy, given the serious obstacles concerning the access to grassroots and rural civil society for supporting local voices.[102] While these weak relations are due to the lack of security and safety for members of civil society, which prevents them from building stronger relations with their constituencies in the rural parts of the country, it is also due to a lack of systematic strategies and approaches that focus on inclusiveness, participation, and vertical accountability. This challenge was also mentioned in the field of the media, where there is less coverage of rural village life and issues as opposed to urban communities due to the travel restrictions in many parts of the country, which are not considered safe.[103]

Threats against and control of CSOs and the media by the government

Some of the civil society actors interviewed by the team highlighted the different forms of threats that they face due to their role as advocates of human rights, justice, and women's rights issues. The threats come from different sources and are not necessarily limited to insurgents or the Taliban. According to an interviewee from the media sector, it is challenging for them to ensure the protection of their journalists when they publish critical reports on sensitive matters (e.g., bribing, human rights violations, and corruption charges). This is even more challenging when journalists operate at the subnational level or especially in areas under the control of local strongmen. For instance, when covering a story on human rights violations, journalists have to censor their stories, and sometimes they are even forced not to publish them, which results in the loss of neutrality and reliability of the news that is delivered.[104] Some interviewees also shared concern about possible efforts by the government to somehow control civil society voices. For instance, in their view, the joint MoU between civil society and the government was not inclusive of all segments of civil society, while some NGOs also did not feel represented in the group that signed the MoU. The key concerns that they shared related to the lack of a systematic mechanism for follow-on issues and concerns, the lack of coordination within the CSJWG, and more importantly, the danger of the government relying entirely on this group and ignoring the other CSOs and actors across the country who are not necessarily members of the CSJWG.[105]

Lack of financial sustainability

The dependency of CSOs (particularly NGOs) on external funding and its harmful impact on the self-help culture and internal legitimacy were widely expressed in the interviews and at both dialogue events in Kabul and Mazar-e-Sharif. This lack of sustainability is visible in the relative disappearance of printed media, which can at least ensure some financial security

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99   KII, independent journalist, Kabul, 1 October 2015; KII, academic expert, Kabul, 15 September 2015.

100   KII, academic expert, Kabul, 15 September 2015.

101   KII, independent journalist, Kabul, 1 October 2015.

102   KII, international cooperation advisor, Kabul, 28 September 2015.

103   KII, independent journalist, Kabul, 1 October 2015; KII, civil society leader in the media, Kabul, 27 September 2015.

104   KII, civil society leader in the media, Kabul, 27 September 2015; KII, independent journalist, Kabul, 1 October 2015.

105   KII, NGO leader, Kabul, 16 October 2015; KII, INGO leader, Kabul, 22 October 2015; KII, academic expert, place, 15 September 2015.

through commercial advertisements.[106] Several civil society members and donor representatives recommended safeguarding funding to CSOs and networks in a sustainable way without further harming the culture of volunteerism.[107] One interviewee referred to an initiative proposed to the government whereby 13% of military expenditures would be allocated to the promotion and strengthening of civil society and independent media.[108] As mentioned earlier in this section, NGOs are not seeking financial sources from the Afghan private sector, which needs to be revised. There are emerging examples of private sector businesses showing an interest in funding public and development-related work. This challenge has stronger implications at the subnational level as project and programme funding restrictions and reductions will lead to the closure of provincial and district offices of NGOs, which will then bring about a further disconnection between national and subnational civil society groups.[109]

5.3 Challenges with regard to the government/state

Ambiguity about the roles and responsibilities in provincial planning and accountability

The gradual delegation of authority to the provinces in the draft subnational governance policy includes the development of a new decentralised system with a bottom-up approach to planning and budgeting.[110] However, the problem with this relates to how the bottom-up approach will be operationalised. For instance, the draft policy proposes for 40% of the planning and execution of the national budget to go through provincial line departments.[111] Accordingly, elected *shuras* at the village (CDCs) and district levels (DDAs) shall provide input for the provincial development plans. This is how the initial idea of bottom-up governance led to the formation of CDCs and DDAs, but over the past few years, the mechanism to bring village and district needs into provincial development planning, which can lead to the Afghanistan National Development Strategy, has failed as it somehow bypassed the role of provincial governors. The new policy, therefore, indicates that this process will be led by the governor, coordinated by the Provincial Development Committee, and monitored by the PC.

Indeed, the reform addresses some principal aspects regarding bottom-up planning, budgeting, and accountability. However, it seems that the roles, responsibilities, and ways of coordination and communication are not yet clearly defined, while district and village representation has not yet been fully legitimised. The connection between community planning through districts and provinces and centralised public planning and resource allocation remains a challenging task,[112] further complicated by the multiplicity of donor-funded *shuras* affiliated with sectoral ministries at the district level.[113]

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106   KII, civil society leader in the media, Kabul, 27 September 2015.

107   KII, international cooperation advisor, Kabul, 28 September 2015; KII, international programme expert, Kabul, 6 October 2015.

108   KII, civil society leader in the media, Kabul, 27 September 2015.

109   One example of this is the closure of numerous district and satellite offices of the NSP-facilitating partner NGOs as a result of project funding termination. Although a new programme is in the process of being launched, most NGOs cannot afford to cover the operational costs of their offices due to the gap between the closure of one project and the launch of a new one. Based on Nemat's ongoing research on the evolution of the NSP to the Citizens' Charter.

110   For further details, see the Govern4Afg issues papers: Nematullah Bizhan, Ferhat Emil and Haroon Nayebkhail, "Bringing the State Closer to the People: Provincial Planning and Budgeting in Afghanistan" (Kabul: Afghanistan Research and Evaluation Unit and German Federal Ministry of Economic Cooperation and Development, 2016); Nijat et al., "Subnational Governance in Afghanistan."

111   Bizhan et al., "Bringing the State Closer to the People"; Nijat et al. "Subnational Governance in Afghanistan."

112   Nijat et al., "Subnational Governance in Afghanistan."

113   It should be noted that the NUG is planning to tackle this problem through a new programme to be launched later this year known as the Citizens' Charter.

Successful experiences of village *shuras* (CDCs) under the NSP have demonstrated that bottom-up planning and budgeting can enhance accountability. The draft Subnational Governance Policy prioritises the strengthening of PCs as an accountability body by recognising their oversight function by law. But their oversight role remains vague and consultative.[114] According to the PC members who attended the two dialogues, they have a role in decision-making and monitoring provincial affairs, but as Art. 139 of the constitution indicates, their role is only "advisory" and has to be based on "the manner prescribed by law," which is vague and open to interpretation.[115] Questions raised in this context refer to the representativeness of the PC (representation of the districts) and the regulation of the process of providing input and monitoring (meetings with the governor and related department authorities). There might be certain tensions over the oversight role of the PCs, either from the political level (governor or departments) or from the local level, where people often trust the *shura* structure and informal governance mechanisms such as *maliks* and elders councils. An important aspect mentioned by a Member of the PC refers to the need for an open access to data and information to have an effective monitoring role and control over government's actions.[116] Consequently, the need to advocate for further clarity of roles, responsibilities, and obligations for all actors in subnational governance is evident and should be clarified in the new Subnational Governance Policy.

Resistance to CSO participation in consultation processes

There seems to be a certain level of resistance among some government officials at all levels regarding the consultation and participation of CSOs in the provincial development process.[117] On the one hand, this challenge could be the result of an unclear framework regarding the participation of civil society and the lack of clear mechanisms to make the government inclusive and accountable, especially with limited political will, mutual mistrust, corruption, and personal interests as strong influential factors. On the other hand, there is a lack of capacity among CSOs to effectively engage in dialogue and play a proactive advocacy and watchdog role in the everyday practices of subnational governance relations.

Experiences on civic participation in the consultation process stress the undermining of broader civil society voices and concerns in political decision-making.[118] For instance, members of the DDA who attended the Kabul Dialogue indicated that it was first time that they had been invited to a consultation event in Kabul.[119] Similarly, during the Govern4Afg Dialogue on the Mining Sector, a community member who arrived from Logar's Mes Ayenak indicated that they were not consulted about the mining sector at all and were only promised certain privileges that they never received.[120] There are also examples among different segments of the civil society regarding the lack of a systematic mechanism for consultation on issues around development, infrastructure, and everyday governance relations.

Several interviewees complained that government names people and CSOs close to them as civil society representatives to use for own purposes: "they never complain, and they think and talk like the government."[121] This implies that governmental decisions are sometimes taken before the promised inclusive consultation process, motivated by personal interests, and so forth. One participant at the Kabul Dialogue summarised this challenge:

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114   Art. 139 of the Afghan Constitution: "The provincial council shall participate in the attainment of the development objectives of the state and improvement of the affairs of the province in the manner prescribe by laws, and shall advise the provincial administrations on related issues. The provincial assembly council shall perform its duties with the cooperation of the provincial administration.

115   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

116   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

117   Observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015; KII, human rights activist, Balkh, 4 October 2015; KII, civil society network, Balkh, 6 October 2015; KII, civil society media leader, Kabul, 27 September 2015; KII, NGO leader, Kabul, 15 October 2015.

118   KII, academic expert, Kabul, 15 September 2015; observation notes from the Kabul Dialogue, 21 December 2015.

119   KII, academic expert, Kabul, 15 September 2015; observation notes from the Kabul Dialogue, 21 December 2015.

120   Observation notes from the Govern4Afg Dialogue on the Mining Sector, 19 December 2015.

121   KII, academic expert, Kabul, 15 September 2015; observation notes from the Kabul Dialogue, 21 December 2015; observation notes from the Mazar-e-Sharif Dialogue, 8 October 2015.

Based on my experience with the government, civil society organisations were not present at important meetings and in decision-making processes. This is an important issue. The budget process is important for the country. It is people's right to know about the activities of their government...The presence of media outlets and civil society members in such decision-making processes is key, and it could help citizens learn about what their government is doing. The civil society activists should be recognised; they should define and specify their roles and responsibilities to keep the government accountable and transparent in its financial and budgeting activities.[122]

Centralism, "old-style bureaucracy," and nepotism

Policies formulated in the centre as well as the very weak linkages between the centre (central government) and periphery (subnational) actors across all sectors are key aspects mentioned by various interviewees and well documented in literature.[123] The corresponding structural challenges are diverse: complex proceedings or policy formulation, the lack of capacity and capability of institutions to deliver adequate services, the state's "old-style bureaucracy" and the missing culture of "teamwork" among staff, and nepotism with the support of the corrupt local officials at the central level and the politicisation of subnational government posts and appointments.[124] According to one interviewee:

Nepotism and support for corrupt local officials at the central level are an important obstacle for the CSOs to change. People are gradually losing confidence, as their efforts are not being rewarded due to the lack of commitment at the central level.[125]

5.4   Conclusion

This section presented an assessment of the general challenges, which referred to factors and issues beyond the scope of this research that affect civil society governance relations at both national and subnational levels. These factors vary greatly: the deterioration of the security situation; the dominant culture of impunity over the past decade and half on issues of corruption and violations of laws and rules; the lack of trust and confidence in the system; the weak relations between the centre and subnational actors on questions of accountability; and finally, the overall lack of institutional capacity for delivering effective public services and ensuring accountability both horizontally and vertically. This section also highlighted the specific challenges faced by civil society in promoting principles of good governance. These included issues around legitimacy in terms of the inclusive and participatory approach to civil society; the monopolisation of civil society voices by particular groups or individuals; the lack of capacity and knowledge regarding governance procedures and updates on lobbying and advocacy strategies; weak vertical relations between NGOs and the people in terms of accountability; fear of controlled and state-sponsored/influenced civil society; and finally, the issue of financial dependency.

The paper also discussed a number of challenges faced by government institutions. These included ambiguity in definition of roles and responsibilities of government institutions, particularly at the subnational level; the lack of a clear strategy in terms of a systematic and pro-active engagement with civil society and ensuring consultations with them on policy formulation and decision-making; and finally, the issues of centralism, "old-style bureaucracy," and nepotism that create further barriers for an inclusive, accountable, and transparent form of governance relations.

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122   Civil society consultant, Kabul Dialogue, 21 December 2015.

123   Ayrapetyants and Zaman, "Bridging the Gap."

124   KII, religious scholar, Kabul, 18 October 2015; KII, NGO leader, Kabul, 16 October 2015; observation notes from the Kabul Dialogue, 21 December 2015.

125   KII, NGO leader, Kabul, 16 October 2015.

6. Strategies Used by Civil Society and the Government to Promote Accountability

In this section, a number of strategies adapted by different civil society and public actors to promoting accountability and civic participation will be highlighted.

6.1 Strategies used by CSOs to reach out to the government

Capacity building of local civil society for its participation in decision-making and social accountability

> *My suggestion is to improve the capacity of both traditional civil society and modern civil society (NGOs for example). A traditional civil society cannot succeed with outdated models, and modern civil society organisations with their imported models cannot succeed alone either. They can work together, develop a new strategy, improve their capacity, and then they can reach the goal easily.*[126]

The lack of technical capacity, the very limited awareness about governance systems, rules, and regulations, especially in rural and remote areas, and the limited access of grassroots and rural civil society to broader subnational and national civil society and government institutions often results in the absence of meaningful local voices and adequate participation in the formal local governance systems. Existing informal local governance settings such as traditional local and religious councils, community-based groups, and influential leaders often enjoy high legitimacy and connect the village with the state, but their role in the formal political proceedings is either weak or non-existent.[127]

Taking into account this challenge, one organisation that works in community-based peace-building explained their approach of bridging the voices and concerns of the people in the political decision-making process:

> *We are working with local civil society organisations to build their capacity in governance and peace-building, and raise their awareness about the rule of law so that they can carry out advocacy with their local government institutions. We empower local civil society organisations so that they can influence policies, participate in local decision-making, and keep the government accountable at the local level. Our initiative focuses on the selection of village- and district-level leaders who are locally identified and introduced. They are trained together with district- and provincial-level officials, and in this series of training sessions, they not only learn about modern governance systems, but they also build networks and coalitions with existing subnational government officials.*[128]

The above example provides a good model of constructive cooperation between the existing traditional structures and formal governance system, which can play a key role in strengthening local advocacy beyond local governance relations. One interviewed NGO, which supports the local capacities of communities for the effective social accountability of government actions, initially explains their approach to traditional and religious leaders, in which they ask the community to name a volunteer who cooperates on the issues related to transparency and accountability.[129] Similar experiences were shared by other NGOs working on communal peace-building at the local level, where different actors in the communities are trained on peaceful conflict resolution, coalition building, advocacy strategies, and so forth. These examples are widespread among some national NGOs that aim to focus on community development, peace-building, and advocacy. In their view, once local civil society actors are trained and mobilised in a unified way, their pressure on the government's policymaking could be stronger and more effective.[130]

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126 Participant, Kabul Dialogue, 21 December 2015.

127 Orzala A Nemat, "Global Interventions, Local Dynamics: Competing Narratives on Local Governance Relations in the Case of Afghanistan" (Kabul: Afghan Analyst Network, 2016).

128 KII, NGO leader, Kabul, 16 October 2015.

129 KII, NGO leader, Kabul, 15 October 2015.

130 KII, NGO leader, Kabul, 14 October 2015.

Networking between CSOs as an important broker for advocacy

Afghan CSOs, particularly NGOs, present a relatively successful model for networking and advocacy. Several good practices were introduced by interviewees and dialogue participants in this regard. Despite the multiplicity of donors and their different approaches, NGOs have succeeded in building different coalitions based on their thematic expertise and worked collectively in the recent years. For instance, the Afghan Women's Network could be seen as an example of a network with national and regional members across the country, and they have also managed to maintain strong relations with the government and donors. The network, despite its challenges, has been able to continue discussions on the importance of women's political participation, their role in the peace process, and the protection of women and girls who are the victims of violence through the implementation of the Elimination of Violence Against Women Law. They keep the legal reform processes alive within the policy- and decision-making circles in the country. The Afghan Women's Network has both individual and organisational members across the country.

SALAH, as a consortium of eight well-established Afghan CSOs with a combined presence in all 34 provinces of Afghanistan, is another model of coalition building for advocacy purposes. The member organisations are active in policy and advocacy for promoting peace and security in Afghanistan based on the principles of democracy, the respect for human rights, and the equal participation of all while respecting Afghan diversity in all of its aspects. This coalition has succeeded in presenting their recommendations to international donors and government officials.

At the subnational level too, some of the mentioned networks operate within provincial capitals. For instance, in Mazar-e-Sharif, the research team came across several networks focusing on civil society, human rights, and women's rights issues.[131]

In most recent years, after the formation of the NUG, a new working group was formed known as the civil society joint working group (CSJWG).[132] A number of well-known activists are leading this group, which claims to have around 1,400 organisations as their members. CSJWG's approach differs from the two aforementioned models. A MoU was signed between this group and the government on the national and subnational levels in order to "regulate" the work of civil society. The main mandate of the CSJWG is to mobilise Afghan civil society around key international community events and conferences with the Afghan Government. However, it should be noted that some civil society members expressed their concerns about CSJWG, wondering whether this move of signing a MoU with the government will affect their impartiality and independence or whether their advocacy is under the direct influence of the government or controlled by state institutions in general.[133]

Further activities initiated by different civil society groups and individual activists at the national/ Kabul level are now spread across some provinces: for instance, nationwide protests to defend the Justice for Farkhunda, celebrating international Peace Day, and holding public protests in condemnation of seven civilian's beheadings in Zabul Province by the Daesh group in 2015. Not to mention the commemoration of national festivals such as the Festival of Empathy (*Jashn-e-Hamdeli*) that celebrated the Afghan New Year (*Nawroz*) in response to terrorist and radical groups' condemnation of these celebration. This festival set its goal to promote the culture of peace, happiness, and tolerance, and it aimed to strengthen national solidarity by the celebration of the New Year through sports, music, and entertainment activities across the country.[134] These demonstrations signify the higher level of solidarity among people from across the country in expression of their demands for justice, the end of corruption and impunity, and the end of war. The Zabul Seven protest, which was originally initiated by only the Hazara ethnic group in Kabul,

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131 Among others, the Afghan Civil Society Forum Organisation, CSJWG Balkh, and Afghan Human Rights Research Advocacy Organisation.

132 The CSJWG is composed of some 30 coordinating bodies representing around 1,400 organisations of all sizes. Its members include registered entities (NGOs, CSOs, social organisations, unions, associations, etc.) working on both broad and specialised issues throughout the 34 provinces. The CSJWG has been mandated to mobilise Afghan civil society around key international community events and conferences with the Afghan Government. See British and Irish Agencies Afghanistan Group, "CSJWG," http://www.baag.org.uk/member/ayenda/csjwg (accessed 22 May 2016).

133 Observation notes from the Kabul Dialogue, 21 December 2015.

134 KII, government official, Kabul, 8 September 2015.

spread to other parts of Afghanistan, thus demonstrating the stronger ethnic solidarity of civilians against war, terror, and injustices.[135]

Figure 1: Jashn-Hamdili (Empathy Festival) 2015

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Strategic alliances with the media

Media and civil society partnership is strategic, as we in the media can use information, knowledge, and success stories from the good practices of civil society organisations to foster hope among the population and promote peace-building and better security.[136]

There is a general consensus about the importance of independent, pluralistic, and diverse media as an asset to promote public awareness and understanding of the basic concepts of democracy and human rights as well as to give voice to the people and support democratic processes through transparency and awareness-raising. As an influential player in civil society, the media is a valuable partner in public education and increasing public awareness. Critical and investigative journalism plays a principal role in the fight against corruption and the enhancement of transparency by building positive narratives among people. However, this role is often exposed to risks and threats, and journalists and media workers frequently need to remain anonymous.[137] Other experiences refer to the control of critical and independent media by powerful persons, especially at the local level[138] and their economic vulnerability due to the lack of an appropriate business plan and funding resources.[139]

At the subnational level, the media sector[140] has often established good relations with civil society. Through a decentralised system, for example, The Killid Group and other national media networks and local radios in the provinces take the initiative of covering stories, debates, and discussions that help promote accountability, transparency, peace, and democratic values in local languages. An interesting collaboration between the Afghan Independent Human Rights Commission (AIHRC) and local media resulted in the use of local radio stations and other media

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135   Martine van Bijlert, "The 'Zabul Seven' Protests: Who Speaks for the Victims?," Afghan Analyst Network, https://www.afghanistan-analysts.org/the-zabul-seven-protests-who-speaks-for-the-victims/, 12 November 2015 (accessed 22 May 2016).

136   KII, representative of a media group, Kabul, 15 September 2015.

137   KII, independent journalist, Kabul, 1 October 2015.

138   KII, NGO leader, Kabul, 4 October 2015.

139   According to one civil society leader in the media sector, the number of media outlets including broadcast radio that disappeared between 2013 and 2015 increased to 65. KII, civil society leader in the media, Kabul, 27 September 2015.

140   There are approximately 14 local television channels and 10 local radio stations in Balkh Province. KII, government official, Mazar-e-Sharif, 7 October 2015.

outlets to raise awareness about human rights, legal systems, and mechanisms to protect victims of violence against women.[141] Some media organisations such as The Killid Group have succeeded in balancing their local and national networks; for instance, they are part of national civil society coalitions (e.g., CSJWG), while they also strengthen their subnational linkages through their provincial hubs by promoting a bottom-up approach to civic participation, accountability, and transparency.

Integration of religious actors

Nothing in our religion is contradictory with the fundamentals of civil society. Therefore, it is an opportunity to promote civil society through Islamic teachings.[142]

Several human rights activists that were interviewed stressed the importance of engaging with religious institutions and actors in issues of concern to CSOs, as they emphasised the importance of the role played by religious scholars and *mullahs* in justifying women's rights, democracy, and civic education especially in light of Islamic references.[143] Corresponding strategies refer to a continuous dialogue between religious and secular actors for the enhancement of a mutual understanding in the promotion of civil society and democratic concepts and values. One successful example introduced is an initiative led by a women's NGO, which organised a three-day seminar on "Women's Status in Islam: Evaluating Harms of Sexual Violence and its Islamic and Legal Perspectives." This national conference brought together a large number of religious scholars and women's rights experts and activists who discussed specific recommendations on improving the conditions of victims of violence against women. Chief Executive Abdullah opened the seminar, and all delegates were received by President Ghani at the Presidential Palace on the final day. In his speech, the President promised participants that in six weeks, he would call for a specific cabinet meeting to discuss the recommendations developed as a result of this seminar, with the relevant cabinet members taking practical actions.[144]

Figure 2: President Ghani addressing religious scholars and female leaders

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141   KII, human rights official, Balkh, 5 October 2015.

142   Ayrapetyants and Zaman, "Bridging the Gap," 97.

143   KII, leader of CSO networks, Balkh, 5 October 2015; KII, leader of human rights organisation, Balkh, 4 October 2015; participants at the Mazar-e-Sharif Dialogue, 6 October 2015.

144   Afghan Women Skill Development Centre, "Women's Status in Islam: Evaluating Harms of Sexual Violence and its Islamic and Legal Perspectives," Facebook Page, https://www.facebook.com/awsdc2015/photos/p.977567122340216/97 7567122340216/?type=3&theater (accessed 22 May 2016).

Another example at the subnational level is the AIHRC signing agreements with religious councils in the provinces to make sure that they raise awareness about human rights, especially women's rights, thus linking the Elimination of Violence Against Women Law with the interpretation of the Quran.[145]

Joint initiatives between civil society and the government

There are several joint initiatives in which government and non-government organisations work together on specific missions in partnership. For instance, AIHRC,[146] which is the institution tasked with monitoring human rights, assessing systematic violations of human rights, and mapping conflict, has worked closely with CSOs in partnership in order to achieve their common goal of reporting human rights abuses. The AIHRC effectively collaborates with different CSOs by providing capacity-building training on human rights issues, awareness raising, and advocacy networking with NGOs and CSOs on human rights violations and associated legal issues (e.g., media law on freedom of speech, law on child marriage, women rights). AIHRC has also been an active player in the national protection mechanism for victims of violence against women. AIHRC's women's rights department has been working closely with the relevant government authorities as well as NGOs that operate safe houses for women at risk in Kabul and at the subnational level too.

6.2   Strategies used by the government to reach out to civil society

National Community Development Council Conference

> *The Community Development Councils completely reflect the national unity of Afghanistan, collectively raising their voice, saying that we are a single unified nation that can never be divided.*[147]

One of the most efficient strategies that the Government of Afghanistan has used over the past few years to bridge the gap between rural villages and central government is the biannual National CDC[148] Conference.[149] Every two years, a large number of CDC-elected members from Afghanistan's villages as well as a number of CDC members at the district level representing DDAs are invited to Kabul for a national conference where the President and other senior government officials are invited from across different sectors to listen to community representatives about their concerns, demands, and recommendations regarding their community's development. Observing day two of the Fifth National CDC Conference in 2015, it was evident that such events will largely contribute to bridging the distance between rural Afghanistan and the central government. In their speeches, several sector ministers addressed their plans and missions for village development, while CDC members in various working groups were able to discuss their needs, challenges, and plans to tackle these challenges. The dual role of CDC members at the community level indicates that at such national-level events, they serve as civil society in becoming the voices of their constituencies in the national governance arena; at the same time, within their local settings, they continue to function as a governing body for implementing

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145   KII, human rights official, Balkh, 5 October 2015.

146   The AIHRC was established at the Bonn Conference in 2001 as a national institution to protect and promote human rights and investigate war crimes and human rights abuses (e.g., freedom of speech, freedom of the media, women's, children's, and minority rights, and fair trials). It was subsequently entrenched in the Afghan Constitution in 2004. Although the AIHRC is funded by the state and international donors, it is considered as an "independent" and civil society institution in theory. The institution has become politicised as a result of newly appointed members who did not meet the AIHRC membership criteria and because some of its members continued in leadership roles despite the completion of their terms.

147   Muhammad Ashraf Ghani, President of Islamic Republic of Afghanistan.

148   CDCs were established as a result of a World Bank-funded and government-led programme known as the NSP. For the World Bank, it is part of its community-driven development initiatives. In Afghanistan, the success of this programme has been its nationwide coverage and formation of over 40,000 community councils across the country. The NSP provides each village with a block grant that can be spent on village infrastructure and projects that benefit the whole village. The council members are elected by the villagers, and the programme has a strong gender conditionality, meaning that women must also be part of the CDCs.

149   Ministry of Rural Rehabilitation and Development, "The Fifth National CDC Consultative Conference: The Greatest Achievements of the Ministry of Rural Rehabilitation and Development," The Conference Report, 2015, http://www.nspafghanistan.org/Admin/files/5th%20CDC%20Conference%20Feature%20story.pdf (accessed 28 April 2016).

local infrastructure and development projects.[150] The continuation of such events will ensure that there is a more systematic mechanism that strengthens the linkages between national and subnational governance. However, something that still needs to be addressed and has not yet changed is the centralised budget development process that does not necessarily match with the way in which the bottom-up needs assessment and prioritisation operates in practice.[151]

Government and CSO cooperation in the legal field

The line department of MoJ in Balkh Province practises a promising approach to raise awareness about laws, which consists of quarterly meetings with CSOs. The provincial directorate of MoJ in collaboration with the provincial AIHRC work on the development of strategies for the dissemination of information on legal issues through broadcasting radio programmes.

Regarding the consultation process of laws, some interviewees nevertheless proposed a more open and democratic approach, including the publication of the draft version of laws on the MoJ website.[152] They pointed out that this would provide an opportunity for everyone to comment on the draft version before the official discussion in the Parliament.

Participatory planning and accountability meetings at the district level

Civil society's engagement in the elaboration of the five-year province development plan (Provincial Governor's Office in Balkh), as well as the implementation of open accountability meetings at the provincial and district levels are recognised as important strategies toward civic participation and transparency in subnational policymaking processes. But some interviewees pointed out that these initiatives are not institutionalised and could be seen as "window dressing" in the absence of a proper systematic mechanism for regulation.[153]

Referring to this limitation, some donors[154] and CSOs[155] as well as public actors[156] propose to publish the drafted development plans for open discussion on the website of the Provincial Governor's Office. According to an NGO working in social accountability, an "institutionalised access to information for control over information" is required.[157] Proposals include the establishment of an open database on public services and budget status within the line ministries as a precondition for effective transparency, advocacy, and control of the government actions. Other proposed strategies demand a free and accessible Public Budget Information Centre with anonymous access to protect the persons demanding information ("everybody knows everybody on the local level").

It was argued that the development of this strategy should be accompanied by a kind of "Think-Tank Department" or professional multi-stakeholder advisory board for the development of strategies in the field of budget control, policy formulation, capacity-building, and so forth.[158]

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150   According to the Ministry of Rural Rehabilitation and Development-funded NSP website, the programme aims "to build, strengthen and maintain Community Development Councils (CDCs) as effective institutions for local governance and socio-economic development." See National Solidarity Programme, "NSP Basic Introduction" http://www.nspafghanistan.org/default.aspx?sel=109, 2015 (accessed 22 April 2016). However, as the biannual CDC conferences showed, in the national arena, the CDC members also have a strong civil society role to play, even more so because the CDCs and DDAs are not yet recognised as constitutionally legitimate village and district governance institutions.

151   For further details, see the two other Govern4Afg issues papers: Nijat et al., "Subnational Governance in Afghanistan"; Bizhan et al., "Bringing the State Closer to the People."

152   KII, INGO leader, Kabul, 22 October 2015.

153   KII, NGO leader, Kabul, 15 October 2015; KII, INGO leader, Kabul, 22 October 2015.

154   KII, representative of international cooperation, Kabul, 22 October 2015.

155   KII, INGO leader, Kabul, 15 October 2015, KII, leader of CSO networks, Balkh, 6 October 2015.

156   KII, senior provincial official, Balkh, 5 October 2015.

157   KII, INGO leader, Kabul, 15 October 2015.

158   KII, NGO network leader, Mazar-e-Sharif, 6 October 2015.

7. Conclusion and Recommendations

7.1 Conclusion

This issues paper focused on the role of civil society in promoting good governance in Afghanistan. The paper began with a brief overview of the conceptual understanding of the terms civil society, governance, and good governance as well as state-society relations and how these are introduced and understood in the broader context of conflict-affected settings. By introducing the historical and contextual characteristics of civil society in Afghanistan, the paper challenged the notion that civil society is often only limited to NGOs. This point was also applied as a methodological principle throughout the interviews and dialogues that were held in the process of conducting the primary research. The paper also addressed the limitations of this study with the constraints faced by the authors.

In discussing the role of different segments of civil society in governance relations, the paper examined how different organisations and groups interacted and negotiated their relations with government institutions at both national and subnational levels. The paper elaborated the complexities in defining these roles when a structure simultaneously plays two roles relating to governance and civil society: for instance, the case of CDCs in comparison to other informal governance structures such as elders' councils, religious councils, and so forth. They often represent locally legitimised structures, connecting the people with the state, but there are still challenges in ensuring that their priorities and needs reach national-level policy- and decision-makers.

Furthermore, the paper reflected on the government's role in regulating CSOs and in opening up a space for constructive engagement with CSOs in the formulation of national policies. The paper concluded that raising awareness about national policies and sectoral strategies, strengthening the capacities of both civil society and government actors and institutions, and expanding the senior government's political commitments across public institutions at both national and subnational levels are key preconditions to ensure the proactive engagement with civil society.

In highlighting these challenges, the paper discussed the lack of an integrated approach throughout government institutions regarding civil society engagements. Based on the reflections from the interviewees and dialogue participants as well as the review of secondary literature, the paper identified numerous challenges: concerns about the monopolisation of civil society voices by particular individuals or groups/organisations that control the messages going out to the government and public on behalf of civil society; the dominance of patronage politics that needs to be addressed; weak vertical relations between civil society (especially NGOs) and the people; weak advocacy capacities especially at the subnational level and among traditional civil society groups; media censorship; negative impressions and misperceptions about the civil society. The paper highlighted the urgent need to strengthen a more proactive, inclusive, and systematic way of engaging civil society and government that is also action-oriented; otherwise, if political commitments are not translated into actions, it could risk a mere "window dressing" approach.

In the final section, the paper introduced some examples and good practices and strategies that different civil society groups have followed in their actions to influence policy formulations and decision-making. These include national CDC conferences that allow local village and district leaders to connect with national senior government officials and other stakeholders; AIHRC interactions and collaborations with local civil society groups and actors and provincial governance structures in introducing human rights principles and broader democratic values; planning and accountability meetings at the provincial level; finally, the initiatives of women-led organisations to collaborate with religious scholars on combatting violence against women. Such strategies are used by organisations to engage with the government in constructive ways.

Finally, the paper will conclude with the following sets of recommendations relevant to the government, civil society, and international community.

7.2   Recommendations

This paper followed an evidence-based approach to policy recommendations, which means that the following policy recommendations are based on the overall process of this study. Its main focus is on identifying effective and more systematic ways for civil society to engage in governance relations by emphasising the institutional and legal framework, providing a space for meaningful dialogue and interactions across government sectors and levels, and integrating civil society into the government's overall policy and strategies across sectors.

As this paper discussed, civil society, in the form of organisations and groups as well as individual activists, is an important contributor to a constructive and critical dialogue in the process of strengthening legitimacy and accountability. It plays a crucial role not only in bridging the voices and concerns of the people in policy formulation and decision-making, but also in securing the legitimacy of the state and its institutions.

The two broad recommendations of this study are directed holistically toward the government, civil society, and international community. These are followed by specific recommendations targeting these three groups.

General recommendations

- Government institutions, civil society, and the international community should all acknowledge and indeed follow the broader understanding of civil society in Afghanistan, which is inclusive, community-based, professional, and diverse in all means. They should ensure civil society's proactive role and engagement on a regular basis in the overall policy formulation and decision-making processes.

- As this paper reflected, the concepts, actors, and institutions as well as policies, strategies, and practices are changing along with broader political shifts. Therefore, for an effective and successful engagement, civil society and government institutions as well as their international counterparts need to keep themselves updated on these changes by following regular assessment and analysis.

Government institutions (national and subnational)

- Subnational governance policies need to establish clarity and consensus on the role and responsibilities of provincial structures (i.e., PCs, Provincial Development Councils, government administration) while taking into consideration the principles of participatory planning and social accountability.

- Democratic dialogue platforms between public actors and CSOs should be institutionalised for better information flow, discussion, consultation, and coordination in policy fields by using different techniques such as round tables, working groups, public hearings, advisory bodies, and think tanks at both national and subnational levels. This could be done by providing an open platform for various segments of civil society including local elders, youth, women, and scholars in order to ensure that their views, concerns, and recommendations are incorporated and reflected in national policies, legal and administrative reforms, and the formulation of the National Priority Programmes for the country.

- The signed Access to Information Law needs to be operationalised through government initiatives, which will allow civil society and the general population to be aware of the relevant information for decision-making, accountability mechanisms, and policy formulations at national and subnational levels. Establishing an open database on public services and service providers and public consultations for national budget allocations are other examples of promoting transparency and accountability.

- The government should institutionalise strategies for awareness-raising, capacity-building, and mobilisation of its actors on issues related to rules, regulations, strategies, and policies and how to ensure *inclusive* policy and decision-making processes at all levels.

- There is a need to address the significant barrier of patronage politics and its interplay in the way that it affects keeping the government accountable. In other words, seeking strategies to priorities the rule of law and the merit-based and professional appointment of government officials in key leadership positions over personal/group/ patronage interests.

- The NUG should follow up on the implementation of the MoU signed with the CSJWG at national and subnational levels. The government should also make sure that consultations with the CSJWG are inclusive of all segments of civil society.

- The CSJWG's MoU should prioritise action-oriented mechanisms for inclusive civil society consultations in the formulation, design, and implementation of National Priority Programmes and government policy and strategies/priorities.

- Independent monitoring of state/non-state-run large-scale programmes should be strengthened and institutionalised through existing monitoring mechanisms to ensure a regular follow-up on findings of flaws and shortfalls for more effectiveness and transparency in the future.

Civil society (actors and organisations)

- The capacity of both traditional and modern civil society should be improved. As reiterated throughout this study, traditional civil society cannot succeed with outdated models, and indeed modern CSOs with their imported models cannot succeed alone. Therefore, they need to work together toward developing an inclusive strategy and improving their capacity in order to play a proactive role in keeping the government accountable.

- The role and responsibilities of civil society activists need to be specifically defined in order to keep the government accountable and transparent in its overall political, economic, and social programmes. Civil society actors should make sure that activism is for the public interest and not about self-promotion or group interest.

- CSOs need to build strong and sustainable relations with the national private sector in order to ensure that the quality of their services are standard and just, and to seek the private sector's assistance in financing public awareness campaigns.

- The actions and activities of CSOs needs to follow a holistic and inclusive approach to create a comprehensive platform so that all segments of civil society can play a constructive role in keeping the government accountable, while also being accountable for their own actions toward the people.

- All segments of civil society must ensure a full and active inclusion of women and youth organisations as well as groups and actors at national, subnational, and local levels. Comprising over 60% of the population, youths (male and female) should be encouraged to mobilise and be given the time and space to express their concerns, needs, and priorities and to lead voices from civil society in the governance processes.

- CSOs, especially on local and subnational levels, need to strengthen their capacities in terms of, among others:

  a. Understanding the complex policy proceedings (e.g., local media/radio can play an important role in producing programmes to simplify the explanation of policy procedures and what role people and CSOs could play).

  b. Seeking strategies to elaborate, pool, and negotiate proposals in an effective way with the government.

- Strengthening networking between CSOs and action-oriented MoUs with relevant stakeholders needs to be followed up in order to give a voice to people and promote good practices (e.g., anti-corruption campaigns, violence against women).

- The financial dependency of CSOs should be tackled by focusing on the voluntary means of advocating on behalf of civil society. This is mainly relevant to NGOs among other CSOs. Whereas financial dependency can undermine their position for advocating/pushing the

interest of a particular group, civil society voices needs to be diverse and representative of different parts of the society.

- NGOs among other segments of CSOs need to ensure that they strengthen both their horizontal (with government actors at national and subnational levels) as well as vertical relations (with local populations in rural and urban areas) by creating regular mechanisms of public engagement and accountability meetings.

- Grassroots CBOs and CDCs (which will operate under the Citizen's Charter from 2016) need to ensure that the National CDC Conference is held biannually (if not annually) in order to bring local concerns and recommendations to the national government actors across sectors. This will help build stronger relations between local communities, the national government, and other stakeholders.

- Afghan academia needs to follow a more proactive approach to fulfil their responsibility by introducing a comprehensive understanding of concepts such as democracy, participation, inclusiveness, and civil society and its role in promoting good governance, particularly through higher education curricula.

- CSO advocacy needs to move beyond the reactive mode with its condemnation or protest of any event or case of human rights violation. The strategy of civil society advocacy should be updated, while timely and strong emphasis must be added to the follow-up part of what is decided in a meeting, public gathering, or speech by a senior government official.

International community

- The most vulnerable segments of CSOs should be consulted, and strategies should be identified on how to reach them and enhance their engagement with the government in the policy formulation and decision-making processes.

- The principle of decentralisation should be supported, and the inclusive participation of all segments of civil society should be enhanced at the subnational level in decision-making processes following a bottom-up approach. This could be done through supporting capacity-building and awareness-raising initiatives that are more inclusive and diverse.

- Support should be given to structures and proceedings that serve as an interface between civil society and government in terms of consultation, participatory planning, decision-making, and accountability.

- In supporting CSO initiatives, it is important to respect the principle of volunteerism by not financially supporting projects, which undermines this principle. Also, when supporting projects and programmes, their longer-term sustainability should be prioritised for the purpose of effectiveness.

- Ways and means should be sought to facilitate a South-South form of peer learning and networking opportunities between CSOs at the regional and international level, so that they can exchange experiences and learn lessons about advocacy and accountability (in fields like transparency, anti-corruption, women's rights, peace-building, monitoring of extractive industries, etc.).

- Provincial Governor's Offices and line ministries should be supported in the implementation of accountability mechanisms in accordance with the demands of the recipients of services. The international community can support this in terms of

  a. Helping with the creation of a favourable legal framework,

  b. Regulating the accountability mechanisms through clear guidelines, and

  c. Raising awareness and building the capacities of both government and civil society actors in terms of inclusiveness, accountability, and transparency.

- Context-specific strategies should be elaborated to facilitate the cooperation with independent local (and national) media in order to introduce policy formulations and accountability mechanisms to the local population in a simple and understandable language.

- Open dialogues on the government and CSOs should be facilitated on topics like democratic governance, representativeness and legitimacy, effective participation, dialogue, and so forth in order to address misperceptions about these terms that are external to the local context.

Appendix

List of Interviewees

s/n	Respondent	Province	Date
1	Academic expert	Kabul	15 September 2015
2	Afghan diaspora	Kabul	18 September 2015
3	Female dialogue participant	Kabul	21 December 2015
4	Civil society activist	Kabul	15 September 2015
5	International governance adviser	Kabul	28 September 2015
6	Civil society leader	Kabul	8 September 2015
7	INGO leader	Kabul	22 October 2015
8	Civil society expert	Kabul	14 October 2015
9	INGO leader	Kabul	15 October 2015
10	Senior government official	Kabul	12 September 2015
11	Member of Parliament	Balkh	12 September 2015
12	Female government official	Kabul	12 September 2015
13	NGO leader	Kabul	16 October 2015
14	Senior government official	Kabul	8 September 2015
15	Civil society leader in media	Kabul	27 September 2015
16	Human rights leader	Balkh	4 October 2015
17	Human rights official	Balkh	5 October 2015
18	Civil society network	Balkh	6 October 2015
19	Provincial government official	Balkh	6 October 2015
20	DDA member	Balkh	6 October 2015
21	CBO member	Balkh	6 October 2015
22	Representative intern cooperation	Balkh	6 October 2015
23	Representative intern cooperation	Balkh	5 October 2016
24	Provincial government official	Balkh	7 October 2015
25	Senior provincial official	Balkh	5 October 2015
26	Independent journalist	Kabul	1 October 2015
27	Religious scholar	Kabul	18 October 2015
28	Youth activist	Kabul	22 October 2015
29	Private sector leader	Kabul	1 November 2015
30	Observation notes from National CDC Conference	Kabul	1-2 November 2015
31	Observation notes from the Dialogue on the Mining sector	Kabul	9 December 2015
32	Observation notes from the Dialogue on CSOs	Balkh	8 October 2015
33	Observation notes from the Dialogue on CSOs	Kabul	21 December 2015

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