

Role of Religious Actors in Conflict Resolution and Governance

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Very few players in the current political development and peace processes in Afghanistan merit more recognition than that of religious leaders.

In this presentation I hope to show that and the potential for religious groups, as part of Afghan civil society, to play a constructive role in governance and the settlement of conflicts in Afghanistan. The role of religious civil society in this process can be significant but in order for it to be effective it must be matched by constructive action from the Afghan government and the international community.

The majority of Afghans in rural areas, and indeed many in urban areas, are deeply religious. Their day starts with a prayer in the mosque and ends with a prayer in the mosque. Meetings to decide important village issues; receiving visitors, and other events in a village take place in the mosques.

The centrality of the mosque and religious leaders to many Afghans' lives however should not be taken to imply that religious civil society is homogenous. It comprises of pro-government and reformists, radicals and fundamentalists as well as traditionalist elements. Further complicating the picture are the impacts of different outside influences.

There are both Sunni and Shia adherents in Afghanistan, along with Sufi groups that draw from both branches. Within Shia and Sunni practices in Afghanistan there are also several schools. Most Afghans are either adherent to the Hanafi School if they are Sunni, and the Jafari School if they are Shia, both of which are mainstream Islamic schools practiced in many parts of the Islamic world. To a limited degree there are other adherents to schools such as Hanbali with Wahabis and Salafis movements (Hanafi, Shafihi/Jafari, Maliki, Hanbali), Ismailia etc.

The roles and functions of religious leaders and institutions can be utilized for different agendas; they may support the government, or oppose it; they may promote peace and cooperation, or they may advocate hostility and conflict. It is partly this ambiguity that makes religious civil society critical in peace and reconciliation.

Traditional and Modern Conflict Resolution Mechanism

Years of violent conflict and warfare have severely impaired the fabric of society in Afghanistan. Strong community relationships that existed previously have been weakened and the capacity of community institutions to resolve local disputes and conflicts has been significantly reduced.

Historically, in the absence of, or because of, the limited capacity of the central government to operate or maintain effective judicial structures and systems, Afghans have relied on community structures such as Jirgas and Shuras to resolve their conflicts. This form of conflict resolution continues and a number of surveys have indicated that between 60 and 80 percent of conflicts are resolved through local Shuras and Jirgas. The kinds of conflicts that a Shura or Jirga can address are quite broad and may include disputes of access to local resources such as land, water; family disputes including marriages and divorces; and larger inter-tribal conflicts relating to longstanding tribal rivalries or blood feuds amongst others.

Traditional Shuras and Jirgas are semi-formal and unorganized structures comprised of elders, influential individuals (often land owners) usually representing different clans and families and religious leaders. The structures of dispute resolution through Shuras and Jirgas are quite heterogeneous and can differ from village to village, between districts and provinces. In some areas tribal leaders play a more defined role, in others religious leaders are prominent and so on. Similarly, the motives and nature of involvement of Shura members differ from village to district to province on to the national level and can vary depending on the conflicts – with individuals engaging more proactively in conflicts that may affect them directly, sometimes with vested interests.

The various traditional structures also do not have one clear-cut formula for resolving conflicts but instead use a variety of methods and resources. This includes Urf, Pashtunwali, Sharia, local customs (Rawaj) as well as the country's formal legal code etc. The main purpose is to reach an agreement which may or may not uphold a particular norm or law including that of Sharia.

Traditional Shuras and Jirgas have significant legitimacy and are considered to be effective because they are relatively quick to reach decisions, do not need paperwork and are not perceived to be corrupt or as abusive as the courts and police. Meanwhile, their decisions are seen as definite, they are implemented, another clear contrast from the formal court systems.

Traditional and local mechanisms for conflict resolution however do not employ proactive measures in order to resolve conflicts; they are instead reactive. The focus of these organisations is on immediate problem solving rather than on proactive conflict mitigation or prevention. They intervene when a conflict already have escalated, rather than working on prevention measures. Traditional structures also generally exclude women and young people from the decision-making process, which can further aggravate socio-cultural tensions and preserve established inequalities.

In Afghanistan formal and modern civil society organizations began to form for a while in the 1920's with King Amanullah's reforms, but were marginal elements until the 1980's with the influx of non-governmental organisations (NGOs) in and around Afghanistan. NGOs began to establish Shuras of their own, primarily to

deliver services. As programmes were expanded and extended some organisations moved in to conflict resolution – if only as a means to keep their programmes operating in conflictual environments. A limited number of organisations have gone on to develop conflict resolution programmes. Some have also established peace councils. These organizations, including CPAU believe that building peace and promoting social justice in Afghanistan requires building social parallel to the economic infrastructures. It also requires sustained efforts for developing and strengthening local mechanism for dealing with violence. Through their sustained coaching and capacity building, these organizations equip community institutions with new skills, techniques and attitude for conflict resolution, mediation and peacebuilding at the village and district levels. The impacts has been considerable so far with a sizable number of conflicts resolved locally and very effectively, the limitation is the capacity and reach of both Peace Councils and intervening NGOs so is the level of support from donors.

Religion has been an influential force in politics and the daily lives of Afghans for hundreds of years. Religious civil society provides a key element of moral and ethical authority to the everyday lives of most Afghans as well as to the local and national mores and laws of Afghanistan. As the authoritative guardians of religious norms and practices, Afghanistan’s religious leaders and institutions have considerable potential to strengthen internal bonds between members in a community, as well as to bridge between different groups. Their unique position, however, can also be used to divide groups. Just as religious actors can be important promoters of peace, reconciliation and collaboration across conflict lines, they can also potentially foster conflict.

Religious leaders play a crucial role in local level conflict resolution across the country. In many instances the village mullah is present to give religious approval of the Shura or Jirga’s decisions. If the Shura / Jirga has no mullah involved in the process, there is a risk that the ‘losing’ party may refer the case to a mullah in an attempt to obtain a more favourable decision.

Religious leaders enjoy a degree of autonomy in relations to community and tribal structures in Afghanistan. This enables them to act as interlocutors between communities, and at times the tribes, as well as with external agents such as Afghan state, international agencies and NGOs. Along with their knowledge of religious law and their general religious authority they are an important player in conflict resolution and mediation.

Over the last 30 years an important and recurrent security and conflict threat for Afghanistan has also come from religious actors, including the resistance by Islamists and traditionalists towards the state, during the Soviet invasion in the 1980s, the civil war of the 1990s, and in the current situation. This has and continues to pose serious challenges to the objectives of the Afghan government and the international community.

It is significant that in the international debate regarding “post-Taliban” Afghanistan, religion was only debated during the process for agreeing the new constitution. Religious actors and institutions have felt excluded from the current political discourse, and when they are invited to participate they often feel that they are only being used to legitimize the government’s policies, but that they are cut off from any real influence. Many of the religious actors feel alienated from the government and their international supporters.

The isolation of religious civil society has continued as they have come under increasing pressure from the Taliban and other armed groups. Relations between the government and religious leaders have been exacerbated by government forces rounding up independent religious leaders and students on suspicion of being involved in the insurgency. This has pushed more mullahs to retreat to their villages and lie low or to support the Taliban.

Religious Actors and Governance:

Since 2001, the religious clergy has been involved in parts of the current political and development process, often to legitimize government policies or enable access to beneficiaries in a number of UN projects. There has been a noticeable engagement with the religious leadership on health sector, including by UNICEF (for immunisation).

Little effort, however, has been made to create space for an autonomous role on the part of religious actors or to establish a genuine dialogue about political processes. Religious leaders express frustration about a situation in which their advice is only sought when the government needs them to support its own policies rather than seeing them as worthy of being listened to and constructively engaged with.

The Shura-e-Ulema, a government council of religious leaders with branches in each province, is mandated with advising the government on religious matters and has a long tradition in Afghanistan. Actually the formal interaction between the state and religious establishment in Afghanistan dates back to 1929 when Nadir Khan, father of King Zahir Shah, overthrew Habibullah Kalakani, whose short-lived regime had many resemblance to the Taliban. King Nadir Khan promulgated an ordinance for establishing of Jamiat-ul-Ulema (Council of Clergy). One of the expectations from the Jamiat-ul-Ulema was to issue Fatwa (edicts) in favour of the government. The Soviet backed PDPA dissolved the Jamiat-ul-Ulema and formed a department called Shaoon-e Islami (Islamic Affairs). The current government has re-established the system which is now called the Shura-e-Ulema (also Council of Clergy), which carries out the same function.

Currently the clergy is split in their views of this council. While moderate progovernment religious leaders see it as the role of the clergy to support the government and its policies; other more conservative religious leaders believe the clergy should be independent of the government and see government support to the clergy as a strategy of cooptation to gain legitimacy. In this perspective, religious

leaders that associate with the government are seen by some actors as illegitimate and as political opportunists.

Changes in religious civil society

From mid 1970s onwards conflicts in Afghanistan are mainly rooted in divides between the secular and religious education system and elites. This divide is exploited by different regimes and their external supporters for different purposes. The evidence can be traced back during mujahideen struggle against Soviets in Afghanistan where some countries supported traditional and religious elements and others supported the secular communists. Currently the tide is against the traditional and religious forces, however for them there is always the option of relying on the brotherly countries in the region.

The secular education system is managed by the Ministry of Education and has a limited component of religious education. Religious education has formally been part of the Ministry of Education since the 1950's but has been partially reinvigorated by post communist regimes, starting 1992. The Ministry of Education current plan calls for a madrasa to be established in each district with a traditional Islamic curriculum taught alongside parts of the secular curriculum. It is called Centres of Excellence.

However, there are a large number of madrasas unregistered with the government of Afghanistan. Very little is known to them about Ministry of Education's Five Year Plan on Centres of Excellence. Those in charge of private madrasas feel threatened by the potential government's plans to reform madrasas. The general perception among the religious groups is that the government has dropped a number of religious education subjects from the national curriculum and intends to inject more secular subjects into madrasas. It seems that the government has done little to raise public awareness about the new curriculum and address this criticism, particularly in relation to the religious groups that have remained independent of the state run structures.

Religious civil society is not static and historically in Afghanistan has been relatively liberal in comparison with some other Islamic communities – it has certainly been accepting of divergent religious opinions. There has been increasing radicalisation of Afghan religious civil society over the past 30 years, gaining force through Jihad against Soviets, not the least due to diversification of funding tied to ideological sources, and exposure to external elements from Pakistan and various Arab states.

This is also in part because of the more politicized and radical Islamic groups such as Wahhabi and Deobandi teachings that are supported in the madrasas to which many Afghan refugees attended in Pakistan. The shift in conservatism has however is continuing ever since. The older generation of religious leaders, who are more in tune with traditional Afghan mores are losing ground to the new generation of religious leaders who are more conservative and exclusive. This is beginning to be felt amongst private madrasas across Afghanistan. This ideological struggle has also been witnessed in state supported madrasas.

Funding for religious actors, mosques, madrasas and other religious activities are very diverse. There is known to be funding from several Gulf States, Iran, and Pakistan. Also the International Military Forces, which are predominantly Western, have provided funding for a large number of madrasas in Afghanistan. This funding is not without conditions and many of those madrasas represent attempts by these countries to exert influence for a particular religious sub-group. Some madrasas are also supported by Afghan diaspora who have channelled some of their wealth in to the country through remittances.

The new generation of religious leaders are less accepting of other Islamic traditions and reserve particular invective for religious leaders who may mix Afghan traditions and norms with strict Islamic interpretations. The tide seems to be turning in favour of the more conservative elements who are seeking to turn even relatively open and secure government madrasas in to the kinds of conservative madrasas they experienced in Pakistan.

Besides, the interaction between religious actors and institutions has declined significantly during the last three decades of conflict. This has been in part because of the conflict but also because of the politicization of madrasas which has caused divisions amongst religious institutions and between religious leaders. Currently local religious students and leaders who come from different madrasas in a district may only meet whenever there is a Dastarbandi (graduation of religious student marked by tying turbans) or another religious ceremony such as group recitation of Quran (Khatm-e Qu'ran), funeral ceremonies etc. These gatherings are confined to a large extent to the madrasas, perhaps including religious students from the same district, while visiting within and between provinces are rarer. The level of interaction amongst religious actors was stronger during the Taliban, in part because they were financially supported to hold events where they could meet together.

The isolation of religious actors may serve to encourage groups of religious civil society to turn against the state or to be exploited through different anti-government elements. Locals too feel isolated, not only from the state, but also from other religious actors who may be able to provide assistance and support to them.

Potential for Collaboration:

The majority of religious leaders currently express positive views about the government's development agenda. Although cautiously sceptical of the government, many believe that, as religious leaders they could positively contribute to this agenda by generating support among the people, as well as through more direct participation in development projects. Despite a positive attitude towards foreign aid and development assistance, the majority of the religious leaders are not actively engaged. There is also a clear tendency among religious leaders to distinguish between foreign support for development and foreign military assistance, and they are very critical of the latter.

Generally the madrasas welcome any possible foreign aid and are curious as to why so little assistance had been given to the madrasas by the aid community. They are of the opinion that even in the subjects that Ulema have expertise, they are being sidelined. For example a book recently published in by an NGO in Kunduz explores the role of women in Qur'an which has been written by an Engineer without the direct involvement of a religious scholar. While the book doesn't have any religious authority, it paves the way for conservative elements to accuse the NGOs and international community for intervening in spheres of Islam.

Despite that current dilemma facing the international community in Afghanistan for finding a 'solution' there are a number of issues that prevent the international community from engaging constructively with religious civil society. This includes the lack of familiarity with religious civil society, not knowing how to engage; profiling religious leaders and institutions as militant and extremist, and equating religious actors with a fundamentalist force which opposes modernization.

Conclusion

Religious and other civil society actors in Afghanistan are very diverse. Interaction and engagement therefore needs to be developed with an understanding of this diversity. It is necessary for some fundamental steps to be taken with regard to government and religious civil society engagement, as well as the relationship between the international community, particularly their military forces, and religious actors. My organization, CPAU, is hoping to expand this understanding through its research on religious actors in collaboration with PRIO/CMI. We currently conduct a conflict analysis of the areas where we operate, drawing on our field experience in conflict as well as other sources to deepen our understanding of conflict resolution mechanisms, how they are used and the links between local level conflicts and larger conflicts – including the role of religious leaders. We believe that three areas demand particular attention currently.

Religious Civil Society: The relationship between state and religion, and the role of religion in the public sphere, remains undefined in practice seven years after Bonn. The relationship between the "modern" and the "traditional", often equated with the secular and the religious, is at the heart of the conflict today. If not adequately defined and addressed, the gulf between those resisting the government and progovernment forces and the international community seem to be increasing.

The Modernization Drive: Related to this are the various initiatives by the Afghan Government and International Community to modernize the traditional structures. The issue of legitimacy and non-interference in the affairs of traditional Shuras and Jirgas is very important. If the Shura members, including religious actors, feel that something is imposed on them, they will withdraw from decision making processes undermining the legitimacy of the decisions being taken. The involvement of outside forces in traditional institutions' affairs alters their nature and the international

community must be aware of the impacts – positive as well as negative - that they can have on civil society, especially upon local *Shuras*.

Dialogue: Religious actors need to familiarize themselves with central concepts in the development agenda, particularly with regard to human rights and democratization, where differences and misconceptions are most evident and have potentially very damaging consequences. This is only possible through support by other civil society organizations, including Afghan NGOs. Direct interaction with International Military Forces can severely delegitimize the role of religious leadership in the eyes of Afghans. There is some positive experience to build on from community peacebuilding. The same is the case with the development sector, especially in health. But development and peacebuilding agents, both governmental and nongovernmental, need to strengthen their understanding of religious civil society and how to work alongside it in Afghanistan.