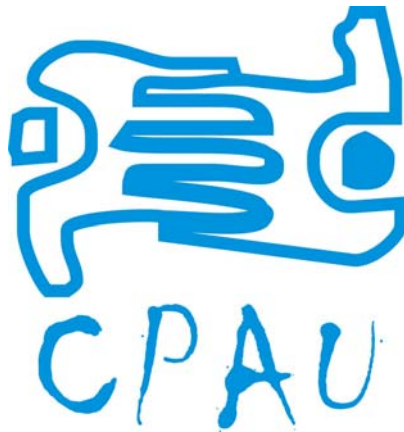


# THE ROLE AND FUNCTIONS OF RELIGIOUS CIVIL SOCIETY IN AFGHANISTAN

## CASE STUDIES FROM SAYEDABAD & KUNDUZ



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## **ABBREVIATIONS AND ACRONYMS**

ANP	Afghan National Police
ANA	Afghan National Army
AKF	Agha Khan Foundation
CDC	Community Development Council
CMI	Chr. Michelsen Institute
CPAU	Cooperation for Peace and Unity
DACAAR	Danish Committee for Aid to Afghan Refugees
ECW	Education Centre for Women
IDP	Internally Displaced People
ISAF	International Security Assistance Force
JEMB	Joint Electoral Management Body
MoE	Ministry of Education
MoJ	Ministry of Justice
MP	Member of Parliament
NA	Northern Alliances
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NSP	National Solidarity Programme
PDC	Peace and Development Committee
PRIO	Peace Research Institute Oslo
PRT	Provincial Reconstruction Team
SCA	Swedish Committee for Afghanistan
SNTV	Single None-Transferable Vote

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## **Thanks!**

The objective of this research is to explain the context and functions of the religious actors in Afghan civil society, a theme that to our knowledge has remained largely unexplored in Afghanistan.

This report was conducted over the course of more than four months and involved three full time researchers. The results of the study are presented in this report.

The analysis, findings and recommendations presented in this reports are the result of teamwork between CPAU researchers in Sayedabad, Kunduz and Kabul who despite the sensitivities of this research and the overall security problems in the field, managed to travel extensively in remote villages and collect the relevant data.

We would like to thank our colleagues, Kristian B. Harpviken and Kaja Borchgrevink at the International Peace Research Institute, Oslo (PRIO) and Arne Strand from Chr. Michelsen Institute (CMI) for methodology training; research design; comments on drafts of the report.

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Most importantly we want to thank all participants of the research for their valuable time. The generosity of the ulama for their time and experience for this process, as well as their willingness to share their knowledge with us, was brilliant experience. We believe this study will contribute to future research and in depth studies on the different aspects and dynamics of civil society in Afghanistan.

Sincerely Yours,

Mirwais Wardak  
Idrees Zaman  
Kanishka Nawabi

## **INTRODUCTION TO THE CASE STUDIES**

To what extent have Afghan religious leaders been involved in the post-2001 efforts to build a new state and foster development? What are their perspectives on the unfolding process, and on the various actors – Afghan or international – that are driving it? Are there ways in which to engage Afghan religious leaders more thoroughly in the work for stability and development? These questions are at the core of this report, which we explore in case studies from two distinctly different areas of the country, Sayedabad in Wardak province and Kunduz city in Kunduz province.

The study is rooted in the conviction that religion constitutes a major force in Afghan society, and that religious leaders hold considerable influence, with a potential to affect the peace process both negatively and positively. Since 2001, there has been considerable investment in Afghan civil society – frequently represented as a third force between the state on one hand and the market on the other – but civil society is often narrowly conceived to consist mainly of Non-Governmental Organizations (NGOs). Other types of networks and organizations that are much more deeply engrained in Afghan society, such as the religious ones, are rarely engaged as possible resources in civil society. But, just as religious actors have the potential to obstruct or even derail the efforts to build peace, they also hold the potential to strengthen it, depending on the way in which they are engaged.

The two case studies, from Sayedabad and Kunduz City, represent very different contexts for the engagement of religious actors.

Sayedabad district, merely 40 minutes drive south of Kabul, is relatively homogenous, the majority being Sunni and Pashtun, a rural population with a relatively traditional orientation. Kunduz is a significant city in the north-east of Afghanistan, with a very diverse population, both with different Islamic sects and different ethnic groups. Sayedabad is increasingly coming under Taliban influence, whereas in Kunduz, many are supportive of the government. These differences are also reflected in the involvement of religious leaders by the government and by international actors. In Kunduz, there is a functioning Shura-e-Ulama (council of religious scholars), and the majority of religious leaders express that they are constructively engaged in the effort to rebuild the country. In Sayedabad, the Shura-e-Ulama seem largely defunct, and the overwhelming majority of religious leaders express that their views are not listened to. They seem to be increasingly sympathizing with the armed opposition, openly expressing their sympathy for jihad against the 'foreign invaders'.

The report consists of 11 chapters. The next chapter presents the contexts for the case studies; before we move on to introduce the various types of religious groups and networks. In chapter 2 we discuss the impact of exile on the religious and political attitudes of Afghan religious leaders, while in chapter 3 we explore the interface between religion and politics more generally. Chapter 4 studies the role of religious leadership, while the following three chapters focus on, religious education, the Shura-e-ulama and religious actors vs. government. The 3 last substantive chapters - 8 to 10 – explore how religious actors work with law and its relevant frameworks; the NGOs; and the international military. We round off with a brief concluding chapter, where we also outline topics which are particularly important as focus for future research.

## EXECUTIVE SUMMARY

In Afghanistan, relations between the government and religious actors and religious actors with other civil society players, are complex. Throughout the history, governments have sought its approval, and even existence, from religious authorities. In return religious actors function as advisors to the government. Given the often sparse presence of the Afghan government across the country, day-to-day interaction is often quite limited. Influence of local religious movement and political parties have further challenged this relationship.

This report draws on deeper analysis, debates and discussions shaping the emerging issues related to religious groups and their potential role as civil society actors in the current reconstruction and development drive in Afghanistan.

**Over stated self-perceptions of Influence:** the study finds that religious leaders - the ulama - in both Wardak and Kunduz seem to overstate their influence. The Wardak ulama seem to be threatening to destabilise the area if they are not happy - something which seems to be self defeating (Governments don't generally like being held to ransom and are less likely to listen to them). They have adapted very differently to the current situation, and the Wardak ulama seem overly restricted and unable to do anything.

**Vocabulary of Violence:** the violent vocabulary that much of the Wardak ulama use - they still want to be involved in the conflict - is alarming. What we find a slight paradox is that they are apparently 'too scared' to be involved because of reprisals by the Taliban - could they not just be waiting for a clear winner to be apparent to switch sides? Our understanding is that Mullahs have been, and can be, very courageous - and their statements about wanting to preach about development seem to indicate they are not scared, but waiting to back with the right side.

**Areas of Influence:** through findings of this report, we realized that the foundations of the mullahs influence is limited - they seem to be reduced to second class actors in some issues, but there is a latent danger that they may be able to rouse public support on a religious issues against the government. We think there are three 'issues' in particular that the religious actors still have control of, that they can use, 1) apostasy 2) women (particularly issues relating to honour) 3) the presence of the foreign troops. On any of these issues the religious leadership can rouse a significant amount of the population in to unrest - the question is can they coordinate their action, and can the government survive a coordinated threat?

**Religious Networks:** The research indicates that the Shura-e-Ulama, much like the corresponding government institutions, is not in full control of its membership, nor is it present everywhere it should be. Based on this and the information on alims, we think that the religious authorities are not strongly able to control events and their networks are too scattered. The question remains though, if they catch popular imagination could they organise a serious threat to the Government - We think the answer is yes, more because of the government's lack of ability, more than the religious leadership's ability to act as a unified polity.

**Social Security:** We are concerned about the weakness of the social security network - This may be because of the general level of poverty, but across many Muslim countries we do not see zakat being implemented very well, so we don't think this is specific to Afghanistan. We think there may be an opportunity for the government to include zakat within other taxes e.g. for income tax, we already pay 10% or more or less, so a small % of that would be set aside for zakat, or social security functions. The ministry of social welfare / public works is under-funded and this might be a way of avoiding corruption (because direct collection would be a disaster) whilst strengthening the religious credentials of the government.

**A New Generation of Religious Leaders:**

One of the findings of this report is that the older religious leaders are being sidelined and have limited impact on current political and developmental changes. The young mullahs are more effective at taking control of the developments in the political arena and persuade the younger generation to be more involved in religious processes. The new mullahs use the vocabulary of democracy and Human Rights and want to reconcile these issues with Islam. Common for these mullahs is their perceptions of their roles, which indicate that they want to encourage peace, provide education and serve the needs of their communities.

**Islamic Charity:** We found out that while many Afghans give charity individually, there is little organized Islamic charity (khairyat) in Afghanistan and it is not commonly organized or channelled through formally registered organizations. While some Islamic charities were there during the jihad and the Taliban, after the fall of the Taliban, the number of Islamic charities has dropped significantly across Afghanistan. Blacklisting of Islamic charities in fear of links to terrorism has stigmatized the Islamic charity sector in Afghanistan. The whole concept of Islamic charity organization, which could potentially have been a great resource, is undermined by its politicization.

**Religious Education:** The tension between the two dominant education systems in Afghanistan, religious and secular, has played a significant role in the way the country has developed. While developing the education sector has been a main priority, little attention has been given to religious education until very recently. A significant number of Afghan religious students study in Pakistan. At the height of the refugee crisis in the 1980's and 1990's tens of thousands of Afghan's may have been studying in Pakistani madrasas. While the numbers have gone down now, graduates from Pakistani madrasas are an important element in the development of religious civil society in Afghanistan. The current marginalisation of Islamic (madrasa) education politically,

socially and economically, may contribute to increase the tension/ destabilize the relationship between religious and secular education systems.<sup>1</sup>

**Mullahs and Development:** Both in Sayedabad and Kunduz there is a common will – and interest - among the mullahs to be involved in development activities. It seems to be seen as apolitical by many of the mullahs – though, with the assumption that development will not contravene Islamic principles. The mullahs believe that they can have a positive role in development, and see opportunities for their participation. Mullahs generally seem to view themselves as key to reaching the people; with one mullah saying: “ordinary people are listening to us. If we are given the opportunity and authority then we can preach to the people so (that) they (will) participate effectively in the process.”

**METHODOLOGY:**

The main part of this research was conducted between August and November 2006. This part was already supplemented by literature review during June 2006. The field research conducted within Afghanistan consisted of interviews in Kabul, Wardak and Kunduz.

The research was carried out through combined research tools, mainly structured interviews and key informant interviews for the case studies. *Structured interviews* were conducted with 40 ulama at district level. The respondents were selected on the basis of capturing diversity in terms of denomination, ethnicity, association with majority/minority, location (near/ far from district centre) and other relevant factors.

*Key Informant unstructured interview* was conducted with 20 key informants in Sayedabad, Wardak and Kunduz City, Kunduz. These interviews supplemented the structured interview to provide additional knowledge and necessary insight in all the topics this research was

<sup>1</sup> Based on interviews with key informants in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

planned to cover. *Key Informants* were chosen by their experience, position, knowledge and information that would have helped us answer our research questions. Key Informants for studies were: Government officials, Heads/ members of shura (local/ district level), Local politicians, Member of ulama, District level judges, Headmaster of school, NSP program managers, NGO employees, Businessmen, ex-commanders etc.

When selecting the informants we made sure to seek a minimum of two independent sources on the same piece of information in order to strengthen the credibility of the finding.

These interviews were conducted in Dari and Pushto, Afghanistan's two main language, then translated into English.



## CONTEXT OF THE CASE STUDY AREAS

### Sayedabad

the case District	Ethnicity	Pushtoon Tribes
Sayedabad	70% Pushtoon, 20% Hazara, 10% other	Wardaks
Behsod Centre	Hazara	
Chak	Pushtoon	Wardaks
Jaghatoo	Pushtoon	Wardaks
Daimirdad	65% Pushtoon and 35% Hazaras	Wardaks
Narkh	Pushtoons	Andar, Sheenzi, Autmanzi
Jalriz	45% Pushtoons, 35% Tajiks, 20% Hazaras	Karooti
Behsod First Part	Hazaras	
Maidan Shahre	65% Pushtoons and 35% Tajiks	

Wardak province is located in the central east of Afghanistan, just south of the capital, Kabul. It is estimated that just over half a million people live in Wardak. In Sayedabad district the population is around 102,000.<sup>2</sup> Of these about 70% are Pushtoon, 20% Hazara and 10% of other ethnicities.<sup>3</sup>

Due to its proximity to Kabul, Wardak plays a major part in political and military developments in the capital. Several Wardaks currently hold a number of key government posts including the Ministry of Information and Culture, Ministry of Defence, Ministry of Parliamentary Affairs, and several influential positions within the Office of the President.

During the Taliban government, several Islamic radicals emerged from Wardak who helped to promote and implement

Taliban's conservative interpretation of Islam. There are several different tribes in Sayedabad district; these include all the major Wardak sub-tribes, the Mayar, Mirkhil and Noori. Sayedabad is overwhelmingly rural and most people maintain their livelihoods through farming.

### Kunduz

Kunduz City is in northern Afghanistan and the capital of Kunduz Province. It is linked by road to Mazar-e Sharif to the west, Kabul to the south and Tajikistan's border to the north. Kunduz has mixed economy dominated by farming in rural areas and large amount of transit trade. There is a thriving economy in cross border trade and trucks carry all manner of goods from Europe which are picked up at Sher Khan Bandar, the river port on the Oxus River, 60 km from Kunduz. Kunduz city has a population of around 117,000 people, while the whole province has an estimated population of 862,000.<sup>4</sup> At the beginning of this century the Kunduz area was a swamp famed principally for its malarial mosquitoes, a popular proverb "If you want death, go to Kunduz" clearly expressed the status of this province. The assistance of the international community in the mid-20<sup>th</sup> century encouraged reclamation projects, the spread of cotton plantations and has been responsible for an incredible transformation of the city. Kunduz was the last major city held by the Taliban before its fall to US-backed Northern Alliance forces on November 26, 2001. Kunduz has a varied economic base with a large amount of transit trade and farming in rural areas.

<sup>2</sup> Central Statistics Office, Afghanistan, 2006 Census data, access from <http://www.cso.gov.af/> Population data here and in the rest of the report is taken from the Central Statistics Office, Afghanistan.

<sup>3</sup> Estimates of the ethnic breakdown of populations are based on interviews with key informants, Sayedabad, Wardak, CPAU, August 2006

<sup>4</sup> Central Statistics Office, Afghanistan, 2006 Census data, access from <http://www.cso.gov.af/>

## 1. RELIGIOUS GROUPS AND NETWORKS

### 1.1 Denominations and sects

The vast majority, probably 99%, of Afghans are Muslim. The majority, approximately 85% subscribe to the Sunni Hanafi School for interpreting the Quran and Hadith.<sup>5</sup> Hanafi Fiqh<sup>6</sup> is also the most widely used source of Islamic jurisprudence. The Shiites are about 15% and predominantly follow the Jafaria School and use Jafaria Fiqh as their source of jurisprudence. There is a minority of Ismaili Shiite (less than one percent) as well as non-Muslims including Jews, Hindus and Christians. The remainder of practicing Muslims adhere to other Sunni and Shia schools, mainly the Salafi/ Wahhabi sects. In addition to these schools many Afghan Muslims, both Sunni and Shia, subscribe to a variety of Sufi beliefs.<sup>7</sup>

#### Sayedabad

The population in Sayedabad district is highly heterogeneous; the overall majority is Sunni and Pushtoon. Though there are a number of returning refugees in Sayedabad district from other minorities, particularly Hazaras, they have converted to Sunni Islam. None of the religious leaders interviewed could identify any other Islamic school being practised in the area – all of the respondents believed that only Hanafi inspired Islam was practised in the district.

There are few places close to Kabul with a stronger religious zeal and identity than

what is found in Sayedabad. There is an Imam of a mosque for every 50 families in some parts of the district, compared to around 130 families per Imam in Kunduz.<sup>8</sup> It is perhaps not strange then, that the Taliban would find one of their best areas for recruitment in Wardak. While several high ranking Taliban officials were drawn from Wardak during the Taliban rule, radical Islamic views nonetheless have a weaker political or ideological foundation than traditional forms of Islam in Sayedabad.<sup>9</sup>

Due to the large scale migration of people from Wardak to Pakistan during the war of the 1980s, there is a broad acquaintance with other Islamic sects and ideologies, including Wahabism. Sayedabad itself went through a radicalization process in the 1990's in the post-Communist era. Relations between sects and denominations in Sayedabad have undergone significant changes over the past 40 years and the potential for conflict along sectarian lines remains. There is a pervasive fear amongst the ulama about the power, influence and potential return of the Taliban. The Taliban's ability to influence the ulama's engagement with the government, development and their relationships with other sects is significant.<sup>10</sup>

The relations among pirs, sufis, mullas and Taliban have undergone significant changes in the last few years. Among mullas and particularly among the young students there is an apparent sympathy towards Taliban. However, there are

<sup>5</sup> Hadith are recorded sayings of the Prophet Muhammad. Today they are used as part of Muslims understanding of Islam together with the Quran and the *fiqh*.

<sup>6</sup> *Fiqh* means Jurisprudence, or the interpretation of Sharia law.

<sup>7</sup> Sufism is a mystical form of Islam where the path is the internal spiritual journey of the individual. The Sufi orders of brotherhoods, called 'tariqat' were first established in Afghanistan in the twelfth century. The growth of Sufism has been important in the history of Islam in Afghanistan. The country has fostered many world famous Sufi poets such as, Ansari (11th century), Sanayi of Ghazni (12th century) *Jami* (15th century) of Herat, and *Rumi* of Balkh (13th century), *Rumi's* collection of poems, the *Mathnawi*, is considered by many to be the greatest ever written in Dari.

<sup>8</sup> In addition a family may have more than one mosque to attend, in Wardak the median number of mosques a family may attend is only 1 or 2, but in Kunduz this is as high as 5. The difference is probably because of the urban nature of Kunduz and the ability of people to travel easily to many different mosques.

<sup>9</sup> *Esposito, John L. (editor in chief). The Oxford Dictionary of Islam. Oxford University Press, 2003. 359pp. ISBN 0195125584: Radical Islam: Radical Islam or Islamic fundamentalism is a religious ideology which advocates literalistic interpretations of the texts of Islam, Sharia law which are considered sacred by devotee Muslims and sometimes an Islamic State. It is often regarded as the older, less preferred term for Islamism, sometimes used interchangeably with that term, and sometimes attacked as fundamentally inaccurate.*

<sup>10</sup> Based on interviews with Ulama members in Sayedabad, Wardak, CPAU, in August 2006

question raised by the ulama about the approach, funding sources and the individuals with questionable reputation being recruited by the Taliban. These concerns of the ulama have never been publicly stated but have revealed in private meetings with those they trust. It does not mean that ulama in Wardak have rectified the government in Kabul, still call the foreign forces; invaders. Even such sentiments are not publicly stated fearing the consequence from the government and Coalition Forces.

The hostilities among the pirs and ulama do not seem to be very severe and there is still respect among ordinary mullas to the sufis and pirs. It was always the Hezbi-e Islami (Hikmatyar Group) that has tried to reduce later's influence and undermine their religious authority. The sufis and pirs lost some respect as they got involved in politics and were affiliated with different warring factions during the last 25 years. The young generation in the pirs, and sufi's families grew up in a different environment and very few followed their predecessors. Apart from joining warring factions, there are one or two cases where members of these families have been with communists as well.

### **Kunduz**

There are several religious denominations in Kunduz. The largest are the Sunni Hanafi, followed by Shiite Jafaris. There are a small number of Sunni Salafi / Wahhabi adherents. There are also some scattered Ismaili Shiite families in parts of Kunduz City and a few Sikhs and Hindus who generally live within Kunduz city for decades. In the absence of any clear census, it is difficult to state the size of each denomination, but it is estimated that 80% are Sunni, 15% Shiite, 5% Ismaili and less than a percent are Sikhs and Hindus. Interestingly despite the outward religious pluralism of the city only 35% of respondents could identify that both the Hanafi and Jafari schools were present in Kunduz – 65% believed that only Hanafi

was practiced indicating that religious practices are still conservative.<sup>11</sup>

Amongst Sunni Muslims, there are a good number of sufis. Prior to the communist regime several famous sufi pirs attracted large bodies of followers in Kunduz, and the sites of their brotherhoods were and are popular social and cultural community centres providing educational and spiritual services.

Significant Islamic radicalization first began after the Russian invasion. As the provinces in northern Afghanistan were further away from the centres of this process in Pakistan, there was more space for non-radical Islamic practices, including Sufism, which flourished in Kunduz. The years of civil war and subsequent Taliban take over affected Sufi practices and as a consequence there are now a limited number of sufi centres within the city. Instead some mosques also function as places for sufi gatherings and rituals.<sup>12</sup> The greater plurality in Kunduz and the distance from the centres of radical Islamic training and teaching also means that the area is generally more open with regard to interpretations of the Hadith, Qurran and the use of Sharia. Throughout the survey and interviews the ulama in Kunduz presents a more centrist position in Islamic teaching. Their world view is not solely dominated by the demand to implement Sharia law.

### **1.2 Religious Group's Interaction amongst Themselves**

Tracing the interactions in and between religious groups (including religious leaders and institutions) is important if we are to understand how the groups function. In reality there is no formalized interaction amongst and between most religious groups, on a regular basis. Despite popular belief of a unified Islamic polity, religious

<sup>11</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>12</sup> Though it is hard to obtain accurate figures it is believed that there are around 1,000 people from several Tariqats in Kunduz City including the Chishtiya, Suhrwardiya Naqshbandiya, Bahaduriya and Qadiriya and an estimated 16,000 Sufi followers in Kunduz Province.

groups are highly self-centred, and limit their interactions with other religious groups. When there is interaction, it is not necessarily characterised by formal religious activities.<sup>13</sup> This is particularly true in Sunni Islam because there is no hierarchy within the clergy, unlike in Shia Islam. It is hard to find mullahs who submit to their seniors, and those they do submit to are either living outside their locale or are dead.

Internally the groups primarily interact through regular formal and informal ceremonies – though in Kunduz the focus is on the informal gatherings. Public gatherings are typically held in mosques or madrasas, and usually an invitation is not required. Different events such as death related ceremonies (the funeral or ‘khatm’) and also ‘dastar bandi’ ceremonies are the main public gatherings.

### Sayedabad

In Sayedabad, the influence of religion is ever present in people’s everyday lives and business transactions. There is hardly any political, economic or social interaction that is not validated by religion. In such a situation it is important not to underestimate the role of mosques and the people running these institutions. In Sayedabad there is a mosque for every 50 households, in some cases even groups as small as 30 households have established a mosque.<sup>14</sup> The high number of mosques is partially a result of the growing influence of Taliban orthodoxy which discourages people from going to shrines to venerate saints.<sup>15</sup>

<sup>13</sup> Respondents to the CPAU Survey in Kunduz indicate that only 10% of mullahs hold joint religious ceremonies, most contact is simply through the wider interactions with neighbouring communities. Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>14</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>15</sup> The *Wahabis* generally oppose visiting shrines, because in their opinion, this perpetuates un-Islamic practices such as bowing to the grave of a saint and other acts of superstition.

During the *Taliban* Government an edict was issued banning the visiting of shrines and the veneration of saints. *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*, Author Ahmad Rashid Yale University Press (March 2000) ISBN 0-300-08340-8

There are occasional informal meetings between religious individuals and groups; mostly during religious ceremonies. In comparison to Kunduz, interactions between religious actors generally are of formal nature and many hold joint religious ceremonies.<sup>16</sup> Even though almost all the Sayedabad mullahs come from Wardak they draw on a very wide and diffuse circle of inspirational alims<sup>17</sup> they named 19 different alims who were important to them, and only 1 Mullah was mentioned 10 times out of 20 interviewees. It is important to understand the lack of group collaboration under one umbrella as it limits their ability to organise as a significant political actor. The Taliban themselves ensured that the mullahs were prevented from forming any coalition and did not fully integrate them within their movement. They understood that while they wanted the mullahs to be involved, they did not want them to become independent and politically organized.<sup>18</sup> During the Taliban government meetings and gatherings were more coordinated between the religious groups, but these mainly involved Sunni groups. Many respondents noted, often lamented, the fact that when the Taliban were removed from power, the ulama lost authority. As a consequence, the government is not taking them seriously.

The current political uncertainty means religious groups and individuals are waiting and avoiding forming coalitions and holding gatherings. They are chiefly scared of retaliation at the hands of the Taliban and avoid joining religious gatherings and formal groups such as the Shura-e-ulama. They are concerned about the current situation and are very conservative in their relations.<sup>19</sup>

<sup>16</sup> Every respondent in Wardak noted that they regularly hold or attend each other’s religious ceremonies. Data from CPAU survey carried out in Sayedabad, Wardak August 2006

<sup>17</sup> A person who has a religious inspiration – normally a mullah. It stems from the Arabic for knowledge. It is also used for people with good knowledge.

<sup>18</sup> Based on interviews with Ulama members in Sayedabad, Wardak, CPAU, in August 2006

<sup>19</sup> Based on interviews with Ulama members in Sayedabad, Wardak, CPAU, in August 2006

## Kunduz

In Kunduz the level of collaboration is more varied; mullahs<sup>20</sup> indicating not just the plurality within the ulama in Kunduz, but also that their networks are wider, reaching ulama in other provinces and abroad.<sup>21</sup> The sharp rise in population because of returning refugees and Internally Displaced People (IDPs) is leading to an increase in the number of religious ceremonies. Informal gatherings of groups of up to 30 or 40 mullahs and students are taking place in 'khatm', death related ceremonies including for 'isqat',<sup>22</sup> wedding parties and other rituals. The only formal gathering amongst ulama is 'dastar bandi'. The ulama from a madrasa usually ask mullahs from outside the province to be present at this ceremony.

According to one mullah, the *dastar bandi* "is a traditional practice where the hand of respected ulama should touch the turbans ('*dastars*') of the newly graduated religious students ('*taliban*').<sup>23</sup> Like the Taliban government, the Mujahedin also convened shuras (councils) that involved religious leaders. These were often just ad-hoc coalitions in order to take a collective stand on any threats from sources like human rights groups, the international community or the government. The role of religious leaders in these meetings was often to give legitimacy to the proceedings and to issue edicts regarding a new action or way forward.<sup>24</sup>

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<sup>20</sup> The mullahs in the survey gave 43 different alims as sources of inspiration and no single alim was mentioned more than 5 times. Many of the alims were not from Kunduz, and some were from other countries.

<sup>21</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>22</sup> '*isqat*' is an Arabic word which literally means waiving or relinquishing. According to Islamic teachings, once a dead person is buried, his/her relatives have to give some money to the poor and needy or mullah of that area as a waiver to worldly unpaid debts of the deceased person.

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<sup>23</sup> While this is an important ceremony, those invited from distant provinces are often financially unable to attend these ceremonies, so the effectiveness of this meeting in building relations is not clear.

<sup>24</sup> Currently there is a regular gathering, under the name of Shura-e-Islami in Kunduz, but it is not led by a Mullah but a commander and the role of the mullahs in the current Shura is less clear than before.



## 2. THE REFUGEE EXPERIENCE

This chapter will take a closer look at the effects of the Afghan refugee experience: how it has effected religious beliefs and practices in Afghanistan, contacts between religious leaders in Afghanistan and abroad, and the influence of Islamist ideologies.

Between 1979 and 1992, more than a quarter of Afghanistan's population - over six million people - were driven from the country in search of safety, mainly to neighbouring Iran and Pakistan. Although many returned in anticipation of peace following the collapse of the pro-Soviet government in 1992, the continuation of armed conflict and deteriorating law and order resulted in large numbers of Afghans choosing not to return. It was not until the fall of the Taliban that mass returns started again. Since 2001 nearly 4 million Afghans have returned.<sup>25</sup>

### Sayedabad

In Sayedabad proximity to Kabul was a key factor to the impact of the conflict on the area as was its rural nature. Most of the fighting of the 1980s took place in rural areas which normally involved Soviet and Afghan troops trying to suppress the actions of armed opposition groups who operated in the countryside. The major refugee movements from Wardak occurred after the Soviet invasion. Most of the refugees fled to Pakistan, which was relatively close, which many had visited in the past, and which was culturally familiar.<sup>26</sup> Refugees from rural areas such as Sayedabad would almost always end up in refugee camps in Pakistan. Once settled in refugee camps, the refugees tended to be part of the jihad and send their children to schools and religious madrasas.

<sup>25</sup> Reports of the Secretary-General to the UN Security Council on the Situation in Afghanistan and its Implications for International Peace and Security on 15<sup>th</sup> March 2007, 7<sup>th</sup> March 2006 and 12<sup>th</sup> August 2005, all available from <http://www.unama-afg.org/docs/UN-Docs.htm>

<sup>26</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August and November 2006.

The general pattern of displacement also affected the mullahs in Sayedabad. About a third of our respondents had been refugees, and all but one of these was in Pakistan, in specific camps related to their jihadist party.<sup>27</sup> It was in refugee camps in Pakistan and other countries that new ties were formed and new and radical ideologies were cultivated. The refugees who lived outside refugee camps had a very different experience and were able to access other forms of cultural activities and education.

After the fall of the pro-Soviet government in April 1992, many of refugees returned home. However, during this time the nature of the Afghan civil war had changed. Parts of the country plunged into lawlessness. Banditry became rampant, including in much of Wardak. The province changed hands several times because of violent clashes between armed groups organized along political-religious lines. However, Sayedabad was spared from ethno-religious infighting because the vast majority of the population are Pushtoon. The emergence of Taliban in 1994 and subsequent capture of Wardak in February 2005 was a unifying moment. The Taliban succeeded in disarming the local commanders of opposition groups such as Hizb-e Islami, Jamiat-e Islami and Mahaz-e Milli, and this resulted in a reduction in acts of banditry and extortion in the province.

### Kunduz

The flight pattern of people from Kunduz during the Jihad, the consequent civil war and the Taliban takeover of the province was slightly different. Many were internally displaced. Most people fled to Pakistan and Iran (sometimes to both). Some moved on to Europe and the US. Therefore the migrants experiences varied considerably.<sup>28</sup> City-born refugees often settled in other cities, continued in modern secular education and did not generally

<sup>27</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>28</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

become part of the jihadi groups.<sup>29</sup> In addition, population movements were not solely caused by insecurity but also by economic difficulties. Kunduz was attacked 9 times during the infighting of the Mujahedin factions in the 1990s.<sup>30</sup> During this period, many residents were displaced. As in other parts of the country, political and ethnic associations were key factors in deciding to which country and in which camps people would be a refugee.

From the mullahs interviewed, 6 out of 20 sought refuge outside Afghanistan. Most of these went to Pakistan but had also spent at least some time in Iran. They engaged themselves mainly in education, and while many were members of an Islamic Jihadist party, most did not fight directly in the jihad.<sup>31</sup>

The impact of life in exile is visible in the city. Much of the exiled population has been able to access education, also the women. English language and computer studies abroad have enabled many younger Kunduzis to gain good jobs with NGOs or the UN. In addition exposure to other cultures has also impacted on the refugees.

This includes some negative impact of Pakistani and Iranian Islamic education which radicalized young students in some madrasas. Despite a vast number of refugees returning home to Kunduz, there are still significant population movements to Pakistan, Iran, the Gulf States, Europe and USA for economic opportunities. This pattern is increasing as the people in Kunduz become economically better-off and can afford to go to those countries for work.<sup>32</sup> The refugee experience has had profound effects on the religious beliefs and practices in Afghanistan; new ties were formed between and new and radical ideologies were cultivated. It has also contributed to further politicization of religion, which we will turn to in the next chapter when we take a closer look at politics and religion.

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<sup>29</sup> *Madrassa Education in Pakistan and Bangladesh* by Mumtaz Ahmed  
<http://www.apcss.org/Publications/Edited%20Volumes/ReligiousRadicalism/PagesfromReligiousRadicalismandSecurityinSouthAsiach5.pdf>

<sup>30</sup> Barnett, *The Fragmentation of Afghanistan*, 2nd Ed 2002, p276 and Rashid, Ahmad, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*, Author Ahmad Rashid Yale University Press (March 2000) ISBN 0-300-08340-8

<sup>31</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

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<sup>32</sup> Based on interviews with Ulama members in Kunduz city, Kunduz, CPAU, in November 2006

### 3. RELIGION AND POLITICS

Religion and politics has been intertwined through Afghan history. This chapter will look at the rise and influence of the religious (Islamist) parties during the jihad, the legacy of the Taliban and the role of religion in politics today.

#### 3.1 Islamist Political Parties and Alliances

The history of religiously inspired political-military parties goes back to the Soviet invasion and consequent jihad. People driven by religious zeal were drawn to one of the many political parties, whether indigenous or created by Pakistan and Iran. The choice of party was often influenced by the accessibility to the channel of arms and resources from the Western and Arab allies of the jihad through particular parties.<sup>33</sup>

##### Sayedabad

The presence of the parties is mixed in Sayedabad. The rural population in the villages is not as politically active as those living in the district or provincial centres. Conditions with the aid by Western and Arab supporters to the Mujahedin forced many to join Harakat-e Islami, Itihad-e Islami, Mahaz-e Milli, Hizb-e Islami (Hekmatyar) and Jamiat-e Islami. Since the majority of people in Sayedabad are Pushtoos, the dominant parties are Hizb-e Islami (Hekmatyar), Itihad-e Islami and Mahaz-e Milli. Hizb-e Islami was the largest party in Sayedabad due to its predominantly Ikhwanī nature. As one interviewee stated “during jihad, you were not a good Muslim unless you were with Hizb-e Islami.”<sup>34</sup>

Hizb-e Islami was the first party to come in to conflict with the Taliban in Wardak. This was primarily because the Taliban competed with Hizb-e Islami as the primary Pushtoon force, and the Taliban initially captured provinces which were mainly Pushtoon dominated. The conflict over control of geographical areas was worsened by the tension between the traditional Taliban and the Ikhwanī Hizb-e Islami supporters. The Ikhwanī call Taliban ignorant mullahs (similarly to the way they treated other local religious leaders) and blamed them for the lack of political Islamic ideologues in Afghanistan.

Nine of the twenty mullahs surveyed said they were members of either Harakat-e Islami or Hizb-e Islami. Hizb-e Islami has a complex relationship with religion and its leadership are generally not religious figures. Even at a local level, most members of Hizb-e Islami are not mullahs (only 3 surveyed mullahs were members of Hizb-e Islami). Hizb-e-Islami members have tended to look down on the activities of local mullahs and decried some of their practices as un-Islamic, therefore in some cases perceived to be Wahhabi by local people.

There has been a steady re-emergence of Hizb-e Islami in Sayedabad after the Coalition Forces backed Northern Alliance (NA) defeated the Taliban in 2001. Other Ikhwanī<sup>35</sup> groups have also re-emerged, such as Jamiat-e Islami and Itihad-e Islami. A permanent alliance or coalition between the groups is not possible due to their personal grievances from the conflict but there are gatherings and meetings between these groups and individual members in this district.

##### Kunduz

Kunduz has a large number of Pushtoon settlers who were given land across the

<sup>33</sup> Pakistan effectively legalised the operations of 7 Islamic parties and ensured that they had the material to fight the conflict. Pakistan's preference for supporting the Islamic parties effectively nullified the effectiveness of Nationalist and Royalist parties. Iran, looking for its own proxies in the conflict, encouraged the Shia parties to unite in to Hizb-e Wahdat. This is outlined in Rubin, Barnett, *The Fragmentation of Afghanistan*, 2<sup>nd</sup> Ed 2002, p184 & p221-5

<sup>34</sup> Based on interviews with key informants and survey of mullahs in Sayedabad, CPAU, August 2006

<sup>35</sup> In the early days of the Soviet-Afghan war, the Muslim Brotherhood was seen as a constituent part of the Afghan anti-Communist opposition, hence the Soviet installed government called its opponents who had connections to the freshly formed Islamic resistance parties as Ikhwanis or members of Muslim Brotherhood (*Ikhwan ul Muslimeen* in Arabic). Ikhwanī was then used to as an adjective to describe any Islamist party.



Northern provinces in the late 19<sup>th</sup> and early 20<sup>th</sup> Century. They were vulnerable to the infighting between different non-Pushtoon Mujahedin (Uzbeks and Tajiks, who dominate the province) during the civil war in the 1990s. Disappointed and abused by the infighting, many saw the Taliban takeover of the province as an opportunity for the Pushtoons to live in peace. A number of them either joined the Taliban movement or were sympathizers. The Pushtoon support for the Taliban in the province was related to nationalist sympathy rather than religious compassion and zeal.<sup>36</sup> When the Taliban were defeated, the Pushtoons were again left vulnerable to the same groups of Mujahedin and they still face discrimination; as an example there are hardly any key government positions held by a Pushtoon in Kunduz.

In Kunduz, the majority of political allegiances and affiliations have an ethnic dimension. Jamiat is Tajik dominated, Junbish is Uzbek, Hizb-e Islami, Itihad-e Islami and Afghan Millat are Pushtoon dominated. The mullahs surveyed showed the typical pattern of ethnic allegiances, 35% of the mullahs were members of one of the parties, including Hizb, Wahdat, Jamiat and Itihad.<sup>37</sup>

Jamiat is the most influential political party. Operating rather discretely is Hizb-e Islami, which is considered an influential party with large number of supporters partly because Gulbuddin Hekmatyar, the leader of Hizb-e Islami, is from a Kharoti Pushtoon settler family in Kunduz. Jamiat-e Islami and Junbish have their offices in Kunduz, but people are not generally receptive to the ideas of these parties because of their involvement in the infighting throughout the 1990s. However, when Jamiat is thought to be the strongest political party in Kunduz, it does not mean that it has a wide support among the public in Kunduz. Jamiat can be called a party that holds the most important government

posts and its commanders are more visible and active compared to the others. After Jamiat, it is the Junbish that is more organized and is very much involved in mobilizing Uzbeks. Political parties in Afghanistan are mostly divided on ethnic lines and Kunduz can be a microcosm of the general political environment in Afghanistan. There are Hezbi-e Islami and Taliban sympathizers who are suppressed by the local influential Jamiat commanders. Still Kunduz can be called a potential base for Taliban in the north. Many people are sceptical about President Karzai's lenient policies which have provided the space and opportunity for these parties to re-group and resurface with the same leaders who were involved in killing thousands of civilians throughout the civil war.

The Afghan Millat party<sup>38</sup> is emerging as a significant political party that seems to be gaining increasing support within the Pushtoon population in Kunduz. The party has taken advantage of current political developments and has played up the fact that it didn't take an active part in the civil war in the 1990s. It is also probably the only major political party without a military wing. Political parties in Kunduz are otherwise not experienced in trying to win the support of the public by political means; as such they resort to force and keep large military wings to ensure their support remains. The parties also encouraged female political activism, most effectively done by Jamiat-e Islami, in order to increase their share of the vote. During the presidential and parliamentary elections each party approached their ethnic groups and pressured them for votes. But when the elections were over respondents noted their contacts with their supporters diminished.

The parties managed to gain some members of parliament and provincial council members. Similarly to Sayedabad the parties seem to be at odds with one another and there is no particular coalition of parties. It was not common for Kunduz commanders to be religious figures. The

<sup>36</sup> <http://hrw.org/reports/2002/afghan2/afghan0402-03.htm>  
HRW Article: [Paying for the Taliban's Crimes:](#)

<sup>37</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>38</sup> *Afghan Millat* is a Pashtoon Nationalist Party established in 8<sup>th</sup> March 1966. [www.afghanmellat.org](http://www.afghanmellat.org)

active commanders in the Kunduz city are mainly khans, maliks or teachers, though some studied religion during the years of Jihad. There have been a number of religious commanders during the jihad, but the majority either died, are no longer commanders or are have lost their influence in the province. Though in order to survive in the current volatile power struggle, being a member of the ulama has proved useful for some. But more importantly they need to be dynamic and 'yaghi'.<sup>39</sup>

### 3.2 The Taliban in the past and the Taliban today

The rise of the Taliban in 1994, their rapid ascent to power in 1996, sudden removal in 2001 and ongoing insurgent activities have impacted on both Sayedabad and Kunduz differently (some of which has been outlined above). One the greatest concern is the Taliban's ability to impact the ongoing state building activities of the government and engagement with religious actors.

#### Sayedabad

The Taliban captured Wardak on 10<sup>th</sup> February 1995. This was generally welcomed by the pre-dominantly Pushtoon residents but people still have mixed views about their rule. The infamous restrictions associated with Taliban such as banning women from public life and education, banning music or TV had little effect on the lives of people in Sayedabad since they didn't enjoy these freedoms prior to the Taliban. The mullahs were also initially pleased that their social standing had improved as they were now being invited by the Taliban to consult on the implementation of Sharia, the role of the government and other prestigious issues. However as the Taliban's rule progressed many mullahs were concerned that the Taliban themselves knew very little about Islam, and they would disregard the advice of the religious authorities. Along with this conflict over the direction of the government, the local populations did

begin to bear the brunt of the increasingly brutal punishments by the Taliban. The religious disagreements and popular discontent had a devastating impact on the public image of Taliban. In spite of this there are still many people who still see the Taliban as a good alternative to the current government.

In Sayedabad some commanders associated with Harakat-e Islami, Hizb-e Islami (Mawlawi Khalis) and Itihad-e Islami joined the Taliban when they first captured the district in February 1995. There are two main reasons for these commanders joining Taliban. First of all Harakat-e Islami (led by Mawlawi Mohammad Nabi) and Hizb-e Islami (Khalis) were traditional supporters and associates of the Taliban. Secondly these hardliner commanders ideologically supported the Taliban in the creation of a pure Islamic state.<sup>40</sup> The rest of the commanders who did not join the Taliban or who were rejected by the Taliban, escaped the area, started businesses or taught religious studies in different mosques and madrasas. After the fall of the Taliban there was an opportunity for those commanders to come back to the political and military arena. Some did, but others, some due to their association with Taliban in the past, preferred to stay away from these developments. The majority of mullah commanders are afraid of both the Government and the Taliban. If they join Taliban, obviously they will be targeted by the Government and if they join the Government the same will happen at the hands of the Taliban. There are a number of mullahs who are genuinely tired of the infighting and war and simply chose not to participate in it anymore. Sayedabad is one of the districts where prominent jihadi commanders were mullahs. A majority, if not all of them, withdrew from politics after the collapse of the communist regime and stayed away in Taliban time. That was one link that kept the relationship of the mullah and commanders. People did respect their

<sup>39</sup> *Yaghi* means *Sarkash*, a bully, independent but has negative connotations

<sup>40</sup> The CPAU survey indicated that nearly half of the mullahs were members of either Hizb-e Islami or Harakat-e Islami and nearly all the respondents support the principle of an Islamic state based on Sharia law. Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

stance and particularly their decisions to return to the madrasas. Apart from a mullah being himself a commander, the relation between a mullah and a local commander has always been cold and the mullahs have kept with its traditional role.

The current lack of capacity in local security forces, i.e. the Afghan National Police (ANP) and the endemic corrupt government offices is leaving the ground open for Taliban to operate easily in many villages of Sayedabad.

### Kunduz

The Taliban took over Kunduz City in 1999. The Taliban defeat of the Northern Alliance in Kunduz empowered Pushtoon residents. Most Pushtoon residents, tired of Uzbek and Tajik commander's conflict and atrocities, sympathized with the Taliban and with their victory, a share of the Kunduzi Pushtoons associated themselves with the Taliban. However, Taliban hardliners did not support the nationalist agendas which were of most concern to Kunduzi Pushtoons. The Taliban ideology was based on strict Islamic values and anyone in the way of its implementation was met with fierce resistance, also among Pushtoons. And even despite restoring security in the provinces, Pushtoons were still mostly sidelined from political and government jobs in the province.<sup>41</sup> As a result, views on the Taliban's rule are mixed. While most of the population don't wish to see the Taliban back in power, there are also many that admire the courage with which the Taliban fought the warlords.

### 3.3 Religious Engagement in the Current Political Process

The religious establishment was first engaged in the Bonn process when the Shura-e ulama was re-organized in 2002 by President Karzai to issue a religious edict that nullified the Taliban's call for holy war against foreign forces and the Afghan

government.<sup>42</sup> However, the engagement of religious figures in elections and constitutional arrangements has been considerably mixed.

### Sayedabad

Sayedabad's religious community has not significantly engaged in the political processes of the past 5 years. Sayedabad has no mullah represented in the Parliament or Provincial Councils. There are three main reasons for this. Firstly, many of the ulama did not stand in the elections fearing Taliban reprisals and the overwhelming reliance of the government on foreign troops. Secondly those mullahs that stood for the elections had very little chance of being elected because of the high number of candidates standing in the election and the use of the Single Non-Transferable Vote (SNTV) system. The use of this system, and the lack of party structure,<sup>43</sup> meant that votes were distributed between many candidates. Despite being only 20% of population 3 of the 5 Members of Parliament (MPs) from Wardak are Hazaras.<sup>44</sup> Thirdly, most of the ulama did not vote in the parliamentary and provincial council elections because they believe that the government is ineffective and that the presence of international forces in Afghanistan is un-Islamic (see below).<sup>45</sup> The fact that many of the mullahs feared Taliban reprisals if they participated in the elections also affected their participation in other ways: only two of twenty respondents stated that they either worked for the Joint Electoral Management Body (JEMB) or they preached support for election in their mosques.<sup>46</sup> Since the election the views of the mullahs about the Parliament and the Provincial Councils have deteriorated. Only 20% of respondents had a positive view about the Parliament, which echoes the

<sup>42</sup> Dari article by Wahid Muzhda: *Why Taliban Resorted to Killing Mullahs?*

[http://www.zendagi.com/new\\_page\\_473.htm](http://www.zendagi.com/new_page_473.htm)

<sup>43</sup> *Advantages & Disadvantages of SNTV*

<http://aceproject.org/ace-en/topics/es/esd/esd04/esd04a/esd04a01>

<sup>44</sup> Please see [www.jemb.org](http://www.jemb.org) for details of the certified results. A total of 69 candidates stood for 5 places only the top 3 candidates received more than 5% of the vote each.

<sup>45</sup> Only 40% of respondents voted in the election

<sup>46</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>41</sup> Pashtu article by Maiwand Patang, درحمت فرشتی یاد عذاب ریشی

<http://www.tolafghan.com/forum/viewtopic.php?p=15944&sid=13dc2beb647fd1dbe930fa6457114424>

sentiment expressed by one respondent: *“I think the Parliament is not good for any use (...) they are interested in getting (their) salaries and not (the) people.”*<sup>47</sup> It should be noted that most mullahs do not see the parliamentary system as problematic as such. It is seen as a shura, which is a traditional Islamic institution. It is whether the current parliament is Islamic and follows the Sharia that is of concern: *“Shura is what the Quran wants; if it is based on Sharia and works for Sharia (then it is good).”*<sup>48</sup>

### **Kunduz**

The MPs who represent Kunduz are commanders, khans, and businessmen but there is no representation from the ulama. There are currently two female MPs representing Kunduz in the Parliament and four female Provincial Council Members. Mullahs from Kunduz did take part in the election process, but failed to secure any seats in the Parliament. However, several mullahs were elected to the 15 member Provincial Council.

The head of the Provincial Council (who used to be an active member of the Taliban) is a mullah along with three other council members. This gives some clue as to what happened to non-Pushtoon Taliban, who fought along with their Pushtoon Talibs during their rule.

Participation in the election in general was much higher in Kunduz than in Sayedabad. 80% of respondents were involved in some way, half of which did more than just vote.<sup>49</sup> Despite the widespread participation of the ulama in the elections many mullahs express disappointment with the parliament now. Only 2 out of 20 respondents had positive views about the Parliament, and while none of the mullahs see the Parliament as illegal or un-Islamic, as they do in Wardak. Their feeling was summed up by one respondent who said *“Initially I was very optimistic, but now not only me, but all the people of Afghanistan have not seen what they expected from the Parliament.”*<sup>50</sup>

<sup>47</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>48</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>49</sup> Several mullahs worked for JEMB or UNAMA, were candidates or campaigners for candidates. Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>50</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in November 2006

## 4. RELIGIOUS LEADERS

This chapter explores the traditional role of mullahs in Afghan society and also changes occurred post conflict began 1970s. It also looks at the changes in roles and responsibilities of these religious leaders during and post Taliban rule.

### 4.1 The role and function of religious leaders

Historically religious leaders have often had a decisive role in the fortunes of the country. Their loss of position, since the fall of the Taliban and the changing dynamics of Afghan society impacted by returning refugees, a western supported government and the continuation of armed conflict, has been marked.

The active roles that mullahs played in the Taliban government, even if only in an advisory capacity, have led the current government and international forces to view religious leaders with concern. They often seem to be sidelined in major political developments and their frustration at this is evident. A significant number of the mullahs surveyed mentioned their frustration with the government not consulting them, or ignoring their advice when consulted on a variety of issues.<sup>51</sup>

#### Sayedabad

Whilst the mullahs play a crucial role in people's everyday life their influence is currently confined to religious and social issues rather than the political arena it encroached on during the Taliban. Mullahs in Sayedabad strongly identified their role in the promotion of Islamic principles, defending Islam and encouraging Sharia law (this accounted for nearly 50% of their perceived roles, see below).<sup>52</sup> However, their own views and self perceptions and the reality do not always match. In many ways they have become the least powerful members of society today in terms of

political and military influence, because of the change in their role since the fall of the Taliban.

In Sayedabad, to understand the influence of mullahs, it is useful to separate various segments of the population; 'ordinary villagers' from landlords, or khans, and the educated elite. While the mullahs exert their influence over the lives of ordinary villagers, farmers, labourers and the poor in the village, the elite; khans, landlords and educated view the mullahs as lesser influential than themselves. Amongst the elites, the mullahs are seen as service providers<sup>53</sup>, rather than that of a leader. The mullah imam of a mosque among the educated and elite is now perceived more like an employee of the people.

Villagers always have problems to select who is going to be a mullah of the village. Sometimes selecting the mullah of a village becomes a source of conflict among the villagers, especially if it is a large village and if in the village there are differences among the families and tribes. This in numerous cases has led to the increasing number of mosques, built in competition. One of the perceived roles of the mullah is therefore to maintain the unity among the villagers and do not let small tensions end up with violence. The priority is mostly given to those honest, knowledgeable, humble with social skills. The degree of influence and dominance is based mostly on the knowledge, age and his background. Some mullahs who meet the criteria are highly respected and influential even if in some points they are very outspoken and critical of the villagers. There is certainly a high degree of interdependence between the villagers and the mullah and both tries to develop symbiotic relations. The mullah provides religious and moral authority, guides people in spiritual and religious matters and performs the religious rites and rituals forming the religious frame of people's daily lives. Mullahs are often economically dependent on the wages, donations and other support they receive from the

<sup>51</sup> Information from survey in Sayedabad, Wardak and Kunduz city, Kunduz CPAU August and November, 2006

<sup>52</sup> Data from survey in Sayedabad, Wardak, CPAU August, 2006

<sup>53</sup> Interviews with Key Informants in Sayedabad, Wardak, CPAU August 2006



villagers, and in many cases these are their only source of livelihood

In addition to the limited traditional Islamic education in the village mosques traditional mullahs in Sayedabad are not well aware of political developments. They seem primarily concerned with the economic advantages of their influence in the lives of villagers. Traditionally they exert their influence over people not to gain political power but to earn their livelihoods. The mullahs are generally poor. They earn their livelihood by charging fees for religious services, and some have a regular job to supplement this, working as teachers or shopkeepers. Mullahs usually offer prayers and religious ceremonies for a fee. Hence the financial side of their services from the communities sometimes means distancing themselves from taking sides in a conflict or politically supporting one side against the other. Mullahs keep to themselves and avoid conflicts as it will affect their respect and income.

### **Kunduz**

In Kunduz the influence of mullahs on the lives of ordinary people is still very strong. People are still connected to the mullah as an active player in their day to day lives. Throughout the years of war, there has been a weakening in the position of commanders, but the influence of the mullahs has not been undermined.

People's views of religious leaders are mixed. Some people's perceptions - particularly those who fled the conflict - about mullahs and the role of the religion have changed, with some more critical of the role of religion and others more zealous in their faith and their wish to promote Islamic practices. The most active and well informed mullahs are the younger graduates of foreign madrasas who have a better education than their older colleagues. The older religious leaders are being sidelined and have limited impact on current political and developmental processes. The new mullahs are more effective at taking control of the developments in the political arena and persuade the younger generation to be

more involved in religious processes. The new mullahs use the vocabulary of democracy and human rights and to reconcile these issues with Islam.

Common for the mullahs is their perceptions of their roles, which indicate that they want to encourage peace, provide education and serve the needs of their communities (together accounting for nearly two-thirds of responses about their perceived role, see below).<sup>54</sup>

It is difficult to imagine a time when mullahs will no longer be influential in the lives of ordinary people. One interviewee commented *"People despite not knowing what a mullahs preaches, (they) are still sitting in water and mud and listening to them"*. As another interviewee cynically explained *"some mullahs are happy when a rich person dies so they get 'isqat'"*.

## **4.2 The role of the Mosque**

The mosque is the traditional centre of life in Afghanistan, particularly in rural areas. It is a place for prayers and religious rituals, as well as a space used for teaching, meetings and entertaining visitors. Its centrality however, as a meeting place a venue for Shuras and religious education is changing. The impacts of the religious aspects of the conflict, and the experiences outside of Afghanistan for many of those who have fled have changed their views about the role of religion. In addition, changing power structures and increasing wealth in some parts of the country are impacting these traditional centres.

### **Sayedabad**

In Sayedabad, mosques are at the centre of the village's religious life but their role in non-religious activities seems to be declining. Traditionally mosques acted as a community centre for the village, as a gathering place for the elderly and a warm place to meet in the winter.<sup>55</sup> As shuras

<sup>54</sup> Data from survey in Kunduz city, Kunduz CPAU November, 2006

<sup>55</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in November 2006

and gatherings related to village issues more frequently take place in a malik or khan's house and more and more people have guest rooms to entertain people, the social functions of the mosques are declining.<sup>56</sup> The role of the mosque seems to be restricted to a place for communal prayer and for Islamic teaching, particularly for children. As well as the declining role of the mosque in everyday village life, there are also indications that mosque attendance is in decline and that it predominantly is the older generation attending. As one interviewee described, it would be ironic, if after defeating the Russians, and the amazing victory they secured in the name of religion, that people's interest in religion was now declining.

### **Kunduz**

The role of mosques in Kunduz seems to have remained more stable than in Wardak. It is a place of education, religious ceremony and a part of community life in a broader sense. This is despite the infighting of the civil war and the influx of returnees since 2001. However, the refugee experience and the new generation in Kunduz are, in some ways, trying to distance mullahs from the roles they traditionally played in their lives, by changing the way they interact with the religious community. The increasing levels of education (both Islamic and secular) have affected how they see religion and the role of the mullahs in their lives. Some have become disaffected with religious ideologies, partially as a result of secular education, whilst others, often because of religious education are particularly zealous in their beliefs. There seems to be a growing divide, rather than cohesion between these two groups.

There has been a gradual increase in mosque attendance in Kunduz city for several reasons; the increase in the population due to the return of refugees and the improving economic situation, which means more mosques can be built

and financially supported. In addition to this, the freedom of religious expression as guaranteed in the constitution has also increased the level and variety of religious practices. Other respondents noted that the increase may also be in reaction to the perceived liberal democratic principles being espoused by the current government (such as holding elections) and the fact that there has been an increase in preaching activities in different mosques in Kunduz, as causes of the increasing mosque attendance.

Unlike in Sayedabad where the religious education in the mosques takes place during the winter there is a more diverse pattern of operation with more than half the of madrasas open throughout the year.

There are several major mosques and shrines in the Kunduz City, both Sunni and Shia. The majority of these mosques have boarding and lodging facilities for up to 30 students, who study in the mosques or related madrasas. This includes Shia takya khanas which hold ceremonies for events such as Ashura.

Ziarats<sup>57</sup> and shrines are amongst the oldest religious places in Kunduz. Many Kunduz residents believe in the power of saints and other spiritual aspects of Islam. Women, more often than men, visit these holy places to pray for healing and other challenges that they face in their lives.

### **4.3 Conflict resolution**

Local level conflict resolution has traditionally been handled by local elders, influential figures and religious leaders. The parties who play a role in this process have changed over the last 30 years, with an increased role for commanders and warlords, but also changes in the role of religious leaders. During the Taliban and the enforcement of Sharia law, their role was enhanced. Currently their role seems to be receding to its former position in the case study areas.

<sup>56</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in November 2006

<sup>57</sup> Tombs

Local Shuras believe it is difficult to resolve conflicts solely by applying only one law, even Sharia. Rather, the conflict resolution mechanism is a mix of practices accepted by all the members. The conflict resolution formula used in many communities across Afghanistan is a combination of Sharia, 'maraka' customary law (urf) and / or Pushtoonwali, in areas where it is practiced. Agreement - and thereby peace - is reached through consensus by using the institution of the Shura.<sup>58</sup>

Despite an active conflict resolution role, Shuras are mainly reactive. This means whenever a conflict occurs, there is a loss or damage to property and lives, then the Shura intervenes. While this may prevent the conflict from escalating further, there are no genuinely preventive mechanisms at work in the community that can avoid conflicts in the first place.

Over half of the conflicts are dealt with at the Shura levels and even the local authorities promote conflict resolution at the community level.<sup>59</sup> In some instances even murder cases are referred to local Shuras by the authorities. Many people avoid using the formal judicial system; it is seen as ineffective, slow and corrupt, and an inability to solve cases at the community level is often seen as an embarrassment. When cases are forwarded to the judicial systems, both parties expect the worst due to corruption and incapacity within the courts to deal with the cases.

### Sayedabad

In Sayedabad the absence of an effective government presence with judicial and other functions, e.g. local courts, means that communities have no other option than to take their conflicts to traditional

district and village Shuras.<sup>60</sup> The majority of the conflicts are around issues such as access to land and water, familial or tribal disputes. Shuras usually use all the means available; urf, Sharia, Pushtoonwali or other laws to resolve these conflicts.<sup>61</sup> The elders use the local urf referring to old cases in combination with Sharia law, and apply them to the new conflicts to find a socially acceptable solution. Local conflicts can also be resolved through the intervention of a khan, landlord, commander or an elder and these groups often invite mullahs to participate.<sup>62</sup> The mullahs' undisputed religious authority makes a decision binding for all parties in the conflict. While using a mullah in mediation is not a requirement, it is to avoid unnecessary prolonging the conflict resolution process.

So mullahs may often be part of Shuras that help resolve conflicts but their position on the use of urf is ambiguous. Nearly two thirds of the ulama in Sayedabad view the use of urf as acceptable as long as it does not contradict Sharia and only 4 of 20 the respondents believe that the use of urf is bad. However as the mullahs may not be the deciding voice in resolving a conflict, their view on the use of urf may be a reflection of the reality they face in decisions made in agreement with all Shura members, not the ideal they aspire to (which would generally be to use Sharia law).<sup>63</sup>

A significant number of mullahs in Sayedabad see their primary role as the promotion of Sharia law, Jihad and other activities considered controversial, or conservative, in the current political context. This may be the ideal they aspire to, but they are unable to implement this

<sup>58</sup> Research paper  
<http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN017434.pdf>, *Jirga - a Traditional Mechanism of Conflict Resolution in Afghanistan*

<sup>59</sup> *Analysis: Afghanistan, Securing Communities for Reconstruction*  
<http://www.reliefweb.int/rw/rwb.nsf/db900SID/ACOS-64C42F?OpenDocument>

<sup>60</sup> CPAU's survey also found that almost every mullah in both Kunduz and Sayedabad had been directly involved in conflict resolution, outside of the courts. Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>61</sup> In Sayedabad 85% and 90% of respondents respectively stated that Sharia and Customary Law were used in resolving conflict issues. Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>62</sup> Half of the respondents said that their shura had a Mullah who was consulted as part of conflict resolution. Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>63</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006



fully due to the government's support of more liberal democratic process and local use of urf.

### **Kunduz**

Khans are more influential in local Shuras than their religious counterparts mainly due to their charitable gestures towards the poor in their community. Family members, neighbours, labourers and refugees may be economically dependent on khans and their standing is higher than that of the religious leadership.

Remarkably, while 14 of 20 respondents saw the use of customary law as a legitimate part of conflict resolution, as long as it does not contradict Sharia – only half of the respondents believed that urf had an influence on the final decisions for the conflict resolution. Though it is not clear why there is a discrepancy in the willingness to use urf, and its impact.<sup>64</sup> There are a number of un-registered Shuras for Balochs, Arabs and other groups in Kunduz.<sup>65</sup> Some of these shuras have gone through extensive capacity building programmes for conflict resolution by different aid organizations which have also included the establishment of Peace Shuras.<sup>66</sup>

### **4.4 Tabligh**

Tabligh literally means preaching, and therefore anyone can do it. Some of the mullahs surveyed saw Tabligh as one of their central responsibilities (see above). It is mainly promoting Sharia and educating Muslim Umma on the principles of Islam. Interestingly the context of preaching is believed to be quite different in Kunduz from that of Wardak. In Kunduz many considered preaching to be something the mullah did in support of an issue, the example that was most frequently referred was preaching in support of the elections. In Wardak beside the above mentioned

purposes preaching had a much more confrontational tone, and was most commonly associated with persuading people about Jihad and the Ahkam.<sup>67</sup>

### **Sayedabad**

The mullahs surveyed generally saw their own tabligh activities in the context of promoting Sharia, or even jihad. It was specifically mentioned in connection with forcing the government to implement Sharia, and in resisting the presence of international forces.<sup>68</sup> This might seem to imply that the mullahs interviewed are particularly radical. However, some of the interviewees were concerned about the preaching activities of the Wahabbis in the area – who are coming in from Pakistan. This indicates that the background of traditional Islam in Wardak is still hostile to the presence and encroachment of potentially radical Islamic views. This would seem to reflect the continuation of the phenomena during the Taliban, that the local mullahs actually were concerned about groups promoting radical Islamic ideologies. This in turn raises issues about whether this is a factor in the mullah's seeming reticence to be aligned with the Taliban or the Government, - on the one hand the Taliban and or Wahabi elements are seen as too radical, whilst on the other the government is seen as too lax in its religious credentials.

### **Kunduz**

The mullahs surveyed in Kunduz saw their own tabligh activities as related to promoting people's participation in the government and peace. They tended to see preaching as linked to an end result of reform – though not necessarily in a strictly Islamic sense.<sup>69</sup>

### **4.5 Social Security Functions**

One of the important principles of Islam is that all things belong to God, and that

<sup>64</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>65</sup> There are ex-commanders and others who establish their own Shuras, most probably for personal gains and protection.

<sup>66</sup> Mostly done by CPAU. Others involved in Peacebuilding work are a German funded NGO Mediothek and Education Centre for Women (ECW)

<sup>67</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>68</sup> Information from survey carried out in Sayedabad, Wardak, CPAU August 2006

<sup>69</sup> Information from survey carried out in Kunduz city, Kunduz, CPAU November 2006

### **Tablighee Jamaat**

The *Tablighee Jamaat* ('the society of preaching') are an offshoot of the Indian Deobandi movement. The reform movement began in the late 1920s by Maulana Muhammad Ilyas Kandhlawi (d. 1944), whose family had a long association with the Deobandi.<sup>1</sup> The ways of Tablighee Jamat indicates a commitment to individual Islamic purifications and does not promote political Islam. The largest Tablighi centres are located in Pakistan and Indonesia, where groups from other countries go to be inspired to follow this movement. Tablighis have been identified as non-partisan groups.

There is an annual Tablighi Dawra meeting, held in Riwand, Pakistan. About 100 people from Kunduz go to Dawra annually. The number from Wardak is unknown. Currently the presence of Pakistanis as part of the Tablighi groups is banned by the Afghan government and the international forces.

### **Sayedabad**

Since a large number of people from Wardak studied and are still students in the Pakistani madrasas, there are a good number of Tablighee Jamat groups coming from Pakistan and operating in the area. Residents as a whole like the Tablighis because of their simplistic views about Islam and they believe that anyone who preaches about religion is a good person. The Tablighi are not militant or political Muslims. Currently there is no particular Tablighi centre in Sayedabad. Tablighis stay in the mosque and preach Islam from there.

### **Kunduz**

The first sign of Tablighi preachers in Kunduz appeared during the King Zahir Shah's time. About 2-3,000 people are believed to have joined the Tablighi group as a way of bringing a positive change to the lives of people through Islam. Tablighi in its present form started after people's exposure to Tablighi teaching during the Jihad years in Pakistan.

Tablighi preachers usually meet on Fridays in different mosques in Kunduz city. On some occasions the Tablighi have been linked with extremists, such as when a large cache of mines and explosive were discovered in a mosque with the Tablighi. However most people believe the Tablighi are a harmless group with no links to extremism. On the contrary extremists don't like the Tablighi because the Tablighi don't believe that Jihad is a process where one takes up arms and fights but that jihad is an internal process of self purifications.

1. <http://islamicindia.blogspot.com/2005/12/tabligh-jamaat.html> History of Indian Muslims (2005-12-31).

wealth is therefore held by human beings in trust. Muslims believe that possessions

are purified by setting aside a proportion for those in need. The word 'zakat' means both 'purification' and 'growth'. Religious roles in social security are clear within Islam – especially regarding 'zakat'.

Zakat is the amount of money that every adult, mentally stable, free, and financially able Muslim, male and female, has to pay to support specific groups, particularly the poor. However, the actual implementation of zakat is very hard to trace. Nonetheless, interviewees seemed to agree on certain points. Prior to the jihad almost no-one gave zakat; during the jihad it was collected forcibly by the Mujahedin to some extent; the Taliban then expanded this collection and regularised its forcible collection from the population, virtually as a systematic tax. Currently, the government

is not allowed to collect zakat.<sup>70</sup> There are also non-financial acts such as 'khairat', which could be any activity that benefits another person done voluntary without any compensation financial or otherwise.

### **Sayedabad**

The government is not engaged at all in zakat collection and it is only given out by a few people, though the number of people is increasing. After the Taliban government was routed the forcible collection of zakat stopped, and the level of support also dropped significantly. Currently 35% of the mullahs surveyed said that zakat was collected in their area; 15% unofficially, and 20% formally in a system through the mosque. Now people are voluntarily giving zakat, though not without qualifications.<sup>71</sup>

<sup>70</sup> [http://law.moj.gov.af/OfficialGazette/0801/OG\\_0803.pdf](http://law.moj.gov.af/OfficialGazette/0801/OG_0803.pdf) Interim Afghan Authority, Ministry of Justice, Official Gazette 0801

<sup>71</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

### Islamic Charities

While many Afghans give charity individually, there is little organized Islamic charity (khairyat) in Afghanistan and it is not commonly organized or channelled through formally registered organizations. Many people have difficulties differentiating between the Islamic charities and NGOs because majority of the local staff from these organizations are Afghans and Muslim. As cited by one mullah "I believe all the NGOs are Islamic organizations, since they are here for the welfare of the people and their staff are Muslims." The formal charity organizations that exist, they are not explicitly and purely religious, such as the Bayat Foundation<sup>1</sup> who provide development programmes to needy people in different parts of the country, but also support building of mosques.

In 1979, the Soviet Union's invasion of Afghanistan ignited the fury of the Muslim world and sounded the call for Jihad to defend Afghan Muslims from the Communist infidels. Funding was not limited to weaponry, and it was at this time when Islamic charities significantly increased in Afghanistan. During the *Taliban* Government and the Mujahedin governments there were more Islamic charities present than secular or Western charities. These charities also financed combat operations, for example the Al Rashid trust (from Karachi, Pakistan) and Talim ul Quraan both financed the *Taliban* in several provinces. After the fall of the *Taliban*, the number of Islamic charities has dropped significantly across Afghanistan. There even seems to be a lack of Darul Yatam (Orphanages), which are also associated with Islamic charities. Some informants said that there are Islamic charities working under different pretexts in remote villages of Kunduz province, but it was not possible to establish what type of activities they are carrying out and exactly where. No Islamic NGOs have operated in Sayedabad.

As some Islamic charities supported the *Taliban* and their absence from Afghanistan after 2002 is not surprising. Many of these institutions have moved away from Afghanistan and are active in Afghan refugee camps in Pakistan. The primary obstacle to their presence in the country is the fact that many have been black listed by the US government and international governments are wary of funding them in case they are linked to terrorist groups. In Afghanistan, the whole concept of Islamic charity organization, which could potentially have been a great resource, is undermined by its politicization.

1. <http://bayatfoundation.org/press/main.php>

People give firstly to their relatives and neighbours. Whatever is left is given to the local mullahs, or sometimes as 'ushr' ('or tenth of agricultural produce') to the religious students ('Talibs') – but this is not generally formalised. The mullah's own charitable activities seemed to be almost completely absent. Only 3 of 20 mentioned any form of charity ('khairat'), and they were all related to normal religious functions such as offering prayers and education.<sup>72</sup>

### Kunduz

The collection and distribution of zakat is currently not part of the activities of the government or any other social organization, it is not enforced, collected or managed. The rich and those who can afford it, give out zakat voluntarily. During 2005 a large number of ulama gathered in Kunduz city to draw people and government's attention to the need for the formalization of the zakat system, but nothing has been done since then. Similarly to Sayedabad the current distribution is primarily to close relatives,

neighbours and then to religious leaders on an individual basis. The level of zakat is slightly higher, with 9 of 20 of mullahs reporting that zakat is being distributed in their communities, but it is no more organised than in Sayedabad.<sup>73</sup> Some of the ulama believe that if zakat is not well managed it could create a culture of dependency because recipients believe it will always be available. They are trying to persuade the people who pay zakat to think longer term and are encouraging them to establish small businesses for their zakat recipients. Zakat distribution is increasing gradually, likely because people are becoming economically more secure. In comparison to Sayedabad, the Kunduzi mullahs are more involved in charitable activities, khairat, with 15 of 20 recording some form of activity. Whilst most identify teaching among the activities, many also mentioned caring for the poor, housing travellers and assisting with conflict resolution<sup>74</sup>

<sup>73</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>74</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>72</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

## 5. RELIGIOUS EDUCATION

Tension between the two dominant education systems, religious and secular, has played a significant role in the way the country has developed. On the one side is the Islamic (madrasa) education system with Quran schools. Madrasas and the Faculty of Sharia at the University of Kabul, generally perceived to encourage its graduates to resist Western style development, and particularly Western style education. On the other hand is the secular education system with primary and secondary schools, colleges and universities, which graduate students who are more inclined to support Western inspired development. Afghanistan therefore has an educated elite whose views about the direction and the development of the country is at clash. While developing the education sector has been a main priority, little attention has been given to religious education until very recently. The current marginalisation of Islamic (madrasa) education politically, socially and economically, may contribute to increase the tension /destabilize the relationship between these two broad groups.<sup>75</sup>

### 5.1 Madrasas

The word 'madrasa' (plural, 'madaris') is an Arabic word meaning school or an educational institution offering instruction in Islamic subjects including, but not limited to, the Quran, the Hadith and Fiqh. While private madrasas existed in Afghanistan for centuries the first government madrasas were established during the 1930s and 1940.<sup>76</sup> The madrasas are known for offering free food, lodging, and free education. In the 1980s, private madrasas in Afghanistan and Pakistan were boosted by an increase in financial support from the United States, European

<sup>75</sup> It is not solely a clash between secular and religious education and the priorities of the government and religious groups. The lack of cooperation in some areas is due more to local fears about *Taliban* reprisals if people collaborate with the government rather than antagonism between the government and local religious leaders. Based on interviews with key informants in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>76</sup> See Olesen 1995: 187.

governments, Saudi Arabia, and other Gulf States; all of whom viewed these schools as recruiting grounds for anti-Soviet Mujahedin fighters. In the early 1990s, the Taliban movement came in to existence and students ('talib' meaning student or seeker in Arabic), many of whom had studied and trained in these private madrasas, joined the ranks of the Taliban who took control of the country.

The size of the madrasas and their curricula varies from place to place. No official figures exist for the numbers of madrasa students currently in Afghanistan. Despite the apparent interest in religious education, until recently, the Government has shown little interest in supporting madrasas.<sup>77</sup>

### Sayedabad

The major madrasas in Sayedabad are Tangi, Abtasia and Saraj Madrassa with smaller madrasas spread around the district. An average madrasa in Sayedabad can accommodate up to 30 religious students and they are usually supported by local individuals and communities.<sup>78</sup> Almost all the madrasas in Sayedabad are Sunni Hanafi.

After the fall of Taliban, madrasas have been viewed with suspicion by the government of being possibly associated with the insurgent Taliban. The number of madrasas increased during the Taliban's government, and the Taliban directly supported many madrasas. After their fall many madrasas closed down due to lack of funding from the government or the

<sup>77</sup> "The Ministry of Education is planning to build a secondary madrasas (grade 7-12) in each of the 364 districts in Afghanistan. In addition, the Ministry plans to construct 34 higher secondary madrasas (grade 7-14) and dormitories for boys and 34 higher secondary madrasas and dormitories for girls in each of the 34 provincial capitals. Of these 68 higher secondary madrasas, 8 of them will be developed into centres of excellence (Darul-Ulum) in Islamic Education. The implementation of these plans will make quality Islamic education accessible to approximately 90,000 students by 1389." It remains to be seen if funding will be available for this. Ministry of Education, March 2007, Education Sector Strategy for the Afghanistan National Development Strategy DRAFT presented at the Afghanistan Development Forum 2007, available at <http://www.adf.gov.af/>

<sup>78</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006



inability of the community to provide support for running the madrasas.<sup>79</sup> Nonetheless, there is a large number of remaining madrasas but they are struggling financially to support themselves.<sup>80</sup> Government support since the fall of the Taliban has stopped and while there are many madrasas, they don't have the resources to accommodate all the students.<sup>81</sup>

While there is still demand for religious classes, 16 of 20 mullahs interviewed noted that the numbers of people attending the classes had dropped over the past 5 years – despite the fact that people had been returning the area, and thereby increasing their potential enrolment. There are two probable causes to this decline: firstly, the massive increases in enrolments in the formal education sector may reduce the number of students who have time to attend classes<sup>82</sup>, and secondly, the costs of sending a child to an Afghan madrasa. Though many mullahs put it down to a general decreasing interest in religion, one stated “the number (of students) has been reduced because the present government doesn't have any independence and hence is not supporting religious studies.”<sup>83</sup>

## Kunduz

There is a substantial number of madrasas in Kunduz City.<sup>84</sup> Kashan and Takharistan are two oldest Islamic centres and were established in the early part of the 20<sup>th</sup> century. The Takharistan Madrasa is supported by the government, and it also

hosts the Department of Hajj and Religious Affairs within its premises. In Takharistan Madrasa religious students can complete their education up to 14<sup>th</sup> grade. Afterwards they are eligible to enter universities in the second year. Currently there are around 1,300 Talibs studying in Takharistan Madrasa. This madrasa also provides boarding and lodging to its students. Some aid organizations helped to refurbish this centre and they have built some extra rooms and bathrooms. There are also a large number of smaller madrasas across Kunduz city. These madrasas are mostly annexed to mosques and they are managed as part of the mosque.

Despite the presence of almost 100 madrasas<sup>85</sup>, capacity and support from the government is limited. However contrary to the trend in conservative Wardak, the numbers of students enrolled in madrasas does not seem to be falling as fast. While 50% of Religious leaders had seen a drop in enrolment in the last 5 years, another 35% has seen an increase, and a further 10% has seen no change.<sup>86</sup>

## 5.2 Islamic Education Abroad

A significant number of Afghan religious student studies in Pakistan. At its height during the refugee crisis of the 1980's and 1990's, tens of thousands of Afghan's may have been studying in Pakistani madrasas.<sup>87</sup> The situation now is more complex, and while the numbers have gone down,<sup>88</sup> graduates from Pakistani madrasas are an important element in the development of religious civil society in Afghanistan.

Pakistan's network of support for madrasas is much more advanced than in

<sup>79</sup> The Government gives only limited support to religious education. They fund the Darul Uloom in Sheikhabad, but it does not offer lodging. Interview with key informant Wardak, CPAU August 2006

<sup>80</sup> 90% of respondents stated they had a madrasa in their community, a higher rate than urban Kunduz where 70% of respondents could name a madrasa in their community. Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>81</sup> The Government gives only limited support to religious education. They fund the Darul Uloom in Sheikhabad, but it does not offer lodging. Interview with key informant Wardak, CPAU August 2006

<sup>82</sup> 75% of the villages surveyed had a state school. Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>83</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>84</sup> Kashan, Takharistan, Wakil Abdul Rasool, Arz Bigi, Ali Sahid, Kasani Madrasa, Kartai Hillal Madrasa, to name a few.

<sup>85</sup> All of the Ulama interviewed stated that they ran madrasas' at their Mosques. Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

<sup>86</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>87</sup> During the 1980's Hizb-e Islami was running around 250 schools with 43,500 students. Rubin, Barnett, *The Fragmentation of Afghanistan*, 2<sup>nd</sup> Ed 2002, p215

<sup>88</sup> *Religious School Enrolment in Pakistan*, [http://ksghome.harvard.edu/~akhwaja/papers/madrassa\\_CER\\_dec05.pdf](http://ksghome.harvard.edu/~akhwaja/papers/madrassa_CER_dec05.pdf)

Afghanistan. The Government of Pakistan supports madrasas and religious students, but in addition to this there is also institutionalized charitable support. It is a customary practice for businesses and ordinary people in Pakistan to regularly support mosques and madrasas.<sup>89</sup> This level of support allows many madrasas to offer free education and lodging. However, it is getting more difficult for Afghan religious students to study abroad. Under international pressure, Pakistan has started to apply a variety of restrictions on students coming from Afghanistan to study in Pakistan. Previously Afghan students did not require any paperwork but now they require a visa and other documentation to get into Pakistani madrasas. Pakistani madrasas also have stopped giving everyone free board. Now it is difficult to obtain free boarding and lodging without being known at the school or having other personal connections. In addition to growing restrictions in Pakistan, many Afghan religious students face corrupt police and security forces taking bribes when they are leaving and entering the country.

### Sayedabad

In Sayedabad people prefer their children to go to Pakistan for religious studies, especially people from the villages. This can be explained by the facilities and the quality of religious studies in Sayedabad being limited. People believe that the schools in Pakistan are of higher quality and that graduates get a better understanding of religious issues than their Afghan counterparts. Further, when the Pakistan madrasas provide lodging and boarding to their students, this relieves the pressure on rural families and makes Pakistani madrasas a preferred choice when deciding on their children's' education.

Upon their return to Afghanistan, students educated in Pakistani madrasas are often incorporated into religious institutions such as mosques and madrasas and they enjoy

better privileges compared to their Afghan colleagues.<sup>90</sup> Some of the most distinguished ulama from Sayedabad have studied in Pakistan.<sup>91</sup> Aside from better religious education in Pakistan, the students there also become politicized and are more aware of international developments. They look down on traditional mullahs and those who study in local Afghan madrasas and see them as ignorant. Annually some 500 religious students from Wardak go for studies to Pakistan.

However, in spite of the apparent respect offered to Pakistani educated mullahs' local people often prefer mullahs who can speak well and are not concerned where they have studied and what political discourse they follow.

### Kunduz

For the majority of the Talibs in Kunduz, the preliminary stage of their religious education is in their village mosque. After basic education, students usually can't afford to pay for the costs of further education. Free higher education and lodging facilities also make large number of the religious student from Kunduz leave for further studies in Pakistan. The quality of religious practices and education in Pakistan is publicized through major religious events such as 'dawra'. According to various estimates, there are between 500 to 1,000 Talibs from Kunduz studying religion in different Pakistani madrasas.

Amongst the families who send their children for Islamic education abroad, some are concerned about secular education and its curriculum, because during the Soviet invasion secular education was used as a tool for preaching communist, socialist and anti-Islamic values. Others believe the education levels in Kunduz schools are very low and therefore send their children to a madrasa

<sup>89</sup> *Religious School Enrolment in Pakistan*, [http://ksghome.harvard.edu/~akhwaja/papers/madrassa\\_CER\\_dec05.pdf](http://ksghome.harvard.edu/~akhwaja/papers/madrassa_CER_dec05.pdf)

<sup>90</sup> There was a sense in many interviews that the Pakistani educated mullahs deserve more respect because they are better educated. Interviews with key informants, Wardak, CPAU August 2006

<sup>91</sup> A two year course, in the first year they study the Quran and Hadith and in the second year they study Islamic Jurisprudence

**Darul Hifaz**

Darul Hifaz is another centre where Muslims study and ultimately memorize Quran by heart. Several centres were established in Afghanistan during the Zahir Shah's time, but the number dramatically increased during the presence of the Mujahedin and later the Taliban. The increase in numbers is very much associated with the increase in support to Islamic institutions including madrasas, after the Soviet invasion. But after the fall of Taliban, these centres have been weakened and few centres are able to work independently of mosques and the government.

**Sayedabad**

Darul Hifaz in Sayedabad, as in other provinces, is often next to or annexed to madrasas and mosques in the villages. In some cases the Darul Hifaz is actually a space within a madrasas or mosques. In Sayedabad, there are between 35-40 centres attached to mosques and madrasas and about 7 independent larger centres. The more notable centre in Sayedabad is Darul Hifaz Salaar built during the Rabbani Government of 1992 - 94. The second largest centre is Saraj Darul Hifaz, run by a returnee from the USA. Apparently this centre is supported by the returnee but it is not known if it is his personal donations or there is an unknown source that has made some people suspicious.

**Kunduz**

Kunduz, unlike other places in Afghanistan under the Taliban, hasn't seen a dramatic surge in the number of centres mainly because Taliban captured Kunduz in the later stages of their rule. The post Taliban increase in the number of centres is mainly because of the return of refugees from Pakistan who have established their own centres. Currently there is limited number of Darul Hifaz centres in Kunduz and only major villages (approximately 200 families per mosque) have a Darul Hifaz. There are two main Darul Hifaz, there is one in Kasani, and one in Khanabad district. They have their own space separate from the mosques.

or mosque to supplement general schooling.

religious schools supported by the Ministry of Education (MoE).

During years of jihad, there were a lot of 'hafiz' (people memorizing Quran by heart) who were trained in refugee camps. After returning to their villages, they have established their own centres.

Girl's education is a particularly sensitive issue in Afghanistan with the government and its Western backers advocating for more and more girls to attend school for longer periods. This is often opposed by religious leaders who believe that girls should not be educated beyond the age when they become mature. There has been no research in to the number of girls in religious education outside of the few religious schools supported by MoE.

**5.3 Religious Education for Girls**

Since 2001, there has been a massive increase in the number of children going to secular schools. Currently more than 5 million Afghan children are back in school and of these nearly one-third are girls. Girls are legally allowed to attend school until the age of 18, but in some areas only 5% of girls attend school, and it is likely that most will drop out by the end of primary school.<sup>92</sup> There has been no research in to the number of girls in religious education outside of the few

**Sayedabad**

In Sayedabad there are 34 schools out of which 23 are for boys and 6 are for girls, and 5 are mixed.<sup>93</sup> 10,804 students attend these schools (2,515 girls and 8,289 boys) and the enrolment rate is around 20%, and

<sup>92</sup> B. Mojaddidi, (2006), Free, Quality Education for Every Afghan Child, Oxfam International

<sup>93</sup> Education Management Information System (EMIS), 1384, accessed on 6<sup>th</sup> May 2007

as low as 5% for girls.<sup>94</sup> There is no data on how many children attend madrasas.

In Sayedabad traditionally girls are allowed to attend mosques and schools up to the age of 8 to 9.<sup>95</sup> Religious leaders generally defined the age to which a girl can attend a madrasa as 'bloogh', which is when a girl reaches maturity. The minority, 15% said girls could attend madrasas / schools all their lives, interestingly another 15% noted that they could attend, but only if the security situation improved. As one hopeful respondent mentioned "if the situation was good then they (girls) could take religious studies until the end of their lives, but the current situation is not ready for that. Gaining knowledge is 'farz' (obligatory) for men and women."<sup>96</sup>

Rural people are concerned about sending their mature daughters outside their homes. This is primarily because the honour of the family will be harmed if their mature daughter is seen by non-family male adults. In addition to concerns about honour, many families are also concerned about insecurity, which further restricts women's movement. Beyond issues of honour and security there are other social barriers to girls accessing education. In Sayedabad the majority of girls are already married by the age of 14 or 15 and most families do not see the value of educating a girl, since once they are married, they will be fully occupied maintaining the family. The lack of female teachers and the absence of segregated buildings for girls and boys is a further hindrance. Male teachers teaching adult girls in a co-educational environment with boys is out of the question in certain areas of Sayedabad.

<sup>94</sup> The enrolment rate was estimated from the Central Statistics Office census data for 1384 and the Education Management Information System 1384 database of the Ministry of Education. The data may not be completely accurate, but it gives an indication of the state of education in the district.

<sup>95</sup> In Sayedabad there are 34 schools out of which 23 are for boys and 6 are for girls, and 5 are mixed.<sup>95</sup> 10,804 students attend these schools (2,515 girls and 8,289 boys and the enrolment rate is around 20%, and as low as 5% for girls.<sup>95</sup> There is no data on how many children attend madrasas.

<sup>96</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

In the winters, when the schools are closed for the holidays, boys and girls are sent to the mosques to study. Some families who are better off hire 'blind' Qaris (teachers with a religious background) to teach their adult girls at home.

## Kunduz

Comparatively the number of schools in Kunduz City is higher than Sayedabad. There are 79 schools in Kunduz city out of which 25 are for boys and 9 schools for girls and 45 are mixed to some degree. In total 59,030 children attend schools in Kunduz city, (25,949 girls and 33,081 boys); the enrolment rate is probably around 41%, with 20% of girls enrolled. People in Kunduz are traditionally more open towards girl's education and as a percentage more girls study here than in Sayedabad.<sup>97</sup>

Furthermore attitudes towards the age that girls can attend education establishments are also more relaxed; 6/20 of respondents believed girls could receive education in a mosque and a further 4/20 said that if security was better then girls could attend at any age.<sup>98</sup>

Since the civil war commanders and security forces have been involved in the kidnapping of girls – though the numbers are unknown - there is a pervasive fear of kidnapping across Afghanistan. Families think the environment outside their homes is not secure enough and therefore restrict the movement of their female children.<sup>99</sup>

Some home classes provide Islamic education for girls and they are run by female mullahs. The majority of these women are the daughters or close relatives of a Mullah or religious leaders and who

<sup>97</sup> The enrolment rate was estimated from the Central Statistics Office census data for 1384 and the Education Management Information System 1384 database of the Ministry of Education. The data may not be completely accurate, but it gives an indication of the state of education in the district. Information about Kunduz is taken from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006

<sup>98</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

<sup>99</sup> Information from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006



have gained an Islamic education at home. In these private madrasas basic Islamic subjects such as Quran, Tajwid, and Aqayed are taught.<sup>100</sup> In schools and madrasas in Kunduz religious studies both for boys and girls is very basic. There is no institution where women and girls can attain higher Islamic education however, the research team found an instance where four girls have been educated in a men's madrasa in Kunduz city. The women were taught in a compound separate from that of the men.

#### 5.4 Financing of Religious Education

Funding from the government, the development community and political parties is at a very low level. The government runs some madrasas, but rarely outside of provincial capitals.<sup>101</sup> The majority of madrasas are therefore private. In the absence of any major funding and support, the traditional practice for madrasas is to raise funds through money and food collected by religious students visiting villages, going door to door. The practice is called 'wazifa'. They usually sing a religious song or present relics in front of the doors to get people's attention. Sometimes people give food and money, but the religious students can also face humiliation and abuse.<sup>102</sup> In addition religious students and mullahs attend 'Khatm-e Quran', 'isqat' and other religious rituals where money, food and clothing are given to fund madrasas and mosques.

The majority of the ulama in both Sayedabad and Kunduz welcome Non Governmental Organizations (NGOs) to fund madrasas. Generally the ulama does not think of NGOs as political organizations supporting specific agendas, in the same way as they think about the government. They assume the main conditionality an NGO can attach to funding is introduction of subjects such as physics or chemistry,

in the syllabus. This would generally be acceptable to the mullahs who consider the teaching of scientific subjects permissible alongside religious studies. As noted above, the Ministry of Education has recently agreed a 5 year plan for education, which includes increasing support channelled to religious education.<sup>103</sup>

#### Sayedabad

After the fall of the Taliban there has been a dramatic reduction in the number of religious institutions in Sayedabad. This is mainly due to withdrawal of financial support by the government from these religious centres, which were then run by the Taliban and funded by their Arab and Pakistani financiers.<sup>104</sup> With one exception, all the remaining madrasas in Sayedabad are supported by the local communities, though the support is mainly irregular.<sup>105</sup> The ulama in Sayedabad are generally sceptical of the government providing any resources to them. They assume that if the government would fund madrasas it would attach conditions to the funding. The ulama view the government's intentions with scepticism and believe they are trying to modernize every madrasa in Sayedabad. Citing the number of schools supported by the government compared to the very limited number of madrasas they support, mullahs are sceptical about the government's intentions.

#### Kunduz

Contrary to the mullahs in Sayedabad are the mullahs in Kunduz welcoming support from the government. Currently only the Takharistan Madrasa is supported by the government; the majority of the madrasas and mosques are supported by the community. Despite scepticism towards

<sup>100</sup> Aqayed is an Arabic word for belief, faith, conviction and creed.

<sup>101</sup> Review of Islam and Politics in Afghanistan, by Asta Olesen Surrey, UK: Curzon Press, 1995

<sup>102</sup> Information from interviews with key informants in Sayedabad, Wardak and Kunduz city, Kunduz, CPAU in August and November 2006

<sup>103</sup> Information from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006 and the Ministry of Education, March 2007, Education Sector Strategy for the Afghanistan National Development Strategy DRAFT presented at the Afghanistan Development Forum 2007, available at <http://www.adf.gov.af/>

<sup>104</sup> *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia*, Author Ahmad Rashid Yale University Press (March 2000) ISBN 0-300-08340-8

<sup>105</sup> In the one instance of external financial support, it is provided from the Afghan sources in the USA.

government policies, the ulama in Kunduz are interested in potential support from the government and the scope for cooperation between the government and madrasas is substantial.

The international community, despite its sizeable intervention in development projects in Kunduz, is sceptical of providing support to religious institutions. The largest development project in Afghanistan, the National Solidarity Programme (NSP) categorically rejects any support to religious institutions, as part of its by-laws.<sup>106</sup> Some madrasas such as the Takharistan madrasa in Kunduz have received funding from the foreign military.

There seems to be no support from political parties, including the jihadi parties, to religious institutions. However, the presence and support of these parties to their constituencies' increases whenever there is need for votes or military support.<sup>107</sup> Despite scepticism towards government policies, the ulama in Kunduz are interested in potential support from the government. In Kunduz the scope for cooperation between the government and madrasas is substantial. The only major madrasas supported by the government is Takharistan. The majority of the madrasas and mosques are supported by the community.

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<sup>106</sup> *Afghanistan National Solidarity Program Operation Manual, Page 14 negative list*  
[www.nspafghanistan.org/content/e79/e256/box\\_file257/NSPOperationalManualVersion3-15Jan2006\\_eng.pdf](http://www.nspafghanistan.org/content/e79/e256/box_file257/NSPOperationalManualVersion3-15Jan2006_eng.pdf)

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<sup>107</sup> Information from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006

## 6. SHURA-E ULAMA<sup>108</sup>

The Shura-e-ulama in Afghanistan is loosely organized into provincial councils, which send representatives to a national council of more than 2,000 clerics in Kabul, known as the Shura-e-ulama. The network was re-organized in 2002 by President Karzai, who issued a religious edict that nullified the Taliban's call for holy war against foreign forces and the Afghan government.<sup>109</sup> The central Shura-e ulama is based in Kabul and from each province up to four or five representatives of the provincial Shuras go to Kabul for monthly meetings.<sup>110</sup>

The influence of the Shura-e ulama is especially threatening to the Taliban insurgents. During 2005 there were a string of attacks against leading religious leaders who were members of the Shura-e ulama across the country.<sup>111</sup>

### Sayedabad

In Sayedabad anybody openly associating with the government particularly those in the security forces and influential figures can be threatened by the Taliban or their sympathizers. The issue of membership of the Shura-e ulama is particularly sensitive due to the religious authority given to this body by the government and its ability to produce Islamic edicts against the Taliban, as it has in the past.

At a district level 19 of 20 respondents say they are not linked to it, or that it does not exist. There was only one respondent who would admit links with a district level Shura-e ulama. Sayedabad has representation in the provincial Shura-e ulama, but the membership is a well

guarded secret, and none of the respondents were willing to discuss it openly. None of the respondents to the survey would acknowledge that they were linked to either the provincial or national Shura-e ulama, though it is known that a small number are involved.<sup>112</sup> In such a secretive environment, the Shura-e ulama cannot function effectively. Even with the full backing of the Shura-e ulama in Kabul or elsewhere, it's difficult to find ulama genuinely interested in or able to join the Shura process in Sayedabad. The ulama see the government as a corrupt institution and associating themselves with such institutions does not bring any benefits, especially in light of the continuous threats – occasionally followed by assassinations – of the Taliban. Despite the difficulties in getting the ulama to admit they were linked to the Shura-e ulama, they had strong views what the Shura should be doing.

### Kunduz

According to the head of the Office of Hajj and Religious Affairs, there are 99 members in the Kunduz Shura-e ulama; half of them are from Kunduz city. Full members are on the government payroll (1500 to 2500 Afghani, \$30 - \$50 a month), some ulama participate as unofficial members. The Kunduz Shura-e ulama, meets on Fridays and is active in political issues related to the province.<sup>113</sup>

Partly because Kunduz is the location of the provincial Shura-e ulama and partly because the Shura-e ulama is able to operate more openly there, the picture in Kunduz is different. Amongst 20 respondents, there were 16 who had some form of contact, either as members or by attending meetings, and half of the respondents have some form of link with the national Shura, even if it was only through contacts who attended from the provincial Shura. Respondents also had strong, but split, views on the effectiveness and ability of the current Shura-e ulama. Their views ranged from declaring the

<sup>108</sup> The council of religious leaders

<sup>109</sup> Dari article by Wahid Muzhda: *Why Taliban Resorted to Killing Mullahs?*

[http://www.zendagi.com/new\\_page\\_473.htm](http://www.zendagi.com/new_page_473.htm)

<sup>110</sup> Information from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006

<sup>111</sup> Prominent Afghan Clerics Targeted by *Taliban*, Authorities Say, N.C. Aizenman, 3<sup>rd</sup> August 2005

[http://www.washingtonpost.com/wp-dyn/content/article/2005/08/02/AR2005080201737\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2005/08/02/AR2005080201737_pf.html)

<sup>112</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>113</sup> Information from interviews with key informants in Kunduz city, Kunduz, CPAU in November 2006

current Shura-e-ulama as illegal, through to some disappointment about the loss of the Shura's authority over the past 5 years, and to expressions of satisfaction over their work.<sup>114</sup>

Ulama's relationship with the government is relatively balanced, but on some issues, such as high profile cases of apostasy, there is less cooperation. As one of the shura members said: "the Shura-e ulama asked the government to stop some Christian NGOs from operating in Kunduz. Some of the organizations were closed but after a couple of days the government reopened them after they received promises from those organizations that they would not preach Christianity".

This sense of frustration, particularly on religious issues, is clear when looking at what respondents expect from the Shura-e ulama. About half of respondents from Sayedabad and Kunduz city believed that the Shura should promote religious aspects, whether that is specifically Sharia, or more broadly in terms of correction or reform ('islahi'). It is also interesting to see that the Sayedabad ulama saw the primary function more in terms of Sharia, rather than general (Islam inspired) reform.

What is also significant is that the Kunduz ulama saw engagement with the government per se as being critically important – in opposition to the Sayedabad ulama who can't risk engagement, or who see the government as illegal.<sup>115</sup>

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<sup>114</sup> Data from CPAU survey carried out in Kunduz city, Kunduz in November 2006

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<sup>115</sup> Data from CPAU survey carried out in Sayedabad, Wardak and Kunduz city, Kunduz in August and November 2006

## 7. RELIGIOUS ACTORS AND THE GOVERNMENT

In Afghanistan relations between the government and religious actors have often been very complex. Governments have generally sought to gain the Islamic approval for its actions, and even existence, from religious authorities. In return religious actors expect the government of the day to follow their advice.

However, given the often sparse nature of the presence of the Afghan Government across the country, and the local influence of religious movement and political parties, day-to-day interaction is often quite limited. This chapter explores these relationships in detail.

### Sayedabad

Links between the Government and the mullahs is at an absolute minimum in Sayedabad.<sup>116</sup> Generally the interaction between the government and religious figures is one of distrust and suspicion. A significant number of people view the government as illegitimate and see the international forces that are supporting the government as invaders (see below for further discussion on this issue).

The issue of interaction with the ulama also depends on the Government and especially the Governor of the province. The former Wardak Governor, Mr. Dalili facilitated some interaction between the Government and religious figures. One of the reasons can be that Mr. Dalili himself has a religious background and have been graduated from the college of Sharaiat, Kabul University and with long relationships with religious leaders particularly with the ones associated with the Jihadi parties. However the present Governor believes that it is more important

<sup>116</sup> There are a few individuals who are secretly associated with the government. These risk being ostracised from mainstream religious activities and in some instances they are risking their lives. Those that had contact with the government only named the Ministry of Hajj and Religious Affairs as a body they deal with.

to support the aid and development organizations rather than the religious groups.

As well as differences in priorities some government officials and ulama members have a long and complex history where they often fought on different sides. After the defeat of the Taliban, many of the warlords and commanders who were defeated by the Taliban were brought back in to government. This group of government officials has a very antagonistic stance towards some members of the religious community.

In addition to ideological issues, there are financial and capacity constraints. The government does not have the money to pay the expenses of the ulama in order to gather them in one place. The Taliban relied on their ability to pay for transportation and lodging to gather religious figures for regular meetings.

While hardly any of the mullahs in Sayedabad have contact with the government, the few that do generally see the aim of the interaction as a way of solving people's problems.<sup>117</sup> But the mullahs' perception of a problem is not the same as other actors. The mullahs' primary aim for collaboration with the government on any issue is implementation of Sharia. Some of the Sayedabad mullahs strongly expressed that their advice should be listened to, and there would be grave consequences for the government if they were not listened to.<sup>118</sup>

### Kunduz

In Kunduz there is a much higher degree of consultation between the government and the religious authorities than in Sayedabad. The Governor ensures that any major change in policy is discussed with the Shura-e-ulama members. The importance of the religious groups is particularly high in Kunduz because they

<sup>117</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006

<sup>118</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006



work together whenever there is an issue of common interest. This does not mean that the two sides are always in agreement. On the surface things often seem pleasant but the mullahs are resentful of some government policies, especially regarding the presence of international forces.

One mullah we talked to said that the “government makes promises and listens to the ulama’s decisions but when they go back (to Kabul) they make their own decisions. For instance on the Mohaqiq Nasab case<sup>119</sup> and the Abdul Rahman case<sup>120</sup> the Shura-e ulama even took the issue up with the President, but no one favoured the position of the Shura-e ulama. The subsequent decision by the Shura-e ulama to stop cooperating with the Karzai government was not heeded, the government didn’t listen, and the ulama didn’t stop working with the government.”

The ongoing consultation and engagement not only has engendered greater trust, but the mullahs’ aims in their interactions are markedly different from those of their Sayedabad brethren. As one mullah commented “...the government should ensure the ulama’s cooperation to prevent corruption...once a week (they should) have a meeting with the ulama and seek their advice...”<sup>121</sup>

In addition to much more positive perceptions of the government, the impression from the respondents was that the structures which are supposed to facilitate the relationship, namely the Shura-e ulama, was functioning well, several identified senior members of the

government, including President Karzai, as interlocutors.

Several mullahs even said that the government should give them positions of authority or jobs. They said that they are willing to preach support for the government amongst the people, given the right incentives and backing. Most suggested that the incentives should be in terms of an important job, a salary and other monetary benefits.

## 7.1 Views about Development

In Afghanistan development has for a long time had an international aspect (the US and Soviet Union funded several large projects) with international assistance stretching back to the 1960’s. At the beginning of the jihad against the Soviets, along with weapons and money for the groups fighting, there was also concerted humanitarian effort for Afghan refugees and those still in Afghanistan. Later when the Mujahideen government began to fail, non-governmental organizations maintained their engagement, trying to provide the most basic of services, which continued throughout the Taliban Government. Since 2001 there has been a marked change in the nature of development in Afghanistan. For the first time in 25 years the NGO community is supposed to be operating within the government’s framework.

### Sayedabad

Most of the mullahs in Sayedabad district are aware of government development programmes, and the majority, (18 out of 20) mullahs interviewed viewed the government’s development plan positively. Only one said it was ineffective. Of those surveyed only 3 of 20 are directly involved in the project, connected either with the National Solidarity Programme (NSP),<sup>122</sup> or with a Peace Development Council established by CPAU.<sup>123</sup>

<sup>119</sup> Mohaqiq Nasab was the editor of a newspaper in Kabul. “Nasab was prosecuted for reprinting articles by an Iranian scholar criticising the stoning of Muslims who convert to another religion and the use of corporal punishment for persons accused of such offences as adultery.” He was subsequently jailed for two years in 2005. Please see [http://www.rsf.org/article.php3?id\\_article=15399](http://www.rsf.org/article.php3?id_article=15399)

<sup>120</sup> Abdul Rahman was an Afghan who converted to Christianity in Germany. His return to Afghanistan caused widespread anger from religious figures who wanted him executed for apostasy. Abdul Rahman was taken out of Afghanistan and sent to Italy. Please see [http://news.bbc.co.uk/2/hi/south\\_asia/4847342.stm](http://news.bbc.co.uk/2/hi/south_asia/4847342.stm)

<sup>121</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>122</sup> The NSP is a national programme under the Ministry of Rural development and Rehabilitation. The programme is funded by a consortium of donors through the World Bank and implemented by a number of national and international NGOs.

<sup>123</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

The mullahs believe that they can have a positive role in development, and universally see opportunities for their participation. As one mullah said: “ordinary people are listening to us. If we are given the opportunity and authority then we can preach to the people so (that) they (will) participate effectively in the process.”

### Kunduz

Surprisingly, for an urban area, only 9 of 20 respondents said that the government was not implementing any programmes, and only one respondent was involved in the activities (related to the NSP). Views on the government’s development plan were also different from Sayedabad, with 10 out of 20 mullahs saying they had a mixed opinion about the development.

As in Sayedabad, there is a universal will to be involved in development. It is seen almost apolitically – on the assumption in both locations that development will not contravene Islamic principles. There is also a tacit understanding that the mullahs believe they are the key to reaching the people. One Mullah pointed out “our role is very powerful and the government consults us always.”<sup>124</sup>

## 7.2 The Role of the Ministry of Hajj, Ershad and Awqaf

The Ministry of Hajj and Religious Affairs is in theory responsible for religious issues in Afghanistan, including facilitating the travel of pilgrims to the Hajj and Umra.<sup>125</sup> However, the ministry presence is limited in most of Afghanistan. Unlike most ministries it does not have district level offices (at least in Sayedabad and Kunduz districts), and its provincial offices are often active during the Hajj and Umra period.<sup>126</sup>

The ministry has had its remit reduced in recent years. President Karzai decreed that the ministry should not collect zakat

because of rampant corruption.<sup>127</sup> The ministry also does not receive a significant budget, and it has no funds to support mosques or religious groups locally. In addition the Ministry of Education takes responsibility for overseeing madrasa education.<sup>128</sup> Finally, the Ministry for Hajj and Religious Affairs has no official role in issues of jurisprudence – which is the domain of the Ministry of Justice.<sup>129</sup>

### Sayedabad

There used to be a department of Hajj and Religious Affairs in Sayedabad, but it doesn’t exist now. The provincial directorate of this ministry operates from Maidan Shahr, the provincial capital of Wardak. Only 7 or 8 people from Sayedabad went on to Hajj last year.

In Sayedabad only 2 out of the 20 mullahs surveyed had any contact with the Ministry of Hajj, and this was fairly intermittent. One mullah said that he received some kind of support from the Ministry of Hajj and Religious Affairs, without specifying what.<sup>130</sup>

### Kunduz

Predictably the level of contact between the mullahs in Kunduz and the Ministry of Hajj is much higher (13/20) than those in Sayedabad. This is of course partially because of the physical proximity of the Ministry in the Provincial capital of Kunduz, but also underlines the lack of contact that the Sayedabad mullahs have with the Afghan Government in general. In Kunduz 8 of 20 of the mullahs also receive salaries or in-kind support from the Government. With the exception of one mullah, all the salaries are paid via the Ministry of Hajj and Religious Affairs.<sup>131</sup>

<sup>124</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>125</sup> Hajj and Umra are the Islamic pilgrimage.

<sup>126</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006 and Kunduz November 2006

<sup>127</sup> Data from CPAU survey carried out in Sayedabad, Wardak in August 2006 and Kunduz November 2006

<sup>128</sup> Ministry of Education, March 2007, Education Sector Strategy for the Afghanistan National Development Strategy DRAFT presented at the Afghanistan Development Forum 2007, available at <http://www.adf.gov.af/><sup>128</sup>

<sup>129</sup> Interviews conducted in Sayedabad Wardak, August and Kunduz, November 2006

<sup>130</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

<sup>131</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

The practice of going to Hajj has noticeably increased mainly because the marked improvement in economic condition of people in Kunduz. The increase in the number of people going on the Hajj is also connected with the increase in population from refugees and IDPs returning home, many of whom feel more strongly about living up to the religious obligations. Other small reason for the increase in the number of Hajjis in the province, may - as one interviewee put it - be related to social standing: "once a person becomes rich he will try to look intellectual (...) the rich now look for titles", such as Hajji.<sup>132</sup> According to the Ministry of Hajj and Religious Affairs in Kunduz, during 2005, 500 people visited Hajj, and in 2006 this number reached 750. The provincial Hajj Office's capacity to manage hajjis was overstretched so hajjis also registered in other provinces to go for the Hajj.<sup>133</sup>

The representative of the Ministry of Hajj and Religious Affairs operates in Kunduz centre, not in the districts. There are a number of tasks carried out through this office including managing mullahs in different mosques, their sermons and preaching. Most of the mullahs, who are on the government payroll fall under these programmes.

In the past, the salaries of government mullahs were paid through Shura-e ulama, but recently this responsibility was delegated to the Ministry of Hajj and Religious Affairs. The Ministry manages the Hajj affairs, preparing the list of Hajjis and coordinating their boarding and lodging in Kabul and in Saudi Arabia. The Ministry also has properties in Kunduz. According to law<sup>134</sup>, all the mosques, graveyards and related properties to a mosque are this ministry's property, even if these mosques were built privately. However, it was hard to get any clear information about existence of property or any revenues received by the ministry. The Religious Affairs section supposedly manages the land and the property it holds. However, most of the religious properties are in the possession of the municipality and other departments of the government.

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<sup>132</sup> Interview with key informant, Kunduz city, Kunduz, CPAU in November 2006. Reference for interview, and Hajji is an honorific title which is suffixed to a persons name when they have completed the Hajj.

<sup>133</sup> Information from key informants interviewed in Kunduz city, Kunduz, CPAU in November 2006

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<sup>134</sup> Ministry of Justice, official Gazette  
[http://law.moj.gov.af/Pages/OfficialGazetteSummary\\_E.htm](http://law.moj.gov.af/Pages/OfficialGazetteSummary_E.htm)  
 136: Grabbing of endowment lands by Herat Municipality



## 8. RELIGIOUS ACTORS AND THE LAW

The current laws applied in the Afghan constitution (2004) and the courts in Afghanistan are a mix of different Islamic and modern laws approved by ulama graduated from the Al-Azhar University in Egypt during the 1960s. This includes the Civil Law which was adopted from Egypt's Criminal Law (Qanoon-e-Jaza) during King Zahir Shah's reign.

In terms of jurisprudence, there is one major outstanding issue. The current constitution is based on the Sunni Hanafi school of Islamic jurisprudence (*'fiq'*) – which is also the school of most Afghans. However there are significant numbers of Afghans who subscribe to other legal schools, or other Islamic denominations, or are not Muslims. This presents problems in cases where one of the parties is not a Hanafi Muslim. Currently, work is ongoing to deal with this issue.<sup>135</sup>

The laws of Afghanistan, according to the constitution, cannot be against Islamic principles – but stops short of declaring Sharia law.<sup>136</sup> Religious actors often feel that, on the really important and high profile cases, they are ignored and the government acts as it wants.

There is barely a functioning justice system at local level, causing widespread dissatisfaction among the people. Given this situation religious actors both fill a void, by advising on cases at a local level, outside of the formal court system, but also feel ignored by reforms at the top of the modern law system and where they see little role for themselves.

<sup>135</sup> The primary problem is that if a case is between a Hanafi Muslim and those of another belief (Shia Muslim or a non-Muslim) it is not clear how the law should be applied as non Hanafi adherents will question the validity of the law according to their own legal and traditional values.

<sup>136</sup> The Constitution States "No law shall contravene the tenets and provisions of the holy religion of Islam in Afghanistan" Chapter 1, Article 3  
<http://www.president.gov.af/english/constitution.msp#State>

### Sayedabad

Since majority of people in Sayedabad are Sunnis Hanafi, all the mullahs believe Hanafi jurisprudence should be used as the basis for laws in Afghanistan.

Corruption is endemic in courts in Sayedabad courts. None of the respondents to the survey were satisfied with the operation of the district courts. 16 of 20 identified corruption and a concurrent lack of capacity as the major issues. Examples were made of judges in the local courts blaming both parties in a case; hence take bribes from both sides. A ruling is then given in favour of the party who could pay more. When people have started the process of using the courts they are unable to refer the case back to local community shuras. This makes people wary of using the formal courts.

None of the respondents to the survey were satisfied with the operation of the district courts. 16 of 20 identified corruption and a concurrent lack of capacity as the major issues. 2 of 20 respondents said that the lack of Sharia law as the primary problem. When asked directly what court system would be appropriate in Afghanistan, however, 15 of 20 said Sharia law and a further 4 of 20 said a mix of Western and Sharia law would be acceptable.<sup>137</sup>

During the Taliban, mullahs were an integral part of the judicial system. Currently there are mullahs presiding on many courts as judges. These mullahs were primarily educated in government supported madrasas in Kabul (most commonly the Abu Hanifa madrasa) and at the Faculty of Sharia at the Kabul University, unlike their traditional mullahs who are either educated locally or in Pakistani madrasas.

Alongside the desire for Sharia is a singular interpretation of what it is, 14/20 of respondents said that they would only use one form of jurisprudence (*'fiqh'*, or interpretation of Sharia law) in making

<sup>137</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

decisions. This may also be a reflection of the fact that everyone in the district is from the Hanafi fiqh – but it underlines an unwillingness to negotiate on a position which is not universal across Afghanistan.  
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When asked what qualifications someone would need to be a judge the respondents gave many different qualities, including being a scholar, judicious, clever – but also ‘pak nafs’, or ‘clean spirited’. This phrase indicates not just an honest and fair character, but a religiously pure heart as well.

The involvement of religious actors in the functioning of the legal system, or in its reform is very low. 14 of 20 respondents are not involved in the district court in any way, nor are they aware that the Ministry of Justice was preparing for a significant reform programme, Justice for All. The ongoing reform of the Ministry of Justice poses some interesting challenges to the mullahs in Sayedabad. The ulama in Sayedabad complained about the prioritization of the government’s law reforms. They believe laws relating to human rights and women are the government’s main concern and other laws are not deemed important. Some also believe strongly expressed that if any assistance is to be given to Afghanistan in the legal sector it should be in the form of more expertise in Sharia law - from a Muslim country. Half the respondents said that Afghanistan does not need help in legal matters at all; they see themselves as the custodians of Afghanistan’s legal tradition.<sup>139</sup>

The majority of people (and 17 of 20 of the mullahs surveyed) in Sayedabad did not participate in the consultations for the new Afghan Constitution. Potentially as a consequence of the lack of consultation 15 of 20 of the respondents believe that the present constitution is not compatible with Sharia law – but none could identify exactly where the problem lay.

<sup>138</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

<sup>139</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

Finally, the government’s implementation of the law on high profile cases is seen as very weak. The government’s handling of the case of Abdul Rahman, an Afghan Christian convert, sparked strong criticism from the religious establishment. 16/20 of the mullahs surveyed thought the government handled it inadequately, and that he should have been judged according to Sharia – which is here understood as being his execution as an apostate. The mullahs were particularly critical to the role and influence of Western nations in this case, one said “It was a conspiracy; he should have been convicted and hanged in Afghanistan.”<sup>140</sup>

### Kunduz

19/20 of the respondents to the survey were dissatisfied with the operation of the district courts and similarly to Wardak 12/20 identified corruption and a concurrent lack of capacity as the main obstacle, interestingly none mentioned the lack of Sharia law as the primary problem. Only 8 out of the 20 mullahs said that Sharia law should be the basis of the court system, and 11 of them said that it would be satisfactory to use Western laws if they did not contradict with Sharia.<sup>141</sup>

However, the main problem is not with the laws themselves but how they are implemented by the judicial system and the local courts in Kunduz. The level of corruption, as elsewhere in the country is high, and particular complaints are made against the judges, also of the ones that are religiously trained at the Faculty of Sharia. The religiously trained judges have often been in their posts for years, and have served under many of the different governments over the last 30 years. There is little contact between the religiously trained judges and the rest of the mullah imams. When asked what qualifications someone would need to be a judge the mullahs listed a number of qualities, but they did not focus as much on the spiritual character of the individual, as the mullahs

<sup>140</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

<sup>141</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

in Wardak, rather religious and academic qualifications and honesty were the main qualities sought. As in Wardak, the involvement of the Islamic leadership in the functioning of the legal system, or in its reform is very low. 15 of 20 respondents are not involved in the district court in any way. 12 of 20 respondents were aware that the Ministry of Justice (MoJ) was preparing for a significant reform programme.<sup>142</sup> With law being central to Islam, the mullahs have strong opinions about law and legal practices.

16 out of 20 of respondents said that it was important to use more than one form of jurisprudence in making decisions. This is probably a result of exposure to other schools of jurisprudence. That did not stop 15 of 20 respondents identifying Hanafi Fiqh as the most important source of jurisprudence. This, however, may be a reflection of their individual beliefs, rather than those they will necessarily use when judging cases.<sup>143</sup> In Kunduz 9 out of 20 mullahs also believe strongly that any assistance given to Afghanistan should be in the form of more expertise in Sharia law, but few (3/20) believed that Afghanistan does not need help in legal matters – which implies the recognition that in order to solve the huge problems in the legal system, some form of help would be necessary.<sup>144</sup>

Just 5 of 20 of respondents participated in the consultation process for the new Constitution, but in opposition to Wardak, the low participation rates did not translate in to the feeling that the Constitution was un-Islamic; 19 of 20 believe that the Constitution is compatible with Sharia. Some ulama however complain that the present constitution is an incomplete set of laws, and that discussions are only held in intellectual circles and above the level of debate of the ordinary village or district mullah.<sup>145</sup> Interestingly, despite a more liberal attitude to the application of specific Fiqh, the use of Western sources as part of Afghanistan's legal framework etc., the research team felt unable to ask many of the questions relating to the case of Abdul Rahman, because sentiments about the issue were running so high. One mullah said "it was not good; he should have been tried and punished here. We are not happy about it."<sup>146</sup> The ulama were clearly against the government's handling of the case, and it was seen showing lack of independence and lack of respect for Islam.

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<sup>142</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>143</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>144</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

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<sup>145</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>146</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

## 9. RELIGIOUS LEADERS AND NON - GOVERNMENTAL ORGANIZATIONS

NGOs have now been operating in Afghanistan for more than a generation. There are over 300 International NGOs registered in Afghanistan.<sup>147</sup> The National Solidarity Programme (NSP), the largest government run community development programme, is implemented by national and international NGOs. While there is a strong interest towards the work of the aid community, religious leaders are puzzled why the NGOs are keeping themselves at bay from working closely with the religious groups.

### 9.1 Interaction between Religious Actors and NGOs

After years of aid provided by NGOs (or 'moasesa', a term that literally means 'organization' and is used to describe the private sector as well as NGOs) to local communities, local people have a good understanding of the working of these organizations.

The NGOs have significant roles in development – particularly education and health, but their interaction with religious actors has often been limited. It seems NGOs are either afraid to interact with the ulama or are restricted by their donors in doing so. This is partly because mullahs are often not considered part of civil society but also because of legal restrictions. A major example of this is the National Solidarity Programme and the Community Development Council (CDC) by-laws (which governs part of the programmes activities) which clearly states that "implementing all work related to religious activities is prohibited."<sup>148</sup>

<sup>147</sup>

[http://www.atimes.com/atimes/Central\\_Asia/GD21Aq01.html](http://www.atimes.com/atimes/Central_Asia/GD21Aq01.html)

<sup>148</sup> *Afghanistan National Solidarity Program Operation Manual, Page 14 negative list*

[www.nspafghanistan.org/content/e79/e256/box\\_file257/NSPOperationalManualVersion3-15Jan2006\\_eng.pdf](http://www.nspafghanistan.org/content/e79/e256/box_file257/NSPOperationalManualVersion3-15Jan2006_eng.pdf)

While the general trend is non-engagement, some organizations have programmes where religious people are involved. The UN is particularly active in utilizing the religious groups in different campaigns and capacity building programmes. For example UNICEF encouraged 2000 religious leaders to participate in their child rights programme and the WHO has close contacts with religious groups and implements major vaccination drives through direct collaboration and coordination with religious groups in Kunduz Province.

### Sayedabad

Currently a number of organizations are implementing development programmes in Sayedabad. This includes Danish Committee for Aid to Afghan Refugees (DACAAR), Cooperation for Peace and Unity (CPAU) and Swedish Committee for Afghanistan (SCA). NSP is implemented by several organisations in Sayedabad. In addition, a cultural committee was established by NGOs.<sup>149</sup> They later been closed due to some unknown problems.

Collaboration among mullahs and NGOs have not been developed and mullahs – being very influential in communities - have been consulted as villager not as a mullah. It was a mistake that has been continuously made by aid agencies. The majority of mullahs will like to receive funding for running religious schools and Mosque construction but the fears that how Taliban will react can make them reject any kind of relations with NGOs and the government.

The Sayedabad mullahs generally look upon NGOs positively, but there are few signs of consultation, cooperation and support offered by the NGOs to the ulama. A Shura member stated "the only NGO having links with the religious people and ulama is CPAU". Another mullah said that "NGOs do not care for mullahs or the poor, mullahs are poor, but NGOs are looking after the khans and the rich." In

<sup>149</sup> This includes Mediothec which is a German NGO run by an Afghan German, based in Kabul Interviews with key informants in Sayedabad, Wardak, CPAU August 2006

Sayedabad, NGOs have barely used religious leaders to mobilize people and they haven't assisted any of the religious institutions.<sup>150</sup> In Sayedabad 6 of 20 of the interviewed mullahs collaborate with an NGO, mainly employed by them, or preaching in favour of the organization's work. Interestingly one respondent mentioned that he ensured their security (but we don't know in what way he means by that?).<sup>151</sup> A majority of mullahs (13/20) think they could or should be supported by an NGO – either to funding directly, for their classes or for refurbishing mosque and madrasa buildings. This is probably due to the fact that many Afghans believe that all NGOs have a lot of money and they would like access to it.<sup>152</sup>

### Kunduz

There are a many NGOs present in Kunduz province; Katakhal, GRSP, ECW, SCA, BRAC, CPAU, Agha Khan Foundation, Mercy Corps<sup>153</sup> among others. Most of the women's projects are run by these NGOs. There are also several construction companies as well, which sometimes pass themselves off as NGOs.<sup>154</sup> Only 8 of 20 respondents in Kunduz could identify an NGO working in their community, though those that could either did collaborate with them, or would be willing to if they were invited.<sup>155</sup>

As in Sayedabad, the Kunduz ulama are generally positive to the NGOs, recognizing the need for development. However, they are very wary of NGOs being cover for foreign spies, or that they may be involved in preaching Christianity. Their distrust of some NGOs is exacerbated by the fact that many NGOs

do not collaborate extensively with religious figures.<sup>156</sup> Some NGOs are particularly careless on sensitive issues such as preaching Christianity. A mere invitation by a Christian to an Afghan cook or a driver can cause civil unrest.<sup>157</sup> The scepticism towards NGOs seems to be the same as towards other foreign assistance; it is welcomed as long as Afghan and Islamic values and traditions are respected.

The level of mistrust may stem from the fact that there are no links between the NGOs and the ulama. Though there are hardliner Salafi / Wahabbis present in the ulama who prefer to stay away from NGOs, the majority of the mullahs are willing to meet with NGOs and become partners in the development and reconstruction process. The ulama would like to be supported to implement community development projects. As in Sayedabad, many mention religious buildings or activities – but 7/20 of the respondents mentioned community development, including the building of schools and water supplies as a key priority that they would like to be involved in.<sup>158</sup>

<sup>150</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

<sup>151</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>152</sup> Data from survey carried out in Sayedabad, Wardak, CPAU in August 2006

<sup>153</sup> For a complete list:

[http://www.aims.org.af/services/regional/kunduz/maps/kunduz\\_agencies.pdf](http://www.aims.org.af/services/regional/kunduz/maps/kunduz_agencies.pdf)

<sup>154</sup> Companies sometimes use the same word, as NGOs, 'Moasesa', to describe themselves. The Dari word simply means a foundation / organisation – it has not connotation with non-governmental organisations.

<sup>155</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006

<sup>156</sup> Based on interviews in Kunduz, CPAU November 2006

<sup>157</sup> In 2006 a Tajik Christian women gave a translated Bible to a cook along with some other books from her organization and that caused unrest in Kunduz.

<sup>158</sup> Data from survey carried out in Kunduz city, Kunduz, CPAU in November 2006



## 10. RELIGIOUS LEADERS AND THE INTERNATIONAL MILITARY

Issues with the presence of international forces are manifold for people in the provinces and rural areas. The Provincial Reconstruction Teams (PRTs) are poorly positioned within Afghan Security and Development structures and processes.<sup>159</sup> PRTs are deployed in a province centre but they can't easily operate without close help from warlords or local corrupt officials, even to the point where they contract out services to some commanders or their construction and other companies.

This as a whole doesn't go well with the religious figure as well. While in the surface, particularly in Kunduz, religious figures are not known to be concerned about the presence of the international forces, but deep under and in their private conversations, they resent either the presence of the international forces, or attack the influence of their presence over the youth, women and people's overall lifestyle.

### Sayedabad<sup>160</sup>

The mullahs in Sayedabad are generally highly critical of foreign military presence.<sup>161</sup>

A Turkish PRT is stationed in the neighbouring Maidan district, the provincial capital. Despite some plans to expand the number of their operating bases, PRTs have met stiff resistance from local people. The PRT asked to install a security post somewhere in the district which met strong resistance from the locals. Despite the negative perspective towards the PRTs in the district, some people are convinced that if ISAF or NATO ultimately leaves their province it will be recipe for a disaster,

believing that it will cause further conflict between different warring factions.

There is no formal collaboration or contacts between ISAF and the ulama or ordinary people in Sayedabad. It seems to be a taboo even to get close to the government officials in Sayedabad let alone the international forces. Locals say that "even if Saudi Arabia takes over ISAF security in Sayedabad, the local residents wouldn't accept them."<sup>162</sup> People are often referred to the ongoing conflict in the south and south east of the country and blame the international forces for civilian casualties. Wardak is located on the highway to Kandahar province and there are close interactions between the people from both provinces. There is a strong sympathy with the Kandaharis and more broadly for the impact of the conflict on people's lives. The stories of Americans bombing of civilians, stopping convoys, making people wait for hours in the cold winters and hot summers for hours, are well known in Wardak. Even some people who are positive towards the international community presence and their "hearts and minds" projects are sceptical about their genuine intent.

### Kunduz

In Kunduz the mullahs' perception of and attitudes towards the international forces, especially about the PRT, is generally more positive than in Sayedabad. People seem to be happy with the German PRT and the way they conduct themselves. They have taken important roles in the reconstruction process and have built schools, madrasas etc.<sup>163</sup> But one of the most important factors behind the positive image of the German PRT is due to their attitude of respect towards the people: they don't go at night and break into people's houses, they respect the people's culture;

<sup>159</sup> *Provincial Reconstruction Teams (PRTs): an analysis of their contribution to security in Afghanistan*  
<http://www.institute-for-afghan-studies.org/Contributions/Projects/Watkins-PRTs/>  
search was undertaken may have developed.

<sup>161</sup> Generally the respondents in Sayedabad did not know the difference between Coalition Forces and ISAF. This may be because at the time of research the Turkish PRT in Maidan Shahr had only just been set up. The situation may have changed since.

<sup>162</sup> This is particularly pertinent in Wardak because the PRT is run by Turkey, the only Muslim troop contributing country operating in Afghanistan.

<sup>163</sup> *Pajhwak News Agency reports German PRT so far implemented over 1400 projects in Kunduz costing around 50 million dollars,*  
<http://www.pajhwak.com/viewstory.asp?id=28295>

and don't have a high profile presence in the city.

However, the ulama are generally not in favour of the PRT constructing religious buildings such as mosques. The mullahs however, show no concern about the fact an NGO or the UN carrying out such a job, even if it is with PRT money.

In Kunduz, there is some interaction between PRTs and the ulama. The PRT in Kunduz have tried to increase contact with the ulama, and they have succeeded in getting together and meeting the ulama on some occasions (at least four times). For instance in 2006 the PRT decided to build toilet facilities for women in Kunduz and the project was jointly agreed by the ulama and the Department of Hajj and Religious Affairs. The PRT also supported Takharistan Madrasa with \$45,000 USD for its reconstruction and they donated money to the Imam Sahib Ziarat, which is located on the outskirts of Kunduz City.

Most ordinary people are happy about the level of peace and security and do not seem to be concerned about the politics of the international forces' presence. Kunduzis are especially pleased with the presence of the German forces, because of the historic relationship between the two countries.<sup>164</sup> While on the surface, particularly in Kunduz, religious figures are not known to be particularly critical to the presence of the international forces.

The main problem with for PRT is that as soldiers, it is hard for them to build sustainable relationships with communities and when the PRT want to meet the communities, the PRT needs to go through the Governor who establishes contact on their behalf. The Governor, however, may have his own vested interests in this relationship building process and invites the people who are thought to be pro-government or that he wants to gain support from. In addition the PRT soldiers are not moving about freely, they are often confined to their bases and are not able to interact with the local population normally.

While the Ulama do not directly criticize the PRT and the international forces they do complain about the modernization drive of the international community and how this is leading to immorality. The concerns voiced are primarily about alcohol, indecent TV, and women's rights.

Respondents support the PRTs (Provincial Reconstruction Teams) role in helping to develop capable indigenous security forces such as the Afghan National Army (ANA) so that they can provide the necessary security environment in the long term for their country.

## 11. CONCLUSION

### Religious Education

While the government is in the process of regulating the religious education in the country, it needs to come in terms with its limited religious authority. The government must convince the religious leadership about the need for state regulation of madrasas. The MoE has got to develop a long term plan to get the madrasas under state control, if the government is not to repeat the mistakes of previous Governments in the 20th century to have a chance to succeed this ought to be a broad-based consultative process. There is also a significant number of religious leaders support the idea with a few conditions attached such as limited autonomy for those involved in running of these institutions. Others however are likely to insist on the integrity of the religious civil society and the independence of the religious education. Besides establishing religious educational institutions, the government needs to start interaction with the well-established private madrasas in the country. This will help build trust and buy in the religious intellectuals or at least make them nuance views on this process.

### Trust building

Relations between the government and religious leaders is generally strained and in some areas with Taliban influence it is in a complete halt. Apart from the presence of the international forces that are commonly viewed as foreign occupiers by religious leaders, widespread corruption among local authorities contribute to many religious leaders being antagonistic and critical of the government. Well experienced and honest individuals in the government can break through and can restore trust and confidence in the government.

### Legal Reform

The process of legal reform is a difficult and multi faceted. This research found that if the government and the international community supporters want any chance of the current Ministry of Justice and other

reforms working, they need to increase the engagement of the mullahs at the local level. In addition knowledge about the Mullah Judges in the courts, their background and links with the wider ulama needs to be well understood. There is a widespread lack of trust on the district and provincial level courts. Traditionally, mullahs have been critical of the judges graduated from government run madrasas. There is a compelling need for collaboration among these two groups is critical and the government has to develop proper mechanisms to win both sides support in this reform process.

### NGOs

With the existing capacity both in terms of human resources and financial, NGOs are amongst the most important players in the current reconstruction and development of the country. Hence their policies and activities are much influential in developing the capacities and links between different civil society actors. However, making recommendations to NGOs for possible close collaboration with the religious actors is very difficult. NGO community as a whole has got to formalise its relations with religious authorities because they are generally missing out on using the Mullahs to improve their projects and protect themselves. This should be done at all levels, national through to the village.

### Employment opportunities

Though the number of religious schools has been markedly reduced after the fall of Taliban, a considerable number of new students have graduated from different madrasas - in a higher rate than the number of mosques being build every year. The wages a village mullah earns is not enough for living. On the other hand, zakat practice, from which mullahs can be a recipient, does not exist in many areas and even if it does exist, the priority is given to poor relatives and neighbours. Hence an increasing number of the mullahs do not get proper jobs apart from a few working in schools as teachers.

### **11.1 More research:**

Afghanistan is under researched for the last decades. Issues related to the role of religion in the public sphere, in particular, have received little attention post 2001. A number of areas have emerged through this study that merits further research:

Firstly, CPAU believe it would be interesting to build on this study and see how different civil society group's relationships work in different provinces. These are potentially all very different and would give a better understanding of regional differences.

Secondly, we would also like to know how members of the Shura-e-ulama view the current political processes. The Shura-e-Ulama has been an influential body through modern Afghan history, which is still important in Afghan society.

Thirdly, the MoE has limited capacity and resources for religious education. However, more work needs to be done studying it to give a better idea of how to strengthen the quality and relevance of religious education, while, on the other hand, respecting the madrasa sector's need for independence.

Finally, more work is also needed to look at the political affiliation of different religious civil society groups and their political dynamics in the country.

## TERMINOLOGY

**Ahkam:** Religious principles in Islam.

**Alim:** Man of learning, wise. Also a person who is a religious inspiration – normally a mullah. It stems from the Arabic for knowledge.

**Amr bil Maruf:** The promotion of virtue.

**Aqayed عقاید:** Arabic word for belief, faith, conviction and creed.

**ASHURA عاشوراء:** is on the 10th day of Muharram in the Islamic calendar and marks the climax of the remembrance of Muharram. It commemorates martyrdom of Husayn ibn Ali, the grandson of the prophet Muhammad at the Battle of Karbala in the year 61 AH (AD 680) . it is one of the major Shia festivals.

**Darul Hifaz:** Centre for memorising the Quran.

**Dastar bandi:** A talib's (religious student's) graduation ceremony from their Madrassa, marked by wearing a Dastar.

**Fiqh:** Jurisprudence, or the interpretation of Sharia law.

**Hadith:** These are recorded sayings of the Prophet Muhammed. Today they are used as part of Muslims understanding of Islam together with the Quran and the fiqh.

**Hajj and Umra:** The names of the two main pilgrimages in Islam.

**Hanafi:** One of the four major Sunni schools of Quranic and Sharia interpretation – widely used in Afghanistan.

**Hazara:** Ethnic group in Afghanistan, who represent about 20% of the country. Predominately in the central region of the country, called the Hazarajat, but communities are spread across much of Afghanistan.

**Ikhwani:** the name and the group emerged by Saud family, currently Saudi Royal Family. In the early days of the Soviet-Afghan war, the Muslim Brotherhood was seen as a constituent part of the Afghan anti-Communist opposition, hence the Soviet installed government called its opponents who had connections to the freshly formed Islamic resistance parties as Ikhwanis or members of Muslim Brotherhood (Ikhwan ul Muslimeen in Arabic). Ikhwani was then used to as an adjective to describe any Islamist party.

**Islahi:** Literally reforming; It is used as a term for religious and societal reform.

**Isqat إسقاط:** Is an Arabic word which literally means waiving or relinquishing. According to Islamic teachings, once a dead person is buried, his/her relatives have to give some money to the poor and needy or mullah of that area as a waiver to worldly unpaid debts of the deceased person.

**Jafaria:** Shia Fiqh School which is predominant amongst Shiite in Afghanistan.

**Khan:** A influential figure, more often a landowner in a village or town.

**Khairat:** Literally goodness; but is used to mean either charitable activities, or a free meal given out at religious ceremonies by the hosts (often at prayers for a deceased relative).

**Madrasa:** A school; often associated with a mosque, which teaches Islamic subjects.

**Malik:** An influential figure who represents a community and is usually in contacts with the government.

**Maraka:** is a smaller form of Jirga where a group of people set together to discuss an issue, solve a conflict or even make a marriage proposal to bride's family.

**Pushtoon:** Ethnic group in Afghanistan, the most populous group representing about 50% of all Afghans.

**Pir:** A Pir is a Saint. There are Pir orders who serve a particular shrine or Ziarat of a dead Pir.

**Pustoonwali:** Tribal code used to regulate Pustoon society.

**Salafi:** One of the four major Sunni schools of Quranic and Sharia interpretation – not widely used in Afghanistan but related to the Wahhabi.

**Sharia:** Islamic Law.

**Shiite:** Shiites are a denomination of Muslims. There are further sub-sects, often referred to as the seveners, or twelvers. Most Shiites in Afghanistan are Imami Twelvers who follow the Jafari School. About 20% of Afghans (mainly the Hazara) are Shia.

**Sufi:** A Sufi could be Sunni or Shia, but believes in a more mystical and spiritual form of Islam. See below.

**Sufism in Afghanistan تصوف در افغانستان:** Four Sufi orders are prominent in Afghanistan: the **Naqshbandiya** founded in Bokhara, the **Qadiriya** founded in Baghdad, and the **Chishtiya** located at Chesht-i-Sharif east of Herat and the **Suhrawardi** in Herat, Badghis and Ghor.

Many Afghan **Naqshbandi** are linked with the Mujaddedi family. Sibghatullah Mujaddedi, leader of the Mujahedin Jabha-i Nejat-i Melli party, became the head of this order when his predecessor, along with 79 male members of the family, were executed in Kabul by the Taraki-Amin government in January 1979. The Sufi brotherhoods in Kabul and around Mazar-i-Sharif are mostly associated with the Naqshbandiya. Hazrat Naqib Sahib, father of Sayyid Ahmad Gailani Effendi, the present Pir of the **Qadiriya**, established the family seat in Afghanistan on the outskirts of Jalalabad during the 1920s. Pir Ahmad Gailani is the leader of the Mujahedin Mahaz-i Melli Islami party. The leadership of both the Naqshbandiya and Qadiriya orders derive from heredity rather than religious scholarship. The Qadiriya are found mainly among the eastern Pushtoon of Wardak, Paktia and Nangrahar, including many Ghilzai nomadic groups. The **Chishtiya** order was founded by Mawdid al-Chishti who was born in the twelfth century and later taught in India. The Chishtiya brotherhood, concentrated in the Hari Rud valley around Obe, Karukh and Chisht-i-Sharif, is very strong locally.

**Suhrawardi Sufism:** Abu al-Najib al-Suhrawardi (1097 – 1168) was an Iranian Sufi. He studied



Islamic law in Baghdad, then set up a retreat by the river Tigris, where he gathered disciples, which eventually came to be the Sufi order of Suhrawardiya.

**Sunni:** The predominant denomination of Muslims in Afghanistan.

**Tabligh:** Literally preaching. Also the name given to the Tabligh-e Jamaat, a religious order based in Pakistan, Indonesia etc.

**Tajik:** Ethnic group in Afghanistan. Predominantly living in the north of the country, possibly representing 25-30% of the population.

**Tajwid:** Learning how to recite Qurran in proper way

**Takya Khana:** Shia public place for worship

**Talib:** Student or seeker.

**Tariqat** *طريقه*: Literally ways of Sufism; each school of Sufism has a 'way' or Tariqat. See above for the Sufi schools present in Afghanistan.

**Ulama:** Religious leadership. They can be referred to as a collective but not organised group (as in the Ulama in Afghanistan) or as a specific group such as the Ulama council.

**Umma:** The Muslim body of believers

**Urf** *عرف*: Arabic word for common law or traditions and customs or way of life. This is similar to Rawaj, a Dari word for custom.

**Ushr:** Literally a tenth, though in Afghanistan is most often thought of as a tax levied on the population, it is currently illegal.

**Wahhabi:** One of the four major Sunni schools of Quranic and Sharia interpretation – its use was expanded under the Taliban and it has been spread from Madrasas in Pakistan. It originally stems from Abdul Wahhab a religious leader in Saudi Arabia.

**Wazifa:** Is the name for the activities that Talibs do in order to collect money from local people. This will normally entail singing a religious song, or reciting a prayer.

**Zakat:** tax levied as percentage of income or wealth that Muslims are supposed to give to charity. **Ziarat:** Is the shrine of religious figure, specially a sufi

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