

(the production of) Who is a  
refugee?

by

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Paolo Novak

a / per Nicola

## Abstract

The question “*who is a refugee?*” -the key research question of this thesis- is ambiguous since it conflates distinct analytical perspectives. It may be answered in reference to subjective beliefs or claims (he is/I am a refugee), prescriptively (who should be considered a refugee, universally or in specific contexts), on the basis of existing legal apparatuses (who has been recognised as a refugee according to international, regional or domestic law) or of alternative conceptualisations of world order, migration and solidarity (e.g. according to religious beliefs, vis-à-vis tribal solidarity, as defined in the mission and discourse of non-state-based humanitarian organisations), etc. Each of these perspectives is premised on different ontological orders, and conceptualises the migrant as a member of different types of social formation.

The thesis attempts to answer the question “who is a refugee?” in the context of Afghan migration to Pakistan. First, it postulates the research question in methodological terms, setting in conversation key bibliographic references and a series of context-based issues and perspectives. Second, it develops a framework for the study of refugee protection and assistance that draws upon and expands governmentality approaches for the study of regimes. The framework highlights, and is concerned with, the overlap of a variety of such regimes simultaneously exercising claims over the same group of people. Third, its core chapters put to the test such framework, by studying three constitutive elements of the modern refugee regime: borders, defining its territoriality; legal status, defining the object of protection and assistance interventions; Afghan NGOs, as an example of the intergovernmental regimentation of such activities.

As a central contribution, the thesis offers a *coeval* understanding of the term “refugee”. It is argued that, in order to define who is a refugee, it is necessary to unpack: a) the simultaneity of processes co-determining who is a refugee, in a particular time and place; b) the meaningful simultaneity of spatially separated events, which have repercussions on such processes; c) their contemporaneity with other processes taking place in the historical moment under study. A coeval methodology

for the study of refugee migration, protection and assistance suggests a radically expanded context of analysis, one that collapses distinctions between scales (e.g. the “global” and the “local”), societies and systems of authority (e.g. “modern” and “traditional”), or between structural and subjective dimensions of power. Such methodology conceptualises “the refugee” as a dynamic and undetermined process of social production, performed by a variety of heterogeneous agents: the production of objects to be governed following exclusionary logics, and their social re-production, which is necessarily mediated, in a contingent and dynamic fashion.

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## Prologue – The Field

### a) Trans-formations

The Eurocentrism of my own experience of “globalisation” was brought to the fore in 2001, when I first arrived in Pakistan, for the purposes of field research. Such Eurocentrism was both geographical (for a full minute, I wondered why “in Pakistan” *they* pray to the West, if Mecca *is* in the East), and, perhaps most worryingly for my research purposes, of knowledge. Such realisation developed through reference readings of “history” and “society” when I first arrived there, but also through encounters, in Islamabad, with retired civil servants or former workers in the Gulf who had now set up shop there. The precision and interest of their knowledge of and questions about “my” history and geographical perception left me disconcerted not only because, at times, of far deeper quality than my own, but also because it opened up a view on how they themselves could possibly conceive their own history and social geography<sup>1</sup>. More simply, and perhaps for that reason more vividly, such realisation was the result of daily interactions everywhere else with all sorts of people: *their* disciplining familiarity with what could be perceived as my needs and desires, was a constant reminder that *they* knew much more about *me* than vice versa. Globalisation, which for me and most of the people I shared time with, before my PhD, was a process of *our* time, looked like an all-pervasive dimension of history, from the perspective of a post-colonial “developing” country.

The first reaction to that consideration, which lasted about six months, was one of despair for the task that almost accidentally I was about to undertake. The second, more reflexive, was the astonishment related to the possibility that, a person like *me*<sup>2</sup>, could attentively follow mainstream newspaper news about “Pakistan”, or “Asia” rather, have opinions on related subjects, and concur to the process of translating those opinions into actions, without in reality knowing much about “it”. From this

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<sup>1</sup> See Appendix to Ch. 1: being the object of study of my object of study.

<sup>2</sup> I refer to my “performance”, at the time I began my journey in SOAS, vis-à-vis most indicators of personal success in the “world” I was living in: money, social popularity, formal education, two decades of (western) intercontinental mobility, knowledge, asset ownership, prospects, etc.

perspective, globalisation seemed more of a process that encompassed certain social strata over the last two or three decades, and seemed decisively Eurocentric. Similar considerations, though often more intense and frustrating, shaped and profoundly changed the perception I had of myself in the world, as well as, logically, research assumptions and hypotheses.

At the level of identity, the most interesting transformation occurred during field research was the progressive realisation that *they* were not other people living in another time, out of whom I had to extract data and information for the successful completion of my PhD; rather, *we* were profoundly different individuals facing each other in the same world-historical moment. Academically, such considerations transformed what was originally intended to be a study of relations between different *actors* of the humanitarian assistance regime, into a methodological quest for the most appropriate way to conceptualise the simultaneous existence of profoundly different *agents* shaping and being shaped by their institutionally-regulated interactions.

The (provisional and arbitrarily fixed in time) outcome of such processes is expressed in the following pages, which attempt to articulate these two trans-formative tensions.

## b) Tensions

A (by now trite) supposedly witty comment I often deployed upon my return from Pakistan to avoid questions about my PhD, which at that time was in a sorry state, is that I started field research on “ten eleven”. In fact, though I do not remember the exact date, I set foot in Islamabad for the purposes of field research at the beginning of October 2001. The point I was trying to make related to the significance of being *there* at that *time*, which could only be gauged by reference to events occurred on “911” miles away -and the reactions they produced. Such interrelation was not exclusively confined to the “abstract” level of world politics and the beginning of the War on Terror, but was very materially experienced in my daily pre-occupations.

Front page news of English- (though presumably also Urdu- and Pashto-) language Pakistani newspapers, as much as those in UK and Italian ones consulted over the internet, were all devoted to those events and to the possible repercussions in

Afghanistan. I was thus able to interact through email with friends exposed to similar narratives, as *we* were witnessing the same events, even if from London, Napoli, Bruxelles, München, and Ancona. My parents, calling me from Bogotá, were worried about my security (from Bogotá?!), since I was “so close” to Afghanistan. Over the first few months there, I was able to meet at least four different comrades from my MSc batch, who in the meantime had started working for humanitarian organisations, or Donors, or else, and were posted in Islamabad; or had to spend a few nights there for research purposes, or on their way to Kabul after the toppling of the Taleban regime. [Thought: How to capture such multilayered spatial interconnectedness?]

Yet, though we were all experiencing the same *zeitgeist*, I was not living in the same place as them. I was able to attend in person press conferences at the Marriott Hotel (for example by Ruud Lubbers, the former UN High Commissioner for Refugees), and then watch how selected cuts of his talk were inserted into a BBC World report; or read articles about that conference on the same newspapers mentioned above. In internet cafes, I could peek at “strange people” looking for news about Chechnya in Russian-language websites. I was also privy of backdoor comments of friends working in Islamabad with Development, Humanitarian or Foreign Office agencies about changes in their personal lives brought about by the situation, and their experience of living with a suitcase always ready for “evacuation”<sup>3</sup>. I was thus able to add such “insights” to my email exchanges as a complement to the broader discussions on current events. I was the one “closer to the news” of all my friends living outside Pakistan (though at the very beginning of field research that role was bestowed on a friend of ours living in New York). Furthermore, without an employer, I was not subject to the security codes of conduct followed by expatriate workers I knew in Islamabad. While for them leaving the capital was subject to constraints and needed authorisation from higher ups, I could simply take a bus to Rawalpindi or Peshawar, and eat along the road or stroll in the bazaar.

On one side, as mentioned above, initial interactions and encounters were a realisation of the immense *distance* existing between me and *them*, the subject of my research and of much news reports -even if I was “in Pakistan”. On the other, such interactions

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<sup>3</sup> Although, officially, that compulsory measure was motivated by the military build up along the India-Pakistan border, taking place at the same time.

were truly making me feel “closer to the events”, in the sense of providing a context (superficial as it was at the beginning) to such reports. The Afghan Embassy from where the Taleban were holding press conferences, Rawalpindi, Peshawar, etc., were not just places where events narrated on TV were taking place. They were, respectively, that building in Sector G6, which I saw taking a right turn at the end of Jinnah Avenue, or the “Blue Area”, rather; the place to go to for buying (cheaper) home appliances, stroll and eat pakora; the town I was beginning to explore before starting my research. I was effectively *distant* from *them*, the “we” of my email exchanges. [Thought: How to capture such spatial frictions? Is globalisation about ‘being in many places’ at the same time?]

Then there was my research, which was concerned both with everything I described above, at least in principle, yet, instrumentally, it needed to focus on *something somewhat* more specific, in order to gather *data*. My initially superficial understanding of the context became progressively more articulate, and this allowed me to put some order to the heterogeneous “inputs” I was trying to absorb. Yet, perhaps for the same reason, the more I delved into the specificities of different geographical or social localities, the more their interconnectedness and frictions, their continuities and disjunctures, came to the fore, creating tensions. This was the case whatever the “narrative” I was attempting to re-create.

Reading newspapers, reports, books, and talking to different individuals, for example, allowed me to establish some connections. I could enrich my understanding of the firm stand expressed in official declarations by the Government of Pakistan (GoP) vis-à-vis the closure of the border for the expected influx of Afghans<sup>4</sup>, by talking to Ijaz Husein, Dean of Social Sciences at Quaid-i-Azam University, Islamabad. After stating that my PhD was “about Afghan refugees”, he overwhelmed me with a long monologue describing the generous assistance the GoP had provided them over the years, the socio-economic damage that they had brought to the country, the need to (voluntarily) repatriate them as quickly as possible, adding a series of concrete examples and rationalities to official declarations. He categorically stated that there is no legal basis, in either International Law or Natural Law or any other legal

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<sup>4</sup> In the weeks prior to the military intervention in Afghanistan at the beginning of 2002, there were expectations in some quarters that a possible one million Afghans would have poured into Pakistan.

instrument, which obliges Pakistan to provide asylum to Afghans. Yet, some weeks later, at a workshop organised by SHARP, a human right organisation working with prisoners in Pakistani jails, at that time funded by UNHCR's Legal Protection Section in Geneva to spread awareness on the plight of refugees, opinions were the exact opposite. Speakers there, comprising legal expert from that organisation and UNHCR, would categorically state, based on international and humanitarian legal documents to which Pakistan is signatory, as well as existing national laws, that protection to refugees was impossible to relinquish. [Thought: How do different types of law interact with each other? Is it possible to "close" the border to incoming refugees? Who is right? Did 911 put into contradictory relations laws that are supposed to dovetail smoothly into each other?]

Exploring Islamabad, I could notice areas where what seemed to me Afghans (refugees?) were settled, and I would eat twice weekly at the Afghan restaurant near Jinnah Super and buy Italian coffee at the Afghan bakery. [Thought: Are they the ones who damaged the socio-economic fabric of Pakistan?] In Peshawar, my thoughts were quite different, and much more concerned with dealing with the new, enticing but unfamiliar, context. How to move around, where to go, where to eat, what to eat, what to tell the guy -supposedly a taxi driver- that I did not want 20kg of hashish packed in the legs of a table? How to behave, when I was eating *chicken karahi* with the owner of the guest house where I was staying, his Chinese-made Kalashnikov (a hybrid gun using the structure of the AK 47 but the charger of the M16, to get the best of both) and an Alim<sup>5</sup> who was teaching him the Quran?

In Peshawar's University, I would find out about the negative impact of Afghan refugees as presented by Shaheed Hussein (Lecturer in International Relations). That

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<sup>5</sup> Alim is a name that was attributed by many persons I encountered to Islamic scholars intent in spreading the teaching of the Quran to "the people". Those I saw were relatively young men, which had completed their studies at a Madrassah. I had several dinners together with my guest house owner and his "Ustad". With the latter I could not exchange other than a few words in Pashtu or Urdu, yet I believe we were both equally interested in each other, and our 'non-conversations' took up to an hour a day. (See Appendix for encounters and exchanges). Furthermore, those guesthouse nights were another example of what will be called *social time space compression* in the Appendix to this Prologue: within the space of two hours, in the same location, I would be exposed to Europeans drinking alcohol and smoking hashish, or women leaving the shower with "just" a towel covering them, to Peshawari workers coming to fix the water pump, to CID officers coming to check the guest list, etc., all culminating with the pleasant melodic rhythm of Quran reading. It is such mobility across social spaces that is behind many of the "intuitions" driving this work (see Appendix).

(by then trite) discussion was immediately weighed down in importance, however, by the discoveries made talking to students: while being offered Chinese vodka and other intoxicants, Faculty students staying in Hostal Nr. 1 told me how they would get hand relief, for five rupees, from what they called Afghan prostitutes. Contemporary sexual compulsions and sex trade were another interconnectedness between *us* (rather, I underline, between –some of- my friends in London and Peshawar), yet creating an unimaginable distance between *me* and *them*.

Despite such “exhilarating” discoveries, few hours a day were devoted to “field research”. In ARIC, a research centre associated to ACBAR, one of four Afghan NGOs coordinating bodies, I could do some “proper” research. There, I was able to get hold of older reports and sketch a more complete picture of the *object* of my PhD. The push towards repatriation was nothing new, since the GoP had already declared, more than a decade before, its desire for a repatriation of Afghans, and its concerns with diminished assistance from the international community, as well as with environmental degradation in NWFP, as a result of population pressure from refugees, something confirmed by a UNDP report from the previous year (GoP 1991). Similarly, a 1982 report by the US Committee for Refugees wondered, already then, if refugees would go home again (USCR 1982). Documents about the first massive repatriation drive at the beginning of the 1990s (e.g. UNHCR 1990a) presented the debate in terms that were very similar to the ones I was exposed to, in relation to the current drive.

Other issues instead presented profound discontinuities. A booklet from the Saudi Red Crescent Society (SRCS 1988) stated its support for refugees and Mujahedin over the previous ten years. Rubin (1990), in a testimony before the US Congress, stated that *we* had a moral debt to Mujahedin for their contribution to the collapse of the Soviet Union. [Thought: support and moral debt to Mujahedin?! Which ones, the same ones of today?] Yet, a few years later, Rubin (1996) was concerned with the huge number of mines laid down by both parties during (the Cold War) jihad, and by the fact that fighters had learned how to make mines and were still planting them. He also seemed concerned with the Taleban’s extreme strictures on women, which were causing suffering. Framing the debate from a peace-building perspective, he and others (Rubin et al. 2001), were later suggesting a familiar policy of “sanctions +

donors” engagement”. [Thought: What is the relation between Afghans, Afghan refugees, Mujahedin, Taleban, etc.? and Rubin?]

UNHCR (1989a) report on Afghan Refugees in Tribal Areas would illuminate me about their origins, livelihoods and relations with local residents. Farnat (1990) would help me find out a bit more of the (then) “Size and Socio-demographic Characteristics of Afghan Refugee Population in Pakistan”, and WFP (2001) would illustrate the “Profile of Newly Arrived Refugees at Shamshatoo and Akhora Khattak”. Yet, I had just visited a refugee camp with the director of DCA, the Dutch Committee for Afghanistan, and what caught my imagination was the section of the camp that had just been closed: rubble and waste all over. [Thought: Are they arriving or going?<sup>6</sup> Can I think, talk and write about Afghans as if they were a homogenous group of people?]

Furthermore, visiting that NGO, and other organisations, I was exposed to different “types” of Afghans. As recorded in my field notes<sup>7</sup>

Dr. Masuda Omar spoke good English and was very friendly, though she wanted a reference before taking me to visit “the camps”; she had been working there since 1988. Dr. Nurjahan Ahmad was silent; is it her English? Dr. Samsoor, the Director, was in Afghanistan concerned with the political situation; as he later told me, he wanted to stand for elections to the Transitional Loya Jirga, which was setting the bases for the reconstruction of the Afghan state. Mohammed Taleb, at the entrance gate, was extremely friendly and wanted to be interviewed, since everybody coming these days would ask for the director, though he also had a lot to say and wanted his name in a report. He had been working at DCA since 1999 and, previously, he was the President of (incomprehensible note) in the Ministry of Commerce in Kabul, until 1988. One of the “girls” (as I recorded them in my field notes: they were not as “important” as to grant the right of possessing a business card, though very keen to chat whenever we were alone) called me at home in Islamabad saying she wanted to meet me and that she could be

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<sup>6</sup> Cf. UNHCR 2004a

<sup>7</sup> I decided to leave four entries of my field notes in their original format to highlight, also from this perspective, changes in the way I was constructing and ordering knowledge. This and the following entry seem to “record” data as collected, while the following two seem to re-elaborate thoughts generated out of such “data collection” exercise. See Appendix, later in this chapter, vis-à-vis data collection, notes and intuitions.

my interpreter (is that “allowed”?). [Thought: Were they all the same kind of refugees? Or, maybe, were they all the same kind of humanitarian workers?]

ACBAR’s and other organisation’s reports would help me paint a picture of the genealogy and evolution of humanitarian assistance. For example, according to my notes:

After 1989 focus is on rehabilitation of Afghanistan rather than relief. Diminishing budgets. From 1992 focus is on pull factors and Afghanistan reconstruction. In 1993 USAID ceases activities, from USD 60 mil a year. NGOs numbering hundreds mushroomed in 1992/93. Focus on co-ordination: Afghan Support Group demands co-ordination of NGO activities. Principled Common Programming seen as necessary with the arrival of Taleban. Four NGOs co-ordinating bodies are functioning both as catalyst for funding and with standard setting, training and other inputs. In 1995 food distribution suspended. Assistance is only to vulnerable groups. Many refugees migrate to cities looking for jobs. No urban assistance. Since UNHCR scaled back assistance most provision of services by NGOs. Increased bilateralisation of aid and from 1994-96 most funds channelled through NGOs. “Professionalisation” of NGOs increased under pressure from Donors. Increase in gender focus since 1996. Community-based approaches a standard since 1994. Different position of successive governments vis-à-vis NGOs, especially Bhutto vs. Sharif. In 1993 and 1996 review of NGOs and new decree legislation regulating activities.

It was striking to find out, how words written in a glossy brochure seven years before could be effortlessly connected with statements I collected. “We are not involved in relief activities; we do sustainable community development”, declared Dr. Samsoor the first time I met him. James Dalton, a consultant and one of the founders of ACBAR, agreed with me that the whole assistance program extensively used and changed key buzzword to indicate shifts in the type of assistance provided. Surprised that I was more interested in finding out what had happened before 2002, as opposed to the pressing and immediate concerns with the effects of the toppling of the Taleban regime on refugees, he left me with a comforting statement: “it is good to see people thinking about these things”. [Thought: Was I on the right track, or was he just condescending?]

However, despite the internet-type (yet performed through very *material* interactions<sup>8</sup>) knowledge-hopping of that period proved extremely rewarding and intellectually stimulating, and allowed me to partially start making sense of what had happened over the years, the “picture” I was trying to form in my head completely escaped any unitary re-presentation.

At one point, I began to build a spatio-temporal grid ordering information. Spatio-temporal grids are representations of “knowledge” that are arranged in diagrammatic or tabular form (e.g. “this fact has happened there at that time”; cf. Fabian 1983: 121 and next section). Such sequential and geographically localised boxes (e.g. North West Frontier 1880s, 1940s, 1980s or Kabul, London or Moscow, in similar times) filled by a collection of events and references, however, were only creating disorder vis-à-vis my enquiry. The more I was trying to distinguish “types of events” connecting each box (e.g. Afghan regimes of rule, geopolitical context, number of registered Afghan refugees in NWFP, donors’ commitments, “local” reports, etc.), the more certain threads seem to unite such boxes, while others profoundly differentiated them internally, in whatever way I was to re-organise them. It was only when I started articulating analytical readings with research findings, when research and analysis became a unitary exercise, in other words, that I was able to find some ways out of what I perceived as a chaotic field of research.

### c) Order

“The Condition of Postmodernity” (Harvey 1990) is one of three books that profoundly shaped my thoughts during field research. The main thrust of the book is to establish analytical interdependence between cultural forms, modes of capital accumulation, and what the author defines as bouts of time-space compression in the organisation of capitalism. Three core chapters explain, according to Harvey, the condition of postmodernity: a historical (historico-geographical, as he would put it)

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<sup>8</sup> The word *material*, throughout the following pages, refers to what exists in, through and because of practices (cf. Jenkins 1992: 75). For example, in Ch. 2.2 the Durand Line’s simultaneous abstractness and materiality is discussed at length, and its materiality is defined in lieu of it being produced through practices, being experienced as real and thus generating further practices.

condition whereby Fordist modernism and flexible postmodernism are interpenetrated in capitalism as a whole. I applied several passages of that book to my daily occupations, opening up analytical lines of enquiry.

For example, the sense of confusion that I have attempted to describe above could be explained as a “*reduction of experiences to a pure and unrelated present*” (1990: 54). The enlargement in factual knowledge and the construction of a spatio-temporal grid made me alternate “*emphasis on unity or difference*” (1990: 270). In relation to unity, the “*annihilation of space through time*” (ibid) of my email exchanges exposed me to what I referred to as the “zeitgeist”, what Harvey defines as “*Public Time*”. The latter, centring around 911 and the War on Terror, was “*becoming ever more homogeneous and universal across space*” (1990: 267). Similarly, the possibility of analysing reports produced across times and places, and conversations, encounters and visits to refugee camps, allowed me to connect broader shifts within the humanitarian assistance regime, or geopolitics, and try to imagine and connect them to different “zeitgeists”, over time.

In relation to difference, as mentioned above, such processes were also increasing my realisation of distance: *between* me and them, in my encounters with Pakistanis or Afghans; *within* historical moments, in relation to the specificities of each place, person or group of individuals populating them. Similarly, the process of identification of the “*unique qualities [of place] in an increasingly homogeneous but fragmented world*” (1990: 271) implied my privileging attention to the specificities of place at any point in time over attention to commonalities across places (i.e. “*the spatialisation of time*” over “*the annihilation of space by time*” ibid). If on one side, I was “*celebrating universality and the collapse of spatial barriers*”, on the other, I was exploring “*new meanings for space and place in ways that tacitly reinforced local identity*” (1990: 273). [Intuition: Is it possible to reconcile these two dimensions?]

Other lines of enquiry sprang from randomly, but constantly, consulting “The Condition of Postmodernity” before and after my visits to Peshawar. The book seems to attribute primary Agency for change to the logic of capital accumulation. Granted, Harvey contextualises the expression of different “conditions” (e.g. feudalism, modernity, postmodernity) upon different agents. For example, avant-gardes of modernism (1990: 22); Rothko’s and Pollock’s “*conscious*” reflection of the “*impossibility to absorb and represent in any realist way*” the “*traumas of World War*

2 and the experience of Hiroshima and Nagasaki” (1990: 36); Calvino’s style of “novel writing” where “past experiences get collapsed into some overwhelming present” (1990: 291); etc.; are all described as *agents* of cultural production. Yet, each of them seems merely to reflect (perhaps refract, see later) “processes that so revolutionise the objective qualities of space and time” that force “us to alter how we represent the world to ourselves” (1990: 240, my emphasis). The postmodern condition that Harvey is describing, seems to me, is thus bestowed upon *us* by the “mirror of mirrors” (1990: 336), the *common* experience of time-space that, ultimately, is determined by the “transformative and speculative logic of capital” (1990: 343). That consideration opened up two key sets of questions: first, is there one, overarching, logic and is such logic *objective* and *commonly* experienced? Does capitalism colonise all the possibilities of time-space or are there other logics of power with which it is in productive tension? Second, who is “us”?

Aihwa Ong’s “Flexible Citizenship” (1999) and Johannes Fabian’s “Time and the Other” (1983) helped me construct some order out of the many threads I was attempting to follow, and out of the thoughts that were generated by them. Their arguments allowed me to supersede the two sets of questions generated by reading Harvey. They are briefly introduced in the remainder of this section.

Aihwa Ong attempts to bridge the “embracing and totalising view of globalisation as economic rationality bereft of human agency” and social analyses that “have turned toward studying the local”. In order to avoid a “top-down model whereby the global is macro-political and the local is situated, culturally creative and resistant”, she attempts to study the “horizontal and relational nature of contemporary economic processes [as well as their] embeddedness in differently configured regimes of power” (Ong 1999: 4). As much as Harvey, she is also concerned with culture, capital accumulation, time and space. Yet, she places human agency at the centre of the analysis, by focusing on different *rationalities* explaining human practices.

As a social scientist, I point to the economic rationality that encourages family emigration, or the political rationality that invites foreign capital, but as an anthropologist, I am primarily concerned with the cultural logics that make these actions thinkable, and desirable, which are embedded in processes of capital accumulation. Ong 1999: 5

Her attempt to link, within a unitary analytical framework, institutions of state power, capitalism and transnational networks, to forms of cultural reproduction, inventiveness and possibilities, profoundly altered my perception of encounters and readings of my field research. In particular, I could “solve” some of the “problems” highlighted above. The spatialisation of time, as much as the annihilation of space by time (see above) are not two absolute and objective dimensions, existing “out there”, but can only be grasped through human activity. In fact, “*transnational processes are [always] situated cultural practices*” (1999: 17). [Intuition: It was through *my* situated occupations as field researcher, and interested visitor, and member of a web-based network of friends, etc., that I experienced the vagaries of space and time in the context of advanced capitalism/War on Terror so vividly!]

How would others experience such context? *Me* and *them* were all living in the same “Public Time” (above), yet we were responding to different cultural logics. With my web-based network of friends, I shared class status, mobility, ideas about family and friendship, and so on. Yet, none of us lived in a completely deterritorialised world. Place is still a repository of state-based and other forms of jurisdictional and juridical regulation. With my friends in Peshawar University, I was sharing food, problems of transport, interest in International Relations and intoxicants, etc. With fellow expatriates in Islamabad, I was sharing a European passport, economic privileges, the pleasure for booze and decadent Sunday afternoons. With others I was sharing all of the above. Particular and situated “*cultural institutions, projects, regimes and markets*” produced regulatory effects shaping “*motivations, desires and struggles that [made each of us] a particular kind of subject in the world*” (1999:6). Each of these “cultural institutions” was creating different types of social formation. I was belonging to several of them and this could account, at least in part, for spatial frictions in my situated existence.

What would analogues of this be for the object of my research, ‘the afghan refugee’? Applying such intuition to my work I started, on one side, paying attention to “*structures of power –colonial rule, cultural authorities, market institutions, political agencies, translocal entities*” (1999: 22-23). For example, I would write in my notes, attempting to explain different forms of migration, the following:

An analysis, whose objective is explaining a process of change such as migration, must include economic rationalities and cultural aspects

transforming those compulsions into specific motivations and plans of actions. Thus a migratory action is influenced by class, religion, tribe and other social networks, by the idea and type of family one belongs to and wants to have, by state regulations, by the current best route for smugglers and the cost, by the “luck” of having a “facilitator” from your village that can get you a working visa in the Gulf for a small fee, by your individual perception of which place is better, which in turn is determined by exposure, education, etc., or information from any of the networks above, peers, etc.

(notes)

On the other, I started paying attention to how each individual responds to “*these structures in culturally specific ways*” (1999: 23). In other words, I attempted weaving the interconnectedness between different regulatory regimes that “*discipline, control and regulate all kinds of populations, whether in movement or in residence*” (1999: 15) with the “*logics [...] that induce subjects to respond fluidly and opportunistically to changing*” (1999: 6) conditions. For example, I would write in my notes, attempting to explain the behaviour of my partner’s friends, the following:

Newly globalised elite women in Islamabad<sup>9</sup> complexly tread a thin line between the economic-based compulsions (e.g. high salaries) producing new “models of empowered women”, and cultural pressures deriving from their role as “mothers and guardians of the household”. Decisions to work until “I get married and then I will stay home”; or families pushing their daughters to work and arranging a husband from abroad because he is more liberal in this respect; or decisions not to marry because I am working and at the same time using foreign friends to “illicitly” meet your “almost boyfriend” (who needs to get out of the car at the corner of the street); all demonstrate the complexity related to defining who we are, which are of course personal but also need to be historicised and contextualised. (notes)

The major insights gained through the application of arguments contained in “Flexible Citizenship” to my field research, thus, relates to Aihwa Ong’s use of human agency as key explanatory factor of social change. In which ways do different “logics”, as

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<sup>9</sup> With this term I referred to what I also call “non-travelled elites” of Islamabad: the emergent middle class only recently exposed to global compulsions, such as western consumerism or sexual liberation, without a history of family migration to the “West” or foreign education (like, for example, elites in Karachi).

Ong calls them, shape human behaviour? How successful are they? How are they produced and re-produced?

It is at this point (within my own trajectory of thoughts, as re-constructed in this section), that “Time and the Other” provided the second key intuition behind this work. Johannes Fabian (1983) complemented Ong’s insight by making me focus on the notion of time. Following his insights, my research process began re-arranging not only *spatial* interconnections and frictions, but also how these played out in relation to time. *Over time*, key historical moments could be distinguished (from Colonialism, to Partition, the Cold War, etc., but also, using Harvey, Fordist and Flexible Accumulation could be included), and various registers of change providing continuity to certain narratives could be identified – such as patterns of migration, of war, of assistance to refugees. *At any point in time*, the juxtaposition of such registers, and many others, each with *its own* time, yet interacting with each other, would account for the contingencies and peculiarities I was exposed to.

Johannes Fabian argues that anthropology is an allochronic science: it denies the *coeval* existence of human cultures, projecting distance between them. He argues (1983: 71) that “*productive empirical research is possible only when the researcher and the researched share Time*”: it is only by knowing each other’s past, that each other’s present can be grasped. Anthropological field research representations communicate ethnographic knowledge from a “distance”, i.e. by describing the object of research as if s/he was living in another time. Various devices projecting a temporal distance between the researcher and the researched are explained in the text (1983: 71-104). The main thrust of the argument is that through linguistic and symbolic means, field research representations of knowledge project the world as seen from the eyes of the researcher, thus denying the capacity of cultural production to the object of research. Fabian distinguishes between three different uses of time in anthropological discourse (1983: 22-25).

*Physical Time* represents an objective and neutral device representing demographic or ecological changes, or the recurrence of various social events. It embodies a chronological sequence of time, for instance as representable through carbon 14 or other methods of physical dating. It is outside the realm of cultural production. The second use of Time has two different connotations, the first of which can perhaps be associated to what was above described as *zeitgeist* or Public Time. *Mundane Time*

connotes a kind of world-wise relation to Time which, while resting on the workings of natural laws determining Physical Time, it is concerned with grand-scale periodisation. It devises ages or stages, such as Feudalism, Modernity or Post-Modernity, or the Cold War and the War on Terror. *Typological Time* refers to socio-culturally meaningful events or, more precisely, to intervals between events. It underlies classifications such as traditional/modern, peasant/industrial, or tribal/feudal, urban/rural, etc. Time in this use is divested of vectorial, physical connotations, focusing on (self-contained) systematic relations. Finally, *Intersubjective Time* focuses on the communicative nature of human action and interaction. This measure of time does not rest on the idea of Time as a measure, as in the previous two uses, but accepts it as a constitutive dimension of social reality. Interpretative methods denying such subjectivity, as most anthropological studies do according to Fabian, are “*largely meaningless representations*” (1983: 24). These distinctions proved invaluable in terms of mapping the context which I inhabited during my field research, in three ways.

First of all, they allowed me to distinguish between historical and systemic narratives (between Mundane and Typological Times, or, in other words, between approaches focusing on historical narratives or on internal systems of relations) contained in various types of documents I was consulting. This was helpful in relation to understanding and explaining certain temporal devices used in newspapers or books describing, for example, the Frontier: adjectives such the “lawless” and labels such as “tribal” (found innumerable times together: the “lawless tribal areas”) were constructing objective temporal distance between me –the researcher- and them –the researched: “*temporal distance is objectivity in the minds of many practitioners*” (1983: 30). It was also helpful in understanding how these devices are re-produced in conversational setting, with many expats in Islamabad describing their visits to Pakistani bazaars as “like being in the Middle Ages”. Furthermore, these distinctions allowed me to capture, and question, the temporality embedded in ideas projecting “*temporal distance to be filled by progressive forces*” (1983: 145). For instance policy documents that were concerned with “state- or peace-building” rest on Typological dichotomies such as conflict prone/peaceful; they attribute sets of characteristics to each member of an area or social group; they omit their insertion in other sets of relations, i.e. in wider Mundane Times. Finally, these distinctions allowed to capture

struggles of power over Mundane periodisations, for instance in relation to “phases of the Afghan conflict” (Atmar et al. 1998), or “waves of migration” (Gul Khattak 2001), which changed according to the interests and agendas of the speaker. This works in two ways: at any point in time, different periodisations of the conflict exists, depending on the set of characteristics used to define “period”. For instance, Thomas (1991) traces the origins of the Afghan conflict to the 1950s, arguing that one of the reasons for such conflict has been the external involvement of foreign donors in Afghan society, as opposed to Atmar et al. (1998) who, focusing on the conflict between Afghan factions, begin their periodisation at the end of the 1970s. Similarly, the beginning of Afghan refugee migration to Pakistan is traceable to different periods, depending on the criteria chosen (see Ch. 1.3). The second way struggles over Mundane periodisations can be captured is by looking at different “background” sections in Afghan-related project documents. While those until the end of the 1990s began and focused on the context of the Cold War, documents after 2001 focused on the Taleban regime and the effects it produced. In sum, such distinctions allowed me to render the analytical perspectives employed, or avoided, by different speakers much more intelligible, making me more easily capture their *logic* (see Ong, above).

Second, following from this, I was able to identify the existence of heterogeneous individual/social group and organisational temporal trajectories, each of which embodied competing *logics*. For example, though clearly major shifts in the way assistance was provided to Afghan refugee in Pakistan simultaneously affected all (registered) refugees and could be Mundanely periodised, the experience and effects of those changes were profoundly different in whatever way I would look at them: subjectively, at household or clan level, in relation to geographical location, etc. Accepting Time as a “*constitutive dimension of social reality*” (Fabian 1983: 24, above) implied that each family, clan or inhabitant of a refugee camp could be experiencing a different kind of social reality/could be represented following different types of periodisation. Trying to understand how the same Mundane time was heterogeneously experienced would allow me to understand how different subjects responded heterogeneously to the same logic, as well as how the same event can be associated to different logics explaining it (see Ch. 3).

Similarly, each humanitarian agency’s presence in Pakistan could be explained through very different genealogies, even if most were working in the same refugee

camp, with similar beneficiaries or types of projects, at the same time. “Emergency NGOs” arrived after 2001, coexisted with bilateral projects such as BEFARe, established in the 1990s, with INGOs that have been involved in the provision of services since the end of the 1970s, with missionary groups which had been working with Afghans since the 1960s, with various Afghan NGOs etc. Each of them possessed a “subjective” history, in relation to the causes and objectives of their assistance to Afghans, and developed its own best practices, relationships, areas of operations, sources of funding, etc. (see Ch. 4). Though operating within the same Mundane Time, they all possessed a particular subjective trajectory shaping their actions.

In other words, identifying different subjective times and recognising their own internal *logic* allowed me to more easily understand the simultaneous interplay between “cultural logics” and “fluid responses” described by Aihwa Ong. Following from this, third and most importantly, it was only when I started bringing these different possible representations of Time into the same (*Intersubjective*) analytical framework, that a clearer picture of what I wanted to do with my PhD became visible: almost all of the sudden, as it happens during “*explosive times*” (Harvey 1990: 225), I began juxtaposing, as if they were overlapping layers, different registers and logics each giving *a* sense to the same activity: refugee repatriation, food distribution, my interactions with “the field”, as described in this Chapter. The space of enquiry that emerged out of my field research / that I want to fill with this work consists in tracing multiple and simultaneous logics explaining, justifying and concretely shaping human activity; and studying their contingent, indeterminate, situational interplay.

#### d) The Question

The key research question postulated in my MPhil application—who is a refugee?— is pretty much the only thing that has remained unchanged since then. At the time, I primarily associated such question to the actually existing international law definition, and how that played out vis-à-vis different types of migrants. The distinction between refugee and Internally Displaced Person premised on the act of crossing a border, as much as dichotomies between relief and development, seemed arbitrary and thus in

need of critical analysis. Such approach was responding both to personal moral concerns towards the exclusion from protection of categories of migrants which could fit in the spirit of the 1951 UN Convention defining who a refugee is, and to the critically engaged analytical approach towards policy-making that stemmed out of my MSc studies. The *refugee problem* existed a priori and was not a central feature in my research plans. Taking the refugee problem for granted, in other words, implied that “the problem” was one of policy-making, of normative prescriptions vis-à-vis an already existing system of thought; the system of thought that had accompanied me for the previous thirty years. As mentioned at the beginning of this Prologue, the certainties of that world were shattered during field research, and I now conceive the key research question of this Thesis in the following manner.

***Who is a refugee?*** The concern with fixing, demarcating, separating goes at the heart of social sciences, something that Law and Urry (2004) argue is in need of profound revision. This is so, they argue, partly because social reality has changed, in the context of “*so-called globalization*”, with increased connectivity undermining territorially bounded analyses; and partly because “*the understanding and character*” of social investigation has also changed. “*Methods are never innocent and in some measure they enact whatever it is they describe into reality*” (2004: 403). Furthermore, if methods are not innocent, then they are political,

they help to make realities. But the question is: which realities? Which do we want to help to make more real, and which less real? How do we want to interfere (because interfere we will, one way or another)? [...] Method needs to be sensitive to the complex and the elusive. It needs to be more mobile. It needs to find ways of knowing the slipperiness of “units that are not” as they move in and beyond old categories. Law and Urry 2004: 404

Answering the question “who is a refugee?” privileging one or another methodological framework -one or another *logic*, as they were called above- thus, has analytical as well as political consequences: it is part of the process of *constituting* refugees in their actualities. For this reason, the following chapters adopt an “ontologically agnostic” approach to answer such question –in essence, an approach that recognises the polysemic character of the term “refugee”, and that, granting equal analytical recognition to such meanings, studies their material interactions. Such

approach, introduced in the remainder of this section, and used as an analytical perspective in the following chapters, will be formalised into a relational and multiperspectival framework, in Conclusions.

Reasons for such methodological choice can be seen as developed in response to issues raised by Law and Urry. The type of analysis performed in the following pages, however, did not stem from the conviction that “we” (social scientist? Holders of privileged passports? Educated elites? All of the above?) need to make *some* realities more or less real. It is rather the result of my practical effort to *recognise* Afghan refugees in Pakistan (i.e. trying to identify either those who had a claim to refugeeness, or those whose claim had actually been accepted), so that I could research “them”. To be faithful to the process that led to the development of this thesis, and because this approach in itself is an inevitable “interference in reality”, I will explain reasons for such choice from the perspective of my field research enquiries.

At the beginning of my field research, in fact, it was extremely difficult to distinguish (to recognise\*) an Afghan national from a Pakistani one, let alone an “Afghan Refugee” from a “non-registered foreigner of Afghan nationality”. Historical and contemporary cross-border social continuities meant that I could note and define more similarities among members of the same social class, religious inclination, gender or profession, than among those with the same nationality or legal status. Territorially, though areas with concentration of Afghans were pointed to me, or could be recognised by *hotel*<sup>10</sup> names and menus, the majority of such settlements, be they low or high income, would normally host people from both sides of the Durand Line.

Second, attempting to identify (to recognise\*\*) refugees on the basis of law proved equally difficult. No law ever sanctioned Afghans’ status in Pakistan, leaving their rights subject to the kind of discussions that I illustrated earlier in this Prologue, and that will be developed in detail later in the text. Furthermore, third, refugees’ claims themselves, i.e. claims to *refugeeness* and/or to asylum that needs to be recognised, followed multiple registers that were not exclusively reducible to a legal perspective. Cross-border social continuities, religious beliefs and tribal practices, decisively - though not exclusively- affected patterns of migration to Pakistan, as well as

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<sup>10</sup> Restaurant.

humanitarian responses. Also from this perspective recognising\*\*\* refugees appeared an arduous task, given the concrete *interplay* between such continuities and legal conceptualisation of refugee migration. How to study such complex reality?

The three types of recognition highlighted above with a series of asterisks correspond to different analytical perspectives (different *logics*, as they were called above). The statement “X is a refugee” (i.e. what would be the answer to the central research question of this thesis) may in fact have three different connotations, depending on the position of the speaker (myself, in this text) vis-à-vis the criteria used to formulate such judgement. This is better spelt out using Finnis, who distinguishes between three types of statements, “*linguistic complications which, when not clearly understood, cause serious confusion between “positivists” and “natural law theorists”, in jurisprudence*” (1990: 177)<sup>11</sup>.

In what Finnis defines as “S<sub>1</sub> statements”, the speaker accepts, indeed believes, that X is a refugee because of the speaker’s personal beliefs. The type of recognition marked by \*, earlier, exemplifies my search for a criteria defining who is a refugee that I myself believed in and accepted as true or appropriate for defining refugees. From the perspective of personal beliefs the question “who is a refugee” relates to the a priori decision as to “who *should* be considered a refugee”. Due to its ethical/moral connotations, this question is not explored here: who should be considered a refugee is dependent on personal convictions about human dignity, solidarity, and forms of social organisation that transcend the analytical scope of a PhD thesis<sup>12</sup>.

However, despite this work’s agnosticism towards the latter convictions, the existence of different ordered systems of thought defining who is a refugee (and their material

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<sup>11</sup> Finnis develops his arguments in relation to the statement “X has authority”. I have adapted his line of reasoning to the process that led me to the type of ontological agnosticism developed here. The following paragraphs are thus an interpretation and adaptation of Finnis 1990: 177-180.

<sup>12</sup> Furthermore, once assessed in their material implications (as this work attempts to do throughout), the question who should be a refugee would (practically) intersect debates about changes in the 1951 UN Convention definition, or about the effective interpretation and implementation of such definition in particular situations, or about the interpretation and temporal meaning of religious injunctions spelling the moral duties towards people in exile from a religious perspective, etc. Being such debates *performative* (Law and Urry 2004), entering such debates as a Western-educated male white mobile rich (and hopeful) scholar might imply the reinforcement of overarching structural patterns of power. Such possibility is one more reason behind the ontologically agnostic approach deployed here.

implications) needs to be acknowledged. Finnis defines “S<sub>2</sub> statements” as those referring to situations when the speaker acknowledges the existence of a criterion for defining who is a refugee, which he himself does not necessarily consider as authoritative, true, or appropriate. The recognition marked as \*\* above referred to my acceptance, for analytical purposes, of the GoP’s or UNHCR’s authority (as opposed to legitimacy vis-à-vis, and recognition by, its beneficiaries, or my evaluative judgement, S<sub>1</sub>) to define a refugee, even in absence of my agreement with the criteria employed by them to reach such conclusion (or their changes over time). Such type of perspective could also have applied to my acceptance of a tribal leader’s decision to consider Afghans arriving in *his* village as mohajers<sup>13</sup>. S<sub>2</sub> statements, in other words, accept as “*exclusionary*” (Raz in Finnis 1990: 176) somebody’s authority to recognise refugees: even if I am not sure who should be a refugee, since the GoP recognises X as a refugee, then X *is* a refugee. This is the perspective employed, for instance, in most project evaluations, which take for granted a pre-ordinate set of beneficiaries and objectives, developing policy recommendations from that perspective.

The perspective employed in S<sub>3</sub> statements and indeed throughout this work, marked by \*\*\* above, refers to the realisation that different criteria to assert “X is a refugee” exist, neither recognising their legitimacy (S<sub>1</sub>), nor necessarily implying that either of such criteria *effectively* makes X a refugee (S<sub>2</sub>), but rather as a way of stating what is the case from the viewpoint of someone or some authoritative organisation. S<sub>3</sub> statements assert that “*there is good reason to*” consider X a refugee “*on the basis of certain rules [...], but without affirming or denying that that viewpoint is reasonable or correct or that those rules do provide good reasons for [considering X a refugee]*” (1990: 180). An S<sub>3</sub> perspective maintains itself *agnostic* vis-à-vis different *logics* defining “who is a refugee”.

The use of an S<sub>3</sub> perspective is particularly useful when attempting to *analyse* who is a refugee in Pakistan (as opposed to *judge* who should be, S<sub>1</sub>, or to accept as *exclusionary* somebody’s authority to define one, S<sub>2</sub>). On one side, such approach allows isolating, for analytical purposes, particular perspectives, each implicating and entangling the term “refugee” with different meanings and types of recognition (see

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<sup>13</sup> Mohajer is the Urdu term, derived from Arabic, used to define what in English language are called refugees, though the two terms do not coincide in their meaning as discussed later.

Ch. 1.2). On the other, it allows studying interactions and frictions between such meanings, and their implications in different times and places (see Ch. 1.3 and 1.4). Furthermore, such type of statements can also be applied to individual experiences and judgements, recognising the existence of subjective beliefs and perceptions and their role in the production of such meanings. For *analytical* purposes, “who is an Afghan refugee in Pakistan” can only be answered by recognising the existence of differently shaped forms of authority and social organisation, each with its own conceptualisation of human dignity and solidarity, negotiating the *meaning* of the term Afghan refugee in Pakistan.

Next chapter will revisit these terms, using and expanding governmentality approaches for the study of the refugee regime. The following three chapters will study three key institutions defining who is a refugee in Pakistan -namely, the Pak-Afghan border, refugee’s legal status (and its implications), Afghan NGOs as providers of assistance activities- progressively deepening the understanding of the ontologically agnostic approach sketched here. This approach will be formalised as a methodological framework in Conclusions.

## e) Appendix – Data Collection

There are four kinds of data in this work:

First, documents directly related to Afghan refugees in Pakistan, their protection and assistance, collected in Peshawar and Islamabad. These were gathered primarily through three avenues. The most important is by consulting ARIC's library, a research centre attached to ACBAR, one of four Coordinating Bodies of ANGOs (see Ch. 4). ARIC have attempted to collect all documents related to Afghan refugees and Afghanistan published or written by humanitarian agencies, academic journals, and the like. It has a wealth of documents, books, and various research pieces that would otherwise be very difficult to obtain. The possibility of searching material by subject, or by publisher, was invaluable while attempting to make sense of changes that have occurred over the decades and, at a later stage, when I wanted to deepen my understanding of particular subject areas. The UN Library in Islamabad is a second source for this kind of materials, though its collection was only partially related to my subject of enquiry. Various NGOs that I visited, finally, provided me their own project and research documents.

Second, notes obtained during my visits to NGOs in Peshawar. I visited a total of 20 Afghan NGOs (ANGOs), 11 International NGOs (INGOs), 10 Pakistani NGOs, the UNHCR Office in Peshawar, the WFP Offices in Islamabad and Peshawar, the Commissionerate for Afghan Refugees (CAR), all working with Afghan refugees. Some of these were only visited once; for others, I returned several times to interview different people within the organisation, or simply to spend more time with people I had already encountered. I also visited, with specific reference to the object of my research, University of Peshawar (Faculties of International Relations and Law), Qaid-i-Azam University (Faculty of International Relations, Pakistan Institute of Development Economics) in Islamabad, and IQRA University in Peshawar. I have notes of encounters with three student/job consultancy firms and people met at a student fair in Peshawar; three journalists; three international consultants. I visited three Afghan families in Gul Bahar, Peshawar; met Afghan workers in a shoe factory in Rawalpindi and discussed the factory's activities and use of "labour" with the son of the owner, interviewed several people at ten different carpet shops in Peshawar; spoke to Afghans in Islamabad, sector I9 settlement, following a visit to the UNHCR

Repatriation Centre there. I prepared a questionnaire enquiring about provenience, length of stay in Pakistan, place of residence (RV or outside), family's occupation, etc., which I submitted to students of two journalism schools run by NGOs in Peshawar and to Afghan staff of humanitarian agencies. I have about 30 compiled questionnaires for the former and about 8 for the latter category. I also worked for 3 months for an ANGO, as an "Office Assistance". As part of this, I participated to a RV-schooling-project monitoring visit (see later), contributed to a feasibility study for a poultry farming project outside Peshawar, compiled the ANGO Annual Report and the blurb to be inserted in one of the Coordinating Bodies Directories, assisted in the preparation of project proposals for Afghan projects, and contributed to the opening of their IT school project, where I met and talked to about thirty Afghan students. I also spent a week in Afghanistan, with the Director: we submitted project proposals to two Embassies and one INGO in Kabul, the Commander of the US Marines Provincial Reconstruction Team in Gardaiz and the Governor of Paktia; we assisted to a reception organised by the Afghan American Chamber of Commerce (which was preceded by two private meetings between various businessman and other individuals that I could not identify that, as far as I could understand, was preparing a common position vis-à-vis the opportunities offered by OPIC, a USAID funding Agency). During that week, I also met several INGO staff, businessman of various nationalities, Italian soldiers, and attended two weddings.

I identified NGOs above in different ways. Primarily, I used a list available at ARIC, which provided their addresses, telephone numbers and (often outdated) contact names; other names were obtained through a list provided by ANCB, another NGO Coordinating Body; others were simply suggested to me during my visits. I had different ways of getting in contact with them. For ANGOs, after printing business card stating that I was a "PhD research student at SOAS" I would, in most cases, just show up at their door, hoping to be able to meet someone. I always met "someone" though in many cases not people that would be able to answer to my questions. This was for two reasons: in the period 2002-2003, most of the Directors were constantly travelling back and forth between Pakistan and Afghanistan, and in many cases other staff would prefer not to answer my questions without approval from their boss (see later); in the period 2003-2004 most staff was in Afghanistan, since the majority of ANGOs had relocated their headquarters and operations there. In Pakistan there were

still offices, though usually their staff was limited to Liaison Officers and Banking administrators (since most received their funding in Pakistan, given the inadequacy of Afghanistan's banking system at that time). Furthermore, staff was primarily of Pakistan nationality since a newly introduced regulation stated that each NGO operating in Pakistan would have to employ an x percentage of people of Pakistani nationality.

"Showing up" was much more successful than trying to arrange an appointment, since when I tried to do so, I would receive an answer of the type "when you are in Peshawar/free/around here just call us to see if there is someone who can talk to you". For INGOs, I would adopt the same strategy, or I would try to obtain an appointment either by showing up at their door or by trying (mostly unsuccessfully) to arrange one by phone. The same goes for UN offices and the CAR. Not being able to talk to the director or to staff willing to answer questions about their work does not mean that such visits were void of value. Quite the contrary, I was able to acquaint myself with the type of people working in such organisations, which was similar (mostly educated, able to speak in English, at ease with foreigners), but also different (I could find ethnic, religious or geographical patterns "internal" to each organisation, in most cases). Furthermore, I was able to discuss other issues that came to be quite useful for the development of the following chapters, ranging from (alleged) patterns of drug smuggling, to (alleged) accusation of embezzlement, to the (alleged) presence of US Army officials or what were referred to as "spies" in UN Agencies and other NGOs.

I approached these encounters, at least the vast majority of them, without a clear research agenda. Partly because of the absence of time constraints, partly because of the nature of the key research question of my work, I did not have a clear structure for my interviews; in fact, I would define these visits as semi-structured encounters. Finding out "who is a refugee" implied that I was interested in issues ranging from local governance institutions, the Cold War period, or smuggling, to global best practices for humanitarian assistance in refugee camps, measurement of empowerment techniques, evaluation of educational projects, etc. I had four broad areas of enquiry, which I would deploy depending on the initial exchanges with my interlocutors: relations of authority between different actors of the humanitarian regime, patterns of cross-border movement, changing narratives and priorities of

protection and assistance, ethnographic understanding of people populating the regime.

In most cases I did not take any notes during the interview. This was partly due to the “sensitive” context in which I was mining data (see later), partly because it seemed to me that this led to much more spontaneous conversations. Without generalising, it is possible to identify “typical” patterns of interaction. With Afghan and Pakistani staff the first meeting, usually involving tea and sweets, revolved around personal introductory questions, general opinions about the current state of affairs (Operation Enduring Freedom, refugees’ expected repatriation, Afghan “politics”), my research interests (broad topics, what am I trying to demonstrate, why are you looking at these things) and personal life (wife, children, religion). I was, in most cases, the object of knowledge of my object of knowledge, and this proved invaluable in terms of understanding what was of concern to them, from *their* perspective. After such initial encounters, another meeting where I could formulate more precise questions was arranged, or wished for, for a later date (in many cases, I understood this as a technique of my interlocutors to avoid a proper interview, never making themselves available for a second visit). This was not the case with Pakistani or Afghan staff working for the UN or the CAR, which condensed such introductory discussion to the first 15-20 minutes. With foreign staff, this was dispensed in 5 minutes and they (mostly) were expecting me to have a full series of questions ready for them to answer<sup>14</sup>.

I did manage, however, to take several notes. These would be of three types: notes that I took at the end of the day or upon my return to Islamabad, which were primarily for me and containing my impressions, issues that caught my attention or that needed further enquiries (see examples in the Prologue); notes that I took just after these visits, which reconstructed topics treated, statements, and opinions of my interlocutors; notes that were taken during the interview itself. Most of my visits obtained with appointment belong to this last category; they refer to accounts of particular events (for instance, I visited 3 times the WFP office in Peshawar to obtain a full account of how food distributions had been organised over the decades, or my

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<sup>14</sup> I cannot stress enough how these generalisations are made for the purposes of a PhD “data collection” section, but if thought in their actual materialisation would require an infinite number of pages describing exceptions, provisos, nuances.

two visits to Save the Children - Sweden about educational projects), to accounts of particular histories (for instance my interviews with carpet traders or with NGO staff about their migration to Pakistan), to large NGOs operations (for instance, I had five different interviews with all managers of GTZ, ranging from project development officers to financial and information systems' staff). These visits mostly refer to the last few months of my stay, when I had a clearer idea about specific issues I wanted to enquire about. This last type of notes will, seldom, be presented in the text and referred to as "notes"<sup>15</sup>.

The third type of data refers to secondary material obtained in different research centres, libraries and bookshops in Islamabad and Peshawar (and upon my return, in SOAS). This material was extremely useful at the beginning of my research to acquaint myself with the broader (social and historical) context where processes of social change I was attempting to make sense of were taking place. Some related to the "political" or "developmental" or "social" history of Pakistan and Afghanistan; others to the history of the Durand Line; others to the Cold War years from the perspective of the Soviet Union (i.e. Soviet books published in English).

The fourth and final type of data refers to what have been earlier described as "intuitions". These intuitions stem from two types of processes. One was described in the Prologue: the application of unrelated social science material to my daily pre-occupations. Together with exchanges via email or in my visits to SOAS with my research supervisor, these are perhaps the greatest source of inspiration behind this work<sup>16</sup>. The second type of intuition stems from non-structured encounters with a wide variety of individuals: in Peshawar, non-operational NGO staff, operational NGO staff who did not want to talk about operations, Pakistani NGOs staff not working with Afghan refugees, Afghan workers in restaurants and guesthouses, Job consultants arranging student- and working visas for Europe and the US, Peshawar University students and lecturers, rickshaw-wallas<sup>17</sup>, barbers, etc.; in Islamabad, Diplomatic missions staff, UNDP, UNESCO and other UN Agencies staff, US

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<sup>15</sup> It is interesting to note that several of these interviews and their content do not actually feature in the following pages.

<sup>16</sup> Subir Sinha's relentless and joyful intellectual curiosity, engagement and commitment, is an invaluable and omnipresent component of this work.

<sup>17</sup> Those who operate a rickshaw, in this case.

Marines from Ohio enjoying their R&R (Rest and Recreation) breaks; Danish Red Cross pilots operating what was (until 2003) the only flight between Islamabad and Kabul, etc. These encounters clearly have no direct relevance to “data” presented in this work, in the sense that none of them directly worked with Afghan refugees, yet they were all there in relation to either “development” interventions in Pakistan, or the military/humanitarian operations in Afghanistan. These encounters were extremely useful in internalising the notion of *coevalness* (see above and next chapter).

Two examples of how such intuitions worked towards the formulation of this thesis are presented in support of this point. The first one refers to my application of the notion of time-space compression, as presented by Harvey, to my weekly travel to Peshawar<sup>18</sup>. Harvey defines time-space compression as the shrinking of time horizons both in decision-making and in the implementation of those decisions, facilitated by satellite communication, declining transport costs (1990: 147); yet he defines such compression in geographical terms, as the demolition of geographical barriers. Is it only geographically that such compression can be experienced?

(Some) Sunday afternoons would typically involve a visit to the Norwegian Embassy’s pool, where newspapers were read accompanied by beers or G&Ts and food (including imported pork sausages). Discussions would range from the current security threats to the latest shop opened in Islamabad to the latest (non-copyright paid) film available. In fact, I would at times provoke Embassy’s officials into talking about the latest film or software available in most shops and then asking them for their opinion about copyright enforcement in Pakistan. Dinner was often at the French Club (about 2000 Pak Rupees) where only foreigners could go, or at the Thai restaurant in the Marriot, where everybody could go (so long as they could afford the average 500 Rupees) but where they did not serve alcohol (though you could bring your own, which would then be wrapped in copious napkins). I would wake up the following morning at 6 am and catch a taxi on the street to take me to the bus station (about 3 km, about 50 Rupees). I would then have a choice of a coaster (80 Rupees) or a Toyota Hiace (60 Rupees) taking me to Peshawar’s bus station (about 100 km). The former would be used by businessmen, civil servants, and some women, provided

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<sup>18</sup> The months I worked for an ANGO, in fact, I would leave Islamabad early in the morning in order to reach my office by 9 am on Monday.

they could sit next to the driver; the latter, by the same group of people (excluding women) and workers. The travel, along the Grand Trunk Road, would take me through sites where Hindu and Bhuddist temples (and Christian missionaries) could be found (Taxila), through places of annual Sikh pilgrimage (Hasan Abdal), through sites of (permanent) settlement of nomadic populations, through Afghan refugee camps and annexed brick kiln factories. Once in Peshawar, I would then try to jump on a bus (populated by workers, students, people with low level office jobs earning about 3000 Rupees a month) to reach Hayatabad (about 5 km, 3 Rupees), where practically only Afghans worked and lived. In the space of less than 24 hours and within a distance of about 150 km I was able to travel across the most disparate social domains. Are these worlds apart? Aren't these, *rather*, part of the same world, in fact of the same geographical areas, of the same state, of the same economy?

Similarly, a visit to a small town, Prettiwala, at the border between Punjab, NWFP and Sindh provided a different take on the notion of coevalness. If my social mobility along the GT Road is behind the intuition that different social spaces simultaneously encompass the same geographical place (see Ch. 1.4 and Ch. 5), visiting Prettiwala suggested me that I could not explain what is happening in any place other than by reference to what is happening elsewhere (see Ch. 1.4 and Ch. 5). I went to Prettiwala, in my capacity as an official UN spouse, for a "monitoring visit" to a Pakistani NGO run by a person from Multan, who was receiving funds from GEF (the UN Global Environmental Fund) run by the Small Grants Unit of UNDP. He attended a Master in SOAS, more than a decade earlier, with a dissertation on the Siraiki language, and was a friend from University times in Multan of one of the managers of the Unit, when they were both involved in student protests. He was running a seed conservation project ("isn't it funny that a progressive person like me is involved in conservation?" was his comment in this respect). The town is along the Indus Highway, a road that has been under extensive upgrading over the last few years, in preparation for the upgrade of Gwadar port. Both upgrades have received funding from the Chinese Government, eager to establish an easy route to the Arabian Sea for its goods. The Highway runs in most part in parallel to the Indus, and in large parts in parallel to the Chashma Right Bank Canal (CRBC), one of the many irrigation infrastructural projects dispersed across Pakistan. The establishment of the CRBC is opposed by many "grassroots" activists who claim that the project produced displacement and

caused “alteration to natural water cycles”. Certainly, it produced changes: the NGO Director took us to several locations where immediate effects could readily be seen. The CRBC in fact interrupted the natural drainage system of seasonal rivers flowing into the Indus. In certain tracts of land this implied that once a year land was flooded, which altered the type of crop grown. In other cases, this resulted in uncultivable land. At night, the Director talked about a “map” belonging to his family, that he didn't want to show us, which represented the Indus River and sanctioned a complex system of roles and duties attributed to different villages for the maintenance of various (pre-existing) irrigation canals. He also introduced us to different people. One was a Head Teacher from what he called the “Tribal Areas”. He defined himself as Afghan, though living in Pakistan since the establishment of the border, and talked about cross-border migration. He sketched a map of the areas adjacent to the Durand Line where he identified the five main crossing routes, and indicated at least other five “which are not usually talked about”. We were also introduced to three relatively young girls working for the NGO, whom I did not meet in person, because ‘it was not proper’. They were educated to university level (I believe) and got involved in the NGOs work because one of the few jobs for educated women available in the area and only after a long work of persuasion by the Director to convince their parents to let them do so. When my partner asked them “what can *I* do for *you*” (demonstrating genuine goodwill and empathy, and at the same time embarrassment for the massive “unfairness” of their respective situation, an attitude that I quite often found amongst expat workers), the reply was “arrange us educated husbands”, ineluctably away from any possibility of concrete action. While the “monitoring” visit limited itself to verifying financial and reporting accounts, as well as formal mechanisms of feedback, I was left wondering: how to describe Prettiwala? What is local and what is global in Prettiwala? Rather, how to talk about the co-determination between the “global” and the “local”? Similarly, what is structural and what is subjective in the account provided? How to account for the existence of “secret” maps and the remoteness “data” kept out of the purview of the “researcher”? More in general, what is the most appropriate context for the analysis of *a* situation?

The point I have been trying to make with these two examples is the following. Though from an “orthodox data collection” point of view these examples do not amount to data (they are randomly selected, they have not been double checked

relying on one source at the time, they are not related to Afghan refugees, I don't even have the names of people I referred to or the date in which I met them, etc.) their value vis-à-vis my understanding of the context in which Afghan refugee migration, protection and assistance takes place, and consequently on the way knowledge is produced by this work, is invaluable on three counts.

First, they allowed me to better conceptualise direct interactions with my “object” of study, to imagine possible lines of enquiry, to perceive behavioural nuances in my interlocutors, to be aware of their possible social background as well as their possible daily pre-occupations, to understand the quality of their statements, without looking or feeling as somebody being catapulted there for a brief period. I was astonished about the candour with which a Danish INGO Office Manager admitted that before arriving in Pakistan in 2002 he knew next to nothing about the Taleban, or by the recognition of several humanitarian foreign workers that when they finally managed “to understand something” of Peshawar and Afghan refugees, usually after two years of being there given their 12 to 14-hours-long workdays, they were often catapulted into another emergency, in different parts of the world. Knowledge production, as much as humanitarian assistance, is *not* a technical exercise, and I claim the recognition of such intuitions as “data”. In fact, the central argument of this thesis (see Ch. 1.4 and Ch. 5) is premised on intuitions derived from these two examples.

Second, researching a sensitive topic (see later) implies that information available is scarce, selective/selected, and explainable through different registers. My extensive study of the wider context in which processes under study take place implies that certain connections, causalities, and relationalities can only be gauged through such “intuitions”. The field is not as a place from which to mine data, but rather is a *point of contact* (see definition of “the refugee” in Ch. 5) between “researcher” and “researched”. This brings me to the third point.

Time plays a central role in this work, and is central towards my claim that intuitions are valuable sources of knowledge. Admittedly due to (structural) privileges allowing me to carry my field research for a prolonged period of time (namely, the possibility of self-funding it, my conditions as a UN spouse and the benefits derived from it, particularly in relation to Entry Visas, the absence of other personal commitments) implied, on one side, that I was able to establish a series of relations with different individuals, allowing me to see their changing attitude towards me. People whom I

met for the first time while trying to sell *me*, “a white man in Pakistan”, Afghan knives or hashish actually became acquaintances with which *I* (“Paolo”) shared discussions, opinions and in some cases affection. Sharing of time<sup>19</sup> was the only thing I could offer to somewhat balance the privileges of my condition and the imbalance between “researcher” and “researched”. It was something that also set me apart from most other people like “*me*” and that I believed was very much appreciated, improving the quality of all encounters behind this work. On the other side, my prolonged stay in Pakistan, and my personal relations to several people (especially my friends at Darul Shefa, the ANGO where I worked) made me realise (through intuitions) that researcher and researched, me and them, were not different people living in different times, but actually profoundly different people living within the same historical moments and very much integrated by a series of structural economic, legal, sexual, political inequalities. It is such inequalities that I attempt to expose with the following pages.

A series of remarks conclude this Appendix.

Security. The term “sensitive” did not feature in my vocabulary before field research. I was immediately and very directly exposed to its meaning. After having to come to terms with the fact that, almost any foreigner staying in Peshawar during those times was checked by several people for different purposes (the CID officer would come every morning to the guest house and enquire about guests; the guest house manager would know what most of the people staying there would do during the day –as I realised when he was talking to me about other guests; the taxi-wallas in Saddar, so I was told by several people, would report foreigners’ movements; my ANGO’s colleagues always knew when I was in Peshawar without me going there to say hello; a person from Malakand sent me a gift by mail without me having given him my address; etc.), I had to come to terms with the sensitivity of the object of my research. Enquiring about the border (at a time when some discussions revolved around the claim that the Durand Agreement signed between British India and the Amir of

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<sup>19</sup> And space, though in this respect these imbalances were maintained by my simultaneous living an expat life in Islamabad, and my possibility to leave it all and return to my privileges, at any moment.

Afghanistan expires 100 years after its signing), about cross-border movement (and consequently drugs- and other commodities smuggling routes), about refugee numbers (and allegation that they have always been inflated), about support to Mujahedin groups (and thus as much about allegedly CIA-based opium smuggling to finance arms during the Cold War, as about the recent change of allegiances between these two types of armed organisations), and similar topics was clearly sensitive, even if I wasn't so much interested in the allegations as such, but their relations with Afghan refugee movement, protection and assistance. At the time, this provoked some hysterical moments on my part. I mention four examples of things that “freaked me out”.

A minor incident, perhaps just a coincidence, relates to the disappearance for a few weeks of a notebook from my bag –left in the guest house- which later reappeared in a shelf of the same guest house. A second episode relates to the Pakistani manager of an Arab NGO who called my house in Islamabad (the telephone number was in my business card) to enquire, in my absence, where did I go, which car I was travelling in, who was I with. The third relates to my encounter with a person, who I thought was working for the NGO I was visiting, but actually he wasn't (I am not sure about his occupation). He was very friendly from the first moment I set foot in the NGO office, in one of my appointment-based visits, and invited me for an excellent BBQ dinner. At the end of our conversation he stated “no wonder our agencies have an interest on you”. The fourth episode relates to my brief visit to Kabul, where somebody I knew from London who was working there, invited me for a beer and asked me if I was staying in the house with the green door in front of the mosque in such and such road, without me having told this to him.

I do not know the reasons for these episodes, in fact, I do not even know if they are true or the product of my imagination. The point I am making is that I often felt I should have chosen a different type of research, perhaps more along the lines of the monitoring visit described above. I didn't do so, but as a product of my hysterical reactions, my data collection exercise implied that: I never wrote down names of people I was talking to; I never wrote certain intuitions I had during my meetings, nor certain statements of my interlocutors; I never stayed in Peshawar for more than two weeks at the time, which was on one side very inefficient, on the other quite

disruptive, since the situation there was constantly changing<sup>20</sup>; etc. It also shows the nestedness of the ‘research field’ within much more determining fields of power (see also Ch. 5 for a formalisation of the notion of nestedness).

Though clearly these are severe limitations in my data collection exercise (I have several interesting statements, which I cannot use because no date, time or name are recorded), and I attribute them to myself more than to any effective personal security issue, I believe that the core argument presented here does not suffer much from them. I do not offer any normative proposition based on the “evidence” collected, nor I claim any statistical relevance to the statements or data presented. Its argument is conceptual, rather than data-based. At the same time, I recognise that the development of the three core chapters could have benefited from a more systematic exercise.

*Gatekeepers.* Strictly related to issue above, the use of gatekeepers, or rather their avoidance, is perhaps another constraint (merit?) of this work. I decided not to take advantage of anybody in order to acquire information or to reach potential sources of data. This is for three reasons. First, above-mentioned privileges meant that I could draw on my monetary and social “capital” to access places and people. I refused to do so, preferring a 200 Rupees a day-budget (of which 120 were spent for the guesthouse charpoi) and a “showing up at the door” approach, at least for my Peshawar-based interactions. Though admittedly this sounds hypocritical, I felt more comfortable with this way of working, rather than relying on UNDP-, Islamabad-, or research-based “connections”, or money, for access. Offers of the following kind “what quotations do you need, I can get them for you” or “I can take you to refugee camps for some money” surely would have allowed me to present interesting “primary” data, but of what value and at what price?

Second, what I perceived as the social compartmentalisation which most of the people I talked to experienced, meant that access to places or people through gatekeepers, or for that matter the use of “snowballing techniques” would have allowed me to more

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<sup>20</sup> That is in fact another intuition: I remember asking to a friend working for an ANGO why would he live in a village one hour from Peshawar and endure the commute every day, if he could afford a room in the city. His answer was: because if I don't live in the village I don't know what is going on, what people say and think, and so I am exposed.

easily access particular social groups, thus being able to provide (perhaps) useful “primary” data of that particular group. However, I was, and the following pages are, much more interested in bringing to the fore the diversity of social conditions co-present in the field. I thus never *exclusively* associated myself with anyone in particular, for instance an interpreter, asserting my right to maintain relations with a wide variety of people, even if they felt uncomfortable with my multiple acquaintances. This is also an ethical issue. Social mobility implied that I was exposed to people with very different ideas about rights and wrongs; while respectful and interested in their perspective, I always asserted and made clear my opinions, even if they were radically different (this was the case with anybody from Embassy’s policemen to Taleban-type-of-social-order supporters).

Third, when I did use gatekeepers, I confirmed my scepticism. I visited four refugee camps, and given the requirement for an authorisation I always used gatekeepers to access them. The first time, I went with the Director of one ANGO to accompany a social animator to a biweekly visit. The meeting was arranged in advance and we left in the morning in their Suzuki van. We got to the camp and I was taken around, in the van, with extreme attention devoted to pointing to me all the signs of humanitarian agencies projects: next to a bakery, to a school, to a basic health unit. This was complemented by a brief explanation of what the projects involved (not surprisingly, the construction of an oven, the provision of educational and health services, respectively). We then left the social animators in front of a door, and the Director asked the driver to move under the shade of one of the few trees around. We stayed there, without leaving the van, for about an hour, during which time we discussed the current situation in Afghanistan, his involvement in the Transitional Loya Jirga processes and his views about the future of Afghanistan. The second time, I participated in a monthly monitoring visit to a girls’ primary school with staff of one ANGO. Here, other than visiting the school and being able to speak to the teacher (who in fact was much more concerned with the message that the visit had brought, i.e. that funding was about to be interrupted), the visit was much more illuminating. Other than some excellent conversations about attitudes towards women with the ANGO’s staff during the long journey, I realised how the Director, who was absent, was in fact from the same area in Afghanistan (if not the same town) of most of the refugees residing the catchments areas of the school in the camp (whose schooling

were otherwise overwhelmingly, if not entirely, provided by BEFARe, a bilateral educational project between the German aid agency and the CAR). The third visit was through the CAR itself, the only body who could have granted me permission to visit camps. In this visit, arranged after having arranged a meeting with the Project Director, Social Services Cell, through a Norwegian Refugee Council staff, and after about an hour vetting in his office where different people came in and made me different types of questions about my research, my opinions about Operation Enduring Freedom and about refugees' repatriation), the type of knowledge acquired was quite different. We first went to the Camp Administration Office, the gatekeepers of the camp itself, though absent in my previous visits. Here, I was informed about the official resident population and their categorisation by gender and age (no mention of their geographical or ethnic origins), the number and types of projects, the last survey about repatriation intentions stating that all wanted to leave provided the right conditions. We then went to a school, where I was introduced to a class of boys ranging from 6 to 16 years old, some with a uniform, some without. I was "forced" to ask them questions in front of their teachers, the CAR official accompanying me and other individuals. My questions related initially to the curriculum (What are you studying here?), and after one full minute of silence the eldest boy said something like History and Mathematics. Then I asked what their plans were for the future. Several hands raised; they all had a similar answer: I want to become this or that professional and go back to my country. After visiting other buildings, we left and the CAR official asked me if he could stop for a moment somewhere. We entered a little village along the GT Road and while I was offered tea, two men started loading the truck we were travelling in with some boxes, covered with some blankets. We then left. I met after two days one of the persons with whom I had time to have a long conversation without anybody around in the camp, and who had asked me for my phone number. He told me that the school visit was staged, that on Saturday there is no teaching, and that the boys were collected from the camp minutes before. He then told me a long story about a friend of his who got into trouble and asked me for help. Was he saying the truth? The final visit was with a "conservative" Pushtun man from Malakand with whom I had spent a few days in Swat. We had only about 50 words in common, yet (or because of that, perhaps) we got along pretty well. After this trip, he insisted to accompany me back to the GT Road, but before reaching there he told me to take a turn and we entered a refugee camp. He actually took me to pay respects to the new

“leader” (clearly in a different sense from that of the Camp Administration) of the camp, whose father (a mujaheddin commander and leader before him) had just died. In this visit, I only noticed how my friend leaned forward to make his face visible while we were entering the camp, as well as the preoccupation of his friend for the licence plate of my car: “no UN here” was his comment accompanied with a smile, when he saw that I had Pakistani licence plates

The multifaceted and concomitant realities (“as observed”) of these four interactions, served as an intuition vis-à-vis the conceptualisation of the term “refugee” as belonging to multiple realities, and the implications of that intuition vis-à-vis my research, which will be developed in the following pages. In relation to the points made in this section, these visits confirmed my scepticism towards data-gathering processes that rely on technical and depoliticised techniques. I am quite happy to suffer the limitations incurred for my avoidance of gatekeepers.

#### *On the use of data collected*

The overwhelming majority of refugee-related documents and encounters that appear in the three core chapters of this thesis were obtained in Peshawar. In that city, several of the lines of enquiry that I intended to follow could be concretely studied. A point of contact for Afghans, humanitarian assistance agencies and researchers, as well as a regional trading and educational hub, Peshawar vividly embodied both the annihilation of space through time, and the spatialisation of time (see Harvey, above) that I was attempting to capture with my work. My research activities in Peshawar were, in fact, simultaneously concerned with two broad areas of enquiry. The first one related to the understanding and conceptualisation of Afghan refugee migration, protection and assistance, as it had unfolded over the previous thirty years. This line of enquiry was concerned with the identification of key elements, relations, locations, functions, agents and authorities shaping the meaning and implications associated to the term “Afghan refugee in Pakistan”. The second line of enquiry related to the understanding –and possible representation- of how these elements, relations, etc., functioned in concrete situations (see Dean 1999 and the relevance of *how* questions, in the next chapter), and how could I explain their changes over time. All four types of data mentioned above contributed to the understanding and conceptualisation offered in the following chapters.

The first type, documents directly related to Afghan Refugees in Pakistan, were used to identify key themes underpinning such humanitarian endeavour, key moments of change in the way the latter unfolded over time, potential areas of enquiry, as well as statistical data and

survey-based information about refugees. I collected this type of documents in two ways. First, I constantly visited the library of ARIC (Afghan Resources Information Centre), a project of ACBAR (Agency Coordination Body for Afghan Relief), the largest Coordinating Body of NGOs (see Ch. 4). Over the years, ARIC had collected a wealth of grey literature on Afghanistan and Afghan refugees' displacement and assistance, and their library (now in Kabul) was a necessary stop for anybody interested in Afghan affairs. During the first months of my field research, I would visit ARIC almost every day. Not only this represented the biggest collection of material that I had access to, but it was also a source of precious encounters. Its staff and visitors, in fact, were all individuals with some sort of connection with Afghan refugees and/or their protection and assistance and their comments, insights and friendship have been invaluable. Second, I systematically asked any NGO visited for documentary material; both public and private documents that they were willing to share.

Initially, my main concern was the reconstruction of key events occurred during the 30 years of Afghan refugees' stay in Pakistan. I would thus consult Annual Reports of major NGOs (including ACBAR), UNHCR documents, Joint Food Assessment Mission Reports, Government of Pakistan data, etc. Subsequently, I started looking for thematic papers (say, all documents related to education or repatriation, over the years), or I would try to obtain all documents published by major organisations (e.g. UNHCR). Though, as mentioned in the Prologue, my main concern at the time was to construct a timeline of events (a "spatio-temporal grid" in Fabian's terminology, see above), I soon realised that the real value of these reports rested on the particular perspective each of them deployed. Partly this was due to the contradictory nature of data and events narrated in these documents. Refugee numbers and budget allocations, for example, would either be contradictory or they would be uniform across the spectrum and all unproblematically taken from one official source. While useful for the identification of broad trends, their main value, I believe, stemmed from their representation of the "problem to be solved" as seen from the eyes of those who were drafting such reports and, perhaps more importantly, of those who were using such reports to project policies. This is for three reasons.

First, even if there were contradictory reports regarding the number of Afghans residing in a particular refugee camp, or their socio-economic status, the fact that a UNHCR document would state that there were X million registered refugees, or that an influential survey identified key nutritional needs, implied that these "truths" had become the operational basis for funding requests, for the formulation of policies and for their implementation. Through such reading, these documents allowed me to capture different agencies' categorisation of and concerns towards "Afghan refugees in Pakistan" (see discussion on refugee numbers and categorisations in Ch. 3). They allowed me, thus, to understand the definition implicitly or

explicitly used by each agency in defining their object of thought and intervention (see next chapter).

Second, these documents differently contextualised “Afghan refugees in Pakistan”. Each document presented a different background section de- / emphasising, selectively, particular narratives. On one side, as already mentioned, an example of this refers to the different periodisation of the conflict (see above, Cold War vs. Taleban-based background sections) that appeared to be changing over time for almost all agencies. On the other, the different representation of Afghans and their needs seemed to respond to the particular needs of the document itself. Even consulting documents of the same organisation (say UNHCR) the way “Afghan refugees in Pakistan” were talked about / re-presented differed on the basis of the particular concern of each document. Thus, funding requests could emphasise poor socio-economic conditions, while some background reports would be more concerned with the identification of livelihoods; some project documents would use recognised refugee figures, while others would take a broader understanding of Afghan refugees, and others still discussed problems with registration procedures; etc. Often these documents seemed to have no connection with one another. This type of reading allowed to me identify the different functions each of the documents possessed, within the overall operation of each organisation and vis-à-vis the overall objectives of humanitarian assistance, as well as to focus my attention to the simultaneous ways in which the same group of people could be re-presented following different perspectives.

Third, strictly related to this, these documents implicitly or explicitly developed particular rationales and justifications for action. This type of reading was particularly useful for the identification of relations of authority within the regime and for the understanding of the role and position that each agency occupied (at least formally) within it. On one side, it allowed me to capture the nestedness and hierarchy with which operations were conceptualised by each agency (see Ch. 5). For example, appeals to legitimacy on the basis of surveys, of each organisation's mission and mandate, of particular concerns such as gender or economic growth, etc., all developed in reference to, say, Afghanistan's reconstruction, would reveal the type of rationale deployed by each organisation to conceive functions and best practices for their intervention -it would reveal, in other words, the problematisation of the particular situation that each of them were intervening upon (see next Chapter). On the other, I could capture the relevance of decision-making processes that often appeared unrelated to the specific contingencies and needs of beneficiaries. The first example of this was the consultation of a project proposal of Mercy Corp for an educational project in Balochistan. This was the first project proposal I had the chance to observe, since these documents were seldom part of the collection in ARIC. I remember my amazement in noticing how the whole

proposal started by framing the educational project in relation to more than twenty US laws related to charitable activities, to the purposes of US State Department's funding to such charities, to Congressional recommendations, etc., which were somehow detached from the explanation provided to me by the officer. The multilayered nature of rationales and justifications defining and shaping the specific activities to be performed in educational projects in Balochistan was one further indication of the need to conceptualise and formalise the notion of coevalness for the purposes of explaining institutional change within the humanitarian assistance regime for Afghans in Pakistan.

In sum, the analysis of grey literature was performed from an  $S_2$  perspective (see above, next chapter, and Ch. 5): regardless of the accuracy (in absolute terms) of information contained, the analysis of such documents allowed me to identify the peculiar logic and domain as well as the conceptualisation of subjects, shaping each organisations' ideological and material practices towards "Afghan refugees in Pakistan" (cf. Table 1.1 in the next chapter).

The second type of data identified above, notes obtained from my visits to NGOs, was used for three main purposes. First, to verify and assess information presented in the grey literature above, and its uses; second, to deepen the understanding of key operational aspects of the humanitarian assistance regime. This was the case in relation to food distributions, repatriation, NGOs operation and education (the latter not featuring in the following chapters). My main concern, in this respect, was to understand how each organisation understood, justified and operationalised these particular concerns and activities. In conjunction with the above documents, these notes helped me a) reconstruct key passages in the 30-years-long operation; b) understand the role, responsibilities and contribution of each organisation vis-à-vis these efforts and in relation to each other; c) obtain anecdotes, insights, debates and discussions, location-specific contingencies, and heterogeneous explanations related to the same activity; d) capture the diversity and heterogeneity of organisations populating the regime (cf. Ch. 4). These more formal encounters, in other words, helped me bringing to life the actual operations of the regime, as depicted in the above documents, from the perspective of those who were actually implementing them. This is the list of people that contributed to this type of analysis (see above, semi-structured encounters); they were met in the period October 2003-June 2004:

AAA Afghanistan Assistance Agency – Peshawar, Director.

ACBAR Agency Coordinating Body for Afghan Relief – Peshawar, Librarian (repeatedly).

ACBAR Agency Coordinating Body for Afghan Relief – Peshawar, Senior Consultant (twice).

ActionAid Pakistan – Islamabad, Assistant Programme Officer (twice).

AIL Afghan Institute of Learning - Peshawar, President and Executive Director.

ANCB Afghan NGOs Coordination Bureau - Peshawar, Executive Director (twice).

ANCB Afghan NGOs Coordination Bureau - Peshawar, Liaison Officer (three to five times).

AWARD All Women Advancement & Resource Development – Peshawar, Chief Executive.

AWC Afghanistan Women Council - Peshawar, Administration & Finance Manager.

AWC Afghanistan Women Council - Peshawar, Founder & President.

AWRC Afghan Women Resource Centre – Peshawar, Liaison Officer.

BEST Basic Education and Employable Skill Training – Peshawar, DP/MIS Officer (twice).

BEST Basic Education and Employable Skill Training – Peshawar, Education Advisor.

CAR Commissionerate for Afghan Refugees - Peshawar, Additional Commissioner (Logistics).

CAR Commissionerate for Afghan Refugees - Peshawar, Agency Administrator, Khurram Agency.

CAR Commissionerate for Afghan Refugees - Peshawar, District Coordinator, Social Welfare Cell.

CAR Commissionerate for Afghan Refugees - Peshawar, EDP Assistant.

CoAR Coordination of Afghan Relief – Peshawar, Administrative Assistant / P.R.O.

DCA Danish Committee for Afghanistan – Peshawar, Director (twice).

DACAAR Danish Committee for Aid to Afghan Refugees – Peshawar, Chief of Administration Sub Office In-Charge.

Darul Shefa - Peshawar, Director (repeatedly).

Darul Shefa - Peshawar, Project Manager, Education (repeatedly).

Darul Shefa – Peshawar, all other staff (repeatedly).

DHSA Development & Humanitarian Services for Afghanistan – Peshawar, Finance Manager.

DOST Foundation – Peshawar, Chief Planning, Monitoring and Research.

ERIC Education Resource and Information Centre – Peshawar, IT Consultant.

ZKF Zareef Khan Foundation – Peshawar, Director (three to five times).

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) / BEFARe (Basic Education for Afghan Refugees) – Peshawar, Project Manager, Community Participation & Development.

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) / BEFARe (Basic Education for Afghan Refugees) – Peshawar, Project Manager, Programming & Development.

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) / BEFARe (Basic Education for Afghan Refugees) – Peshawar, Senior Administrator.

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) / BEFARe (Basic Education for Afghan Refugees) – Peshawar, Senior Monitoring & Evaluation Officer.

GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) / BEFARe (Basic Education for Afghan Refugees) – Peshawar, Technical Advisor.

HAFO Helping Afghan Farmers Organisation – Peshawar, Admin Manager (three times).

HAFO Helping Afghan Farmers Organisation – Peshawar, Deputy Director (three times).

HAFO Helping Afghan Farmers Organisation – Peshawar, Public Relations Officer (three times).

HCI Human Concern International – Peshawar, Director (twice).

HealthNet International – Peshawar, Liaison Officer.

High Court of Pakistan, Advocate.

HRCP Human Rights Commission of Pakistan - Peshawar, Afghanistan Desk.

ICC Islamic Coordination Council – Peshawar, Executive Director.

ICRC – Islamabad, Delegate.

INTERSOS - Peshawar, Country Representative (repeatedly).

IQRA University - Peshawar, Assistant to Business Management Lecturer (and recent intern with UNHCR Pakistan in Peshawar's RVs).

IRC International Rescue Committee – Peshawar, Grants Manager.

IRC International Rescue Committee – Peshawar, Grants Officer.

Islamic Relief UK – Kabul, Country Director.

ISRA Islamic Relief Agency – Peshawar, Executive Director Administration.

Italian Cooperation Cooperazione Italiana – Kabul, Coordinator.

Italian Embassy – Kabul, Second Secretary.

JAD Foundation – Chitral, Director.

Mercy Corps - Kabul, Program Manager.

Mercy Corps – Islamabad, Government Liaison Officer.

MSF Médecins Sans Frontières – Peshawar, Administrator (twice).

NAAB Action Foundation – Peshawar, Director.

NAAB Action Foundation - Peshawar, Reporting Officer (three times).

NRC Norwegian Refugee Council - Peshawar, Programme Manager, Information and Legal Aid Project.

NRC Norwegian Refugee Council - Peshawar, Project Coordinator/Assistant to PM, Information and Legal Advice Project.

NRC Norwegian Refugee Council - Peshawar, Project Manager, Education Project.

Oeckenden International – Peshawar, Manager Marketing.

PIDE Pakistan Institute of Development Economics – Islamabad, Research Economist.

PLAN – Islamabad, Country Director.

Quaid-i-Azam University - Islamabad, Dean Faculty of Social Sciences.

R.S. Consultants – Peshawar, Educational Consultant.

RET Refugee Education Trust – Peshawar, Education Officer.

RET Refugee Education Trust – Peshawar, Regional Representative.

Save the Children Sweden – Peshawar, Country Director.

Save the Children Sweden – Peshawar, Programme Manager, Education.

SDF Sanayee Development Foundation - Peshawar, Deputy Director.

Serve – Peshawar, Country Director.

SHARP Society for Human Rights and Prisoners Aid - Islamabad, Programme Officer.

SHARP Society for Human Rights and Prisoners Aid – Peshawar, Consultant.

UNAMA UN Assistance Mission to Afghanistan – Kabul, Head of Office.

UNESCO – Islamabad, Education Consultant.



- UNHCR - Peshawar, Senior Administrative Officer.
- UNHCR – Islamabad, Senior Repatriation Coordinator.
- UNHCR – Peshawar, Community Services Officer.
- UNHCR – Peshawar, Community Services.
- UNHCR – Peshawar, Legal Protection Assistant.
- UNHCR - Voluntary Repatriation Centre I 11 Islamabad, Repatriation Officer.
- UNICEF – Peshawar, Education and Child Protection Officer.
- University of Peshawar – Peshawar, Associate Professor Institute of Management Studies (repeatedly).
- University of Peshawar – Peshawar, Dean Faculty of Law.
- University of Peshawar – Peshawar, Lecturer International Relations (three to five times).
- WFP - Islamabad, Logistics Officer (three times).
- WFP - Islamabad, Senior Programme Officer (three times).
- WFP - Peshawar, Head of Sub-Office (three times).
- WFP - Peshawar, Program Assistant (three times).

The third purpose of my encounters and note-taking exercise relates to the actual understanding of *who* these people -and all the others met- were. On one side, this related to the visual impact that each person and organisation would offer to my eyes. In each organisation visited, for example, I would pay particular attention to the location (which areas of Hayatabad / University Town were their offices located), the kind of equipment they possessed (number, if any, of computers, cars/jeeps, etc.), the type of “decoration” on walls (refugee / Afghanistan images, Islamic art, or photos), the presence (or lack) of a Director's office and of what kind, type of furniture, etc. I would also pay attention to behavioural nuances: should shoes be taken off or not, was I offered tea (Peshawari green tea, Afghan kava or Pakistani chai) with sugar (and of what kind) or with sweets, how were staff talking about the Director (always with deference, but in relation to his status or his activities towards Afghans), how were they drinking water (normally, or seated, facing Mecca and in four sips), etc. In my encounters with staff and with everybody else, I would look at the presence/absence of moustache or beard (and how long, and how trimmed), the type of chappals (sandals with rounded or flat end, quality of leather, cleanliness), the attire (“western” or shalwar kamiz), its material (cotton or synthetic), its cut (what kind of collar, how wide the trousers, how high above the ankle), the presence/absence of internal pockets (which cost extra money), vest (presence/absence, color and cut), and changes (e.g. western dress normally, but shalwar kamiz to go to particular places or on Fridays). These observations, I must confess, were only partly caused by my curiosity, at least initially; they were a specific reaction to the value that these “visual indicators” possessed to the eyes of those surrounding me, as identified in their comments made in relation to other people or to

myself (“your shalwar kamiz is too Punjabi; you need proper chappals/vest; it is embarrassing to go out with you when you are so sweat” etc. - see above being the object of knowledge of my object of knowledge and how this disclosed possible ways in which they were conceiving the reality around them).

On the other side, it was through my conversations with them, that these appearances could be, at least partially, explained. Other than in relation to specific concerns regarding humanitarian assistance activities, as mentioned above, my conversations with people listed above -and most importantly with all others encountered- were geared towards a mutual understanding of each other. As suggested by Fabian (above), in fact, it is by knowing each other's past, that each other's present can be grasped. Such process of acquaintance refers, primarily, to two types of enquiry. One, where I was at the receiving end, was about my reasons to be there, my family, my opinions about religion and politics. While initially I would avoid getting embroiled in such questions (for instance, my preferred answer to the unavoidable question “are you Christian” would be “my father was born Christian”, which allowed me two degrees of dissociation from my actual (dis)beliefs), I later began asserting more openly my opinions and statements, using them to find out more about my interlocutor. I would profusely explain why I could not be considered a believer, why despite living with my “wife” for three years we didn't have children (and only to selected few, that she wasn't actually my wife, but my life partner), what I thought about the concern for gender by international humanitarian organisations as much as what I thought are “good” gender relations, etc. Frankness and autonomy in the formulation of opinions was one of the most captivating aspects of most conversations I held in Peshawar – and I was only too happy to respond with the same attitude: the non-instrumentality of all my interactions (excluding those listed above, in the formal settings of a semi-structured interview) was perhaps the best “technique” deployed to conceptualise similarities and differences across my interlocutors (see also “being an agent across social spaces”, below). The second type of enquiry related to questions that I would pose them about their family, origins, history of migration (this was not only for Afghans, given the extent of historical and contemporary mobility of almost any person I encountered in Pakistan), occupation, etc. This type of notes helped me develop a nuanced understanding of different people's position within and refractions to the same context, as well as understanding the motivations behind their different responses (see Ch. 2 and Ch. 3.3). Furthermore, it was quite useful to “discover” different types of relations that could possibly, and at least partly, explain some of their positions and responses. Thus, it was only by knowing “their” past, that I could realise how all the administrative staff of a Pakistani NGO had studied in the same Military School, or that staff of an ANGO, as well as their beneficiaries, were all from the same village in Afghanistan (or how, on the contrary,

staff at another NGO were deliberately Pushtun, Tajik, Uzbek and even “Punjabi Pathans”<sup>21</sup>). Similarly, it was only through continuous interactions with some organisations that I could notice some kind of informal partnerships or links –that could not have been gauged from any official document- between them. In sum, this kind of notes helped me develop a nuanced understanding of associational life of organisations such as NGOs (see Ch. 4).

The third type of data identified above, secondary material obtained in different research centres, libraries and bookshops, was used to contextualise Afghan refugee migration, protection and assistance, in broader social contexts and across historical moments. This material relates primarily to non-refugee related studies and analyses. The main insight derived from such readings, once again, is the realisation that the domain of social life I was trying to understand required an expanded analytical context, one that could hardly be reduced to refugee-related operations. Readings about the long history of migration and displacement across the Durand Line helped me fine tune questions about the extent of cross-border links and migration in contemporary contexts (in relation to family/clan links, or livelihood strategies), as well as improving the overall quality of my questions. Studies about state-society relations in Pakistan enhanced my understanding of the different attitudes of the successive GoPs towards NGOs. So on and so forth.

The fourth type of data identified above, intuitions, represents my own assemblage of all these elements into concrete lines of enquiry for the purposes of identifying possible ways of (attempting) knowledge production. Intuitions, the transposition of social science material, analyses and thoughts, originating in contexts other than the one under study, onto the specific object of study of my research (“Afghan refugees in Pakistan”), are a crucial component of the arguments presented in the following pages. At its broadest, this process was described in the Prologue, where the understanding of my position within the field of enquiry helped me conceptualise the embodied meaning of the term coevalness, as well as to develop questions that I could apply to the investigation of the “Afghan refugee” that I was undertaking.

On one side, intuitions and their transposition onto my object of study, helped me to develop lines of enquiry, to formulate research hypotheses, to more vigorously question and object my interlocutors by drawing from unrelated examples and lines of thought. As explained in the Prologue, the process that trans-formed a series of unrelated presents into a specific methodological quest (see *Tensions & Order*, above) was the result of a simultaneous engagement with research and analysis; a constant going back and forth between contingent

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<sup>21</sup> Punjabi Pathan is a name attributed, by some, to Hindko speaking Pushtuns.

encounters and experiences, and social analysis. The realisation that I could not talk about “Pakistan” without reference to 911, or to the Cold War, or that Prettiwala, a supposedly remote town, was in fact central to the reproduction of wider patriarchal, class-based, developmental and geopolitical projects, had profound consequences on the way I began exploring and enquiring about my object of study: it allowed me to conceive and focus my research and analysis on the identification of overarching patterns of continuity that were cutting across social and geographical spaces.

On the other, and strictly related to this, intuitions allowed to me capture disjunctures and differences in way these patterns manifested themselves. As already explained, my privileged positions implied that interactions and encounters in the field were never compartmentalised. I would be able to talk, within the space of two hours (see above time-space-compressed journeys to Peshawar), to people that were “fighting” each other –such as Marines from Ohio and Taleban supporters. Less dramatically, I would be able to chat to and dine with donors, NGO administrators and field staff, involved in the same projects, in ways that were often precluded to all of them. Such mobility across social spaces not only allowed me to grasp how patriarchy or class or geopolitical projects are reproduced in different settings, as above, but also who embodies them, what is their experience of them, how they justify them, how they are generative of heterogeneous responses and reappropriations (see next chapters for accurate definitions of these terms). The expansive understanding of the context of my research (along geographical, social and subjective dimensions -see Ch. 5.1) presented in conclusions, was conceived through intuitions.

Furthermore, it is such mobility across social spaces that provides the biggest source of intuitions –and that offered the most fruitful lines of enquiry to be developed in the following pages. Always considering myself an active agent of the field I was intervening upon, I never tried to observe “things from above”. On the contrary, I always offered and at the same time demanded recognition of my presence and thoughts to/from everybody I encountered. It is such work of engagement, the exposure and problematisation of our simultaneous existence in place and our simultaneous belonging to different spaces, which offered the most rewarding aspect of my field research. The ontologically agnostic approach offered in the following pages as a key methodological conclusion stems precisely from my desire to recognise, analytically, such intersubjective (see Fabian above) form of communication.

# CHAPTER 1 – Who is a refugee?

## 1.1 Refugees' questionable ontology

*Who is a refugee?* The study of *refugee* migration, protection and assistance necessarily starts from law, because, despite migration being a constant feature throughout history and despite the notion of asylum being traceable to the founding myths of several “*civilisations*” (Sperl 2006), the modern refugee definition is a legal one. A person can claim to be a refugee, or an advocacy group may make the case for somebody or a group of persons to be considered refugees, but until there is a law sanctioning that this person, or group of people, is a refugee, he/she/they will remain illegal migrants, asylum seekers, rejected cases, foreign residents, people on a tourist visa, etc. Claims to *refugeeness* and advocacy are clearly not unrelated to legal proceedings defining who effectively is a refugee, as it will be argued later. Inclusion/exclusion criteria defining a refugee, however, are defined legally. The most widely recognised definition is that provided by the UN.

Though the common use of the term is much broader, a refugee is a person who can, on a case-by-case or group basis, *be determined* to have a well-founded fear of persecution on the grounds enumerated in Article 1A(2) of the 1951 UN Convention on the Status of Refugees and Stateless Persons. According to that Convention, a refugee is a person

who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, or membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country (UNHCR 2005a: 55).

This definition is problematic from various analytical perspectives, and cannot be used as a reliable analytical framework defining who is a refugee for (at least) three reasons. It relies on analytically questionable concepts; it imposes a second-order need on the refugee, that of recognition, which escapes his/her need of protection; it expresses an underlying understanding of social belonging and authority that is premised on the ‘individual’ and the ‘rule of law’, disregarding alternative forms of social organisation. These three lines of problematisation will be briefly developed in

the remainder of this section to abandon a legally-based conceptualisation of “the refugee” and broaden the analytical framework.

First, the Convention definition relies on concepts such as nation and race, reifying categories and social formations whose significance (and inclusion/exclusion boundaries) can only be assessed through historical and contextualised analyses. On one side, considering such “units” on their own, their “natural” character cannot be assumed. Claims to ethnicity (or nationhood) are different in different contexts (Boas 1940), and the adoption of such categories as the basis for defining refugees disregards how these “*perilous ideas*” (Wolf 1994) are difficult to define in practice. They are both constantly subject to processes of reinterpretation and reconstruction at individual and group levels (see Malkki 1995, in the case of refugees) and they are underpinned by intellectual, economic, political and social *forces*<sup>22</sup>, shaping their meaning and implications historically and across places (cf. Mac Laughlin 2001 in the case of Ireland; and Hutt 1996; Mac Donald 1997; Voutira 1991 vis-à-vis different groups of forced migrants). Such “units”, in other words, should not be taken for granted, but studied in their evolution, configurations and effects. This is especially relevant in the case of Afghan refugees: the multiple “*facets*” defining their identity (Centlivres and Centlivres-Demont 1988a) seem to escape any broad and trans-historical representation, and can only be captured in their concrete manifestations, as described throughout the following chapters (see also later in this Chapter).

On the other side, considering such “units” in their relation to the State, their conceptualisation as something “separate” from the state framework in which they develop is also problematic. Several authors take up this issue with specific reference to the context of South Asia, albeit with different analytical concerns (see Kaviraj 2001 in relation to civil society, Khan 1997 vis-à-vis the developmental state, and Sinha 2008 for a wide-ranging account of the development regime in the context of community development in India). The relation between sovereignty and different social groups, in particular, is subject to debate also in the specific national context under study. Alavi (1998) asserts that the thread running centrally through the history of Pakistan is the *tension* between the locus and the legitimation of power. He is not so much concerned with race and ethnicity, but rather takes a class-analysis

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<sup>22</sup> See Ch. 3.1.

perspective, and sketches changes in Pakistan government regimes since independence to assess the relation between what he calls “the oligarchy” of Pakistan, state power and capital. Jalal (1995) is concerned with the study of democracy and authoritarianism in South Asia and proposes to abandon notions of “monolithic” sovereignty replacing them with the term “layered sovereignty”, which more accurately describes *political arrangements* expressing multiple and historically shifting social identities. Hasan (1989), expressing his conviction that the future of humanity lies in scientific socialism, frames his line of reasoning in terms of a “*battle of ideas*” between state and religion, played out throughout millennia, and studies how this battle is re-produced in contemporary Urdu literature. In relation to this discussion, these authors seem to suggest the need for questioning pre-defined conceptual boundaries; rather, it seems that focusing on the *relation* between different types of social formations and various institutional boundaries can yield analytically more accurate results (see also Kandiyoti 2000 and Jeffrey and Lerche 2000 making similar arguments vis-à-vis ethnographic research in Central Asia and the local government in Uttar Pradesh, respectively).

These points are also confirmed by case-specific considerations. On one side, the term *refugee in Pakistan* covers a wide array of people, each with their own heterogeneous histories, trajectories and relations with the state. A country founded after a traumatic territorial break-up involving millions of displaced people, Pakistan has always been involved with mass displacement. After Partition, 19% of its population were “refugees”, a figure that looks even more relevant if urban centres are considered on their own: in 1951, 49% of Karachi’s population were displaced people (Arif and Irfan 1997). These migrants are still called “refugees” (*mohajers*, see later) and some of them, in particular those from Kashmir, still receive some form of assistance from the government, other than being (decreasingly so) quite relevant in the projection of nationalist narratives. Others do not benefit from such treatment. Biharis who moved to East Pakistan during partition, and later migrated from the newly created Bangladesh to, mainly, Karachi in 1971, since they had been supporting West Pakistan during that war, are one example. As suggested in a seminar I attended in Islamabad, they can perhaps be called EDIDPs (externally displaced internally

displaced persons). Without a clear legal status<sup>23</sup> and some times defined as “stranded Biharis” they mostly find employment in the incense-stick sector and are one of the most dispossessed social groups in Pakistan. The relation between sovereign authority and groups of migrants cannot be taken as a fact, in other words, but studied in its actual unfolding.

On the other side, even just focusing on the group of migrants under study, the heterogeneous trajectories and relations with the state of almost *each* Afghan in Pakistan imply that such relation needs to be studied in its heterogeneous manifestations. Successive “*waves of migration*” (cf. Gul Khattak 2003 and later), in fact, produced different institutional arrangements defining the relation between Afghans and both the Government of Pakistan (GoP) and the “international community”. No law ever sanctioned Afghans’ legal status; UNHCR, who recognises Afghans under its mandate distinguishes *registered* Afghans as belonging to an “old” and a “new” caseload, the latter comprising those arrived after 2001; many Afghan have simply not registered and thus escape any (legal) categorisation (see below and Ch. 3 for a full treatment). Once again, the relation between sovereign and migrant cannot be assumed, but studied in its concrete manifestations.

The second aspect that renders problematic for analytical purposes the Convention definition, and Refugee Law more in general, relates to the imposition of a second-order need on refugees, that of recognition, which separates the condition of *being* a refugee from the moment of *becoming* a refugee through legal status. Although a person *is* a refugee from the moment he/she leaves the place of habitual residence escaping persecution, the Convention definition implies that in order to acquire the status of refugee the individual requires a “certification”, i.e. he/she needs to be recognised as one (cf. UNHCR 2005a: 108-109). Even accepting the *need of protection* as an appropriate criterion for defining who a refugee is (see 1951 Convention definition and later in this section), the need for recognition seems to undermine the spirit of the Convention, because it imposes a second-order need on the part of the refugee –the *need for legal recognition*–, one which escapes his/her own condition as refugee.

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<sup>23</sup> This situation might have changed since then. As I left Pakistan, in fact, the issue of alien registration in the recently-created NADRA (National Database and Registration Authority) was enjoying high mediatic coverage, due to internal political repercussions. Cf. [www.nadra.gov.pk/](http://www.nadra.gov.pk/)

On one side, people which may have similar needs of protection do not fall under the Convention dominion. This is the case, *in primis*, of IDPs. The form of territoriality expressed by the Convention<sup>24</sup>, i.e. its conceptualisation of the world as a geographical area divided into a series of territorial entities clearly delineated by borders separating societies and areas of sovereignty, produces a so-called “*protection gap*” (Kleine-Ahlbrandt 1996). In order to be recognised and to receive protection and assistance, the refugee *must be* outside his/her country of residence, something which may adversely affect those who lack opportunities, for physical or monetary or other reasons, to do so (Schmeidl 1998). A refugee, despite *being* one from the moment s/he leaves her/his place of habitual residence, can only *become* one outside the country of nationality. *Border crossing* is thus a primary dimension for understanding who is a refugee (see Ch. 2).

This is also the case for other groups of displaced populations, who may be conceptualised as “lacking protection” from the state, but who fall outside the scope of the Convention, because such denial or impossibility of protection is not caused by “well founded fear of persecution on the basis of race, religion, etc.” This is the case, for example, of populations forcibly displaced by development interventions (cf. Rew, Fisher and Pandey 2000), by a climate of generalised violence (cf. Zolberg, Suhrke and Aguayo 1989), or by environmental disasters (cf. Black 2001). Similarly, the notion of *persecution* establishes a distinction between forced and voluntary migration, which is crucial vis-à-vis the institutional distinction between refugee and economic migrant. Such distinction, however, might be difficult to assess, and to identify conceptually, in situations where non-existent livelihood opportunities and widespread human rights violations are combined (cf. Arocha Rodriguez 1999; UNRSID 1995), in so-called “complex emergencies” (cf. Ager 1999), in the case of migrant groups comprising people with heterogeneous motivational and material reasons for migration (cf. Voutira 1991; Hein 1993)<sup>25</sup>.

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<sup>24</sup> See Ch. 2 for a treatment of the notion of territoriality.

<sup>25</sup> These considerations are only tangentially relevant for Afghan refugees in Pakistan, since their recognition by the Government of Pakistan, until recently, has been performed on a *prima facie* basis. See Ch. 3 for full details and differences between UNHCR’s and Government’s recognition patterns.

On the other side, even considering only those who have crossed the border and that are escaping persecution, the need for recognition seems to set other types of inclusion/exclusion boundaries that, again, seem “external” to the need of protection itself. They refer, for example, to attitudes of host governments vis-à-vis particular nationals, the presence of non-state actors influencing the Refugee Status Determination process, changing discourses on “rights of return” vs. “rights of asylum”, the relevance of “objective” databases providing information on countries of origin (see, respectively, Kagan 2006, Sianni 2003, Weiner 1998, Praschma and Scheurer 2001).

Even *accepting* the need of protection as an appropriate criterion for defining refugees, in other words, there seems to be an inherent tension between the condition of *being* a refugee, which is exclusively defined in terms of legal obligations between the state and the citizen, and the need of recognition required to *become* a refugee, which in fact seems to be dependent on a vast array of other conditions. As above, thus, inclusion/exclusion boundaries defining “the refugee” seem to require a contextualisation in specific socio-economic and political contexts, in order to define who effectively is/has become a refugee.

The third aspect rendering problematic the use of the Convention definition, for analytical purposes, is its ontological circularity and its disregard for alternative forms of social organisation and their interplay with law (i.e. alternative ontological orders, as they were defined in the Prologue). “The need of protection”, as postulated by the 1951 Convention, is problematic not only as an operational construct as explained above, in fact, but also, perhaps more importantly, as a conceptual category. The conceptualisation of needs embedded in the Convention stems from an understanding of sovereignty in relation to social contract theory.

During the sixteenth and seventeenth century, sovereignty came to refer to a final authority in the sense of a final act of human will rather than the hierarchical power to allocate resources and authority. [...] This act creates unity out of diversity, order out of anarchy. Sovereignty as act of will suggests an alternative ontology [...one] in which God recedes much further from the world so that nature cannot be taken as a secure representation of God. [...] Nature becomes the state of nature of social contract theory, an ambiguous site in which human beings are simultaneously free to constitute

their own world according to their passions and reason, and are constrained by natural laws and physical necessity. [...] sovereignty is in this use linked to fixed territorial boundaries (of a self and state) rather than to the more fluid sense of nation as linked to the sovereign being of the king under fundamental laws. Rosow 1994: 26-27

It is through that “*alternative ontology*”, which replaces nature and God with society, that the modern conceptualisation of refugee can be understood in terms of protection needs. Nature (as in the state of nature) lacks the requisites to secure human needs and sovereignty fills the void left by nature’s inadequacy (ibid.). Refugee Law is intended to fill the void between sovereignty and needs, granting protection to refugees whenever the sovereign state cannot or does not want to. Such institutional construct is problematic because of its circularity, and because of the existence of alternative ontological orders. Both aspects seem to *question* the need of protection as a valid criterion for defining refugees, as described next.

The author that more forcefully explores the *liminality* (cf. also Malkki 1992) of the refugee figure is Giorgio Agamben. Agamben’s work is premised on Carl Schmitt’s formulation that “*the sovereign is, at the same time, outside and inside the law*” (Agamben 2003: 9<sup>26</sup>). The simultaneity of this condition is what constitutes the paradox of sovereignty: “*the sovereign, possessing the legal power to suspend the law, puts itself legally outside the law*” (Agamben 1995: 19). Such zone of indistinction (Agamben 2003: 10) represents sovereignty’s *limit* (understood both as its beginning and end), as well as Agamben’s field of enquiry<sup>27</sup>. His main argument is that this “*no man’s land between public law and political fact*” (2003: 36) represents the foundational moment of (state) sovereign power, and that, especially so after 911, it has become the current paradigm of government. Here, the interest in his analysis lies on his reflections on the figure of refugee.

Agamben associates the notion of sovereignty to that of the “*homo sacer*”, a condition, or form of life rather, described as *bare*, which is different from the *political* life of the citizen. Drawing on Roman Law institutions, the expression homo

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<sup>26</sup> I am using two Italian editions of Agamben’s work and all citations are my translation, unless otherwise acknowledged.

<sup>27</sup> And, in fact, Agamben’s analytical *limit*, understood, as it were, both as his major contribution and limitation, as discussed later in the text.

sacer refers to an individual (or group of individuals) whose destruction does not amount to homicide, or whose *ban* or radical exclusion from political life does not necessitate legal instruments. Thus, those who kill or ostracise homo sacer incur no legal punishment (Mesnard 2004). Agamben, more specifically, *seems*<sup>28</sup> to be concerned with boundaries of inclusion/exclusion, defining access to the realm of political life. His suggestion is that the refugee is, perhaps paradoxically, an *integral* part of the nation state. The act of defining the boundaries of a political space, simultaneously defines what is outside such space, the bare life that defines its *limits* (cf. Kumar Rajaram and Warr 2004: 42). The refugee, then, represents the liminal subject caught across such governable entities.

Refugees – the condition of existence which is automatically, indeed necessarily, born from the territorial embrace of the world where attempts to cohere territory lead to people being out of place – are, perhaps, exemplarily estranged from the modern condition. Kumar Rajaram 2003: 16.

The system of the nation states, thus, conceptualises and posits human life *exclusively* (see Raz in Finnis above) in relation to sovereignty: unless there is inclusion in such political boundaries, the human being can only have a bare life, which is unprotected and can be “killed with impunity”. Despite *being* a refugee, in its potentiality (cf. above and Borislav 2005 vis-à-vis the sovereign), from the moment of that sovereign exclusionary act, the human being can only *become* a refugee through sovereign recognition.

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<sup>28</sup> I profoundly dislike Agamben’s argumentative style. It revolves around abstract notions and concepts, which have multiple and contradictory implications once inserted into concrete social contexts rendering them difficult to evaluate in a definitive way, and obfuscating the agenda of the writer. It is also an elitist account because its development is premised on relatively obscure institutions (such as some Rome’s criminal laws). Furthermore, reasons for such style escape my comprehension, since these arguments could have been developed in much simpler terms, rendering much more powerful the many contributions that he has to offer. I dislike, in other words, the reliance on “abstract knowledge” to produce “abstract knowledge”, preferring an approach that “*always reproduces the concrete in thought –not to generate another good theory, but to give a better theorised account of concrete historical reality. This is not an antitheoretical stance. I need theory to do this. But the goal is to understand the situation you started out with better than before*” (Hall 1988: 69-70; cf. also Mitchell 2004: 6). Perhaps for this reason, Agamben’s account is also Eurocentric, as discussed later in the text, because it centres on the notion of sovereignty, something that omits the consideration of alternative conceptualisations of power and social order. Put it differently, looking for the “essence” of power eschews its study in its concrete manifestations, its insertion in broader political, economic, or social contexts (which determine, and are determined by, political institutions –cf. Ch. 5), as well as possibilities and actualities of resistance and reconfiguration.

In the nation-state system, the so-called sacred and inalienable rights of man prove to be completely unprotected at the very moment it is no longer possible to characterize them as rights of the citizens of a state. This is implicit, if one thinks about it, in the ambiguity of the very title of the Declaration of 1789, *Declaration des droits de l'homme e du citoyen*, in which it is unclear whether the two terms name two realities, or whether instead they form a hendiadys, in which the second term is, in reality, already contained in the first. Giorgio Agamben<sup>29</sup>

Agamben's primary contribution to this work stem from his focus on the self-contained institutional order between the refugee, sovereignty and the interstate system. As the embodiment of citizenship and statehood boundaries, which are premised on the notion of protection needs (see above), the refugee reifies such boundaries, rendering concrete their meaning; the refugee is the "exception" on which the norm relies. As a residual (excremental, as Agamben would put it) subject that can be encompassed neither territorially nor in relation to the nation, however, the refugee simultaneously challenges that norm. Refugee Law is able to re-encompass, within the interstate system, what escapes from the trinity "nation-state-territory", thus defusing such challenge. Produced in their *being* refugees, by the (exceptional) exclusion from their relation with the sovereign, they *become* refugees by the (exceptional) inclusion by another sovereign. It is Agamben's exposure of the political act hidden behind the definition of refugees contained in the 1951 Convention –that of considering human life exclusively in relation to sovereignty and citizenship-, which makes that definition problematic for analytical purposes.

On one side, it is problematic politically: adopting such definition is *performative* (cf. Law and Urry 2004, in the Prologue), it is itself a political act. Agamben's account forcefully refocuses discussions of contemporary politics on an ontological plane, thus confirming the validity, also from this angle, of the ontologically agnostic approach developed in the Prologue. On the other side, it is problematic analytically, especially if these abstract discussions are set in context, for several reasons. First, because the (exceptional) exclusionary and inclusionary acts constituting refugees

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<sup>29</sup> Imprint not available: the work cited is taken from <http://www.makeworlds.org/node/161>. See also Soguk (1999) and the French Revolution as one of the constitutive moments of the modern refugee definition, as well as Nyers (1999) and the formulation of refugees-as-humans and refugees-as-citizens, later in the text.

(both in their being and in their becoming such) are hardly reducible to the “essence” of sovereign power identified by Agamben, but are the result of much more complex processes cutting across various realms of social life, as some of the above notes seem to suggest (see also next section and Ch. 3). Second, very importantly, because the focus on the political act of inclusion/exclusion fails to account for refugees’ experiences and interactions with such institutional order, as well as the concrete benefits they might (albeit selectively and intermittently, cf. Chimni 2000) derive from such inclusion. Third, as sketched out in the remainder of this section and fully developed later, because of the existence and relevance, in the context under study, of alternative conceptualisations migration, protection and asylum, that stem from alternative understandings of social order and of “governable entities”.

Some are premised on tribal and religious conceptualisations and, as fully developed later in this chapter, have repercussions on identity, social organisation and settlement patterns of Afghans in Pakistan, as well as their recognition *as* refugees by the GoP. Both “tribal” and religious-based conceptualisation of migration rest on ontological orders that are alternative to state-based ones, and which define different refugee’s inclusion/exclusion criteria. Similarly, each of the humanitarian agencies providing assistance to Afghans embodies and re-presents its own conceptualisation of beneficiaries. Each of them, in fact, operates within different domains and is legitimised by different principles. Some derive their authority from Refugee Law, like UNHCR, and their subjects are defined legally. Others, like WFP, work on the basis of a UN-sanctioned mandate, but their beneficiaries are defined on the basis of technical and scientific assessments. Some operate on the basis of discursive legitimacy, appealing to humanitarianism, humanitarian law, faith-based solidarity, or “emergency needs” to legitimise their actions. The majority of Afghan NGOs operates on the basis of an authority granted to them by either the GoP or the UN. So on and so forth. Each of these agencies defines refugees in a different manner: each embodies a particular ontology (the interstate system of UN mandates, the universal jurisdiction of human rights, or of religious concerns, etc.), and re-produces it through specific concerns, funding channels, strategic objectives, etc. Each produces a different institutional definition of “the refugee”, adding another layer of complexity to the quest for an appropriate definition of who a refugee is, creating what in the Prologue

have been called spatial frictions, in place, and spatial interconnectedness, across places (see Table 1.1, in Ch. 1.3 below).

All these points will be fully developed in the following pages. The existence of alternative conceptualisations of who is a refugee, as much as the problematisation of the 1951 Convention definition presented so far, are only used here to reject the postulate that “*the purpose of any definition or description of the class of refugees is thus to facilitate, and justify, aid and protection*” (Goodwin Gill 1996: 4; also cf. Jacobsen and Landau 2003, and the dual imperative of refugee research). Though in that case, the key research question of this thesis would be straightforwardly answered and my work would need to focus on “*determining the content of international law of the class of refugees [...] with account taken also of the practice and procedures of the various bodies established by the international community to deal with the problems of refugees*” (ibid) and on verifying if, in the case under study, such contents are correctly interpreted, or applied, and suggest an appropriate course of actions, I consider such postulate highly problematic from an analytical perspective. It takes “the refugee” as a fact privileging “*epistemological and methodological prescriptions that simply take historically specific -modern- ontological options as a given*” (Walker 1993: 8). On the contrary, the central task of this work is precisely to set the key research question onto an ontological plane, as introduced in the last section of the Prologue and developed next.

## 1.2 S<sub>2</sub> refugees

Despite its analytical pitfalls the key *architecture* of the UN Convention has very material effects, and thus cannot be simply discarded on the basis of arguments presented above. It is the basis for UNHCR's Mandate recognition of refugees, as in the case of Afghan refugees; it is taken as a blueprint by several countries vis-à-vis their codification of asylum in national law; it serves as the basis for numerous claims performed by individuals and advocacy groups, as well as being a conduit for the disbursement of considerable sums of money; it provides material rights and benefits to (most of) those encompassed by its boundaries; etc. Furthermore, it is not possible to claim refugee status unless an international border is actually crossed or if a well-founded fear of persecution is convincingly demonstrated, or assumed on a *prima facie* basis, as in the case of Afghans in Pakistan until recently. Finally, despite their analytical pitfalls, categories such as nation, ethnicity, race, do affect individual and collective imaginations and, selectively, constitute bases for collective action, both in the case of migrants and humanitarian agencies. In other words, despite their *abstractness* vis-à-vis the heterogeneity of people encompassed by them or their changing meaning over time, the Convention's inclusion/exclusion boundaries produce very *material* effects<sup>30</sup>.

Thus, despite the analytical inadequacy of such *label*<sup>31</sup>, the "refugee" is a foundational element of a complex set of practices, programs, normative prescriptions, etc. Drawing on Aihwa Ong (see Prologue), this work defines the "architecture" built upon the "refugee label" as a *regime of governance*, in a Foucauldian sense, to depict

power/knowledge schemes that seek to normalise power relations. By appealing to particular "truths" that have been developed about science, culture, and social life, these systems of power/knowledge define and regulate subjects and normalise their attitudes and behaviour" (Ong 1999: 113).

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<sup>30</sup> The simultaneous abstractness and materiality of borders is an argument fully developed in Ch. 2. See also understanding of the word "material" in the Prologue.

<sup>31</sup> Cf. Zetter 1991, 2007, as well as Zetter in Ch. 3.4.

According to Foucault, governmentality is the “*ensemble formed by the institutions, procedures, analyses, and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power*” (Foucault 1991: 102). This form of power attempts “*to deliberate on and to direct human conduct*”; it conceives human conduct “*as something that can be regulated, controlled, shaped and turned to specific ends*” (Dean 1999: 11). Therefore, in its broadest meaning, a governmentality analytics is primarily concerned with “*studying assemblages of authorities, knowledges, and techniques that endeavour to shape the conduct of individuals and populations*” (Xavier Inda 2005: 7).

Governmentality has three key dimensions. First, it involves a set of political rationalities –“*the thoughts and representations involved when authorities define*” an object of thought (Salskov-Iversen et al. 2000<sup>32</sup>). Such rationalities, in other words, delineate “*a discursive field in which the exercise of power is rationalised*” (Lemke, 2001:191); they constitute “*manageable fields and objects*” (Xavier Inda 2005: 8).

This

does not mean the representation of a pre-existent object nor the creation through discourse of an object that did not exist. It is the ensemble of discursive and non-discursive practices that make something enter into the play of true and false and constitute it as an object of thought. Foucault, in Rabinow and Rose 2003: xviii<sup>33</sup> (my emphasis)

These thoughts and rationalities are translated into practice through a set of technologies, which deal with the “problems” defined by such rationalities. Technologies of government, the second key dimension of a governmentality analytics, are practical mechanisms, devices, and calculations through which authorities seek to shape the conduct, thought and aspirations of others (Miller and Rose 1990). These two dimensions are strictly intertwined<sup>34</sup>, but

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<sup>32</sup> Page number is not available; the quotation is taken from a non-paginated electronic copy of the article available at EBSCO Host.

<sup>33</sup> This quotation refers to Foucault’s description of the term “problematization”. It is used here to underlie the constitutive aspect of such rationalities.

<sup>34</sup> The meaning of “problematization” given by Foucault, in fact, seems to contain both. See note above.

analytically, it makes sense to distinguish between representation of and intervention into specific domains; between transforming reality into the domain of thought and making it governable, and between the translation of these thoughts into the domain of reality in order to shape and normalize conduct. In sum, if one is to govern a social field, it is necessary to represent and conceptualize what is sought to be managed. It is through this manoeuvre of representation and conceptualization that reality becomes inscribed in oral and written language. Lippert 1999<sup>35</sup>

The third key dimension of governmentality is the mode of subjectification that political rationalities and techniques of government bring about. Subjects of government are “*the diverse types of selves, persons, actors, agents, or identities that arise from and inform governmental activity*” (Xavier Inda 2005: 10). The form of power expressed in the notion of governmentality, thus,

categorises the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him that he must recognise and others have to recognise in him. It is a form of power that makes individual subjects. There are two meanings of the term subject: subject to someone else by control and dependence, and tied to his own identity by a conscience or self-knowledge. Both meanings suggest a form of power that subjugates and makes subject to. Foucault in Rabinow and Rose 2003: 15)

The governmentality theoretical framework can be readily associated to the refugee regime, as done by different authors. They are presented, next, to develop benefits and limitations in doing so.

Randy Lippert, in an exploratory article, applies a governmentality approach to the study of international regimes, focusing on the one stemming from the definition contained in the 1951 UN Convention. Approaching the topic at its broadest, he explains the evolution of the international refugee regime as an expression of liberal *rationalities*, which are embedded in the regime’s conceptualisation of state-citizens relations, public-private distinctions, individualism, etc. These rationalities have shaped specific governmental *techniques* of the regime, for instance in relation to camps and passports, or the conceptualisation of roles performed by different subjects

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<sup>35</sup> Page number is not available; the quotation is taken from a non-paginated electronic copy of the article available at EBSCO Host

(governmental or non-), etc. Though his desire to “*explore these and other discursive and material elements to determine how they became assembled as a historically specific regime in our present*”, as well as the core argument that “*refugeeness can be seen emerging as a moral-political tactic that continues to be deployed in our present*” (Lippert 1999<sup>36</sup>) are shared by this work, his account remains too generic. It is focused on the discursive evolution of the regime as a whole, without paying attention to the different modalities in which the same technology (e.g. the camp) plays out in different contexts; to the different forms of rationalities co-present in the regime, for instance those of “*Christian organizations [...which receive] only cursory attention*” (ibid) in his account; to the relation between refugees’ identities and the concept of refugeeness that he proposes.

More interestingly, Robyn Lui’s (2002) study of the refugee regime translates similar concerns into arguments about power. She traces the evolution of the refugee regime as developed in the period 1919-1945 establishing a “*link between refugees as a subject of government and the distinctive features of modern states-system*” (Lui 2002<sup>37</sup>). Defining “the problem of the refugee” as ‘geopolitical’ in character, she argues that the refugee regime is a project aimed at governing international populations:

the refugee is an effect of a global spatial practice of governing populations that produces a regime of truth about international relations and the forms of life possible (and desirable) inside and outside the state. Indeed, the world of sovereign states delimits what and how claims can be made in international relations, as well as by whom. Lui 2002

As much as Lippert, Lui’s account is concerned with “inter-state and non-state institutions, emergency aid assistance, handbooks and code of conduct manuals, experts, research institutions, academic publications, briefing notes, information kits, evaluations, camps and transit centres, safe havens, international laws and travel documents” that make up the refugee regime. She contextualises them, however, in the wider framework of international governance making an important point for this

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<sup>36</sup> Page number is not available; the quotation is taken from a non-paginated electronic copy of the article available at EBSCO Host.

<sup>37</sup> Page number is not available; the quotation is taken from a non-paginated article of the e-journal “Borderlands”.

work: “the question of who is included and excluded from the category of ‘refugee’ and the benefits of international protection is just as important as inclusion and exclusion from the nation-state community. Categorisation and characterisation of population displacement are techniques of ordering that reflect power relations and political calculations. International protection is a political act” (Lui 2002). This is also a central aspect of this work, as the rejection of problem-solving approaches to the “refugee”, postulated in the previous section, demonstrates. In fact, as developed in Conclusions, this work suggests that it is precisely through the assessment of the material *instantiation*<sup>38</sup> of the refugee regime, in particular times and places, that the identification of power relations within and across the regime becomes clearly, and innovatively, possible.

Lui’s account, however, remains at a very broad analytical level, and criticisms similar to the ones raised above to Lippert can be equally levelled to his short piece. Furthermore, even his historical exploration is relatively limited, comprising exclusively a three decades trajectory. Along similar lines, but with an incredible research depth and span, as well as theoretical clarity, is Soguk’s historical understanding of the evolution of the term “refugee”.

Nezvat Soguk explains how this “object of thought and intervention” (see above) was constituted in history, identifying three key elements of the modern definition of the “refugee”: its state-based territoriality, its establishment of a nationality-law nexus, its intergovernmental regimentation<sup>39</sup>. Nezvat Soguk’s central argument is that the “refugee” has always been implicated in practices of state making and intergovernmental regimentation: on one side, refugee migrations are the product of crises or at least of profound changes in forms of government; on the other, they produce new forms of government.

The argument is developed by tracing the origins and “institutional assemblages” (see above) of the international refugee regime through three key episodes of

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<sup>38</sup> The term *instantiation* refers to the act of rendering concrete specific rationalities of government through policies, programs and regimes. Cf. definition of *materiality* in the Prologue, and Ferguson and Gupta 2005.

<sup>39</sup> This is an important narrative layer of the next three chapters: Ch. 2 focuses on the notion of territoriality as it applies to the Durand Line, Ch. 3 studies the relation between legal status and identities; Ch. 4 assesses one institution emanating from such intergovernmental regimentation. This is one more reason for Soguk’s arguments to be presented more in detail.

displacement, namely the displacement of the Huguenots, the French Revolution émigrés, and post-World War 1 displaced populations across Europe (Soguk 1999: 69-142); he considers them key moments for the definition of law-making practices in relation to territory, nationality and intergovernmental regimentation. Through the examination of the way in which the figure of the refugee have “*been problematised as a specific problem before states* [Soguk shows] *that the histories of statecraft and refugeeing have been intimately bound up with each other*” and therefore that, although construed as a marginal figure of aberration, a residue in the territory/state/citizen international order, the refugee “*is essential to statecraft, particularly at intergovernmental level*” because it confirms and reinforces such order (1999: 244). Soguk’s work is particularly interesting for this thesis: it is probably the most complete and rigorous study of the refugee regime as a regime of governance. It thus allows me to build on it and to highlight this work’s similarities and points of departure with that methodological approach.

First, his study of the refugee “*problematisation*” as contained in the 1951 Convention, is adopted here *tout court*. Tracing the essential elements of a “*problematisation*” is a key aspect of a governmentality analytics: it serves the dual purpose of identifying how particular elements that exist prior to it are assembled, and of attempting to change the way in which a situation is apprehended (cf. Rabinow and Rose 2003). In relation to the first purpose, relying on Soguk’s *genealogy* of the “*refugee*”, as an institutional *object of intervention*, will allow this work to focus on understanding how the essential elements of such *problematisation* are in turn assembled, together with others, in the case of Afghans in Pakistan (see next section). In relation to the second purpose, Soguk’s analysis is used to reinforce, once again, the perspective employed here: I do not study refugee migration “*as a ‘given’ which generate problems that must be resolved [... but rather] as a ‘question’ whose formation and obviousness must itself be subject to analysis*” (Rabinow and Rose 2003: 8).

Second, I share with Soguk’s work, and contrary to the two other studies cited above, an understanding of the refugee that is premised on processes of production: the calculated production of an object of intervention, which in turn produces new spaces of intervention.

The logic of a transformation of a mere name –the name of the refugee- into a practical field of activity, useful for the activities of statecraft, is the logic of problematisation. It is through the activities of problematisation that the deterritorialising dynamics of refugee events and occurrences –their capacity to disrupt the work of statecraft- are not only accommodated and neutralised, but also capitalised upon and deployed as a series of contingent referential resources useful to the production of familiar statist images and identities  
Soguk 1999: 50

However, as it will be developed below, I deepen this analytical understanding on two counts: on one side, while his account remains at the level of practices of regimentation, I also focus on the study of strategies and rationalities of refugees themselves, as well as that of heterogeneous humanitarian organisations; on the other, I better explain such productive processes by contextualising them in the social context from which they emanate and which they seek to influence (see next two sections). It is this dual prerogative of the object of intervention defined by the definition of who is an Afghan refugee in Pakistan –that of being produced through calculated practices and that of being generative of new practices- that I am primarily concerned with, in this study.

Third, I share with Soguk’s work the interest in capturing within this analytics, practices and operations of organisations that are not exclusively reducible to the state. As suggested elsewhere, in fact, “*the regulation of conduct is not merely a matter of the government and its institutions, but it involves a multitude of heterogeneous entities*” (Xavier Inda 2005: 6, original emphasis). Such approach is particular useful given the variety of “entities” involved in refugee protection and assistance. Different state agencies, various types of NGOs and IGOs, advocacy groups, experts and consultants, academics, etc., do not share much, analytically, other than their common concern towards “refugees”, the object of intervention that unites such disparate group of organisations and that allows their unitary analytical treatment. However, I deepen Soguk’s conceptualisation by deploying and expanding the work of Ferguson and Gupta (2005) on transnational governmentality.

The authors set out a work program for the study of neoliberal governmentality that is concerned with two primary dimensions. On one side, they attempt to understand the mechanisms through which states are “*experienced with certain characteristics and*

*properties [...that] help to secure their legitimacy, to naturalise their authority and to represent themselves as superior to, and encompassing of, other institutions and centres of power*" (2005: 105-106). As much as Soguk, they too are interested in identifying how relations of power are produced by/premised upon particular regimes of governance, but they study and comprehend them as the result of specific rituals, representations, and a host of "mundane practices" (2005: 121). They are interested in capturing the simultaneity of "*theoretical understanding and bureaucratic embodiment*" (2005: 108) of state practices, and I share with their work the objective of studying the refugee as a *tangible* ethnographic object (cf. Xavier Inda 2005: 1). On the other, they are concerned with the implications of such approach in the context of globalisation, whereby an "*emerging network of international organisations and transnational nongovernmental organisations*" (2005: 106) engages with and assert competing claims to states' position within such regime -for example in relation to the outsourcing of state functions to agencies such as the WTO, International NGOs' relations with the "grassroots", or, conversely, the "grassroots" capacity to link with transnational networks. In such context, claims that have traditionally been monopolised by the state (e.g. their supremacy in a hierarchy of power, or their greater generality of interest and moral purpose) are "*being challenged and undermined by a transnational 'local' that fuses the grassroots and the global in ways that make a hash of the [...] topography of power on which the legitimacy of the state has so long depended*" (2005: 122).

While I share this approach, as much as its implications vis-à-vis the necessity to treat state and non-state governmentality within the same analytical framework (2005: 121), I expand Ferguson and Gupta's account in two ways. On one side, I will show how these claims are not necessarily competing, but also colluding and complementary; on the other side, and strictly related, I also inject a more sociological understanding of these organisations, by assessing the articulation of different social groups with these institutional forms. In other words, once again my understanding of governmentality is informed by concerns with the social reality from which it is produced and in which it is instantiated (see next two sections).

Fourth, and finally, I complement Soguk's argument about the refugee regime's affirmation of the citizen/state/nation ensemble "*as the hierarchical imperative to life activities, [and as a] narrative of modern political life*" (1999; 18) in two ways. On

one side, I give equal relevance to how such “hierarchy” is experienced from the perspective of refugees. Soguk’s analysis of what he calls “real” refugees, in fact, simply “*trie[s] to say that their canvases of life are shaped by the simple imperative of struggle for survival*” (1999: 244). However, he does so poorly, by use of vignettes, without explaining how those struggles are shaped, and more importantly, how they are shaped by the object of intervention –the “refugee label”<sup>40</sup>- itself. The heterogeneity of experiences vis-à-vis such label (refractions, as they will be called in the following chapters) needs to be brought into the same analytical framework. On the other, as Soguk recognises, his account refers exclusively to the European experience: as suggested in the programs of further research he highlights, the need for expanding this type of analysis to “non-European contexts” is paramount. This implies that different, competing and colluding (see above), “hierarchical imperatives” must also be accounted for, and their relation to both the object of intervention as such and refugees’ experiences of such field, explained.

In particular, the following questions, amongst others, are not answered by Soguk. What are the contextualised effects of practices generated by such object of intervention? How is such object produced given the simultaneous existence of alternative definitions of refugee? How is it re-produced? These are perhaps underlying limitations incurred when a governmentality approach is used to study regimes of governance without considering other forms of power and their relation to such regimes. In other words, though governmentality approaches highlight a very important dimension of power –the “creative destruction” associated to the constitution of a “*discursive field*” (see above) to be intervened upon- in most cases they omit other dimensions of power and their relation to such field. They often appear dry, concerned as they are with power relations that seem *external* to the social reality which produces and is re-produced by them. The three accounts of the refugee regime highlighted above, in fact, offer an understanding of it that is premised on a certain *internal* logic –what Dean (1999) calls the “telos” of government. This seems to obfuscate other types of relations<sup>41</sup>.

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<sup>40</sup> Zetter 1991, 2007, as well as Zetter in Ch. 3.4.

<sup>41</sup> Cf. also blurring of what is internal/external to the regime in Ch. 5.

More in general, there seem to be three major problems with governmentality approaches. The first one relates to the treatment of *subjects*. Within each regime subjects are not equally positioned. The refugee regime, for example, defines refugees as beneficiaries of protection and assistance, UNHCR as provider of international protection, host states as those possessing authority to deny/concede legal status, NGOs as facilitators. Though the novelty and utility of governmentality approaches stem from their convincing focus on such *ordering* relations, their treatment of those (people or organisations) encompassed within each category is somewhat deficient. Within each of these subject-groups, in fact, each subject is *also* differently positioned. Not all refugees equally benefit from protection and assistance, not always can UNHCR provide international protection, not all states abide with such rules of conduct, not all NGOs facilitate in the same manner. In other words, subjects of each regime do not follow the rules of the game established by the regime *in toto*. How to explain / what accounts for different subjects' position within each group? How to capture the heterogeneity of experiences and reactions of different subjects?

Second, it is not clear from these approaches how a specific object of intervention is produced in context. Once again, though governmentality approaches correctly highlight the productive dimensions of these fields (see above), they do not explain *who* creates them. What gives power to those individuals, organisations or social groups to assert their political rationalities as dominant ones? How are those power relations reconfigured once a specific field is constituted? Why, out of all possible fields and/or problematisations that could have been conceived to tackle a situation, it is precisely *one* that becomes dominant?

Third, how does it all play out in non-liberal contexts? Approaching the legal institution of the refugee as expressing exclusively liberal rationalities (as in Lippert, above), or the politics of its actors (as in Lui, above), or omitting the considerations of other forms of power external to those expressed by the regime, adopts (and therefore accepts and reinforces) *one* particular perspective defining refugees. It is for this reason that the object of intervention described in this section was dubbed "S<sub>2</sub> refugee" (cf. Finnis, in Prologue). One of the contributions of this work is precisely to expand common conceptualisations of such regimes, by recognising their embodiment of particular ontological domains: some are territorial (e.g. state-based), some are premised on not-necessarily-territorial social domains (e.g. tribal, religious), some are

of second-order relevance (e.g. they accept a state-based domain and focus on sub-categories). Yet they all seem to concur to the definition of who a refugee is.

It will be argued by this work that only recognising the existence of different regimes of governance, embodying different social domains and simultaneously asserting claims over the same territory or group of people –i.e. taking an  $S_3$  analytical perspective- it is possible to answer questions raised above. The next section is concerned with developing this point in relation to the object of intervention studied in this work: “Afghan refugees in Pakistan”. It will trace the origins of such field, providing some background information, and more specifically opening up the space of enquiry of the following chapters. The latter will be exposed in the last section.

### 1.3 S<sub>3</sub> refugees

Tracing the origins of a particular event implicitly brings about the need to choose a criterion that defines it as 'particular', as distinctly *recognisable* vis-à-vis other occurrences. All genealogies are selective "*because every genealogy is a choice among a virtually infinite set of genealogies that make up the problem of influence and source in intellectual history*" (Appadurai 1998: 40). Performing such task in the case of Afghans in Pakistan is particularly treacherous, since several interlocked episodes of politically originated displacement define the history of Afghanistan's relations with its citizens and subjects, and that of their displacement across borders. As Centlivres reminds:

There were the migrations of Indo-European peoples to India and Iran, those of Turco-Mongol populations from the 12<sup>th</sup> to the 16<sup>th</sup> century and others in more recent past. These migrations played a role in the populating of Afghanistan and the Indian sub-continent. Until recently, the settlement of Afghan peoples was shaped by large scale, forced displacements. Entire tribes were deported from the south to the north of the country and from the east to the west; others were pushed into exile, in particular during the pacification of the central provinces and the conquest of Nuristan at the end of the 19<sup>th</sup> century. Modern Afghanistan, under the reign of Amir Abdur Rehamn (1880-1901) experienced the exodus of tens if not hundreds of thousands of its inhabitants: Hazaras to Iran and Balochistan [...], Pushtun to the North West Frontier Province, Turkmens, Uzbeks and Tajiks to the Bokhara Emirate. Furthermore, Stalinist collectivisation sparked the exile of hundreds of thousands of mohajers (refugees) to Iran, Chinese Turkestan and Afghanistan, towards the end of the 20s and 30s. We found some of them, and many of their descendent, in the Afghan refugee villages in Pakistan. Centlivres 1993: 4-5; see also Shahrani 1987 and 2000

When did Afghan *refugee* migration begin? Most policy-oriented documents trace the origins to the Saur Revolution of 1978, when the Government of Daoud was overthrown by a military coup led by the PDPA (e.g. BAAG 1987, Turton and Marsden 2002; Atmar et al. 1998), and the subsequent occupation of the country by the Red Army. UNHCR Pakistan states that "*as fighting increased in the late 1970s between the leftist government in Kabul and Islamic traditionalists – along with in-*

*fighting among the leftist factions in power – Afghans started to seek sanctuary in Pakistan well before the Soviet Union intervened [...] By the spring of 1979, the Government of Pakistan was sufficiently concerned that they asked UNHCR to help”* (UNHCR 2004a: 4). This approach clearly defines the beginning of Afghan *refugee* migration to the moment they were recognised as such by the “international community” –their *becoming* refugees.

Shifting the focus to other aspects of the refugee definition, however, it is possible to trace alternative genealogies. Preece (1985: 2), for example, points out that it was in 1973 when the “*first few hundreds political escapees*” took “*advantage of the Durand Line*” to seek refuge. Following the coup overthrowing Zahir Shah, a number of families closely associated with the king left Kabul and moved to Pakistan, the USA and Germany. Others go further back in time and recall how the use of migration across the Pak-Afghan border as a flight to safety was not a practice originated in the 1970s and can be traced back to colonial times. “*The tribes have long exploited the border to escape political retribution from the state, while also benefiting economically from its existence [This situation] has allowed tribes not only to maintain social and political autonomy vis-à-vis the neighbouring governments, but also actively exploit their marginality to further political and economic interests*” (Edwards, 1986: 316)<sup>42</sup>. As the Author points out, in 1923, Emir Amanullah of Afghanistan granted asylum –and “*extensive lands*”- to the “*legendary Ayab Khan Afridi*”, responsible for the kidnapping of a British woman<sup>43</sup> and in 1959, four thousand members of the Mangal tribe moved to adjacent territories in Pakistan, after they had taken arms up against the Afghan government decision to build roads in the area (ibid.).

Some authors use these alternative genealogies to question the conceptualisation of Afghans in Pakistan *as* refugees: Hanifi (2000) does so given the extent of historical continuities with previous episodes of migration (see also Voitira 1991 and Hein 1993 above); Farr (in Fielden 1998) questions the conceptualisation of areas adjacent to the

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<sup>42</sup> Such argument mirrors that of colonial British officers. ‘Our political relations [with the Emir of Afghanistan] are complicated by the fact that, while the majority of [tribes in the NWF] occupies independent tribal land, the remainder inhabit either Afghan territory or the disputed area which remained undemarcated in the Durand Agreement of 1896’ (Military Report, 1926 –missing page number, document consulted in NWFP Archive’s Public Library).

<sup>43</sup> Cf. Afridi 1980.

Durand Line *as* Pakistan, given the autonomous nature of these areas, arguing that such episode of migration should be considered an act of relocation from one place to another of the same “country” or, as Edwards (1986) suggests, an “exit strategy”; others define that act of migration and asylum/hospitality from a “tribal” perspective, explainable on the basis of Pukhtunwali<sup>44</sup>, thus hybridising the notion of refugee by fusing legal and “traditional” understandings of the term (Centlivres and Centlivres-Demont 1988; Dupree 1988; see also below)<sup>45</sup>.

Given the interest of this work on “Afghan refugees” vis-à-vis the *international response* to such displacement, the late 1970s will be *accepted* (from an S<sub>2</sub> perspective) as the origin of Afghan refugee migration. Put differently, even if other perspectives (e.g. an escape to safety across the Durand Line, a large influx of mohajers to Pakistan, the beginning of a jihad against foreign occupiers, one of the Cold War refugee caseloads) would alter the number and type of conditions that make such displacement recognisable vis-à-vis other events, this work takes as the origin of Afghan *refugee* displacement to Pakistan their *recognition* “as refugees” by the GoP and UNHCR’s involvement.

Yet, even with this simplification, defining who is an Afghan refugee in Pakistan remains problematic. This is because of the existence of different registers through which *that* same act of migration (that group of people, in those territories, in that particular historical moment) can be conceptualised. As described in the following paragraphs, in fact, that specific group of Afghans moving to Pakistan towards the end of the 1970s can alternatively be described as *refugees* according to international law, or to domestic law, as *mohajers*, as fellow *tribesmen*, as *people* in need, etc., terms which would define them following different criteria: as citizens of a country that is unwilling or unable to provide protection, as persons with humanitarian needs, as members of a tribe or a religious community, etc. Furthermore, each logic would define the location of that displacement in different ways: as one of the countries where Afghans sought asylum (for UNHCR), as the national territory (for the GoP),

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<sup>44</sup> Pukhtunwali is the code of conduct that supposedly regulates Pushtun behaviour (see Afridi 1980, and below).

<sup>45</sup> Following on the discussion in Ch. 1.1, these considerations put in question the nation/ethnicity/race – sovereignty – territory relation embedded in the 1951 UN Convention of refugee into question, also from this perspective. See also hybrid institutions in Ch. 4.

as tribal land (for many residents of areas adjacent to the border), as a place where humanitarian action is needed (for NGOs such as MSF), etc.

Each of these registers, in other words, conceptualises the same group of persons, and the spatial practices of their migration, on the basis of different *logics*, defining them as different types of *subjects*, and deploying various *techniques* to deal with them (see “regimes of governance” in the previous section). Furthermore, each of these logics, and the particular agents embodying them, carries a particular “*spatial and temporal symbolism*” which produces a “*different sense of locality*”, which reifies different “*relations between subjects and territory*” (Turton 2005: 265<sup>46</sup>). Each of these registers, as developed next, could itself be thought of as providing an S<sub>2</sub> definition of who a refugee is. It is only by unravelling the different logics simultaneously attributing significance to the same people and territory, and studying their interactions, that an analytical understanding of who an Afghan refugee in Pakistan is can be offered, for four reasons.

First of all, Afghans’ recognition *as* refugees on the part of UNHCR is itself an embodiment of (apparently) contradictory principles of world order, enshrined in the

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<sup>46</sup> The relation between place-space-identity is a central debate within, and one of the most stimulating aspects of, refugee studies literature. Some authors focus on the tensions and contradictions of the refugee label itself. For instance Nyers (1999) explores the ambiguity between competing commitments to refugees-as-humans and refugees-as-citizens and Haddad (2003) focuses on the sovereignty-territory link, defining the refugee as an individual between Sovereigns. Brun (2001) takes this argument further, challenging “essentialist” conceptions of refugees’ identity that are premised on those categories; she ‘reterritorialises’ identity vis-à-vis the experience and local perspective of displacement. Malkki’s (1992) work, in particular, is highlighted here because of its seminal insights. She distinguishes between two complementary, but distinct, aspects of refugee protection and migration. Malkki is concerned with the acceptance, in the study of refugee migrations, of the “national order of things [...] as the natural order of things” (1992: 26). The foundational analytical perspective is that territorial representations of identity (a “sedentarist metaphysics”, 1992: 31) are fallacious because they do not capture the ‘mobile and processual’ (1992: 37) nature of identity construction. Her study of Hutu refugees in Tanzania, living in and outside of a refugee camp, points to the context-specific cultural construction of place, i.e. to “the ways in which people construct, remember, and lay claim to particular places as homelands or nations” (1992: 25). Importantly, Malkki distinguishes, very much in line with the discussion above, between refugees as “creators of nations and claims”, and refugees as “objects of knowledge and management” (1992: 25). Turton’s contribution to the debate is the most recent one. Turton adds a very important element in these debates: that of the constitution of social groups. In reference to a group of Ethiopian pastoralist, Turton studies the relation between the “social and environmental logic” (2005: 262) that constitutes them as a group and place, examining how this is expressed through linguistic devices and rituals. Importantly, he also studies how such relation is affected by competing claims exercised by the Ethiopian government over the same territorial areas, in line with the propositions of this work. Following Turton’s insights, thus, this work attributes great relevance to such social formations, as developed in this section.

UN Charter itself: state sovereignty, national self-determination, democracy and respect for human rights (Troeller 2003: 1-2). Such tensions are especially evident in the context of the “*normative and legal framework for refugee protection*” (2003: 3-5). The universal logic of human rights<sup>47</sup> and the territorial logic of sovereignty, in fact, are premised on different conceptualisations of identity and world order, simultaneously defining refugees “*as-humans and as-citizens*” (Nyers 1999: 4). They express the contradiction between being and becoming a refugee, highlighted at the beginning of this chapter<sup>48</sup>.

Second, these tensions are further accentuated in the context under study, since ontological bases of international refugee law need to be additionally confronted with non-legally-based conceptualisations of identity and world order. Tribal and religious *logics* insert “Afghan refugees” in other types of “regimes” and have played a decisive role in the process of Afghan’s emplacement<sup>49</sup> in Pakistan. Both their identity and legal status, in fact, can be conceptualised following a variety of such *logics*.

In relation to identity, these tensions are captured by existing literature. In a seminal work, Centlivres and Centlivres-Demont identified three facets of identity amongst the Afghan refugee population in Pakistan (1988a: 143-145). For International Organisations and the GoP, they argued<sup>50</sup>, refugees are defined and governed by the 1951 UN Convention, its Protocol and other international refugee law documents. However, at least during the first decade of displacement, the image of “*Self and Other*” amongst refugees did not rest on the idea of nation and citizenship, but on a

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<sup>47</sup> The 1951 UN Convention can be seen as an extension and codification of Art. 14 of the Human Rights Declaration, asserting the right to leave the country.

<sup>48</sup> This aspect is only tangentially relevant for Afghan refugees in Pakistan, since UNHCR was invited by the GoP, and Afghans were recognised on a prima facie basis. Next Chapter will present an example whereby UNHCR’s recognition had to be negotiated with the Tajik government.

<sup>49</sup> Hammond (2004) uses and fully develops this term in reference to Ethiopian refugees’ repatriation process.

<sup>50</sup> The Authors state that in “*appealing to the UNHCR in April 1979 [...] the GoP put Afghan refugees under the protection of the International Organisations*” (Centlivres and Centlivres-Demont 1988a: 144). It will be discussed later how different interpretations of who is a refugee in Pakistan are premised on different bases. At the time of their article, however, though seeds of divergence were already implanted in protection and assistance apparatuses, a clear distinction between the two was not particularly relevant, given the convergence of interests and coordination of efforts present during the first decade of displacement.

*“feeling of appurtenance both to a supranational entity, the Islamic Umma, and to an infranational one, the regional, tribal or ethnic community”* (1988a: 142). Edwards (1986: 315), along similar analytical lines, describes Afghans’ identity as *“marginal in relation to those around them –most importantly, the state”*, and discusses the latter’s interaction with other conceptual frameworks to which Afghans are exposed, as beneficiaries of humanitarian activities in Pakistan. Ahmed (1990: xii) places the *“concept of Muslim refugee in a cultural context”* and asserts that *“it is this fusion of an Islamic vision and tribal code that has sustained the Afghan over the last difficult decade”*. More recently, similar types of discussions have focused on the notion of transnational network, and have likewise tried to identify forms of allegiance, practices and identities that are not exclusively reducible to a state-based ontology (e.g. Monsutti 2004; Stigter 2005). As it will be discussed later, and as recognised by all the above articles (see also Maley 1992), each of these facets has a direct bearing on individuals’ and communities’ actions and motivations, interacting with the other and producing changes on identity itself.

In relation to legal status determination, the only GoP document dealing with the issue of Afghans’ status, ‘The Handbook on Management of Afghan Refugees’ of 1984, asserts that asylum had been granted on humanitarian grounds, as well as for reasons of cultural, ethnical and religious affinity between the peoples of the two countries (in Centlivres 1993: 12), thus seemingly articulating law, religion and tribe within a unitary *logic*. In similar fashion, Said Azhar, Retired Brigadier and Pakistan’s Chief Commissioner for Afghan Refugees between 1980 and 1987, the first incumbent in that position, states that the Government and people of Pakistan have met the challenge of hosting Afghans with courage, compassion and humanity, weaving the government’s standing vis-à-vis refugees across legal and religious dimensions:

Apart from the Geneva Convention and other internationally recognised humanitarian practices, which is relatively speaking only a recent post-Second World War phenomenon, Pakistan’s humanitarian gesture is influenced by various quranic injunctions on the treatment of migrants who forsake their homes in the cause of Allah. Azhar 1990: 108-109 (see Ch. 3 for treatment of Afghans’ status in Pakistan)

Tribal and religious *logics*, in other words, are not exclusively confined to the realm of identity, but rather seem to interact with various institutional domains, as each of the following chapters will underline.

Third, it is important to note that each of these *logics* does not have equal bearing on all “Afghan refugees”, but needs to be carefully assessed vis-à-vis specific individuals or groups. Essays contained in ‘The Cultural Basis of Afghan Nationalism’, a book edited by Anderson and Hatch Dupree (1990), illuminate as to how such collective identities are subjectively experienced.

Janata describes how tribal codes do not cover equally all Afghans. He notes how “*small groups of Tajik, Uzbek, or other minorities [...] led a marginal life in refugee villages*” (1990: 68). Farr, examining the way in which “*refugees and refugee status are seen by the people of Pakistan*” (1990: 135), argues, first, that religious affinity and ethnic bonds between refugees and host communities, as well as previous experiences of displacement to Pakistan such as Partition, produce different notions and interpretations of refugee status; second, that the impact of refugees has been differently experienced by their hosts “*as some compete for scarce resources while other profit from their presence*” (ibid. 135-138). Boesen sets Afghan displacement within the context of ‘*ideal Pushtun unity*’, defines Pushtunwali as an “*ordered set of values and concepts*” (1990: 162) and assesses the latter by reference to *purdah*: “*In the refuge, where the family is, in their own eyes, temporarily deprived of the control of land, the control of the family’s house and women seem to have assumed an even more important role than at home, in the symbolic expression of family identity and honour*” (p.172). “Culture”, in other words, is not an attribute that cover Afghan refugees in Pakistan homogeneously, but rather needs to be studied in its individual articulations and effects.

Fourth, and finally, the significance of Afghan refugee displacement to Pakistan can also be assessed vis-à-vis other sets of concerns, which follow different *logics*, and thus possible analytical frameworks. If set in the context of the Cold War confrontation, for example, refugees can be seen as “*pawns in the political arena*” (Rizvi 1990: 253) and “*the refugee problem*” needs to be assessed “*against the backdrop of overall Soviet strategy in the conflict*” (Weinbaum 1990: 211), or vis-à-vis the geostrategic context as viewed from Pakistan (Matinuddin 1990: 215-230) or in relation to donors’ geopolitical motivations (Fielden 1998). Anderson, offering an

assessment model for the analysis of Afghan refugees in Pakistan, distinguishes between different analytical scales.

For the governments involved in the immediate area, locally the refugees present stresses and cause problems. Within the region as a whole, their presence has resulted in certain benefits and, on an international scale, they have been a key bargaining factor. For the ordinary people, the refugees provide local competition. Regionally there remains support for their cause and this probably increases on the global scale. Anderson 1990: 248

The above notes, which have focused on the first decade of displacement<sup>51</sup>, serve the purpose of highlighting the heterogeneous significance the same act of migration acquires if inserted in different “genealogies” and “analytical scales”. Each of these “scales” follows a particular *logic* (UNHCR’s mandate, GoP’s humanitarian gesture, religious injunctions, tribal codes of conduct, Cold War’s confrontation imperatives, local competition for livelihood opportunities). Each of them defines its object of intervention (the same group of Afghan refugees) in different ways and, crucially for the arguments raised here, embodies/represents/reifies a particular ontological conceptualisation or social formations and world order—a particular domain of social life. These relations are summarised in the following table.

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<sup>51</sup> From the beginning of the 1990s, in fact, different ‘types’ of Afghans migrated to Pakistan as refugees, for example those living in cities and possessing formal education (cf. Gul Khattak 2003, for ‘waves of migration’). For simplicity, points raised are made here by reference to those who arrived during the first decade, which are also the majority of those still residing in Refugee Camps (RVs). Ch. 3 and especially Ch. 4 are concerned with other types of Afghan social groups migrating to Pakistan.

Table 1.1

Overlapping interpellations of Afghans in Pakistan<sup>52</sup>

LOGIC	DOMAIN	OBJECTS OF INTERVENTION
UNHCR's Mandate	Interstate system	Mandate Refugees
Sovereignty	National territory	Afghans on humanitarian grounds
Pushtunwali	Tribal land/Pushtuns	Fellow tribesmen
Religion	Umma	Mohajer/Mujaheddin
Bipolar confrontation	Afghanistan theatre	"pawns"

The logic-domain-object of intervention nexuses, presented above, are defined as interpellations following Althusser's understanding of the term. In "Ideology and the State" Althusser discusses the notion of ideology, i.e. "*the system of the ideas and representations which dominate the mind of a man or a social group*" (1971: 149). Although the following pages do not engage with Althusser's theory at large, the term is used for the following three reasons. First, the above nexuses represent an "*imaginary relationship of Individuals to their Conditions of Existence*" (1971: 152-154) in the sense that they are an "*illusion/allusion*": they make reference to reality, but do not correspond to it. Althusser develops his argument in relation to Marx's insights in 'The Jewish Question' and the '1844 Manuscripts': ideology conceals men's real conditions of existence as "*agents of production, exploitation, repression, ideologization and scientific practice*" (1971: 155). The point here is taken further in two ways: by considering the *overlap* of various ideologies concealing men's real conditions of existence (see Table above in the text), and by considering *real conditions of existence* as subjectively experienced (see Fabian, in Prologue, and subjects/agents in Ch. 1.4, below). At the same time, these nexuses have "*a material existence*", in the sense that ideology "*always exist in an apparatus, and its practice, or practices*" (1971: 155-159<sup>53</sup>). Such understanding of ideology, thus, can be

<sup>52</sup> Many of the above paragraphs and this Table appear, with different headings, in an article I submitted to the Journal of Refugee Studies, forthcoming, at the time of submission. See footnote 1 in Ch. 3.

<sup>53</sup> Cf. also understanding of the word "material" provided in Prologue.

juxtaposed on the discussion presented above: as developed in Ch. 1.1 and 1.2, in fact, these ideologies/logics shape particular objects of intervention, problematising their existence and defining courses of action to solve such “problems”. The relation between abstract and material dimensions of these logics is fully developed in Ch. 2.

Second, these nexuses interpellate subjects: an “*interpellation or hailing*” performs the function of “*recruit[ing] subjects among the individuals*” or “*transform[ing] individuals into subjects* (1971: 163). Ideologies/logics *interpellate* individuals as subjects belonging to their ontological domain. In fact, the “*existence of ideology and the hailing or interpellation of individuals as subjects, are one and the same thing*” (1971: 163). Once again, this seems to be in line with the discussion presented here, as discussed in Ch. 1.1 in relation to the circularity of the UN refugee definition in light of Agamben’s critique. I add to Althusser line of thought the recognition that overlapping ideologies/logics simultaneously interpellate individuals as subjects belonging to their domain, and I study their interactions as they exists in apparatus and practice (see Ch. 3). Furthermore, expanding his distinction between subjects as constitutive of ideology and subjects as concrete individuals (1971: 162), I am also concerned with the effects of such overlapping interpellations vis-à-vis subjects’ flexible responses to them (see Ch. 3.3), as well as their capacity (as agents) to re-appropriate both such apparatus and practices (see Ch. 4 and later in this chapter).

Third, Althusser is concerned with the re-production of conditions of production, and in fact, he deploys the notion of interpellation to understand that process (1971: 123). Once again, this is in line with key concerns developed here vis-à-vis the production and reproduction of the object of thought “Afghan refugee in Pakistan” (see above) and, more broadly of the refugee regime (see Ch. 4).

In sum, while governmentality approaches provide a more easily discernible methodology for the study of these nexuses (by distinguishing between object of intervention, subject, technology of government, etc., and their *ordering* implications), and for this reason they have been given prominence here, Althusser’s notion of interpellation allows to capture these three inter-related sets of processes, as they play out in relation to “*the mind of a man or a social group*” (see above).

Several points can be raised in relation to the table above. First, entries should be much more numerous. The sovereign “logic”, for example, should not be considered

as monolithic, but understood in its effective institutional configurations. Afghan refugees fall in fact under multiple ministerial jurisdictions, as well as being of concern to Provincial and Local Governments, and the Army. Furthermore, different humanitarian actors define their objects of intervention and domains following their own peculiar logics, expressed for example in their mandates and mission statements. Some, like UN Agencies, might share the domain of UNHCR, i.e. the interstate system, but follow different logics and do not define their subjects in legal terms (for example, WFP); others, such as different types of NGOs, might not even share the domain (e.g. faith-based NGOs, MSF, or Save the Children). Though each of them could have been added to the table, and will be considered in the development of the following chapters, they have been omitted here for simplicity's sake.

Second, each entry –on its own- can be considered a regime of governance, in line with the propositions of the previous section –each of them, in other words, could be considered a different  $S_2$  conceptualisation of Afghan refugees in Pakistan. Each “regime” follows its own political rationality (an internal *logic* that “*appeals to particular truths*” Ong 1999: 113, above), and defines an object to be intervened upon: each constitutes Afghan refugees as different *objects of thought* (Foucault in Rabinow and Rose, above), and produces “*assemblages of authorities, knowledges, and techniques that endeavour to shape the conduct of individuals and populations*” (Xavier Inda 2005: 7, above)<sup>54</sup>.

Each regime expresses and legitimises particular systems of thought (Ferguson and Gupta 2005: 105-106, above) which order subjects naturalising power relations. On one side, each regime embodies systems of authority (a peculiar “*topography of power*” -ibid), which attributes different roles to different subjects. On the other, each regime has a distinct spatial organisation. While, for instance, sovereignty-based regimes are premised on territorial contiguity, religious or tribal ones are not necessarily so (someone may follow “tribal codes of conduct” in any location; humanitarian organisation claim the right to intervene “wherever needed”, etc.). Each regime, in other words, integrates and orders subjects and territory in different fashion, following a distinct logic.

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<sup>54</sup> Each entry, furthermore, generates particular *techniques* of government that, again, for simplicity, have been omitted from the table. The analysis of how such techniques are produced is the object of Chs. 2.2, 3.2, 4.2. See next section for structure of the work.

Third, and importantly, each of them does so *simultaneously*. Not only each regime *defines* particular domains and objects of intervention, but also it attempts to *assert* its logic over other possible definitions of the same territory and the same group of individuals. These regimes do not and cannot operate independently from each other, since they exercise simultaneous claims over *the same* individuals and territories. Therefore, they cannot be studied independently from each other. These regimes are thus considered key analytical categories for defining “who is an Afghan refugee in Pakistan”. The following chapters are in fact concerned with the analysis of their interaction in territory and over individuals: by *constituting* spatial domains and objects of intervention (Ch. 2), the interaction between these regimes *generates* spatial and institutional practices (Ch. 3); these regimes *shape and are shaped by* individuals’ motivations and actions (Ch. 4).

## 1.4 Who produces a refugee?

*Who is a refugee?* This chapter has attempted to unravel different ways in which Afghan refugees in Pakistan could be conceptualised. First, it rejected the legal definition of refugee as a valid analytical tool, in lieu of its normative and descriptive nature. Second, it approached that definition from a governmentality methodological perspective, by defining it as an object of intervention. Third, it contextualised such approach in the social area of interest to this work, disentangling alternative conceptualisations of the same field. They too, it was suggested, could be considered as the expression of governance regimes exercising simultaneous claims over the same group of people. However, limitations of such methodological perspective were also highlighted.

Governmentality approaches have the merit of highlighting the power of regimes to “order” relations between subjects, attributing different roles and responsibilities to each of them, and thus normalising power relations between them. Yet, such approaches seem insufficient on three counts (see above). First, they are not able to explain how the same regime may have different effects on *different kinds of people*, even if they are the *same kind of subject*. In other words, relying exclusively on the (internal) logic defining who is an Afghan refugee in Pakistan, or who is to protect them, is rather descriptive because it does not capture the heterogeneity of people or organisations contained within each group, nor it explains reasons for their different conduct. In other words, these logics define subjects of a regime only *from one perspective*. Second, though concerned with identifying the genealogy of fields of intervention, such approaches often fail to explain *who* is behind such processes of production, what kind of power they possess and how is that exercised. Third, such approaches do not have anything to say in relation to the existence of alternative, competing (and colluding) definitions of the same field. They do not explain (simultaneous) alternative perspectives embodying different forms of subjectification. In brief, governmentality approaches fail to capture the complexity and contradictions of the social context which produces, and is re-produced by, them. This section is concerned with explicating how such dialectical process is studied in the following pages.

The central contribution of this work is to offer a *coeval* – as well as multiply interpellated - understanding of the term “refugee”. Following Fabian (1983, see earlier), the term *coeval* is taken to represent the *simultaneous* and *contemporary* interaction between different regimes of governance defining refugees as subjects to be governed. It is argued that, in order to define who is a refugee it is necessary to unpack: a) the simultaneity of processes co-determining who is a refugee, in a particular time and place; b) the meaningful simultaneity of spatially separated events, which have repercussions on such processes; c) their contemporariness with other processes taking place in the historical moments under study. Such approach *recognises* (from an S<sub>3</sub> perspective), “*that all human societies and all major aspects of a human society are of the same age*” (1983: 159). Thus, a *coeval* methodology for the study of refugee migration, protection and assistance suggests a radically expanded context of analysis, one that collapses distinctions between scales (e.g. the “global” and the “local”), societies and systems of authority (e.g. “modern” and “traditional”), or between structural and subjective dimensions of power. The following chapters develop these arguments along three, overlapping, structuring registers.

First, at its broadest, each of the chapters studies what Soguk (1999, above) defines as the three constitutive elements of the “modern” refugee regime. Chapter 2 is concerned with its state-based territoriality, and studies the border between Pakistan and Afghanistan. Border-crossing is a fundamental criterion of inclusion/exclusion defining refugees and the chapter assesses its significance in relation to trade and migration practices. Other than providing a context for the subsequent analysis, the chapter argues that the significance of the border is not absolute, nor it is static; rather, it is flexibly located in territory, and flexibly significant *vis-à-vis* the type of individual or commodity crossing it. Chapter 3 is concerned with legal status, the second criteria defining refugees: it is only through recognition by competent authorities that a refugee can become one (see above). Other than providing a deeper understanding of the process of recognition of Afghan migrants *as* refugees presented above, and its changes over time, the chapter takes the cue from arguments developed in the previous one, and assesses the *significance* of such recognition in territory and *vis-à-vis* different types of refugees. Chapter 4 is concerned with the intergovernmental regimentation of the refugee assistance, its third constitutive

element. It studies Afghan NGOs (ANGOs), one of the most prominent agents of provision of assistance activities to refugees, and identifies competing and colluding rationalities behind the institutionalisation of ANGOs, as well as competing and colluding rationalities behind their evolution.

This broad analytical register reinforces and supports the argument that who is a refugee can only be answered using an  $S_3$  methodological perspective: the constitutive elements of the “modern” refugee regime, as these chapters will demonstrate, can never be explained in isolation, i.e. focusing exclusively on the regime’s internal logic. The establishment and implications of a border, of legal status, or of ANGOs regimentation as agents of humanitarian assistance, are *always* the effect of processes of interaction between the refugee- and other regimes of governance *simultaneously* attempting to assert *their* own logic, as opposed to others, in defining territory and individuals as part of *their* domain and as *their* subjects. The other two registers structuring the following chapters deepen this argument in relation to the notions of “object of intervention” and “subject”.

Second, in relation to the notion of “object of intervention”, Chapter 2 develops the point that the boundaries defining such objects are simultaneously abstract and material (see above). It assesses how both the territory and the people encompassed by Afghanistan’s borders escape any homogeneous representation, thus making borders abstract in relation to what they define as national territory and citizens (and, as a second-order implication, suggesting the abstractness of the term *Afghan* refugees). In spite of that, such boundaries are material, because they are *produced* through material interactions and because they define the field over which state-based regimes and projects are *instantiated* –trade and migration regimes being the two studied there. The process of *instantiation of regimes* over a field is studied in Chapter 3, which demonstrates how the definition of an object of thought, “Afghan refugees”, generates a series of policies developed and implemented by competent authorities on their behalf, and assesses the success of such instantiation. The process of *production of an object of intervention* is studied in Chapter 4, where different logics and situated interactions leading to the definition of what an ANGO is, are presented.

This structuring register is concerned with expanding the notion of object of intervention advanced by governmentality approaches. While recognising, from an  $S_2$  perspective, the internal logic defining Afghan migrants as the object of intervention

of the refugee regime, the following pages question the possibility of studying the boundaries of such field, as well as its effects, relying exclusively on that logic. Both the (abstract) boundaries defining the object of intervention and the (material) projection of programs and policies on their behalf are always mediated and negotiated with other logics, exercising simultaneous claims over the same group of individuals. In fact, they are both the result of a process of *production* by subjects of different, competing and colluding regimes. More accurately, such process of production is performed by *agents*, as explained by the next structuring register.

Third, in relation to the notion of “subject”, Chapter 2 assesses the heterogeneity of Afghan citizens by looking at border-crossing practices, and demonstrating how the border acquires a different significance depending on the *kind* of Afghan citizen under consideration. It argues that subject-making processes are never homogeneously experienced; rather, they are *refracted* depending on the position of each individual (or organisation) within each subject-group. Such heterogeneous refractions can only be explained by considering the overlap of other regimes being simultaneously instantiated over the same group of individuals. Moreover, as Chapter 3 will suggest, subjects do not simply refract overlapping regimes, depending on their position within each of them, but *actively* formulate strategies for their own actions. They flexibly respond to different regimes’ simultaneous attempts to shape their conduct. Furthermore, as Chapter 4 will suggest, they *re-appropriate* the intended outcomes of such regimes, thus concurring, as agents, to the definition of the regime’s actual shape.

This register is concerned with expanding the understanding of subjects offered by governmentality approaches. While recognising, from an S<sub>2</sub> perspective, that the refugee regime orders relations between different types of subjects (e.g. those who are assisted, those who protect them, those who assist them), the following pages nuance the notion of subject by highlighting how, within each group, each person heterogeneously experiences such location, given his/hers simultaneous existence as subject of different regimes. Moreover, each person is able to formulate strategies of conduct drawing on his/her simultaneous belonging to a variety of regimes. In fact, the following chapters subvert the notion of subject, by highlighting how subjects are not only able to flexibly *position* themselves across these regimes, but also concur to

the determination of their actual shape; they are *agents* co-determining the production and re-production of such regimes.

Clearly not all subjects/agents are able to do so equally. Their relative strength will be dependent on the relative strength of each regime vis-à-vis the others, on the relative location of subjects within each regime, and on the possibility of subjects/agents to draw strength across regimes. As suggested in Conclusions, in fact, the most interesting implication of adopting a coeval methodological approach for the study of refugee migration, protection and assistance, are the insights it provides in relation to the conceptualisation of power. Combining the three structuring registers, this work suggests a framework that is able to capture two forms of power and two (dynamic) configurations of it.

The first one is taken from governmentality approaches. It refers to the (internal) logic of governance regimes to normalise power relations between their subjects, ordering their roles and responsibilities. It will be referred to as “institutional agency”<sup>55</sup>.

However, in line with propositions above, the simultaneous inclusion within the same analytical framework of heterogeneous regimes, implies that the degree of success of one logic over the other in ordering such relations and in shaping subjects’ conduct cannot be assumed a priori, but needs to be investigated. If, in the following three chapters, it is successfully demonstrated that each regime does not exercise absolute rule over its domain/subjects; that each regime *carves out* its influence in territory and over individuals by negotiating its institutional agency with other regimes; that each regime’s effects are in fact a *contingent settlement* between competing (and colluding) regimes; *then*, by studying the concrete manifestations of such regimes it is possible to identify the relative strength of one regime over others. Which regime (humanitarian, tribal, religious, etc.) is more successful than others in asserting its own institutional agency, in territory and vis-à-vis individuals’ conduct? (cf. Ch. 5.3)

The second form of power, and its configuration stems from an understanding of subjects as agents of their own destiny. Such (human) agency is clearly not absolute, but depends on the relative location of each individual within and across regimes, as well as the relative strength between regimes’ institutional agency. More specifically,

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<sup>55</sup> Cf. Zetter 1991, 2007, and Ch. 3.4.

if, in the following three chapters, it is successfully demonstrated that subjects heterogeneously *experience* (material) opportunities/constraints opened up by each regime, on the basis of their differential *location within* each regime; that subjects respond fluidly to (material) opportunities/constraints opened up by each regime, by being able to *position* themselves *across* regimes; that subjects in fact *re-appropriate* such opportunities/constraints to pursue their *own* agendas (therefore as *agents*); *then*, by studying the concrete manifestations of such regimes it is possible to identify his/her/their relative power vis-à-vis other subjects/agents of the regime. Which individuals, groups of individuals or organisations are able to materially assert his/her/their agency, in the production and re-production of such regimes? What allows (some of) them to do so? (cf. Ch. 5.3)

It is from this perspective that the key research question can be fully captured, and thus superseded. The answer to the key research question of this work –*Who is a refugee?*– lies at the negotiated intersection between different forms of agency and power. ‘A refugee’ *is* the dynamic and undetermined outcome of a process of production, performed by a variety of heterogeneous agents, who engage in abstract and material negotiations to shape form and content of such object of intervention. ‘A refugee’ *is* an abstract concept and a series of programs and practices materially instantiated in context; a homogeneous label and a series of differently experienced conditions; a subject of solidarity and an agent of subversion; the basis for various claims and their inherent contradictions; the constitutional relation of the refugee regime and what undermines it. The dynamic and indeterminate interaction of different agents negotiating the meaning and consequences of each and all of these dimensions produces ‘the refugee’. “Who is a refugee” is the result of processes of social production: the production of fields to be governed following exclusionary logics, and their social re-production, which is necessarily mediated, in a contingent and dynamic fashion. It is in this sense that the key research question is necessarily superseded; a more accurate question would be: *Who produces the refugee?*

## Chapter 2 - Who is an Afghan?

### 2.1 Refractions

“We are all Afghans” is a recurrent statement in my field notes, one that assumed different connotations depending on the context and meaning attributed to it by the speaker. A professor of Business Management at Peshawar University, for example, told me “we are all Afghans” in reference to the extent of migration experienced in the subcontinent, and especially that of Pushtun tribes in the area spanning from the Hindu Kush to the Indus. The Yousufzai, the tribal section to which he is a member, left what is now Afghanistan in the 15<sup>th</sup> Century and “conquered” Swat, in turn displacing Kohistani inhabitants to the upper banks of the Indus (Hamid Malik 2000). Named Shah Jehan, after the Mughal emperor whose rule extended from Central Asia to the Bay of Bengal, the professor recalled how, when he was a young boy, caravanserais would go through his village in the Peshawar valley during their annual migration to India. They would leave goods that they were trading (as a complementary activity to pastoralism - Pedersen, 1994) and would collect payment upon their return<sup>56</sup>. Some would also leave their pregnant wife, only to pick her up on their way back, months later; others would have different households along the route. “*There was an easy road, from Mesopotamia through Persia to Northern Afghanistan or even to Seistan and not a very difficult one to Makran; and so it came about that migratory movements, either compulsory or voluntary, continued throughout centuries, ever extending their scope*” (Holdrich 1910-1977: 9-10); with some nomadic migrations reaching as far as Australia (Davies 1932-1975)<sup>57</sup>.

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<sup>56</sup> A credit practice that is still present: I accompanied one of ten brothers (sons of one man and two wives) engaged in shoe making and trading, in one of the trips devoted to collecting money for shoes that he had delivered some time before, to various outlets in the Northern Areas.

<sup>57</sup> It is interesting to note continuities in migratory patterns to this date, cf. for example BBC news [http://news.bbc.co.uk/1/hi/not\\_in\\_website/syndication/monitoring/media\\_reports/1800572.stm](http://news.bbc.co.uk/1/hi/not_in_website/syndication/monitoring/media_reports/1800572.stm) or Kumar Rajaram and Grundy-Warr (2004).

“We”, in the context of an informal chat with a fellow academic, meant “we Pushtuns in Pakistan” and his analysis was a historical one. At times though, “we are all Afghans” assumed a strictly political meaning in relation either to the historically contested border distinguishing Pakistan and Afghanistan, or vis-à-vis historical practices of ethnic differentiation by different Afghan rulers. The Pakistani director of a gender-awareness NGO in Peshawar, working with Afghans, told me: “*we are all Afghans, you know, it is only recently that we have been considered Pakistanis, in the future we’ll see*”. “We” again meant “we Pushtuns in Pakistan”, or perhaps “we” inhabitants of the NWFP, but the comment in this case referred to citizenship, sovereignty and the future, as opposed to history, people and places. The Durand Line, arbitrary vis-à-vis social formations and shifting areas of governance, still constitute, arguably, an unsettled Frontier (cf. Nichols 1999). In others cases, “we are all Afghans” would acquire a “domestic” ethnic-relations perspective: two Afghan NGO directors, who migrated to Pakistan at the beginning of the nineties, are recorded in my field notes as staunchly arguing against a division of Afghan citizens (“we”) into Pushtun, Tajik, Uzbek, etc.: “*why do you want to separate us, we are all Afghans*”.

Refugee Law is based on the principle of sovereignty and the idea of nation. Forced migration literature links the conflictual relation between state and nation (Ferris 1985) to refugee flows both historically (Harrell-Bond and Voutira 1994; Zolberg, 1985) and in relation to conflicts defined along ethnic or religious claims of various types (Ryan 1995; Richmond 1994; Eller 1999. See also previous chapter). Such ontology is highly problematic in the context of this research for three interrelated reasons, that can be grasped through the above examples: migration and the integration of Afghanistan in regional and global circuits, creating a tension with territorially based types of social order; the historically and socio-economically arbitrary nature of Afghanistan’s borders, affecting state-society relations; and the existence of different overlapping forms of authority, creating multiple claims over people and land. Despite, or perhaps precisely because of, the salience of sovereignty and borders in refugee matters, the main objective of this chapter is to abandon state-based analyses for the conceptualisation of processes of refugee migration and assistance. This does not mean disregarding the normative effects of borders, or accepting the proposition that we live in a borderless world (Omahe 1990), but it

implies recognising the existence of different, internally coherent legitimate dominions over spatial extensions (Ruggie 1993) that do not necessarily coincide with national borders<sup>58</sup>.

This approach is particularly useful in the context under study for two reasons. Vis-à-vis social formations, first, “*lineage dynamics, imperially created inequities and structures of control developed by the colonial state*” arguably continue to “*hinder the full implementation of [...] nationalist ideals*” (Nichols 1999: 260). A homogeneous Afghan society, in other words, cannot be taken for granted, but studied in its varied and differently shaped social formations. Second, legal and administrative borders cannot be assumed to have static and uniform effects for all types of people and goods. Borders are flexibly porous, depending on (historically shifting) structural and subjective *refractions*, as I realised early in my field research.

Despite being an alien, as much as a European diplomat or an Afghan immigrant, my burgundy passport and the colour of my skin seemed to affect my personal boundaries in Pakistan as much as, if not more than, the type of Entry Visa that legally defined my status there. Such *chromatic combination*, in fact, distinguished “me”, or rather how I was seen by different people and “regimes”, from the overwhelming majority of the population around me. My *gora*-ness, i.e. my “nationality as defined by my skin colour”, would open doors precluded to most Pakistanis, even those with higher economic status than mine: my bag would not be frisked at the entrance of 5-star hotels, nor I would be checked while crossing the bridge at Attock, the border between Punjab and NWFP, in my journeys in and out of Peshawar; I got away with speeding tickets along the highway (one out of three), and I had privileged access to higher level bureaucrats, or “influential people’s” *hujras*<sup>59</sup>. Sometimes, I was at an advantage even in respect to “higher”-legal-status Europeans: our landlord hesitated to rent the flat below to a French diplomat, because she happened to be “black”, something that presumably rolled her back in the chromatic pyramidal scheme.

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<sup>58</sup> Approached from a migration perspective, as opposed to an International Organization one as in Ruggie (1993), the statement can be rephrased using Turton (2005): it implies recognising the existence of different forms of social organisation each constituted by its own social and environmental logic.

<sup>59</sup> Hujras are public spaces within villages or houses where visitors can stay to rest or sleep.

Conversely, I would always be checked in my way out of Pakistan because “*all Italians bring hashish*”, as one border guard once asserted while triple checking my intimate parts (this was not true in all circumstances, though: when travelling together with a UNDP officer, in fact, my *Italianness* and consequently my condition as a likely smuggler, counted less than her status and we were usually let through borders with a big smile). Impromptu guides told me of several places; market prices would rise almost everywhere at my arrival; people would send me kisses or shout *angrez* and laugh in groups. Action seemed to me taken on the basis of an assumption built upon a categorisation of myself on the basis of “objective” factors, such as the colour of my skin. My own perceptions and imaginations (partly consequent to the situation described, partly aprioristic) about who “I” was and who were “them”, defined, and modified over time, my material and motivational boundaries. Finding out, challenging, rejecting, and adopting one’s social and material boundaries in a foreign place is one of the most emotionally intense activities related to migration.

More directly related to the subject of this research, one of the limitations of my chromatic status was the impossibility of wandering independently, i.e. without compulsory police escort, in the Federally Administered Tribal Areas (FATAs), which hosted the majority of registered refugees in Pakistan, at least until the beginning of the current repatriation drive. FATAs are administrative units of Pakistan, which are distinguished by the rest of the country for their legal status, a legacy of colonial times. FATAs enjoy a great degree of autonomy in respect to most Government of Pakistan (GoP) laws: their territories are outside the jurisdiction of State Police, each agency has its own *Kassadars* (tribal militia), fiscal rules do not apply, authority is exercised through tribal governance system with the figure of the Political Agent as the only link between them and Islamabad, etc.<sup>60</sup> Despite FATAs being separated by a border from the rest of Pakistan, for many aspects they seemed well integrated with adjacent territories. The Agency border that I had the opportunity to observe most was the one uniting/separating Khyber Agency and/from Peshawar District.

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<sup>60</sup> Cf. <http://www.pakistani.org/pakistan/constitution/part12.ch3.html> and [http://www.pakistan.gov.pk/divisions/ContentInfo.jsp?DivID=41&cPath=552\\_555&ContentID=3527](http://www.pakistan.gov.pk/divisions/ContentInfo.jsp?DivID=41&cPath=552_555&ContentID=3527)

Hayatabad, originally an outpost used for expeditions into the Frontier and simultaneously an initial defence line of the Settled District, is now an integral part of Peshawar with modern housing and a number of facilities, an area with a very large Afghan population, housed in refugee camps or in private houses, depending on economic status, with dozens of ANGOs, some health centres and so-called self-help schools, home to the Commissionerate for Afghan Refugees (CAR), etc. At the very end of Hayatabad the Khyber Agency begins; from Saddar, the bazaar in the Peshawar's cantonment<sup>61</sup>, it is only a twenty minutes bus ride. Such demarcation is an administrative and legal one, but by no means implied, to my eyes, a neat separation, a closure for the movement of either people or goods. Kharkana (what the Lonely Planet Guide calls Smuggler's Bazaar) straddles across such line, buses bring back and forth workers and goods to various Peshawar City bazaars, any body travelling to Afghanistan through the Torkham frontier need to go through there, etc.

Economic rationalities seemed a primary engine behind such cross-border movements. Other than bazaars and labour markets, tourists constitute a source of income for many "tribals" and are source of bi-directional cross-Agency-border movement, or at least were, until the beginning of 2002 when visitors' numbers dropped dramatically. Baba Ji (and probably many others like him), an older gentleman with a perfect English accent famous amongst the Japanese tourists scene, would come every morning to Saddar, poach travellers in Arbab Road and while offering them *kava* (green tea), he would try to exchange the produce of his land with used tennis shoes or T-shirts. Asif, a Pakistani teen, would pretend to be an Afghan refugee selling Afghan knives (in reality made in Punjab) as a marketing strategy for European "clients": "*they like to buy Afghan things*"<sup>62</sup>. "Tourist guides" would offer, in the streets or through hotel receptions, trips to Darra to shoot kalashnikovs (AK47

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<sup>61</sup> Another colonial legacy: cantonments were British Army garrison posts, scattered along the Subcontinent during colonial times. In current Pakistan, they are often integral parts of the city and often, as in the case of Peshawar, thriving commercial and residential centres, whose land is entirely owned by the Military.

<sup>62</sup> I had the opportunity of seeing Asif after one year. I was eating in a *hotel* and he was just seated at a table, waiting to go home because, as he told me, he was too stoned to be seen by his father. I asked him about his business and he told me how there were not enough tourists for him to go around and sell knives, and that he was spending his days playing snooker and smoking hashish. He also told me how he was not an Afghan and the provenance of his knives. See Appendix to the Prologue vis-à-vis time and field research.

machine guns) or bazookas and look at the “famous” arms factories<sup>63</sup>, or would invite people to their Guest Houses in Khyber where “*you can do whatever you want: there is no police, you know...*” Furthermore, the existence of different regimes (or, rather, the non-applicability of Government of Pakistan laws in areas where tribal authority is the main source of legislative, judicial and executive power) can in itself be a significant cause of cross-Agency-border traffic.

Tourists, staff of humanitarian agencies and University of Peshawar students (as recorded in my field notes, but probably other people too) would cross such line to buy alcohol, “charas”, or magazines with scantily clad (if at all) women and various types of sex-performance-enhancing pills. Kharkana, as almost every other bazaar I visited, encompasses products that are both “traditional”<sup>64</sup> and derived from contemporary global compulsions. Many aspirant journalists or writers would cross the border to write a story, demonstrating how Afghanistan, as a field from which to mine a “story”, is a *cause* of migration that follows the seasons of “global” audiences<sup>65</sup>. Peshawari residents would go (while wealthier car-owners would send their “staff”) to Landi Kotal to change their car tyres, cheaper because import duties are absent in FATA, but difficult to “smuggle” into Peshawar District given their size. Conversely, several bicycle-wallas, fast-peddalling through cars, would carry boxes, from the Agency into Peshawar, of what I was told were smuggled car parts and electric appliances, to be sold in various parts of the city, or further “smuggled” into Punjab. And so on and so forth. “*What can Pakistan offer what can Afghanistan offer, it is the border between them that we are living off*” (Glatzer 2001: 6), seemed an appropriate reflection also for this “internal” border<sup>66</sup>.

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<sup>63</sup> Almost every single tourist I met had gone or planned to go to such place, “because is something you must do while here, is in all guides and stories about the wild Frontier”

<sup>64</sup> Chakravarty (1976: 37-38) presents a report of trade between British India and countries in its North West boundary in 1874. Charas figures as the fifth principal import from Kabul after silk, fruits and nuts, wood, and dyes other than indigo.

<sup>65</sup> I encountered many journalists in Pakistan, travellers keeping a blog (one of which mentions me, without me knowing that my conversations with them were part of their own research: <http://www.erwinvoogt.com/overland/opdrachten/opdr26.html>), aspiring book or articles writers (cf. for example, Albinati 2002).

<sup>66</sup> At the time of finalising this work, similar issues appeared in an IPS article; see <http://www.ipsnews.net/news.asp?idnews=38794>

Economic rationalities on their own, however, cannot explain such cross-border movements since, despite these activities being “open” to anyone<sup>67</sup>, not everybody is involved in them. I recall my personal interaction with that border and conflicting rationalities I faced. For foreigners, that barrier indicates areas where the GoP does not assume responsibility for personal safety, unless under police escort. The big sign at the end of Khyber Rd. stating that foreigners must register and identify themselves constituted for me, however, first and foremost a mental, rather than a material barrier, given the facility with which I could have crossed it. I was tempted to get into Khyber Agency admittedly because of the “excitement” caused by the possibility of crossing without authorisation, thus being able to wander without compulsory police escort, and because of the motivational effect of the thousand stories I heard about those who, especially so before 2002, had been able to wander across FATA and into Afghanistan almost without any problem, something that was “not possible” at the time I was there, due to the ongoing military campaign. Clearly the changed context had in turn changed, for some, the meaning of the border. By the end of field research, I crossed that border three times. The first time, I “accidentally” stayed on a bus when it crossed the Agency border, but descended a few yards afterwards gripped by fear of the unknown. A few weeks later, I crossed it again, by foot, “innocently” strolling through Kharkana, but felt intimidated, and hurriedly went back. The third time, I capitulated to formal procedures and crossed the Khyber Pass with a police escort (Rp. 100) on my way to Kabul. Despite its porosity, I had accepted that border given what I perceived as the constraints/opportunities of what I “saw” as the context, my status, physical appearance and personality, in other words, my *flexible response* to different regimes’ simultaneous attempts to shape my conduct (see Ch. 1.4 and 3.4).

Other than expressing naïveté, all of the above field notes want to suggest the difference between subjective, though inserted into structural patterns, implications of crossing a border (a regime) and the material possibility of doing so, which is experienced differently by different individuals. In other words, different fiscal, legal and governance regimes (creating what might be termed “arbitrage opportunities”, “competitive trade advantages”, or “incentives”, respectively in Financial, Political

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<sup>67</sup> For drug smuggling, for instance, a fixed price is put on quantities and destinations: X Rupees per kilo till Peshawar, X+Y Rupees to Punjab, X+Y+Z Rupees to Karachi, regardless of who actually transports the goods.

Economy or Neo-Institutionalist terms), ease of access and lack of comprehensive enforcement (the un-nuanced porosity of borders), the size and type of product to be exchanged, pre-existing structural conditions (be they geographical, social or political), *as much as* subjective desires/motivations for certain goods and/or certain jobs, economic status, gender, etc., all seemed to interact with each other to produce a dynamic and flexible “porosity”, at the same time selectively uniting and separating geographical areas, people and goods. In the following pages, the term *refraction* refers to the subjective implications of regulatory regimes for individuals and social groups.

Borders are one of the regulatory sites of migration laws (see Ch. 1.1). This chapter explores the relation between the territoriality sanctioned by borders and its social effects, focusing on the one separating (uniting) Pakistan from (and) Afghanistan, because of its significance for the migratory group under study. Despite Pakistan not being a signatory of the 1951 UN Convention on Refugees, in fact, the Government’s and UNHCR’s involvement, and in many ways that of various other international actors, rest upon the idea of *external* migration, rendered concrete by the Durand Line. As a fixed product, the border neatly demarcates areas of sovereignty and citizenship, which for the purposes of this research means distinguishing between internal and external displacement, Refugee and IDP, citizen and alien. They define a status. Borders, however, are also dynamic social processes, “*sets of practices and discourses*” (Paasi 1999a), “*political membranes and markers of the success of the state-building enterprise*” (Goodhand 2005: 192). They affect materially and motivationally human settlement and displacement, contextualising migration within wider historico-geographical processes. In other words, they produce social transformation. Boundaries are shaped by human activity, but they also shape it.

## 2.2 Abstract and material boundaries

Concerned with the analysis of states' power in relation to territory, Vandergeest and Peluso (1995) argue that modern states' *territoriality* (i.e. "the attempt by an individual or group to affect, influence or control people, phenomena and relationships by delimiting and asserting control over a geographic area"; Sack in *ibid*: 388) is based on abstract spaces. They define abstract spaces as internally homogeneous linearly delimited discrete units, defined by latitudes and longitudes. The possibility of inserting such abstract spaces into other comparable grids allows horizontal comparison and vertical integration *under* wider perspectives<sup>68</sup>. The territorial abstractness of states is defined, by the Authors, in relation to the "*located, relative and varied*" experience of lived spaces (1995: 389). The relation between abstract and lived dimensions is the object of concern of this section.

Afghanistan entered the modern state system after the Second Anglo Afghan War (cf. O'Ballance 2003), at a time when the "*map of domination of the world's spaces changed out of all recognition*" (Harvey 1990: 264). The establishment of Afghanistan as a buffer state, and the definition of its borders, is often described as a consequence of European powers' confrontation in Central Asia, which saw Imperial Russia and Colonial India facing each other in the territories between the rivers Indus and Oxus (cf. for example Saikal 2006). Rubin (1996: 18-19) explains, or pretends to do so, the establishment of Afghanistan through "*a simple game theory model*": the buffer, as an institution that regulated behaviour and that could be "*monitored and enforced*", resolved the *dilemma* between aggressive and defensive military strategies in favour of imperial cooperation. Such overarching, already global, logic re-

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<sup>68</sup> The Authors discuss territorial strategies employed by the state in rural Thailand to increase its control over the uses of forests, namely: territorialisation of civil administration, mandatory registration of land titles, demarcation of portions of national territory as forest. They argue that such abstract spaces contradict the lived, experienced spaces of people, which are defined by social relations and histories of interactions with the land. Here, the analysis follows a similar line of reasoning, though at a different level. Afghanistan's borders are described as a territorial strategy employed by imperial powers to delineate a relatively neutral buffer area, a "regulatory landscape" (Hudson, 1998) demarcating Spheres of Influence, and thus affecting relationships and processes contained therein. This is contrasted later in the text with the heterogeneity and differential experience of effects produced by Afghanistan's borders. The point will be reinforced in Chapter 3, where similar arguments will be raised in relation to refugee protection and assistance boundaries.

interpreted (re-produced) a geographical area, and most importantly a series of socio-economic relations across it, from the dis-located perspective of European geopolitics in Asia. In the words of Ispahani:

The diligent strategist of the 19<sup>th</sup> century sought to establish or deny access in such a manner as to compartmentalise the Central and South Asian borderlands for the purposes of territorial control and administration. The creation of routes and their denial was the game: in drawing the boundary they created a pre-eminent antiroute: the buffer state, its status confirmed by Anglo-Russian treaty of 1907. Ispahani 1989

Is Afghanistan an abstract space? The Table and Figures below graphically approximate two of what Vandergeest and Peluso (1995) might call "lived spaces". "*Ethnic identities*" and "*the lay of the land*" are in fact "*two key dimensions that need to be understood in respect to the organisation and significance of space in Afghanistan*" (Pain and Goodhand 2002: 3). Both dimensions challenge a conceptualisation of Afghanistan as a homogenous space, thus supporting the idea of its abstractness, as it will be briefly discussed in the next two paragraphs.

In relation to the "lay of the land", Afghanistan's highly fragmented geographical features<sup>69</sup> seem to have concurred, historically, to the definition of both localised loyalties and regional links by defining settlements' location and systems of reproduction<sup>70</sup>. On one side, harsh climate and sharply bounded valleys have scattered, or at least contributed to do so historically, different social groups "*into small ecological niches*" (Newell 1987: 107), as visually represented in Fig. 2.1 and 2.2 (see below), which attempt to establish a relation between human settlement dispersion

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<sup>69</sup> "Located between Iran, the Republics of Central Asia (in the former USSR), China and Pakistan, Afghanistan is a semi-arid, mountainous country with no access to the sea. It forms a closed basin crossed by the Hindukush range, 7000 metres high at its peak. The Pamir Mountains constitute its north-western extension, towards China. Amou-Daria, which marks the border with the Republics of Central Asia, irrigates a closed basin and flows into the Hamoun lakes; the Kabul River, fed by its affluent, the Kunar, merges with Indus and irrigates the only basin in the country that flows into the sea. To the north, west and south, the country is surrounded by a desert belt where temperatures reach 45° C in the summer; the climate in the southwest (main city: Jellalabad), however, is subtropical, with rain from June to August owing to the influence of the monsoon. The rainy season in the rest of Afghanistan runs from January to April. There is heavy snowfall in Kabul (1800 mt.) and throughout the mountainous part of the country in winter" Centlivres 1993: 5-6.

<sup>70</sup> Canfield (1987) identifies three "important material conditions" influencing forms of social cooperation and political loyalties, the third one being the location of the country determining its geopolitical context. The latter is discussed later in the text.

and arable land. According to the author, these geographical features maintained a degree of isolation among social groups, while they also influenced the establishment of (unifying) cross-border nomadic and migratory practices. Similarly, rivers and drainage systems (see Fig. 2.3, see below), defining separate geophysical environments, promoted localised loyalties (Canfield 1987), while at the same time, functioning as access routes (Ispahani 1989), contributed to the establishment of regionalised polities and cross-border links. This is the case also in respect to the Hindu Kush, which “*served as much to unite as to divide Central Asia and the Subcontinent [functioning] as a barrier as well as carrier of currents*” (Gopalakrishnan 1982: 23). It divided “*the stream of westward migrating Central Asian tribes*” (ibid.) into two distinct directions (towards Iran or the Subcontinent), contributing to the creation of geographically distinct political conceptions and organizations, and, conversely, hampering the establishment of rule across it (Ispahani 1989). In other words, relief patterns and difficult communication, as much as climate, contributed to internally diverse and regionally centripetal “*socio-geographical features [...] which tended to be divisive*” (Chakravarty 1976: 3), at least if set in relation to Afghanistan’s borders. This was the actual purpose behind the establishment of an (abstract) anti-route.

In relation to “social identities”, Table 2.1 (see below) “fragments” Afghanistan into “*micro-societies*” (cf. Saikal and Maley 1991): ethnic-religious-linguistic social formations, associated to different geographical areas. Next chapter will discuss the heterogeneity of Afghan refugees in Pakistan from different perspectives, thus an analysis of Afghanistan’s social diversity will not be attempted here. Three issues can be underlined at this point, nevertheless. First, national awareness and identity are difficult themes to treat analytically because “*they belong to the inner experience of the people and largely escape external observation*” and because their analysis “*involves the danger of reifying reality as if collective and individual identity were there once and for all in a definite form*” (Centlivres and Centlivres-Demont 2000: 419), as in Table 2.1<sup>71</sup>.

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<sup>71</sup> See also Ch. 1.1.

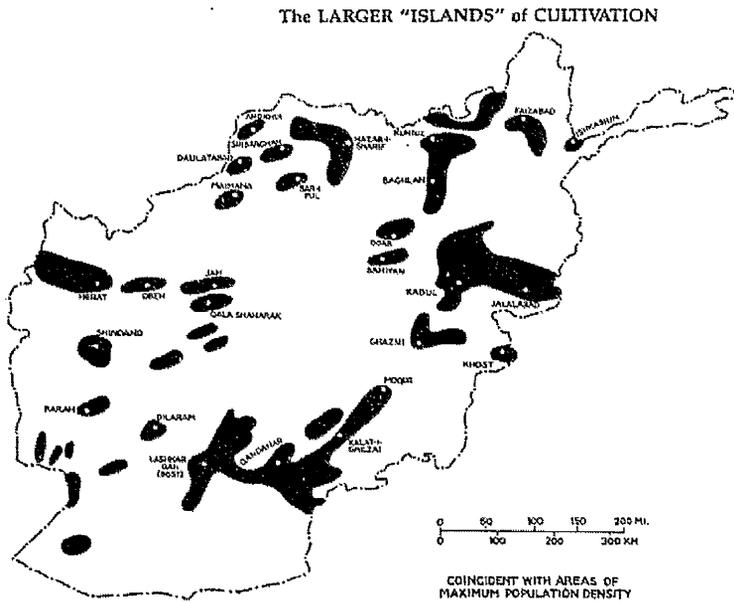


Fig. 2.1 - *The Larger Islands of Cultivation*. Source: Canfield 1987: 87

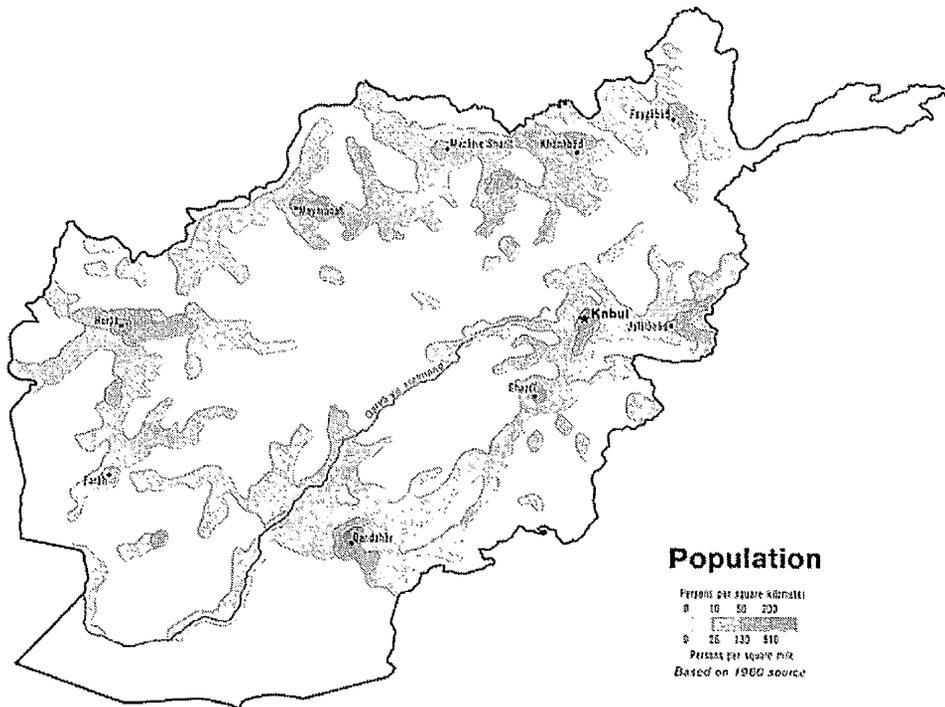


Fig. 2.2 - *Population Density*. Source:

<http://www.globalsecurity.org/military/world/afghanistan/images/population.jpg>

RIVERS and DRAINAGE in AFGHANISTAN

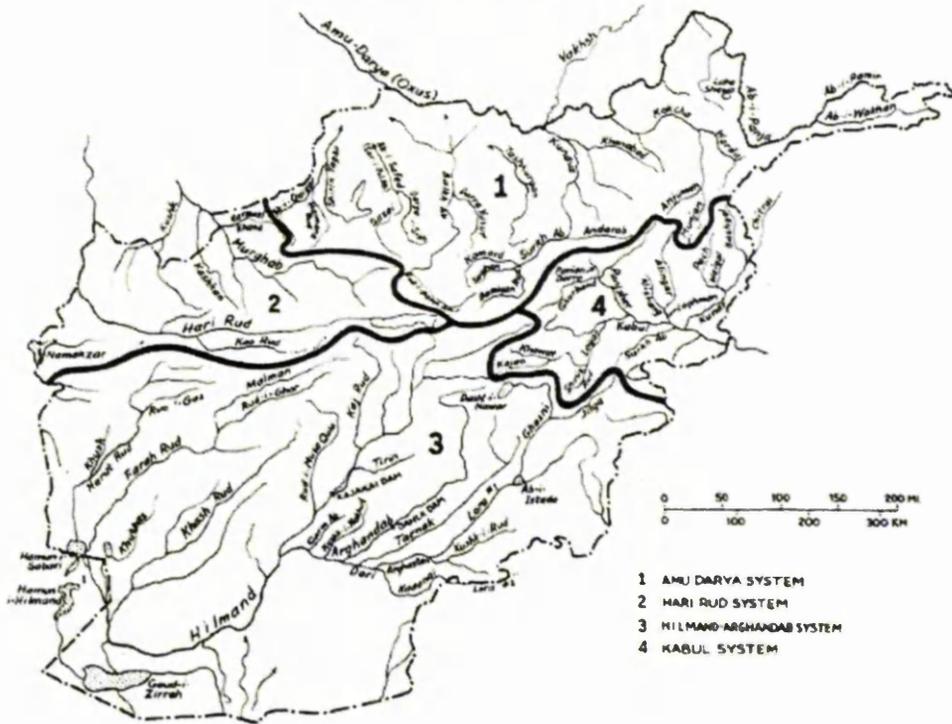


Fig. 2.3 - River and Drainage Systems in Afghanistan. Source: Canfield 1987: 87



Fig. 2.4 - Ethno linguistic groups in Afghanistan. Source:

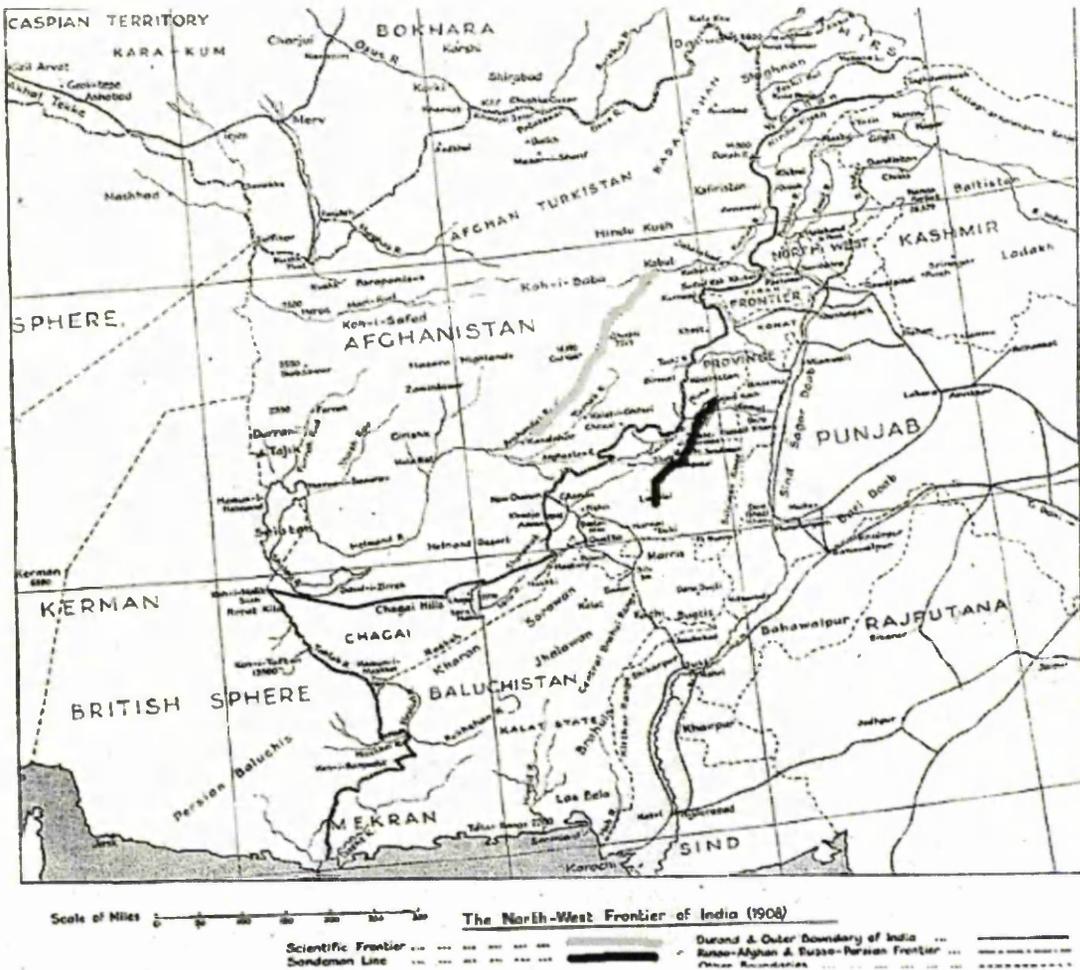
[http://www.globalsecurity.org/military/world/afghanistan/images/ethnolinguistic\\_2.jpg](http://www.globalsecurity.org/military/world/afghanistan/images/ethnolinguistic_2.jpg)

Table 2.1

### Major ethnolinguistic groups in Afghanistan

Group	Language	Religion	Population estimates	Location
Pashtun (Afghan)	Pashtu	Sunni (a few Imami Shi'ites) Islam	6,500,000	All over; concentrated in South and Southwest
Tajik (eastern and northeastern)	Dari (Persian)	Sunni (Ismai'li in NE) Islam	3,500,000	North, northeastern
Farsiwan	Dari	Imami Shi'ite	600,000	Western
Hazara	Dari	Imami ( a few Isma'ilis, Sunnis) Islam	1,000,000	Hazarajat, Northwest (Qala-I Nao)
Uzbek	Uzbek (Turkic)	Sunni Islam	1,000,000	North
Aimaq Tribes	Dari (some Turkic words)	Sunni Islam	800,000	West Central
Brahui	Brahui (Dravidian)	Sunni Islam	200,000	Southwest
Turkoman	Turkic dialects	Sunni Islam	125,000	North, Northwest
Baluch	Baluchi	Sunni Islam	100,000	South, Southwest
Nuristani	"Katiri" languages (Indo-European)	Sunni Islam	100,000	Northeast
Pamiris	Indo-Iranian languages	Sunni and Isma'ili Islam	several thousand	Northeast
Kohistani	Dardic dialects	Sunni Islam	n.a.	Northeast
Gujar	Indo-European dialects, Pashtu	Sunni Islam	n.a.	Northeast
Qirghiz	Turkic	Sunni Islam	n.a.	Northeast
Jat	Indo-European, Pashtu	Sunni Islam	several thousand	Pamir (now Turkey); gipsy-like, itinerant
"Arab"	Dari	Sunni Islam	n.a.	North; Sayyid Arabs widely dispersed
Mongol	Dari (with some Mongol words)	Sunni Islam	several thousand	West Central

Source: Canfield 1987: 78 (The Author notes how he adapted the table from the narrative contained in Dupree 1973: 58-64; he also notes how population underlines how population figures are estimates, as well as specifying that entries noted as "several thousand" and "n.a." are directly taken from Dupree's work )



*Fig. 2.5 – The North-West Frontier in India.*

Source: missing imprint (photocopy obtained from a book in ARIC's Library, Peshawar). I have added bolder lines in correspondence to the Scientific Frontier and the Sandeman Line (with the Durand Line already highlighted in the original map) for easier reference to the text.

Second, as much as in relation to “the lay of the land”, each of the possible dimensions “fragmenting” Afghanistan simultaneously also unites social formations on different spatial scales (e.g. cross-border ethnic affiliations, seasonal migration, watersheds, pasture lands, etc.). The interaction between such trans-national flows and the territorial fixity of borders will be the focus of next section. Third, in a context where family and kinship play a decisive role in defining identity (Nichols 1999: 260) “fragmenting” Afghanistan on the basis of ethnic groups may appear arbitrary or at least explanatory only to a certain extent. The following long quotation is another way of representing belonging and identity. It is reported here because it is a way of representing one’s family, based on lineage, historical displacement and interactions with other tribes, that I frequently encountered among educated Pushtuns met during field research (though clearly not to such level of detail); second, because it highlights the relevance of class and hierarchical differentiation within and between tribal groups, something that is not captured by a *static* representation of ethnicity; third, because it highlights interactions between social formations, migration, and the context that makes them legible, a point raised repeatedly across this text. Furthermore, it complements points raised above (Afghan migrations to Pakistan) and below (the non-idyllic coexistence of different social groups integrated in a fluid socio-economic system)

Rahman<sup>72</sup> was born into a noble family and he takes pride in it. The land south of Peshawar is held by an offshoot of the great Mohmand tribe, called the Lower Mohmands, which probably was cut off from the greater part of the tribe, the Upper Mohmands, which holds the mountains north of the Khyber Pass on both sides of the Durand Line, already at the time of their invasion of the Peshawar Valley about a century before Rehman’s birth [1653]. The two parts of the tribe were divided by their kinsman the Khalils and the Daudzais, who took land in between them. They all belong to the Ghoriah Khel sub-group of the Sarbanis, who moved together from their original seat in Kandahar, from where the Khakhay Khel group (Yousufzai and kindred tribes) had moved first and had invaded the Peshawar Valley, occupying this and the mountain valleys to the north about 60 years before

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<sup>72</sup> Rahman Baba was a Pashtu Sufi poet who lived in Peshawar during the end of the 17<sup>th</sup> Century. A large shrine in the outskirts of Peshawar is a place of pilgrimage where people converge from different parts of the NWFP and beyond.

the Ghoriah Khel arrived. Today all the land in the Peshawar Valley and to the north is held by the Sarbani tribes (except for the part held by the Khataks, who are Karlanis). On their arrival four centuries ago they did not find this ancient seat of civilisation vacant. Another Karlani tribe – the Dilazaks- had to be driven from the land and either subjected, or expelled, or outright exterminated. [...] Besides those, there was an older stock of non-Pathan people, who were also subjected, so that as a net result, the landholding class comprised only fifty percent of the entire population. The greater part of non-Pathans have long since adopted Pashtu as their language and thus become part and parcel of the Pathan “nation”, but the pedigree Pathans are the aristocrats and Rehman took pride in belonging to them. Enevoldsen, 1977: 12-13.

Returning to the initial argument: from the perspective of geographical features and *experienced* social formations, the buffer state was certainly “abstract”, because it did not correspond to previous or existing social organisations, in either form or spatial dominion, nor it reflected multiple *personal maps* (cf. Mbembe and Nuttal 2004: 371) of individuals and collectivities contained therein, such as the one in the above quotation. However, the specific shape of Afghanistan was not solely the consequence of imperial fiat, nor it was abstractly juxtaposed onto a homogenous social terrain. Powerful as it was, such imperial logic was both constructed and negotiated in a specific geographical and social context, and “local” issues did play a significant role in the actual establishment and demarcation of Afghanistan’s borders, interacting with various other dimensions of concern. Though the territoriality of such antiroute was certainly *abstract vis-à-vis* “ethnic identities” and “the lay of the land”, (Pain and Goodhand 2002: 3), its establishment, effective shape and effects were not. “Abstractness”, in other words, should be qualified from three angles.

First, abstractness depends on the perspective chosen: British colonialists *experienced* such social and geographical features *vis-à-vis* their perceived needs and opportunities and, from *their* perspective, far from being abstract, the logic of colonial governance leading to the establishment of the Durand Line followed very concrete rationalities<sup>73</sup>. As seen from Colonial India’s Peshawar, in fact, the “problem of the North West

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<sup>73</sup> Conclusions of this thesis will argue the need for an increased recognition, in analytical, policy-oriented, and practical discussions about refugees and assistance, *refugeeness* and *regimeness*, of simultaneous, but different, lived and imagined experiences and realities.

Frontier" (Davies, 1932-1975), was simultaneously an imperial one, of defence from a perceived threat of Russia from the north, and a local one, the consequence of "turbulent" populations that needed to be controlled.

In relation to the former, lamenting the "*deplorable fact that all questions connected with the rectification of the Indian Frontier [...] have tended to become party questions*" in Westminster (Davies 1932-1975: 16 – see Fig. 2.5), thus displacing imperial interests in borders onto the level of parliamentary politics, Davies reviews defence strategy considerations of different colonial administrators. Edwardes saw Peshawar as "*the anchor of the Punjab*", and thus considered a backward defensive line, along the Indus, as unacceptable; the administrative border (between Tribal Agencies and Settled Districts), according to Roberts, "*can be good to deal with the tribes but as a Frontier is indefensible*"; the Durand Line, "*which demarcates, where demarcation is possible, the respective spheres of influence of the Amir and the Government of India, possess no strategic value at all*", and has strategic imperfections; "*should we hold Kandahar? If so we need to control the surrounding area, but then we should go to Herat*", etc. (Davies 1932-1975: 1-18). The "local problem" related instead to the government of resident populations and locked into a relation imperial defence and local governance. Tribal policies for the North West Frontier oscillated between attempts of conciliation (e.g. through the abolishment of frontier duties, the construction of roads and the opening of Army ranks), undertaken because of the indefensible nature of Peshawar and the need for friendly tribes; and coercion (e.g. through fines, blockades and punitive expeditions) "*undertaken only in occasions of prestige or real need*" (Davies 1932-1975: 18-36). In other words, the problem of Imperial defence unfolded in relation to geographical and social features of the area involved, was very concrete and was experienced as a *material* one, from the perspective of Empire.

Second, following from this, the demarcation of Afghanistan's borders, agreed through a Treaty in 1893 but carried out between 1894 and 1896, with the portion between the Mohmand country and the Khyber Pass demarcated in 1919 (Gopalakrishnan 1982: 103), was actually mediated by territorial peculiarities, domestic (from the perspective of empires) politics, topography, tribal settlement locations, tribal relations with the Amir of Kabul and Colonial authorities, migration, trade and access routes, etc. Three sites of political interaction, constituting a unitary

nexus, can be identified. The first one related to “domestic” imperial concerns (“politics”), which was in turn affected by trade, security and other considerations, and which influenced Russian and British defence/offence imperatives (see Chakravarty 1976: 53-90). The second one related to how those concerns were articulated into actual policies and specific imperial institutions over time, and their relation to pre-existing forms of authority and social organisation (cf. Shahrani 1987 or Nichols 1999). The third one related to the actual territorial definition of the border, which was affected by both geographical contingencies and political considerations, as briefly described next.

Chakravarty states that the designation of the frontier was a delicate problem in view of the fluid political situation in Afghanistan: Balkh, ethnically more akin to Bukhara, was loosely connected with Kabul, whose legal claims over the whole of the trans-Himalayan region were precarious, based as they were on the recent but temporary conquest of Dost Muhammad. In the north, the political situation in the Oxus basin was in a state of flux and populations along the course of the river were watching closely the “*gradual crystallization of political loyalties in the Afghan and Uzbek worlds*” (Chakravarty 1976: 64). The author further argues that the Wakhan corridor, a 5 to 15 km wide tract of land bordering Tajikistan, Pakistan and China, was specifically included within Afghanistan’s dominion to avoid border skirmishes between imperial forces, in spite of the Amir of Kabul’s reluctance and concern over the imbalance between administrative and military costs and local revenues (ibid.). Afridi (1980) states that what is today’s Kurram Agency, a tract of land that insinuates itself “inside” Afghanistan due to a “bend” of the Durand Line, came under the Sphere of Influence of the British government, because the Turis, inhabitants of the area and mostly Shia Muslims, requested British protection to defend themselves from Sunni tribes. Gopalakrishnan (1982: 103) and Saikal (2006) report that a shrine was finally selected as a point of demarcation, due to its higher elevation. Davies (1932-1975: 53) recalls an episode where 900 men, *all* the men of a village, arrived at a meeting for the demarcation of the Durand Line claiming that no *malik*, the institutional figure created by the colonial government to deal with tribes, represented them.

It is beyond the scope and interest of this paper to delve into the contingencies that explain the “*patchwork scheme*” (Curzon 1907 in Davies 1932-1975) of governance

arrangements throughout the Imperial Frontier. The above notes serve the purpose of arguing that the establishment of Afghanistan's boundaries was not dictated by imperial fiat, but by the interaction between different *forces* -the need of defence, control and extraction of the colonial state, the geopolitical rationality of imperial confrontation, the contingency of responses from local populations, in turn articulated within religious or tribal narratives, geophysical peculiarities determining access and defensive/offensive constraints/opportunities, technological and military imbalances, trade and economic pressures on territorial jurisdictions, etc.- *concretely* embodied in specific organisations, institutions and individuals. Though clearly influenced by unequal distribution of power and resources, negotiated by actors resting on completely different bases, perspectives and motivations, the actual definition of Afghanistan's borders was the result of historically, geographically and socially contextualised *interactions* between individuals organised in social groups. The point can be re-formulated from another angle: since the creation of a *space*, an institutional "imperial buffer" in this case, needs to be materially defined in *place* (cf. Harvey, 1990: 258) physical and social features of affected geographical areas necessarily affect, in turn, its definition.

The third way in which the idea of "abstractness" should be qualified derives from this last angle. Though the overall goal was to *separate* two European empires, territorially and vis-à-vis spheres of influence, the buffer also *united* varied physical and human geographies within one system of governance, establishing a series of complex relations between the three. Among them one is particularly interesting for this work: the establishment of "Afghanistan as defined by its borders" as an *object of intervention* (cf. Ch. 1.2) over which to *instantiate* a variety of regimes: cultural (cf. Roy 1995: 11), educational (cf. Dupree 1998), legal, developmental (e.g. Cullather 2002), administrative, as well as refugee-related policies.

The tension between national policies premised on a homogeneous object of intervention ("Afghanistan as defined by its borders") and the heterogeneity of the subjects and objects of such interventions is highlighted in several analyses of Afghan society. Centlivres and Centlivres-Demont (2000: 421-423), analysing the degree of "national awareness" of different Afghan social groups, list a number of Amir Abdur

Rehman Khan's<sup>74</sup> divide and rule policies to explain social fragmentation: the resettlement of Pushtuns to the north (accompanied by a government-led deprivation of land to local Uzbeks and Tajiks and redistribution to Pushtuns, see also Shahrani 2000), the use of ethnic and religious hatred, the institutionalisation of discrimination against Hazara/Shi'ites, the ethnic distribution of Army and government jobs, etc.

Expanding the analysis to international actors, the Authors furthermore argue that despite during the Cold War Jihad the majority of sectarian affiliations were united in an anti-Soviet collective action, the 80s were precisely the period when the trend towards ethnic "fragmentation" began. Rubin highlights how during the Cold War, the goal of protecting the borders of an empire (the Soviet one in this case) seemed to require intervention in the buffer state's domestic policies (1995: 29), as much as the "*fragmented nature*" of Mujaheddin resistance (reflected and) accentuated a combination of patronage, traditional networks, local rivalries and ideological bases of authority (Rubin 1990: 153).

These tensions manifest themselves also in the context of developmental activities. Gopalakrishnan (1982: 116) argues that successive Afghan rulers employed road development as a tool (a territorial strategy, cf. Vandergeest and Peluso 1995) to isolate the provinces and maintain a separate line of control over them. Conversely, Canfield (1987) illustrates how geographical patterns of road development indicate Pushtun domination over state apparatuses. The Helmand Valley River project in southwestern Afghanistan, similarly, reflected, as well as reinforced, the idea of "*ethnic-related*", as opposed to "*rational, economic*" justifications for national developmental activities: it was "*located in a Pushtun region essentially for the benefit of Pushtuns*" (Shahrani 1987: 58).

Such tensions pre-dated the establishment of the border. Shahrani, in fact, associates some of Afghanistan's cleavages (1987: 23-25) to the specific rationalities of power (and resistance) of loosely related social groups and different rulers, throughout centuries: according to the Author, Mughal policies towards Pushtun tribes initiated the development of Pushtun tribal structures, as much as Safavid attempt to impose Shi'ism and persecution of Sunni Ulama contributed to subsequent sectarian

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<sup>74</sup> The Amir who ruled Afghanistan during the last two decades of the 18<sup>th</sup> Century, the period of concern of this section.

affiliations (1987: 25-38). Similarly, Nichols (1999), concerned with exploring “*processes of contact, integration and confrontation that occurred across multiple social and agrarian frontiers*” establishes a relation between successive systems of rule and “*Pakhtun tribal practices shaped by lineage dynamics and local interpretations of Islamic doctrine*” (1999: xiv): Mughal irrigation and revenue priorities eroded Pushtun hegemony over (pastoralist) land use, but at the same time allowed a limited group of Pushtuns to use Mughal patronage for consolidating personal claims to leadership and authority (1999: 48); similarly, British efforts to “*map, quantify and label districts and communities [...] would be used to reorganise these social facts into new frameworks and systems* (1999: 130), though significantly (see above) the “*rhetoric of imperial fiat and the fact of imperial power were watered down by pragmatic, often unacknowledged, concessions and compromises*” (1999: 136).

The border’s demarcation, however, *defined* the object to be intervened upon - Afghanistan- and made *significant* territory and individuals contained therein from the perspective of sovereignty. Far from being an *abstract*, in sum, not only was the buffer the product of very concrete concerns and rationalities and its shape physically negotiated at its borders, but it also constituted new permanent and dynamic relations, very *material*, at least in some of their effects. Altered by geographical and social contingencies, Afghanistan’s borders became a source of social transformations: they altered patterns of human organisation, as materially as the “lay of the land” or the “ethnic mosaic” superimposed over it. Intended to “order” (cf. Agnew and Corbridge 1995) territories and people within an imperial rationality, the buffer also established a complex interdependent nexus between a demarcated territory, varied peoples, and a system of governance (within wider systems of governance). At least selectively, it became a “lived space” itself.

However, sovereign claims are not homogeneous, nor unique. Afghanistan is not a “*hermetically sealed geographic container in which sovereign power is exercised by an extensive central government*” (Maroya 2003: 267), but rather a series of “*dynamic social processes*” (Paasi 1999a). The success of the “*state-building enterprise*” (Goodhand 2005: 192), i.e. its claim to sovereignty, in other words, must be verified at its borders. This suggests, conceptually, the need for nuanced definitions of state-based identities and areas of governance, which would take into consideration the

*experienced* realm of subjects encompassed by such claims. Boundaries, either legal or social, are constantly re-negotiated and re-shaped in their meaning, forms and implications, therefore, analytically, they should be explained (i.e. historicized and articulated) rather than taken, in their staticity, as a given. In practice, this means prioritising social processes vis-à-vis fixed “labels”<sup>75</sup> and focusing on *relational* processes shaping those different meanings and forms, as argued next in relation to trade and migration border-crossing practices.

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<sup>75</sup> This is recognised also by literature concerned with the so-called refugee “label”. Most of it focuses on the homogenising tendencies of such institution, which tend to represent large groups of individuals as an “*amorphous mass of people in need*” (Pottier 2002: 131, see also Harrell Bond 1986, Mallki 1995). Zetter’s study (1991) is a seminal one in this respect. His essay is concerned with “*labels as a conceptual category*” and examines how and with what consequences people become labelled as refugees within the context of public policy practices. Labels, he argues, do not clarify identity, yet they set values and judgements, and project managerial as well as patron-client practices. Zetter identifies four problems associated to the refugee label: the simplicity of a “*de minimis*” legal connotation vis-à-vis the multiplicity of interpretations and definitions existing in practice; the use of categories such as persecution and sovereignty, which are “*contingent*” and enjoy little consensus; the existence of an “*institutionalised world of NGOs and intergovernmental agencies*” each of which establishes bureaucratic and managerial procedures; the “*extensive empirical evidence*” illustrating that refugees conceive their identity in very different forms from those attributed to them by the label (ibid: 40). See also Zetter 1991, 2007, and Ch. 3.4.

## 2.3 Flexible Porosity

One of the major concerns of various social sciences' disciplines over the last two decades has been the study of borders and borderlands as peculiar localities where "transnational flows" intersect the territorial fixity of borders (Van Schendel, 2005; Goodhand 2005). In a context of "globalisation", where the mobility of capital, commodities and ideas has led some authors to argue that we live in a borderless world (Omahe 1990), what roles do borders and borderlands play? Arriving to this debate from the perspective of refugee migration and protection, however, claims about the diminished relevance of borders might seem totally out of place. It is the lack of protection by States, within the territorial scope defined by their borders, that constitute the only legal cause deserving international protection, at least as per the 1951 UN Convention on Refugees; and it is only by crossing an international boundary that such protection can actually (begin to try to) take place. Are refugees outside the "borderless world" of globalisation?

Entering such debate, this section aim is to render concrete the interdependent nexus identified in the previous section, in relation to specific practices of border crossing. In particular, it is concerned with developing the notion of flexible porosity, sketched in the first section of this chapter in relation to personal boundaries, through an assessment of such practices. It does so continuing that line of reasoning expressed above, i.e. by setting in *relation* the Durand Line's porosity vis-à-vis *experiences* of border-crossing. The setting under consideration is particularly interesting for such study for three reasons: Afghanistan's "*intimate*" integration into the world economy (Goodhand 2005), the geopolitical relevance that such "imperial borderlands" have had both historically (Ispahani 1989) and in more recent times (Rubin 1996; Fielden 1998), the presence and entrenchment of forms of territoriality alternative to that sanctioned by the Durand Line.

Even before the establishment of borders, in fact, Afghan<sup>76</sup> trade networks have traditionally covered a very wide area, due to pastoralist nomadic practices, which

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<sup>76</sup> Here, the word Afghan refers to populations defined as Afghans before the establishment of the border. Comprising in their overwhelming majority Pushtun tribes, this term was not exclusively confined to such groups; cf. Imperial Gazetteer of India, 1999.

have been a distinctive “*feature of the physical and social landscape of Afghanistan*” (Pain and Goodhand 2002: 4). The Imperial Gazetteer’s Section on Afghanistan (reprinted 1999<sup>77</sup>) asserts that “*the class of Afghans commonly called Powindas [...] spend their lives in carrying on traffic between India, Afghan-Khorasan, and Bokhara*”. Pushing their way to the Indus twice a year, they would travel “*by rail to Bengal, Karachi, and Bombay, returning in the spring with goods purchased for the Afghan market*” (ibid: 36-37). A recent World Bank report confirms that until 1920 traders sent their goods to Peshawar via Torkham, and later by rail to Karachi Port. After that date, however, owing to “*the uncooperative policy of the British Raj*”, Afghanistan directed its trade towards the former Soviet Union, from where goods were transported to European countries using their railway system. “*After the collapse of the former Soviet Union and establishment of Commonwealth of Independent States (C.I.S.) the use of these transit routes has fluctuated with changes in the political relations with these countries*” (World Bank 2001:30). Rubin (1996: 55) describes interactions between trade patterns and Afghan state reforms, arms pipelines during the Cold War (1996: 197), and opium trade (1996: 263). Similarly Schetter, in reference to current times, asserts that

Afghanistan has taken advantage of enormous disparities in trade policies between the countries in its vicinity. From Dubai, the largest free port in the world, consumer goods [...] were imported by air to Kandahar and Jalalabad. Fuel from Iran, where oil products are heavily subsidized [...] enters Afghanistan through Herat. From Turkmenistan a range of goods, such automobile spare parts, are imported into Afghanistan. Most of these goods are destined to be smuggled back into Pakistan. (Schetter 2002: 11)

In other words, all these studies seem to suggest that the significance of territory in relation to trade, at the time of the Empire as much as now, is not only determined by geographical features, proximity to markets, roads or railway systems, etc., but also by the type of policies and regimes *instantiated* over different territorial jurisdictions. In their function as antiroutes, boundaries, and their significance, seem to constrain trade and movement across them through fiscal, administrative and other types of

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<sup>77</sup> I am using a reprint by Sang-e-Meel publishers, Lahore, Pakistan, which does not carry the original publishing date. The British Library catalogue asserts that the Imperial Gazetteer Provincial Series Afghanistan and Nepal was printed in 1908-1909.

regulation; as points of contact between territorial jurisdictions with heterogeneous policies, they simultaneously seem to create incentives for integration. Boundaries generate “*dynamic social processes*” (Paasi, 1999a) that unite and separate at the same time. Such processes are not uniform, but rather need to be studied in their heterogeneous significance, as developed next in relation to the Afghan Trade and Transit Agreement (ATTA).

As part of the privileges of “*a landlocked country consistent with customary international law*” (Paterson 2006: 12), Afghanistan signed several trade agreements with neighbouring countries. ATTA, originally signed during the 1950s, allows listed goods to be imported via Pakistan, free of duty. ATTA rests on the assumption that the Durand Line *separates* two different fiscal regimes. If inserted in the chaotic reality of borderlands, however, its significance needs to be *explained* (i.e. historicized and articulated, see above).

Ever since ATTA’s inception, bases for what is now commonly termed cross-border smuggling economy were established, with vast amounts of commodities re-entering Pakistan. According to the ILO, during the 1990s, more than half of Afghanistan’s imports probably entered through the Pakistani route, but goods worth roughly US\$ 2.5 billion were smuggled annually across the border into Pakistan, causing lost custom and tax revenue to Pakistan of some US\$ 400 million (Pain and Goodhand 2002: 20). In support, a World Bank study states that total *unofficial* exports to Afghanistan amounted, in the year 2000, to US\$ 941 millions (World Bank, 2001: 23). The same report presents results of a field study of Afghan trade claiming that 67% of Afghan imports are destined for re-export (World Bank 2001: 7).

Furthermore, the study reports how different crossing points perform different “functions”. They are differently made significant by the intersection between (lack of) border monitoring and geophysical features. For example, of two unofficial crossing points nearby Torkham, in Khyber Agency, one is used by porters carrying twenty to thirty-five kilograms of, mainly, spare car parts and carpets; the other one can instead be used by trucks and camels and is thus used for bigger consignments (2001: 24). In Kunar Province, goods have to be transported across the “*Kunar River by boat and then taken by truck to reach Lalpura. There are several large boats facilitating the crossing*” (World Bank 2001: 25). While this route serves the function of transporting rugs, wood and electronics to Pakistan, and wheat flour and rice to

Afghanistan, unofficial trade done using the bridge across the Kunar can be performed by truck and thus it is used for floor coverings, petrol, motor oil, tires, small new cars and a variety of general merchandized goods, in one direction, and fertilizer, flour, food products and bottled gas, in the other (World Bank 2001: 25).

Explaining these processes simply as a reflection of the absence of geographical barriers and lack of comprehensive enforcement, however, seems to miss several analytical dimensions that are in fact quite relevant for the understanding of how they actually unfold. The first one relates to the variety of other boundaries that need to be crossed before the “successful completion” of smuggling activities takes place. Though it is the Durand Line that attributes significance to territory, by projecting fiscal regimes and thus incentives to smuggling, *effectively* the porosity of other administrative demarcations seems at least as important.

The boundary demarcating Tribal Areas and Peshawar District, for example, is perhaps a much more important demarcation. Federally Administered Tribal areas are administrative units of the Pakistan state where tribal authority is the main source of legislative, judicial and executive power. Khyber Agency begins only a twenty minutes bus ride away from Saddar, the bazaar in the Peshawar’s cantonment. Many considerations raised in relation to the Durand Line can be also applied to this “internal” border, given the selective applicability of Government of Pakistan laws in such areas. Where smuggled goods are concerned, it may be argued that that line, and its porosity, represents a more accurate *effective* fiscal border. That was my impression during field research, as mentioned in the first section of this chapter<sup>78</sup>.

Furthermore, Tribal Areas – Provinces borders are not the only ones that need to be crossed for “smuggling” to effectively take place. The border between NWFP and Punjab is another major crossing point, one that is heavily guarded, at least along the main GT Road. Through Attock bridge, smuggled car parts and small appliances are carried inside fridges or washing machines; drugs are transported by bus, with transporters being tourists, teenagers looking for quick money, and women, because

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<sup>78</sup> Van Schendel (2002) rightly states that in borderlands it is at times impossible not to be flooded with information about illicit trafficking. The following notes, as much as those presented in the first section of this chapter, represent some of the ones I have been flooded with during field research, and are presented here without claims to statistical relevance or accuracy, to render concrete the chaotic reality of borderlands and to sustain the point.

less likely to be searched; or transported in fast cars by what a perhaps jealous highway police described to me as “very, very good drivers”. Once reaching final destination, furthermore, such goods need to find outlets in bazaars or need to reach the cargo of a ship, reach countries where drugs are consumed, reach final consumers, etc.

They need to cross other types of relatively porous boundaries, whose significance, in relation to the value of smuggling and the incentives it generates, is perhaps as important as that of the Durand Line. In other words, surely, it is the territoriality of the Durand Line –and thus of fiscal and legal regimes based on that line- that provides the immediate and localised economic-based justifications for smuggling goods. However, effective borders for the “successful completion” of smuggling activities seem to be *flexibly located*, depending on various institutional and territorial contingencies, type of commodity transported, means of transport available/possible, etc.

Furthermore, the porosity of the Durand Line is also *flexibly significant* depending on the type of individuals or social group crossing it. Not everybody is affected in the same manner, nor the opportunities it opens up are available to just everyone. In fact, these activities are not just conducted by individual entrepreneurs resisting state-based regulations through informal economies, as people like Hernando de Soto (1989) would like to believe. They are dependent on social hierarchies, re-produced by borders. Despite these opportunities being, in principle, available to anyone not everybody actually participates in those activities, nor those who participate are able to equally exploit the economic incentives offered by them.

Titus (in Goodhand 2005: 197), for example, focuses on what he describes as “*the Pushtun ethno-territory*” straddling the border with Afghanistan stating that “*Pushtun tribal sections control the most lucrative smuggling route into Balochistan [...and] also operate most of the shops where the smuggled goods are sold, as well as half the buses taking the goods to Pakistan’s major urban centres. Baluch transporters find themselves in a relatively weak position relative to Pushtun in this regard*”. Certain individuals may participate in smuggling activities due to their own “competitive advantage” vis-à-vis others: as mentioned above, women or tourists are less likely to be frisked at borders, owning a bicycle or a boat allows providing “services” precluded to others, etc. Availability of capital to invest in such activities allows

reaping greater profits (cf. Paterson 2006: 20-26), while smugglers only make about Rp.100 to 300 per crossing (World Bank, 2001). The latter

[...] do not appear to make any margin themselves from the difference between the subsidised price of fuel in Iran and the higher fuel price in Afghanistan<sup>79</sup>. Rather, they reported that they are paid a flat rate by wholesalers and larger traders of diesel and petrol, who then collect the fuel from them. They were also granted some protection by these “employers”, who paid to ensure they are not harassed on their riverside plots as well as give them money to bribe border guards. Nonetheless this is a precarious occupation and the smugglers related that their colleagues have sometimes been shot at by Iranian border police. (Paterson 2006: 24)

In sum, the Durand Line *attributes significance* to territory because it neatly distinguishes between jurisdictions and thus it functions as the ontological basis for the projection of state-based regimes. Once inserted in the chaotic realities of borderlands, however, such significance is (flexibly) dependent on the particular social context which it overlaps. It is differently concretised in territory and it generates heterogeneous implications for those encompassed by it. These two points are re-developed next, in relation to migration.

International migration regimes are, as any other legal regime, based on internationally sanctioned borders. Refugee law, specifically, embodies and reproduces a state-based ontology through the principle of territorial sovereignty, which distinguishes between external/internal displacement and thus establishes different legal rights and duties vis-à-vis international protection. Following from considerations above, regimes projected over international borders must be studied in their material configurations.

On one side, according to refugee law Afghanistan’s borders distinguish between Afghan IDPs and Afghan refugees, but which specific border is crossed defines, for example, Afghan refugees *in* Pakistan, Turkmenistan, *or* Iran. This has immediate consequences on access to protection, legal status, possibilities of integration, degree and objectives of assistance, mobility, opportunities, etc. (cf. HRW 2002 for differences in Afghan asylum in Iran and Pakistan). In other words, despite the

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<sup>79</sup> As recorded in my field notes, part of this fuel is sold in Peshawar back streets, where rickshaw-wallas (and probably others) fill up their tanks off jerry cans.

homogeneity accorded to international borders by refugee law, specific borders do not have the same significance and in fact seem to contribute to the heterogeneity of subjects encompassed by it, even in presence of identical causes of flight.

On the other, as suggested in the previous section, such demarcation, however neat it might seem in maps and legal documents, disregards the chaotic reality of borderlands and should be contextualised in territorial and institutional arrangements. For example, *effective* locations of borders (see above) may affect access to international protection, as the following example suggests. The Turkmen border security zone was established in the Stalinist era and it consists of two boundaries, one along the actual border with Afghanistan and the second, one to fifteen kilometres inside Turkmenistan's territory (Jamal 2000). The case of the Marechakis, a group of ethnic Turcoman Afghans fleeing the Taleban in 1997 who were trapped for two days (ibid.) in such territorial interstice between legal and effective sovereignty, illustrates the relevance of distinguishing between these two dimensions. While crossing the first border made the Marechakis "safe" from persecution (in the sense that the Taleban stopped their advance at the border), access to asylum had to be negotiated with the Turkmen Border Guard, which saw them as illegal migrants and a threat to security (ibid.). Similarly, UNHCR had to negotiate its access and presence<sup>80</sup> in order to halt attempts of *refoulement* by the border guard and to actually "deliver" international protection to the Marechakis. Once again, sovereignty should not be considered a uniform marker of location, but understood and explained in its material institutional and political (see Khan 1997) configurations, concretising it in territory.

This is particularly relevant in the case of Pakistan, since a very large percentage of registered Afghan refugees have been hosted in Federally Administered Tribal Areas. Though from a legal perspective these territories are an integral part of Pakistan, their peculiar geophysical and semi-autonomous institutional set up brings about a series of contingencies that make particularly significant both being and providing protection and assistance to refugees *there* vis-à-vis other parts of Pakistan. From the perspective

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<sup>80</sup> "UNHCR engaged the Turkmen regarding correct treatment of the refugees primarily at the field level, through presence, liaison and steady, bilateral negotiation. It appealed to its interlocutors on normative, interest-convergence and even ethnic arguments, but was only marginally successful in advancing the refugees' case beyond permitting them to enjoy temporary refuge" (Jamal 2000).

of international protection, for example, it implies the need to interact with tribal authorities, as opposed to, or in addition to, local government officials and Political Agents. Assisting refugees there brings about issues of security and entangles humanitarian assistance in local feuds<sup>81</sup> or renders it less efficient<sup>82</sup>. Furthermore, their remoteness vis-à-vis urban centres make FATAs an area that is logistically more complicated and expensive to reach or to integrate in wider programs. Once again, effective boundaries seem to be differently located in relation to the overlap of various regimes, on the basis of the flexible interaction between regimes of governance overlapping in territory.

Conversely, from the perspective of being a refugee hosted there, it renders more difficult access to urban areas and thus to educational or health facilities, it affects the type of job opportunities available, it has repercussion on gender-based patterns of discrimination, and it might constrain access to protection or assistance by international actors. At the same time, however, most refugees' familiarity with those areas and with resident communities has prompted some to define the initial mass exodus (1979-82) as a process of relocation within the same country (Edwards 1990). Regardless of the validity of this argument, which seems generic and decontextualised from other socio-political issues (cf. UNHCR 1989a), religious and ethnic affinity between host- and displaced communities indeed played a considerable role vis-à-vis the type of recognition granted by the GoP (CAR 1982), Afghans' integration with local populations (Ahmed 1990: xii), levels of identity and national awareness (Centlivres et al., 2000) and, more in general, to their process of "*emplacement*" (Hammond 2004). These issues will be further developed in the following chapter.

Such geographical and (to a certain extent) cultural connectivity across the border is not absolute, however. Not all Afghans have been equally able to take advantage of it, nor the effective level of porosity can be considered homogeneous in different times

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<sup>81</sup> The Country Director of an INGO in Peshawar told me that, as a consequences of armed feuds between some tribal clans and the GoP, the journey to reach the camp they were managing in one of the FATAs, had increased by three hours, constraining opportunities for monitoring, evaluative or participatory visits. At times it was altogether denied.

<sup>82</sup> Christensen (1984: 25), on the basis of a 1983 survey of food distribution in Barawal village and Orakzai Agency, argues that, at the time, delivery was more efficient in government-controlled areas. Her case studies of Afghan refugees in Orakzai and Dir Agencies (1984: 14-17) further nuance the analysis across FATAs.

and places, even for those able to take advantage of it. As suggested in relation to trade, the significance of the Durand Line's porosity needs to be nuanced in relation to other social dimensions, as well as vis-à-vis the historical context in which border crossing practices unfold.

First, the "*institutionalised flexibility that almost guarantees a hospitable reception for those fleeing oppression*" (Greenway in Wood 1989: 350) did not equally encompass all Afghans, even during the initial decade of displacement. On one side, the small percentage of Shi'ite residents of FATAs "*discouraged Afghan refugees to settle among them*" (UNHCR 1989a: 3), demonstrating the imprecise nature of the term for the purposes of social analysis. Similarly, some refugees were caught in tribal disputes over land and had to negotiate their settlement location through the intervention of the Government (cf. Christensen 1984: 17-18, and next chapter). On the other,

small groups of Tajik, Uzbek, or other minorities [...] led a marginal life in refugee villages. Their compounds, some still with tents, were located in the outer fringes of overwhelmingly Pushtun villages [...] as an ethnic or religious minority (Hazara) they were also not given the chance to articulate their concerns in the jirga. (Janata, 1990: 68).

Social hierarchies, in other words, are re-produced in the new asylum setting.

Second, following from this, other social dimensions further nuance the notion of porosity of the Durand Line. Class or, more in general, social status is a factor that determines the way in which borders are crossed. On one side, the possibility of paying bribes is undoubtedly a facilitating element in the material process of (any) boundary crossing<sup>83</sup>. On the other, perhaps more importantly, high social status means more information, more possibilities, and wider protection networks. In presence of similar "causes of flight" such as the Soviet invasion, or the arrival of the Taleban in

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<sup>83</sup> I recall a bus journey from Peshawar to Islamabad where an elder Pushtun gentleman, wearing very clean and expensive (tribal) clothes and travelling with his wife, "servant" and seven huge bags, might have taken advantage of this "possibility". Few kilometres before Attock Bridge, the "servant" moved to the front of the bus and gave something to the conductor who, in turn, handed it over to police stopping us at the border –as is the case whenever large bags are visible in the bus roof. We were all swiftly let through. In different ways and prompted by different relations of power, this is also true in other countries, as Entry Visa processing scandals making the news in UK newspapers at the time of writing these notes, seem to suggest.

specific cities, different refugees experience the porosity of borders in very different manner (see also next chapter).

Furthermore, the different experience of border crossing is not only set in relation to wealth, ethnicity or religious affinity or social networks. Literature concerned with gender and migration (see for example Calavita 2006; Silvey 2006; Kaplan 1996), perhaps the most attentive to the differential impact institutions have on different types of individuals, clearly point to the diversity women and men experience the same act of migration, reclaiming a central role to subjectivity vis-à-vis institutions. This is especially so in the context across the Durand Line given the relatively strict gender roles differentiation, but such subjectivity could be extended to issues of age, personality, even appearances or fitness. Findings of a recent study on Afghan population movements at Torkham seem to confirm above insights. Of those surveyed, 99.5% were male, one third of them were between 20 and 30 years old, almost all of them were Pushtun (Koehler 2005: 7).

Finally, the porosity of the Durand Line should be explained in its heterogeneous significance over time. In relation to refugee migration, partly this is due to the “*strain*” caused “*by the duration of the refugees stay and the intervention of outside agencies*” (Greenway, 1987 in Wood, 1989: 350). Partly this is also due to changes to Government of Pakistan’s policies towards Afghan immigration, attributing different significance to the act of crossing the border, over time (see next chapter). Progressive restrictions to asylum, as much as increased patrolling along the border, implies that the porosity of the Durand Line has diminished over the years, for some at least<sup>84</sup>, on the basis of the different significance attributed to it by immigration regimes and their selective enforcement.

As much as in relation trade, in sum, the Durand Line’s porosity vis-à-vis migration is not absolute, but flexibly configured in territory and heterogeneously experienced by individuals and social groups. Such experiences and configurations, furthermore, are not uniform over time, but they are themselves a particular expression of the historical context in which they unfold. They embody, and thus reinforce, relations of power defining different “*zeitgeist*” (e.g. the Cold War, Globalisation, the War on Terror, see

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<sup>84</sup> I encountered several Afghans, in Peshawar, who had been able to cross the border through unofficial crossing points during the period 2002-4.

Prologue); at the same time, they resist and subvert such relations by taking advantage, challenging and threading around the institutional borders they attempt to define.

## 2.4 Borders

The ongoing Operation Enduring Freedom was described to me as the first time in which the Durand Line has effectively been “sealed”. An Australian carpet trader returning from Afghanistan in 2002 told me how he saw piles of cars waiting to be transported into Pakistan, their usual smuggling routes being hampered by military operations. For the same reason, I did not have the opportunity of wandering in the Tribal Areas or even crossing into Afghanistan from places like Chitral, something that, according to accounts collected, was quite common amongst tourists, researchers, and other types of individuals before 2001. Discussions about the possibility of fencing the border have appeared and disappeared in newspapers ever since I left Pakistan. In the opposite direction, the border is instead decisively open to refugees in Pakistan for their repatriation, and has been so for some years. The significance of such aperture, however, is flexibly mediated by a series of individual, household and social group-based contingencies (see Ch. 3.3), affecting rationalities and motivations in respect to repatriation of each Afghan individual, household or clan settled in Pakistan.

Furthermore, implications of such changed context have “*spread into the whole of society*” (Paasi 1999a: 670). On one side, the new context has altered patterns of spatial organisation: Afghanistan-related humanitarian agencies, which contributed over the decades to the establishment of cross-border practices by operating from Peshawar and Islamabad, moved their headquarters to Kabul after the toppling of the Taleban regime, establishing new patterns of territorial organisation. New air routes connect Europe and the Gulf to Kabul, bypassing Islamabad, an almost compulsory stop for researchers, expatriate workers or soldiers at the beginning of my field research. On the other, new markets, and thus (selective) opportunities for investments and job-seeking, have opened up, altering the geographical pattern of trans-national investment, consumption and migration flows. For example, the construction boom in Kabul prompted labour agents to go as far as Punjab to recruit workers; Peshawar’s furniture shops have been busy carving chairs and tables to be sold in Afghanistan; humanitarian agencies’ jobs are now mostly available in Afghanistan, an “incentive” to repatriation for those who can travel there, but a loss of

livelihoods opportunities for those who had been relying on such kind of jobs in Peshawar for decades; etc.<sup>85</sup>

The Durand Line and regimes premised on it, as it has been argued here, do not have homogeneous effects on people nor can be assumed to have uniform effects over time. Borders are not simply static lines, but rather should be seen as dynamic social processes: they are established and configured through a series of social interactions and generate complex, interdependent and heterogeneous effects. To better capture the significance and implications of these processes, the need for a historically informed, contextualised and relational analysis was suggested. Focusing on the notion of porosity, three analytical dimensions have been suggested to capture such notion in its social connotation: the flexible location of borders in territory; the flexible significance of borders vis-à-vis individuals and social groups; the historical moment in which these processes take place.

Three other remarks are attempted in the remainder of this section. The first one relates to the study of borders and borderlands. Van Schendel (2005: 11-15) argues that studying such localities offers interesting insights because it allows: to better understand effective networks and mechanisms “moving” goods and people across borders and to include the perspective of actors such as transporters; to comprehend the complex mix of licit and illicit commodities that gravitate towards particular border locations and the different size and extent of flows (both long- and short-distance) crossing borders through the same mechanisms; to study location-specific ways of combining goods, labour, and capital for profit, benefiting from the advantages of two territorial systems of regulation, and avoiding their disadvantages; to bring to the fore the participants perspective on illicit flows, in terms of their motivations, needs, and different perceptions; to discern how territoriality and transnationality are negotiated in everyday practices and how people scale the world they live in.

Borderlanders, unlike “heartlanders” (and most social theorists), usually do not think of the state scale as intermediate between the local and the global (or transnational). For borderlanders, the state scale is not overarching and does not encompass the more “local” scales of community, family, the

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<sup>85</sup> These statements refer to the period up to August 2004.

household, or the body. On the contrary, to them it is the state that, in many ways, represents the local and the confining, seeking to restrict the spatiality of borderlanders” everyday relations. Van Schendel 2005: 15

These arguments are supported by the previous analysis. Focusing attention on *how*<sup>86</sup> exactly smuggling across the Durand Line “borderland” takes place, for example, certainly contributes to the understanding of “*social relations of transport and distribution, and their spatiality*” and “*promises a range of information and a number of perspectives that are often overlooked*” by social science literature (Van Schendel 2005: 9, 11). Such focus, however, should not distract attention from broader processes that seem to have equal (and at times, pre-ordinate) relevance vis-à-vis what happens there. In fact, such narrow focus might reinforce the pre-conception that these are “local” phenomena; on the contrary the significance of smuggling across the Durand Line forcefully expands the analytical context in at least two directions (see also Ch. 5.1).

First, smuggling patterns intersect (i.e. they are *produced* and contribute to *produce* at the same time) other types of social processes taking place in the same borderland. The above-mentioned ILO report illuminates, for example, as to how smuggling activities interacted with changing patterns of conflict in Afghanistan: during the interfactional Mujaheddin war years smuggling benefited from a number of factors including the breakdown of the Afghan State, CIA/ISI support for arms smuggling networks, the lack of alternative sources of livelihoods and the growth of the Pakistan/Afghan transport mafia (Pain and Goodhand 2002: 24) and, later, provided financial support to the Taleban regime (cf. Schetter 2002: 11). Second, smuggling patterns across the Durand Line intersect patterns of social interaction taking place elsewhere. On one side, social relations of transport and distribution are not exclusively confined to borderlands, but rather should be studied in their totality. Where cars and domestic appliances are concerned, these might be confined to the Pakistani territory, but clearly for drug smuggling they should be set in a worldly context, encompassing consumption demand, “War on Drugs” interventions, international and national legislations and enforcement mechanisms, etc. They all contribute to decisions regarding the type of product to be cultivated and exchanged,

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<sup>86</sup> Cf. Dean (1999, in Ch. 1.2) and the relevance of how questions for a governmentality analytics.

the type of route chosen for transport, the type of individuals and organisations involved, etc.<sup>87</sup> On the other side, following from this, other patterns of social interaction taking place elsewhere are also significant in their interaction with “borderland smuggling”, with money laundering and the insertion of massive amounts of cash in (legal) financial or housing markets across the world being a prime example.

It thus seems necessary to include both a variety of social processes simultaneously occurring in the same place, as much as the “*meaningful simultaneity of spatially separated events*” (Fabian 1983: 144) in order to explain “smuggling patterns across the Durand Line”. The point seems to be confirmed also from two other angles stemming from the previous analysis. Both considering “Afghanistan as defined by its borders” as a field of intervention over which to instantiate policies, and assessing heterogeneous refractions of such instantiations, in fact, the most appropriate analytical scale seem to encompass much wider social and political domains.

First, borders define territory from the perspective of sovereignty and, as suggested by the above analysis, function as the territorial field for the production and instantiation of state-based regimes, such as those related to trade and migration. These regimes, however, are hardly reducible to state-based rationalities. On one side, the conceptualisation and instantiation of state policies seem to be dependent on a combination of patronage, traditional networks, local rivalries and ideological bases of authority (see Rubin 1990; Rubin 1995; Shahrani 1987; Shahrani 2000; Gopalakrishnan 1982; in Ch. 2.2 above). On the other, and directly related to the topic of the next two chapters, the analysis of Afghanistan’s “problems” performed by historians, humanitarian agents and donors in general, constitute rationalities behind policy recommendations to be instantiated in that context. *Representations* of “Afghanistan as defined by its borders”, despite the latter’s inadequacy in describing economic, social, political and cultural interactions existing in the area, or the different territorial shape and political organisation of successive “Afghanistans as described by their borders”, in fact, inform and interact with humanitarian agents’ policy-making who frame their interventions on those bases (see Cramer and

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<sup>87</sup> Cf. Kerr-Wilson and Pain (2003) describing how spatial patterns of law enforcement within Afghanistan contribute to poppy cultivations being shifted from one village to another.

Goodhand 2002, and Goodhand 2002; see also World Bank 2007 and the definition of Afghanistan as a “Fragile State”). Rationalities behind the generation and instantiation of state-based regimes can hardly be explained without considering all social processes occurring within its boundaries and elsewhere. On the contrary, they seem to be negotiated with, and comprised by, a variety of other rationalities, as developed in Ch.s 3.2 and 4.2.

Second, borders define individuals from the perspective of sovereignty, making them citizens and (equally) subject to state laws. Yet, as suggested by the above analysis, these individuals do not homogeneously experience such encompassment. Depending on a series of “objective” characteristics (e.g. age or gender) and their socially-determined implications, of socially-constructed categorisations (e.g. ethnicity), of structural relations (e.g. class), etc., each individual *refracts* the meaning of such belonging (cf. Rubin 2004, Purzand 1999). These refractions, in other words, seem to establish heterogeneous locations within the subject-group “citizen” (see Ch. 1.2). The consequences of these heterogeneous locations need to be further investigated. How does the flexibly significant notion of citizenship developed here affect the analysis of who is an *Afghan* refugee in Pakistan? This analysis will be the aim of Ch. 3.3 and 4.3.

## Chapter 3 – Who is an Afghan refugee in Pakistan?<sup>88</sup>

### 3.1 The *force* of refuge

The first UNHCR mission to Pakistan, in May 1979, spent just a few days assessing the situation created by the arrival of 400,000 Afghans, fleeing from the consequences of the Saur revolution (see Ch. 1), and was followed by another one, in November that year, to detail “*what help was needed*” and to sign the first agreement with the GoP (UNHCR 2003). Invited by the latter, UNHCR recognised Afghans in Pakistan as refugees under its Mandate and on a *prima facie* basis (UNHCR 2005b). “*Prima facie eligibility - in other words, eligibility based on first impressions - is applied in the case of group movements, when the determination of eligibility on an individual basis would not be practicable for obvious reasons*” (UNHCR 1989b). UNHCR defines Afghan’s legal status in its Statistics as “Other/Unknown”, however, given the absence of a legal codification of their conditions of stay in Pakistan; an unclear legal status whose significance will be explained below.

As mentioned in Chapter 1, in fact, the only GoP document dealing with Afghan migrants’ legal status, The Handbook on Management of Afghan Refugees of 1984, asserts that asylum had been granted on humanitarian grounds, as well as for reasons of cultural, ethnical and religious affinity between the peoples of the two countries (in Centlivres 1993: 12). According to a lawyer contributing to a workshop organised by SHARP, “Gen. Zia-ul-Haq *announced* refuge for Afghan refugees, but unfortunately

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<sup>88</sup> This chapter was produced in parallel to an article to be published in the Journal of Refugee Studies (“Place and Afghan Refugees. A Contribution to Turton” - forthcoming, at the time of submission). While the article was premised on an earlier draft of this chapter, the final version clearly benefits from the extremely valuable comments received by two anonymous reviewers. The article and this chapter frame their narrative and propose arguments that are overlapping, albeit profoundly different. While the former is premised on the notion of place-making project developed by Turton (2005), and it attempts to draw conclusions in respect to the debate about place-space-identity, as framed within refugee studies, the latter is primarily concerned with propositions developed in Ch. 1, in particular in respect to the notions of “object of thought”, “governance regime”, and the distinction between S<sub>2</sub> and S<sub>3</sub> analytical perspectives. Several passages, however, are identical.

the statement of the president, though *acted upon*, was not published in the Gazette of Pakistan” (notes, SHARP 2003, SHARP 2002a and 2002b). This means that no law sanctions who an Afghan refugee in Pakistan is, or should be considered as such.

It is easy, and tempting, to conceptualise such *announcement* as possessing a “force of law”, in Agamben’s conceptualisation of the term (see also Ch. 1.1).

From a technical point of view, it is important to note that in modern as well as ancient doctrine, the syntagm "force de loi" refers not to the law itself, but to the decrees which have, as the expression goes, "force de loi" - decrees that the executive power in certain cases can be authorized to give, and most notably in the case of a state of emergency. The concept of "force de loi," as a technical legal term defines a separation between the efficacy of law and its formal essence, by which the decrees and measures that are not formally laws still acquire its force. This type of confusion between the acts by an executive power and those by a legislative power is a necessary characteristic of the state of emergency. (The most extreme case being the Nazi regime, where, as Eichmann constantly repeated, "the words of the Fuhrer had the force of law"). Giorgio Agamben<sup>89</sup> (see also Ch. 1.1)

The words of Gen. Zia had the *force* of law because they defined the contours of the refugee protection and assistance regime.

Clearly, I am not asserting that the subsequent arrival in Pakistan of both Afghans and humanitarian agencies, or the massive amount of projects, programs and endeavours that ensued in the following 28 years, was generated exclusively by such announcement. The primary cause of the almost three-decade long protection and assistance regime for Afghan refugees in Pakistan should be traced to the arrival, in the space of about two years from that announcement, of more than three million refugees from across the Durand Line. As a speaker in a seminar organised by the SOAS Centre for the Near and Middle East asserted (see also other references in Ch. 1.3), some refugees had already entered Pakistan in 1973, after the bloodless coup deposing Zaher Shah, and several more in 1978, as a consequence of the Saur Revolution, which established a PDPA-led (People’s Democratic Party of

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<sup>89</sup> Imprint not available: the work cited is an extract from a lecture given at the Centre Roland-Barthes (Université Paris VII, Denis-Diderot), by Giorgio Agamben, available at <http://www.generation-online.org/p/fpagambenschmitt.htm>

Afghanistan) regime, thus pre-dating such announcement. However, it was only with the Soviet invasion of the country, in 1979, that millions of Afghans re-located themselves in different parts of Pakistan (Pstrusinska 1987: 2). Causes of flight are, in fact, “overwhelmingly” to be attributed to the military conflict following the Red Army occupation and its consequences in terms of casualties and destruction of farms and livelihoods, the desire to avoid conscription, the disruption of trade routes, etc. (BRC 1987: 8).

Additionally, as developed in Ch. 1.3, ideological motivations should also be taken into consideration. For Pushtuns, the majority of those who fled during the initial decade (cf. UNHCR 1989a),

seeking asylum (*panah*) is an entirely acceptable avenue for those whose integrity is compromised or who are in danger from the government or a local enemy. Further, seeking asylum in the face of political persecution is a path that is recognised as religiously precedented and sanctioned by the Prophet Mohammad’s flight. Edwards 1986: 319.

According to some, furthermore, the initially generous assistance package offered to Afghans may have functioned as an additional motivation. The US, Islamic countries such as Saudi Arabia, and other Western donors, generously funded such assistance activities, linking them to the geo-strategic goal of forcing the departure of the Soviet Union from Afghanistan (Macleod 2001), or rather as a way to increase the socio-economic and political cost of the USSR’s invasion (Rubin 1990). The Pakistani manager of an INGO that I visited in Peshawar, suggested, showing me a newspaper article from the early 1980s, that before the Red Army occupied the country there were only few thousand Afghans in Pakistan and that most decided to re-locate “permanently” after being persuaded by GoP so-called “animators”<sup>90</sup>.

Regardless of the degree of relative accuracy of each of these explanations (assuming that this can be measured in a definitive way for each migrant or for the total caseload), by no means disregarding the consequences of the armed conflict

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<sup>90</sup> “Animators” is a term that was en vogue during my stay in Pakistan, and referred to those individuals in charge of “promoting participation” and “mobilising communities” in development projects. What is interesting to note in the above passage is the discrepancy between the figure of 400 thousand refugees provided by the GoP and some of the comments in the previous paragraphs. Numbers of Afghans have always been difficult to assert with any precision. The next section will deal with this issue more in detail.

prompting many Afghans to flee, and without attributing to General Zia the power to mobilise humanitarian agencies from all over the world, however, such announcement is, from an S<sub>2</sub> perspective (see Ch. 1.2), absolutely crucial for the analysis of the protection and assistance regime for Afghan refugees in Pakistan. It framed the *form* in which that act of migration was to be defined from the perspective of humanitarian protection and assistance from that moment onwards. It possessed a *force*, which this chapter attempts to comprehend.

First, it *defined* an object of thought –“Afghan refugees in Pakistan”. This does *not* mean “*the creation through discourse of an object that did not exist*”. Rather, I refer to the “*ensemble of discursive and non-discursive practices that make something enter into the play of true and false and constitute it as an object of thought*” (Foucault, in Rabinow and Rose 2003: xviii; see Ch. 1.2). Framed “*within the parameters of the Geneva Convention and other internationally recognised humanitarian practices*” (Azhar 1986: 3), the announcement took special concern for the needs of *Afghan* people. This is not to say that those migrants coming from across the Durand Line did not deserve (from a Convention perspective) such recognition. Rather, it is to underline how such announcement distinguished *them* from other people in Pakistan who also have been granted a *similar* recognition, such as those who came to Pakistan after Partition, or those who came after Bangladesh’s “independence” (see Ch. 1.1), or non-Afghan refugees and asylum seekers from other countries<sup>91</sup>, for all of whom, however, the GoP found *different* arrangements. Furthermore, it distinguished *them* from other people in Pakistan –of Pakistani nationality- who, arguably, similarly lack protection and possess similar degrees (or

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<sup>91</sup> There are more than 650 non-Afghans accepted as refugees and living in Pakistan, and more than 1,000 non-Afghans seeking asylum. These refugees are mainly Somalis, Iraqis and Iranians. Most live in the twin cities of Islamabad and Rawalpindi. Nearly half of those refugees consist of single female-headed households with children. Under an agreement with the Government in 2003, non-Afghan refugees recognised by UNHCR at the time were given permission to work. In addition, UNHCR assists some destitute refugees with a basic subsistence allowance, educational assistance and medical care. Most of the non-Afghan refugees wish to be resettled in third countries. For some this is impossible as they have been rejected by several resettlement countries. In those cases, UNHCR tries to organise voluntary repatriation where viable. The remainder have no option but to stay in Pakistan. See <http://www.un.org.pk/unhcr/about.htm>

worst ones) of destitution. As a Pakistani participant at the same workshop, above, told me: “in a country without social contract, we are all refugees” (notes)<sup>92</sup>.

Such announcement, in other words, possessed a peculiar “*political rationality*” (Salskov-Iversen et al. 2000) which re-presented *Afghans* in Pakistan –those that had already arrived and those that were to arrive- as a group of persons requiring a particular *kind* of intervention -distinct from others and dependent on such representation. It framed and delineated “*a discursive field*” (Lemke 2001:191), identifiable from others by the type of problematisation formulated, thus *constituting* Afghan refugees in Pakistan as a “*manageable field and object*” (Xavier Inda 2005: 8), as discussed in Ch. 1.2.

Second, as a consequence of such constitution, different subjects of government were ordered into a (governance) regime. Afghans were those to be *assisted*. SAFRON, a Division of the Ministry of State and Frontier Regions<sup>93</sup>, was established and had overall administrative *jurisdiction over* them. UNHCR, other UN agencies and INGOs were those in charge of *assisting* them<sup>94</sup>. Such announcement, in other words, also constituted “*diverse types of selves, persons, actors, agents, or identities*” (Xavier Inda 2005: 10). Some of them pre-existed that announcement, and only tangentially fitted in the subjectification implied/established by it, as it will be discussed in the following pages. This is the case for UNHCR<sup>95</sup> and other agencies, and, most importantly, Afghans themselves. Yet, such announcement *ordered* relations between them, attributing to each roles and responsibilities and attempting to assert its constitutive logic over other possible logics making alternative and overlapping claims over the same subjects –with a degree of success that remains to be explored.

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<sup>92</sup> This is not an uncommon assertion within refugee studies’ debates: cf. Shacknove (1985), who offers a definition of refugees premised on the notion of “basic needs”, regardless of border-crossing; or Warner (1992) who makes the argument that “we are all refugees” by challenging refugee law’s idea of belonging to a “community” or a “place” as the natural condition of being; see also Agamben’s “We refugees” (undated) available at <http://www.egs.edu/faculty/agamben/agamben-we-refugees.html>.

<sup>93</sup> <http://www.pakistan.gov.pk/ministries/index.jsp?MinID=37&cPath=528>

<sup>94</sup> From the perspective of UNHCR protection is (now) much more relevant than assistance activities. The *prima facie* recognition that both the GoP and UNHCR applied to Afghans at that time meant that the distinction between protection and assistance was not as crucial as it became in later years (see later in the text). This consideration is also an initial warning of the limits of that *force*, as discussed later in this section.

<sup>95</sup> Ibid.

Third, by framing refuge in line with humanitarian principles and the Geneva Conventions, such announcement allowed several humanitarian agencies to begin operations in the country. In other words, contrary to the situation depicted in the previous chapter (see Turkmen Border Guard) or that in Iran<sup>96</sup>, UNHCR was *invited* into the country and various other UN agencies and INGOs started operations in earnest. Yet by defining such refuge “*purely as a temporary measure, with no provision for long term integration or assimilation in the socio-economic fibre of the country*” (Azhar 1986: 3), the announcement also defined the boundaries of the type of intervention these agencies could attempt. In particular, it *limited* the scope of durable solutions pursuable by UNHCR to –effectively- voluntary repatriation<sup>97</sup>; after the initial emergency phase, it *constrained* the scope of assistance activities to (or perhaps more accurately, it left open a space only for) those geared towards self-reliance, as opposed to others that may have facilitated Afghans integration; the absence of legal codification, *allowed* the GoP to withdraw or selectively apply such recognition independently from the opinion of those agencies, or the humanitarian needs of Afghans; etc.

Fourth, these rationalities were translated into practice through a set of *technologies* (see Ch. 1.2). A very important technology is the establishment of an administrative structure to deal with refugees (cf. Lippert 1999, Ch. 1.2). SAFRON, as mentioned, has overall administrative jurisdiction over refugee affairs, regardless of where they reside<sup>98</sup>. It is assisted (“*particularly in the matter of logistics*”, Azhar 1986) by the Chief Commissionerate for Afghan Refugees (CAR), operating at Federal level and

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<sup>96</sup> The international presence in Iran has always been small. The government maintained a strict control over Afghan operations and very little contact with UNHCR was present until the year 2000. Afghans in Iran were encouraged to leave near urban centres and to join already existing Afghan communities; they had access to health and education services and were permitted to work in designated sectors. As much as in the case of Pakistan, asylum was granted on the basis of religious and humanitarian solidarity (cf. Macleod 2001 and HRW 2002).

<sup>97</sup> “A durable solution for refugees is one that ends the cycle of displacement by resolving their plight so that they can live normal lives. Traditionally, one of three durable solutions are pursued” voluntary repatriation, local integration or resettlement to a third country. (UNHCR 2005a: 137; my emphasis to underline conceptualisation of refugee as “static” subjects whose existence is defined by relation to the legal contract between them and the sovereign, discussed in Ch. 1.1).

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<http://pdf.tohtml.spiritofanime.com/pdf2html.php?url=http://www.pakistan.gov.pk/ministries/state-s-frontier-ministry/images/ccr.pdf>

overseeing the work of Provincial CARs<sup>99</sup> (CAR 1982). Other state-based organisations were, or have been since then, also involved. Different ministries, for example, have distinct jurisdictional interests over Afghans: in relation to law and order matters, refugees are of concern to the Ministry of Interior<sup>100</sup>; the Ministry of Food and Agriculture, as detailed later, has been involved in food distribution activities in RVs; the Ministry of Health has contributed to Afghans' assistance through the Project Directorate Health<sup>101</sup>; etc. Refugees also fall under<sup>102</sup> the administrative jurisdiction of Provincial governments where refugees reside, though they delegate their functions to Refugee Commissioners. "Down below *there are District Administrators for overall coordination. At the sharp end there are Refugee Village Administrators who physically carry out the administration of refugee camps*" (ibid, my emphasis). Over three hundred refugee camps were, in fact, set up on land owned by the government, or rented from local landowners (Boesen, 1985) and, while initially their administrative structure was undertaken directly by GoP, such tasks was later left to the CAR. A RV Administrator headed each RV, and supervised aid distribution. Groups of five RVs were put under the jurisdiction of Area Administrators, which in turn were headed by a District/Agency Administrator (thus reconciling with GoP's administrative divisions), who was reporting to the CAR (CAR 1982).

Furthermore, other "*technologies*" rendered the object of thought "Afghan refugees in Pakistan" manageable and governable (Miller and Rose 1990, and Lippert 1999, in Ch. 1.2). Once constituted as a domain of thought, in fact, the identification of particular *needs* (perceived, real, and/or established by technical expertise) defined, in turn, multiple other fields of intervention: how to count refugees (registration procedures), where to host them (establishment of RVs), how to identify them (documentation), how to cater for their needs (food distributions, education or health provisions, etc.), how to solve disputes (conflict-resolution mechanisms). As

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<sup>99</sup> It is interesting to note how the Project Director, Social Service Cell, of the CAR, when I asked about the role of SAFRON, referred to it as "oh...our internal administration. It is ... our bureaucracy"

<sup>100</sup> <http://www.pakistan.gov.pk/ministries/index.jsp?MinID=20&cPath=218>

<sup>101</sup> [http://www.womenscommission.org/pdf/Pk\\_RH.pdf](http://www.womenscommission.org/pdf/Pk_RH.pdf)

<sup>102</sup> Cf. "vertical encompassment" in Ferguson and Gupta (2002), as discussed in Ch. 1.2.

suggested in the previous chapter, in fact, the constitution of an object of thought allows to *generate*, and *instantiate*, a variety of regimes and projects. These projects, though premised on the existence of Afghan refugees as a manageable object, possess their own internal *rationalities*, and deploy their own *techniques* -with effects that again remain to be explored. Two of them, food distributions and repatriation, will be assessed in the next sections.

In sum, Gen. Zia's exceptional announcement certainly had a *force*: it was a sovereign exceptional act that constituted Afghans in Pakistan *as* refugees: Afghans *became* refugees through that act, after *being* so, in potentiality, from the moment they left their place of habitual residence (see "being" vs. "becoming" a refugee, in Ch. 1.1). It *constituted* an object of thought; it *generated* a series of organisations, projects and practices; at the same time it constrained or *delimited* the scope and range of their possible activities (see Ch. 1.2). The capacity of three million people to "*disrupt the work of statecraft was not only accommodated and neutralised, but also capitalised upon and deployed as a series of contingent referential resources useful to the production of familiar statist images and identities*" (Soguk 1999: 50).

This is to say, following the analysis provided in Ch. 1.2 and theoretical propositions postulated in Ch. 1.4, that Gen. Zia's announcement constituted a *governance regime*, whose force this chapter attempts to comprehend. In particular, the following two sections attempt to contextualise, respectively, technologies of government emanating from, and the process of subjectification expressed by, such regime, in light of the multiple and overlapping interpellations to which Afghans in Pakistan are subject to (cf. Table 1.1, in Ch. 1.3). In fact, as developed by the previous chapter in relation to sovereignty, such *force*, once inserted in the chaotic social context providing the background of this research, is neither absolute nor unique. Rather, its configuration and effects need to be studied in territory and vis-à-vis their effects on individuals, as the remainder of this section will suggest on the basis of three considerations.

First, political rationalities defining Afghans in Pakistan as an object of thought were, and remained for the subsequent 28 years, ambiguous. As already discussed, the recognition of Afghans as refugees, despite being in line with general humanitarian principles, was premised on "*quranic injunctions on the treatment of migrants who forsake their homes in the cause of Allah*" (Azhar 1990: 109). Such recognition considered "*Afghans both as brethren in faith and members of the international*

*fraternity of human beings*” (Azhar 1986: 2). Furthermore, Afghans were recognised as a tribal “entity”: “*the refugees enjoy the freedoms to apply their tribal laws for any feuds amongst themselves. Only in cases of violation of Pakistan laws are the refugees subjected to the law of the Land. For instance in the tribal areas they are allowed to carry personal arms and to hold tribal jirgas (local courts). That partly ensures that they remain in touch with their traditions*” (ibid: 7). Finally, their right to seek asylum under the Geneva Convention was respected (ibid), which implied that from UNHCR Mandate’s perspective their status *as* refugees was premised on their being *citizens* of a country unwilling or unable to provide protection. In other words, multiple rationalities seem to have *simultaneously* defined the object of thought “Afghan refugees in Pakistan” from the very beginning of their asylum.

Second, this ambiguity is similarly observable in the process leading to the establishment of establishment of RVs, the *sharp* end of the administrative structure described above. The location of every single camp, a key technology of government within the refugee regime (cf. Lippert, 1999, in Ch. 1.2, and above) has a peculiar “genealogy” that seem to be dependent on the interaction and interplay between the same political rationalities that, in the first place, constituted the object of thought “Afghan refugees in Pakistan”. As suggested by governmentality approaches, in fact, technologies of government respond to, and are dependent on, the political rationalities that define the object they seek to manage.

An obvious example in this respect is provided by considering FATAs (see Ch. 2.1), where the majority of RVs were set up. There, the overlap between sovereign, humanitarian and tribal forces is particularly significant for this discussion. Their peculiar semi-autonomous institutional set up implies that humanitarian assistance activities need to be negotiated with tribal authorities, as opposed or in addition to local government officials and Political Agents. Assisting refugees there brings about issues of security and entangles humanitarian assistance in local feuds<sup>103</sup>; it may also render it less efficient<sup>104</sup>. In relation to this discussion, Christensen (1984) provides a

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<sup>103</sup> The Country Director of an INGO in Peshawar told me that, as a consequences of armed feuds between some tribal clans and the GoP, the journey to reach the camp they were managing in one of the FATAs, had increased by three hours, constraining opportunities for monitoring, evaluative or participatory visits. At times access was altogether denied.

<sup>104</sup> Christensen (1984: 25), on the basis of a 1983 survey of food distribution in Barawal village and Orakzai Agency, argues that, at the time, delivery was more efficient in government-

specific example of the process of negotiation required in order to access land for the establishment of an RV. She records how refugees arriving in Orakzai Agency in 1981 had to settle in a hollow between mountains, since RVs in nearby Kohat District were at full capacity and closed to new arrivals, and how that was not a straightforward process.

There are different versions on how access to the refugee area was obtained. One holds that the government administration negotiated with the leaders of one particular tribe and obtained tenancy of the site by paying compensation for the use of land, water and firewood. Such compensation was reportedly paid to all the maliks of the tribe in question, monthly, in cash. It also included regular allocations of fairly large quantities of the donated sugar and wheat destined for the refugee population. Another version has it that the site was an area which was formerly disputed between tribes. The government administration became involved and solved the problem by claiming that the land, water and resources were for the free use of refugees. Both versions could in principle, be correct. Considering the location of the site, however, the most likely version may well be a mixture of the two involving various types of compensation paid to leaders of several tribes for disputed land. Christensen 1984: 17-18

These interactions are not exclusively confined to FATAs, however. The location of RVs set up outside FATAs seems to have been similarly defined by multiple forces. For example, the site where Jalozai camp is located, near Nowshera, was used for agricultural production before the first Afghans arrived in 1980. They were given land to live on for free, by local landowners from the Khattak tribe, in a spirit of Islamic and Pushtun solidarity. These refugees are thought to have had personal links with the landlords in the area (AREU 2006a: 14). Jihad-related rationalities seem to have also played a role, interacting with tribal and family-based ones, and later with the international humanitarian regime.

Some months [after the establishment of the RV], Ustaad Abdul Rab Rasool Sayyaf, an emerging leader of the Afghan resistance to the Soviet military intervention, came to the area and established the presence of his party,

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controlled areas. Her case studies of Afghan refugees in Orakzai and Dir Agencies (1984: 14-17) further nuance the analysis across FATAs.

Tanzeem-e-Ittehad-e-Islami (TII), here. Haji Dost Mohammad, a cousin of Sayyaf, emerged as a key figure then and continues to be recognised as a leader in the camp. Sayyaf received generous financial assistance from Saudi Arabian sources and was able to purchase a large plot of land from local landowners close to the original refugee settlement. [...] UNHCR started its work in the area in 1982. AREU 2006a: 14

The same report recounts the early history of Kacha Gari camp, in Peshawar, which occupied instead land mostly owned by the *government*<sup>105</sup>. The land was initially leased to the CAR, an arrangement changed when the site was recognised as an official refugee site and UNHCR began its assistance. “*As in the Jalozai camp, the resistance parties and Islamic groups (in this case Hizb-i-Islami) continued to play a crucial mediatory role in the administration and governance of the camp*” (2006a: 16). Similar, “genealogies” are identified in other reports for camps near Quetta (AREU 2006b: 5), or Karachi (AREU 2005: 7). In other cases, such as in Chitral, “*the descendants of mehtars (sovereigns)*”, settled Afghan refugees on their own land, something that “*conferred certain advantages on the latter, but also implied the duties hospitality implies*” (Centlivres and Centlivres-Demont 1988a: 147). And so on and so forth.

The location of each RV and refugee settlement in Pakistan, in other words, was co-determined by the different political rationalities simultaneously encompassing the object of thought “Afghan refugees in Pakistan”. Thus on one side, they reflect the interaction and interplay between varied forces, simultaneously encompassing such object of thought; on the other, this interaction seem to be differently configured, in different places. Is this the case for other technologies of government? If so, how to study such interaction, in territory? These questions will be assessed in the context of food distribution in RVs, below. There is more, however.

Third, each of the rationalities defining “Afghan refugees in Pakistan” as an object of intervention also defines them, simultaneously, as particular kinds of *subjects*: as tribal brethren, as fellow Muslims, as people with a right to seek asylum. Though

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<sup>105</sup> As recorded in my field notes, the assistant of a Business Management Professor at Iqra University, Peshawar, who had worked as a UNHCR intern in RVs, said that in fact the land was owned by the Army, though given the current institutional set up under President Musharraf this is perhaps a pedantic observation.

Gen. Zia's announcement *made* them *refugees* on humanitarian grounds and constituted them as a unitary object of thought, it did so following multiple rationalities, as explained above. Do these interpellations of "Afghan refugees in Pakistan" exhaust *all* rationalities explaining Afghan migrants' decisions to settle in one place *or* the other? Do Afghans possess a *force* of their own, or do they simply obey to the refugee-subjectification process? Continuing with the example of RVs' location, which rationalities could explain Afghans' decision to settle in different RVs or elsewhere in Pakistan?

Partly, it seems that rationalities leading to the establishment of RVs and those of Afghan migrants coincide (see also Ch. 1.3). The decision of the vast majority of those arrived during the first decade to seek refuge in FATAs can be attributed to reasons of cultural affinity and family ties, in other words to the same tribal rationality that defines their legal status in Pakistan in the first place. Edwards (1990) argues that, given the familiarity of Afghan Pushtuns with areas across the border, the large presence of Pakistani Pushtuns in those areas and the permeability of the border, the act of seeking refuge in a territory administratively defined as Pakistan, was neither traumatic nor socially disruptive, at least compared to the option of staying home. However, this did not equally apply to all Afghans, or across FATAs, homogeneously (see other examples in Ch. 1.3). Most of those who sought refuge in FATAs attempted to settle not just anywhere, in fact, but only in *those* areas that were close to their village, given their ease of reach, "*as well as for security from rival tribes or tribal sections*" (UNHCR 1989a: 13; see also Orakzai Agency, above).

Furthermore, not all Afghans arrived during the initial years of displacement settled in those areas. Others went to Peshawar or Lahore, because of pre-existing family ties (notes). The luckiest had the opportunity to choose: "*My father left us with family in Lahore and went around Pakistan to look for a place to stay. He chose Abbotabad, because it had the best climate*" (notes). Afghans moving to Karachi, at the beginning of the 1980s, settled where pre-existing seasonal nomad camps had traditionally been located, and were attracted by employment opportunities in town (AREU 2005). More in general, cities have become the destination both for middle class educated refugees and for "*male breadwinners [who] continue to look for employment in cities often leaving their dependents in refugee villages*" (Macleod 2001: 40). Others, according

to some, may have decided to settle in RVs because of the assistance package (see above).

In other words, it seems that, not only do technologies for Afghan refugees' management reflect/reinforce the ambiguities of their constitution as a multiply interpellated object of thought, but also that the process of subjectification established by such regime is incomplete. As developed in relation to Table 1.1 (see Ch. 1.3), in fact, each of the different governance regimes simultaneously encompassing Afghans in Pakistan does not and cannot operate independently from each other, because their domains (partially) overlap the same territory and because they exercise simultaneous claims over the same individuals. The remainder of this chapter, thus, is concerned with assessing the implications of such multiple interpellations vis-à-vis institutional practices of the refugee regime in Pakistan and in relation to their success in shaping subjects' conduct.

First, the next section assesses the *force* of one particular technology of government (food distributions in RVs), in reaching its institutional aims across its domain. Following insights developed in the previous chapter, in other words, it is concerned with identifying the flexible significance of food distributions in territory. Second, the following section investigates the degree of success of such *force* in shaping the conduct of its subjects. Concerned with the context of facilitated voluntary repatriation permeating all refugee-related activities at the time of my field research, it assesses rationalities and motivations of different groups of Afghans in Pakistan vis-à-vis repatriation. The final section of this chapter takes stock of arguments presented thus far, opening up the analysis performed in the remaining two chapters.

## 3.2 Reaching beneficiaries

During the initial decade of displacement, the asylum regime in Pakistan was open and accommodating, perhaps reflecting the commonality of intents between various political rationalities recognising Afghans as “refugees”, from their own (S<sub>2</sub>) perspective. Afghans were free to move, though in order to obtain assistance they would have to *register* in one of the RVs and become *members* of one of seven Islamic political parties, *approved* by the GoP (“*refugee groupings*”, see CAR 1982). This is a first suggestion of the degree and extent of institutional implication and enmeshment of each interpellating *logic* with one another (see Table 1.1 in Ch. 1.3); the existence and entanglement of multiple *political rationalities* (in the meaning of the term provided in Ch. 1.2) shaping the asylum regime in Pakistan, is a key concern of this section, and of the overall analysis presented in this work.

Conditional to such registration, each refugee family received a cash allowance (Rp. 120 –US\$ 12 at the time- until 1981 then Rp. 50 per head per month, until 1989 when cash allowances were discontinued). Refugees also received emergency relief in the form of food, tents, bedding, utensils, etc., other than medical, animal husbandry, education and other “indirect” assistance. In 1982, the GoP estimated the cost of such provisions at Rp. 150 (US\$ 15 at the time) per head per month, producing a cumulative amount of US\$ 360 millions for the total caseload (CAR 1982). Funds for such assistance were initially readily available.

The US committed in 1981 US\$ 3.5 billions over the following five years (USCR 1982). Similarly, the UN system was able to mobilise considerable amount of resources. UNHCR’s budget for 1981, its highest ever, was in the order of US\$ 109 millions (UNHCR 2004a); WFP was able to provide rations to all families (with the USA funding almost 40% of them); UNICEF focused initially on water supplies (CAR 1982); etc. NGOs, at the time mainly International NGOs (INGOs) such as Save the Children UK, AustCare, Caritas Pakistan, Saudi Red Crescent, Church World, International Christian Aid, etc., worked with a combined budget of US\$ 18 millions. Other International Institutions contributed to refugees’ assistance with programs in cooperation with the GoP. For example the World Bank addressed, through IGPPA, which in its first phase (1984-1986) disposed of a budget of US\$ 20 millions (CAR 1994), some of the environmental effects of the rapid demographic

increase<sup>106</sup>. Projects involved reforestation and flooding prevention, irrigation etc. and employed an average 70% Afghan manpower. In 1985 (Denker 1985) the cost of sustaining 2.4 million *registered* refugees was estimated to touch the US\$ 1 million a day mark.

Initially humanitarian assistance focused on emergency relief. Already in 1983, however, the need for a changing paradigm of assistance was felt *within* the assistance community. Policy-related documents consulted framed this necessity from the perspective of refugees.

[... T]here obviously exists a great need for occupation among the Afghan refugees, for economic as well as psychological reasons of depression and mental problems largely caused by inactivity and hopelessness. It all amounts to the same: the mental problems are chiefly caused by the frustration of economic dependence and lack of possibilities of influencing their own condition. Christensen 1983: 74

The Proceedings of an International Symposium (RSP 1987) confirm this perspective. Representatives of a wide range of voluntary agencies indicated as one the biggest problems the demoralising effects of aid dependency and the need to more forcefully promote self-reliance. A British Refugee Council report (BRC 1987) confirms that life in exile, with its infrastructure problems, fragmentation of families and communities, lack of privacy, etc., had a grave effect on refugees' morale; so too had the loss of means of livelihood (1987: 10). However, it also provides broader insights vis-à-vis the necessity to move from an emergency to a self-sustaining paradigm of intervention. Primarily, these related to the effects of the large number of Afghans in NWFP and Balochistan, where at the time one in seven persons was Afghan (1987: 11), and associated effects on labour and property markets, as well as on small-businesses since Afghans were exempt from licensing and taxes (1987: 11-12). The Editorial of the Journal Disasters from 1982 adds yet another perspective. Discussing Western support for Afghan refugees in Pakistan and elsewhere, it asserts:

Without undue cynicism, Afghan refugees may well reach certain conclusions about the commitment of the UK to their case, if not their cause.

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<sup>106</sup> The World Bank managed an expenditure of over US\$ 100 millions in the period 1984-1994 (CAR 1994).

To begin with, the refugees appear to have overstepped the tacit but customary one-year time limit for active public sympathy. The media-television, radio, newspapers- are indeed 'mediators' of continued public awareness, and the Afghan refugee story has flagged [...] Within Afghanistan the military engagement between Mujahedin resistance and the Soviet and national forces have by their nature fallen short of the requirements of a running media story [...] It is cruel truth that any major reawakening of interest in the UK in the small number of refugees there –or in the possibilities for increased aid to the millions now in Pakistan- depends upon a dramatic battle in Afghanistan or upon dramatic evidence of suffering in Pakistan. Editorial, Disasters 1982: 79

Regardless of the accuracy of one or the other motivation, very likely a combination of all, refugee *needs*, as established by the same type of documents, were certainly contradictory –as to be expected given their numbers and heterogeneous conditions. In 1982 a UNHCR survey in Kohat (in Morton 1992) established that 87% of families had at least one earning member, that 72% of men had some kind of employment, that 48% had brought livestock from Afghanistan, of which 97% on a very small scale. An informal survey in Balochistan by UNHCR and ILO (ibid.), in the same period, noted the existence of large bazaars inside the camps, the involvement of refugees in transport and trade (a percentage of 27% of the total employed), or in informal labour (31%). Christensen (1984) conducted a similar survey and found that in Orakzai Agency 80% of male workers were employed in farm, suggesting that refugee labour was actually expanding the economy of most agencies. Other surveys focused on specific aspects. Qureishi (1983) observed the level of environmental damage caused by grazing, Abulkheir (1984), after visiting Azakhel Camp, affirmed that everybody seems to be dependent on food assistance, etc. In 1986 UNRISD conducted a survey among 58 RVs in NWFP, Balochistan and Punjab (in Morton 1992). 65% of men aged between 18-49 were employed with an additional 10% actively looking for occupation. Of those working, 38% were involved in casual labour. Differences of income vis-à-vis location were also highlighted, with households near Peshawar living on an average income of Rp. 512 per month, against an average of Rp. 350 (Rp. 242 only in Punjab). The study, after defining self-sufficiency as a function of income, household size, expenditure and definition of poverty line, suggested that there seemed to be a move towards self-reliance.

More in general, these surveys seem to suggest three points. First, they are a striking evidence of the heterogeneity of *conditions*, as well as the variety of skills and occupations, of refugees. Second, they highlight the flurry of activities performed by humanitarian agents in the attempt to grasp refugee *needs*, as well as the dynamic and reflexive nature of the regime itself, able to measure and then feed back this information into its practices: Third, these surveys also seem to suggest a feeble correlation between one and the other dimensions (i.e. “conditions” vs. “needs”; cf. Christensen 1984 who specifically makes this argument in relation to food distributions). How to assess the *force* of humanitarian assistance, following the previous section’s conceptualisation of the term, in achieving its objectives? The remainder of this section attempts to answer this question in relation to food distributions in RVs.

Food distributions are a key component of refugee protection and assistance activities in most situations of mass displacement<sup>107</sup>. The most recent global Memorandum of Understanding (MoU) between UNHCR and the WFP states that

By virtue of its Statute (General Assembly resolution 428 (V) of 14 December 1950), the role of UNHCR is to provide international protection to *refugees* and to seek durable solutions to refugee problems. As regards UNHCR’s assistance activities, the basic provisions of the Statute were expanded by the General Assembly in its resolution 832 (IX) of 21 October 1954. [...] WFP is mandated to feed the *hungry poor*, regardless of their status. [...] Under the framework of this MoU, UNHCR and WFP will work together where their mandates *overlap*” UNHCR/WFP 2002: 2-3 (my emphasis)

The MoU is a “*management tool that contributes to the achievement of these objectives*” (ibid: 4) and sets guidelines in areas such as planning and needs assessment, resource mobilisation, food delivery and distribution, funding, monitoring

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<sup>107</sup> Food distributions is an activity classically associated with refugee assistance rather than protection, though they may also serve protection functions, for instance in relation to gender-based violence ([http://www.un.org/womenwatch/ianwge/taskforces/wps/implementation\\_review\\_30Oct2006/WFP%20Response.pdf](http://www.un.org/womenwatch/ianwge/taskforces/wps/implementation_review_30Oct2006/WFP%20Response.pdf)), or as a safety net to protect livelihoods ([http://www.odi.org.uk/hpg/papers/Concern\\_Cash.pdf](http://www.odi.org.uk/hpg/papers/Concern_Cash.pdf)); see also <http://www.ids.ac.uk/ids/pvty/pdf-files/FinalChronic-TransitoryDeskReviewFeb06.pdf> for a conceptual framework on “food security”.

and evaluation. Following three such concerns –namely who deserves food assistance, how much food is delivered to them, and how- the process of delivery of food in RVs in Pakistan will be assessed, in order to understand how such “global” logic, in itself the product of an overlap between two logics (UNHCR’s Statute and WFP’s Mandate) with a common domain (interstate system), but with different conceptualisations of subjects of assistance (refugees/hungry poor), is instantiated in territory, and how successful it is in asserting its logics vis-à-vis others, which overlap the same territory.

Food baskets are geared to provide adequate nutrition to beneficiaries’ populations. Both in 1983 and 2003, in fact, refugees received a remarkably similar amount of calories (2,200 kcal recorded in Christensen 1983 and 2,225 kcal according to WFP/UNHCR 2003). During the initial phase, food baskets consisted of cereals, dried skimmed milk, edible oil, sugar, and tea (Christensen 1984). Though the number of calories is established through scientific means, the number of beneficiaries seems to be subject to much more controversial calculations. In 1983, the WFP based its supply on an estimate of 2.2 million refugee *beneficiaries*. Such estimate, the very basis of all policy projections represents the (embodied and material) *object of thought* to be governed and managed through the food distributions regime, and is a key institutional site where different forces have negotiated their influence throughout the years.

On one side, the way access to assistance was regulated highlights how Afghans’ multiple interpellations (cf. Table 1, in Ch. 1.3) interact with each other: as mentioned above, in order for Afghans to become eligible for relief provisions *as* refugees/hungry poor, they needed to register with Mujaheddin parties. In itself questionable from a (S<sub>2</sub>) humanitarian perspective, such practice excluded from the benefits of assistance those who did not register, even if *all* Afghans, at the time, were recognised as refugees by the GoP. Though, in most cases, non-registered refugees were the better-off group, in other cases that relation is not so straightforward. A 1992 survey (Morton 1992) amongst Afghans employed as casual labourers in Peshawar, in fact, suggested that many had not registered, and that some were living in camps without having registered. The point is that, even if through Gen. Zia’s and UNHCR’s recognition, all Afghans had *become* refugees, only those who registered with

resistance parties had access to the benefits of such recognition<sup>108</sup>. The Cold War logic, as well as the logic motivating such parties, thus, concurred to the definition of the category “*registered beneficiaries*”, i.e. who exactly should receive food amongst *all* Afghans who, according to such recognition, could have been entitled to it. Such registration re-defined the material boundaries of the object of thought “Afghan refugee in Pakistan”, distinguishing between registered- and non-registered ones, and thus generating different meanings and implications for the term<sup>109</sup>.

On the other side, even focusing on the latter category, registered beneficiaries’ numbers have always been subject to doubts, confusion and allegations. From the very beginning there were allegations of them being inflated, in order to obtain more international aid (cf. Benazir Bhutto, in USCR 1982). Over-registration is seemingly confirmed by a 1984 survey (Sardie 1984) covering 3% of the (registered) refugee population, which statistically suggested that 33% of refugees were “missing”, because they had returned, double registered or engaged in nomadic wanderings. That figure is remarkably similar to the one contained in a recent UNHCR/WFP Joint Food Assessment Mission (JFAM), which states that despite “*the revalidation in Mohamed Kheil camp failed to take place due to resistance from the refugees [...] UNHCR used polio vaccination records to re-adjust the figure to 40,000 [...] a 33% reduction*” (WFP/UNHCR 2003: 6). Thus, not only “Afghan refugees in Pakistan”, for the purposes of food distribution meant “registered Afghan refugees in Pakistan”, but also even that definition is questionable, if observed in relation to number of people who would have qualified from that perspective<sup>110</sup>.

Furthermore, even assuming a coincidence between the number of those who deserve food and the number of those who actually get it, the *effects* of the “universal” humanitarian logic prompting the delivery of food baskets to a group of beneficiaries, seem to be shaped by a wide variety of *forces*, intersecting at the institutional site of

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<sup>108</sup> Once again, it is important to underline how, from UNHCR’s perspective, protection –a very important benefit of recognition, though one whose force should itself be assessed- was extended to all Afghans, even if at that time that was not relevant.

<sup>109</sup> Cf. heterogeneity produced by borders, in Ch. 2.3; and the notion of institutionally-induced polysemy in the next chapter.

<sup>110</sup> Numbers for Afghans, more in general, are difficult to assess for three further reasons: the lack of any reliable data prior to their arrival in Pakistan (Pstrusinska 1987); the vast numbers of Afghans living in cities that never registered (UNHCR 2000a); the rate of growth of the Afghan refugee population in Pakistan (UNHCR 2003).

food distribution. Three interdependent types of interaction highlight this: those that *regulate* the material process of food delivery to RVs, those that are *generated* by such delivery, those that *encompass* the latter within wider projects.

First, distributional issues influence *effective quantities* received by refugee beneficiaries<sup>111</sup>, in time and place. Some of the items distributed during the initial decade were supplied by the GoP (e.g. sugar) and others provided by the international community (e.g. dried milk, Christensen 1984). All imported food arrived at Karachi and Qasim ports and was then distributed by the National Logistic Cell<sup>112</sup> to provincial and district warehouses, and at times directly to some RVs (WFP/UNHCR 1992). Wheat was handled by the Ministry of Food and Agriculture and merged with national stocks; other items were handled by CAR, which was in charge of distributions within the camp (ibid). Though impressive in its effectiveness vis-à-vis logistics and number of beneficiaries reached (notes), “losses” and pipeline breakdowns were recorded by Christensen (1984: 17-27) throughout the chain, some of which related to contingencies such as strikes or market availability of goods.

Within camps, in the early stages of emergency provision, food items were distributed through the figure of the *ration malik*. Edwards argues that the use of *maliks*, individuals in charge of dealing with the camp administration, handling the requisite paperwork, transporting supplies to their section of the camp and distributing rations to household heads (1986: 319) represented an attempt, on the part of refugees, to deal with the “government” (the camp administration) in the same autonomous manner they were used to, in Afghanistan. Centlivres (1993: 28) has a different take, arguing that *maliks* were not usually traditional leaders; rather they were men who made themselves indispensable, spoke the language of the RV administrators, and served as intermediaries for the NGOs.

Regardless of the veracity of each argument, which, as above, is probably a combination of both versions, *maliks* certainly contributed to the delivery of food,

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<sup>111</sup> “Refugees” here refers to registered refugees numbers as described above. It takes that figure as a given, suggesting a *subordinate* position vis-à-vis the definition of that number. See last section and indicators of relative power, and the notion of *nestedness* in Prologue and Ch. 5.

<sup>112</sup> The NLC is a Federal Government non-financial Enterprise of the GoP, see [www.nlc.org.pk](http://www.nlc.org.pk). In my field research most people described it to me as ‘the Army’, as some of the symbols and signs painted in some of their trucks’ bumpers, and the fact that its Director General is a Major General (Daily Times, 8/1/05) would suggest.

allowing to efficiently deal with a restricted number of individuals vis-à-vis the total number of beneficiaries reached; at the same time, however, they constituted another nodal point of interaction between different rationalities and agendas stemming out of food distribution activities. In fact, some refugees would not get rations at their whim, there were allegations of corruption (also involving the governmental counterparts), inter-clan feuds affected the distribution process itself (notes).

Partly for these reasons, but also due to the consolidation and expansion of relief efforts, to Mujaheddin parties' gradual increase in strength within the camps, and to the enlargement of the GoP administrative camp structure (Christensen 1984: 9) the system was changed, with refugee household heads obtaining rations from the camp administration on presentation of their family ration cards. This was not the case in Balochistan, though, where tribal leaders' power allowed them to continue their functions vis-à-vis food distributions (WFP/UNHCR 1994), perhaps demonstrating the relative strength of tribal authority in those areas vis-à-vis other places in Pakistan, as well as variations of relative power within the regime (see last section of this chapter).

Even disregarding the discrepancy between potential and effective beneficiaries, in other words, it seems that the "global" humanitarian rationality prompting to deliver a *scientifically* calculated amount of calories per day, if assessed in its flexible effects, is necessarily mediated and compromised by other rationalities, originating from "tribal" domains of social life, or by *contingent* occurrences, such as strikes or market availability of commodities. Furthermore, it also does not seem to have uniform consequences for all those encompassed by it, as detailed in the next section. These points are confirmed by considering the two other types of interactions highlighted above.

Second, in fact, once regulated, in time and place, by processes such as the ones just described, food distributions are *generative* of other types of collateral activities, which also hamper the equation "food delivered = food eaten". Christensen (1984) indicates that some *distributed* items were sold into bazaars and that cash income facilitated the acquisition of other staples, improving livelihoods. Similarly, Farnat (1990) sustains that a "secondary market" for ration passbooks existed. A recent JFAM (WFP/UNHCR 2003: 11) states that, once food delivery is completed, the CAR collects empty food containers and sell them through auction, sale proceeds

reportedly being used to pay salaries of support staff in the camps. Despite the JFAM being “*in favour of releasing [monies] to beneficiaries*”, pressure from SAFRON claiming that money generated is a “*much needed cushion to the Government to defray the cost of education programme and health services*”, prompted the mission endorse such request. During my stay in Pakistan, large UNHCR-marked plastic covers were being sold at the corner of streets. These “sub-projects”, in other words, are not necessarily contradictory vis-à-vis the stated food delivery logic, as some of the previous examples might seem to suggest, though clearly they are not a constitutive element of the humanitarian rationality behind food distributions. They are an integral aspect of food distributions, yet they are not reducible to its logic.

Third, food distributions can be used to obtain objectives other than ones strictly related to daily calories intake. They themselves can be seen as a sub-project of wider rationalities. Some of these can be associated to humanitarian best practices: the Tripartite Agreement regulating distributions in one of the newly established RVs, for example, states that “*in accordance with WFP’s Enhanced Commitment to Women and UNHCR’s Policy on Women, the Implementing Partner, where reasonably possible, shall ensure that food and non-food items are placed directly in the hands of women and that women take the lead role in the management of food distributions*” (WFP/UNHCR/Intersos 2003: 2). Others can be associated to political or military “logics”, such as the distribution of food to so-called “bachelors camps” along the border, i.e. RVs populated exclusively by single males, during the Cold War jihad. Others still are an expression of overarching objectives of the Pakistan operation, and thus intersect wider (geographical and political) domains. The internal logic regulating food distributions, in fact, needs to be inserted into wider *Mundane periodisations*<sup>113</sup>, as described below.

Levels of assistance remained more or less stable throughout the 80s, but after 1989 dramatically started to dwindle, in line with geo-political restructuring processes of the time. Following the Geneva Accords and the withdrawal of the Soviet Union from Afghanistan, the humanitarian industry’s attention focused on the rehabilitation of Afghanistan as a pull factor for the expected mass repatriation, funding was drying

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<sup>113</sup> That is, as discussed in the Prologue (Fabian 1983), into wider world-wise relations to Time and grand scale periodisations; i.e., in substance, into wider historical narratives, as opposed to internal and self-contained systems of relations.

up, and the GoP was keen to promote repatriation (see next section for more details). From 1994 the so-called “old caseload” (i.e. those refugees who arrived as a consequence of the Soviet occupation) entered a Care & Maintenance phase (Notes). Furthermore, in a context of voluntary repatriation as a preferred durable solution, and in the face of ever growing, competing demands for food aid, “*especially from Africa*”, food assistance, it was argued, should be reformulated and reoriented: it should only be provided to Registered Resident Refugees who Require assistance, but emphasis should be put on Rehabilitation and Reintegration of Returnees, the so-called Multiple R strategy (WFP/UNHCR 1994).

In September 1995 WFP closed its assistance programme of general food distribution (WFP EMOP). Such decision was based on perceived changes in refugee *needs*. The 1992 JFAM (WFP/UNHCR 1992), in fact, on the basis of a socio-economic nutritional status survey (which illustrated, for example, how refugees had access to employment, and had a better nutritional status vis-à-vis local populations) recommended reducing the composition of the food basket. However, as a WFP representative suggested to me, “the idea was [also] to reduce the comfort level so that they see their future in Afghanistan and not here” (Notes). As stated in the document setting the Multiple R policy, the rationale behind the discontinuation of food distributions was that many refugees had reached self-sufficiency and nutritional status was overall satisfactory; that many refugees were no longer permanent residents of RVs; and that phasing out distributions would restore their dignity and independence while lessening dependency; at the same time, it was also hoped that this would encourage voluntary repatriation, creating a push factor and diminishing the attractiveness of staying (WFP/UNHCR, 1994)<sup>114</sup>.

A British Agencies for Afghanistan Group report (BAAG 1996), however, subsequently highlighted that many long-standing refugees were living at a marginal level of existence, dependent on intermittent daily labour. Another consequence of his decision was the progressive urbanisation of refugees, drawn into cities looking for job opportunities (USCR 2001 and UNHCR 2004a). Furthermore, this situation

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<sup>114</sup> Cf. assumed rationality embedded in these formulations, and effective refugees’ rationalities and motivations, in the next section.

generated yet another conceptualisation of beneficiaries, *vulnerable cases*<sup>115</sup>, reducing even further the number of registered Afghan refugees that were entitled to food deliveries. They were the only ones to would get rations from then onwards. At least until a so-called “new caseload” entered Pakistan, those fleeing the consequences of Operation Enduring Freedom. For them, newly established camps were set up, and *all* of them received food. Funding, in this case was readily available.

Before turning attention to that period, however, a brief summary of the points raised above is necessary. This section has assessed one project *generated* by the Gen. Zia’s and UNHCR’s recognition of Afghans in Pakistan *as* refugees, namely food provisions. The humanitarian logic defining the need for such provisions is itself motivated by rationalities overlapping UNHCR’s Statute and WFP’s Mandate, as well as the scientifically calculated (universal) recommended daily calories intake. Such logic, in its abstract form, possesses the *force* to define groups of people as persons deserving food distributions and others as those providing them, to establish mechanisms and techniques for the delivery of such food, to provide material benefits to those persons that actually receive food. Once assessed in its concrete manifestation, however, such force needs to negotiate its influence over, and is compromised by, other forces, which follow different logics and interpellate the same object of intervention, all of which intersect at the institutional site of food distributions. Such negotiations and compromises co-determine effective, and shifting, boundaries of the object of intervention itself, practices of intervention projected over it, as well as their effects. Their outcomes, in other words, cannot exclusively be explained by reference to the (already negotiated) humanitarian logic that initiates them<sup>116</sup>.

Furthermore, once instantiated, these practices might be *re-appropriated* for particular “sub-projects” or they can themselves be conceptualised as sub-projects within wider logics. These instantiations, in other words, are themselves generative of further interactions. Perhaps this is due to the fact that each instantiation is differently experienced by different types of subject, as described next.

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<sup>115</sup> Such as women head of households or disabled persons, cf. UNHCR Pakistan: <http://www.unhcr.org.pk/about.html>

<sup>116</sup> Cf. this paragraph with the propositions and understanding of the notion of “institutional agency” provided in Ch. 1.4 and developed in Ch. 5.3.

### 3.3 Flexible Subjects

In a testimony before the US Commission of Security and Cooperation, Rubin (1990) sums up his thoughts on US policies vis-à-vis Afghanistan during the 1980s. The objective of driving the Soviets out of Afghanistan had actually produced some negative consequences: poppies were grown on areas irrigated by the US-sponsored Helmand Valley Dam, the largest US-backed group involved in drug smuggling had become the Pakistani military, the “subcontracting” of operations to Pakistan had shifted the balance of power towards “fundamentalist” groups, since none of the “liberal and moderate” Islamic parties ever received any support. His remarks are a further testimony of the wider domains that “Afghan refugees in Pakistan”, as an object of thought, occupy, as suggested by the previous section’s considerations. In his address (*ibid.*), Rubin also mentions the moral debt to the Mujaheddin for the liberation of Afghanistan and calls for the maintenance of adequate levels of funding. This plea, however, was not heeded; between 1990 and 1992 US budgets for Afghanistan diminished by 60%.

The US was not alone in this decreased monetary commitment. The efforts and composition of the humanitarian industry, in fact, dramatically changed after 1989. A study commissioned by ACBAR, an NGO coordinating body (Lawrence 1990), stated that donors’ fatigue was beginning to bite. The budget of UNHCR dropped from an average of US\$ 60 millions during the 1980s to an average of US\$ 26 millions in the period 1992-95 (Macleod 2001). In fact, after the Geneva Accords of 1988, which prompted the way for Soviet withdrawal one year later, governments made pledges on the assumption of a unified government in Afghanistan by the end of 1989. Japan, for instance, specifically tied funds to actual repatriation (Lawrence 1990), funds that were not used for years to come. The same report introduced the topic of coordination among humanitarian actors as a key to effective delivery. Lack of agreement on priorities, no division of responsibilities and various channels of funding needed to be rationalised. The issue of coordination remained ever since one of the key debates within the industry, as developed in the next chapter.

The humanitarian industry’s attention at the time geared up for a new phase, the rehabilitation of Afghanistan as a pull factor for the expected mass repatriation. Conditions for the latter’s success, however, were not clear still (Maley 1992). In fact,

after the Soviet withdrawal, the Najibullah government was still sustained by a Soviet “*life-support system*” (Maley 2006: 17), and various Afghan factions were still fighting, a period defined by some as a “*Jihad among Afghans*” (Atmar et al. 1998). The balance of power was broken when one of these “warlords”, Commander Dostum, switched from Najibullah to the Mujaheddin side and helped them take control of Kabul (ibid.), or, as others suggest, when the Soviet support was discontinued as a result of a Soviet-American agreement following the failed coup against Gorbachev (Maley 2006: 17); or perhaps for both reasons.

The bitter fighting between the Mujahedin and the Najibullah regime dragged on. It took a further three years after the Soviet withdrawal before the guerrillas captured Kabul in April 1992. Finally, refugees in Pakistan thought that peace had returned to their country and they could go home. The months after the change of government were the mirror-image of the months after the Soviet invasion. UNHCR assisted 1,274,000 Afghans to return from Pakistan in 1992. In one week alone, more than 100,000 Afghans headed home. Unfortunately, for many it proved another false dawn. UNHCR 2004a: 16

The diminishing funds and the new operational context caused some dramatic shifts in the way assistance was provided. In 1992, following the fall of the Najibullah regime and the repatriation of more than one million refugees, most programs related to refugees started to reduce in size. In 1993 the US interrupted aid for Afghanistan and the EU stepped in, mainly through European NGO, in the sectors of health, education and agriculture. In 1995 UNHCR began plans for an eventual wind down of operations, which was supposed to take place within three years. It is argued (Donini, 1996) that, during this period, while NGOs were still able to secure some funding from their donors, especially through country-based links, the UN system was actually facing greater difficulties in securing funds.

However, already by 1994 it was clear that conditions in Afghanistan were not actually conducive for a full-scale repatriation. The conflict inside Afghanistan, in fact, continued albeit in different forms. Atmar et al. (1998) describe the three years following the fall of the Najibullah regime as a period of “factional fighting” where different Mujahedin groups fought for control of Kabul and the city was largely destroyed. The primary consequence was a further influx of Afghans: some were recent returnees; others were members of non-Pushtun ethnicities, who were fearing

harassment by the Taliban; the majority were those who had stayed in (the relatively peaceful) Kabul during the Soviet occupation. The latter were a radically different “type” of Afghan refugee, primarily professionals and educated upper and middle classes, including government workers, medical professionals, and teachers (see Gul Khattak 2003 and UNGA 1995; in the next chapter their role vis-à-vis the changing configuration of humanitarian assistance will be discussed at length). The majority of new arrivals, being of urban background, did not seek assistance, however. They mostly settled in Peshawar and other Pakistani cities. In 1996, for example, only 16,000 of the 40,000 new arrivals sought UNHCR help (ACBAR 1996).

Yet, the number of *registered* Afghan refugees dropped from 1,477,000 at the end of 1993 to 1,053,000 by the end of December 1994 because of the ongoing repatriation (UNGA 1995: 3), or, rather, because of the ongoing repatriation *context*. The UN, in fact, had two types of programs in support of repatriation during this period. One, in Afghanistan, under the name Operation Salam, was geared towards the rehabilitation of the country, primarily in relation to mine clearance activities. The other, in Pakistan, provided a sum of money in exchange for ration cards. The refugees were supposed to use the funds to pay the cost of transportation home and have enough left to buy food and other items for their immediate survival upon return and while most left immediately after encashing, many stayed in Pakistan and used the funds to start small businesses or build homes (USCR 2001). According to some, the US\$ 100 to cover the average cost of travel back to Afghanistan and the 300 kg. of wheat offered as an incentive were as much about “de-registration” as about repatriation (Turton and Marsden 2002: 13). Initially offered only to registered refugees, when food rations were discontinued in 1995 and the ration cards possessed no “intrinsic” value any longer these incentives were extended to urban refugees, and the grant was delivered inside Afghanistan (*ibid*).

Other than diminishing levels of assistance for those residing in RVs, in fact, the 1990s saw a progressive erosion of protection for *all* Afghans in Pakistan. The “*informal asylum regime*” that seemed to have served well the interests of Afghan refugees for many years (Macleod 2001: 41), left undocumented Afghans<sup>117</sup>, without

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<sup>117</sup> The ambiguity of Afghans’ legal status (and numbers) implies that no identity card was ever issued certifying their status. The only document *implying* their status as refugees has traditionally been Afghans’ ration card, certifying their registration in RVs (with all the problems

a proper legal protection framework. Successive “waves” (Gul Khattak 2003) of displaced Afghans, in fact, did not enjoy the same levels of protection. Already in 1993 the GoP indicated that it would no longer accept Afghans as prima facie refugees (Macleod 2001: 44) and it stopped registering or issuing refugee documentation to new arrivals from 1995, though other policy changes did not take visible forms. In fact, in a circular letter dated 25 July 1997 addressed to the Secretary of the Ministry of Interior, the Kashmir Affairs & Northern Areas and States and Frontier Division of GoP (SAFRON) clarified the position of Afghan refugees in the following terms

During the temporary stay of Afghan refugees in Pakistan all laws applicable to the local citizens shall apply to the Afghan refugees. However, as the Government of Pakistan has provided refuge to the Afghan refugees on humanitarian grounds, the provision of the Foreigner’s Act and other such rules pertaining to foreigners residing in Pakistan do not apply to the Afghan refugees. (Kansi, UNICEF Peshawar, personal notes)

After 1998 all Afghans arriving in Pakistan were to be considered by the GoP as economic migrants (UNHCR 2004c: 69), and thus subject to the provisions contained in the Foreigners Act<sup>118</sup>. According to Macleod

It was not until late 1999 and early 2000 when [the GoP] denied entry (mainly to Hazaras) into Baluchistan that a change in asylum policy was coherently implemented. It was formalised in Amendments to the 1946

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of such certification associated to the discussion in the previous section). During the repatriation drive of 1992 about one million such cards were returned to the GoP, even if the majority of those that cashed it in returned to Pakistan. “Undocumented Afghans”, therefore, is to be understood as a very loose category, encompassing both refugees and non-refugees (interview, Macleod 2001: 43). Such indeterminacy, however, has serious repercussions on the protection status of Afghans in Pakistan; see next footnote, below.

<sup>118</sup> The Foreigner’s Act of 1946 regulates relations between non-citizens and the State of Pakistan. The ambiguity of Afghans’ status has repercussions on the type of protection afforded to them: being an undocumented refugee or an undocumented foreigner, in fact, differentiates between individual rights, according to the Act. As stated by Mr. Nayyare H. Bukhari, Member of the National Assembly, in a workshop on refugee rights and protection (cf. SHARP 2003, which reports the Q&A session at the end of the day), *people* who don’t have any legal document have to be, ultimately, taken into custody by law enforcement agencies. If charged under the Foreigners Act, and convicted, any person who has illegally entered Pakistan should be immediately deported. While this view was staunchly disputed by lawyers and participants of the same workshop, the climate of harassment described later in the text suggests that the MNA’s views were predominant amongst GoP officials. In relation to broader points raised before, this discussion reinforces the *exceptionality* of Afghan refugee recognition in Pakistan, which, as Agamben (2003) suggests, blurs the distinction between law and politics.

Foreigner's Act on 10 July 2000 and later the closure of the border in November 2000 [...] In January 2001 [the GoP] took action to limit assistance to new arrivals halted registration and verification, and began random (if so far limited) deportations of Afghans who do not hold valid documentation. It has insisted that all Afghans entering Pakistan should carry travel documentation. Macleod 2001: 44

The same report, a DFID-funded UNHCR consultancy, states that up until 1999-2000 UNHCR judged the protection climate as broadly acceptable, and it assumed that the GoP's prima facie status granted to the old caseload would remain unquestioned. "*It restricted itself to quiet diplomacy and occasional interventions when protection problems emerged*" (2001: 45). In 1999, the GoP frustration with the continuing situation (USCR 2001), translated into specific forms of harassment to refugee population. In June 1999 Afghan traders stalls were destroyed; in 2000 11 thousand urban refugees in Quetta were forcibly relocated into camps and further five thousand in the first half of 2001; in early 2001, the Provincial government of NWFP embarked on a program of refolement, expelling any Afghan without a valid passport and Pakistani visa (ibid, and articles from The News and Dawn); in August 2001, furthermore, a screening process of all refugee population (in expectation of a further wave of repatriations and under pressure from the GoP) was initiated. The new protection climate prompted UNHCR to enter directly into "*long and protracted negotiation with the GoP*" (Macleod 2001: 45) as well as funding, indirectly, specific protection-related projects<sup>119</sup>.

Operation Enduring Freedom was a period in which Afghans were going "*in both directions*" (UNHCR 2003). While on one side, in the period between the fall of the Taleban regime and the Winter of 2002 about a million and a half Afghans registered for repatriation, and convoys of trucks with Afghan families and their possessions were a visible presence along the GT Road and in Peshawar, several also entered Pakistan seeking refuge. Some were those fleeing the consequences of the military campaign, others were Taliban sympathisers "with genuine fear of persecution, very

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<sup>119</sup> One of these The Legal Department of UNHCR Geneva, for example, provided funds to SHARP (the Society for Human Rights and Prisoners Aid, oft-quoted in the text), a Pakistani NGO that deals with political prisoners, to promote refugee protection awareness.

genuine fear” (notes), others were fleeing the consequences of the massive drought that, over 2001, had already mobilised several INGOs, as well as UNHCR.

These arrivals were hosted in RVs along the border, often in areas that were difficult to reach and in fenced camps. Unlike their compatriots, their movement was restricted and were entirely dependent on food distributions and other provisions for their livelihood. Furthermore, this influx produced other types of (legal) classification, constituting other “objects of thought”. New arrivals were defined by UNHCR as the “new caseload” (notes), but their status and recognition are possibly even more ambiguous than those of the old caseload. In the words of the Country Representative of an INGO operating in the newly opened RVs:

Despite calling them refugees, Afghans in new RVs were technically treated by UNHCR as asylum seekers. The problem, as you know, is that the GoP never formalised the status of Afghans and their status have been under negotiation between UNHCR and the GoP for a long time. In any case, the GoP categorised Afghans arriving in 2002 as Externally Displaced Persons a category which does not exist in refugee law (email communication).

In 2002, UNHCR, the Government of Afghanistan and those of Pakistan and Iran, signed tripartite Agreements, making provisions and arrangements for a full-scale repatriation of refugees within few years.

The new context of “*facilitate[d] voluntary repatriation in conditions of safety and dignity*” (GoP/GoA/UNHCR 2003: Art. 3)<sup>120</sup> can be appreciated from three angles. Legally, the Tripartite Agreement signed in 2003 (ibid.) regulates the repatriation of Afghans within a timeframe originally supposed to end in March 2006, though later extended<sup>121</sup>. For those who will remain in Pakistan, a recently conducted census “*to which all Afghans arrived in Pakistan after 1 December 1979 must participate [...] provides the information [needed] to search for a solution*”<sup>122</sup>. Though protection is fiercely negotiated (see SHARP 2002a and 2002b), levels of assistance for the old caseload have practically disappeared.

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<sup>120</sup> This is the purpose of the Commission established by the Tripartite Agreement between the GoP, GoA and UNHCR. The officer in a Voluntary Repatriation Center in Islamabad, however, argued that repatriation is, at times, not only facilitated, but also suggested.

<sup>121</sup> <http://www.unhcr.ch/cgi-bin/texis/vtx/news/opendoc.htm?tbl=NEWS&id=431473254> accessed 26/11/05.

<sup>122</sup> [http://www.un.org.pk/unhcr/press/11\\_Jan\\_05.htm](http://www.un.org.pk/unhcr/press/11_Jan_05.htm) accessed 25/11/05.

Most Afghan NGOs have shifted the bulk of their operations, as well as headquarters, inside Afghanistan. Some RVs have been closed and people relocated to transit camps (DAWN 7/8/05); some schools in those remained open have also closed (visit to Mansehra's Khaki Camp 2004, and IRIN 13/6/05); participatory committees emphasise both the need for refugees' skills in the reconstruction of Afghanistan and the lack of opportunities for Afghans in Pakistan, as well as "their responsibilities towards their country" (notes). In addition to humanitarian policy-driven "push and pull factors" (notes), the context outside RVs have been one of increasingly difficult conditions for Afghans, being subject to harassment and bribe-taking by police officials (WFP unp.) and facing a negative attitude in most urban areas. It is such intersection of *forces* that provides the setting where refugees' attitudes towards repatriation are articulated.

As mentioned above, in fact, in 2002 more than a million refugees encashed the repatriation grant. Turton and Marsden (2002) identify four possible motivations for return: longing for home, a generous repatriation allowance, great expectations and pressure from asylum countries. These rationalities do not encompass all refugees uniformly, however, but each is produced (and thus explainable from that perspective) on the basis of what can be broadly defined as subjective/collective problematisations and perceptions. Even within the same context of repatriation, in fact, each Afghan refugee heterogeneously *refracts* (cf. Ch. 2.1 and 2.3) both opportunities and constraints, developing different rationalities and motivations. In fact, deepening the understanding of this process provided in the previous chapter, the remainder of this section reviews data collected during field research, as well as other available documents, to highlight how Afghans *flexibly* and heterogeneously *respond* to different sets of opportunities/constraints provided by the same context of facilitated voluntary repatriation; how, in other words, their "rationality" cannot be assumed a priori, but is the product of a process of (active) positioning across the multiple regimes encompassing them.

The heterogeneity of individuals, households and social groups encompassed by the term "refugee", and the refracted effects of the "facilitated voluntary repatriation" context, appears from a variety of perspectives. At caseload level, UNHCR identifies, other than policy, economic, operational and legal challenges to return in countries of asylum (2004b: 11-13) different types of "*social*" push and pull factors: tribal elders

and jihadi commanders exercise greater influence in respect to what would now be possible in Afghanistan; slowing levels of return lessen peer and psychological pressure to repatriate; those with physical and mental problems and disability are reluctant to return to more adverse environments; many women and youth in particular are reluctant to leave the relatively emancipated and liberal conditions they have enjoyed in countries of asylum (2004b: 12-13).

Across and within RVs, the heterogeneity of refugees' rationalities towards repatriation is captured by different studies. A survey of expected repatriation patterns performed by three INGOs in NWFP RVs (DACAAR/IRC/MADERA 2002) distinguishes between active and passive repatriators. The former group comprises Dari-speakers arrived in Pakistan in the previous 6-7 years, residing in rented urban accommodation, which intended to return to urban centres in Afghanistan. These groups of people are well organised, with good information and are able, to a limited extent, to liaise with UNHCR regarding the repatriation package. The latter category overwhelmingly comprises, instead, refugees residing in RVs, originally from rural areas of Afghanistan arrived in Pakistan 15-20 years earlier. Their collective decisional processes develop both in formal settings and around mosques. Though usually confirming their intent of return, this group would set certain conditions (e.g. when there is employment) rather than explicating a timeframe. UNHCR's estimates of who had left Pakistan in 2002 (82% of the 1.8 million individuals returned resided outside camps, 52% was from NWFP, 53% had stayed for less than five years, UNHCR 2003: 3, 5, 7), confirm, in general terms, a distinction between refugees' motivations and actions on the basis of camp/urban or Provincial location of asylum, and length of stay; however, clearly not all cases are clear-cut.

The same survey of NWFP RVs (DACAAR/IRC/MADERA 2002), recognises in fact peculiar situations: a small group of families from Shomali were trying to leave immediately, since they had assets to return to; another, claimed that they would not return, unless land was granted to them by the government; others had established relatively large businesses and were intentioned to leave on the basis of their ability to re-establish their livelihood in their area of origin, to possibility of transporting machinery, etc. (2002: 10-11). Perhaps as a sign of the relevance of each RV's relative location vis-à-vis territory and other regimes, the great majority of residents of Kacha Gari camp (on the thriving edges of Peshawar city) stated, according to a

Human Rights Commission of Pakistan survey in 2004, that they did not desire to return (Notes). Despite the camp being set on government land, needed for land development purposes, some of its residents' personal relations with the Karazai government allegedly allowed a delay in the demise of one of its sectors (Notes<sup>123</sup>).

JFAM 2003's survey in new RVs (WFP/UNHCR 2003) highlighted other lines of thought. Afghans arrived from Kunduz were primarily concerned with security in their areas of return; residents of Shalman camp, in NWFP, stated their intention to repatriate provided their needs vis-à-vis reintegration are met, a delay in the camp closure is negotiated and there are no security concerns (2003: 8). The same report refers of a snap survey conducted by an INGO in Rehman camp, Baluchistan, where refugees were asked to state "*what preference they had for the future, citing the option of return to their places of origin; relocation to Zare Dasht; relocation to Mohammed Kheil<sup>124</sup>; or remain in the current location*" (2003: 8-9): around 50% of those surveyed stated their preference for return, in spite of economic opportunities available in Roghani (ibid.).

Furthermore, heterogeneous refugee attitudes are not only observable at caseload level, or among those residing in new or old RVs. It is also dependent on the relative socio-economic position of individuals and social groups directly or indirectly affected by the "repatriation regime". The Programme Officer of a Pakistani NGO (Notes) that provides legal advice to potential Afghan returnees distinguished repatriation intention among Pushtuns on the basis of their source of livelihood: former pastoralist nomads cannot go back because they would not have any possibility of livelihood; daily labourers would migrate depending on job opportunities; farmers face different problems: on one side, the drought hampers sources of livelihood in Afghanistan; on the other, land property claims are highly problematic in absence of land registers and with multiple "entitlements" over the same land, i.e. with two or three parties able to present original documents granted by the King, the pro-Soviet regime, etc.

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<sup>123</sup> See, in the next chapter, "shadow networks" working through and around formal institutions.

<sup>124</sup> Both are RVs.

Even among Afghans of the same gender, age group, and with similar socio-economic background and profession, heterogeneous rationalities justify (in)action. Two Afghans met in ARIC (a precious Afghanistan-related research centre in Peshawar), one looking for jobs on the wall postings, the other consulting books, intended to repatriate but had different constraints. “I have been working for NGOs for the last 10 years, since I am in Peshawar. I married a Pakistani lady and I think it is unsafe for her to be living in Kabul. But there are no jobs anymore in Pakistan”. “Our family sold the house in Kabul before coming to Pakistan. Now we want to return but prices have gone up and we cannot afford going back. If we had a house we would already have been there” (notes).

A carpet trader encountered in one of Peshawar’s bazaars (notes) explained me how, during his family’s exile, he had kept their shop in Kabul locked, still paying rent, and how he sent a member of the family and reopened it when the Taliban left. Business, however, was better in Peshawar, with only Army personnel buying carpets in Kabul. A few shops down the plaza the same day, a carpet cleaner told me how he rushed to Kabul, after the fall of the Taleban, to set up business there, but returned to Peshawar after one year because of lack of business opportunities, since most traders had kept their stocks in Pakistan. Some months later, in the same plaza but visiting traders of a different ethnicity, and perhaps for this reason located in a more inaccessible floor, I found Afghans with different business and family connections, and thus prospects. “My father came here 26 years ago, we already had a shop in Hamburg and some family is living there. My cousins are in Canada the USA and Germany. Living in the camp? Never”. “We came to Pakistan 15 years ago and always lived in camps. We have a small carpet business: one brother lives here and the other lives in Afghanistan and every six months we have been back and forth. Business is good here”. “My uncle arrived here 10 years ago and he has been selling carpet to foreigners and Pakistanis. I study in the PakTurk school, class 9. We plan to go back depending on the situation” (notes).

As suggested by earlier considerations vis-à-vis “culture” (Ch. 1.3) and food distributions (above), this section’s accounts also suggests that refugees -individually, at household level, and/or considered as a caseload, defined on the basis of their ethnicity or socio-economic status, religious affiliation, etc., i.e. in their multiple interpellations - not only heterogeneously *refract* (Ch. 2.1 and 2.4) each of these

overlapping regimes, but also draw upon constraints/opportunities offered by each of them to *formulate* their own strategies of conduct. Each of these regimes provides (each Afghan) political, legal, cultural and economic rationalities for action, and offers material benefits and/or constraints; in their overlap, they “*shape people’s motivations, desires and struggles and make them particular kinds of subject in this world*” (Ong 1999: 7)<sup>125</sup>.

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<sup>125</sup> Cf. this paragraph with the propositions and understanding of the notion of “human agency” provided in Ch. 1.4 and developed in Ch. 5.3.

### 3.4 Regimes

In a seminal article published almost two decades ago, Roger Zetter (1991) provides an understanding of the refugee label, which has several parallels to the analysis unfolded in this chapter<sup>126</sup>. His understanding of the refugee label as a “*conceptual metaphor*” that is generated by, and generative of, bureaucratic practices, transformations and manipulations (1991: 40), in fact, is in line with the institutional understanding of the refugee as an “object of thought” presented above. In particular, Zetter opens up four key problematic aspects embedded in the process of labelling refugees, all of which have been studied in the previous pages. First, he contrasts the *de minimis* legal definition of refugee to the multiplicity of interpretations of such definition, which, “*like currencies, have fluctuating values*” (see Ch. 1 and above). Second, he emphasises how those labelled as refugees conceive their own identities in very different ways from those embedded in the label itself (see previous section). Third, he defines the refugee label as contingent upon the notions of persecution and sovereignty, “*about which there is little consensus*” (see Ch. 1.1). Finally, and most importantly in relation to this chapter’s analysis, Zetter asserts that “*there is a need to establish more precisely the extent to which bureaucratic interests and procedures are themselves determinant in the definitions of labels like refugee*” (ibid, my emphasis).

This last line of enquiry has, in fact, been the crucial aim of this chapter, which has been concerned with the constitutive and generative effects of Gen. Zia’s recognition of Afghan migrants in Pakistan *as* refugees on humanitarian grounds. The first section of this chapter framed such announcement from a governmentality perspective highlighting how such announcement *generated* a regime of governance by defining an object of thought (“Afghans in Pakistan”), and thus providing the constitutional element upon which the regime’s architecture (the “*topography of power*”, to use Ferguson and Gupta’s terminology, in Ch. 1.2) could be built. Such announcement possessed the *force* to define the contours of such object of thought and intervention, to order relations between different types of subjects populating the regime, and to delimit (i.e. allow and constraint at the same time) certain practices to be performed by

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<sup>126</sup> See also understanding of “institutional agency” in Ch. 1.4 and Ch. 5.3.

such subjects (see Ch. 3.1 above). Furthermore, the above notes demonstrated how a series of administrative, bureaucratic and humanitarian assistance *practices* (cf. food distributions in Ch. 3.2 above) actually defined different and *fluctuating* meanings of the *label* “Afghan refugee in Pakistan”, and how such meanings have been differently and subjectively *experienced* and *manipulated* by refugees themselves (cf. repatriation in Ch. 3.3 above).

However, the above notes have contextualised studied the refugee label across a variety of social domains, as an institutional site where different *forces* intersect. In the attempt to initially develop the analytical potential of Table 1.1, presented in Ch. 1.3 (see Ch. 5 for full development), in fact, the above notes, at their broadest, serve the purpose of arguing that the deployment of an S<sub>3</sub> analytical perspective is not only analytically sound, but also necessary in order to study and explain refugee migration, protection, and assistance. This is so for two reasons.

First, political rationalities behind Gen. Zia’s announcement were (and remained) ambiguous. On one side, such recognition was simultaneously premised on sovereign, humanitarian, religious and tribal systems of thought. Furthermore, it was never formalised in law, demonstrating its *exceptionality* (in Agamben’s understanding of the term). On the other, the object of thought constituted by such announcement became simultaneously encompassed by a variety of different and partially overlapping regimes: UNHCR recognised Afghans as *refugees* on the basis of its Mandate; various types of NGOs, on the basis of their mission and institutional objectives, and/or after being authorised and invited by UNHCR or the GoP, treated Afghans as *beneficiaries* of assistance projects; different Ministries and administrative bodies of the GoP saw Afghans as persons of *concern*, from their own institutional perspective; resident populations, or rather, leaders of host communities, welcomed Afghans as fellow *tribesmen* and *co-religionaries*, or else as persons to be discouraged from settling there; etc. (see above, and Table 1.1 in Ch. 1.3). In other words, while recognising the *force* of such announcement<sup>127</sup>, the above analysis demonstrated how its configuration and effects are entangled with and compromised by other forces, the expression of each and all of the logics interpellating Afghans.

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<sup>127</sup> Cf. the understanding of *institutional agency* offered by Zetter (1991 and 2007: 173, 175); see also Ch. 1.4 and Ch. 5.3.

Second, such entanglement is re-produced in the institutional architecture of the governance regime built upon such ambiguously defined object of thought, as well as in its effects. More precisely, the *force* of such announcement, if assessed in its flexible significance in territory and vis-à-vis its subjects (cf. Ch. 2), is *incomplete*. In the case of food distributions, such incompleteness was demonstrated in relation to the negotiated character of its aims, practices, and effects. Effective beneficiaries, effective quantities and effective uses of distributed food, as demonstrated in Ch. 3.2 above, cannot be exclusively explained by reference to the (already negotiated) logic that initiated their distribution. In relation to the context of facilitated voluntary repatriation, similarly, refugees' flexible responses reflect the multiple logics interpellating them as objects of thought. Rather than following a pre-defined rationality, as *exclusive* subject of the humanitarian regime, for example, each refugee, individually or in his/her community, is able to draw from opportunities/constraints simultaneously offered by such interpellations, flexibly *positioning* him/herself across them.

More in general, this chapter has functioned as a pivot vis-à-vis the overall narrative of this thesis. Unfolded as an assessment of the *force* of refugee recognition, it demonstrated that the simultaneous *presence* of different governance regimes, overlapping the same territory and interpellating the same individuals, undermines S<sub>2</sub> representations of refugee migration, protection and assistance, i.e. representations that refer exclusively to one *logic* (sovereignty, ethnicity, tribal membership or refugee status, cf. Table 1.1, in Ch. 1.3). On the contrary, the negotiated, re-appropriated, and heterogeneously experienced meanings and significance generated by the object of thought "Afghan refugees in Pakistan" require the deployment of an S<sub>3</sub> perspective, for their comprehension. Taking the cue from this argument, the next chapter revisits and deepens points raised so far by studying processes of production and re-production of the object of thought "Afghan NGOs", from such perspective.

Furthermore, the above analysis seems to indicate interesting analytical avenues for the study of power relations within and across such governance regimes. It seems to suggest, in other words, that the *effective presence*, or rather the negotiated effective success of certain regimes in asserting their own logic, over others that are overlapping in territory and simultaneously interpellating the same subjects, can be used as an indicator of relative power. Using examples above, on one side, the study

of access to land for refugees in FATAs, of effective quantities and patterns of food delivery in RVs, of the effective meaning of “facilitated voluntary repatriation”, etc., can be used to assess the relative strength of tribal, sovereign, science-based, humanitarian, etc. projects vis-à-vis each other, in achieving their own institutional aims and objectives. Is it possible to capture the nestedness and relative power of one regime in relation to the other? How?

On the other, the differential capacity to respond to the same context of facilitated repatriation, can be used to assess the relative power of certain individuals and social groups, vis-à-vis others. Not only each of them differently *refracts* the normative effects of each governance regime (Ch. 2.3), but also each of them seems to be able to differently draw from their overlap, in order to formulate flexible responses. What gives them the ability to do so?

The last chapter will attempt to answer these questions.

## Chapter 4 – Who is humanitarian?

### 4.1. The NGO culture

This chapter is concerned with what was defined in Ch. 1 as the third constitutive element of the refugee regime in Pakistan its inter-governmental regimentation (cf. Soguk 1999 on Ch. 1, and next section). It studies one particular agent of such regime, Afghan NGOs, bringing together insights developed in the previous chapters. In particular, it is concerned with understanding the flexible significance (cf. Ch. 2) of the object of thought ‘ANGOs’ across a variety of social domains, as well as its negotiated and heterogeneously experienced meanings and effects (Ch. 3). It deepens these insights by assessing how the *constitution* of a specific object of thought, in this case ANGOs, is itself a negotiated process; and how the changing meaning and effects of such object are not only re-appropriated, but actually *shaped* by socially heterogeneous agents. This section is concerned with locating ANGOs within broader debates about NGOs, in Pakistan and elsewhere, and begins with an excursus on Pakistani press.

Pakistani English-language newspapers were, other than a fascinating reading experience, an important tool during field research. Before fully appreciating their content, however, I incurred a number of obstacles. First, simply to have a sense of the meaning and implications of the average article, I had to go through a vast number of propedeutic readings, in order to familiarise with a series of acronyms, honorific titles, places, etc. For example, Gen. Musharraf’s devolution plan<sup>128</sup>, occupying several columns of commentary, required familiarisation not only with a number of new designations, such as DCOs replacing DCs (District Coordinator Officers and

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<sup>128</sup> One of the key reform during the initial phase of Musharraf’s government, was the “Devolution of Power” Plan, announced and implemented between 200-2001. “*The Local Government design is based on five fundamentals: devolution of power, decentralization of administrative authority, deconcentration of management functions, diffusion of power-authority nexus, and distribution of resources to the district level. It is designed to ensure that the genuine interests of the people are served and their rights safeguarded*” (GoP 2000: 1).

District Commissioners, respectively), but also with the meanings of such change, which were hardly transpiring from those articles or official government's documents (eg. GoP 2000) and required further investigation (cf. Cheema et al. 2005). *Sardars* and *khans*, oft-cited designations for landlords and leaders of "their people", reflect social arrangements of different "ethnic groups" (roughly among Balochis and Pashtuns, respectively), but also distinct relations of authority within that community (cf. Ahmed 1982); similarly, panchayats and shuras, are both community-based councils of influential people (that can, more or less, be associated to rural Punjabi and Pushtun governance systems, respectively), but the legitimacy and composition behind each one is different; and so on. Furthermore, as argued by Pastner and Pastner (1972), such "*normative social ideals* [and abstract institutional forms] *must coexist with the realities of economic-technological constraints and political power relations*"; this means that their study and comprehension requires a contextual analysis, as already suggested in the previous pages and further developed in this chapter.

Second, I had to learn to appreciate the relevance of timing in the selective coverage of events. Different stories followed different "times". There were cyclical stories: on Fridays, there would be a religious feature; in August, there would be stories about Partition and the qualities of Jinnah as a person, a leader, or a Muslim, depending on the author; and supporting articles about "what went wrong" since then. I also noticed, with difficulty during the first year, other cycles. Articles focusing on the economic needs of various provinces or their contribution to national wealth would appear *all of the sudden*<sup>129</sup> in economic and business reviews, commentaries and the sort, *oddly*, at least without knowing that the following month the NFC Award would be finalised<sup>130</sup>. Similarly, only *after* getting to know that the GoP was discussing Afghan refugees repatriation in the context of the Tripartite Agreement, I could imaginatively explain (through 'intuitions', cf. Appendix to Prologue) the *sudden* and *concomitant* appearance of certain articles, in a variety of newspapers, focusing on the (negative) economic impact of their stay, or on how "they need to go where they

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<sup>129</sup> Italics represent what were my perceptions at the time.

<sup>130</sup> The National Finance Commission Award formalises the allocation of resources by the Federal Government to the four Provinces of Pakistan.

belong”; or, finally, only assuming that the topic was being discussed at very high level, I could gauge the motives behind historical articles, seminars and conferences, *all in the space of one week*, on the topic of the Anglo Afghan Agreement of 1893, defining the (intention of demarcating the) current Pak-Afghan border (cf. uses of Time, in Prologue).

Third, I had to learn to distinguish between typos and “shadow mistakes”, the latter appearing in the form of seemingly editorial errors, such as truncated sentences, misspellings, or obviously mistaken people, institutions and places, *coincidentally* in ‘sensitive’ parts of the article<sup>131</sup>. Similarly, it took me some time to learn to read news from secondary news. For example, when a Member of Punjab Provincial Assembly was taken by uniformed man and beaten, the news did not appear, in English newspapers, until after two days. The actual news reported, however, referred to the complaints that lawyers of the MPA were lodging to authorities and only with the development of *that* news I was able to understand, partially, what had happened. It was a daily remainder of the political constraints within which (published) ideas develop, perhaps not only Pakistan<sup>132</sup> (cf. nested ‘data’, in Appendix to Prologue).

What makes interesting these newspapers for a field research student is that they provide immense clues on the kind of “boundaries” to which certain discussions are subjected to. These newspapers are clearly targeted at the elite, or as one Pakistani journalist called it, the “priviligentsia”. Other than the language barrier, The News and Dawn, the two major national dailies, cost Rs.12-15 and over a month, a low level government employee, usually earning Rp. 3000 to 5000, would have to spend a considerable percentage of his/her salary to read them. Second, their editorial contents are shaped by the higher class. Other than the correspondents, it is usually the academic, political, military and policy-making elites (or simply, elite), that profusely

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<sup>131</sup> This was also the case in humanitarian project documents: the name of the person saying “the bloody mullahs” was unceremoniously erased with a black marker from both copies of an article held at ARIC’s library.

<sup>132</sup> The Dawn, for example, conducted a campaign, during several weeks, against the Newspapers Employee Act of 1973 and the Wage Board, regulating financial transfers from the Government to the press, which they claimed to be fundamental instruments for curtailing press freedom.

contribute with commentaries, views and opinions, or whose books and seminars are announced and discussed. Retired Brigadiers, Generals, former Ambassadors, Directors of Policy Research Centres, “experts”, etc., all exchange, or rather forward, their ideas, through printed material; in the Editorial pages, national debates, be they religious, political or related to cricket, are framed, developed, emphasised or not mentioned at all, in a very telling way. The legitimacy of English press is based on the supposed depth of analysis of its commentators. Such commentators, and the constituencies they represent, use that medium to test ideas, to put pressure during political discussions, and more in general to frame the perspective under which certain topics should be treated.

This brief excursus had two purposes. First, to suggest that the topic of this chapter, the relation between *form* and *content* of ‘civil society institutions’ (or, between their *abstract* and *material* dimensions, as defined in the previous chapters), though developed around the study of Afghan NGOs, can in fact be applied to a variety of contexts and situations. As much as NGOs, the Press has had changing and at times conflictual relations with the government: newspapers (and NGOs) have been forcefully closed in the past; there are different levels of “checks and balances” from different bodies, at national and provincial levels; there are clear boundaries on the type of stories and commentaries that can be published or discussed (as much as on the type of projects that can be implemented or issues that can be freely discussed<sup>133</sup>). However, similar to the humanitarian sector, the industry is populated by men and women which have affiliations with one or another government agency, each organisation has some kind of political patronage or guarantor, it pushes the ideas of this or that Donor<sup>134</sup>. In other words, following Carolyn Nordstrom’s analysis, it

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<sup>133</sup> I recall visiting a INGO in Peshawar that wanted to give me an evaluation of one of their programs, but refrained from doing so, because in one section there were criticism and allegations of embezzlement by GoP officials. These allegations were quite common, in fact, I’ve had heard them several times and nobody would deny them, even officials at the CAR. However, these allegations were hardly printed in ‘authoritative documents’. More in general, this is a telling example of the disjuncture between the ‘common knowledge’ of field staff and what is written in reports or evaluations. See ‘nestedness’ of the field in Appendix to Prologue.

<sup>134</sup> Examples of what is meant by this statement in the context of NGOs will be provided later in this section.

seems that “*shadow networks*” that “*work both through and around*” formal institutions are a necessary analytical component in the study of such institutions: “*each phenomenologically different, each representing distinct forms of authority and politico-economic organisation*” (Nordstrom 2000), these networks (or social forces, rather) shape, and are shaped by, such institutions, thus requiring a unitary study, as discussed later in the text.

The second reason for the above excursus is to introduce a topic that prominently occupied various pages of English-language newspapers, during my time in Pakistan: the “NGO culture”, one of the key concerns of this chapter. During my field research (or perhaps, less egocentrically and more accurately, in a post-911 world), in fact, the NGO world in Pakistan was under the spotlight, and different agendas and perceptions about the NGO phenomenon were reflected in newspapers commentaries. In line with neoliberal reforms<sup>135</sup>, NGOs had increasingly been involved in the provision of public services from the 1970s onwards (Zaidi 1999) and newspaper articles were a sign both of their growing numbers and ambiguities.

On one side, these articles reflected what I perceived as a ‘reigning in’ by the government on (many) such organisations (see also Hameed Ismail and Qadeer 2004: 40-41, and later in this section). For example Siddiqui (DAWN 4/3/2004), in an article concerned with the ‘mushrooming of NGOs in the capital’, highlighted contradictory views. While for many, NGOs are viewed as a positive development filling the vacuum left by bad governance and corruption, for others ‘the sudden plethora’ of organisations working for the betterment of society had fostered numerous ineffective NGOs. Citing a (quite dated) Punjab University survey from 1999 the article asserts that about 80 percent of NGOs receiving financial assistance spend little on welfare work, since donors do not monitor their activities. Many furthermore are managed by the elite class and most seem to be intent exclusively in running seminars and workshops. In support of the latter views, Ghumman (DAWN 30/1/2004) reported that the Bait-ul-Mal, an autonomous body working under the

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<sup>135</sup> Reforms mentioned here refer to principles of good governance usually associated to the term ‘Good Governance’, such as decentralisation, private provision of services, participation and accountability. Cf. World Bank 1997, 2004; Novak 2007.

umbrella of the Ministry of Social Welfare and Special Education<sup>136</sup>, headed at the time by the Brigadier Sarfraz (Retired), had blacklisted and withdrawn funds from the majority of NGOs which it had been working with, until then. Mooraj (The News 2004, missing date), conversely, was instead concerned with the increasing ‘militarisation of civil society’ especially evident, according to him, since the advent of Musharraf’s rule. Others finally, were concerned with the lack of accountability and effectiveness of these organisations (Mulji, DAWN Review, 17-23/6/2004) or the fact that they ‘served the agenda of their foreign masters’ (Ali, DAWN 10/5/2003).

On the other side, the government seemed to also be a key agent in the expansion of (some) sectors of civil society and their involvement within development, and newspaper commentaries were highlighting the many positive aspects of an increased partnership. The Planning Commission’s Participatory Poverty Assessment, compiled for the purposes of allocating resources in line with PRSPs’ recommendations, made extensive use of foreign and domestic NGOs for the purposes of surveying “people’s needs” (GoP 2003), and this found vast echo in some of the workshops (mentioned above) to which I attended. Shezad (NEWS 14/9/2003) asserted that there was a ‘new pact between government and NGOs aimed at creating a cadre of leaders who can take Pakistan to the next level of development’. Mutaher (DAWN Review 8-14/1/2004), and several others, were praising the (punctual) achievements of NGOs in contributing to the improvement of social indicators in different parts of the country, through the establishment of community centres, schools or health clinics. A flurry of articles appeared praising Nashraf Ali, an expatriate Pakistani, and his organisation, The Human Development Commission, a not-for-profit organisation founded in 1997 and registered in the US under the 501(3) c tax exemption rules, who advocated the establishment of the National Commission for Human Development (NCHD). The latter was founded in 2001 as a Federal Statutory Body to improve social sector outcomes at the grassroots<sup>137</sup>, and Nashraf Ali later became its chairman. Once again,

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<sup>136</sup> Pakistan Bait-ul-mal was founded through a 1991 Act published in the Gazette of Pakistan, see <http://www.pbm.gov.pk/new/Organization%5CIntroduction%5CAct.pdf> for full details. Bait-ul-Mal, more broadly, is an Arabic term that refers to the ‘national treasury’ that should be used by the state to support the poor.

<sup>137</sup> Cf. <http://www.nchd.org.pk/>

however, comments I heard about the personal ties and long-standing friendship between him and Musharraf seemed to point to the need for much deeper analyses that go “*through and around*” (see Nordstrom 2000, above) the realm of formal institutions –at least if the objective is to understand what produces social change.

More in general, such contradictory reviews seem to raise two issues of concern here. First, they reinforce the argument that in order to understand the meaning and effects of institutions, it is necessary to investigate their *flexible significance*, in context. The *selectivity* and *exceptions* with which homogeneous neoliberal ideas and institutions, such as ‘civil society organisations’, are applied, implemented, adapted and re-appropriated for other ends, as much as their enmeshment with other types of social domains, implies that the investigation of such ideas and institutions cannot abstract from all such relations and their negotiated interactions in territory, vis-à-vis individuals and social groups, and in their contextualisation in the historical context that shapes, and is shaped by, them (cf. conclusions in Chs. 2 and 3).

Second, directly related to the discussion in the remainder of this chapter, these reviews seem to demonstrate how the term NGO, in Pakistan as much as elsewhere, has as many meanings and interpellations as the term ‘refugee’. According to a newspaper commentator,

For the common man, [the word NGO] represents a foreign-funded organization (read West) where good looking, educated men and women work together in huge offices and drive expensive vehicles. Such people are often referred as the ‘mummy-daddy-group’ or the ‘burger family’. [...] In the post-911 world the NGO phenomenon has undergone big changes. Many NGOs are being showered with unaccountable sums of money, some are banned and others had their accounts frozen. [...] Sociologists have defined a non-governmental organisation as ‘an independent, flexible, democratic, secular, non-profit people’s organisation working for assisting in the empowerment of economically and socially marginalised groups’. According to the World Bank an NGO is a ‘private organisation that pursues activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development’. In wider usage, the term NGO can be applied to any non-profit, value-based organisation, which depends, in whole or in part, on charitable donations and voluntary services. Sulemani H. R. (The Review – DAWN, December 18-24 2003)

The reasons behind the polysemic nature of the term NGO should be explained in relation to the long history of “non-governmental philanthropy” in the sub-continent, to the derivative definition embedded in their designation, which leaves unsolved several issues vis-à-vis their relation to the state, and to the massive number of NGOs, which necessarily escapes any unitary representation. These points are briefly touched next.

Philanthropic activities in support of development have a long tradition in the sub-Continent. Sinha (2008), tracing the transnational origins of the notion of Community Development, illuminates about the “*frequent and intimate intersections*” between organisations such as the Rockefeller and Ford Foundations, missionaries, experts trained in the agriculture departments of American universities, Gandhian initiatives, etc. and rural development. Furthermore, “*the institutional background of philanthropy [...] reflects the contributions of Muslim, Hindu, Sikh, Parsi and Christian individuals and organisations –at time even working in cooperation with one another*” (PCP 2002a: 19). Stupas, temples, monasteries, Asharam, Khanqahs, Gurdwaras, and later on Madrasahs, can in fact be seen as early examples of philanthropic organisations, given their involvement in charity and social welfare activities (Ghaus-Pasha, Iqbal 2003: 2).

In fact, an extensive study of the Pakistan Centre for Philanthropy (PCP 2002b), whose purpose is to suggest a revision of the ‘*enabling environment*’ for citizen’s associations, traces the historical legacy of citizen’s action for public benefit to the end of the 19<sup>th</sup> Century, “*firmly*” grounding it in the ethos of the village community of the Indian sub-Continent and the Islamic concept of sharing and giving. Organisations of this period, some of which still exist today (PCP 2002a: 19-20), comprise the Scientific Society, “*who thought to reconcile the spirit of Islam with that of the West*”, which was founded by Sir Sayyid Ahmad Khan who later, having become convinced of the separate communal interests of the Muslims and Hindus, founded the British India Association, in order to create greater understanding between the colonial ruler and its subjects; Anjuman-i-Islamiyah was set up by Khan Barkat Ali Khan to take over and maintain the Badshahi Mosque, in Lahore, but later extended its charter to the improvement of conditions of the ‘Mohammadans’ of Punjab, and to further Islam; the Anjuman-i-Himayat-i-Islam was instead “*a middle class body that*

*represented a spontaneous desire on the part of middle class Mohammedans to cooperate with each other for the common good*"; and many others (2002b: 10-14).

Already then, thus, the simultaneity of *philanthropic* ideas, *religious* principles and institutions (such as 'zakat', 'khairat', and 'sadaqa'<sup>138</sup>), *economic* inequalities, *political* interests, and *personal* motivations, seem to have concurred to the pursuance of organised philanthropic collective action, as much as to the diversified ends of such action, as developed later in this chapter. Furthermore, the historical *context* of colonial rule implied that along with this flurry of activities, enabling (and at the same time controlling) legislation soon appeared. British rule, in fact, "*initiated the institutionalisation of philanthropic and voluntary activities*" in South Asia (Ghaus-Pasha and Iqbal 2003: 2; Watt 2005), and some of the frameworks devised then are still used today for the registration of NGOs. This is one more institutional legacy of the colonial period that is relevant for the study of the Afghan refugee assistance regime performed in this work (cf. FATAs, maliks, and cantonments, earlier in the text<sup>139</sup>).

Two of the four main legal instruments that allow/constraint NGOs' activities can in fact be traced to that period. The Societies Registration Act of 1860 is the oldest and was created to regulate professional, scientific and fine arts activities, later to be extended to encompass charitable organisations. Registration grants juridical status to the organisation; property rests in the managing committee and not its members. Originally operative only in Madras, Bombay and Calcutta, the Act was later extended across British India and is the most widely used registration law for citizens associations in Pakistan. The Trusts Act of 1882 provides legal "cover" for private acts, in the sense that a mere declaration on stamped paper ensures an organisation's creation, and no official registration is required. Two other legislative instruments, of

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<sup>138</sup> Hameed Ismail and Qadeer (2004: 245) define them in the following manner: Zakat is a tax on wealth, to be used for providing relief to the indigent, the widow and the orphan; Khairat refers to the giving of charity for charity's sake; Sadaqa refers to the giving of charity for expiation of a sin, or as a mark of respect for Muhammad. The first is a mandated obligation and is one of the pillars of Islam, while the other two are voluntary.

<sup>139</sup> For a fascinating study of overlapping layers of legal spaces in the context of Mozambique, and their hybrid co-existence, see de Sousa Santos (2004).

much more recent institutionalisation, are used by voluntary organisations to pursue their activities. The Voluntary Social Welfare Agencies Ordinance of 1961 was conceived for controlling grassroots organisations, and is premised on the idea that the “poor and destitute” require institutional, rather than only charitable, support. Therefore they need to register with the Social Welfare Departments of Provincial Governments. The Companies Ordinance (section 42) of 1984, finally, permits the registration of a company for promoting commerce, art, science, religion, sports, charity and other useful objects. This Ordinance is the most cumbersome in terms of requirements and bureaucratic procedures (this paragraph is drawn from Hameed Ismail and Qadeer 2004 and Ghaus-Pasha, Iqbal 2003).

There are several other instruments that allow registration of non-governmental entities engaged in charitable activities, some of which are specific to Afghan NGOs, as described in the following section. According to a recent survey, however, these (together with the option of no-registration) seem to be the most important ones. Pasha, Jamal and Iqbal (2002), in fact provide the following results:

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<b>Ordinance – Acts</b>	<b>Percentage</b>
Voluntary Social Welfare Ordinance	15.2
Societies Registration Act	40.0
The Trusts Act	5.8
The Companies Ordinance	0.3
Registered under other Acts	0.1
Unregistered – Applied for registration	4.0
Unregistered – Not Interested in Registration	34.1

*Source: Pasha, Jamad and Iqbal 2002: 15*

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Regardless of the actual accuracy of such percentages and calculations, which, as the authors suggest, rely on stratified random sampling selections, population-based estimates (in a country where population numbers themselves are highly questionable, see Feeney and Alam 2003), estimated loss factor percentages, snowballing techniques, and a series of other primary survey ‘best practices’, the above forays in

the legal realm of non-profit organisations' registration procedures indicate several things.

On one side, they point to the institutionally-induced polysemy of the term non-governmental organisation (cf. borders in Ch. 2.2 and refugee status in Ch. 3.2): these Acts and Ordinances, in fact, subject each organisation to different controlling bodies and authorities (local governments, federal ministries, Corporate Law Authority), impose more or less stringent registration and reporting requirements, or procedures for making and receiving donations, specify heterogeneous organisational governing bodies' structure, etc. (UNDP 1996). They contribute, thus, to the creation of different institutional meanings and configurations for organisations that may have similar concerns, beneficiaries, sectoral distribution, etc. On the other side, they hardly illuminate about the type of organisation registered through them (cf. Ch.s 2.3 and 3.3). A classification based on these regulatory instruments, in fact, while contributing to the understanding of the legal environment that non-governmental organisations operate in, is silent about their structure, values, impact, as well as their socio-cultural environment, membership or networks that they occupy/define (cf. Sattar Rabia Baig 2001, who uses the CIVICUS' 'Diamond Analysis' to propose an index of civil society in Pakistan along these dimensions). Furthermore, the high percentage of 'unregistered' organisations is a further testimony to the *flexible* engagement (in the meaning of the term developed in Ch. 2) of a vast majority of such organisations with the existing legal regulatory framework, as well as the latter's "*non-uniform application*" (UNDP 1996: 40). More fundamentally, though establishing a *formal* legal relation between government and citizens' organisational life, these instruments do not explain the nature of such relations, as well as their changing character.

The derivative definition embedded in the term non-governmental organisation, in fact, leaves unsolved the understanding of the exact institutional location of these entities. This is a long standing debate within Development Studies. Several analyses have in fact questioned the exact location of such entities in respect to market and state, their relations with donors and beneficiaries, their potentialities and limitations (see Korten 1990; Fowler 1991; Meyer 1992; Bebbington and Farrindon 1993; Vivian 1994; essays contained in Edwards and Hulme 1995). More recently, these debates have focused on the role exercised by NGOs within the Post-Washington consensus (Kamat 2004), the extent of their entrenchment within transnational networks (Riker

2002; Angeles 2003), as much as their articulation with different national social groups (Schneider and Zuniga-Hamlin 2004, Bebbington 2004), the latter point being a key aspect of the analysis performed later in this chapter.

These debates have clearly produced *refractions* within the context of Pakistan. Drawing on some of this literature as well as case studies on rural water supply and health provisions, Zaidi (2000) is concerned with the assessment of what he calls the New Development Paradigm: he asserts that NGOs have failed to deliver what was expected from them, and that there is the need to bring back the state within development processes. Functional in his conceptualisation of NGOs as a homogeneous group and as occupying a sphere separate from that of the state, Zaidi seems to miss several dimensions of analysis. Najam (2000) nuances his analysis by focusing instead on the relation between the two. His essay combines the above academic debate and his previous empirical work to suggest a framework that focuses on the strategic institutional interests of NGOs and the government. On the basis of similar/dissimilar goals (ends) and preferred strategies (means) he summarises these relations with “*four C’s*”: cooperation, co-optation, complementarity, confrontation. Having the merit of providing an analytical, as opposed to normative, framework, and of treating NGOs as a differentiated group of organisations, Najam’s model, however, other than not being particularly original (cf. Sen 1991), is silent about possible reasons behind the choice of means and ends of each organisation. Furthermore, it seems to miss the extent of their changing nature over time. The absence of a comprehensive and cohesive governmental policy towards NGOs (UNDP 1996: 6), in fact, has allowed successive governments to selectively and intermittently support or contrast NGOs’ operations. *Exceptional* acts, such as the government’s take over of Sufi shrines and their endowments and trusts, towards the end of the 1950s, the nationalisation of schools and colleges run by voluntary organisations by Zulfikar Bhutto’s government or, conversely, the dramatic expansion of the sector during the 1980s and the explicit support by the government in the following decade (Ghaus-Pasha and Iqbal 2003: 6) are examples in this respect. Finally, these examples seem to indicate the need to expand the analysis from institutional “ends” and “means”, and to encompass other agendas and dimensions of power.

Essays contained in Weiss and Gilani (2001), along these lines of thought, complement these approaches offering an interesting perspective: they distinguish

between power that is “*operative in politics*” and “*social power as manifested in sociological and psychological hierarchies*” (2001: 5); their intent is to study the interactions between the two. In particular, the last essay of the collection, by Omar Asghar Khan, deepens Najam’s analysis by looking at “*factors behind the genesis*” of different NGOs, “*their organisational objectives and their linkages with other civil society organisations*”, in their historical evolution, and in relation to efforts by the state to “*restrict their transformative role*” (2001: 275). His analysis, thus, contextualises state and NGOs within the varied forms of social power that provide the context for their emergence and interventions, a suggestion accepted and deepened in the following sections of this chapter.

From the perspective of this work, more in general, these debates seem to underline, the following: first, another aspect of the polysemic nature of the term NGO, which requires distinguishing, but at the same time comprehending within a unitary framework, legal, social and economic contexts shaping the institutional environment where their activities take place –and their presence/absence in territory (cf. Ch. 3.4); second, the *flexible* significance of such institutional environments for different individuals and social groups. The latter, not only refract (Ch. 2.3) and respond to (Ch. 3.3) such environments, but also seem to articulate their power “*through and around*” them (see Nordstrom, above, and later in this chapter). Third, these debates also underline the need to assess how different historical contexts shape such relations. These are the purposes of the following pages, which study one particular type of NGO in Pakistan: Afghan NGOs.

Despite being exclusively concerned with the assistance of Afghan refugees, in fact, these organisations have had a prominent role in the provinces of NWFP and Balochistan and have been, perhaps more importantly, a constant feature of the ‘non-governmental’ political debate in the country at large. Having contributed to the expansion of the sector, both in terms of numbers and vis-à-vis its relevance in policy-making, they have been a primary example of what in Pakistan is often termed as “the NGOs conspiracy” (cf. Jalalzai 1998), i.e. the presumption that NGOs serve the interests of their foreign masters (see also newspaper articles above). Furthermore, they have also been a prominent employer, at least in those areas of the country where they operated; they have entered the housing and commodity markets; they have provided, in some cases at least, educational and health facilities to Pakistani

residents; they have been, in other words, a primary agent of social change, across a variety of social domains (cf. Ch. 5.1 on the expansion of the analytical context). Their study, thus, can perhaps be useful to draw implications vis-à-vis the NGO phenomenon at large.

In relation to the main argument of this thesis, furthermore, the following two sections want to deepen and expand previous considerations. Next section is concerned with tracing the origins of the formal institution 'Afghan NGO'. The objective is to assess how such *abstract/material* object of intervention (cf. Ch. 2.2) is not only *negotiated* in its effects and significance (cf. Ch. 3.2), but also how its *constitution* is in itself the product of overlapping forces and 'logics' (in the meaning of the term provided in Ch. 1). The following section is concerned with providing a framework for the analysis of the ANGO phenomenon. The objective is to assess, as already suggested above, how opportunities opened up by the definition of such object of thought are not only *refracted* (cf. Ch. 2.3) and *re-appropriated* by flexible subjects (cf. Ch. 3.3), but actually *shaped* by flexible agents.

## 4.2. ANGOs as an object of thought

Ever since the beginning of the international protection and assistance regime for Afghan refugees, a large number of humanitarian agencies –almost all UN Agencies and some dedicated ones, several hundred NGOs, military personnel with humanitarian functions, missionary type Private Voluntary Organisations, etc., not to mention “development oriented” agencies- have had a relevant presence in Pakistan. As much as refugees, over the years their staff, a part from few exceptions, have come and gone, their objectives and priorities have changed, their number has multiplied, at least in the case of NGOs, their internal hierarchies have shifted, etc. In other words, much like refugees arrived in and after 1979, those providing assistance to them are not a stable formation, but one necessarily in flux: its agents have changed, evolved, interacted with local communities, altered pre-existing economic relations, contributed to the domestic political debate in Pakistan, raised managed and spent billions of dollars (unlike refugees, though partly on their behalf), etc. (see Ch. 3.4 and the fluidity of the governance regime for the protection and assistance of refugees)

Amongst the disparate lot of agencies that have been involved in the provision of services to refugees, Afghan NGOs occupy a central role. As it will be discussed in this section, this is primarily because of their numbers and the increased relevance they have acquired over the years in terms of resource mobilisation and distribution. Furthermore, from the perspective of this thesis, they occupy a central role for two further reasons. First, they are a potent expression of the intergovernmental regimentation with which refugee matters have been postulated ever since the end of World War 1 (cf. Soguk 1999, in Ch. 1), and, in the specific subset of Afghan ‘matters’, ever since 1979. Even acknowledging and giving relevance to their peculiarities, in fact, they express both the regime’s “*ontological constancy*” in refugee problematisations (i.e. ANGOs are “*rooted in and enabled by*” previous regime problematisations and configurations), and its “*temporal continuity*” (i.e. the regime’s continuous presence, albeit through new instruments and changing configurations) (Soguk 1999: 120-121). In other words, while unique in their historical and geographical logic and effects, Afghan NGOs are part of a “*multitude of practices [...] along a continuum of intergovernmental refugee space*” (ibid).

Simultaneously, second, they are also a potent expression of the negotiated, contextualised and contingent nature of such regime. Both in their origins, discussed here, and in their evolution, discussed in the following section, in fact, the study of Afghan NGOs seems to confirm the necessity of broadening the analytical framework for the study of such regimes to a variety of social domains, which transcend the humanitarian one.

ANGOs became a prominent organisational form for the provision of assistance activities to “Afghan refugees in Pakistan” (in the multiple and changing meanings of the term identified in the previous chapter) towards the end of the 1980s, when the conviction that humanitarian assistance was best provided by Afghan nationals began to shape key institutional choices. ANGOs existed even before the 1990s, in fact. On one side, some Western-trained Afghans, primarily doctors, were running Basic Health Units and hospitals within Peshawar, though they were not considered (nor considered themselves) NGOs in strict terms, since they were not registered as such, nor they were part of the main relief efforts in terms of coordination or funding. On the other side, there were ANGOs, strictly-speaking, operating inside Afghanistan with their headquarters in Pakistan. These organisations did receive international support and funding and were primarily used by the “International Community” to overcome sovereignty issues vis-à-vis the provision of aid *inside* Afghanistan (as “*convenient middlemen, obscuring the original source of funding*”; Goodhand and Aitkinson 2001: 16) and to provide cross-border support to Mujahedin resistance (cf. Goodhand and Chamberlain 1996). During the initial phase these NGOs were primarily used to support military commanders inside Afghanistan, though their operations were later expanded to include development and reconstruction activities. This became possible after 1986, when “*the rebels started using US-supplied Stinger anti-aircraft missiles [and] some parts of Afghanistan became safe enough*” (Baitenmann 1990: 71, my emphasis). The relation between security and development, albeit being a debate that forcefully entered the academic debate within social sciences only recently (cf. Duffield 2001), have a long history across the Durand Line (see also Davies 1932/1975 in Ch. 2.2).

In both cases, the numbers of these organisations were limited and neither type commanded too many resources (in 1988, NGOs’ cross-border aid is believed to have been in the region of US\$ 20 millions; Baitenmann 1990), at least compared to the

bulk of humanitarian assistance being channelled through the UNHCR and the Government of Pakistan, or to the extent to which ANGOs became a prominent agent of humanitarian assistance just a few years after the withdrawal of the USSR from Afghanistan. The point made, however, is that though some kind of interaction between (certain) Afghans and sectors of the international community was already present (latent, rather), it is only *after* the formalisation and instantiation of the *idea* of “Afghanisation of relief efforts” that ANGOs became a prominent humanitarian actor. Similarly, the perceived need for an increased Afghanisation of humanitarian efforts was already acknowledged by humanitarian agencies in Pakistan during the 80s (ACBAR 1992). Furthermore, some kind of ‘Afghanisation’ of relief efforts, for instance in the form of food distributions through ‘traditional’ structures of authority (see ration maliks in the previous chapter), had already taken place. Yet, it was only between 1988 and 1992 that these latent conditions found expression in the institutional form “Afghan NGO”. What did trans-form a series of pre-existing conditions, opinions and debates, into a concrete rationality of governance? What instruments and technologies, in turn, rendered concrete such rationality? And why was the latter instantiated in that particular time and place?

Within the humanitarian community, the *Afghanisation* of aid (which in today’s terms could be called an increased Afghan *ownership*) was considered an urgent need of the time. Different documents provide interesting insights vis-à-vis different *needs* and *problematizations* expressed by such community in that period. Afghan and expatriate humanitarian workers participating in a workshop held in Saidu Sharif, Swat (ACBAR/GTZ 1989), for example, agreed there was a lower than “optimal” involvement of Afghan NGOs in the provision of assistance and that planning and management was largely in the hands of expatriates. Insufficient moral support to Afghans from expatriates, insufficient mutual cultural sensitivity and unfair treatment of Afghans by expatriate are cited in the document as the three main causes behind the low level of mutual trust and the need for an increased Afghan role in decision-making processes. A “lessons learnt” document by UNOCHA<sup>140</sup> highlights how very

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<sup>140</sup> UNOCA was created in 1988 with the mandate to provide central coordination of various components undertaken within the UN system on behalf of the Secretary General (OCHA online: [http://www.reliefweb.int/ocha\\_ol/programs/unocha/afgrpt/annex.html](http://www.reliefweb.int/ocha_ol/programs/unocha/afgrpt/annex.html)). Operating in relation to Afghanistan (as defined by its borders), its main efforts were targeted at engaging with all sides in the continuing conflict inside Afghanistan; establishing and operationalising the principle that aid

few of the latter NGOs were actually contributing to building local capacity and that, *“on the contrary, many were employing expatriate personnel for tasks for which Afghans were capable”* (OCHA 2001). This could partly be attributed to the lack of Afghans with sufficient managerial capabilities to deal with international donors (the so-called brain drain factor), but also to the politicised environment and fears of undue pressure on Afghans from Mujaheddin leaders (Holtzman et al. 1990: 26, 43). Furthermore, some sectors of the humanitarian community felt that Aid, in a broader sense, i.e. in terms of the historical relation of dependence of the Afghan state vis-à-vis foreign powers, was one of the deeper causes of the conflict (Thomas 1991). ANGOs, on the contrary were seen as *“from the country, it is the same people”* (ibid: 1). In the words of the ANCB Chairman (1994) *“the establishment of Afghan volunteer agencies was an urgent need of the time, because they played a role of bridge between the donors and society”*. It is important to tease out different claims, and rationalities, behind the widespread support to Afghanisation, within the humanitarian community, at the time.

A discussion paper on Afghan involvement in reconstruction and relief programmes (Holtzman et al. 1990: 13-20) provides five *“general arguments”* in support of increased Afghan involvement and *“de-foreignisation”*, as the authors called it. The first relates to the notion of self-determination. *“There is no question [...] on the basis of sovereignty and self-determination”* that the reconstruction and rehabilitation of Afghanistan, should be performed by Afghans, to the maximum possible extent<sup>141</sup>. It was acknowledged, however, that defining such *“maximum extent”* was in itself a problem.

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should be allowed to reach those in need wherever they were (“humanitarian consensus”) using the most efficient logistic routes and a variety of entry points from neighbouring countries (“humanitarian encirclement”); ensuring regional coordination (OCHA Online: [http://www.reliefweb.int/ocha\\_ol/programs/unocha/afgrpt/bgground.html](http://www.reliefweb.int/ocha_ol/programs/unocha/afgrpt/bgground.html)). From 1993 UNOCA’s designation changed to UNOCHA and the new Mandate constituted it as an Agency operating on behalf of the UN Undersecretary General for Humanitarian Affairs, with the objective of undertaking consultations with all sides in the conflict and neighbouring states, to ensure a smooth transition from humanitarian to development and reconstruction activities, as well as continuing coordination activities for all assistance agencies involved (ibid, cf. also Stockton 2002).

<sup>141</sup> As an aside, it is interesting to note how, the unchanged legal context of sovereignty and self-determination was deemed as subject to *several* questions just a few years later, both at international level (see Minear 2002; Moore 2000; Curtis 2001) and in the context of Talibanised Afghanistan (see Chesterman 2006; Maley 2002).

Second, Afghan involvement and de-foreignisation, was deemed to set the conditions for a more appropriate project implementation. This is so for several reasons. On one side there was an issue of physical *access*: Afghans have better physical access to diverse areas of Afghanistan, at least compared to UN and foreign agencies, and have a better understanding of the situation and needs in those areas<sup>142</sup>. On the other, better project implementation would “*naturally*” come out of Afghans higher commitment to their country and their longer term engagement, something that could not be expected from “foreigners”, due to their turnover and rotation. These claims are also behind the third “general argument”, which is centred upon the notion that “*training is development*”.

The third argument, in fact, relates to Afghanistan’s reconstruction, understood in its broadest connotation, i.e. including not only clinics, roads and canals, but also “*human infrastructure*”. Since providing development inside Afghanistan can be premature “*under the present unstable circumstances*”, the provision of training and experience within NGOs is the best service that the foreign community can offer to create a cadre of Afghan managers for a-later-to-come peaceful Afghanistan. Thus, though acknowledging that the NGOs in Peshawar and Quetta are “*living classrooms for management*”, a greater Afghan involvement is to be preferred not only because every position occupied by an expat “*is one less place for Afghans to learn*”, but also because of foreigners’ attitudes, which are premised on different concerns (and social geographies, I would add).

One day, decision-makers in the NGO and donor community become frantic in preparation for an imminent end to the war and a massive repatriation of refugees. There is no time to plan. There is no time to build, only to plug holes and fix leaks. Then, just as suddenly, a wave of depression floods over the very same leaders, who decide on another day that the war will never end and that all efforts to do anything are pointless. Instead of planning, expatriates begin to clean up their résumés and look around for another crisis somewhere in the world for them to go off to. And the cycle then comes full circle again back to manic anxiety. Holtzman et al. 1990: 18

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<sup>142</sup> These claims were still forwarded by ANGOs’ directors and staff during my field research, see later in the text.

The fourth and fifth general arguments are much more “pragmatic”. Expatriates are expensive; the foreign NGO-dominated situation is “fragile” since several of them have not received a GoP No Objection Certificates (NOCs)<sup>143</sup>.

These studies provide an interesting account of the actual exchange of ideas that took place towards the end of the 80s in Pakistan, and their contribution to the consensus behind the rationale of Afghanisation. However, their field-based, humanitarian agency-centred focus takes for granted a series of ‘facts’ that need to be accounted for. The preference for NGOs as an institutional form, for instance, seems to be a given. De-foreignisation could have been achieved through the hiring of Afghan staff in foreign organisations such as UNHCR or INGOs, (i.e. opening up *already existing* managerial positions occupied by foreigners, with the same decisional power, access to funding, salaries, benefits, etc.), or funding the post-Soviet *government* cadres, which at the time could be considered as viable partners (Donini 1996), or providing an ‘enabling environment’ for the emergence of private *businesses* and contracting out to them road construction, or even schooling and health provisions, as it is currently recommended by the dominant development paradigm. Instead, it seems that the preference for NGOs as an institutional form for such process was unquestioned from all sides. To offer a better explanation of such process, in other words, these accounts need to be contextualised –or rather, *nested*- in broader domains.

First of all, these claims should be contextualised in broader policy shifts within the humanitarian regime. As mentioned in the previous chapter, in fact, efforts, objectives and composition of the humanitarian regime dramatically changed after the Geneva Accords of 1988, which paved the way for the withdrawal of the Soviet Union from Afghanistan. Contrary to 1979, in fact, when it was thought that without proper international assistance tensions would arise between Pakistanis and refugees, thus “*increasing the chances that Pakistan might abandon its stalwart opposition to the Soviet intervention in Afghanistan in favour of a policy of accommodation*” (US Department of State 1981, in Baitenmann 1990: 69), the US Government

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<sup>143</sup> Also from this angle several points raised in the previous chapter can be reinforced. The “uncertain legal status” of NGOs may have well served their interests during the initial phase of the operation, though left them exposed to changes in policies, unrelated to their activities (cf. Macleod 2001: 41, in Ch. 3.3, making the argument vis-à-vis refugees). During my field research, in fact, several NGOs were facing threats of expulsion from the GoP, especially American ones as suggested by a person interviewed in CAR.

progressively diminished its monetary commitments to the area (Rubin 1995) for international as well as domestic concerns (Macleod 2001). Other donors began making pledges to Afghanistan, as opposed to the support of Afghan refugees (cf. Lawrence 1990). The GoP, whose attitudes towards Afghans at large have largely contributed in setting the tone for the refugee program (see HRW 2002), was progressively increasing pressure for a swift repatriation of refugees (GoP 1991), constrained by domestic political factors and the (supposed) costs produced by their stay. The UN was facing a crisis of funding (Donini 1996) due both to diminishing donors' commitments and "*competing*" crises elsewhere in the world (WFP/UNHCR 1994, see Ch. 3.3). For these reasons, and constrained in the search of alternative durable solutions (see Ch. 3.1), voluntary repatriation had become the primary objective of UNHCR's intervention, thus requiring an increased attention to "Country of Origin" economic and political conditions. So-called Solidarity NGOs, mainly European-based organisations that supported the Jihad against the Soviets in various ways (cf. Schmeidl 2002: 26), saw their *raison d'être* disappear with the end of the Cold War, thus affecting overall funding levels.

In other words, contrary to the post-Soviet invasion, or the post-911 situation in fact (cf. Gul Khattak 2003: 7), occasions in which funding was readily available for 'the Afghan cause', in the *exceptional* significance attributed to it in each case, the post-Cold War context had brought severe financial, institutional and operational constraints, something that had a profound bearing on what was considered *possible* by participants in the above-mentioned workshop. As the Project Director – Social Welfare Cell, CAR, explained to me while discussing the origins of the Social Welfare Cell, "*from 1988 self-reliance became a necessity*". This is not to say that "Afghanisation" was a donor-driven process, or that everything can be reduced to some sort of foreign conspiracy, or explained by the US Department of State's imperial whims. Quite the contrary: the above-mentioned workshop and reports are a testimony to the considerable amount of intellectual resources and genuine interest and commitment from all sides of the humanitarian regime, driving and shaping such process. Yet, it is not possible to explain one without the other: on one side, the *problematization* of the humanitarian situation at the end of the 1980s, and the *need* for de-foreignisation, cannot be exclusively explained "internally", i.e. on the basis of humanitarian claims and rationales, but rather needs to be studied in its co-temporality

with other processes; on the other, the (material) significance and effects of “donors’ fatigue”, of the US changing priorities in international relations, or of the disappearance of Solidarity NGOs, cannot be assumed, but rather verified in their negotiated and contextualised expression. The point can be reinforced from another angle.

Second, in fact, the specific institutional form that shaped the Afghanisation drive is a further confirmation of the nestedness of claims and discussions put forward in the above-mentioned workshop and documents, within broader social domains. The de-foreignisation consensus, in fact, intersected shifts within the humanitarian and development paradigm at large. This is not uncommon for Afghanistan: the significance ‘it’ has had for UN operations over the decades (Afghan refugees have been UNHCR’s largest caseload, almost all UN agencies and dedicated ones have contributed to the provision of assistance and relief, etc.) means that often broader policy shifts have been tested there, as well as lessons learnt from that context have been applied elsewhere (cf. Stockton 2002 in relation to the Strategic Framework of Assistance<sup>144</sup>). Policies and topics that are considered “best practice” at discourse level are in dialectic relation with specific policy instantiations and, supporting this consideration, Goodhand and Chamberlain (1996: 196), citing Edwards and Hulme (1995, see first section of this chapter), contextualise the phenomenon of ANGOs in the perception, specific to that particular period, of NGOs being the “favoured child” of donors.

Despite the long history of NGO and INGO engagement with development processes and the UN system (cf. Chabbot 1999), and an earlier round of rapid NGO growth during the 1970s (cf. Zaidi 2000: 204), in fact, it was only “*at the turn of the 1990s that we were to witness a veritable explosion of NGOs, which, networking across national borders, propelled critical issues onto international platforms*” (Chandoke 2002: 38). A series of conditions seem to have decisively contributed to the dramatic expansion of these organisations in that period: the general retreat of the state under the Reagan-Thatcher free-market paradigm and the round of Structural Adjustment Programs following the Latin American debt crisis, the end of the Cold War (Edwards

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<sup>144</sup> The UNHCR’s Magazine ‘Refugees’, in its 2003 Special Issue on Afghanistan, defines this as ‘The most important operation’.

and Hulme 1995), coupled with the belief of organisations such as the World Bank that NGOs are cost-efficient, participatory, sustainable, etc. (World Bank 1995), are major aspects of this explosion.

Pakistan was not exempt from this phenomenon. According to Ghaus-Pasha and Iqbal (2003: 6), during the 1980s, the non-profit sector in Pakistan went through a significant and multidimensional expansion and the decade witnessed a rapid growth in small, intermediary, and large non-profit organizations working in almost every sphere of life. Reasons are to be found not only the “*general perception*” of government failure in the provision of basic social services to the people, reflecting developments mentioned above, but also, more contextually, to the Afghan War (1979-89) and a liberal regime vis-à-vis flows of foreign funds. Similarly, Asghar Khan (2001: 276-277) attributes the “mushrooming” of NGOs in this period to several factors: first, the Afghan war and the rapid increase in foreign-funded NGOs; second, the “*failure of a top-down centralised approach to the planning and implementation*” of development programs; third, the rise of associations to protect the rights of vulnerable and marginalised segments of society; fourth, state control over media, art and culture, as well as the “purges” in universities, which led several individuals to find expression in the NGO movement.

Once again, though clearly the NGO-based institutional form that shaped the process of Afghanisation must necessarily be related to the broader socio-political and discursive contexts that frame its contours, its timing and effects need much more contingent and nuanced analyses. This seems to be the case if one more element decisively shaping the institutional, geographical and temporal location of the Afghanisation drive is considered: those individuals who actually started an ANGO. A general consensus on the need on de-foreignisation, or “contingent” circumstances (cf. ACBAR 1992), do not seem sufficient explanation for the sudden proliferation of ANGOs, unless the particular type of Afghan migrants that arrived in Peshawar, and Quetta, at the beginning of the 90s is considered. They were in fact of a radically different socio-economic profile, and carried very distinct values and motivations, vis-à-vis those who arrived following the USSR occupation.

Third, in fact, contrary to the first wave of migration, composed in its overwhelming majority by Pushtuns living in bordering provinces of Afghanistan (UNHCR 1989a), the period between 1989-1993, described by Atmar et al. (1998) as “jihad amongst

Afghans” (see Ch. 3), was characterised by Mujahidin fighting in the cities, which until then had remained relatively unaffected by the Soviet and the Mujahidin’s military campaigns. This change in the location and nature of the conflict prompted urban middle classes, including a number of bureaucrats of the former regime, to move to various cities in Pakistan. UNHCR (1990a) records 80 thousand new arrivals in NWFP in the period between November 1988 and June 1990, coming mainly from Jalalabad and Kabul, and a “constant flow” of refugees in Balochistan. The report characterises them as “*middle class and urban*” people, who would not settle in refugee camps. According to Segal and Thami (1989) most of the arrivals of 1989 had strong urban connections, with some of them having already established businesses in Peshawar, and cites this as the reason for their moving to cities (one unintended effect of this refugee flow being the marked increase in rents in the capital of NWFP, by up to 50 percent). Furthermore, fear of retribution from already in situ refugees, prompted some of them to arrive with documents, issued by Mujaheddin leaders, certifying that “they were not communists”<sup>145</sup>.

In line with the changing nature, location and intensity of the conflict, in other words, from 1990 onwards very different Afghans poured into Pakistan. In the period 1989-1993, refugees were largely drawn from Afghanistan’s business and professional communities, including about twenty thousand Sikhs, many of whom opted to go to India for fear of religious persecution in the camps of Pakistan (cf. Gul Khattak 2003: 6). For the most part Dari-speakers educated people (Macleod 2001), many had been working for the Najibullah and previous governments (UNGA 1995), and, in most cases, they moved to Peshawar and Islamabad, without receiving any assistance from UNHCR. As better described in the next section, it was this “*wave*” (Gul Khattak 2003) of refugees, and the following ones, which similarly escaped from the cities with the arrival of the Taliban, that seems to have played a decisive role in the “success” of the Afghanisation drive. Or, differently put, it was the regulatory effects of the Afghanisation drive institutional context that *shaped “desires, motivations, and struggles”* (Ong, 1999: 6) of the particular kind of Afghan migrants’ arriving in Peshawar at the time. As the Chairman of one ANGO Coordinating Body explained to me (answering the question: why so many Afghans have opened NGOs)

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<sup>145</sup> Cf. “*we are all humanitarian*”, last section.

When refugees arrived they had many needs to be fulfilled. That is why they received help from UNHCR and INGOS. Some people started their NGOs because there were additional needs, but not many. Now the culture of opening an NGO is very common. There are areas where INGOS or government cannot reach, so NGOs go in and save lives. Also because the conflict moved to cities and educated people had to live. Before it was, you know, poor people and they lived in camps. Educated people would not live in camps and would not register. They would also not expect any money, I didn't get any. (notes)

I will return to the interaction between different types of migrants and institutional forms in the next section. The point made here is the following. Contrary to humanitarian-centred understandings of the process of Afghanisation, such as a study by ACBAR (1992) which claims that it was only the concurrence of three events that actually succeeded in transforming that latent need into a concrete mobilisation of resources: the Gulf War of 1991, which forced many expatriate workers to leave Pakistan<sup>146</sup>; the ongoing Afghan peace talks and the consequent attention to in-country, as opposed to refugee-related, assistance; and the insecurity inside Afghanistan hampering operations of foreign organisations and staff (see also Goodhand and Chamberlain 1996: 198; Strand et al. 1999: 15; Holtzman et al. 1990, passim; NGORC in Ghaus-Pasha and Iqbal 2003: 31; etc.); contrary to such views, it seems that the understanding of the Afghanisation process cannot escape an understanding of its intimate and intricate relations across broader social domains.

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<sup>146</sup> It is interesting to note how at certain conjunctures an almost complete turnover (other than perhaps some key institutional posts?) of staff takes place, as happened also when I arrived in 2002.

### 4.3 Flexible Agents

The widespread consensus behind the *idea* of Afghanisation -i.e. the widespread perception and policy consensus that relief efforts would have improved in effectiveness and efficiency through increased Afghan participation and de-foreignisation- translated into a *concrete* “enabling environment”, by 1990. In other words, the *political rationality* (see Ch. 1.2) of Afghanisation, which problematised the needs of the humanitarian assistance regime in terms of an increased Afghan involvement, was in itself the product of overlapping rationalities and forces across scales and social domains; such (S<sub>3</sub>) rationality, in turn was transformed into a specific *technology of government* (cf. Ch.s 1.2 and 3.2), through a series of legal, institutional and monetary facilitating arrangements. The “enabling environment” that facilitated the manifestation of different forces through and across concrete institutional practices can be deduced from several angles.

UN Agencies in general and UNOCA in particular, specifically encouraged the establishment of ANGOs by providing funding, training, etc., and registration facilities. Projects’ implementation was increasingly sub-contracted to these newly created entities, progressively increasing the share of resources managed by them (ACBAR 1996, Schmeidl 2002; see also food distributions in Ch. 3.2). Some of the newly established organisations were specifically set up and entirely funded by UNOCA and UNDP, to act as implementing partners; others were simply “*encouraged to come into existence to compete for UN resources [...] others still tended to germinate spontaneously*” (Donini 1996). Solidarity and other European NGOs encouraged the establishment of “offshoots”, i.e. Afghan management and personnel taking over existing organisational structures. The GoP maintained a lax attitude towards ANGOs, without imposing strict eligibility or registration criteria, and allowing practices, which were later curbed, such as the use of Afghan-registered vehicles, without the payment of import duty (cf. Ch. 2.3 and smuggling of vehicles).

Judging by the specific objectives set out by Agencies such as UNOCA, and more broadly, stated motivations behind the Afghanisation drive (namely, an increased Afghan ownership of the reconstruction programs through the involvement of Afghan management and sectors of the diaspora, and a *consequent* desired increase in numbers and relevance of ANGOs), the Afghanisation drive can be considered a

“success”. Table 4.1 shows the increase in numbers of ANGOs registered with one of the four main NGOs Coordinating Bodies<sup>147</sup>. ANGOs numbers went on to increase over the years.

**Table 4.1: Breakdown of Agencies by country**

	<i>Fall 1989</i>	<i>1993</i>		<i>Fall 1989</i>	<i>1993</i>
EUROPE			NORTH AMERICA		
Austria	1	1	Canada	1	2
Belgium	3	2	USA	13	14
Denmark	1	1			
France	11	7	OTHER		
Germany	5	8	Afghan	8*	127
Netherlands	3	4	Australia	1	1
Norway	2	2	Japan	1	4
Sweden	1	2	Pakistan	1	6
Switzerland	----	1			
UK	7	15			

Sources: ACBAR Directory of Humanitarian Agencies working for Afghans, 1989 and 1993

\* It is noted in the Directory that 4 more ANGOs are applying

Notes: Arabic NGOs are mentioned in the 1993 Directory, but not in the 1989, and omitted here.

In 2002, year which is included in the following two tables, there was no breakdown of Agencies by country, thus that year will not be included in this table. More than 230 NGOs were registered with ACBAR in that period and the overwhelming majority of them are ANGOs. Furthermore, foreign NGOs, at least based on my visits and on numbers provided below, were primarily staffed Afghans with only few expatriates in managing or field positions. A more accurate indicator of their “foreign-ness” would be the assessment of decisional procedures for aid allocations and overall budgets, but this escapes this analysis.

<sup>147</sup> There are four CBs: ACBAR, SWABAC operating out of Quetta, ICC of a more religious inspiration and ANCB. It is often not very clear what makes one NGO register with either, nor their differences are particularly stark (see also later in this section). Data presented here refers to NGO Members of ACBAR that have consistently worked for the collection and dissemination of data about Afghan relief operations. Almost any figure related to Afghan refugees is highly questionable and subject to political debate. Furthermore, even data collected by ACBAR and related to their members, shows inconsistencies over the years. Their numbers, as almost any figure related to the assistance program is highly questionable, yet are presented here as a good indication of the measurable “success” of the Afghanisation process.

Table 4.2 indicates how Donors' priorities shifted towards an increased assistance inside Afghanistan<sup>148</sup>. Table 4.3 shows the nationality of ACBAR Members staff, demonstrating a marked increase in the involvement of Afghans.

**Table 4.2: ACBAR Members' Budget allocations**

Disbursements to	1988	1989	1993	2002	Sources: own
Pakistan	44.6%	35.5%	25.3%	7.2%	calculations
Afghanistan	55.4%	64.5%	74.7%	92.8%	from ACBAR
					Directory

1989, 1993, 2002.

Note: the Directory 2002 does not specify allocations in the same way as those at the beginning of the decade, and the percentages for that year are calculated from a table providing simultaneously allocations of members by sector (health, education etc.) and by Province. The Pakistani percentage is allocated between the three provinces of Baluchistan, Punjab and NWFP, the latter making up 94% of the total allocated to Pakistan. Figures for 2002 are also skewed by disbursements for the drought that since the year 2000 had affected vast parts of Pakistan, and had prompted a considerable mobilisation of resources. It is not clear from the Report if these figures represent a post-911 situation, though this is unlikely, given the fact that most agencies had reported budgets for 2002, thus presumably prepared during the course of 2001 for fundraising purposes.

**Table 4.3: ACBAR Members as employers**

Staff	1988	1989	1990	1993	2002
International	210	340	357	366	577
Afghan	3531	5970	6356	17240	24907
Pakistani	697	1010	838	1410	816

Sources: ACBAR Directory, 1990, 1993, 2002

Note: from the year 2002 the GoP had made compulsory the hiring of a set percentage of Pakistani nationals in ANGOs (exact percentage and date not available; this information was given to me by two different Pakistani staff in ANGOs). During the latter part of my field research, in fact, I would encounter many such nationals staffing ANGOs primarily as banking and donors' liaison officers. The absence of a reliable banking system for funding and disbursement, in fact, implied that, despite almost all ANGOs having relocated their headquarters inside Afghanistan, they had maintained offices in Pakistan, for the purposes of financial transactions.

<sup>148</sup> It is to be noted that, despite many refugees still remaining in Pakistan throughout the 90s, more than one million Afghans registered for the mass repatriation drive of 1992, clearly affecting allocations.

As developed in the preceding section, in sum, increased availability of funds and favourable institutional conditions provided a fertile ground for the particular kind of migrants that had started to arrive in Pakistan at the time, many of whom took advantage of the opportunities opened up by the Afghanisation drive. The combination –and interdependence- of historical processes related to superpower politics, Donors’ priorities affecting levels and priorities of funding, changing humanitarian assistance rationalities, favourable enabling conditions at policy level for the institutionalisation of Afghan participation in humanitarian efforts, the preference for NGOs as an institutional mean to achieve it, particular patterns of migration, and the existence of a particular *place*, Peshawar and to a limited extent Quetta, where these forces could manifest themselves in their concrete form, all contributed to the rapid expansion in numbers and relevance of ANGOs. How to assess the success of the Afghanisation drive?

The answer to that question seems to be dependent on the perspective adopted. From a Post-Washington consensus point of view, in fact, such “success” may reinforce the idea of “getting institutions right”. Institutions have been a primary concern within development (cf. the classic study on Asian agricultural development by Ruttan and Hayami 1971; and Sinha 2008), but it is from the late 1980s, and especially throughout the 1990s, that institution-building has been a prominent concern of mainstream development agencies. Evidence of the failure of Structural Adjustment Programs (cf. Cornia 1987), Chambers’ critique, which later became extremely influential within the mainstream development paradigm (cf. Chambers 1987, World Bank 2000/2001), the challenge posed by post-development authors (cf. Corbridge 1998, for an assessment), etc., in parallel with the increasing relevance of New Institutional Economics across social sciences and the mainstream development agenda (cf. Harris et al. 1995 and Olson 1997), in fact, all contributed to a shift away from the notion of “getting prices right”, premised on the supremacy of market forces, to an increased emphasis in institutional solutions for market and state failures. The basic idea behind institutional approaches to development is succinctly put by North

How do we account for the persistence of poverty in the midst of plenty? If we knew the sources of plenty, why don’t poor countries simply adopt policies that make for plenty? [...] We must create incentives for people to invest in more efficient technology, increase their skills, and organise

efficient markets. Such incentives are embodied in institutions. Douglass North 1990, in World Bank 2002

From this perspective, thus, the right combination of incentives (i.e. the “enabling environment” described above) should be seen as the primary factor behind the success of the Afghanisation drive. In light of the previous section discussion, however, this approach leaves unsolved several issues, in particular those associated with institutional innovation (i.e. how institutions are created), and institutional design (i.e. the particular shape of institutions to be created), as well as institutional effects (i.e. to what extent they are successful in the aims they attempt to achieve)<sup>149</sup>, as it will be discussed in this section.

Furthermore, following other analytical perspectives, the same “success”, as measured by the three tables above, can be explained differently; or, in fact, the very idea of “success” could be questioned. From a “realist” point of view, for example, this “success” can be seen as exemplifying the power of State actors. The significance of Afghan refugees in the Cold War context could be used to explain the generous package for their assistance, as well as the support to Jihadist during the eighties, by the US, the UK and Saudi Arabia, amongst others. Subsequently, diminished commitment of major donors, in combination with a change of attitude from the GoP towards Afghan migration could be seen as fundamental for the development of the idea of Afghanisation (cf. Chimni 2000 on selectivity and intermittence of humanitarian aid). Post-development approaches, on the contrary, may find behind the institutionalisation of ANGOs, the power of development as a western-imposed model (cf. Escobar 1995). The “project-oriented”, managerial orientation of ANGOs, in fact, can be seen as an example of potential Westernisation, rather than Afghanisation of relief efforts, a concern voiced in the above-mentioned workshop (ACBAR/GTZ, 1989, see also later in this section). Class-based analyses may emphasize how, rather than increasing “Afghan participation” ANGOs were established by educated elites, part of which have consistently benefited from different systems of rule and institutions “created” by external powers in the area (see Nichols 1999, for a historical approach in this respect, and later in this section). From a humanitarian policy perspective, finally, the “success” of ANGOs policy may be

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<sup>149</sup> I owe this formalisation of thoughts (and many others across these pages) to Subir Sinha.

contra posed to its detrimental effects vis-à-vis coordination of humanitarian efforts, as developed later.

Each of these approaches has the merit of focusing on particular explanatory perspectives contributing to the “success” of the Afghanisation drive –as defined by the above three tables. Yet, none of them seems *sufficient* to provide a comprehensive understanding of such phenomenon. Partly this is due to the polysemic character of the term NGO, as developed in the previous sections: it is difficult to accept that the growth of ANGOs from a marginally observable fact to a key humanitarian assistance institution can be reduced to only one explanatory variable. While accepting each of their concerns as *necessary* components of such explanation, the assessment provided here takes a different direction.

In light of the work contained in the preceding pages, rather than starting from a pre-given methodological perspective and explaining the Afghanisation drive on those bases, the following assessment starts from the concrete manifestation of the Afghanisation drive, i.e. the evolution of ANGOs over time, and attempts to assess methodological implications vis-à-vis their study<sup>150</sup>. It seems that, while accepting the “power” of institutions, states, elites or discourses, in *co*-determining the process of ANGOs creation and their evolution, once the logic of Afghanisation is examined in its (flexibly significant, Ch. 2) effects over time and across different social domains, a more nuanced analysis is needed, one that seems to undermine mono-perspectival methodologies.

Table 4.4 illustrates the main points to be developed in the remainder of this section. The table questions the success of the Afghanisation drive from two perspectives. On one side, it accepts the achievement of intended effects as a measure of success, but brings into the analysis their contradictory aspects. In other words, it accepts the premises behind the Afghanisation drive and studies ANGOs as a humanitarian institution, but reaches different conclusions vis-à-vis their effects. On the other side, it questions the institutional location of ANGOs as *exclusive* agents and expression of

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<sup>150</sup> This point is developed into an argument in Ch. 5.3

the humanitarian regime and studies their implications with and entanglement across other domains of social life<sup>151</sup>.

**Table 4.4: the Afghanisation drive**

Intended effects	Problematic aspects/ Unintended effects	Re-appropriations / Hybridity
Afghanisation of relief and reconstruction activities	Westernisation of ANGOs	<i>Fraudulent:</i> embezzlement <i>Shadowy:</i> Mujaheddin commanders, JUI/GoP, Foreign Government Agencies
Increased nr. of ANGOs	Coordination of aid Fragmented aid funds' disbursement	
Increased participation	Elite capture	<i>Cultural:</i> personal spaces and politics.

The above Table is composed by three columns. The first one illustrates intended effects of the instantiation of the Afghanisation drive. As highlighted above, in fact, the (latent) need for an increased involvement of Afghans in the provision of relief efforts and the reconstruction of Afghanistan manifested itself as a concrete policy environment supporting the constitution and funding on ANGOs. The four entries in the first column of the table summarise the main objectives behind the Afghanisation drive; Tables 4.1, 4.2, and 4.3, illustrate the success in the achievement of such objectives.

<sup>151</sup> Note how, using Ch. 1's terminology, the second and third columns correspond to analyses premised on an S<sub>2</sub> and S<sub>3</sub> perspective, respectively.

Yet, such objectives embodied also inherent problematic aspects; even accepting the propositions that Afghanisation is “needed” and that the best way to achieve it is through the promotion of ANGOs, in other words, the assessment of success indicators of may yield contradictory conclusions. These are highlighted in the second column of the table. Some of them could be gauged even before the instantiation of the Afghanisation drive itself. Participants in one of the above-mentioned workshops (ACBAR/GTZ 1989), for example, where such latent need was being transformed into a concrete rationality of governance, had already manifested such concerns. An increased Afghan involvement in relief and reconstruction activities, it was stated there, presents an inherent contradiction between the “Afghan background” and donors’ requirements. More specifically, the emphasis on western management and the absence of a specific Afghan notion of “management” (ibid) may have well contributed to the Westernisation of Afghan management systems. Put differently, such emphasis seems to have led to an “Afghanisation” of relief efforts where the central notion of ‘Afghaniness’, is a cipher.

Two “humanitarian best practices” notions lend support to this consideration: “capacity-building” and “professionalisation”. Both are amongst the most frequently invoked concepts in development/humanitarian interventions (cf. Smillie 2001), and both have been key elements in the process of regimentation of ANGOs within humanitarian practices in Pakistan, and later Afghanistan (cf. for example, ACBAR 1992 and 1996; Suhrke et al. 2002: 886-887; Pain 2002: 25; McKechnie 2003: 9). Despite their meaning defying a shared definition (Kaplan 2000: 517), they can be broadly associated to processes “*through which people of a given society are motivated to transform their physical, socio-economic, cultural, political and spiritual environments for their own well-being and the advancement of their society*” (Turay 2001: 158, my emphasis), and to an increased *compliance* with “generally accepted” best practices (cf. Goodhand 2000, Haneef and Goodhand 2001, and Goodhand 2002). My own experience with ANGOs, during field research, lends further support the idea of “externally-induced” management homogenisation behind such notions – and its limitations.

On one side, throughout the 1990s, the work of Coordinating Bodies, especially that of ACBAR, of various INGOs (amongst which Save the Children – Sweden played an extremely relevant role), and the effects of increasingly stringent donors’ funding

requirements, made the professionalisation of ANGOs and capacity-building a key policy aspect of the humanitarian assistance regime. accurate budgeting, monitoring procedures, a “clear” project proposal, participatory and accountability mechanisms, etc., all elements that are assumed to make an NGO “professional” and that would increase its humanitarian “capacity”, have become fundamental pre-requisites for obtaining donors’ funds and for increasing NGOs’ reputation amongst peers. It is said that during the 1990s most ANGOs have become “professional” (Goodhand 2000). Such managerial systems, as well as their language (not only and not so much in relation to the English language, but primarily vis-à-vis the use of technical and self-referential idioms and expressions), however, do not originate out of the Afghan context, but rather are an expression of discourse-wide standards (such as various other types of self-regulatory mechanisms and best practices). Though clearly shaping, and being shaped by, the specific context in which they are applied (as developed in the previous section), their relevance within policy-making can be traced to other contexts and domains. First, the humanitarian discourse at large was being affected by claims that assistance in situations of conflict can actually contribute to maintaining conflict, in other words that unintended consequences may arise (Anderson 1996). Rwanda’s experience proved to be a turning point for much of the humanitarian industry (Donini et al. 1996). Second, the emergence of the EU as a major donor, and its focus on procedural mechanisms for aid disbursements, changed some consolidated procedures, ranging from accounting and monitoring procedures (Duffield et. Al. 2001) to an increased focus on gender issues (SCA 1998). Moreover, other factors such as the increasing relevance of the military in the provision of humanitarian assistance were radically changing the context of provision (see for example Donini 1996).

In other words, “professionalisation” and “capacity building” are not an expression of the logic behind the Afghanisation drive, yet they have been a primary aspect of it. They are, as Fabian (1982) would put it, allochronic devices that deny coevalness: through their *Typological* periodisation (i.e. their use of Time in a way that is divested of vectorial, physical connotations, and that focuses instead on self-contained systematic relations; see Prologue) these devices seem to establish a linear ordering of NGOs along a continuum (in this case with/without capacity) whereby those standing further *back need to be taken* forward through intervention. It is in this sense that they

can be seen as promoting a 'Westernisation' of humanitarian action<sup>152</sup>, at least insofar as these practices are seen as peculiar to 'western' NGOs.

On the other side, the degree of success of such formal mechanisms vis-à-vis the improvement of aid effectiveness remains to be assessed. As suggested in Chs. 2 and 3, in fact, formal institutions need to be studied in their flexible significance. The fact that I was asked by three different ANGOs to help them formulate project proposals in exchange for a percentage on the total funding obtained (clearly a compensation that would have remained invisible in the accompanying budget), is a first indication of the flexible engagement with, and non-uniform application of, such regulatory frameworks, once assessed in context (see NGOs' registration procedures, above). A second indication could be my search, in Kabul, for three different cost estimates for the supply of wood<sup>153</sup>, in order to comply with JICA's (the Japanese development cooperation agency) procedures for funding proposals: none of the suppliers we asked would be willing to provide a written note on estimated costs, because "these can only be determined once the job is finished". Other examples, as well as an understanding of these flexible dealings in terms of "re-appropriations", are provided later in this section.

A second problematic aspect of the "success" of the Afghanisation drive relates to the "extent" of its success. More specifically, the emergence of more than 300 ANGOs in the space of just a few years resulted in a fragmentation of aid disbursements and in consequent concerns vis-à-vis their impact effectiveness. The growing concern with the inadequacy of aid during the mid-1990s (Duffield et al. 2001), in fact, not only

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<sup>152</sup> I want to stress that this, and similar points, are not based on the "value" of the notion of capacity-building, or its possible effects in terms of increased organisational effectiveness; they simply point, on one side, to the "internal" logic with which they are formulated, one that eschews any consideration of context and relies on formal characterisations of "humanitarian actors"; on the other, to the contradictory aspects associated to the notion of afghanisation, if assessed from the perspective of an increased "Afghan" involvement. The main aspect of the latter involvement, it would seem, is that those initiating ANGOs hold an Afghan passport, with all the problems associated to that characterisation of belonging developed in Ch. 2, and in a more personal way in the Prologue.

<sup>153</sup> Two main motivations were behind our trip to Kabul: the first one, directly related to the example above, was to obtain funding for an orphanage, located "on" the border between Paktia Province and Pakistan (i.e. in one of the areas that have never been under the effective jurisdiction of either government); the other one related to obtaining funding for a Siemens-built machine, which is able to diagnose, and destroy through laser, kidney stones, a long term dream of the director (a German-trained doctor).

translated into stricter procedures and policy-recommendations directed to each individual organisation, such as those associated to their professionalisation and capacity, but also into sector-wide concerns about institutional coordination. Once again, these concerns are not exclusively reducible to the Afghan context (cf. Donini 1996), though they acquired a peculiar shape in relation to that operational environment. Already in 1988, in fact, participants at an Afghanistan-related UN Inter-Agency Meeting, in New York, felt that “coordination [was] the name of the game”, and the establishment of UNOCA was a direct consequence of such view. It is also in this period that several NGOs “Coordinating Bodies” were established. Each of them, however, operated on different premises and represented different constituencies.

For example, the Islamic Coordination Council, the first Coordinating Body to be established (1985), was established on the basis of the perceived overlap between NGOs work in support of the Afghan cause, and with the specific objective to share information and to coordinate activities geographically (interview). ACBAR was “created by its members” in 1988 to provide a framework within which agencies and organisations providing assistance to Afghans can exchange information and share expertise in order to allow a more coordinated, efficient and effective use of resources (ACBAR 1993: 410). The Afghan NGO Coordinating Body was established in 1991, with the ultimate aim of improving the quality of life of Afghans and to persuade voluntary return of refugees to their home country (1993: 415), though its current website information emphasises the spirit of cooperation that it fosters through the NGO community<sup>154</sup>. SWABAC (the Southern and Western Afghanistan and Baluchistan Association for Coordination) was also established in 1988, to foster relief and rehabilitation but had, as the name suggests, a much more geographical concern, specifically de-limiting its concerns to those areas (1993: 419).

These nuances are not simply a matter of “narrative”. Rather, they represent differences in terms of constituencies, i.e. what kind of NGO is a member of each Coordinating Body (cf. Strand 1999, and his classification of CBs by nationality); strategies, i.e. the relation between organisational means and ends (cf. Stockton 2002: 9, and Najam 2000, above); domain of operation, i.e. a specific geographical area or a

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<sup>154</sup> ANCB webpage: <http://www.ancb.org/aboutancb.htm>

sector, like “education”; organisational expertise, i.e. technical, geographical, cultural; as much as the different social groups working through and around these formal institutions (see above and next paragraphs). They reflect, in other words, the polysemic nature of the term NGO, in all the connotations defined in the previous sections.

The topic of coordination remained a key issue for the humanitarian assistance regime throughout the 1990s and into the new century, becoming a key site of dispute and interaction during key moments of such intervention, such as after the establishment of the Taleban regime in Afghanistan, which produced a deep polarisation across humanitarian agencies (Goodhand 1999), or in relation to the 1997 UN-led Strategic Framework of Assistance, which was premised on an institutional process of coordination (cf. Duffield et al. 2001; Stockton 2002), or in relation to Operation Enduring Freedom, which produced splits even within the same organisation (e.g. Save the Children US and Sweden)<sup>155</sup>. The study of “humanitarian coordination” is beyond the scope of this chapter; rather, this brief discussion serves three purposes in relation to the study of ANGOS.

First, it highlights how “success” cannot be captured by static indicators –or, differently put, how static indicators are only a functional measure of success. Though the emergence and constitution of several hundred ANGOS can indeed be considered a *success* vis-à-vis the specific set of objectives embodied in the favourable institutional environment of the early 1990s, the outcome of the Afghanisation drive needs to be studied in its dynamic effects. Second, it serves as a confirmation of points raised in the previous chapter: the (negotiated) establishment of institutional practices is itself *generative* of further practices (cf. food distributions in Ch. 3). Capacity building, professionalisation, and coordination can in fact all be seen as institutional practices that were generated by the instantiation of the Afghanisation drive and the emergence of ANGOS as a prominent institutional category within the

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<sup>155</sup> Coordination, in fact, “is a slippery term. For some it is simply about sharing information, while for others it is an authoritarian form of control. Confusingly, the term is used as a noun to refer to an outcome as well as a verb to describe a process. For most, it is a positive value-laden term; being “coordinated” is seen as a desired state of affairs; for others, the word is pejorative, referring to a time-consuming process, or pointless meetings and un consequential discussions, or, as a mechanism for illegitimate control that serves to undermine much cherished agency independence”. Stockton 2002: 9-10.

humanitarian assistance regime –i.e. by the constitution of ANGOs as an object of thought. Finally, the above discussion serves as a first indication of the analytical poverty behind functional analyses of NGOs, i.e. behind studies that consider the latter as “humanitarian *actors*”, with a pre-determined rationality (cf. Ch. 3.3), and that avoid considerations of different social forces shaping such institutions. The starting point for the development of this argument is the assessment of the third contradictory aspect of the Afghanisation drive.

One of the major contributing factors creating consensus around the notion of Afghanisation, and around ANGOs as the specific institutional form that rendered it concrete, was the claim that an increased Afghan involvement would have facilitated “closeness to the people” (see above). Once again, such claim cannot be dissociated from the more general view, common within the development community at the time, of NGOs being closer to the “grassroots” etc. (Edwards and Hulme 1995). Yet this is a problematic claim if the particular *kind of subjects, whose “desires, motivations, and struggles”* were shaped by the Afghanisation drive’s enabling institutional environment (cf. Ong 1999: 6), is considered.

Most of the ANGOs’ directors and staff that I encountered, in fact, could hardly be associated with the “grassroots”, in the common understanding of the term within the development discourse. ANGOs formed out existing basic health units operating during the 1980s (see above) were manned by doctors which, often, had received western training. Offshoots, i.e. those ANGOs germinating out of Afghan staff who had already been working for foreign NGOs during the 1980s, and that were encouraged to take over management responsibilities from their foreign colleagues (e.g. DCA, NPO), were manned by educated people, usually English language-speakers and in most cases holding a university degree. Those ANGOs created at the beginning of the 1990s were mostly directed and staffed by bureaucrats and civil servants of the Soviet-backed regime, Dari-speakers of an urban middle class background (see UNGA 1995, Macleod 2001, Gul Khattak 2003, above). Two ANGOs directors that I met were elected delegates at the 2003 “Constitutional Loya Jirga”, held in Kabul as one of the sequiturs of the Bonn Agreements. Women directors’ of gender-focussed ANGOs (such as AWC or the Afghan Women Network) engaged with this institutional form after the 1995 UN Women Conference in Beijing and were, similarly, expression of an educated, urban class. The ANGO for

whom I worked was directed by a German-trained doctor, from a “very influential family” in the South of Afghanistan (as it was described to me by two very different persons), whose father, a “leader” in his area, was a prominent Mujaheddin commander during the Cold War, at that time operating with and being armed by foreign agencies, and currently with excellent connections within the Afghan government and the ‘investment community’ at large. Almost all staff that I encountered in my ANGOs’ visits was able to speak English. As suggested by other studies, in fact,

In a society where only 5–10 per cent of the population is literate, ANGO staff represent an educated elite, who entertain many of the biases and prejudices that education has imparted. Goodhand and Chamberlain 1996: 203

Though clearly it is possible –as ever- to find counterfactual examples, and I could provide them myself on the basis of my encounters<sup>156</sup>, the point made here is that the notion of “participation”, the belief that ANGOs are “closer to the people”, or the potential that the ANGOs’ movement could be trans-formed into a “counter hegemonic space from below” (cf. Guarnizo and Smith 1998), all seem pretty much mediated by the elite status of most ANGOs directors and staff. Unless, that is, these notions and aspirations are considered as an attribute stemming from nationality, i.e. unless they are premised on the assumption that being “Afghan-as-defined-by-citizenship-status” is a sufficient enough condition to achieve participation and closeness to the people –an assumption extensively problematised, and rejected, in Ch. 2.

These points are further confirmed if the third column of the above table is considered. The latter suggests a way of studying ANGOs that is premised on the intersection between ANGOs’ institutional form –which assumes a humanitarian rationality- and their actual contents –which are shaped by different social forces. More specifically, it highlights the *hybrid* nature of these institutions<sup>157</sup>.

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<sup>156</sup> Though oddly enough, the people with the more modest social status that I encountered was working for foreign NGOs (for example, most of the field staff I had the opportunity to meet during my visit to the Norwegian Refugee Council).

<sup>157</sup> The term ‘hybrid institution’ is taken from three relatively recent studies (Slater 2003, de Sousa Santos 2006, Goetz and Jenkins 2001) who study the process of definition and instantiation of three very different institutions in three very different contexts (administrative decentralisation in Bolivia, legal orders in Mozambique, citizen’s accountability mechanisms in India, [cont.]

The first two types of hybridisation do not deserve many comments. One has already been mentioned, *passim*, in the previous pages: the use of ANGOs by foreign and domestic political constituencies for purposes that cannot be reduced to their humanitarian content. Examples of political-humanitarian enmeshment were provided in the previous chapters with reference to the establishment of refugee camps, and the role of Mujahedin organisations there; food distributions to ‘single male camps’ along the border by UNHCR; the use of ANGOs for military support during the Cold War. During my field research, I recorded allegations of ANGOs being a conduit for the ISI (the Pakistani Intelligence Agency), the CIA and the MI6 (in fact, some would go as far as declaring that 15% of ANGOs were ISI and 10% foreign agencies); of a UNHCR officer, who had been stationed in Peshawar for the previous five years, being seen in Afghanistan donning a US Army uniform; etc. Clearly none of these allegations can be proved, nor, in a sense, does it matter for the purposes of this discussion. The Afghanistan operation have always been entangled with military and intelligence concerns (cf. Donini 1996, ACBAR 1992), and the point made here is that institutions of the humanitarian regime –however minuscule their percentage vis-à-vis the overall operation- (could) have been used for ends other than strictly humanitarian ones.

Similarly, practices of embezzlement should not be a surprise, given their widespread existence across (worldwide) geographical and institutional contexts. Allegations of “corruption” -associated to drug smuggling, fraud, misallocation of funds- have pervaded every single actor of the humanitarian assistance regime in Pakistan over the years. Though in parallel to ANGOs’ “professionalisation” a series of monitoring and transparency procedures have been devised and widely implemented, it seems impossible to assume, at least based on my experience in Peshawar, that such formal mechanisms, stringent as they might be, can ensure that “tax-payers” or “charitable” money spent by donors is not used, at least in part, for private purposes in a context as complex, politicised and ramified as the one in Pakistan/Afghanistan. These

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respectively). Their analysis shares an understanding of these institutions as the result of historical processes and contingent interactions between various social groups negotiating their influence “through and across” (to use Nordstrom’s wording) such institutions. The authors define them as hybrid democracy, hybrid legal courts, and hybrid accountability mechanisms, respectively, to highlight their entanglement across different forms of social power. The ‘hybridity’ of ANGOs is a notion that will be developed analytically in the last section of this chapter; in this section, the term hybrid simply refers to the multiple rationalities defining ANGOs practices.

allegations are mentioned here not to suggest that they are widespread practice or that all “NGOs steal money”, nor do they necessarily imply a diminished efficacy of such interventions, at least if set against indicators of humanitarian “success” such as infant mortality, or malnutrition. Rather, the purpose is to forcefully broaden the context of analysis of ANGOs, as an institutional form, by suggesting the possibility that such practices might take place, as well as to notify the widespread perception that such practices take place.

Perhaps more interesting in relation to the line of thought pursued here are those hybridisations that have been defined in the table above as related to the “cultural” sphere, for lack of a better word. They refer to those interactions between the (S<sub>2</sub>) institutional purpose of ANGOs, and their (S<sub>3</sub>) existence across different social domains. Such enmeshment can be illustrated from different perspectives.

One of the claims of ANGOs is to have better access to beneficiaries. This was obviously so, at least vis-à-vis UN and foreign agencies, during the Cold War (see earlier), as much as it is today in many parts of Afghanistan. I would distinguish two different meanings to the term “better access”. A first meaning of the term access relates to territorial access, in the sense of knowing the area, its history and resources’ availability, of being of the same ethnicity, etc. (interviews). Narratives and operational summary contained in the ACBAR 1993 Directory exemplify the connection between particular provinces/areas of operation and each ANGO. The overwhelming majority of them worked in one or two neighbouring provinces, while very few had extensive coverage. The 2001 directory, furthermore, presents a similar picture, and it is possible to assume that in the current context, where foreigners’ movement is severely restricted, these patterns have remained the same. Access, however, acquired very often a social connotation –something that cannot be *separated* from territory, but also that cannot be *equated* to it (cf. Ch. 2 and Ch. 3’s conclusions).

It seems, in fact, that state- or UN-based registration procedures and MoUs authorising ANGOs operations (see previous sections) are only one aspect granting access to beneficiaries. ‘Traditional’ forms of authority seem to be as important. This is the case, *in primis*, of shuras. Shura is an Arabic word for ‘council’ or ‘consultation’, and the term can be broadly associated with governance arrangements, operating at different levels and with different purposes, functioning, in most cases as

the ultimate source of adjudicative power vis-à-vis communities (Cf. FATAs in Ch. 2). In different ways, shuras have been a key institution regulating access and type of humanitarian/developmental assistance provided in most areas of Afghanistan. In the 1980s, they were considered institutions “good to work with” (Canfield 1989, and interview with foreign consultant) and during my field research most Afghan and foreign staff I spoke to confirmed that they had to deal with such councils before beginning operations. The degree of embracement/reluctance towards such governance arrangements varied quite markedly depending on the individual or organisation interviewed, though almost all of them saw shuras as a necessary component of their interventions. As an ANGO director told me: “Shuras are the first step for NGOs. There are local shuras in all provinces of Afghanistan and they represent the people”. I asked what it meant to represent. “I am educated, I can loud their voices. Mullah gives prayers 5 times a day, people believe in him. Maliks and Khans are trusted by the people. To be in the shura you need to be trusted by the people and you feel responsible for them. People themselves knock on the door of the shura. People tell shuras their needs.” (interview).

Several points can be raised in relation to this discussion. First, it is important to underline how using shuras is not necessarily in contradiction with the humanitarian or developmental intents of most projects/programs. The fulfilment of *needs* is in fact the key legitimating drive/concern of such interventions and accepting shuras’ representative-ness, in this respect, can in fact improve desired outcomes. However, second, their re-presentation of needs is necessarily mediated by their own views. The most cited, and contentious, example in my conversations was the opening of a girls’ school, the type of intervention that was most resisted by several such ‘institutional bodies’. Third, very often ANGOs’ directors are part of a particular shura. As mentioned above, in fact, directors are very often members and expression of the community which they assist. Notwithstanding the humanitarian value of such interventions, the benefits to their personal status are evident, especially in the context of the “*person-centred politics*” that characterises Afghan society (Shahrani 2000, see also Centlivres and Centlivres 1988a, in the context of refugee camps). Their access to international funds may in fact reinforce their status vis-à-vis the communities they “represent”, maintaining their position of power within them. The fact that two

ANGOs' directors that I met were also running for a place in the constitutional Loya Jirga seem to support the point.

The relevance of 'personal spaces' vis-à-vis the conceptualisation and delivery of humanitarian aid should not be confined to the realm of shuras, however. Maintaining "good contacts" (or rather, *networking*, following a different type of terminology) seems to be an essential aspect in the functioning of any (humanitarian) organisation. Being in conversation with the CAR or the Embassy of Afghanistan in Peshawar or Islamabad, or even with UN staff, may be of help in terms of registration, permissions, and awareness of donors' deadlines, or simply to be able to bid for cars on loan *at the right time*<sup>158</sup>. Similarly, relations between the director of Pakistani NGOs and local governments (or families of the district) where they operate, or, for that matter, clusters of foreign co-nationals working on the same project, or area, all from the same European country but in different organisations (such as Donor, NGO and NGO staff, and UN officers' chains) are all confirmation of the existence of "networks" that work through and around formal institutions. Once again, local government's cooperation, or a more trustful exchange of ideas and information among co-nationals may surely contribute to the improvement of humanitarian action.

The enmeshment between ANGOs' institutional purpose and other domains of social life can also be seen from a more subjective perspective. Some times the collision between personal beliefs and professional engagement was striking –this was the case, especially, in relation to gender. The Liaison Officer of an ANGO, which had been recently funded by UNICEF for capacity-building and educational projects, for example, told me: "We can have four wives because, you know, once a month they have the disease or may be unwell, so we need four". Without reaching those repelling extremes, many interviewees felt that they should tell me, perhaps because I was a foreign researcher, their views on the issue<sup>159</sup>: "What is this holding hand in

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<sup>158</sup> I refer to four Korean SUVs that were donated to the CAR, which, in turn, wanted to loan them to NGOs that *needed* them. When I enquired about them (they were a very visible presence in the CAR's parking space) I was told that there were "discussions" as to which NGO should be given to.

<sup>159</sup> This is one of those issues where I was never sure if I was told as a provocation, if I had managed to gain their confidence and they were finally taking a burden off their chest or else. I report some of the most interesting comments. Gender was an issue hovering through and across my field research, perhaps because it was the one aspect that was creating more frictions between *me* and *them*.

public? Do you think we do not kiss our wives? We kiss them much better than you! We just don't do it in public" (Pakistani Program manager, UN Agency); "why do you people keep doing this to us. Look, I am in favour of women working and being out in the street and liberating, but why do you keep putting us against each other? If you take away the daughter from the father, put her against him, the father will resist and will lock up the daughter because he has the power to do so. Why don't you talk to the father and convince *him* before?" (Afghan humanitarian worker in Kabul). "Paolo, I agree that is very nice to go out with women for dinner and for a chat, you are absolutely right, it is just difficult here". Would that include your sister? After a moment of extreme tension: "no, that would not include my sister; yes, we have double standards" (Pakistani Education Manager, ANGO). On one side, these comments can be explained as a reaction to the emphasis and concern with gender relations in humanitarian interventions since the mid-1990s<sup>160</sup>; on the other, they are the most striking friction between the multiple spaces *simultaneously inhabited* by (some) Afghan and Pakistani humanitarian workers (see 'globalisation' in Prologue).

It is such simultaneous belonging to different spaces that offers the key interpretative line offered here to understand the Afghanisation drive. Not only the "political rationality" behind the latter was the result of a process of negotiation between agents embodying different "logics" (previous section), but also, the institutional form giving shape to the Afghanisation drive (ANGOs) became a key site of negotiations and re-appropriations: their establishment as an object of thought generated a series of other institutional practices, their institutional ends were re-appropriated and compromised by the pursuit of alternative (and nested) projects, their motivational effects on human behaviour shaped desires and motivations of a variety of individuals, albeit only to a certain extent. The content of the Afghanisation drive, in other words, can only be explained by reference to the shape given to it by a variety of agents ("*each phenomenologically different, each representing distinct forms of authority and*

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<sup>160</sup> As a further example of practices *generated* by the constitution of Afghan refugees as a field of intervention, gender became since the middle of the nineties a key concern of humanitarian programs and policies, both as a direct objective and as an all-pervasive best practice. This was in striking contrast with the respect for "local culture" of the 1980s. As an example, very poor indicators of girls' primary education for the "old caseload"—those arrived during the Cold War- (interview with UN education consultant, 2004) demonstrate how this issue became a priority only at a later juncture.

*politico-economic organisation*"; Nordstrom 2000), as better developed in the next section.

## 4.4 We are all humanitarians

“Your wife works for UNDP? Then why don’t you open an NGO and get funding from her. So you can help Afghans. And you can even do a PhD on your NGO.” I must confess that what the Liaison Officer of an ANGO suggested to me was a very tempting option. The fragmented and human development indicators-based nature of humanitarian projects could have allowed me to *do* a PhD about the capacity-building of a UN-funded community-based NGO providing, say, health services to refugees (my own), without necessarily having to disclose my interests in it, either to *my* beneficiaries or to this PhD’s examiners. I could have mixed into one enterprise the humanitarian imperative (i.e. the de-contextualised notion of “saving lives”), the unquestionable benefits that I could have provided to *some* refugees by opening a basic health unit, and the pursuit of my own personal goals. In other words, I could have appropriated and reinterpreted, in fact *shaped*, the meaning and role of *humanitarianism*, and still contribute to the betterment of Afghan lives by means of my personal relations and professional interests; very tempting indeed.

The regulatory effects of humanitarianism as well as my privileged position across various other institutional regimes (cf. Ch. 3.4) did *not* manage to shape my “*desires, motivations, and struggles*” (Ong, 1999: 6) to that extent, however. Though I did work for an ANGO, the reasons and conditions behind such choice responded to different sets of “incentives”; they were perhaps as contradictory as the ones described in the above paragraph, though they were an expression with which I felt more comfortable with. They were my flexible response to such incentives (cf. Ch. 3.3).

Such motivational flexibility behind the decision to (and the actual possibility of) opening or working for an ANGO, was recorded on several occasions in my field notes. As mentioned above, some of those who became their directors saw ANGOs as an opportunity for professional and personal realisation: “I, and others like me, work with NGOs because it is the only opportunity we had to work out of Peshawar; and because we did not want any assistance from UNHCR, because we are educated people” (Afghan NGO director); “I started working with NGOs because they seemed to offer the right kind of language and concerns” (Pakistani NGO director); “I work with NGOs because politics is a dirty business” (Pakistani NGO director). For others,

it was a matter of necessity, as much as conviction vis-à-vis the intrinsic value of such endeavour. While almost everybody I asked began with asserting the personal gratification stemming from their actions towards alleviating the “needs of Afghans/my people”, other motivations quickly transpired: “because I still need to marry one daughter”; “because it is good for my CV”; “because I want to be around foreigners”; etc. (ANGOs and Pakistan NGOs staff, interviews). Foreign NGO workers, similarly, “mixed” the satisfaction from the humanitarian cause they were pursuing with their desire to travel, their status vis-à-vis friends and peers who had stayed home, their salary. As a Pakistani director of an NGO working with Afghan “street children” in Peshawar aptly suggested to me, while sitting around a table in a UNICEF-sponsored capacity-building workshop: “look at him [referring to another ANGO Director], he was with the Soviet government until 1990, we were fighting him [referring to his past as a Mujaheddin], and now look at us, seated at the same table, with the UN and Christian donors. *We are all humanitarian now*”.

As any other *-ism*, in fact, humanitarianism is an abstract concept. Its principles and logic (cf. for example Minear and Weiss, 1993; Rakiya and de Waal, 1994) are heterogeneously implemented, in different geographical contexts or, within the same context, by different organisations; and their meaning and interpretation tend to change over time. As it has been suggested in the previous pages in relation to borders and refugee status, humanitarianism flexible significance needs to be studied in territory, in relation to particular individuals or social groups, and in its historicity – i.e. in its concrete manifestations. In this chapter, humanitarianism was studied in relation to the emergence and evolution of ANGOs, and overlapping lines of thought opened up in the previous ones have been brought together. Two, in particular, are revisited here, given their relevance for the next, concluding, chapter. They refer to the notions of ‘field of intervention’ and ‘subject’. More broadly, they refer to the *production* and *re-production* of governmentality regimes.

The term NGO is one of many abstract/material institutions that have been analysed in this work. It is abstract because its is not able to capture the diversity of organisations encompassed by it, in Pakistan as much as elsewhere; because it excludes other organisations that may perform similar activities, but cannot be formally defined as NGOs, such as community-based organisations that are not registered as such; because the significance of the term changes over time, in different

institutional contexts, and in relation to the meaning attributed to it by those that bring NGOs to 'life', i.e. those constituting and working for an NGO. It is a polysemic term, as defined in the first section of this chapter.

Yet, the term NGO is also material: its concrete shape is produced through material negotiations and produces material effects. The process of production was described in the second section of this chapter, where the "*logic of problematisation*" that transformed the idea of *Afghanisation*, "*a mere name [.] into a field of activity*" (Soguk, 1999: 50, cf. Ch. 1) was presented. Such discussion (deepening Soguk's analysis and complementing points raised in Ch. 2 vis-à-vis the production of the Durand Line, and in Ch. 3 in relation to the definition of Afghan refugee status in Pakistan) offered insights as to who is able to shape such problematisation, what gives power to those individuals, where such decisions are discussed and over whom are implemented. While governmentality approaches are in fact mostly silent vis-à-vis these issues (cf. Ch. 1), the following points can be made on the basis of the above analysis.

First, while governmentality approaches focus on the "internal" logic of regimes (cf. Dean, 1999, and the telos of government), the above discussion points to the relevance of "external" logics and rationalities co-determining the process of problematisation. The Afghanisation drive was certainly felt as a "need of the time" within the humanitarian regime (cf. above), but that *need* seems to have been framed by not-exclusively-humanitarian rationalities. Diminishing donors' commitments, demands and claims of (particular segments of) the Afghan refugee population, development discourse's consensus on 'best practice' and dominant ideas about the role of NGOs within it, neo-institutional economics' inroads across social sciences and policy-making, etc., all seem to have concurred to the definition of that *need* and of the *naturally* consequent solution to it.

Second, following from this, the above discussion points to the role of heterogeneous agents in these processes. The role of donors and the GoP, and the constituencies that each of them represents, the role of experts, and the discursive environments which they seek to influence, the role of particular constituencies within Afghan society, the role of particular constituencies within the Afghan refugee population, the role of individuals embodying the power of institutions such as UNHCR or influential INGOs, and their own convictions, etc., all seem to have played a decisive part in the definition of the 'needs of the time' and their solutions. Each of these agents, while

seeking to assert his/her/their own influence on the particular humanitarian “problem” under discussion, operates across different domains and carries forward rationalities that are not exclusively reducible to humanitarian ones.

Third, as a consequence, the analysis offered above blurs the distinction between what is “internal” and what is “external” to the regime itself. The problematisation of needs behind, and responses to, the Afghanisation drive, in other words, can hardly be reduced to humanitarian logics; the formal contours of the field of activity “ANGOs” was shaped by the competing and colluding rationalities, activities and motivations of different *forces* attempting to assert their respective influence over the concrete shape and manifestation of such contours.

These points are reinforced by considering the analysis presented in the third section of this chapter. The constitution of ANGOs as an object of thought, in fact, *generated* a variety of other practices (cf. Ch. 3): it altered established patterns of aid delivery by taking over most of implementation functions (cf. food distributions in Ch. 3.2), by re-configuring spatial patterns of *access* to communities and by contributing to the definition of the latter’s humanitarian *needs*, (cf. above); it led to the establishment and subsequent operation of Coordinating Bodies; it created second-order needs, such as those for coordination and professionalisation, which in turn found expression in further practices such as staff training courses and capacity-building workshops. Simultaneously, ANGOs have been used to pursue particular projects (military and political support to Afghan factions, consolidation of personal power, embezzlement), have been implicated and entangled in, but at the same time supported by, non-humanitarian and non-state based forms of authority, their institutional objectives have been enmeshed with different understandings of social order (for instance in relation to gender).

As much as in relation to their constitution, thus, the evolution and re-production of ANGOs, both organisationally and as an object of thought, seem to be shaped by disparate forces that work *through and around* (cf. Nordstrom 2000, above) them. These forces shape ANGOs institutional origins and design, as much as their intended, contradictory and re-appropriated effects (cf. neo-institutionalist approaches, and Table 4.4 above), blurring, also from this perspective, the distinction between what is “internal” and “external” to the regime.

More broadly, the above study of ANGOs raises four important points, which will be revisited and expanded in the next chapter vis-à-vis “the refugee”.

First, it radically expands the context in which humanitarian assistance- and refugee-related processes should be studied (cf. Ch. 2.4 and 5.1). Such expansion is a first consequence of the blurring of such boundaries. ANGOs origins, designs and effects can only be explained by reference to processes taking place *elsewhere* both geographically (i.e. taking place in an Afghan community’s shura, or at a donors’ conference) and vis-à-vis domains of social life (humanitarian imperatives, “tribal” forms of governance, donors’ domestic politics, etc.). They can only be explained, in other words, by reference to the *coeval* context in which these processes take place, as proposed in Ch. 5.1.

Second, it poses an ontological problem. On one side ANGOs are expression of humanitarian rationalities, decisively contribute to the strategical and physical delivery of humanitarian aid, are intervened upon in order to render more effective/efficient the quality of such aid, and are populated by individuals whose desires, motivations and struggles are, at least in part, shaped by ANGOs’ humanitarian objectives and aspirations. Thus, using the term ANGO from this perspective allows capturing the *force* of humanitarianism to generate social change, for analytical purposes. On the other, the abstract nature of the term ANGO is ill-equipped to explain the multiple and changing manifestations of such term. While being an expression of humanitarianism, ANGOs origins, design and evolution, as much as their flexibly located and significant effects, simultaneously embody other types of forces. In order to capture both of these dimensions Ch. 5.2 will propose a relational definition of analytical categories such as ANGOs or “refugees”.

Third, following from this, the above study indicates that being able to define the ideological and material contours of ANGOs (the outer limits of what an ANGO is and isn’t, in discourse and practice), as much as key processes shaping their evolution, is a source of social power: it allows *access* to humanitarianism as a force that generates social change. The study of who –and to what extent- had access to such force, in a particular context, should thus provide interesting insights vis-à-vis effective locations of power, as it will be suggested in Ch. 5.3. As a corollary, fourth, the above study suggests a radically different approach to the study of neoliberalism,

globalisation and empire, one that starts from their concrete manifestations, in order to identify more abstract (and nested) relations of power.

## CHAPTER 5 - Producing the refugee

### 5.1 Expanding the context

Blurring the origins of Afghan refugee migration to Pakistan within wider historical geographies of movement and displacement, the previous pages' narrative has nevertheless focused its attention on post-1979 displacement because it is at that point that international responses to such displacement, for various reasons, began to unfold. Within that temporal boundary, i.e. accepting that particular year as the origins of Afghan *refugee* displacement, the definition of *who is a refugee in Pakistan* has been described as a contested site of political interaction, in the sense that its meaning, contents and effects are negotiated, implemented and resisted by a variety of social agents and across a variety of social domains. Legally such definition is founded upon overlapping principles of international order (Ch. 1.1) and is materially negotiated in its meanings and problematisations, at any-point-in- and over time, respectively. The material implications of such definitional process (*what to do about it*), furthermore, are also negotiated in territory, and in their individual effects. Forms and methodologies of protection and assistance, in fact, are not uniformly applied, nor do they operate in a vacuum: access to beneficiaries and, conversely, to protection, is not exclusively dependent on 'internal' refugee-regime relations, but is integrated in wider social interactions, in an interdependent fashion. Finally, what being a refugee effectively means is also negotiated at the level of identity. Since each individual, household and social group is simultaneously a (positioned) member of various types of social collectivity, his/her/their identity and rationalities for (individual or collective) action are framed across a variety of such relations.

Put differently, the question "who is a refugee?" is ambiguous since it conflates distinct analytical perspectives. It may be answered in reference to subjective beliefs or claims (he is/I am a refugee), prescriptively (who should be considered a refugee, universally or in specific contexts), on the basis of existing legal apparatuses (who has

been recognised as a refugee according to international, regional or domestic law), or of alternative conceptualisations of world order, migration and solidarity (e.g. according to religious beliefs, vis-à-vis tribal solidarity, as defined in the mission and discourse of non-state-based humanitarian organisations), etc. Each of these interpellations (cf. Ch. 1.3) is premised on different ontological orders and thus conceptualises the migrant as an individual belonging to different forms of collectivity and social organisation.

As developed in the Prologue, the answer provided to that question in the preceding chapters is a direct consequence of the problems faced at the beginning of my field research. The number of organisations and refugees, the length and changing nature of their settlement in Pakistan, the fluid context of Peshawar seen, from my research perspective, as a contact area for a variety of migrants (including myself), all contributed to a very difficult start. How can I treat in a unitary manner a multifaceted and shadow intervention, with such a long and varied history? How can I define Afghan Refugees? Do I “choose” a number of humanitarian Agencies and treat their beneficiaries as “a sample” or do I choose one group of Afghan refugees and verify what assistance they receive and who provides it to them?

Another way of describing the doubts behind these questions is by reference to what Harvey (1990) describes as the universalist-particularist dichotomy. Such dichotomy refers to the inadequacy of representations of reality that rely either on “imagined” (Anderson 1983) universal categories (such as the nation, refugees or NGOs) from which abstractions are deducted; or on very specific, fragmented and isolated “case studies”, from which abstractions are inducted. Is it possible to reconcile, within a unitary analytical framework, events and institutions that are “*becoming ever more homogeneous and universal across space*” (Harvey 1990: 267) and the “*unique qualities [of place] in an increasingly homogeneous but fragmented world*” (1990: 271) (cf. Prologue)? Can “the refugee” be studied capturing both its universal connotation *and* the peculiarities of a refugee household?

Exploring the above question in the context of Afghan migration to Pakistan, the previous pages provide a conceptualisation of refugee migration, protection and assistance that cuts across apparently irreconcilable ontological orders, and their simultaneous interpellations of ‘the refugee’. Is it possible to formalise such conceptualisation into a methodological framework? This is the task attempted in this

last concluding Chapter. The first step is to provide an understanding of the context in which refugee migration, protection and assistance take place, as developed in the remainder of this introductory section. Subsequently, it is necessary to find the most appropriate analytical categories to be employed in such context, and what use can be made of them; this task will be performed in the following two sections. Finally, it is necessary to raise questions about the applicability of such methodological approach to non refugee-related domains of social life, that is, to verify the generalisability of the framework I am sketching beyond a study of refugees.

The first step relates to the radically expanded context for the study of refugee migration, protection and assistance suggested by the previous analysis. Such “expansion” was defined along three dimensions. The first one is *geographical*: refugee migration, protection and assistance must be studied in a worldly context, as opposed to, for instance, making exclusive reference to country of asylum, or a particular refugee settlement. The interconnectedness between geographical locations established by ideological and material practices associated to borders’ demarcation and cross-border movement (studied in Ch. 2); by ideological and material practices associated to refugee status recognition, food distributions in RVs or repatriation (studied in Ch. 3); and between ideological and material practices associated to refugee assistance “best practices”, funding flows, or assistance coordination (studied in Ch. 4); all suggest the need for analysing social change in a context that cuts across spatially separated locations. On one side, it is not possible to explain, for example, food distributions in any RV in Pakistan without reference to donor’s funding decisions taken in Washington, or Gender Guidelines established by UNHCR headquarters in Geneva. On the other, it is not possible to explain the effects of such decisions and guidelines without an understanding of the heterogeneous refractions, negotiations and re-appropriations they undergo in the differently located sites where they are implemented.

Second, the preceding analysis suggests an expansion of the analytical context for the study of refugee migration, protection and assistance across different *social* domains. The three constitutive elements of the refugee regime (cf. Ch. 1.4) studied in the preceding three chapters - borders, refugee status determination and assistance, and ANGOs – suggests that an understanding of the origins, design and effects of such institutions cannot avoid consideration of a variety of domains of social life. Every

single section in the previous pages has pointed in that direction, along two dimensions.

In relation to the notion of “object of thought”, deployed by governmentality approaches (cf. Ch. 1.2), the inclusion of different social domains was deemed necessary to explain the multiple interpellations and heterogeneous rationalities that define such objects, and the variegated effects they produce. Chapter 2 looked at the establishment of the Durand Line and unfolded different structural and contingent forces, emanating from a variety of social domains, leading to its actual demarcation (Ch. 2.2), as well as its socially flexible significance, in territory and vis-à-vis different types of individuals (Ch. 2.3). Complementing Chapter 1’s considerations, Chapter 3 assessed heterogeneous rationalities defining Afghans in Pakistan *as* refugees (Ch. 3.1); it then studied two techniques of government projected over such object of thought: food distributions (Ch. 3.2) and the context of facilitated voluntary repatriation (Ch. 3.), contextualising them across different social domains. Legal, humanitarian, tribal, economic, geopolitical, patriarchal, etc., domains of social life, it was argued, must necessarily be considered simultaneously, in their *effective presence* (Ch. 3.4), if the changing meaning and subjective significance of the object of thought “Afghan refugees in Pakistan” is to be comprehended. Finally, Chapter 4 assessed ANGOs as a particular institution of the humanitarian assistance regime, an expression of its intergovernmental regimentation. Also in this case, the constitution of such object of thought, its generative effects, and its re-appropriations, were explained by reference to a variety of social domains establishing the (historically contextualised) relative strength of individuals and organisations negotiating the meanings, modalities and effects of the establishment of ANGOs.

It is for these reasons that studying refugee migration, protection and assistance in horizontal or vertical vacuums (in Pakistan *or* in Kacha Gari camp; at global, national *or* local level), or as an exclusive expression of humanitarianism,

[...does] not quite capture the horizontal and relational nature of contemporary economic, social and cultural processes that stream across spaces. Nor [does it] express their embeddedness in differently configured regimes of power. Ong 1999: 4

Similarly, in relation to the notion of “subject” deployed by governmentality approaches (cf. Ch. 1.2), the inclusion of different social domains was deemed

necessary to explain the heterogeneous rationalities of each subject of the regime. Donors' funding behaviour, the GoP's attitudes towards refugees, UNHCR's decisions regarding food distributions, service providers' implementation procedures, ANGOs' operations, etc., were all explained by reference to political, humanitarian, tribal, and other domains of social life, co-determining its heterogeneous manifestations. Focusing particularly on Afghan refugees, the constitutive subjects of the humanitarian assistance regime in Pakistan, their simultaneous belonging to different social domains was said to be the cause of refractions (Ch. 2.3), flexible responses (Ch. 3.3) and re-appropriations in the pursuit of self-defined agendas (Ch. 4.3).

This consideration suggests a third line of expansion in the analytical context for the study of refugee migration, protection and assistance, along *subjective* dimensions. As already suggested, not all refugees refract, can respond to or re-appropriate institutional opportunities opened up by borders, repatriation or the establishment of ANGOs in the same manner. The intersection between various domains identified is, in fact, not neutral, and its differentiated effects need to be accounted for. Similarly, other subjects of the regime, such as Donors, the GoP, or ANGOs, are not equally able to influence rationalities, design and effects of food distributions, repatriation, or general levels of assistance. The intersection between these domains, in other words, has consequences vis-à-vis power between and within subject categories of the regime (Ch. 3.4, and later Ch. 5.3). Each subject's relations with the humanitarian assistance regime and actions generated by such relations (e.g. refugees' attitudes towards repatriation or ANGOs directors' re-appropriations of the term "humanitarianism") are not homogeneous, and can be only be explained by taking into account the specific social domains to which each subject belongs to -i.e. by considering the perspective of those (he/she/they) who perform such actions.

As suggested in the Prologue, in fact, accepting Time as a "*constitutive dimension of social reality*" (Fabian 1983: 24, in Prologue) implies the recognition that each family, clan or inhabitant of a refugee camp, as much as each NGO, ANGO, UN Agency, or RV, may be studied following different explanatory *registers* (cf. also origins of Afghan refugee migration in Ch. 1.3 and genealogies of RVs in Ch. 3.1). Adopting this perspective seems to open up interesting analytical tools for explaining individual and organisational actions. On one side, the recognition of different

subjective experiences of the same Mundane Time (e.g. the context of facilitated voluntary repatriation) allows understanding *why* different subjects heterogeneously respond to the same logic; on the other, it allows a clearer identification of *which* specific logics shape subjects' refractions, responses and re-appropriations (see Ch. 2.3, 3.3 and 4.3, and below Ch. 5.3). Such perspective, in other words, seems to disclose "*new ways of considering how 'structure' and 'agency' are produced and interact*" (McFarlane 2006: 39). Before developing this point further, however, it is necessary to formalise both context and ontological categories to be employed by such analysis.

It is by reference to *Time* that the expansion of the context along the three dimensions of *space* (geographical, social, and subjective), depicted above, can be formalised. The noun '*coevalness*' is particularly useful in this respect because it captures the

need to steer between such closely related notions as *synchronous/ simultaneous* and *contemporary*. I take *synchronous* to refer to events occurring at the same physical time; *contemporary* asserts co-occurrence in what I called typological time. *Coeval*, according to my pocket Oxford dictionary, covers both ("of same age, duration, or epoch"). Beyond that, it is to connote a common, active "occupation", or sharing, of time. Fabian 1982:30

Thus, a *coeval* context for the study of transnational phenomena is defined by, and should be able to capture, the mutual interdependence between:

- first, different types of social processes influencing specific institutional outcomes that *simultaneously occur in the same place* (e.g. legal- tribal- scientific- humanitarian- domains simultaneously co-determining effective food distribution patterns in one or the other RV, and their refractions and re-appropriations);
- second, the '*meaningful simultaneity of spatially separated events*' (e.g. WFP donors' meetings in Rome, Operational Field Guidelines decided in Geneva, western media coverage, negotiations in Islamabad or Peshawar, tribal shuras in FATAs, academic research on best practices, Christmas charity season, Ramadan charity season, etc., each affecting food quantities and forms of delivery for each RV);
- third, their *contemporariness with other processes* (e.g. the Cold War or the War on Terror, changing intergovernmental attitudes towards asylum, GoP-tribes relations, development discourse best practices, etc.).

This is to say that the three lines of enquiry identified above cannot be studied separately: the 'global' and the 'local', the 'objective' and the 'subjective', or the 'humanitarian', the 'political' and the 'economic' should not be considered as *separate* spheres and dimensions of social life, however connected. Rather, they should be studied in their synchronicity, nestedness, and mutually reinforcing existence. Such approach '*militates against false conceptions of dialectics – left right, past present, primitive modern. Tradition and modernity are not opposed (except semiotically), nor are they in conflict [...] What are opposed, in conflict in fact, locked in antagonistic struggle, are not the same societies at different stages of development, but different societies facing each other at the same time*' (1983: 154). *Coevalness is recognising that all human societies and all major aspects of a human society are of the same age*' (1983: 159). '*But that is only the starting point*' (ibid. 30), however, for two reasons.

First, such considerations need to rest on a specified ontology, before they can be fruitfully used for analytical purposes<sup>161</sup>. How are these domains constituted? What are its subjects? More in general, what are the most appropriate analytical categories for the study of refugee migration, protection and assistance, in a coeval context? As discussed in Ch. 1, accepting the category "Afghan refugee" as defined by, say, the UNHCR or the GoP, confines their study to a particular understanding of "the refugee", delimiting its analysis to a particular social domain. This would be contradictory vis-à-vis the coeval context depicted above. This does not mean that the study of relations between '*form and content*' (see footnote) of the refugee institution (i.e. who is defined as an Afghan refugee from a particular perspective and what that implies) is void of analytical value. On the contrary, the previous pages moved at the intersection between these two dimensions. As it was argued, the '*representational and informative*' (ibid) value of the term "Afghan refugee" is crucial for defining 'it' as the *constitutive* element of the humanitarian assistance regime, as well as for explaining its variegated practices. The argument, rather, is that studying 'it' from an S<sub>2</sub> perspective, i.e. accepting UNHCR's, or the GoP's, or tribal criteria (or some

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<sup>161</sup> Fabian develops his argument in relation to language. This paragraph is a personal re-elaboration of Fabian 1982: 161-162, and words in italics in the text indicate that they are taken from there, though this will not be acknowledged in the text for ease of read.

subjective beliefs,  $S_1$ ) for the definition of who is a refugee, is a '*second order*' analysis because it '*presupposes, rather than account for*', the existence of a '*conscious organism*', 'the refugee' (ibid). In other words, and most importantly here, it does not satisfactorily answer the question '*who is a refugee?*' How does an ontologically agnostic narrative (see Prologue) translate into an academic conceptualisation of analytical categories?

At the same time, second, defining the analytical context through the above three statements can be pretty meaningless. The totality of social processes occurring in a particular location, and those occurring elsewhere, encompass pretty much everything that is happening in the world. How to select the most relevant aspects for explaining social change? How to define boundaries of (analytical) inclusion/exclusion?

The following two sections of this chapter will attempt to address these issues, by reference to a four-entry matrix.

## 5.2 Who is a refugee?

The key research question of this thesis -*Who is a refugee?*- is answered by way of a four-entry matrix, used as a device for the identification and re-presentation of all of the dimensions defining who is a refugee in a coeval context. The table is presented here below, almost in its entirety, and it will be developed in the following two sections.

**Table 5.1 - Who is a refugee?**

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1. The refugee problem exists	2. What to do about it?
3. I/we/they exist in my/our world	4. What should I/we/they do about it?

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The table, as a whole, attempts to illustrate the relation between different processes shaping who is a refugee. From an  $S_3$  perspective, the table points to the *production-based* nature of the term ‘the refugee’. Different (abstract) conceptualisations of the ‘refugee problem’ negotiate and interact around the form in which such ‘problem’ is postulated in specific locations (cell 1, in the table, and Ch. 3.1), as much as on the contextualised implications such ‘problem’ brings about (cell 2, and Ch. 3.2). These overlapping constructs (abstract and material at the same time, Ch. 2.2) produce refracted experiences (Ch. 2.3) and they are also negotiated both at the level of identity as claims by potential refugees (I am/we are refugees) or on their behalf (they are refugees) (cell 3). Cell 4 attempts to depict the concrete manifestation of these processes (Ch. 4). This understanding is decomposed over the next paragraphs; for clarity purposes, it will start by assessing the table from an  $S_2$  perspective and it will be progressively adding layers of complexity.

Cell 1 is built on the basis of Chapter's 1 contents. In other words, it *pre-supposes* (as much as the question "who is a refugee?") the existence of a *conscious organism*: "the refugee" (see Fabian in footnote above). This is not to say that people displaced by war or state persecution do not exist. The assumption is that these people can be defined *as* refugees –i.e. by reference to a specific body of knowledge, laws, practices, etc., which define and function on the basis of such institutional label. In the initial chapter, and following the work of Agamben and Soguk (cf. Ch. 1.1 and 1.2), 'the refugee' was deemed to be an object of thought that has always been posited in state-based terms. The legal definition of 'the refugee' assumes the existence of a territorially bounded national community. It pre-supposes and at the same time projects the citizen as the subject of political life and the modern state as the agent of law-making, force, and rationalisation of social life; it projects, in other words, the state as the agent that provides protection to its citizens. The refugee, from this perspective, is the representation of what is left out of a state-based type of social order: *it* is somebody that does not fit in the aspired unity between territory, state and nation, and is 'in excess' of such configuration.

From this (S<sub>2</sub>) perspective, 'the refugee' has always been conceived as a *problem*: the problem of providing protection, the problem of social order in situations of mass displacement, the problem of providing assistance to displaced populations, the problem of finding durable solutions for refugee populations, etc. In fact, it is such problematisation of "*refugee dynamics and occurrences*", trans-forming a "*mere name into a practical field of activity*" (Soguk 1999: 50), that has been the key focus of concern in the previous pages. The first cell represents such (assumption and) problematisation.

#### # The refugee problem exists

At this level of analysis, the statement 'the refugee problem exist' can be associated, for example, to the 1951 UN Convention of Refugees and the 1967 Protocol: it provides a universal definition of who is to be considered a refugee, it defines a social order where the refugee does not fit, and consequently makes the institutional category of the refugee a problem. It is a problem because it is created by an

“exception”, the anomaly of a citizen whose state does not want to protect as it is *supposed* to do; it is a problem because something needs to be done about them, it is a problem because it alters the (assumed) socio- economic order of the place they arrive to, etc.

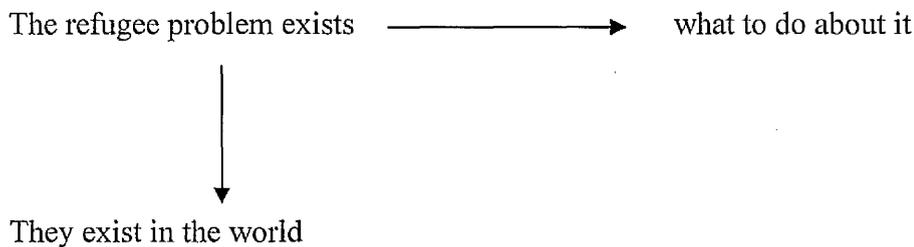
Defining the refugee in this manner is *abstract* if set in relation to those who are encompassed by it, to its changing meaning over time, and in different places at any point in time. Yet it is *material* because such definition was produced by material concerns vis-à-vis displaced populations, as unfolded over time, and because it produces material effects (cf. Borders in Ch. 2). In other words, *if* the refugee problem exists, then the problem is what to do about it.

# The refugee problem exists  $\longrightarrow$  what to do about it

This relation can be assessed at different levels of abstraction. At its most generic, once again, this relation can be associated to the prescriptions contained in the 1951 UN Convention of Refugees, vis-à-vis, for example, the statutory role of UNHCR on behalf of refugees, responsibilities of signatory states, rights and obligations of refugees themselves. It could also be, less generically, associated to UNHCR guidelines for field operations’ planning (cf. UNHCR 1999), or on gender in situations of refugee movement (cf. UNHCR 2002). These are documents that prescribe standard and formalised codes of conduct, best practices, duties and rewards, etc., on the pre-supposition of the existence of “the refugee”, in abstract form (either in absolute terms, as in the case of the “universal” definition provided by 1951 UN Convention, or in more specific ways, through sub-categories such as “refugee women”).

This logic acquires a more concrete shape when specific refugee populations are identified. In other words, while the 1951 UN Convention provides a universal definition of refugee, the key moment separating the condition of *being* a refugee and that of *becoming* one is not the same for all (potential) refugees. This is for various reasons. As developed in Ch. 1.1, in fact, asylum seekers’ status *recognition* seems to be dependent on a series of other conditions, transcending the refugee claim itself.

These cannot be assumed a priori, but rest on the (ex post) identification of a specific group of persons.



When the refugee problem is postulated (from an  $S_2$  perspective) in relation to specific populations –to *them*, exactly- both cells 1 and 2 change in three different ways (in very simple terms, depending on the questions: who, where and when).

In relation to specific populations considered (who), first, the process of recognition is different. There are specific UNHCR internal guidelines for the recognition of asylum seekers from different countries of origin; some populations, are recognised on a prima facie basis by the host country; others, are recognised under UNHCR's mandate; others still need to undergo asylum interviews either with UNHCR officials or with host government officials (cf. Ch. 1.1). More directly related to the previous pages, the process of recognition of Afghan refugees is different from the recognition of for example, Iraqi refugees (cf. meanings of refugee in Pakistan, in Ch. 3.1): not only the process of recognition changes, as above, but also the type of protection and assistance arrangements (e.g. identification cards or food distributions) is different; preferred durable solutions are different, etc. In other words, the specific “refugee problem” (cell 1) acquires a different connotation if one group *or* the other of refugees/asylum seekers is considered: the fact that “Afghans exist in the world” and that, for example, “Iraqis exist in the world” (see diagram above) poses different problems, precisely because of the specificity of each population group (e.g. the nature of persecution in the country of origin, their numbers, their socio-demographic profile, their previous livelihood, etc.). As a consequence, cell 2 changes, because the type of solutions to each “refugee problem” would be different.

In relation to country of asylum (where), second, cells 1 and 2 change because even considering only one displaced population –e.g. Afghans- their becoming refugee is

differently configured in each country of asylum. The fact that Pakistan is not a signatory of the UN Convention, that Iran did not seek UNHCR's help, that the Tajikistan Border Guard stopped the Marechakis at the border, are all examples provided in Ch. 2.3 in this respect. The "refugee problem" caused by "Afghans that exist in Pakistan" or by "Afghans that exist in Iran" (cf. diagram above) is thus different, even as seen from the perspective of UNHCR<sup>162</sup>. Furthermore, Ch. 3 demonstrated how cells 1 and 2 change even in relation to the specific location, within each country, where protection and assistance are delivered. Thus the "problem" of "Afghans existing in Karachi, Islamabad or in FATAs" is different both as a consequence of the type of institutional arrangements in each location<sup>163</sup>, and as a consequence of the specific type of Afghan existing there (e.g. male labourers, single-headed families in RVs, Bachelors refugee camps, etc., see Ch. 3). Both in relation to the country of asylum's refugee protection and assistance arrangements, and in relation to specific location where refugees reside, the problematisation deployed (cell 1) and the type of solutions that are sought out (cell 2) necessarily change.

In relation to the historical moment considered (when), finally, cells 1 and 2 change because of the different significance *they* have in it. These changes, in fact, can be assessed even without specifying a refugee population. The meaning and interpretation of the "refugee problem", as much as the way in which UNHCR defines optimal field operations planning procedures or best practices vis-à-vis gender, for example, has changed and is, in fact, in constant evolution, on the basis of "lessons learned" exercises, consultancies, debates within the humanitarian community, academic theorisations, etc. This holds true, perhaps even more forcefully, if a specific population of refugees is considered. The previous chapters have demonstrated this relation, by discussing status recognition of Afghans in Pakistan, food distributions in RVs, and the need for Afghanisation: the changing significance of refugees during the Cold War or the War on Terror, the switch from ration maliks to household distributions of food rations in RVs, and the "urgent" need for self-reliance and Afghanisation, all suggest that both the "refugee problem" and "solutions

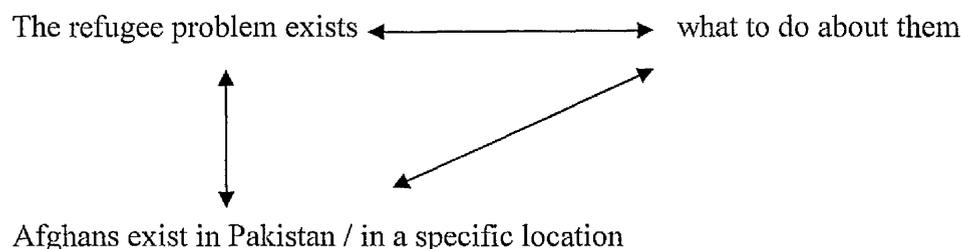
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<sup>162</sup> Clearly, these are a first indication of the analysis to be developed later in the text: they are all examples pointing to the usefulness of an  $S_3$  analytical perspective.

<sup>163</sup> See note above, and later in the text.

to it”, are not static, and must be studied in relation to the historical context framing them.

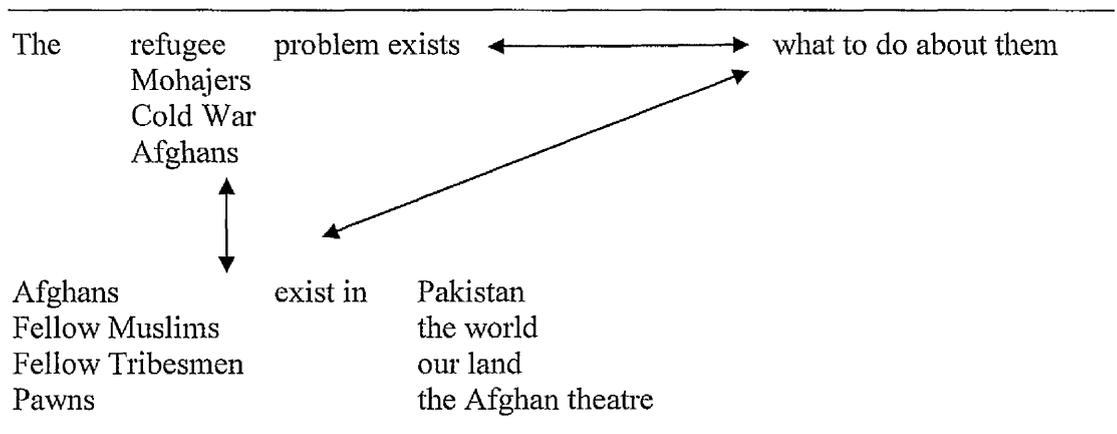
On the basis of the above three paragraphs it is possible to redraw the last diagram.



This diagram enriches cell 3 by specifying a particular population group and a particular location. As developed above, in fact, considering *them* (or sub-groups of *them*), affects both the way in which the refugee problem is defined and “necessary” solution to solve it. Furthermore, problematisations, solutions and populations intervened upon, all enter into dynamic relations -as demonstrated in the previous pages, for instance through the examples of repatriated refugee “cheaters” and iris scanning, or in relation to the increase in numbers of ANGOs and coordination policies. For this reasons the above diagram has two-way arrows.

The inclusion of *them* complicates the diagram’s relations in two other very important ways. First, the statement “Afghans exist in Pakistan” could also be inserted in similar diagrams that problematise their existence in different ways. In other words, specifying a group of people opens up the analytical framework because *that* particular group of displaced people in Pakistan is subject to multiple interpellations. Second, because the problem of Afghans existing in Pakistan can also be assessed from a subjective perspective, i.e. from the perspective of those who actually exist in Pakistan, and their own problematisations. These two lines of thought are developed next. [Note how these two lines of enquiry correspond to the inclusion of *social domains* and *subjectivity* in the analysis of who is a refugee, while the preceding analysis tried to establish connections between different *geographical* locations (say UNHCR Geneva’s gender guidelines and Karachi refugee camps). The objective of Table 5.1, as mentioned above, is precisely to define the most appropriate analytical categories to be deployed in a *coeval* context of analysis]

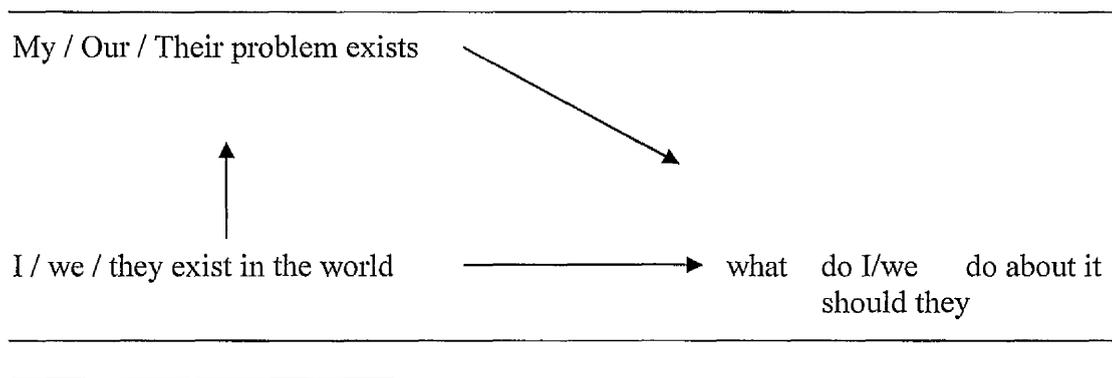
Table 1.1 (in Chapter 1.3) identified multiple and overlapping interpellations of Afghans in Pakistan. The point made there was that the significance of the same act of migration is different if the latter is inserted in different “genealogies” and “analytical scales”. Different “logics”, as they were defined there, conceptualise the object of thought “Afghans in Pakistan” in different ways; each embodies/represents/reifies a particular notion of social formations and world order, the expression of different social domains. Here, the point is that the insertion of a specific population into the above diagram opens up different ways of conceptualising the “refugee problem” (cell 1). Thus the problem of Afghans in Pakistan, as seen from the perspective of the GoP, is different from that of UNHCR, because it is framed around a different body of laws, because it responds/has to come to terms with the problem as seen from the perspective of its key constituencies, because it is inserted in foreign policy imperatives, because it affects state-society relations, etc. Similarly, the problem of “Afghans in Pakistan”, as seen from the perspective of tribal or religious leaders is framed on notions of hospitality and on religious injunctions (or both), and is different from the problem as seen from the perspective of Cold Warriors, who may frame the existence of Afghans in Pakistan from the perspective of anti-Soviet struggle; etc. (see Table 1.1, in Ch. 1.3).



In other words, the diagram above can be seen from very different S<sub>2</sub> perspectives. Each of them would conceptualise Afghans in Pakistan in a different fashion (as

mohajers, as fellow tribesmen, as pawns, etc.<sup>164</sup>), and therefore heterogeneously conceptualise the type of “problem” identified in cell 1. Furthermore, each would define different solutions to that problem: each S<sub>2</sub> perspective, in fact, adheres to particular principles and logics (“humanitarianism”, “Pushtunwali”, “sovereignty”, etc.). In other words, from an S<sub>2</sub> perspective, the relation between problem, solution and field of activity, re-presents the (internal) *logic* of governmentality regimes to define an object of thought, prescribe codes of conduct, and normalise relations between subjects ordering their roles and responsibilities (see Ch. 1.2). It was referred to as “institutional agency”, in Ch. 1.4 (see also below).

The second way in which these relations change when made in specific reference to a group of people, is by considering “the problem” from the perspective of *them*. The object of thought “Afghan refugees in Pakistan”, in fact, is not homogeneous. On the contrary, each individual populating the subject-group “Afghan refugee in Pakistan” *refracts* the meaning and significance of being such object of thought (cf. Ch. 2.3). Furthermore, and for this reason, each of them, individually or in their self-defined group, is able to *respond* differently to such refractions (cf. Ch. 3.3), and in some cases to actually shape them (cf. Ch. 4.3). In other words, the subjective perception of *being* and/or having *become* a refugee, (cell 3 below), defines both subjective problematisations (cell 1 below) and different courses of action (cell 4 below). It is possible, through this addition to redraw the above diagram from a “bottom up” perspective.



<sup>164</sup> Cf. Table 1.1 and following notes, where possibilities of expansions were envisioned in relation to different administrative bodies of the GoP, different Foreign Ministries of anti-Soviet countries, different types of NGOs on the basis of their mandate, etc.

Several examples from the previous pages can be applied to / are behind this diagram. For example, in relation to refugee attitudes towards repatriation, the following statements could be formulated (cf. Ch. 3.3): my/our problem is one of lack of job opportunities in Afghanistan; therefore I/we should not take advantage of the repatriation grant. Or alternatively: my problem is one of lack of job opportunities; therefore I should take advantage of the repatriation grant, but then return to Pakistan and “cheat”. Or, in fact, from the perspective of a UNHCR officer: my problem is that there are many cheaters; therefore I should propose to Geneva the introduction of iris scanning procedures. Similarly, from the perspective of some ANGOs’ directors, the relation could be formulated in the following manner (cf. Ch. 4.2): a person of *my* status exists in the world; therefore I should not ask for assistance to UNHCR, and take advantage of the opportunities opened up by Afghanisation drive (to people like me). More formally, these examples suggest three important points.

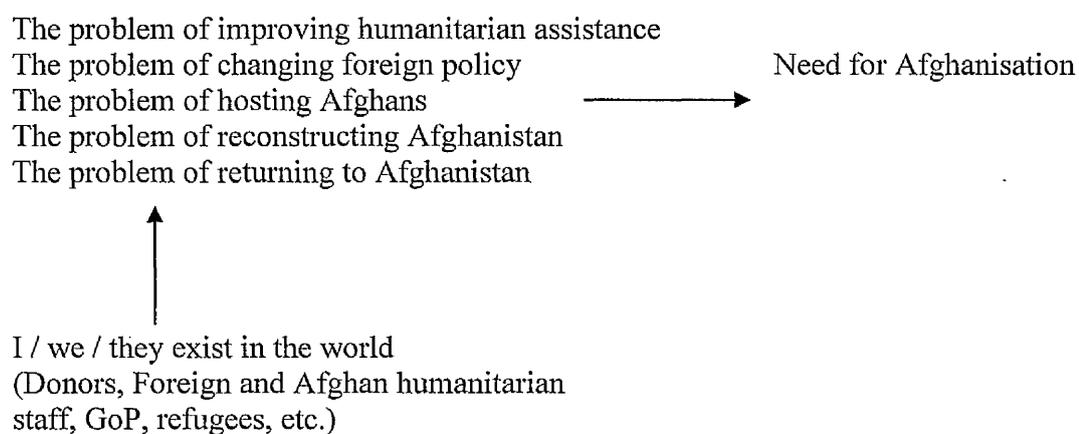
First, the inclusion of *them* in the diagram forcefully breaks away from the (relative) homogeneity of the previous analysis, by inverting the analytical perspective from which to study “problems” and their “solutions”. The problems of “Afghanistan”, of “Afghan refugees in Pakistan” and of “Afghanisation”, as seen from the eyes of an “Afghan”, an “Afghan refugee in Pakistan” or an “urban Afghan formerly working for the Government”, are quite different, as previous chapters have suggested; and they stimulate different solutions. As suggested in Ch. 1.2, in fact, within each subject-group, each subject is differently positioned. Not all refugees equally benefit from protection and assistance, not always UNHCR can provide international protection, not all states abide to such rules of conduct, not all NGOs implement guidelines in the same manner. In other words, subjects of each regime do not follow the rules of the game established by the regime *in toto*. On one side, each (embodied) subject heterogeneously experiences opportunities/constraints offered by *being* “an Afghan refugee in Pakistan” (weather he/she/they have *become* one, and if so of which type, cf. Ch. 3.2). On the other, each of them differently respond to them: using the example above, the same (subjective) rationality (e.g. lack of livelihood means), in relation to the same institutional incentive (repatriation grant), produces different responses (no repatriation, or “cheating”). Such understanding of subjects, as agents of their own destiny, was referred to, in Chapter 1.4, as human agency (see also below).

From this perspective, second, the inclusion of *them* in the diagram alters the content of both problematisation and solution from yet another perspective. As suggested above, in fact, problematisations, solutions and populations intervened upon, all enter into dynamic relations. This is the case, even more so, when populations are not taken for granted, as a homogeneous object of intervention (or as pre-supposed “*conscious organism*”, in Fabian’s terminology), but studied in their heterogeneous composition. In other words, the “top down” and “bottom up” understanding of problems and solutions presented in the previous diagrams (i.e. the act of problematising, the definition of solutions, their instantiation in territory and upon a group of persons, as much as the responses and re-appropriations that such instantiation generates), are clearly not unrelated.

The example of “cheaters” (above), in its simplicity, can open up this point: the decision to provide a repatriation grant, as an incentive to repatriation, was re-appropriated by some to “cheat”, which in turn, provoked the reaction of UNHCR officers to require iris scanning at repatriation points. The example of repatriation (cf. Ch. 3.3) provides a more complex understanding of these relations. The institutional environment facilitating voluntary repatriation, in itself the product of overlapping “problematisations”, was *one* contributing factor to refugees’ attitudes towards repatriation; i.e. *one* (subjectively experienced) “incentive” co-determining refugees’ effective patterns of repatriation. Refugees’ flexible responses, in other words, seemed to draw on a variety of rationalities stemming from the multiple domains they simultaneously inhabit (as refugees, as refugee women, as Afghan Uzbeks, as workers, as carpet traders, as residents of Rehman Camp in Baluchistan or as residents of urban Peshawar, etc.), as much as on the basis of advice and “incentives” provided by different types of authority (UNHCR, tribal elders, religious leaders, GoP, police, etc.). See chapter 3.3.

It was the example of ANGOs, however, that provided the most useful insights as to how Table 5.1 (beginning of this section, above) can be used for the definition of analytical categories. In Chapter 4, in fact, both the production of the object of thought “ANGOs” and its reproduction were explained through a series of interactions between individuals and organisations possessing different forms of institutional and human agency. Ch. 4.2 assessed the trans-formation of a series of heterogeneous rationalities into a specific problematisation: the *need* for

Afghanisation of relief efforts. Such need responded to several *intersecting forces* (cf. Ch. 3 on forces intersecting at the institutional site of food distributions): pressure from domestic constituencies, as well as a realignment of foreign policy objectives, in the case of donors like the US; perceived social and economic costs of hosting millions of Afghans on its national territory, from the perspective of the GoP; the shift in focus from refugee relief to the reconstruction of Afghanistan, from the perspective of several UN Agencies and donors (which in turn was determined by the changed geopolitical context, by changing patterns of conflict in Afghanistan, by the change of government in Kabul, etc.); perceived imbalances in the distribution of responsibilities between foreign and Afghan humanitarian staff; the perception that Afghans can provide better assistance because of their commitment, knowledge and expertise; etc.



Furthermore, the establishment of such need brought about the *problem* of how best to fulfil it. The trans-formation of a political rationality (Afghanisation) into a specific technology of government (ANGOs) was explained by reference to discursive understandings of the role of NGOs within development and humanitarian assistance (in turn defined by consultants, academics and practitioners), to a favourable

institutional environment, facilitating the establishment of ANGOs, to peculiar motivations of the particular kind of migrants arriving in Pakistan at the time, etc.

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The problem of Afghanisation exists

Facilitate ANGOs

I / we / they exist in the world

We (Donors) should encourage ANGOs  
We (UNOCA) should facilitate registration  
I (GoP) should allow ANGOs operations  
I should open an ANGO  
I should take up a consultancy to investigate how best to solve the problem of Afghanisation

---

Finally, as developed in Ch. 4.3, the re-production of ANGOs can be explained by assessing the *generative* effects that the constitution of such object of thought produces, in turn; i.e. by considering it as a dynamic social process. On one side, the establishment of ANGOs radically transformed patterns of assistance provision, with ANGOs becoming a prominent actor in this respect. The massive increase in number of ANGOs and the fragmentation of aid was problematised as an issue of coordination, which in turn led to the establishment of Coordinating Bodies and institutional coordination mechanisms. Similarly, the lack of familiarity of ANGOs' directors and staff with Western management systems became a problem of professionalisation, which in turn led to capacity building workshops, and tighter donors' funding requirements. In other words, different sub-problematisations were *generated* by the existence of ANGOs, and thus various diagrams such as the one above could be compiled, by changing cell 1 into, for example, "the problem of coordination exist", "the problem of professionalisation exist", etc.

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The problem of coordination exist

coordinate ANGOs

I / we / they exist in the world

We (Donors) encourage coordination  
We (UNOCA) assert our coordination  
Mandate  
I (ANGO director) should affiliate my  
ANGO to a Coordinating Body  
We (MSF) should resist coordination  
I should take up a consultancy to  
investigate how best to solve the problem  
of coordination

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On the other side, Ch. 4.3 also illustrated how the existence of a facilitating environment for the constitution of ANGOs was re-appropriated for the pursuit of other agendas and sub-projects. The use of ANGOs as a conduit for embezzlement, for the strengthening of personal power, for covert foreign policy objectives, for genuinely contributing to the betterment of Afghan lives, etc., can also be captured using the same diagram.

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My / our / their problem exist

opportunities provided by ANGOs as an  
object of thought

I / we / they exist in the world

I should open an ANGO and help Afghans  
I should open an ANGO and embezzle  
We (ISI/CIA) should infiltrate ANGOs  
I should open an ANGO to reinforce my  
power within the shura  
I should write a PhD chapter on ANGOs

---

Several points are worth underlying; they all refer to power relations and will be better developed in the next section. First, it is interesting to note how the last two diagrams *assume* the existence of the object of thought ANGO, very much like Table 5.1 (at the beginning of this section) assumed the existence of the institutional

category “the refugee”. In fact, the assumption of ANGOs existence *relies* on the assumption of refugees’ existence, which in turn relies on the assumption that Afghans exist (cf. Chs. 4, 3 and 2 respectively). Once again, these assumptions do not refer to the actual existence of Afghanistan’s borders, of displaced populations or organisations devoted to the provision of assistance to Afghans and Afghanistan. Rather, the point is made in reference to the notion of *nestedness*, used in the previous pages. It is only by constituting Afghan refugees as an object of thought that the problem of Afghanisation (as seen from the S<sub>2</sub> perspective of, say, UNOCA) can arise, and in turn that of coordination. A hierarchical order of (S<sub>2</sub>) problematisations, defining the contours of various second- and third-order problematisations, can be traced through the above Table.

Simultaneously, second, through the above Table is possible to trace the relative strength of different governance regimes in asserting their view of the world in relation to both rationalities and subjects. If on one side, each S<sub>2</sub> logic defines domains and subjects in a uniform way, on the other, no S<sub>2</sub> perspective is absolute or unique (cf. Ch. 2). Assessed in their manifestations, in fact, the definition of objects of thought, their problems and solutions, are always negotiated with other logics, simultaneously interpellating a similar, partly overlapping object of thought (cf. Ch. 3). In fact, both the production and re-production of such objects, is the result of a process of dynamic and contingent contact, response and re-appropriation (cf. Ch. 4, and above). In other words, if examined through an S<sub>3</sub> prism, i.e. considering the simultaneous existence of different ontological orders overlapping in territory and in their interpellations, the table can offer insights vis-à-vis hierarchies between such orders. Thus, assessing particular manifestations of the regime (e.g. the Afghanisation drive, to use diagrams above) it is possible to trace the power of one rationality (e.g. Afghanisation through ANGOs), over others, in asserting its influence, more than others, in the definition of problems, solutions, and subjects’ conduct.

Finally, in relation to the latter, the above table can also be used for assessing the relative strength of certain individuals and/or social groups, over others, in asserting their influence vis-à-vis the definition of “problems” and “solutions”, as well as in the capacity to respond to those defined by others. Not all Afghan refugees in Pakistan, in fact, were able to take advantage of the opportunities offered by the Afghanisation drive; not all ANGOs’ directors embezzled money; not all NGOs accepted

coordination mechanisms; not all PhD students accepted consultancies; are all examples provided in the above diagrams. More in general, the above table is able to capture social hierarchies defining institutional refractions (cf. Ch. 2), opening up/constraining the range of possible responses to such refractions (cf. Ch. 3), and in their interplay "*through and across*" different sets of institutions (cf. Ch. 4).

These three points are revisited in the next section, in the relation to the refugee.

### 5.3 The production of “the refugee”

Table 5.1 is re-presented below. As mentioned above, the main objective of the table is to answer the question “who is a refugee?”. It attempts to provide an understanding of “the refugee” as a dynamic social process, and to illustrate the relation between different processes shaping who is one, in its embodied manifestation and material effects. These processes were reviewed in the previous section, in light of different examples developed in the preceding chapters. The main objective there was to demonstrate the relational and multiperspectival nature of processes captured by the table. Here, the main concern is to tease out the *production-based* nature of the term “the refugee”. “*Production is the pivotal concept*” (Fabian 1983: 161), behind the notion of coevalness. How is the refugee produced? Who produces it? How to capture power relations through the table?

**Table 5.1 - Who is a refugee?**

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1. The refugee problem exists	2. What to do about it?
3. I/we/they exist in my/our world	4. What do I/we (they should) do about it?

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Two forms of power, and two (dynamic) configurations of it, can be identified through the Table. The first form of power was referred to as *institutional agency*. This is the *force* behind the definition of particular objects of thought, and their transformation into fields of activity, at its most *abstract* level. Such force identifies problems, produces solutions and interpellates subjects to both identify and carry them over, respectively. Examples from the previous pages serve to illustrate the point. The pre-defined need to receive 2500 Kcal a day (cell 1) and the duty to provide it (cell 2) to a particular group of persons (Cell 3) produces (some of) the content of Cell 4, by making or hampering certain individuals provide food

provisions, and others receive them. The need for Afghanisation (cell 1) produces a facilitating environment for the growth of ANGOs (cell 2), and in turn interpellates (some) subjects to open them, to fund them, to coordinate them, etc. Such force is behind the impressive growth of ANGOs (cell 4). Put it differently, institutional agency refers to the capacity to shape a particular problematisation, its (optimal) solutions and the (ideal) conduct of its subjects - the contents of cells 1, 2 and 3. Contents of cell 4 are not so straightforwardly affected, however.

The first mitigating factor, contributing the contents of cell 4, can be captured by recognising the existence of other forces possessing similar, and partially overlapping, ordering systems. Such analytical recognition implies taking into consideration that each of them, simultaneously, attempts to assert its own force in the definition of particular problematisations, solutions and conducts. Drawing on some of the examples above: the force behind the *universal* need to provide 2500 Kcal a day to those eating less than that, is mitigated by UNHCR's and WFP's mandates, by funding decisions, by GoP's sovereign decisions, by tribal forms of authority, by "cultural" codes of conduct vis-à-vis the separation of roles across gender, by guidelines on gender best practices in situation of emergency, by contingencies and pipelines losses, etc. (cf. Ch. 3.2). Or alternatively: forces behind the definition of repatriation as preferred solution for the Afghan refugee caseload, itself a negotiated process, did manage to shape an enabling institutional environment conducive to repatriation, but refugees' conduct was also co-determined by their concerns vis-à-vis job opportunities, business prospects, lack of security, land titles, etc. (cf. Ch. 3.3). Similarly: the definition of ANGOs as the preferred means to achieve the institutional goal of Afghanisation, did lead to the establishment of various ANGOs, but in turn it generated a series of other problems, as well as unexpected consequences (cf. Ch. 4.3), which mitigated the logic behind it. These forces, thus, compete and collude with each other (cf. Ferguson and Gupta 2005, Ch. 1.2) in the definition of problems and solutions, and in the determination of subjects' conduct, negotiating their influence with each other.

Put it differently: institutional agency refers to the (internal) logic shaping the contents of cells 1, 2 and 3, which has the *power* to shape the contents of cell 4 (i.e. what actually happens in a particular situation; i.e. concrete, embodied social change). Such power is mitigated by the existence of other similar, and partly overlapping,

forces which: negotiate the contours of a particular problematisation (cell 1); negotiate the implications of such problematisation (cell 2); interpellate *as* particular kind of subjects individuals, organisations and social groups (cell 3).

Thus, directly or in their hierarchical nestedness (see above), forces embodied by UNHCR, the GoP, tribal leaders, the Cold War, etc., actually shaped who was to be considered an Afghan refugee in Pakistan, and under which institutional framework (Ch. 1.3 and 2.1), i.e. they shaped the contents of cell 1, the specific *rationality of government* under consideration.

The same forces actually shaped over time what was to be done about *them* (relation between cell 1 and 2), such as settlement in RVs, relief provisions, Multiple R strategy, self-reliance, repatriation, etc. (i.e. the contents of cell 2, at caseload level, and/or in different localities), on the basis of such negotiated problematisation. These forces are thus able to shape the contents of cell 4, through the material implementation of such *technologies of government*.

Finally, by *interpellating subjects* through overlapping institutional frameworks (relation cell 1 and 3), and through the implementation of policies (relation cell 2 and 3), these forces “*discipline and regulate all kinds of population whether in movement or in residence*” (Ong 1999: 15). They provide incentives, “ideal-type” codes of conduct, they order relations between subjects, etc. They thus influence (at least partly, see below) the contents of cell 4 by providing rationalities of conduct to individuals, organisations and social groups.

If each of these forces can be studied from its own S<sub>2</sub> perspective, it is only by considering the (dynamic and contingent) *configuration of power* across these forces (each possessing its own internal logic, and attempting to assert its influence over others) that the contents of cell 4 can be captured. Only by adopting an S<sub>3</sub> analytical perspective, in other words, the generative power emanating from the interplay of these forces can be identified, and questions such as “who is an Afghan in Pakistan?”, “who is a refugee in Pakistan?”, “what does this imply?”, “why?”, can be (initially) answered.

The second form of power, and mitigating factor, identifiable through the Table, has earlier been dubbed as *human agency*. Human agency refers to the capacity of individuals to shape their own destiny. Using the example of repatriation: even if the

GoP, UNHCR, and NGOs, provide different incentives and motivations for repatriation, I/we decide not to repatriate. Or alternatively: even if UNOCA, ACBAR, UNHCR, a series of NGOs, academics and consultants agree that coordination is better, I (MSF) decide to resist coordination because I believe it contradicts my mandate to operate wherever I identify a need<sup>165</sup>. Such agency is clearly not absolute; it is itself mitigated by two different configurations of power.

The first one was defined above: the specific interplay between different forms of institutional agency open up / occlude the range of possible courses of action. For example, the fact that Pakistan is not a signatory of the 1951 UN Convention on Refugees precludes Afghan migrants from claiming a legally-recognised refugee status, even if they are recognised as refugees on humanitarian grounds by the GoP, and as refugees under the Mandate of UNHCR. Or alternatively: the decision to provide a repatriation grant to returnees (in itself the product of a particular configuration of power between varied forces) opens up the possibility of returning to Afghanistan with food supplies for the first three months (or the possibility of “cheating”). Without the *process of production* leading to the provision of the repatriation grant, these opportunities would not exist. Similarly, the particular administrative arrangements in FATAs, the result of historical processes of institutional *production* leading to such arrangements, preclude the “agency” of a UNHCR officer<sup>166</sup> to carry forward its protection concerns—at least in the way he/she sees fit. Finally: the process leading to the definition of Afghanisation as the ideal institutional goal of the humanitarian assistance regime, and to the creation of ANGOs as the preferred institutional strategy to achieve it opened up opportunities to recently-arrived Afghan migrants to establish their NGO; an opportunity which would not have been there just a few years earlier.

In other words, the (dynamic and contingent) configuration of power between different forces, described above, defines the contours of what is possible, or

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<sup>165</sup> Clearly, individual and organisational subjects should be conceived differently. MSF’s decisions (or UNHCR’s, GoP’s, etc.) are not randomly whimsical, but themselves the result of negotiations, discussions, consultancies, etc. In fact, various sub-diagrams, following the same patterns as the one depicted above, could be drawn in order to exemplify these decision-making processes.

<sup>166</sup> Note how both human agency and institutional agency are in a relation in the definition of subject as a “UNHCR officer”; see later in this section.

impracticable, in a particular context. Human agency is thus not absolute, from this perspective, but itself nested within wider forces. At the same time, however, these configurations of power do not deterministically shape human behaviour. As it has been demonstrated in the previous chapters, each individual refracts (Ch. 2.3), responds (Ch. 3.3) and re-appropriates (Ch. 4.3) the particular context in which they are inserted –as seen from their own perspective.

Thus, on one side, while *shaped by* such configuration of power (cells 1, 2 and 3), subjects themselves concur to concretely *shape* it. Using simplified examples for narrative ease: the repatriation grant generated the practice of “cheating”, which in turn shaped repatriation procedures by prompting the introduction of iris scanning procedures; the context of “facilitated voluntary repatriation” shaped refugees’ attitudes, which being framed from their own perspective shaped, in turn, the repatriation context itself, by prompting surveys and assessments of their problems, by prompting advocacy groups such as SHARP to put pressure on the GoP, by mobilising international solidarity, etc.; the need for Afghanisation shaped the motivations of several Afghan migrants to open an ANGO, which in turn caused problems of coordination and thus shaped the Afghanisation drive itself; etc. This is to say that contingent and dynamic configurations of institutional power, and their material effects, cannot be explained on their own, because they are embodied in individuals, social groups and organisations. The latter *flexibly* (cf. Ong 1999) operate across them. Institutional agency is mitigated by, and mitigates, human agency (cf. the “bottom up” and “top down” re-presentations of the Afghanisation drive in the previous section).

On the other side, not all individuals, organisations or social groups are able to do so equally. I / we / they are not just random individuals, equally encompassed by such institutional configurations of power, or equally able to shape them. The second *configuration of power* that can be identified through the table refers to the balance of social power within a given society, which enhances / constraints the possibilities of particular individuals, organisations or social groups to take advantage / resist the particular configuration of power encompassing them. In fact, in the coeval understanding of context offered above, such society is to be considered in a worldly context.

Thus, on one side, through the above table is possible to trace the relative power of different Afghans in taking advantage of / resisting the opportunities/constraints opened up by the establishment of the Durand Line (cf. Ch. 2); or the relative power of Afghan refugees in Pakistan in determining their own decision vis-à-vis repatriation (cf. Ch. 3); or to take advantage of the opportunities offered by the Afghanisation drive. From a different perspective, it allows to capture the relative power of a UNHCR officer, a GoP officer, an Afghan refugee, a consultant, a leading member of a shura, etc., as they play out in the definition of the exact meaning of “facilitated voluntary repatriation”.

On the other, it also allows capturing the social power determined by class, citizenship status, gender, “traditional” forms of authority, etc., as they play out in the definition of *who is*, effectively, a UNHCR officer, a GoP officer, a consultant, a member of a shura, or a *refugee*. Family background, educational levels, asset ownership, chromatic status (see Ch. 2.1), gender, age, personality, etc., all in fact seem to decisively concur to the definition of who, exactly, has access to certain jobs, has the possibility of crossing borders, or resisting change imposed “from above”. Differently put, the table allows capturing how the balance of power within a given society allows selective access to the institutional configuration of power under consideration (in this case the humanitarian assistance regime).

The table, in sum, allows capturing the relative power of each embodied subject *within* each subject group, *between* subjects, *across* different configurations of power; it thus allows capturing how much each embodied subject is able to shape the *coeval context* in which he/she/they operate, as he/she/they are being shaped by it. Importantly, it does so without a priori pre-suppositions as to which configurations of power are determinant. This is perhaps the most interesting aspect of the table: its radical methodological implications.

The table suggests, in fact, the opposite of what most orthodox methodological frameworks propose: rather than starting from a pre-defined understanding of what causes social change (say, as a consequence of the market’s invisible hand, or as a consequence of class struggle) –i.e. an abstract model of power that needs to be verified in context- the table suggests starting from “evidence” (i.e. cell 4). The latter is not to be collected on the basis of quantitative or qualitative best practices orthodoxy, but rather from the perspective of those who *produce* change. It is through

the explanation of human action and institutional practices from the perspective of those who produce them (i.e. using an  $S_3$  perspective), that a more accurate explanation of that change can be provided; in turn, it is through such explanation that a better understanding of power, i.e. of the *productive forces* behind change, and how they are configured, can be attempted.

*Who is a refugee?* “The refugee” is an object of thought, and as such it is both abstract and material. It is abstract vis-à-vis its historically and geographically shifting boundaries of inclusion and exclusion; it is abstract, in other words, vis-à-vis the actual embodiment of such object of thought. At the same time it is material, because it is produced out of material concerns, through material negotiations, and because it produces material effects. Amongst the latter, the most important one is the constitution of the refugee regime (in its simultaneous universal and located configurations), which establishes a domain of social life, and orders relations between subjects comprised therein. These effects, in time and place, are not homogeneously experienced. Because subjects are multiply interpellated, and because different social domains simultaneously overlap in territory, the opportunities / constraints disclosed by their interplay produce refractions. In fact, each subject encompassed by these domains, on the basis of his/her/its relative power, is able to respond and re-appropriate both the abstract and material dimensions of “the refugee”, producing different answers to that question, in time and place.

Therefore, the question “who is a refugee?” needs to be superseded. Rather, by looking at who has been considered (or not) a refugee in a particular time and place, and what that implies, it is possible to identify who produces the refugee, and on which forms of power he/she/it draws upon in this process of production.

## 5.4 Future research

The study of refugee migration, protection and assistance, can be expanded to processes associated, more broadly, to Development, which also poses a number of interdependent methodological dilemmas. On one side, the neoliberal dominance over the current development discourse strongly defines the boundaries of the field it seeks to intervene upon. In particular, ideological assumptions associated, for example, a) to distinctions between state-market-society or between the domestic and the international, b) to ontological categories such as 'the poor' or 'civil society', or c) to narratives projecting temporal distance between countries and social classes facing each other at the same time, etc., are consistently backed up by immense material resources, and are thus able to entrench themselves in official discourses, most of their critiques, and collective imaginations. On the other side, key agents of neoliberalism (organisations, as well as individuals and social groups) are able to transcend such boundaries, exercising remarkable institutional and geographical mobility across the confines they themselves seek to define and intervene upon. In particular, key development agencies and/or donors (and the constituencies they represent), are *simultaneously* able to a) operate within 'global', 'state' and 'community' domains; b) claim their legitimacy drawing on democratic, Human Rights, economic or scientific discourses, that they themselves define; c) fund INGOs, NGOs and CBOs, as well as Think Tanks, Independent Commissions, Media or advocacy groups, which similarly operate across different institutional and geographical domains and, through their material practices, re-produce those regimes; etc.

How to capture the contradictions of neoliberal policy recommendations without reinforcing the ontological categories they propose? How to capture the power of neoliberal agents to cut across regimes and institutional spaces, without omitting a due consideration to material struggles and social conditions of places and social groups encompassed by each (and all) of these regimes? What are the most appropriate analytical categories for the study of development, under the condition of contemporary neoliberal capitalism?

Through the above research, I grasped with these issues in the context of the refugee regime. Who defines (produces) who is a refugee? Where and how is such notion defined, ideologically and materially? Who is able to operate across different institutional and geographical domains, contributing more than others in defining such notion? Once such notion is contingently defined, who is able to transgress, re-appropriate or take advantage of it? In an exploratory article (Novak 2007) I posit the same questions vis-à-vis poverty, democracy and service provision, as well as, more broadly, in relation to core principles of governance, such as accountability or participation. Perhaps the same framework can also be applied to the study of borders, empire and globalisation, as I am attempting to do.

In brief, the previous analysis attempts to solve such methodological issues, by considering the production and transgression of institutional boundaries as analytical units of enquiry. Such analysis explains the production and re-production of institutions and regimes as a relational and multiperspectival process of interaction, between individuals organised in social groups, which operates –primarily- across two interconnected levels.

One is the level of governmentality, whereby the *abstract* form and content of institutions is produced and re-produces particular forms of knowledge, expertise and practices. These regimes are defined by, and define, specific forms of power and authority by establishing jurisdictions and defining subjects. For example, the refugee regime defines particular territories as ‘refugee camps’, and particular individuals as ‘refugees’, and each notion projects specific normative contents; sovereignty projects normative contents over the ‘national territory’ and ‘citizens’; poverty defines categories of people as ‘poor’, often living in a ‘community’, and projects appropriate policies; etc.

The second level is concerned with the *material* process of production and re-production of such governance regimes, which is determined by the relative strength of different types of social groups negotiating their existence around the actual form and content of such institutions. In the above research I focus on Donors, UNHCR, the Government of Pakistan and NGOs, as well as Mujaheddin groups, tribal leaders, landlords, households, but in the context of democracy it is necessary to think about capitalist classes, the military, the church, landowners, etc., in the context of participatory poverty appraisals the analysis needs to be expanded to community

leaders, grass roots organisations, etc. Each of them possesses different forms of power and commands authority over different domains of social life, yet they all concur to the definition of the actual form and content of said institutions.

Bringing together these two (simultaneous and mutually reinforcing) processes into a unitary framework allows capturing subjective and structural lines of differentiation within society, and their interrelations, which restrict or enhance the power of particular social groups to assert their influence over development-related processes. On one side, studying the material configurations of regimes, in time and place, allows capturing the mobility of certain social groups to produce and cut across boundaries, both from the perspective of power (e.g. donors, as explained above) and resistance (e.g. landlords and capitalist classes, or social movements and citizens' initiatives, asserting their material influence over the formal institutional processes of democracy or participation). On the other, it explains human action from the perspective of those who perform it, without a priori hypothesis about their rationality (as in neoliberalism) or their social belonging (as in some strands of Marxism and postdevelopment studies). Furthermore, it allows explaining the historical origin and evolution of such regimes using the same analytical framework.

Such framework studies and explains Development as a dynamic process of ideological and material struggle, performed by individuals organised in social groups, endowed with heterogeneous forms of power and rationality, facing each other in the same world-historical moment.

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