AFGHANISTAN RESEARCH AND EVALUATION UNIT
Briefing Paper Series

AREU

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UNDERMINING REPRESENTATIVE GOVERNANCE
Afghanistan's 2010 Parliamentary Election and Its Alienating Impact

Contents

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Introduction

Fraught with intimidation, insecurity, fraud and uncertainty, Afghanistan's 2010 parliamentary election provided a contemporary snapshot of the country's political system. Moreover, the polls for the lower house *Wolesi Jirga* directly contributed to rising levels of instability, as opposed to providing a peaceful means of power-sharing. In addition to causing a crisis at the national level, the election emphasised existing conflicts at the local level, prompting new outbreaks of violence as the stakes for a share of political power were raised.

This paper analyses the 2010 election as it happened in three provinces (Kabul, Balkh and Paktya), providing insight into the preparations, process and results in these areas. It situates the election in its political and historical context, drawing on an extensive two-year study by the Afghanistan Research and Evaluation Unit (AREU) of Afghan perspectives on elections.

It focuses analysis around two central themes that were repeatedly raised by respondents during the research: strategic ambiguity and instability. During the election process, local political struggles became apparent in the mobilisation of voters, public debates, posturing and violence as groups competed for the valuable resource of connecting their patronage networks more closely with Kabul. Furthermore, the pervasiveness of both ambiguity and instability throughout the exercise has increased the gap between voters and the government, further alienating Afghan citizens from their supposed representatives.

For many respondents interviewed, ultimately this election was not as important for the results it generated as it was for the way in which it reinforced the instability and lack of transparency of Afghanistan's political system. For these people this has brought into question the value of holding elections at all in the current context. This paper concludes by looking at how the election has further undermined representative governance in Afghanistan more broadly and the implications of this.

1. Methodology

This paper is the last in a series on parliamentary dynamics, functions and elections in Afghanistan that have detailed the findings of research conducted throughout 2010. It also follows a number of in-depth AREU analyses of the presidential and provincial council elections in 2009. As such, it draws on recurring themes, such as the nature of local-level politics in Afghanistan, bloc voting, and the way elections have been used at the local level to serve the purposes of communities and influential individuals.

AREU decided to focus on the theme of "representative governance"—covering elections, political parties and parliament—as a way to understand more thoroughly how power is shared and decisions are made in local communities in Afghanistan, and how new processes such as the recent elections have affected or been affected by existing practices.[1] During the research it became increasingly clear that elections have been shaped by the local political realities in the communities in which they have taken place. Communities have adopted and moulded elections to fit more familiar political practices, for example in voting by consensus or in following the advice of respected elders in choosing candidates. In other cases, however, and increasingly in 2010, elections have also provided a catalyst for insecurity and violence, with key powerholders taking advantage of the lack of transparency in the process. In this way, the 2010 election in particular has contributed to a growing gap between the government and the wider population.

The research data includes over 350 qualitative interviews from three Afghan provinces: Kabul, Balkh and Paktya. As such, the analysis presented here does not represent all regions in the country—situations and circumstances described by respondents are highly localised. However, the three provinces were selected specifically for their ethnic, social, political and economic diversity and similar trends—such as the growing gap

Key Findings

Recent elections in Afghanistan have increased the distance that most respondents feel between themselves and their government. According to the research, this alienation has been manifesting in two key ways:

- *Elections are being used to legitimise or "rubber stamp" the control of the powerful*
- *Elections are compounding a distrust of institutions*

Another trend to note is that political struggles are again increasingly being described using ethnic terms.

To hold a round of elections in 2014-15 that will strengthen representative democracy, a concerted push from the both the Afghan government and international actors is imperative (pages 15-16).

between people and government—were notable, even if their direct causes were different. In each of these provinces, case study districts were selected to allow for a greater depth of analysis at the local level. These districts were also selected based on their accessibility for researchers and according to the amount of previous research conducted in these areas, with the intention of building on previously gathered data. Interviews were conducted with those directly involved in organising elections, candidates (both incumbent and new), civil servants, local elites, religious leaders, teachers, students and voters in general. Respondents were selected from both urban and rural areas of the case study districts. The research methodology required that a broadly representative sample of the ethnic composition of the case study provinces was selected. Across all provinces, approximately 40 percent of respondents were women.

One of the principal limitations of the study was insecurity, primarily in Paktya Province. This limited the areas in which research could be undertaken. The research team took great care in respecting the wishes of people approached for interviews and in understanding the potential risks to respondents taking part in the study.

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[1] Elections have occurred before in Afghanistan, most notably in 1965 and 1969, and so are not entirely "new," but they have never occurred on as broader scale as those implemented post-2001.

2. Contemporary Context and Election Background

Political context

The parliamentary election in 2010 followed a fraudulent presidential election in 2009, which cast considerable doubt over the competency and independence of Afghanistan's electoral institutions. The presidential polls further signified a paradigm shift in international attitudes toward assistance in Afghanistan, providing a stark and very public symbol of the struggling effort to rebuild the organs of state since the fall of the Taliban regime in 2001. Consequently, in the months before the 2010 election there was uncertainty as to whether international donors would support it financially. The United Nations Assistance Mission in Afghanistan (UNAMA) stated that it would not support the exercise if reforms were not made to and by the Independent Election Commission (IEC).

Although these demands were made, when the time came actual international pressure to enforce change was limited, and the parliamentary election went ahead with international backing despite few substantive changes having been made in the organisation and implementation of the polls. Although the IEC leadership had changed, 6,000 of its field staff had been fired, and organisational processes put in place that demonstrated an improvement in technical orchestration from 2009, the lack of attention paid to combating potential fraud and the consequent space available for political bargaining were as apparent as they had been the previous year, if not more so.[2] Patterns of fraudulent activity were more similar to the provincial council elections in 2009 than the presidential race because of the highly localised nature of the parliamentary contests. As such, fraud was equally difficult to trace and lacked the necessary severity and shock factor to sustain international attention.[3]

When compared to the parliamentary election in 2005, the 2010 poll brings into sharp relief the sociopolitical changes that have occurred in the country in the five-year interval. If election statistics are taken at face value, the voter turnout in 2010 was greatly reduced (6.4 million in 2005[4] and 4.3 million in 2010[5]), and there were far fewer polling stations open, as a result of insecurity (approximately 6,300 in 2005 and 5,900 in 2010, not all of which actually opened).[6] Of course, the election in 2005 was not without fault. However, in the rush of international actors to establish a "legitimate" legislature, little attention was paid by the electoral bodies to fraud that occurred at the time—or to the way in which, for many Afghans, the institution of parliament signified the international backing and consolidation of power of strongmen who are often considered criminals.

Candidates and their motivations in 2010

Despite the obvious security risks currently involved in being an MP, and the considerable cost of financing a campaign,[7] there were nevertheless 2,577 candidates in 2010—a similar number to 2005 (2,707).[8] These included local powerholders,

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[2] Several respondents, for example, thought that local brokers had learned much about committing fraud from the previous rounds of voting and would be able to take advantage of this in 2010.

[3] For more on this subject, see Noah Coburn and Anna Larson, "Parliamentarians and Local Politics: Elections and Instability II" (Kabul: AREU, 2010).

[4] Andrew Wilder, "A House divided? Analysing the 2005 Afghan Elections" (Kabul: AREU, 2005), 32.

[5] Figure from the IEC. There was confusion caused by discrepancies between different voter turnout figures released after the election. On polling day voter turnout was estimated at approximately 4.3 million. Later, on 24 November 2010, the IEC announced that 4.3 million valid votes had been cast and 1.3 million votes disqualified (thus indicating that 5.6 million votes had initially been recorded).

[6] Joint Electoral Management Body, "JEMB Final Report - Afghan Elections 2005" (Kabul: 2005); IEC (www.iec.org.af).

[7] Accounts of the costs of campaigns varied, though reports of US$200,000 and more were common, particularly in Kabul, and included a great deal spent on television, radio and print advertisements. Regardless of the actual figure, it far exceeds the salary of approximately $2,000 per month that MPs receive once in the Wolesi Jirga. AREU is currently conducting a study of the political economy of the Wolesi Jirga to better understand financial incentives within the current political system.

[8] Figures from Fabrizio Foschini, "2010 Elections 1: Facts and Figures," Afghanistan Analysts Network (AAN), http://www.aan-afghanistan.org/index.asp?id=1031, posted 13 September 2010.

tribal leaders, religious leaders, technocrats, businessmen, journalists and TV personalities. Incumbent candidates numbered 223, of whom 80 were re-elected.[9]

For all candidates there were considerable gains to be made from securing a position in parliament. These included the potential establishment of broad patronage networks as a result of access to services and influential contacts, the furthering of highly localised interests (for example, of a particular *qawm*,[10] tribe or ethnic group), and an increase in status in a given community. However, just by putting themselves forward candidates were often able to generate an increase in social status or recognition, for example through extensive poster campaigns. It is likely that a number of candidates did not aim to win a seat but instead were looking to bargain for material or service-oriented rewards, or simply, as some respondents put it, "to gain fame" in the community. One prominent incumbent interviewed by AREU, Turkmen MP Ruz Guldi from Balkh Province, was unconcerned with the loss of his seat (he had business interests to return to) but was anxious that his vote count be high in his home district, to publicly demonstrate his leadership position there.

Voting in 2010

In Kabul, especially among the younger generation, there was considerable enthusiasm for the process of elections despite an evident dissatisfaction with the electoral bodies. Most complaints about the election in the Kabul area ostensibly concerned technical problems, such as the running out of ballot papers before polling had ended. According to some, this was not merely a technical shortcoming but also a political ploy to prevent certain ethnic groups—especially the Hazara community—from voting. In more rural districts in Kabul Province, complaints tended to centre on the role of candidates and other local leaders in coercing voters on election day and manipulating the counting process through political connections in the IEC. Here, votes were not considered manipulated along ethnic lines

but were perceived as being divided among local commanders and elders with political connections to candidates and other national-level political figures in Kabul.

In Balkh Province, the principle complaint from respondents was of a top-down manipulation of the outcome by the provincial governor and his network of political supporters. As will be discussed further, the monopoly of power held by Governor Mohammad Atta in Balkh is reflected in the way that most of the 11 available seats in the province were won by candidates perceived to be close to him.

In Paktya, insecurity on polling day was a critical deterrent to voters, and results were highly incongruous with the expectations of voters prior to the election. Key personalities—including a prominent warlord and a female candidate known for her service to communities in the province—were missing from the final list, suggesting that irregularities in results were linked to levels of insecurity. Even more than in other provinces, the result gave the impression that the electoral process did little to reflect popular opinions about governance, and this impression was further solidified by rumours of high-level political negotiations between key national figures, including the president, attorney general and UN workers, ultimately determining the winning candidates.

In each of these cases, while clear evidence of fraud and the manipulation of the electoral process was difficult to produce, there was an overwhelming perception that the election had been tainted by the undue influence of both regional and national-level political elites. What is perhaps most alarming is the way in which this electoral process ultimately increased the distance between citizen and state, instead of supporting representative governance in Afghanistan. For respondents, particularly after the initial announcement of results, the major story of the election was not a question of who the winners and losers were or even the high levels of fraud, but the way that the election further solidified an increasingly non-transparent political system that excludes most Afghans. This paper now focuses thematically on how the Wolesi Jirga elections contributed to this growing alienation, through the lens of the key concepts of ambiguity and insecurity.

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9 Calculated by the AREU research team, based on final IEC results available at www.iec.org.af.

10 A *qawm* is a unit of social solidarity that can be based on kinship, residence or occupation.

3. The Politics of Ambiguity

One of the most striking features of the 2009-10 election cycle was the pervasive ambiguity that has enshrouded the process at every level. In theory, elections quantify popular support for candidates; results then reflect that support and a corresponding allocation of political representation is awarded. For this to occur, the liberal democratic tradition has come to place emphasis on the transparency and widespread availability of empirical data. In Afghanistan, however, key political figures at the local and national level purposefully work to keep the election process ambiguous so that certain powerholders can consolidate and increase their control.

Purposeful or strategic ambiguity of this kind is not a new phenomenon in Afghan politics—indeed, throughout the last century non-transparent political deals and shifting allegiances were common practice among powerholders and elites. During both the Soviet-Afghan and civil war periods, disguising shifting alliances in order to attempt to extract resources from multiple sources was a common strategy. Both during these periods and more recently, less powerful actors have commonly lost faith in the predictability of the political system and are not easily convinced that it will work the same way consistently from one day to the next. When this is the case, an election is often not considered a reliable,

Ballot boxes are loaded onto an Afghan military helicoptor in Jaghuri, Ghazni Province, two days after the 2010 vote (photo from ISAFmedia by Staff Sgt. Joseph Swafford)

empirical measure of public support for a given candidate because the system is not trusted as an impartial arbiter; there is always suspicion of manipulation behind the scenes.

Ambiguity has also been present in the announcement of results, voter turnout statistics, the decisions made concerning disqualification of polling stations, the establishment of a special court to investigate fraud, and the contention over the date for the inauguration of the new parliament. Furthermore, the composition of the groups that form within the parliament will remain ambiguous as long as it is within MPs' individual interests to conceal allegiances rather than making their positions and platforms clear to the voting public.

Ambiguity in the electoral process: Counting and results

There was a considerable lack of clarity over electoral procedures throughout the 2009-10 cycle. This was initially manifest in the uncertainty surrounding the presidential decree on the electoral law; for example, whether the president had the authority to alter the law without backing from the Wolesi Jirga less than a year before an election was due to take place, and when (and for which round of elections) the decree would take effect. The timing of Afghan elections has long been a contentious issue, given the ambiguity created by a constitutional clause allowing a change of the electoral schedule during a state of emergency. To date, none of the post-2001 elections have taken place in the month specified in the constitution. While the issue of timing may appear minor, in each election it has given both participants and observers the sense that the procedures are flexible and can be altered—a sense that was reiterated after the 2010 election with the delay of the inauguration of parliament. Confusion also permeated the process of candidate nomination, rules concerning the declaration of candidate finances, whether incumbent MPs should register given their boycott of the presidential decree on the electoral law, and the date by which nominations should have been submitted. Additionally, the criteria for candidate vetting was vague, inconsistent and arbitrary, allowing some candidates with extensive criminal associations but disqualifying others without any apparent offenses against their name. This was

notably the case in Badakhshan, when candidates Sayed Khairruddin and Abdul Jabar Musadeq were disqualified, sparking public protests across the province.

Each of these elements, from the timing of the election to the presidential decree, was discussed frequently in the Afghan media and led some respondents to discount the entire process before polling had even taken place. Of particular concern to many respondents was the location and number of polling stations, which appeared to be unsystematically and in some cases unfairly allocated. Decisions concerning the stations were based on data from the Central Statistics Organization, which was criticised by many parliamentarians for being unreliable and potentially politically biased.

As Figure 1 indicates, there were echoes of 2009's endemic chaos. Each province's vote was counted and released in stages, with unofficial results beginning to appear on 23 September, followed by official preliminary results on 20 October. These were still subject to Electoral Complaints Commission (ECC) checks and disqualifications. The final list was produced after some delay on 24 November, excluding final results from Ghazni Province, which were then added to a complete list released on 1 December. Significant changes had been made (23 previous winners disqualified) since the publication of the preliminary results one month earlier. This list was still announced by the attorney general to have been "prematurely released" and invalid, but with support from key international bodies (namely the United States, NATO and the United Nations) due to an overall compliance with electoral law, the results were accepted as final.[11] Notably absent, however, was the president's ratification of the outcome.

Analysis for this study suggests that while the procedures for counting and releasing results did adhere to the electoral law, the numerous delays and the perception by respondents that the IEC and ECC were interfering has generated a general sense that these procedures are not reliable or transparent and can be manipulated politically. This perception contributes to the

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11   Martine Van Bijlert, "2010 Elections (34): Glossing over and Moving On," AAN, http://www.aan-afghanistan.org/index.asp?id=1345, posted 26 November 2010.

Timeline of Events

2010

January 24:   Election postponed from May to September

August 18:   IEC announces almost 1,000 polling stations fewer will be open than for elections in 2009

September 8:   IEC announces closure of an additional 81 polling stations in Nangarhar Province

September 18:   Election takes place

September 23:   First unofficial results announced

October 17:   IEC announces that final results will be delayed for a second time

October 20:   Preliminary list of successful candidates announced

October 30:   Initial deadline for the certification of final results

November 24:   Actual announcement of final results by the IEC for all provinces except Ghazni Province

December 1:   Announcement of final results for Ghazni, completing the list

December 26:   Formation of the special court to investigate fraud approved by President Karzai

2011

January 19:   Training for new MPs interrupted by an announcement from the presidential office that the parliamentary inauguration will be delayed

January 22:   President Karzai returns to Kabul from Russia to intervene in discussions with MPs at the presidential palace

January 23:   No inauguration as planned

January 26:   Inauguration takes place: President Karzai makes a speech about renouncing violence and thanks many actors for their help in the election process, excluding Western governments and the United Nations; the authority of the special court remains ambiguous

general confusion in a context best described as "strategic ambiguity," in which those who know how to take advantage of seemingly unclear rules can benefit. This is nowhere more evident than in the counting procedures and the lack of uniformity with which results were collected and processed. A number of candidates interviewed from the Dasht-i-Barchi area of Kabul talked about discrepancies between the votes counted by their observers and the final results that were published by the IEC:

In [one] polling station, in box number 05, I had 21 votes but when the results were announced I had no votes. There was a woman working in the polling station by the name of [Fatima]. Maybe she used my votes for another candidate or put them in the rubbish bin. I complained to the ECC but the ECC employees' behaviour was not good, and made me upset. They very unpleasantly told me to put on my shoes [to leave] and still my complaint is unresolved.

For candidates like me it was not a good and transparent election because our votes were misused everywhere. For example, I had observers in some polling stations around our area and they called me frequently to tell me that I had 30 or 20 or 15 votes. But when I saw after the counting that I had no votes from these polling stations, I got really disappointed and I understood that this election was not transparent for candidates like me, because I don't have enough money or influence to monitor the whole counting process.

As the first respondent above described, representing the views of many candidates interviewed, the ECC and IEC's methods of dealing with complaints have been inconsistent and often dismissive of fraudulent activity reported. Several candidates claimed that they had submitted complaints but had not heard whether they were being addressed or not. Further complicating matters in some instances was that candidates found it easier to use close friends and contacts in the IEC or ECC or other political allies to get information about the counting process, as opposed to going through a more formal process. Along with the angering of candidates, however, the uncertainty surrounding the system of counting ballots decreases public faith in election processes altogether, as one election observer in Dasht-i-Barchi commented:

If we count people's votes, and we think most people will have voted for honest and good candidates, then we think that we will have good parliament. But we don't how the IEC counts ballots. This is related to the results, because if the results are not fair then people will be disappointed by the election process and will be worried about their future.

Without a clear understanding of the process of counting—and with no obvious or transparent relationship between the number of ballots cast and the final results announced—the risk of alienating the public and creating an antipathy for "competitive" elections is significant.

A final twist that increased the ambiguity surrounding the election process in 2010 was the introduction of an entirely new entity, a "special court," ratified by Karzai on 26 December. It is supposedly a means to respond to the accusations of widespread fraud, but is widely speculated to be an attempt to rebalance the ethnic composition of the lower house. This seemingly unconstitutional establishment has no clear connection to either the IEC or ECC and has been rejected by electoral authorities as illegitimate. The very creation of new institutions renders the electoral process arbitrary and ambiguous. Additionally, regarding Karzai's proposed month-long delay of the parliamentary inauguration, numerous and lengthy discussions between the palace and impatient MPs led to a compromise: a delay of four days, provided the authority of the special court be recognised. Not all MPs agreed on the latter condition, but the inauguration went ahead and the status of the court remains unclear. Through this series of actions, Karzai not only managed to again demonstrate to the public the malleability of the electoral calendar in the hands of a tactical president, but has also retained latent power in the court, which could still potentially be used to penalise uncooperative MPs.

The benefits of ambiguity in political relationships and processes

The benefits that actors gain from ambiguity have also been evident at the local level, where multiple figures have gained political capital from the lack of transparency in their allegiance-building and political relationships throughout the

electoral process. In the 2009 provincial council election, local elders would often vaguely commit their support to various candidates, but attempt to mobilise their followers for a specific candidate in the days just before the vote.[12] This practice increased during the 2010 Wolesi Jirga election.

In Qara Bagh, for example, many district-level figures had divided into two camps during the 2009 election, one supporting President Karzai's successful re-election campaign and the others supporting challenger Dr Abdullah Abdullah. In the months leading up to the 2010 election, however, many of these alliances broke as local leaders debated which of the dozen local candidates to support. In some cases alliances reformed, crossing the previous divide between Karzai and Abdullah supporters. The difficulty that researchers often had determining which candidates certain political brokers were supporting was itself illuminating. It was in the best interest of many influential people to keep their preference secret, so that multiple candidates would court their vote and so that, ultimately, they could approach any successful candidate and attempt to extract patronage for their "support."

The types of patronage and resources promised and provided by candidates were also often kept vague. Many candidates held elaborate meals for supporters, but other examples of their benevolence were often disguised in a series of rumours and stories. For example, it was common to find candidates who claimed to have built mosques for their communities, but in several cases AREU researchers found that candidates had only paid for the completion of a nearly finished mosque or for the re-painting of a mosque. In other cases, candidates claimed to have brought development funds from NGOs to a community. This was almost always impossible to verify and the result was that voters interviewed were often uncertain about what candidates had actually provided, and candidates almost always attempted to use this ambiguity to strengthen their reputations locally.

Respondents pointed to the involvement of local elders and *maliks* (community leaders)

> The composition of the groups that form within the parliament will remain ambiguous as long as it is within MPs' individual interests to conceal allegiances rather than making their positions and platforms clear to the voting public.

in arranging votes and making local political dealings non-transparent. As one voter explained when asked about the role of local elders and the election process more generally: "Their works are hidden because no one knows what they are doing and for whom they are working."

In other instances local actors have used the ambiguity of the counting process to save face and argue that failed election results did not necessarily reflect actual political power. Thus, accusations of corruption among local opponents were common and numerous candidates have been able to claim that they "would have won" if only the votes had been counted in a transparent, fair manner. In a political culture where honour is a central value, this ability to blame others for failed election bids has been immensely helpful.

Powerholders and political elites have also derived benefits from maintaining a level of ambiguity in the process and procedures of elections, both at the local and national levels. This is particularly evident in the way they have given the impression to local voters of being able to manipulate vote counts through political bargains behind closed doors.

This was the case in Balkh Province. In the months leading up to the election there were rumours that Governor Atta was supporting insurgents in certain districts in the hope of having polling stations in areas generally hostile to his allies shut down by the IEC. After the vote, many claimed that Atta's supporters were controlling the local counting process. This sense that Atta was able to manipulate the election process was to a degree a self-fulfilling prophecy and, according to respondents, led to a decrease in voter turnout in the primarily Turkmen district of Kaldar and an increase in support in the district for Tajik

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12   For more on this, see Noah Coburn and Anna Larson, "Voting Together" (Kabul: AREU, 2009).

candidates he was backing. In this district, many Turkmen voters wanted to be perceived as ultimately backing the winning candidate, who was tied to Atta and who had close links to the mayor of the largest city in the district, a well-known Tajik supporter of Atta. In 2005, most of these voters had supported the aforementioned Turkmen candidate who failed to win re-election. In this case, researchers found Atta had used both the violence of the period leading up to the election and the rumours of his own control of the process to convince many voters that it was futile voting for any candidates other than those he was backing. Thus, from the most local level to national figures, the lack of transparency and ambiguity surrounding the election process benefitted a wide range of actors.

Ambiguity in the incoming Wolesi Jirga

Findings from research throughout 2010 demonstrate that it is not in MPs' interests to declare their allegiances or groups outright, and that concealing them is more strategic given the instability in the system. Essentially, there is no merit in publicly declaring political allegiance when others are not doing likewise.[13] This trend is set to continue in the new parliament.

Ambiguity in the composition of parliament allows space for political bargaining among MPs and between the legislature and executive. While weak, parliament has been one of the few voices consistently critical of Karzai over the past years—but because allegiances remain fluid, they are subject to considerable interference from above. The lack of consolidated groups in the Wolesi Jirga since 2005 has been highly beneficial to the president. Given the availability of financial resources, he has been able to persuade MPs to support certain bills at strategic moments. This remains the case, but Karzai's concern with the ethnic composition of the new parliament could be linked to the fear that a stronger Hazara contingent may, in the current context, promote the so-called "opposition" and prevent—or at least make more costly—some of the bargaining he has been able to undertake in the past.

However, it would be wrong to assume that the parliament will break down along ethnic lines. The sizeable Hazara contingent (approximately 50-60 MPs) is unlikely form a consolidated or consistent interest group in parliament because they are split along regional and political party lines, although to some extent this will depend on the issue in question. Attempts by the leaders of ethnically-based political parties to consolidate power have met several key challenges. A number of prominent and influential political figures among various ethnic groups—Mohammad Mohaqqeq, Ismail Khan, Dr Abdullah Abdullah, to name only a few—had lists of candidates they supported during the election, but in most cases not all candidates from each list were elected. As one successful incumbent from Dasht-i-Barchi explained,

In the 2010 election the contest was very serious—the candidates spent a lot of money, and there were many problems created by political parties, traders and mullahs. For example, [Shiite Leader] Mohseni selected 20 candidates and some people called me and asked me why Mohseni did not select me. I said, "Maybe it is because I wear a suit and tie [instead of traditional dress]." Nevertheless, the people decided wisely and from the 20 people on the list only one of them was successful.

The role of these national-level figures increased ambiguity for the average voter. Many pointed to the costliness of campaigns as evidence that candidates were being supported by one of these wealthy figures (or in some cases backed by a foreign interest). At the same time candidates were able to attempt to sell their loyalty to multiple figures if they could maintain some degree of ambiguity in who was supporting them. Thus, while certain candidates were clearly backed by one central figure (for example, there were posters made with Hazara leader Mohaqqeq in the background, in front of which were the pictures of the six candidates he was supporting), some maintained a degree of mystery to their backing (if they were being backed by anyone at all), which also made it uncertain whose interest they would support in parliament.

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[13]   This phenomenon and the reasons for it are discussed by Anna Larson in "The Wolesi Jirga in Flux: Elections and Instability I" (Kabul: AREU, 2010).

4. The Politics of Instability

Alongside ambiguity is a closely related and occasionally overlapping theme in the current Afghan political landscape: the role that instability plays in altering how voters, candidates and others leaders make decisions. While the term "ambiguity" has been used to signify a lack of transparency or clarity, "instability" refers to a chronic inability to trust a given system or set of rules, often due to changes by unseen actors. In 2010 this instability manifested itself in a lack of predictability in politics as well as in the economic and security situation (such as with the Kabul Bank crisis and the presence of a Taliban shadow government in many parts of the country). This is not simply a case of insurgency threatening security in a certain area, but of the difficulty that many Afghans are faced with when making choices about what political leaders they should support. The fact that it is difficult for voters to predict how political processes play out has clearly shaped the way they make decisions in elections. Voters and candidates alike have been forced to adapt to the current instability and in some cases have used it to their distinct advantage.

Unexpected returns

One of the clearest demonstrations of instability was in the surprising inability of voters to correctly predict winners in the election. For many people, the unexpected success of some candidates over others undermined the concept that the will of the people was determining who won seats. This was not simply a result of corruption, because voters had difficulty predicting winners among candidates widely perceived as likely to use corrupt or coercive means and those considered more able to genuinely mobilise votes. Two examples of failed campaigns in Paktya starkly demonstrate this: those of Pacha Khan Zadran and Sharifa Zourmati.[14]

Pacha Khan Zadran is a key leader of the Zadran tribe (primarily found in the Loya Paktya region)

and has been a controversial figure in Afghan politics for many years. Originally opposing the Karzai government and actively fighting against coalition forces following the US invasion in 2001, serious political negotiations brought Zadran onto the side of the national government before the parliamentary election of 2005. He successfully won a seat in the first Wolesi Jirga and his son was made a district governor in Paktya Province. His history of fighting had left him with many enemies in the area, but his continued tribal ties ensured that he also had the ability to politically mobilise a large number of Zadranis. In one story repeated by several interviewees, Zadran, with the help of his son, brought approximately 2,000 Zadrani fighters across the border from Pakistan in a show of force after becoming involved in a large land dispute.[15] Unsurprisingly, the dispute was resolved soon afterward in Zadran's favour. He continued to use such "traditional" means to ensure the strength of his tribal networks and his ability to provide feasts, resolve disputes and to make use of tribal ties solidified his power in the area.

Sharifa Zourmati had a history of creative service provision that many respondents praised. This included a hospital built by a development organisation, widely believed to be as a result of Zourmati's influence, as well as smaller-scale services such as a work group that Zourmati paid to clean the Gardez bazaar and a Pashto poetry contest that she sponsored.

However, Zourmati and Zadran failed to win re-election to the Wolesi Jirga, and several interviewees blamed this on the bias of high ranking officials toward candidates with ties to the Tajik-dominated Jamiat party. At the same time, much of the support for Zadran and Zourmati was expected from districts widely considered insecure and where polling stations either failed to open or where votes were discounted due to accusations of fraud. Regardless of what role these and other factors actually played in determining the outcome, the combination created a political

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[14] For more on these two candidates, see Noah Coburn, "Parliamentarians and Local Politics." Research was not conducted in either candidate's home district, making it even more remarkable that so many respondents marked them as probable winners.

[15] Accounts vary, but most say the number of fighters was around 2,000 and that Zadran's son organised logistics and used government vehicles to transport them.

process that was perceived by voters as highly unpredictable and apparently subject to arbitrary change at the hands of powerholders.

Violence, fraud and political capital

One of the key focuses of both the international and Afghan media in the days following the election was the role of fraud in shaping its outcome. Fraud, however, is not an isolated phenomenon and the threat of violence as well as more general instability helped create a highly corruptible electoral process. Reports of fraud were higher in areas that are less stable, particularly the South and Southeast.

In most study districts, the fact that violence was a potential political tool increased the unstable conditions surrounding the election and further suggested to many respondents that the electoral process was not a method for selecting a genuinely representative government. While many respondents praised the election process as a time when they were potentially able to express their political opinions, others lamented the violence that came with it. Even within campaigns, violent imagery was often present. Certain candidates used their history of fighting, particularly against the Soviet Union, as evidence of their ability to serve the people of Afghanistan. Violent pasts were referred to when candidates and supporters spoke of themselves as mujahiddin fighting in a jihad (generally against the Soviets, but in some cases this language was more ambiguous, potentially even meaning fighting in the current insurgency). Several respondents differentiated between "good" mujahiddin and "bad" mujahiddin who were running for parliament. Among younger voters this association with a violent past was sometimes perceived negatively, while among older voters participation in the fight against the Soviet Union clearly still created political respect.

In many areas, however, violence was not simply rhetorical and before the election there was a perceived surge in violence and instability.[16] As one woman in Paktya stated:

Elections are the beginning of the misfortunes of the people because since the beginning of the campaigns the security situation has deteriorated day by day, prices have jumped, people cannot go from one district to another, and innocent people are being murdered. Elections do not bring any hope for the people.

In many cases violence was small-scale, localised and deeply linked with the election process—in one research area a knife-fight broke out at a central polling station between voters supporting different candidates. In other instances candidates complained that there were districts in their province where they could not campaign due to the insecurity. In Paktya, in particular, there was also the implication that certain candidates encouraged instability in some areas so that their opponents could not gather support there. This demonstrates the complex relationship between violence and political mobilisation, since the inability to travel to certain areas demonstrated a weakness that could diminish political strength, while simultaneous rumours that other candidates were contributing to violence allowed opponents to attempt to delegitimise them as true leaders of the people.

This tense relationship between political capital and the ability to mobilise violence played out in different ways during the election. On the road between the Qara Bagh and Istalif Districts in Kabul Province, an area that has been relatively secure in comparison with neighbouring districts since 2001, there were three roadside bombs in the days following the announcement of initial results. They had been placed deep in a ravine below a bridge and had been detonated late at night when it was unlikely there would be many passersby. The explosions barely cracked the pavement on the bridge above and were clearly intended to make a political statement rather than cause serious injury or damage. When researchers did follow-up interviews in the area, several respondents noted that the bombs had been laid in an area that particularly supported Hizb-i-Islami and that in the preliminary returns, candidates from the party had not fared as well as some had predicted. Some respondents argued that the bombs had been set there targeting Hizb-i-Islami supporters, but more believed that they had been laid by local residents wanting to demonstrate that the party's supporters were still a force in the area.

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[16] ISAF figures suggest that violence on election day was comparable to 2009, although violence is difficult to quantify. However, most respondents in the three research provinces seemed to feel that the situation was more violent.

Accusations of fraud were particularly useful tools for those who did not win seats. Protests among failed candidates, which occasionally turned violent, focused almost exclusively on the role of fraud in the political process. This could be a means of rebuilding their own political capital in the light of losing an election: the less legitimate the process was considered, the less the focus would be on their own inability to generate votes. In Qara Bagh, political opponents used the election results as an opportunity to attack the only successful candidate from the district, who was an incumbent. Several challengers, along with other political figures from the area, gathered evidence against the MP and are using his victory to undermine his legitimacy in the area.

However, fraud was not perceived entirely negatively by respondents. For example, the ability to manipulate the voting process in Kabul was in some cases seen as a demonstration of a candidate's ability to influence politics and thus made them more likely to be able to generate resources for the area, through legitimate or illegitimate means.

Bargaining in an unstable system

For political actors already within the system, its instability has greatly facilitated the increase of political power through manipulation. While most elections are designed to create a clear set of winners and losers, the parliamentary election in Afghanistan was perceived as more of a long, secretly, and at times violently negotiated political process.

On a local level, political bargaining was sometimes very visible to respondents throughout the process. In one rural study district, an AREU researcher observed approximately 65 individuals arrested on election day on a variety of charges, most stemming from a local elder who had set up a centre where individuals were washing the dye off their fingers, being handed new voting cards and sent out to vote again. At the police station following these arrests, there was confusion about what to do with the detainees (partially because they did not have the space to hold all of them and had to place them in the basement). Shortly after their arrests, however, one of the leading candidates from the area, who was also a former commander, arrived and spoke with the district

> While most elections are designed to create a clear set of winners and losers, the parliamentary election in Afghanistan was perceived as more of a long, secretly, and at times violently negotiated political process.

governor. After some discussions, the supporters of that candidate were released, while others detained who did not have a relationship with the candidate were sent to Kabul where they remained in detention for several days before they could find enough money to bribe their way out. This example demonstrates the extent to which bargaining was not only clearly apparent, but facilitated by the fact that the election process is part of a system of governance and rule of law that relies heavily on bargaining among local powerholders.

The importance of bargaining is accentuated in a context where violence is an aspect of the system. For example, immediately after the election Zadran in Paktya utilised the ensuing uncertainty to ensure that this setback did not decrease his political power. On a nationally televised program he claimed that the election had been "decided in Dubai and in the *Shahzada Bazaar*," referring to the money-changing market in Kabul. His followers staged several protests, shutting down the road connecting Khost with Kabul. One of these demonstrations turned violent and several Afghan National Army soldiers were killed.

Zadran does little to hide his use of the threat to join the insurgency to increase his power. He told an AREU researcher, "I see conflict and destruction if the current IEC results [are not overturned]...If the government will not accept me, I won't accept the government in Paktya, and if I don't accept the government then there will be no government in Paktya." Later, he was even clearer: "I said [to the attorney general], 'if the IEC will not count my votes, I will go to the mountain,' and he said to me, 'we will also go with you.'" (If true, this comment is given extra meaning by the fact that the attorney general is from a very different Pashtun branch, the Alikozai, reflecting some of the deep Pashtun

discontent following the election). This threat is especially potent to members of the Afghan government and the international military due to Zadran's influence among Zadranis, who are split between supporters of the Haqqani Network and those who remain at least somewhat pro-government. It is feared that if Zadran splits with the government, the entire Zadran tribe may move toward the insurgency. There are now rumours that Zadran is in negotiations with Karzai to secure some other government post to ensure that he remains on the government side, and it seems unlikely that Zadran would fully split from the government since so much of his power is currently derived from the *threat* to split. He has used the instability surrounding the election to maintain much of his influence among the local people even while losing his parliamentary seat.

Five months after the 2010 vote, election posters are fading but the political outcome is far from clear (photo by Jay Lamey)

5. The Undermining of Representative Governance

Elections are often believed to be instrumental in creating representative governance because they are one of the mechanisms through which citizens have the greatest ability to shape their government. But instead of bringing citizen and state closer together, recent elections in Afghanistan have increased the distance that most respondents feel between themselves and their government. According to the research, this alienation has been manifesting in two key ways:

- **Elections are being used to legitimise or "rubber stamp" the control of the powerful:** Complying with and maintaining the semblance of a participatory process, albeit shaky in many areas, has provided a smokescreen for existing powerholders to extend their control. In keeping election procedures and counting ambiguous and unstable, they are able to engineer electoral outcomes in their favour or manipulate unfavourable outcomes to their own political advantage. This serves to alienate the general public from the process, both in practice and perception.

- **Elections are compounding a distrust of institutions:** The extreme lack of reliability in how the 2010 election was conducted has exacerbated a deep distrust in electoral and state institutions. This distrust has been apparent for some time and was not newly created by the parliamentary polls, but it has been compounded. Votes from various stations were dismissed for stated reasons of security and fraud, and due to the nature of bloc voting in Afghanistan (where high percentages of voters in certain areas vote for the same candidate), the decision to include or exclude vote counts from certain stations could greatly shape the eventual outcomes and essentially disenfranchise entire communities. In general, the unclear process gave the impression of being politically manipulated, even when the letter of the law was being followed. Further delegitimising the process for many respondents was the release of various lists of winners, and the public feuding and unclear relationship between national actors such as the attorney general, president, IEC, ECC, Supreme Court, the new special court, and, eventually, the new parliament itself.

Another trend to note is that political struggles are again increasingly being described using ethnic terms: A distrust of institutions has been compounded by rumours of ethnic politics determining electoral outcomes. Major examples include suppositions about control of the IEC and its favouritism towards Tajik and possibly Hazara candidates, such as in the Ghazni case, and Karzai's establishment of the special court, which is widely suspected to be an attempt to roll back the high numbers of non-Pashtun MPs in the new parliament. The narrative of "opposition" has come to be associated with non-Pashtun, which makes for a potentially dangerous division across ethnic lines. It is important to note that political bargains between ethnic group leaders take place at the highest levels, with benefits rarely trickling down to the average citizen; this also contributes to the alienation of the Afghan public from their government, particularly if they are concerned by the development.

AREU released several reports in the lead-up to the 2010 parliamentary election, all of which are available for download from www.areu.org.af. They are:

- Afghan Election, 2010: Alternative Narratives (September)

- The Wolesi Jirga in Flux, 2010: Elections and Instability I (September)

- Parliamentarians and Local Politics: Elections and Instability II (September)

- The Wolesi Jirga in 2010: Pre-election Politics and the Appearance of Opposition (June)

- Connecting with Kabul: The Importance of the Wolesi Jirga Election and Local Political Networks in Afghanistan (May)

6. Conclusion and Implications

This study has identified several important implications concerning the prospects for the political process in Afghanistan. As highlighted, findings demonstrate that recent elections in Afghanistan have served to widen a gap by demonstrating clearly to the Afghan public that the right to have a say in the make-up of government is not in their hands. This has been manifest particularly in the use of elections by powerholders as a rubber-stamp for their continued political control and in exacerbating a sense of distrust in state and electoral institutions, both as a result of an ambiguous, unknowable process and of the increasing prevalence of an ethnic discourse in the analysis of outcomes.

These conclusions are not to suggest that elections in themselves are a negative or necessarily futile exercise—nor that "Afghanistan is not ready" for either elections or democracy. These would be simplistic and inaccurate assessments of the context. Indeed, AREU research since 2008 has shown the desire for a genuinely representative system (see "Toward an Afghan Democracy?") and demonstrated how elections have been adopted and adapted by communities to fit local governance needs (see "Voting Together"). The problem is that in a context of increasing insecurity they have served also to emphasise tendencies for power-grabbing, fraud, violence and extortion when powerholders are increasingly uncertain about their ability to maintain political capital.

If the Afghan government and international community truly hope to hold a round of elections in 2014-15 that will strengthen representative democracy, and in doing so bridge the widening gap between people and government, it is clear that many technical reforms will be necessary. These range from clarifying the relationships between electoral bodies through to a more transparent vetting process and a thorough voter registry. These reforms have been suggested on numerous occasions in the last ten years but have not been taken up in any substantive manner. This paper suggests why this might be the case: there are considerable benefits to be gained by those in power, including the president, from *keeping* the electoral process ambiguous and unstable. For adequate reforms be achieved a concerted push from the both the Afghan government and international actors is imperative, including strong (and possibly financial) incentives to comply with a more transparent system. However, this possibility seems increasingly slim, meaning future polls are likely to further alienate the Afghan public from its elected representatives.