

Research Paper

Anna Larson and Noah Coburn  
Asia Programme | May 2014

---

# Not 'Legitimate' Yet The Need for Continued Commitment after the Afghan Elections

# Summary points

---

- While most Afghan voters have favourable impressions of the voting procedures on election day on 5 April, there are still major concerns about the potential for manipulation and fraud in the counting and vetting processes.
- In the short term, a political deal brokered by the incumbent president, Hamid Karzai, between the two leading candidates might seem attractive, but this will be badly received by the electorate and undermine the reputation of elections in the longer term. Most Afghans now expect a second round in the presidential election.
- The high turnout in the first round is partly explained by the importance that voters attached to provincial elections. Voter dynamics and the turnout will be different in a second round between two candidates. A close race may result in another high turnout.
- How Afghanistan's electoral bodies, President Karzai and the candidates agree the ground rules for, and the process leading to, a second round and then manage the aftermath of the election will ultimately determine whether Afghans view the process as legitimate or not.
- Significant manipulation of the process would not only deprive individuals of their votes, but could generate grievances among entire groups or communities.
- Afghans are attributing much of the success of election day itself to the Independent Election Commission and Afghan National Security Forces.
- New public confidence in these institutions has the potential to alter the dynamics of negotiations with the Taliban as successful elections could strengthen the moral and political authority of the incoming government. The window of opportunity in which to use this authority, however, will be short-lived.
- The incoming president's public legitimacy will depend not only on the way in which he was elected but also on what he is able to achieve in the first few months in office, including whether he can conclude the Bilateral Security Agreement with the United States and secure its ratification.
- The interlinking of the presidential and provincial polls means that the way in which Afghans view the Provincial Council election process will affect the perceived legitimacy of the new government.
- The international community should resist the temptation to support a coalition deal that obviates a second round. This might expedite the process of establishing a new government in the short term but would undermine the future electoral process. Only in the case of extreme fraud and/or violence disrupting a run-off should any alternative be considered to a second round.

## Introduction

This paper, the last of three in a Chatham House series on voter perceptions in the Afghan elections, is intended to provide insights into how certain groups of Afghans are reacting to the elections in areas of Kabul where participation was generally high. It is based upon research carried out in the weeks leading up to and following the elections by experienced Afghan researchers who covered the 2009/10 elections in the same areas of Kabul, allowing for comparative analysis. Respondents included a broad sample of potential voters, young and old, literate and illiterate, male and female, from a range of occupations, ethnic groups and backgrounds.

Long lines of voters queuing to cast ballots for presidential and provincial council elections have inspired hope among both Afghans and international actors. Despite this initial optimism, however, the outcome is far from certain. Beyond the prospects of a likely runoff between Abdullah Abdullah and Ashraf Ghani, voters' opinions of the election ultimately depend less on what happened on election day than on what happens as the process continues to play out. This includes the counting and recounting that is currently taking place, the statements made by the international community and the eventual negotiation of a national balance of power as a new president replaces Hamid Karzai.

To encourage the establishment of Afghanistan's fledgling democratic system and promote stability, the candidates, Afghan electoral bodies, President Karzai and the international community need to take a long-term view that emphasizes their commitment to the electoral process in its entirety. The next few weeks will be crucial for this. This paper first presents some Afghan perspectives of election day, and then considers why a continued commitment to the electoral process matters, and what will be necessary to ensure this commitment.

## Some Afghan views of election day

Reflecting the generally positive portrayal of elections in the international and Afghan media, most Afghans interviewed for this study considered the elections to have gone well and initially described the voting experience in positive terms. But some of this initial optimism has faded as it has become apparent that there have been just as many, if not more, substantive complaints concerning fraud (i.e. those with the potential to affect the outcome of elections) than in the 2009 polls, which are widely remembered for systematic fraud. Yet despite this there is still a perception among voters and the media that the elections in 2014 have been fairer and better organized.

Reasons for this positive perception include the Afghan media's unprecedented campaign to convey news of the polls across the country, and their defiant stance against the Taliban, particularly since the killing of journalist Sardar Ahmad and his family in March. This event, seemingly more than other recent attacks around the country, motivated many voters and demonstrated the growing public support of Afghan journalists and the Afghan media more generally, helping to shape initial attitudes about the electoral process. Overall, in this research, even complaints from respondents about the polls were often qualified with positive statements; one would-be voter who complained that he could not participate since he had had trouble securing a voting card still felt that 'it was a

good experience for all Afghans because it is important for the people to see that there is another way forward instead of fighting and killing each other'.

Another reason why Afghans considered 2014 to have been better organized than 2009, and said that there had seemed to be less fraud, could relate to the nature of the fraud. While interviewees said they had heard about ballot stuffing and expressed concerns about other forms of less visible fraud, such as the manipulation of vote-counts by officials of the Independent Election Commission (IEC), no one interviewed complained of having seen fraud themselves (for example, through witnessing voters voting multiple times and polling station irregularities). This stands in direct contrast to Afghan experiences in the same locations in 2009, which often included first-hand accounts of fraud at the polling station itself. In particular, all respondents appeared much more satisfied with the IEC's extra measure of applying two forms of finger-marking – indelible ink and an ultraviolet pen. Respondents were keen to show researchers the way in which their fingers were still marked with ink, over two weeks after the election. This contrasts with many complaints in urban areas in 2009 of ink rubbing off quickly, or of schemes set up by local brokers to remove ink with bleach and send voters back into the polling stations to vote again.<sup>1</sup>

Interestingly, when talking about the levels of security for the election, voters across a number of different social groups expressed pride in the capacity of the Afghan National Security Forces (ANSF), referring to them as 'our security forces' and without exception attributing the efforts to maintain security to them (rather than to international forces). The elections appear to have provided a much-needed boost in public confidence in the capacity of the ANSF.

The only perceived negative aspect of the day, largely mentioned by respondents from minority ethnic groups, was the way in which ballots ran out early in various polling stations. Even this, however, was generally seen as a failure on the part of the IEC to anticipate the high turnout. This contrasts with 2009, where the same shortcoming was often seen as an intentional effort to marginalize certain groups.

While respondents spoke favourably of electoral bodies and security forces, respondents reserved their highest praises for Afghan voters. 'The people have done their duty well' was a phrase that was heard on several occasions. This, of course, raises the stakes of the counting and complaints-processing procedures, since there is a sense that the voters have met their obligations and that it is now up to the electoral officials and the candidates to respect the electoral procedures that follow.

---

<sup>1</sup> Noah Coburn and Anna Larson, *Derailing Democracy in Afghanistan: Elections in an Unstable Political Landscape* (New York: Columbia University Press, 2014), p. 190.

## Why does continued commitment to the electoral process matter?

There are at least five powerful reasons why continued commitment to the electoral process is essential.

### The legitimacy of the vote is still in question

In spite of positive perspectives of the elections, much remains unresolved in the Afghan electoral process. Analyses are already adopting an “after the fact” approach<sup>2</sup> but Afghans themselves are becoming increasingly worried about the counting procedures. This concern was heightened by the way in which the IEC was surprisingly quick to announce initial results from 10 per cent of the total vote count across 26 provinces, giving the impression that further preliminary results would be announced soon after. Delays followed, however, with the second portion of results not appearing until over a week later – and then final initial results were also delayed by two days. These delays promoted rumours of government (and particularly Karzai’s own) interference in the counting process. Further, IEC statements indicate that the body began a recount before the final initial results had been released. This apparent deviation from the planned process (which anticipated a recount after all the initial results had been announced) is prompting further suspicions of government interference in the count and the need to appease candidates who appeared to be trailing behind in the initial results. Meanwhile, both leading candidates, Ashraf Ghani and Abdullah Abdullah, have published their own results on their websites, collected from polling stations by supporters after election day, and Abdullah has released a public statement declaring his victory.<sup>3</sup>

Interviews with Afghans after the elections indicate that the transparency and public awareness of the process of counting and re-counting are considered critical to the perceived legitimacy of the outcome. Alongside the worry that fraud and the manipulation of the counting process would ultimately undermine the vote was also the concern that the candidates, potentially along with President Karzai and the international community, would circumvent the election process through some sort of negotiation. Both of these anxieties were expressed in interviews with people from a wide spectrum of social groups, and were not simply a preoccupation of elite, educated Afghans. A daily wage worker in Kabul was keen to emphasize the importance of the process, for example:

We keep hearing about deals among the candidates, and these kinds of issues are very disappointing. I hope that the candidates are able to learn the principles of democracy – the way in which to win and lose an election, and the way in which to respect people’s votes and other [candidates]. I am not saying that I think this election was completely transparent, there were cases of fraud in many provinces [but] I hope that the IEC and ECC [Electoral Complaints Commission] will investigate and will solve the problems to ensure transparency in the election. If a president is successful on the basis of fraud, people will expect nothing from him.

Similar statements were made in all but two of the interviews for this study conducted after 5 April, indicating a broad-based voter interest in the process as well as the outcome.

---

<sup>2</sup> See, for example, ‘Analysts See Promising Trends in Afghan Election’, Voice of America, <http://www.voanews.com/content/voters-in-afghanistan-cast-their-ballots-for-the-future/1896147.html>.

<sup>3</sup> The IEC went so far as to ask Ghani to password-protect certain pages of his website that claimed to have results on them.

A deal between candidates to replace a potential run-off could potentially be justified by leading candidates on the grounds of preventing further tension, delays and the expense of a second vote. However, this was considered by many respondents to undermine the process by disregarding the votes of the people. Abdullah has ambiguously stated that, while he would participate in a run-off if one were scheduled, there is a chance this 'may not be needed'<sup>4</sup> – indicating either that he may win outright in the first round or that he would be prepared to broker a deal with one or more of the other candidates. Both Ashraf Ghani and Abdullah have both been visiting the remaining six candidates in recent days, lead to further rumours of deal-making in the event that neither of the front-runners gains a 50 per cent plus one majority in the first round.

There are also concerns about Karzai's continued involvement in the process. As one voter suggested, 'Karzai wants a coalition government so that he can maintain the political and economic interests of his family.' Many worried that Karzai's involvement behind the scenes in such a negotiation process would ultimately allow him to maintain a high degree of involvement in and control over the government.

Many respondents in this study highlighted in interviews both before and after elections that it does not really matter who wins, as long as he is able to improve security, employment and education. Some observers might conclude on this basis that a deal would be widely considered legitimate as long as the new president could deliver on these fronts. But while the ability of Karzai's successor to bring about these changes will be critical as he establishes a new administration, urban Afghans in particular are placing a lot of emphasis on the process as well as the outcome of elections.

This sense of the importance of process has been heightened since election day itself, with many Afghans proud of the high turnout and determination to defy Taliban threats of violence. This places even more pressure on the IEC and ECC to respect the courage of voters and announce a result that is not tarnished with the suspicion of government interference. The high turnout calls into question negotiations between candidates because any deal brokered by them would be considered by many Afghans as a violation of the process and would symbolise a disregard for public participation. This could both delegitimize the incoming administration and set a worrying precedent for future polls. How the process continues to play out will shape the legitimacy of the elections and will have long-term political ramifications.

### The way in which provincial council votes play out will shape the legitimacy of the entire process

While much of the international media remains focused on the outcome of the presidential vote, many voters are also closely following the results of the provincial races. As a result, the legitimacy of the new government is not simply tied to perceptions of the presidential poll, but will be affected by views of the provincial council elections as well – an area that is getting much less attention in IEC and ECC public statements.

The provincial council vote matters in part because of the way many provincial candidates' campaigns were directly linked with presidential campaigns, but its importance is also connected to

---

<sup>4</sup> 'Afghan Poll: Abdullah "extends lead" as count continues', BBC News, <http://www.bbc.co.uk/news/world-asia-27096373>.

---

the local nature of the provincial council vote. Several respondents noted how they had voted for a candidate who had personally approached them, or after attending a political gathering to hear them speak in a familiar setting. Similarly, provincial council seats remain a way for communities to gain better access to government resources.<sup>5</sup>

The role and nature of provincial councils has changed in recent years. New laws have weakened the councils by making their role more advisory than policy-making or providing oversight. This has meant that some older, more powerful political actors seem to have stayed away from the 2014 campaigns, while the number of younger candidates has increased. As the significance of youth participation increases (for more, see below), this is an area where there is the possibility for real political mobilization.

Furthermore, the local nature of these votes means that voters often claim it is easier to identify fraud, since lower numbers of votes are cast for the provincial council elections, and the elders and other community leaders have taken on an oversight role. Evidence, anecdotal or otherwise, of corruption in these polls is likely to further delegitimize the IEC and the entire electoral process. Such public opinions, if widespread, could seriously undermine the legitimacy of the incoming government regardless of its composition.

### Grievances about the process will disenfranchise entire communities

In many cases across Afghanistan, voting occurred as a communal activity in which villages, families, groups of people from the same place of origin, political parties, social organizations, youth groups and in some cases entire ethnic blocs decided on which candidate to vote for ahead of time and voted together for that person. Furthermore, leaders and other influential members of these communities and groups often unofficially monitored the election to ensure turnout and to oversee the activities of IEC officials. This was the case in Istalif, for example, where elders were present at polling stations for most of election day to provide unofficial oversight and also to demonstrate to the community their support for the electoral process. After being searched and entering the polling station, each voter would greet the elders in a manner reminiscent of ritualized holiday greetings. This further emphasized the communal nature of politics in Afghanistan, where certain candidates are seen to represent certain ethnic groups, tribes and/or regions, both informally and formally.

All of the major candidates had ethnically diverse tickets, with their vice-presidential candidates representing at least one other ethnicity. This meant that ethnic groups did not simply vote in blocs, as some had assumed they would. In many cases, these blocs have been broken into smaller sub-groups that still do vote together, but that make political negotiations far more complicated. For example, several of the respondents suggested that tensions between Durrani Pashtuns supporting Zelmani Rassoul and Ghilzai Pashtuns supporting Ashraf Ghani had divided the Pashtun vote, which would make it more likely for Abdullah to win. Several Hazara respondents thought that this could

---

<sup>5</sup> Though, of course, not as effectively as through parliamentarians. For more on this and the importance of the provincial council vote, see Larson and Coburn, *Why Afghanistan's Provincial Council Elections Matter* (Washington, DC: United States Institute of Peace), March 2014.

exacerbate tensions between Hazaras and Pashtun nomads, who have long-standing land disputes in the centre of the country, contributing to instability in this region.<sup>6</sup>

One consequence of candidates drawing on communal support is that if the election is seen as illegitimate by certain voters, they are likely to respond as a group, rather than as individuals, raising the potential for tensions. If any part of the counting procedure is considered to have been compromised by elite interests, government interference or international pressure, entire communities may reject the outcome. This could lead to reactions that could further destabilize the country in the short to medium term.

### The uncertain effects of youth participation

Afghanistan's much-discussed youth bulge is changing the emerging political landscape.<sup>7</sup> While all eight presidential candidates are from a generation of political leaders that came of age during the 1970s and 1980s, associated in some way with *mujahideen* groups, a growing percentage of voters has no memory of these events. This means that some of the symbolic import of the jihad against the Soviet Union has been lost, shaping the way in which candidates campaign and attempt to win votes.

In particular, in interviews younger respondents claimed to be more willing to vote across ethnic lines. They also claimed to be less tolerant of fraud and electoral manipulation than older voters. Despite this, the research also found younger political brokers who were actively engaged in the buying and selling of votes for political favours, making it difficult to discern whether this younger generation genuinely supports more transparent processes or whether it simply claims to do so.

Related to this, the researchers saw a higher participation of young people in all aspects of the political process. Some voters, for instance, as highlighted above, pointed to an increase in the number of younger candidates for provincial council seats. Interestingly, while new legislation removed some of the formal powers of provincial councils, this may have actually opened a space for younger politicians to win seats and learn important political skills. Other young people said they were actively preparing to support certain parliamentary candidates next year or even run themselves.

While the patronage-based political system that dominates much of Afghanistan's political landscape continues to pull in young people, the younger generation has an increasing ability to mobilize independently of patrons.<sup>8</sup> A disputed election or accounts of widespread fraud have the potential to mobilize these groups against the new government in ways that have not been seen in recent years.

---

<sup>6</sup> The resident Hazara population settled in the area regularly encounters the seasonal migration of nomadic groups and their cattle grazing their land, and yet the law remains ambiguous as to whether or not this practice is permissible. Politicians on both sides have used these tensions to their advantage, successfully enhancing negative perceptions of the other group to bolster their own credibility.

<sup>7</sup> For more on this see Anna Larson and Noah Coburn, *Youth Mobilization and Political Constraints in Afghanistan: The Y Factor* (Washington, DC: United States Institute of Peace), January 2014.

<sup>8</sup> Ibid.



## Stability: moving beyond the results

Almost all respondents connected the outcome of the elections, due to be announced on 14 May, with broader security concerns. In talking about the legitimacy of the next president, respondents linked the way in which he was elected to his performance in the first few months of office and his ability to deliver a more stable security environment. Almost without exception, respondents said this involved signing the Bilateral Security Agreement (BSA). Whoever comes to power will be pressured, first and foremost, to sign this document and see that it is implemented.

While both leading candidates have agreed to do this and there is overwhelming public support for such a move, US generals have said that for logistical reasons the BSA must be ratified by August 2014 at the latest.<sup>9</sup> Some have argued that the new Afghan president will need to obtain a parliamentary majority to move forward with this;<sup>10</sup> however, as was evident in the Consultative Loya Jirga convened to discuss the BSA in November 2013, there is already strong support among parliamentarians for this agreement. But if there is any question of the leader's legitimacy this could provide grounds for strategic delays on the part of blocs of parliamentarians or senators, who might seek to trade their support for the BSA in return for greater influence in government.

Indeed, any delays or irregularities will open the door for local actors to attempt to destabilize the political situation. This could have serious implications if certain ethnic or tribal groups believe they have been under-represented in the count, and regional power-holders may seek to use the threat of violence in an attempt to negotiate for more resources from the state. There are similar concerns that President Karzai could use the threat of such local violence as a pretext for working to preserve his own power or the power of his associates in an unconstitutional manner.

Negotiations with the Taliban may also be affected not only by the identity of the winning presidential candidate, but by the electoral process itself. The high turnout on 5 April has been widely characterized by Afghans and international observers alike as a public stance in defiance of the Taliban, and in favour of an elected government. This has the potential to alter the power dynamics of negotiations. For the first time, perhaps, moral and political authority appears to be in the hands of the incoming government, as opposed to being the preserve of the Taliban – whose influence is partly attributable to the corruption and inefficiency of the Karzai government. As described above, Afghans are attributing much of the success of election day itself to the IEC and the ANSF, amounting to clear statements of increased confidence and trust. The new president could use this to his advantage to undermine the strength and vigour of the insurgency. However, this opportunity will be lost if there is government interference in the counting process, evidence of significant fraud, or signs of the brokering of a deal between candidates in place of a credible run-off.

---

<sup>9</sup> 'August 2014: The New Deadline for the US-Afghanistan Bilateral Security Agreement?' *The Diplomat*, 14 March 2014, <http://thediplomat.com/2014/03/august-2014-the-new-deadline-for-the-us-afghanistan-bilateral-security-agreement/>.

<sup>10</sup> The constitution itself is unclear as to whether the BSA should be defined as an international agreement constituting a 'fundamental policy of state', in which case parliamentary approval would be required – or whether signing a security agreement such as this would be 'a required decision to defend the territorial integrity' of Afghanistan, in which case parliamentary approval would not be required (Constitution of Afghanistan, Article 64).

## What does continued commitment look like?

There needs to be continued commitment to the electoral process not only from the international community but from Afghan institutions and the candidates too. This commitment needs to be realized in specific ways by each of these actors.

### For the IEC and IECC

The importance of a transparent counting process and period of processing complaints cannot be emphasized strongly enough, particularly in the light of the strong desire of voters to see their votes translated into a faithful result. To this end, the IEC and ECC need to:

- **Resist the temptation to bow to political pressure** from candidates and the Karzai government to alter the vote count or change the process;
- **Adhere to the existing, published timetable** for releasing results and not feel pressured into releasing them early;
- **Adhere to the process of conducting the recount after the initial results have been released;**
- **Communicate clearly the reasons behind any changes** to the counting and/or complaints processes.

### For the candidates

While the procedures for counting and for processing complaints will take some time, candidates must continue to allow the IEC and ECC to perform their responsibilities unhindered, in order to demonstrate respect for the integrity of the process. This will serve any candidate well should he be elected. Specifically, they should:

- Take complaints of corruption to the IEC and ECC and not to the media;
- Resist the temptation to make further public statements about the results ahead of the official announcements;
- Refrain from further visits to other candidates to prevent further suspicion of deal-making and bargains.

### For the international community

The way in which many Afghans are attributing the success of election day to the capacity and organization of Afghan institutions is clearly a positive message for the international community as well. However, the smooth running of one day of polling is only part of the much longer process, and the fragile legitimacy of the poll as it stands could easily be undermined – not only by Afghan institutions and candidates but also by careless steps or statements by international actors. To

avoid this as far as possible, the international community should allow the electoral process to take its course, in particular through:

- **Undertaking a role of low-profile mediation between candidates** without bias, should there be cause to do so, without provoking charges of unnecessary foreign interference. There have been several moments in recent Afghan history where trust between all relevant parties has broken down, particularly during the civil war of the 1990s. Should the IEC and other government bodies lose their credibility, it is possible that the international community could be seen as the only unbiased actor among otherwise ethnically aligned groups and their leaders.
- **Resisting the temptation to support a coalition deal between candidates** that would undermine the electoral process. While international (and particularly US) concerns are centred around the signing of the BSA and the importance of doing so quickly, there is a risk involved. Supporting a deal instead of a run-off to expedite the process could backfire and actually undermine the legitimacy of the new president, potentially even lengthening the time it might take for the agreement to be ratified. It is critical that if a run-off is called for, it is given full support by international actors.

## About the authors

**Anna Larson** is a researcher affiliated with the University of York working on elections, democratization and local governance in fragile states. She worked in Afghanistan between 2004 and 2010, most recently leading research programmes in governance for the Afghanistan Research and Evaluation Unit (AREU). She is the co-author with Noah Coburn of *Derailing Democracy in Afghanistan* (Columbia, 2014), an analysis of Afghanistan's 2009 and 2010 elections and their repercussions.

**Noah Coburn** is a political anthropologist at Bennington College who has been conducting field research on local politics, governance and the rule of law in Afghanistan since 2005. He is author of *Bazaar Politics* (Stanford, 2011), the first full-length ethnography of a Tajik community in Afghanistan.

## About this publication

This is the final paper in a series of three on the Afghan elections that aims to provide timely analysis of events that unfold over the election period in April 2014. These papers were commissioned as part of the Afghanistan Opportunity in Crisis project. This project is supported by the governments of Australia, Norway, Sweden and Switzerland. It is being run in partnership with the United States Institute for Peace (USIP), the Chr. Michelsen Institute (CMI), and the Afghanistan Research and Evaluation Unit (AREU).

---

# Independent thinking since 1920

© The Royal Institute of International Affairs, 2014

Chatham House (The Royal Institute of International Affairs) is an independent body which promotes the rigorous study of international questions and does not express opinions of its own. The opinions expressed in this publication are the responsibility of the author.

Chatham House, the Royal Institute of International Affairs, does not express opinions of its own. The opinions expressed in this publication are the responsibility of the authors.