

Why both Afghanistan and NATO need a Presidential Run-off Election

Nearly three weeks after the presidential elections in Afghanistan, no clear winner has yet been certified. Instead, Afghan confidence in their electoral process had been undermined by the combination of rising allegations of fraud and the painfully slow reporting of results by the Independent Election Commission (IEC).

At the time this article was drafted, President Hamid Karzai was reportedly ahead of his next nearest challenger, former Foreign Minister Abdullah Abdullah, with 54.1 percent of the vote, sufficient for him to avoid a run-off. Should this be the final outcome, however, Karzai's legitimacy will be in doubt and any justification for putting more US troops in harms way will be difficult to make. Moreover, one of the long-standing objectives for continued US involvement in Afghanistan – fostering a government acceptable to its people – may be in danger. To avoid this, it would be preferable for the IEC to support a second round run-off that would produce a clear winner and give Afghans yet another opportunity to stand up to the Taliban. More democracy, not less, is the antidote to Afghanistan's current political uncertainty as it has often been in post-conflict environments.

Elections as net contributors to security

Since the 1970s, the international community has turned to elections as the preferred tool to consolidate security gains in post-conflict situations. Elections have demonstrated their ability to stabilize conflict prone countries a variety of situations from ending the brutal civil war in El Salvador to founding the new country of East Timor,

and stabilizing Lebanon after its long civil war. The provincial elections in Iraq earlier this year have also served a similar role.

The historical rationale for the international community's zeal for elections has been threefold:

- 1) Apart from elections no other credible mechanism exists to provide legitimacy for leadership or ideas.
- 2) Only elections can make underlying, implicit cleavages within a society explicit and, significantly;
- 3) Elections introduce a rules-based system and the prospect of ongoing accountability.

Yet, in order for elections to have their desired effect in post-conflict environments a number of necessary conditions must also apply.

First, there must be "adequate" security in which to hold elections. As proven in such disparate locations as Mozambique, East Timor and Iraq, violence and threats of violence need not jeopardize the ability to hold credible elections. Colombia, one of the most violent countries in the world, is also the oldest democracy in Latin America. Nevertheless, the individual voter must believe that the physical risk he or she is taking to vote is a reasonable one.

Second, there must be a transparent, credible electoral process with adequate checks and balances in place. This is especially true in circumstances where trust between competing parties remains low. .

Konrad-Adenauer-Stiftung e.V.

USA

J. SCOTT CARPENTER

1. Oktober 2009

www.kas.de

www.kas.de/usa

Finally, for credible elections to contribute to an improving security situation, "sufficient" turnout is critical. "Sufficient" is, of course, a slippery notion but there is a clear correlation between the number of people voting and the community's collective confidence in the final results. In general, 50 percent turnout or more is unquestionably sufficient in most examined cases. Below this, especially if the election is hotly contested, the sense grows among the population that the ultimate choice of the voters is not representative. For instance, the Sunni boycott in Iraq's Western provinces during the 2005 parliamentary elections contributed to the growing insurgency there.

None of these gains are automatic, of course. In many instances, democracy is not consolidated. Violence re-emerges or coups take place. Nonetheless, confronted with the question of who is to govern fragmented societies democratic countries have few good alternatives to elections. Indeed, supporting the conduct of credible election processes has been a core mission of the international community in myriad post-conflict environments and that fact is unlikely to change.

The Afghan Elections

Given the criteria listed above, the Afghan presidential elections, though technically run reasonably well, will not meet the threshold for an election that contributes to the future improvement of security conditions.

The Afghan army and police did a credible job of providing security in the vast majority of the country. International media reported a number of incidents from around the country and more than 30 deaths associated with election day violence. Given the Taliban's extravagant threats prior to the elections, such relatively low levels of violence undermine Taliban credibility. Nevertheless, in specific provinces like Kandahar, the Taliban managed to harass the election-process both prior to the elections and on the day itself. Moreover, the threats of violence clearly had an impact on voter turnout. Unofficially, many international observ-

ers conclude that while turnout was high in some areas, voter participation failed to exceed 30 percent nationwide and was much lower among women.

Complicating the analysis of the reasons behind the low turnout is the difficulty in disaggregating the motives behind it. Was it fear or apathy that kept voters home? Pre-election polls conducted by the Afghan firm Lapis indicated that only 40 percent of voters thought President Karzai had done his job well enough to deserve re-election. Among likely voters, only 31 percent indicated they would vote for him. Close to 40 percent said they thought Afghanistan was heading in the wrong direction. Despite this, nearly two-thirds of respondents presumed Karzai was going to win. Given the lack of enthusiasm for the elections, why would a rational person vote if they thought they knew the outcome and there was the possibility of physical danger?

Beyond the low turnout, the long delay in releasing the results increases concerns about the transparency of the process and, ultimately, the election's legitimacy. The main concern of non-Karzai supporters is that ballot stuffing took place where their candidate observers were not present. As a technical matter, this would be not only possible, but easy. Afghan authorities claim to have registered 17.5 million voters. On election day there were more than 28,000 polling sites each of which received 600 ballots by law. According to Afghan electoral law, any registered voter could vote in the presidential election at any polling site in the country. If there were intent to commit fraud at the polling site level, absent a full complement of party observers to deter it, there would certainly be opportunity. Indeed, IEC suspects there were hundreds of thousands of votes fraudulently cast for this very reason.

There is also confusion about why the vote count has taken so long. According to early reports, four candidates received the vast majority of votes. If estimates of a 30 percent turnout are correct, that would mean 5.5 million Afghans voted. This works out to, on average, about 190 votes per polling

Konrad-Adenauer-Stiftung e.V.

USA

J. SCOTT CARPENTER

1. Oktober 2009

www.kas.de

www.kas.de/usa

site, a figure consistent with what many international observer teams reported. Counting 190 votes does not take a long time -- all votes for the presidential election should have been counted on election night. In Jalalabad, the process took less than two hours. The results were then posted on the outside of the polling site. Clearly, parallel vote tabulation could have had the preliminary results for the whole of the country in less than twenty-four hours.

The delay in and of itself is not problematic. However, the lack of transparency following the election, combined with the slow reporting of results, has led to an increasing number of complaints being filed with the United Nations-backed Election Complaints Commission (ECC), a separate body from the IEC that includes international representatives. Prior to the certification of the final results, the ECC must adjudicate every complaint and, if fraud is found, determine whether it was significant enough to impact the overall election results. Currently, the ECC has received hundreds of complaints. It seems clear that the IEC will be unable able to hold to its timetable to announce the final results and may not be able to do so even by October.

Prospects for a second round

All of this raises the question as to whether there will be, or even should be, a second round of voting. Under Afghan electoral law if one candidate fails to achieve fifty percent plus one vote, a run-off automatically takes place. As noted above, prospects for such an election are dimming. Karzai has reportedly expressed frustration to US officials that NATO has not already endorsed his victory, especially since he was predicted to perform extremely well in the southeast and southwest of the country, where the majority of the remaining votes have yet to be counted. Should he win outright, however, Abdullah Abdullah has said he would not accept the results, creating the spectre of an on-going political crisis.

Should the IEC and the ECC determine that fraud significant enough to impact the final results took place, they could require a sec-

ond round of voting. The first round would not have to be re-run since a sufficient number of votes have been counted to indicate the race would be between Abdullah and Karzai.

A run-off has a number of advantages. First, it would provide a clear choice between the two men, giving them another opportunity to share their respective visions for the country. Moreover, it would give Afghan citizens an opportunity to do what they failed to do in the first round -- cast a vote to demonstrate they are not afraid of the Taliban. Given the polarized choice is it likely that more people would be motivated to vote. Additionally, the IEC would have the chance to improve if not perfect the process, hopefully regaining the public's trust.

Finally and perhaps most importantly, a second round would challenge the Taliban directly. The Taliban used every asset they had to disrupt the first round with limited impact, holding nothing back for a possible second. For this reason, a second round of voting, more credibly conducted, should prove comparatively easy to secure and would highlight the Taliban's diminished capability.

There are, of course, a number of potential downsides. First, a runoff would be expensive. The first round cost the international community more than \$500 million, and some concern exists that no funding for a second round would be forthcoming. Given the stakes involved, however, the argument that the election would not be worth the resources lacks credibility. The core of any NATO exit strategy is having an acceptable government in place in Kabul. Without a runoff, a politically-weakened Karzai would likely limp into his second term, giving the Taliban a political boost. Regardless of how much a run-off would cost, it would be considerably less than the cost of just one F-15 fighter bomber.

A second expressed concern may be more serious. A run-off risks deepening ethnic division in the country since it would pit a Pashtu (Karzai) against a Tajik (Abdullah).

Konrad-Adenauer-Stiftung e.V.

USA

J. SCOTT CARPENTER

1. Oktober 2009

www.kas.de

www.kas.de/usa

This is a legitimate concern, but both men received votes from the other's community in the first round and presumably many of the men (and women) eliminated in the first round would support Abdullah in the second. Both men, moreover, are sophisticated politicians who have advocated articulately for a united Afghanistan. The campaign itself would be a further opportunity to highlight that, win or lose, each would accept the results – assuming the election is conducted transparently.

Conclusion

The current pessimism about NATO's ability to succeed in Afghanistan is overblown. There are strong foundations on which to build. According to the same Lapis poll referenced earlier, Afghans remain resolutely optimistic about their future. For example, a large majority expect their lives will get "better" or "much better" in the next five years. The depth of animosity the vast majority of Afghans feel toward the Taliban provides a second encouraging sign. The memories of civil war and the scourge of Taliban government ensure few want to return to those dark days. Afghans may not be enthusiastic about their current political elites, but a vast majority rejects the idea of the Taliban's return to power.

In order to build on these twin foundations, NATO needs an Afghan partner that is seen as legitimate by the Afghan people. Afghanistan's few institutions remain weak and cannot afford to have their legitimacy fundamentally called into question. The presidency is one such institution. For this reason, a run-off between President Karzai and Abdullah Abdullah, while not preferable, remains the least bad among bad options. To the degree it can, the international community should urge the IEC and the UN-supported ECC, given their respective concerns over the balloting process and the difficulty of investigating all allegations of fraud, to schedule a second round of voting. The success of any new US/NATO strategy in Afghanistan will depend on it.