

ISAS Brief

No. 171 – 07 September 2010

469A Bukit Timah Road
#07-01, Tower Block, Singapore 259770
Tel: 6516 6179 / 6516 4239
Fax: 6776 7505 / 6314 5447
Email: isassecc@nus.edu.sg
Website: www.isas.nus.edu.sg



Parliamentary Elections in Afghanistan: Imperfect, Yet Necessary

Shanthie Mariet D'Souza¹

Abstract

The usefulness of holding the upcoming election to the lower house of the Afghan parliament has been subjected to intense debate. While security situation remains a critical challenge forestalling polling in large parts of the country, speculations are rife that the voting process may be marred by wide spread fraud and irregularities as witnessed in previous elections. As a result, the representative character and legitimacy of the newly elected house would remain a matter of debate. However, in spite of such challenges, in a country where insurgency is still raging, allowing the common people a sense of participation in shaping the future of the nation is critical. This would probably pave the way to let them develop a long term stake in the peace and stability of Afghanistan.

The elections scheduled for 18 September 2010 would go down as yet another landmark in the political history of Afghanistan as the country votes for the second time to elect a 249-member strong *Wolesi Jirga*, the lower house of the parliament. It remains debatable whether holding elections in conflict ridden Afghanistan are any indication of normalcy in the country. But there can be no two opinions on the fact that such exercises provide rare opportunities to the common people in exercising their rights in shaping the future of

¹ Dr Shanthie Mariet D'Souza is Visiting Research Fellow at the Institute of South Asian Studies (ISAS), an autonomous research institute at the National University of Singapore. She can be reached at isassmd@nus.edu.sg. The views reflected in this paper are those of the author and not of the institute

the country and are necessary if the goal of entrusting the Afghans the command of their own country is to be realised.

In a nascent democracy like Afghanistan, parliament as a decision making body is still in evolution. Though the lower house is much more powerful than the *Mesherano Jirga* or house of elders (made up of presidential and provincial appointees) and has the power to endorse decisions taken by the government formed by the President, it is mostly seen as a debating forum. However, this role is changing. In recent times, the *Wolesi Jirga* has blocked President Hamid Karzai's choices for certain cabinet positions.²

A total of 2,545 candidates, including 410 women, are in fray for 249 *Wolesi Jirga* seats.³ All candidates are contesting as individuals as political parties are refrained from the electoral scene mainly to prevent ethnic factionalism. The number of seats allocated to each district depends on the number of its population. Capital Kabul with three million people has been allotted 33 seats. A total of 662 candidates are registered in the capital alone⁴ including many from other provinces, where security situation is too fragile even for figurative campaigning.

One of the most visible signs of this election is an increase in the number of women and youth who are seeking representation in parliament. In a country where threat from the Taliban and other conservative groups to female politicians, educators and students is routine, the number of women candidates has increased from 328 in the 2005 parliamentary elections across Afghanistan. As many as 68 women had been elected as Members of Parliament (MPs) in 2005, four more than the 64 seats reserved by law for women in the *Wolesi Jirga*.

Similarly, almost one fifth of the candidates contesting in Kabul are aged between 25 (the minimum age required by the law to contest) and 35 years. The proportion of young candidates varies across provinces, with major urban centres like Balkh, Nangrahar and

² Of late, the *Wolesi Jirga* has taken initiatives in developing procedures including on how to make the executive more accountable, it insisted on passing a far more liberal media bill than what Karzai wanted; unfortunately the government refused to promulgate this bill into law, quite illegally. It is this ability of the executive to act arbitrarily and get away that raises questions about Afghanistan's evolution as a democratic polity. On the flip side, it also highlights the recognition of the evolving role of the parliament to play a more important role.

³ Bahman Boman and Shahpoor Saber, 'Taliban play poll spoilers', *Asia Times* (27 August 2010), www.atimes.com/atimes/South_Asia/LH27Df03.html. Accessed on 29 August 2010.

⁴ 'Outcry over Afghanistan's election poster menace', *BBC* (26 August 2010), www.bbc.co.uk/news/world-south-asia-11087483. Accessed on 29 August 2010.

Herat having more younger candidates.⁵ How many of them will actually make to the parliament is not clear. However, these young men and women, representing different backgrounds, would eventually fill the void between the rising aspirations of the country and its senior power brokers. Their enthusiastic participation is also an indication of the gradual emergence of youth networks in the country and could be seen as a direct challenge to political networks of warlords, smugglers and narco-traders.

The expression 'national elections' would, however, remain a subject of local interpretation. The country's Independent Election Commission (IEC) has confirmed that out of the initially planned 6,835 polling stations, only 5,897 can be opened. The rest 938, amounting to 14 per cent of the total number of booths, in 25 provinces would be too unsafe to open.⁶ As a result, a significant number of Afghans would not be able to vote and there are concerns that parliament would not be representative in the true sense of the term.

Moreover, campaigning by candidates in southern and eastern Afghanistan, especially in the Taliban stronghold areas, has been difficult. Candidates have tried to reach out to their voters through posters, radio and television as well as private canvassing. In spite of the fact that the Taliban has chosen to make no formal announcement opposing the elections, it has killed at least three candidates and issued death threats to many others.⁷ Although the United States (US) Secretary of State Hilary Clinton condemned these incidents and asked the Afghan government to provide security to the candidates⁸, the government's capacity to ensure security of candidates across the country remains suspect. As a result, such attacks and intimidation are expected to rise as the day of polling approaches.

The successful conduct of elections remains important both for the Afghan government and the international forces. For Karzai, successful and less violent elections would provide credence to his claims that his own Afghan forces have grown in capacity and

⁵ Gran Hewad, 'The young candidates' challenges', <http://aan-afghanistan.com/index.asp?id=1003> (30 August 2010). Accessed on 1 September 2010.

⁶ 'Afghanistan election fraud fears force 900 polling stations to stay shut', *Guardian* (17 August 2010), www.guardian.co.uk/world/2010/aug/17/afghanistan-election-polling-stations-shut. Accessed on 20 August 2010.

⁷ Among the killed was Sayedullah Sayed, leader of a small political party while addressing a Friday prayer gathering on 23 July 2010 in a mosque at Ismail Khel in Khost province bordering Pakistan. In the last week of July, Taliban abducted and killed another candidate, Najib Gulstani in the Qarabagh district of Ghazni province. In the last week of August 2010, another candidate and five of the campaign team members of a female candidate were killed in Heart province.

⁸ 'Clinton condemns election-linked killings in Afghanistan', *AFP News* (1 September 2010), www.google.com/hostednews/afp/article/ALeqM5jGtLV1twEm6sY27B9Zrz8R5W7frQ. Accessed on 1 September 2010.

would be able to hold fort once the international forces return home. For NATO (North Atlantic Treaty Organization) and the US, the conduct of elections could make the deadline for drawdown of forces a more probable one. It seems to be just another event to be marked off in the checklist.

The criticality of a successful election for the future of Afghanistan notwithstanding, the process heralds the spectre of allegations of wide spread fraud. Given that the outgoing *Wolesi Jirga* had assumed an assertive role and had blocked President Karzai's choices for certain cabinet positions, Karzai will be inclined to avoid a scenario in which powerful rivals create a hostile parliament for him. He, in order to appease certain opposing blocs (who will eventually turn into his supporters) will have a genuine responsibility to ensure their victory. This could entail large scale tinkering with the voting process, especially in areas where the insecurity is at its highest and the monitoring process is at its minimum.

During the presidential elections of August 2009, Karzai had insisted on opening as many polling booths as possible across the country. While this sought to democratise the entire process, lack of security and absence of monitoring mechanism turned this exercise into establishing ghost polling stations, which generated ballot boxes stuffed with voting papers fraudulently filled. Critics allege that this had in fact assisted Karzai to secure a won over his rival Abdullah Abdullah.⁹ The five-member Electoral Complaints Commission (ECC), which was dominated by a majority of three non-Afghans, had estimated that one in three votes cast in favour of Karzai was fraudulent.¹⁰ The fraud marred elections had thrown the Obama administration's much proclaimed 'stronger, smarter and comprehensive' Af-Pak strategy of transferring authority to a legitimate Afghan government into a quandary.¹¹ The ECC since has been reconstituted by Karzai ensuring an Afghan majority in the body.¹²

⁹ For more details also see Shakti Sinha, Presidential Elections in Afghanistan: Unintended Consequences? ISAS Insights No. 73, 1 July 2009, www.isas.nus.edu.sg/Attachments/PublisherAttachment/ISAS_%20Insights_%202073_21102009220824.pdf.

¹⁰ 'How does Afghanistan's parliamentary election work?', *Reuters* (24 August 2010), www.reuters.com/article/idUSTRE67N10S20100824. Accessed on 30 August 2010.

¹¹ Shahid Javed Burki, Afghanistan Presidential Election 2009: Inconclusive Results a Dilemma for the United States, ISAS Brief No. 130, 22 September 2009, www.isas.nus.edu.sg/Attachments/PublisherAttachment/ISAS_Brief_131_29102009122254.pdf; Also see Shanthie Mariet D'Souza, Afghan elections and Af-Pak Strategy, IDSA Strategic Comment, 29 September 2009, www.idsa.in/idsastrategiccomments/AfghanelectionsandAf-PakStrategy_smdsouza_290909.

¹² Moreover, South African judge Johann Kriegler, one the two foreign members of the ECC, has already returned home citing ill health. 'Electoral Complaints Commission', www.ecc.org.af/en/. Accessed on 1 September 2010.

For the West, which seems eager to say a hasty goodbye to Afghanistan, a Karzai friendly parliament would be an ideal goal. They hope that such a parliament can be encouraged to act more vigorously towards anti-graft efforts and improve governance. However, its opposite could also be true. Karzai has been accused of stalling moves to bring in a representative, transparent and corruption free administration. In the last week of August 2010, he dismissed the Deputy Attorney General Fazel Ahmed Faqiryar. Faqiryar alleged that Karzai's move is linked to the investigations Faqiryar launched against more than two dozen senior Afghan officials — including cabinet ministers, ambassadors and provincial governors.¹³ Thus, a parliament where President Karzai's bloc is matched in strength by that of the opposition might make the proclaimed task of the West much smoother. It is necessary that the Afghan parliament is representative and legitimate to the extent possible. The Taliban has always tried to drum up support among the local Afghans mocking at the lack of legitimacy of the electoral processes as foreigner's agenda of imposing a puppet regime. A free and fair election would be a rebuff to such accusations.

A perfect election will remain a myth; both in conflict wracked countries as well as thriving democracies. South Asia is rife with such examples. However, deficiencies in the system do not outdo the utility of such exercises. In conflict ridden countries like Afghanistan, such popular rendezvous with democracy provides the common people with a platform to exercise their rights by choosing their representatives. With such experimentations, however flawed, it would be possible to extend the limits of such experiences, both in terms of its reach and quality. These opportunities could pave the way for the Afghans in actualising with their idea of democracy which takes into account the local culture and needs of the populace. The need for electoral, political and sector reform will need to be factored in the long term to meet the rising expectations of the Afghans as they move ahead with yet another such election.

oooOOOooo

¹³ Dexter Filkins and Alissa J. Rubin, 'Graft-Fighting Prosecutor Fired in Afghanistan', *New York Times* (28 August 2010), www.nytimes.com/2010/08/29/world/asia/29afghan.html. Accessed on 30 August 2010.