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THE CONSEQUENCES OF AFGHANISTAN'S 2014 PRESIDENTIAL ELECTION IMPASSE

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As Afghanistan's election saga dragged on, the international community was desperate to have the new president in place in time to attend the NATO summit in Wales on September 4th of this year. That did not happen. Because of the inconclusive presidential election, there is uncertainty about the level of presence or complete withdrawal of the international military forces and civilian aid from Afghanistan beyond December 2014. The summit still committed to provide USD 5.1 billion annually to the Afghan security forces in the foreseeable future – one billion more than the commitment made in the Chicago conference in 2012. On the other hand, the US is eager to conclude the Bilateral Security Agreement (BSA) with the new president following refusal by President Hamid Karzai to sign the BSA despite internal and external pressures.

Internally, the past three months have been the bloodiest, according to the Afghan Defence Minister. Taliban have re-launched frontal wars in several provinces in the south and east, even north. The Afghan security agencies have constantly reported killing tens of Taliban everyday for the past year. The economy has seen a steep decline, with growth rate down to

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It remains to be seen whether Afghan elites manage to overcome the gap in trust created through this election or whether the divisions will become even more profound, with an overtly ethnic dimension to them, despite the fact that both camps include members of all major ethnicities of Afghanistan.

The reality is that irrespective of the current political dispute, the future government will be weaker, less effective and more predatory than the current one, largely because of a number of structural constraints.

3.1 percent in 2013 from 14.4 percent in 2012¹; the country is expected to lose USD 5 billion in revenue this year. The government has run out of cash to pay salaries of its employees. Afghans are increasingly looking to move out of the country in search of better job opportunities as well as to avoid an uncertain security situation in the aftermath of the expected full withdrawal of the NATO forces². The brain-drain is straining Afghan government capacity to address the impending challenges.

What is more, the Afghan polity is in tatters, as fraudulent elections since 2004 have progressively polarized the leadership. This year's presidential election could not have come at a worse time, with the security transition taking place and foreign aid dwindling. The election also

showed that the longer the process is the more divisive it

1. The World Bank. "Afghanistan Economic Update", The World Bank. October 2013. Available here: <https://openknowledge.worldbank.org/bitstream/handle/10986/16656/820120WP0WB0AfoBox0379855B00PUBLIC0.pdf?sequence=1>
2. CIDOB-STAP has an upcoming paper on capital outflow post-2014 election in the pipeline.

becomes. The runoff was particularly damaging as the contest became increasingly ethnic, with the Ashraf Ghani-led *Pashtun-Uzbek* alliance facing off with an Abdullah-led *Tajik-Hazara* one, or at least that is how it is portrayed by some notable members of the two camps, neighboring countries, even parts of the international media.

After the runoff announcement of preliminary results put Ghani ahead of Abdullah, the frontrunner in the first round, by a million votes, an unprecedented crisis ensued. The Afghan leadership's inability to come to a consensus over how to address the crisis prompted the international community to step in. US Secretary of State, John Kerry, had to travel twice to Kabul to broker a deal between Ghani and Abdullah, after President Barack Obama had pleaded with the two candidates not to take any unconstitutional steps or prematurely declare victory – even threatening that the US will cut all aid in such an event.

Kerry broke the deadlock, or so is claimed, through a deal. The deal envisions a national unity government headed by the winner of audited votes with the runner up taking the

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newly-formed position of Chief Executive, a position not foreseen by the country's *carta magna*. All votes to be audited and those deemed fraudulent discarded in a UN-supervised process. Despite reaching agreement, tensions are still running high and the two camps keep using inflammatory language against each other, with no headway being made in regards to the formation of the national unity government. In fact, Abdullah once again pulled out altogether from participation in the process as recently as August 27. As it is observed, President Hamid Karzai's administration has played the role of a spoiler for reasons not entirely known, giving rise to speculations and assumptions about his motives.

This leads one to envision a scenario whereby divisions within leadership of the country will expand and may even pan out into ethnic rivalries as the leaders will attempt to mobilize support by stimulating ethnic sentiments. It is worth mentioning that scholarship on ethnic conflicts suggests that decisions and actions of leaders can be "*proximate cause*"³ of violence. Subsequently, a national unity government, if formed, will soon disintegrate as the two camps and the apparent spoilers (e.g. Karzai's network) will be embroiled in an intense power struggle. If no unity government is formed, the country will be more polarized than it has ever been since the Taliban were toppled, which would result in a *de facto* disintegration of state sovereignty. The final hypothesis is that under such a scenario, Karzai would attempt to create conditions whereby he still remains the most powerful politician around.

Fissures within Leadership

One of major fallout of the current election has been a breakdown in an unannounced alliance amongst major political groupings and their leaders that had taken shape in the post-Taliban era. The leadership of the country had forged a rare consensus around a common overarching goal: preserving the current Afghan state. Afghan elites saw the Taliban and their main backer, the Pakistani security apparatus, as the main threat to achieving this goal, thereby, setting aside all other differences and accommodating each other in pursuit of a viable state.

It is important to note that the democratic space and the comparatively pluralistic polity created as a result of the Bonn I Conference (2001), Emergency *Loya Jirga* or grand assembly (2002), first presidential election (2004) and ratification of the new Constitution (2004) gave an opportunity to leaders of opposing groups and parties, representatives of civil society and business elites to see each other in a different light other than only rivals, criminals and thugs, to an extent removing historical mistrusts. Scholarship on leadership/elites suggests that making similar experiences, sharing a common culture or things as simple as going to the same educational institutions create a better understanding and common ground for shared vision and action among leaders. This was evident in Afghanistan until this year's election⁴.

One of the outcomes of this process was that irrespective of the numerous differences that existed among Afghanistan's leadership, individual leaders never equated each other with the Taliban or other insurgents. However, this year's election has certainly reversed that trend. Prominent members of both camps have been openly accusing each other of being worse than the insurgents. Whereas just last year, Amrullah Saleh, an Abdullah ally, credited Ghani for introducing the narrative of development to the country. Saleh, in return, enjoyed respect of many of Ghani's allies, such as Jelani Popal and Haneef Atmar. This election has created a huge divide, which will be hard to bridge.

Atta Mohammad Noor, the powerful governor of the northern Balkh province and the main financier of Abdullah camp, lately called Ghani "*mentally unstable*" after Ghani laughed off suggestions by Noor that Abdullah's supporters would wage a civil disobedience campaign should the result of the vote audit not be acceptable to them. The suggestion was interpreted by observers as a veiled threat of military revolt or coup. Even before the preliminary result of the runoff was announced, Saleh addressing a public rally warned they would be prepared to use "*the fist*", implying violence, to respond to what Abdullah camp has called "*industrial level fraud*" by Ghani's camp – reportedly in cahoots with President Karzai. To reciprocate, at one point, Ghani seems to have suggested

3. Michael Edward Brown provides a good account of elites' role in instigating ethnic violence in his book *Nationalism and Ethnic Conflict*, co-authored with Brown, Owen R. Cote Jr., Sean M. Lynn-Jones, and Steven E. Check pages 17, 18, 19.

4. Please see the Developmental Leadership Program (DLP) for more information. <http://www.dlprog.org/about-us.php>

that he would “*tie Saleh’s hands behind his back*”. From personal observations in the past, Ghani and Saleh had always been respectful to each other and always hinted their struggles and political actions were nonviolent. This election has removed that exterior, even if it was not fully internalized by either before. Evidence of such behavior throughout this year’s electoral process is abundant.

Elections are generally polarizing and divisive, even more so in post-conflict settings. What remains to be seen is whether Afghan elites manage to overcome the gap in trust created through this election or whether the divisions will become even more profound, with an overtly ethnic dimension to them, despite the fact that both camps include members of all major ethnicities of Afghanistan.

There are already indicators of worrying behavior to this effect. For example, on August 7, Amrullah Saleh, former Director of Afghanistan’s spy agency (NDS or National Directorate of Security), took to Facebook to call for a purge by the government in NDS as a “*collective punishment for specific parts of the country populated by a certain ethnicity*” and “*an administrative apartheid and institutional discrimination*”. The call came after the government decided to transfer a number of NDS employees on the suspicion of recording and leaking conversations of government officials, presumably implying fraud in favor of Ghani. Ghani’s supporters responded by revealing the grievances on the part of *Pashtuns* for being sidelined from power in the past 13 years.

While leaders associated with both camps have avoided the subject of ethnicity – at least in public – ethnically-charged rhetoric is coming out of both camps in different forms and shapes. The grievances may or may not be genuine but what is transpiring is that the fragile progress made in containing ethnic rivalries in the past thirteen years is taking a hit. The leaders also need a certain level of ethnic scaremongering to sustain popular support – probably, one of the reasons for *Pashtuns* rallying behind Ghani and *Tajiks* behind Abdullah.

Therefore, at the end of the day, it will be the decision or actions – intentional or otherwise – of Ghani, Abdullah and their main allies/aides whether or not the divide created translates into incidents of ethnically-driven violence or even a large scale ethnic strife. After all, Afghanistan’s not so distant past is evident of its elites – most of whom are still in power – using and justifying ethnic violence under several pretexts.

Future of the Kerry Deal

With prospects of an indigenous solution looking grim, the Kerry-brokered deal provided a temporary respite. There was an early wave of optimism among neutrals and Abdullah’s supporters when Kerry’s deal was agreed. The international community was also relieved that a potentially dangerous situation was averted. The subsequent events, nonetheless, proved the crisis was far from over.

With 76 percent of the ballot boxes audited by August 27, the UN informed Karzai on August 28 that they would not be able to complete the process by the stipulated date of September 2 for the inauguration of the new president and that the earliest date for concluding the audit would be September 10. This is against the backdrop of a messy, hotly contested and painstakingly slow process. There have been physical clashes between observers of the two camps and the Independent Election Commission (IEC) employees. The process has been fraught with delays due to disagreements over standards, procedures and actual implementation of the auditing.

Despite the fact that both sides have committed to accept the results regardless of the outcome, it is far from clear whether they will stick to this commitment once the results are out. Early signs are that Ghani may remain in the lead. As a former CEO of the IEC put it to me, “it is only a face saving exercise. Ghani will win it”. Ghani’s camp is visibly more relaxed compared to Abdullah’s. The frustration in Abdullah’s camp is obvious. Pajhwok news agency recently reported that out of 29 percent of votes audited around 54 thousand of Ghani and 31 thousand of Abdullah’s have been deemed fraudulent⁵.

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Karzai, on the other hand, had upped the pressure on the US and UN as well as the candidates to conclude the process in time for the planned inauguration. He held several meetings with both sets of actors to warn them there would not be another extension to the date set for inauguration. The UN/IEC still failed to finalize the result in time for the date set for inauguration. Now that the audit is completed, the news emanating from the IEC indicates that approximately two hundred thousand votes are set to be discarded, meaning the final result will favor Ghani. Realizing this, Abdullah has been holding meetings with his allies to seek counsel on the way forward. According to inside information, his allies have unanimously asked him to declare victory and form a government, prompting a flurry of diplomatic activity including a telephone call from Obama to Abdullah on September 6. Karzai seems to be well on top of his game though, with nostalgic feelings of Karzai’s era already on the rise – among Afghan netizens at least – even before he is out of office.

The international community, on the other hand, is facing a stern test to ensure completion of the process to the satisfaction of both sides. The NATO faced the embarrassment of having the current Afghan defence minister attend its meeting in Wales – in an ideal situation the president-elect’s participation would have enabled the alliance to pronounce “mission accomplished”. Abdullah and Ghani did send a joint statement to the summit though, reaffirming their commitment to sign the BSA and a long-term partnership with the NATO.

5. See here: <http://www.pajhwok.com/en/2014/08/12/audit-continues-85000-votes-found-bogus>

A Government of National Unity

The proposed formation of a government of national unity has created a lot of ambiguity among Afghans who argue if both sides were destined to be part of the same setup, there was no need for sacrifices committed by security forces and millions of dollars spent on the election. Craving for urgently needed reforms, there are also suspicions if the next government would be strong enough to implement a reform agenda. To some who still have vivid memories of the civil war of 1990s though, it was a relief violence, even if momentarily, was prevented from taking place.

Abdullah's camp has been more optimistic about the proposed setup, whereas, Ghani faced an angry reaction from his supporters who felt betrayed by the deal. The latter soon started sending mixed signals, once again reiterating that he would firmly be in the driver's seat should he come out victorious. To defend his decision, he stated a government of national unity did not mean sharing power with his opponent, rather he would ensure a broad-based government, in which he would have absolute authority in appointments as provided by the

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Constitution of Afghanistan. The fact is that the Constitution does provide that authority, based on the original text, but with a lot of checks and balances. It was rather Karzai who expanded the levels of authority through presidential decrees, to the extent we see now.

The differences once again prompted Kerry to come to Kabul on August 8 to urge the candidates to publically commit to the provisions of the deal. A signing ceremony took place under Kerry's auspices. Nerves were calmed, especially, in Abdullah's camp. But that was short-lived. As soon as Kerry left Kabul, Ghani announced that he refrained from signing the document as it was in English and that he would never put his signature on an agreement that is not in the official languages of Afghanistan.

Despite Ghani's reluctance to share power with his opponent, a joint commission of both sides has been formed to work out details of the proposed deal. The commission is reported to have made progress but not on the crucial question of what the unity government will look like. Ghani and Abdullah have held one-on-one meetings on a few occasions whose details are scantily available in public domain. After the last meeting, Abdullah posted a short announcement on his Facebook page, saying only "technical" matters had been discussed, indirectly implying the issue of a government of national unity is still pending.

All in all, it seems as though Ghani is so sure of his eventual victory that he declined to discuss compromise on powers enjoyed by the president under the Afghan Constitution. Abdullah, on the other hand, seems resigned to his fate of coming second as a result of the audit and is harboring the hope of securing as much power as possible for the position of CEO.

Ghani has said if he became president, he would ideally like to have Abdullah as his CEO but would also accept anyone the latter introduces should he decide to remain out of the government. However, it is the president who will have the final say on all decisions. Ghani has been mute on cabinet and local government appointments. Past experience indicates that Ghani always wants full control over matters related to him, even those which are not necessarily his immediate concern. He has demonstrated a tendency to concentrate as much power as possible in his position, even to expand his circle of control beyond what is legally sanctioned for his position. Given this, and his remarks to this author in 2009 – the first time he ran for presidency – that he no longer wanted to be the No. 2, he only wanted to be the No. 1: that is, to wield full and uncompromising authority. It is therefore doubtful that there will ever be a government of national unity in Afghanistan's current imbroglio. Furthermore, even if such a government were to be set up, it would soon be embroiled in infighting, and would barely last a few months. Former Governor of Wardak province and a Ghani confidante, Halim Fedai, counters this argument though. He says Ghani is a changed man now, because of his travels across Afghanistan

and meetings with many people in his capacity as the Chairman of Transition Coordination Commission. He is more declined to delegate power. Fedai says Ghani believes, "being a finance minister is different from being a president".

For Abdullah and his circle, the current arrangement within Karzai authority is good enough, if not ideal. Former Mujahideen groups, especially the former Northern Alliance (NA), have wielded considerable power within Karzai's government despite having a rocky relationship with the latter. Tens of Abdullah loyalists and family members are part of the government, even though Abdullah has been out of the government since 2006. Although Atta Mohammad Noor has defied Karzai's orders on several occasions, he has not been removed from the position of governor of Balkh – something unimaginable under Ghani. I assume Ghani will not be as tolerant of the former NA as Karzai so what remains to be seen is how the former NA responds. If they wage an anti-government campaign, violent or otherwise, Ghani will not have the resources and tools to effectively deal with the dissent. This will mean a *de facto* disintegration of state sovereignty. If Ghani decides to be confrontational, which I have no doubt he will be, the country's stability will be at stake. The deal also ignores other political forces that are not part of either camp, for instance Karzai's network. Therefore, forming a government made up of only Ghani-Abdullah camps will not solve the problem.

Karzai's Role

Karzai's role in the current electoral process has been the subject of a hot debate in Afghan circles. Many suspect he has been behind the current election mess. His supporters point to his publically-stated position of neutrality to refute such assertions. However, there is no doubt he was supporting former

foreign minister, Zalmay Rasoul, in the first round who without Karzai's support would not have gotten in excess of 700 thousand votes.

After the second round, Karzai was immediately accused by his opponents and critics of orchestrating fraud on behalf of Ghani. Paradoxically though, many of Karzai's opponents are in Ghani's camp, for example, the recently assassinated cousin of Karzai, Hashmat Karzai, who before his death had seriously been challenging Karzai's authority in his native province of Kandahar after Karzai's half brother, Ahmad Wali Karzai, was gunned down in 2011. By the presumed fraud, did Karzai intend to dent legitimacy for his successor regardless of the fact who it is going to be? Probably. What is clear is that if he wanted he could have prevented or at least decreased the level of fraud committed.

Observers note that Karzai is not willing yet to relinquish power, thus, perpetuating the current crisis. For Karzai, the other option is also to leave office only to come back either as a caretaker president or prime minister later. Karzai is a shrewd politician and has been largely successful in outmaneuvering his opponents and neutralizing international actors thus far. Importantly for Karzai, the length of the current election cycle and the antics of Abdullah, Ghani and their supporters provide a platform to stay relevant or even in power for some time to come. Alarming, he was left out of the negotiations spearheaded by Kerry. It would be apt to have the negotiations take place in *Arg* (presidential palace) rather than at the US embassy or UNAMA premises.

So what is at stake for Karzai and what are his motives? First and foremost, safety and wellbeing of his family and himself will be playing on his mind. He would also dread a life in exile. Secondly, he would like to be remembered fondly once out of power. Thirdly, he still thinks he has unfinished business and that his vision of an inclusive, pluralistic polity and relatively open society – as defined by him – is in the best interest of his country.

In order to achieve the above, he will need to be the most powerful politician in the country. For that to happen, he will either have to stay in power or make a comeback as a savior – and do so soon – or make sure the future government is so weak, ineffective and unpopular that he runs the show in the background or as a parallel center of power. Hence, a government of national unity, a government lacking legitimacy in the eyes of a significant portion of population (Tajiks under a Ghani government or Pashtuns under an Abdullah government), continuation of the current crisis or a total void – Karzai has threatened to leave power on September 2 come what may – are all in his best interest.

Conclusion

Afghanistan's current political crisis is far from over. The longer it lasts, the graver it will become or the greater the likelihood it will morph into a number of new crises. The current

sets of solutions, such as the Kerry deal, fail to appreciate the political realities of the country and so do Ghani and Abdullah. Karzai may be the winner so far but he is playing a dangerous game that may cost his country, or even himself dearly. The reality is that irrespective of the current political dispute, the future government will be weaker, less effective and more predatory than the current one, largely because of a number of structural constraints. Thus, only time will prove whether Karzai and Americans were right in preferring to operate through informal networks and structures (CIA supported militia) rather than the formal ones – the state institutions. For now, they seem vindicated.

Craving for urgently needed reforms, there are also suspicions if the next government would be strong enough to implement a reform agenda.