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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



Afghanistan Presidential Election 2009: Inconclusive Results a Dilemma for the United States

Shahid Javed Burki¹

Abstract

Serious doubts about the fairness of the Afghanistan presidential election held on 20 August 2009, increased casualties in the escalating fight, and some weakening of the European support for the war in Afghanistan have posed a serious dilemma for the administration of United States President Barack Obama. Washington had hoped to follow a classic counter-insurgency strategy which seemed to have succeeded in Iraq. This had three elements – to split the opposition, to economically develop the areas in which the insurgents were active, and to use great force against those who continued to resist. However, for such a strategy to succeed, it required an Afghan government that is credible and legitimate, both to get the Afghans to support it and to get Americans and their allies to help. What is placed on hold is any kind of political reconciliation and attempting to split the Taliban. It is very difficult to do this without an Afghan government as an effective partner. The election of 20 August 2009 did not produce such a government. At the same time, the resolve of the American people and their allies in Europe to continue with the fight seems to be weakening.

Introduction

The second presidential election in Afghanistan under the country's new constitution was held on 20 August 2009, five years after the first election that reconfirmed Hamid Karzai as the President. Under the constitution adopted by Afghanistan after the overthrow of the Taliban regime in December 2001, elaborate election machinery was set up to ensure that the election was fair and transparent. Two commissions were established, one – the National Election Commission (NEC) – was appointed by the Afghan authorities, and two – the Electoral Complaints Commission (ECC) – was established by the United Nations. The NEC could not issue the final results without the sanction of the ECC. By the time the counting of votes began after the elections and serious complaints began to be received by the ECC, it was clear that, amid the charged atmosphere in the country, the identification of a clear winner would become highly contentious.

¹ Mr Shahid Javed Burki was a Visiting Senior Research Fellow at the Institute of South Asian Studies, an autonomous research institute at the National University of Singapore, from May to August 2009. He was the Former Vice President of the World Bank, and the Former Finance Minister of Pakistan. He can be contacted at sjburki@yahoo.com.

Preliminary Vote Count

The vote count proceeded slowly. On 16 September 2009, the NEC released preliminary data, according to which, 5,662,758 votes were cast, of which 3,093,256 were in favour of Karzai, 1,571,581 for Abdullah Abdullah and 520,627 for Ramazan Bashardost. Ashraf Ghani, the West's favourite candidate who had once served at the World Bank and was Finance Minister under Karzai for two years, came in fourth, winning only three percent of the votes. This meant that, according to the official count, the sitting president was a clear winner with 54.6 percent of the vote while Abdullah received 27.8 percent. According to the NEC, voter turnout was 38.17 percent and about three of five voters were men. Under the constitution, any candidate receiving 50 percent plus one vote would be declared the winner. A run-off election would be held if no candidate received a clear majority.

The NEC's announcement resulted in an immediate challenge from Karzai's rivals as well as from an important segment of the international community. Abdullah's campaign had maintained that more than one million votes were fraudulent and needed to be excluded from the vote count. If that happened, Karzai's proportion would fall below 50 percent and a new election would have to be ordered between the two front runners. The opposition to Karzai was pleased by the doubt cast by European observers and some members of the ECC about the accuracy of the official count. "Their job is to observe the election process and announce what they had seen," said Fazal Sancharaki, a spokesman for Abdullah.

According to one newspaper account, European Union monitors said moments after the NEC released its count "that about one-third of the votes cast for President Karzai in the 20 August election were suspicious and should be examined for fraud. Their assertions were a more serious indictment of the election's already marred integrity than those of other foreign monitors and only deepened the political crisis here. President Karzai's campaign office angrily dismissed the European Union assertion, which came as the latest preliminary tally of votes showed that he had won – if the suspected ballots are included."² The ECC seemed to indicate that votes from 10 percent of the polling stations should be recounted. According to one assessment, "If some votes were invalidated, that could push [Karzai] below the 50 percent threshold."³ However, Karzai continued to dismiss the Western concerns about the quality of the elections, saying he was "surprised and rather shocked" that the European Union election monitors had warned that 1.1 million of his 3.1 million votes were suspicious. Western governments, he said, should "respect the people's vote".

Fissures among the Allies

The European doubts about the fairness of the election were shared by some of the senior American members of the ECC. Deep fissures developed in the foreign-staffed EC as well as in the Office of the United Nations Special Representative in Kabul. This led to the hasty departure of Peter W. Galbraith, the Deputy Representative in the United Nations Mission. Galbraith and his Norwegian boss, Kai Eide, differed on how to handle the delicate situation that had arisen from the disputed election. "I suggested to him, and he agreed, that it would be best to leave the country", Galbraith said in a newspaper interview. "It's fair to say [Eide]

² Richard A. Oppel Jr. and Sangar Rahimi, "Europeans say one-third votes for Afghan leader are suspect", *The New York Times*, 17 September 2009, p. A6.

³ Mark Landler and Helene Cooper, "Afghan ballot uncertainty creates dilemma for U.S.", *The New York Times*, 18 September 2009, p. A10.

didn't have confidence that I would follow his policy line on this, and I had disagreements with his policy that were best resolved by leaving.”⁴

The differences among foreign officials in Kabul were not with regards to the degree of fraud in the elections – there was a broad consensus that the government had massively interfered in the elections – albeit about the remedies available to deal with the evolving situation. According to one analyst writing from Kabul, “the question that has increasingly divided Afghan experts and international officials here is whether to pursue the time-consuming fraud investigations to the end – leaving a weakened Karzai, estranged from Afghanistan’s international backers in power during months of political drift and potential violence until a possible spring run-off, or to seek an unlikely political compromise among Afghans to avoid a second round...In the post-election dispute, sources close to the United Nations said Galbraith represented the view that the fraud probe must be fully carried out along with a partial recount that the complaints panel ordered, even if that leads to a delayed run-off. That view jibes with the vision of Grant Gippen, the Canadian who heads the ECC, that building a democratic process matters more than who wins the elections...But another, more pragmatic school of thought, which Eide has publicly endorsed in the past, argues that a run-off may be too difficult and dangerous to hold. The urgent need to establish a new government while Afghanistan and its Western Allies are fighting a war against Taliban insurgents, as this line of thinking goes, requires a political solution such as a compromise between Karzai and Abdullah.”⁵

Following this approach, foreign officials began earnest efforts to constitute a coalition government in Kabul. Both the American and United Nations officials began secret discussions with the Karzai and Abdullah camps to see whether they would be willing to work together in a coalition government. While the President appeared to show some interest, Abdullah was less willing to play second fiddle in a Karzai-dominated administration. He suggested splitting the executive authority given to the President into two parts, leaving mostly ceremonial powers with the President and creating a new office of the chief executive – effectively a Prime Minister. Under this scheme – not acceptable to Karzai – Abdullah was prepared to serve as the chief executive.

Increase in Violence

Taking advantage of the confusion that prevailed, the Taliban intensified their activities. Violence over one weekend – the weekend of 11-13 September 2009 – claimed the lives of 50 civilians, members of security forces and at least three American soldiers. There appeared to be a method in the way the insurgents were carrying out their attacks. They were concentrating in the areas outside their stronghold in the country’s southern provinces – those bordering on Pakistan – and they were systematically targeting the United States’ North Atlantic Treaty Organisation allies. This strategy was to send a strong message to the foreigners that the Taliban could reach all corners of the country while weakening the political will of the United States’ European partners. For instance, the devastating attack on the Italians in the heart of Kabul on 17 September 2009 was designed to reduce the willingness of Prime Minister Silvio Berlusconi’s government to stay in the fight. The attack claimed at least six Italian lives and prompted an immediate response from the Italian Prime Minister, which is believed to have satisfied the Taliban. He said that he had begun planning

⁴ Pamela Constable and Karen DeYoung, “Diplomat in Kabul leaves in dispute”, *The Washington Post*, 17 September 2009, p. A14.

⁵ Ibid.

to “bring our young men home as soon as possible”. The Italians have 3,100 soldiers in the country. On the same day, Umberto Bossi, the leader of the Northern League, the most powerful party in the Prime Minister Berlusconi’s coalition, reiterated his calls for an immediate Italian withdrawal. “I hope by Christmas, everyone can come home”. The Prime Minister could not possibly ignore this sentiment. The same pressure on him to withdraw from Iraq in 2006, which he had disregarded at that time, cost him the election that year.

The American Dilemma

Serious doubts about the fairness of the elections, increased casualties in the escalating fight, and some weakening of the European support for the war in Afghanistan pose a serious dilemma for the administration of President Barack Obama. The difficulties faced by Washington are well summarised by Bruce Riedel, a senior fellow at the Brookings Institution, who had helped develop the new administration’s policy towards the region that came to be called the AfPak – Afghanistan and Pakistan. “The strategy requires an Afghan government that is credible and legitimate, both to get Afghans to support it and to get Americans and their allies to help. The strategy can’t work around a South Vietnamese-style government...What is placed on hold is any kind of political reconciliation, of trying to split the Taliban. It is very hard to do that because you need an Afghan government as your partner”, he said. It is clear that the election of 20 August 2009 did not produce such a government. Therefore, uncertainty persists in an important part of the world.

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