

The Afghan Elections: Who Lost What?

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Introduction

On August 20, 2009 Afghanistan's public went to the polls amidst serious security concerns. US officials, among others, prematurely, applauded both the poll's success and the transparency of the process.¹ Within days, it was clear that early optimism was unwarranted. There were irregularities during the registration update process. The campaign period was marred by violence, which drove candidates underground along with their staff and rendered recruitment of electoral and campaign staff incredibly difficult, especially female staff. Election day itself was marred by allegations of serious electoral malfeasance. After the election, the Afghan Electoral Complaints Commission (ECC) reported that it received 2,842 complaints including problems that arose during the campaign period.² Of these complaints, 751 were deemed serious.³

The very credibility of these elections in many ways hinge upon the ECC's ability to adjudicate these serious claims of impropriety. Should the ECC be unable to complete its work to assess the credibility of the August 20 election, the legitimacy of the presidency and of the 34 provincial council elections will remain questionable. While the presidential election has received much of the domestic and international attention, the provincial councils are equally—if not more important—because they comprise the governance bodies that are closest to the people.⁴

Preliminary results suggested that the incumbent Hamid Karzai received 54 percent of the valid tallied votes compared to 28 percent for his main rival, former foreign minister Abdullah Abdullah.⁵ With these figures, a run-off was never likely. Based upon the results of 91 percent of the polling stations, more than 400,000 votes would have to be annulled to precipitate a second round of voting.⁶ Many within and without Afghanistan fear that Karzai's victory was ill-gained.

¹ After visiting a limited number of polling stations on election day, Special Envoy, Richard Holbrooke, declared that the voting he'd seen was "open and honest." See "Afghans vote despite sporadic violence," *Reuters*, August 20, 2009. Available at <http://www.reuters.com/article/latestCrisis/idUSISL384459>. President Obama also called the election a success. See "Obama says Afghanistan poll a success," *Reuters*, August 20, 2009. Available at <http://www.reuters.com/article/asiaCrisis/idUSN20526524>.

² The ECC is reconstituted for every election and has a limited period of operation before and after the election in question. International election experts and monitors have opined that the ECC should be a permanent body and have noted that the ECC has been a neglected organization and ill equipped to deal with the challenges of elections in Afghanistan.

³ Afghan Election Complaints Commission, "Decisions," Available at http://www.ecc.org.af/en/index.php?option=com_content&view=article&id=72&Itemid=65.

⁴ NDI, "NDI Expresses Concerns about Afghanistan Election Fraud Complaints," September 9, 2009.

Available at http://www.ndi.org/files/NDI_Expresses_Concern_About_Afghanistan_Election_Fraud_Complaints_090909.pdf.

⁵ See "First results in provincial Afghan elections released," AFP, September 26, 2009. Available at <http://www.google.com/hostednews/afp/article/ALeqM5j2U9QI5rXq0oVKIyo3JrhXVQ-Wgg>.

⁶ "Fraud watchdog annuls votes in Afghan election," *Reuters.com*, September 10, 2009. Available at <http://www.reuters.com/article/asiaCrisis/idUSSP529844>.

The ECC has already cancelled the ballots of several polling stations in Ghazni, Paktika and Kandahar provinces, all in the controversial Pashtun belt in the south.⁷ The National Democratic Institute found numerous grounds for concern including suspiciously high voter turn out in some of the most insecure provinces of Nuristan, Paktia, Helmand and Baghdis. In those provinces, many polling stations reported more than 600 votes each. This figure is nearly 100 percent of the estimated votes for those stations.⁸ The electoral process is far from over. The Independent Electoral Commission (IEC) cannot announce the final results until the ECC has adjudicated the various complaints before it and until the IEC has been able to implement the ECC's recommendations. Given the ECC's limited resources, investigating the numerous cases before it could take months.⁹

Despite the fact that Afghanistan's electoral institutions have not resolved the outcomes of the August 20 presidential and provincial council elections and despite evidence that up to twenty percent of the votes cast may have been fraudulent, Washington—along with its NATO allies—accepted President Karzai as the winner.¹⁰

Ostensibly this decision was driven by electoral calculus. Even if the ECC's findings necessitated a run-off, Karzai would be expected to prevail. This decision to accept Karzai as the legitimate president—despite the fact that the ECC has not been able to complete its own evaluation of the numerous fraud allegations—will pose problems for the US government as it considers expanding its military and other commitments to Afghanistan when the government of Afghanistan itself is mired in allegations of serious wrongdoing. A credible victory may be less about math and more about perceptions of the process and the ECC has a clear role to play in shaping the way the public views the quality of these elections.

This testimony discusses the various flaws in the electoral process and what implications the elections may have for US security interests in Afghanistan. First, this testimony describes how the security situation limited the election's maximal credibility. Second, it expositis the impacts that the security situation imposed upon the electoral process from beginning to end. Third, it examines security on election day itself. Fourth, it lays out a number of implications for the Afghan insurgency and the counter-insurgency effort. This written testimony concludes with a discussion of US policy options in light of the twin challenges of a deepening insurgency and the rapidly deteriorating credibility of the government in Kabul.

Security: Shaping the Credibility of the 2009 Elections

⁷ "Fraud watchdog annuls votes in Afghan election," *Reuters.com*.

⁸ NDI, "NDI Expresses Concerns About Afghanistan Election Fraud Complaints."

⁹ "Fraud watchdog annuls votes in Afghan election," *Reuters.com*.

¹⁰ See Giles Whittell, "US accepts Hamid Karzai as Afghan leader despite poll fraud claims," *The Times*, September 29, 2009. Available at <http://www.timesonline.co.uk/tol/news/world/Afghanistan/article6853123.ece>.

Since 2005 in particular, the Taliban and allied anti-government elements have continued to consolidate their positions in the south, southeast and east and have steadily made inroads into areas of the north such as Kunduz, Baghlan, Badghis, and Faryab. In May 2009, there were more than 1,000 security incidents according to the United Nations—a first since 2001. Overall for 2009, there was a 43 percent increase in monthly security incidents relative to 2008.¹¹ In 2008, out of more than 350 districts in Afghanistan (not all district boundaries are agreed upon), the government did not control ten and access was restricted in another 165.¹² As the recently published security map from August 2009 suggests, this situation has likely worsened since 2008. (This map is given below in Figure 1.)

Given the escalating insecurity in the months leading up to the presidential elections, which were initially scheduled to take place in May of 2009, concerns raged within and without Afghanistan about the capacity of the Afghan government and its international allies to conduct a maximally credible electoral exercise, especially in the most insecure parts of the country.¹³ Ultimately, the security environment—along with other logistical and political issues—was used to justify delaying the elections to August 2009.

After protracted discussions and deliberations, the Independent Election Commission (IEC) announced in late January that the elections would be postponed until August, citing security among factors as important justifications for the verdict.¹⁴ With the impending arrival of an additional 21,000 US troops, the delay ostensibly would allow those troops to arrive in theatre before the rescheduled election.¹⁵ The delay was therefore rationalized on the grounds that a delayed election could be more secure than one held within the constitutionally mandated timeframe.

The postponement was ultimately sanctioned by the Afghan government and by its international partners. This decision allayed fears of some proponents of the delay who argued that the security environment would inhibit the Pashtun vote without the additional infusion of foreign troops and increased capacity of Afghan forces. Without securing these Pashtun areas and providing their residents with maximal opportunities to vote safely, advocates of the delayed election believed that the election would face other credibility issues stemming from suppressed Pashtun participation. Pashtuns—without

¹¹ See United Nations, General Assembly Security Council, “The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General,” June 23, 2009. Available at http://www.afghanconflictmonitor.org/UNSG_Afghanistan_S2009323.pdf.

¹² General Assembly Security Council, “The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General,” March 10, 2009. <http://www.reliefweb.int/rw/rwb.nsf/db900sid/MUMA-7Q53XM?OpenDocument>.

¹³ Carlotta Gall, “Allies Ponder How to Plan Elections in Afghanistan,” *New York Times*, April 11, 2009. Available at <http://www.nytimes.com/2009/04/12/world/asia/12kabul.html>.

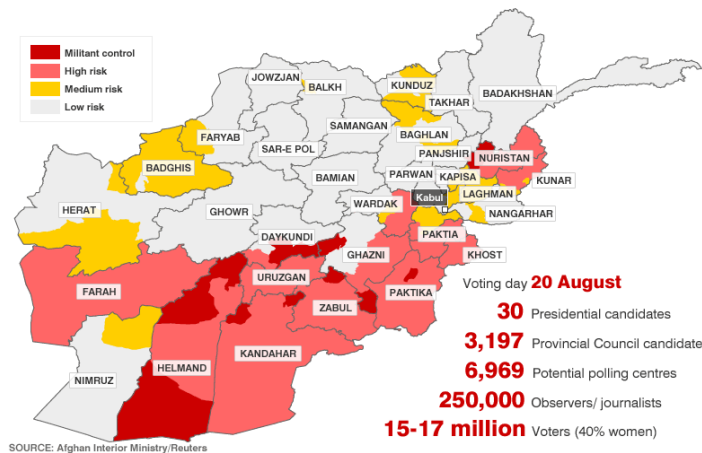
¹⁴ “Afghanistan delays presidential election,” *CNN.com*, January 29, 2009. Available at <http://edition.cnn.com/2009/WORLD/asiapcf/01/29/afghanistan.election/index.html>; John Dempsey and J. Alexander Their, “Resolving the Crisis over Constitutional Interpretation in Afghanistan,” USIP PeaceBriefing, March 2009. Available at http://www.usip.org/files/resources/USIP_0309_2.PDF.

¹⁵ Golnar Motevalli, “Extra U.S. troops in Afghanistan by mid-July,” Reuters, May 31, 2009. Available at <http://www.reuters.com/article/topNews/idUSTRE54U0LZ20090531?feedType=RSS&feedName=topNews>.

supporting census data—believe they comprise a majority in Afghanistan and Pashtuns largely provide the personnel for Taliban leadership and cadres alike. Needless to say, the Pashtun belt is also where Karzai expected his strongest support.

While the reasons for postponing the elections at first seemed sound, international stakeholders soon realized that the adverse consequences were significant. First, with Karzai’s legal tenure lapsing in May, coincident with the onset of the insurgents’ fighting season, the international community needed to support “government continuity.” For many Afghans—perhaps even President Karzai himself— supporting continuity of government was tantamount to support for the incumbent. Efforts to dispel the notion either failed to impress Afghans or were seen as US efforts to find a new alternative to Karzai.¹⁶ The net impact is that many Afghans suspected that the election was an exercise reflecting Washington’s interests—as Taliban propaganda claimed. Second, the timeframe for the postponed elections would leave little time to conduct a run-off should they be necessary. As the winter settles in, Afghanistan’s impassable terrain would render distributing new ballots and other election materials as well as other logistical aspects of holding a run-off election nearly impossible until the spring.

Figure 1. Afghanistan’s Insecurity



Source: BBC Online, “Election Security Map,” August 19, 2009. Available at http://news.bbc.co.uk/2/hi/south_asia/8194230.stm

Security: Impacts upon the Election Process

¹⁶ For further discussion, see Martine van Biljert, *How to Win an Afghan Election*, Afghanistan Analysis Network, August 2009. Available at www.aan-afghanistan.org/.../2009%20AAN-MvB%20Afghan%20Election.pdf.

¹⁶ United Nations, General Assembly Security Council, “The situation in Afghanistan and its implications for international peace and security.”

Unexpectedly, the voter registration update process was relatively pacific. Security incidents were few but serious: registration centers could not open in eight districts (five in Helmand, two in Ghazni and one in Wardak).¹⁷ Reportedly, registration was nominal or limited in large swathes of the south and southeast.¹⁸ This figure likely underestimates the hardship of registration imposed upon potential voters in insecure areas because an unspecified number of registration centers had to be relocated to nearby districts. Travel to far away centers would have been difficult for many in the countryside due to Afghanistan's inhospitable terrain and lack of widely available transport.¹⁹ In the end, approximately 4.5 million voters were registered during the registration update, 38 per cent of whom were women.²⁰

In the run-up to the 2004 and 2005 elections, over-registration was one of the first indications of potential fraud. In 2004, there were some 10.5 million voter cards distributed, which exceeded the estimated number of voters of 9.8 million.²¹ In some of the most insecure areas such as Nuristan, Khost, Paktia and Paktika, registration suspiciously exceeded the estimated number of voters by 140%. The 2005 voter registration update added another 1.7 million voter registration cards.²²

For the 2009 elections, a further 4.4 million registration cards were added, bringing the total number of voter registration cards to an improbable 17 million. The Free and Fair Election Foundation of Afghanistan estimated that about one in five of the new cards went to under-age boys and another one in five was a duplicate. While women's registration was over-all low given security and cultural considerations, the numbers of registered women actually exceeded that for men in some of the most insecure areas. In Paktia, election officials report that nearly twice as many women registered than men. Given the extreme conservatism that precludes women from leaving the home, it is unlikely that this is a measure of women seizing their legal right to franchise. Men are generally able to obtain voting cards for women simply by supplying a list of women who are alleged family members.²³

¹⁷ See International Crisis Group, *Afghanistan's Election Challenges* (Brussels, Kabul: ICG, June 2009), p. 23. The United Nations reported that nine could not open; however, no information about the location of those centers was provided. See United Nations, General Assembly Security Council, "The situation in Afghanistan and its implications for international peace and security."

¹⁸ See Martine van Biljert, *How to Win an Afghan Election*.

¹⁹ Mobile teams were used to continuing registering persons although persons interviewed in Kabul, Herat and elsewhere by the author suggested that persons were not familiar with the mobile registration units.

²⁰ United Nations, General Assembly Security Council, "The situation in Afghanistan and its implications for international peace and security."

²¹ As there is no census, the United Nations Assistance Mission to Afghanistan (UNAMA) estimated the potential number of voters by extrapolating information from the 1974 census and other sources. It is possible that UNAMA under-estimated the voter population but it is unlikely that would explain the large numbers of registered voters. See van Biljert, *How to Win an Afghan Election*.

²² See van Biljert, *How to Win an Afghan Election*.

²³ See Anand Gopal, "Afghan Voter Registration Marred," *Christian Science Monitor*, December 23, 2008. Available at <http://anandgopal.com/afghan-voter-registration-marred/>. See also Carlotta Gall, "Fears of Fraud Cast Pall Over Afghan Election," *The New York Times*, August 3, 2009. Available at <http://www.nytimes.com/2009/08/04/world/asia/04election.html>.

However, insurgent threats continued after the registration update period. Moving into the pre-election period, Taliban leader Mullah Mohammad Omar called for a boycott arguing that the election would be a US-driven process to produce figureheads to act at the behest of Washington. At the local level, anti-government elements issued night letters threatening those who vote with beheading.²⁴ In this phase, election staff were threatened and kidnapped; female workers were particularly vulnerable to intimidation which made hiring female employees very difficult; there were isolated attacks on convoys of election materials (i.e. in Wardak); assaults on persons with voter cards at Taliban checkpoints, and the murder of at least two provincial council candidates in May (one in Khost and one in Ghazni). In addition, police were attacked in several incidents near registration centers.²⁵ Pre-election violence escalated as August neared with violence (including death) and threats of violence against provincial council candidates, members of the IEC and staff working on various campaign teams.²⁶ The pre-election security environment forced candidates, campaigners, electoral staff as well as voters to limit their mobility and conceal their actions as much as possible. Again, women were disproportionately affected.

Security on Election Day

Election security was the primary responsibility of the Afghan National Security Forces (ANSF), with the Afghan National Police (ANP) forming the first line of defense of the polling centers. The Afghan National Army (ANA) formed the second perimeter of defense. The NATO-led International Security Assistance Force (ISAF) would deploy only in extremis.²⁷ In initial planning stages, “high-risk” polling centers were to receive ten police, “medium risk” center were to get six and low risk centers were to get four. However with only 86,000 police—up to 30,000 of which are “ghost police,” this structure was impossible: if one assumes an average of 8 police for each of the 7,000 estimated polling stations, some 56,000 police would be required, which is at or in excess of the total end strength of the country’s entire police force leaving aside other policing duties.²⁸ In some provinces, the shortages of police are striking. In Paktia province, police figures are estimated to be as low as 30 police per district, allowing criminals and anti-government forces to act with impunity.²⁹ Equally problematic recruitment of female search agents (as well as polling agents) began only a few weeks before the election.

²⁴ See International Crisis Group, *Afghanistan’s Election Challenges* (Brussels, Kabul: ICG, June 2009), p. 23.

²⁵ However police have been and remain a frequent target of insurgents due to their vulnerability, exposure, poor training and equipment. See International Crisis Group, *Afghanistan’s Election Challenges* (Brussels, Kabul: ICG, June 2009), p. 23.

²⁶ The Afghanistan NGO Safety Office, “The ANSO Report,” 1-15 July 2009; The Afghanistan NGO Safety Office, “The ANSO Report,” 16-30 July 2009.

²⁷ Author meetings with NATO officials in Kabul, Mazar-e-Sharif in March 2009.

²⁸ Author interviews in Kabul, Jallalabad, Herat in August 2009.

²⁹ See International Crisis Group, *Afghanistan’s Election Challenges* (Brussels, Kabul: ICG, June 2009), p. 23.

Three days before the election, the shortfall for female polling and search agents exceeded 42,000 country-wide.³⁰

President Karzai's brother-in-law and head of the Independent Directorate for the Protection of Public Properties and Highways by Tribal Support, Arif Noorzai, developed a 10,000 man-strong national militia program, ostensibly to provide additional security for polling centers largely in the southern Pashtun belt.³¹ Opponents of the program were concerned that they were being used in insecure Pashtun areas—not non-Pashtun areas that were equally insecure. If the rationale was purely driven by a desire to protect the opportunity to vote for at-risk voters, then one would have expected the program to be used elsewhere. More disturbing, the government provided little public information about how they would be used, paid, recruited and finally demobilized.

Given that the program bears the imprimatur of Karzai's brother-in-law, the possibilities for conflicts of interest are obvious. This lack of transparency and clear connections to Karzai motivated public distrust of the program. Many Afghans reject this "solution" of using militias and prefer that the government recruit and train Afghan police who have an official status and who have an official chain of command—even if the police are corrupt and do not serve their constituents.³²

Several weeks after the election, there has been virtually no transparency about how many of these militia members showed up on election day and what they actually did.³³ This has fostered suspicion that these militia members—beholden to Karzai and his brother-in-law—engaged in nefarious activities in support of the incumbent.

In addition to this Noorzai central initiative, there were several local provincial militia initiatives. For example, the Herat provincial government announced that it planned to recruit 1,000 men who would be armed to help the police on election day.³⁴ Other provinces also sought to implement some expedited version of the American militia program (Afghan Public Protection Force (APPF)), which Washington has marketed as a "local initiative."³⁵

While election centers and voters had inadequate security, candidates and workers associated with electoral bodies and human rights organizations among others were also

³⁰ Jerome Starkey and Kim Sengupta, "Afghan women to miss out on vote in landmark election," *The Independent*, August 17, 2009. Available at <http://www.independent.co.uk/news/world/asia/afghan-women-to-miss-out-on-vote-in-landmark-election-1773091.html>.

³¹ See Rahim Faiez, "Afghanistan hires 10,000 tribesmen to secure polls," Associated Press, August 11, 2009. Available at <http://www.google.com/hostednews/ap/article/ALeqM5gH6zTk0ZvJGljIu7bpEh3P2uECEwD9A0NHPO0>.

³² Author interviews with candidate workers, security officials, human rights and electoral workers in Kabul, Jalalabad, Kunduz and Herat in August 2009.

³³ Jessica Weinstein, "Tribal Guards Add Little," *The Washington Times*, August 27, 2009. <http://www.washingtontimes.com/news/2009/aug/27/tribal-guards-add-little//print/>.

³⁴ See "Herat Arms Villagers to Secure Voting," Institute for War and Peace Reporting, August 18, 2009. Available at

http://www.iwpr.net/?p=arr&s=f&o=355270&apc_state=hengarrc0e025be5972ba41024aa5c7c30dca12.

³⁵ For more information about the APPF, see Institute for the Study of War, "The Afghan National Police."

at risk due the simple lack of adequate security forces. Candidates complained that they had inadequate or no security. The Ministry of Interior agreed to compensate candidates for their security detail, provided that they could identify and hire such protection. However, it wasn't clear how these guards would be armed or through which process the ministry would reimburse candidates. Female candidates and electoral workers were especially vulnerable given the various sources of threat that females face in Afghanistan.

By most accounts, election day itself was relatively peaceful. While no comprehensive publicly available data have been released about the numbers of election-day violent incidents, international sources interviewed by the author suggest that there between 100 and 250 incidents related to the elections. ISAF, which monitored election-related security events between July 1 and August 20, 2009, reported that there were 1,050 "election-related" events, including 584 reports of insurgent planning or threats to conduct an attack against an election-related target; 288 reports of insurgents engaging in propaganda or threatening Afghans against voting, and 178 actual attacks that can be attributed to the election process including those that targeted election officials, observers, candidates, polling centers, logistical convoys etc. (See Figure 2 below.) Unfortunately, ISAF did not observe election-related violence *after* the election and did not define *what* comprises an event to be recorded and with what verification. Contrary to the expectations of some analysts, the Taliban did not execute a spectacular attack. The Taliban did not execute a spectacular attack in either the 2004 or 2005 elections.

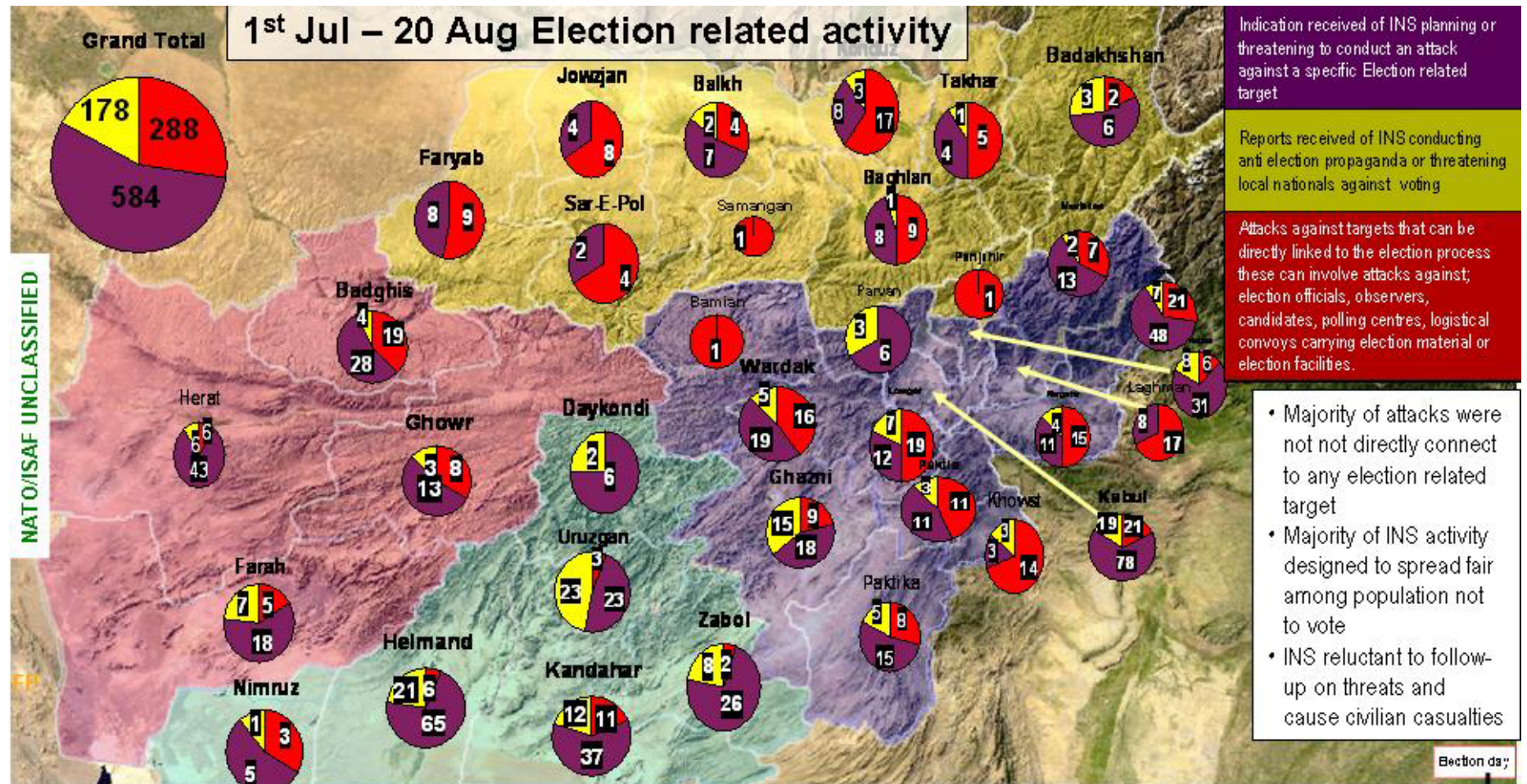
Even though election day was generally peaceful, there were several serious concerns that require additional analyses and understanding. First, the exact locations of polling stations were not revealed until the day before the elections in insecure areas. There were serious differences of opinion between the security forces and the IEC about the disposition of polling centers deemed to be "unsafe." Such a determination led to either stations remaining unopened (about 10 percent of the 7,000 stations) or being co-located to safer locations. Such arrangements clearly imposed hardship upon voters either by outright disenfranchising them or by requiring them to make long journeys to relocated centers. While men may be in a position to make such a journey, it would have been quite difficult for women. And as has become apparent in the weeks after the election, such a determination also created opportunities for electoral fraud. Worse yet, many Afghan and international observers feared that such moves were used to permit electoral fraud.

Second, the government did very little to educate the public about the security arrangements on election day. Many persons interviewed by this author in Afghanistan in the run-up to the election suspected that this may have been deliberate noting that the fewer voters that show up would make any electoral malfeasance easier to execute. Of course, this is unlikely to be true: but it is ultimately the perception that matters most.

Third, as there has been no census since 1974, there is no real way of knowing how many legitimate voters there are in Afghanistan. (The registration update did not remove people who died for example and did nothing to ensure that persons did not have multiple registration cards.)

Fourth and related to the third, because of the obvious security constraints upon both international and domestic election observers, it was nearly impossible to conduct an independent assessment of actual voter turnout versus ballots returned. Similarly, while domestic observers may have been present in the district capitals and other secure areas, it is doubtful that they could have penetrated remote, insecure areas or commander-controlled areas. In such circumstances, it is doubtful that election staff members were in a position to enforce fraud-mitigation measures even if they were inclined to do so.

Figure 2. Election-Related Violence



Source: Chart provided to author by Headquarters International Security Assistance Force via email on September 21, 2009.

Implications for the Insurgency?

Going into the elections, there were few outcomes that would have advanced the cause of stabilizing Afghanistan politically or otherwise. The Karzai government, along with its international partners, has done little to advance governance. Providing good governance is not merely a bromidic formulation, rather a likely key element in defeating the insurgency.³⁶ Provision of governance in Afghanistan is retarded by corruption at various levels; the inviablity of the justice system and other rule of law apparatus; and by the influence of militias, warlords and other sub-state actors engaged in violence and criminal enterprises. Evidence from analyses of other counterinsurgency campaigns suggests that poor governance capacity discourages support for the government which in turn debilitates counterinsurgency efforts. RAND studies of how insurgencies end found that governments with high popularity defeated most of the insurgencies they fought. Unpopular governments, in contrast, lost to insurgents more than half of the time.³⁷

The data suggest that a successful counterinsurgency campaign in Afghanistan will require the confidence of the citizens in the government. Unfortunately, the available data suggests that prospects for such confidence are retrenching. ABC, with BBC, has conducted four polls every year since 2005. In the most recent poll from February 2009, the percentage of respondents who thought the country was going in the right direction plummeted from 77 percent to 40 percent, coincident with the Taliban's resurgence. In the same period, approval ratings for Karzai declined from 84 percent to 52 percent support for the Afghan government retrenched from 80 percent to 49 percent. At first blush, these recent figures may not seem terribly alarming.³⁸ By the end of his term, US President George Bush had only a 33 percent approval rating.³⁹ Nancy Pelosi, Speaker of the House of Representatives, enjoys a meager 18 percent approval rating.⁴⁰ While the absolute numbers may not be disquieting, the declining trend line in Afghan assessment of their president and government is.

Prior to the flawed August 20 elections, Hamid Karzai has been unable to gain the confidence of his citizenry. The international community too has grown wary of his ability to steer his country out of danger. He has repeatedly demonstrated a lack of

³⁶ Seth G. Jones, *Counterinsurgency in Afghanistan* (Santa Monica: RAND, 2008); Ann Hironaka, *Neverending Wars: The International Community, Weak States, and the Perpetuation of Civil War* (Cambridge, Mass.: Harvard University Press, 2005); Fearon and Laitin, "Ethnicity, Insurgency, and Civil War," pp. 75–90. On the importance of building institutions, see Roland Paris, *At War's End: Building Peace After Civil Conflict* (New York: Cambridge University Press, 2004).

³⁷ Seth G. Jones, *Counterinsurgency in Afghanistan* (Santa Monica: RAND, 2008), p. 20.

³⁸ ABC News, "Support for U.S. Efforts Plummet: Amid Afghanistan's Ongoing Strife," February 9, 2009. Available at <http://abcnews.go.com/images/PollingUnit/1083a1Afghanistan2009.pdf>.

³⁹ See "Washington Post-ABC News Poll," January 17, 2009. Available at <http://www.washingtonpost.com/wp-srv/politics/documents/postpoll011709.html>.

⁴⁰ CBS, "CBS News Polls: Bailouts, The Economy and the President-March 12-16, 2009," CBS, March 17, 2009. Available at http://www.cbsnews.com/htdocs/pdf/poll_031709.pdf. Unlike the polls querying President Bush's approval, a large fraction (47 percent) of respondents either did not know or did not have an opinion of Pelosi.

political will to deal with corruption, the trafficking of narcotics, and to find some way of providing better governance at all levels of the state. Despite the large sums of international assistance, many programs cannot succeed without a committed partner in Kabul. This is true of building an array of civilian capabilities as well as building credible and competent Afghan national security forces.

For example, international efforts to build the country's police forces have been hampered by international human and financial resources and by the political contexts in which police training takes place. The current program, Focused District Development (FDD), extracts all of the police from particular districts and sends them for training. After completing their training at a police training facility, they return to their district under the guidance of international mentors. However, the newly trained police return to the district where the district and provincial governors remain in place along with other corrupt notables. There is little point in dusting off the police only to re-insert them into the same corrupt networks that motivated the corruption in the first instance. At a minimum, FDD should be coordinated with replacing corrupt district and provincial governors with more trustworthy stewards of governance. Unfortunately corrupt governors are rarely retired; rather, they are simply ordered to new districts or provinces or other desirable government portfolios. Without coordinating police efforts with governance reform, limited training resources are potentially squandered.

Similarly, President Karzai has shown repeated insouciance about the country's expanding narcotics problem. Not only are two of his brothers long-reputed to be heavily involved in the racket, he recently pardoned five heroine-traffickers (in military uniforms) because one of the men was tied to his re-election campaign. As one former U.N. official remarked of this decision, "Karzai is pulling out all the stops in his bid to get reelected."⁴¹ Afghan officials at many levels of governance are accused of being deeply implicated in illicit activities including the narcotics business. How can international counter-narcotics programming succeed without a dedicated partner in Kabul and in the provinces and districts?

While the degree to which narcotics proceeds fund insurgents is debated, a recent Congressional report claims that the narcotics trade likely provides anywhere between \$70 million to \$500 million per year.⁴² Moreover, the narcotics trade has fostered a network of collusion between insurgents and criminal groups, resulting in a new phenomenon for Afghanistan: the arise of narcotics cartels. As Antonio Maria Costa, the executive director of the United Nations Office on Drugs and Crime, has noted that "the drug trade in Afghanistan has gone from being a funding source for insurgency to

⁴¹ Quoted in Farah Stockman, "Karzai's pardons nullify drug court gains: Well-known traffickers set free ahead of election," Boston Globe, July 3, 2009. Available at http://www.boston.com/news/world/middleeast/articles/2009/07/03/presidential_pardons_nullify_victories_against_afghan_drug_trade/.

⁴² Afghanistan's Narco War: Breaking The Link Between Drug Traffickers And Insurgents: A Report To The Committee On Foreign Relations, United States Senate, August 10, 2009. Available at <http://foreign.senate.gov/afghan.pdf>.

becoming an end in itself."⁴³ This is in addition to the more quotidian—but equally devastating—effects of corrupting the banking center, encouraging informal banking transfer and undergirding the entire economy with illicit funds. It also raises the economic opportunity cost of engaging in any licit agricultural activity making programs like crop substitution and alternative livelihoods unlikely to succeed.

The electoral process also attests to the degree to which Karzai is interested maximally in self-interest and amply capable of undermining further his own base of credibility. While accusations of fraud are widespread against Abdullah Abdullah, Karzai's main rival, the primary onus of demonstrating a clean campaign is upon Karzai. As the incumbent, he stands accused of positioning district and provincial governors, and chiefs of police who are positively disposed towards him. He is also accused of using state media to his advantage among other actions to tip balance the elections in his favor.

While mathematically, it is unlikely that the ECC would have invalidated enough votes to prompt a run-off, the election remains tainted with impropriety. Martine van Bijlert, co-director of the Afghanistan Analysts Network in Kabul, remarked that while "The standard line in this kind of case is that there were irregularities, but that they didn't affect the outcome of the elections. Reports from the provinces suggest otherwise. They suggest that these irregularities were actually designed to affect the outcome of the elections and that they probably did."⁴⁴

The international community—especially the United States—bares some blame. It has sidelined Karzai and the government in general. Karzai has no control over the international forces operating in his country and the government has incomplete visibility into the various activities ongoing in Afghanistan. The sectoral approach to rebuilding Afghanistan has failed in part because each of the activities (security sector reform; governance, rule of law, and human rights; and economic and social development) were deeply vertically integrated. Security sector reformed the vast majority of the resources with the predictable result that the Afghan government still is incapable of providing governance or rule of law and remains riven by corruption despite the infusion of billions of dollars in aid since 2001. Moreover, it is far from obvious that the instruments of state building available to the United States and its partners are effective. There are long-standing criticisms of corruption in USAID contracting, leading many to note that for every dollar spent, 90 cents returns to the United States.⁴⁵

At the same time, the international community cannot hold Afghanistan to a different standard than it holds for itself. While it is true that Afghanistan is plagued by numerous law and order problems, the international community has shown considerable willingness

⁴³ See Richard A. O'Connell, "U.N. Sees Afghan Drug Cartels Emerging," *The New York Times*, September 2, 2009. Available at http://www.nytimes.com/2009/09/02/world/asia/02afghan.html?_r=1&scp=1&sq=taliban%20%2470%20million%20opium&st=cse.

⁴⁴ Ben Arnoldy, "Afghan election fraud allegations mount as Karzai lead widens," *Christian Science Monitor*, August 26, 2009. Available at <http://www.csmonitor.com/2009/0826/p06s05-wosc.html>.

⁴⁵ See discussion in C. Christine Fair and Seth G. Jones, *Securing Afghanistan: Getting on Track* (Washington DC: USIP, 2009).

to undermine Afghanistan's interests by advancing its own including the standing up of so-called "grass roots" militias, supporting the postponement of elections, relative lack of accountability on civilian casualties (although new ISAF commander, General McChrystal may change this), and by perusing extra-constitutional solutions. For example, the international community had first encouraged President Karzai to work out some sort of power sharing deal with Abdullah to stave off expected political fallout of the flawed election. Yet is far from clear how such a solution would have comported with Afghanistan's own constitution. Recent declarations of support for Karzai's presidency before the ECC completes its task have also cut short an important domestic process vital to the legitimacy of the election.

Securing US Interests in the Wake of the August 2009 Elections?

The August 20, 2009 elections have brought into light serious cleavages in domestic political opinion about the next steps forward in Afghanistan. On the one hand are those proponents who argue for a robust counter-insurgency strategy to be resourced with additional troops and other human and financial resources. On the other are those who argue for an increased separation of the counterinsurgency effort from the counter-terrorism effort with the Afghans taking up the primary responsibility for the former while the United States retains its commitment to the latter.

One of the features of this debate is the request for additional troops for the Afghan theatre. While the debate over scaling up or scaling down troops has seized the public's attention, reconfiguring the footprint or mission of US and international troops alone cannot address the problem. Commander ISAF General Stanley McChrystal, in his Commander's Initial Assessment of August 30, 2009, lays out the joint problem clearly:

The ISAF mission faces two principal threats and is subject to the influence of external actors. The first of which is the existence of organized and determined insurgent groups working to expel international forces, separate the Afghan people from GIROA [Government of the Islamic Republic of Afghanistan] institutions, and gain control of the population. *The second threat...is the crisis of popular confidence that springs from the weakness of GIROA, the unpunished abuse of power by corrupt officials and power brokers, a widespread sense of political disenfranchisement and a longstanding lack of economic opportunity.* ISAF efforts have further compounded these problems. These factors generate recruits for the insurgent groups, elevate local conflicts and power-broker disputes to a national level, degrade the people's security and quality of life, and undermine international will.⁴⁶

Arguably, analysts and policy makers focus upon the footprint and mission of US troops in Afghanistan because it is *one* of the few things that the United States can directly

⁴⁶ Commander NATO International Security Assistance Force, Afghanistan, *Commander's Initial Assessment*, August 30, 2009. Redacted version available at http://media.washingtonpost.com/wp-srv/politics/documents/Assessment_Redacted_092109.pdf.

control. Washington cannot direct its NATO allies' military and civilian commitment to Afghanistan; it cannot quickly produce Foreign Service officers or USAID officers or other civilian capabilities while sustaining quality; it cannot quickly reconfigure and improve the way it delivers aid; and it apparently has very little influence over the government in Kabul to provide better governance.

Thus if one considers what *can* be done—as opposed what would be ideal to do—victory in Afghanistan is unlikely if “winning” means establishing a competent, reasonably transparent government capable of providing even limited services and increasingly able to pay for itself.

The international community, while it has made numerous missteps, cannot succeed without real reformers at the central, provincial and district levels. General McChrystal, while maintaining that the war is “winnable” conceded the importance of governance and his new strategy calls for a more intense focus upon diminishing corruption among local officials among other course corrections.

Persuading Karzai to address corruption and other governance failings will require political will in Washington, European capitals, and within Kabul and the provincial capitals. Such a focus upon governance and corruption will certainly put the international community and the Karzai-led government on a collision course as many within Karzai's government (and near and extended family) stand accused of having deep ties to a variety of criminal enterprises.

Lineaments of a “Plan B”?

Clearly, the United States needs a contingency plan which includes redefining “victory” to more narrowly address key US national security interests. This “plan B” should not be reconfiguring plan A in hopes that it will succeed the second time around. The US government, across all branches, must engage in a serious public debate to clearly identify preeminent US interests in Afghanistan as well as the requisite domestic and international resources that are needed to secure those objectives. Equally important, Washington must ask to what extent these objectives require collaboration and input from Kabul. Can the US protect its interests in spite of serious conflicts of interest with the government in Kabul?

If the international community cannot prevail in counterinsurgency campaign against the Taliban and allied fighters due to shortcomings in the international community's configurations and/or to the shortcomings in the Afghan government, Washington likely can secure its pre-eminent objectives of protecting itself against al Qaeda.

This involves separating out the counterinsurgency effort from the counter-terrorism effort. US and international efforts can and should focus resources upon the Afghan security forces and civilian institutions to better enable the government of Afghanistan to

deal with the insurgency, including forging some form of political solution with the Taliban. Indeed, the insurgency is for the Afghans to defeat.

Surely, this will require reconfiguring relations with President Karzai. President Karzai's government must be held accountable on issues of corruption, good governance, and other aspects of transparency. So far, President Karzai has rendered his weakness a primary source of strength through which he has been able to garner significant international resources without delivering better governance. At the same time, U.S. agencies must also be held accountable for its utilization of resources through outcomes-based measurements of success.

While the United States and its partners continue assisting Afghanistan to take ownership of the insurgency, the United States should continue focusing resources on the counterterrorism mission targeting al Qaeda rather than the Taliban. Al Qaeda's presence in Afghanistan is restricted largely to the Kunar province, across from Pakistan's Bajaur tribal area. Needless to say, the most pressing international terrorist threats are resident in Pakistan, which provides the critical logistical conduit for supporting the counterinsurgency effort in Afghanistan.

Clearly this approach of disaggregating the counterterrorism and the counterinsurgency missions will not relieve the requirement to secure better governance and accountability in Kabul itself. The United States and its partners can increase the troop presence in Afghanistan and orient these troops towards training Afghan National Security Forces. The international community can refocus resources to help establish sub-national forms of governance and provision of rule of law. *However, all of these efforts will be undermined by corruption, lack of commitment to improve governance, and fiscal unsustainability.*

Thus in conclusion, I recommend a reformulation of the question away from *whether* the United States can protect its interests without a decisive defeat of the Taliban towards *how* the United States can do so without such a comprehensive defeat. This is the question that must be raised and answered with utmost urgency.

Biography

C. Christine Fair has a PhD from the Department of South Asian Languages and Civilization in 2004 and an MA in the Harris School of Public Policy. Prior to joining the Center for Peace and Security Studies (CPASS), within Georgetown University 's Edmund A. Walsh School of Foreign Service, she has served as a senior political scientist with the RAND, a political officer to the United Nations Assistance Mission to Afghanistan in Kabul, and as a senior research associate in USIP's Center for Conflict Analysis and Prevention. Her research focuses upon political and military affairs in South Asia. She has authored, co-authored and co-edited several books including *Treading Softly on Sacred Ground: Counterinsurgency Operations on Sacred Space* (OUP, 2008); *The Madrassah Challenge: Militancy and Religious Education in Pakistan* (USIP, 2008), *Fortifying Pakistan: The Role of U.S. Internal Security Assistance* (USIP, 2006); among others and has written numerous peer-reviewed articles covering a range of security issues in Afghanistan, Bangladesh, India, Pakistan, and Sri Lanka. She is a member of the International Institute of Strategic Studies, the Council on Foreign Relations, serves on the editorial board of *Studies in Conflict and Terrorism*, and is the Managing Editor of *India Review*.