

COMPROMISE IN KABUL

Inside the Deal that Made Ashraf Ghani Afghanistan's New President

By Thomas Barfield

The Independent Election Commission declares Ashraf Ghani as the president, and thus announces the end of the election process.” This one-sentence statement on September 21, 2014, brought a sudden if inglorious finish to the seemingly never-ending electoral struggle to succeed Hamid Karzai as president of Afghanistan.

It had begun with a first round of balloting in April and was resolved only after the two runoff candidates, Ghani and Abdullah Abdullah, signed a power-sharing agreement brokered by Secretary of State John Kerry. Part of a side agreement (backed by the United Nations) included instructing the Afghan Independent Election Commission to withhold figures on the total number of votes cast and the final tally of the second-round results. Both were subjects of fierce dispute. In June, Abdullah called Ghani's thirteen-point lead in the second round (Abdullah had won the first round by a similar margin) the product of “industrial-strength fraud.” Ghani responded that the massive surge of two million additional voters in the second round, held June 14, almost all of whom seemed to be drawn from among his Pashtun ethnic support base, was simply due to better campaign organization to turn out the vote. Vote counts that exceeded a district's known population, or from districts where no polling stations existed, made that claim less than convincing.

The process was thrown into uncertainty as the European Union's Election Assessment Team (EAT) under UN supervision spent months examining the ballots, or at least some of them. Although EAT reported “clear evidence of large-scale fraud, mainly ballot stuffing,” so little was done about these findings that it was forced to concede “even after this full audit, questions remain on the electoral

▷ Afghan president-elect Ashraf Ghani (right) and rival candidate Abdullah Abdullah, after signing a power-sharing deal, Kabul, Sept. 21, 2014. *Massoud Hossaini/Associated Press/Corbis*



process and on the final outcome, in particular as the audit failed to bring full clarity on final results.”

This was a polite way of admitting an unfortunate truth: an internationally sponsored election and vote recount costing many hundreds of millions of dollars was now so badly discredited that its final results (whatever they were) no longer mattered because they had no credibility. Ghani dropped his people’s choice majoritarian rhetoric and accepted a deal with Abdullah he had earlier disdained—promising his rival executive authority in the new government if he were allowed to head it. The alternative was a likely civil war or military coup if he attempted to do otherwise. After a dozen years of “democracy building” in the country, Ghani bowed to a much older reality in Afghan politics in which the outcome is always deemed more important than the process that produced it.

Power to the President

The international community had not foreseen such trouble earlier because it treated the 2014 Afghan election as a routine event, until a crisis emerged during the second round. By contrast, Afghans recognized from the beginning that this election would be fraught with danger. While two previous presidential elections in 2004 and 2009 appeared to show that the process of elective democracy was well rooted, this was an illusion. Karzai had come to power as the result of the American invasion and internationally brokered Bonn Agreement in 2001. An Afghan *loya jirga* had approved his appointment in 2002 and Karzai went on to win two terms as president by election, but the process was largely symbolic. These elections merely confirmed his authority as an existing leader because only the most naïve Afghans believed that a sitting ruler would allow himself to be ousted by a popular vote. In their experience, rulers in Afghanistan were only removed by internal revolts or when their foreign patrons (with troops in the country) ousted them. Moreover the 2004 Afghan constitution gave Karzai vast executive power. He appointed all provincial governors and district administrators, routinely overrode the judicial system through use of pardons and dropped prosecutions, and largely ignored parliament. Levels of corruption were enormously high but such corruption bought the support of powerful personal political networks. While this undermined effective governance (and in the process gave new life to the Taliban insurgency), such benefits were the glue that kept otherwise rival ethnic groups and political factions from turning against his government.

As a result, few people really believed that Karzai was sincere when he proclaimed his intention of abiding by the constitution’s limitation of two terms and promised to step down in 2014. No Afghan leader had ever before voluntarily relinquished power (except as a form of forced surrender to enemies at the palace gates) and conspiracy theories proliferated about Karzai’s true intentions. There was speculation that Karzai’s

real intent was to amend the constitution to allow himself to run again, that he would abandon the electoral process and constitute a *loya jirga* that would confirm his right to rule indefinitely, or that he would ram through his own choice for a figurehead president while continuing to rule from behind the scenes. Even as the election itself came to a close, reports surfaced that Karzai would use its disputed outcome to declare himself an interim ruler until new and more fair elections, years hence, could be organized.

The logic behind such thinking was that nobody would dare give up such a powerful position, in part because it would be too personally and politically dangerous. To have an open winner-take-all election risked upsetting the delicately balanced system of political favoritism and corruption that Karzai had used to maintain power. Even if he were personally willing to retire, the entrenched beneficiaries of his palace patronage were not, and they had every reason to convince Karzai to stay on “for the good of the country.” When that tactic appeared to fail, they (and Karzai himself) threw their weight behind Ghani, who was now running as the representative of Karzai’s ruling Pashtun ethnic bloc and the candidate most likely to maintain the status quo. (Those in power could be sure that Abdullah, long a rival of Karzai and backed by the Tajik ethnic bloc, would dismantle their patronage networks if only to make room for his own.)

Game of Thrones

Ghani has a well-earned reputation as a technocrat—exiled after the communist takeover in 1978, he spent a decade teaching anthropology at Johns Hopkins University, and then another decade as a project director at the World Bank before becoming Afghanistan’s finance minister. But he had already shown his willingness to accommodate the country’s existing power brokers by naming Abdul Rashid Dostum, a notorious Uzbek warlord turned politician, as his first vice president even though Ghani himself had labeled Dostum a “known killer” when both made failed runs for president in 2009. Evidence that Karzai officials were putting the government’s weight behind a Ghani victory gained substance when Abdullah’s camp released a series of audiotapes in which officials badgered underlings to fix the election in his favor by any means possible. One, though denied by his office, had Karzai’s Vice President Mohammad Karim Khalili demanding, “The election outcome must turn in favor of this team [Ghani’s]... even if these means are against electoral mechanisms.” They had the skills since the last presidential election had also been manipulated by massive ballot fraud. Since Karzai’s reaction to complaints raised by the 2009 Independent Election Commission had been to remove all of its international members and personally appoint only his allies to the 2014 Commission, the task was actually easier this time around.

Fixing an election, however, could not guarantee the losing faction would concede. It was one thing to be beaten (even through fraud) by an over-powerful incumbent,

quite another to allow the prize to fall (perhaps indefinitely) to those of more or less equal strength. Many democracies recognize this dynamic by employing means to establish coalition agreements that share power in the absence of a clear majority, but this alternative did not exist in Afghanistan. It both lacked legally recognized political parties that might organize such a feat and had a constitution that provided no system of checks on its president. To Afghan eyes, this election always threatened to be less “Mr. Smith Goes to Washington” and more “Game of Thrones.” Resort to force to resolve the contest always remained in the background and Afghans were keenly aware of a political history the international community never chose to look at.

After the peaceful succession of Emir Habibullah in 1901, Afghanistan never again experienced a single transfer of executive power that was not accompanied by violence. Over the past ninety-five years, every ruler of the country (kings, presidents, commissars, mujahideen and commanders of the faithful alike) were all forced from power only by murder or exile. If Abdullah and his political allies refused to accept the results of a dodgy election, Ghani had no reason to expect that they might not follow this Afghan tradition and end his presidency before it got started. And in the event of violence, it was by no means clear that his electoral political coalition would stay united behind him if some of its leaders received better offers. (Ghani’s Vice President Dostum, for example, had a thirty-year history of opportunistic side switching and was widely hated by the Pashtun bloc that was Ghani’s core support.)

More significantly, state institutions such as the Afghan National Army and its officer corps, as well as the internal security apparatus, had strong non-Pashtun leadership that might easily choose to back Abdullah—an advisor to the late mujahideen leader Ahmad Shah Massoud, and Afghan foreign minister from 2001 to 2005—rather than Ghani if politics turned to fighting. (As one international military advisor in Kabul put it to me confidentially, “Who is willing to die for Ashraf Ghani?”)

While the United States threatened to withdraw all aid to the country if any faction took power by force, Ghani could hardly rely on that threat to protect himself since after the collapse of Iraq in the summer of 2014, the Obama administration could not afford a similar debacle in Afghanistan. Abdullah’s faction was also more committed to fighting the Taliban insurgency and its Islamist allies than either Karzai or Ghani, as the ethnic and regional groups they represented suffered from their rule. Thus, while Ghani was the favored candidate of the Western embassies and the UN, their primary goal was to prevent the country from falling apart, and so they pressed him as much as Abdullah to cut a power-sharing deal that Ghani had labeled unconstitutional. In fact it was extra-constitutional—the Afghan constitution gives its president such kingly powers that he is pretty much free to delegate those powers to whomever he wishes.

Room for Reform?

The Afghan presidential election ended with a whimper rather than a bang, but given that the expected bang was a possible civil war, the result brought some relief in a country still seeking stability. Afghans had long stopped putting faith in the electoral processes championed by an international community that always found an excuse to choose expediency over principle when the going got tough. This only highlighted how weak Afghanistan's governing institutions remained after more than a dozen years of international involvement. Rule of law had not yet replaced the rule of men and the prospects of it doing so anytime soon seemed remote. But largely lost in the reporting of a "power-sharing agreement" that would make Abdullah the government's chief executive officer was the commitment to convene a *loya jirga* within two years to amend the Afghan constitution by creating an "executive prime minister." The new administration also pledged itself to devolve authority within the existing government by "ratifying and enforcing a law on the organization of the basic organs of the state and determination of the boundaries and limits of local administration by legal means."

This agreement for constitutional reform recognizes that the failed 2014 election was a symptom of political dysfunction rather than its cause. Afghanistan, a country with a diverse population and a tradition of local governance at the village level, had adopted a constitution in 2004 that was ill adapted to that reality. It centralized all power in Kabul and devolved no authority to the country's regions or provinces to choose their own governors, to raise revenue or to make their own hiring and spending decisions. It was a throwback to the days and times of kings and dictators when the Afghan population was passive and content to let those who held power run everything as long as they maintained stability.

Three decades of war changed that reality because, out of necessity, power had devolved back onto local political actors and Afghanistan's people no longer showed the automatic deference to leaders in Kabul they had in the past. While this reality was recognized in the 2003 debate over creating an Afghan constitution, it was ignored by the proponents of centralization. Ironically, the United States fully backed this faction on the grounds that in Afghanistan only centralization could preserve stability even though the United States itself had one of the oldest federal constitutions in the world. A decade later it is clear that the centralized model alienated too many of Afghanistan's people and exacerbated the country's many problems. If a Ghani/Abdullah power-sharing deal can bring about genuine structural change in how Afghanistan is ruled, then perhaps the new government can better deal with issues of poor governance, corruption, and the challenge of a Taliban insurgency. On the other hand, if the prospect of serious change falls victim to a search for spoils and score settling, then the agreement is likely to be short-lived and the next transfer of power will be even less seemly.