

Afghanistan Research and Evaluation Unit

THE WOLESI JIRGA IN 2010

Pre-election Politics and the Appearance of Opposition



AREU Parliamentary Election Brief 2
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1. Introduction

Afghanistan's *Wolesi Jirga* (the lower house of parliament) is coming to the end of its first term. With the next election tentatively scheduled for 18 September 2010, members of parliament (MPs) are making preparations to re-contest their seats. The context for the upcoming election, however, is very different from that of 2005, and a number of developments have occurred within the current parliament in the past five years—and particularly in the last six months—that will affect the election itself and the parliament to be elected through it. Developments include an increasing trend toward opposition, an ostensible weakening of the influence of party leaders, and an elected body adamant to defend its identity as the “real representatives of the Afghan people.”

Understanding the internal dynamics of the *Wolesi Jirga* over the past five years is critical to the analysis of the upcoming parliamentary election, for a number of reasons. First, given the high number of incumbent candidates, it is important to look at different motivations for MPs re-running as well as the role that various blocs and interest groups in parliament play. Furthermore, analysing the *Wolesi Jirga*'s current political environment is important in understanding its potential role for rebalancing legislative-executive power and the arena into which any new successful candidates will enter. Pre-electoral politics within the *Wolesi Jirga* indicate how MPs will campaign, how their relationships with parties and other groups will be shaped, and how their relationship with the government will determine the platforms on which they stand.

This brief provides some of the initial findings of the ongoing Afghanistan Research and Evaluation Unit (AREU) study on parliamentary functions and dynamics. Overall, the study has taken two simultaneous approaches:

1. Collating MPs' perspectives on changes in parliament prior to the upcoming election
2. Focusing on constituent perspectives in three provinces (Balkh, Kabul and Paktia)

This brief summarises the initial findings of the first approach, which are based on data collected from semi-structured interviews with a sample of over 50 MPs comprising different backgrounds, provinces, gender, ethnicities, political relationships and ideologies.¹ Fifteen of these MPs were also selected for second interviews. In addition, the views of constituents in the three provinces, collected primarily for the second approach, have been drawn upon here to triangulate the information given by MPs.²

The paper first provides a brief insight into the internal dynamics of the *Wolesi Jirga*, specifically looking at shifts in groupings over the last five years and noting potential effects on the upcoming election. Second, it assesses some of the preparations and concerns of MPs in the pre-election period. Finally, it discusses some of the implications of these findings for the election and beyond.

¹ A separate brief detailing the initial findings from the second approach is also available: Noah Coburn, “Connecting with Kabul: The Importance of the *Wolesi Jirga* Election and Local Political Networks in Afghanistan” (Kabul: Afghanistan Research and Evaluation Unit, 2010). Two further papers expanding on the initial findings in each approach will be available in summer 2010.

² Interviews for the second approach were conducted with constituents including election workers, provincial council members, local elites and voters in both rural and urban areas in the three provinces.

2. The *Wolesi Jirga* 2005 to 2010: Internal Dynamics and Groupings

Elections for the first post-2001 parliament in Afghanistan took place in September 2005, as one of the final stages of the Bonn Process. According to the International Crisis Group (ICG), “some 6.4 million voters and 2,835 candidates took part in one of the most complex post-conflict elections ever held.”³ Two hundred and forty-nine MPs were elected, complying with a quota of MPs per province determined by population figures. These MPs comprised a wide variety of backgrounds, expertise, ideological values and personal histories—including a number of prominent ex-mujahiddin leaders, ex-communist politicians, democrats, journalists and teachers.⁴ Partly as a result of a reserved seats system outlined in the 2004 constitution, and partly due to female candidates winning seats in their own right, the total number of MPs also included 68 women.

In the interviews, almost all MPs, while acknowledging challenges and difficulties, described their overall experience in parliament over the last five years positively. They referred to the creation of a parliament as a symbol of national solidarity and indicated satisfaction with their achievements—especially in terms of the number of laws passed and the development of institutional capacity. MPs’ stated belief in their own capacity development can be validated by parliamentary reports documenting the increasingly sophisticated critiques of government proposals for legislation, of ministers in their defence of their activities, of the presidential decree on the Electoral Law, and of the 2010 budget.⁵ This increased capacity for criticism should be contextualised; the increased MP presence in the plenary during pre-election and posturing may also be contributing factors. Still, in the last year MPs have shown an increasing awareness in the role they can play in monitoring government activities. Key challenges identified by MPs include a lack of personal and institutional or systemic ability to monitor the government due to an individual lack of capacity and institutional barriers such as the influence of government interests, the lack of practical implementation of the laws passed in parliament, and the belief that they have not been able to fulfil the expectations of their constituents.

The last five years have also seen the *Wolesi Jirga*—a mixed and very far from unified entity—undergo shifts within itself, in terms of informal groupings,⁶ key personalities and ideological stances, as well as in its position toward the executive branch of government and in MPs’ perceptions of their own identity as “representatives of the people.” This section outlines some key observations of these internal shifts, looking primarily at patterns of groupings in the form of opposition and pro-government developments, political parties, ethnic blocs and parliamentary groups.

3 International Crisis Group, “Afghanistan’s New Legislature: Making Democracy Work” in *Crisis Group Asia Report* No. 116 (Kabul: ICG, 2006).

4 Andrew Wilder, “A House Divided? Analysing the 2005 Afghan Elections” (Kabul: Afghanistan Research and Evaluation Unit, 2005).

5 Afghanistan Parliamentary Assistance Project (APAP), *Legislative Newsletter III*, No. 7, 13 April 2010.

6 The *Wolesi Jirga* is formally divided into 18 commissions, each with approximately 15-25 members. Commissions are dedicated to a particular issue or cluster of related issues and are mandated to review draft bills relating to their areas of expertise and to report back to the plenary. Beyond this, however, there has been no formal grouping of MPs inside parliament. However, as discussed in this paper, MPs have made many attempts to group informally.

Pro-government/opposition dynamics

There is no formal separation of pro-government/opposition blocs in the Afghan parliament, but since its inauguration in 2005 members and groups of members have been loosely affiliated to one or the other side, or to the number of “unaffiliated” or “independent” MPs in the middle of the two. In 2005, analysts categorised MPs according to these three groups and suggested that there would be roughly the same number of MPs (around 80) in each camp, at least initially.⁷ These analysts also predicted, however, that the three “blocs” would be far from stable, and could shift over time. Indeed, this has been the case; and for the majority of the first parliamentary term, MPs have been unwilling to categorise themselves formally.⁸ Political shifts between party leaders and the government have contributed to this ambiguity. Having said this, the extent to which MPs are willing to categorise themselves as belonging to either the pro-government or opposition camps has been increasing since the 2009 presidential election and planned run-off between Hamid Karzai and Abdullah Abdullah. This turn of events, and the sizeable support enjoyed by Abdullah during the campaign, exacerbated the demarcation between government and opposition at the time, and has made the latter stance a more credible option for MPs. Many MP respondents, for example, either strongly implied or stated outright that they were in opposition to the government, largely due to public complaints about government corruption and the desire to be seen by their constituents as against this. In the run up to the September election, MPs’ alignments appear to be more visible (although they are still fluid, and neither coordinated nor cohesive). As one MP described,

There are three groups in the Wolesi Jirga. One is the majority of MPs who are pro-government and accept whatever the government says to them...The second is made up of about 70 MPs who are in the opposition, and the third is made up of about 20 MPs who are impartial or independent and whose alliance often depends on the power balance in parliament at the time.⁹

Now, with the election getting closer, it is politically beneficial for “opposition MPs” to distance themselves from a government that they see as unpopular. On the other hand, being seen as “pro-government” is also beneficial for those MPs who see the Karzai regime as a necessary means to re-election. The statement above also acknowledges those MPs who decide who to support or oppose by assessing the balance of power at the given time, or by weighing the material/political capital that can be gained by voting for one side or the other.

This is not to say, however, that voting patterns are always or even usually determined by people’s stated allegiance or opposition to the government. As seen in the nearly unanimous rejection of Karzai’s presidential decree on the Electoral Law, there are times when even self-classified pro-government MPs choose not to support government bills. In this particular case, MPs voiced concerns that a potentially all-Afghan Electoral Complaints Commission, as made possible by the decree, would risk ethnic or other bias that might not be mitigated by international participation. Such a concern seems to have outweighed their stated allegiance to the government.¹⁰ Other MPs’ rejection

7 Wilder, “A House Divided.”

8 Anna Wordsworth, “A Matter of Interests: Gender and the Politics of Presence in Afghanistan’s *Wolesi Jirga*” (Kabul: Afghanistan Research and Evaluation Unit, 2006) and Anna Larson, “Afghanistan’s New Democratic Parties: A Means to Organise Democratisation?” (Kabul: Afghanistan Research and Evaluation Unit, 2008).

9 Interview, MP for Kabul Province.

10 Interviews, (self-labeled) pro-government MPs.

was based on the suspicion that the decree was a way to prepare for changes in the constitution, through which Karzai would secure for himself a third term in office. In another case, when the *Wolesi Jirga* rejected cabinet nominees, Karzai was apparently unable to deliver on promises he had made to allies due to the non-compliance of MPs who were assumed to be his devoted supporters. This was clearly the case in a second interview with an MP from southern Afghanistan who strongly criticised the president for his choice of nominees, but was supportive of the government in an earlier interview.¹¹

Overall, the apparent increase in numbers of MPs willing to class themselves with the opposition, albeit not as a unified block, could be seen as a positive step for Afghanistan's legislature since the 2009 presidential election, when members promoted the need to keep check on executive power. Nevertheless, during the pre-election period, further shifts are likely to take place, and post-election, it is highly likely that many MPs will return to a more ambiguous stance. Further, the negative elements of a strong opposition should be considered. These include the history of political opposition leading to violence in Afghanistan and subsequent potential for increased tension along ethnic lines, which could further alienate a general public that, according to interviews in three provinces at least,¹² is very concerned about the damage that a strong opposition could do to an already fragile institution.

Political Parties in the Wolesi Jirga

The term “political party” has a number of connotations in Afghanistan. Used in general speech by Afghans, it does not necessarily refer to groups distinguished by political ideology. Rather, it often denotes larger, Islamist parties which were established in the mujahiddin era and were based on ethnic or military groups, such as *Hizb-i-Islami*, *Jamiat-i-Islami* and *Wahdat-i-Islami*.¹³ These parties are informally represented in parliament and often struggle to concretely define members. *Hizb-i-Islami* is often cited as the most organised of the parties represented in the *Wolesi Jirga*. However, as one party representative explained, it still has difficulty bringing members together as a unified bloc:

*I am not alone in parliament as a representative of Hizb-i-Islami. There are something like 25 to 28 MPs from our party, and our ideology is the same but we cannot function well together and we do not have a good relationship with each other in the parliament. There are lots of other parties in parliament and they also do not have good relationships within their groups, because being an MP is an important responsibility and we prefer to put the interests of our constituents above those of the party.*¹⁴

The sentiment of obligations to constituents as being dominant over party representation in parliament was expressed by many party-leaning MPs—which although sincere is nevertheless strategic, given a general public dislike of parties and their association with the history of conflict in the country. Having said this, the power base of many ex-jihadi parties is not within the parliament, but rather in the provinces where they fought

11 Interview, MP for a province in southern Afghanistan.

12 Interviews for the second approach to this study, with constituents in Balkh, Kabul and Paktia.

13 Parties in Afghanistan are also not well-defined in the Western sense of the term, because they are often centered on a charismatic leading figure, and party activities and decisions are almost exclusively based on personal relations with this leader. For more on this topic, see Thomas Ruttig, “Islamists, Leftists and a Void in the Centre” (Kabul: Konrad Adenauer Stiftung, 2006, 2006) and Larson, “Afghanistan’s New Democratic Parties.”

14 Interview (second round), MP for Ghazni Province.

against Soviet troops and continue to have most influence among people. MPs consider these parties and their leaders to have considerable influence outside of parliament and throughout society in general, due to their extensive support networks and the charismatic personalities and reputations of the leaders. These parties also often have strong social links with local powerbrokers to mobilise voter support.

Interestingly, a number of opposition-leaning MPs believe that some of these party leaders had an important role in the beginning of the Wolesi Jirga's first term, but due to some of the political decisions they have made recently, such as supporting Karzai in the 2009 election, have lost some of their original support-base among MPs. According to these MPs, this is due to an increasing tension between party leaders and the MPs who initially campaigned as their supporters. Those MPs who were elected through the support of parties have in many cases been trying to stand independently in the Wolesi Jirga. Firstly, this is because of their increasing need to be seen as representing constituents' interests, and secondly, due to internal competition between the MPs from the same party to have a greater role in decision-making within the party. The parties may abandon these rebellious MPs in the 2010 election and try to support new candidates who are more supportive of their interests. Quotes from two different MPs explain this in more detail:

We were some of the MPs who were supported by [Vice President Mohammad Karim] Khalili in the past parliamentary election and we won the election this way. But our relationship with him has changed and deteriorated. Now he has a good relationship with his supporters in the Provincial Council. Now we feel that the party leader is a powerbroker and he doesn't want us to have a good relationship with him. We are not with his party now.¹⁵

Day by day [the party leaders] are getting more untruthful. Now the leaders don't have more than five MPs each supporting them. They have money. If they didn't have money, then no one would support them or give them a vote.¹⁶

Both statements illustrate how the support for party leaders appears to be declining, or superficial. The first statement also indicates how internal conflict between members and their leader, in one case, has contributed to the growing weakness of the party in the Wolesi Jirga. Further research will explore whether this is more generally the case with other parties also.

The resentment of some MPs toward their party leaders reflects a discrepancy between the power and influence of the party-leader MPs and those who campaigned as their supporters, who have less leverage with cabinet members and other influential government personalities. Although all are MPs who have the same formal role, there appears to be different tiers of parliamentarians in the Wolesi Jirga in terms of their relative influence on proceedings and politics. Roughly speaking, these are: the "first tier" or "party" MPs who are the leaders of parties who (at least until recently) have enjoyed significant influence in the Wolesi Jirga; the "second tier," "mid-level" or "supporting" MPs who are not as famous or influential as party leaders, but often appear in the media and have their own resources from personal wealth and may or may not be supported by parties; and the "third tier" or so-called "ordinary" MPs who have few financial resources, are not well known outside their own communities and may be reliant on parties for campaign financing and social or political networking.¹⁷ For example, one MP from Paktia stated

15 Interview, MP for Kabul Province.

16 Interview (second round), MP for Kapisa Province.

17 This is a rough categorisation which does not account for the many complexities that affect MPs'

outright in an interview that “one ‘party’ MP has power equal to 10 ‘ordinary’ MPs,” and another from Logar described himself as a mid-level parliamentarian, saying:

*I am in the middle—not in a very high position, but also not in a very low position. Some ministers know me through my involvement in jihad, and they sometimes introduce me to the ministers who don’t know me.*¹⁸

There is a growing resentment on the part of the mid-level MPs (tier 2) toward the party leaders (tier 1), due to perceived parliamentary hierarchies in which they and the “ordinary” MPs (tier 3) had no role, and these leaders’ bargaining power with the cabinet and Karzai on issues such as the new cabinet nominees. In this case, MPs who were party supporters reported being outraged at having had their potential votes for nominees bargained away by their leaders and thus, according to their own accounts, did not vote for the nominees their party leaders had selected. Indeed, there are now signs that these rebelling, tier 2 MPs are forming their own groups to stand against their former leaders, of which the recently established *Rah-i-Naw*¹⁹ (“New Way”) group is one. Members of this group claim that their former party leaders are actively attempting to prevent their re-election. Whether they will be able to win their seats without the financial and networking support of the party remains to be seen, but they will face the considerable difficulties that apply to MPs wishing to stand as independents. Tier 2 MPs, however, having their own resources and social connections, stand a better chance of being able to break away from party leaders than their tier 3 counterparts. It also seems that over the course of the parliament’s first term, the size of the tier 2 group has increased purely as a result of the resources and fame MPs have been able to generate during their time in office.²⁰

Effects of the 2009 Elections

The 2009 presidential and provincial council elections had a strong impact on internal politics in the *Wolesi Jirga*. One example relates to the ethnic groups represented: although ethnic allegiances between different groups in the *Wolesi Jirga* have been shifting since its inauguration, a number of the current ethnic alliances are linked to the political dealings of ethnic leaders leading up to the 2009 elections. Before the presidential election, leaders of ethnic minorities such as the Tajik, Hazara and Uzbek—most of whom were part of the National United Front (*Jabha-i-Muttahid-i-Milli*)—made considerable effort to form a strong bloc against the government. The bloc wanted to win with their own candidate, Abdullah Abdullah.²¹ A range of issues brought these leaders together, such as the need for power-sharing among ethnic minorities in key government

behaviour. It is nevertheless useful in providing a broad picture of motivations and incentives. It will be further systematised, with clarified criteria, in one of the following discussion papers.

18 Interview (second round), MP for Logar Province.

19 *Rah-i-Naw* is a group of MPs, most of whom are of Hazara ethnicity and were supported by Khalili’s and Haji Mohammad Mohaqiq’s parties (*Hizb-i-Wahdat-i-Islam-i-Afghanistan* and *Hizb-i-Wahdat-Islami-Mardum Afghanistan*, respectively), in the first parliamentary election. According to members of *Rah-i-Naw* interviewed, they no longer support their party leaders due to disagreements between the MPs and the leaders in the past two years. As a result, they are trying to stand independently in the upcoming election. The group was formed around the time of the presidential election in 2009. Although the formation of this group could be part of a general trend toward regrouping before an election, it is also indicative of a rebellion against party leaders, in particular among Hazara MPs.

20 The relationships between former party supporters and their top-level leaders will be discussed in more detail in one of the upcoming discussion papers, due to be released in summer 2010.

21 Abdullah Abdullah has formed his own party since the 2009 presidential election, called *Taghir wa Omed* (“Change and Hope”). He is still supported by the National United Front, and the distinction between the two groups is not clear.

positions and for reducing the high level of government corruption. The bloc, however, could not overcome major internal discord; the history of ethnic conflict and the varying political interests of its members turned out to be corrosive. For example, there were disagreements over who should lead the opposition bloc, and who could have claimed more influence in the government had the bloc won the election. According to some MPs, members were subject to Karzai's promise of political credits to the leaders who decided to return to his side. As a result, some of the influential figures of the bloc joined Karzai, while some of them remained with Abdullah.

After the 2009 election, the size of "the opposition"—or the number of MPs willing to categorise themselves as such—increased in the Wolesi Jirga. A number of issues lie behind this increase: disillusionment with Karzai's government in the past five years, the top-down power structures of ethnic groups, corruption in the government, and, according to some MPs, the covert agreements between Karzai and the ethnic group leaders such as Abdul Rashid Dostum, Mohammad Mohaqiq, Marshal Fahim, Abdul Rasul Sayyaf, Abdul Karim Khalili and Ismail Khan during the campaign. Most MPs were excluded from this arrangement, which propelled some to join the "opposition." An example of MPs distancing themselves from their Karzai-supporting leaders, specific to the Hazara MPs in particular, has been that of the Hazara-Kuchi land dispute, which has been dividing the political elite within the Hazara ethnic group.²² Until recently Hazara MPs were concerned that Karzai and their own leaders had not done enough to solve this issue, and demonstrated to this effect, although in recent weeks the Hazara party leaders have taken more action on the subject. It remains to be seen whether these MPs will now return to supporting their party leaders or whether they will try to remain autonomous. From the perspective of both Kuchi and Hazara MPs interviewed for this study, the issue has been co-opted by political figures for the pursuit of their own interests. As one explained: "There are some political players who want to maintain a gap between the Kuchi and others, like the residents of Behsood."²³ Although they are desirous of a resolution to the problem, Kuchi and Hazara MPs alike are concerned that it has become a political game for powerholders.

Parliamentary groups

A provision for the formation of parliamentary groups was established in the first year of the Wolesi Jirga's existence in the Parliamentary Rules of Procedure as a formal mechanism to encourage greater efficiency and organisation in plenary discussions.²⁴ MPs were allowed to form groups of 21 persons or more, but according to certain restrictions (such as the prohibition of groups formed based on ethnicity, region, language, gender

22 This is a long-standing issue which has been recently contributing to the distancing of some Hazara MPs from their ethnic group leaders, Khalili and Mohaqiq, who had agreed along with Karzai to resolve the issue. This issue is widely thought to date back to the reign of King Abdul Rahman Khan, who instigated policies against the Shia communities in central Afghanistan. The conflict re-emerged after 2001 and became violent in 2008, when fighting broke out between the nomadic Kuchi and local Hazara residents of Behsood District (Wardak Province). In 2009, pressured by the Hazaras leaders, the government intervened, trying to make Kuchis refrain from entering the area. This plan was less than successful, and during the presidential election when Hazara leaders such as Khalili and Mohaqiq allied themselves with Karzai, many Hazara MPs remained aloof, because they deemed it unacceptable for them to support the Karzai government that had not gone far enough to resolve the conflict. Recent activities on the part of key Hazara leaders to address the issue may serve to re-unite some of the MPs with their leaders.

23 Interview, MP representing Kuchis. Interestingly, in a joint press conference by Mohammad Hanif Atmar (Minister of Interior at the time), Khalili (second vice president) and the Chief Commander of the Afghan National Army (Bismillah Khan) on this issue, Atmar also accused the armed opposition and some political figures of using the issue for their own political interests.

24 International Crisis Group, "Afghanistan's New Legislature."

and other stipulations).²⁵ In the beginning, four parliamentary groups were established and registered by MPs.²⁶ They were based on members' related backgrounds and interests and around key elites, but they gradually collapsed for a number of reasons: conflicts of interest concerning MPs' various constituencies, the inflammatory nature of the subjects discussed in the *Wolesi Jirga*, and the diverse ethnic identities and political connections of members of the same parliamentary group.²⁷ At present there is just one parliamentary group functioning, called the *Khat-i-Sehum* ("Third Line"), which was formed later than the original four groups. The group has an office close to parliament where they host visitors and discuss relevant parliamentary issues, which is financed through the group members' personal expenses.²⁸ Members of the group generally hold a modernist, democratic stance and are not connected to the main ethnic parties. Most speak English fluently and communicate regularly with both the Afghan media and members of the international community.

This group, however, is not as active now as it was when it was first established. Reasons cited for the growing weakness of groups like the Third Line include, firstly, the diversity of opinions and interests of group members. For example, when a sensitive event like the process of approving new cabinet happens in parliament, members of parliamentary groups cannot come to a collective decision, because issues like ethnicity, language, geography, religion and political relationships with non-parliamentary actors affect the interests of individual members differently. Secondly, there is a lack of trust between members and the head of a group. Members are often wary of the leader's potential for misusing a decision or votes for their personal benefit. For instance, during the approval of new candidates for the cabinet earlier this year, or in calling a minister to the *Wolesi Jirga* for a vote of no confidence, or for any other event related to voting, members of a group think that their votes may be promised by the group leader in deals and bargains for his or her own personal gain. One MP stated:

*The heads of the [parliamentary] groups are forcing something on the group members, and this can destroy the groups. For example, if the head of the group wanted to select a minister, the members couldn't do anything about it... We shouldn't be victims of the group leader.*²⁹

In addition, most MPs stated that financial problems were another contributing factor to the parliamentary groups' decline. Many MPs said that for the groups to continue their work, they needed funds to rent an office for meetings or to host visitors since they were not able to afford these costs themselves. One MP elaborated on this point:

25 Rule 13, Parliamentary Rules of Procedure, in International Crisis Group, "Afghanistan's New Legislature."

26 In 2007, these four groups were: *Esteqlal-i-Milli* ("National Independence"), chaired by Sayed Mustafa Kazimi, with 23 members; *Nezarat-i-Milli* ("National Monitoring"), chaired by Engineer Mohammad Asem, with 22 members; *Taraq-i-Khwah* ("Progressive"), chaired by Mohammad Naim Farahi, with 22 members; and "Afghanistan," chaired by Mirwais Yasini, with 41 members. See the *Wolesi Jirga Administrative Board*, 2007.

27 Interview, MP for Wardak Province.

28 Interviews, Third Line MPs.

29 Interview, MP for Kabul Province. Although the voting for ministers and other senior positions is conducted by a secret ballot, the respondent is here referring to the pressure put on MPs by parliamentary group leaders to vote for specific individuals. Other respondents also expressed the concern that parliamentary group leaders often summarised their group decisions to the plenary sessions in a way that does not reflect the discussions properly, but instead furthered the leaders' own political interests.

*Parliamentary groups were created only in name and they were not supported. There was no interest to actively continue them...I also asked the international community to support parliamentary groups, but neither the government nor the international community supported them. The groups didn't have funding or offices, so they couldn't continue their work.*³⁰

This statement demonstrates a level of expectation on the part of MPs in terms of financial support from patrons such as the government or international community. Interestingly, they do not appear to link to the compromise of impartiality that could potentially accompany such support. It is unlikely, however, that this absence of association is an indicator of MPs' lack of awareness about the relationship between the executive and legislature, as the subject of executive control over parliament is currently hotly debated among MPs. Rather, it is more likely a general critique of the way in which MPs are expected to undertake a number of tasks without the perceived necessary resources to do so.³¹

³⁰ Interview, MP for Paktia Province. While some international agencies have been working in parliament to encourage group formation (e.g., the International Republican Institute and UNDP's Support to the Establishment of Afghan Legislature), none have focused specifically on the phenomenon of parliamentary groups in the formal sense.

³¹ This subject will be explored in more depth in one of the upcoming discussion papers, to be released in summer 2010.

3. The 2010 Election: Preparations and Concerns

Initial findings from this study show that MPs have already made many preparations for the next election. For example, MPs are in close contact with constituents, increasing visits to their constituencies, participating in broadcast discussions, and openly criticising government activities and policies to demonstrate their independence. Almost all the MPs interviewed for the study confirmed that they will rerun in September,³² but simultaneously expressed significant concerns about the potential prevalence of fraud, vote-buying and insecurity.

Motivations for running again

There are a number of significant incentives for MPs to rerun in the election, despite the security risks that accompany well-known government representatives and the potential expenses involved in meeting the demands of constituents. These incentives include considerable political influence; the ability to have a key role in the community and at the national level; a good salary; potential for patronage gains through delivering services to constituents; the potential for networking among parties, high level officials and the international community; and the impunity from prosecution that the position is seen to provide.

When asked prior to the registration deadline whether they would run again, however, the majority of current MPs said they would if their constituents asked them to. Almost all the MPs also said they had only campaigned in the first election due to their constituents' demands—and not due to their own ambition. While this is said by every candidate for every election in Afghanistan, in an attempt to prevent voters accusing them of standing for personal glory and gain, and is to be expected of politicians campaigning for a second term, there is also an element of duty, in the sense of being torchbearers of the people:

*I am not sure whether I should be a candidate or not, but people say that I should be their MP, and if I don't run in the elections they would be hopeless. Where would they go then?*³³

This reflects the way in which *Wolesi Jirga* MPs apparently see it as the “house of the people,” which could be partly due to it being elected by popular vote as opposed to selected by residential appointment, and therefore as having more public legitimacy.³⁴ MPs also used this point to distinguish themselves from the government as a whole.

Nevertheless, while emphasising their distinction from the cabinet or appointed branches of government, in the majority of interviews MPs also expressed their use of personal connections in ministries to access services for their constituents. Indeed, in the majority of interviews conducted, MPs described their personal visits to ministers or deputy ministers as the primary means by which they “solve the problems” of their constituents. Sometimes this involves the MPs accompanying constituents to the ministries themselves. As such, it appears that a careful balancing act is being played by

32 At the time of writing the candidate lists had just been published. Roughly 200 of the incumbent MPs (83 percent, excluding those killed since 2005) have re-registered. See APAP, Legislative Newsletter, III, No. 12, 17 May 2010.

33 Interview (second round), MP for Kapisa Province.

34 This subject will be explored in more depth in one of the upcoming discussion papers, to be released in summer 2010.

MPs in order to gain political capital from three distinct but overlapping stances, which they can hold simultaneously but emphasise differently to different audiences: overt opposition to government, subtle distinctions of their separation from the government, and the sense that they are still connected to the degree that they have access to the all-important networks of patronage distribution and service provision.³⁵

Relationships with constituents from MPs' perspectives

In interviews, MPs often strongly emphasised the need for a close relationship with their constituents, but most (especially those representing insecure provinces) expressed dissatisfaction with the status of the relationship. They feel they are not able to meet with constituents as often as MPs would like, largely due to insecurity and the difficulties of provincial travel. One MP explained the extent of this problem in his experience:

*Unfortunately, I have not been closely in touch with my constituents because of the security issue. In four districts of [my province] no governmental official can travel without a military convoy. However, I feel that it is my responsibility to visit the insecure districts, and especially the district I am from, to see people's problems closely.*³⁶

As visiting the provinces can be a difficult and infrequent exercise, many MPs reported that they have been in contact with their constituents either by telephone or through their constituents coming to meet them in Kabul.

Furthermore, insecurity also adds to, or can be used to justify, the potential preferential treatment given to some constituents above others. As might be expected, MPs often prioritise their home districts or areas when visiting or providing services, making their actual constituency much smaller than the geographical area for which they are formally responsible.³⁷ Influential local people, such as *maliks*, *arbabs*, *qaryadars*³⁸ and the heads of *qawms*,³⁹ are often targeted by MPs because they often have the time and resources to travel to see MPs in Kabul to express local interests. One MP explained how her contact with constituents was largely with such figures:

*I try to meet all the people individually but it is not possible. As our society is traditional, usually I have to meet elders, mullahs and the heads of qawms... Unfortunately I don't have as much access to the people as I expected. Therefore, there is a big gap between me and the people.*⁴⁰

In this way, these people are the liaison between local voters and MPs, and can act as brokers to gather votes for MPs in the run up to elections.⁴¹ One example from Ghazni

35 This again is an area for further research and will be addressed in one of the upcoming discussion papers.

36 Interview, MP for Ghazni Province.

37 Wordsworth, "A Matter of Interests."

38 A *malik*, *qaryadar* or *arbab* is a local community leader in a rural area, who liaises in a quasi-official capacity between the community and the government. They can have varying roles in different political contexts.

39 *Qawm* is a complex Afghan political and social term which is often simply translated as "tribe" or "clan." Based upon the context in which it is used, it can mean an identity group ranging in scope from family to ethnicity.

40 Interview (second round), MP for a southwestern province.

41 For more detailed accounts of the role of brokers, see Noah Coburn and Anna Larson, "Voting Together: Why Afghanistan's 2009 Elections were (and were not) a Disaster" (Kabul: Afghanistan Research and Evaluation Unit, 2009).

Province was of influential village elders who visited their MP in Kabul to obtain permission to establish a government school, and turn an existing middle school into a high school. Interestingly, the elders were paid by community members for their visits and for their time away home.⁴² Anecdotal evidence suggests that this payment of elders—whether by the community or by local influentials—is common practice.

The strongest voter networks are, unsurprisingly, usually based in MPs' home areas. These votes alone can be sufficient to win the MP a seat. This is not a novel invention, as it traces back to the electoral system in the 1960s,⁴³ in which *hawza* or *alaqa dari*⁴⁴ were the formal constituencies for elected officials, as one MP explained:

In the past, we had smaller political districts and it was good. Now a whole province is considered one constituency, and this is not good...If MPs were elected from each district it would be better. In a district, the responsibility of the MP would be clear, as everyone knows their own people and they are familiar with district problems. In the current system it is difficult to know about the people and their problems.

As earlier research from AREU has shown, the broad provincial (and multi-member) electoral constituency in the current system, along with the limitations of the single non-transferable vote (SNTV) system, can lead to people living in districts without a representative in parliament feeling disenfranchised and unrepresented.⁴⁵ From the perspective of many MPs, the task of satisfying the expectations of an entire province is extremely difficult. Further, there is no real electoral or other incentive for MPs to try to satisfy the needs of a whole province, instead of those of a smaller group of local voters.

Campaign tactics

Over 2,600 candidates have registered for the upcoming election, including incumbents and a large number of new candidates.⁴⁶ Campaign tactics discussed by incumbent MPs interviewed include the targeting of influential local people, such as heads of villages, maliks and commanders, to collect group votes, as well as using ethnic, tribal, geographic and political support networks. In addition, some private media companies are likely to play a role in campaigns, as they are in many cases financed by the leaders of the main parties (for example Noorin and Noor TV channels are supported by Jamiat party leader Burhanuddin Rabbani, Nigah by Khalili, Dawat by Sayyaf, Rah-i-Farda by Mohaqiq and Aina by Dostum). MPs who have built good relationships with the media in the last five years are appearing even more frequently on TV and comment on hot topics such as the Electoral Law decree to demonstrate their independence from the Karzai government.⁴⁷ Initial findings also show that while a considerable number of new parliamentary candidates' campaigns will be supported politically and financially by influential parties or individuals, the parties will, as in 2005, support their candidates

42 Author's field notes, Ghazni Province.

43 Louis Dupree, "Afghanistan Continues its Experiment in Democracy: The Thirteenth Parliament is Elected" (New York: American Universities Field Staff Reports, South Asia Series XV, No. 3: 1971).

44 *Hawza* and *alaqa dari* are small administrative areas (usually smaller than a present-day district) that were used in Zahir Shah's reign as an electoral constituency.

45 Anna Larson, "Toward an Afghan Democracy? Exploring Perceptions of Democratisation in Afghanistan" (Kabul: Afghanistan Research and Evaluation Unit, 2007).

46 Coburn, "Connecting with Kabul."

47 Author's observations, January-May 2010.

either publically or informally/secretly.⁴⁸ If the latter, this is largely because of the perception that the public do not like candidates who are supported by parties in light of their negative history in the community in general. Furthermore, according to interviews with constituents conducted by AREU on voter perspectives, party candidates in particular are viewed as loyal only to their party and unaccountable to those who voted for them in 2005.⁴⁹

Fraud and security concerns

Despite the fact that over 80 percent of current MPs have registered for the 2010 election,⁵⁰ they are nevertheless concerned about electoral fraud and corruption. Many complained about the 2009 presidential and provincial council elections and the level of fraud perceived to have taken place. Having said this, few put forward measures that could be put in place to prevent fraud, other than suggesting changes were necessary in the Independent Election Commission. Most also supported there being international members on the Electoral Complaints Commission (as is currently the case), due to their perceived impartiality and lack of ethnic and political bias. Although Karzai was keen to implicate the international community in fraud allegations during 2009 elections, most MPs do not accept this and opposition-leading MPs go further and make the opposite claim, stating that Karzai himself was responsible. However, most accept that the parliamentary election will be fraudulent in some way and implied that little could be done to prevent this. From a strategic perspective, taking this attitude could be beneficial for MPs if they fail to re-win their seats, as they can then blame fraud as the only reason for losing.

Another major concern raised by MPs was insecurity and the difficulty of campaigning in insecure provinces. Indeed, it was also rumoured that a group of MPs were paying private militia companies in order to guarantee security for their campaigns. One MP said:

Security worsens day by day and fighting continues in many provinces. The majority of MPs are busy making militia groups and almost 30 MPs are paying private security companies.⁵¹

This again highlights the distinct advantages available to incumbent MPs and new candidates who are able to afford such measures, subsequently making campaigning an increasingly daunting task for those who cannot. It also has significant implications for those MPs considering whether or not to stand independently or accept party backing, which could also come with security provisions. It is likely that many MPs—especially independent ones—will resort to contacting constituents by phone, sending brokers or candidate agents to work for them in the provinces, or relying purely on their reputation and connections as the incumbent to thus be considered the most experienced candidate for the job.

48 Interviews, various MPs. This was also found to be the case in the 2009 provincial council elections. See Noah Coburn and Anna Larson, “Patronage, Posturing, Duty, Demographics: Why Afghans Voted in 2009” (Kabul: Afghanistan Research and Evaluation Unit, 2009) and Coburn and Larson, “Voting Together.”

49 Informal interview with a potential parliamentary candidate for Bamiyan Province.

50 APAP Legislative Newsletter, 17 May 2010.

51 Interview, MP for Paktia Province.

4. Implications: June to September 2010 and Beyond

This paper has briefly covered some of the key issues raised by MPs during AREU's ongoing representative governance research, which began in November 2009. While these issues will be discussed in more depth in a forthcoming publication, the following points summarise some implications of the preliminary findings for the 2010 election:

- There is an increasing trend in the *Wolesi Jirga* for MPs to identify themselves as belonging to the "opposition," although this stance remains ambiguous, and is partly in reaction to Karzai's recent statements and decrees and partly due to the political capital to be gained from such a position prior to an election. This marks a shift from previous years, when MPs were reluctant to overtly state their political alignment, but it does not necessarily mean a long-term increase in the strength or unity of the opposition bloc.
- An increase in opposition could be a positive development for Afghanistan because it could lead to checks on presidential power and a greater balance of legislative and executive influence. But pre-election posturing does not necessarily mean lasting change. Many of the shifts occurring in parliament at present are surface manifestations of campaign strategies and electoral politicking, as should be expected. They may well collapse in the lead up to or after the election. Furthermore, while the increasing size and strength of opposition could provide checks and balances, it could also increase tension in the *Wolesi Jirga* and outside—especially if the pro-government/opposition divide falls in line with Pashtun/non-Pashtun interests.
- The events during and results of the 2009 elections will have a significant impact on how incumbent MPs campaign for re-election in 2010. Both pro-government and opposition MPs will use their stances in relation to the government as a key way to get votes. However, even candidates who strongly emphasise their opposition to the government will not distance themselves from it to the extent that their access to services will be questioned by voters.

The Afghanistan Research and Evaluation Unit (AREU) is an independent research institute based in Kabul. AREU's mission is to inform and influence policy and practice through conducting high-quality, policy-relevant research and actively disseminating the results, and to promote a culture of research and learning. To achieve its mission AREU engages with policymakers, civil society, researchers and students to promote their use of AREU's research and its library, to strengthen their research capacity, and to create opportunities for analysis, reflection and debate.

AREU was established in 2002 by the assistance community working in Afghanistan and has a board of directors with representation from donors, the United Nations and other multilateral agencies, and non-governmental organisations. AREU currently receives core funds from the governments of Finland, Norway, Sweden, Switzerland and the United Kingdom. Specific projects have been funded by the Foundation of the Open Society Institute Afghanistan (FOSIA), the Asia Foundation (TAF), the European Commission (EC), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM) and the World Bank.

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