



# CRU Policy Brief

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Clingendael CONFLICT RESEARCH UNIT (CRU)

## From 'Winner-Takes-All' to Sharing the Cake? Preventing Election Violence in Afghanistan, Sudan and Burundi

Later this year and in 2010 millions of voters will go to the polls in Afghanistan, Sudan and Burundi. These elections should give voters a welcome opportunity to judge government performance and select their future leaders. At the same time, however, the competitive nature of elections might also exacerbate the political, ethnic and regional tensions that are already running high. At worst, elections could jeopardize the fragile peace that exists in some parts of Afghanistan, Sudan and Burundi. To minimize the risk of election violence and avoid a relapse into war, domestic and international actors are advised to focus not only on technical-organizational aspects of the elections but to specifically concentrate on building confidence between the various parties through political dialogue and (pre-election) power-sharing.

### Background

Afghanistan will elect a new president and provincial councils on 20 August 2009, with parliamentary elections following in mid-2010. Sudan's local, parliamentary and presidential elections have recently been postponed and are now scheduled for February 2010. Local, parliamentary and presidential elections in Burundi are expected to take place between June and August 2010.

What is at stake in all these elections is surprisingly similar: the peaceful and democratic future of three war-torn states as well as the wider regional stability of the Horn of Africa, African Great Lakes and Central Asia. Yet the circumstances in which the elections will take place are different in each country. They are all far from ideal.

The elections in Afghanistan come at a time when the Taliban are again on the rise, the security situation is deteriorating throughout the country, and widespread government corruption and inefficiency have eroded the initial popularity of President Karzai. The elections in Sudan are being prepared against the background of an ongoing war in Darfur that hampers implementation of the 2005 Comprehensive Peace Agreement (CPA), uncer-

tainty over the outcome of the 2011 South Sudan independence referendum, and heightened tensions with the international community over the International Criminal Court (ICC) arrest warrant against President Al-Bashir. The elections in Burundi will take place in an atmosphere of a low level of trust between one former rebel group trying to hold on to power by any means, another still to be disarmed, and opposition parties feeling increasingly marginalized.

The respective peace agreements for Afghanistan, Sudan and Burundi all called for the organization of regular 'free and fair' elections a few years after the conflict was settled. This was premised on the belief that elections would contribute to post-war peace-building and democratization. Paradoxically, however, now that in significant parts of Afghanistan and Sudan peace and stability have not materialized, and are increasingly under threat in Burundi, domestic and international policy-makers are openly questioning the desirability of the forthcoming elections.

## Dilemmas of Elections in Post-War Fragile States<sup>1</sup>

Doubts concerning 'post-war elections' are not new and are reflected in a wider policy and academic debate about the viability of democratization in countries that have recently experienced large-scale violent conflict. In this debate there are basically two opposite views.

The first view argues that elections can help settle conflicts by offering citizens an opportunity to legitimate peace agreements and giving them a direct say in the composition of a new government. Based on the historical experiences of most consolidated democracies, this view also claims that elections will eventually help create a democratic institutional framework, which channels tensions over competing demands of different societal (ethnic) groups into non-violent political debate.

This conflict-management, democracy-building view of elections has motivated the international community to support elections in countries ranging from Haiti, Timor-Leste and Nepal to Liberia, Sierra Leone and the Democratic Republic of Congo (DRC). In all of these cases elections were promoted as a crucial step towards creating more legitimate and inclusive governments, stimulating the emergence of broader-based and representative political parties, transforming rebel movements into political parties, and promoting reconciliation and inter-ethnic cooperation. Though not successful on all counts, elections have indeed brought to power new and more representative governments, which in some places have made significant improvements in governance.

A second, contrasting view argues that multi-party elections can be extremely dangerous, particularly in post-war environments, where competition between groups can easily reignite old conflicts. This

view points to evidence indicating that countries going through a transition towards democracy are more conflict-prone than consolidated democracies and even authoritarian regimes. The main reason for this is believed to be the underdeveloped nature of state institutions, the judiciary and media, which are unable to keep in check selfish elites that politicize ethnic and other divisions in their quest for power.

This more sceptical view of elections rightfully questions the overly optimistic notion prevalent in the 1990s that peace and democracy always go together. More recently it has become clear that peace and democracy can actually have conflicting objectives – at least in the short term – and often lead to dilemmas between exclusion and inclusion, efficacy and legitimacy, and international and local ownership, as well as short-term war-termination and longer-term democratization efforts. The organization of elections triggers many of these dilemmas – especially since ill-timed, unsuitably designed and/or poorly prepared elections can directly contribute to violence, as happened in Angola, Rwanda and Liberia in the 1990s and in the DRC, Zimbabwe and Kenya more recently.

## The Trouble With 'Winner-Takes-All' in Fragile States

The above views are also heard in the run-up to the elections in Afghanistan, Sudan and Burundi. Those concentrating on democratization typically argue that elections will improve citizen representation and government legitimacy, while those focusing on peace-building initiatives point to the risk of further destabilization. The truth of these claims remains to be seen, but some realism on both sides is needed. The forthcoming elections will not in themselves guarantee legitimacy or produce fully democratic governments in Afghanistan, Sudan and Burundi; nor would their abandonment automatically provide peace and stability.

Comparative evidence still suggests that democratically elected governments provide a better chance of long-term peace and equitable development than any of the alternatives. For better or worse, elections therefore remain a necessary step in the long-term process of peace-building and democratization. But to ensure that elections can indeed play a positive role in Afghanistan, Sudan and Burundi a number of problems need to be addressed.

<sup>1</sup> This section draws on research by Benjamin Reilly, Timothy Sisk, Anna Jarstad and Paul Collier (see 'Sources and Related Information' at the end of this brief). The author is also grateful for the useful comments from Louise Anten and Jort Hemmer on earlier versions.

Perhaps the biggest challenge of all is the potential ‘winner-takes-all’ outcome of the forthcoming elections. In established democracies such as the United States and Britain an outcome of this kind may work well. A clear winner usually helps to create a strong and democratic government that can be held accountable for its actions by opposition parties. However, in deeply divided societies with no proper checks and balances a ‘winner-takes-all’ outcome makes the entire state vulnerable to domination by one single (ethnic) group. This has been the case in previous elections in Sudan and Burundi, and to some extent in Afghanistan. As the state is generally the only source of employment, income and security, losing the elections means the losing party or parties paying a very high price, which greatly increases the risk of (ethnic) group rivalry and violence.

Fortunately, Afghanistan, Sudan and Burundi have taken (some) steps to move away from the electoral systems that produce such outcomes. This is certainly good news, but is not enough to make politicians less jittery. To boost politicians’ confidence that the inherently uncertain election outcomes will not be turned into a lethal zero-sum game, more needs to be done in each of the three countries. The first thing is to address the remaining problems with the electoral system, election commission and political parties. The second is to stimulate opportunities for inclusion and power-sharing well before the elections.

## Election Challenges in Afghanistan, Sudan and Burundi

One of the main problems in Afghanistan is the Single Non-Transferable Vote (SNTV) electoral system for the parliamentary elections, which undermined the development of strong political parties and, together with a flawed candidate vetting system, led to the election of unrepresentative MPs with links to armed militias and criminal networks. The result has been a highly fragmented and inefficient Afghan parliament, many of whose members are more interested in serving narrow personal and conservative interests (as in the case of the Shia Family Law) rather than pressing the government to improve its performance in areas such as security, rule of law, healthcare, water and sanitation, and education. As a result of Afghan political parties’ weak organizational development and inability to draw up clear programmes, and

their lack of resources and formal recognition in parliament, most of them are unable to address the basic needs and demands of ordinary citizens. Finally, there are concerns about the technical capacities of the new Independent Election Commission (IEC) and the limited public awareness of the electoral process. This has all been compounded by the poor security situation in most parts of the country.

In Sudan, it has proved difficult to establish a legal framework legitimating the simultaneous elections to political offices at six different levels. After long delays a new National Election Act was finally passed in July 2008, but political compromises have resulted in a complex combination of electoral systems requiring up to as many as 12 separate ballots. In addition, the results of a population census needed for the delimitation of constituency boundaries, which were disclosed recently, have caused protests that risk undermining the electoral process. The second problem is that there are serious doubts about the organizational capacities of the recently established National Election Commission (NEC). With most of the provincial and local election officials not yet recruited or trained, the timescale for voter registration and polling station preparation looks highly ambitious. Finally, the almost absolute control of the ruling National Congress Party (NCP) over state security services and broadcasting media makes a level election playing field highly unlikely.

In Burundi the greatest concern has been the contested neutrality of the Independent Election Commission (CENI). Recent government attempts to appoint and suspend commissioners directly were blocked only after strong criticism from opposition parties and international donors. Another worry is the overall absence of political dialogue and the ostensibly limited commitment of some parties – in particular the ruling CNDD-FDD and FNL – to play by the rules of the game. Finally, fear remains that the participation of the more extreme FNL in the 2010 elections could upset the delicate ethnic power-sharing balance in parliament and the security forces.

International and regional actors are currently addressing some of these problems with a mix of technical assistance, logistic and capacity-building support as well as political pressure. And to be fair, some progress has been made with, for example, the strengthening of the Electoral Complaints Commission in Afghanistan, civic and voter education in Sudan and

the registration of the FNL as a political party in Burundi. Nevertheless, in many other areas progress is slow or non-existent, and coordinated international efforts need to be stepped up.

## Towards Dialogue and (Pre-Election) Power-Sharing

The most contentious election issues in Afghanistan, Sudan and Burundi cannot be solved with quick technical fixes, however. The disputed independence of election commissions, the lack of proportionality of electoral systems and the limited access to financial and media resources of opposition parties, for example, all reflect the current balance of power. Incumbent politicians will strongly resist any attempt to change these. Yet to not address these issues will directly undermine the credibility and perceived legitimacy of the vote – and might spark election violence.

One answer to this dilemma is to support increased political dialogue between the major political players in these countries before the elections. Positive experiences with election-related dialogues in other countries indicate that they can be a useful tool for reducing tensions and can help to prevent election violence (see box below).

Such a dialogue might lead to some form of agreement on the sharing of power after the elections as opposed to the winner taking all. In Afghanistan this could mean supporting locally organized interest groups that over time would form strategic issue-based coalitions at the constituency level, eventually encouraging the development of broader-based political parties. It could also mean allowing moderate Taliban members to stand as election candidates in return for their public disassociation from illegally armed groups. In Sudan this could entail a new pledge of commitment from the NCP and the SPLM/A to implementation of the 2005 CPA. Finally, in Burundi, this could mean providing the FNL and the opposition parties with extra assurances that they will not be excluded from future decision-making and government positions, for example by including them in current power-sharing arrangements.

Especially in the conflict zones of Afghanistan and Sudan, such political agreements would have to be backed up with security commitments from international peacekeepers, national and provincial security forces and, where needed, local community and/or militia leaders. Underwritten by the right type of support, monitoring and political pressure, as well as a civilian police and military peacekeeping presence from the international community, pre-election agreements would not only help to allay security fears and build trust between the various parties, but also commit them to playing fair and to refraining from using violence-inciting tactics in the forthcoming elections.

### Suggestions for International Action

To stimulate inclusive political dialogue and power-sharing:

- Help organize roundtables, conflict prevention committees and other election-related dialogue forums (cf. Conflict Prevention in Cambodian Elections/COPCEL in Cambodia, National Peace Council in Ghana).
- Encourage the drafting of codes of conduct or a shared national agenda for political parties (this worked in Sierra Leone and Guatemala).
- Support the establishment of high-level consultative peace commissions to discuss concerns and build trust between key parties in the post-war period (cf. Supervisory and Monitoring Commission/CSC in Mozambique and the National Commission for the Consolidation of Peace/COPAZ in El Salvador).
- Support pre-election agreements aimed at reassuring political leaders and preventing election violence and post-election deadlock.

## Conclusion

Elections are a mixed blessing for post-war fragile states. Nevertheless, they remain the most widely accepted method for selecting new leadership. To prevent election violence in Afghanistan, Sudan and Burundi, well-coordinated domestic, regional and international efforts should be focused on careful reform of political governance (long-term) as well as an inclusive political dialogue and forms of power-sharing (short-term).

## Sources and Related Information

- Collier, Paul (2009) *Wars, Guns and Votes. Democracy in Dangerous Places* (London: The Bodley Head).
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### ABOUT...

**The Clingendael Conflict Research Unit**  
The Netherlands Institute of International Relations 'Clingendael' is a training and research organization concerned with international affairs. The Conflict Research Unit (CRU) is a specialized team, focusing on conflict-related issues in developing countries.

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