

## CIVIL SOCIETY

**POLITICAL PARTIES OF TAJIKISTAN  
ON THE EVE OF  
THE PARLIAMENTARY ELECTIONS**

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**O**n 15 July, 2004, President of Tajikistan Emomali Rakhmonov approved the amendments to the Constitutional Law on the Elections to the Majlisi Oli (the national parliament) of the Republic of Tajikistan passed by the lower chamber of the parliament on 16 June and by the upper chamber on 8 July. This saw the end of many months of political efforts exerted by the local political parties (the People's Democratic Party of Tajikistan (PDPT), the Communist Party of Tajikistan (CPT), the Islamic Revival Party of Tajikistan (IRPT), the Social-Democratic Party of Tajikistan (SDPT), the Democratic (DPT), and the Socialist (SPT) parties) striving to improve the law on parliamentary elections.

The process that ended on 15 July, 2004 started back in February 2003 when a group of deputies from both chambers came up with both important political and social amendments to the constitution. The amendments in the social sphere were intended to significantly narrow down the range of free social services, primarily in medicine and education. Those who formulated them argued that by 2003, the state was no longer able to shoulder the entire range of social services inherited from Soviet times and envisaged in the constitution. The fundamental law adopted in November 1994 had to be adjusted to meet the current realities—it was an inevitable and objectively necessary measure.

The purely political changes were related to the institution of presidency: they extended the term of office to two consecutive seven-year terms instead of one, as suggested by the 1999 amendments.

This jolted the political parties, which had been hibernating since the previous elections, into frenzied activity even though they did not wake up until 19 March, 2003 when the parliament approved the amendments and offered them for discussion at a referendum. Typically enough, the parties found fault with those who had started the ball rolling, not so much because they disagreed with the content, than

they were irritated by certain procedural lapses: the amendments were offered for nationwide discussion not before, but after the parliament had approved them.

Posing as representatives and defenders of the common people, the opposition parties (all those that pass themselves for the opponents to the presidential PDPT) deemed it necessary to respond to the social and “presidential” amendments. They claimed that the presidential amendment was designed to give the head of state a chance to remain in power until 2020. As sober-minded politicians, they could not but accept the fact that the PDPT-dominated parliament would adopt the amendments. They had no choice but to use the chance to promote their interests in anticipation of the next parliamentary elections scheduled for 2005. To start scoring they initiated broad discussion in order to rivet public attention.

Early in April 2003, the parliamentary parties set down to the business of improving the Constitutional Law on Elections to the Majlisi Oli of the Republic of Tajikistan by amending it. The law adopted in December 1999 when the country had just started its transition from the civil war to stability no longer corresponded to the new realities, therefore amendments were badly needed. Since 1999 the situation has changed a lot: regional strife and the rule of omnipotent warlords convinced that regulations and laws were written to be ignored were things of the past. The republic’s political leaders had managed to reunite the country under unified rules and laws. Political pluralism and a national dialog, which is going on uninterrupted in various forms, are helping to develop civil society and nongovernmental media (including the publications of parties and public organizations). The election laws obviously had to be adjusted to the new developments.

## 2

On 3 April, 2003, a Working Conference on Preparing the National Elections of 2005 chaired by Mahmadsayid Ubaydullaev, speaker of the upper chamber, was held in Dushanbe. It was attended by representatives of both chambers, people from the executive apparatus of the head of state and from the ministries and departments, as well as politicians, journalists, and members of international organizations accredited in the republic.

The conference created a workgroup staffed by politicians and deputies which had to gather and summarize all the suggestions and arrive at a final version of the amendments to the constitutional law to be submitted for consideration to the Majlisi Namoyandagon (the lower chamber). It was expected they would be discussed and edited before being offered for nationwide discussion.

By late October, the group had come up with a final text which gave political parties a more important role to play in forming election committees of all levels, and in controlling the process of preparing and holding the elections. In particular, it was suggested that the body of national observers should be enlarged to cope with the new functions: a greater role in monitoring the elections, vote counting, publicizing the results, and other activities. It was felt that the executive power should be less involved in the election process to avoid possible falsifications. Those who suggested this wanted to increase the chances of their representatives getting into parliament through straightforward and transparent elections.

At the crucial moment, however, those members of the workgroup who represented the parliament and the PDPT refused to sign the final document, therefore head of the OSCE Center in Dushanbe Yve Bergen and Vladimir Sotirov, who represented the U.N. Secretary General in the republic and headed the United Nations Tajikistan Office of Peace-Building (UNTOP), sent the document in their own name to the executive apparatus of the head of state and to both chambers. This happened in November 2003.

The parliament refused to consider the document under the pretext of a procedural lapse: only drafts submitted by entities with the right of legislative initiative could be accepted for consideration. Neither the workgroup that drafted the document, nor the international organizations that sent it to the parliament

had this right. It was absolutely clear, however, that the procedure had little to do with rejection: there was no consensus at the very top about the need to amend the law. Some people believed that different times required different, or amended, laws. This explains why the establishment and the ruling party sent their representatives to the workgroup in the first place.

Those who completely disagreed with this had enough clout to prevent the signing of the document and its consideration in the parliament. Still, they could not bury the draft, which explains why it was rejected for purely procedural reasons. It was for the head of state to resolve the conflict, yet the president took his time and did not hasten to make his decision public.

### 3

While the campaign was unfolding, the republic finally acquired a post-Soviet pattern of president-dominated statehood (shared by all the CIS countries): the president ruled the country and was expected to formulate all the significant political initiatives.

It is not surprising that many of the PDPT members (the party of parliamentary majority) did not look favorably on the project: indeed, no party would have hailed amendments giving its rivals a potentially stronger position. But it was clear, at the same time, that the president, who was the party's chairman, shared these apprehensions.

As president, Emomali Rakhmonov, who had headed an essentially non-existent country and managed to reunite it, achieve national unity and build up a new Tajik statehood, could not ignore the interests of the diverse political forces without damaging his political image. It was obviously wrong to ignore what the opposition (the aggregate potential of which was great enough) thought about the amendments. There was another important factor: the developed democracies, stable and diverse contacts with which were high on the list of priorities of the state and its leaders, approved the suggested changes.

As a highly intuitive politician, President Rakhmonov felt that the legitimacy of his power should be diversified to be accepted by all public strata. Throughout the 1990s, Tajik society urgently needed the speediest possible healing of the wounds inflicted by the civil war: the ruined economy had to be restored, the widely spread legal nihilism overcome, etc. No democratic changes or transfer to a market economy would be possible if these tasks remained unresolved. The absolute majority of the younger population groups (between the ages of 25 and 30) accept Emomali Rakhmonov as the president because he managed to resolve these tasks, achieve a peace settlement, and guarantee peace and political stability in his country.

The republic has reached a new stage of its post-Soviet history, at which peace and political stability are accepted as a reality. The public is eager to satisfy its social and economic needs and the political and other ambitions it had to shelf in anticipation of a better future. In fact, it was the elder population groups (born and educated during Soviet times) who had to wait to satisfy their needs because of the political upheavals and the civil war. These people regarded the possibility of finally satisfying their social and economic expectations as a sign that the country would not tumble back into the abyss of political chaos it experienced during the first years of independence.

The new generation, who in five to six years will become the most active part of the country's population and later will dominate in it (because of the high birthrate and the fact that nearly half of the population is young), has a very different idea of the recent past. They are too young to remember the Soviet Union and even the political calamities and the civil war of the early 1990s. They were unable to share the emotional experiences of the elder population groups, therefore they treat the past neutrally at best. For them peace, political stability, the new statehood, and the country's manageability are real and unshakable. They do not share the urgency with which their parents look at the task of preserving this reality. This explains why the president's legitimacy rooted in his achievements of the 1990s is not all-important for those who are now 20 or 25.

They grew up in a country with a developing market economy and know no other economic patterns. Having grown up in a country with more or less developed political pluralism and a multi-party system, they have no idea about a one-party system. These people want a system with legal, social, economic, and political conditions conducive to the realization of their social, economic and political ambitions, which entails having access to economic, information, and political resources. The new generation will accept anyone as a legitimate president if he manages to mobilize the state and society's potential to resolve this problem and be successful.

## 4

Being aware of the need to pay more attention to this new element of his legitimacy created by changing society and absolutely acceptable throughout the world, the president has to ponder on practical measures. The country needs socioeconomic reforms, democratic changes, more resolute efforts to uproot corruption, regulate the legal status of Tajik guest workers in Russia, etc. The possibility of success while dealing with all problems at once is limited by the country's scarce resources. Priorities should be correctly identified: it seems advisable to concentrate primarily on one of the less resource-consuming problems, which would make it possible, first, to promptly achieve acceptable results; and second, to build on them to move toward more complicated time- and resource-consuming tasks.

Priorities have suggested themselves: the president's position ignited an interest in amending the law on elections among the public and outside the country. It became obvious that this campaign should be brought to its logical conclusion. In February 2004, the PDPT faction and a group of independent deputies submitted the amendment draft to the parliament.

This was done after the Communist Party and the Islamic Revival Party factions submitted their joint draft of amendments to the Council of the Majlisi Namoyandagon by way of a legislative initiative on 13 February, 2004. The joint project, based on the workgroup document, contained proposals for setting up an institution of national observers; for better protecting ballot papers against frauds; for displaying the protocols of the election committees at polling stations for three days for everyone to see; for setting up elections funds by all parties and self-nominated candidates, etc.

The PDPT and the people behind it were obviously concerned lest the amendments cripple their election chances. This explains why the PDPT draft did not contain many suggestions designed to increase the role political parties play in election campaigns and to considerably diminish the degree of involvement of the executive power in the election process. The PDPT came up with the idea of a deposit. Self-nominated candidates were expected to pay a sum equal to 1,500 minimum wages; and the parties an amount equal to 33,000 minimum wages. With the official minimum wage being seven somoni, such deposits would have amounted to 10,500 and 231,000 somoni.

In an effort to improve their election chances, the Communist and the Islamic Revival parties borrowed all the suggestions from the workgroup document related to the greater role the parties could play in the election campaign at all stages, to less involvement of the executive power in the election process, and to increasing the transparency of the voting process and vote counting.

Today, in all the post-Soviet CIS countries the election results depend on the efficiency of those in power, their ability to control the political processes and the skill with which this is done, as well as on the attitude of the local people, the world community, and the opposition toward the domestic political developments. The quality of the election laws is of secondary importance because they are drawn up under the supervision of the ruling groups, which are naturally not inclined to help their political opponents. This made the political battles and maneuvering around the amendments much more interesting than the verbal clashes and the parliament-formulated amendments themselves. In other words, the political struggle was determined by the desire of both sides to push through their own amendments. The opposition relied on a wide media campaign, seminars and round tables designed to involve the highest possible number of structures of the emerging civil society, international organizations busy

promoting democracy in our country, and some of the embassies. The international community, represented primarily by UNTOP and the OSCE Center, was engaged in a dialog with the sides in an effort to identify common positions.

## 5

By late April 2004, it became clear that the discussions were driving the parties into an impasse. A similar situation regularly reemerged during the peace talks between the sides in the civil war in 1994-1997 and repeated itself while the General Peace Agreement was implemented in 1997-2000. At that time, only the involvement of the country's president helped to find a correct solution. And now once more the sides were bogged down: neither could push its alternative through the parliament while ignoring the other side, because the world community obviously insisted on a mutually acceptable solution. In his address to the nation delivered in the parliament on 30 April, 2004, President Rakhmonov came up with a solution by calling on the deputies to heed the arguments of all political parties.<sup>1</sup>

From that time on, the president's leading role in the amendment process became public and tangible. All those directly involved in the process, as well as the world community accepted him as the driving force behind the process and also behind the wider process of the country's democratic development. This, and his suggestion to adopt a moratorium on the death penalty he put forward at the same parliamentary sitting, together with his acceptance of political pluralism, an ongoing national dialog, and improvement of the numerous media functioning in the republic, strengthened his image as a democratically minded politician. From that time on, all political parties concentrated on reaching a consensus on the amendments. This added strength to the democratic elements of the legitimacy of the president's power.

His advice to heed the opinions of all political parties and forces was accepted, yet the discussions held on 3-4 June in the parliament failed to settle the contradictions. Finally, it was decided to set up a deputy workgroup that included Djumaboy Sanginov, head of the PDPT faction; Shodi Shabdolov, chairman of the Communist Party and head of its parliamentary faction; Nasruddin Sayidov, who represented the IRPT; and Sherhon Salimov, who represented the PDPT. The workgroup was expected to reach a more or less acceptable version of the amendments and present the final document to the lower chamber. This was done when the PDPT deputies agreed to play down somewhat the role of the executive structures in the election process and to lower the deposit to a more acceptable level of 200 minimum wages for self-nominated candidates and for those included on the party lists. They also accepted some of the suggestions designed to reach more openness and transparency. The opponents, for their part, agreed to remove the clause about the parties' greater involvement in forming election committees at all levels and holding elections. The results were made public at an international round table held on 10 June, 2004. The president endorsed the joint version of the amendments adopted by the parliament.

Some of the parties, however, mainly those that had been left outside the parliament, were dissatisfied with the results. According to Rahmatullo Valiev, executive secretary of the DPT, far from improving the law, the amendments made it even worse. He was especially displeased with the new clause about the deposit of 200 minimum wages (an equivalent of \$500),<sup>2</sup> which he found exorbitant.

Speaking at the round table Rahmatullo Zoirov, SDPT chairman, described the new clause as an attempt to create a property barrier of sorts to keep away some of the self-nominated candidates and parties. Experts from these parties described the clause as a violation of the constitutional right of any citizen to elect and be elected: \$500 is a huge sum in a country where 80 percent of the population live below the

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<sup>1</sup> See: "Poslanie Prezidenta Respubliki Tajikistan E.Sh. Rakhmonova Majlisi Oli. Dushanbe, 30 aprelija 2004 g.," *Djum-khuriat*, No. 48, 1 May, 2004.

<sup>2</sup> See: *Ruzi nav*, 17 June, 2004.

poverty level. Muhiddin Kabiri, IRPT deputy chairman, said that while the law had been considerably improved, the amendments could hardly be described as great political progress.

## 6

The political parties dissatisfied with the draft addressed the president twice: on 12 June (the eve of the voting in the lower chamber) and 26 June (the eve of the voting in the upper chamber). They called on the president, whom they saw as the real guarantor of the country's democratic development, to veto the amendments, which (they were convinced) the parliament would adopt. The 26 June address said that the amendments "might prevent them from taking part in the elections, events of great importance." This sounded a bit like an ultimatum and was intended to put pressure on the deputies. By the same token, the political parties accepted the president's leading role in the amendment process and in the much wider process of the country's democratization. The addresses failed to produce the desired result. In fact, being displeased with the greater chance the president had of being reelected as a result of the 2003 referendum, the parties stepped up their activity designed to change the election law. At the same time, they recognized the president as an opportunity to bring about a satisfactory solution and an arbiter in their dispute with the PDPT and the parliament.

The parties opposing the PDPT and the authorities on the amendment issue failed for purely objective reasons. Tajik society is obviously moving toward political pluralism confirmed by the positive response to the efforts of many political parties, the PDPT among them, to improve the law.

It is equally clear that there are still forces opposed to this trend. What is more, the absolute majority of the adult population fails to pin its hopes for a better social and economic situation on political pluralism: it is convinced that the multi-party system which emerged in the Soviet Union during the final stage of perestroika is to blame for the hardships. This is quite natural. People over the age of 25-30 are basically Soviet people who grew up in a country with one party, whose life was well padded and organized, and whose future was assured. Today, they look back with nostalgia; they fail to trust political pluralism as an idea and as political practice. These feelings of the larger part of the republic's able-bodied population are translated into corresponding political positions. The country's leaders and the PDPT should bear this in mind.

Time is needed to allow people to readjust their attitudes so as to achieve a breakthrough in the desired direction. When the younger generations born during perestroika and later (who have no idea about the one party system, take the multi-party system, the market economy, and the state's very limited social obligations for granted) come to the fore to dominate in the country's population, public sentiments will change. In other words, quick results and instant solutions cannot be expected. In fact, the parliamentary consensus among the leading political forces (the PDPT, CPT, and IRPT) meets the current situation.

## 7

Today, nobody could have expected a different response from the head of state. The addresses were an attempt to revive the practices of the United Tajik Opposition (UTO) applied to the National Reconciliation Commission (NRC), the main instrument used in 1997-2000 to put the General Agreement into practice. At that time, the UTO never missed a chance to suspend its involvement in the NRC when implementation of the General Agreement stalled for any reason. The UTO never hesitated to disseminate its statements and addresses worded in a harsh or even irreconcilable manner across the country. It was its method to invite the other side to look for mutually acceptable solutions.

This worked well in a country that was slowly emerging from a crisis and had barely begun to reunite. The statements and addresses helped rivet the attention of the republic's leaders, the public, and the international structures to the painful issues requiring attention.

Today, we are living in a different country, in which the opposition parties have no political weight, real influence, or potential comparable to the former UTO, therefore they cannot expect similar attention to their statements and addresses.

The outside world has responded positively to the developments in our country, which explains why the president and the deputies treated the addresses neutrally. Everybody knows that Russia, China, and the United States can affect the situation in Tajikistan (and across Central Asia, for that matter) to a great degree. Russia's role is determined by the close military-political cooperation between the two countries and a huge number of Tajik guest workers who find employment in Russia and who, according to Prof. Khodjimhammad Umarov, sent back \$1.2 billion (a sum equivalent to about four of the republic's budgets) in 2003 alone.

Moscow has not criticized the recent amendments; in fact, the domestic developments in the RF and its desire to return to a region that it left on its own free will for ideological reasons, rule out such comments. Indeed, it can only come back if the present Central Asian leaders remain in power. It has no political and ideological reasons to complicate the process of its return to the region and of restoring its former influence (even though on a smaller scale) by pointing to election specifics, which every Russian citizen knows about from personal experience.

China is very positive about the fact that the President of Tajikistan signed the amended law and about introducing the changes. In fact, China has been able to carry out successful economic, social, and political modernization thanks to the country's leaders and the Communist Party of China, the leading political force. China will hardly criticize a similar model taking shape in our country.

It was Richard Armitage, the U.S. deputy Secretary of State, who made public America's opinion about the amended election law. The man who represents a country engaged in the counter-terrorist struggle in Afghanistan and wishing to keep reliable regimes in power in the neighboring countries (Tajikistan, Uzbekistan, and Turkmenistan) approved of the law on elections. When visiting Tajikistan he pointed out that the law was a step in the right direction and that all that was left to do was to ensure that the February 2005 parliamentary elections were fair and transparent.<sup>3</sup>

It should be added that as soon as the incumbent U.S. administration chose to rely on the Central Asian regimes in its war on terror, the world community concentrated on supporting those efforts of the Central Asian regimes and political elites that might push forward the process of democratization. There are several reasons for this. First, the forces in power are much more predictable than their opponents; second, they can control the situation and maintain stability in their countries, which the world badly needs to go on with the operation in Afghanistan; third, the forces now in power in Central Asia (at least, in Kazakhstan, Kyrgyzstan, and Tajikistan) are carrying out democratic reforms (even though their efforts are not always consistent).

## 8

Guided by political pragmatism, the "old" parties (dating from Soviet times), the CPT, IRPT, and DPT, carried out a multi-level policy, while fighting for the amendments. They addressed two tasks: promoting the amendments and preserving, or even improving, their mutual understanding and constructive cooperation with the PDPT, the country's leaders, and the president.

They have coped with the task by assigning different roles to their leaders. It was the deputy heads (Tuygun Karimov in the CPT, Muhiddin Kabiri in the IRPT, and Rahmatullo Valiev in the DPT) who dealt with the practical issues. It was they who worded the first version of the proposed amendments and appeared at all related public events. The leaders (Shodi Shabdolov, Sayid Abdullo Nuri, and Mahmadrusi Iskandarov) were engaged in a direct and indirect dialog with the authorities and the PDPT at a higher level. Their public response to all the developments was more balanced: their criticism was constructive, whether they were addressing other parties or the authorities.

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<sup>3</sup> RIA "Novosti," 17 July, 2004.

This tactics allowed the three parties to broaden their possibilities in the dialog with the PDPT and the country's top crust and demonstrated that their leaders were determined to carry out a dialog and look together for a mutually acceptable solution for the sake of the nation, rather than start another round of political confrontation. On the other hand, they had no choice: their political legitimacy was rooted in their image as people working for peace and stability and prepared to actively cooperate with the head of state. They recognized that the president had done a lot to reunite the country, which almost ceased to exist in 1992, and restore its manageability.

It is not a great overstatement to say that it was one of the best forms of cooperation between the CPT, IRPT, and DPT and their partners at all levels of the political vertical, which made it possible to hold a political dialog that produced an amended law on elections and that was appreciated throughout the world.

The two other parties involved in the process—the SDPT and the SPT—had no chance of being involved in a dialog with the country's leaders directly or indirectly. They concentrated on formulating the amendments and on promoting their ideas through the media and participating in numerous seminars, conferences, and round tables. They did a lot to set up a political coalition for fair and transparent elections. The process started back on 3 November, 2003 when the SDPT and the DPT signed a corresponding agreement. Since that time the IRPT and SPT have joined it.

The future election campaign and related political maneuvering will go on against this backdrop. On the one hand, political life in the country is highly fluid. On the other, the president, whose amazing adaptability in the rapidly changing domestic and foreign conditions has earned him international support, obviously holds a dominant position. The PDPT and the forces in power, rather than their rivals, will find the situation more favorable: being at the helm they are carrying out many of the economic, social and political reforms which their opponents only formulate as their program aims.

The parliamentary parties, the CPT and IRPT, will find themselves in a less advantageous position mainly because they will be afraid of failure. It seems that the DPT has little chance of winning: it has no deputies and is working hard to reach the desired aim by establishing rational relations with the authorities.

The SDPT will look at the coming campaign as preparation for future, so far distant, election battles. It has still to acquire a fairly wide and fairly solid social basis. We can expect that closer to the election day, the parties may be badly hit by internal disagreements and dissent brought about by internal strife and the efforts of political rivals. In fact, in mid-August 2004 Balhier Zamirov, head of the regional (Gorno-Badakhshan) SDPT structure announced that his organization had decided to withdraw from the coalition: the amendments rendered their continued membership meaningless.

The SPT has not yet overcome its internal crisis created by the fact that it split in two, each of the parts claiming the name and announcing itself to be the genuine SPT. The dissidents headed by Abdulhalim Gafforov and Kurbon Vosiev moved against the party's leader Mirhusein Narziev. In June 2004, they gathered their supporters together and announced it was a party congress. The same congress removed Narziev from party leadership and announced that it was withdrawing from the coalition. On 14 August, Narziev and his supporters staged a congress of their own, which re-elected him as chairman of the party. Since the law forbids any two parties to carry the same name, a source in the republic's Ministry of Justice said that the ministry was looking into the problem. He added: "This issue belongs to the party's jurisdiction; we cannot interfere. The court alone may rule which of the parties is legitimate—if the parties choose to go to court."<sup>4</sup> In other words, the issue has not yet been settled.

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I would like to say in conclusion that the political parties are doing their best to meet each other halfway, even though each of them has strict and even implacable positions. Mutual concessions are making

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<sup>4</sup> *Asia-Plus "Blitz,"* No. 161, 25 August, 2004.



movement possible, until their positions coincide at some point. So far, we have adopted the amendments approved by the parliament, which means we have only passed a certain stage on our way toward a radically improved election law. There is hope that we shall continue consistently moving toward the desired aim.

We can say that the main participants in the process—the president, the political parties, and the society—have won. The head of state strengthened his legitimacy with another element—he became the guarantor of democratic developments, while all the political parties accepted him as an arbiter in the relationships among themselves and their relationships with power.

By putting the very issue of changing the election law on the agenda, the political parties scored a victory. By waking up almost two years before the next parliamentary elections, they acquired a good opportunity to begin talking to each other, to the authorities, and to the potential voters in a direct and public way, through the press, at seminars, round tables, etc. They used this opportunity to put on the agenda and discuss many urgent issues of emergent Tajik statehood and of economic and political reform. Today, political parties are no longer viewed as organizations coming to life on the eve of elections, but as active and constant participants in the political process. The very fact that they are actively involved in the republic's political life and in the republic's political and information expanse is contributing to the positive changes in the country.

The recent political processes have proven beneficial for the nation. The dialog and competition among the political parties and their involvement in a dialog with the powers-that-be have already created conditions conducive to political pluralism. Slowly but surely the system is leaving the confines of the republic's capital to reach its outlying regions and become part of the political landscape. The atmosphere of political tolerance has helped the media to develop; it boosted their creative potential and was responsible for the appearance of rather critical and non-conformist periodicals.

These positive changes are contributing to the country's obvious, albeit slow, drift along the road of change.

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